

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

\* \* \* \* \*

PUBLIC MEETING

\* \* \* \* \*

BEFORE: MARY DIGIACOMO COLINS, Chairman  
Raymond S. Angeli, Jeffrey W. Coy, James B.  
Ginty, Kenneth T. McCabe, Sanford Rivers,  
and Gary A. Sojka, Members  
Keith Welks, Ex-officio Designee

MEETING: Friday, January 11, 2008  
11:15 a.m.

LOCATION: Capitol Office Complex  
North Office Building  
Hearing Room One  
Harrisburg, PA 17106

WITNESSES: Anne LaCour Neeb, Linda Lloyd, Richard  
Sandusky, Doug Sherman, Susan Hensel,  
Barry Creany

**ORIGINAL**

Reporter: Kenneth D. O'Hearn

Any reproduction of this transcript  
is prohibited without authorization  
by the certifying agency.

A P P E A R A N C E S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

FRANK DONAGHUE, ESQUIRE  
Office of Chief Counsel  
PA Gaming Control Board  
P.O. Box 69060  
Harrisburg, PA 17106-9060  
Counsel for the Board

ALSO PRESENT:  
Stacy Amsler, on behalf of Secretary Tom Wolf

## I N D E X

1		
2		
3	OPENING REMARKS	
4	by Chairman Colins	4 - 6
5	PRESENTATIONS AND REPORTS	
6	by Ms. Neeb	6
7	by Ms. Lloyd	7 - 8
8	by Ms. Neeb	8 - 11
9	by Mr. Sandusky	11 - 14
10	by Mr. Donaghue	14 - 15
11	by Mr. Sherman	16 - 19
12	by Ms. Hensel	19 - 26
13	by Mr. Creany	26 - 28
14	CERTIFICATE	30
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

## P R O C E E D I N G S

1

2

3

CHAIRMAN:

4

5

6

7

8

9

Good morning. I'm Mary Colins, Chairman of the Pennsylvania Gaming Control Board. I'd like to welcome the Board and each of you to our proceedings. A quorum of the Board is present, and that being the case, I will call this meeting to order. We have Keith Welks here.

10

MR. WELKS:

11

Yes.

12

CHAIRMAN:

13

14

15

16

17

18

19

Good morning. He's attending on behalf of the State Treasurer, Robin Weissmann. And Stacie Amsler is here, attending on behalf of Secretary Wolf. Thank you both. And now will everyone please turn off their Blackberries and cell phones and other electronic devices, and we'll stand and Pledge Allegiance.

20

PLEDGE OF ALLEGIANCE RECITED

21

CHAIRMAN:

22

23

24

25

By way of announcements, the Board held an Executive Session on January 3rd, and prior to today's meeting in accordance with the Sunshine Act, to discuss personnel issues, privileged agency

1 business and to consult with counsel and other  
2 professional advisors to the Board concerning current  
3 litigation and matters in which complaints are  
4 expected to be filed.

5           With respect to the transcript and the  
6 minutes, may I have a motion from the Board to approve  
7 the transcript and minutes of the November 8th, 2007  
8 meeting?

9           COMMISSIONER SOJKA:

10           Yes, Madam Chairman. I move that the  
11 Board approve the transcript and minutes of the  
12 November 8th, 2007 meeting.

13           COMMISSIONER ANGELI:

14           Second.

15           CHAIRMAN:

16           Any questions or comments? All in favor?

17 AYES RESPOND

18           CHAIRMAN:

19           Opposed?

20 NO RESPONSE

21           CHAIRMAN:

22           Motion carries. Thank you. Now our  
23 Executive Director, Anne Neeb, will give us her  
24 report.

25           MS. NEEB:

1 Good morning, Chairman Colins and members  
2 of the Board. Before I move on to any motions, I  
3 would just like to acknowledge that Mike Cruz, who's  
4 been our senior manager for the Gaming Lab, upon  
5 request --- we're requesting that he be made the  
6 Director of the Gaming Lab, and I ask for the Board's  
7 concurrence in that matter.

8 COMMISSIONER GINTY:

9 So moved.

10 COMMISSIONER SOJKA:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 AYES RESPOND

15 CHAIRMAN:

16 Opposed?

17 NO RESPONSE

18 CHAIRMAN:

19 Motion carries.

20 MS. NEEB:

21 Thank you. The first matter on the  
22 Board's agenda is a motion to approve the revised  
23 filing and copying fees. Linda Lloyd is here as the  
24 Director of the Office of Hearings and Appeals, and  
25 I'll have her talk about that motion.

1                   MS. LLOYD:

2                   Good morning, Chairman Colins and members  
3 of the Board. I have today for your consideration a  
4 revised fee schedule relating to the filing and  
5 copying fees in the Board's Clerk's Office. Section  
6 1208 of the Pennsylvania Racehorse Development and  
7 Gaming Act authorizes the Board to levy and collect  
8 fees to fund the operations of the Board.

9                   On December 20th, 2006 at a public  
10 meeting, the Board adopted the current filing and  
11 copying fee schedule, which was published in the  
12 *Pennsylvania Bulletin* on January 6th, 2007. Now that  
13 the Clerk's Office has had a year to work with this  
14 fee schedule, it's being concluded that changes to the  
15 schedule are warranted. Each of you has been provided  
16 with a draft of the new proposed filing fees and  
17 copying schedule, and I ask the Board at this time to  
18 adopt an order approving this new proposed fee  
19 schedule, which upon approval would be published in  
20 the *Pennsylvania Bulletin* and posted on the Board's  
21 web site.

22                   CHAIRMAN:

23                   Thank you. May I have a motion to adopt  
24 this revised filing and copying fee schedule?

25                   COMMISSIONER MCCABE:

1 Madam Chairman, I move that the Board  
2 adopt the revised fees for filing and providing  
3 copies, as developed by the Office of Hearings and  
4 Appeals, that the fees take effect immediately and  
5 that the new fees be published in the *Pennsylvania*  
6 *Bulletin* and posted to the Agency's web site.

7 CHAIRMAN:

8 Is there a second?

9 COMMISSIONER GINTY:

10 I second.

11 CHAIRMAN:

12 Any questions or comments? All in favor?

13 AYES RESPOND

14 CHAIRMAN:

15 Opposed?

16 NO RESPONSE

17 CHAIRMAN:

18 Motion carries. Thank you very much.

19 MS. LLOYD:

20 Thank you.

21 MS. NEEB:

22 Okay. Chairman Colins, the next matter I  
23 have is in connection with Penn National Gaming, which  
24 is Mountainview Thoroughbred Racing Association, and  
25 as you know, that's going to be the next casino that

1 will be opening in Pennsylvania. And I would request  
2 at this time that the motion to approve the Board  
3 audit, delegating authority to Chairman Colins and to  
4 Commissioner Sojka, collectively or in the  
5 Commissioner's individual capacity for the opening of  
6 Mountainview Thoroughbred Racing Association known as  
7 Penn National.

8 CHAIRMAN:

9 Well, in addition, I believe Commissioner  
10 Coy has also been delegated.

11 MS. NEEB:

12 That is correct.

13 CHAIRMAN:

14 So that would include the three of us, in  
15 the event that one or two would be unavailable.

16 MS. NEEB:

17 Unavailable. That's correct.

18 CHAIRMAN:

19 Okay. Very good. May I have a motion?

20 COMMISSIONER SOJKA:

21 Yes, Madam Chairman. If it doesn't sound  
22 too self-serving, I move that the Board delegate  
23 authority to you, Chairman Colins, to approve, either  
24 collectively with Board Member Coy or with myself,  
25 Board Member Gary Sojka, or in your individual

1 capacity, all pre-opening conditions to the Category 1  
2 Slot Machine License of Mountainview Thoroughbred  
3 Racing Association and determine the effective date  
4 and time at which slot operations may commence at  
5 Hollywood Casino at Penn National Race course in East  
6 Hanover Township, Dauphin County pursuant to the  
7 Board's Order dated December 20, 2006.

8 CHAIRMAN:

9 May I have a second?

10 COMMISSIONER MCCABE:

11 Second.

12 CHAIRMAN:

13 Questions or comments? All in favor?

14 AYES RESPOND

15 CHAIRMAN:

16 Opposed?

17 NO RESPONSE

18 CHAIRMAN:

19 Motion carries. Thank you.

20 MS. NEEB:

21 Okay. I have no other motions or orders,  
22 but the only other matter would be just to have the  
23 Chairman remind the public that January 30th is the  
24 Pennsylvania Horse racing Industry Exposition, which  
25 is going to take place at the Capitol from 10:00 to

1 2:00. And we certainly invite everyone to attend. I  
2 think it would be a very informative, wonderful  
3 exposition.

4 CHAIRMAN:

5 Great. Thank you.

6 MS. NEEB:

7 Thank you.

8 CHAIRMAN:

9 Our Chief Counsel?

10 ATTORNEY DONAGHUE:

11 Good morning. First, I'm going turn to  
12 the Director of our Regulatory Review, Rich Sandusky,  
13 who's going to discuss some amendments to Final Form  
14 Regulations.

15 MR. SANDUSKY:

16 Good morning. The one regulatory item we  
17 have for Board action today involves the final  
18 adoption of amendments to Chapters 405a and 461a. As  
19 the Board may remember, these regulations were  
20 approved as a proposed rulemaking by the Board in  
21 September and published in the *Pennsylvania Bulletin*  
22 in October of '07.

23 In response to the *Pennsylvania Bulletin*  
24 publication, we received one set of comments from  
25 International Gaming Technology in support of the

1 proposed amendments. After the close of the public  
2 comment period, the Independent Regulatory Review  
3 Commission conducted its review and notified the Board  
4 that they had no comments or objections to offer on  
5 the proposed regulation.

6 Before you now is the regulation in the  
7 same form it was proposed; i.e., the staff has made no  
8 revisions to the proposed language. The amendments in  
9 Chapter 405 cover some housekeeping matters and  
10 conformed revisions in that chapter to provisions that  
11 were in the later-adopted Chapter 493a.

12 The revisions in 461 really are two  
13 deletions, the first of which deletes the provisions  
14 relating to the alternate approval provisions in the  
15 regulation. This was allowed under the statute for  
16 the first three years, to allow time for us to  
17 establish our gaming laboratory. The second deletion  
18 is the 85 percent in 10 million plays standard. The  
19 standard is now functionally obsolete, because it is  
20 rare that machines will remain on the floor and  
21 experience the 10 million plays.

22 There are other provisions in our  
23 regulations that ensure that the minimum 85 percent  
24 payout provision required by statute must be met. And  
25 the gaming lab runs various tests to verify that the

1 software will meet that requirement.

2           If the Board has any questions, I'll try  
3 and answer them for you. If not, I'd ask for a motion  
4 for final adoption.

5           COMMISSIONER SOJKA:

6           Madam Chairman, I move that the Board  
7 adopt Final Form Regulation Number 125-71, amending  
8 Chapters 405a and 461a, and that the Final Form  
9 Regulation be posted on the Board's web site.

10          CHAIRMAN:

11          May I have a second?

12          COMMISSIONER MCCABE:

13          Second.

14          CHAIRMAN:

15          Any questions or comments?

16          COMMISSIONER SOJKA:

17          Could I just ask again, you mentioned  
18 machine. Would you want to substitute the word game  
19 in there, that a game is seldom ---?

20          MR. SANDUSKY:

21          That's correct, because ---.

22          COMMISSIONER SOJKA:

23          Okay. Because the machines will stay  
24 longer?

25          MR. SANDUSKY:

1 Yes, the machines will stay, but right  
2 now, particularly with the advent of server-based  
3 games where there are computer programs that are  
4 changed, it's the actual game.

5 COMMISSIONER SOJKA:

6 Game. Right. Thank you.

7 CHAIRMAN:

8 All in favor?

9 AYES RESPOND

10 CHAIRMAN:

11 Opposed?

12 NO RESPONSE

13 CHAIRMAN:

14 Motion carries. Thank you very much.

15 MR. SANDUSKY:

16 Thank you.

17 ATTORNEY DONAGHUE:

18 Okay. Next, Chairman Colins, I'd like to  
19 turn to the withdrawal of supplier and employee  
20 applications. The Board has received a total of four  
21 petitions to withdraw applications, which include two  
22 principal key employee applications, one supplier  
23 application and associated application of waivers, and  
24 one permittee gaming employee application. A listing  
25 of the individuals in each category, along with the

1 licensing docket numbers have been provided to the  
2 Board.

3           With regard to each of these requests,  
4 they were reviewed by the Office of Enforcement  
5 Counsel, and the Chief Enforcement Counsel has no  
6 objection to withdrawal, as there is no information  
7 constituting good cause to deny, condition, or  
8 prejudice the withdrawals of these applications, and  
9 all required fees have been paid to date.

10           These petitions would all be granted  
11 without prejudice. The Chief Counsel's Office concurs  
12 in this review and submits the four petitions to the  
13 Board for their consideration of a motion to grant  
14 these petitions without prejudice.

15           CHAIRMAN:

16           All right. May I have a motion to  
17 approve the Board orders regarding these withdrawals  
18 of supplier and employee applications?

19           COMMISSIONER MCCABE:

20           Madam Chair, I move that the Board  
21 approve the withdrawal of supplier and employee  
22 applications, as described the Office of Chief  
23 Counsel.

24           CHAIRMAN:

25           May I have a second?

1                   COMMISSIONER GINTY:

2                   Second.

3                   CHAIRMAN:

4                   Questions or comments? All in favor?

5 AYES RESPOND

6                   CHAIRMAN:

7                   Opposed?

8 NO RESPONSE

9                   CHAIRMAN:

10                  The motion carries.

11                  MR. SHERMAN:

12                  Good morning. The Board has received two  
13 petitions for consideration today. Both petitions are  
14 being considered upon documentary hearings. The  
15 Office of Enforcement Counsel has answered each  
16 petition, and the Board has been provided with the  
17 petitions and supporting evidentiary materials, as  
18 well as the response of the Office of Enforcement  
19 Counsel.

20                  The first petition is filed by  
21 Washington Trotting Association and seeks Board  
22 approval of a Parent Services Agreement pursuant to 58  
23 Pa. Codes Section 441.20. And the Statement of  
24 Conditions to their Conditional 1 --- I'm sorry, not  
25 their Conditional, to the Category 1 license on August

1 23rd, 2007. The agreement provides for Cannery Casino  
2 Resorts, LLC, the parent company of WTA, to receive  
3 payments based upon a percentage of revenues for  
4 providing a wide variety of services.

5 WTA alleges that the role of Cannery in  
6 providing services under the agreement, is limited to  
7 providing assistance in an advisory capacity and that  
8 the agreement does not allow Cannery to make any  
9 binding decisions on behalf of WTA.

10 The Office of Enforcement Counsel has  
11 reviewed the Parent Services Agreement and has no  
12 objection pending before this Board as to that  
13 agreement. Based upon the documentary record  
14 presented, it would be appropriate for the Board to  
15 consider a motion to approve the petition for approval  
16 of the Parent Services Agreement.

17 COMMISSIONER SOJKA:

18 Madam Chairman, I move that the Board  
19 approve the petition submitted by Washington Trotting  
20 Association for approval of a Parent Services  
21 Agreement, as described by the Office of Chief  
22 Counsel.

23 COMMISSIONER MCCABE:

24 Second.

25 CHAIRMAN:

1 Any questions or comments? All in favor?

2 AYES RESPOND

3 CHAIRMAN:

4 Opposed?

5 NO RESPONSE

6 CHAIRMAN:

7 Motion carries.

8 MR. SHERMAN:

9 The second petition presented to the  
10 Board has been filed by Counsel for Harrah's Chester  
11 Down's Management Company to surrender the temporary  
12 key employee license of James Laffey. Mr. Laffey  
13 resigned his position with Chester Downs, effective  
14 September 17th, 2007. Therefore, Chester Downs is  
15 requesting to surrender that license to the Board  
16 because Mr. Laffey is no longer employed there.

17 The Office of Enforcement Counsel has  
18 filed a response and has no objection to the current  
19 petition. Based upon that evidentiary record, the  
20 reasons asserted by the petitioner, and the response  
21 from OEC, it would be appropriate for this Board to  
22 consider a motion to approve the petition without  
23 prejudice.

24 CHAIRMAN:

25 May I have a motion?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMISSIONER COY:

Madam Chair, I move the Board approve the petition submitted by Chester Downs and Marina, LLC to surrender the temporary key employee license of James Laffey, as described by the Office of the Chief Counsel.

COMMISSIONER SOJKA:

Second.

CHAIRMAN:

Questions or comments? All in favor?

AYES RESPOND

CHAIRMAN:

Opposed?

NO RESPONSE

CHAIRMAN:

Motion carries. Thank you.

MR. SHERMAN:

Thank you.

ATTORNEY DONAGHUE:

Thank you.

CHAIRMAN:

Susan Hensel, our Director of Licensing.

MS. HENSEL:

Thank you, Chairman Colins and members of the Board. The first item I have for you today is a

1 brief update on the status of our Licensees who are  
2 moving forward with, or undertaking their plans for  
3 permanent facilities. First, construction of Mohegan  
4 Sun is well under way, with Mohegan Sun projecting  
5 completion this August. When it opens, Mohegan Sun  
6 will house approximately 2,500 slot machines.

7           Construction has also begun on Sands  
8 Bethworks. Despite some initial delays, Sands now  
9 believes it is on target to open in the second quarter  
10 of 2009.

11           In the western part of the state, PITG  
12 has broken ground and has informed the Board that it  
13 is targeting May 2009 for its completion. Meanwhile,  
14 The Meadows has begun construction on its permanent  
15 facility, and thanks to the mild winter so far,  
16 reports that it is actually ahead of schedule. The  
17 Meadows is also projecting completion in May of 2009.

18           In the east, HSP has received a number of  
19 required permits and reportedly has begun clearing its  
20 site. HSP has also requested issuance of its  
21 permanent license. Under the Act, an approved  
22 Licensee is required to request issuance of its  
23 license by providing formal notification to the Board  
24 that it has fulfilled the conditions for issuance.

25           As is our practice, once we receive such

1 a request, the Bureau of Licensing verifies that the  
2 approved Licensee has fulfilled the conditions for  
3 issuance. After receiving formal notice and  
4 conducting any necessary verification, the law  
5 requires the Board to issue the slot machine license.

6 HSP has provided the Bureau of Licensing  
7 with the formal notification required under the Act.  
8 We, in consultation with the various bureaus and  
9 offices within the Board, have conducted our  
10 verification, and we have determined that HSP is  
11 eligible to receive its permanent license, which we  
12 expect to issue later today.

13 I will now move on to other licensing  
14 matters. The first matter before the Board is a  
15 proposed order approving the issuance of temporary key  
16 employee licenses. Prior to this meeting, the Bureau  
17 of Licensing provided you with a proposed order for  
18 114 temporary key employee licenses. I ask that the  
19 Board consider the order granting these licenses.

20 CHAIRMAN:

21 May I have a motion? Yes.

22 COMMISSIONER ANGELI:

23 Madam Chairman, I move that the Board  
24 approve the order issuing the temporary key employee  
25 licenses as described by the Bureau of Licensing.

1 COMMISSIONER SOJKA:

2 Second.

3 CHAIRMAN:

4 Questions or comments? All in favor?

5 AYES RESPOND

6 CHAIRMAN:

7 Opposed?

8 NO RESPONSE

9 CHAIRMAN:

10 Motion carries.

11 MS. HENSEL:

12 Next, the Bureau of Licensing provided  
13 you with an order and list of 218 individuals who the  
14 Bureau has granted occupation permits to, and 191  
15 individuals who the Bureau has granted registrations  
16 to under the authority delegated to the Director of  
17 Licensing. I ask that the Board adopt a motion  
18 approving the order.

19 COMMISSIONER COY:

20 Madam Chair, I move that the Board  
21 approve the order issuing gaming and non-gaming  
22 permits and registrations as just described by the  
23 Bureau of Licensing.

24 COMMISSIONER COY:

25 Second.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CHAIRMAN:

Questions or comments? All in favor?

AYES RESPOND

CHAIRMAN:

Opposed?

NO RESPONSE

CHAIRMAN:

Motion carries.

MS. HENSEL:

In addition, we have recommendations of denials for 11 gaming and 16 non-gaming employee applications. Prior to this meeting, the Bureau of Licensing provided you with orders addressing each of the individual gaming and non-gaming applicants who the Bureau of Investigations and Enforcement has recommended for denial.

As stated in each order, each applicant was sent a recommendation of denial letter from the PGCB. In the letter, the applicants were given ten days in which to request a hearing regarding their denial. In each case the applicant failed to request a hearing in the specified time period. I ask that the Board adopt a motion approving the order denying the gaming and non-gaming applicants.

CHAIRMAN:

1 May I have a motion?

2 COMMISSIONER COY:

3 Madam Chair, I move the Board approve the  
4 orders to deny the gaming and non-gaming employee  
5 licenses as described by the Bureau of Licensing.

6 COMMISSIONER ANGELI:

7 Second.

8 CHAIRMAN:

9 Questions or comments? All in favor?

10 AYES RESPOND

11 CHAIRMAN:

12 Opposed?

13 NO RESPONSE

14 CHAIRMAN:

15 Motion carries.

16 MS. HENSEL:

17 Finally, we have two orders regarding  
18 vendors. First, a proposed order certifying the  
19 following nine vendors. Everon Electrical  
20 Contractors, Inc., Global Surveillance Associates,  
21 Inc., GR Noto Electrical Construction, Inc., Guthrie  
22 Glass & Mirror, Inc., Preferred Fire Protection, Inc.,  
23 Scalise Industries Corporation, Schlegel Golf Course  
24 Design, LLC, Software Specialists, Inc. and TN Ward  
25 Company.

1 I've consulted with Chief Enforcement  
2 Counsel, and BIE has no objection to the certification  
3 of the nine companies. I ask that the Board adopt a  
4 motion approving the order.

5 CHAIRMAN:

6 May I have a motion?

7 COMMISSION MCCABE:

8 Madam Chair, I move that the Board  
9 approve the order approving the application for vendor  
10 certification.

11 COMMISSIONER GINTY:

12 Second.

13 CHAIRMAN:

14 Questions or comments? All those in  
15 favor?

16 AYES RESPOND

17 CHAIRMAN:

18 Opposed?

19 NO RESPONSE

20 CHAIRMAN:

21 Motion carries.

22 MS. HENSEL:

23 In addition, the Bureau of Licensing  
24 provided each of you with an order and an attached  
25 list of 78 registered vendors. I have consulted with

1 Chief Enforcement Counsel, and BIE has no objection to  
2 the registration of the 78 companies. I ask that the  
3 Board adopt a motion approving the order.

4 COMMISSIONER GINTY:

5 So moved.

6 COMMISSIONER ANGELI:

7 Second.

8 CHAIRMAN:

9 Questions or comments? All those in  
10 favor?

11 AYES RESPOND

12 CHAIRMAN:

13 All opposed?

14 NO RESPONSE

15 CHAIRMAN:

16 Motion carries. Thank you very much.

17 MS. HENSEL:

18 Thank you.

19 CHAIRMAN:

20 Cyrus Pitre now, our Chief Enforcement  
21 Counsel.

22 MR. CREANY:

23 Good morning, Chairman Colins,  
24 Commissioners

25 CHAIRMAN:

1 Barry Creany, good morning.

2 MR. CREANY:

3 My name is Barry Creany on behalf of the  
4 Office of Enforcement Counsel, today submitting a  
5 stipulation with Gary Thomas Scott. Mr. Scott was a  
6 principal and officer in a certified vendor applicant,  
7 Swissvale Music.

8 In the course of the BIE investigation,  
9 concerns were raised regarding Mr. Scott. The  
10 corporation agreed to and has divested Mr. Scott's  
11 interest in the company. At that point Mr. Scott  
12 filed a petition for withdrawal without prejudice.  
13 The Office of Enforcement Counsel filed an objection  
14 to the petition on behalf of the Bureau of  
15 Investigations and Enforcement. And the Enforcement  
16 Counsel maintains that if this matter had proceeded to  
17 a hearing, we would have been able to present  
18 sufficient evidence to preclude Mr. Scott's licensure.

19 At the face of that, Mr. Scott, with his  
20 counsel, has agreed to enter into a stipulation that  
21 will allow the Board to have his petition to withdraw  
22 entered with prejudice. In essence, he's removing his  
23 request that it be a without prejudice withdrawal.

24 If the Board has any questions, I'd be  
25 glad to entertain them. Otherwise we'd ask that the

1 Board consider a motion to enter an order withdrawing  
2 Mr. Scott's application with prejudice.

3 CHAIRMAN:

4 Very good. Is there a motion?

5 COMMISSIONER COY:

6 Madam Chair, I move the Board approve the  
7 order with prejudice, as described by the Office of  
8 Enforcement Counsel.

9 COMMISSIONER SOJKA:

10 Second.

11 CHAIRMAN:

12 Any questions or comments?

13 COMMISSIONER GINTY:

14 I would just like to comment that this is  
15 a good piece of work on behalf of the BIE and  
16 demonstrates that our agents are on top of things.

17 MR. CREANY:

18 We appreciate it, Commissioner.

19 CHAIRMAN:

20 All in favor?

21 AYES RESPOND

22 CHAIRMAN:

23 Opposed?

24 NO RESPONSE

25 CHAIRMAN:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Motion carries.

MR. CREANY:

Thank you all.

CHAIRMAN:

Thank you. Very good. That concludes our business for today. The Board's next public meeting will be January 24th at the North Office Building, Hearing Room One at 11:00 a.m. May I have a motion to adjourn?

COMMISSIONER ANGELI:

So moved.

COMMISSIONER COY:

Second.

CHAIRMAN:

Very good. Okay. This meeting is adjourned. Thank you.

\* \* \* \* \*

MEETING CONCLUDED AT 11:42 A.M.

\* \* \* \* \*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

C E R T I F I C A T E

I hereby certify that the  
foregoing proceeding 1/11 Gaming  
was reported by me, that I have read this  
transcript on 1/23/08, and I attest  
that this transcript is a true and  
accurate record of the proceeding.



Court Reporter