

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: DAVID M. BARASCH, CHAIRMAN
Gregory C. Fajt; Richard G. Jewell; Keith
R. McCall; Anthony C. Moscato; William H.
Ryan, Jr.; David W. Woods; Members
Fred Strathmeyer, Jr., representing
Russell Redding, Secretary of Agriculture
Jennifer Langan, representing Timothy
Reese, State Treasurer
Robert P. Coyne, representing Eileen H.
McNulty, Secretary of Revenue
MEETING: Wednesday, May 25th, 2016, 10:11 a.m.
LOCATION: Strawberry Square Complex
320 Market Street
Second Floor
Harrisburg, PA 17101
WITNESSES: Wendy Hamilton, Leigh Whitaker

Reporter: Seth Baier

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CHARIMAN:

Good morning, everyone. I'm David Barasch, the Chairman of the Pennsylvania Gaming Control Board. Before we begin, I'd repeat as I always do. I'd ask people to turn off or put on silent any electronic devices. With us today is Fred Strathmeyer representing Russell Redding, Secretary of the Department of Agriculture, Jen Langan representing Tim Reese, State Treasurer, and Bob Coyne representing Secretary of Revenue, Eileen McNulty. Thank you all. A quorum of the Board members being present, I will call today's meeting to order. First, Pledge of Allegiance.

PLEDGE OF ALLEGANCE RECITED

CHAIRMAN:

Before we begin, I believe the representative from the Agriculture Department had wanted to make some comments.

MR. STRATHMEYER:

I just wanted to make an announcement that as some of you have seen in the papers, the first meeting of the Race Horse Commission will be held on June 29th at the Pennsylvania Department of

1 Agriculture. The open session at least tentatively
2 will be in the afternoon. There will be a get
3 acquainted moment in the morning for the new
4 Commissioners and so I just wanted to make sure that
5 that was out there for everyone to hear that finally
6 we will have a commission meeting on June 29th.

7 HEARING HELD

8 CHAIRMAN:

9 By way of announcements, the Board held
10 an Executive Session yesterday, May 24th, for the
11 purpose of discussing personnel matters and to conduct
12 quasi-judicial deliberations relating to matters that
13 are going to be considered today. Next we have
14 consideration of a motion to approve the minutes and
15 transcripts of the March 30th, 2016 meeting. May I
16 have a motion?

17 MR. JEWELL:

18 Mr. Chairman, I move that the Board
19 approve the minutes and transcript of the March 30th,
20 2016 meeting.

21 MR. MCCALL:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 All opposed? Motion is adopted.

3 MR. O'TOOLE:

4 Good morning, Chairman Barasch, and good
5 morning to members of the Board. I have one item that
6 I would like to present to the Board today. And it
7 relates to we as an agency expend a significant amount
8 of time and energy, and we do so gladly and with
9 enthusiasm to provide assistance to the General
10 Assembly throughout the year on issues that impact the
11 casino industry, issues that impact the regulation of
12 the casino industry.

13 So, recently, we were asked to do that
14 and it really bears importance to present it at a
15 public meeting because it was done really
16 terrifically. So I'd like to recognize at this public
17 meeting the issuance of the Pennsylvania Gaming
18 Control Board's Fantasy Sports Report. I will briefly
19 describe the genesis of that report, but before I do
20 that, I would like to acknowledge the outstanding
21 effort of Chief Counsel Doug Sherman, who coordinated
22 the research, the preparation and the writing that
23 went into that report.

24 The Fantasy Sports Report was prepared
25 pursuant to Act 7 of 2016 passed by the General

1 Assembly and signed by Governor Wolf on February 23rd,
2 2016. Act 7 instructed the Board to submit a report
3 that would address the potential of Fantasy Sports as
4 a gambling product in the Commonwealth of
5 Pennsylvania.

6 The report commissioned the Board to
7 address a list of specific issues or topics which
8 included the following. Defining the phrase fantasy
9 sports, analyzing the different fantasy sports
10 formats, consideration of how the regulation of
11 fantasy sports would fit into the Commonwealth's
12 current gambling laws and policies, discussion of how
13 fantasy sports formats would protect the underage and
14 the compulsive and problem gambler, discussion of
15 measures to ensure the fairness and integrity of
16 games, consideration of the safeguards and mechanisms
17 to ensure the reporting of gambling winnings.

18 Now in addressing all of those matters
19 and providing that Fantasy Sports Report, which was a
20 56 page report, very comprehensive, very well
21 researched, it is part of our responsibility to
22 provide information to the General Assembly so that
23 they can make informed judgements on policy issues.
24 So we provided the information without necessarily
25 taking any position because it's a policy issue at all

1 times in terms of the expansion of gambling.

2 The report was released last week within
3 the time requirements set forth in Act 7. The report
4 was provided as required to the chairpersons and the
5 minority chairpersons of the House Gaming Oversight
6 Committee and the Senate Community Economic and
7 Recreational Development Committee.

8 So, before I conclude, I would also like
9 to recognize Chief Counsel Sherman's staff and the
10 Office of Chief Counsel (OCC) and our legislative
11 liaisons, Dan Stambaugh and Max Flessner, for their
12 contributions in the preparation of the report. The
13 Fantasy Sports Report is available to the public on
14 the Pennsylvania Gaming Control Board website. Thank
15 you, Chairman.

16 CHAIRMAN:

17 Thank you. Any comments from the Board
18 about this matter? Thank you, Kevin. Good morning,
19 Claire.

20 MS. YANTIS:

21 Hi. Good morning Chairman, members of
22 the Board. The Office of Human Resources has one
23 motion for your consideration today relative to the
24 hiring of two individuals. Ms. Lisa Brown and Mr.
25 Terrance Gubernick have been selected as Casino

1 Compliance Representatives. Ms. Brown will be
2 assigned to SugarHouse Casino and Mr. Gubernick will
3 be assigned to Sands Casino.

4 Both individuals have completed the PGCB
5 interview process, background investigation and drug
6 screening and are recommended for hire by Director of
7 Casino Compliance, Gerry Stoll. Unless you have any
8 questions, I ask that the Board consider a motion to
9 hire Ms. Brown and Mr. Gubernick as indicated.

10 CHAIRMAN:

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

13 MR. FAJT:

14 Mr. Chairman, I move that the Board
15 approve the applicants as proposed by the Director of
16 Human Resources.

17 MR. MOSCATO:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 All opposed? Motion's adopted.

24 MS. YANTIS:

25 Thank you.

1 CHAIRMAN:

2 Thank you. Doug Sherman?

3 ATTORNEY SHERMAN:

4 Good morning Chairman, members of the
5 Board. Before I get to the agenda items, following on
6 Kevin's statement, I just want to recognize the
7 importance of Dan Stambaugh and Max Flessner's
8 contributions to that report shouldn't be overlooked.
9 They were instrumental in researching and helping to
10 draft and, you know I don't want it to be overshadowed
11 the comments, Kevin, of what my shop did. Those two
12 individuals were very instrumental in preparation of
13 the report as well.

14 CHAIRMAN:

15 We appreciate that, thank you.

16 ATTORNEY SHERMAN:

17 Our first agenda item relates to the
18 Final-Form Regulations which Assistant Chief Counsel
19 Susan Yocum is here to present.

20 ATTORNEY YOCUM:

21 Good morning Chairman, members of the
22 Board. I have two agenda items for your consideration
23 today. Both are Final-Form Rulemakings. The first on
24 the agenda today is 125-188 which will transition nine
25 of our chapters on table games into final form. They

1 include the games of Props and Hops, Raise it up Stud
2 Poker, Six Card Fortune Pai Gow Poker, Lunar Poker,
3 Free Bet Blackjack, Double Blackjack, Crisscross
4 Poker, High Roll Dice and Go For It.

5 This will also update the surveillance
6 requirements to reflect these additional games and
7 lastly we'll amend slightly the number of hours of
8 dealer training a dealer's required to complete if you
9 would like to be trained on a different table type.
10 So, example, a blackjack dealer who's already been
11 trained would like to now deal the game of craps,
12 instead of having to complete 140 hours of additional
13 training will now only have to complete 120. I'm
14 happy to answer any questions you may have regarding
15 this Rulemaking.

16 CHAIRMAN:

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

19 MR. MOSCATO:

20 Mr. Chairman, I move that the Board
21 issue an Order to adopt Final-Form Regulation 125-188
22 as described by the OCC.

23 MR. RYAN:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? The motion's adopted.

5 ATTORNEY YOCUM:

6 The next agenda item is Final-Form
7 Rulemaking 125-187. This will amend the requirements
8 for the game of Asia Poker. It will actually change
9 the name to Fortune Asian Poker and will add two
10 additional side wagers, the progressive payout wager
11 and the insurance wager. Again, happy to answer any
12 questions you may have regarding the Rulemaking.

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 adopt Final-Form Regulation 125-187
19 as described by the OCC.

20 MR. WOODS:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? The motion's adopted.

2 ATTORNEY YOCUM:

3 Thank you.

4 CHAIRMAN:

5 Thank you.

6 ATTORNEY SHERMAN:

7 Next for your consideration we have a
8 local law enforcement grant application which
9 Assistant Chief Counsel Denise Miller-Tshudy is here
10 to present.

11 ATTORNEY MILLER-TSHUDY:

12 Good morning. I have one grant
13 application for you to look at today. It is the Bucks
14 County District Attorney's Office. They are seeking a
15 grant in the amount of \$190,000. If the Board were to
16 award this grant, it will be their third grant. The
17 office intends to use its grant funds to continue to
18 work with the Pennsylvania State Police and several
19 federal agencies and the grant will specifically pay
20 for half of the Assistant District Attorney's salary,
21 half of the paralegal's salary, investigative
22 expenses, capital equipment and training for the
23 detectives. This application has been reviewed and it
24 meets the Board's guidelines. I'd ask for a motion to
25 approve this, Board.

1 CHAIRMAN:

2 Questions or comments from the Board?

3 May I have a motion?

4 MR. WOODS:

5 Mr. Chairman, I move that the Board
6 issue an Order to approve the Local Law Enforcement
7 Grant for the Bucks County District Attorney's Office
8 as described by the OCC.

9 MR. FAJT:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 All opposed? The motion is adopted.

16 ATTORNEY MILLER-TSHUDY:

17 Thank you very much.

18 ATTORNEY SHERMAN:

19 Today we have four petitions on the
20 agenda. Each is to be decided on the documents filed
21 of record as they are uncontested. For each of the
22 matters, the Board has in advance of this meeting been
23 provided with a copy of the petition, OEC's answer as
24 well as any evidentiary materials which have been
25 submitted in connection with the petition.

1 The first matter is that of Autovalet
2 Systems which seeks removal from the Board's
3 Prohibited Gaming Service Provider List. Autovalet
4 manufactures a computer controlled system that permits
5 employees to securely store and retrieve uniforms and
6 personal items in an automated carousel.

7 Autovalet was placed on the Prohibited
8 Gaming Service Provider List in December of 2008 after
9 failing to provide the Board with information required
10 to complete its application. The company immediately
11 petitioned the Board then to be removed from the list
12 and cured all deficiencies. As a result, in June of
13 2009, the Board granted Autovalet's petition imposing
14 a \$1,500 civil penalty which was paid and it was
15 removed from the list.

16 Unfortunately, after completion of its
17 background investigation, Autovalet's ownership was
18 asked to complete a Statement of Conditions and
19 Indemnification Agreement as well as pay any
20 outstanding investigative and licensing costs.
21 Autovalet failed to comply with that request and was
22 again placed on the Prohibited List in July of 2012.

23 Autovalet has now filed a second request
24 for removal from the Prohibited Gaming Service
25 Provider List. The Office of Enforcement Counsel

1 (OEC) again does not object so long as they pay the
2 outstanding monies due to the Board as well as an
3 additional \$1,500 civil penalty. And this matter is
4 now ready for the Board's consideration.

5 CHAIRMAN:

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

8 MR. FAJT:

9 Mr. Chairman, I move that the Board
10 issue an Order to grant Autovalet Systems, LLC's
11 Petition to be removed from the Prohibited Gaming
12 Service Provider List as described by the OCC and with
13 the conditions requested by the OEC.

14 MR. JEWELL:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 All opposed? The motion is adopted.

21 ATTORNEY SHERMAN:

22 The next matter is Novomatic Group's
23 Petition for approval to acquire approximately 53
24 percent of the shares of Ainsworth Game Technology
25 Limited. Novomatic is an Austrian company that

1 manufactures slot machines, electronic table games and
2 casino management systems for use in gaming
3 jurisdictions worldwide. Ainsworth Game Technology
4 Limited is an Australian company that manufactures
5 slot machines and related equipment for sale and use
6 in Pennsylvania as well as throughout the world.

7 Novomatic is requesting approval to
8 purchase 53 percent of the outstanding shares in
9 Ainsworth from Len Ainsworth, the founder and majority
10 shareholder of the company. This request clearly
11 would be provided on all shareholder and regulatory
12 approvals are granted by both companies.

13 The OEC does not object to the
14 transaction outlined in the agreement, however, OEC
15 avers in their answer that the background
16 investigations for the Novomatic Group and relevant
17 affiliates, principal entities and principals have not
18 yet been completed. Until all background
19 investigations are done and all relevant applications
20 have been approved by the Board, OEC avers that
21 Novomatic should not be allowed to exercise control
22 over the Ainsworth shares.

23 Additionally, OEC requests conditions be
24 placed in the Board's Order requiring the parties to
25 continue to provide OEC with all transaction related

1 documents. Novomatic is in agreement with these
2 requested conditions. I do note for the record that
3 Sabina Stoppa and Peter Stein from Novomatic have
4 flown in from Austria and are here in the audience
5 today in the event that the Board has any questions.
6 I think they would be happy to answer those if there's
7 any assurances needed by this Board.

8 CHAIRMAN:

9 Thank you. I would like to welcome the
10 representatives from Austria. Nice to have you here.
11 Any questions or comments?

12 MR. WOODS:

13 Just a question for OEC. Have you
14 received all information necessary in order to begin
15 to formulate your decision?

16 ATTORNEY PITRE:

17 The background investigation reports are
18 in the process of being drafted. So, it's my
19 anticipation that I would think that at July 7th at
20 the latest that they'll be licensed before the Board.
21 Everything seems in order. There don't seem to be any
22 issues that would cause us to have a problem which is
23 why when we filed our answer we didn't have a problem
24 with the transaction moving forward. I know there's a
25 shareholder meeting scheduled for June 3rd. We assume

1 that votes will be cast in and as the transaction is
2 completed we'll move forward with the licensing
3 process.

4 MR. WOODS:

5 Thank you.

6 CHAIRMAN:

7 Other questions from the Board? Well
8 I'm glad you didn't just come here for the purpose of
9 this session. Some other business to conduct in the
10 United States. May I have a motion, please?

11 MR. JEWELL:

12 Mr. Chairman, I move that the Board
13 issue an Order to grant Novomatic Group's Petition to
14 Acquire Shares in Ainsworth Game Technology as
15 described by the OCC and with the conditions requested
16 by the OEC.

17 MR. MCCALL:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 All opposed? The motion is adopted.

24 ATTORNEY SHERMAN:

25 The next matter is Kammaasho

1 Kammaashok's Petition for Reconsideration regarding
2 his placement on the Involuntary Exclusion List. By
3 way of background, in December 2015, the OEC filed a
4 complaint to place Mr. Kammaashok on the Board's
5 Involuntary Exclusion List, alleging that he had past
6 posted bets while playing Roulette at Parx Casino.
7 Mr. Kammaashok on four occasions placed bets after the
8 dealer had called the winning numbers. This resulted
9 in Mr. Kammaashok receiving winnings that he was not
10 entitled to receive.

11 No criminal charges were filed against
12 the individual, however, he was evicted by Parx Casino
13 for a period of 48 hours. The Board placed Mr.
14 Kammaashok on the Involuntary Exclusion List at its
15 April 27th, 2016 meeting pursuant to a default
16 judgement as he did not answer the complaint.

17 Subsequent to his placement on the list,
18 Mr. Kammaashok, who now resides in California,
19 underwent a background check for prospective
20 employment and during that check, the potential
21 employer discovered that he was on the Exclusion List
22 and discontinued the background check and removed him
23 from consideration for employment.

24 As a result, Mr. Kammaashok contacted
25 the Office of Hearings and Appeals (OHA) with the

1 information and explained that he did not understand
2 based on the information that was provided to him the
3 consequences of being placed on the Exclusion List,
4 that is that it would be public information available
5 and it would have consequences beyond simply being
6 excluded from Pennsylvania casino.

7 Under the circumstances presented, the
8 OCC recommends that Mr. Kammaashok's request for
9 reconsideration be granted and that the matter be
10 remanded to the OHA to conduct an evidentiary hearing.
11 It's that recommendation which is now before the
12 Board.

13 CHAIRMAN:

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

16 MR. MCCALL:

17 Mr. Chairman, I move that the Board
18 issue an Order to grant the request for
19 reconsideration of Kammaasho Kammaashok and the matter
20 be remanded to the OHA as described by the OCC.

21 MR. MOSCATO:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

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CHAIRMAN:

All opposed? The motion is adopted.

ATTORNEY SHERMAN:

The final petition before the Board is that of Rosemarie Jones and it's a Petition for Removal from the Involuntary Exclusion List. On November 25th, 2014, the OEC filed a complaint to place Rosemarie Jones on the Board's Exclusion List for leaving her 11 year old granddaughter alone in her vehicle in the parking lot at the Rivers Casino while she went inside to gamble.

Ms. Jones wagered for approximately 15 minutes before her returning to her car where she was met by Rivers Security. In total, the granddaughter had been left unattended for about 23 minutes and no criminal charges were filed against her as a result of the incident.

On September 23rd, 2015, the Board placed Ms. Jones on the Involuntary Exclusion List for a period of six months from the date of that Order after which time she could petition to be removed from the list. The six month period expired on March 23rd and on April 5th, 2016, Ms. Jones filed a request to be removed from the Board's Involuntary Exclusion List. Having no evidence that Ms. Jones has in any

1 way violated the Board's Order, the OEC has not
2 objected to her removal from the Exclusion List and
3 that's the request that's before the Board at this
4 time.

5 CHAIRMAN:

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

8 MR. MOSCATO:

9 Mr. Chairman, I move that the Board
10 issue an Order to grant the petition of Rosemarie
11 Jones seeking removal from the Involuntary Exclusion
12 List as described by the OCC.

13 MR. RYAN:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The motion's adopted.

20 ATTORNEY SHERMAN:

21 Next presenting Withdrawals and Reports
22 and Recommendations is Deputy Chief Counsel Steve
23 Cook.

24 ATTORNEY COOK:

25 Good morning. The Board has received

1 several unopposed petitions to withdraw the
2 applications or surrender the credentials of
3 individuals or businesses. The persons and entities
4 subject to the petitions are --- and for the benefit
5 of the court reporter, I'll provide him with the
6 spellings after the meeting --- Ram Chary, Kevin
7 Stewart MS Operations, Inc., Vincent J. Azzarello,
8 Robert M. Jones, Jeffrey P. Jacobs and the Jeffrey P.
9 Jacobs Revocable Trust. The OEC has no objection to
10 any of these petitions for Withdrawal or Surrender.
11 And as a result, if the Board were inclined to grant
12 same they would be doing so without prejudice.

13 I would note for the record that
14 Enforcement Counsel originally attached four
15 conditions to Everi Payment, Incorporated's Petition
16 to Surrender the license of Ram Chary, however, these
17 conditions which required the company to take steps
18 informing the Board when a replacement was named have
19 all now been complied with. So, there's no need for
20 the Board to place those conditions in the order. And
21 with that being said, these matters are all ripe for
22 consideration.

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 Orders to grant the Withdrawals and Surrenders
4 as described by the OCC.

5 MR. WOODS:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 All opposed? The motion's adopted.

12 ATTORNEY COOK:

13 Next before the Board for consideration
14 are five Reports and Recommendations received by the
15 OHA. The complete evidentiary record as well as the
16 Report and Recommendation has been provided to the
17 Board in advance of this meeting and additionally in
18 each case, the person subject to the R and R has been
19 notified that the Board would be taking the matter up
20 today and that they could come forward and briefly
21 address the Board. If any of these persons are
22 present and wish to address the Board, I'd ask them to
23 come forward when their matter is called.

24 The first Report and Recommendation
25 pertains to Tashuna Davis. On June 22nd, 2015, Ms.

1 Davis submitted a Renewal Application seeking to renew
2 her Gaming Employee Occupation Permit. She is
3 employed as a Dealer at Presque Isle. In November of
4 2015, the OEC issued a Notice Recommendation of Denial
5 to Ms. Davis' Renewal Application based upon the fact
6 that she has an outstanding state lien resulting from
7 overpayment of unemployment compensation benefits made
8 to her in 2005.

9 A hearing in this matter was held on
10 January 5th, 2016. Both OEC and Ms. Davis
11 participated in the hearing. At that time, Ms. Davis
12 testified that she was unaware of the outstanding lien
13 until the Recommendation of Denial was received by
14 her. After hearing all of the evidence, the Hearing
15 Officer at that point in time concluded the hearing
16 but kept the record open for two months to allow Ms.
17 Davis to try to come into compliance with Labor and
18 Industry.

19 As of that two month date which I
20 believe was March 7th, she had not yet come into
21 complete compliance, so the record was closed and a
22 Report and Recommendation issued recommending her
23 renewal permit be denied.

24 Thereafter, about a week or two later,
25 she did in fact submit to Hearings and Appeals a

1 receipt showing a \$50 payment on this obligation
2 bringing it down to under \$700. So, as a result, the
3 Report and Recommendation before the Board today is
4 that her application for renewal be denied. As
5 indicated, since that was issued, she has made a \$50
6 payment on the obligation.

7 CHAIRMAN:

8 Questions or comments from the Board?

9 MR. RYAN:

10 One, Mr. Chairman. Steve, the person
11 involved here, Ms. Davis, am I correct in saying that
12 she is still employed in the industry at Presque Isle?

13 ATTORNEY COOK:

14 She is, yes.

15 MR. RYAN:

16 All right, thank you.

17 CHAIRMAN:

18 Any other comments? May I have a
19 motion?

20 MR. WOODS:

21 Mr. Chairman, I move that the Board
22 reject the Report and Recommendation issued by the OHA
23 regarding renewal of Tashuna Davis' Gaming Employee
24 Occupation Permit. And that Ms. Davis be approved for
25 a permit subject to the condition that she make

1 monthly payments on her unemployment compensation debt
2 so as to allow the debt be paid in full in one year.

3 MR. FAJT:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion's adopted.

10 ATTORNEY COOK:

11 Myron Myers is the next Report and
12 Recommendation before the Board today. On November
13 9th, 2016, Mr. Myers submitted a Non-Gaming Employee
14 Registration Application as he sought to perform
15 plumbing work at a Pennsylvania licensed facility or
16 facilities as part of his employment with Falasca
17 Mechanical, Inc., a Certified Gaming Service Provider.

18 In December 2015, --- I'm sorry, it was
19 November of '15 he submitted his application. In
20 December of '15, the OEC issued a Notice of
21 Recommendation of Denial citing Mr. Myers' criminal
22 record. Specifically, Mr. Myers had convictions for
23 aggravated assault in 1981, in 1986, as well as a 1986
24 conviction for third degree murder.

25 Mr. Myers requested a hearing which was

1 held on March 8th, 2016. Despite receiving notice,
2 Mr. Myers did not attend the hearing, but it was held
3 regardless in his absence. At the hearing, the OEC
4 presented documentary evidence confirming that these
5 convictions in fact occurred and also showing that Mr.
6 Myers served 11 years in prison, was released on
7 parole in 1997 and that his parole ended in May of
8 2004.

9 Subsequently, a Report and
10 Recommendation was issued recommending that despite
11 the prior criminal history that Mr. Myers be found
12 suitable to hold a Non-Gaming Employee Registration to
13 work as a plumber in a licensed facility. The Hearing
14 Officer noting that Mr. Myers had been out of prison
15 for approximately 19 years and by all accounts had not
16 been in trouble with the law since. As a result, this
17 matter is before the Board for consideration. Again,
18 the recommendation is that he be granted the Non-
19 Gaming Registration.

20 CHAIRMAN:

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

23 MR. FAJT:

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

1 regarding Myron Myers' application for Non-Gaming
2 Employee Registration as described by the OCC.

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 COOK:

11 Phuong Nguyen's Report and
12 Recommendation is the next matter before the Board.
13 On October 23rd, 2015, Mr. Nguyen submitted a Gaming
14 Permit Application seeking work as a Table Games
15 Dealer at Parx Casino. In December of 2015, the OEC
16 issued a Notice of Recommendation of Denial based on
17 Mr. Nguyen's criminal record, the suspension of his
18 prior Gaming Permit in conjunction with his employment
19 with Valley Forge Casino Resort and a
20 misrepresentation he had made on his application as to
21 why he was no longer employed with Valley Forge.

22 By way of background, Mr. Nguyen was
23 issued a Gaming Employee Permit in 2010 and worked as
24 a Table Games Dealer at Valley Forge. On July 31st,
25 2013, the OEC requested an emergency suspension of Mr.

1 Nguyen's Gaming Permit upon learning that he'd been
2 arrested a few days prior on drug related charges
3 which resulted in one felony and one misdemeanor being
4 filed against him. Specifically, he was caught in
5 possession of approximately two pounds of marijuana.

6 The Board's Executive Director signed an
7 Emergency Order of Suspension on July 31st of 2013
8 suspending Mr. Nguyen's Gaming Permit and
9 subsequently, the Board upheld that emergency
10 suspension in October of that year. Subsequently, Mr.
11 Nguyen's permit expired and he lost his employment
12 with Valley Forge as a result of that suspended
13 permit. Mr. Nguyen's felony offense was later changed
14 to a misdemeanor to which he pled guilty and is
15 presently serving three years of probation.

16 A hearing on Mr. Nguyen's current
17 application was held on February 23rd, 2016. Both OEC
18 and Mr. Nguyen participated in that hearing. During
19 the hearing, Mr. Nguyen was permitted to orally amend
20 his application stating the real reason he had left
21 his employment from Valley Forge was due to the
22 suspension of his permit, his originally having
23 indicated that he left for basically personal reasons.
24 He argued that he was presently working several jobs,
25 is compliant with the terms of his probation. He made

1 a mistake relative to his prior criminal conduct and
2 had a deep desire to return to the gaming industry.

3 As a result of all of the evidence
4 presented, the Hearing Officer issued a Report and
5 Recommendation that notwithstanding the relatively
6 recent arrest of Mr. Nguyen and the fact that he
7 remained on probation that his application be granted
8 and that he be given a Gaming Employee Occupation
9 Permit. And that's the recommendation before the
10 Board.

11 CHAIRMAN:

12 Thank you. Is Mr. Nguyen present? Any
13 questions or comments from the Board? May I have a
14 motion?

15 MR. JEWELL:

16 Chairman, I move that the Board reject
17 the Report and Recommendation issued by the OHA
18 regarding Phuong Nguyen's Application for a Gaming
19 Employee Occupation Permit and that the application be
20 denied.

21 MR. MCCALL:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 All opposed? Motion's adopted.

3 ATTORNEY COOK:

4 The next Report and recommendation
5 before the Board today pertains to Joseph Pizza. In
6 March of 2009, Mr. Pizza pled guilty to charges
7 resulting from his involvement in a southeastern
8 Pennsylvania gambling and loansharking organization
9 between the years of 2002 and 2007. As a result of
10 his criminal convictions, the OEC filed a complaint to
11 place Mr. Pizza on the Exclusion List. Mr. Pizza
12 having been a known patron of the Parx Casino.

13 OEC and Mr. Pizza subsequently reached
14 an agreement with regard to their complaint, and a
15 Consent Agreement between the parties was approved by
16 the Board on November 20th, 2012, mandating that Mr.
17 Pizza be placed on the Involuntary Exclusion List for
18 three years, after which he could petition the Board
19 for removal from the List.

20 This three year period expired this past
21 November, and within a few days, Mr. Pizza filed his
22 request for removal from the List. OEC's response to
23 Mr. Pizza's request is an objection and because of
24 that objection, a hearing in this matter was held
25 before the OHA this past February.

1 Both OEC and Mr. Pizza appeared and
2 participated at that hearing. Subsequently, a Report
3 and Recommendation was issued. The Hearing Officer
4 recommending that Mr. Pizza be removed from the
5 Involuntary Exclusion List and that no new derogatory
6 information about him was put into the record and as a
7 result, the Hearing Officer recommends that he be
8 removed from the list. And that is the recommendation
9 before the Board.

10 CHAIRMAN:

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

13 MR. MCCALL:

14 Mr. Chairman, I move that Board adopt
15 the Report and Recommendation issued by the OHA
16 regarding Joseph Pizza's Petition to be Removed from
17 the Involuntary Exclusion List as described by the
18 OCC.

19 CHAIRMAN:

20 All in favor?

21 MR. MOSCATO:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 All opposed? Motion's adopted.

3 ATTORNEY COOK:

4 The final matter before the Board today
5 is a Report and Recommendation pertains to Sherwin
6 O'Neill. Mr. O'Neill is an employee of Registered
7 Gaming Service Provider Golden Carpet Glo Cleaners,
8 Incorporated, which provides janitorial services to
9 both Valley Forge Casino and the Parx Casino.

10 Mr. O'Neill submitted a Non-Gaming
11 Employee Application seeking issuance of a
12 Registration to work both on the gaming floor and
13 restricted areas as a janitor at one or both of those
14 casinos. Mr. O'Neill disclosed on his application
15 that he'd been arrested in July of 2013 for receiving
16 stolen property and that he pled guilty to two counts
17 of disorderly conduct pleading down to those charges
18 and was subsequently sentenced to two years of
19 probation and paid restitution along with fees and
20 costs related to the charges.

21 Based on the criminal charges, the OEC
22 issued a Notice of Recommendation of Denial. A
23 hearing was held on February 11th, 2016 with both Mr.
24 O'Neill and OEC participating. At that hearing, Mr.
25 O'Neill testified that he began taking on jobs where

1 he was hired to move, pick up, deliver items for
2 people and while working one of these jobs, a man
3 approached him indicating that he would hire him to
4 pick up items at a Home Depot. Mr. O'Neill took the
5 job in exchange for \$300 and picked up approximately
6 \$7,000 in merchandise from a Home Depot and delivered
7 it as instructed. It was later discovered that in
8 fact the items were purchased on a fraudulent check
9 and Mr. O'Neill was subsequently arrested.

10 Subsequent to his arrest, he actually
11 assisted the police in tracking down the individual
12 that issued the fraudulent check and helped the police
13 in the investigation prosecution of that individual.
14 He indicated also that he realized that he could have
15 gone to trial on the criminal charges he was facing,
16 but upon the advice of counsel, he chose instead to
17 plead to basically summary offenses because he is a
18 legal alien from Trinidad and a felony conviction
19 could've resulted in his deportation back to Trinidad.

20 With that evidence put into the record,
21 the Hearing Officer issued a Report and Recommendation
22 recommending that Mr. O'Neill be found suitable for a
23 Non-Gaming Employee Registration to work in the
24 janitorial field with that Gaming Service Provider.

25 CHAIRMAN:

1 Questions or comments from the Board?

2 May I have a motion?

3 MR. MOSCATO:

4 Mr. Chairman, I move that the Board
5 adopt the Report and Recommendation issued by the OHA
6 regarding Sherwin O'Neill's Application for Non-Gaming
7 Employee Registration as described by the OCC.

8 MR. RYAN:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 All opposed? The motion's adopted.

15 ATTORNEY SHERMAN:

16 And that concludes all matters of OCC.

17 CHAIRMAN:

18 Thank you, Doug. Sue Hensel?

19 MS. HENSEL:

20 Thank you, Chairman Barasch and members
21 of the Board. Before the Board today will be one Slot
22 Machine Operator Renewal License and 1,111 Principal
23 Key Gaming and Non-Gaming Employee Applicants. In
24 addition, there will be the consideration of 26 Gaming
25 Service Provider Applications. The first matter for

1 your consideration is the Renewal of the SugarHouse
2 HSP Gaming, LP Category 2 License. The license
3 renewal hearing for this entity is now concluded. In
4 addition, the Bureau of Investigations and Enforcement
5 (BIE) has completed its investigation of the company
6 and the Bureau of Licensing has provided you with a
7 background investigation and suitability report. As a
8 result, the license renewal is ready for your
9 consideration. I have provided you with a draft Order
10 for this entity and ask that the Board consider the
11 Order to renew the Category 2 License for SugarHouse
12 HSP Gaming, LP.

13 CHAIRMAN:

14 Comments from Enforcement Counsel?

15 ATTORNEY PITRE:

16 Enforcement Counsel has no objection.

17 CHAIRMAN:

18 Questions or comments from the Board?

19 May I have a motion?

20 MR. RYAN:

21 Mr. Chairman, I move that the Board
22 approve the Category 2 License Renewal of SugarHouse
23 HSP Gaming, LP as described the Bureau of Licensing.

24 MR. WOODS:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 All opposed? The motion is adopted.

6 ATTORNEY DONNELLY:

7 Thank you very much.

8 MS. HENSEL:

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

15 CHAIRMAN:

16 Comments from Enforcement Counsel?

17 ATTORNEY PITRE:

18 Enforcement Counsel has no objection.

19 CHAIRMAN:

20 Questions or comments from the Board?

21 May I have a motion?

22 MR. WOODS:

23 Mr. Chairman, I move that the Board
24 approve the issuance of Principal and Key Employee
25 Licenses as described by the Bureau of Licensing.

1 MR. FAJT:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 All opposed? The motion is adopted.

8 MS. HENSEL:

9 Also, there are Temporary Principal and
10 Key Employee Licenses. Prior to this meeting, the
11 Bureau of Licensing provided you with an Order
12 regarding an issuance of Temporary Licenses for one
13 Principal and 22 Key Employees. I ask that the Board
14 consider the Order approving these licenses.

15 CHAIRMAN:

16 Comments from Enforcement Counsel?

17 ATTORNEY PITRE:

18 Enforcement Counsel has no objection.

19 CHAIRMAN:

20 Questions or comments from the Board?

21 May I have a motion?

22 MR. FAJT:

23 Mr. Chairman, I move that the Board
24 approve the issuance of Temporary Principal and Key
25 Employee credentials as described by the Bureau of

1 Licensing.

2 MR. JEWELL:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? The motion's adopted.

9 MS. HENSEL:

10 There are also Gaming Permits and Non-
11 Gaming Registrations for your consideration. Prior to
12 this meeting, the Bureau of Licensing provided you
13 with a list of 734 individuals to whom the Bureau has
14 granted Temporary or Full Occupation Permits, and 304
15 individuals to whom the Bureau has granted
16 Registrations under the authority delegated to the
17 Bureau of Licensing. I ask that the Board consider a
18 motion approving the Order.

19 CHARIMAN:

20 Comments from 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. JEWELL:

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

6 MR. MCCALL:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 All opposed? The motion's adopted.

13 MS. HENSEL:

14 Next are recommendations of Denial for
15 seven Gaming Employee Applicants. In each case, the
16 Applicant failed to request a hearing within the
17 specified time frame. The Bureau of Licensing has
18 provided you with Orders addressing the Applicants who
19 the OEC has recommended for Denial. I ask that the
20 Board consider a motion approving the Denials.

21 CHAIRMAN:

22 Comments from Enforcement Counsel?

23 ATTORNEY PITRE:

24 Enforcement Counsel continues to request
25 Denial in each instance.

1 CHAIRMAN:

2 Thank you. Questions or comments from
3 the Board? May I have a motion?

4 MR. MCCALL:

5 Mr. Chairman, I move that the Board deny
6 the Gaming Employee Applications as described by the
7 Bureau of Licensing.

8 MR. MOSCATO:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 All opposed? Motion is adopted.

15 MS. HENSEL:

16 Also for your consideration are
17 Withdrawal requests for Key Gaming and Non-Gaming
18 Employees. In each case, the Permit, Registration or
19 License is no longer required. For today's meeting,
20 I've provided the Board with a list of 1 Key, 30
21 Gaming and 6 Non-Gaming Employee Withdrawals for
22 approval. And I ask that the Board consider the
23 Orders approving the list of Withdrawals.

24 CHAIRMAN:

25 Comments from Enforcement Counsel?

1 ATTORNEY PITRE:

2 Enforcement Counsel has no objection.

3 CHAIRMAN:

4 Comments or questions from the Board?

5 May I have a motion?

6 MR. MOSCATO:

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

10 MR. RYAN:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? The motion's adopted.

17 MS. HENSEL:

18 Next we have an Order to certify the
19 following Gaming Service Providers. Chester T.L.
20 Partners LLC doing business as Philly Steak Shack,
21 Emerald Bethlehem Management Company LLC, LAN Connect,
22 Lyn Godley Design Studios, LLC, Maple Direct, Inc.,
23 Meadows Hotel Associates, LLC doing business as Hyatt
24 Place Meadows Racetrack and Casino and Meco
25 Construction, Inc. I ask that the Board consider the

1 Order approving these Gaming Service Providers for
2 certification.

3 CHAIRMAN:

4 Comments from Enforcement Counsel?

5 ATTORNEY PITRE:

6 No objection.

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 applications for Gaming
13 Service Provider Certification as described by the
14 Bureau of Licensing.

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 MS. HENSEL:

23 Finally, for your consideration are
24 Gaming Service Provider Registrations. The Bureau of
25 Licensing provided you with an Order and an attached

1 list of 19 Registered Gaming Service Provider
2 Applicants. I ask that the Board consider the Order
3 registering these Gaming Service Providers.

4 CHAIRMAN:

5 Enforcement Counsel?

6 ATTORNEY PITRE:

7 Enforcement Counsel has no objection.

8 CHAIRMAN:

9 Questions or comments from the Board?

10 May I have a motion?

11 MR. WOODS:

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

16 MR. FAJT:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 All opposed? The motion's adopted.

23 MS. HENSEL:

24 That concludes the matters of the Bureau
25 of Licensing.

1 CHAIRMAN:

2 Thank you, Sue. Next up, OEC.

3 ATTORNEY PITRE:

4 The OEC would present 28 matters for the
5 Board's consideration today, consisting of six Consent
6 Agreements, two revocations, two suspensions and 18
7 involuntary exclusions. The first Consent Agreement
8 that will be heard has been negotiated between the OEC
9 and Greenwood Gaming and Entertainment, Inc. doing
10 business as Parx Casino. This matter will be
11 presented by Assistant Enforcement Counsel Dustin
12 Miller.

13 ATTORNEY MILLER:

14 Good morning Chairmen Barasch, members
15 of the Board. This Consent Agreement arises from an
16 incident whereby a defective brick of cards was used
17 at a blackjack table at Parx Casino despite warnings
18 by the automatic shuffler in use at the table that the
19 brick was defective.

20 On September 2nd, 2015, the Parx Casino
21 Surveillance Department notified the Board's Bureau of
22 Casino Compliance that the Parx Casino Table Games
23 Department had reported that a brick of cards used at
24 blackjack table BJ112 was missing one card. A brick
25 of playing cards is made up of eight traditional decks

1 of cards.

2 The Bureau of Casino Compliance's
3 Compliance Review revealed that the brick with the
4 missing card was put into play from 6:12 a.m. to 6:37
5 a.m. and also from 6:59 a.m. to 7:27 a.m., a total of
6 54 minutes. During that time the compromised brick
7 was in play, patrons of Parx Casino played a total of
8 69 hands of blackjack. An error message on the
9 automatic card shuffler at blackjack table BJ112 was
10 ignored on two occasions by Parx Casino table games
11 staff, which allowed the cards to be put into play in
12 violation of Board regulations.

13 On April 21st, 2016, the parties entered
14 into a Consent Agreement to settle this outstanding
15 compliance matter. If approved, this would be the
16 first Consent Agreement with Parx Casino regarding a
17 violation of blackjack procedure. The terms of this
18 agreement include a provision that Greenwood Gaming
19 and Entertainment, Inc. shall immediately institute
20 policies and provide training guidance and
21 reinforcement to its employees to minimize the
22 opportunity for a similar incident to occur in the
23 future.

24 Further, Greenwood Gaming and
25 Entertainment, Inc. shall pay a total fine of \$7,500

1 and in accordance with the Board's billing policy,
2 Greenwood Gaming and Entertainment, Inc. will pay a
3 flat fee of \$2,500 in investigative fees. The civil
4 penalty and fee shall be paid within five days of the
5 Consent Agreement being approved by the Board.
6 Counsel for Greenwood Gaming and Entertainment, Inc.
7 is in attendance today to answer any questions you may
8 have. Otherwise, the OEC will ask that the Board
9 entertain a motion to approve this Consent Agreement.

10 CHAIRMAN:

11 Does counsel for Parx have any comment
12 they wish to make?

13 ATTORNEY SCHROEDER:

14 Good morning, Chairman.

15 CHAIRMAN:

16 Before you proceed, would you please
17 state and spell your name for the court reporter.

18 ATTORNEY SCHROEDER:

19 Good morning, Chairman. Bryan
20 Schroeder. S-C-H-R-O-E-D-E-R. Assistant General
21 Counsel at Parx Casino. Parx does not dispute
22 anything that the OEC has advised you. But we would
23 like to give you some additional information. The
24 first is both supervisors who were involved in this
25 incident received written warnings.

1 And in addition, table games staff and
2 management has repeated at pre-shift hearings the
3 importance of paying attention to the automatic
4 shuffler warning light. For some background, that
5 shuffler light on those shufflers, there are many
6 false positives due to the fact that players touch the
7 cards. So, often cases, cards stick together.

8 So, we had to reemphasize the need for
9 the supervisors to immediately pull the deck, run it
10 through a separate shuffler and make sure it wasn't
11 simply an error with that shuffler device or the cards
12 were stuck together. I'd be glad to answer any
13 questions that you may have.

14 CHAIRMAN:

15 Thank you. Any questions or comments
16 from the Board on this?

17 MR. RYAN:

18 Just one if I can. Counselor, do you
19 roughly know how many false positives occur with
20 these?

21 ATTORNEY SCHROEDER:

22 The light goes off approximately ---
23 from my discussion with table games management ---
24 around five to ten times a day. And they normally
25 just run it through again. It's not unusual for that

1 light to go off because the cards are sticking
2 together.

3 MR. RYAN:

4 Thank you.

5 CHAIRMAN:

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

8 MR. FAJT:

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

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The motion's adopted.

20 ATTORNEY MILLER:

21 Thank you.

22 CHAIRMAN:

23 Thank you.

24 ATTORNEY PITRE:

25 The next matter on the agenda is a

1 Consent Agreement that has been negotiated between the
2 OEC and R.N. That matter will be presented by
3 Assistant Enforcement Counsel Glenn Stuart. We're
4 using the initials of the individual because that
5 individual is on the Self-Exclusion List and is also
6 licensed by the Board.

7 ATTORNEY STUART:

8 Thank you. Glenn Stuart for the OEC.
9 S-T-U-A-R-T. Next for the Board's consideration is a
10 Consent Agreement entered into between the OEC and
11 Gaming Permittee with the initials R.N. R.N. is
12 currently working as a Dealer at a casino in
13 Pennsylvania, but he is also on the Board's Self-
14 Exclusion List.

15 By placing himself on the Self-Exclusion
16 List, R.N. agreed not to enter or place wagers at any
17 casino in Pennsylvania. However, in January of 2016,
18 R.N. accessed the gaming floor of a Pennsylvania
19 Casino where he places wagers and consumed alcohol.
20 After a casino employee recognized R.N. as a Self-
21 Excluded person, R.N. was cited with one count of
22 criminal trespassing and one count of public
23 drunkenness.

24 Due to R.N. violating the terms of his
25 Self-Exclusion Program and for being cited for

1 criminal trespass and public drunkenness, OEC and R.N.
2 entered into a Consent Agreement whereby R.N.'s Gaming
3 Permit would be suspended for five consecutive
4 calendar days. As that, OEC and R.N. respectfully
5 request that the Board approve the Consent Agreement
6 and suspend R.N.'s Gaming Permit for five consecutive
7 calendar days.

8 CHAIRMAN:

9 Questions or comments from the Board?

10 May I have a motion?

11 MR. MCCALL:

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

15 MR. MOSCATO:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? The motion's adopted.

22 ATTORNEY STUART:

23 Thank you.

24 ATTORNEY PITRE:

25 The next matter on the agenda is a

1 Consent Agreement that has been negotiated between the
2 OEC and Gaming and Leisure Properties, Inc. That
3 matter will be presented by Assistant Enforcement
4 Counsel Cassandra Fenstermaker.

5 ATTORNEY FENSTERMAKER:

6 Good morning, Chairman Barasch, members
7 of the Board. I'm Cassandra Fenstermaker.
8 F-E-N-S-T-E-R-M-A-K-E-R. We have for your
9 consideration today a Consent Agreement between the
10 OEC and Gaming and Leisure Properties, Incorporated,
11 referred to as GLPI. GLPI is licensed as a Principal
12 entity in conjunction with the Slot Machine License
13 and Table Games Certificate of Mountainview
14 Thoroughbred Racing Association doing business as
15 Hollywood Casino at Penn National Racecourse.

16 In August of 2013, the Board issued an
17 Order approving a petition by MTRA, Penn National
18 Gaming, Inc. and Pennsylvania Turf, Inc. for a
19 corporate restructuring, subject to certain
20 conditions. This restructuring resulted in the
21 formation and licensure of GLPI. Certain of those
22 conditions required GLPI to immediately notify the BIE
23 and the Bureau of Licensing prior to any change in its
24 control or ownership as defined by the Act and the
25 Board's regulations.

1 Since the issuance of that Order, it was
2 determined that there were two transactions which
3 should have been reported to the Board but were not.
4 One in December of 2013 regarding a change of
5 ownership of GLPI shares and the other in March of
6 2015 regarding change of control of GLPI shares.

7 Following the discovery of these
8 violations, the OEC and GLPI entered into a Consent
9 Agreement wherein GLPI will pay a fine of \$10,000 and
10 costs of \$2,500. We ask that the Board approve the
11 Consent Agreement as presented here today. If you
12 have any questions, we'd be happy to address them.

13 CHAIRMAN:

14 Thank you. Could the individuals from
15 Hollywood please identify themselves?

16 ATTORNEY FABIUS:

17 Good morning. This is Michael Fabius of
18 law firm Ballard Spahr, LLP. With me is Brandon
19 Moore, General Counsel at Gaming and Leisure
20 Properties, Inc.

21 CHAIRMAN:

22 Could you please spell your names for
23 the court reporter?

24 ATTORNEY FABIUS:

25 Michael Fabius. F as in Frank, A-B as

1 in boy, I-U-S as in Sam. Brandon Moore, M-O-O-R-E, is
2 to my left.

3 CHAIRMAN:

4 Do you have any comments for the Board?

5 ATTORNEY FABIOUS:

6 Brief comments. I'll leave Brandon here
7 to speak just briefly to the remedial action taken
8 after identifying the gap in the reporting system.

9 ATTORNEY MOORE:

10 Yes. The gap was caused by our failure
11 to pick up a Schedule 13D, an amendment to Schedule
12 13D filed by Fortress Investment Group with the
13 Securities and Exchange Commission which we now have
14 instituted procedures to pick up filings by third
15 parties --- it's a filing that's not done by Gaming
16 and Leisure Properties, it's actually a filing done by
17 a third party --- we've now instituted procedures to
18 discover and pick those up and to report those to the
19 staff.

20 CHAIRMAN:

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

23 MR. MOSCATO:

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

1 between the OEC and Gaming and Leisure Properties,
2 Inc. as described by the OEC.

3 MR. RYAN:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion's adopted.

10 ATTORNEY FENSTERMAKER:

11 Thank you.

12 ATTORNEY FABIOUS:

13 Thank you.

14 ATTORNEY PITRE:

15 The next two matters on the agenda are
16 Consent Agreements that have been negotiated between
17 the OEC and Downs Racing, LP doing business as Mohegan
18 Sun Pocono. These matters as well as the last Consent
19 Agreement negotiated between the OEC and Gaming
20 Service Provider Sun Rustic, LLC doing business as
21 Rustic Kitchen will be presented by Assistant
22 Enforcement Counsel Kim Adams.

23 ATTORNEY ADAMS:

24 Good morning, Mr. Chairman, members of
25 the Board. Kim Adams. The next Consent Agreement for

1 the Board's consideration is between the OEC and
2 Mohegan Sun Pocono whereby Mohegan Sun Pocono
3 acknowledges an underage patron gained access to the
4 gaming floor and gamed at various slot machines.

5 February 13th, 2016, an underage patron
6 presented his valid New York driver's license to a
7 security officer posted at the bus entrance. This
8 security officer allowed the patron to gain access to
9 the gaming floor. The underage patron was on the
10 gaming floor for approximately three hours and six
11 minutes.

12 During this time, a beverage server
13 approached the underage patron, did not ask for
14 identification, and served him a nonalcoholic
15 beverage. The underage patron cashed in a voucher at
16 the cage where a cage employee did not ask for
17 identification. The underage patron made two
18 transactions at a TRU machine, observed play of Texas
19 Hold'em for approximately 23 minutes where two
20 different dealers were dealing cards and he was not
21 asked for identification and gamed at various slot
22 machines for approximately 95 minutes. It was not
23 until a table games supervisor approached the Texas
24 Hold'em table when the underage patron was asked for
25 identification and it was discovered he was underage.

1 The parties have entered into this
2 agreement that within five days of the Board's Order
3 adopting this agreement, Mohegan Sun Pocono shall pay
4 a civil penalty in the amount of \$15,000. The parties
5 have also agreed that within five days of the Board's
6 Order, Mohegan Sun Pocono shall pay \$2,500 for the
7 cost incurred by the OEC and other staff in connection
8 with this matter.

9 The OEC recommends that the Board
10 approve the Consent Agreement. Representatives from
11 Mohegan Sun Pocono are present and we'd be happy to
12 answer any questions you may have.

13 CHAIRMAN:

14 Could the representatives from Mohegan
15 identify themselves and spell their name for the court
16 reporter?

17 ATTORNEY STEWART:

18 Yes. Mark Stewart. S-T-E-W-A-R-T.
19 With Eckert Seamans.

20 ATTORNEY MELLODY:

21 Joe Mellody. M-E-L-L-O-D-Y. Legal
22 Counsel at Mohegan Sun Pocono.

23 CHAIRMAN:

24 Thank you.

25 ATTORNEY STEWART:

1 And Mr. Chairman, we also have with us
2 Dennis Driscoll who is the Director of Security.

3 CHAIRMAN:

4 Thank you. Do you have any comments?

5 ATTORNEY STEWART:

6 Just a few. Obviously Mohegan Sun
7 Pocono deeply regrets this incident. Appropriate
8 remedial actions were taken with the staff. The
9 security officer in question was suspended for four
10 days and given a final written notice. But the
11 company has also purchased a dozen additional scanners
12 to try and help address an issue where there was a
13 battery life issues with some of the scanners and then
14 they were being recharged. So those additional
15 scanners have been purchased and hopefully they'll
16 help assist these issues where ID are being checked
17 but somehow the dates are being gotten wrong.

18 CHAIRMAN:

19 Any questions or comments from the Board
20 in this matter? May I have a motion?

21 MR. RYAN:

22 Mr. Chairman, I move that the Board
23 issue an Order to approve the Consent Agreement
24 between the OEC and Downs Racing, LP as described by
25 the OEC.

1 MR. FAJT:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 All opposed? The motion's adopted.

8 Thank you very much.

9 ATTORNEY ADAMS:

10 The next two Consent Agreements are the
11 same factually. With the Board's permission, I'll
12 present one fact pattern and then ask the Board to
13 adopt each Consent Agreement individually. And before
14 I begin, James Cafarelli, who is the president of Sun
15 Rustic, I have been in contact with him. He is
16 currently based in Massachusetts and said he would not
17 be attending today. He did sign the Consent
18 Agreement, we did talk about it and obviously it was
19 presented to the members of the Board.

20 Mohegan Sun Pocono and Sun Rustic, who
21 currently has authorization from the Board to operate
22 as a Gaming Service Provider while its pending
23 Certified Gaming Service Provider renewal application
24 is pending, have an agreement whereby Sun Rustic acts
25 as a consultant and provides services for a restaurant

1 called Rustic Kitchen which is operated inside Mohegan
2 Sun Pocono.

3 Sun Rustic failed to file its renewal
4 application within 60 days of the expiration of its
5 Certified Gaming Service Provider certification as
6 required by the Board's regulations. As a result of
7 its failure to file its renewal application, the
8 restaurant operated for three months without the
9 proper authorization, certification or registration
10 from the Board.

11 During this time period, Mohegan Sun
12 Pocono did not make any payments to Rustic Kitchen as
13 was prescribed by their service agreement. The
14 parties have entered into this agreement that within
15 five days of the Board's Order adopting this
16 agreement, Mohegan Sun Pocono shall pay a civil
17 penalty in the amount of \$5,000. Parties have also
18 agreed that within five days of the Board's Order,
19 Mohegan Sun Pocono shall pay \$2,500 for the cost
20 incurred by the OEC and other staff in connection with
21 this matter.

22 The OEC recommends the Board approve
23 this Consent Agreement. If you have any questions,
24 we'd be happy to answer them.

25 CHAIRMAN:

1 Any questions or comments?

2 ATTORNEY STEWART:

3 No comments, Mr. Chairman.

4 CHAIRMAN:

5 Questions or comments from the Board?

6 MR. MOSCATO:

7 Thank you, Mr. Chairman. Now seems like
8 an appropriate time to do it, ask this question in
9 between the two matters. Although I recognize both
10 parties are culpable in this, I'm curious as to how
11 OEC determined who got fined more, because Downs is
12 paying \$5,000 and Rustic Kitchens is paying --- I
13 thought it was \$2,000?

14 ATTORNEY PITRE:

15 \$3,000.

16 MR. MOSCATO:

17 \$3,000?

18 ATTORNEY PITRE:

19 Uh-huh (yes).

20 MR. MOSCATO:

21 Do I hear \$4,000? No. Just, what's the
22 thought process?

23 ATTORNEY PITRE:

24 Actually that was precedent set by the
25 Board some time ago. I can't remember when. We've

1 had several Consent Agreements like this in the past.
2 The casino is responsible for submitting the
3 application of the Certified Gaming Service Providers.
4 In this instance, we looked to the fact that the
5 casino owns the restaurant. The consulting services
6 are with Rustic Kitchen to provide the goods and the
7 employees for the restaurant.

8 As a result --- and I think Mohegan did
9 a great job of not paying that Gaming Service Provider
10 until that application was submitted. Nonetheless,
11 the restaurant continued to operate. Obviously we're
12 not going to shut the restaurant down. So, as a
13 result, we thought it would be in the best interest to
14 fine both parties because the restaurant operates in
15 Mohegan Sun. Mohegan Sun is the casino operator and
16 we find that they were more culpable from the
17 standpoint that this is their Gaming Service Provider
18 who they entered into a contract with to conduct these
19 services.

20 MR. MOSCATO:

21 Thank you.

22 CHAIRMAN:

23 Any other ---?

24 MR. RYAN:

25 If I can ---. Cyrus, I understand the

1 interest in making sure the casino is on top of what
2 it's supposed to do under our very rigorous and
3 stringent regulations. I understand that completely.
4 It sounds to me that the casino did everything it
5 could have done. In fact, it withheld payment to the
6 GSP; correct, sir?

7 ATTORNEY PITRE:

8 I don't know if they did everything they
9 could have done, but they did ---.

10 MR. RYAN:

11 Well that's my question. What more
12 could they have done?

13 ATTORNEY PITRE:

14 They could have been on top of their
15 Gaming Service Provider knowing that the application
16 was due and that it was coming to an end and that the
17 Gaming Service Provider had not provided an
18 application to them to submit to the Board. Actually,
19 that license expired and went and we very well could
20 have shut the restaurant down and did a whole number
21 of things because it ultimately is up to Mohegan Sun
22 to ensure that companies that they do business with
23 --- especially one operating within the casino ---
24 submits their application in a timely fashion.

25 MR. RYAN:

1 I guess my question, Cyrus, is what more
2 could they have done but withhold payments? You, I
3 think, agree that we don't want to shut the restaurant
4 down because nobody gets helped by that. What more as
5 a regulator would --- you as an enforcement of
6 regulations --- what more would you have liked to have
7 seen Downs do here?

8 ATTORNEY PITRE:

9 I think that they could have addressed
10 the matter a lot sooner. Not let it get to the point
11 where the actual certification expired. I think that
12 had they had a tickler system that they were
13 monitoring, they would have seen a year out that
14 expiration was going to occur and they could address
15 the matter a lot sooner than they did.

16 MR. RYAN:

17 I guess following up on Commissioner
18 Mascato's question, they are paying more in a fine
19 than the GSP; correct?

20 ATTORNEY PITRE:

21 That's correct.

22 MR. RYAN:

23 Does that make sense to you as a person
24 in your position?

25 ATTORNEY PITRE:

1 Yes.

2 MR. RYAN:

3 Could you explain again why?

4 ATTORNEY PITRE:

5 Because Mohegan Sun chose to do business
6 and it continues to do business with this service
7 provider. No one forced Mohegan Sun to do business
8 with this Gaming Service Provider. As a result,
9 because of that choice, they're ultimately responsible
10 for who they bring into their casino to conduct those
11 operations.

12 So, ultimately it's their
13 responsibility. I think the fine is very modest, I've
14 seen fines go into millions of dollars when Gaming
15 Service Providers are not who they say they are. And
16 we don't know until we get the application to do the
17 background, you know, what's been going on with that
18 Gaming Service Provider.

19 We try to keep track of them all, but
20 ultimately if we allow this to fall into frame then
21 that will --- this is to put the casinos on notice
22 that you need to stay on top of your Gaming Service
23 Providers. I don't think that anyone wants to see a
24 situation where we have numerous Gaming Service
25 Providers not submitting applications expiring. That

1 would put us in a tizzy.

2 When we first started the gaming
3 industry, we had enormous problems with Gaming Service
4 Providers. And it took some, you know, some hard
5 fines and some real frank talks with the industry and
6 with the Gaming Service Providers to ensure that we
7 wouldn't have those problems again.

8 We had Gaming Service Providers who were
9 not suitable operating in the industry and we had
10 Gaming Service Providers that we had no applications
11 from operating within the industry, we didn't know who
12 they were. And so it took some time to get all of
13 those issues resolved. And I don't want to see us go
14 backwards in a situation where we have Gaming Service
15 Providers not submitting applications in a timely
16 fashion, not undergoing background investigations in a
17 timely fashion. And also we have the casinos not
18 staying on top of it.

19 So, I think it's incumbent upon the
20 casinos to stay on top of who they're doing business
21 with and ensuring that those applications get in in a
22 timely fashion. But that's not to say that the Gaming
23 Service Provider should not be held responsible also.
24 But I think the ultimate responsibility in my opinion
25 is with the casino that does business with the Gaming

1 Service Provider.

2 MR. RYAN:

3 I would take it, sir, that your agency
4 hasn't had any particular difficulty with this GSP
5 before the situation we're dealing with this morning.
6 Would that be an accurate statement?

7 ATTORNEY PITRE:

8 Yeah, that's an accurate statement.

9 MR. RYAN:

10 Okay.

11 ATTORNEY PITRE:

12 I'm thinking of another one. So, that
13 would be an accurate statement.

14 MR. RYAN:

15 Thank you, Cyrus. I appreciate it.

16 CHAIRMAN:

17 May I have a motion? Oh, I'm sorry.

18 MR. FAJT:

19 Thank you, Mr. Chairman. Cyrus, do we
20 know if Mohegan Sun was notified that the GSP License
21 was up for renewal? In other words, the Rustic
22 Kitchen gets a notice from you folks or Licensing that
23 the license is up for renewal. Do we know if Mohegan
24 Sun gets a duplicate copy of that notice?

25 ATTORNEY PITRE:

1 I can tell you that they did not receive
2 a duplicate copy of that notice. There's some history
3 behind that. Initially the ---.

4 MR. FAJT:

5 Do tell.

6 ATTORNEY PITRE:

7 Initially the Bureau of Licensing would
8 send casinos a notice that Gaming Service Providers
9 were going to be expiring. The casinos in return
10 contacted the Bureau of Licensing and said why are you
11 sending us this it's on your website we know this you
12 don't need to --- we get enough information from you.
13 Because of this latest incident, Mohegan Sun requested
14 that they receive notice. So, the Bureau of Licensing
15 once again has started to send notice. Now all of
16 those Gaming ---.

17 MR. FAJT:

18 Only to Mohegan Sun or to all casinos?

19 ATTORNEY PITRE:

20 I think it's all of them now.

21 MR. FAJT:

22 All casinos. Okay.

23 ATTORNEY PITRE:

24 Now our website is updated frequently
25 with who's authorized, who's not authorized and

1 everything else. That's how Mohegan Sun received ---
2 got notice because all of a sudden the Gaming Service
3 Provider was no longer authorized.

4 Now I did have a conversation with Mr.
5 Stewart, I can't remember who else was on the phone,
6 and they did notify us saying, hey, we're not going to
7 pay them but obviously this is a problem. And we
8 reached an agreement that there was no need for the
9 restaurant to shut down, everything else. That the
10 Gaming Service Provider was getting the information
11 together to get to us. Regardless. Now that notice
12 is being --- we reinstated that.

13 MR. FAJT:

14 And Mr. Stewart and counsel, you guys
15 are okay with getting those duplicate notices now?

16 ATTORNEY STEWART:

17 Absolutely. I don't know the history
18 that what was referenced.

19 MR. FAJT:

20 One last question. Mr. Stewart --- or
21 sir, do you guys have a compliance officer and would
22 this type of issue fall within that compliance
23 officer's duty to monitor the expiration of those GSP
24 Licenses or is there somebody else in your casino that
25 monitors those?

1 ATTORNEY MOORE:

2 We have a licensing ---.

3 MR. FAJT:

4 Could you speak up a little bit?

5 ATTORNEY MOORE:

6 Excuse me. We have a licensing vendor,
7 that's the name of the position for the person who is
8 responsible for following up with the provider, send
9 us their application we need to sign it and then send
10 it to the ---.

11 MR. FAJT:

12 I understand that, but who monitors the
13 expiration dates internally of the GSPs?

14 ATTORNEY MOORE:

15 Well I think now that we're --- I don't
16 know who was doing it before --- but now that it's ---

17 MR. FAJT:

18 Now you're getting notices ---

19 ATTORNEY MOORE:

20 --- get the notice so we would be aware
21 of it and keep it on track from that point going
22 forward.

23 MR. FAJT:

24 And who would get the notice from OEC or
25 Licensing? Who's going to get that notice internally?

1 ATTORNEY PITRE:

2 Susan, what do you guys think?

3 MS. HENSEL:

4 I believe it goes to their purchasing.

5 MR. FAJT:

6 I'm sorry, could you say ---?

7 ATTORNEY PITRE:

8 Director Hensel stated that it goes to
9 the Director of Purchasing usually.

10 MR. FAJT:

11 Okay. And you guys have an internal
12 system now that that Director of Purchasing
13 understands when those notices come in that somebody
14 needs to monitor the application and get it submitted?

15 ATTORNEY MOORE:

16 Going forward, that process will be kept
17 on diary once we get the notice to make sure we can
18 follow up then with the provider, we didn't get your
19 application yet, we need it in order so it's timely
20 filed.

21 MR. FAJT:

22 And I'm sorry, one last question. How
23 soon in advance of the renewal is that notice given?
24 Is it a year?

25 MS. HENSEL:

1 It's 120 days.

2 MR. FAJT:

3 120 days. Thank you. Cyrus?

4 ATTORNEY PITRE:

5 I just want to add and this goes for any
6 casino, if there's any problem getting an application
7 from any Gaming Service Provider, if we're notified,
8 we'll take action to ensure that a Gaming Service
9 Provider does what it's supposed to do. If not, and
10 they can't abide by the regulations in the Act, then
11 maybe we should look at whether or not that Gaming
12 Service Provider continues to operate in the
13 Commonwealth in the casino industry.

14 MR. FAJT:

15 Thank you, Mr. Chairman.

16 CHAIRMAN:

17 May I have a motion?

18 MR. FAJT:

19 Yes. Mr. Chairman, I move that the
20 Board issue an Order to approve a Consent Agreement
21 between the OEC and Downs Racing, LP as described by
22 the OEC.

23 MR. JEWELL:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? The motion is adopted.

5 Thank you very much.

6 ATTORNEY ADAMS:

7 And with regards to the Sun Rustic, who
8 is the Gaming Service Provider, the parties have
9 entered into this agreement that within five days of
10 the Board's Order adopting the agreement, Sun Rustic
11 shall pay a civil penalty in the amount of \$3,000. At
12 this time, the OEC recommends that the Board approve
13 this Consent Agreement.

14 CHAIRMAN:

15 Questions or comments from the Board?

16 MR. WOODS:

17 Mr. Chairman?

18 CHAIRMAN:

19 Yes?

20 MR. WOODS:

21 I believe, Kim, in the beginning you
22 stated that they are out of town or unable to attend
23 today ---

24 ATTORNEY ADAMS:

25 Yes.

1 MR. WOODS:
2 --- so there's no one here representing
3 them?

4 ATTORNEY ADAMS:
5 No. That's correct.

6 CHAIRMAN:
7 May I have a motion?

8 MR. JEWELL:
9 Mr. Chairman, I move that the Board
10 issue an Order to approve the Consent Agreement
11 between the OEC and Sun Rustic, LLC as described by
12 the OEC.

13 MR. MCCALL:
14 Second.

15 CHAIRMAN:
16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:
19 All opposed? The motion is adopted.

20 ATTORNEY PITRE:
21 The next four matters on the agenda
22 consist of Enforcement Actions in which the OEC have
23 filed complaints seeking the revocations and
24 suspensions of Non-Gaming Registrations and Gaming
25 Permits issued to individuals by the Board. Each

1 complaint has been filed with the Board's OHA and
2 properly served upon the individual named in the
3 complaint. The individual named in each complaint
4 failed to respond within 30 days as required by Board
5 regulation.

6 As a result, the OEC filed a request for
7 Default Judgement and properly served the same upon
8 each named individual. Thereby, all facts in each
9 complaint are deemed admitted, all filed documents
10 have been provided to the Board and the matters are
11 presently ripe for Board consideration. In each
12 instance, we will provide a brief summary of the facts
13 and I request the appropriate Board action.

14 ATTORNEY FENSTERMAKER:

15 Good afternoon, Chairman Barasch.
16 Cassandra Fenstermaker. We have for your
17 consideration a complaint seeking the revocation of
18 Anthony Hill's Gaming Employee Permit. Mr. Hill pled
19 guilty to one count of theft by unlawful taking in an
20 incident unrelated to his employment at Harrah's. As
21 a result, the OEC requests that Anthony Hill's Gaming
22 Employee Permit be revoked.

23 CHAIRMAN:

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

1 MR. MCCALL:

2 Mr. Chairman, I move that the Board
3 issue an Order to approve the revocation of Anthony
4 Hill's Gaming Employee Occupation Permit as described
5 by the OEC.

6 MR. MOSCATO:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 All opposed? The motion is adopted.

13 ATTORNEY ADAMS:

14 The next matter for the Board's
15 consideration is the revocation of Rochelle
16 Poszeluznyj's Non-Gaming Employee Registration. While
17 working as a Bartender at Mohegan Sun Pocono, Ms.
18 Poszeluznyj conspired with the Vice President of
19 Player Development and a patron to engage in a scheme
20 to steal free play. The amount of theft was
21 approximately \$500,000 and she was charged criminally
22 through the state. The OEC's requesting that her Non-
23 Gaming Employee Registration be revoked at this time.

24 CHAIRMAN:

25 Questions or comments from the Board?

1 May I have a motion?

2 MR. MOSCATO:

3 Mr. Chairman, I move that the Board
4 issue an Order to approve the revocation of Rochelle
5 Poszeluznyj's Non-Gaming Employee Registration as
6 described by the OEC.

7 MR. RYAN:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 All opposed? The motion's adopted.

14 ATTORNEY CROHE:

15 Good afternoon, Chairman, members of the
16 Board. The next matter for the Board is a request to
17 suspend the Non-Gaming Employee Registration held by
18 Theodore Clark in connection with his previous
19 position as an EVS attendant at Parx and SugarHouse
20 Casinos. Mr. Clark was charged with aggravated
21 assault, a felony one, endangering the welfare of a
22 child, a felony three, simple assault and recklessly
23 endangering another person. There is a trial
24 scheduled for November 28th, 2016. The OEC now
25 requests that the Board suspend the Non-Gaming

1 Registration held by Theodore Clark.

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 suspension of Theodore
8 Clark's Non-Gaming Employee Registration as described
9 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 CROHE:

18 The next matter is a request to suspend
19 the Gaming Permit held by Nicole Knestrick in
20 connection with her previous position as a Security
21 Officer at Meadows Casino. Ms. Knestrick has been
22 charges with retail theft, a misdemeanor one, after
23 selecting clothing from Walmart and exiting without
24 paying for the merchandise, then handing the
25 merchandise to another individual who attempted to

1 return those stolen items. The OEC now requests that
2 the Board suspend the Gaming Permit of Nicole
3 Knestrick.

4 CHAIRMAN:

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

7 MR. WOODS:

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

12 MR. FAJT:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 All opposed? The motion is adopted.

19 ATTORNEY PITRE:

20 The remaining 18 matters on the agenda
21 consist of Enforcement Actions in which the OEC has
22 filed petitions seeking the Involuntary Exclusion of
23 individuals whose presence in a licensed facility are
24 inimical to the interests of the Commonwealth and/or
25 licensed gaming therein.

1 In each instance, the Petition for
2 Exclusion has been filed with the Board's OHA and
3 properly served upon the individual named in the
4 petition. The individual named in the petition failed
5 to respond within 30 days as required by Board
6 regulation.

7 As a result, the OEC filed a request for
8 Default Judgement in each instance and properly served
9 the Default Judgement upon each individual. Thereby,
10 all facts in each petition are deemed admitted. All
11 filed documents have been provided to the Board and
12 the matters are presently ripe for Board
13 consideration. Once again, we will read a brief
14 summation of the facts and request the appropriate
15 Board action.

16 ATTORNEY CROHE:

17 John Crohe again for the OEC. The next
18 matter before the Board is a request to place Sarah
19 Shorb on the Board's Exclusion List. Sarah Shorb
20 gained access to Hollywood Casino while gaming
21 underage and provided the legitimate identification of
22 her older sister, then was charged by Pennsylvania
23 State Police with possession of a controlled substance
24 and possession of drug paraphernalia as well as
25 tampering with physical evidence after being seen

1 using drugs in the casino bathroom. Ms. Shorb has
2 Plea Court scheduled for June 9, 2016. The OEC now
3 requests that the Board add Sarah Shorb to the
4 excluded persons list.

5 CHAIRMAN:

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

8 MR. FAJT:

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

13 MR. JEWELL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The motion is adopted.

20 ATTORNEY CROHE:

21 The next matter before the Board is a
22 request to place Christopher Gordon on the Board's
23 Excluded Persons List. Christopher Gordon gained
24 access to the Rivers Casino gaming floor while only 17
25 years of age after providing an illegally manufactured

1 identification. The OEC now requests that the Board
2 add Christopher Gordon 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. JEWELL:

8 Mr. Chairman, I move that the Board
9 issue an Order to approve the addition of Christopher
10 Gordon to the PGCB Involuntary Exclusion List until
11 his --- at least, I should say --- his 22nd birthday,
12 at which time he may petition the Board for removal
13 from the list.

14 MR. MCCALL:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 All opposed? The motion's adopted.

21 ATTORNEY MILLER:

22 Good morning again. Dustin Miller on
23 behalf of the OEC. The next matter today is a request
24 for placement on the Board's Excluded Persons List
25 involving Tyrone K. Clark. The OEC filed a petition

1 to place Mr. Clark on the Exclusion List on January
2 28th, 2016 for stealing another patron's wallet at
3 Parx Casino. Mr. Clark was charged with theft and
4 receiving stolen property due to this incident. Based
5 upon the foregoing, the OEC asks that the Board place
6 Tyrone K. Clark on the Board's Excluded Persons List.

7 CHAIRMAN:

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

10 MR. MCCALL:

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

15 MR. MOSCATO:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? The motion's adopted.

22 ATTORNEY ADAMS:

23 The next matter for the Board's
24 consideration is the placement of Darnell Bryant on
25 the Involuntary Exclusion List for receiving criminal

1 charges including felony aggravated assault when he
2 was being escorted out of Mohegan Sun Pocono due to
3 his intoxicated state. The OEC requests Mr. Bryant be
4 placed on the Involuntary Exclusion List.

5 CHAIRMAN:

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

8 MR. MOSCATO:

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

13 MR. RYAN:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The motion's adopted.

20 ATTORNEY ADAMS:

21 The next three matters have the same
22 factual basis and with the Board's permission, I'll
23 present one set of facts, then ask each individual be
24 excluded. On May of 2014 through April of 2015, the
25 Vice President of Player Development, Robert

1 Pellegrini, a Bartender, Rochelle Poszeluznyj and a
2 patron, Mark Heltzel, conspired to steal free play
3 from Mohegan Sun Pocono. Ms. Poszeluznyj would obtain
4 players club pin numbers from patrons, Mr. Pellegrini
5 would make duplicate players club cards with free
6 play, Mr. Heltzel would use the free play to win
7 money.

8 The three individuals stole
9 approximately \$500,000 and were all charged by the
10 state. Additionally, Mr. Pellegrini and Mr. Heltzel
11 were federally indicted. All three still have some
12 type of charges pending. At this time, the OEC's
13 requesting Mark Heltzel be placed on the Involuntary
14 Exclusion List.

15 CHAIRMAN:

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

18 MR. RYAN:

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

23 MR. WOODS:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? The motion's adopted.

5 ATTORNEY ADAMS:

6 At this time, the OEC is requesting
7 Robert Pellegrini be placed on the Involuntary
8 Exclusion List.

9 CHAIRMAN:

10 Questions or comments from the Board?

11 May I have a motion?

12 MR. WOODS:

13 Mr. Chairman, I move that the Board
14 issue an Order to approve the addition of Robert
15 Joseph Pellegrini to the PGCB Involuntary Exclusion
16 List as described by the OEC.

17 MR. FAJT:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 All opposed? The motion's adopted.

24 ATTORNEY ADAMS:

25 At this time, the OEC is requesting

1 Rochelle Poszeluznyj be placed on the Involuntary
2 Exclusion List.

3 CHAIRMAN:

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

6 MR. FAJT:

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

11 MR. JEWELL:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion's adopted.

18 ATTORNEY ADAMS:

19 The next matter for the Board's
20 consideration is the placement of Duc Pham on the
21 Excluded Persons List. Mr. Pham was caught resetting
22 his Pai Gow tiles at Mohegan Sun Pocono in April of
23 2014. He was criminally charged. Additionally, he
24 was caught stealing a patron's voucher from Mohegan
25 Sun Pocono and was also criminally charged. At this

1 time, the OEC is requesting that Mr. Pham 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. JEWELL:

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

11 MR. MCCALL:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion's adopted.

18 ATTORNEY ADAMS:

19 The next matter for the Board's
20 consideration is the placement of Danaysha Tucker on
21 the Excluded Persons List. Ms. Tucker engaged in
22 gaming at various slot machines while under the age of
23 21 and she was criminally charged and did plead guilty
24 to an offense under our Act. At this time, the OEC is
25 requesting Danaysha Tucker be placed on the Board's

1 Involuntary Exclusion List.

2 CHAIRMAN:

3 Questions or comments from the Board?

4 May I have a motion?

5 MR. MCCALL:

6 Mr. Chairman, I move that the Board
7 issue an Order to approve the addition of Danaysha
8 Tucker to the Pennsylvania Gaming Control Board
9 Involuntary Exclusion List for at least one year at
10 which time she may petition for removal from the list.

11 MR. MOSCATO:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion's adopted.

18 ATTORNEY ADAMS:

19 The next matter for the Board's
20 consideration is the placement of Greg Winslow on the
21 Excluded Persons List. Mr. Winslow left his minor
22 child in an unattended vehicle at Mohegan Sun Pocono
23 while he gamed at slots for over an hour. He was
24 criminally charged and those charges are still
25 pending. At this time, the OEC's requesting Mr.

1 Winslow be placed on the Board's Involuntary Exclusion
2 List.

3 CHAIRMAN:

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

6 MR. MOSCATO:

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

11 MR. RYAN:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion's adopted.

18 ATTORNEY ROLAND:

19 Mr. Chairman, members of the Board.
20 Michael Roland, R-O-L-A-N-D, with the OEC. Next is a
21 request to place Jacob Benjamin Alexander on the
22 Involuntary Exclusion List. Mr. Alexander, age 19,
23 gained access to the gaming floor at Sands Casino by
24 providing a false identification.

25 He then played table games, consumed

1 alcoholic beverages and successfully opened a players
2 card account. Mr. Alexander was permanently evicted
3 by Sands security and was charged by the Pennsylvania
4 State Police with carrying a false identification
5 card. He entered a negotiated guilty plea to
6 disorderly conduct. The matter is now before the
7 Board to consider the placement of Jacob Benjamin
8 Alexander on the Board's Involuntary Exclusion List.

9 CHAIRMAN:

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

12 MR. RYAN:

13 Mr. Chairman, I move that the Board
14 issue an Order to approve the addition of Jacob
15 Benjamin Alexander to the PGCB Involuntary Exclusion
16 List until at least his 22nd birthday, at which time
17 he may petition the Board for removal from the list.

18 MR. WOODS:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? The motion's adopted.

25 ATTORNEY ROLAND:

1 Next is a request to place Robert Burns
2 on the Involuntary Exclusion List. Mr. Burns acted in
3 a disorderly fashion while at Sands Casino and entered
4 the gaming floor with his 12 year old son against the
5 direction of Sands Security. Mr. Burns was
6 permanently evicted by Sands Security and was charged
7 by the Pennsylvania State Police with harassment. He
8 entered a guilty plea to the charge and the matter is
9 now before the Board to consider the placement of
10 Robert Burns on the Board's Involuntary Exclusion
11 List.

12 CHAIRMAN:

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

15 MR. WOODS:

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

20 MR. FAJT:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? The motion's adopted.

2 ATTORNEY ROLAND:

3 Next is a request to place Seulgi Choi
4 on the Involuntary Exclusion List. Ms. Choi gained
5 access to the gaming floor at Sands Casino by
6 providing a false identification. She then played
7 table games and consumed alcoholic beverages. Ms.
8 Choi was permanently evicted by Sands Security and
9 charged by the Pennsylvania State Police with carrying
10 a false identification card. She entered a guilty
11 plea to that charge and the matter is now before the
12 Board to consider the placement of Seulgi Choi on the
13 Board's Involuntary Exclusion List.

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 issue an Order to approve the addition of Seulgi Choi
20 to the PGCB Involuntary Exclusion List for at least
21 one year at which time she may petition for removal
22 from the list.

23 MR. JEWELL:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? The motion's adopted.

5 ATTORNEY ROLAND:

6 The next two matter arise from the same
7 fact pattern and involve the request to place Keyonah
8 Edwards and Kisha Edwards on the Involuntary Exclusion
9 List. Kisha Edwards assisted her underage daughter,
10 Keyonah Edwards, age 20, in gaining access to the
11 gaming floor at Sands Casino with a false
12 identification. Keyonah Edwards then played table
13 games and slot machines.

14 Keyonah Edwards was permanently evicted
15 by Sands Security and was charged by the Pennsylvania
16 State Police with carrying a false identification
17 card. She entered a guilty plea to that charge.
18 Kisha Edwards was not criminally charged, but she was
19 permanently evicted from Sands Casino. First, the
20 matter is now before the Board to consider the
21 placement of Keyonah Edwards on the Board's
22 Involuntary Exclusion List.

23 CHAIRMAN:

24 Questions or comments from the Board?

25 May I have a motion?

1 MR. JEWELL:

2 Mr. Chairman, I move that the Board
3 issue and Order to approve the addition of Keyonah
4 Edwards to the PGCB Involuntary Exclusion List until
5 at least her 22nd birthday, at which time she may
6 petition the Board 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's adopted.

14 ATTORNEY ROLAND:

15 And the matter is now before the Board
16 to consider the placement of Kisha Edwards on the
17 Board's Involuntary Exclusion List.

18 CHAIRMAN:

19 Questions or comments from the Board?

20 May I have a motion?

21 MR. MCCALL:

22 Mr. Chairman, I move the Board issue an
23 Order to approve the addition of Kisha Edwards to the
24 Pennsylvania Gaming Control Board Involuntary
25 Exclusion List for at least one year, at which time

1 she may petition for removal from the list.

2 MR. MOSCATO:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? The motion's adopted.

9 ATTORNEY ROLAND:

10 The next two matters also arise from the
11 same fact pattern and involve a request to place Qui
12 Renjian and Shauhai Yang on the Involuntary Exclusion
13 List. Shauhai Yang assisted his underage nephew, Qui
14 Renjian, who is age 20, in gaining access to the
15 gaming floor at Sands Casino by providing him with his
16 identification card. Qui Renjian was permanently
17 evicted by Sands Security and was charged by
18 Pennsylvania State Police with an individual under 21
19 on the gaming floor, that's under our Act. He entered
20 a guilty plea to that charge. Shauhai Yang was not
21 criminally charged, however, he was permanently
22 evicted from Sands Casino. First, the matter is now
23 before the Board to consider the placement of Qui
24 Renjian on the Board's involuntary Exclusion List.

25 CHAIRMAN:

1 Questions or comments from the Board?

2 May I have a motion?

3 MR. MOSCATO:

4 Mr. Chairman, I move that the Board
5 issue an Order to approve the addition of Qui Renjian
6 to the PGCB Involuntary Exclusion List until at least
7 his 22nd birthday, at which time he may petition this
8 Board for removal from the list.

9 MR. RYAN:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 All opposed? The motion's adopted.

16 ATTORNEY ROLAND:

17 And now the matter is before the Board
18 to consider the placement of Shauhai Yang on the
19 Board's Involuntary Exclusion List.

20 CHAIRMAN:

21 Questions or comments from the Board?

22 May I have a motion?

23 MR. RYAN:

24 Mr. Chairman, I move that the Board
25 issue an Order to approve the addition of Shauhai Yang

1 to the PGCB Involuntary Exclusion List for at least
2 one year, at which time he may petition for removal
3 from the list.

4 MR. WOODS:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? The motion's adopted.

11 ATTORNEY ROLAND:

12 And last is a request to place Daniel
13 White on the Involuntary Exclusion List. Mr. White
14 past posted multiple times while playing blackjack at
15 Sands Casino and benefited from an incorrectly paid
16 out Texas Hold'em bonus. Mr. White was issued a
17 permanent eviction by Sands and was charged by the
18 Pennsylvania State Police with knowing by trick or
19 fraud to reduce --- I'm sorry, knowing by trick fraud
20 to win or reduce a loss, that's under our Act, and
21 then theft by deception under the Crimes Code. He
22 entered a negotiated guilty plea to disorderly
23 conduct. The matter is now before the Board to
24 consider the placement of Daniel White on the Board's
25 Involuntary Exclusion List.

1 CHAIRMAN:

2 Questions or comments from the Board?

3 May I have a motion?

4 MR. WOODS:

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

9 MR. FAJT:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 All opposed? The motion's adopted.

16 ATTORNEY PITRE:

17 Thank you. That concludes our business.

18 CHAIRMAN:

19 Thank you. That concludes the business
20 for today's meeting. Our next scheduled public
21 session will be held on Wednesday, June 22nd, it
22 begins at ten o'clock in this room. Any final comment
23 from Board members or Ex-Officios?

24 MR. JEWELL:

25 Chairman, for that next meeting I will

1 physically be absent but participating by phone for
2 both the Executive Session as well as the public
3 meeting.

4 CHAIRMAN:

5 Thank you. May I have a motion to
6 adjourn the meeting?

7 MR. FAJT:

8 So moved.

9 CHAIRMEN:

10 Second?

11 MR. JEWELL:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? Motion's adopted. Thank
18 you.

19 * * * * *

20 MEETING CONCLUDED AT 12:16 P.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, meeting held before Chairman Barasch was reported by me on 5/25/16 and that I, Seth R. Baier, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.


Court Reporter
Seth R. Baier