

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: WILLIAM H. RYAN, JR., CHAIRMAN

Gregory C. Fajt; Keith R. McCall; David W. Woods; Anthony C. Moscato, Annmarie Kaiser, Richard G. Jewell, Robert Coyne, Representing Eileen McNulty, Secretary of Revenue; Fred Strathmeyer, Representing Russell Reading, Secretary of Agriculture; Jennifer Langan, Representing the office of State Treasurer

HEARING: Wednesday, July 8, 2015, 10:04 a.m.

LOCATION: PA Gaming Control Board

Office of Hearings and Appeals

Strawberry Square

303 Walnut Street

2nd Floor

Harrisburg, PA 17101

Reporter: Derrick Ferree

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Jeff Favre, Presque Isle Downs

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CHAIRMAN:

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CHAIRMAN:

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1 deliberations relating to matters being considered by
2 the Board today. Next, we will have consideration of
3 a motion to approve the minutes and transcript of the
4 May 20th, 2015 meeting. May I have such a motion?

5 MR. FAJT:

6 Mr. Chairman, I move that the Board
7 approve the minutes and transcript of the May 20, 2015
8 meeting.

9 MR. MOSCATO:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed? The motion carries. Next, we
16 will hear from Kevin O'Toole, our Executive Director.
17 Kevin?

18 MR. O'TOOLE:

19 Good morning, Chairman Ryan and members
20 of the Board. Today I would like to briefly report on
21 the successful office relocation for our Bureau of
22 Investigations and Enforcement (BIE) staff that is
23 assigned to the Northeast Pennsylvania Region.
24 Pursuant to approval granted by this Board on February
25 25th, 2015 the BIE Northeast Investigative Unit has

1 moved into the Jewelcor Office Building located at 100
2 North Wilkes-Barre Boulevard in the City of Wilkes-
3 Barre. This relocation occurred very smoothly under
4 the oversight and direction of BIE Regional
5 Supervisor, Ray Welcome and the Director of Office
6 Services, Steve Wilson.

7 Our existing office furniture was moved
8 and reinstalled, a secure access system was installed
9 at this new facility, and all computer and telephone
10 networks were cabled and tested and are working fine.
11 When all modifications to the office space and file
12 storage room at this new facility were completed, the
13 resulting floor plan consists of 2,719 square feet
14 which results in a significant reduction in office
15 space, and a reduction in lease expense to the Board
16 during the entire five-year lease term that we entered
17 into. If you have any questions, I'd be glad to
18 answer them. And thank you very much.

19 CHAIRMAN:

20 Any questions from the Board? Thank
21 you, Kevin. Next Claire Yantis, Director of Human
22 Resources. Claire?

23 MS. YANTIS:

24 Good morning, Chairman and members of
25 the Board. The Office of Human Resources has one

1 motion for your consideration today relative to the
2 hiring of three staff as Casino Compliance
3 Representatives in the Bureau of Casino Compliance.
4 First Mr. Stephen Shore has been selected for
5 assignment at the Lady Luck Casino Facility. Second,
6 Ms. Stacey Eversole has been selected for assignment
7 at the Meadow's Casino. And third, Mr. David Labenski
8 has been selected for assignment at Mount Airy Casino.
9 All three individuals have completed the PGCB
10 interview process, background investigation and drug
11 screening, and are recommended for hire by Director of
12 Casino Compliance, Jerry Stoll. Unless you have any
13 questions, I ask that the Board consider a motion to
14 hire Mr. Shore, Ms. Eversole and Mr. Labenski as
15 indicated.

16 CHAIRMAN:

17 Okay. Any questions, comments from the
18 Board? Ex-Officio members? May I have a motion?

19 MR. JEWELL:

20 Mr. Chairman, I move that the Board
21 approve the applicants as proposed by the Director of
22 Human Resources.

23 MR. WOODS:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 Opposed? The motion carries.

5 MS. YANTIS:

6 Thank you.

7 CHAIRMAN:

8 Thank you, Claire. Next we'll have Doug
9 Sherman, Office of Chief Counsel (OCC).

10 ATTORNEY SHERMAN:

11 Good morning, Chairman and members of
12 the Board. Our first agenda items relate to Local Law
13 Enforcement Grants, which Assistant Chief Counsel
14 Denise Miller-Tshudy is here to present.

15 CHAIRMAN:

16 Good morning, Denise.

17 ATTORNEY TSHUDY:

18 Good morning. The first item that I
19 have for you is a grant from the Delaware County
20 District Attorney's Office. This grant is a request
21 for a two --- come closer? Is a request for a two-
22 year grant that would be ---.

23 CHAIRMAN:

24 One second. Could we turn that down a
25 little bit? Maybe that will do it. Now try.

1 ATTORNEY TSHUDY:

2 They're requesting a \$250,000 per year
3 grant, it's a two-year grant per the new guidelines of
4 the Board. If awarded, this would be their fourth
5 grant awarded by this Board. The Office is proposing
6 to continue its Gaming Task Force, which it has
7 compiled and used over the past four grants. The
8 assistant --- it would consist of two Assistant
9 District Attorneys who would be supplemented in pay by
10 the grant, and one detective who will be fully funded,
11 which is what they have done in the past. The Gaming
12 Task Force works in cooperation with local enforcement
13 to address unlawful gaming issues, provides training
14 and cooperation with local agencies, such as probation
15 and parole, the courts and services such as the
16 schools and treatment centers to identify these
17 issues. Additional outreach programs are also in
18 their application, including outreach to youth
19 agencies. The grant's ready for your consideration.

20 CHAIRMAN:

21 Okay. Any questions or comments from
22 the Board? Ex-Officio members? May I have a motion?

23 MS. KAISER:

24 Mr. Chairman, I move that the Board
25 issue an Order to approve the Local Law Enforcement

1 Grant for the Delaware County District Attorney's
2 Office, as described by the OCC.

3 MR. FAJT:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 ATTORNEY TSHUDY:

11 The second item for your consideration
12 is an amendment to the Philadelphia District
13 Attorney's Office Local Law Enforcement Grant. On
14 August 6th of 2014 the Board changed its guidelines
15 allowing for a 15 percent of the total grant to be
16 used for capital equipment and also two percent of the
17 total grant to be used for auditing purposes. That
18 same day, Philadelphia was awarded a \$250,000 grant,
19 which budget they're now seeking to amend.

20 They are requesting a --- that two
21 categories be allowed to be added to their budget.
22 One would be for the capital equipment and one would
23 be for the auditing purposes. Additionally, what they
24 would like to do is they would like to transfer about
25 \$5,684 to cover an increase in salary of two

1 detectives, which was negotiated by the Union. All
2 the requests are within the percentage allowed under
3 the Board guidelines and it is now before you for your
4 consideration.

5 CHAIRMAN:

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

8 MR. MCCALL:

9 Mr. Chairman, I move that the Board is
10 an Order to approve the Proposed Amendment to the
11 Philadelphia District Attorney's Office Local Law
12 Enforcement Grant, as described by the OCC.

13 MR. JEWELL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed? Motion carries. Okay. Thank
20 you, Denise.

21 ATTORNEY SHERMAN:

22 Today we have three petitions before the
23 Board for consideration. One of the Petitions was
24 heard by the Board earlier during the public meeting.
25 The remaining two Petitions will be considered on the

1 documents filed of record. In all cases, in advance
2 of the meeting the Petitions, any response of
3 pleadings or any other evidentiary materials in the
4 record have been provided to the Board for your
5 consideration.

6 The first Petition before the Board is a
7 vote on the issue of the Joint Petition of Washington
8 Trotting Association, GLP Capital and Gaming and
9 Leisure Properties, Incorporated. It's the matter
10 that you heard just a short time ago which requested
11 the Board preliminarily approve the purchase of
12 Washington Trotting Association by GLP Capital and
13 Gaming and Leisure Properties.

14 The preliminary approval, if granted,
15 will allow the BIE to begin its investigation of the
16 transaction and all applicants associated therewith.
17 As I stated, this matter had been heard earlier,
18 you've been provided with all relevant documents and
19 the record in the matter is closed and ready for the
20 Board's consideration.

21 CHAIRMAN:

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

24 MR. MOSCATO:

25 Mr. Chairman, I have before me what may

1 be the most verbose motion that I've ever seen, but I
2 happily will move that the Board issue an Order to
3 grant Washington Trotting Association, Inc., GLPI
4 Capital, LP and Gaming and Leisure Properties, Inc.'s
5 Joint Petition concerning the proposed change of
6 control, as described by the OCC, and preliminarily
7 approve the corporate structure conditioned upon GLPI
8 submitting to the Office of Enforcement Counsel (OEC)
9 the 2014 tax returns and pro formas related to this
10 transaction, and as discussed during the hearing,
11 within ten days of this Order. If OEC has any
12 concerns based upon GLPI's REIT status after reviewing
13 these documents, OEC should notify the Board and GLPI
14 of this concern or of these concerns.

15 CHAIRMAN:

16 Okay.

17 MS. KAISER:

18 Can you repeat that? I'm just kidding.

19 MR. MOSCATO:

20 Yes, I can.

21 MS. KAISER:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

1 CHAIRMAN:

2 Opposed? The motion carries.

3 ATTORNEY SHERMAN:

4 The next Petition before the Board is
5 Dusty Longwell's Request for Reconsideration of the
6 Denial of his Gaming Permit. Mr. Longwell received
7 his Gaming Employee Permit in May 2010 and worked as a
8 Table Game Dealer at the River's Casino. In March of
9 2013, he filed for the renewal of his Gaming Permit,
10 and during the investigation of that renewal it was
11 discovered that Mr. Longwell had failed to file his
12 2011 Federal taxes and that he also had a Civil
13 Judgment against him for delinquent student loans.

14 The Board's BIE made several attempts to
15 obtain information from Mr. Longwell regarding his
16 outstanding financial issues and have him come in
17 compliance with those areas. Unfortunately, he was
18 not inclined to improve on those issues and the OEC
19 sent him a Notice of Recommended Denial. Thereafter,
20 Mr. Longwell did respond and provide documentation in
21 December of 2014 showing that a Civil Judgment had
22 been satisfied, however he did not respond to the tax
23 issue. As a result, the Board issued an Order on
24 January 14th, 2015 denying the renewal of his permit.
25 Apparently that got his attention because 16 days

1 later he filed a request to have the Board reconsider
2 his application for denial, stating that he had now
3 remedied the tax issues.

4 The OEC filed an Answer stating that
5 they had no objection to Mr. Longwell's request,
6 provided he produce verification that the 2011 Federal
7 taxes had indeed been filed. He complied with that
8 request and an amended Answer was filed by OEC stating
9 that there was no longer an objection to the permit.
10 So the matter now before the Board is the matter to
11 reconsider the denial and to grant Mr. Longwell a
12 Gaming Permit.

13 CHAIRMAN:

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

16 MR. FAJT:

17 Mr. Chairman, I move that the Board
18 issue an Order to grant Dusty Longwell's Petition for
19 Reconsideration of his Gaming Employee Permit Renewal
20 Application Denial, as described by the OCC. And that
21 the application be returned to the BIE so that Mr.
22 Longwell's investigation can be completed.

23 MR. MOSCATO:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 Opposed? The motion carries.

5 ATTORNEY SHERMAN:

6 Okay. The final Petition before the
7 Board is that of Stavros Karpontinis. It's a request
8 to be transferred from the Surveillance Department at
9 Harrah's Philadelphia to the Food and Beverage
10 Department at that same casino. By way of background,
11 since July of 2011 Mr. Karpontinis had worked as a
12 Senior Surveillance Technician at Harrah's
13 Philadelphia. Board regulations generally restrict a
14 surveillance employee from working in another area of
15 the same casino for one year after leaving the
16 surveillance position, unless he's given permission to
17 do so by the Board.

18 Mr. Karpontinis has requested that the
19 Board permit him to transfer from his position as a
20 Senior Surveillance Technician at Harrah's to position
21 of AV Tech Supervisor in the Food and Beverage
22 Department at Harrah's Philadelphia. The transfer
23 would require the Board to waive the regulation I had
24 mentioned that requires a one-year lapse before
25 transferring from surveillance. The OEC has no

1 objection to Mr. Karpontinis' request subject to
2 several conditions which ensure that he continues to
3 fulfill his obligation to the Department of Labor and
4 Industry and some other requirements which had
5 previously been placed on his prior license. OEC has
6 indicated that they do not believe that there is a
7 risk to the operator by moving to this new position.
8 And with that understanding, it's ready for the
9 Board's decision.

10 CHAIRMAN:

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

13 MR. JEWELL:

14 Mr. Chairman, I move that the Board
15 issue and Order to grant the Petition of Stavros
16 Karpontinis to transfer from Harrah's Surveillance
17 Department to the Food and Beverage Department as
18 described by the OCC.

19 MR. WOODS:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? The motion carries

1 ATTORNEY SHERMAN:

2 Next presenting withdrawals and reports
3 and Recommendations is Deputy Chief Counsel Steve
4 Cook.

5 ATTORNEY COOK:

6 Good morning.

7 ATTORNEY SHERMAN:

8 Good morning, Steve.

9 ATTORNEY COOK:

10 I think. The court has received several
11 unopposed Petitions to withdraw the applications or
12 surrender the credentials of individuals or
13 businesses. The persons and entities subject to these
14 Petitions are as follows: Triangulum Partners, LLC
15 (NV), WMS Gaming, Inc., Michael A. Levin, Therese Ann
16 Saucier and Jaymin Patel. The OEC has filed responses
17 to head of these Petitions indicating that they had no
18 objection to any of them, and as such if the Board
19 were inclined to grant the withdrawals they'd be doing
20 so without prejudice.

21 CHAIRMAN:

22 Questions or comments from the Board?
23 Ex-Official members? May I have a motion?

24 MS. KAISER:

25 Mr. Chairman, I move that Board issue

1 Orders to approve the withdrawals and surrenders as
2 described by the OCC.

3 MR. FAJT:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 ATTORNEY COOK:

11 Next before the Board for consideration
12 are four Reports and Recommendations received from the
13 Office of Hearing and Appeals (OHA). These Reports
14 and Recommendations along with the complete
15 evidentiary record have been provided to the Board in
16 advance of this meeting. Additionally in each case
17 the person subject to the Report and Recommendation
18 had been put on Notice that the Board would be taking
19 the matter up today and that they could come forward
20 and briefly address the Board if they so chose. If
21 any of these individuals are present, I'd ask them to
22 come forward when their matter is called.

23 The first Report and Recommendation
24 today pertains to Faith Brown. On December 18th, 2014
25 the OEC filed a Petition to place Faith Brown on the

1 Exclusion List after discovering that she had been
2 criminally charged with several offenses based upon
3 her conduct while gaming at Harrah's Philadelphia.
4 Specifically, in March of 2009, Ms. Brown utilized the
5 total rewards card of another and made unauthorized
6 purchases of food and beverage using comp points on
7 that card. She was charged with numerous theft
8 offenses and pled guilty to retail theft as a result
9 of that conduct.

10 Subsequently, in September of 2013 Ms.
11 Brown, again, conspired with a Harrah's casino
12 employee to utilize another patrons total reward card
13 points, this time for complimentary play. Ms. Brown
14 was caught in the act of doing that, was evicted from
15 Harrah's and charged again with theft offenses, to
16 which she subsequently pled guilty. A hearing in this
17 matter was scheduled for and held on March 18th, 2015.
18 Ms. Brown failed to attend that hearing
19 notwithstanding her request for the hearing, and
20 subsequently a Report and Recommendation was issued
21 recommending that she be placed on the exclusion list
22 as requested by the OEC. And that is the
23 recommendation before the Board.

24 CHAIRMAN:

25 Questions or comments from the Board?

1 Ex-Officio members? May I have a motion?

2 MR. MCCALL:

3 Mr. Chairman, I move that the Board
4 adopt the Report and Recommendation issued by the OHA
5 regarding the placement of Faith Brown on the
6 Involuntary Exclusion List, as described by the OCC.

7 MR. JEWELL:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 Opposed? The motion carries.

14 ATTORNEY COOK:

15 The next Report and Recommendation
16 before the Board today pertains to a request to
17 recover winnings made by a person on the Self
18 Exclusion List. On June 13th, 2011 an individual with
19 the initials M.J. entered Presque Isle and met with
20 the Casino Compliance representative requesting to be
21 placed on the Board's Voluntary Self Exclusion List
22 for his lifetime. The Casino Compliance
23 representative conducted the mandatory interview with
24 M.J. and completed all of the required procedures,
25 which included placing M.J. on notice that if he

1 entered a casino and gambled while on the list he
2 could not collect any winnings, and that in fact any
3 winnings found on his person would be confiscated.

4 On October 19th, 2014 a second Casino
5 Compliance Representative at Presque Isle observed
6 M.J. playing Craps while on the list. He subsequently
7 confirmed with security that M.J. was in fact on the
8 list, was --- and security RCCR staff and PSP
9 subsequently confronted M.J. while he was cashing out
10 chips and confiscated \$1,470 from him, that being the
11 amount of chips he was holding.

12 In November of 2014, M.J. filed a
13 Petition with the Board requesting that the money
14 confiscated be returned to him as it was not his
15 winnings but rather his own money. A hearing in this
16 matter was held on February 24th, 2015. Despite
17 receiving proper notice, M.J. did not appear at that
18 hearing and relied rather on the facts averred in his
19 Petitions that were agreed to by the OEC in its
20 response.

21 OEC did appear and offered testimony and
22 evidence at the hearing. The uncontested evidence
23 presented that's relevant to this issue basically
24 showed that M.J. had purchased \$1,440 worth of chips
25 while at a Craps table, played Craps for some period

1 of time, the exact duration is unknown, that he left
2 the table with \$1,470 in chips, or \$30 more chips than
3 he purchased. And upon attempting to cash out those
4 chips, he was confronted by security and the entire
5 \$1,470 was confiscated.

6 There is little evidence in the record
7 as to the specific play of M.J. after his purchase of
8 chips at the Craps table. Subsequently, a Report and
9 Recommendation was issued by the OHA recommending that
10 all but \$30 be returned to M.J. as the remaining
11 \$1,440 was not shown to be winnings, rather the amount
12 that this individual purchased into the Craps game
13 with. And that is the recommendation before the
14 Board.

15 CHAIRMAN:

16 Questions or comments from the Board?

17 MR. WOODS:

18 Mr. Chairman, I'm going to vote yes for
19 this reluctantly. And I do so because I believe we
20 have little alternative. The case before us has an
21 individual who has signed up for a lifetime exclusion
22 on the Self Exclusion List and he did so because
23 evidently he believes that he may have a problem and
24 has chosen to pursue that. There is little
25 disincentive, however, for him to break that bond on

1 the Self Exclusion List and to go to a casino. Either
2 the State Police or the Casino could charge him with
3 trespassing, but very often that does not occur. Here
4 at stake is really only \$30.

5 I believe it's the intent of each person
6 on this Board to help protect the public and the Self
7 Exclusion List was created for that very purpose. And
8 given the hearing --- and I say reluctantly I'm going
9 to vote yes. Given the hearing result, I think that
10 is the correct vote today in voting yes. But I think
11 there's little evidence on the record of where the
12 source of the \$1,440 had come from. We know that he
13 used those dollars to purchase chips at the Craps
14 table but I'm not sure the Office of OEC used all of
15 its resources to determine where those dollars had
16 come from, at least it's not on the record.

17 I am concerned that the law only speaks
18 to winnings and it seems to me that in order to
19 fulfill our duty to protect the public, it would be
20 good that we attempt to work with the legislature in
21 trying to define it much broader to ensure that there
22 is more of a disincentive or a penalty for an
23 individual who violates the Self Exclusion List. And
24 it would be my hope that the law could be amended in
25 the future to specifically include any monetary or any

1 dollars used and converted for the purpose of gambling
2 would be able to be confiscated by this Board and
3 placed in the general fund as a penalty.

4 So I believe we have little alternative
5 to vote for this today. I really do believe, though,
6 that we need to work to ensure that we're enforcing
7 this law that's currently in place to the strongest
8 degree possible. And I would hope that this Board
9 would join together in seeking some legislative remedy
10 to broaden the penalty for people who violate the Self
11 Exclusion List.

12 CHAIRMAN:

13 Okay. Well said.

14 MR. JEWELL:

15 If I may. I would add also that I think
16 the legislative intent of Title Four not only was
17 protection of the public but was the first step of
18 self-realization of an individual of a problem. And
19 therefore the self-declaration has a joint purpose,
20 and I think that's important to always keep in mind.

21 CHAIRMAN:

22 Thank you, Dick. Any other comments?

23 MR. MOSCATO:

24 Mr. Chairman, this is my motion so I
25 just want to mirror what Commissioner Woods and

1 Commissioner Jewell have stated. They stated it much
2 more eloquently than I would have done, but I
3 certainly hold the same thought.

4 CHAIRMAN:

5 And the Chair would also join in those
6 comments. This is, I think, an unsettling matter for
7 all of us but it is what it is. Any comments from
8 Ex-Officios? Okay. May I have a motion?

9 MR. MOSCATO:

10 Mr. Chairman, I move that the Board
11 reluctantly adopt the Report and Recommendation issued
12 by the OHA regarding the Recovery of Winnings from
13 M.J. while on the Self Exclusion List, as described by
14 the OCC.

15 MS. KAISER:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? The motion carries.

22 ATTORNEY COOK:

23 The next Report and Recommendation
24 before the Board today pertains to a request to be
25 removed from the Voluntary Self Exclusion List.

1 Pursuant to the Findings of Fact in the Report and
2 Recommendation, on October 13th, 2014 an individual
3 with the initials T.H. entered Sands Bethlehem Casino,
4 met with a Casino Compliance Representative, excuse
5 me, and requested to be placed on the Board's Self
6 Exclusion List. The CCR conducted the mandatory
7 interview with T.H. and completed all of the required
8 procedures. Thereafter, T.H. signed the Self
9 Exclusion Acknowledgment Form indicating he requested
10 a one-year term of self exclusion.

11 On January 26, 2015, approximately three
12 months later, T.H. filed a Petition requesting early
13 removal from the Voluntary Self Exclusion List arguing
14 that he had recently become employed as a truck driver
15 and that that job required him at times to make
16 deliveries to casinos, and he had concerns about
17 potentially being charged with trespass while
18 performing his employment duties.

19 The OEC filed an Answer objecting to
20 T.H.'s request and a hearing was held on April 7th,
21 2015. OEC appeared, T.H. did not despite receiving
22 notice. Ultimately, the Report and Recommendation
23 issued subsequent to this hearing recommends that T.H.
24 remain on the list for at least the duration of the
25 year, at which time he can go through the normal

1 processes to come off the list if he so chooses.

2 I would note for the record that the
3 regulations --- the Board's Regulations do make
4 accommodations for persons on the Self Exclusion List
5 to have employment that would take them on to the
6 floor, steps such as notifying security, remaining on
7 the floor only for the limited duration of time it
8 takes you to perform those duties and those sorts of
9 things. And as a result, if the Board were inclined
10 to adopt this Report and Recommendation, I believe the
11 Board Order should also lay out those steps for this
12 individual so he's made aware of them.

13 CHAIRMAN:

14 Okay. Any questions or comments from
15 the Board? Ex-Officio members? May I have a motion?

16 MR. WOODS:

17 Mr. Chairman, I move that the Board
18 adopt the Report and Recommendation issued by the OHA
19 regarding the Petition of T.J.H. to be removed from
20 the Self Exclusion List with the language described by
21 the OCC.

22 MR. MCCALL:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 Opposed? The motion carries.

4 ATTORNEY COOK:

5 The final Report and Recommendation
6 before the Board today pertains to Tamisia LaTortue.
7 In December of 2014, Ms. LaTortue submitted an
8 application to work as a cleaning specialist at the
9 Sands Casino Resort in Bethlehem. Ms. LaTortue did
10 not disclose any arrests on her application; however,
11 during a background investigation it was discovered
12 that she'd been arrested in 1995 and 2006 for
13 misdemeanor offenses. The 2006 offense ultimately
14 resulting in a 2007 conviction for distribution of
15 cocaine within 1,000 feet of a school zone in, I
16 believe, Newark, New Jersey or Camden, I'm not sure.

17 On January 13th, 2015 the OEC issued a
18 notice of recommendation of denial based upon Ms.
19 LaTortue's 2007 conviction. A hearing in this matter
20 was held on March 3rd, 2015, both OEC and Ms. LaTortue
21 appeared and presented testimony and evidence. Ms.
22 LaTortue testified regarding her 2007 conviction,
23 indicating that in fact it was her brother and a
24 friend of his that was engaged in the sale of cocaine
25 out of her house. And as a result of the house being

1 in her name she was subsequently charged. She also
2 testified that she was attempting to get this
3 conviction expunged and that was why she didn't report
4 it on her application.

5 Based upon the evidence and Ms.
6 LaTortue's explanation as well as the nature of the
7 duties she would be performing at Sands as a cleaning
8 specialist, the Hearing Officer recommended that her
9 Non-Gaming Registration be approved and that she be
10 permitted to work in that capacity at Sands BethWorks
11 Casino. I would note also that the third thing the
12 Hearing Officer noted was the --- that nearly ten
13 years had passed since this offense.

14 CHAIRMAN:

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

17 MR. FAJT:

18 Mr. Chairman, I move that the Board
19 adopt the Report and Recommendation issued by the OHA
20 regarding the Non-Gaming Employee Registration of
21 Tamisia LaTortue, as described by the OCC.

22 MR. MOSCATO:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 Opposed? The motion carries. Thank you
4 both.

5 ATTORNEY SHERMAN:

6 And that concludes all matters.

7 CHAIRMAN:

8 Next, we'll have our Director of
9 Licensing, Susan Hensel. Good morning, Susan.

10 MS. HENSEL:

11 Good morning. Thank you, Chairman Ryan
12 and members of the Board. Before the Board today will
13 be motions regarding 885 Principal Key, Gaming and
14 Non-Gaming Employees. In addition, there will be the
15 consideration of 16 Gaming Service Provider
16 Applicants. The first matter for your consideration
17 is the approval of Principal and Key Employee
18 Licenses. Prior to this meeting, the Bureau of
19 Licensing provided you with a Proposed Order for nine
20 Principal and four Key Employee licenses. I ask that
21 the Board consider the Order approving the Licenses.

22 CHAIRMAN:

23 Any comments from Enforcement Counsel?

24 ATTORNEY PITRE:

25 Enforcement Counsel has no objection.

1 CHAIRMAN:

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

4 MR. JEWELL:

5 Mr. Chairman, I move that the Board
6 approve the issuance of Principal and Key Employee
7 Licenses, as described by the Bureau of Licensing.

8 MR. WOODS:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed? The motion carries.

15 MS. HENSEL:

16 Next, there are Temporary Principal and
17 Key Employee Licenses. Prior to this meeting the
18 Bureau of Licensing provided you with an Order
19 regarding the issuance of temporary licenses for 2
20 Principal and 17 Key Employees. I ask that the Board
21 consider the Order approving the licenses.

22 CHAIRMAN:

23 Any comments from Enforcement Counsel?

24 ATTORNEY PITRE:

25 Enforcement Counsel has no objection.

1 CHAIRMAN:

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

4 MS. KAISER:

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

9 MR. FAJT:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 Opposed? The motion carries.

16 MS. HENSEL:

17 There are also Gaming Permits and Non-
18 Gaming Registrations for your consideration. Prior to
19 this meeting, the Bureau of Licensing provided you
20 with a list of 650 individuals to whom the Bureau has
21 granted Temporary or Full Occupation Permits and 198
22 individuals to whom the Bureau has granted
23 registrations under the authority delegated to the
24 Bureau of Licensing. I ask that the Board consider a
25 motion approving the Order.

1 CHAIRMAN:
2 Any comments from Enforcement Counsel?

3 ATTORNEY PITRE:
4 Enforcement Counsel has no objection.

5 CHAIRMAN:
6 Any questions or comments from the
7 Board? Ex-Officio members? May I have a motion?

8 MR. MCCALL:
9 Mr. Chairman, I move that the Board
10 approve the issuance of Gaming Employee Permits and
11 Non-Gaming Employee Registrations, as described by the
12 Bureau of Licensing.

13 MR. JEWELL:
14 Second.

15 CHAIRMAN:
16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:
19 Opposed? The motion carries.

20 MS. HENSEL:
21 Next, there are recommendations of
22 denial for one Gaming and one Non-Gaming Employee
23 Applicants. In each case the Applicant failed to
24 request a hearing within the specified time frame.
25 The Bureau of Licensing has provided you with Orders

1 addressing the Applicants and the OEC has recommended
2 for denial. I ask that the Board consider a motion
3 approving the denials.

4 CHAIRMAN:

5 Any comments from Enforcement Counsel?

6 ATTORNEY PITRE:

7 Enforcement Counsel continues to request
8 denial in each instance.

9 CHAIRMAN:

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

12 MR. MOSCATO:

13 Mr. Chairman, I move that the Board deny
14 the Gaming Employee and Non-Gaming Employee
15 applications, as described by the Bureau of Licensing.

16 MS. KAISER:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 Opposed? The motion carries.

23 MS. HENSEL:

24 Also for your consideration are
25 withdrawal requests for Key and Gaming Employees. In

1 each case the license or permit is no longer required.
2 For today's meeting, I've provided the Board with a
3 list of one Key and two Gaming Employee withdrawals
4 for approval. I ask that the Board consider the
5 motion approving the Orders.

6 CHAIRMAN:

7 Any comments from Enforcement Counsel?

8 ATTORNEY PITRE:

9 Enforcement Counsel has no objection.

10 CHAIRMAN:

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

13 MR. WOODS:

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

17 MR. MCCALL:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 Opposed? The motion carries.

24 MS. HENSEL:

25 Next we have an Order to Certify the

1 following Gaming Service Providers, Tri-Dim Filter
2 Corporation and Media Five Limited. I ask that the
3 Board consider the Order approving these Gaming
4 Service Providers for Certification.

5 CHAIRMAN:

6 Any comments from Enforcement Counsel?

7 ATTORNEY PITRE:

8 Enforcement Counsel has no objection.

9 CHAIRMAN:

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

12 MR. FAJT:

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

17 MR. MOSCATO:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 Opposed? The motion carries.

24 MS. HENSEL:

25 Finally, for your consideration are

1 Gaming Service Provider Registrations. The Bureau of
2 Licensing provided you with an Order and an attached
3 list of 14 registered Gaming Service Provider
4 applicants. I ask that the Board consider the Order
5 approving these applicants for registration.

6 CHAIRMAN:

7 Any comments from Enforcement Counsel?

8 ATTORNEY PITRE:

9 Enforcement Counsel has no objection.

10 CHAIRMAN:

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

13 MR. JEWELL:

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

18 MR. WOODS:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 Opposed? The motion carries.

25 MS. HENSEL:

1 That concludes the Bureau of Licensing's
2 matters.

3 CHAIRMAN:

4 Thank you, Susan. Next, we'll have the
5 OEC. Cyrus?

6 ATTORNEY PITRE:

7 Today we have 20 matters for the Board's
8 consideration consisting of five Consent Agreements,
9 six revocations, one suspension and eight involuntary
10 exclusions. The first matter on the agenda is a
11 Consent Agreement that has been negotiated between the
12 OEC and Mount Airy Number One, LLC doing business as
13 Mount Airy Casino and Resort. That matter will be
14 presented by Assistant Enforcement Counsel David
15 Tepper.

16 ATTORNEY TEPPER:

17 Good morning, Chairman Ryan and members
18 of the Board. David Tepper, T-E-P-P-E-R, with the
19 OEC. Like Cyrus said, this Enforcement --- this
20 Consent Agreement includes three instances of underage
21 gaming that occurred at Mount Airy. The first
22 instance, in the early morning hours of August 23rd,
23 2014 Mount Airy security discovered that an underage
24 patron, Dareycha Pacheco-Oyola, 20-year-old female,
25 had gained access to the gaming floor.

1 When Ms. Pacheco-Oyola originally
2 entered the gaming floor at approximately 11:37 on
3 August 22nd, Mount Airy failed to ask her for
4 identification. Later that evening she was asked for
5 identification at the pool entrance and provided her
6 Aunt's valid Pennsylvania Driver's License, which was
7 subsequently scanned and she was admitted. Ms.
8 Pacheco-Oyola was again asked for identification at
9 the hotel entrance, she again provided her Aunt's
10 valid Pennsylvania Photo ID which showed her as being
11 over the age of 21. She received a hand stamp and a
12 wristband at that time from Mount Airy security, and
13 she was then on the gaming floor for approximately two
14 hours during --- for approximately two-and-a-half
15 hours. During that time she played Blackjack and
16 Slots for approximately two hours and was served two
17 alcoholic beverages. She was determined to be
18 underage after she was assaulted by a male patron who
19 had accompanied her to the facility as they were
20 leaving the casino.

21 In the second instance, on August 20th,
22 2014 Mount Airy discovered a minor on the gaming
23 floor. The patron was a 17 year-old male with the
24 initials J.R.T. J.R.T. gained access to the gaming
25 floor after leaving Red Steakhouse with his family.

1 J.R.T. attempted to sit down at a Blackjack table with
2 his father and sister, but when asked by table games
3 staff for identification he provided his father's
4 driver's license, which was not accepted by the table
5 games staff, and J.R.T. subsequently left the table
6 game.

7 Mount Airy staff then notified
8 surveillance who notified security; however, in that
9 time J.R.T. proceeded to play slot machines for at
10 least 15 minutes, some of which was with his mother,
11 and he was on the floor for approximately 30 minutes
12 before being apprehended by Mount Airy security. He
13 was not served any alcoholic beverages.

14 In the third instance, on January 5th,
15 2015 Mount Airy security discovered a minor on the
16 gaming floor. The individual was a 16 year-old male
17 with the initials R.V. When he accessed the gaming
18 floor, R.V. was asked for identification, at which
19 time he provided his cousin's expired New York
20 driver's license, which would indicate that he would
21 have been over 21 years of age. Mount Airy security
22 scanned this driver's license and provided R.V. entry
23 to the gaming floor and a hand stamp indicating he was
24 21. R.V. wagered at a slot machine for approximately
25 two minutes and spent approximately 21 minutes either

1 sitting or standing next to his cousin who was playing
2 various table games. He was discovered when
3 challenged by a Mount Airy security guard because he
4 looked young.

5 At this time, the OEC requests that the
6 Board approve this Consent Agreement between the
7 parties. The terms of the settlement include that
8 within five days of the Board's Order approving this
9 Consent Agreement, Mount Airy shall pay a civil
10 penalty of \$40,000 for the alleged violations
11 described above. And also within fives days of the
12 Board's Order approving this Consent Agreement Mount
13 Airy shall pay the Board \$2,500 for the costs incurred
14 by OEC and other Board staff related to this matter.
15 And at this time we'll answer any questions.

16 CHAIRMAN:

17 Mr. Sklar.

18 ATTORNEY SKLAR:

19 Good morning, Mr. Chairman and members
20 of the Board. With me I have Lianne Asbury, Director
21 of Security at Mount Airy. Should she be sworn in,
22 Mr. Chairman?

23 CHAIRMAN:

24 If she's going to speak, certainly.
25 Could you stand for a moment, ma'am?

1 MS. ASBURY:

2 Sure.

3 CHAIRMAN:

4 Thank you.

5 -----

6 LIANNE ASBURY, HAVING FIRST BEEN DULY SWORN, TESTIFIED
7 AS FOLLOWS:

8 -----

9 CHAIRMAN:

10 Ma'am, could you just state your name
11 and your position for the record and spell your last
12 name for the court reporter?

13 A. Sure. My name is Lianne, L-I-A-N-N-E, Asbury,
14 A-S-B-U-R-Y, and I'm the Director of Security at Mount
15 Airy Casino Resort.

16 CHAIRMAN:

17 Okay.

18 ATTORNEY SKLAR:

19 Mr. Chairman, Mr. Tepper accurately
20 described each of these incidents. Just let me say,
21 and then Ms. Asbury will be available to answer any
22 questions, obviously it's unacceptable that the
23 underage got on the gaming floor in each of these
24 incidents. It's not something that Mount Airy
25 condones, it doesn't have any interest in having

1 underage come on to the floor. The security personnel
2 understand and are directed as to what the policies
3 and procedures are. And unfortunately in each of
4 these incidents the security personnel did not comply
5 with those policies and procedures.

6 CHAIRMAN:

7 Okay. Any questions?

8 MR. FAJT:

9 Thank you, Mr. Chairman. Ms. Asbury,
10 what discipline was taken against security personnel
11 who encountered these minors in each instance. And
12 let's start with the 20-year-old and then move to the
13 17-year-old and then the 16-year-old.

14 A. Sure. Under Count One, the disciplinary action
15 that was taken was a documented counseling as both
16 individuals, initially when it started, it started on
17 8/22 when the underage individual entered the floor.
18 The individuals that were posted at the hotel lobby
19 were assisting two other guests, which ultimately
20 allowed the minor to access the floor. So they
21 couldn't see the minor coming onto the floor. The
22 other individuals who did scan the ID as well as
23 provided the stamp at the pool and the wristband at
24 the pool and then again at the hotel lobby scanned the
25 ID understanding that it was a valid ID, it did state

1 that the person was under 21 and the resemblance was
2 strikingly, you know, obviously similar to her Aunt.
3 And they also received documented counseling on this
4 incident as well.

5 In Count Two, under the 17 year-old
6 individual, unfortunately when the 17 year-old entered
7 off of the hotel elevator lobby, the hotel officer was
8 also with two other guests under this time period at
9 1930 hours, which allowed that individual to walk
10 around and enter into Red Steakhouse. Upon finding
11 that out, the security officer did state he never saw
12 the individuals entering onto the hotel lobby site,
13 because I guess he was dealing with the other patrons,
14 which was confirmed through surveillance review.

15 Under Count Three, both security
16 officers were given final written warnings as they did
17 hand stamp as well as accept an expired ID for the
18 individual who unfortunately was 16-years-old;
19 however, accepted an ID that showed that the person
20 would be 21 years of age. But both of those
21 individuals, the one individual no longer works for
22 Mount Airy while the other one is still under that
23 final written warning.

24 MR. FAJT:

25 Does Mount Airy --- have you taken any

1 remedial actions dealing with people entering the
2 hotel or the gaming floor out of the restaurant? I
3 mean, it seems to be a breakdown in your security that
4 when somebody is tied up with a patron that other
5 folks can slide by without being carded. I mean, it
6 seemed it's happened in two of these instances. What
7 have you done to remedy that?

8 A. Both of those instances were during a high-volume
9 period. So what we have done is we've established
10 that during these high volumes, excessive volume,
11 we've allowed two security officers to be posted at
12 the hotel lobby, where one security officer can assist
13 those patrons carding, the other security officer has
14 their eyes on both hotel elevator areas. And that
15 also is for the bus lobby as well.

16 We've also gone through, based on these
17 instances alone, a remedial training for what
18 acceptable forms of ID we do accept. We are in the
19 process of working with advanced ID detection for a
20 ten-panel driver's license scan, which is more of a
21 podium system that is also in other casino properties
22 at this time in the Commonwealth that allows for a
23 ten-panel scan not just a barcode read, which is what
24 the scanner does at this time for us. So that is also
25 an extensive, more innovative technology to deter, you

1 know, the false identifications coming through.

2 MR. FAJT:

3 Mr. Tepper, were these self-reported?

4 ATTORNEY TEPPER:

5 These were self-reported.

6 MR. FAJT:

7 I am troubled by the allowance of a 16
8 and 17 year-old onto the gaming floor. Typically when
9 we deal with these issues they are, you know,
10 20 year-olds, 19 year-olds. I am reluctantly going to
11 vote yes on this. I think the fine is above the
12 normal fine but I would like you to take back to your
13 management that allowing --- I don't care how it
14 happens. Allowing 16 and 17 year-olds onto the gaming
15 floor is unacceptable.

16 A. It is.

17 CHAIRMAN:

18 Any other questions? David?

19 MR. WOODS:

20 I would join with Commissioner Fajt but,
21 Ms. Asbury, could you explain whose responsibility is
22 it when a patron leaves a restaurant to be escorted
23 out of the facility and, when they're entering,
24 escorted in? Is there anyone within the restaurant
25 whose responsibility it is to ensure that they know

1 that there's an underage patron in that restaurant and
2 ensure that security is called to escort them when
3 they leave?

4 A. Yes. At this time, based on our escorting policy
5 alone, they do have, like in the buffet for instance,
6 they put flags on the table that identifies that that
7 table does have someone who is under the age of 21.
8 They also are leaving and documenting through our
9 security dispatch system the hostess that took the
10 underage individual, as well as when that security
11 officer is picking up that underage individual. So
12 all accounts are documented that says Susie the
13 Security Officer dropped off Jimmy and, you know,
14 patrons of four underagers with Melissa. You know, so
15 it is documented. So there is an accountability which
16 also assists with our property to hold, you know,
17 reliable Departments accountable for these breakdowns.

18 MR. WOODS:

19 So you do believe that you're rectifying
20 this with additional resources only at specific times,
21 or is there additional resources being applied to the
22 restaurants and food and beverage, and your entryways
23 from the elevators at all times? I thought I heard
24 you say at peak times.

25 A. The elevators for the hotel lobby as well as the

1 bus lobby, two security officers are over 650 volume.
2 Under, we allow one security officer to remain posted,
3 which is usually between the hours of 4:00 a.m. and
4 8:00 a.m., and sometimes upwards to 12:00 p.m. based
5 on the business volume as well as bus traffic coming
6 in. However, it is maintained at all times based off
7 of having a curfew implemented. We still are
8 implementing our wristband process for anyone that is
9 under the age of 21 as well as our escort process, and
10 have extended that out to individuals who are Key
11 Licensed to also provide those escorts and assistance
12 with the Security Department.

13 MR. WOODS:

14 Thank you.

15 CHAIRMAN:

16 Any other questions from the Board?
17 Ex-Officio members? May I have a motion?

18 MS. KAISER:

19 Mr. Chairman, I move that the Board
20 issue an Order to approve the Consent Agreement
21 between the OEC and Mount Airy, LLC, as described by
22 the OEC.

23 MR. FAJT:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 ALL SAY AYE

3 CHAIRMAN:

4 Opposed? The motion carries.

5 ATTORNEY SKLAR:

6 Thank you.

7 A. Thank you.

8 ATTORNEY PITRE:

9 The next two matters on the agenda are
10 Consent Agreements that have negotiated between the
11 OEC and Chester Downs and Marina, LLC doing business
12 as Harrah's Philadelphia. Assistant Enforcement
13 Counsel Cassandra Fenstermaker will present these
14 matters for the Board's consideration.

15 CHAIRMAN:

16 Good afternoon.

17 ATTORNEY FENSTERMAKER:

18 Good afternoon, Chairman Ryan and
19 members of the Board. As Cyrus said we have two
20 Consent Agreements today between the OEC and Harrah's
21 Philadelphia Casino and Racetrack. The first is
22 regarding the use of a Prohibited Gaming Service
23 Provider, or what I'll refer to as a GSP. On or about
24 July 29th, 2010 the Board placed Eastern Lift Truck
25 Company, Incorporated on the Prohibited GSP list.

1 Eastern Lift remains on the Prohibited GSP List as of
2 today's date. However, between January of 2015 and
3 April 2015 Harrah's made a total of five payments to
4 Eastern Lift totaling \$3,858.32.

5 As a result of utilizing Eastern Lift
6 while on the Prohibited GSP List, OEC and Harrah's
7 entered into a Consent Agreement wherein Harrah's
8 agreed to pay a civil penalty in the amount of \$5,000
9 and administrative fees in the amount of \$2,500 in
10 connection with costs incurred by Board staff in
11 connection with this matter. The OEC requests that
12 the Board approve the Consent Agreement as presented
13 today. And as Cyrus stated we have representatives of
14 Harrah's here to answer any questions you might have.

15 ATTORNEY DOWNEY:

16 Good afternoon, Mr. Chairman. Bill
17 Downey, D-O-W-N-E-Y, for Chester Downs and Marina, LLC
18 doing business as Harrah's Philadelphia. With me
19 today at Counsel table are Matthew Connor,
20 C-O-N-N-O-R, the Director of Security at Harrah's
21 Philadelphia. And to his left is N, as in Nancy, Lynn
22 Hughes. Lynn is the Vice President and Chief Counsel
23 for the Eastern Region of Cesar's Entertainment. We
24 concur in the recitation of facts provided by Casey
25 and we're prepared to answer any questions the Board

1 might have.

2 CHAIRMAN:

3 Okay. Any questions from the Board?
4 Ex-Officio members? May I have a motion?

5 MR. MCCALL:

6 Mr. Chairman, I move the Board issue an
7 Order to approve the Consent Agreement between the OEC
8 and Chester Downs and Marina, LLC, as described by the
9 OEC.

10 MR. JEWELL:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 Opposed? The motion carries.

17 ATTORNEY FENSTERMAKER:

18 The second Consent Agreement we have for
19 the Board's consideration between the OEC and Harrah's
20 is the result of an underage person gaining access to
21 the gaming floor and wagering at Harrah's. On May 2nd
22 --- I'm sorry. On March 2nd, 2015 a 20 year-old
23 person entered the gaming floor at Harrah's without
24 security personnel requesting his identification. He
25 was on the gaming floor for more than two hours and

1 wagered for more than an hour at a Blackjack table
2 before table games personnel requested identification.

3 As a result of allowing an underage
4 patron to access the gaming floor and wager, OEC and
5 Harrah's entered into a Consent Agreement wherein
6 Harrah's agreed to pay a civil penalty in the amount
7 of \$10,000 and administrative fees in the amount of
8 \$2,500 in connection with costs incurred by Board
9 staff in connection with this matter. The OEC
10 requests that the Board approve the Consent Agreement
11 as presented today. And if you have any questions,
12 we'd be happy to answer.

13 CHAIRMAN:

14 Mr. Downey?

15 ATTORNEY DOWNEY:

16 Thank you, Mr. Chairman. Again, Bill
17 Downey, D-O-W-N-E-Y, for Harrah's Philadelphia. Same
18 witnesses with us, and we'll entertain any questions
19 the Board might have.

20 CHAIRMAN:

21 Any questions from the Board? Ex-
22 Officio members? Okay. May I have a motion?

23 MR. MOSCATO:

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

1 between the OEC and Chester Downs and Marina, LLC, as
2 described by the OEC.

3 MS. KAISER:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries. Thank you
10 all. Appreciate it.

11 ATTORNEY PITRE:

12 The next matter on the agenda is a
13 Consent Agreement that has been negotiated between the
14 OEC and Valley Forge Convention Center Partners, LP
15 doing business as Valley Forge Casino and Resort.
16 That matter will be presented by Assistant Enforcement
17 Counsel Glen Stuart.

18 ATTORNEY STUART:

19 Good afternoon. Glen Stuart for the
20 OEC. S-T-U-A-R-T. Next for the Board's consideration
21 is a Consent Agreement entered into between the OEC
22 and Category 3 Licensee, Valley Forge Convention
23 Center Partners, LP. Specifically, the Consent
24 Agreement pertains to one incident where an individual
25 under the age of 21 was issued a casino access pass,

1 gained access to Valley Forge's gaming floor and
2 wagered at a Slot machine.

3 On January 1st, 2015 a 20 year-old
4 individual approached the valet services desk located
5 in the lobby area of Valley Forge's licensed facility.
6 This individual presented the valet services attendant
7 with a voucher from attending a wedding at Valley
8 Forge and requested a casino access pass as a patron
9 of the Valley Forge amenity. He also provided the
10 attendant with a valid Pennsylvania identification
11 card belonging to another individual as proof of age.
12 This ID showed that the individual was over the age of
13 21. The valet services attendant examined the
14 identification card and issued the underage individual
15 a casino access pass.

16 Upon approaching the casino's main
17 entrance, a security officer requested the individual
18 also produce identification. The individual provided
19 the same identification card he used at the valet
20 services desk. The security officer examined the
21 identification card and scanned the identification in
22 a handheld scanner to confirm the identification's
23 validity. The handheld scanner confirmed the
24 identification's validity and confirmed the date of
25 birth was over the age of 21. As a result, the

1 security officer allowed the individual to enter the
2 gaming floor.

3 After accessing the gaming floor, the
4 individual wagered at a slot machine. Approximately
5 13 minutes after he entered the gaming floor another
6 security officer passing through the gaming floor
7 after ending his shift observed the underage
8 individual. The security officer recognized this
9 individual from earlier in the evening when the
10 security officer denied the individual access to an
11 over 21 nightclub at Valley Forge. At the nightclub,
12 the underage individual presented his own valid
13 driver's license, which showed that he was under the
14 age of 21. In response, the security officer
15 immediately notified the security manager. The
16 security officer and the security manager approached
17 the underage individual at the Slot machine where it
18 was ultimately discovered that the individual was only
19 20 years of age.

20 The Pennsylvania State Police ultimately
21 cited this individual with one count of underage
22 gaming, pursuant to 4 PACS Section 1518, subsection 8,
23 13.1. Valley Forge also permanently evicted this
24 individual from its facility. This individual was on
25 the gaming floor for approximately 14 minutes. And

1 although he wagered at a slot machine there is no
2 evidence that he accrued any winnings as a result of
3 his wagering. Moreover, there is no evidence to
4 suggest or illustrate that this individual was served
5 or consumed any alcoholic beverages while on the
6 gaming floor.

7 The terms of the Consent Agreement would
8 require Valley Forge to pay a civil penalty in the
9 amount of \$7,500 for allowing one individual under the
10 age of 21 to obtain a casino access pass, for allowing
11 this individual to access its gaming floor, and for
12 allowing this individual to wager at a slot machine.
13 Valley Forge would also be required to remit \$2,500 to
14 the Board for investigative fees associated with this
15 Consent Agreement. This Consent Agreement is now ripe
16 fro the Board's consideration.

17 CHAIRMAN:

18 Counselor?

19 ATTORNEY FABIUS:

20 Thank you. Good morning --- good
21 afternoon, Chairman. Michael Fabius, F-A-B-I-U-S,
22 here for Valley Forge. With me at Counsel table is
23 Gib Morrissey, Executive Director of Security at
24 Valley Forge. By way of very brief background,
25 because I know it's our first time appearing in front

1 of Commissioner Jewell. As the head of security, Gib
2 is responsible for underage preventions, procedures,
3 training and technology. He also organized the first
4 Pennsylvania Security Director's conference this
5 spring, and as with any incident he reviews it from a
6 remedial measure, and I have him here to speak to that
7 very briefly.

8 CHAIRMAN:

9 Okay.

10 ATTORNEY FABIUS:

11 And with that ---.

12 CHAIRMAN:

13 Why don't you stand, sir ---

14 MR. MORRISSEY:

15 Yes, sir.

16 CHAIRMAN:

17 --- so we can have you sworn?

18 -----

19 GILBERT MORRISSEY, HAVING FIRST BEEN DULY SWORN,
20 TESTIFIED AS FOLLOWS:

21 -----

22 CHAIRMAN:

23 And if you will, sir, just state your
24 name and spell it for the record.

25 A. Yes, sir. My name is Gilbert Morrissey. Last

1 name M-O-R-R-I-S-S-E-Y.

2 CHAIRMAN:

3 Okay.

4 A. Good afternoon, Chairman Ryan and members of the
5 Board. First I'd like to thank you for the
6 opportunity to speak on behalf of Valley Forge Casino
7 and Resort. I'd also like to assure the Board that
8 members of the Valley Forge Casino Resort take the
9 matter of underage gaming and its prevention
10 seriously. The identification that was presented to
11 the Valley Forge Service Attendant --- Valet Services
12 Attendant and the security officer is what is known as
13 a borrowed ID. The borrowed identification is the
14 most difficult fraudulent identification to detect of
15 the three types. The security officer examined the
16 identification upon entry was recognized previously
17 for his outstanding efforts performing his job duties.
18 The security officer discovered T.H. on the gaming
19 floor and did so while traversing the casino floor at
20 the end of his shift. The security officer had
21 recognized T.H. from earlier interaction at the
22 nightclub.

23 At the time of discovery, T.H. had been on the
24 casino floor for 14 minutes. That security officer
25 was recognized for his outstanding effort. An

1 underage gaming access to the casino floor is a
2 significant and impactful incident to my department.
3 After an event such as this, the security management
4 team, including myself, conducted critical incident
5 debrief in order to discover methods of improvement.
6 As a result, we have developed and conducted our own
7 fraudulent ID training. This is a mandatory class
8 given to all employees who verify identifications and
9 is issued casino access. This class is given
10 quarterly to all my security officers. Security
11 management team conducts access audits to ensure
12 security officers are validating access and age
13 verifications during peak periods. Security officers
14 must clear all passports with a security manager or
15 supervisor prior to allowing access onto the casino
16 floor.

17 Valley Forge Casino and Resort has also purchased
18 three identification --- ID validation machines at a
19 cost of \$30,000. The equipment also has the ability
20 to verify the validity of a passport. The equipment
21 is positioned at two of the casino entrances as well
22 as valet services. We have also spoken with the
23 Pennsylvania State Police assigned to Valley Forge and
24 asked for their support and a zero tolerance policy
25 when we discover a fake or barred identification.

1 Pennsylvania State Police assigned to Valley Forge had
2 pledged their support in this effort. To date, three
3 individuals have been arrested so far.

4 Since the fraudulent ID training and
5 implementation of the ID detection equipment, we have
6 discovered numerous individuals attempting to present
7 fraudulent identifications. We have discovered
8 attempts at valet services, the main turnstiles,
9 Valley Beach and Raceway and Valley Tavern. These
10 discoveries at various outlets located throughout the
11 property proves our prevention methods are paying off.
12 I am very proud of the employees at Valley Forge
13 Casino and Resort and our efforts in the prevention of
14 underage gaming and the detections of fraudulent IDs.
15 In this particular incident before you today, we did
16 not achieve the desired results. For that, I take
17 full responsibility. I am confident that with a
18 continuing effort we can help to minimize the number
19 of these incidents from occurring in the future.
20 Thank you for your time.

21 CHAIRMAN:

22 Okay. Greg.

23 MR. FAJT:

24 Thank you, Mr. Chairman. Mr. Stuart, do
25 you know how much the fine is that PSP levied on this

1 individual?

2 ATTORNEY STUART:

3 The fine, I think it was about \$300.

4 MR. FAJT:

5 Mr. Morrissey, do you know for sure?

6 A. Going back a little bit, sir, but it's a sliding
7 fine, if I'm correct, from \$300 to \$500.

8 MR. FAJT:

9 Okay. Mr. Morrissey, you obviously have
10 a history with this Board and, you know, we'd had our
11 issues in the past but I want to congratulate you on
12 how this incident was handled, specifically that
13 somebody who was off duty recognized an individual who
14 was underage and had the forethought to, you know, go
15 over and seek that person out and call PSP. I also
16 want to congratulate you on your security conference,
17 and I know we talked about that at this Board before.

18 I would like to just ask you, I think
19 what you're doing there with your cooperation with the
20 PSP is novel. I have not heard of other casinos
21 discuss that in the past. It is frustrating to this
22 Board when individuals get arrested or get caught
23 underage and nothing happens. And if they are
24 arrested we've tried to reach out to the local
25 district justices who have a lot of other issues in

1 front of them, and they look at this as, you know, a
2 nuisance and are unwilling to prosecute or fine these
3 folks. So your outreach to your PSP folks that are in
4 the casino is novel and I would like to just ask you,
5 if you have in your conference that you have, which I
6 assume will be an annual conference with other casino
7 security directors, that you lay that out and educate
8 them on what you're doing. And hopefully they'll take
9 the hint.

10 And my last question is your quarterly
11 training with your security officers, how long is
12 that? Is than an hour, two hours, four hours?

13 A. It's approximately one hour, sir. We go over all
14 aspects of fraudulent IDs, there's three different
15 types that we go over with our individuals so that
16 they recognize those. We wanted to do it every
17 quarter instead of annually, so that way they're able
18 to recite it in their sleep, so to speak.

19 MR. FAJT:

20 Okay. Thank you.

21 MR. JEWELL:

22 I have a question. You've obviously
23 increased your technology, increased your training and
24 as a result you testified that a number of folks were
25 caught at the gateway before they got in.

1 A. Yes, sir.

2 MR. JEWELL:

3 Extrapolating from that, over the past
4 six months, you know, before you really increased that
5 how many folks do you think were getting in that were
6 underage that you weren't catching? I realize it's
7 speculative but I'm trying to draw a contrast here of
8 concern, and thank you for the increase but what's
9 your sense of that? You have a sense of that ---.

10 A. Yes, I do from my previous law enforcement
11 background. I would have to say that our security
12 officers were not as educated as they are now back
13 then, so I would venture to guess that we had quite a
14 few. I don't want to speculate on a number, but I'd
15 say quite a few. It may have --- I don't know that
16 statistic.

17 ATTORNEY FABIUS:

18 Commissioner, to your question, I think
19 in our training and procedures and in our review
20 process, I mean I've looked and studied the Consent
21 Agreements that this Board has approved relating to
22 underage. And there are essentially, sir, four issues
23 that come up in the Consent Agreements, failure to
24 request, failure to read the date of the birth,
25 failure to detect fake or altered and failure to

1 detect a borrowed ID. And there are degrees of
2 subjectivity and technology that are available for
3 each of those. And what Gib has done is try to
4 implement technology to eliminate all of those where
5 possible.

6 And really the borrowed ID is a scenario
7 where there's --- no matter what technology you have
8 there's a subjective element because a human being has
9 to compare the photo on the ID to the appearance of
10 the individual. But with detection of altered,
11 detection of fake, date of birth, there's great
12 technological solutions and Gib is implementing those.

13 MR. JEWELL:

14 Thank you very much.

15 CHAIRMAN:

16 Go ahead.

17 MR. WOODS:

18 Mr. Chairman. Mr. Morrissey, is the
19 valet service employees considered security under your
20 direction?

21 A. No, sir, they are not.

22 MR. WOODS:

23 Do they receive any of the training that
24 you provide to your security officers about IDs and so
25 forth?

1 A. Yes, sir, they do.

2 MR. WOODS:

3 So they're a part of your program?

4 A. Yes, I teach them as well.

5 MR. WOODS:

6 Thank you.

7 CHAIRMAN:

8 Anybody else? Okay. May I have a
9 motion?

10 MR. WOODS:

11 Mr. Chairman, I move that the Board
12 issue an Order to approve the Consent Agreement
13 between the OEC and Valley Forge Convention Center
14 Partners, LP, as described by the OEC.

15 MR. MCCALL:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? The motion carries. Thank you
22 all.

23 ATTORNEY PITRE:

24 Next matter on the agenda is a Consent
25 Agreement that has been negotiated between the OEC and

1 Presque Isle Downs, Inc. doing business as Presque
2 Isle Downs and Casino. Assistant Enforcement Counsel
3 Kimberly Adams will present the matter for the Board
4 consideration.

5 ATTORNEY ADAMS:

6 Good morning, Chairman Ryan and members
7 of the Board. Kim Adams, Assistant Enforcement
8 Counsel. As Mr. Pitre said, the next Consent
9 Agreement is between the OEC and Presque Isle Downs
10 and Casino. On or about April 1st of this year, a
11 white, female patron requested a Slot Service
12 Representative open a Player's Club account and card
13 for a black male patron who was not present at the
14 casino at the time. The female patron provided the
15 Slot Service Representative the male's Pennsylvania
16 identification card. The Slot Service Representative
17 gave the male's Pennsylvania identification card to a
18 cashier/banker who proceeded to create a Player's Club
19 account, a card and issued a personal identification
20 number for the account.

21 The Slot Service Representative gave the
22 new Player's Club card to the female patron and
23 proceeded to run the offices of the casino. The
24 female patron entered the male's Player's Club Card
25 and pin number in the kiosk and used a new player spin

1 winning \$10 in free play. The female patron proceeded
2 to a Slot machine, inserted the male Player's Club
3 card into the slot machine and used the \$10 in free
4 play. After using the free play the female patron
5 then inserted her own Player's Club card into the same
6 slot machine and continued to game at Presque Isle. A
7 review of the female patron's activity in the Super
8 Play Mate system contained five memos warning that the
9 female patron was a possible scammer and that she had
10 been caught one previous time attempting to use
11 another patron's Player's Club card to obtain a free
12 play.

13 The parties have entered into an agreement that
14 within five days of the Board's Order Presque Isle
15 shall pay a civil penalty in the amount of \$5,000.
16 The parties have also agreed that within five days of
17 the Board's Order Presque Isle shall pay \$2,500 for
18 the costs incurred by OEC and other staff in
19 connection with this matter. And the OEC recommends
20 that the Board approve this Consent Agreement as
21 presented today. If you have any questions we'll be
22 happy to answer them.

23 CHAIRMAN:

24 Anything from the other side on this?

25 ATTORNEY DIEHL:

1 Yes. On behalf of Presque Isle Downs,
2 Tom Diehl, D-I-E-H-L, in-house counsel for Colorado
3 Resorts, Inc. And to my left, I have our general
4 manager at Presque Isle Downs, Jeff Favre, in the
5 event that there's any type of operational questions
6 that the Board may have. Just briefly, I'd like to
7 have a two-part topic so I can touch base on, number
8 one, the policy changes. First of all let me, as a
9 preliminary matter, indicate the facts related by Ms.
10 Adams are accurate. That we'd confirmed on our side.
11 And so I want to present the policy changes that we've
12 made to keep this from happening in the future and how
13 we're going to implement those policies.

14 Prior to this event, various front-line
15 guests and slot service employees were able to either
16 open a new Player's Card or issue a duplicate card on
17 behalf of the patron on property. In this instance,
18 that clearly --- that chain of events broke down. So
19 moving forward, what we've decided to do as a matter
20 of policy, is restrict the number of employees that
21 were capable of doing that, and specifically make it
22 supervisory employees or above. And it is so such
23 that a supervisor will have to be there to accurately
24 confirm the ID of the patron so we don't have these
25 types of problems moving forward.

1 With respect to how we're going to
2 implement this policy, at the recommendation of our
3 team and our general manager we've had the IT
4 Department pull a list of everyone that's capable. In
5 other words, it'll be a net such that, there's not
6 going to be a vote, it's going to get through the
7 training program. Part of the training program then
8 is then, with the Board's approval, have each of them
9 submit to new training, understand this is the current
10 protocol, have them sign an understanding that
11 includes any type of these violations moving forward
12 will include discipline up to and including
13 termination should this happen in the future. And
14 then once we've collected the roster of employees that
15 would meet this criteria, i.e. currently being able to
16 do this under IT authorization, we're going to submit
17 that roster with the signed authorizations back to OEC
18 indicating everybody's put on notice, written notice,
19 understanding notice that the authorization has to go
20 through supervised employees at this time.

21 CHAIRMAN:

22 Okay. Any questions from the Board?
23 Ex-Officio members? May I have a motion?

24 MR. FAJT:

25 Yes. Mr. Chairman, I move that the

1 Board issue an Order to approve the Consent Agreement
2 between the OEC and Presque Isle Downs, Inc., as
3 described by the OEC.

4 MR. MOSCATO:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 Opposed? The motion carries. Thank you
11 very much, gentlemen. Thank you, ma'am.

12 ATTORNEY PITRE:

13 Next seven matters on the agenda consist
14 of Enforcement actions in which the OEC has filed a
15 complaint seeking the revocation of registrations,
16 permits, certifications or licenses of individuals
17 licensed by the Board. Each complaint has been filed
18 the with the Board's OHA and properly served by
19 certified and/or first class mail upon the individual
20 named in the complaint. The individual named in the
21 complaint failed to respond within 30 days, as
22 required by Board regulation.

23 As a result, the OEC filed the request
24 for default judgment and properly served the default
25 judgment upon the named individual. As a result, the

1 facts in each complaint are deemed admitted, all filed
2 documents have been provided to the Board and the
3 matters are presently ripe for Board consideration.
4 In each instance, we provide a brief summary of the
5 facts and request the appropriate Board action.

6 ATTORNEY ADAMS:

7 Good morning again. The OEC is
8 requesting the Board revoke the Non-Gaming Employee
9 Registration of Timothy Peterson employed by Rivers
10 Casino as an EVS attendant, essentially he was
11 sweeping the carpets. Mr. Peterson found a \$500 chip
12 that was dropped by a patron on the floor. Mr.
13 Peterson failed to return the chip over to the proper
14 authorities and left Rivers Casino at the end of shift
15 with the \$500 chip. When requested, Mr. Peterson
16 turned the chip over to the security department and
17 Rivers did not pursue criminal charges, however he was
18 terminated by Rivers. At this time we are asking that
19 you revoke his Non-Gaming Employee Registration.

20 CHAIRMAN:

21 Is Timothy Peterson present in the
22 hearing room? Any questions or comments from the
23 Board? Ex-Officio members? May I have a motion?

24 MR. JEWELL:

25 Mr. Chairman, I move that the Board

1 issue an Order to approve the Revocation of Timothy
2 Peterson's Non-Gaming Employee Registration, as
3 described by the OEC.

4 MR. WOODS:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 Opposed? The motion carries.

11 ATTORNEY CROHE:

12 Good afternoon. The next matter before
13 the Board --- my name is John Crohe, C-R-O-H-E, for
14 the OEC. And the next matter before the Board is a
15 request to consider the revocation of Eric Browner's
16 Gaming Permit. On March 11, 2015 the OEC filed a
17 complaint to revoke Mr. Browner's Gaming Employee
18 Permit as he cheated while dealing the game of Craps
19 at Sugarhouse Casino. The Sugarhouse Casino Table
20 Games Department notified the Surveillance Department
21 that a patron was suspected of cheating on the Craps
22 games while Mr. Browner was dealing. Surveillance
23 coverage of the games revealed that Mr. Browner was
24 cheating while dealing the Craps games by marking the
25 patron's losing bets as off when the bets were not off

1 and should have been collected as losing bets.

2 Mr. Browner was questioned by the
3 Pennsylvania State Police but ultimately was not
4 charged. Mr. Browner was however terminated from
5 Sugarhouse Casino and is not currently employed in a
6 gaming facility in Pennsylvania. The complaint filed
7 by the OEC alleged that Mr. Browner failed to maintain
8 his suitability. The OEC now requests that the Board
9 revoke the Gaming Permit held by Eric Browner.

10 CHAIRMAN:

11 Is Eric Browner present in the hearing
12 room? Any questions or comments from the Board?
13 Ex-Officio members? May I have a motion?

14 MS. KAISER:

15 Mr. Chairman, I move that the Board
16 issue an Order to approve the revocation of Eric
17 Browner's Gaming Employee Occupation Permit, as
18 described by the OEC.

19 MR. FAJT:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 Opposed? The motion carries.

1 ATTORNEY ESTRIPLET:

2 Good afternoon, Chairman Ryan and
3 members of the Board. Carmelia Estriplet,
4 E-S-T-R-I-P-L-E-T, Assistant Enforcement Counsel. I'm
5 before you to request a suspension of the Non-Gaming
6 Employee Registration of Ricky Magnum-Norwood. Mr.
7 Magnum-Norwood was formally employed by Garda CL
8 Atlantic, however, he is not currently employed by any
9 casino or gaming service provider in the Commonwealth.
10 OEC filed the request for suspension after learning
11 that Mr. Magnum-Norwood was charged with three counts
12 or recklessly endangering another person, six counts
13 of simple assault and one count of possession of an
14 instrument of crime. Mr. Magnum-Norwood has entered
15 into the ARD program. And at this time we ask that
16 you approve the suspension of Mr. Magnum-Norwood's
17 Non-Gaming Employee Registration.

18 CHAIRMAN:

19 Okay. Is Ricky Lee Magnum-Norwood
20 present in the hearing room? Any questions or
21 comments from the Board? Ex-Officio members? May I
22 have a motion?

23 MR. MCCALL:

24 Mr. Chairman, I move that the Board
25 issue an Order to approve the suspension of Ricky Lee

1 Mangun-Norwood's Non-Gaming Employee Registration, as
2 described by the OEC.

3 MR. JEWELL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 ATTORNEY ROLAND:

11 Good afternoon, Mr. Chairman and members
12 of the Board. Michael Roland, R-O-L-A-N-D, with the
13 OEC. The next matter is an enforcement action against
14 Richard Franz. Mr. Franz is a qualifier and sole
15 shareholder of the Gaming Service Provider Full Draw
16 Landscape Design Services, LLC. In March of 2013, Mr.
17 Franz was arrested and charged with two counts of
18 felony aggravated assault, 55 counts of persons not to
19 possess firearms and two counts of misdemeanor
20 indecent assault.

21 The criminal complaint alleged that Mr.
22 Franz accosted a female victim in this home. During
23 the police investigation into the incident, 55
24 firearms were found in Mr. Franz's home. Mr. Franz is
25 prohibited from possessing firearms because of a 1992

1 felony conviction. The OEC sought an emergency
2 suspension of Full Draw Landscape Design Services
3 Licensure, which was granted, and the emergency
4 suspension was upheld after an evidentiary hearing.

5 In June of 2014 Mr. Franz entered a
6 guilty plea to persons not to possess firearms and a
7 nolo contendere to felony, aggravated assault and
8 misdemeanor indecent assault. Mr. Franz was sentenced
9 concurrently on the charges for a period of 11-and-a-
10 half to 23 months in county prison. Based upon the
11 disposition of the criminal case, the OEC filed an
12 enforcement action against Mr. Franz. The matter is
13 now before the Board to consider that enforcement
14 action. Because Full Draw Landscape Design Services
15 is owned in its entirety by Mr. Franz and he is the
16 only qualifier, the ultimate effect would be the
17 revocation of the Gaming Service Provider Registration
18 of Full Draw Landscape Design Services, LLC.

19 CHAIRMAN:

20 Is Richard Franz present in the hearing
21 room? Any questions or comments from the Board?
22 Ex-Officio members? May I have a motion?

23 MR. MOSCATO:

24 Mr. Chairman, I move that the Board
25 issue an Order to approve the revocation of Richard

1 Franz as a Gaming Service Provider Qualifier, as
2 described by the OEC.

3 MS. KAISER:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 Opposed? The motion carries.

10 ATTORNEY ROLAND:

11 The next matter is a request to revoke
12 the Gaming Employee Permit of Michael Lin. Mr. Lin
13 was a dealer at Sands Casino and he was arrested on
14 April the 2nd of 2015 by the United States Secret
15 Service and charged with conspiracy to commit offense
16 or to defraud the United States uttering counterfeit
17 obligations and securities, dealing in counterfeit
18 obligations or securities and money laundering
19 conspiracy.

20 Mr. Lin was allegedly involved in a
21 Uganda-based scheme that produced more than \$1.5
22 million in high-quality, counterfeit U.S. currency.
23 Mr. Lin is specifically accused of passing some of the
24 counterfeit bills and writing an online guide about
25 how to pass them at casinos. The charges are pending.

1 Mr. Lin is currently not employed by any casino or
2 licensee in the Commonwealth and the matter is now
3 before the Board to consider the revocation of Mr.
4 Lin's Gaming Employee Permit.

5 CHAIRMAN:

6 Is Michael Lin present in the hearing
7 room? Questions or comments from the Board? Ex-
8 Officio members? May I have a motion?

9 MR. WOODS:

10 Mr. Chairman, I move that the Board
11 issue an Order to approve the revocation of Michael
12 Lin's Gaming Employee Permit, as described by the OEC.

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 Opposed? The motion carries.

20 ATTORNEY ROLAND:

21 The next matter is a request to revoke
22 the Gaming Employee Permit of Hector Soto-Ortiz.
23 Until March 31st, 2015 Mr. Ortiz was employed as a
24 Slots Attendant at Sands Casino. The Bureau of Casino
25 Compliance was notified by surveillance about Mr.

1 Ortiz keeping tips given to him from patrons when
2 processing their jackpots. Slot attendants are
3 required to deposit all their tips in a tote drop box,
4 which Mr. Ortiz failed to do. He was monitored for
5 several days, and during that time he was observed
6 responding to several jackpots and keeping those tips.
7 Mr. Ortiz admitted that he took \$500 to \$1,000 a week,
8 but then in a written statement admitted to taking
9 \$500 to \$600 a night for approximately a year. He
10 stated that he needed the money to pay for bills,
11 credit cards and for a new driveway. Mr. Ortiz was
12 not criminally charged in this matter and he's
13 currently not employed by any casino in the
14 Commonwealth of Pennsylvania. The matter is now
15 before the Board to consider the revocation of Mr.
16 Ortiz's Gaming Employee Permit.

17 CHAIRMAN:

18 Is Hector Soto-Ortiz present in the
19 hearing room? Any questions or comments from the
20 Board? Ex-Officio members? May I have a motion?

21 MR. FAJT:

22 Mr. Chairman, I move that the Board
23 issue an Order to approve the revocation of Hector
24 Soto-Ortiz's Gaming Employee Permit, as described by
25 the OEC.

1 MR. MOSCATO:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 Opposed? The motion carries.

8 ATTORNEY ROLAND:

9 The next matter is a request to revoke
10 the Gaming Employee Permit of Xiao Tan. Ms. Tan is
11 employed as a Table Games Supervisor at Sands Casino.
12 On March 30th, 2015 Ms. Tan was arrested by the
13 Whitehall Township Police Department. She was charged
14 with retail theft. It was alleged in the criminal
15 complaint that while at Macy's Department Store, Ms.
16 Tan took approximately \$588 worth of merchandise
17 without paying for it. The items included four
18 jackets and a purse, the charge remains pending. The
19 matter is now before the Board to consider the
20 revocation of Ms. Tan's Gaming Employee Permit.

21 CHAIRMAN:

22 Is Xiao Tan present in the hearing room?
23 Any questions or comments from the Board? Ex-Officio
24 members? May I have a motion?

25 MR. JEWELL:

1 Mr. Chairman, I move that the Board
2 issue an Order to approve the revocation of Xiao Tan's
3 Gaming Employee Permit, as described by the OEC.

4 MR. WOODS:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 Opposed? The motion carries.

11 ATTORNEY ROLAND:

12 Thank you.

13 ATTORNEY PITRE:

14 The last eight matters on the agenda
15 consist of enforcement actions in which the OEC have
16 filed petitions seeking the involuntary exclusion of
17 individuals whose presence in a licensed facility are
18 inimical to the interests of the Commonwealth or
19 licensed gaming therein. In each instance a Petition
20 for Exclusion has been filed with the Board's OHA and
21 properly served by certified and/or first class mail
22 upon the individual named in the Petition.

23 In each instance, the individual named
24 in the Petition failed to respond within 30 days, as
25 required by Board regulation. As a result, the OEC

1 filed a request for default judgment in each instance
2 and properly served the default judgment upon each
3 individual. As a result, all facts in each Petition
4 are deemed admitted. All filed documents have been
5 provided to the Board and the matters are presently
6 ripe for the Board's consideration. In each instance
7 again we will provide a brief summary of the facts and
8 request the appropriate Board action.

9 CHAIRMAN:

10 Okay.

11 ATTORNEY ROLAND:

12 The next matter is a request to place
13 Juliet Checksfield on the Involuntary Exclusion List.
14 On March the 7th, 2015 Ms. Checksfield attempted to
15 use a fraudulent Pennsylvania Driver's License to gain
16 access to the casino floor at Sands from the market
17 entrance. The surveillance footage revealed Ms.
18 Checksfield approached the entrance and presented the
19 fraudulent identification to Sands security. The
20 scanner indicated that it was an invalid
21 identification. Ms. Checksfield's date of birth was
22 determined to be April 12th, 1995 making her 19 years
23 of age at the time. Ms. Checksfield was charged by
24 the Pennsylvania State Police with carrying a false
25 identification card. The charge was resolved on June

1 the 9th, 2015 with her completion of the ARD program.
2 The matter is now before the Board to consider the
3 placement of Juliet Checksfield on the Board's
4 Involuntary Exclusion list.

5 CHAIRMAN:

6 Is Juliet Checksfield present in the
7 hearing room? Questions or comments from the Board?
8 Ex-Officio members? May I have a motion?

9 MS. KAISER:

10 Mr. Chairman, I move that the Board
11 issue an Order to approve the addition of Juliet
12 Checksfield to the Pennsylvania Gaming Control Board
13 Involuntary Exclusion List, as described by the OEC.
14 I further move that Ms. Checksfield can petition for
15 removal from the list after her 22nd birthday.

16 MR. FAJT:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 Opposed? The motion carries.

23 ATTORNEY FENSTERMAKER:

24 Next we have for your consideration a
25 complaint requesting the placement of Stephen Fisher

1 on the Board's Exclusion List. In January of 2012,
2 Mr. Fisher struggled with Pennsylvania State Police
3 after refusing to leave the table game he was wagering
4 at, at Harrah's personnel's request. As a result, the
5 OEC requests that Mr. Fisher be added to the Board's
6 Involuntary Exclusion List.

7 CHAIRMAN:

8 Is Stephen Fisher present in the hearing
9 room? Any questions or comments from the Board?
10 Ex-Officio members? May I have a motion?

11 MR. MCCALL:

12 Mr. Chairman, I move that the Board
13 issue an Order to approve the addition of Stephen
14 Fisher to the Pennsylvania Gaming Control Board
15 Involuntary Exclusions List, as described by the OEC.

16 MR. JEWELL:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 Opposed? The motion carries.

23 ATTORNEY FENSTERMAKER:

24 Next we have for your consideration a
25 complaint requesting the placement of Donald Sykes on

1 the Board's exclusion list. Mr. Sykes was observed
2 altering wagers while patronizing Harrah's on two
3 separate occasions. As a result, the OEC requests
4 that Mr. Sykes be added to the Board's Involuntary
5 Exclusion List.

6 CHAIRMAN:

7 Is Donald Sykes present in the hearing
8 room? Any questions or comments from the Board?
9 Ex-Officio members? May I have a motion?

10 MR. MOSCATO:

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

15 MS. KAISER:

16 Second.

17 CHAIRMAN:

18 All in favor

19 ALL SAY AYE

20 CHAIRMAN:

21 Opposed? The motion carries.

22 ATTORNEY STUART:

23 Thank you. Glen Stuart again for the
24 OEC, S-T-U-A-R-T. Next for the Board's consideration
25 is a Petition seeking to place Ru Chen on the

1 Involuntary Exclusion list. On October 17th, 2014 the
2 Pennsylvania State Police cited Mr. Chen with one
3 count of prohibited acts pursuant to 4 PACS Section
4 1518(a)(7.1)(i) and one count of prohibited acts
5 pursuant to 4 PACS Section 1518(a)(7.1)(ii) for
6 marking tiles while playing Pai Gow at the Valley
7 Forge Casino Resort. These charges remain pending
8 against Mr. Chen at this time. Valley Forge also
9 permanently evicted Mr. Chen from its facility as a
10 result of this incident. Based on these facts, the
11 OEC requests the Board place Ru Chen on the
12 Involuntary Exclusion List.

13 CHAIRMAN:

14 Is Ru Chen present in the hearing room?
15 Any questions or comments from the Board? Ex-Officio
16 members? May I have a motion?

17 MR. WOODS:

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

22 MR. MCCALL:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 Opposed? The motion carries.

4 ATTORNEY STUART:

5 Next for the Board's consideration is a
6 Petition seeking to place Thomas Highland on the
7 Involuntary Exclusion List. On January 1st, 2015 Mr.
8 Highland used the Pennsylvania identification card
9 belonging to another person to obtain a casino access
10 pass and to gain access to the gaming floor at the
11 Valley Forge Casino Resort. Mr. Highland was only 20
12 years of age at the time.

13 While on the gaming floor, Mr. Highland
14 wagered at a slot machine. Mr. Highland was
15 subsequently charged with one count of underage gaming
16 pursuant to 4 PACS Section 1518(a) Subsection 13.1 and
17 pled guilty to this charge on June 5th, 2015. Valley
18 Forge also permanently evicted Mr. Highland from its
19 facility. Based on the facts, the OEC request the
20 Board place Thomas Highland on the Involuntary
21 Exclusion List.

22 CHAIRMAN:

23 Is Thomas Highland present in the
24 hearing room? Any questions or comments from the
25 Board? Ex-Officio members? May I have a motion?

1 MR. FAJT:

2 Mr. Chairman, I move that the Board
3 issue an Order to approve the addition of Thomas
4 Highland to the Pennsylvania Gaming Control Board
5 Involuntary Exclusion List, as described by the OEC.
6 I further move that Mr. Highland may petition for
7 removal from the list after one year.

8 MR. MOSCATO:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 Opposed? The motion carries.

15 ATTORNEY MILLER:

16 Good afternoon, Dustin Miller on behalf
17 of the OEC. The next matter today is a request for
18 placement on the Board's Excluded Persons List
19 involving David Breslin. The OEC filed a Petition to
20 place Mr. Breslin on the Exclusion List for breaking
21 into cars and committing theft in the parking lot at
22 Parx Casino on September 23rd, 27th and 29th, 2014.
23 Mr. Breslin pleaded guilty to these crimes on February
24 3rd, 2015 and was sentenced to a maximum of 23 months
25 of incarceration for these offenses. Mr. Breslin had

1 previously served jail time for similar activity in
2 2009. Based upon the foregoing, the OEC asks that the
3 Board place David Breslin on the Board's Excluded
4 Persons List.

5 CHAIRMAN:

6 Is David Breslin present in the hearing
7 room? Any questions or comments from the Board? Ex-
8 Officio members? May I have a motion?

9 MR. JEWELL:

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

14 MR. WOODS:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed? The motion carries.

21 ATTORNEY MILLER:

22 Then next matter is a request to place
23 Fredrick Brooks, aka Eric Brown, aka John Davis, aka
24 Brooks Williams, aka Ronald Woods, aka Michael Evans,
25 on the Board's Excluded Persons List. The OEC filed a

1 Petition to place Mr. Brooks on the Exclusion List for
2 pickpocketing a patron at Parx Casino in November 26,
3 2014. Surveillance footage of the incident shows Mr.
4 Brooks reaching into the pocket of a patron, removing
5 the patron's money clip and then dropping the money
6 clip onto the floor.

7 Pennsylvania State Police confronted Mr.
8 Brooks and the patron retrieved his money clip, which
9 revealed that \$100 was missing. A subsequent search
10 revealed the \$100 bill on Mr. Brooks' person. Mr.
11 Brooks was charged by Pennsylvania State Police with
12 theft by unlawful taking, receiving stolen property
13 and providing false identification to a law
14 enforcement officer for his actions. Based upon the
15 foregoing, the OEC asks that the Board place Frederick
16 Brooks, aka Eric Brown, aka John Davis, aka Brooks
17 Williams, aka Ronald Woods, aka Michael Evans on the
18 Excluded Persons List.

19 CHAIRMAN:

20 Is Frederick Brooks and all those aka's
21 present in the hearing room? Questions or comments
22 from the Board? May I have a motion?

23 MS. KAISER:

24 Mr. Chairman, I move that the Board
25 issue an order to approve the addition of Frederick

1 Brooks, as well as the other names he's utilized, to
2 the Pennsylvania Gaming Control Board Involuntary
3 Exclusion List, as described by the OEC.

4 MR. FAJT:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 Opposed? The motion carries.

11 ATTORNEY MILLER:

12 And the final matter today is a request
13 for placement on the Board's Excluded Persons List
14 involving Li Ji Tan. The OEC filed a Petition to
15 place Ms. Tan on the exclusion list for underage
16 gaming at Parx Casino on November 24th, 2014. Ms. Tan
17 was on the gaming floor for approximately 18 minutes.
18 While on the gaming floor, Ms. Tan played a Slot
19 machine for approximately three minutes. She was
20 caught on the gaming floor when she tried to buy into
21 a Pai Gow poker table. Ms. Tan was charged with a
22 summary violation of the Gaming Act for being on the
23 gaming floor while under the age of 21 by Pennsylvania
24 State Police. On January 7th, 2015 Ms. Tan pleaded
25 guilty to the offense. Based upon the foregoing, the

1 OEC asks that the Board place Li Ji Tan on the Board's
2 Excluded Persons List.

3 CHAIRMAN:

4 Is Li Ji Tan present in the hearing
5 room? Any questions or comments from the Board? Ex-
6 Officio members? May I have a motion?

7 MR. MCCALL:

8 Mr. Chairman, I move that the Board
9 issue an Order to approve the addition of Li Ji Tan to
10 the Pennsylvania Gaming Control Board Involuntary
11 Exclusion List as described by the OEC. I further
12 move that Ms. Tan can petition for removal from the
13 list after her 22nd birthday.

14 MR. JEWELL:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 ALL SAY AYE

19 CHAIRMAN:

20 Opposed? The motion carries.

21 ATTORNEY MILLER:

22 Thank you.

23 CHAIRMAN:

24 Thank you ladies and gentlemen.

25 Appreciate it. This concludes today's meeting. Our

1 next scheduled public meeting will be held on
2 Wednesday, August 5th at 10:00 a.m. Any final
3 comments from the Board? Ex-Officios? May I have a
4 motion to adjourn?

5 MR. MOSCATO:

6 Mr. Chairman, as I am the only thing
7 standing between us and lunch, I am pleased to make a
8 motion to adjourn.

9 MS. KAISER:

10 Second.

11 CHAIRMAN:

12 Great. Thank you very much ladies and
13 gentlemen. Appreciate it.

14 * * * * *

15 MEETING CONCLUDED AT 12:50 P.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings,
hearing held before Chairman Ryan was reported by me
on 7/8/15 and that, I Derrick Ferree, read this
transcript and that I attest that this transcript is a
true and accurate record of the proceeding.



Derrick Ferree