

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

IN RE: HOLDINGS ACQUISITION CO., LP (RIVERS CASINO)

* * * * *

PUBLIC HEARING

* * * * *

BEFORE: Gregory C. Fajt, Chairman
Raymond S. Angeli, Jeffrey W. Coy,
James B. Ginty, Kenneth T. McCabe,
Gary A. Sojka, Kenneth I. Trujillo; Members

HEARING: January 26, 2011, 10:01 a.m.

LOCATION: Keystone Building
400 North & Commonwealth
Hearing Room #1
Harrisburg, PA

WITNESSES: Andrea Kleinrock, Richard Marion

Reporter: Cynthia Piro Simpson

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

A P P E A R A N C E S

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

E. BARRY CREANY, ESQUIRE
Office of Enforcement Counsel
PA Gaming Control Board
P.O. Box 69060
Harrisburg, PA 17106-9060
Counsel for Pennsylvania Gaming Control Board

MICHAEL D. SKLAR, ESQUIRE
Levine Staller
3030 Atlantic Avenue
Atlantic City, NJ 08401-6380
Counsel for Holdings Acquisition Co., LP
(Rivers Casino)

I N D E X

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

OPENING REMARKS

By Chairman Fajt 4 - 6

PRESENTATION

By Attorney Sklar 6 - 7

By Ms. Kleinrock 7 - 10

By Mr. Marmion 10 - 11

By Ms. Kleinrock 11 - 12

QUESTIONS

By Attorney Creany 12 - 16

By the Board 16 - 26

By Mr. McCord 26 - 27

By Chairman Fajt 28 - 29

CONCLUDING REMARKS

By Chairman Fajt 29

P R O C E E D I N G S

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

CHAIRMAN:

Good morning, everybody. I'm Greg Fajt, Chairman of the Gaming Control Board. As is our normal practice, I'd like to ask everybody to please turn off their cell phones and PDAs so they do not interfere with our system this morning.

Joining us today is State Treasurer Rob McCord; Bob Coyne, representing Acting Secretary of the Department of Revenue, Dan Meuser. And I believe that Dan Tufano is here representing Acting Secretary of Agriculture, Mike Pechart. And thank you all for coming.

A quorum of the Board is present. I'd like to call today's meeting to order. And as our first order of business, please join me in the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

I note that we had a couple of last-minute scratches from the agenda yesterday at the request of two parties seeking Board action. But notwithstanding that fact, we still have two items on the board today by way of public hearings, which will

1 take place prior to our public meeting.

2 The first public hearing pertains to
3 Holdings Acquisition Company, LP's Petition for
4 Approval of Ballroom Construction at the Rivers
5 Casino. And immediately following our first hearing,
6 Holdings Acquisition will address its second petition,
7 seeking approval of a modified gaming floor plan. For
8 each matter we will take evidence from the Licensee,
9 as well as the Office of Enforcement Counsel. The
10 Board will then be given an opportunity to ask
11 questions of the parties and their witnesses. At the
12 conclusion of both hearings, we will take a recess to
13 conduct quasi judicial deliberations before returning
14 to conduct our regularly-scheduled meeting.

15 I see that Holdings Acquisition is at the
16 table. Prior to your presentation, could all
17 witnesses for both petitions being present for
18 Holdings Acquisition and the Office of Enforcement
19 Counsel who are not attorneys please stand to be sworn
20 in.

21 -----

22 WITNESSES SWORN EN MASSE

23 -----

24 CHAIRMAN:

25 I'd also ask, including legal Counsel,

1 before beginning your comments today, if you could
2 please spell your name and state your name for the
3 stenographer. And with that, Holdings Acquisition,
4 you may begin. Welcome.

5 ATTORNEY SKLAR:

6 Good morning. Michael Sklar, S-K-L-A-R,
7 on behalf of Rivers Casino. The first petition is for
8 approval of the ballroom construction. As the Board
9 is aware, when Don Barden first was approved for the
10 Rivers Casino, one component of his project was the
11 construction of a ballroom. At that time, Mr. Barden
12 proposed to locate the ballroom on the second floor.
13 And when some of the witnesses testify, they'll be
14 able to orient you on the different pictures that we
15 have in the presentation. So, he initially proposed
16 to locate it on the second floor, and it's not on the
17 river side. There's no window --- there was going to
18 be no window. So, it was on the interior part of the
19 building.

20 Today, what we're requesting the Rivers
21 --- current Rivers management, with the benefit of a
22 year-and-a-half of operations, they think that a
23 better location is above the Wheelhouse --- the
24 existing Wheelhouse Bar, which is in the southeast
25 corner of the building. Again, they'll orient you.

1 But by --- on the second floor still. But by doing
2 that, it will enable the Rivers to take advantage of
3 the views, the outdoor patio, and the space is just
4 tremendous. So, the --- we think that the benefits
5 are fantastic to move it to this new location, and the
6 construction will still be completed within the two
7 years.

8 If you remember when Holdings Acquisition
9 was approved, when they came into the project, the ---
10 one of the modifications to the development plan was
11 pushing out the construction of the ballroom from the
12 first phase to a later phase. And the Board, in our
13 Statement of Conditions, the requirement was to have
14 it completed within two years of opening, which is
15 August of 2011. And with this proposed new location,
16 we'll be able to construct and open it within that
17 time frame.

18 So, with that, I'd like to introduce
19 Andrea Kleinrock, who is the Vice President of Food
20 and Beverage, and she'll go through some of the
21 specifics.

22 MS. KLEINROCK:

23 Good morning.

24 CHAIRMAN:

25 Welcome.

1 MS. KLEINROCK:

2 Thank you. My last name is --- my first
3 name is Andrea, my last name is Kleinrock,
4 K-L-E-I-N-R-O-C-K. Today I just wanted to talk about
5 the proposed site. As you can see in this picture
6 here, on the right-hand side, next to the Drum Bar,
7 like Michael said, we have all windows, a balcony, a
8 great view that our guests seem to love down the
9 Wheelhouse and the Drum Bar to have their parties now.
10 So, we feel the proposed space with the windows is
11 going to really attract guests and put us apart from
12 our competition in the city so guests can book
13 their ---.

14 Just to go through the slides that we
15 have ---.

16 ATTORNEY SKLAR:

17 Andrea, can you just orient the Board and
18 the people who are here exactly where the Drum Bar is
19 and ---?

20 MS. KLEINROCK:

21 I'm sorry. The Drum Bar is in the
22 center, where there are lighted areas in the center,
23 where there's the chandelier. So, right here is the
24 Drum Bar, and the proposed space is right here. And
25 the windows go all the way around. So, you'll see

1 from our valet area all the way through the river
2 scenes. You can see the bridges as well there. So,
3 it's a great location, with windows. And like I said,
4 our customers love the view, and I think we have a
5 spectacular view that we really need to show off to
6 sell this space.

7 And this is a closer view here. Right
8 here is our balcony area. The only other place in
9 downtown Pittsburgh that has a balcony is the
10 Convention Center. So, I think this will set us apart
11 from our competition as well. And it's great to have
12 an outdoor cocktail area for guests to go in the
13 springtime and the summertime to start their reception
14 off, and then go into the ballroom.

15 The proposed ballroom space is
16 approximately 15,000 square feet, which includes
17 support areas. We are building a kitchen back there
18 to plate up our dinners that we will have for our
19 functions, any food stuff that will be going on and
20 our beverage. There's flexible configurations, which
21 you'll see on the next slides, that we put together.
22 Here, we can hold a concert event that will have over
23 a thousand seats in it that we can have entertainment,
24 any type of seminars that are large. This room will
25 hold over a thousand people. We can also have a

1 full-service dinner area, which will seat 672 people.
2 So, the space is very large for big banquet events.
3 We can also, with this room, have multi-functions
4 going on. So, the room can be split in half. And
5 right here you'll see we have air walls, and you can
6 have two functions going on at once. So, there's 280
7 seats that we can put on this side, and on this side
8 there's about 230 seats.

9 We can also have two functions going on
10 for a full-service dinner at the same time. And then
11 we can have a pre-function space in the middle. While
12 one event is going on, there's still a pre-function
13 space for the other event. So, there's multiple ways
14 to break this room down to have two or three events
15 going on at the same time.

16 MR. MARMION:

17 My name is Richard Marmion, that's
18 M-A-R-M-I-O-N. Some of the benefits of this new
19 location are the spectacular views. I worked at Heinz
20 Field as the executive chef for about three years, and
21 we had two club areas that we sold. We did about 300
22 functions a year there. We had an East Club and a
23 West Club. The East Club was 50 to 1 sales because of
24 the view. The East Club views the whole downtown
25 skyline and the Point, where the West Club kind of

1 looks at the West End Bridge and some warehouses and
2 the Science Center. So, the view there was really,
3 really huge. You know, you get the city, you get ---
4 during fireworks in Pittsburgh, it's huge. We can
5 really pump them through in that area. The outdoor
6 patio, like Andrea was saying, it's really a great
7 benefit because we could have numerous styles of party
8 out there. You could have the cocktail reception.
9 You know, if we did any VIP events, they could have
10 their VIP area outside, which would be really, really
11 nice.

12 This area is also good for our guest
13 traffic flow because down the road I believe a hotel
14 is going to be built, which will be built right next
15 to this area. So, it will be --- you know, the guests
16 can come from the hotel right into the ballroom area
17 without having to really get lost or wander around.
18 And like Andrea said, you know, we can get more
19 bookings because of the views. And I think the
20 flexibility is there. There's numerous settings we
21 can do and hold numerous parties at once.

22 MS. KLEINROCK:

23 The banquet space will cost approximately
24 \$2 million. And with the Board approval, the ballroom
25 will be completed in the summer of 2011. We plan on

1 hiring a full banquet management team for this area, a
2 banquet chef, a sales director in that area, as well
3 as a banquet service team. For our hourly employees,
4 right now we have about 15 to hire. And as the space
5 grows, the employees needed will grow as well.

6 ATTORNEY SKLAR:

7 With that, we'll entertain any questions
8 that the Board or Enforcement Counsel has.

9 CHAIRMAN:

10 Before we go to the Board, Enforcement
11 Counsel, do you have a presentation or comments?

12 ATTORNEY CREANY:

13 Yes, we do, Chairman Fajt. My name is
14 Eugene Barry Creany, it's C-R-E-A-N-Y, on behalf of
15 the Office of Enforcement Counsel. I wanted to ask
16 any of the witnesses from Rivers that are here today,
17 when the proposal was being considered to move the
18 site of the ballroom that we've seen in the PowerPoint
19 today from the original position, where it was
20 internal in the, I believe, southwestern end of the
21 building, when that was being considered, did Rivers
22 have any type of discussions or any studies or
23 analysis done that would project what kind of benefits
24 you would see to moving it to a smaller area, the
25 15,000 square foot over the river as opposed to the

1 original space that was much bigger?

2 MS. KLEINROCK:

3 Yes. We get calls every day from our
4 guests. And the most that we've seen right now is
5 about 500 to 600 people. So, the ballroom space ---
6 the proposed ballroom space, the one that we were
7 going to do before, is very big and not needed at this
8 time as far as what the demand is in the market right
9 now. We've been studying this --- I've been on board
10 for over a year, and the calls that come in have been
11 anywhere from 400 to 600 is the largest parties that
12 we've seen. So, I don't feel that there's a need for
13 a bigger space at this time. And hopefully, we can
14 grow into that later on.

15 ATTORNEY CREANY:

16 When we were reviewing this petition, we
17 had the prior blueprints, the floor plans for the
18 second floor. And the ones that I had seen were the
19 31st of August 2007. They depicted this area that's
20 being proposed as a ballroom as a future
21 dining/nightclub. And I would ask Andrew or other
22 witnesses from Rivers that can speak to it, was ---
23 you know, is there any plans to have a, you know ---
24 to substitute in a different area to put a nightclub
25 in the Rivers?

1 MS. KLEINROCK:

2 This is not something we're talking about
3 at this time, but --- and we still have the other
4 space. We do have outside parties that call for that,
5 to fill that space. So, that could be something that
6 could happen in the future. But right now, we didn't
7 feel there was a need for nightlife, and we feel that
8 it's more profitable to have the ballroom instead of
9 the nightlife.

10 ATTORNEY CREANY:

11 Are there any plans in consideration for
12 how you might use that space that was formerly planned
13 for the ballroom?

14 MS. KLEINROCK:

15 Not at this time.

16 ATTORNEY CREANY:

17 With respect to these events that you're
18 planning, we saw they're meetings and banquets and
19 such, has Rivers done any preliminary discussions and
20 planning as to how you would limit the patrons that
21 can go into those events as opposed to ones that are
22 permitted on the gaming floor? Specifically, did you
23 have any discussions about under 21 being admitted
24 into the building, and how will you address keeping
25 them off the gaming floor?

1 MS. KLEINROCK:

2 We talked about under 21, and at this
3 point we decided not to have under 21 come in. All of
4 our parties now that we book in our banquet business,
5 because we do parties in all areas, we don't have 21
6 in there. And all of our contracts and the guests are
7 told that under 21 is not permitted at this time.

8 ATTORNEY CREANY:

9 So, for example, like a wedding you
10 wouldn't be able to accommodate because you might
11 likely have under 21 at those events; is that correct?

12 MS. KLEINROCK:

13 That's correct.

14 ATTORNEY CREANY:

15 You know, even in this slide it's saying
16 there's approximately \$2 million in the built-in
17 construction costs. Has that money been funded?

18 ATTORNEY SKLAR:

19 The money is available. It's been
20 budgeted and it's available. With the Board approval,
21 they're ready to go.

22 ATTORNEY CREANY:

23 And assuming that the Board approves the
24 petition, what is the estimated timeline of
25 construction? Here we have an approval. I believe

1 the start date of gaming was August 9th of 2009. So,
2 we have until August 9th of 2011. What's your
3 estimated timeline for the building construction?

4 MS. KLEINROCK:

5 It's about a three-month process, so our
6 blueprints are --- have been worked on. The kitchen
7 design has been done, so we have to submit for a
8 petition. So, I would say it's about a three-month
9 build-out, and we will be done by August.

10 ATTORNEY CREANY:

11 Okay. Thank you. I have no further
12 questions.

13 CHAIRMAN:

14 Thank you, Counselor. Any questions ---
15 or do you have a presentation beyond your questions?

16 ATTORNEY CREANY:

17 No, sir.

18 CHAIRMAN:

19 Okay. Any questions from the Board?
20 Yes. Commissioner Coy?

21 MR. COY:

22 Thank you. Just a quick question or two.
23 Do have in hand the necessary --- if there are
24 municipal permits required to do this construction or
25 are you waiting for this approval?

1 MS. KLEINROCK:

2 Permits that we --- we're starting the
3 permit process. I mean, we needed to wait for the
4 approval. So, we will go through all the proper
5 permit requests.

6 MR. COY:

7 And how long do you think that will be?

8 MS. KLEINROCK:

9 They're saying it's about a month or two
10 months.

11 MR. COY:

12 From now or from when you started?

13 MS. KLEINROCK:

14 From now.

15 MR. COY:

16 Good. Thank you.

17 CHAIRMAN:

18 Commissioner Trujillo?

19 MR. TRUJILLO:

20 Thank you, Mr. Chairman. Mr. Sklar, I
21 take it --- and this is Condition 54 of the Statement
22 of Conditions of the original license, as I understand
23 it. Is that your understanding?

24 ATTORNEY SKLAR:

25 Yes.

1 MR. TRUJILLO:

2 And I know --- I don't think you
3 represented Mr. Barden, but did Mr. Barden miss the
4 river in 2006, or how was it that we come here today
5 to have you --- I mean, as I see this, the river was
6 always there, the view was always there, the terrace
7 possibilities. All of the benefits that were being
8 described have been there since 2006. So, we don't
9 have any change in conditions or a sudden discovery of
10 a body of water, do we?

11 ATTORNEY SKLAR:

12 I do not believe so.

13 MR. TRUJILLO:

14 So, is --- and I just want to make sure
15 that the only reason that you're requesting to change
16 is that it's a lack of demand for the space of the
17 original ballroom? Is that ---?

18 ATTORNEY SKLAR:

19 I don't know if it's so much of a lack of
20 demand. I think just think that the location with the
21 river views is just going to generate a lot more
22 bookings, which is, you know, really the goal here.
23 It's just going to be a more attractive space.

24 MR. TRUJILLO:

25 And I understand, but we have two

1 different things. We have both the addition of the
2 river view, so the location, but then the second part
3 of it is a reduction of the space of the ballroom from
4 almost --- by a factor of four. I think that's right;
5 right? I think the original --- wasn't the original
6 ballroom in the 40,000 range?

7 ATTORNEY SKLAR:

8 No. My understanding, it was 19,000.

9 MR. TRUJILLO:

10 Oh, 19,000. And what will this one be
11 now?

12 ATTORNEY SKLAR:

13 Approximately 15,000 width. Without the
14 pre-function, I think it's about 12,000.

15 MR. TRUJILLO:

16 Okay. So, I'm sorry, 4,000 square feet
17 less?

18 ATTORNEY SKLAR:

19 12,000 versus --- 7,000.

20 MR. TRUJILLO:

21 7,000. And actually, I'm a lawyer.

22 Okay. And the demand that you were describing is
23 typically between 400 and 600 guests. And is the
24 programming different? Namely, is it receptions,
25 banquets, or what's the difference in the demand

1 versus what it was anticipated to be four years ago?

2 MS. KLEINROCK:

3 Trade shows are calling to have trade
4 shows where private events, as far as seminars,
5 speakers coming. There's a multiple of functions that
6 we're being asked to do that we can't accommodate at
7 this time, just based on the phone calls. And we keep
8 a list of everything that everybody asks for. And
9 based on all that feedback is how we design this room.

10 MR. TRUJILLO:

11 That's all I have, Mr. Chairman. Thank
12 you.

13 CHAIRMAN:

14 Commissioner McCabe?

15 MR. MCCABE:

16 Yes, Mr. Chairman. I may be able to help
17 clarify some of this, having been, since the very
18 beginning, with Commissioner Coy and myself being the
19 only two original left. I think Mr. Barden had plans
20 to maybe make that amenity an entertainment area
21 because of some of his connections with Motown, Smokey
22 Robinson, and the economic times were different. And
23 he wanted a nightclub for that to be a little bit of a
24 gathering area. I think over the years we have found
25 that that's not necessary. People are coming.

1 They're coming to the Wheelhouse, the Drum Bar, and
2 that from my education of six years, a nightclub
3 sometimes is more problems than a banquet room.

4 In addition, I don't know if Mr. Barden
5 ever really anticipated having a hotel. And with
6 their long-term plans, in fact, economic conditions
7 are right, where they're putting the hotel, this makes
8 perfect sense to have. My understanding, you have a
9 walkway, so you don't have to have the concerns, which
10 I did, of security and having 18, 19, 20-year-olds
11 coming to these functions, coming onto the gaming
12 floor. They're able to go right from the hotel right
13 to the meeting rooms or the banquet rooms for these
14 festivities, so I think it's a good change in
15 ownership and looking at the facility and their future
16 plans. I can remember Smokey Robinson saying, you
17 know, if you built this ballroom, I'll come and open
18 it. I believe Mr. Barden, from my understanding
19 venues that he can play now, the smaller venues.

20 I have just one question. How many jobs,
21 new jobs --- how many construction jobs is this going
22 to create and how many new jobs will this create for
23 Pittsburghers?

24 MS. KLEINROCK:

25 I can't answer to the construction jobs.

1 I'm not sure about that. I don't know if ---.

2 ATTORNEY SKLAR:

3 There are --- I think they preliminarily
4 identified some contractors to do the work, but I
5 don't know that we have specific construction job
6 estimates, but we can get those for you.

7 MS. KLEINROCK:

8 We're going to hire about 15 to 20 hourly
9 employees and then a banquet management team, which
10 will consist of about four or five people.

11 CHAIRMAN:

12 Thank you. Commissioner Sojka?

13 MR. SOJKA:

14 Just a few. Yet one more way to get at
15 the question I think Commissioner Trujillo was asking
16 and at the explanation that Commissioner McCabe gave,
17 you've now costed out this project at about \$2 million
18 totally. Do you have an estimate of what you would
19 have spent had you done the original ballroom? It's
20 larger, but it's a very different kind of space. It
21 didn't have a balcony. It didn't have all those
22 windows. It didn't wrap around. Do you know roughly
23 what it would have cost to go ahead with the original?

24 ATTORNEY SKLAR:

25 I don't know that they ever got to the

1 point where they had cost estimates for the fit-out
2 for the original space.

3 MR. SOJKA:

4 You understand the reason for the
5 question obviously is, is this something you want to
6 do because you want to spend less money. And just
7 looking at the plans, I'm not sure that would be the
8 case.

9 You mentioned that you're working on the
10 kitchen, and then you talked about doing banquets. Is
11 the kitchen going to be located in such a way that
12 this room can be serviced both for food and beverage
13 without disruption of any of the other activities?

14 MS. KLEINROCK:

15 Correct.

16 MR. SOJKA:

17 Will it be underneath?

18 MS. KLEINROCK:

19 Right behind. So, it will be right in
20 this area back here.

21 MR. SOJKA:

22 Oh, okay. Now, that then impinges a
23 little bit on the original ballroom space; right?

24 MR. MARMION:

25 The main kitchen is going to be right by

1 the buffet kitchen. That will be more of a satellite,
2 played-up service-style kitchen, with not cooking
3 equipment but more of a played-up presentation
4 equipment area.

5 MR. SOJKA:

6 Okay. So, you have a dumbwaiter or
7 something. The point is that you won't have carts
8 moving up from ---?

9 MR. MARMION:

10 No. We have a back-of-the-house hallway
11 that the carts will be moving from the kitchen to this
12 service area, and the guests will never really see it.

13 MR. SOJKA:

14 Okay. And you still have then most of
15 the space that was originally designated for ballroom,
16 will that just be shell space then at the moment, with
17 its future yet to be determined?

18 MS. KLEINROCK:

19 At this time, yes.

20 MR. SOJKA:

21 So that doesn't preclude something along
22 the lines of the original should the market justify
23 both?

24 MS. KLEINROCK:

25 Yeah. That's something that we had hoped

1 to grow into in the future.

2 MR. SOJKA:

3 And finally, this is an attractive space,
4 obviously. Pittsburgh has glorious views on the river
5 and you do have a great spot. Are you going to be
6 able to take advantage of that during regular
7 operation when you don't have banquets or events
8 planned? Is it going to be, in any way, open to the
9 public?

10 MS. KLEINROCK:

11 For firework shows, we could have stuff
12 that would be open to the public for people to come in
13 and see the space and see an event that's outside.

14 MR. SOJKA:

15 So when you do have your outside
16 activities, you might make that available as a viewing
17 area for your outside activities even though you
18 didn't have an event scheduled?

19 MS. KLEINROCK:

20 Yes.

21 CHAIRMAN:

22 Commissioner Trujillo?

23 MR. TRUJILLO:

24 I just want to --- I think I --- thanks
25 to the testimony of fellow Commissioner, I think I

1 understand. So, the programming has gone from what
2 was originally contemplated to be almost a concert
3 venue to rental space for banquet and other types of
4 meetings?

5 MS. KLEINROCK:

6 Correct.

7 MR. TRUJILLO:

8 There we go. I got it. Thank you.

9 CHAIRMAN:

10 Any other questions? Yes, Treasurer?

11 MR. MCCORD:

12 Mr. Chairman, I just want to focus on
13 revenues, if I might. And the role of the Treasury in
14 this is new, so I haven't had a chance to review your
15 petition. What are the implications for gaming
16 revenues, table gaming and slots revenues, if any, of
17 this modification?

18 CHAIRMAN:

19 I don't know that there's been any kind
20 of study trying to quantify exactly what the
21 incremental increase will be. I just think that the
22 analysis was more bookings, more patrons are going to
23 be in the facility, and it's just --- you know, the
24 logic says at least a portion of those patrons will
25 visit the casino and gamble. I don't think that

1 there's been any study to quantify exactly what the
2 impact would be.

3 MR. MCCORD:

4 I think we'd be interested in, you know,
5 sort of a back of the envelope assessment of that.
6 And then similarly, I join Commissioner McCabe in an
7 acute interest in jobs and sort of the delta between
8 the jobs that might have been created under the
9 original plan, although you don't want to build a
10 white elephant, I understand, and the number of jobs
11 that should be generated in this sort of soft economy.

12 Other question, what's the timetable?
13 Assuming this is approved, how long would the
14 modification take?

15 CHAIRMAN:

16 It's anticipated that we'll be open
17 beginning of August of 2011.

18 MR. MCCORD:

19 And very little sort of patron flow
20 problems to the gaming floors during construction, I
21 assume; is that right?

22 MS. KLEINROCK:

23 There'll be no interruption in the casino
24 floor.

25 MR. MCCORD:

1 Thank you.

2 CHAIRMAN:

3 Thank you. Back to that chart. Are
4 there balconies on both sides of that blue area that's
5 jutting out? I assume that that area to the left ---
6 and if you could put your clicker --- the red clicker
7 right there, that's a balcony; correct?

8 MS. KLEINROCK:

9 Correct. That would be the only balcony.

10 CHAIRMAN:

11 Okay. What is that area to the right
12 that's jutting --- that area right there?

13 MR. MARMION:

14 That's just an overhang.

15 CHAIRMAN:

16 It's what?

17 MR. MARMION:

18 It's just an overhang. I think it's ---.

19 CHAIRMAN:

20 Just an overhang, okay. And back to the
21 kitchen area, just so I understand, kind of a smaller
22 kitchen area. Where is the main kitchen area compared
23 to that downstairs right underneath?

24 MR. MARMION:

25 No. The main kitchen area would be to

1 the left.

2 CHAIRMAN:

3 Okay.

4 MR. MARMION:

5 Approximately pretty far off that screen.

6 CHAIRMAN:

7 Okay. And I know that to the left of
8 that area is your buffet area.

9 MR. MARMION:

10 That's where the kitchen is, attached to
11 the back of the buffet kitchen.

12 CHAIRMAN:

13 Okay. I got you. I got you. Okay.
14 Thank you. Any other questions? Okay. Why don't we
15 conclude that hearing and move directly into the
16 second petition.

17 * * * * *

18 HEARING CONCLUDED

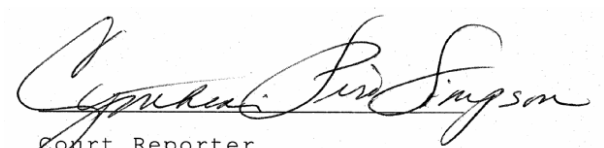
19 * * * * *

20
21 CERTIFICATE

22 I hereby certify that the foregoing
23 proceedings, hearing held before Chairman Fajt, was
24 reported by me on 01/26/2011 and that I Cynthia Piro
25 Simpson read this transcript and that I attest that

1 this transcript is a true and accurate record of the
2 proceeding.

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



Cynthia F. Simpson
Court Reporter