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COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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

HEARING: August 10, 2016

LOCATION: PA Gaming Control Board
Strawberry Square Complex
11 North 3rd Street
Harrisburg, PA 17101

WITNESSES: Mark Juliano
Reporter: Lindsey Deann Powell

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25CHAIRMAN:

The point of the hour having arrived. I'm David Barasch, Chairman of the Pennsylvania Gaming Control Board. Before we begin, as always I'd like everybody to turn off their electronic devices, or the sound at least. Thank you.

With us today Fred Strathmeyer representing Russell Redding, the Secretary of Department of Agriculture. Jenn Langan representing Tim Reese, the State Treasurer. And Bob Coyne representing Eileen McNulty, Revenue Secretary.

Thank you all for coming. A quorum of the Board being present, I would call this meeting to order. First order of business, the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

By way of announcements, the Board held an Executive Session yesterday August 9th, for the purpose of discussing personnel matters and to conduct quasi judicial deliberations relating to matters that are being considered today by the Board.

I'd also like to announce, that the Gaming

1 Control Board will hold a public hearing regarding the
2 casino License Renewal for Woodlands Fayette, LLC,
3 operator of the Lady Lucky Casino Nemacolin, on
4 September 14th at 10:00 a.m. at the Wharton Township
5 Municipal Building located 114 Elliotsville Road,
6 Farmington, PA. Deadlines for registration to speak at
7 this hearing and for receipt of public comment on the
8 Lady Luck renewal is noon Monday, September 12th.

9 Citizens, and community groups and elected
10 officials wishing to present oral or written testimony,
11 which would become part of the evidentiary record in
12 this matter, can now register by clicking on the quick
13 link section of the homepage --- of our homepage ---
14 the Gaming Control homepage website.

15 Written comments should be mailed to
16 Gaming Control Box --- Board, at Box 69060, Harrisburg,
17 Pennsylvania, 17106, Attention to the Board Clerk.
18 Comments can also be faxed prior to the deadlines, at
19 (717) 265-7416.

20 Next consideration of a motion to approve
21 the minutes and transcript of the June 22nd meeting.
22 May I have a motion?

23 MR. WOODS:

24 Mr. Chairman, I move that the Board
25 approve the minutes of the transcript of the June 22nd,

1 2016 meeting.

2 MR. FAJT:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 Opposed? The motion is adopted. New
9 business. First up, Claire.

10 MS. YANTIS:

11 Good morning, Chairman, Board members.

12 The Office of Human Resources has one motion for your
13 consideration today, relative to the hiring of one
14 individual.

15 Mr. John Pokiniewski has been selected as
16 a law clerk in the Office of Enforcement Counsel (OEC).
17 Mr. Pokiniewski has completed the PGCB interview
18 process, background investigation and drug screening,
19 and is recommended for hire by Chief Enforcement
20 Counsel Cyrus Petri. Unless you have any questions, I
21 ask that the Board consider a motion to hire Mr.
22 Pokiniewski as indicated.

23 CHAIRMAN:

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

1 MR. FAJT:

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

5 MR. JEWELL:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 All opposed? Motion is adopted.

12 MS. YANTIS:

13 Thank you.

14 CHAIRMAN:

15 Thank you, Claire. Dave Rhen.

16 MR. RHEN:

17 Good morning, Chairman and Board members.

18 I'm here today to provide a final accounting of
19 expenditures for fiscal year 2015/'16, which as you
20 know concluded on June 30th. Although the year is
21 complete, we still continue to receive additional
22 invoices. So this report would include accounts
23 payable.

24 Expenditures for the fiscal year total
25 \$38.2 million. That was against an appropriation of

1 \$39.9 million, leaving us with a potential surplus of
2 \$1.7 million. Most of the surplus is due to a decrease
3 in 11 filled positions from the prior fiscal year.

4 Despite the decrease in filled positions,
5 first note expenses were up 3.4 percent and over ---
6 all expenses increased 3.5 percent for the fiscal year
7 versus the prior year. Personnel expenses accounted
8 for 87 percent of overall expenses at \$33.2 million,
9 \$1.1 million higher than the prior year. Where the
10 year benefits as percentage of salary, expenses total
11 67 percent versus 60 percent in the prior year.

12 The operating of fixed asset component of
13 the budget, the expenses totaled \$5 million, about
14 13 percent of overall expenses for the year. This was
15 up about \$200,000 from the prior year, in which we
16 realized our lowest level of operating expenses in ten
17 years. The increases were due to increase fingerprint
18 fees, due to increased volume and increasing IT
19 expenses. As has been our trend, 80 percent of
20 operating expenses were generally for real estate
21 leases, interagency billings and subscriptions from
22 cleaning database services utilized in background
23 checks.

24 Turning to the current year, our
25 appropriation for physical year '16/'17 is \$40,619,000,

1 an increase of 1.8 percent. Personnel costs are
2 budgeted at \$35.1 million and include a 20.2 percent
3 increase to the employer contribution for pension
4 costs. Operating and fixed asset expenses are budgeted
5 at \$5.1 million, which was the average of actual
6 expenses for the prior three fiscal years. That
7 concludes my remarks.

8 CHAIRMAN:

9 Thank you. Are there any questions or
10 comments from the Board or Ex-Officio members?
11 Anybody? Thank you, Dave.

12 MR. RHEN:

13 Thank you.

14 CHAIRMAN:

15 Next, Doug Sherman, Chief Counsel.

16 ATTORNEY SHERMAN:

17 Good morning, Chairman and members of the
18 Board. Our first agenda item relates to four
19 Final-form regulations, which Assistant Chief Counsel
20 Susan Yocum is here to present.

21 ATTORNEY YOCUM:

22 Good morning, Chairman and members of the
23 Board. The four agenda items all relate to the rules
24 of play for table games. The first is Final-form
25 Rulemaking 125-192. It will finalize regulations on

1 two table games, Heads-Up Hold 'Em and High Card Flush.

2 We did make some revisions between
3 proposed and Final --- the Final-form rulemaking.
4 Specifically for Heads-Up Hold 'Em. In response to
5 comments we received from the industry, we did amend
6 slightly our dealing procedure as a game protection
7 measure. And for High Card Flush, we did add
8 additional payout tables for the straight flush bonus
9 and flush bonus side wagers. I'd be happy to answer
10 any questions you may have regarding this regulation.

11 CHAIRMAN:

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

14 MR. JEWELL:

15 Mr. Chairman, I move that the Board issue
16 an Order to adopt Final-form Regulation 125-192 as
17 described by the Office of Chief Counsel (OCC).

18 MR. MCCALL:

19 Second.

20 CHAIRMAN:

21 All in favor.

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? The motion is adopted.

25 ATTORNEY YOCUM:

1 The next item is Final-form Rulemaking
2 125-195. And this will finalize the regulations on
3 Three Card Prime. We didn't make many changes between
4 proposed and final, other than adding an additional
5 payout table for the Bad Beat Bonus Wager. It will
6 allow facilities to offer a payout for a lower ranking
7 hand. Like a flush rather than a straight. Again,
8 happy to answer any questions you may have.

9 CHAIRMAN:

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

12 MR. MCCALL:

13 Mr. Chairman, I move that the Board issue
14 an Order to adopt Final-form Regulation 125-195 as
15 described by the OCC.

16 MR. MOSCATO:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 All opposed? Motion is adopted.

23 ATTORNEY YOCUM:

24 The next regulation is 125-196. And this
25 will finalize the rules of play for Siagon Five Card.

1 We made no substantive changes between the proposed
2 version that you've already approved and the Final-form
3 that was presented to you earlier.

4 CHAIRMAN:

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

7 MR. MOSCATO:

8 Mr. Chairman, I move that the Board issue
9 an Order to adopt Final-form Regulation 125-196 as
10 described by the OCC.

11 MR. RYAN:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion is adopted.

18 ATTORNEY YOCUM:

19 The last item is Final-form Rulemaking
20 125-198. And this will transition the game of 21
21 Baccarat into Final-form. Again, we made no
22 substantive changes between the proposed version and
23 the final version.

24 CHAIRMAN:

25 Questions or comments from the Board? May

1 I have a motion?

2 MR. RYAN:

3 Mr. Chairman, I move that the Board issue
4 an Order to adopt Final-form Regulation 125-198 as
5 described by the OCC.

6 MR. WOODS:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 All opposed? Motion is adopted.

13 ATTORNEY YOCUM:

14 Thank you.

15 CHAIRMAN:

16 Thank you, Susan.

17 ATTORNEY SHERMAN:

18 Next for the Board's consideration is a
19 request to toll the time period by which the Board must
20 decide a request for reconsideration filed by Gaming
21 Partners International, USA, Inc. and GPI Mexicana.

22 As the Board will recall at the last
23 meeting on July 13th, GPI was before the Board with a
24 Petition asking for a Waiver of Licensure of two people
25 holding an indirect ownership interest in the Board's

1 Licensee, which was in excess of five percent. GPI
2 failed to get a qualified majority of the Board to
3 agree to the request, and therefore the motion ---
4 their request had failed.

5 GPI has now requested reconsideration of
6 that decision. Pursuant to the Board's regulation, if
7 no action is taken on the request for reconsideration
8 within 30 days of its filing, the request is deemed
9 denied by operation of the regulation. In this
10 particular case, however, the Board's adjudication has
11 not yet been issued, and therefore the rationale for
12 the Board's decision has not been publically set forth.

13 If the Board were not to act on the
14 reconsideration motion itself, and that is the bare
15 motion, it would within 30 days be deemed, again,
16 denied. And therefore, GPI would not have come before
17 the Board with a motion based upon the rationale of the
18 Board. As a result, the OCC believes it would be
19 equitable to --- for the Board to consider a motion to
20 toll that 30-day, the running of it, until after the
21 Board issues the adjudication, so GPI has the
22 opportunity to amend its Motion for Reconsideration and
23 specify the grounds based on the adjudication.
24 Therefore, we request a motion to that effect.

25 CHAIRMAN:

1 Any questions or comments from the Board?

2 MR. FAJT:

3 Mr. Chairman, yeah. I'm sorry, Doug, if
4 you mentioned this and I missed it. But when do you
5 expect that adjudication to be forthcoming?

6 ATTORNEY SHERMAN:

7 I think we're in a position, that it --- I
8 would say soon.

9 MR. FAJT:

10 All right.

11 ATTORNEY SHERMAN:

12 We will be circulating ---.

13 MR. FAJT:

14 Two weeks?

15 ATTORNEY SHERMAN:

16 We'll be circulating a draft of it to the
17 Board members for their review and comment. I would
18 hope within two weeks would be a good estimate.

19 MR. FAJT:

20 Thank you very much.

21 CHAIRMAN:

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

24 MR. MOSCATO:

25 Mr. Chairman, I move that the Board toll

1 the application of Section 494a.8 of the Board's
2 regulation, until such time as the Board's adjudication
3 in this matter is issued. At which time, the deadline
4 is established in this regulation will run a new.

5 MR. FAJT:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 All opposed? Motion is adopted.

12 ATTORNEY SHERMAN:

13 The Board also has before it for
14 consideration, a Petition to Lift a Non-Gaming Employee
15 Registration Suspension. The petition was filed by
16 Xvier Wells, and can be decided on the documents filed
17 of record, as OEC has not objected to the lifting of
18 the suspension.

19 Mr. Wells had been employed by the Lady
20 Luck Casino at Nemacolin as a bar back. In
21 February 2016, the OEC was notified that Mr. Wells had
22 been arrested and charged with numerous criminals
23 offenses, which included four felony counts stemming
24 from allegations that he, along with two other
25 individuals robbed and assaulted another person.

1 On February 17th, 2016, OEC filed a
2 request for an Emergency Suspension, which was signed
3 by the Executive Director on that date.

4 On July 13th, the Board issued an Order
5 continuing the suspension of Mr. Wells' Non-Gaming
6 Registration. Mr. Wells is now requesting that the
7 suspension be lifted, as all of the criminal charges
8 which had been filed against him had been dismissed by
9 the District Attorney's Office. The OEC has not
10 objected to the request, as it has been verified that,
11 in fact, those criminal charges have been withdrawn.
12 And that matter is now ready for the Board's
13 consideration.

14 CHAIRMAN:

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

17 MR. MCCALL:

18 Mr. Chairman, I move that the Board grant
19 the Petition of Xvier Wells requesting a lift --- to
20 lift the suspension of his Non-Gaming Employee
21 Registration, based upon the facts described by the
22 OCC.

23 MR. WOODS:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? Motion is adopted.

5 ATTORNEY SHERMAN:

6 Next presenting Withdrawals and Reports
7 and Recommendations is Deputy Chief Counsel Steve Cook.

8 ATTORNEY COOK:

9 Morning. The Board has received several
10 unopposed Petitions to Withdraw Applications or
11 Surrender the Credentials of Individuals. The persons
12 subject to these petitions are as follows. Robert
13 Bone, Daurean Sloan, Thomas LaPlaca, Bruce Leslie, John
14 Stipancich, Martin Franklin, Paul Seeman and Edward
15 Hannon.

16 The OEC has no objections to any of these
17 Petitions to Withdraw or Surrender Credentials. And as
18 a result, if the Board were inclined to grant same,
19 they'd be doing so without prejudice to each of these
20 individuals. And these matters in bulk are now ready
21 for the Board's consideration.

22 CHAIRMAN:

23 Any questions or comments from the Board?

24 May I have a motion?

25 MR. WOODS:

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

4 MR. FAJT:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? Motion is adopted.

11 ATTORNEY COOK:

12 Next before the Board for consideration,
13 are nine Reports and Recommendations received from the
14 Office of Hearings and Appeals (OHA). In each case,
15 the individual subject of the Report and Recommendation
16 has been advised that the Board would be taking the
17 matter up today, and that they had the right to come
18 forward and briefly address the Board.

19 If any of these individuals are present, I
20 would ask they come forward when their matter is
21 called. I'd also note for the record, that the Report
22 and Recommendation and the entire evidentiary record
23 have been provided to the Board in advance of this
24 meeting.

25 The first Report and Recommendation

1 pertains to Kendra Battle-Garcia. In December of 2015,
2 Ms. Battle-Garcia submitted her Non-Gaming Employee
3 Registration Application so that she could perform work
4 as a glazier at a Pennsylvania licensed facility as
5 part of her employment with Guthrie Glass and Mirror,
6 Incorporated, a Certified Gaming Service Provider.

7 The OEC issued a Notice of Recommendation
8 of Denial of this application. However, based upon Ms.
9 Battle-Garcia's prior criminal history, including a
10 2011 conviction for several theft offenses and forgery
11 charges stemming from an incident where it was alleged
12 that she, along with another individual stole checks
13 from a resident in an assisted living facility where
14 she was working.

15 Ms. Battle-Garcia requested a hearing,
16 which was held on May 5th. She did not, however,
17 attend the hearing. And as a result, the evidence that
18 was presented, was presented only by OEC, supporting
19 its allegations that she had this prior criminal
20 conviction. And as a result of that evidence, the
21 Report and Recommendation issued, recommended that ---
22 or recommends that her application be denied. And that
23 is the recommendation before the Board.

24 CHAIRMAN:

25 Questions or comments from the Board? May

1 I have a motion?

2 MR. FAJT:

3 Mr. Chairman, I move that the Board adopt
4 the Report and Recommendation issued by the OHA
5 regarding Kendra Battle-Garcia's Non-Gaming Employee
6 Registration as described by the OCC.

7 MR. JEWELL:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 All opposed? Motion is adopted.

14 ATTORNEY COOK:

15 Derrick Ezekiel's Report and
16 Recommendation is the next matter before the Board
17 today. Mr. Ezekiel was issued a Non-Gaming
18 Registration on December 8th, 2015, and worked as an
19 EVS attendant at the Parx Casino.

20 On May 12th, 2016, the OEC filed a request
21 for an Emergency Suspension of Mr. Ezekiel's Non-Gaming
22 Registration, after learning that he had been charged
23 with several drug-related changes, including felony
24 offenses. The Executive Director signed the Emergency
25 Order of Suspension on that same date.

1 Pursuant to the Board's regulations, a
2 hearing on the validity of the Emergency Suspension was
3 then held by the OHA on May 24th, 2016. Despite
4 receiving notice, Mr. Ezekiel did not attend that
5 hearing. The evidence presented, was presented solely
6 by OEC in support of the allegations that these
7 criminal changes were pending, and remained pending.
8 And as a result, the Report and Recommendation issued
9 before the Board recommends that the suspension remain
10 in place.

11 CHAIRMAN:

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

14 MR. JEWELL:

15 Mr. Chairman, I move that the Board adopt
16 the Report and Recommendation issued by the OHA
17 regarding Derrick Ezekiel's Non-Gaming Employee
18 Registration as described by the OCC.

19 MR. MCCALL:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 All opposed? Motion is adopted.

1 ATTORNEY COOK:

2 Brittney Glass' Report and Recommendation
3 is the next matter before the Board today. Ms. Glass
4 was issued a Gaming Permit on November 9th, 2015, and
5 worked as a Table Game's Dealer at Harrah's
6 Philadelphia.

7 On April 21st, 2016, the Bureau of
8 Investigations and Enforcement (BIE) was notified that
9 Ms. Glass had been charged by the Philadelphia Police
10 Department with forgery, fraud, tampering with public
11 records and unsworn falsification. These charges stem
12 from her actions with numerous co-conspirators and
13 involve the theft of motor vehicles.

14 The OEC upon learning of this --- these
15 charges, asked for an Emergency Suspension, which the
16 Executive Director signed on April 22nd, 2016. Again,
17 pursuant to the Board's regulations, the matter was
18 sent to Hearings and Appeals for a hearing. Which
19 occurred on May 11th. Ms. Glass did not appear at that
20 hearing, however. And the only evidence presented,
21 show that these changes do remain pending against her.
22 And as a result, the recommendation is that the
23 suspension remain in place.

24 CHAIRMAN:

25 Questions or comments from the Board? May

1 I have a motion?

2 MR. MCCALL:

3 Mr. Chairman, I move that the Board adopt,
4 in result, the Report and Recommendation issued by the
5 OHA regrading the suspension of Brittney Glass' Gaming
6 Employee Occupation Permit as described by the OCC.

7 MR. MOSCATO:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 All opposed? Motion is adopted.

14 ATTORNEY COOK:

15 The next matter to be heard by the Board,
16 pertains to the Report and Recommendation of Jose
17 Gutierrez.

18 On February 17th, 2016, the OEC filed a
19 complaint requesting Mr. Gutierrez be placed on the
20 Board's Exclusion List for leaving his nine-year-old
21 son alone in his vehicle at Parx Casino for
22 approximately 20 minutes, prior to Parx security
23 locating the child, and then locating him on the gaming
24 floor and bringing him back to the car.

25 A hearing in this matter was held on May

1 12th, 2016. Both OEC and Mr. Gutierrez appeared and
2 participated in the hearing. Mr. Gutierrez did not
3 contest the facts alleged. However, indicated
4 basically that he didn't feel the child was at risk,
5 because the car was running with the air conditioning
6 on, and he had a cell phone in his possession.

7 Notwithstanding Mr. Gutierrez's
8 testimony, the Report and Recommendation issued,
9 recommends that he be placed on the Board's Exclusion
10 List. And that's the recommendation for the Board.

11 CHAIRMAN:

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

14 MR. MOSCATO:

15 Mr. Chairman, I move that the Board adopt
16 the Report and Recommendation issued by the OHA
17 regarding Jose Gutierrez placement on the Involuntary
18 Exclusion List as described by the OCC.

19 MR. RYAN:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 All opposed? Motion is adopted.

1 ATTORNEY COOK:

2 The next Report and Recommendation
3 pertains to Matthew Hansell's request for
4 reconsideration of the Board's previous Denial of his
5 Gaming Permit Renewal Application. Mr. Hansell is
6 presently employed as a Player Services Representative
7 at SugarHouse Casino.

8 On August 11th, 2015, Enforcement Counsel
9 recommended Mr. Hansell's application be denied based
10 upon his being out of compliance with both state and
11 federal taxing authorities.

12 On November 20th, 2015, the Board denied
13 his Renewal Application, and Mr. Hansell immediately
14 filed a request for reconsideration, which is the
15 matter before the Board today.

16 A hearing on that request for
17 reconsideration was held before the OHA this past
18 January, on the 21st. At that time, Mr. Hansell
19 remained out of compliance with taxing authorities.
20 And as a result, the Hearing Officer issued a Report
21 and Recommendation, recommending that his Renewal
22 Application be denied. So that is the recommendation
23 before the Board right now, that his application be
24 denied.

25 However, I'm happy to report that since

1 the issuance of that Report and Recommendation
2 Mr. Hansell has come into compliance with both state
3 and federal taxing authorities. And as a result, the
4 basis for the recommendation of denial originally has
5 gone away. And I believe OEC, at this point has no
6 issue with his being --- or no problem with his being
7 issued a gaming permit.

8 CHAIRMAN:

9 Any questions or comments from the Board?
10 Revenue Department is okay with this one? May I have a
11 motion?

12 MR. RYAN:

13 Mr. Chairman, I move that the Board reject
14 the Report and Recommendation issued by OHA regarding
15 Matthew Hansell's Petition for Reconsideration of the
16 Denial of his Gaming Employee Permit Application, and
17 that the Board inside grant Mr. Hansell's permit
18 renewal for the reasons described by the OCC.

19 MR. WOODS:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 All opposed? Motion is adopted.

1 ATTORNEY COOK:

2 The next Report and Recommendation
3 pertains to Kevin Harris. In December of 2015,
4 Mr. Harris submitted a Non-Gaming Employee Registration
5 seeking work as an EVS at Harrah's Philadelphia.

6 The OEC subsequently issued a Notice
7 Recommending Denial, based upon a criminal record.
8 Specifically in March of 2011, Mr. Harris pled guilty
9 to simple assault and then later that year pled guilty
10 to two felony theft cases. A hearing was requested in
11 this matter by Mr. Harris, however he failed to attend
12 the hearing. And again, the only evidence put into the
13 record was that of Enforcement Counsel showing that
14 these convictions actually occurred. And as a result
15 of that evidence, the Report and Recommendation issued,
16 recommends that the application be denied.

17 CHAIRMAN:

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

20 MR. WOODS:

21 Mr. Chairman, I move that the Board adopt
22 the Report and Recommendation issued by the OHA
23 regarding Kevin Harris' Non-Gaming Employee
24 Registration as described by the OCC.

25 MR. FAJT:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 All opposed? Motion is adopted.

7 ATTORNEY COOK:

8 William Jefferson's Report and
9 Recommendation is the next matter before the Board. On
10 May 18, 2015, Mr. Jefferson submitted a renewal
11 application for his gaming permit, so as to be allowed
12 to continue working as a Security Officer at
13 SugarHouse, where he is --- continues to work today.
14 The OEC issued a Notice of Recommendation of Denial of
15 Mr. Jefferson's Renewal Application.

16 However, based upon his failure to
17 cooperate in a background investigation, specifically
18 during the review of his application, it was noted that
19 he was not compliant with the Pennsylvania Department
20 of Revenue. And BIE attempts to contact him to help
21 him come into compliance were not responded to. As a
22 result, the Recommendation of Denial was issued. A
23 hearing was subsequently requested. However, Mr.
24 Jefferson did not fail --- or did not attend that
25 hearing and failed to put on evidence to show that he

1 was attempting to come into compliance. So the Hearing
2 Officer recommends that the application be denied,
3 based in part on his noncompliance with taxing
4 authorities and also on his lack of cooperation with
5 BIE.

6 CHAIRMAN:

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

9 MR. FAJT:

10 Mr. Chairman, I move that the Board adopt
11 the Report and Recommendation issued by the OHA
12 regarding William Jefferson's Gaming Employee
13 Occupation Permit as described by the OCC.

14 MR. JEWELL:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 All opposed? Motion is adopted.

21 ATTORNEY COOK:

22 The next Report and Recommendation before
23 the Board pertains to Robert --- or Robbie Santivansky.
24 On January 11th, 2016, the OEC filed a complaint
25 requesting that Mr. Santivansky be placed on the

1 Board's Involuntary Exclusion List for leaving his
2 nine-year-old son alone in his vehicle.

3 The complaint alleges that in January of
4 2016, Mr. Santivansky tried to enter the Parx Casino
5 with his nine-year-old son. He was stopped by Parx
6 security, who informed him that children are not
7 allowed on the premises. Mr. Santivansky then asked
8 security if they would watch his son or if he could
9 leave him with them for a few minutes so he could go in
10 and claim a promotional giveaway. He was told by
11 security, that children could not be left unattended
12 and they would not allow him to leave the child in
13 their presence.

14 Mr. Santivansky and his son then returned
15 to his vehicle in the parking lot. He pulled the
16 vehicle out of its location, went to another entrance,
17 parked the vehicle, left the son in the vehicle and
18 attempted to enter the casino. His entire movement
19 however, was monitored by surveillance so security at
20 the second location was notified that there could be a
21 child --- or there was a child in the car. He was
22 immediately stopped and was told that he couldn't enter
23 the premises because he was leaving the child
24 unattended.

25 Ultimately, he left. Although, again

1 indicating and showing documentation that he was simply
2 there to claim a promotional giveaway and not to
3 gamble. As a result of that conduct, OEC brought the
4 request to place him on the Involuntary Exclusion List.
5 The Report and Recommendation subsequently issued by
6 the Hearing Officer in this matter, said that under
7 these circumstances the Hearing Officer felt that he
8 should be placed on the list. However, only for a
9 period of six months, given the sort of unique set of
10 circumstances here. And that's the recommendation
11 before the Board.

12 CHAIRMAN:

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

15 MR. JEWELL:

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

21 MR. MCCALL:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 All opposed? Motion is adopted.

3 ATTORNEY COOK:

4 The final Report and Recommendation before
5 the Board today is that of Mark Thalheimer. In
6 December of 2014, Mr. Thalheimer was issued a
7 Non-Gaming Registration to be employed as a Valet
8 Attendant at Valley Forge Casino. He was terminated in
9 January of 2015 for job abandonment, but retained his
10 registration.

11 On October 15th of 2015, the OEC filed a
12 complaint to revoke Mr. Thalheimer's Non-Gaming
13 Registration. The complaint alleges, that on July 9th,
14 2015 Mr. Thalheimer was charged with theft-related
15 charges. Specifically, it was alleged that Mr.
16 Thalheimer stole his employer's Visa Debit Card. In
17 October of 2015, he pled guilty to one count, alleging
18 that charge and was sentenced to probation.

19 A hearing in this matter was held on May
20 3rd, 2016. Mr. Thalheimer, despite receiving notice
21 did not attend that a hearing. And as a result, the
22 Report and Recommendation issued recommends that his
23 Non-Gaming Registration be revoked. And that is the
24 recommendation for the Board.

25 CHAIRMAN:

1 Questions or comments from the Board? May
2 I have a motion?

3 MR. MCCALL:

4 Mr. Chairman, I move that the Board adopt
5 the Report and Recommendation issued by the OHA
6 regarding the Revocation of Mark Thalheimer's
7 Non-Gaming Employee Registration as described by the
8 OCC.

9 MR. MOSCATO:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 All opposed? Motion is adopted.

16 ATTORNEY SHERMAN:

17 And that concludes all matters of the OCC.

18 CHAIRMAN:

19 Before we proceed, I believe Commissioner
20 Fajt had a comment.

21 MR. FAJT:

22 Yeah. Thank you, Mr. Chairman. On the
23 matter of Mr. Santivansky, this Board has been pretty
24 consistent in children left in cars. And I was going
25 to wait, we have another matter coming up later on in

1 the meeting. I was going to wait 'til then and make a
2 comment generically, but ---.

3 We pride ourselves on looking at these
4 cases, all the cases that we have as, you know, unique
5 sets of circumstances. And we also pride ourselves in
6 not believing in the slippery slope. That when we make
7 a decision in one area, if we have a fact pattern
8 that's similar but maybe further down the line, that we
9 can draw the line and say, well, that's a different
10 fact pattern.

11 And Mr. Santivansky's case, we did place a
12 lot of credibility on the fact that he was not there to
13 gamble. And the child was nine. You know, borderline
14 age. And again, we have another case coming up, as I
15 said, that's also in the same category where you have
16 children who are of age to, you know, supervise
17 themselves or even babysit others.

18 So I do want to just reiterate to ---
19 especially, you know, the Parx Casino where we've had a
20 number of these issues in the past, have come down
21 pretty hard on the casino and the individuals who leave
22 their children in cars. That this was a unique set of
23 circumstances. And the individual, we weren't happy
24 that he tried to get in again.

25 But the fact that he was, you know, going

1 to be there only to claim a prize and back out, and not
2 there to gamble was kind of the deciding factor in this
3 case. But we will continue to evaluate these children
4 left in cars on a facts and circumstances basis. Thank
5 you, Mr. Chairman.

6 CHAIRMAN:

7 Thank you.

8 MR. RYAN:

9 Mr. Chairman, if I can elaborate on what
10 was just said by Mr. Fajt. I think I just want to add
11 my two cents. That the work of Parx here was
12 outstanding. And we don't here on the Board want any
13 negative implication to be made from that. They did an
14 excellent job here. You can tell if you're listening
15 to the recitation of the facts, they were as diligent
16 as they could be. And certainly, the people at Parx
17 should be proud of their performance in this matter.
18 It was just one of those difficult cases. Thank you.

19 CHAIRMAN:

20 Thank you very much. Next, Sue Hensel.

21 MS. HENSEL:

22 Thank you, Chairman Barasch and Members of
23 the Board. Before the Board today will be motions
24 regarding one Slot Machine Operator Renewal License,
25 one Gaming-Related Gaming Service Provider

1 Certification and 743 Principal/Key, Gaming and
2 Non-Gaming Employees.

3 In addition, there will be the
4 consideration of 15 Gaming Service Provider Applicants.
5 The first matter for your consideration is the renewal
6 of the Mount Airy Number 1, LLC Category 2 License.
7 The License Renewal hearing for this entity is
8 complete.

9 In addition, the BIE has finished its
10 investigation of the company. And Bureau of Licensing
11 has provided you with a background investigation and
12 suitability report. As a result, the license renewal
13 is ready for your consideration. I have provided you
14 with a draft Order, and ask that the Board consider the
15 Order to renew the license of Mount Airy Number 1, LLC.

16 CHAIRMAN:

17 Thank you. Any comments from Enforcement
18 Counsel?

19 ATTORNEY PITRE:

20 Enforcement Counsel has no objection.

21 CHAIRMAN:

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

24 MR. MOSCATO:

25 Mr. Chairman, I move that the Board

1 approve the Mount Airy Number 1, LLC, Category 2
2 License Renewal as described by the Bureau of
3 Licensing.

4 MR. RYAN:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? Motion is adopted.

11 MS. HENSEL:

12 Next for your consideration is the
13 approval of a gaming-related Gaming Service Provider
14 Certification for the Talisman Group, LLC. The
15 Talisman Group is a Las Vegas-based company that
16 created the EZ Baccarat Game and related side wagers.

17 The BIE has completed its investigation of
18 this company. And the Bureau of Licensing has provided
19 you with a background investigation and suitability
20 report. I've also provided you with an Order, and ask
21 the Board consider the approval of a Gaming-Related
22 Gaming Service Provider Certification for the Talisman
23 Group, LLC.

24 CHAIRMAN:

25 Comments from Enforcement Counsel.

1 ATTORNEY PITRE:

2 Enforcement Counsel has no objection.

3 CHAIRMAN:

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

6 MR. RYAN:

7 Mr. Chairman, I move that the Board
8 approve the Talisman Group, LLC's Gaming-Related Gaming
9 Service Provider Certification as described by the
10 Bureau of Licensing.

11 MR. WOODS:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? Motion is adopted.

18 MS. HENSEL:

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

25 CHAIRMAN:

1 Comments from Enforcement Counsel.

2 ATTORNEY PITRE:

3 Enforcement Counsel has no objection.

4 CHAIRMAN:

5 Questions or comments from the Board? May

6 I have a motion.

7 MR. WOODS:

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

11 MR. FAJT:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? Motion is adopted.

18 MS. HENSEL:

19 There were also Temporary Principal and
20 Key Employee Licenses. Prior to this meeting, the
21 Bureau of Licensing provided you with an Order
22 regarding the issuance of Temporary Licenses for one
23 Principal and 13 Key Employees. I ask that the Board
24 consider the Order approving these Licenses.

25 CHAIRMAN:

1 Enforcement Counsel?

2 ATTORNEY PITRE:

3 Enforcement Counsel has no objection.

4 CHAIRMAN:

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

7 MR. FAJT:

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

12 MR. JEWELL:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 All opposed? Motion is adopted.

19 MS. HENSEL:

20 Next there are Gaming Permits and
21 Non-Gaming Registrations. Prior to this meeting, the
22 Bureau of Licensing provided you with a list of 504
23 individuals, to whom the Bureau has granted Temporary
24 or Full Occupation Permits, and 191 individuals to whom
25 the Bureau has granted registrations, under the

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

3 CHAIRMAN:

4 Cyrus?

5 ATTORNEY PITRE:

6 Enforcement Counsel has no objection.

7 CHAIRMAN:

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

10 MR. JEWELL:

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

15 MR. MCCALL:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? Motion is adopted.

22 MS. HENSEL:

23 Also, there are recommendations of denial
24 for nine Gaming and four Non-Gaming Employee
25 Applicants. In each case, the applicant failed to

1 request a hearing within the specified time frame.

2 The Bureau of Licensing has provided you
3 with Orders addressing the applicants, who the OEC has
4 recommended for denial. I ask that the Board consider
5 a motion approving the denials.

6 CHAIRMAN:

7 Enforcement Counsel?

8 ATTORNEY PITRE:

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

11 CHAIRMAN:

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

14 MR. MCCALL:

15 Mr. Chairman, I move that the Board deny
16 the Gaming and Non-Gaming Employee Applications as
17 described by the Bureau of Licensing.

18 MR. MOSCATO:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? Motion is adopted.

25 MS. HENSEL:

1 In addition for your consideration are
2 withdrawal requests for Key and Gaming Employees. In
3 each case, the license or permit is no longer required.
4 For today's meeting, I've provided the Board with a
5 list of one Key and 15 Gaming Employee Withdrawals for
6 approval. I ask that the Board consider the Orders
7 approving the list of withdrawals.

8 ATTORNEY PITRE:

9 Enforcement Counsel has no objection.

10 CHAIRMAN:

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

13 MR. MOSCATO:

14 Chairman, I move that the Board approve
15 the withdrawals as described by the Bureau of
16 Licensing.

17 MR. RYAN:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 All opposed? Motion is adopted.

24 MS. HENSEL:

25 Next we have an Order to certify the

1 following service providers, Artisan Display, Inc.,
2 Singer Equipment Company, Inc., High Concrete Group,
3 LLC and, Inc., doing business as Cox Building Services.
4 I ask that the Board consider the Order approving these
5 gaming service providers for certification.

6 ATTORNEY PITRE:

7 Enforcement Counsel has no objection.

8 CHAIRMAN:

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

11 MR. RYAN:

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

16 MR. WOODS:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 All opposed? Motion is adopted.

23 MS. HENSEL:

24 Finally, for your consideration are Gaming
25 Service Provider Registrations. The Bureau of

1 Licensing provided you with an Order and an attached of
2 11 registered Gaming Service Provider Applicants. I
3 ask that the Board consider the Order registering these
4 Gaming Service Providers.

5 ATTORNEY PITRE:

6 Enforcement Counsel has no objection.

7 CHAIRMAN:

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

10 MR. WOODS:

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

15 MR. FAJT:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? Motion is adopted.

22 MS. HENSEL:

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

25 CHAIRMAN:

1 Thank you, Susan. Next up is Enforcement
2 Counsel.

3 ATTORNEY PITRE:

4 Good morning Chairman and Members of the
5 Board. The OEC will present 22 matters for the Board's
6 consideration today. Consisting of two Consent
7 Agreements, two revocations and 18 involuntary
8 exclusions.

9 The first Consent Agreement that we will
10 be presented has been negotiated between the OEC and
11 Sands Bethworks Gaming. That matter will be presented
12 by Assistant Enforcement Counsel Michael Roland.

13 ATTORNEY ROLAND:

14 Good morning Mr. Chairman and members of
15 the Board. Michael Roland, R-O-L-A-N-D, with the OEC.

16 First, we have a Proposed Consent
17 Agreement which involves three incidents of underage
18 gaming at Sands Casino. In the first incident, an
19 unidentified individual found a fake identification on
20 Sands premises and turned it over to Sands security.

21 Only one minute either, Kiona Edwards
22 approached the security podium to claim the fake
23 identification. Sands security requested additional
24 identification from Ms. Edwards, but she advised that
25 she only had additional identification in her car. Ms.

1 Edwards obtained the car keys from her mother, who was
2 gaming at a table game and security escorted both women
3 to their vehicle.

4 After arriving at the vehicle, Ms. Edwards
5 admitted that she did not have another form of
6 identification and admitted being under 21. She was
7 actually age 20. Ms. Edwards was on the gaming floor
8 for four hours and 28 minutes. She gamed at both table
9 games and slot machines. No winnings were found on Ms.
10 Edwards, and no funds were confiscated. She did not
11 assume alcoholic beverages.

12 It was discovered, that she gained entry
13 through the bus entrance and was not carded by
14 security. Ms. Edwards was charged by the Pennsylvania
15 State Police with carrying a false identification card,
16 and was permanently evicted from Sands Casino. And
17 this incident was self-reported by Sands.

18 Second occurrence involved when
19 surveillance notified the Bureau of Casino Compliance
20 about an underage male, who was later identified as
21 Michael Rhone (phonetic). He was age 18, who entered
22 the gaming floor via the bus entrance. He was on the
23 gaming floor for approximately 51 minutes. Mr. Rhone
24 entered the security checkpoint. And he also was
25 unchallenged. He did not game, but he did consume two

1 alcoholic beverages. He received both beverages
2 approximately 15 minutes apart from the same cocktail
3 server. Mr. Rhone was not carded.

4 Mr. Rhone was discovered while attempting
5 to enter the Vision Nightclub, where he admitted he had
6 entered the gaming floor. Mr. Rhone was found to be in
7 possession of a fake Maryland driver's license, and was
8 charged by the Pennsylvania State Police with carrying
9 a false identification card, and purchase and
10 consumption of alcohol by underage. And this incident
11 was also self-recorded by Sands.

12 The third incident, the Bureau of Casino
13 Compliance was notified by security about an underage
14 patron Kira Forte on the gaming floor. Ms. Forte was
15 age 20. Ms. Forte was gaming at the slot machine, and
16 requested an alcoholic beverage from a bar porter. An
17 identification check was initiated by the bar porter.
18 And Ms. Forte failed to produce identification.
19 Security officers were notified and approached Ms.
20 Forte. When they asked her for identification this
21 time, she produced a New Jersey's driver's license.
22 The license was examined and the photo did not resemble
23 Ms. Forte. Ms. Forte admitted that it belonged to her
24 friend Brittany Robinson, who was sitting next to her
25 at a slot machine.

1 Both women were escorted to security
2 podium. Ms. Forte did not have any winnings on her,
3 and she did not consume any alcoholic beverages. She
4 was on the gaming floor for a total of 21 minutes and
5 25 seconds. Ms. Forte gained access via the main
6 entrance, and provided the posted security officer with
7 Ms. Robinson's identification card. Ms. Forte was
8 permanently evicted by security, and was charged by the
9 Pennsylvania State Police with carrying a false
10 identification card. Also, this was self-reported by
11 Sands.

12 At this time, the OEC requests that the
13 Board approve this Consent Agreement between both
14 parties. The terms of the settlement include, that
15 within five days of the Board's Order approving this
16 Consent Agreement, Sands shall pay a civil penalty of
17 \$39,000 for the alleged violations described. Also
18 within five days of the Board's Order approving this
19 Consent Agreement, Sands shall pay the Board \$2,500 for
20 the costs incurred by OEC, BIE and other related staff
21 in connection with this matter.

22 Further, Sands shall immediately review
23 its policies and controls, and provide training and
24 guidance for its employees, which will minimize the
25 opportunity for recurrence of similar incidents in the

1 future. If you have any questions, we'd be happy to
2 take them at this point. And there are representatives
3 from Sands here available as well.

4 ATTORNEY KRAMER:

5 Good morning, Mr. ---.

6 CHAIRMAN:

7 Excuse me one second. I would just ask,
8 that anybody from Sands who is addressing the Board, to
9 state and spell your name for court reporter. And a
10 non-attorney should probably be sworn in, if they're
11 going to be speaking.

12 ATTORNEY KRAMER:

13 Good morning, Mr. Chairman, Mr.
14 Commissioners. I'm outside Counsel Scott Kramer,
15 K-R-A-M-E-R, from Duane Morris. With me today is Sands
16 President and Chief Operating Officer Mark Juliano.
17 Sands accepts the jurisdiction of the Board, enters
18 into this Consent Agreement freely and voluntarily and
19 learns from instances of this nature. And as discussed
20 with the OEC, there were remedial measures taken to
21 address each of these incidents. And the Board is ---.
22 And the Board penalty, if this Consent Agreement is
23 approved, will be paid today.

24 CHAIRMAN:

25 Thank you. Are there any questions or

1 comments from the Board on this matter?

2 MR. FAJT:

3 It's going to be to Mr. Juliano, so maybe
4 we could have him sworn.

5 CHAIRMAN:

6 Will you please be sworn?

7 -----

8 MARK JULIANO, HAVING FIRST BEEN DULY SWORN, TESTIFIED

9 AS FOLLOWS:

10 -----

11 MR. FAJT:

12 Thank you. And just one quick question.
13 On incident two, Mr. Roland, I believe you stated that
14 the individual was served two drinks, it was a male,
15 within 15 minutes by the same cocktail waitress. Do
16 you know, was there discipline taken against her? And
17 if not, you can give us the information later, but ---.

18 MR. JULIANO:

19 I don't know the exact discipline that was
20 taken against her. But our policy would have a
21 suspension involved and ---.

22 MR. FAJT:

23 If you could ---.

24 MR. JULIANO:

25 I'm sure that it was, but ---. We will get

1 that back to you.

2 MR. FAJT:

3 Thank you. If you could just confirm that
4 with us, that was ---. That's my only question. Thank
5 you.

6 CHAIRMAN:

7 Any other questions? May I have a motion?

8 MR. FAJT:

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

12 MR. JEWELL:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 All opposed? Motion is adopted.

19 ATTORNEY ROLAND:

20 Thank you.

21 ATTORNEY PITRE:

22 The next Consent Agreement that will be
23 presented has been negotiated between the OEC and Dung
24 Nguyen. This matter will be presented by Assistant
25 Enforcement Counsel Benjamin Ferrell. Mr. Nguyen's

1 attorney could not be here today. He negotiated the
2 Consent Agreement on behalf of Mr. Nguyen. His
3 attorney advised me that Mr. Nguyen would be here to
4 present any information that he may have to the Board.
5 And with that, I'd like to turn it over to Assistant
6 Enforcement Counsel Benjamin Ferrell.

7 ATTORNEY FERRELL:

8 Good morning, Chairman, members of the
9 Board. Benjamin Ferrell, F-E-R-R-E-L-L. The next
10 matter for your consideration is a Consent Agreement
11 entered into between the OEC and Dung Nguyen regarding
12 a Petition for Placement on the Exclusion List filed by
13 OEC on December 4th of 2015.

14 The Petition for Placement on the
15 Exclusion List alleges that on June 14th of 2015,
16 Mr. Nguyen reset two of his hands while playing Asian
17 Poker at Harrah's Philadelphia Casino and Racetrack.
18 Pennsylvania State Police initially charged with one
19 count each of cheating under the Act and theft by
20 deception, later amending those charges to include
21 disorderly conduct as well.

22 Mr. Nguyen ultimately pled guilty to one
23 count of disorderly on November 18th, 2015. Under the
24 terms of the agreed upon Consent Agreement, Mr. Nguyen
25 agrees to be placed on the Board Involuntary Exclusion

1 List for a period of five years, but may petition the
2 Board for removal after four years.

3 Further, should Mr. Nguyen have no
4 additional gambling or gaming-related offences during
5 that five-year period of exclusion, and abide by the
6 provisions of his placement on the Involuntary
7 Exclusion List, he may petition for removal from the
8 List without objection from OEC.

9 CHAIRMAN:

10 Mr. Nguyen, do you wish to speak to the
11 Board this morning?

12 MR. NGUYEN:

13 Say again, sir.

14 CHAIRMAN:

15 Do you wish to address the Board this
16 morning?

17 MR. NGUYEN:

18 It's okay, sir.

19 CHAIRMAN:

20 Okay, then. Any questions?

21 MR. WOODS:

22 I just have a question for Enforcement
23 Counsel. It seems unusual to have an agreement that
24 would allow an individual to request removal from the
25 Exclusion List in four years, where OEC may still

1 oppose it and then in five years not to. What was the
2 thinking in coming to this agreement?

3 ATTORNEY PITRE:

4 Well, the Act and Regulations allow anyone
5 who's on the --- placed on the Exclusion to petition at
6 any time --- once any time within that five-year
7 period. So that's not anything different than would be
8 in the Act. The five-year ban is the same as under the
9 Act for all people that we place on the Exclusion List,
10 unless it's otherwise ordered by the Board.

11 In this instance, we'd look at Mr. Nguyen
12 the same way we'd look at anyone after five years. If
13 that individual has not had any additional gambling
14 crimes, has not attempted to enter the casino, has made
15 full restitution to the casino, which is another thing
16 mandated by the Consent Agreement, and has not had any
17 additional criminal penalties related to gambling, then
18 we would normally just not oppose that individual
19 coming off the Exclusion List.

20 That does not take the discretion from the
21 Board at that time to say, well, while you might not
22 object to it OEC, the Board does not feel comfortable
23 with it. So we want the person to remain. That does
24 not take any discretion away from the Board. It only
25 places what OEC normally does in those situations, in a

1 Consent Agreement. And Mr. Nguyen's attorney agreed to
2 the Consent Agreement with the approval of Mr. Nguyen,
3 thereby keeping any appeal to Commonwealth Court out of
4 the mix and us being able to ensure that Harrah's was
5 --- received all the money that was due to them, that
6 was taken by Mr. Nguyen. So that's the only purpose
7 we ---.

8 MR. WOODS:

9 So the attempt to keep any action from
10 taking place, at least for four years, was part of the
11 negotiation?

12 ATTORNEY PITRE:

13 Yeah, with the four years he can't ---.

14 MR. WOODS:

15 So under the Act, he will not even be able
16 --- he couldn't appeal in year three, he couldn't
17 appeal in year two, it's ---?

18 ATTORNEY PITRE:

19 And he couldn't even petition the Board
20 until year four. So any other time, someone could have
21 petitioned any time within that five-year period.

22 MR. WOODS:

23 Right.

24 ATTORNEY PITRE:

25 So we put it off. And also, it allows us

1 to keep ---. It's one less thing that we have to keep
2 track of. If somebody files a petition, going back to
3 the beginning of our records. Okay. Why was this
4 person placed on the List and everything else? We have
5 a Consent Agreement. So everything is on record. We
6 don't have to concern ourselves with this for another
7 four years. We put a ticker in the system to notify
8 us. And when Mr. Nguyen comes back up, we'll deal with
9 it then.

10 I've already expressed to Mr. Nguyen's
11 attorney, that it is very unlikely that we will not
12 object after that four-year ban. But we will leave
13 that to the Board's discretion, if the Board decides to
14 let him off in 2020. But if he stays clean until 2021
15 and there are no other issues, we wouldn't have any
16 reason to object to his removal.

17 MR. WOODS:

18 During my tenure on the Board, I haven't
19 experienced a vote similar to this.

20 ATTORNEY PITRE:

21 It's rare that ---. I mean, we've had
22 some people that we've negotiated two-year bans for.
23 You know, this one because it was a cheating offense, I
24 wasn't willing to do anything other than what was
25 mandated under the Act. I think it was, you know, for

1 his attorney to close out the case, for him to put this
2 matter behind him and for ---. The big plus for us was
3 to ensure that Harrah's got full restitution. And it
4 wouldn't --- it didn't --- it wouldn't hurt --- it
5 wouldn't do anything to jeopardize our situation
6 anyway. And it still leaves full discretion with the
7 Board in the end.

8 MR. WOODS:

9 Mr. Nguyen, since your attorney is not
10 here, I'd just ask you directly. Do you agree with
11 the ---

12 MR. NGUYEN:

13 Yes, sir.

14 MR. WOODS:

15 --- terms of this condition?

16 MR. NGUYEN:

17 Yes, sir.

18 MR. WOODS:

19 Thank you.

20 CHAIRMAN:

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

23 MR. JEWELL:

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

1 OEC and Dung Nguyen, as described by the OEC.

2 MR. MCCALL:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? Motion is adopted.

9 ATTORNEY FERRELL:

10 Thank you.

11 ATTORNEY PITRE:

12 The next two matters on the agenda consist
13 of enforcement actions, in which the OEC has filed
14 complaints seeking the revocation of one gaming permit
15 and one Non-Gaming Registration issued to individuals
16 under the Board's jurisdiction.

17 Each complaint has been filed with the
18 Board's OHA, and probably served upon the individual
19 named in the complaint. The individual named in each
20 complaint failed to respond within 30 days, as required
21 by Board regulation.

22 As a result, the OEC filed a request for
23 default judgment and properly served the same upon each
24 named individual. Thereby, all the facts in each
25 petition are deemed admitted. All filed documents have

1 been provided to the Board. And the matters are
2 presently ripe for the Board's consideration.

3 I believe Assistant Enforcement Counsel
4 John Crohe has both matters. And he will present them
5 to the Board for their --- for your consideration.

6 ATTORNEY CROHE:

7 Good morning, Chairman, members of the
8 Board. John Crohe, C-R-O-H-E, for the OEC.

9 The next matter before the Board is a
10 request to consider the revocation of Tanner Farver's
11 Gaming Permit, issued to him in connection with his
12 former position as a security officer at Presque Isle
13 Casino. In March of 2016, Mr. Farver was charged with
14 two counts of intentional possession of a controlled
15 substance and two counts of possession with intent to
16 deliver a controlled substance. Mr. Farver ultimately
17 pled guilty to two counts of intentional possession of
18 a controlled substance. And OEC now requests that the
19 Board revoke the gaming permit held by Tanner Farver.

20 CHAIRMAN:

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

23 MR. MCCALL:

24 Mr. Chairman, I move that the Board issue
25 an Order to approve the Revocation of Tanner Farver's

1 Gaming Employee Occupation Permit as described by the
2 OEC.

3 MR. MOSCATO:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion is adopted.

10 ATTORNEY CROHE:

11 The next matter before the Board is a
12 request to consider the revocation of Alyssa Seilus'
13 Non-Gaming Employee Registration issued in connection
14 with her former position as a beverage server at
15 Harrah's Casino.

16 In March of 2016, Alyssa Seilus was
17 charged with one count of receiving stolen property,
18 after possessing a stolen check. OEC now requests that
19 the Board revoke the Non-Gaming Employee Registration
20 held by Alyssa Seilus.

21 CHAIRMAN:

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

24 MR. MOSCATO:

25 Mr. Chairman, I move that the Board issue

1 an Order to approve the Revocation of Alyssa Seilus'
2 Non-Gaming Employee Registration as described by the
3 OEC.

4 MR. RYAN:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? Motion is adopted.

11 ATTORNEY CROHE:

12 Thank you.

13 ATTORNEY PITRE:

14 The remaining 18 matters on the agenda,
15 consist of enforcement actions in which the OEC has
16 filed petitions seeking the involuntary exclusion of
17 individuals whose presence in a licensed facility are
18 inimical to the interest of the Commonwealth and our
19 licensed gaming therein.

20 In each instance, the Petition for
21 Exclusion has been filed with the Board's OHA and
22 probably served upon the individual named in each
23 petition. The individual named in the petition failed
24 to respond within 30 days, as required by Board
25 regulation. And as a result, the OEC filed a requested

1 to default judgement upon each individual thereby all
2 fact are deemed admitted all filed documents and
3 matters presently ripe for the Board's presentation.

4 ATTORNEY FERRELL:

5 The next matter for consideration is a
6 Petition to Place Toney Allen on the Board's
7 Involuntary Exclusion List. On July 18th, 2015,
8 Mr. Allen engaged in card switching on two different
9 occasions at SugarHouse Casino.

10 At this time, OEC would request that the
11 Board place Toney Allen on the Board's Involuntary
12 Exclusion List.

13 CHAIRMAN:

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

16 MR. RYAN:

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

21 MR. WOODS:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 All opposed? Motion is adopted.

3 ATTORNEY FERRELL:

4 The next matter for your consideration is
5 a Petition to Place Jason McCabe on the Involuntary
6 Exclusion List. On July 6th, 2016, Mr. McCabe left
7 three children ages 13, 13 and 4 unattended in his
8 vehicle while he gamed at Harrah's Philadelphia Casino
9 and Racetrack.

10 At this time, OEC would request that the
11 Board place Mr. McCabe on the Board's Involuntary
12 Exclusion List.

13 CHAIRMAN:

14 Any questions or comments from the Board?

15 MR. WOODS:

16 Mr. Chairman, I will be making the motion.
17 But I would refer back to the comments that
18 Commissioner Fajt had made earlier about specific
19 instances in which the Board exercised its discretion
20 based upon the facts.

21 CHAIRMAN:

22 Thank you. May I have a motion then?

23 MR. WOODS:

24 Mr. Chairman, I move that the Board issue
25 an Order to reject OEC's request to place Jason McCabe

1 on the PGCB Involuntary Exclusion List. Given the ages
2 of the children left in the vehicle, the short duration
3 of the time the children were in the car; the fact that
4 Mr. McCabe's criminal history does not support the
5 conclusion that he is a career or professional
6 offender.

7 MR. FAJT:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 All opposed? Motion is adopted.

14 ATTORNEY STUART:

15 Thank you. Glen Stuart for the OEC.

16 S-T-U-A-R-T. The next two matters on the agenda are
17 the same fact pattern. So if it's okay, I'll just do
18 one fact pattern and address each individual.

19 Next for the Board's consideration is the
20 placement of Mark Gallus and Daisy Merlino on the
21 Board's Involuntary Exclusion List. Daisy Merlino was
22 18 years of age when she gained access to the gaming
23 floor at the Valley Forge Casino Resort, using an
24 identification belonging to another person.

25 Ms. Merlino accessed the gaming floor as

1 the guest of Mark Gallus, who holds a seasonal dining
2 club membership at Valley Forge.

3 While on the gaming floor, Ms. Merlino
4 consumed alcoholic beverages, but she did not wager at
5 any slot machine or any table game. As such, the OEC
6 requests the Board place Mark Gallus on the Exclusion
7 List.

8 CHAIRMAN:

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

11 MR. FAJT:

12 Mr. Chairman, I move that the Board issue
13 an Order to reject the addition of Mark Gallus to the
14 PGCB Involuntary Exclusion List. Again, under the
15 facts and circumstances here, that we felt that he ---
16 his conduct did not warrant placement on the List.

17 ATTORNEY STUART:

18 The OEC --- oh, sorry.

19 MR. JEWELL:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed?

1 ATTORNEY STUART:

2 The OEC now requests the Board place Daisy
3 Merlino on the Exclusion List.

4 CHAIRMAN:

5 Motion is adopted.

6 ATTORNEY STUART:

7 Sorry.

8 CHAIRMAN:

9 Thank you. And now we're onto Daisy
10 Merlino.

11 ATTORNEY STUART:

12 The OEC request that Daisy Merlino be
13 placed on the Exclusion List.

14 CHAIRMAN:

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

17 MR. JEWELL:

18 Mr. Chairman, I move that the Board issue
19 an Order to approve the addition of Daisy Merlino to
20 the PGCB Involuntary Exclusion List, until at least her
21 22nd birthday. At which time, she may petition for
22 removal from the List.

23 MR. MCCALL:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? The motion is adopted.

5 ATTORNEY ADAMS:

6 Mr. Chairman, Members of the Board. Good
7 morning. Kim Adams for the OEC. The next matter for
8 the Board's consideration is the placement of
9 Christopher Gillispie on the Board's Involuntary
10 Excluded Person's List. Mr. Gillispie, and two other
11 patrons were involved in an attempted theft of a cell
12 phone of a patron at Mohegan Sun Pocono.

13 When questioned about the incident,
14 Mr. Gillispie became combative with Mohegan Sun Pocono
15 personnel. And when requested, refused to leave the
16 premises, and had to be restrained by personnel and the
17 police were contacted. Mr. Gillispie was charged with
18 disorderly contact to which he pled guilty to. The OEC
19 is requesting Mr. Gillispie be placed on the Excluded
20 Persons List.

21 CHAIRMAN:

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

24 MR. MCCALL:

25 Mr. Chairman, I move that the Board issue

1 an Order to approve the addition of Christopher
2 Gillispie to the Pennsylvania Gaming Control Board
3 Involuntary Exclusion List as described by the OEC.

4 MR. MOSCATO:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? Motion is adopted.

11 ATTORNEY ADAMS:

12 The next matter for the Board's
13 consideration is the placement of Chat Nguyen on the
14 Board's Involuntary Excluded Person's List. Mr. Nguyen
15 struck a slot machine on more than one occasion while
16 at Mohegan Sun Pocono causing damage to the machine in
17 the amount of \$1,205.06.

18 The criminal charges against Mr. Nguyen
19 were dismissed after he paid restitution to Mohegan Sun
20 Pocono. The OEC is requesting Mr. Nguyen be placed on
21 the Excluded Person's List.

22 CHAIRMAN:

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

25 MR. MOSCATO:

1 Mr. Chairman, I move that the Board issue
2 an Order to approve the addition of Chat Nguyen to the
3 PGCB Involuntary Exclusion List as described by the
4 OEC.

5 MR. RYAN:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 All opposed? Motion is adopted.

12 ATTORNEY ADAMS:

13 The next matter for the Board's
14 consideration is the placement of Henry Rush on the
15 Board's Involuntary Excluded Person's List.

16 Mr. Rush struck a slot machine on more
17 than one occasion while at Mohegan Sun Pocono causing
18 damage to the machine in the amount of \$735. Mr. Rush
19 was criminally charged. And those charges are still
20 pending.

21 At this time, the OEC is requesting Mr.
22 Rush be placed on the Excluded Person's List.

23 CHAIRMAN:

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

1 MR. RYAN:

2 Mr. Chairman, I move that the Board issue
3 an Order to approve the addition of Henry Rush to the
4 PGCB Involuntary Exclusion as described by the OEC.

5 MR. WOODS:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 All opposed? Motion is adopted.

12 ATTORNEY TEPPER:

13 Good morning Chairman Barasch, members of
14 the Board. Again, David Tepper with the OEC.

15 The next two matters arise out of the same
16 fact pattern. So with your permission, I would like to
17 address the fact patterns, one of them each individual
18 --- individually.

19 In February 2016, Andrew Weisbach aided
20 and abetted his 19-year-old son William Weisbach in
21 gaining access to the gaming floor at Mount Airy.
22 William Weisbach used a fake ID to gain access to the
23 gaming floor, where he remained for an aggregate amount
24 of approximately six hours and played craps and
25 blackjack for an aggregate amount of approximately four

1 hours.

2 Both Andrew and William Weisbach were
3 cited by the Pennsylvania State Police. With regard to
4 Andrew Weisbach, the OEC requested the Board add Andrew
5 Weisbach to the Board's Involuntary Exclusion List.

6 CHAIRMAN:

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

9 MR. WOODS:

10 Mr. Chairman, I move that the Board issue
11 an Order to approve the addition of Andrew Weisbach to
12 the PGCB Involuntary Exclusion List, for a period of at
13 least one year at which point, he may petition the
14 Board from --- for removal from the List.

15 MR. FAJT:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? Motion is adopted.

22 ATTORNEY TEPPER:

23 With regards to William Weisbach, the OEC
24 requests that the Board add William Weisbach to the
25 Board's Involuntary Exclusion List.

1 CHAIRMAN:

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

4 MR. FAJT:

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

10 MR. JEWELL:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed? Motion is adopted.

17 ATTORNEY TEPPER:

18 The next matter involves Debbie Kontir.
19 In March 2016, Debbie Kontir engaged in a course of
20 conduct at Mount Airy Casino which led to arresting
21 criminal charges for promoting prostitution and
22 lewdness.

23 At this time, the OEC requests that the
24 Board add Debbie Kontir to the Board's Involuntary
25 Exclusion List.

1 CHAIRMAN:

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

4 MR. JEWELL:

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

9 MR. MCCALL:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 All opposed? Motion is adopted.

16 ATTORNEY TEPPER:

17 The next matter involves Yavuz Sozer. In
18 February 2016, Mr. Sozer struck and broke the screen of
19 a slot machine at Mount Airy Casino. Mr. Sozer then
20 refused to leave after being requested by both Mount
21 Airy and the Pennsylvania State Police, leading to
22 charges being filed by the Pennsylvania State Police.

23 At this time, we request that Yavuz Sozer
24 be added to the Involuntary Exclusion List.

25 CHAIRMAN:

1 Questions or comments from the Board? May
2 I have a motion?

3 MR. MCCALL:

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

8 MR. MOSCATO:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 All opposed? Motion is adopted.

15 ATTORNEY MILLER:

16 Good morning Chairman Barasch, members of
17 the Board. Dustin Miller on behalf of the OEC.

18 The next matter here today is request for
19 placement on the Board's Exclusion List involving
20 Terrance Harrell. The OEC filed a Petition to Place
21 Mr. Harrell on the Exclusion List on March 17th, 2016,
22 for attempting to steal \$2,500 worth of chips from a
23 blackjack table at Parx Casino. Mr. Harrell was
24 charged with attempted theft due to this incident.

25 Based upon the foregoing, the OEC asks

1 that the Board place Terrance Harrell on the Board's
2 Excluded Person's List.

3 CHAIRMAN:

4 Questions or comments from the Board?
5 Motion?

6 MR. MOSCATO:

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

10 MR. RYAN:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? Motion is adopted.

17 ATTORNEY MILLER:

18 The next matter today is request for
19 placement on the Board's Exclusion List involving
20 Tayara Moore. The OEC filed a Petition to place Ms.
21 Moore on the Exclusion List on April 5th, 2016, for
22 breaking into a vehicle at Parx Casino and stealing
23 money and a computer. Ms. Moore was charged with two
24 counts of theft and receiving stolen property due to
25 the incident.

1 Based upon the foregoing, the OEC asks
2 that the Board place Tayara D. Moore on the Board's
3 Excluded Person's List.

4 CHAIRMAN:

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

7 MR. RYAN:

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

12 MR. WOODS:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 All opposed? Motion is adopted.

19 ATTORNEY MILLER:

20 The next two matters today are related.
21 With the Board's permission, I'll read one set of facts
22 and then ask that each individual be placed on the
23 Exclusion List.

24 On December 8th, 2015, Ammar Awawdeh and
25 Ghalia Mhaid entered Parx Casino. Mr. Awawdeh and Ms.

1 Mhaid are husband and wife. The time that Mr. Awawdeh
2 and Ms. Mhaid entered Parx Casino, Ms. Mhaid was
3 19 years old.

4 Mr. Awawdeh and Ms. Mhaid remained on the
5 gaming floor at Parx Casino for one hour and
6 26 minutes. During that time, Ms. Mhaid played 20
7 hands of blackjack, consumed an alcoholic beverage.

8 During the course of their visit to the
9 casino, Mr. Awawdeh attempted to use Ms. Mhaid's
10 identification to obtain a cash advance. After the
11 cage cashier rejected the transaction due to Ms. Mhaid
12 being underage, Mr. Awawdeh and Ms. Mhaid returned to
13 the blackjack table, before being questioned by
14 security and subsequently being evicted from Parx
15 Casino.

16 At this time, the Office ---. Or the OEC
17 filed a Petition to place Mr. Awawdeh on the Exclusion
18 List on March 29th, 2016, for knowingly allowing his
19 underage wife to gain access to the gaming floor at
20 Parx Casino. Based upon the foregoing, the OEC asks
21 that the Board place Ammar Awawdeh on the Board's
22 Excluded Person's List.

23 CHAIRMAN:

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

1 MR. WOODS:

2 Mr. Chairman, I move that the Board issue
3 an Order to deny OEC's request to place Ammar Awawdeh
4 on the PGCB Involuntary Exclusion List as there is no
5 evidence of record that he assisted his wife to gain
6 access to the casino floor.

7 MR. FAJT:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 All opposed? Motion is adopted.

14 ATTORNEY MILLER:

15 The OEC filed a Petition to place Ms.
16 Mhaid on the Exclusion List on March 29, 2016 for
17 gaining access to the gaming floor at Parx Casino while
18 underage and underage gaming.

19 Based upon the foregoing, the OEC asks
20 that the Board place Ghalia Mhaid on the Board's
21 Excluded Person's List.

22 CHAIRMAN:

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

25 MR. FAJT:

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

6 MR. JEWELL:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 All opposed? Motion is adopted.

13 ATTORNEY MILLER:

14 The next matter today is a request for
15 placement on the Board's Excluded Person's List
16 involving Mukesh Patel.

17 The OEC filed a Petition to Place
18 Mr. Patel on the Exclusion List on February 23rd, 2016
19 for exposing his genitals and urinating on the floor at
20 Parx Casino. Mr. Patel was charged with indecent
21 exposure and open lewdness due to this incident.

22 Based upon the foregoing the OEC ask that
23 the Board place Mukesh Patel on the Board's Excluded
24 Person's List.

25 CHAIRMAN:

1 Questions or comments from the Board? May
2 I have a motion?

3 MR. JEWELL:

4 Mr. Chairman, I move that the Board issue
5 an order to approve the addition of Mukesh Patel to the
6 PGCB Involuntary Exclusion List as described by the
7 OEC.

8 MR. MCCALL:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 All opposed? The motion is adopted.

15 Commissioner, before you proceed. Commissioner Fajt
16 has pointed out, I think we made a technical mistake
17 here.

18 MR. FAJT:

19 Thank you, Mr. Chairman. And I apologize
20 to my Board Members. I had mixed up the Awawdeh and
21 Mhaid case with the Gallus and Daisy Merlino case.
22 Having said that, Mr. Chairman, I would like to go back
23 and ask for another vote on the Mark Gallus matter.

24 And I would make the motion that the Board
25 issue an Order to approve the addition of Mark to the

1 PGCB Involuntary Exclusion List for a period of at
2 least one year, at which point, he may petition for
3 removal from the List.

4 CHAIRMAN:

5 Sure we have the right case here?

6 MR. FAJT:

7 I do.

8 CHAIRMAN:

9 Okay.

10 MR. JEWELL:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? Motion is adopted.

17 MR. FAJT:

18 Thank you, Mr. Chairman. I'll pay better
19 attention next time.

20 CHAIRMAN:

21 It's either that or you're going to have
22 to stay after class.

23 MR. FAJT:

24 No more Starbucks.

25 CHAIRMAN:

1 Yeah, no more coffee for you. Please
2 proceed.

3 ATTORNEY MILLER:

4 The final two matters today are also
5 related. With the Board's permission, I'll read one
6 set of facts and then ask that each individual be
7 placed on the Exclusion List.

8 On April 8th, 2015, Jahyquiriz Ramos and
9 Waner Segura followed a patron of Parx Casino out of
10 the casino and to the patron's home in New Jersey. At
11 that time, Mr. Ramos and Mr. Segura assaulted and
12 robbed the patron. Subsequently, Mr. Ramos and
13 Mr. Segura returned to Parx Casino in the early morning
14 hours of April 9th, 2015 and followed another patron to
15 her home in Bristol Township, Pennsylvania and robbed
16 that patron at gunpoint.

17 Through cooperation between law
18 enforcement and casino personnel, Mr. Ramos and
19 Mr. Segura were identified and criminal charges
20 relating to the robberies were filed in both New Jersey
21 and Pennsylvania.

22 On April 5th, 2016, Mr. Ramos pleaded
23 guilty to robbery in Burlington County, New Jersey.
24 And in May 2016, Mr. Ramos was sentenced to six years
25 in prison for his actions.

1 Likewise, on March 28th, 2016, Mr. Segura
2 pleaded guilty to conspiracy to commit burglary in
3 Burlington County, New Jersey, and was scheduled to be
4 sentenced to eight years in prison in May of 2016.

5 However, Mr. Segura did not appear for his
6 sentencing hearing and remains a fugitive from justice.

7 The OEC filed a Petition to place
8 Mr. Ramos on the Exclusion List on April 12th, 2016 for
9 assaulting and robbing two Parx Casino patrons.

10 Based upon the foregoing the OEC asks that
11 the Board place Jahyquiriz Ramos on the Board's
12 Excluded Person's List.

13 CHAIRMAN:

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

16 MR. MCCALL:

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

21 MR. MOSCATO:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 All opposed? Motion is adopted.

3 ATTORNEY MILLER:

4 The OEC filed a Petition to place
5 Mr. Segura on the Exclusion List on April 12th, 2016,
6 for assaulting and robbing two Parx Casino patrons.

7 Based upon the foregoing, the OEC asks
8 that the Board place Waner Segura on the Board's
9 Excluded Person's List.

10 CHAIRMAN:

11 Any questions or comments from the Board?
12 I have a comment. Which is, I would imagine given Mr.
13 Segura being a fugitive from justice, he's probably not
14 likely to be showing up in our casinos. But
15 nevertheless, I'll entertain a motion.

16 MR. MOSCATO:

17 Mr. Chairman, I move that the Board issue
18 an Order to approve the addition of Waner Segura to the
19 PGCB Involuntary Exclusion List as describe by the OEC.

20 MR. RYAN:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? The motion is adopted.

2 ATTORNEY PITRE:

3 That concludes our business. Thank you.

4 CHAIRMAN:

5 That concludes the OEC. I thank everyone
6 for their participation. That concludes today's
7 meeting. Our next scheduled public meeting will be
8 held on Wednesday, September 7th. The meeting will
9 begin at 10:00 a.m. in this room.

10 Are there any other final comments from
11 the Board or Ex-Officios? In that instance, I'd like
12 to have a motion to adjourn the meeting?

13 MR. RYAN:

14 So moved.

15 MR. WOODS:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? The motion is adopted. I
22 thank everybody for their patience.

23 * * * * *

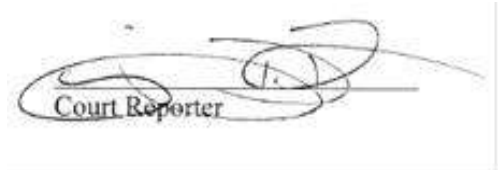
24 HEARING CONCLUDED AT 12:01 P.M.

25 * * * * *

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CERTIFICATE

I hereby certify that the foregoing proceedings,
hearing held before Chairman Barasch was reported by me
on 8/10/16 and I Lindsey Deann Powell read this
transcript and that I attest that this transcript is a
true and accurate record of the proceeding.



A handwritten signature in black ink is written over a rectangular stamp that contains the text "Court Reporter". The signature is cursive and appears to read "L. Deann Powell".