

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.; Ahmeenah Young, Members
Jennifer Langan, Representing State
Treasurer's Office; Jorge Augusto,
Representing Secretary of Agriculture
Russell Redding; Robert Coyne, Representing
Secretary of Revenue Eileen McNulty

MEETING: Wednesday, November 16, 2016
10:00 a.m.

LOCATION: Pennsylvania Gaming Control Board
Strawberry Square Complex, 2nd Floor
Harrisburg, PA 17106

WITNESSES: Dennis Asselta, Director of Table Games,
Mt. Airy #1, LLC

Reporter: Bernadette M. Black

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CHAIRMAN:

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CHAIRMAN:

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Good morning. I'm David Barasch, Chairman of the Gaming Control Board. Before we begin, I'd like to ask and remind everybody to turn off their electronic devices. Today with us is Jorge Augusto, representing Russell Redding, the Secretary of the Department of Agriculture. Jennifer Langan, representing Tim Reese, the Treasurer, and Bob Coyne representing the Secretary of Revenue, Eileen McNulty. Thank you all for being present. Before we begin, I would like to take this opportunity to welcome our newest member of the Board, Ahmeenah Young, to her first Board meeting.

A quorum of the Board being present, I'll call today's proceeding to order. First, the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

HEARING HELD

By way of announcements, the Board held an Executive Session yesterday, November 15th, for the purpose of discussing personnel matters. And to conduct quasi-judicial deliberations relating to

1 matters that are going to be considered today. Next
2 we have for consideration of a motion to approve the
3 minutes and transcripts of the October 5th meeting.
4 Do I have a motion?

5 MR. MCCALL:

6 Mr. Chairman, I move that the Board
7 approve the Minutes and Transcript of the October 5th,
8 2016 meeting.

9 MR. MOSCATO:

10 Second.

11 CHAIRMAN:

12 Okay. All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 All opposed? The motion is adopted. At
16 this point, we'll hear from our Executive Director,
17 Kevin O'Toole.

18 MR. O'TOOLE:

19 Good morning, Chairman Barasch, members
20 of the Board. Congratulations and welcome,
21 Commissioner Young. Board staff looks forward to
22 working with you.

23 Over the past year, I've enjoyed maybe a
24 little bit too much recognizing employees of the
25 Gaming Control Board who have reached the milestone of

1 10 years of service to our agency. And we've
2 recognized quite a few, which is a compliment to our
3 agency.

4 Today I would like to recognize two
5 additional anniversaries that are very important.
6 Those are milestones regarding the 10-year
7 anniversaries of the opening of the two first casinos
8 in the Commonwealth of Pennsylvania. This past
9 Monday, November 14th, Mohegan Sun Pocono observed its
10 anniversary of its opening of its casino in Plains
11 Township near Wilkes-Barre in Luzerne County. And in
12 December, specifically on December the 19th, Parx
13 Casino will be celebrating its 10th year anniversary
14 of opening its casino in Bensalem Township in Bucks
15 County.

16 At that juncture 10 years ago, these new
17 casinos offered just slot machines, and both were
18 housed in temporary facilities within their race track
19 grandstands. Each has since invested significant
20 capital, and moved into permanent facilities, added
21 significant numbers of table games, expanded and
22 modified multiple times their gaming floors and added
23 Non-Gaming amenities, including lounges and
24 restaurants.

25 Mohegan Sun Pocono also built a full

1 service hotel with expanded meeting space and a
2 conference center. Mohegan and Parx have both become
3 significant economic engines in their respective areas
4 joining --- jointly employing 3,800 persons, spending
5 \$110 million annually with other businesses in
6 Pennsylvania for goods and services, and generating to
7 date over \$3.3 billion in tax revenue from the play of
8 slot machines and table games. And most importantly,
9 they have contributed millions of dollars to local
10 charities.

11 While I am describing the achievements
12 of just these two casinos due to their significant
13 anniversaries, I also want to note that the other ten
14 casinos in operation in Pennsylvania have similar
15 stories of the impacts both in their local communities
16 and statewide. Collectively, all 12 casinos employ
17 over 18,000 persons at the present time, and purchase
18 approximately \$400 million annually from Commonwealth
19 businesses for goods and services.

20 While we, of course, are first and
21 foremost regulators, and we remain diligent in
22 ensuring that Pennsylvania casinos operate with the
23 highest integrity, I think it is important at this
24 time to acknowledge in a public context both the
25 ownership and the management teams at Mohegan and Parx

1 for a job well done in helping to launch this industry
2 and propelling it to one of the strongest gaming
3 jurisdictions in the United States. Thank you.

4 CHAIRMAN:

5 Next, Director of Human Resources,
6 Claire?

7 MS. YANTIS:

8 Good morning, Chairman and Board
9 Members. The Office of Human Resources has two
10 motions for your consideration today. The first
11 motion before you is relative to the hiring of two
12 individuals, Mr. Gary Rodriguez and Ms. Kara Jeffries
13 have been selected for positions at the PGCB. Mr.
14 Rodriguez has been selected as a Casino Compliance
15 Representative assigned to the Rivers Casino. And Ms.
16 Jeffries has been selected as an Administrative
17 Assistant supporting the Bureau of Investigation
18 Enforcement (BIE) and the OEC. Both Mr. Rodriguez and
19 Ms. Jeffries have completed the PGCB interview
20 process, background investigation and drug screening
21 and are recommended for hire by the respective Bureau
22 directors. Unless you have questions, I ask for a
23 motion approving the hires as indicated.

24 CHAIRMAN:

25 May I have a motion?

1 MR. MOSCATO:

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

5 MR. RYAN:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 All opposed? The motion is adopted.

12 MS. YANTIS:

13 The second motion seeks to amend the
14 PGCB Classification and Compensation Structure. As
15 you are aware, the current PGCB Classification and
16 Compensation Structure was routinely adopted by the
17 Board in January of 2010 based on a comparison of data
18 across public sector markets. The last increase to
19 the ranges occurred in 2014 in order to stay
20 consistent with pay raises and other Commonwealth
21 agencies.

22 Effective October 1st, 2016, the
23 Commonwealth's standard pay schedule, which is the
24 primary comparator for our pay ranges, was adjusted,
25 resulting in the PGCB pay ranges being below pay

1 ranges for comparable positions in other
2 administrative agencies.

3 Based on my analysis of this comparative
4 benchmark data, it is recommended that the PGCB age
5 the Compensation Structure for the executive pay
6 ranges by four percent and the nonunion management pay
7 ranges by four and a half percent, with an effective
8 date of October 1st, 2016.

9 Such a change will result in the PGCB
10 pay ranges remaining competitive with and comparable
11 to the Commonwealth's Standard Pay Schedule. These
12 increases will apply to all but the maximum salary
13 amounts of the top pay range at the agency. For that
14 pay range, executive pay range GE05, the maximum
15 salary within the range will remain where it was set
16 by the Board in 2010. I would be happy to answer any
17 questions regarding the proposed changes to the
18 Compensation Structure.

19 CHAIRMAN:

20 Thank you. Are there any questions or
21 comments from the Board or staff? May I have a
22 motion?

23 MR. JEWELL:

24 Mr. Chairman, I move that the Board
25 approve the amendment to the PGCB classification and

1 compensation structure as proposed by the director of
2 Human resources.

3 MR. MCCALL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion is adopted.

10 Thanks, Claire.

11 MS. YANTIS:

12 Thank you.

13 CHAIRMAN:

14 Next Dave Rhen, Director of Financial
15 Management.

16 MR. RHEN:

17 Good morning, Chairman and members of
18 the Board. I'm here today to provide an overview of
19 the Board's budget request for the fiscal year of
20 2017-18 and request your consideration of approval for
21 that budget. The proposed request is \$41,665,000 for
22 administration and \$2,000,000 for statutorily mandated
23 local law enforcement grants.

24 Funding for the Board supports oversight
25 of over 22,400 slot machines and 1,200 table games

1 operating twelve casinos throughout the Commonwealth.
2 Last fiscal year, the gaming industry earned just
3 under \$1.4 billion in tax revenue to the Commonwealth.
4 Overall, the budget request is \$1.5 million, or 3.7
5 percent higher than the current fiscal year. The
6 increase is principally the result of rising personnel
7 costs.

8 Next year we'll see a 12.4 percent
9 increase in pension rates to 32 percent of salaries.
10 Contractual salary increases and a 4.4 percent
11 increase to health benefit costs. The Board's budget
12 includes \$36.3 million for personnel and benefits and
13 \$5.3 million for operating and fixed asset expenses.

14 Personnel expenses comprise 87 percent
15 of the overall budget request, and include funding for
16 298 positions. The benefit rate is equivalent to 73.6
17 percent of salary expenses.

18 The operating of the fixed asset budget
19 at \$5.3 million is 13 percent of the overall request.
20 A majority of these expenses are for real estate
21 leases, investigative expenses, and telecommunications
22 and data costs. The proposed budget would be funded
23 through accommodation of \$5,755,000 in restricted
24 revenue which includes application & license fees, and
25 charge backs of gaming lab costs to manufacturers

1 which are collected by the Board. And \$35,910,000 in
2 draw downs from escrow accounts funded by casino
3 operators.

4 And that concludes my presentation of
5 the budget. I'd be happy to take any questions.
6 Otherwise, I would appreciate your consideration of
7 the motion to approve the 2017-18 budget request.

8 CHAIRMAN:

9 Are there any questions or comments from
10 the Board?

11 MR. RYAN:

12 One quick question. Thank you, Mr.
13 Chairman. Dave, what's our current head count in the
14 Gaming Control Board versus maybe the last two or
15 three years? Do you have that information handy?

16 MR. RHEN:

17 I do. It's been about --- we average
18 about 298 last year. I think we'll be at 297 after
19 the two people that were hired today. Several years
20 ago, we were more than --- over 310 people, at it's
21 highest, 324 about four or five years ago I can
22 recall.

23 MR. RYAN:

24 All right. Thank you.

25 CHAIRMAN:

1 Other questions? May I have a motion?

2 MR. RYAN:

3 Mr. Chairman, I move that the Board
4 adopt the 2017-2018 proposed budget request as
5 described by the Office of Financial Management.

6 MS. YOUNG:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 ALL SAY AYE

11 CHAIRMAN:

12 All opposed? The motion is adopted.

13 Thank you, David. Doug Sherman, Chief Counsel.

14 ATTORNEY SHERMAN:

15 Good morning Chairman, members of the
16 Board. Our first agenda item relates to a statement
17 of policy which Assistant Chief Counsel Susan Yocum is
18 here to present.

19 ATTORNEY YOCUM:

20 Good morning Chairman, members of the
21 Board. The Policy Statement before you today is
22 Policy 125-202. It will allow for the issuance of ---
23 the issuance and redemption of gaming vouchers at
24 table games. Currently, cashable vouchers can only be
25 used for slot machine and electronic table games.

1 This will allow patrons to --- this statement of
2 policy will allow patrons to cash in those vouchers at
3 a table game in exchange for chips. It will
4 additionally allow patrons who don't wish to walk away
5 from the table with chips to exchange those chips for
6 a gaming voucher. This SOP will impact the
7 calculation of gross table game revenue. We've
8 amended how that formula is calculated, and have also
9 included provisions requiring operators to update
10 their internal controls over the revenue audit process
11 to account for tickets at table games.

12 For any facility that would like to
13 offer ticket redemption at tables, we will require a
14 test period. And then once we get a few operators who
15 have gone through the test period process, I will be
16 coming before you again with a Proposed Rulemaking
17 which will account for any issues that we have
18 discovered during the implementation process. I would
19 be happy to answer any questions you may have.

20 CHAIRMAN:

21 Are there any questions from the Board?
22 May I have a motion?

23 MS. YOUNG:

24 Mr. Chairman, I move that the Board
25 issue an Order to adopt Statement of Policy #125-202

1 as described by the OCC.

2 MR. FAJT:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? The motion is adopted.

9 Thank you.

10 MS. YOCUM:

11 Thank you.

12 ATTORNEY SHERMAN:

13 Today we have three petitions before you
14 for consideration. A hearing was held in one of those
15 just a short time ago. The remaining two petitions
16 will be decided based upon the existing record by the
17 agreement of the parties. In each of the matters, the
18 Board has, in advance of this meeting, been provided
19 with all documents filed in the record.

20 The first Petition before the Board is
21 that Pennsylvania State University's Petition to
22 Possess four slot machines and four non-electronic
23 table games so that it may create a small casino
24 environment for use in the school hospitality
25 management. The OEC, as indicated earlier today, does

1 not have objection to the Petition subject to a set of
2 conditions which go to ensuring that the gaming
3 equipment is secure and under proper surveillance.

4 This matter has been heard by the Board
5 and a full record has been provided. It is now ripe
6 for consideration and a motion by the Board.

7 CHAIRMAN:

8 Are there any questions or comments for
9 the Board? May I have a motion?

10 MR. FAJT:

11 Mr. Chairman, I move that the Board
12 grant Penn State University's Petition to Possess slot
13 machines and non electronic gaming tables as described
14 by the OCC and with the conditions which will be
15 outlined in the Board's Order.

16 MR. MCCALL:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 All opposed? The motion is adopted.

23 ATTORNEY SHERMAN:

24 The next matter is Pinnacle

25 Entertainment and Washington Trotting Association's

1 Joint Petition for Approval of a Parent Services
2 Agreement. By way of background in July of 2016,
3 Washington Trotting Association (WTA), Pinnacle
4 Entertainment and other parties involved in the
5 transaction filed a Joint Petition for Change of
6 Control of the Meadows Casino. The Board approved
7 that change of control on September 7th, 2016 with a
8 series of conditions including one requiring that
9 within 30 days of closing on the purchase agreement,
10 Washington Trotting Association and Pinnacle, the new
11 parent company, would obtain approval of its fully
12 executed Parent Service Agreement.

13 Pinnacle and WTA have filed the current
14 request, as I said, September 28th of 2016, and the
15 agreement sets forth the services that Pinnacle will
16 provide to the Meadows Casino. The agreement sets
17 forth that in exchange for a fee paid to WTA, Pinnacle
18 will provide certain services to the Pennsylvania
19 property, including marketing and advertising,
20 management of corporate-wide finances, strategic
21 planning, risk management, procurement of gaming and
22 non-gaming equipment and services, and certain
23 accounting and human resource services.

24 The OEC has not objected to the request
25 subject to five conditions being imposed. The

1 conditions generally require that the Board be
2 notified of any changes to or termination of the
3 agreement, that proper licensure of Pinnacle employees
4 incur and that certain positions required by the
5 Board's regulations remain on site. And those are
6 essentially surveillance functions, credit functions,
7 things that need to be done at the property with high
8 visibility. With that explanation, the matter is
9 ready for the Board's consideration of a motion.

10 CHAIRMAN:

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

13 MR. MCCALL:

14 Mr. Chairman, I move that the Board
15 grant the Joint Petition of Pinnacle Entertainment
16 Inc. and Washington Trotting Association, LLC as
17 described by the OCC and with conditions which will be
18 outlined in the Board's Order.

19 MR. JEWELL:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 All opposed? The motion is adopted.

1 ATTORNEY SHERMAN:

2 The final Petition before the Board
3 pertains to Ryan Kiger's request to make early
4 reapplication for a Gaming Employee Permit. By
5 background, Mr. Kiger was issued a Gaming Employee
6 Permit in September of 2010 and worked as a security
7 officer at the Rivers Casino. In July 2013, he filed
8 a renewal application for his permit. And during the
9 course of that background investigation, it was
10 determined that he was noncompliant with Department of
11 Revenue requirements.

12 As a result, the Board issued an Order
13 on September 17th, 2014, denying his renewal and
14 barring him from reapplying for a permit for a period
15 of five years absent Board authorization. Mr. Kiger
16 has now indicated that he is current with his
17 obligations to the Department of Revenue and requests
18 permission to reapply for a permit to be employed in
19 the gaming industry. The OEC has indicated that it
20 has confirmed that he is in fact compliant and
21 therefore there's no objection to the relief
22 requested. That's the relief to allow him to reapply
23 early that's now before the Board and ready for
24 consideration.

25 CHAIRMAN:

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

3 MR. JEWELL:

4 Mr. Chairman, I move that the Board
5 grant the Petition of Ryan Kiger seeking early
6 reapplication for a Gaming Employee Occupation Permit
7 as described by the OCC.

8 CHAIRMAN:

9 Is there a second?

10 MR. MOSCATO:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? The motion is adopted.

17 ATTORNEY SHERMAN:

18 Next presenting Withdrawals and Reports
19 and Recommendations is Deputy Chief Counsel Steve
20 Cook.

21 ATTORNEY COOK:

22 Good morning. The Board has received
23 several unopposed Petitions to withdraw applications
24 or surrender the credentials of the following
25 individuals and entities; Donte Hill, Timothy Janszen,

1 Ryan Langdon, Roger May, NGA Acquisition Company, LLC,
2 NGA Blocker, LLC, NGA HoldCo, LLC, NGA NoVoteCo, LLC,
3 NGA VoteCo, LLC, Ira H. Raphaelson, Walter Daniel
4 Redding, Chiara Boroli --- excuse me, Boroli, Carlo
5 Ferrari Ardicini, Charles Bauer and Carolyn Bauer.
6 The OEC has no objections to any of these petitions
7 and as a result, if the Board grants them, they would
8 be doing so without prejudice to each of the parties.

9 CHAIRMAN:

10 Questions or comments from the Board?

11 May I have a motion?

12 MR. MOSCATO:

13 Mr. Chairman, I move that the Board
14 issue Orders to approve the withdrawals and surrenders
15 as described by the OCC.

16 MR. RYAN:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 All opposed? The motion is adopted.

23 ATTORNEY COOK:

24 Next before the Board are six Reports
25 and Recommendations received from the Board's Office

1 of Hearings and Appeals (OHA). In advance of this
2 meeting, the Board has been provided with the Reports
3 and Recommendation as well as the evidentiary record
4 in each proceeding. Additionally, each person or
5 entity subject to the reports have been notified that
6 the Board would be taking the matter up today and that
7 they could come forward and briefly address the Board.

8 If any of these persons are present and
9 do wish to address the Board, I would ask them to come
10 forward when the matter is called. The first Report
11 and Recommendation pertains to Karen Garcia. In April
12 of 2016, Ms. Garcia submitted an application for a
13 gaming permit seeking work as a Table Games Dealer at
14 the Sugarhouse Casino.

15 On June 6th, 2016, the OEC issued a
16 Notice of Recommendation of Denial of Ms. Garcia's
17 Application given she was convicted in New Jersey of a
18 third degree drug-related criminal offense in 2009,
19 rendering her ineligible to receive a gaming permit in
20 Pennsylvania under the Gaming Act. Ms. Garcia also
21 failed to disclose the conviction in her application.
22 Specifically, in 2009 she pled guilty to conspiracy to
23 distribute cocaine.

24 A hearing in this matter was held on
25 August 18th, 2016. Both Ms. Garcia and the OEC

1 appeared offering evidence. Subsequently, a Report
2 and Recommendation was issued by the OHA. And in that
3 Report and Recommendation, the Hearing Officer
4 recommends that the application be denied as Ms.
5 Garcia is statutorily ineligible to receive a gaming
6 permit. And that's the recommendation for the Board.

7 CHAIRMAN:

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

10 MS. YOUNG:

11 Mr. Chairman, I move that the Board
12 adopt the Report and Recommendation issued by the OHA
13 regarding the Gaming Employee Occupation Permit of
14 Karen Garcia as described by the OCC.

15 MR. FAJT:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? The motion is adopted.

22 ATTORNEY COOK:

23 The next Report and Recommendation
24 pertains to a Dasean Greens' Petition to Lift the
25 Suspension of his Non-Gaming Employee Registration.

1 Mr. Green was issued a Non-Gaming Employee
2 Registration on December 3rd, 2014 and worked as a
3 steward in the restaurant at the Parx Casino prior to
4 his termination from that position in early 2015.
5 Subsequent to his termination, he maintained his Non-
6 Gaming Registration. And in June of 2015, the OEC
7 filed a complaint to suspend that registration after
8 learning Mr. Green had been charged with criminal
9 offenses in two separate instances. Specifically, in
10 February of 2015, he was arrested and charged with
11 retail theft after allegedly stealing over \$200 in
12 clothing from a Walmart store. A month later, in
13 March of 2015, he was arrested and criminally charged
14 after engaging in a physical altercation with his then
15 girlfriend.

16 On November 18th, 2015, the Board
17 suspended Mr. Greens' registration until at least
18 resolution of these criminal charges. Mr. Green is
19 now requesting that the Board lift the Suspension,
20 averring that the criminal matters have been resolved.
21 OEC objects to the lifting of the suspension because
22 they were both resolved by way of guilty pleas.

23 A hearing in this matter was held on
24 July 26th. Despite receiving proper notice, Mr. Green
25 did not appear in that hearing and it was held in his

1 absence. As a result there was no mitigating evidence
2 put into the record and the Hearing Officer's
3 recommendation is that the suspension in fact remain
4 in place as the charges that caused the suspension
5 have now resulted in conviction.

6 CHAIRMAN:

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

9 MR. FAJT:

10 Mr. Chairman, I move that the Board
11 adopt the Report and Recommendation issued by the OHA
12 regarding Desاون Greens' Petition to Lift the
13 Suspension of his Non-Gaming Employee Registration as
14 described by the OCC.

15 MR. MCCALL:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? The motion is adopted.

22 ATTORNEY COOK:

23 Robert S. Lee's Report and
24 Recommendation is the next matter before the Board
25 today. Mr. Lee was issued a Non-Gaming Employee

1 Registration on July 25th, 2016, and worked as an EVS
2 attendant in the Valley Forge Casino resort. On
3 August 2nd, 2016, the OEC filed a request for an
4 Emergency Suspension of Mr. Lee's Non-Gaming
5 Registration after learning that while off duty, he
6 had been arrested and charged with several criminal
7 offenses, which included a felony count stemming from
8 allegations that he forcibly stole a purse from a
9 female victim.

10 As a result of this arrest, the
11 Executive Director issued an Emergency Suspension as
12 requested by OEC. A hearing on the validity of an
13 Emergency Suspension was held on August 23rd. Despite
14 receiving proper notice, Mr. Lee did not attend or
15 present any evidence in support of his position that
16 the suspension not be put in place. As a result, the
17 Hearing Officer's recommendation is in fact that the
18 Suspension remain in place.

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 adopt the Report and Recommendation issued by the OHA
25 regarding the suspension of Robert S. Lee's Non-Gaming

1 Employee Registration as described by the OCC.

2 MR. JEWELL:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? The motion is adopted.

9 ATTORNEY COOK:

10 The next matter before the Board today
11 pertains to a Joint Petition filed by Mount Airy #1,
12 LLC and N&L Transportation, Incorporated, requesting
13 that N&L Transportation be removed from the Board's
14 Prohibited Gaming Service Provider List and denied
15 Gaming Service Provider List.

16 By way of background, N&L Transportation
17 has provided snow removal services to the Mount Airy
18 Casino. Related to that it filed an application for a
19 Gaming Service Provider Certification. After filing
20 its application N&L subsequently petitioned to
21 withdraw it. And OEC did not object to the Withdrawal
22 Petition so long as it was with prejudice as they were
23 in the midst of investigation.

24 As a result, in August of 2013, the
25 Board issued an Order withdrawing N&L's application

1 with prejudice. However, upon receipt of the Board
2 Order, the Bureau of Licensing not only marked N&L's
3 application as withdrawn, but also placed it on both
4 the Prohibited Gaming Service Provider List and Denied
5 Gaming Service Provider List. And as a result of this
6 placement on the list, N&L and Mount Airy filed this
7 Petition to be removed from the list as they were not
8 put on notice of that action.

9 The OHA held a hearing in this matter on
10 March 19th, 2015, with both parties attending. After
11 the hearing, a briefing schedule was issued and both
12 parties filed briefs as well. N&L essentially argued
13 that the withdrawal even with prejudice did not
14 warrant placement on these lists, and in fact, the
15 Board's regulations at the time did not provide for
16 such action.

17 OEC objected to the request,
18 specifically arguing that placement of entities whose
19 applications were withdrawn with prejudice on the list
20 is necessary to provide notice to the casinos of the
21 Commonwealth, that they can't do business with such
22 entities.

23 On August 20th, 2015, the Report and
24 Recommendation was issued in this matter recommending
25 that N&L be removed from both of these lists. And at

1 that time, given they were not put on notice about
2 placement on the list, the August 15th --- August 2015
3 Report and Recommendation was before this Board on
4 November 18th, 2015. But notwithstanding earlier
5 statements that N&L was considering refiling an
6 application where it can be removed from the list, but
7 was willing to regulate it as a Gaming Service
8 Provider.

9 During the meeting, counsel for
10 Petitioners indicated that they did not believe a snow
11 removal company was a Gaming Service Provider under
12 the Board's regulations. Based on the Petitioner's
13 new argument, the Board tabled the matter and referred
14 it back to OHA for a hearing on the second issue about
15 whether the snow removal company fell under the Gaming
16 Service Provider definition of Board's regulation.

17 A hearing on that issue was held on
18 December 3rd, 2015 and both Petitioner and OEC
19 appeared, presenting evidence to support their
20 positions. Supplemental briefs were also once again
21 filed. Petitioners again argued in those proceedings
22 that snow removal services are conducted entirely
23 outside of the licensed facility. The employees do
24 not set foot within the licensed facility, and their
25 services are not directly related to the operation of

1 the casino. And therefore the Petitioners did not
2 believe N&L is required by the Board's regulation to
3 become a Gaming Service Provider.

4 OEC, on the other hand, argued that in
5 fact that snow removal company does provide a service
6 necessary to the operation of the casino and --- and
7 then because of that fell under the Board's
8 regulations.

9 As a result of the protracted
10 proceedings, the Board today has two questions before
11 the Board for consideration. First, should N&L be
12 removed from the Prohibited Gaming Service Provider
13 List and denied Gaming Service Provider List? And
14 second, is N&L, a company that provides snow removal
15 services to a licensed facility in the Commonwealth, a
16 Gaming Service Provider?

17 I would note for the record that Michael
18 Sklar who is counsel for both N&L and Mount Airy is
19 present. I believe he's available to answer questions
20 should the Board so choose, but the record is quite
21 complete. I don't think he has much more to say
22 unless the Board has questions. And right now the
23 matter is ripe for the Board's consideration.

24 CHAIRMAN:

25 Just for the record, I want to make

1 certain --- Mr. Sklar, are you content to allow us to
2 proceed, or do you have any statement you want to
3 make?

4 ATTORNEY SKLAR:

5 Yeah, I ---.

6 CHAIRMAN:

7 Apparently you have a statement you want
8 to make.

9 ATTORNEY SKLAR:

10 As Steve said, the record is complete,
11 you have all of our arguments.

12 CHAIRMAN:

13 Okay. Thank you very much. May I have
14 a motion regarding N&L's request to be removed from
15 the Board's Prohibited Gaming Service Provider list?

16 MR. JEWELL:

17 Mr. Chairman, I move that N&L
18 Transportation, Inc. be immediately removed from the
19 Board's Prohibited Gaming Service Provider List and
20 denied Gaming Service Provider List. And
21 notwithstanding the previous Gaming Service Provider
22 being withdrawn with prejudice that it once again be
23 allowed to make application as a Gaming Service
24 Provider if it so chooses.

25 MR. MOSCATO:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 All opposed? The motion is adopted.

7 Now we have a motion regarding the question of whether
8 N&L as a provider of snow removal services should be
9 considered a Gaming Service Provider under the Board's
10 regulations?

11 MR. JEWELL:

12 Mr. Chairman, I move that the Board find
13 that N&L Transportation Inc. as a company providing
14 snow removal services to a licensed facility is a
15 Gaming Service Provider under the Board's regulations
16 as it is providing a service for use in the operation
17 of a licensed facility.

18 MR. MOSCATO:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? The motion is adopted.

25 ATTORNEY COOK:

1 Next before the Board is Brittany
2 Robinson's Report and Recommendation on March 30th,
3 2016. The OEC filed a complaint requesting that
4 Brittany Robinson be placed on the Board's Excluded
5 Persons List, alleging that she assisted her underage
6 friend, Kyrayah Fort, gain access to the gaming floor
7 at Sands Bethworks Casino.

8 Ms. Robinson requested a hearing in this
9 matter which was held on July 12th, 2016. Despite
10 receiving notice, Ms. Robinson did not attend at that
11 --- attend that hearing and it was held in her
12 absence. OEC at the hearing offered the testimony of
13 the Board, CCR Supervisor at Sands as well as
14 documentary evidence.

15 OEC's evidence showed that on March 8th,
16 2016, Ms. Robinson arrived at the casino With Ms.
17 Fort, an individual under 21 years of age and another
18 of age male. The CCR Supervisor testified that
19 surveillance video shows the three individuals in the
20 parking garage at Sands prior to their entering the
21 casino. And that Ms. Robinson can be seen providing
22 Ms. Fort with something, however it is not clear what
23 was being provided.

24 The video surveillance then shows that
25 the individuals split up with Ms. Robinson entering

1 the casino through the bus entrance while Ms. Fort and
2 the other individual, the male individual entered the
3 casino at the main entrance. According to the
4 testimony while at the main entrance, Ms. Fort and the
5 male are asked for identification with security
6 scanning both IDs which were presented. The records
7 of the scanners used, which was put into the record as
8 well, shows that Ms. Robinson's driver's license was
9 one of the cards --- pr driver's licenses scanned at
10 the main entrance, although according to the
11 testimony, the video does not show Ms. Robinson
12 actually entering that entrance.

13 Thereafter, Ms. Robinson and Ms. Fort
14 were found sitting together on the gaming floor.
15 After hearing all of the evidence presented, a Report
16 and Recommendation was issued by a Board Hearing
17 Officer, recommending that Ms. Robinson not be placed
18 on the Board's Exclusion List. Specifically the
19 Hearing Officer took issue with OEC's failure to place
20 the actual surveillance video into the record, rather
21 relying solely on the testimony of the CCR supervisor
22 who viewed the video. And that is the recommendation
23 before the Board.

24 CHAIRMAN:

25 Questions or comments from the Board?

1 May I have a motion?

2 MR. MOSCATO:

3 Mr. Chairman, I move that the Board
4 reject the Report and Recommendation issued by the OHA
5 regarding the placement of Brittany Robinson on the
6 PGCB's Involuntary Exclusion List as described by the
7 OCC, and that Ms. Robinson be placed on the Board's
8 Exclusion List for a period of at least one year,
9 after which, she may petition to come off the list.

10 MR. RYAN:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? The motion is adopted.

17 ATTORNEY COOK:

18 The final Report and Recommendation
19 before the Board today pertains to Roseann Stabile.
20 On April 5th, 2013, the Board placed Ms. Stabile on
21 the Involuntary Exclusion List after it found that
22 during September of 2012, she was involved in a scheme
23 with two other patrons and a Table Games Dealer at
24 Harrah's Philadelphia, which resulted in her
25 collecting winnings which she was not entitled to

1 receive.

2 Ms. Stabile pleaded guilty to charges
3 related to this conduct and was sentenced to two years
4 of probation and ordered to make restitution in excess
5 of \$3,500.

6 On May 9th, 2016, Ms. Stabile filed a
7 Petition requesting to be removed from the Exclusion
8 List stating that the incident was a misunderstanding
9 and that she was in the wrong place at the wrong time
10 and has not been involved in any criminal activity
11 since being placed on the list.

12 A hearing was held on August 2nd, 2016.
13 Despite receiving proper notice, Ms. Stabile failed to
14 attend the hearing. It occurred in her absence and of
15 course there was no mitigating evidence put into the
16 record. As a result, the recommendation of the
17 Hearing Officer is that she, in fact, not be removed
18 from the Exclusion List.

19 CHAIRMAN:

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

22 MR. RYAN:

23 Mr. Chairman, I move that the Board
24 adopt the Report and Recommendation issued by the OHA
25 regarding the Petition of Roseann Stabile to be

1 removed from the PGCB Involuntary Exclusion List as
2 described by the OCC.

3 MS. YOUNG:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion is adopted.

10 ATTORNEY SHERMAN:

11 And that concludes all matters of the
12 OCC.

13 CHAIRMAN:

14 Thank you very much. Next up, Sue
15 Hensel, Bureau of Licensing.

16 ATTORNEY HENSEL:

17 Thank you, Chairman Barasch and members
18 of the Board. Before the Board today will be one
19 Table Game Manufacturer Renewal License, and 1,034
20 Principal, Key, Gaming and Non-Gaming Employee
21 applicants. In addition, there will be consideration
22 of 15 Gaming Service Provider applicants. The first
23 matter for your consideration is the renewal of the
24 United States Playing Card Company's Table Games
25 Manufacturer License. The United States Playing Card

1 Company is a Kentucky-based enterprise that
2 manufactures several lines of playing cards as well as
3 card dealing chutes. The BIE has completed its
4 investigation of the company, and the Bureau of
5 Licensing has provided you with a background
6 investigation and suitability report. I have provided
7 you with a Draft Order for this entity and ask that
8 the Board consider the Order to renew the Table Game
9 Manufacturer License.

10 CHAIRMAN:

11 Questions or comments from enforcement
12 counsel?

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 MS. YOUNG:

19 Mr. Chairman, I move that the Board
20 approve the renewal of the United States Playing Card
21 Company's Table Game Manufacturer License as described
22 by the Bureau of Licensing.

23 MR. FAJT:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? The motion is adopted.

5 ATTORNEY HENSEL:

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

12 CHAIRMAN:

13 Comments from enforcement counsel?

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 approve the issuance of Principal and Key Employee
22 Licenses as described by the Bureau of Licensing.

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 HENSEL:

6 There are also Temporary Principal and
7 Key Employee Licenses for your consideration. Prior
8 to this meeting, the Bureau of Licensing provided you
9 with an Order regarding the issuance of temporary
10 licenses for five Principal and 26 Key Employees. I
11 ask that the Board consider the Order approving these
12 licenses.

13 CHAIRMAN:

14 Enforcement Counsel?

15 ATTORNEY PITRE:

16 Enforcement Counsel has no objection.

17 CHAIRMAN:

18 Questions or comments from the Board?

19 May I have a motion?

20 MR. MCCALL:

21 Mr. Chairman, I move the Board approve
22 the issuance of Temporary Principal and Key Employee
23 Credentials as described by the Bureau of Licensing.

24 MR. JEWELL:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 All opposed? The motion is adopted.

6 ATTORNEY HENSEL:

7 Next there are gaming permits and
8 non-gaming registrations. Prior to this meeting, the
9 Bureau of Licensing provided you with a list of 681
10 individuals to whom the Bureau has granted temporary
11 or full occupation permits and 228 individuals to whom
12 the bureau has granted registrations under the
13 authority delegated to the Bureau of Licensing. I ask
14 that the Board consider a motion to approving the
15 Order.

16 ATTORNEY PITRE:

17 Enforcement Counsel has no objection.

18 CHAIRMAN:

19 Questions or comments from the Board?

20 Do I have a motion?

21 MR. JEWELL:

22 Mr. Chairman, I move that the Board
23 approve the issuance of Gaming Employee Permits and
24 Non-Gaming Employee Registrations as described by the
25 Bureau of Licensing.

1 MR. MOSCATO:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 All opposed? The motion is adopted.

8 ATTORNEY HENSEL:

9 Also, there are recommendations of
10 denial for two gaming employee applicants and one
11 Gaming Service Provider applicant. In each case, the
12 applicant failed to request a hearing within the
13 specified time frame. The Bureau of Licensing has
14 provided you with Orders addressing the applicants who
15 the OEC has recommended for denial. I ask that the
16 Board consider a motion approving the denials.

17 ATTORNEY PITRE:

18 Enforcement Counsel continues to request
19 denial in each instance.

20 CHAIRMAN:

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

23 MR. MOSCATO:

24 Mr. Chairman, I move that the Board deny
25 the Gaming Service Provider and Gaming Employee

1 Applications as described by the Bureau of Licensing.

2 MR. RYAN:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? The motion is adopted.

9 ATTORNEY HENSEL:

10 Also for your consideration are
11 withdrawal requests for gaming and Non-Gaming
12 employees. In each case the permit or registration is
13 no longer required. For today's meeting, I have
14 provided the Board with a list of 62 gaming and 21
15 Non-Gaming employee withdrawals for approval. I ask
16 that the Board consider the Orders approving the list
17 of withdrawals.

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 Withdrawals as described by the Bureau of

1 Licensing.

2 CHAIRMAN:

3 Second?

4 MS. YOUNG:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? The motion is adopted.

11 ATTORNEY HENSEL:

12 Next we have an Order to certify the
13 following Gaming Service Providers. Go Go Bus Tours,
14 Inc., Keystone State Distributing, Inc., Macintosh
15 Linen and Uniform Rental, Inc., doing business as
16 Macintosh Services, Inc., and Power Promotions, LLC.
17 I ask that the Board consider the Order approving
18 these Gaming Service Providers for Certification.

19 ATTORNEY PITRE:

20 Enforcement Counsel has no objection.

21 CHAIRMAN:

22 Questions or comments from the Board?

23 May I have a motion?

24 MS. YOUNG:

25 Mr. Chairman, I move that the Board

1 approve the application for Gaming Service Provider
2 Certification as described by the Bureau of Licensing.

3 MR. FAJT:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion is adopted.

10 ATTORNEY HENSEL:

11 Finally, for your consideration are
12 Gaming Service Provider Registrations. The Bureau of
13 Licensing provided you with an Order and an attached
14 list of 11 registered Gaming Service Provider
15 applicants. I ask that the Board consider the Order
16 registering these Gaming Service Providers.

17 CHAIRMAN:

18 Enforcement Counsel?

19 ATTORNEY PITRE:

20 Enforcement Counsel has no objection.

21 CHAIRMAN:

22 Questions or comments from the Board?

23 May I have a motion?

24 MR. FAJT:

25 Mr. Chairman, I move that the Board

1 approve the applications for Gaming Service Provider
2 Registrations as described by the Bureau of Licensing.

3 MR. MCCALL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion is adopted.

10 ATTORNEY HENSEL:

11 That concludes the Bureau of Licensing's
12 matters.

13 CHAIRMAN:

14 Thank you, Susan. Next up, OEC.

15 ATTORNEY PITRE:

16 The OEC will present 17 matters for the
17 Board's consideration today consisting of eight
18 Consent Agreements, two revocations, and seven
19 involuntary exclusions. The first matter on the OEC
20 portion of the agenda is a Consent Agreement between
21 the OEC, and Mr. Kammaasho Kammaashok. The matter
22 will be presented by Assistant Enforcement Counsel
23 Dustin Miller.

24 ATTORNEY MILLER:

25 Thank you. Good morning, Chairman

1 Barasch, members of the Board. Dustin Miller on
2 behalf of the OEC. This Consent Agreement arises from
3 a petition the OEC filed to place Mr. Kammaashok on
4 the Board's Excluded Persons List on December 8th,
5 2015. The OEC filed the petition against Mr.
6 Kammaashok because on October 24th, 2015, Mr.
7 Kammaashok past posted four wagers while playing
8 roulette at Parx Casino, resulting in Mr. Kammaashok
9 receiving \$1,226 to which he was not entitled.

10 After being approached by Parx Casino
11 security personnel, Mr. Kammaashok made restitution of
12 \$500. Mr. Kammaashok was subsequently permanently
13 evicted from Parx Casino for his actions. The terms
14 of the Consent Agreement call for Mr. Kammaashok to be
15 placed on the Board's Exclusion List for a period ---
16 a minimum period of three years from his placement on
17 the Exclusion List. Mr. Kammaashok shall be barred
18 from petitioning the Board for early consideration for
19 his removal from the Exclusion List during the three
20 years from the date of his placement on the Exclusion
21 List.

22 Mr. Kammaashok shall be permitted to
23 file a Petition Requesting Removal from the Exclusion
24 List at any time after the three years from the date
25 of his placement on the list. The terms of the

1 agreement also require Mr. Kammaashok to make full
2 restitution of \$726 to Parx Casino.

3 Mr. Kammaashok is barred from requesting
4 a hearing concerning the removal from the date of the
5 --- yeah --- from three years from the date of his
6 placement on the Exclusion List. The Board's
7 placement of Mr. Kammaashok on the Exclusion List
8 shall have the effect of requiring the exclusion of
9 Mr. Kammaashok from all licensed facilities in The
10 Commonwealth of Pennsylvania.

11 Mr. Kammaashok is also prohibited from
12 collecting any, in any manner or in any proceeding,
13 any winnings or any losses arising from --- as a
14 result of any gaming activity for the entire period of
15 time that he's on the Board's Exclusion List.

16 And as a result of Mr. Kammaashok's
17 placement on the Exclusion List, the following
18 information will be made available to the public
19 through the Board's website; Mr. Kammaashok's name,
20 physical description, photograph, birth year, and also
21 a short description of the events that led to his
22 placement on the Exclusion List.

23 At this time, the OEC would ask the
24 Board to entertain the motion to approve this Consent
25 Agreement.

1 CHAIRMAN:

2 I trust Mr. Kammaashok is not present?

3 ATTORNEY MILLER:

4 No.

5 CHAIRMAN:

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

8 MR. MCCALL:

9 Mr. Chairman, I move that the Board
10 approve the Consent Agreement between the OEC and
11 Kammaasho Kammaashok 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? The motion is adopted.

19 ATTORNEY MILLER:

20 Thank you.

21 ATTORNEY PITRE:

22 The next matter on the agenda for the
23 Board's consideration is a Consent Agreement between
24 the OEC and Mount Airy #1, LLC doing business at the
25 Mount Airy Casino Resort. This matter will be

1 presented by Assistant Enforcement Counsel David
2 Tepper.

3 CHAIRMAN:

4 Before we proceed, if anybody other than
5 an attorney is going to be speaking for Mount Airy,
6 they should be --- should stand and be sworn in.

7 -----

8 DENNIS ASSELTA, HAVING FIRST BEEN DULY SWORN,
9 TESTIFIED AS FOLLOWS

10 -----

11 CHAIRMAN:

12 And could you state your name and spell
13 it for the court reporter?

14 MR. ASSELTA:

15 Dennis Asselta, A-S-S-E-L-T-A.

16 CHAIRMAN:

17 Thank you.

18 ATTORNEY TEPPER:

19 Good morning, Chairman Barasch, members
20 of the Board, David Tepper, T-E-P-P-E-R, with the OEC.
21 This proposed Consent Agreement involves Mount Airy
22 improperly replacing damaged cards. On May 25th,
23 2015, cards used to play blackjack were damaged in a
24 shuffler. Table games' staff took the shuffler to the
25 pit stand where they replaced the damaged cards,

1 replacing a damaged eight of spades with a fresh new
2 seven of spades. The cards were returned to play for
3 approximately 13 hours.

4 At this time, the OEC requests that the
5 Board approve this Consent Agreement between the
6 parties. The terms of the settlement include that
7 within five days of the Board's Order approving the
8 Consent Agreement, Mount Airy shall pay a civil
9 penalty of \$7,500. Also, within five days of the
10 Board Order, Mount Airy shall pay the Board \$2,500 for
11 the costs incurred by OEC, BIE and other Board Staff
12 in connection with the investigation of this matter.

13 And if you have any questions, we would
14 be happy to address them at this time.

15 CHAIRMAN:

16 Does Mount Airy have anything they wish
17 to say at this time?

18 ATTORNEY SKLAR:

19 Just very briefly. Good morning,
20 Michael Sklar on behalf of Mount Airy, S-K-L-A-R.
21 With me is Dennis Asselta, who is the Director of
22 Table Games at Mount Airy. If Dennis can just
23 describe the measures that were taken following this
24 incident to try to prevent similar incidents from
25 occurring in the future?

1 CHAIRMAN:

2 Thank you.

3 MR. ASSELTA:

4 Beginning with the day after the
5 incident, I personally met with all supervisors and
6 managers in the department. And I went over the
7 regulation, as well as the procedures we have in
8 place. We have included this topic in our training
9 for people who were dealers getting promoted into a
10 supervisory role, and we have added this to one of the
11 topics of our daily preshifts.

12 CHAIRMAN:

13 Thank you. Are there any questions from
14 any of the Board members?

15 MR. RYAN:

16 I have one. I noticed that this
17 replacing of an eight with a seven then continued for
18 13 hours. And I just express my amazement that no one
19 would have noticed that, just from the laws of
20 probability, it wouldn't have become apparent that
21 there were two sevens and no eight.

22 MR. ASSELTA:

23 Well, you know, it's an eight-deck shoe,
24 number one. The alarming part is that in that amount
25 of time, the machine never red-lighted again

1 indicating a problem. You know, we use a shuffle
2 machine with card recognition, which besides counting
3 the cards, you know, visually looks at every card.
4 And it should come up with a red light indicating, you
5 know, you have an extra one of this, or an extra ---
6 or missing that. That's the alarming part to me.

7 CHAIRMAN:

8 Do you have any idea --- to me, just
9 mathematically, it's kind of surprising.

10 MR. ASSELTA:

11 Yeah.

12 CHAIRMAN:

13 Do you have any thought on why that
14 happened, or ---?

15 MR. ASSELTA:

16 I spoke to the people that come in and
17 service our machines. You know, they're there two to
18 three times a week to do preventative maintenance.
19 And they agreed that a red light should have come up,
20 and it could be down to something as simple as a piece
21 of dust being on the camera lens, or ---

22 CHAIRMAN:

23 Oh, I see.

24 MR. ASSELTA:

25 --- you know, whatever the case may be,

1 and that's why it malfunctioned.

2 CHAIRMAN:

3 So, there's no thought that ---

4 MR. ASSELTA:

5 No.

6 CHAIRMAN:

7 --- two sevens didn't show up in the
8 same hand at some point?

9 MR. ASSELTA:

10 No.

11 CHAIRMAN:

12 Okay. Thank you very much. Any
13 questions from the Board? May I have a motion?

14 MR. JEWELL:

15 Mr. Chairman, I move that the Board
16 approve the Consent Agreement between the OEC and
17 Mount Airy #1, LLC as described by the OEC.

18 MR. MOSCATO:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? The motion is adopted.

25 Thank you very much.

1 ATTORNEY PITRE:

2 The next matter on the agenda for the
3 Board's consideration is a Consent Agreement between
4 the OEC and Mr. Robert Singh. This matter will also
5 be presented by Assistant Enforcement Counsel David
6 Tepper.

7 ATTORNEY TEPPER:

8 Good morning, Chairman Barasch, members
9 of the Board. On November 30th, 2015, Robert Singh
10 left his 22-year-old special needs son in a vehicle at
11 Mount Airy for approximately two hours and 15 minutes.
12 Mr. Singh was found playing blackjack after his
13 special needs son was identified in the vehicle by
14 Mount Airy personnel.

15 Mr. Singh was charged by the
16 Pennsylvania State Police with one count of recklessly
17 endangering another person and one count of disorderly
18 conduct. At the District Justice level, he pled
19 guilty to one count of disorderly conduct.

20 OEC engaged in negotiations with Mr.
21 Singh via his attorney. Mr. Singh has entered into
22 this Consent Agreement by which he agrees to be placed
23 on the Exclusion List for a minimum of one year, after
24 which time he may petition for removal from the Self
25 Exclusion List.

1 Mr. Singh's attorney has represented to
2 me that he is unable to be present today due to an
3 appearance in the Court of Common Pleas, but that he
4 has discussed this Consent Agreement with his client,
5 and is in agreement with the terms.

6 At this time, OEC requests that the
7 Board approve the Consent Agreement to place Robert
8 Singh on the Involuntary Exclusion List consistent
9 with the terms set forth in the Consent Agreement,
10 including that Mr. Singh's biographical information, a
11 summary of his inimical behavior and his photograph be
12 placed on the Board's public website.

13 CHAIRMAN:

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

16 MR. MOSCATO:

17 Mr. Chairman, I move that the Board
18 approve the Consent Agreement between the OEC and
19 Robert Singh as described 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 The next matter on the agenda for the
4 Board's consideration is a Consent Agreement for the
5 OEC and Robyn Grigg. This matter will be presented by
6 Assistant Enforcement Counsel John Crohe.

7 ATTORNEY CROHE:

8 Good morning, Chairman and members of
9 the Board, John Crohe, C-R-O-H-E, for the OEC. The
10 next matter for the Board's consideration is the
11 Consent Agreement reached between Robyn Grigg,
12 G-R-I-G-G, and the OEC regarding Ms. Grigg's inimical
13 activity at Rivers Casino.

14 On May 12th, 2016, Rivers' security was
15 notified by a Player's Club supervisor that a guest
16 was using different forms of identification to obtain
17 player's cards. On March 16th, 2016, it was
18 discovered that Robyn Grigg had obtained player's
19 cards using invalid Arizona identification that was
20 not issued by the State of Arizona.

21 Ms. Grigg presented invalid Arizona
22 identification that was not issued by the State of
23 Arizona at the Rivers Casino four times over the
24 course of a three-day period between March 10th, 2016
25 and March 12th, 2016. Ms. Grigg was subsequently

1 permanently evicted from Rivers Casino and charged
2 with four counts of violations concerning licenses.
3 Ms. Grigg currently has a trial scheduled for December
4 1st.

5 The OEC respectfully requests that this
6 Board approve the Consent Agreement and the
7 stipulations of settlement wherein Ms. Grigg has
8 agreed to be placed on the Board's Excluded Persons
9 List for a minimum of five years, that she shall be
10 barred from petitioning the Board for early
11 consideration of removal from the Exclusion List for
12 that five-year period, and that she is barred from
13 requesting a hearing concerning her removal from that
14 Exclusion List during this five-year period.

15 If the Board approves the placement of
16 Ms. Grigg on the Exclusion List, Ms. Grigg's picture,
17 physical description, and a summary of her inimical
18 behavior will be placed on the Board's public website.
19 Ms. Grigg was represented by her counsel, Anthony
20 DeLuca, during this negotiation. And I can answer any
21 questions you may have. Thank you.

22 CHAIRMAN:

23 I trust Ms. Grigg is not present? Any
24 questions or comments from the Board? May I have a
25 motion?

1 MR. RYAN:

2 Mr. Chairman, I move that the Board
3 approve the Consent Agreement between the OEC and
4 Robyn Grigg as described by the OEC.

5 MS. YOUNG:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 ALL SAY AYE

10 CHAIRMAN:

11 All opposed? The motion is adopted.

12 ATTORNEY PITRE:

13 The next matter on the Agenda for the
14 Board's consideration is a Consent Agreement between
15 the OEC, and Sands Bethworks Gaming, LLC doing
16 business as Sands Bethlehem. This matter will be
17 presented by Assistant Enforcement Counsel Michael
18 Roland.

19 ATTORNEY ROLAND:

20 Good morning, Members of the Board.

21 MR. FAJT:

22 Good morning.

23 ATTORNEY ROLAND:

24 Michael Roland, R-O-L-A-N-D, with the
25 OEC. We have a representative present for Sands.

1 This next proposed Consent Agreement involves two
2 incidents of failure to properly address Table Game
3 issues at Sands Casino.

4 Sands Security notified the Bureau of
5 Casino Compliance that ten playing cards from a blue
6 deck were found comingled with the red decks of
7 playing cards on Blackjack Table 109. The
8 surveillance footage of the alleged procedural
9 violation was reviewed, and it revealed that at 9:41
10 p.m., a Sands Floor Supervisor removed the blue decks
11 of playing cards from the CSM shuffler. At 9:48, the
12 dealer placed the red decks of playing cards into the
13 same shuffler, and by 10:53 p.m., the dealer
14 discovered a blue playing card comingled with the red
15 decks of playing cards after the round was completed.

16 A Sands Table Game Pit Manager counted
17 the cards from the earlier removed blue decks, which
18 were properly bagged, and reported that all the
19 playing cards from the blue decks were present.
20 However, at 1:05 a.m., two additional cards from the
21 blue decks appeared in play.

22 At this point, play was halted and the
23 red decks were reviewed. In total, there were ten
24 blue cards comingled with the red decks. A total of
25 194 rounds or 935 hands were dealt with comingled

1 cards. This incident was self reported by Sands.

2 The second count, surveillance notified
3 the Bureau of Casino Compliance about a procedure
4 violation by a dealer at Sands. The dealer, who was
5 assigned to Blackjack 204, failed to clear the throat
6 of the shoe, leaving one blue deck card when he was
7 placing the red decks in the shoe.

8 Surveillance performed a review and
9 provided that at 8:23 a.m., the dealer failed to clear
10 the throat of the shoe. He then inserted the red
11 decks. The blue card was discovered when it was
12 produced as the burn card. The blue decks, which was
13 missing one card at this point, were then placed in a
14 separate shuffler.

15 At approximately 8:32, the shuffler red
16 lighted because of that missing card. A Table Games
17 Supervisor was called to address the shuffler issue,
18 and he then approved the hand shuffle of the red decks
19 on the table until the matter with the blue cards was
20 resolved. The red decks, plus the one additional blue
21 card at this point, were hand shuffled by the dealer
22 and placed back in the shoe and put back into play.

23 In total, two shoes were played after
24 the blue card was used as the cut card. A total of
25 156 hands were dealt from 8:23 a.m. to 9:20 a.m.

1 before the blue card was discovered and removed. And
2 this incident was also self reported by Sands.

3 The OEC requests that the Board approve
4 the Consent Agreement and Stipulation of Settlement
5 entered into between the parties. Sands shall pay a
6 civil penalty in the amount of \$22,500 to the Board
7 within five days of the Board's Order approving this
8 Consent Agreement. Sands shall pay the Board \$2,500
9 for costs incurred by OEC, BIE and other related staff
10 in connection with this matter. This also should
11 happen within five days.

12 Further, Sands shall immediately review
13 policies and controls and provide training and
14 guidance to its employees which would minimize the
15 opportunity for the occurrence of a similar incident
16 in the future. If you have any questions, we would be
17 happy to take them at this time.

18 CHAIRMAN:

19 Could Counsel for Sands please identify
20 yourself for the Court Reporter?

21 ATTORNEY KRAMER:

22 Yes. Scott Kramer, Duane Morris,
23 representing Sands Bethlehem. Mr. Chairman,
24 Commissioners, Madam Commissioner, Sands accepts the
25 jurisdiction of the Board, and the OEC and enters into

1 this Consent Agreement voluntarily. I think it's
2 noteworthy that this is the first penalty assessed for
3 any gaming procedure or irregularity against Sands
4 Bethlehem.

5 The Petition explains the measures that
6 are taken by Sands in response to the investigation
7 and Consent Order and they consist, as you may have
8 read, of coaching and counseling sessions for all
9 implicated persons, of retraining on the ONE2SIX
10 shuffler for all personnel, that this shuffler has
11 been moved from the blackjack games to another
12 location, and there has been a change in the color of
13 the cards approved by the Board to create a more
14 vibrant backing of the cards to prevent possibility of
15 any visual errors in the future.

16 CHAIRMAN:

17 Thank you. Any questions or comments
18 from the Board?

19 MR. FAJT:

20 I have one quick question. Mike, I
21 heard you say that the blue deck shoe light went on
22 when it was missing a card and they loaded the blue
23 decks into the shoe. But I didn't hear --- and maybe
24 I just missed it --- did the red deck shoe light go on
25 because it had a blue card in it, or was it not ---

1 was it not sensitive to the color?

2 ATTORNEY ROLAND:

3 It was not sensitive. These specific
4 shufflers, which I --- now Sands, I believe, has
5 replaced at all the blackjack tables, they're a bit
6 antiquated and are unable to identify not only number,
7 but color of cards. So really the only time they red
8 light is if there's a jam or if the shuffler itself is
9 manually opened. Obviously, that's problematic and
10 they've replaced it for that reason.

11 MR. FAJT:

12 Thank you.

13 ATTORNEY ROLAND:

14 Sure.

15 CHAIRMAN:

16 Any other questions? May I have a
17 motion?

18 MS. YOUNG:

19 Mr. Chairman, I move that the Board
20 approve the Consent Agreement between the OEC and
21 Sands Bethworks Gaming, LLC as described by the OEC.

22 MR. FAJT:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 All opposed? The motion is adopted.
4 Thank you very much.

5 ATTORNEY CROHE:

6 Mr. Chairman, I neglected to introduce
7 our Sands representatives here today. There was no
8 need for testimony, but I'd like to take that
9 opportunity.

10 CHAIRMAN:

11 Please, please.

12 ATTORNEY CROHE:

13 We have Mr. Juliano, who you all know,
14 Mark Juliano, President. We also have three
15 Directors; Jack Kennedy, Director of Table Games.
16 Jeff Tomlinson, Director of Compliance and Matt
17 Forbes, Director of Security.

18 CHAIRMAN:

19 Thank you. Thank you very much.

20 ATTORNEY PITRE:

21 The next matter on the agenda for the
22 Board's consideration is a Consent Agreement between
23 the OEC and Holdings Acquisition, Co., LP doing
24 business at Rivers Casino. This matter will also be
25 presented by Assistant Enforcement Counsel Michael

1 Roland.

2 ATTORNEY ROLAND:

3 The next proposed Consent Agreement
4 involved unauthorized procedures which were conducted
5 at Rivers Casino. The BIE conducted an investigation
6 related to an allegation that Rivers had offered two
7 poker tournaments, which included a rule variation
8 known as win the button, without the necessary
9 approval from the PGCB.

10 According to the Board's regulations and
11 that's specifically 637a.11.(c), a button shall be
12 used to indicate the order in which the cards shall be
13 dealt, and the order in which players shall bet in
14 accordance with the following procedures. One, at the
15 commencement of play, the button shall be placed in
16 front of either the first player to the right of the
17 dealer, the player randomly determined by rank of a
18 single card dealt. Thereafter, the button shall
19 rotate around the table in a clockwise manner after
20 each round of play.

21 The Bureau of Operations --- the Bureau
22 of Gaming Operations reviewed the win the button
23 modification and determined that the rule variation,
24 win the button, was inconsistent with the Board
25 approved rules. Again, that's specifically

1 637a.11.(c).

2 The investigation ultimately revealed
3 that on April 24th, 2015 and June 22nd, 2015, Rivers
4 did, in fact, offer and conduct the win the button
5 tournament. This was done without receiving required
6 prior approval from the PGCB.

7 Additionally, BIE discovered that Rivers
8 advertised the Win the Button Poker Tournaments on two
9 separate gaming websites. Both websites provided
10 detailed information about the two poker tournaments.

11 The OEC requests that the Board approve
12 this Consent Agreement and Stipulation of Settlement
13 entered into between the parties. Rivers shall pay a
14 civil penalty in the amount of \$20,000 to the Board
15 within ten days of the Board's Order approving this
16 Consent Agreement.

17 Additionally, Rivers shall pay to the
18 Board \$2,500 for the costs incurred by OEC, BIE and
19 other related staff in connection to this matter.
20 Further, Rivers shall immediately review policies and
21 controls and provide training and guidance to its
22 employees which will minimize the opportunity for the
23 occurrence of this incident in the future.

24 If you have any questions, we would be
25 happy to take them at this point.

1 CHAIRMAN:

2 Counsel for Rivers, could you identify
3 yourself for the court reporter?

4 ATTORNEY DONNELLY:

5 Yes. Good morning, members of the
6 Commission, John Donnelly on behalf of Rivers. Also
7 with me is Danielle Cisneros, who is Senior Counsel,
8 and I'm sure you've met her before. This was just an
9 error. It was the belief that this had been
10 submitted. It wasn't submitted. They literally have
11 hundreds of these tournaments, and these two
12 particular tournaments were an oversight. And we do
13 consent to the penalty.

14 CHAIRMAN:

15 Okay. Any questions or comments from
16 the Board? May I have a motion?

17 MR. FAJT:

18 Mr. Chairman, I move that the Board
19 Approve the Consent Agreement between the OEC and
20 Holdings Acquisition, Co., LP; as described by the
21 OEC.

22 MR. MCCALL:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 All opposed? The motion is adopted.
4 Thank you for coming.

5 ATTORNEY PITRE:

6 The next matter on the agenda for the
7 Board's consideration is a Consent Agreement between
8 the OEC and Holdings Acquisition, Co., LP doing
9 business at Rivers Casino. This matter will be
10 presented by Assistant Enforcement Counsel Beth
11 Manifesto.

12 ATTORNEY MANIFESTO:

13 Good morning, Beth Manifesto on behalf
14 of OEC, M-A-N-I-F-E-S-T-O. We have for your
15 consideration is a Consent Agreement with Rivers based
16 upon an underage gaming incident which occurred on
17 March 25th of this year when security failed to card a
18 20-year-old woman. The underage woman was on the
19 gaming floor for approximately three hours and 38
20 minutes. She did not consume alcohol at the casino.

21 While she was on the gaming floor, she
22 placed multiple bets at table games and engaged in
23 slot play. She later exited the casino and then
24 attempted to reenter. At that time, she was carded by
25 a different security officer. And the security

1 officer reviewed the photo identification, did not
2 believe it belonged to the young woman in front of
3 her. The young woman was taken to Rivers' Secure
4 Operations Center by Pennsylvania State Police. And
5 eventually while there, she admitted she was 20 years
6 of age, and the identification was not hers.

7 The State Police charged her with a
8 third-degree misdemeanor for presenting false ID to
9 law enforcement and three summary offenses under 1518.

10 The OEC requests that Rivers Casino be
11 fined \$10,000 by the Board and additionally be
12 assessed the \$2,500 in administrative fees for BIE,
13 OEC and other staff regarding this matter. Each is to
14 be paid within five days of the Board's acceptance of
15 the Consent Agreement.

16 CHAIRMAN:

17 Any comments?

18 ATTORNEY DONNELLY:

19 Yes, John Donnelly again. As you know,
20 Rivers has a stellar record. This was the first
21 underage violation since November of 2015, so it broke
22 that record. The young lady came in with an older
23 companion and had her aunt's ID, and presented it, got
24 through the first time. And then when another guard
25 caught it, then she continued to try to deceive

1 everyone and ultimately admitted that she was 20.

2 CHAIRMAN:

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

5 MR. MCCALL:

6 Mr. Chairman, I move that the Board
7 approve the Consent Agreement between the OEC and
8 Holdings Acquisition Company, LP as described by the
9 OEC.

10 MR. JEWELL:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? The motion is adopted.

17 ATTORNEY MANIFESTO:

18 Thank you.

19 ATTORNEY PITRE:

20 The next matter on the agenda for the
21 Board's consideration is a Consent Agreement between
22 the OEC and Sugarhouse HSP Gaming, LP doing business
23 as Sugarhouse Casino. This matter will be presented
24 by Assistant Enforcement Counsel Jim Armstrong.

25 ATTORNEY ARMSTRONG:

1 Good morning, Chairman, Commissioners,
2 James Armstrong for the OEC. That's
3 A-R-M-S-T-R-O-N-G. The next matter on the agenda for
4 the Board's consideration is the Consent Agreement
5 reached between the OEC and Sugarhouse Casino in
6 regard to three subjects on the Board's Self Exclusion
7 List being permitted to gamble at Sugarhouse Casino.

8 Commissioners, in the first incident,
9 surveillance recordings revealed that a self-excluded
10 individual entered Sugarhouse's poker room at 12:01
11 a.m. on January 15th and played poker for several
12 hours. He played poker at various tables, buying in
13 four times, each time losing all of his chips.

14 At 4:20 a.m., the self-excluded
15 individual attempted to make a --- cash withdrawals
16 from two ATMs, but his card was declined both times.
17 He left the poker room and went to the casino where he
18 attempted to utilize the cash advance services when
19 his self-excluded status was determined by the
20 cashier.

21 Sugarhouse security was advised of the
22 self-excluded individual and responded to the cash
23 advance service booth and took custody of the subject
24 and escorted him to the back of the house.
25 Surveillance coverage showed that before they reached

1 the security office, a security officer released the
2 self-excluded individual and allowed him to leave the
3 casino without an escort. Security did not notify the
4 Sugarhouse Surveillance Department, the Bureau of
5 Casino Compliance or the State Police in regard to the
6 self-excluded individual.

7 This matter was discovered by a
8 compliance review conducted by the Bureau of Casino
9 Compliance. The security officer received a final
10 written warning from Sugarhouse. The self-excluded
11 individual placed himself on the Board's Self
12 Exclusion List on April 20th, 2015, and it is a
13 lifetime self exclusion.

14 Commissioners, in the second incident,
15 on June 24th, a self-excluded individual entered
16 Sugarhouse at 3:22 p.m., and was discovered at 4:24
17 p.m. at the rush rewards desk. Prior to discovery,
18 the self-excluded patron played slot machines and the
19 big six game in pit 10. Security officers responded
20 to the rush rewards desk and took custody of the
21 self-excluded individual. She was turned over to the
22 Pennsylvania State Police, who cited her for
23 trespassing and escorted her off the property.

24 A subsequent review by Sugarhouse
25 determined that the self-excluded individual violated

1 the Board's Self Exclusion List on a previous date.
2 On June 22nd, the self-excluded individual
3 successfully accessed services at the main cage
4 through check cashing transactions because the
5 cashiers did not review or follow proper procedures
6 regarding self-excluded persons' identification.

7 In all, the self-excluded individual
8 cashed two checks and played on 16 different slot
9 machines in different gaming zones. The two cashiers
10 received level two warnings for this incident with the
11 self exclusion. The self-excluded individual placed
12 herself on the Self Exclusion List on April 5th of
13 2014, and it was a lifetime exclusion.

14 Finally, in the third incident,
15 Commissioners, the self-excluded individual entered
16 Sugarhouse at 6:35 p.m. on June 30th, and began
17 playing the slot machine. At 7:23 p.m., the slot
18 machine the self-excluded individual was playing
19 recorded a jackpot in the amount of \$1,474. At 7:24
20 p.m., the player services agent arrived to verify and
21 pay the jackpot. The player services agent received
22 the self-excluded individual's identification while he
23 was completing the jackpot slip, but did not scan the
24 self-excluded individual's identification to determine
25 if he was excluded or self excluded. The player

1 services agent paid the self-excluded individual the
2 \$1,474 jackpot.

3 At 7:36 p.m., the self-excluded
4 individual left Sugarhouse. The patron's
5 self-exclusion status came to light when the player
6 services agent returned to the jackpot room and
7 checked the self-excluded individual's identification
8 in the KONAMI Casino Management System. The player
9 services agent notified his manager, who notified the
10 Bureau of Casino Compliance.

11 Since the self-excluded individual left
12 the property before the jackpot could be confiscated,
13 the player services agent's manager took the --- took
14 \$1,474 from the player services agent's slot wallet
15 and turned it into the self-exclusion confiscated
16 funds log at the main cage. The self-excluded
17 individual placed himself on the Board's Self
18 Exclusion List on March 15th, 2015 through the one
19 year self exclusion and remains on the Board's Self
20 Exclusion List. The player services agent received a
21 level two written warning for his conduct in this
22 incident.

23 Commissioners, the OEC and Sugarhouse
24 Casino respectfully request the Board to approve the
25 Consent Agreement and Stipulation of Settlement which

1 requires Sugarhouse to maintain policies and training
2 to prevent similar violations of the Board's Self
3 Exclusion List, for Sugarhouse to pay a civil penalty
4 of \$22,500, as well as additional costs of \$2,500 for
5 costs incurred by the OEC and other staff in
6 connection with the investigation, assessment and
7 settlement of these incidents.

8 We'll be glad to answer any questions.

9 CHAIRMAN:

10 Do you have any comments, Mr. Donnelly?

11 ATTORNEY DONNELLY:

12 No. I'd like to introduce, though, to
13 the Commission Dean McBride, who is a new employee of
14 Sugarhouse --- relatively new. He's the Vice
15 President of Gaming. He's got --- first time he's
16 been here as well --- 20 years of service with the old
17 Harrah's --- the real Harrah's before it became
18 Harrah's in wheel (phonetic) and Hilton and Caesar.
19 So just wanted to introduce Dean, who's going to be
20 taking over that aspect.

21 CHAIRMAN:

22 Welcome.

23 ATTORNEY DONNELLY:

24 I do want to say two things, Mr.
25 Chairman, if I would --- could. The first one, the

1 man who came back and used the ATM, the person who was
2 involved from Sugarhouse is no longer with us. But
3 what he was told is that --- the man said he's using
4 the ATM because he's out of gas. And our employee was
5 not aware that he had been in the casino at the time
6 that it happened.

7 The other two persons, as you're aware,
8 were --- all received level two warnings, which are
9 serious warnings, with regard to this matter. That's
10 all I have. Thank you.

11 CHAIRMAN:

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

14 MR. JEWELL:

15 Mr. Chairman, I move that the Board
16 approve the Consent Agreement between the OEC and
17 Sugarhouse HSP Gaming, LP as described by the OEC.

18 MR. MOSCATO:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? The motion is adopted.

25 Thank you very much.

1 ATTORNEY PITRE:

2 The next two matters on the agenda
3 consist of enforcement actions in which the OEC has
4 filed complaints seeking the Revocation of one Gaming
5 Permit and one Non-Gaming Registration issued to
6 individuals by the Board. Each complaint has been
7 filed with the Board's OHA and properly served upon
8 the individual named in the complaint.

9 The individual named in each complaint
10 failed to respond within 30 days as required by Board
11 regulation. As a result, the OEC filed a request for
12 default judgment and properly served the same upon
13 each named individual. Thereby, the facts in each
14 complaint are deemed admitted. All filed documents
15 have been provided to the Board and the matters are
16 presently ripe for Board consideration.

17 In each instance, we will read a brief
18 summation of the facts and request the appropriate
19 Board action.

20 CHAIRMAN:

21 Thank you.

22 ATTORNEY ARMSTRONG:

23 Chairman and Commissioners, James
24 Armstrong for the OEC. The first matter is a motion
25 to consider Revocation of Benson Johnson's Non-Gaming

1 Employee Registration.

2 Commissioners, on February 22nd, the OEC
3 filed a complaint to revoke Mr. Johnson's Non-Gaming
4 Employee Registration. The basis for the complaint
5 was Mr. Johnson's conduct amounting to theft while
6 employed as an EVS attendant at Sugarhouse Casino.
7 Mr. Johnson, while on duty, was observed on
8 surveillance coverage finding a patron's lost cellular
9 phone, but not turning it into the casino's lost and
10 found. After security confronted him, Mr. Johnson
11 returned the phone. Mr. Johnson was not criminally
12 charged, but he was terminated from Sugarhouse Casino
13 for violating the company's standard of conduct.

14 Accordingly, the OEC requests that the
15 Board revoke Mr. Johnson's Non-Gaming Employee
16 Registration at this time. Thank you.

17 CHAIRMAN:

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

20 MR. MOSCATO:

21 Mr. Chairman, I move that the Board
22 approve the Revocation of Mr. Johnson's Non-Gaming
23 Employee Registration as described by the OEC.

24 MR. RYAN:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 All opposed? The motion is adopted.

6 Thank you.

7 ATTORNEY ROLAND:

8 Michael Roland again, with the OEC, and
9 this is a request to revoke the Gaming Employee Permit
10 of Barbara Hernandez. Ms. Hernandez held the position
11 of cage cashier at Sands Casino. She was observed
12 placing a \$40 tip she received from a patron into her
13 pants pocket as opposed to placing these tips into a
14 tote container. She ultimately admitted to taking the
15 \$40 tip both verbally and in writing. Ms. Hernandez
16 was terminated from Sands, but not criminally charged.

17 And the matter is now before the Board
18 to consider the Revocation of the Gaming Employee
19 Permit of Barbara Hernandez.

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 revocation of Barbara Hernandez's Gaming

1 Employee Occupation Permit as described by the OEC.

2 MS. YOUNG:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? The motion is adopted.

9 ATTORNEY PITRE:

10 The remaining seven matters on the
11 agenda consist of enforcement actions in which the OEC
12 has filed a petition seeking the involuntary exclusion
13 of individuals whose presence in a licensed facility
14 are inimical to the interests of the Commonwealth
15 and/or licensed gaming therein.

16 In each instance, the Petition for
17 Exclusion has been filed with the Board's OHA, and
18 properly served upon the individual named in each
19 petition. The individual named in the petition failed
20 to respond within 30 days as required by Board
21 regulation. As a result, the OEC filed a request for
22 default judgment and properly served the same upon
23 each individual. Thereby, all facts in each petition
24 are deemed admitted, all filed documents have been
25 provided to the Board and the matter is presently ripe

1 for the Board's consideration.

2 Once again, we'll read a brief summation
3 of the facts. It should be noted that if the Board
4 are to propose the exclusion, each individual's photo,
5 personal identifiers and a summary of the inimical
6 conduct will be placed on the Board's public website.

7 CHAIRMAN:

8 Thank you.

9 ATTORNEY MILLER:

10 Good morning, Dustin Miller once again
11 on behalf of the OEC. The next matter today is a
12 request for placement on the Board's Excluded Persons
13 List involving Maurice Howard. The OEC filed a
14 Petition to place Mr. Howard on the Exclusion List on
15 July 11th, 2016 for removing a losing wager from a
16 blackjack table before the dealer could collect it,
17 threatening Parx Casino employees, and leaving Parx
18 Casino without making restitution on February 11th,
19 2016.

20 Mr. Howard was charges with two counts
21 of terroristic threats, two counts of theft, and a
22 count of disorderly conduct due to the incident. At
23 this time, based upon the foregoing, the OEC ask that
24 the Board place Maurice Howard on the Board's Excluded
25 Persons List.

1 CHAIRMAN:

2 Questions or comments from the Board?

3 May I have a motion?

4 MR. FAJT:

5 Mr. Chairman, I move that the Board
6 approve the addition of Maurice Howard to the PGCB
7 Involuntary Exclusion List as described by the 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 ATTORNEY CROHE:

16 Good morning again, John Crohe,
17 C-R-O-H-E for the OEC. The next matter for the
18 Board's consideration is a Petition to place Ryan
19 Transue on the Board's Excluded Persons List for
20 illegally past posting a bonus wager while gaming at
21 Meadows Casino. Mr. Transue was charged with
22 knowingly by trick or fraud winning or reducing a loss
23 and ultimately pled guilty to disorderly conduct.

24 The OEC now requests that the Board
25 place Ryan Transue on the Board's Excluded Persons

1 List which includes Mr. Transue's picture, physical
2 description and a summary of his inimical activity
3 being placed on the Board's public website.

4 CHAIRMAN:

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

7 MR. MCCALL:

8 Mr. Chairman, I move that the Board
9 approve the addition of Ryan Transue to the
10 Pennsylvania Gaming Control Board Involuntary
11 Exclusion List 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? The motion is adopted.

19 ATTORNEY STUART:

20 Thank you. Glen Stuart again for the
21 OEC. Next for the Board's consideration is the
22 placement of Mustafa Whitfield on the Exclusion List.
23 In early November of 2015, Mr. Whitfield forcibly
24 robbed two patrons in the parking garage of the
25 Harrah's Philadelphia Casino and Race Track. As such,

1 the OEC requests the Board place Mustafa Whitfield on
2 the Exclusion List.

3 CHAIRMAN:

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

6 MR. JEWELL:

7 Mr. Chairman, I move the Board approve
8 the addition of Mustafa Whitfield to the PGCB
9 Involuntary Exclusion List as described by the OEC.

10 MR. MOSCATO:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? The motion is adopted.

17 ATTORNEY STUART:

18 The next Petition regards Tejas Ajmeri
19 going on the Board's Involuntary Exclusion List. In
20 July 2016, Tejas Ajmeri attempted to use a fake ID to
21 gain access to the gaming floor at Mount Airy Casino.
22 He was subsequently cited by the Pennsylvania State
23 Police and pled guilty. At this time, the OEC
24 requests that the Board add Tejas Ajmeri to the
25 Board's Involuntary Exclusion List and that his

1 biographical information, summary of his inimical
2 behavior and his photograph be placed on the Board's
3 public website.

4 CHAIRMAN:

5 Thank you. Questions from the Board?
6 May I have a motion?

7 MR. MOSCATO:

8 Mr. Chairman, I move that the Board
9 approve the addition of Tejas Ajmeri to the PGCB
10 Involuntary Exclusion List as described by the OEC. I
11 further move that Mr. Ajmeri may petition for removal
12 from that list any time after his 22nd birthday.

13 MR. RYAN:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The motion is adopted.

20 ATTORNEY STUART:

21 The next Petition is in regards to the
22 placement of Maria Neyra Pajares on the Board's
23 Involuntary Exclusion List. In July of 2016, Maria
24 Neyra Pajares attempted to use a fake ID to gain
25 access to the gaming floor at Mount Airy Casino. She

1 was subsequently charged by the Pennsylvania State
2 Police and pled guilty. And at this point in time,
3 the OEC requests that the Board add Maria Neyra
4 Pajares to the Board's Involuntary Exclusion List and
5 that a summary of her inimical behavior, her
6 biographical information and her photograph be placed
7 on the Board's public website.

8 CHAIRMAN:

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

11 MR. RYAN:

12 Mr. Chairman, I move that the Board
13 approve the addition of Maria Pajares to the PGCB
14 Involuntary Exclusion List as described by the OEC. I
15 further move that Ms. Pajares may petition for removal
16 from the list any time after her 22nd birthday.

17 MS. YOUNG:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 All opposed? The motion is adopted.

24 ATTORNEY STUART:

25 The next petition is in regards to the

1 placement of Matthew Roca on the Board's Involuntary
2 Exclusion List. In July 2016, Mr. Roca attempted to
3 use a fake ID to gain access to the gaming floor of
4 Mount Airy Casino. Mr. Roca was cited by the
5 Pennsylvania State Police and subsequently also pled
6 guilty. And at this time, the OEC requests that the
7 Board place Matthew Roca on the Board's Involuntary
8 Exclusion List, and that his biographical information,
9 a summary of his inimical behavior and his photograph
10 be placed on the Board's public website.

11 CHAIRMAN:

12 Questions or comments from the Board?

13 May I have a motion?

14 MS. YOUNG:

15 Mr. Chairman, I move that the Board
16 approve the addition of Matthew Roca to the PGCB
17 Involuntary Exclusion List as described by the OEC. I
18 further move that Mr. Roca may petition for removal
19 from that list any time after his 22nd birthday.

20 MR. FAJT:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? The motion is adopted.

2 ATTORNEY STUART:

3 OEC's final petition is in regards to
4 the placement of Rebecca Yadush on the Board's
5 Involuntary Exclusion List. In July 2016, Rebecca
6 Yadush attempted to use a fake ID to gain access to
7 the gaming floor of Mount Airy Casino. Ms. Yadush was
8 subsequently cited by the Pennsylvania State Police
9 and pled guilty. And at this time, the OEC requests
10 that the Board add Rebecca Yadush to the Board's
11 Involuntary Exclusion List, and that a summary of her
12 inimical behavior, her biographical information and
13 her photograph be placed on the Board's public
14 website.

15 CHAIRMAN:

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

18 MR. FAJT:

19 Mr. Chairman, I move that the Board
20 approve the addition of Rebecca Yadush to the PGCB
21 Involuntary Exclusion List as described by the OEC. I
22 further move that Ms. Yadush may petition for removal
23 from that list any time after one year.

24 MR. MCCALL:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 All opposed? The motion is adopted.

6 That concludes the OEC's report?

7 ATTORNEY STUART:

8 Thank you.

9 CHAIRMAN:

10 Thank you. Okay. That concludes our
11 business for today. Our next scheduled public session
12 will be held on Wednesday, December 14th in this
13 hearing room and would begin at ten o'clock in the
14 morning. Are there any other final comments from the
15 Board or Ex-Officio Members? Do I have a motion to
16 adjourn?

17 MR. MCCALL:

18 So moved.

19 CHAIRMAN:

20 Oh, I'm sorry. A comment?

21 MR. FAJT:

22 Just shaking my head.

23 MR. JEWELL:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 All opposed? The motion is adopted.

5 Thank you all.

6 * * * * *

7 HEARING CONCLUDED AT 11:45 A.M.

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22 CERTIFICATE

23 I hereby certify that the foregoing
24 proceedings, hearing held before Chair Barasch was
25 reported by me on 11/16/2016 and that I, Bernadette M.

1 Black, read this transcript, and that I attest that
2 this transcript is a true and accurate record of the
3 proceeding.

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Bernadette M. Black

Bernadette M. Black,
Court Reporter

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Bernadette M. Black

Bernadette M. Black,
Court Reporter