

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,
Jorge Augusto, 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, September 7, 2016
LOCATION: Strawberry Square Complex
320 Market Street, 2nd Floor
Harrisburg, PA 17101
WITNESSES: NONE

Reporter: Lori A. Behe

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A P P E A R A N C E S (cont.)

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CHAIRMAN:

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PLEDGE OF ALLEGIANCE RECITED

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Good morning everyone. I'm David

Barasch, Chairman of the Pennsylvania Gaming Control

Board. Before we begin, I'd like everybody to turn

off their cell phones and electronic devices. At

least put them on silent. Thank you. Today with us

today is Jorge Augusto, Representing Russell Redding,

Secretary of Agriculture; Jen Langan representing Tim

Reese, State Treasurer; and Bob Coyne representing the

Secretary of Revenue. Thank you all for coming. A

quorum of the Board being present, I'll call today's

meeting to order. First, the Pledge of Allegiance.

CHAIRMAN:

I'm going to call the meeting back to

order at this point. By way of announcements, the

Board held an Executive Session yesterday, September

6th for the purpose of discussing personnel matters

and to conduct quasi-judicial deliberations relating

to matters being considered here today. Additionally,

we just --- no, that's it.

I'd also like to announce that the

Gaming Control Board will hold a public hearing

1 regarding the casino license for Woodlands Fayette,
2 LLC, the operator of the Lucky --- of Lady Luck Casino
3 Nemacolin on September 14th at 10:00 a.m. at the
4 Wharton Township Municipal Building located at 114
5 Elliotsville Road, Farmington, PA. Deadlines for
6 registration to speak at this hearing and for receipt
7 of public comments is noon on Monday, September 12th.
8 Citizens, community groups, and elected officials
9 wishing to present oral or written testimony which
10 will become part of the evidentiary record in this
11 matter can register by clicking on quick links section
12 of the home page of the Gaming Control Board website.
13 Written comments should be mailed to Pennsylvania
14 Gaming Control Board, Post Office Box 69060,
15 Harrisburg, Pennsylvania 17106. Attention Board
16 Clerk. Comments can also be faxed prior to the
17 deadline 717-265-7416.

18 Next we'd like to have consideration of
19 a motion to approve the minutes and transcript of the
20 July 13th, 2016 meeting.

21 MR. MCCALL:

22 Mr. Chairman, I move that the Board
23 approve the minutes and transcript of the July 13th,
24 2016 meeting.

25 MR. MOSCATO:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 All opposed? Motion's adopted. Under
7 New Business, we'll now hear from our Director of
8 Human Resources, Claire Yantis.

9 MS. YANTIS:

10 Good morning, Chairman, Board Members.
11 The Office of Human Resources has one motion for your
12 consideration today relative to the hiring of three
13 individuals; Ms. Tamara Haken and Ms. Sarah Kolesar
14 have been selected as Assistant Enforcement Counsel
15 1's in the Office of Enforcement Counsel (OEC). Ms.
16 Haken and Ms. Kolesar have completed the PGCB
17 interview process, background investigation, and drug
18 screening, and are recommended for hire by Chief
19 Enforcement Counsel, Cyrus Pitre. Mr. Joseph
20 Ottinger has been selected for the position of
21 Technical Field Representative assigned to SugarHouse
22 Casino. Mr. Ottinger also has completed the PGCB
23 interview process, background investigation, and drug
24 screening, and is recommended for hire by Director of
25 Casino Compliance, Jerry Stoll. Unless you have any

1 questions, I ask that the Board consider a motion to
2 hire Ms. Haken, Ms. Kolesar, and Mr. Ottinger as
3 indicated.

4 CHAIRMAN:

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

7 MR. MOSCATO:

8 Mr. Chairman, I move for the Board to
9 approve the Applicants as proposed by the Director of
10 Human Resources.

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 MS. YANTIS:

19 Thank you.

20 CHAIRMAN:

21 Thanks, Claire. Doug?

22 ATTORNEY SHERMAN:

23 Good morning, Chairman, Members of the
24 Board. Today we have three Petitions before you for
25 consideration. Hearings were held earlier today on

1 two of the matters. The third petition will be
2 decided based upon the documents of record. In each
3 of the matters, the Board has, in advance of this
4 meeting, been provided with the Pleadings and any
5 evidentiary materials included within the record.

6 The first Petition is that of Chester
7 Downs and Marina's request for Approval to Modify its
8 Gaming Floor. The changes requested as we've heard
9 would reduce the number of slot machines on the gaming
10 floor by 350 from 2,800 to 2,450. It would increase
11 the number of table games by ten from 107 to 117 and
12 would decrease the size of the gaming floor by about
13 1,800 square feet.

14 In addition to that, as we also heard,
15 the smoking area of the gaming floor will be 48.8
16 percent and the non-smoking 51.2 percent of the floor.
17 Chester Downs and Marina has indicated they request
18 these changes in response to market conditions and to
19 allow it to renovate and improve non-gaming amenities,
20 thereby hopefully improving the overall economic
21 picture for the property. If approved, the OEC had
22 proposed nine conditions, all of which are outlined in
23 OEC's answer. And based upon that, it would be
24 appropriate to entertain a motion to approve the
25 change as requested.

1 CHAIRMAN:

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

4 MR. RYAN:

5 Mr. Chairman, I move that the Board
6 grant Chester Downs and Marina, LLC's Petition for
7 Approval to Modify its Gaming Floor with the
8 conditions referenced by the Office of Chief Counsel
9 (OCC).

10 MR. WOODS:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? Motion's adopted.

17 ATTORNEY SHERMAN:

18 The next Petition before the Board is
19 the Joint Petition of Washington Trotting Association,
20 GLP Capital, Gaming and Leisure Properties,
21 Incorporated (GLPI); Pinnacle Entertainment; and PNK
22 Development 33, which seeks approval for a change in
23 control related to the Meadows casino. This matter
24 also was heard by the Board earlier this morning. And
25 if the Board approves the request as presented, GLPI

1 and its related entities will own the real property at
2 the Meadows, and serve as landlord to Pinnacle and its
3 related entities which will operate the facility and
4 be the Licensee. The Board's Category 1 Slot Machine
5 Licensee will be Washington Trotting Association, LLC,
6 which is a subsidiary of Pinnacle. Licensure of the
7 parties which will assume control of the Meadows will
8 be presented by the Bureau of Licensing subsequent to
9 our presentation here.

10 The OEC does not object to the Petition
11 and as they've amended earlier today, they now have
12 three conditions outlined in their Answer which they
13 request be proposed or placed on the transaction. OCC
14 would suggest that those three conditions are
15 appropriate. And with that, we'd ask for a motion to
16 approve the change of ownership.

17 CHAIRMAN:

18 Any questions or comments from the
19 Board?

20 MR. WOODS:

21 Mr. Chairman, I will be making a Motion
22 to support the Change of Control for this entity and
23 recommending a \$2.5 million Change of Control Fee.
24 But I do think it's incumbent upon our Board to notify
25 licensees and those who may choose to come into the

1 state and operate one of the facilities that in one
2 way, shape, or form is that \$2.5 million set in stone,
3 or going to be a fee that is in perpetuity presented
4 for each and every one of these. In fact, I believe
5 that this Board likely will consider in the future
6 recommending a different fee. And I just want to make
7 that clear before making this motion today. Thank
8 you.

9 CHAIRMAN:

10 Thank you. Any other comments from the
11 Board? May I have a motion?

12 MR. WOODS:

13 Mr. Chairman, I move that the Board
14 grant the Amended Joint Petition for Final Approval of
15 Proposed Change of Control as described by the OCC
16 with the conditions requested by the OEC. I further
17 move that the Board assess a \$2.5 million Change of
18 Control Fee relative to this transaction.

19 MR. FAJT:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 All opposed? Motion's adopted.

1 ATTORNEY SHERMAN:

2 The final Petition before the Board
3 pertains to Maven, Incorporated and Melonease Shaw.
4 Maven, Incorporated is a registered Gaming Service
5 Provider that has provided community outreach services
6 to both the Rivers and SugarHouse Casinos. Maven is
7 solely owned by Melonease Shaw. On July --- yeah, on
8 July 6th, 2016, the OEC filed a request for an
9 Emergency Suspension of the Gaming Service Provider
10 Registration of Maven, Incorporated after learning
11 that Ms. Shaw, its Principal, was charged by the
12 Pennsylvania Office of Attorney General with criminal
13 offenses including theft, tampering with records,
14 conspiracy, and deceptive business practices.

15 The charges are not related to Maven,
16 Incorporated and services that it provided to our
17 licensees. However, the charges stem from Ms. Shaw's
18 role as President and CEO of Transitional Work
19 Corporation, a non-profit corporation that received
20 Commonwealth funds to provide clients of the Temporary
21 Assistance for Needy Families Program. Ms. Shaw is
22 alleged to have misused and personally benefitted from
23 those funds and her criminal charges are still
24 pending.

25 Upon being charged with the offenses,

1 the Board's Executive Director imposed an Emergency
2 Suspension on Maven and Ms. Shaw. Shaw has waived a
3 right to a formal hearing on the validity of the
4 Emergency Suspension. Thereby allowing the Board to
5 consider whether or not the suspension should continue
6 during this time period. And that's the matter
7 currently before the Board.

8 CHAIRMAN:

9 Any questions or comments from the
10 Board? May I have a Motion?

11 MR. FAJT:

12 Mr. Chairman, I move that the Board
13 continue the Emergency Suspension of Maven,
14 Incorporated and Melonease Shaw's Gaming Service
15 Provider registration for the reasons described by the
16 OCC.

17 MR. JEWELL:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 All opposed? Motion's adopted.

24 ATTORNEY SHERMAN:

25 Next presenting Withdrawals and Reports

1 and Recommendations is Deputy Chief Counsel, Steve
2 Cook.

3 ATTORNEY COOK:

4 Good morning or afternoon, whatever it
5 is.

6 CHAIRMAN:

7 We still have another four minutes.

8 MR. FAJT:

9 Make it quick.

10 ATTORNEY COOK:

11 The Board has received several unopposed
12 Petitions to withdraw applications or surrender the
13 credentials of the following individuals and entities;
14 Virginia McDowell; Insight Direct USA, Inc;
15 Christopher Benak; Michael Stephen Bowman; Fortress
16 GLPI Voteco, LLC; Randal Alan Nardone; John A.
17 Godfrey; Roy Kelcey; Alexander Allison; and Lynn Swan.
18 The OEC has no objections to any of these Petitions.
19 And as a result, if the Board were inclined to grant
20 same, they'd be doing so without prejudice to each of
21 the persons or entities that have made the request.

22 CHAIRMAN:

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

25 MR. JEWELL:

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

4 MR. MCCALL:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? Motion's adopted.

11 ATTORNEY COOK:

12 Next before the Board for consideration
13 are six Reports and Recommendations received from the
14 Office of Hearings and Appeals (OHA). In each case,
15 the person that is the subject of the Report and
16 Recommendation has been notified that the Board was
17 going to take the matter up today, and that they could
18 come forward and briefly address the Board. If any of
19 these persons are present and do wish to address the
20 Board, they should come forward when their name is
21 called.

22 Alexis Guzman is the first Report and
23 Recommendation before the Board today. Ms. Guzman was
24 issued a Gaming Permit in January of 2014 and worked
25 as a Table Games Dealer at the Mount Airy Casino. On

1 May 31st, 2016, the OEC filed a request for an
2 Emergency Suspension of Ms. Guzman's Gaming Permit
3 after learning that she had been charged with several
4 drug related crimes; a weapon's charge and traffic
5 violations. Specifically, she was pulled over after
6 she was observed driving excessively and swerving ---
7 excessive speed and swerving. And during interaction
8 with police, she allowed a search of her vehicle at
9 which time illegal drugs were found.

10 A hearing on the validity of the
11 Emergency Suspension which the Executive Director
12 imposed as a result of this arrest was held on June
13 14th, 2016. Despite receiving notice, Ms. Guzman did
14 not attend the hearing. As a result, the only
15 evidence put it was evidence supporting OEC's request
16 for the Emergency Suspension and relating to her
17 arrest. And as a result, the Report and
18 Recommendation before the Board today recommends that
19 her suspension remain in effect.

20 CHAIRMAN:

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

23 MR. MCCALL:

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

1 regarding the suspension of Alexis Guzman's Gaming
2 Employee Permit as described by the OCC.

3 MR. MOSCATO:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? Motion's adopted.

10 ATTORNEY COOK:

11 Dattoan Nguyen is the next Report and
12 Recommendation before the Board. Mr. Nguyen was
13 issued a Gaming Employee Permit on June 15th, 2015 and
14 worked as a Table Games Dealer at Harrah's
15 Philadelphia. On December 15th of 2015, the OEC filed
16 a Petition to revoke Mr. Nguyen's Gaming Permit and a
17 Petition to place him on the Board's Involuntary
18 Exclusion List upon learning that while patronizing
19 the Parx Casino, which was not the casino where he was
20 employed but obviously another facility, he was
21 observed playing Spanish 21 Poker, which is authorized
22 under the regulations. However, he was capping bets
23 while playing and did so on four occasions. As a
24 result of that conduct, he was charged and pleaded
25 guilty to one Count of Disorderly Conduct.

1 Mr. Nguyen requested a hearing as to
2 OEC's request to revoke his license and place him on
3 the exclusion list. He attended the hearing, did not
4 testify. But upon given the opportunity to make a
5 closing argument, basically just said that he'd made a
6 mistake. He was sorry. But he conceded all of the
7 facts alleged. Notwithstanding his statements, the
8 Report and Recommendation issued recommends that his
9 license be revoked and he be placed on the Board's
10 exclusion list.

11 CHAIRMAN:

12 Questions or comments from the Board?
13 For the future, whenever I do that, that includes the
14 Ex-officios, okay? I'm trying to shorten the process.
15 May I have a motion?

16 MR. MOSCATO:

17 Mr. Chairman, I move that the Board
18 adopt the Report and Recommendation issued by the OHA
19 regarding the Revocation of Dattoan Nguyen's Gaming
20 Employee Permit and his placement on the Involuntary
21 Exclusion List as described by the OCC.

22 MR. RYAN:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 All opposed? Motion's adopted.

4 ATTORNEY COOK:

5 The next Report and Recommendation
6 pertains to Derek Ramirez. Mr. Ramirez was issued a
7 Gaming Employee Permit in 2012 and is currently
8 employed as a Table Games Dealer at Mount Airy. In
9 February of 2015, Mr. Ramirez was arrested for
10 violating a Protection From Abuse Order. He was
11 subsequently found to be in contempt of that Order.
12 Consequently, the OEC issued a warning letter upon Mr.
13 Ramirez the following June reminding him that he needs
14 to comply with Court Orders and maintain his
15 suitability if he wished to maintain his Gaming
16 Permit.

17 Two months after receiving that warning
18 in August of 2015, Mr. Ramirez was arrested for
19 driving under the influence of alcohol. As a result,
20 OEC filed a Complaint to suspend Mr. Ramirez's Gaming
21 Permit for one week. Mr. Ramirez requested a hearing,
22 which was held on both May 18th and then continued
23 until June 2nd of 2016. At the hearing, Mr. Ramirez
24 basically acknowledged his conduct. But indicated
25 that he was taking care of his four year old child and

1 as a result, he was afraid a seven day suspension or a
2 one week suspension as requested by OEC would cause
3 him to lose his job and asked for something less. The
4 Hearing Officer ultimately recommends a two-day
5 suspension. And that's the recommendation before the
6 Board.

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 adopt the Report and Recommendation issued by the OHA
13 regarding the Suspension of Derek Ramirez's Gaming
14 Employee Permit as described by the OCC.

15 MR. WOODS:
16 Second.

17 CHAIRMAN:
18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:
21 All opposed? Motion's adopted.

22 ATTORNEY COOK:
23 The next Report and Recommendation
24 before the Board pertains to a request to recover
25 winnings from a person on the excluded and self-

1 excluded list. On May 5th, 2013, a person with the
2 initials S.H. placed himself on the Board's Voluntary
3 Self-Exclusion List for a period of one year. At that
4 time, he completed the paperwork which indicated or
5 included paper --- acknowledging that were he to enter
6 a casino and be found on a casino floor, any winnings
7 would be confiscated. Notwithstanding that fact, on
8 January 27th he was on the gaming floor at Parx, won a
9 jackpot of \$1,250. When Parx staff attempted to pay
10 the jackpot, they became aware that he was on the
11 voluntary and involuntary exclusion list. As a
12 result, Pennsylvania State Police were notified. The
13 \$1,250 jackpot was confiscated, along with \$90 in
14 credits that were on the slot machine.

15 As indicated S.H. subsequently
16 petitioned for a return of this money. A hearing was
17 scheduled. He did not appear at the hearing and as a
18 result, the only person's putting in evidence was
19 Enforcement Counsel which supported the idea of
20 confiscating all of this money. And as a result, the
21 recommendation of the Hearing Officer is that, indeed,
22 the money remain in the coffers of the Board.

23 CHAIRMAN:

24 Questions or comments from the Board?

25 May I have a motion?

1 MR. WOODS:

2 Mr. Chairman, I move that the Board
3 adopt the Report and Recommendation issued by the OHA
4 regarding S.H.'s Petition to recover winnings while on
5 the Self-Exclusion List as described by the OCC.

6 MR. FAJT:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 All opposed? Motion's adopted.

13 ATTORNEY COOK:

14 The next Report and Recommendation
15 pertains to Jessica Thornton's Petition to lift the
16 suspension of her Gaming Permit. Ms. Thornton was
17 issued a Gaming Permit on July 15th, 2014 and was
18 employed as a Cage Cashier at the Rivers Casino. In
19 December of 2015, the OEC filed a request for
20 Emergency Suspension of Ms. Thornton's Permit after
21 receiving notice that she had been arrested and
22 charged with felony theft-related offenses stemming
23 from allegations that she, along with two other
24 individuals, attempted to shoplift over \$1,000 in
25 merchandise from a department store. A hearing on

1 this Emergency Suspension was held in January of 2016.
2 At that time, Ms. Thornton testified that she was
3 asked to carry a bag but did not know that one of
4 persons she was with put unpaid merchandise in the
5 bag. Notwithstanding that testimony because the
6 felony charges remain pending against her, the Board
7 kept the suspension in place.

8 She is now requesting that the Board
9 lift the suspension as she had pleaded guilty to
10 summary retail theft and the felony is no longer
11 pending against her. She is indicating at this time
12 that she maintains her innocence. But on the advice
13 of Counsel, she pleaded guilty to the summary offense
14 rather than a felony or misdemeanor. The Hearing
15 Officer who held this hearing ultimately found her
16 testimony to be credible and recommends to the Board
17 that her suspension be lifted and her Gaming Employee
18 Permit be reinstated.

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 adopt the Report and Recommendation issued by the OHA
25 regarding Jessica Thornton's Petition to lift the

1 suspension of her Gaming Employee Permit as described
2 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 The final Report and Recommendation
12 before the Board today pertains to Christopher Tran.
13 On January 8th, 2016, the OEC filed a Complaint to
14 place Mr. Tran on the exclusion list, alleging that in
15 this past October, while gaming at Harrah's he
16 successfully capped wagers on several occasions and
17 attempted to do so on several others. Upon being
18 caught by his dealer, his prior play was reviewed and
19 it was shown that during seven hours of play, he kept
20 several bets and unlawfully won \$85 which he was not
21 entitled to receive. He was thereafter permanently
22 evicted from Harrah's and charged criminally. In
23 December of 2015, he pleaded guilty to disorderly
24 conduct.

25 Mr. Tran requested a hearing. He

1 attended the hearing and testified indicating
2 basically that the incidents occurred, they were a
3 mistake on his part, and he sought to not be placed on
4 the list. Notwithstanding that testimony, the
5 Recommendation to the Board is that he indeed be
6 placed on the list.

7 CHAIRMAN:

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

10 MR. JEWELL:

11 Mr. Chairman, I move that the Board
12 adopt the Report and Recommendation issued by the OHA
13 regarding the placement of Christopher Tran on the
14 PGCB Involuntary Exclusion List as described by the
15 OCC.

16 MR. MCCALL:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 All opposed? The Motion's adopted.

23 ATTORNEY SHERMAN:

24 And that concludes the matters of the
25 OCC.

1 CHAIRMAN:

2 Thank you, gentlemen. Now we have Sue
3 Hensel, Bureau of Licensing.

4 MS. HENSEL:

5 Thank you, Chairman Barasch and Members
6 of the Board. Before the Board today will be the
7 licensure related to the Category 1 Change of Control,
8 one Table Game Manufacturer Renewal License, one Slot
9 Machine Manufacturer Designee License, one Conditional
10 Gaming Junket Enterprise License, one Gaming Related
11 Gaming Service Provider Renewal Certification, and 600
12 Principal Key Gaming and Non-Gaming Employee
13 Applicants. In addition, there will be the
14 consideration of 15 Gaming Service Provider
15 Applicants.

16 The first matters for your consideration
17 are the Principal Licenses associated with the Change
18 of Control of Washington Trotting Association, Inc.
19 Under the Change of Control, the operating assets and
20 Gaming License of Washington Trotting Association will
21 be owned by Pinnacle Entertainment, Inc. While the
22 real estate assets will be owned by Gaming and Leisure
23 Properties, Inc. Pursuant to Board requirements for
24 approval of a Change of Control, both Pinnacle
25 Entertainment, Inc and Gaming and Leisure Properties,

1 Inc. and their Principals are required to be licensed
2 by the Board. The Bureau of Investigations and
3 Enforcement (BIE) has completed its investigation of
4 the two companies and their Principals. And the
5 Bureau of Licensing has provided you with the
6 background investigation and suitability report. I
7 have provided you with a draft Order and ask that the
8 Board consider Licensure of Pinnacle Entertainment,
9 Inc. and Gaming and Leisure Properties, Inc, and their
10 Associated Principals.

11 CHAIRMAN:

12 Thank you. Any comments from the
13 Enforcement Counsel?

14 ATTORNEY PITRE:

15 The Enforcement Counsel has no objection
16 subject to the special conditions outlined in the
17 background investigation reports, which Pinnacle and
18 GLPI have indicated they are in support of.

19 CHAIRMAN:

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

22 MR. MCCALL:

23 Mr. Chairman, I move that the Board
24 approve the Licensure of Pinnacle Entertainment, Inc.
25 and its Principals as described by the Bureau of

1 Licensing.

2 MR. MOSCATO:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? Motion's adopted.

9 MS. HENSEL:

10 Next for your consideration is the
11 renewal of the Dynamic Gaming System's, LLC Table Game
12 Manufacturer License. Dynamic is a New Jersey based
13 company that manufactures the electronic shack
14 blackjack table game. Dynamic has asked that the
15 Board grant it a reduced licensing fee for its Table
16 Game Manufacturer License. The renewal licensing fee
17 for a manufacturer is normally \$90,000 for a three
18 year license. Under the Gaming Act, the Board may
19 modify a fee for a Table Game Manufacturer if it
20 determines that the fee will unreasonably limit table
21 game devices or associated equipment. Consistent with
22 this provision of the Act, the Bureau of Licensing has
23 adopted a reduced license fee policy which has been
24 presented to the Board previously. Dynamic has
25 requested a reduced fee of \$30,000 which is consistent

1 with the Bureau's policy. The Bureau of Licensing
2 recommends that the Board grant the reduced licensing
3 fee. The BIE has completed its investigation. And
4 the Bureau of Licensing has provided you with the
5 background investigation and suitability report. I
6 have also provided you with a draft Order. I ask that
7 the Board consider the Order approving of renewal
8 Table Game Manufacturer License for Dynamic, including
9 the reduced licensing fee.

10 ATTORNEY PITRE:

11 Enforcement Counsel has no objection.

12 CHAIRMAN:

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

15 MR. MOSCATO:

16 Mr. Chairman, I move that the Board
17 approve the renewal of Dynamic Gaming System, LLC's
18 Table Game Manufacture License as described by the
19 Bureau of Licensing.

20 MR. RYAN:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? Motion's adopted.

2 MS. HENSEL:

3 Also for your consideration is the
4 approval of a Slot Machine Manufacturer Designee
5 License for Abel Personnel, Inc. Abel is a Central
6 Pennsylvania based company that provides staffing and
7 recruitment services. The company will serve as a
8 manufacturer designee for IGT Global Solutions which
9 operates the Central Control Computer System. The BIE
10 has completed its investigation of the company. And
11 the Bureau of Licensing has provided you with the
12 background investigation and suitability report. I've
13 provided you with a draft Order and ask that the Board
14 consider the Order to approve the Slot Machine
15 Manufacturer Designee License.

16 CHAIRMAN:

17 Enforcement Counsel?

18 ATTORNEY PITRE:

19 Enforcement Counsel has no objection.

20 CHAIRMAN:

21 Questions or comments from the Board?

22 May I have a motion?

23 MR. RYAN:

24 Mr. Chairman, I move that the Board
25 approve the Slot Machine Manufacturer Designee License

1 of Abel Personnel, Inc. as described by the Bureau of
2 Licensing.

3 MR. WOODS:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion's adopted.

10 MS. HENSEL:

11 Next, there is the application for a
12 Conditional Gaming Junket Enterprise License for
13 M.E.S. Travel and Junkets, Inc. M.E.S. Travel and
14 Junkets, Inc. is a Charlestown, South Carolina based
15 travel and junket business. Pursuant to the Board's
16 Statement of Policy, the Board may issue a Conditional
17 Gaming Junket Enterprise License provided the
18 Applicant meets certain criteria, including submitting
19 a completed application, being licensed in good-
20 standing in any jurisdiction whose licensing standards
21 are recognized by the PGCB, and passing a preliminary
22 review. The company satisfies these criteria for
23 Conditional Licensure. The Bureau of Licensing has
24 provided you with a background investigation and
25 suitability report for the Applicant. And I've also

1 provided you with a draft Order. I ask that the Board
2 consider the approval of a Conditional License for
3 M.E.S. Travel and Junkets, Inc.

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 approve the Conditional Gaming Junket Enterprise
14 License of M.E.S. Travel and Junket, Incorporated as
15 described by the 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 Also for your consideration is the
25 approval of a Gaming Related Gaming Service Provider

1 Renewal Certification for Masque Publishing, Inc.
2 Masque Publishing is a Colorado-based business that
3 develops table games and side bets. The BIE has
4 completed its investigation and the Bureau of
5 Licensing has provided you with the background
6 investigation and suitability report. I have provided
7 you with a draft Order and ask that the Board consider
8 the approval of a Gaming Related Gaming Service
9 Provider Certification Renewal for Masque Publishing,
10 Inc.

11 ATTORNEY PITRE:

12 Enforcement Counsel has no objection.

13 CHAIRMAN:

14 Questions or comments from the Board?

15 May I have a motion?

16 MR. FAJT:

17 Mr. Chairman, I move that the Board
18 approve the renewal of Masque Publishing, Inc.'s
19 Gaming-Related, Gaming Service Provider Certification
20 as described by the Bureau of Licensing.

21 MR. JEWELL:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 All opposed? Motion's adopted.

3 MS. HENSEL:

4 Next for your consideration is the
5 approval of Principal and Key Employee Licenses.
6 Prior to this meeting, the Bureau of Licensing
7 provided you with a Proposed Order for five principal
8 and six Key Employee Licenses. I ask that the Board
9 consider the Order approving the licenses.

10 CHAIRMAN:

11 Enforcement Counsel?

12 ATTORNEY PITRE:

13 Enforcement Counsel has no objection.

14 CHAIRMAN:

15 Questions or comments from the Board?

16 May I have a motion?

17 MR. JEWELL:

18 Mr. Chairman, I move that the Board
19 approve the issuance of Principal and Key Employee
20 Licenses as described by the Bureau of Licensing.

21 MR. MCCALL:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 All opposed? Motion's adopted.

3 MS. HENSEL:

4 There are also Temporary Principal and
5 Key Employee Licenses. Prior to this meeting, the
6 Bureau of Licensing provided you with an Order
7 regarding the issuance of Temporary Licenses for one
8 Principal and four Key Employees. I ask that the
9 Board consider the Order approving these licenses.

10 ATTORNEY PITRE:

11 Enforcement Counsel has no objection.

12 CHAIRMAN:

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

15 MR. MCCALL:

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

20 MR. MOSCATO:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? Motion's adopted.

2 MS. HENSEL:

3 In addition, there are Gaming Permits
4 and Non-Gaming Registrations. Prior to this meeting
5 the Bureau of Licensing provided you with a list of
6 365 individuals to whom the Bureau has granted
7 temporary or full Occupation Permits, and 170
8 individuals to whom the Bureau has granted
9 Registrations under the Authority delegated to the
10 Bureau of Licensing. I ask that the Board consider a
11 Motion approving the Order.

12 ATTORNEY PITRE:

13 Enforcement Counsel has no objection.

14 CHAIRMAN:

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

17 MR. MOSCATO:

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

22 MR. RYAN:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 All opposed? Motion's adopted.

4 MS. HENSEL:

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

13 ATTORNEY PITRE:

14 Enforcement Counsel continues to request
15 denial in each instance.

16 CHAIRMAN:

17 Thank you. Questions or comments from
18 the Board? May I have a motion? May I have a motion?

19 MR. RYAN:

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

23 MR. WOODS:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? Motion's adopted.

5 MS. HENSEL:

6 Also for your consideration are
7 Withdrawal Requests for Key, Gaming and Non-Gaming
8 Employees. In each case, the permit or registration
9 is no longer required. For today's meeting I have
10 provided the Board with a list of 3 Key, 32 Gaming,
11 and 10 Non-Gaming Employee Withdrawals for approval.
12 I ask that the Board consider the Orders approving
13 list of Withdrawals.

14 ATTORNEY PITRE:

15 Enforcement Counsel has no objection.

16 CHAIRMAN:

17 Thank you. Questions or comments from
18 the Board? May I have a motion?

19 MR. WOODS:

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

23 MR. FAJT:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? Motion's adopted.

5 MS. HENSEL:

6 Next, we have an Order to certify the
7 following Gaming Service Providers; No Limit Steaks
8 doing business as Ruth's Chris Steak House; Serve Fast
9 Construction Company, Inc.; and Supreme Distributors,
10 Inc. doing business as Supreme Lobster and Seafood
11 Company. I provided the Board with an Order and ask
12 that you approve these Gaming Service Providers for
13 Certification.

14 ATTORNEY PITRE:

15 Enforcement Counsel has no objection.

16 CHAIRMAN:

17 Questions or comments from the Board?

18 May I have a motion?

19 MR. FAJT:

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

24 MR. JEWELL:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 All opposed? Motion's adopted.

6 MS. HENSEL:

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

13 ATTORNEY PITRE:

14 Enforcement Counsel has no objection.

15 CHAIRMAN:

16 Questions or comments from the Board?

17 May I have a motion?

18 MR. JEWELL:

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

23 MR. MCCALL:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? Motion's adopted.

5 MS. HENSEL:

6 That concludes the matters of the
7 Bureau.

8 CHAIRMAN:

9 Thank you, sir.

10 ATTORNEY PITRE:

11 The OEC will present 20 matters for the
12 Board's consideration today consisting of one Consent
13 Agreement, four Revocations, two Suspensions and 13
14 Involuntary Exclusions. I will note that item number
15 15 will be --- we'll ask that it be removed from the
16 Agenda. That individual has requested a hearing and
17 in speaking with Mr. Cook, a hearing date will be set
18 by the OHA to give that individual a hearing. So
19 we'll present 20 matters and skip over item 15.

20 CHAIRMAN:

21 Thank you.

22 ATTORNEY PITRE:

23 The first matter for the Board's
24 consideration is a Consent Agreement between the OEC
25 and SugarHouse HSP Gaming, LP doing business as

1 SugarHouse Casino, and Holdings Acquisition, Co., LP
2 doing business at Rivers Casino. The matter will be
3 presented by Assistant Enforcement Counsel, James
4 Armstrong.

5 ATTORNEY ARMSTRONG:

6 Thank you, Chairman, Commissioners.

7 Next matter on the agenda for the Board's
8 consideration is a Consent Agreement reached between
9 the OEC and SugarHouse and Rivers Casinos. In regard
10 to them failing to, excuse me, timely notify the Board
11 of a change in their ownership. On October 8th of
12 2014 the Bureau of Licensing heard potential
13 violations of the Gaming Act at the OEC alleging that
14 SugarHouse and Rivers may have violated their
15 Statements of Condition, Condition 19 specifically by
16 not timely notifying the Board prior to or immediately
17 upon changing its ownership structures.

18 According to the Bureau of Licensing
19 Referrals, the ownership interests in SugarHouse and
20 Rivers Casinos held by three licensed trusts were
21 transferred to three newly created, but not licensed
22 trusts on October 14th, 2013. The creation of these
23 new trusts and the transfer of ownership interests
24 were not reported to the Board until June 30th, 2014.

25 A subsequent BIE investigation into the

1 matter confirmed, excuse me, that three previously
2 unlicensed trusts were transferred ownership
3 percentages that would require licensure, that the
4 trust transactions were completed because of tax
5 implications, and that all the individuals associated
6 with the trust were licensed by the Board. SugarHouse
7 and Rivers Casinos allowed eight months to elapse
8 before notifying the Board of the change in ownership.
9 The three new trusts that were required to be licensed
10 by the Board held ownership interests in SugarHouse
11 and Rivers Casinos from October 14th, 2013 through
12 July 14th, 2014 without being licensed or having
13 applications pending before the Board. This is a
14 violation of their Statement of Conditions, the Act,
15 and the Board's Regulations.

16 SugarHouse and Rivers reported that
17 their Joint Principal Entity, Rush Street Gaming, has
18 taken steps to insure that assure that persons
19 responsible for changes in ownership of casinos
20 related properties do not, in the future, act without
21 notifications to those responsible for Gaming
22 Compliance. If approved, this will be the first
23 penalty assessed against SugarHouse and Rivers Casinos
24 reviled relating Provisions of the Act and Board's
25 Regulations in regards to reporting changes in

1 ownership. The OEC asked that the Board approve the
2 Consent Agreement and Stipulations Assignment entered
3 into between the parties. The terms of the settlement
4 agreement, including provision that SugarHouse and
5 Rivers Casino shall pay a joint civil penalty of
6 \$30,000 for their violations in regard to their
7 changes in ownership, and \$5,000 for costs incurred by
8 the OEC and other Board personnel. Mr. Donnelly's
9 here on behalf of SugarHouse Casino, will be glad to
10 answer any questions you may have.

11 ATTORNEY DONNELLY:

12 Good afternoon. John Donnelly,
13 D-O-N-N-E-L-L-Y. It sounds bad, but let me tell you
14 what happened. In conjunction with the license
15 renewal for Rivers, we filed a list of the entities
16 that were owners. We discovered, with the help of
17 Licensing because my office didn't know it, that there
18 were three new trusts. And what had happened is the
19 trusts that owned an interest in both casinos were
20 trusts that Neil Bloom set up --- or his children, I'm
21 sorry, Neil Bloom's children set up for their
22 children; Neil Bloom's grandchildren. They were
23 generation skipping trusts. The accountants for those
24 trusts in 2013 discovered that there had been some
25 investments that may no longer allow those trusts to

1 be tax exempt, generation tax exempted.

2 The original trust documents that had
3 been before the Board and everyone else provided that
4 the trust could be divided into new trusts, perhaps in
5 anticipation of tax issues in the future. So the tax
6 lawyers did it. They said well, the trust has been
7 approved. It can be divided by its own terms. We'll
8 divide it. And they never realized that it had
9 potential ramifications in this way. So when we
10 learned of it, we communicated with the tax lawyers
11 and said no, you can't do that never again. If
12 there's ever a situation, although it's provided for
13 in the documents, and by the way no IRS ramifications.
14 No new qualifiers. All the people, all the human
15 beings who were qualifiers, their license continued to
16 be the same people. The beneficiaries are the same.
17 The grantors are the same. Grandchildren all under
18 age except for one kid who turned 18 recently. So now
19 we've communicated you can't do that because if and
20 when there's ever a change in control, albeit even if
21 it's something like reshuffling the deck chairs on the
22 same boat, you have to notify us so we can notify the
23 Gaming Board. I'm confident that everybody's aware of
24 that now. And that's all I have to say.

25 CHAIRMAN:

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

3 MR. MCCALL:

4 Mr. Chairman, I move that the Board
5 issue an Order to approve the Consent Agreement
6 between the OEC, SugarHouse HSP Gaming, LP; and
7 Holding Acquisition Company, LP as described by the
8 OEC.

9 MR. MOSCATO:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 All opposed? Motion's adopted.

16 ATTORNEY DONNELLY:

17 Thank you.

18 ATTORNEY PITRE:

19 The next six matters on the agenda
20 consist of Enforcement Actions in which the OEC has
21 filed Complaints seeking the Revocation of three
22 Gaming Permits and one Non-Gaming Registration, as
23 well a Suspension of one Gaming Permit and one Non-
24 Gaming Registration issued to individuals by the
25 Board. Each Complaint has been properly filed with

1 the OHA and properly served upon the individuals named
2 in the Complaint. Each individual has failed to
3 respond within 30 days as required by Board
4 regulation. As a result, the OEC filed a request for
5 default judgment and properly served the same upon
6 each named individual. Thereby the facts in each
7 Complaint are deemed admitted. All filed documents
8 have been provided to the Board and the matters are
9 presently ripe for Board consideration. In each
10 instance, we will provide a brief summary of the facts
11 and request the appropriate Board action.

12 ATTORNEY ARMSTRONG:

13 Chairman, Commissioners, the next matter
14 for consideration is revocation of Sean O'Donnell's
15 Non-Gaming Employee Registration. On October or I'm
16 sorry on April 28th, 2016 OEC filed a Complaint to
17 revoke Mr. O'Donnell's Non-Gaming Employee
18 Registration. Mr. O'Donnell while on-duty at the
19 Lucky Red Bar was recorded twice on surveillance
20 stealing money intended for SugarHouse Casino. Mr.
21 O'Donnell was terminated from SugarHouse Casino for
22 violating the company's standards of conduct.
23 Accordingly, the OEC requested the Board enter
24 judgement upon default and revoke Mr. O'Donnell's Non-
25 Gaming Employee Registration.

1 CHAIRMAN:

2 Questions or comments from the Board?

3 May I have a motion?

4 MR. MOSCATO:

5 Mr. Chairman, I move that the Board
6 issue an Order to approve the Revocation of Sean
7 O'Donnell's Non-Gaming Employee Registration as
8 described by the OEC.

9 MR. RYAN:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 All opposed? Motion's adopted.

16 ATTORNEY ARMSTRONG:

17 Chairman, Commissioners, the next matter
18 on the agenda is a motion to consider the revocation
19 of Stephen Reeves' Gaming Employee Permit. Mr. Reeves
20 while on duty as a Mini-Baccarat Dealer was recorded
21 on surveillance stealing five \$100 gaming chips from a
22 flute and sticking them in his front pants pocket
23 while dealing the game. Further investigation
24 revealed Mr. Reeves had stolen \$100 chips on two other
25 occasions for a total of \$900 while dealing Mini-

1 Baccarat at SugarHouse Casino. Mr. Reeves was
2 arrested by the Pennsylvania State Police and charged
3 with the thefts. Mr. Reeves was terminated from
4 SugarHouse Casino for the thefts. Accordingly, the
5 OEC requests the Board enter judgement upon default
6 and revoke Mr. Reeves' Gaming Permit.

7 CHAIRMAN:

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

10 MR. RYAN:

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

15 MR. WOODS:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? The Motion's adopted.

22 ATTORNEY ARMSTRONG:

23 Thank you.

24 ATTORNEY CROHE:

25 Good afternoon. John Crohe, C-R-O-H-E.

1 Again, for the OEC. Next matter before the Board is
2 the motion to consider this suspension of the Non-
3 Gaming Registration held by Lamont Powell. He was
4 charged with felony aggravated assault and misdemeanor
5 simple assault after police responded to a call
6 regarding alleged domestic violence. The OEC now asks
7 that his Non-Gaming Registration is suspended.

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 Suspension of Lamont
14 Powell's Non-Gaming Employee Registration as described
15 by the OEC.

16 MR. FAJT:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 All opposed? The motion's adopted.

23 ATTORNEY CROHE:

24 The next matter before the Board is the
25 motion to consider the suspension of the Gaming Permit

1 held by Antwanette Bennett. She was charged with
2 felony robbery, felony criminal conspiracy, two counts
3 of misdemeanor theft, misdemeanor simply assault, and
4 summary harassment. The OEC now asks that her Gaming
5 Permit be suspended.

6 CHAIRMAN:

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

9 MR. FAJT:

10 Mr. Chairman, I move that the Board
11 issue an Order to approve the Suspension of Antwanette
12 Bennett's Gaming Employee Occupation Permit as
13 described by the OEC.

14 MR. JEWELL:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 All opposed? Motion's adopted.

21 ATTORNEY TEPPER:

22 Good afternoon, Chairman, Members of the
23 Board. David Tepper, T-E-P-P-E-R, with the OEC. The
24 next matter for your consideration is a complaint to
25 revoke the Gaming Employee Permit of Victor Streety.

1 Mr. Streety has been convicted of Statutory Sexual
2 Assault pleaded as second degree felony. And at this
3 point, the OEC requests that the Board revoke Mr.
4 Streety's Gaming Employee Permit.

5 CHAIRMAN:

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

8 MR. JEWELL:

9 Mr. Chairman, I move that the Board
10 issue an Order to approve the Revocation of Victor
11 Streety's Gaming Employee Occupation Permit as
12 described by the OEC.

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The motion's adopted.

20 ATTORNEY MILLER:

21 Good afternoon, Chairman Barasch,
22 Members of the Board. Dustin Miller on behalf of the
23 OEC. The next matter today is request for revocation
24 involving Jillian Bendorovich. Ms. Bendorovich was
25 employed as a Cage Cashier at Parx Casino and

1 Permitted as a Gaming Employee. The OEC filed an
2 Enforcement Complaint on May 4th, 2016 to revoke Ms.
3 Bendorovich's Gaming Employee Permit after she was
4 criminally charged with theft for stealing money from
5 both Parx Casino and her fellow employees while
6 working at Parx Casino. At this time, the charges
7 remain pending against Ms. Bendorovich. The OEC would
8 ask the Board to consider the revocation of Jillian
9 Bendorovich's Gaming Employee Permit.

10 CHAIRMAN:

11 Questions or comments from the Board?

12 May I have a motion?

13 MR. MCCALL:

14 Mr. Chairman, I move the Board issue an
15 Order to approve the Revocation of Jillian
16 Bendorovich's Gaming Employee Occupation Permit as
17 described by the OEC.

18 MR. MOSCATO:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? Motion's adopted.

25 ATTORNEY PITRE:

1 The remaining 13 matters on the Agenda
2 consist of Enforcement Actions in which the OEC has
3 filed Petitions seeking the involuntary exclusion of
4 individuals whose presence in a licensed facility are
5 inimical to the interests of the Commonwealth, and/or
6 License Gaming therein. In each instance, the
7 Petition for Exclusion has been filed with the Board's
8 OHA and properly served upon the individual named in
9 the Petition. The individual named in the Petition
10 failed to respond within 30 days as required by Board
11 regulation. As a result, the OEC has filed a request
12 for Default Judgement in each instance and properly
13 serve the same upon each named individual. Thereby
14 all facts in each Petition are deemed admitted. All
15 filed documents have been provided to the Board and
16 the matter are presently ripe for Board consideration.

17 ATTORNEY MILLER:

18 The next matter today is request for
19 placement on the Board's Excluded Person List
20 involving Jillian Bendorovich. The OEC filed a
21 Petition to place Ms. Bendorovich on the Exclusion
22 List on May 4th, 2016 for the previously described
23 activity of stealing money from Parx Casino and also
24 from her fellow employees during the course of her
25 employment at Parx Casino. Based upon the foregoing,

1 the OEC ask that the Board place Jillian Bendorovich
2 on the Board's Excluded Person's 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 Jillian
9 Bendorovich to the PGCB Involuntary Exclusion List as
10 described by 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 ARMSTRONG:

19 Chairman, Commissioners, the next matter
20 on the agenda is a Motion to consider Board Order to
21 add Joseph Merlino to the Board's Involuntary
22 Exclusion List. On April 13th of 2016, the OEC filed
23 a Petition seeking to place Mr. Merlino on the Board's
24 Excluded Person's List. Mr. Merlino was involved in
25 an altercation with another patron during a Blackjack

1 game at SugarHouse Casino on March 9th of 2016.
2 Additionally, on December 3rd of 2001, Mr. Merlino was
3 convicted in the United States District Court for the
4 Eastern District of Pennsylvania on three counts of
5 the racketeer influenced and corrupt organization law.
6 Mr. Merlino was sentenced to 168 months in prison,
7 three years of supervised release, a \$25,000 fine,
8 ordered to pay \$337,943.89 in Restitution, and issued
9 a special assessment of \$800.

10 Mr. Merlino has been identified as a
11 member of organized crime by various law enforcement
12 agencies. Mr. Merlino has returned to Pennsylvania
13 casinos several times since the incident at SugarHouse
14 Casino on March 9th. And has subsequently been
15 indicted on new Federal charges that are currently
16 pending. Mr. Merlino did not request a hearing in
17 response to the Petition. Accordingly, the OEC
18 requests the Board enter judgement upon default and
19 place Mr. Merlino on the Board's Involuntary Exclusion
20 List.

21 CHAIRMAN:

22 Questions or comments from the Board?

23 May I have a motion?

24 MR. RYAN:

25 Mr. Chairman, I move that the Board

1 issue an Order to approve the addition of Joseph
2 Merlino to the PGCB Involuntary Exclusion List as
3 described by the OEC.

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 ARMSTRONG:

12 Thank you. The next matter on the
13 agenda is a Motion to consider the Board Order of
14 Stephen Reeves to the Board's Involuntary Exclusion
15 List. Mr. Reeves was previously described in the
16 revocation proceeding. On March 29th, OEC filed a
17 Petition seeking to place Mr. Reeves on the Board's
18 Excluded Person's List. Mr. Reeves, as previously
19 stated, while on-duty at SugarHouse Casino as a Mini-
20 Baccarat Dealer was recorded on surveillance stealing
21 five \$100 chips from a flute and secreting them in his
22 front pants pocket while dealing the game. Further
23 investigation revealed that he had stolen a total of
24 \$900 in \$100 chips at two previous occasions while
25 dealing Mini-Baccarat at SugarHouse Casino. Mr.

1 Reeves was arrested for the theft charges and he was
2 also discharged from SugarHouse Casino for the thefts.
3 Accordingly, the OEC requests that Mr. Reeves be
4 placed on the Involuntary Exclusion List.

5 CHAIRMAN:

6 Question or comments from the Board?

7 May I have a motion?

8 MR. WOODS:

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

13 MR. FAJT:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The Motion's adopted.

20 ATTORNEY ARMSTRONG:

21 Thank you.

22 ATTORNEY FERRELL:

23 Good afternoon, Chairman, Members of the
24 Board. Benjamin Ferrell, F-E-R-R-E-L-L. The next
25 matter for your consideration is that of Dessmond

1 Jones. On April 4th, 2015; September 14th, 2015; and
2 April 16th, 2016; Mr. Jones engaged in card switching
3 and bet capping at both Harrah's Philadelphia and Parx
4 Casino. At this time, OEC would request the Board
5 place Dessmond Jones on the Board's Involuntary
6 Exclusion List.

7 CHAIRMAN:

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

10 MR. FAJT:

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

15 MR. JEWELL:

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. Glen Stuart again for the
24 OEC. Next for the Board's consideration is the
25 placement of John Frankowski on the Exclusion List.

1 Mr. Frankowski capped multiple bets while wagering at
2 Harrah's Philadelphia Casino, as well as at SugarHouse
3 Casino. As such, the OEC requests the Board place
4 John Frankowski on the Exclusion List.

5 CHAIRMAN:

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

8 MR. JEWELL:

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

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The motion's adopted.

20 ATTORNEY STUART:

21 Next for the Board's consideration is
22 the placement of Gary Taylor, Junior on the Exclusion
23 List. Mr. Taylor followed a patron home from a
24 casino, assaulted the patron in her driveway, and took
25 the patron's purse containing winnings from the

1 casino. Mr. Taylor subsequently pled guilty to a
2 robbery charge on October 16th, 2016 in relation to
3 his actions. As such, the OEC requests the Board
4 place Gary Taylor, Junior on the Exclusion List.

5 CHAIRMAN:

6 Question or comments from the Board?

7 May I have a motion?

8 MR. MCCALL:

9 Mr. Chairman, I move that the Board
10 issue an Order to approve the addition of Gary Taylor,
11 Junior to the Pennsylvania Gaming Control Board
12 Involuntary Exclusion List as described by the OEC.

13 MR. MOSCATO:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The Motion's adopted.

20 ATTORNEY TEPPER:

21 Good afternoon, Chairman. Again, David
22 Tepper with the OEC. Next on the agenda is a Petition
23 to place Nicholas Cecere on the Board's Exclusion
24 List. In April of 2016, Mr. Cecere attempted to use a
25 fake ID to gain access to the gaming floor at Mount

1 Airy. He was subsequently cited by the Pennsylvania
2 State Police and pled guilty. And at this time, OEC
3 requests that the Board add Mr. Cecere to the
4 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 Nicholas
11 Cecere to the PGCB Involuntary Exclusion List as
12 described by the OEC. I further move that Mr. Cecere
13 may Petition for removal from the List at any time
14 after his 22nd Birthday.

15 MR. RYAN:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? The motion's adopted.

22 ATTORNEY TEPPER:

23 Next for the Board's consideration is a
24 Petition to place Andrew Kamta on the Board's
25 Exclusion List. In May 2016, Mr. Kamta attempted to

1 use a fake ID to gain access to Mount Airy. He was
2 also subsequently cited by the State Police and pled
3 guilty. And at this time, the OEC requests that the
4 Board add Andrew Kamta to the Board's Involuntary
5 Exclusion List.

6 CHAIRMAN:

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

9 MR. WOODS:

10 Mr. Chairman, I move that the Board
11 issue an order to approve the addition of Andrew Kamta
12 to the PGCB Involuntary Exclusion List as described by
13 the OEC. I further move that Mr. Kamta may Petition
14 for removal from the list any time after his 22nd
15 Birthday.

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 ATTORNEY TEPPER:

24 The next two matters, Oliver Movtady and
25 Joseph Terrani arise out of the same fact pattern.

1 With your permission, I would like to address the fact
2 pattern as one and then each default individually. In
3 January of 2016, Oliver Movtady and Joseph Terrani
4 visited Mount Airy Casino together. Mr. Movtady used
5 the ID of his brother to gain access to the gaming
6 floor and played Blackjack for approximately 36
7 minutes. Mr. Terrani unsuccessfully attempted to use
8 a fake ID to gain access to the gaming floor at Mount
9 Airy. Mr. Movtady was caught because he was
10 identified as being underage by his friends. Mr.
11 Movtady and Mr. Terrani were both cited by the State
12 Police. Mr. Movtady pled guilty and the case against
13 Mr. Terrani is currently pending. At this time, OEC
14 requests that the Board add Oliver Movtady to the
15 Board's Involuntary Exclusion List.

16 CHAIRMAN:

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

19 MR. FAJT:

20 Mr. Chairman, I move that the Board
21 issue an Order to approve the addition of Oliver
22 Movtady to the PGCB Involuntary Exclusion List as
23 described by the OEC. I further move that Mr. Movtady
24 may Petition for removal from the list any time after
25 his 22nd Birthday.

1 MR. JEWELL:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 All opposed? Motion's adopted.

8 ATTORNEY TEPPER:

9 In regards to Mr. Terrani, at this time
10 the OEC requests that the Board add Joseph Terrani to
11 the Board's Involuntary Exclusion List.

12 CHAIRMAN:

13 Any questions or comments from the
14 Board? I have one question. Are Mr. Terrani and Mr.
15 Movtady still friends?

16 ATTORNEY TEPPER:

17 Neither of them have communicated with
18 me.

19 CHAIRMAN:

20 I see. May I have a motion?

21 MR. JEWELL:

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

1 may Petition for removal from the list any time after
2 his 22nd Birthday.

3 MR. MCCALL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The Motion's adopted.

10 ATTORNEY ADAMS:

11 Mr. Chairman, Members of the Board, good
12 afternoon. Kim Adams for the OEC. Next two matters
13 for the Board's consideration arise from the same fact
14 pattern. With the Board's permission, I'll present
15 one fact pattern and then ask for placement of each
16 individual on the Excluded Person's List. In March of
17 2016, a guest at the Mohegan Sun Pocono Hotel
18 contacted the front desk reporting that she and her
19 friend, Jeremiah Atkinson were being held at gun point
20 by Christopher Neyman inside a hotel room. Mohegan
21 Sun Pocono security and the Plains Township Police
22 Department were contacted and responded to the
23 situation. After the situation resolved itself, Mr.
24 Atkinson's hotel room was searched and a stolen
25 firearm was found. He was criminally charged with

1 felony gun charges and his charges are still pending.
2 Mr. Neyman was criminally charged with aggravated
3 assault and other related charges and his charges are
4 still pending. At this time, the OEC's requesting
5 Jeremiah Atkinson be placed on the Excluded Person's
6 List?

7 CHAIRMAN:

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

10 MR. MCCALL:

11 Mr. Chairman, I move that the Board
12 issue an Order to approve the addition of Jeremiah
13 Atkinson to the Pennsylvania Gaming Control Board
14 Involuntary 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 At this time, the OEC's requesting
24 Christopher Neyman be placed on the Excluded Person's
25 List.

1 CHAIRMAN:

2 Questions or comments from the Board?

3 May I have a motion?

4 MR. MOSCATO:

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

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 ADAMS:

17 The next matter for the Board's
18 consideration is the placement of Akee Miller on the
19 Board's Involuntary Excluded Person's List. In
20 December of 2015 while Mohegan Sun Pocono, Mr. Miller
21 got into an argument with other guests at the bus
22 entrance. During this argument, Mr. Miller retrieved
23 a gun from his vehicle. He was criminally charged
24 with various felony gun offenses and subsequently pled
25 guilty to one offense. At this time, the OEC's

1 requesting Mr. Miller be placed on the Excluded
2 Person's List.

3 CHAIRMAN:

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

6 MR. RYAN:

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

11 MR. WOODS:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion's adopted.

18 ATTORNEY PITRE:

19 Thank you. That concludes our business.

20 CHAIRMAN:

21 Thank you all very much. Next, we're
22 going to have our public comment period. As I
23 understand it, Dan Vogler, Chairman of the Lawrence
24 County Commissioners is present and would like to
25 address the Board.

1 MR. VOGLER:

2 Thank you, Mr. Chairman and good
3 afternoon to you and the Members of the Board, the Ex-
4 officio Members and all of the Staff. I am very
5 grateful that you're allowing me this opportunity to
6 briefly provide some comments, which again I very much
7 appreciate. This will most likely be the last public
8 meeting that I'll be attending of this Board. As you
9 know, I've been coming to these meetings now for quite
10 some time. Actually, I looked back in my records and
11 began attending these meetings in 2008 when Judge
12 Collins chaired the Board. And actually and beyond
13 that, upon further review, have been attending
14 meetings of the former Harness Racing Commission since
15 2005. Put a lot of miles on the car during those
16 times.

17 But I need to note that while I'm
18 certainly disappointed that none of the Applicants who
19 attempted to secure a license for a facility in my
20 home county were able to bring their proposed project
21 to fruition, I do take comfort in knowing that the
22 Gaming Board and the Staff were very fair, very
23 thorough, and very patient in their review and
24 decision making processes.

25 During the past eight years, I've

1 learned a great deal about the gaming industry and the
2 means by which it is regulated. And accordingly, I've
3 developed a very healthy respect for this Board and
4 your predecessors, and then any Staff members who take
5 their role very seriously in what they do. In closing
6 I do want to note on more of a personal level that if
7 any of you happen to travel out in the Western end of
8 the state, please know that the welcome mat is always
9 out at the Lawrence County Courthouse and you're
10 always welcome to stop by. I'm grateful for the many
11 friendships I've made along the way during these past
12 years. And moreover, I'm certainly hopeful that our
13 paths will someday cross again. So thank you so much
14 for the many courtesies that you've all shown me.
15 Thank you, gentlemen.

16 CHAIRMAN:

17 Thank you. And that was an
18 extraordinarily generous of you to come in to make
19 those comments. Anybody else have any comments at
20 this time? Thank you very much. Are there any other
21 public comments at this moment? Okay. That concludes
22 today's meeting. Our next scheduled public meeting
23 will be held on Wednesday, October 5th at ten o'clock
24 in this room. Any other final comments from the Board
25 or Ex-officio Members? If not, may I have a motion to

1 adjourn the meeting?

2 MR. WOODS:

3 I move that we adjourn.

4 MR. FAJT:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? Motion's adopted. Thank
11 you.

12 * * * * *

13 MEETING CONCLUDED AT 12:48 P.M.

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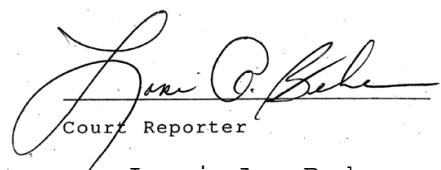
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CERTIFICATE

I hereby certify that the foregoing proceedings,
meeting held before Chairman Barasch was reported by
me on 9/7/16 and that I, Lori A. Behe, read this
transcript, and that I attest that this transcript is
a true and accurate record of the proceeding.


Court Reporter
Lori A. Behe