

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

PUBLIC MEETING

BEFORE: GREGORY C. FAJT, CHAIRMAN  
Raymond S. Angeli, James B. Ginty,  
Keith R. McCall, Anthony C. Moscato,  
Gary A. Sojka, Kenneth I. Trujillo  
(via telephone); Members  
Jennifer Lang, Representing Robert M.  
McCord, State Treasurer  
Robert Coyne, Representing Daniel P.  
Meuser, Secretary of Revenue  
Matthew Meals, Deputy Secretary of  
Agriculture, Representing George Greig,  
Secretary of Agriculture

MEETING: August 18, 2011, 2:16 p.m.

LOCATION: North Office Building  
Hearing Room #1  
401 North Street  
Harrisburg, PA 17120

Reporter: Tyler S. Rhoads

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A P P E A R A N C E S

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I N D E X

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OPENING REMARKS

By Chairman Fajt 4 - 5

PRESENTATION

By Mr. O'Toole 6 - 8

By Ms. Yantis 8 - 9

By Mr. Rhen 9 - 10

By Ms. Knavel 10 - 11

By Attorney Yocum 12 - 13

By Attorney Sherman 13 - 17

By Attorney Cook 17 - 28

By Ms. Hensel 28 - 42

By Attorney Dustin Miller 42 - 45

By Attorney Dale Miller 48 - 49

By Attorney Matelevich-Hoang 51 - 52

By Attorney Fenstermaker 52 - 53

By Attorney Creany 54 - 55

By Attorney Dustin Miller 56 - 57

By Attorney Matelevich-Hoang 58

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

1  
2  
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CHAIRMAN:

If I could ask everyone to please take their seats and we'll get restarted. Ken Trujillo, are you back with us?

MR. TRUJILLO:

I am.

CHAIRMAN:

Okay. Great. By way of announcements, the Board held an executive session yesterday for the purpose of discussing personnel matters, pending litigation and conduct quasi-judicial deliberations relating to matters being considered by the Board today. We had a second executive session earlier today to take testimony on the Harrah's Chester refinancing that we had talked about earlier in public session. And then we just held a third executive session just prior to our reconvening here. The purpose of that executive session was to deliberate on the WTA renewal, license renewal, and also the Harrah's Chester petition that we heard earlier today.

Next up we have consideration of a motion to approve the transcript and minutes of the Board's June 28th, 2011 meeting. May I have a motion?

1                   MR. ANGELI:

2                   Mr. Chairman, I move the Board approve  
3 the transcript of the minutes of the June 28th, 2011  
4 meeting.

5                   CHAIRMAN:

6                   Second?

7                   MR. GINTY:

8                   Second.

9                   CHAIRMAN:

10                  All in favor?

11 AYES RESPOND

12                  CHAIRMAN:

13                  Opposed? The motion passes. Our first  
14 order of new business is our Executive Director, Kevin  
15 O'Toole, has a report to offer. Welcome, Kevin.

16                  MR. O'TOOLE:

17                  Good afternoon, Chairman Fajt, members of  
18 the Board. As you are aware, our Western Regional  
19 Office is currently located in downtown Pittsburgh.  
20 The lease for that space will soon expire. As  
21 Chairman Fajt mentioned earlier at the public meeting  
22 today, we're examining all of our leases as they  
23 approach the end of their term to ensure that ---  
24 we're going out and looking at existing space and new  
25 space and evaluating what we can do in terms of

1 reducing the cost, as well as keeping it convenient  
2 and effective for our staff. So at this time I would  
3 like to ask the Board to issue a motion to initiate  
4 the process of securing office space for our Western  
5 Region Office by advertising the Board's interest in  
6 receiving solicitations for office space within  
7 Allegheny County. Advertisements will be made in the  
8 Pittsburgh Post-Gazette, The Pittsburgh Tribune  
9 Review, and on the Board's website. It is our intent  
10 to open the period for which prospective landlords  
11 could submit proposals for a period of one month. And  
12 upon review of all prospective proposals, present to  
13 the Board for approval at a public meeting the most  
14 appropriate space. Additionally, in order to  
15 facilitate this process and to receive the greatest  
16 results, I'm recommending that the Board engage the  
17 services of a broker in the Pittsburgh area who is  
18 approved by the Department of General Services, Bureau  
19 of Real Estate, to provide these services to  
20 Commonwealth agencies. So, if I could have a motion  
21 to approve that process, I would appreciate it.

22 CHAIRMAN:

23 Thank you, Kevin. Any questions from the  
24 Board? Kevin, just real quickly, when does our  
25 current lease expire and what are we doing between now

1 and whenever we get new space?

2 MR. O'TOOLE:

3 Our lease space at the Gateway Center in  
4 downtown Pittsburgh expires at the end of August.  
5 However, that lease has an automatic month-to-month  
6 renewal beyond the end of this month.

7 CHAIRMAN:

8 Okay. Thank you. May I have a motion,  
9 please?

10 MR. MCCALL:

11 Mr. Chairman, I move that the Board  
12 initiate the process of soliciting interests and  
13 receiving proposals for office space in Allegheny  
14 County, as described by the Executive Director.

15 CHAIRMAN:

16 Second?

17 MR. MOSCATO:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 AYES RESPOND

22 CHAIRMAN:

23 Opposed? The motion passes. Thank you,  
24 Kevin. Next up is Claire Yantis, our Director of  
25 Human Resources. Welcome, Claire.

1                   MS. YANTIS:

2                   Good afternoon, Chairman and Board  
3 members. The Office of Human Resources has reported  
4 today a motion to hire Donald Brink as an investigator  
5 in the Bureau of Investigations and Enforcement's  
6 (BIE'S) Central Regional Office. Mr. Brink has  
7 completed the PGCB interview process, background  
8 investigation and drug screening and is being  
9 recommended for hire by Deputy Director of BIE, Paul  
10 Mauro. Unless there are any questions, I ask that the  
11 Board consider a motion to hire Mr. Brink as  
12 indicated.

13                   CHAIRMAN:

14                   Any questions from the Board? Can I have  
15 a motion, please?

16                   MR. SOJKA:

17                   Yes, Mr. Chairman. I'll move that the  
18 Board approve the applicant as proposed on the  
19 condition that the necessary background investigation  
20 and drug testing is complete.

21                   MR. MOSCATO:

22                   Second.

23                   CHAIRMAN:

24                   All in favor?

25 AYES RESPOND



1                   CHAIRMAN:

2                   Opposed? Motion passes. Thank you very  
3 much, Claire. Next up is Dave Rhen with our financial  
4 report.

5                   MR. RHEN:

6                   Good afternoon. I'm here to present July  
7 expenses. Most of July's expenses were rather light  
8 for the month. Expenses for July total \$1.6 million.  
9 They were \$1.2 million for payroll because of the one  
10 payroll for the month. One for the fiscal year and  
11 only one for the '11/'12 fiscal year.

12                   Operating expenses for the month were  
13 \$399,000, 70 percent or \$287,000. That total was for  
14 leases and rentals. Sixty (60) percent or \$66,000 was  
15 for IT equipment purchases and maintenance agreements.  
16 And three percent or actually \$12,000 each went to  
17 travel and telecommunications.

18                   CHAIRMAN:

19                   Thank you, Dave. Any questions from the  
20 Board? Okay. Thank you very much.

21                   Next item is the request for approval of  
22 Local Law Enforcement Grants. And presenting those  
23 today is Stacey Knavel.

24                   MS. KNAVEL:

25                   Good afternoon, Mr. Chairman and members

1 of the Board. I have two packages of Local Law  
2 Enforcement Grants to present to you today. They are  
3 the Montgomery County District Attorney for \$150,000,  
4 the City of Philadelphia Police Department for  
5 \$98,935.60. These applications have been reviewed by  
6 the executive staff, have been determined to be in  
7 compliance and are recommended for approval.

8 CHAIRMAN:

9 Any questions or comments on any of  
10 those? Could I have a motion, please?

11 MR. GINTY:

12 Mr. Chairman, I move that the Board  
13 approve the Local Law Enforcement Grants as described  
14 by our Budget Manager, Stacey Knavel.

15 MR. MCCALL:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 AYES RESPOND

20 CHAIRMAN:

21 Opposed? Motion passes. Thank you,  
22 Stacey. All right. Moving right along here. We have  
23 our Office of Chief Counsel (OCC).

24 ATTORNEY SHERMAN:

25 Good afternoon, Chairman, members of the

1 Board. Our first agenda item relates to a temporary  
2 regulation, and Assistant Chief Counsel Susan Yocum  
3 will present it.

4 ATTORNEY YOCUM:

5 Good afternoon. As rulemaking for today,  
6 Temporary Regulation 125-158, which will amend the  
7 chapters of our table games rules. The first we have,  
8 523, table games equipment. Our regulations require  
9 that if a set of Pai Gow tiles, if one tile is damaged  
10 the entire set has to be destroyed. This rulemaking  
11 will allow replacement and reconstructed sets to be  
12 used instead of destroying the entire set.

13 Additionally, 527 on training. This  
14 rulemaking will allow strict orders in the gaming  
15 pool, taking the minimum number of hours of training  
16 over an alternate duration of time. We would submit a  
17 request that the Board accept this. In 549 on  
18 Blackjack, we added an additional side wager, the  
19 progressive wager. Included in this rulemaking are  
20 the wagering procedures, the table layout requirements  
21 and the payout. Lastly, three-card poker we have  
22 updated six of our ---.

23 CHAIRMAN:

24 Thank you, Susan. Any questions or  
25 comments from the Board? Commissioner Ginty, do you

1 have a question?

2 MR. GINTY:

3 No.

4 CHAIRMAN:

5 Okay. We're getting ready for a motion.

6 MR. GINTY:

7 Mr. Chairman, I move that the Board adopt  
8 Temporary Regulation 125-158, as described by the  
9 Office of Chief Counsel and that the Board establish a  
10 public comment period 30 days for this regulation and  
11 that the proposed regulation be posted on the Board's  
12 website.

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 AYES RESPOND

18 CHAIRMAN:

19 Opposed? Motion passes. Thank you,  
20 Susan.

21 ATTORNEY SHERMAN:

22 Today the Board has two petitions before  
23 it for consideration on the agenda. One of those  
24 matters was heard earlier in the form of Harrah's  
25 Chester Petition to allow the Offering of Senior

1 Secured Notes. The second petition relates to  
2 Greenwood Gaming's Petition to Intervene in Valley  
3 Forge's Petition for a Revised Plan for Controlling  
4 Access to the Gaming Floor, otherwise known as the  
5 Patron of the Amenities Plan. In each of these  
6 matters, all the appropriate documents and records  
7 have been provided to the Board in advance of this  
8 meeting or have been heard, in the case of the  
9 Harrah's matter, during the earlier public session as  
10 well as the executive session to consider matters  
11 privileged under both the confidentiality section of  
12 the Gaming Act as well as under FCC regulations.

13           First, on the Chester Downs matter, both  
14 Harrah's Chester Downs and the OEC during the public  
15 portions of the hearing --- I'm sorry, during the  
16 executive session portion of the hearing had indicated  
17 desire to submit some supplemental documents to the  
18 Board. Given such the record has not yet closed, then  
19 I would suggest that at this point the Board not  
20 entertain that petition for a final decision until  
21 those documents have been received, and that it be  
22 taken up at the next Board meeting, which is currently  
23 scheduled for September 14. However, the parties had  
24 filed a motion to keep open the petition and  
25 associated documents and the answer of OEC

1 confidential and the documents appended thereto, both  
2 in the initial incidents and the amended pleadings,  
3 that motion would be appropriate for the Board to  
4 consider and approve at this time, with the caveat  
5 that we would ask that both OEC and Harrah's Chester  
6 submit to the OCC for review and then filing on the  
7 docket a redacted version of all those documents so  
8 that we can make as much information public about the  
9 filing as is possible. I would ask that that be  
10 submitted to the OCC no later than close of business  
11 this coming Monday.

12 CHAIRMAN:

13 Thank you, Doug. Could I have a motion  
14 on the confidentiality issue?

15 MR. MCCALL:

16 So moved.

17 CHAIRMAN:

18 Second?

19 MR. SOJKA:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 AYES RESPOND

24 CHAIRMAN:

25 Opposed? Motion passes as stated by

1 Chief Counsel.

2 ATTORNEY SHERMAN:

3 The next petition before the Board is  
4 Greenwood Gaming's Petition to Intervene in Valley  
5 Forge's Patron of the Amenities Plan. That petition  
6 is unopposed by either Valley Forge or the OEC and is  
7 being --- and just by way of further clarification,  
8 the Valley Forge Petition for Approval of a Patron of  
9 the Amenities Claim will be considered by the Board on  
10 the merits at an upcoming meeting approximately in  
11 September. And the Petition for Intervention argues  
12 that Valley Forge's petition, as presented, is  
13 granted, that Parx Casino will suffer financial  
14 hardship due to what they consider to be unfair  
15 competition from a Category 3 facility. Greenwood has  
16 alleged that they have a direct, substantial and  
17 immediate interest in the matter and that their  
18 interests are not adequately represented by any other  
19 party to the proceeding. Since the matter is not  
20 opposed, at this time it would be appropriate for the  
21 Board to simply consider it based upon the documents.

22 CHAIRMAN:

23 Any questions or comments from the Board?  
24 Can I have a motion, please?

25 MR. SOJKA:

1 Yes, Mr. Chairman. I'll move that the  
2 Board grant the Petition of Greenwood Gaming &  
3 Entertainment, Inc., doing business as Parx Casino, to  
4 intervene in Valley Forge's petition, as just  
5 described by the OCC.

6 MR. MOSCATO:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 AYES RESPOND

11 CHAIRMAN:

12 Opposed? Motion passes.

13 ATTORNEY SHERMAN:

14 Next, presenting Withdrawals, Reports and  
15 Recommendations and Emergency Suspension is Deputy  
16 Chief Counsel Steve Cook.

17 ATTORNEY COOK:

18 The Board received 16 unopposed petitions  
19 to withdraw the applications or surrender credentials  
20 of key gaming individuals or businesses. The persons  
21 directly subject to these petitions are as follows:  
22 Laurence Huiner, James G. Kelly, Edward J. Meyers,  
23 Albert Liu, Jennifer M. Miller, Jeffrey S. Molitor,  
24 Peter Murphy, Sally Pitkin, Arjan Schaapman, Adriaan  
25 Coppens, Thomas Sturgeon, UNICCO Service Company,



1 Jason Bruce Guyot, Kimmel & Associates, York Studio  
2 --- I'm sorry, York Street Studio, Incorporated,  
3 Eugene Guerin, Richard S. Scheetz and Ian Timmis. The  
4 OEC has no objection to these Withdrawals or  
5 Surrenders being without prejudice. I would note for  
6 the record, however, that the OEC is not objecting to  
7 the withdrawal of UNICCO Service Company's Gaming  
8 Service Provider Certification contingent upon the  
9 condition that UNICCO be prohibited from applying for  
10 the certification, registration or licensure with the  
11 Board for a three-year period. And if UNICCO does, in  
12 fact, make such application, that they not be allowed  
13 to conduct business before a full investigation is  
14 performed by the BIE. As a result, the OCC would  
15 recommend that these conditions be made part of  
16 UNICCO's Withdrawal Order. All these Withdrawals are  
17 now ripe to be considered by the Board, and I would  
18 ask for a motion that each be granted with the  
19 condition we discussed pertaining to UNICCO.

20 CHAIRMAN:

21 Thank you, Steve. Any questions or  
22 comments from the Board? Can I have a motion?

23 MR. SOJKA:

24 Mr. Chairman, I move that the Board issue  
25 an Order to grant the motion presented by the Chief

1 Counsel.

2 CHAIRMAN:

3 Second?

4 MR. MCCALL:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 AYES RESPOND

9 CHAIRMAN:

10 Opposed? Motion passes.

11 ATTORNEY COOK:

12 Next for the Board's consideration are  
13 two Reports and Recommendations received from the  
14 Office of Hearings and Appeals (OHA) relative to one  
15 Gaming Employee Application and one Petition to be  
16 Removed from the Voluntary Self-Exclusion List. These  
17 Reports and Recommendations, along with the  
18 evidentiary record in each of these matters has been  
19 provided to the Board in advance of this meeting. And  
20 in addition, the two persons implicated have each been  
21 notified that the matter was coming before the Board  
22 today and that they had the right to be present to  
23 briefly address the Board. If either of these  
24 individuals are present, I would ask that they come  
25 forward when their matter is called.

1           The first Report and Recommendation today  
2 pertains to Raul Factura. And I do believe Mr.  
3 Factura is present. By way of background, Ms. Factura  
4 had submitted a Gaming Employee Permit Application on  
5 October 18th, 2010, to work as a Table Games Dealer  
6 Supervisor at the Parx Casino. On April 29th, 2011, a  
7 Notice of Recommendation of Denial was sent to Mr.  
8 Factura by the OEC based upon a 1997 simple assault  
9 conviction, some issues related to prior employment in  
10 the mid 1990s in several Atlantic City casinos,  
11 concerns over financial issues, and certain  
12 interaction between Mr. Factura and authorities, which  
13 did not result in criminal charges. Mr. Factura  
14 requested a hearing, which was held on June 9th, 2011,  
15 before the OHA. Both the OEC and Mr. Factura appeared  
16 and offered evidence at the hearing. Specifically,  
17 Mr. Factura produced evidence of his academic degrees,  
18 certificates of training in table gaming and  
19 supervision courses, certificates of accomplishment  
20 from at least one prior employer, as well as documents  
21 evidencing that certain debt obligations have been  
22 satisfied. At the conclusion of the hearing a Report  
23 and Recommendation was issued recommending that Mr.  
24 Factura be granted his Gaming Employee Permit. And  
25 that Report and Recommendation is presently before the

1 Board. Again, the Recommendation of the Hearing  
2 Officer is that his permit be granted. As indicated,  
3 Mr. Factura is present here today. If you'd like to  
4 address the Board?

5 CHAIRMAN:

6 Mr. Factura, if you have anything to say  
7 before the Board, please feel free to do so.

8 MR. FACTURA:

9 First of all, I would like to ---.

10 ATTORNEY COOK:

11 Excuse me. Could he be sworn?

12 CHAIRMAN:

13 Yes.

14 -----

15 RAUL FACTURA, SWORN TO TESTIFY

16 -----

17 CHAIRMAN:

18 Thank you.

19 MR. FACTURA:

20 First of all, the one in '97 it was  
21 stupid and the police officers --- that is why I  
22 didn't put that in.

23 CHAIRMAN:

24 Mr. Cook?

25 MR. FACTURA:

1 Mr. Cook's statement about what had  
2 transpired in the hearing on June 9 of this year, I  
3 hope my --- you issue a license, Pennsylvania Gaming  
4 License.

5 CHAIRMAN:

6 Okay. Thank you very much. I see we are  
7 represented by Enforcement Counsel. Billie Jo, do you  
8 have any comments?

9 ATTORNEY MATELEVICH-HOANG:

10 We don't. The OEC does not object to the  
11 Report and Recommendation.

12 CHAIRMAN:

13 Thank you. Any questions or comments  
14 from the Board? Can I have a motion, please?

15 MR. GINTY:

16 Mr. Chairman, I move that the Board issue  
17 an Order to adopt the Report and Recommendation of the  
18 OHA regarding the Gaming Employee Permit of Raul  
19 Factura, as described by the OCC.

20 MR. MCCALL:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 AYES RESPOND

25 CHAIRMAN:

1           Opposed? Motion passes. Mr. Factura,  
2 you will be issued your license.

3           MR. FACTURA:

4           Thank you very much.

5           CHAIRMAN:

6           Thank you.

7           ATTORNEY COOK:

8           The next Report and Recommendation before  
9 the Board today pertains to a request to be removed  
10 from the Voluntary Self-Exclusion List. On November  
11 6, 2010 an individual with the initials C.Y. entered  
12 Parx Casino, gamed, and then approached the Bureau of  
13 Casino Compliance Office, requesting to be placed on  
14 the Voluntary Self-Exclusion List. On that date, a  
15 Casino Compliance Representative met with C.Y. and  
16 conducted a mandatory interview and completed all  
17 required procedures. At that time, the CCR explained  
18 to C.Y. the options available to self-exclusion,  
19 relative to one year, five year or a lifetime term,  
20 with C.Y. requesting a five-year self-exclusion  
21 period. The individual thereafter completed and  
22 signed all the required forms. C.Y. then requested to  
23 be removed from the Self-Exclusion List less than one  
24 year after placement on that list, stating that it  
25 was --- that his person was under the influence of

1 several prescribed medications and not thinking  
2 clearly when the interview was conducted and placement  
3 on the list occurred. The OEC filed and requested a  
4 hearing, it was held on June 30th, 2011. Despite  
5 receiving proper notice, C.Y. did not attend the  
6 hearing and it was held without the petitioner  
7 present. The Report and Recommendation subsequently  
8 issued has the Hearing Officer recommending that the  
9 request be denied and that the individual remain on  
10 the Self-Exclusion List. The Report and  
11 Recommendation is presently before the Board.

12 CHAIRMAN:

13 Thank you. Is C.Y. here today? Are  
14 there questions or comments from the Board? Seeing  
15 none, could I have a motion, please?

16 MR. MCCALL:

17 Mr. Chairman, I move that the Board issue  
18 an Order to adopt the Report and Recommendation of the  
19 OHA regarding the petition of C.Y. to be removed from  
20 the Voluntary Self-Exclusion List, as described by the  
21 OCC.

22 CHAIRMAN:

23 Second?

24 MR. MOSCATO:

25 Second.

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CHAIRMAN:

All in favor?

AYES RESPOND

CHAIRMAN:

Opposed?

MR. GINTY:

Mr. Chairman, I would reject the Report and Recommendation and grant C.Y.'s petition.

CHAIRMAN:

Thank you, Commissioner Ginty. The motion passes by vote of six to one.

ATTORNEY COOK:

Next for the Board's consideration is the Emergency Suspension of Dominique Singleton, who was issued a Non-Gaming Employee Registration on January 19th, 2011 and was employed as an operations attendant at Parx Casino. On July 18th, 2011, the Bureau of Casino Compliance became aware that two days earlier Mr. Singleton was arrested and charged with three criminal offenses after a traffic stop, in which Mr. Singleton was found as a passenger in an allegedly stolen vehicle. In addition to two misdemeanors, Mr. Singleton was charged with one felony. As a result of these charges, the OEC filed a request for an Emergency Order of Suspension of Mr. Singleton's



1 Non-Gaming Employer Registration, and Executive  
2 Director O'Toole executed this Emergency Order on July  
3 29th, 2011. Board Regulations require that the  
4 Emergency Order be presented to the Board within ten  
5 business days of the last meeting for a full  
6 evidentiary hearing for referral to the OHA to conduct  
7 that hearing. It is the recommendation of the OCC  
8 that this matter be referred to the OHA to conduct an  
9 evidentiary hearing and that, in the interim, until  
10 the Board hears this matter, that the Emergency Order  
11 remain in place.

12 CHAIRMAN:

13 Thank you. Is Mr. Singleton here today?  
14 Any questions or comments from the Board? Can I have  
15 a motion, please?

16 MR. SOJKA:

17 Mr. Chairman, I move that the Board issue  
18 an Order to extend the Emergency Suspension of  
19 Dominique Singleton's Non-Gaming Employee Registration  
20 and that the matter be referred to the OHA for a  
21 hearing to determine the validity of the Emergency  
22 Suspension Order.

23 CHAIRMAN:

24 Second?

25 MR. MCCALL:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 AYES RESPOND

5 CHAIRMAN:

6 Opposed? Motion passes.

7 ATTORNEY COOK:

8 The next Emergency Suspension pertains to  
9 Jeffrey Yu. Mr. Yu obtained a Gaming Employee Permit  
10 on April 7th, 2011 and was employed as a dealer at  
11 Harrah's Chester Casino Racetrack. On June 15th,  
12 2011, the Pennsylvania State Police notified the BIE  
13 that Mr. Yu was arrested on several drug-related  
14 charges, including one felony and three misdemeanor  
15 offenses. As a result of these charges, the OEC filed  
16 a request for an Emergency Order of Suspension, which  
17 the Executive Director signed on August 8, 2011. As I  
18 just indicated, the matter before the Board would be  
19 to issue to conduct the evidentiary hearing. And  
20 again, we would recommend that the matter be referred  
21 to the OHA and that, in the interim, the Emergency  
22 Order remain in place.

23 CHAIRMAN:

24 Is Mr. Yu here today? Any questions or  
25 comments from the Board? Can I have a motion, please?

1                   MR. SOJKA:

2                   Yes. Mr. Chairman, I'll move that the  
3 Board issue an Order to extend the Emergency  
4 Suspension of Jeffrey Yu's Gaming Employee Permit and  
5 that the matter be referred to the OHA for a hearing  
6 to determine the validity of the Emergency Suspension  
7 Order.

8                   MR. ANGELI:

9                   Second.

10                  CHAIRMAN:

11                  All in favor?

12 AYES RESPOND

13                  CHAIRMAN:

14                  Opposed? Motion passes. Thank you,  
15 Steve.

16                  ATTORNEY SHERMAN:

17                  That concludes the matters of the OCC.

18                  CHAIRMAN:

19                  Thank you, Doug. Next we have Susan  
20 Hensel, our Director of Licensing. Susan, I see your  
21 first order of business is the Board consideration of  
22 Washington Trotting Association's renewal hearing.

23                  MS. HENSEL:

24                  That's correct. A license renewal  
25 hearing for this entity has been held and the record

1 is now closed. As a result, the license renewal is  
2 now ready for your consideration. The issues  
3 regarding Washington Trotting Association have been  
4 identified by either the BIE or the Bureau of  
5 Licensing that would preclude the renewal of the  
6 Category 1 License. I've provided you with a draft  
7 order for this entity and ask that the Board consider  
8 the Order to renew the Category 1 License for  
9 Washington Trotting Association.

10 CHAIRMAN:

11 Any questions or comments from  
12 Enforcement Counsel?

13 ATTORNEY PITRE:

14 We have no objection.

15 CHAIRMAN:

16 Thank you. Any questions or comments  
17 from the Board? Can I have a motion, please?

18 MR. MOSCATO:

19 Mr. Chairman, I move that the Board  
20 approve the renewal of Washington Trotting  
21 Association's Category 1 Slot Machine License as  
22 described by the Bureau of Licensing.

23 MR. GINTY:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 AYES RESPOND

3 CHAIRMAN:

4 Opposed? Motion passes.

5 MS. HENSEL:

6 We also have for your consideration the  
7 approval of Principal and Key Employee Licenses.  
8 Prior to this meeting, the Bureau of Licensing  
9 provided you with a Proposed Order for 15 Principal  
10 and 45 Key Employee Licenses for Slot Machine and  
11 Manufacturer Licensees. I'd ask that the Board  
12 consider this Order approving the licenses.

13 CHAIRMAN:

14 Any questions or comments from  
15 Enforcement counsel?

16 ATTORNEY PITRE:

17 The Enforcement Counsel would request  
18 that Chester Downs' finance corporation be dated in  
19 conjunction with the tabling of the petition. That  
20 licensure is conditioned upon the Board approving the  
21 petition.

22 CHAIRMAN:

23 Thank you. So moved. Any other comments  
24 or objections?

25 ATTORNEY PITRE:

1 No other objections.

2 CHAIRMAN:

3 Thank you.

4 MS. HENSEL:

5 And that is from the Order.

6 CHAIRMAN:

7 Thank you. Questions or comments from  
8 the Board? Could I have a motion?

9 MR. GINTY:

10 Mr. Chairman, I move that the Board  
11 approve the issuance of Principal and Key Employee  
12 Licenses, as described by the Bureau of Licensing.

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 AYES RESPOND

18 CHAIRMAN:

19 Opposed? Motion passes.

20 MS. HENSEL:

21 Next for your consideration are Temporary  
22 Principal and Key Employee Licenses. Prior to this  
23 meeting, the Bureau of Licensing provided you with an  
24 Order regarding the issuance of Temporary Licenses for  
25 one Principal and 20 Key Employees. I ask that the

1 Board consider the Order approving these licenses.

2 CHAIRMAN:

3 Any objections from Enforcement Counsel?

4 ATTORNEY PITRE:

5 No objection.

6 CHAIRMAN:

7 Questions from the Board? Can I have a  
8 motion?

9 MR. MCCALL:

10 Mr. Chairman, I move that the Board  
11 approve the issuance of Temporary Principal and Key  
12 Employee Credentials, as described by the Bureau of  
13 Licensing.

14 CHAIRMAN:

15 Second?

16 MR. ANGELI:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 AYES RESPOND

21 CHAIRMAN:

22 Opposed? Motion passes.

23 MS. HENSEL:

24 Next are Gaming Permits and Non-Gaming  
25 Registrations. Prior to this meeting, the Bureau of

1 Licensing provided you with a list of 656 individuals  
2 who the Bureau has granted Temporary or Full  
3 Occupational Permits to and 147 individuals who the  
4 Bureau has granted Registration to under the authority  
5 delegated to the Bureau of Licensing. I ask that the  
6 Board adopt a motion approving the Order approving the  
7 Permits and Registrations.

8 CHAIRMAN:

9 Any objection from Enforcement Counsel?

10 ATTORNEY PITRE:

11 No objection.

12 CHAIRMAN:

13 Questions from the Board? Can I have a  
14 motion, please?

15 MR. MOSCATO:

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

20 CHAIRMAN:

21 Second?

22 MR. MCCALL:

23 Second.

24 CHAIRMAN:

25 All in favor?



1 AYES RESPOND

2 CHAIRMAN:

3 Opposed? Motion passes.

4 MS. HENSEL:

5 In addition, we have Recommendations of  
6 Denial for seven Gaming Employees and three Gaming  
7 Service Provider Applications. Prior to this meeting,  
8 the Bureau of Licensing provided you with Orders  
9 addressing these Applicants who the BIE have  
10 recommended for denial. In each case the Applicant  
11 failed to request a hearing within the specified time  
12 period. I ask that the Board consider the Order  
13 denying the Gaming and Gaming Service Provider  
14 Applicants.

15 CHAIRMAN:

16 Any objection from Enforcement Counsel?

17 ATTORNEY PITRE:

18 Enforcement Counsel recommends denying  
19 the transfers.

20 CHAIRMAN:

21 Thank you. Questions from the Board?

22 Can I have a motion, please?

23 MR. SOJKA:

24 Mr. Chairman, I move that the Board  
25 approve the denial of Gaming Employee Permits and

1 Gaming Service Provider Applications, as described by  
2 the Bureau of Licensing.

3 MR. MOSCATO:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 AYES RESPOND

8 CHAIRMAN:

9 Opposed? Motion passes.

10 MS. HENSEL:

11 Next we have withdrawal requests for Key  
12 Employees, Gaming and Non-Gaming Employees. In each  
13 case, the License, Permit or Registration is no longer  
14 required due to such circumstances as the employee  
15 failing to report to work. For today's meeting I have  
16 provided the Board with a list of three Key Employees,  
17 43 Gaming and Four Non-Gaming Withdrawals for  
18 approval. I ask that the Board consider the Order  
19 approving these withdrawals.

20 CHAIRMAN:

21 Any objections from Enforcement Counsel?

22 ATTORNEY PITRE:

23 No objection.

24 CHAIRMAN:

25 Questions from the Board? Motion,

1 please?

2 MR. ANGELI:

3 Mr. Chairman, I move that the Board  
4 approve the withdrawal, as described by the Bureau of  
5 Licensing.

6 MR. GINTY:

7 Second.

8 CHAIRMAN:

9 All in favor?

10 AYES RESPOND

11 CHAIRMAN:

12 Opposed? Motion passes.

13 MS. HENSEL:

14 In addition, we have an Order to certify  
15 the following 15 Gaming Service Providers: Allied  
16 Communications, LLC; Bluestone Communications, Inc.;  
17 Cahill Controls, Inc.; EIC P/O Holdings Corp; Emtec,  
18 Inc.; Franco Associates, LP; Hatzel & Buehler, Inc.;  
19 High Concrete Group, LLC; Hranec Sheet Metal, Inc.;  
20 Infinium Software, Inc.; Killian Digital, LLC; Kirby  
21 Electric, Inc.; LPCiminelli, Inc.; Mecco Constructors,  
22 Inc.; Shaw Contract Flooring Services, Inc.; and South  
23 Jersey Energy Company. I ask that the Board consider  
24 the Order approving these Gaming Service Providers for  
25 certification.

1                   CHAIRMAN:

2                   Objections from Enforcement Counsel?

3                   ATTORNEY PITRE:

4                   No objection.

5                   CHAIRMAN:

6                   Thank you. Questions from the Board?

7                   Could I have a motion?

8                   MR. MCCALL:

9                   Mr. Chairman, I move the Board issue an  
10 order to approve the applications for Gaming Service  
11 Provider Certification as described by the Bureau of  
12 Licensing.

13                   CHAIRMAN:

14                   Second?

15                   MR. SOJKA:

16                   Second.

17                   CHAIRMAN:

18                   All in favor?

19                   AYES RESPOND

20                   CHAIRMAN:

21                   Opposed? Motion passes.

22                   MS. HENSEL:

23                   Next we have an Order regarding Gaming  
24 Service Provider Registration. The Bureau of  
25 Licensing provided you with an Order and attachment

1 with 11 registered Gaming Service Providers. I ask  
2 that the Board consider a motion approving the Order  
3 registering these Gaming Service Providers.

4 CHAIRMAN:

5 Any objection, Cyrus?

6 ATTORNEY PITRE:

7 No objection.

8 CHAIRMAN:

9 Questions from the Board? Do I have a  
10 motion?

11 MR. ANGELI:

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

16 CHAIRMAN:

17 Second?

18 MR. SOJKA:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 AYES RESPOND

23 CHAIRMAN:

24 Opposed? Motion passes.

25 MS. HENSEL:

1                   In addition, the Bureau of Licensing  
2 provided you with Orders regarding Gaming Service  
3 Providers that are recommended for the Prohibited  
4 Gaming Service Provider List. These companies  
5 conducting businesses with these Licensees were  
6 sufficient required filing of applications but failed  
7 to complete the application process. Once added to  
8 the Prohibited Gaming Service Provider List, no  
9 licensee can do business with the company so long as  
10 they remain on that list. I ask that the Board  
11 consider the Order adding the following Gaming Service  
12 Provider to the Prohibited Gaming Service Provider  
13 List: Belle Mead Hot Glass, LLC; How-Clean  
14 Enterprises, Inc.; JOSK, LLC; Parks Moving and  
15 Storage, Inc.; Penn Records Systems, Inc.; Sherry Amos  
16 and Associates, Inc.; Shred-It USA, Inc.; Sirna &  
17 Sons, Inc.; Themeing Solutions, Inc. and WD Partners,  
18 Inc. I ask that the Board consider a motion approving  
19 these to the Prohibited Gaming Service Provider List.

20                   CHAIRMAN:

21                   Any objections to that?

22                   ATTORNEY PITRE:

23                   We support that Recommendation.

24                   CHAIRMAN:

25                   Thank you. Questions from the Board?

1 Can I have a motion?

2 MR. SOJKA:

3 Yes. Mr. Chairman, I'll move that the  
4 Board issue Orders to approve the addition of Gaming  
5 Service Providers to the Prohibited Gaming Service  
6 Provider List, as described by the Bureau of  
7 Licensing.

8 MR. MOSCATO:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 AYES RESPOND

13 CHAIRMAN:

14 Opposed? Motion passes.

15 MS. HENSEL:

16 Finally, our Gaming Service Provider  
17 Applications that are being recommended for  
18 abandonment. These companies filed applications with  
19 the Board but did not conduct business with the  
20 licensee required for filing of the application or the  
21 companies that the Bureau of Licensing --- is no  
22 longer in business. These companies failed to  
23 complete their applications. Under these  
24 circumstances, the Board has the ability to declare  
25 the applications abandoned. I ask that the Board

1 consider the Orders declaring the following  
2 applications abandoned: Security Products  
3 International, Inc.; Bergie, Inc.; and PAL Promotions,  
4 Inc.

5 CHAIRMAN:

6 Thank you. Any objections from  
7 Enforcement Counsel?

8 ATTORNEY PITRE:

9 No objections.

10 CHAIRMAN:

11 Questions from the Board? Can I have a  
12 motion?

13 MR. ANGELI:

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

18 MR. GINTY:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 AYES RESPOND

23 CHAIRMAN:

24 Opposed? Motion passes.

25 MS. HENSEL:



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

3                   CHAIRMAN:

4                   Thank you very much, Susan. Cyrus Pitre,  
5 our Chief Enforcement Counsel, is next. As we begin  
6 with Enforcement Counsel items, I would remind anyone  
7 addressing the Board to, again, please state and spell  
8 your name for the court reporter. Also, if there's  
9 anybody testifying other than an attorney --- and I  
10 don't see anybody other than an attorney, but if there  
11 are, they need to be sworn in before speaking.

12                   I see the first item is the proposed  
13 Consent Agreement between OEC and Parx Casino. Mr.  
14 Bonner, you may obviously take your seat, you're  
15 seated, and Enforcement Counsel, you may begin.

16                   ATTORNEY DUSTIN MILLER:

17                   Thank you. Dustin Miller, on behalf of  
18 the OEC. At this time, the OEC has a Consent  
19 Agreement prepared for the Board's approval. The  
20 Consent Agreement between OEC and Greenwood Gaming and  
21 Entertainment, Inc., doing business as Parx Casino,  
22 this Consent Agreement arises from the discovery of  
23 individuals on the Self-Exclusion List gambling at  
24 Philadelphia Park Casino & Racetrack and also Parx  
25 Casino. Pursuant to Section 503A4a from the Board's

1 Regulations, a Slot Machine Licensee will train its  
2 employees and establish procedures that are designed  
3 to identify and immediately remove a self-excluded  
4 person, refuse wagers from and deny gaming privileges  
5 to a self-excluded patron and deny check-cashing  
6 privileges and Player Club membership to a self-  
7 excluded patron.

8                   On August 11th, 2007, an individual  
9 placed herself on the Board's Self-Exclusion List for  
10 a period of five years. The staff at Philadelphia  
11 Park received a self-exclusion advisory from the  
12 Board's Office of Compulsive and Problem Gambling that  
13 same day which identified --- which included  
14 identifying information for the self-excluded person  
15 to be entered into Philadelphia Park's database to  
16 alert the casino if the self-excluded person attempted  
17 to obtain a Player's Card or other benefit at the  
18 casino. When the Philadelphia Park employee entered  
19 the information from the self-exclusion advisory into  
20 Philadelphia Park's database, the employee incorrectly  
21 entered the indentifying information. On October 3rd,  
22 2009, the self-excluded individual came to  
23 Philadelphia Park to gamble and signed up for a  
24 Player's Club Card. The Player's Club Card was  
25 successfully created because the identifying

1 information entered on August 11th, 2007 by the  
2 Philadelphia Park Employee did not match the self-  
3 excluded individual's identifying information, which  
4 had previously been incorrectly entered in the  
5 Philadelphia Park database. In essence, a duplicate  
6 account was created for the self-excluded individual  
7 and she was not identified at that time as being self  
8 excluded. After obtaining a Player's Club Card, the  
9 self-excluded individual gambled at the Philadelphia  
10 Park Casino & Racetrack and later Parks Casino on 33  
11 different occasions between October 3rd, 2009 and  
12 October 16th, 2010.

13                   Subsequent to notification by the Bureau  
14 of Casino Compliance to Parx of the aforementioned  
15 incident, Parx's legal department reviewed its  
16 database for other duplicate accounts. This review  
17 revealed that another individual also had a duplicate  
18 account. On October 25th, 2007, an individual signed  
19 up for a lifetime self-exclusion from Philadelphia  
20 Park. Philadelphia Park was notified of the self-  
21 exclusion on that date and correctly entered the  
22 identifying information into its database at that  
23 time. The self-excluded individual came to Parx  
24 Casino on May 5th, 2010 and signed up for a Player's  
25 Club Card. Parx's Player Services personnel accepted

1 a post office box address in order to establish a new  
2 account and did not verify the self-excluded  
3 individual's address with valid government  
4 identification. Subsequently, the self-excluded  
5 individual gambled at Parx Casino on two different  
6 occasions. On July 18th, 2011 the parties entered  
7 into a Consent Agreement to settle these outstanding  
8 compliance matters. The terms of the agreement  
9 include a provision that Parx Casino join two policies  
10 provide training, guidance and reinforcement to  
11 employees to minimize the opportunity for similar  
12 incidents of this nature from occurring in the future.  
13 And also, Parx shall pay a total fine of \$15,000. Tom  
14 Bonner, general counsel for Greenwood Gaming &  
15 Entertainment, Inc., is in attendance today to answer  
16 any questions you may have.

17 CHAIRMAN:

18 Thank you, Mr. Miller. Mr. Bonner, any  
19 questions or comments?

20 ATTORNEY BONNER:

21 Chairman, Mr. Miller has accurately  
22 recited the facts. In the one case there was an error  
23 created. When the original account was created and  
24 then the correct information was input on the  
25 self-exclusion, it didn't pick it up. In the second

1 case, it was the reverse. An incomplete address was  
2 inserted the second time and the correct information  
3 the first. So basically typographical errors  
4 committed by our staff in trying to carry out the  
5 requirements of the self-exclusion program we have in  
6 place.

7                   Part of the settlement that Mr. Miller  
8 did mention, I believe, is that we understand staff is  
9 going to begin transmitting the self-exclusion data to  
10 us in an Excel spreadsheet format, which we can then  
11 upload to our data system and not have to manually  
12 transcribe it, which would eliminate what happened  
13 here that caused these two incidents. So we think  
14 that would be an improved procedure that we can work  
15 out for the Gaming Board.

16                   CHAIRMAN:

17                   Thank you. Any questions or comments  
18 from the Board? Can I have a motion, please?

19                   MR. GINTY:

20                   Chairman, I move that the Board issue an  
21 Order to approve the Consent Agreement between the OEC  
22 and Parx Casino, as described by the OEC.

23                   MR. MCCALL:

24                   Second.

25                   CHAIRMAN:

1 All in favor?

2 AYES RESPOND

3 CHAIRMAN:

4 Opposed? Motion passes. Thank you, Mr.  
5 Bonner.

6 ATTORNEY BONNER:

7 Thank you, Chairman and Commissioners.

8 CHAIRMAN:

9 Thank you, Dustin. The last Consent  
10 Agreement proposed today is between the OEC and Tommy  
11 Rosenfeld. I see Mr. Rosenfeld is here today,  
12 represented by counsel. Mr. Rosenfeld, are you a  
13 lawyer?

14 ATTORNEY ROSENFELD:

15 I am, but I'm not --- non-practicing.

16 CHAIRMAN:

17 Okay. Why don't we swear you in just to  
18 be on the safe side?

19 -----

20 TOMMY ROSENFELD, SWORN TO TESTIFY

21 -----

22 CHAIRMAN:

23 Thank you. Please be seated. And OEC,  
24 Mr. Miller, you may begin. Dale Miller.

25 ATTORNEY DALE MILLER:

1 Dale Miller, no relation. Thank you, Mr.  
2 Chairman. I am Dale Miller, D-A-L-E, M-I-L-L-E-R.  
3 Mr. Chairman, members of the Board, we're here today  
4 to discuss the Consent Agreement entered into between  
5 Tommy Rosenfeld and the OEC. Mr. Rosenfeld is an  
6 individual and an applicant for a Principal Gaming  
7 License with the Pennsylvania Gaming Control Board and  
8 who is also the owner of CanAm Pennsylvania Regional  
9 Center, LLC, and CanAm PA GEV, LLC, collectively  
10 referred to as CanAm. Mr. Rosenfeld submitted an  
11 application for a Principal License on October ---  
12 excuse me, April 26th, 2010. Pursuant to the Gaming  
13 Act, 4 Pa. C.S. Section 1513a, an Applicant or a  
14 Principal License is prohibited from contributing any  
15 money or any kind of contribution to a candidate for  
16 nomination or election to any public office in the  
17 Commonwealth or to any political party committee or  
18 other political committee in the Commonwealth or to  
19 any group, committee or association organized in  
20 support of a candidate, political party committee or  
21 other political committee in this Commonwealth. And  
22 that contribution is defined as any payment, gift,  
23 subscription, so on, which includes cash, checks and  
24 that sort of thing.

25 On October 10th, 2010, at the time he was

1 an Applicant, Mr. Rosenfeld made a political  
2 contribution, as defined by the Act, by signing and  
3 issuing a check in the amount of \$15,000 as a  
4 contribution to the Rendell for Governor Committee.  
5 Even though at the time the check was issued then  
6 Governor Rendell was no longer a candidate for elected  
7 office in the Commonwealth, Mr. Rosenfeld knew,  
8 believed and intended that the \$15,000 contribution  
9 would be used to fund the campaigns for other  
10 candidates for elected office in Pennsylvania, to his  
11 knowledge, at the discretion of Governor Rendell and  
12 the Committee. This contribution was a violation of  
13 the Gaming Act. And after he was so advised of that,  
14 Mr. Rosenfeld requested that his contribution be  
15 returned, and it was returned. The OEC and Mr.  
16 Rosenfeld discussed the violation, and we reached an  
17 agreement, which is the subject of this Consent  
18 Agreement, for an appropriate penalty. And this  
19 Agreement is presented to the Board at this time. The  
20 proposed Agreement calls for a penalty of \$15,000 to  
21 be paid by Mr. Tommy Rosenfeld. That Agreement was  
22 executed on or about October --- excuse me, August  
23 6th, 2011.

24 CHAIRMAN:

25 Thank you. Mr. Rosenfeld or Counselor,



1 do you have any comments?

2 ATTORNEY ROSENFELD:

3 Yeah. I apologize. I inadvertently  
4 violated the Act. It was a mistake. It won't happen  
5 again.

6 CHAIRMAN:

7 Thank you. Any questions or comments  
8 from the Board?

9 MR. SOJKA:

10 One quick one. Was the recipient of your  
11 contribution highly cooperative in simply returning  
12 the resources to you when you said ---?

13 ATTORNEY ROSENFELD:

14 Absolutely. They understood, absolutely.  
15 Yes, it was done very, very promptly.

16 CHAIRMAN:

17 Any other questions or comments? Can I  
18 have a motion, please?

19 MR. SOJKA:

20 Yes. Mr. Chairman, I'll move that the  
21 Board issue an Order to approve the Consent Agreement  
22 between the OEC and Tommy Rosenfeld, as described by  
23 the OEC.

24 MR. MCCALL:

25 Second.

1                   CHAIRMAN:

2                   All in favor?

3 AYES RESPOND

4                   CHAIRMAN:

5                   Opposed? Motion passes. Thank you very  
6 much, gentlemen.

7                   ATTORNEY MATELEVICH-HOANG:

8                   Good afternoon, Chairman Fajt, members of  
9 the Board. My name is Billie Matelevich-Hoang.  
10 That's B-I-L-L-I-E, capital M-A-T-E-L-E-V-I-C-H,  
11 hyphen, capital H-O-A-N-G. And I'm here representing  
12 the OEC. And this matter today involves a request to  
13 revoke Mr. Gasparovic's Gaming Permit.

14                   On June 7th, 2011, the OEC filed a  
15 complaint for revocation of Mr. Gasparovic's Gaming  
16 Permit due to his criminal activity at Hollywood  
17 Casino. The enforcement complaint was properly served  
18 upon Mr. Gasparovic by first class and certified mail.  
19 Mr. Gasparovic did not respond to the complaint within  
20 30 days. Therefore, pursuant to Board Regulations,  
21 all facts alleged in the complaint are deemed  
22 admitted.

23                   The OEC filed a Request for Default  
24 Judgment on July 25th of 2011. And at this time, the  
25 OEC asks that Mr. Gasparovic's Gaming Permit be

1 revoked.

2 CHAIRMAN:

3 Is Mr. Gasparovic here today? Okay. Any  
4 questions or comments from the Board? Can I have a  
5 motion, please?

6 MR. ANGELI:

7 Mr. Chairman, I move that the Board issue  
8 an Order to approve the revocation of Joseph  
9 Gasparovic's Gaming Employee Permit, as described by  
10 the OEC.

11 MR. GINTY:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 AYES RESPOND

16 CHAIRMAN:

17 Opposed? Motion passes. Thank you,  
18 Billie Jo.

19 And the final items all relate to  
20 additions to the PGCB's Exclusion List. Our first  
21 item is the addition of Matthew Eisenberg to the  
22 PGCB's Exclusion List. Is Mr. Eisenberg here today?  
23 Enforcement Counsel, you may begin.

24 ATTORNEY FENSTERMAKER:

25 Thank you. Good afternoon, Chairman

1 Fajt, members of the Board. My name is Cassandra  
2 Fenstermaker. That's F-E-N-S-T-E-R-M-A-K-E-R. I'm  
3 Assistant Enforcement Counsel for the OEC.

4           On April 12th, 2011, the OEC filed a  
5 petition to place Matthew Eisenberg on the Board's  
6 Exclusion List as a result of excessive poker chips  
7 while employed as a dealer at Rivers Casino. His  
8 Gaming License was revoked by Board Order on April  
9 14th, 2011, as a result of the same incident. The  
10 petition was properly served upon Mr. Eisenberg by  
11 both certified and first class mail. Mr. Eisenberg  
12 did not respond to the complaint within 30 days.  
13 Therefore, pursuant to Board Regulations, all facts  
14 alleged in the complaint are deemed admitted. The OEC  
15 filed a Request for Default Judgment on July 25th,  
16 2011, and at this time asks that Mr. Eisenberg be  
17 placed on the Board's Exclusion List.

18           CHAIRMAN:

19           Thank you. Any questions or comments  
20 from the Board? Can I have a motion, please?

21           MR. MCCALL:

22           Mr. Chairman, I move that the Board issue  
23 an Order to approve the addition of Matthew Eisenberg  
24 to the PGCB's Exclusion List, as described by the OEC.

25           CHAIRMAN:

1 Second?

2 MR. MOSCATO:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 AYES RESPOND

7 CHAIRMAN:

8 Opposed? Motion passes. Thank you,  
9 Cassandra.

10 ATTORNEY FENSTERMAKER:

11 Thank you.

12 CHAIRMAN:

13 Next up is the matter concerning Aaron  
14 Harris being placed on the Gaming Control Board  
15 Exclusion List. Is Mr. Harris present today? Seeing  
16 no one rise, Enforcement Counsel, you may begin.

17 ATTORNEY CREANY:

18 Barry Creany for the OEC. C-R-E-A-N-Y is  
19 the last name. On March 1st of 2011 the OEC filed a  
20 petition to place Mr. Aaron Harris on the Exclusion  
21 List due to the fact that Mr. Harris was involved in  
22 criminal activity at The Rivers Casino on December  
23 16th of 2010. Specifically, he had stolen \$3,300 in  
24 checks from the Blackjack table. The petition was  
25 properly served on Mr. Harris via first class mail and

1 certified mail. He did not respond in any manner to  
2 that petition, and it was --- the certified receipt  
3 was returned on March 5th. Due to the fact that he  
4 failed to respond, all averments contained in the  
5 petition are deemed admitted. And on July 27th the  
6 OEC filed a request to have the entry of judgment upon  
7 default against Mr. Harris. That request was served  
8 as well upon Mr. Harris by mail. At this time, this  
9 matter is ready for Board consideration.

10 CHAIRMAN:

11 Thank you. Any questions or comments  
12 from the Board? May I have a motion, please?

13 MR. MOSCATO:

14 Mr. Chairman, I move that the Board issue  
15 an Order to approve the addition of Aaron Harris to  
16 the PGCB Exclusion List, as described by the OEC.

17 CHAIRMAN:

18 Second?

19 MR. MCCALL:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 AYES RESPOND

24 CHAIRMAN:

25 Opposed? Motion passes. Thank you, Mr.

1 Creany. And next up is a same matter regarding a  
2 Steven Min. Is Mr. Min present today? Seeing no one,  
3 will Enforcement Counsel please begin?

4 ATTORNEY DUSTIN MILLER:

5 Thank you. The next matter is a request  
6 for placement on the Board's Excluded Persons List  
7 today involving Steven Min. The OEC filed a petition  
8 to place Mr. Min on the Exclusion List for committing  
9 various criminal offenses within Pennsylvania casinos,  
10 including impersonating a member of the Pennsylvania  
11 Gaming Control Board on September 18th, 2010. The  
12 petition was filed on April 1st, 2011. The petition  
13 was properly served upon Mr. Min at the address listed  
14 on the criminal complaint filed against him by way of  
15 certified and first class mail. Mr. Min did not  
16 respond to the filing in any way. Due to Mr. Min's  
17 failure to respond, the averments in the petition are  
18 deemed to be admitted as fact and his right to a  
19 hearing has been waived. On May 27th, 2011, the OEC  
20 filed a request to enter judgment upon default. The  
21 matter is now before the Board to consider the  
22 placement of Steven Min on the Board's Excluded  
23 Persons List.

24 CHAIRMAN:

25 Any questions or comments from the Board?

1                   MR. SOJKA:

2                   I just want to make sure of one point.  
3 Though it sounds like we're excluding Mr. Min from all  
4 casinos in Pennsylvania, which indeed we are doing, in  
5 effect, it's only excluding him, I believe, from one,  
6 is that not correct, since he's already individually  
7 managed to get himself excluded from all the others?  
8 Is that correct?

9                   MR. DUSTIN MILLER:

10                   Correct.

11                   MR. SOJKA:

12                   Fine. In which case then, Mr. Chairman,  
13 I'll move that the Board issue an Order to approve the  
14 addition of Steven Min to the PGCB Exclusion List, as  
15 described by the OEC.

16                   MR. MCCALL:

17                   Second.

18                   CHAIRMAN:

19                   All in favor?

20 AYES RESPOND

21                   CHAIRMAN:

22                   Opposed? Motion passes. Thank you,  
23 Dustin. And the last item is the addition of David  
24 Silvestri to the PGCB's Exclusion List. Is Mr.  
25 Silvestri here today? Seeing no one, Billie Jo, I



1 believe this is yours.

2 ATTORNEY MATELEVICH-HOANG:

3 Thank you, Chairman. On June 1st, 2011,  
4 the OEC filed a petition to place David Silvestri on  
5 the Board's Excluded Persons List. Mr. Silvestri  
6 stole a voucher in cash totaling over \$1,100 from an  
7 elderly patron at Hollywood Casino. The enforcement  
8 complaint was properly served upon Mr. Silvestri by  
9 first class and certified mail. Mr. Silvestri did not  
10 respond to the complaint or the petition, rather,  
11 within 30 days. Therefore, pursuant to Board  
12 regulations, all facts alleged in the petition are  
13 deemed admitted. The OEC filed a Request for Default  
14 Judgment on July 27th, 2011. And at this time, the  
15 OEC asks that Mr. Silvestri be placed on the Board's  
16 Excluded Person's List.

17 CHAIRMAN:

18 Thank you. Any questions or comments  
19 from the Board? Can I have a motion, please?

20 MR. SOJKA:

21 Mr. Chairman, I move that the Board issue  
22 an Order to approve the addition of David Silvestri to  
23 the PGCB Exclusion List, as described by the OEC.

24 MR. GINTY:

25 Second.

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CHAIRMAN:

All in favor?

AYES RESPOND

CHAIRMAN:

Opposed? Motion passes. I believe that concludes all of OEC's matters. And thank you, Billie Jo, Dustin and Cyrus. That concludes are normal business. The next scheduled public meeting will be held on Wednesday, September 14th, at the PUC Keystone Building, Hearing Room One. The meeting will begin at 10:00 a.m. Any final comments from the Board? Motion to adjourn?

MR. GINTY:

So moved.

MR. MCCALL:

Second.

CHAIRMAN:

Meeting is adjourned. Thank you.

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MEETING CONCLUDED AT 3:09 P.M.

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CERTIFICATE

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I hereby certify that the foregoing proceedings, meeting held before Chairman Fajt, was reported by me on 08/18/2011 and that I Tyler S. Rhoads read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

