

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

\* \* \* \* \*

PUBLIC MEETING

\* \* \* \* \*

BEFORE: WILLIAM H. RYAN, JR., CHAIRMAN  
Gregory C. Fajt, James B. Ginty,  
Keith R. McCall, Anthony C. Moscato,  
Gary A. Sojka, Kenneth I. Trujillo; Members  
Jennifer Langan, Representing Robert  
McCord, State Treasurer  
Robert Coyne, Representing Daniel P.  
Meuser, Secretary of Revenue  
Matthew Meals, Representing George Greig,  
Secretary of Agriculture  
MEETING: January 18, 2012, 10:00 a.m.  
LOCATION: Strawberry Square Complex  
2nd Floor  
Harrisburg, PA 17101

Reporter: Beth A. Duzzny

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CHAIRMAN:

Good morning, everyone. For the record, my name is Bill Ryan. I'm the Chairman of the Pennsylvania Gaming Control Board. Before we begin, as always, I'd like to ask everyone to please turn off your cell phones, PDAs and other electronic devices, as quiet as possible.

MR. GINTY:

I don't know how to work it.

CHAIRMAN:

Okay. Jim?

MR. GINTY:

All set.

CHAIRMAN:

Thank you. Joining us today is Jennifer Langan representing State Treasurer, Robert McCord, Robert Coyne representing Secretary of the Department of Revenue, Daniel Meuser, and Matt Meals, Deputy Secretary of Agriculture representing the Secretary of Agriculture, George Greig. Thank you all for being here.

I'll call the meeting to order, a quorum of numbers being present. And the first order of

1 business will be the Pledge of Allegiance. So, please  
2 stand.

3 PLEDGE OF ALLEGIANCE RECITED

4 CHAIRMAN:

5 We will now begin our regularly-scheduled  
6 meeting. For the information of everyone, the board  
7 held an Executive Session yesterday for the purpose of  
8 discussing personnel matters, pending litigation, and  
9 also to conduct quasi judicial deliberations relating  
10 to matters being considered by the Board today.

11 First of all, we will give consideration  
12 to a motion to approve the transcripts and the minutes  
13 of the Board's December 6th and December 20th, 2011  
14 meetings. Do I have a motion?

15 MR. TRUJILLO:

16 Mr. Chairman, I move that the Board  
17 approve the minutes and transcripts of the December  
18 6th and December 20th, 2011 meetings.

19 CHAIRMAN:

20 Second?

21 MR. GINTY:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 AYES RESPOND

1                   CHAIRMAN:

2                   Opposed? Motion carries. Next will be  
3 Kevin O'Toole, Executive Director, to provide his  
4 report. Kevin?

5                   MR. O'TOOLE:

6                   Good morning, Chairman Ryan, members of  
7 the Board. It's been quite a long while since we've  
8 gone straight into a public meeting, months at least,  
9 so I'm sure everybody is very wide-eyed this morning.

10                  I would like to provide the Board, first  
11 off, with a status report on our continuing efforts to  
12 obtain the best cost structure for all of our leases.  
13 With regard to our regional office in the Pittsburgh  
14 area, through the assistance of Oxford Realty  
15 Services, a DGS-approved contract vendor, a  
16 solicitation for bids for office space in Allegheny  
17 County was published. Approximately nine responsive  
18 bids were received, and we have appointed a  
19 four-person Evaluation Committee. Site visits will be  
20 made next week by the Evaluation Committee. These  
21 visits will include our current lease facility at the  
22 Gateway Center, as well as four additional sites. I  
23 am hopeful that a public --- at a public meeting in  
24 the near future I will bring forward for the Board's  
25 consideration and approval a recommendation for office

1 space for Bureau of Investigations and Enforcement  
2 (BIE) West that will allow for both cost efficiency  
3 and convenience for our Pittsburgh area employees and  
4 visitors.

5           The second topic that I would like to  
6 address this morning is the remarkable revenue figures  
7 for the month of December and for the calendar year  
8 2011. For the month of December 2011, slot machine  
9 revenue at the ten operating casinos in Pennsylvania  
10 increased by 13.9 percent when compared to December  
11 2010. This was reported on --- several weeks ago  
12 right after the New Year. Yesterday, we received all  
13 of the casinos' reconciliation forms for table game  
14 revenue in December of 2011, and those figures  
15 demonstrated a 26.6 percent increase over the December  
16 2010 table game revenue figures. For the calendar  
17 year 2011, combined and gross revenue for the ten  
18 Pennsylvania casino properties exceeded three billion  
19 dollars, an increase of over \$500 million from  
20 calendar year 2010.

21           2011 ended with very good weather, this  
22 past December in particular. Throughout the East  
23 Coast, good weather benefited all gaming  
24 jurisdictions. The ten Pennsylvania properties,  
25 however, continue to demonstrate their expertise at

1 effectively marketing their gaming and non-gaming,  
2 entertainment, casino and dining products. In  
3 addition, this Board's ability to recognize in all of  
4 this regulatory decision making the important balance  
5 between casino operators' business acumen, with the  
6 pretention of the public's interest in the regulation  
7 of legalized gambling, has contributed significantly  
8 to the accomplishments of the Pennsylvania casino  
9 industry. Thank you.

10 CHAIRMAN:

11 Thank you, Kevin. Any questions from the  
12 Board? Okay. Next, our Budget Manager, David Rhen.  
13 David?

14 MR. RHEN:

15 Good morning. Today's report includes an  
16 update of expenses through December. Through this  
17 period, total expenses for the fiscal year stood at  
18 \$16.3 million. By category, payroll expenses were  
19 \$13.4 million and operating expenses were \$2.9  
20 million. Major operating expenses for the year  
21 include rentals and leases, for total expenditures of  
22 \$1.1 million, services at \$667,000. Other operating  
23 expenses, including background investigator, database  
24 searches, at \$406,000; and data and voice  
25 telecommunications at \$257,000. For the month of

1 December alone, expenditures totaled \$2.9 million,  
2 payroll totaled \$2.2 million, and operating expenses  
3 totaled \$675,000. The largest operating expenses in  
4 December were \$262,000 for services, \$157,000 for  
5 rentals and leases, \$115,000 for other operating  
6 expenses, and \$57,000 for telecommunications. I'd  
7 also like to make note that the legislative budget  
8 hearings on fiscal year 2012/'13 budget requests have  
9 been scheduled for next month before the House and  
10 Senate Appropriations Committees. The House hearing  
11 is scheduled for February 23rd at 9:00 a.m. in the  
12 Majority Caucus Room. And the Senate hearing is set  
13 for 3:00 p.m. on the 28th. Thank you for letting me  
14 present the presentation.

15 CHAIRMAN:

16 Thank you. Any questions of Dave from  
17 the Board? From ex-officio members? Thank you, sir.

18 MR. RHEN:

19 Thank you. Next, Mr. Sherman.

20 ATTORNEY SHERMAN:

21 Good morning, Chairman, members of the  
22 Board. Today the board has before it three petitions  
23 for consideration. Each of the petitions seek removal  
24 from the Board's Prohibited Gaming Service Provider  
25 List. Because there are no contested facts related to

1 these matters, each petition will be considered on the  
2 documents provided to the Board.

3           In advance of the meeting, the board has  
4 been provided with the petitions, the OEC response,  
5 and any other documents of record.

6           The first matter involves Advantage  
7 Contracting's Petition for Removal from the Prohibited  
8 Gaming Service Provider List. Advantage was placed on  
9 that list since September of 2011 due to their failure  
10 to pay investigative costs in connection with the  
11 application. Advantage indicated in their petition  
12 that they were going through a change of ownership and  
13 were unsure if the company would continue to exist and  
14 that that was the result of the --- or resulted in  
15 failure to pay the costs. Advantage has now paid the  
16 money owed to the Board. As indicated to OEC, they're  
17 willing to pay any fine imposed on them by the Board.  
18 And OEC, accordingly, has no objection to their  
19 request for removal from the Prohibited Vendor --- or  
20 Gaming Service Provider List, provided that Advantage  
21 pay a civil penalty of \$1,500. The matter is now ripe  
22 for your consideration.

23                           CHAIRMAN:

24                           Any questions or comments from the Board?  
25 May I have a motion?

1                   MR. MOSCATO:

2                   Mr. Chairman, I move that the Board grant  
3 the Petition of Advantage Contracting, as described by  
4 the Office of Chief Counsel (OCC).

5                   MR. MCCALL:

6                   Second.

7                   CHAIRMAN:

8                   All in favor?

9 AYES RESPOND

10                  CHAIRMAN:

11                  Opposed? The motion carries.

12                  ATTORNEY SHERMAN:

13                  The next petition before the Board is  
14 that of Bernard Hodes Group, Incorporated. Bernard  
15 Hodes is requesting that they be removed from the  
16 Prohibited Gaming Service Provider List.

17                  Bernard Hodes provided services in the  
18 areas of recruitment, marketing and communications to  
19 Chester Downs and Marina. However, they had not  
20 submitted a Gaming Service Provider application to the  
21 Board prior to doing so. Accordingly, they've been  
22 placed on the Prohibited Gaming Service Provider List  
23 in February 2009. Bernard Hodes, in the current  
24 petition, states that they were unaware of the  
25 application requirements, and as a result, failed to

1 fulfill their responsibility.

2           The OEC has no objection to the petition  
3 for removal from the list, provided they pay the  
4 \$1,500 civil penalty. Again, this matter is now  
5 appropriate for your consideration.

6           CHAIRMAN:

7           Any questions or comments from the Board?  
8 Ex-officio members? Do I have a motion?

9           MR. MCCALL:

10           Mr. Chairman, I move that the Board grant  
11 the petition of Bernard Hodes Group, Inc., as  
12 described by the OEC.

13           MR. GINTY:

14           Second.

15           CHAIRMAN:

16           All in favor?

17 AYES RESPOND

18           CHAIRMAN:

19           Opposed? Motion carries.

20           ATTORNEY SHERMAN:

21           And the final petition before the Board  
22 is that of W.B. Mason. W.B. Mason is a furniture  
23 supply business, who has been placed on the Prohibited  
24 Gaming Service Provider List, and of course, is  
25 requesting to be removed from that list.

1           They had initially filed an application  
2 with the Board in July of 2007. That application had  
3 incomplete sections, was missing certain information,  
4 and also was missing some required authorizations.  
5 The Board's Bureau of Licensing contacted W.B. Mason  
6 on three occasions in an attempt to cure the  
7 deficiencies. However, the company did not comply  
8 with the request for further information, and  
9 ultimately was placed on the Prohibited Gaming Service  
10 Provider List.

11           The OEC has no objection to the current  
12 petition, provided that W.B. Mason pay a civil penalty  
13 of \$1,500 for the failure to cooperate, as well as the  
14 outstanding costs owed to the Board, which total  
15 \$312.50. This matter is appropriate for your  
16 consideration.

17                   CHAIRMAN:

18           Any questions or comments from the Board?  
19 From ex-officio members? May I have a motion?

20                   MR. GINTY:

21           Mr. Chairman, I move that the Board grant  
22 the petition of W.B. Mason, as described by the OCC.

23                   MR. FAJT:

24           Second.

25                   CHAIRMAN:

1 All in favor?

2 AYES RESPOND

3 CHAIRMAN:

4 Opposed? The motion carries.

5 ATTORNEY SHERMAN:

6 Next, presenting Withdrawals and Reports  
7 and Recommendations is Deputy Chief Counsel Steve  
8 Cook.

9 CHAIRMAN:

10 Thank you.

11 ATTORNEY COOK:

12 The Board has received six unopposed  
13 petitions, withdraw the application or surrender the  
14 credentials of individuals or businesses. The persons  
15 or entities subject to these petitions are as follows,  
16 Philip Dolcimascol, Lawrence Henshaw, Hershey Creamery  
17 Corporation, Allison D. Johnson, Kettle Cuisine, Inc.  
18 and Gerard Scheinbach. The OEC has no objection to  
19 these Withdrawals and Surrenders. As a result, if the  
20 Board were to grant same, they would do it so without  
21 prejudice. This matter is now ripe for the Board's  
22 consideration.

23 CHAIRMAN:

24 Any questions or comments from the Board?

25 From ex-officio members? May I have a motion?

1                   MR. FAJT:

2                   Mr. Chairman, I move that the Board issue  
3 Orders to approve the Withdrawals or Surrenders, as  
4 described by the OCC.

5                   MR. GINTY:

6                   Second.

7                   CHAIRMAN:

8                   All in favor?

9 AYES RESPOND

10                  CHAIRMAN:

11                  Opposed? The motion carries.

12                  ATTORNEY COOK:

13                  Next before the Board for consideration  
14 are two Reports and Recommendations received from the  
15 Office of Hearings and Appeals (OHA) relative to one  
16 Gaming Employee and one Petition for Early Removal  
17 from the Self-Exclusion List. These Reports and  
18 Recommendations, along with the complete evidentiary  
19 record, have been provided to the Board in advance of  
20 this meeting. Also, the persons that are subject to  
21 these reports have been notified that the matter was  
22 being heard by the Board today and that they have the  
23 ability to come forward and briefly address the Board.  
24 If either of these persons are present, I'd ask that  
25 they come forward when their matter is announced.

1                   The first Report and Recommendation  
2 pertains to Paresh Malkan. Mr. Malkan was issued a  
3 Gaming Employee Permit on May 26th, 2010 and was  
4 employed as a Table Games Dealer at the Parx Casino.

5                   On October 21st, 2011, the Bureau of  
6 Casino Compliance (BCC) became aware that, on October  
7 3, 2011, Mr. Malkan was arrested and charged with four  
8 criminal drug-related offenses, including one felony  
9 and three misdemeanors. As a result of these charges,  
10 the OEC filed a Request for an Emergency Order of  
11 Suspension of Mr. Malkan's Gaming Employee Permit.  
12 The Order was signed by the Executive Director on  
13 October 28th, 2011.

14                   On November 22nd, this past November  
15 22nd, the Board referred the matter to the OHA to  
16 conduct a full evidentiary hearing. That hearing was  
17 thereafter held on December 8th, 2011. At the  
18 hearing, both Mr. Malkan and the OEC appeared and  
19 offered testimony and evidence. Mr. Malkan testified  
20 that he had waived his right to his preliminary  
21 hearing and his charges were bound over to the Bucks  
22 County Court of Common Pleas, where they remain  
23 pending while he awaits trial.

24                   As a result of the evidence submitted, a  
25 Report and Recommendation was issued recommending that

1 the Emergency Order remain in place at least until the  
2 criminal issues have resolved themselves. That's the  
3 Report and Recommendation presently before the Board.  
4 And the OCC would concur in that recommendation.

5 CHAIRMAN:

6 Any questions or comments from the Board?  
7 From ex-officio members? May I have a motion?

8 MR. GINTY:

9 Mr. Chairman, I move that the Board issue  
10 an Order to adopt the Report and Recommendation of the  
11 OHA regarding the Gaming Employee Permit of Paresh  
12 Malkan, as described by the OCC.

13 MR. MCCALL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 AYES RESPOND

18 CHAIRMAN:

19 Opposed? Motion carries.

20 ATTORNEY COOK:

21 The final Report and Recommendation  
22 before the Board today stems from a request to be  
23 removed from the Voluntary Self-Exclusion List. On  
24 July 2nd, 2011, an individual with the initials MKS  
25 entered Mohegan Sun at Pocono Downs and contacted the

1 BCC, requesting to be placed on the Voluntary  
2 Self-Exclusion List.

3           On that date, a Casino Compliance  
4 representative met with MKS and conducted a mandatory  
5 interview with her and completed all of the required  
6 forms. At that time, MKS selected a one-year period  
7 of self-exclusion, completed all the forms and signed  
8 the forms that were appropriate. MKS is now  
9 requesting to be removed from the list, although the  
10 one-year self-exclusion period hasn't passed. She has  
11 indicated that she now has her life under control and  
12 that, for a variety of reasons, including her  
13 husband's being employed by the Mohegan Casino, that  
14 she would request to be removed from the list.

15           The OEC filed an Answer to the request,  
16 objecting to it, and a hearing was held before the OHA  
17 on November 9th, 2011. Both MKS and the OEC appeared  
18 and offered evidence into the record.

19           In the Report and Recommendation  
20 subsequently issued by the Hearing Officer, which is  
21 present before the Board, recommended MKS not be  
22 removed from the Self-Exclusion List, as the one-year  
23 term has not yet passed and she did not provide  
24 substantial evidence of coercion or ignorance of the  
25 process. The Report and Recommendation is before the

1 Board for consideration.

2 CHAIRMAN:

3 Is the individual identified by initials  
4 MKS in the hearing room? No response. Any questions  
5 or comments from the Board? From ex-officio members?  
6 May I have a motion?

7 MR. MCCALL:

8 Mr. Chairman, I move that the Board issue  
9 an Order to adopt the Report and Recommendation of the  
10 OHA regarding the early removal of MKS from the  
11 Self-Exclusion List, as described by the OCC.

12 CHAIRMAN:

13 Second?

14 MR. MOSCATO:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 AYES RESPOND

19 CHAIRMAN:

20 Mr. Ginty?

21 MR. GINTY:

22 Mr. Chairman, I'm going to dissent. My  
23 dissent is --- continues to be based on I don't agree  
24 with the procedure we utilize without a cooling off or  
25 a period for reflection. It certainly bothers me in

1 terms of giving due process.

2 MR. SOJKA:

3 Could I comment on that?

4 CHAIRMAN:

5 Certainly.

6 MR. SOJKA:

7 Commissioner Ginty, I really do  
8 understand your concern there, and I share some of  
9 them. In this case, are the particulars somewhat  
10 different from some of the others? It's my  
11 understanding from reading this that the person with  
12 the initials we're looking at actually made a separate  
13 trip back to the casino after that period of  
14 reflection and specifically used that trip to put  
15 herself on the Exclusion List. Is that not correct?

16 ATTORNEY COOK:

17 I think she did make the trip for the  
18 sole purpose of placing herself on the list.

19 MR. SOJKA:

20 So this would suggest the end of a  
21 personal delivery process in which she chose this  
22 course of action. Does that get to part of your  
23 concerns?

24 MR. GINTY:

25 No. I think our process is --- I would

1 like to see within the process that after the person  
2 is advised of their options some period of time where  
3 --- can go back and either confirm or withdraw. I  
4 mean, we do it in real estate transactions, you know.  
5 We do it in other sales situations. And this is a  
6 closer case. It's only one year. We understand she  
7 can go to these recreational activities that she  
8 thinks she's precluded, but this is really --- my  
9 dissent is based on the process.

10 ATTORNEY COOK:

11 Just so the record is clear on the last  
12 point you made, Commissioner, part of her original  
13 request was a belief that this person had that she  
14 couldn't attend events at the Mohegan Sun Arena, which  
15 is physically removed from the casino. It's just an  
16 arena in Wilkes-Barre that has the name of Mohegan  
17 Sun. There's nothing meaning if she's placed on the  
18 Exclusion List which would preclude her from going to  
19 events there in the order that the Board --- the  
20 Report and Recommendation will reflect that.

21 CHAIRMAN:

22 Any other comments from the Board?  
23 Ex-officio members? The record will reflect that Mr.  
24 Ginty is opposed, and the motion carries.

25 ATTORNEY COOK:

1                   And that concludes the matters of the  
2 OCC.

3                   CHAIRMAN:

4                   Thank you very much. Next will be our  
5 Director of Licensing, Susan Hensel. Good morning,  
6 Susan.

7                   MS. HENSEL:

8                   Thank you, Chairman Ryan and members of  
9 the Board. Before the Board today will be three  
10 manufacturer applicants and motions regarding 643  
11 Principal and Key Employee Gaming and Non-Gaming  
12 Employees, as well as the consideration of 19 Gaming  
13 Service Provider applications.

14                   The first matter for your consideration  
15 is the approval of a Table Game Manufacturer License  
16 for GPI Mexicana SA de CV. This company is currently  
17 the holder of a Conditional Table Game Manufacturer  
18 License. GPI Mexicana manufactures a range of table  
19 game products, including gaming chips, gaming tables,  
20 playing cards, dice, roulette wheels and gaming table  
21 layouts. The BIE has now completed its full  
22 investigation of the company, and the Bureau of  
23 Licensing has provided you with a Background  
24 Investigation and Suitability Report for the  
25 Conditional License Holder. I have provided you with

1 a Draft Order and ask that the Board consider the  
2 approval of the license for GPI Mexicana.

3 CHAIRMAN:

4 Any comments from Enforcement Counsel?

5 ATTORNEY PITRE:

6 Enforcement Counsel has no objection to  
7 the request.

8 CHAIRMAN:

9 Thank you. Any questions or comments  
10 from the Board? From ex-officio members? May I have  
11 a motion?

12 MR. SOJKA:

13 Mr. Chairman, I'll move that the Board  
14 approve the Table Games Manufacturer License for GPI  
15 Mexicana.

16 MS. HENSEL:

17 Yes, GPI Mexicana.

18 MR. SOJKA:

19 All right. I want to make sure that ---  
20 I hadn't marked that. That's why I'm a little out of  
21 order. Okay. This is GP Mexicana ---

22 MS. HENSEL:

23 SA de CV.

24 MR. SOJKA:

25 --- SA de CV?

1           MS. HENSEL:

2           Correct.

3           MR. SOJKA:

4           Okay. And we will see ---?

5           MS. HENSEL:

6           We will see another GPI as the next one.

7           MR. SOJKA:

8           Okay. I want to make sure that --- and  
9 they will --- they are separate except for location?

10          MS. HENSEL:

11          Yes, they are separate companies. One is  
12 as Table Games Manufacturer. That's GPI Mexicana.

13          MR. SOJKA:

14          Mexicana.

15          MS. HENSEL:

16          The second company will be a Manufacturer  
17 Designee.

18          MR. SOJKA:

19          Okay. Okay. That's what's been  
20 confusing me. But I think I understand.

21          CHAIRMAN:

22          Which is GPI USA.

23          MS. HENSEL:

24          That's correct.

25          CHAIRMAN:

1                   That's the confusion.

2                   MR. SOJKA:

3                   That is my confusion. I wanted to make  
4 sure I understood.

5                   CHAIRMAN:

6                   I understand.

7                   MR. SOJKA:

8                   Okay. So, for this one, I would --- Mr.  
9 Chairman, I will move that the Board approve the Table  
10 Games Manufacturer License for GPI Mexicana SA de CV,  
11 as described by the Bureau of Licensing. That is the  
12 right one.

13                   MS. HENSEL:

14                   Correct.

15                   MR. SOJKA:

16                   Correct.

17                   CHAIRMAN:

18                   Is there a second?

19                   MR. TRUJILLO:

20                   Mr. Chairman, I'm delighted to second the  
21 motion for GPI Mexicana SA de CV.

22                   MR. SOJKA:

23                   Now you know why I'm really confused.

24                   CHAIRMAN:

25                   You get one of those. All in favor?

1 AYES RESPOND

2 CHAIRMAN:

3 Opposed? The motion carries.

4 MS. HENSEL:

5 The next matter for your consideration is  
6 the approval of the Table Games Manufacturer Designee  
7 License for Gaming Partners International USA, Inc.  
8 This company is currently the holder of a Conditional  
9 Table Game Manufacturer Designee License. Gaming  
10 Partners International USA, Inc. is a Manufacturer  
11 Designee for GPI Mexicana and sells and services the  
12 products that are produced by GPI Mexicana. The BIE  
13 has now completed its full investigation of this  
14 company, and the Bureau of Licensing has provided you  
15 with a Background Investigation and Suitability Report  
16 for this Condition License holder. I have provided  
17 you with the Draft Order and ask that the Board  
18 consider the approval of a license for Gaming Partners  
19 International USA, Inc.

20 CHAIRMAN:

21 Any comments from Enforcement Counsel?

22 ATTORNEY PITRE:

23 Enforcement Counsel has no objection.

24 CHAIRMAN:

25 Any questions or comments from the Board?

1 From ex-officio members? Can I have a motion?

2 MR. TRUJILLO:

3 Mr. Chairman, I move that the Board  
4 approve the Table Games Manufacturer Designee License  
5 for Gaming Partners International USA, Inc., as  
6 described by the Bureau of Licensing.

7 MR. FAJT:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 AYES RESPOND

12 CHAIRMAN:

13 Opposed? The motion carries.

14 MS. HENSEL:

15 Also for your consideration is the  
16 issuance of a Conditional Table Game Manufacturer  
17 License for Giesecke & Devrient America, Inc.  
18 Pursuant to the Board's regulations, the Board may  
19 issue a Conditional Table Game Manufacturer License,  
20 provided the Applicant submits as Manufacturer  
21 application, is currently certified by the Board as a  
22 Gaming Service Provider, submits a written statement  
23 from a facility indicating that the facility may do  
24 business with the company, passes a preliminary  
25 investigation, and pays the licensing fee prior to the

1 license being issued. Giesecke & Devrient is  
2 currently a Certified Gaming Service Provider with the  
3 Board and meets these requirements. The Bureau of  
4 Licensing has provided you with a preliminary  
5 Suitability Report for this applicant. Should the  
6 Board approve Giesecke & Devrient for a Conditional  
7 License, the company has asked that the Board allow  
8 them to pay a reduced licensing fee. It is requesting  
9 a licensing fee of \$10,000. The fee is consistent  
10 with the reduced Table Game Manufacturer licensing fee  
11 adopted by the Bureau of Licensing for Table Game  
12 Manufacturer that are the only maker of a particular  
13 product. In this case, Giesecke & Devrient is the  
14 only applicant that manufacturers soft count  
15 equipment. The Bureau of Licensing recommends that  
16 the Board grant the request for the \$10,000 licensing  
17 fee. I have provided you with a Draft Order and ask  
18 that the Board consider the approval of a Conditional  
19 License for Giesecke & Devrient America, Inc., as well  
20 the reduced licensing fee.

21 CHAIRMAN:

22 Any comments from Enforcement Counsel?

23 ATTORNEY PITRE:

24 Enforcement Counsel has no objection.

25 CHAIRMAN:

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

3           MR. FAJT:

4           Mr. Chairman, I move that the Board  
5 approve Giesecke & Devrient America, Inc. for a  
6 Conditional Table Game Manufacturer's License, as  
7 described by the Bureau of Licensing.

8           MR. SOJKA:

9           Second.

10          CHAIRMAN:

11          All in favor?

12 AYES RESPOND

13          CHAIRMAN:

14          Opposed? Motion carries.

15          MS. HENSEL:

16          We also have for your consideration the  
17 approval of Principal and Key Employee Licenses and a  
18 Gaming Service Provider qualification. Prior to this  
19 meeting, the Bureau of Licensing provided you with a  
20 proposed Order for one Principal and three Key  
21 Employee Licenses for Category 1 and Category 2  
22 Licensees and one Gaming Service Provider  
23 qualification for George M. Raymond Company. I ask  
24 that the Board consider the Orders approving these  
25 licenses and qualification.

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 Board?

7 Ex-officio members? May I have a motion?

8                   MR. SOJKA:

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

13                   CHAIRMAN:

14                   Second?

15                   MR. MOSCATO:

16                   Second.

17                   CHAIRMAN:

18                   All in favor?

19 AYES RESPOND

20                   CHAIRMAN:

21                   Opposed? The motion carries.

22                   MR. GINTY:

23                   That includes the Qualifier Licenses?

24                   MS. HENSEL:

25                   Yes. The motion was also to approve.

1                   Next for your consideration are Temporary  
2 Principal and Key Employee Licenses. Prior to this  
3 meeting, the Bureau of Licensing provided you with an  
4 Order regarding the issuance of Temporary Licenses for  
5 one Principal and nine Key Employees. I ask that the  
6 Board consider the Order approving these licenses.

7                   CHAIRMAN:

8                   Any comments from Enforcement Counsel?

9                   ATTORNEY PITRE:

10                  Enforcement Counsel has no objection.

11                  CHAIRMAN:

12                  Any questions or comments from the Board?

13                  Ex-officio members? May I have a motion?

14                  MR. MOSCATO:

15                  Mr. Chairman, I move that the Board  
16 approve the issuance of Temporary Principal and Key  
17 Employee Credentials, as described by the bureau of  
18 Licensing.

19                  MR. MCCALL:

20                  Second.

21                  CHAIRMAN:

22                  All in favor?

23                  AYES RESPOND

24                  CHAIRMAN:

25                  Opposed? The motion carries.

1                   MS. HENSEL:

2                   Next are Gaming Permits and Non-Gaming  
3 Registrations. Prior to this meeting, the Bureau of  
4 Licensing provided you with a list of 498 individuals  
5 who the Bureau has granted Temporary or Full  
6 Occupational Permits to and 70 individuals who the  
7 Bureau has granted Registrations to under the  
8 authority delegated to the Bureau of Licensing. I ask  
9 that the Board adopt a motion approving the Order.

10                   CHAIRMAN:

11                   Any comments from Enforcement Counsel?

12                   ATTORNEY PITRE:

13                   Enforcement Counsel has no objection.

14                   CHAIRMAN:

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

17                   MR. MCCANN:

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

22                   CHAIRMAN:

23                   Second?

24                   MR. TRUJILLO:

25                   Second.

1                   CHAIRMAN:

2                   All in favor?

3 AYES RESPOND

4                   CHAIRMAN:

5                   Opposed? Motion carries.

6                   MS. HENSEL:

7                   We also have for your consideration  
8 Withdrawal Requests for Key Employees, Gaming and  
9 Non-Gaming Employees. In each case, the license  
10 permit or registration is no longer required due to  
11 such circumstances as the employee failing to report  
12 to work. For today's meeting I have provided the  
13 Board with a list of 3 Key, 49 Gaming and 8 Non-Gaming  
14 Employee Withdrawals for approval. I ask that the  
15 Board consider the Orders approving this list of  
16 withdrawals.

17                   CHAIRMAN:

18                   Any comments from Enforcement Counsel?

19                   ATTORNEY PITRE:

20                   Enforcement Counsel has no objection.

21                   CHAIRMAN:

22                   Any questions or comments from the Board?

23 From ex-officio members? May I have a motion?

24                   MR. TRUJILLO:

25                   Mr. Chairman, I move that the Board

1 approve the Withdrawals, as described by the Bureau of  
2 Licensing.

3 MR. GINTY:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 AYES RESPOND

8 CHAIRMAN:

9 Opposed? The motion carries.

10 MS. HENSEL:

11 In addition, we have an Order to certify  
12 the following Gaming Service Providers; Bittenbender  
13 Construction, LP; Boelter Contract and Design, LLC;  
14 Keystone State Distributing, Inc.; Power Contracting  
15 Company; R.W. Geary & Company; and Label Rite, Inc.  
16 Label Rite, Inc. is up for renewal. I ask that the  
17 Board consider the Orders approving these Gaming  
18 Service Providers for initial and renewal  
19 certification.

20 CHAIRMAN:

21 Any comments from Enforcement Counsel?

22 ATTORNEY PITRE:

23 Enforcement Counsel has no objection.

24 CHAIRMAN:

25 Any questions or comments from the Board?

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

2 MR. GINTY:

3 Mr. Chairman, I move that the board issue  
4 an Order to approve the applications for Gaming  
5 Service Provider Certification, as described by the  
6 Bureau of Licensing.

7 MR. FAJT:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 AYES RESPOND

12 CHAIRMAN:

13 Opposed? The motion carries.

14 MS. HENSEL:

15 Next we have an Order regarding Gaming  
16 Service Provider Registrations. The Bureau of  
17 Licensing provided you with an Order and an attached  
18 list of 12 registered Gaming Service Providers. I ask  
19 that the Board adopt a motion approving the Order  
20 registering these Gaming Service Providers.

21 CHAIRMAN:

22 Any comments from Enforcement Counsel?

23 ATTORNEY PITRE:

24 Enforcement Counsel has no objection.

25 CHAIRMAN:

1                   Any questions or comments from the Board?  
2 From ex-officio members? Do I have a motion?

3                   MR. MCCALL:

4                   Mr. Chairman, I move that the Board issue  
5 an Order to approve the applications for Gaming  
6 Service Provider Registration, as described by the  
7 Bureau of Licensing.

8                   CHAIRMAN:

9                   Second?

10                  MR. MOSCATO:

11                  Second.

12                  CHAIRMAN:

13                  All in favor?

14 AYES RESPOND

15                  CHAIRMAN:

16                  Opposed? The motion carries.

17                  MS. HENSEL:

18                  Finally, there is a Gaming Service  
19 Provider application that is being recommended for  
20 abandonment. This company, Transport International  
21 Pool, Inc., filed an application with the Board but  
22 failed to complete it. To the best of the Bureau of  
23 Licensing's knowledge, this company is no longer in  
24 business. The Board has the authority to declare an  
25 application abandoned if the applicant fails to

1 provide information necessary to cure application  
2 deficiencies. A company whose application is  
3 abandoned is free to reapply at any time. I ask that  
4 the Board consider the Order declaring Transport  
5 International, Inc.'s application abandoned.

6 CHAIRMAN:

7 Any comments from Enforcement Counsel?

8 ATTORNEY PITRE:

9 Enforcement Counsel would support that  
10 request.

11 CHAIRMAN:

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

14 MR. FAJT:

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

19 MR. SOJKA:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 AYES RESPOND

24 CHAIRMAN:

25 Opposed? The motion carries.

1                   MS. HENSEL:

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

4                   CHAIRMAN:

5                   Thank you, Susan. I guess next, Mr.  
6 Pitre, Chief Enforcement Counsel.

7                   ATTORNEY PITRE:

8                   Good morning, Chairman, members of the  
9 Board. The first matter before you today is a Consent  
10 Agreement between the OEC and Mount Airy Casino.  
11 Billie Jo Matelevich-Hoang will represent the OEC.  
12 Michael Sklar is here on behalf of Mount Airy.

13                   CHAIRMAN:

14                   Thank you. Are we ready?

15                   ATTORNEY MATELEVICH-HOANG:

16                   Yes. Good morning, Chairman Ryan,  
17 members of the Board. I am Billie Matelevich-Hoang on  
18 behalf of the OEC. I notice a different reporter, so  
19 I'm going to spell that. It's, B-I-L-L-I-E,  
20 M-A-T-E-L-E-V-I-C-H, hyphen, H-O-A-N-G.

21                   We have today for the Board's  
22 consideration a Consent Agreement between the OEC and  
23 Mount Airy. The agreement is the result of Mount  
24 Airy's payment to unauthorized Gaming Service  
25 Provider. Between February 5th, 2008 and January

1 26th, 2011, Mount Airy paid North American Warhorse,  
2 Inc. eight times for services or supplies furnished to  
3 Mount Airy. Payments made on July 29th, 2008 and  
4 August 26th, 2008, were a direct violation of a  
5 February 5th, 2008 Board Order. As a result, the  
6 parties have agreed that within five days of the  
7 Board's Order, Mount Airy shall pay a civil penalty in  
8 the amount of \$20,000. If approved, this will be the  
9 first fine for Mount Airy pertaining to paying  
10 unauthorized Gaming Service Providers. The OEC asks  
11 that the Board approve the Consent Agreement, as  
12 presented today, and we would be happy to answer any  
13 questions the board may have.

14 CHAIRMAN:

15 Any comments from Mount Airy?

16 ATTORNEY SKLAR:

17 Just briefly, Michael Sklar, S-K-L-A-R,  
18 on behalf of Mount Airy, LLC. I just wanted to tell  
19 the Board what's been put in place since these events  
20 have occurred. The Mount Airy computer system and  
21 accounts payable department --- now, the accounts  
22 payable personnel, when they're getting ready to cut a  
23 check, they type in the vendor's name, and the system  
24 will block the ability to cut a check --- or the  
25 computer to print out a check if a vendor is not

1 authorized or they're on the Prohibited List. So I  
2 think this is --- the checks and balances are in place  
3 now where this kind of situation cannot happen in the  
4 future. And otherwise, I can answer any questions the  
5 Board has.

6 CHAIRMAN:

7 Any questions or comments from the Board?

8 MR. SOJKA:

9 I have a couple questions for Enforcement  
10 Counsel, Ms. Matelevich-Hoang. I think one of our  
11 principal purposes here, as a Board, is to ensure that  
12 we protect the public, namely the citizens of  
13 Pennsylvania, from any inappropriate activity. This  
14 is a complex issue. There's a straightforward  
15 component, where there was failure to react to a  
16 specific Order and there were complications prior to  
17 that having to do with dates and other situations.  
18 And I just want to be sure that Enforcement Counsel is  
19 willing to ensure this Board that everything has been  
20 looked at there and that we are dealing, in fact, with  
21 nothing more or nothing different than a kind of  
22 simple, technical, bookkeeping, calendar-watching  
23 activity. Is that what we're looking at?

24 ATTORNEY MATELEVICH-HOANG:

25 In my opinion, yes. We have reviewed all

1 reports, all information submitted by the BIE. This  
2 investigation has been ongoing for a few years, and  
3 we're finally at the point where we feel that  
4 everything has been fully investigated, and we stand  
5 firmly behind what we submitted to you as a Consent  
6 Agreement.

7 MR. SOJKA:

8 That's very helpful. Thank you.

9 HEARING EXAMINER:

10 Anyone else on the Board? Ex-officio  
11 members? May I have a motion?

12 MR. SOJKA:

13 Yes, Mr. Chairman. I'll move that the  
14 Board issue an Order to approve the Consent Agreement  
15 between the OEC and Mount Airy, LLC, as described by  
16 the OEC.

17 HEARING EXAMINER:

18 Second?

19 MR. TRUJILLO:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 AYES RESPOND

24 CHAIRMAN:

25 Opposed? Motion carries. Thank you

1 both.

2 ATTORNEY MATELEVICH-HOANG:

3 Thank you.

4 ATTORNEY PITRE:

5 The next matter is a Consent Agreement  
6 between the OEC and Greenwood Gaming & Entertainment.  
7 And Dustin Miller will present the matter for OEC.

8 CHAIRMAN:

9 Mr. Miller?

10 ATTORNEY MILLER:

11 Good morning, Chairman Ryan, members of  
12 the Board. This Consent Agreement arises from an  
13 incident of underage gaming at the Parx Casino on  
14 April 13th and 14th, 2011. Pursuant to Section  
15 513a.2.(b) of the Board's Regulations, a person under  
16 21 years of age may not operate, use, play or place a  
17 wager on a slot machine in a licensed facility.  
18 Section 513a.3.(b) provides that a slot machine  
19 licensee shall establish procedures that are designed  
20 to prevent underage gaming violations. Further,  
21 Section 513a.5. states that mistake of age will not be  
22 a defense to prosecution of an underage gaming  
23 violation by a licensee. Finally, Section 513a.2.(c)  
24 restricts underage persons from receiving check  
25 cashing privileges, player services, or any

1 complimentary service in anticipation of gaming  
2 activity.

3                   On April 13th, 2011, James Ashton, an  
4 individual under the age of 21, entered Parx Casino at  
5 11:36 p.m. A Parx Casino security guard requested  
6 identification from Mr. Ashton, which he provided.  
7 However, Mr. Ashton provided the valid identification  
8 card of another individual, J.G., to gain entrance to  
9 the casino. J.G. was over 21 years of age at the time  
10 of this incident. After gaining entrance to the  
11 casino, Mr. Ashton proceeded to the player services  
12 counter and opened a player's card account using  
13 J.G.'s identification card. Next, Mr. Ashton  
14 proceeded to play slot machines and roulette inside  
15 Parx Casino. Mr. Ashton was not asked for  
16 identification by the roulette dealer. Mr. Ashton was  
17 also served at least one alcoholic beverage by a Parx  
18 Casino cocktail server. The cocktail server did not  
19 ask to see Mr. Ashton's identification before serving  
20 him the alcoholic beverage. Mr. Ashton remained  
21 inside the Parx Casino for approximately five hours  
22 before leaving Parx Casino at 4:36 a.m. on the morning  
23 of April 14, 2011. After leaving Parx Casino, Mr.  
24 Ashton robbed a female patron of the Parx Casino in  
25 the parking lot. Mr. Ashton was apprehended by

1 Bensalem Township Police, with the assistance of Parx  
2 Casino security personnel, shortly after the incident  
3 occurred. At no time did any Parx Casino personnel  
4 detect that Mr. Ashton was under the age of 21,  
5 despite Mr. Ashton being asked for identification on  
6 three occasions, having contacted at least six  
7 different Parx Casino employees. Mr. Ashton was  
8 placed on the Board's Exclusion List at its meeting on  
9 December 20th, 2011, for his actions related to this  
10 incident.

11                   On December 8th, 2011, the parties  
12 entered into a Consent Agreement to settle this  
13 outstanding compliance matter. This is Greenwood  
14 Gaming & Entertainment's second Consent Agreement with  
15 OEC related to underage gaming. The terms of the  
16 agreement include a provision that Parx Casino  
17 institute policies and provide training, guidance and  
18 reinforcement to employees to minimize the opportunity  
19 for a similar incident of this nature from occurring  
20 in the future. And also, Greenwood Gaming &  
21 Entertainment, Inc., shall pay a total fine of  
22 \$30,000. Mark Stewart, Counsel for Greenwood Gaming &  
23 Entertainment, is in attendance today to answer any  
24 questions you may have.

25                   CHAIRMAN:

1 Mr. Stewart?

2 ATTORNEY STEWART:

3 Mr. Chairman, Commissioners, may it  
4 please the Board, Mark Stewart. Also with me is Tom  
5 Bonner, Vice President and General Counsel. And we  
6 have Jerry Fretz, who is the Director of Security,  
7 with us. We cooperated fully with OEC to resolve this  
8 matter and are prepared to answer any questions that  
9 the Board may have.

10 CHAIRMAN:

11 Any questions or comments from the Board?  
12 From ex-officio members? May I have a motion?

13 ATTORNEY TRUJILLO:

14 Mr. Chairman, I move that the Board issue  
15 an Order to approve the Consent Agreement between the  
16 OEC and Greenwood Gaming & Entertainment, Inc., as  
17 described by the OEC.

18 CHAIRMAN:

19 Second?

20 ATTORNEY MOSCATO:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 AYES RESPOND

25 CHAIRMAN:

1                   Opposed? Motion carries. Thank you,  
2 gentlemen.

3                   ATTORNEY MILLER:

4                   Thank you, Chairman.

5                   ATTORNEY PITRE:

6                   The next matter before you is a motion to  
7 consider the revocation of Patricia Christopher's  
8 Non-Gaming Employee Registration. If Ms. Christopher  
9 is present, I ask that she come forward. Cassandra  
10 Fenstermaker will present the matter on behalf of OEC.

11                   ATTORNEY FENSTERMAKER:

12                   Good morning, Chairman Ryan, members of  
13 the Board. I'm Cassandra Fenstermaker,  
14 F-E-N-S-T-E-R-M-A-K-E-R, Assistant Enforcement  
15 Counsel. On November 30th, 2010, the OEC filed a  
16 Complaint for Revocation against Patricia Christopher,  
17 a Food Court Cashier at Meadows Racetrack and Casino.  
18 Ms. Christopher pled guilty to forgery, a felony. The  
19 Enforcement Complaint was served on Ms. Christopher by  
20 first class and certified mail. Ms. Christopher did  
21 not respond to the complaint within 30 days.

22 Therefore, pursuant to Board regulations, all facts  
23 alleged in the complaint are deemed admitted.

24                   The OEC filed a Request for Default  
25 Judgment on December 9th, 2011, and at this time

1 requests that Patricia Christopher's Non-Gaming  
2 Registration be revoked.

3 CHAIRMAN:

4 Is Patricia Christopher in the hearing  
5 room? Any questions or comments from the Board? May  
6 I have a motion?

7 MR. MOSCATO:

8 Mr. Chairman, I move that the Board issue  
9 an Order to approve the revocation of Patricia  
10 Christopher's Non-Gaming Employee Registration, as  
11 described by the OEC.

12 MR. MCCALL:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 AYES RESPOND

17 CHAIRMAN:

18 Opposed? The motion carries. Thank you.

19 ATTORNEY PITRE:

20 The next matter for your consideration is  
21 a motion to consider the --- for the revocation of  
22 Beatrish Coleman's Non-Gaming Employee Registration.  
23 If Ms. Coleman is present, I ask that she come  
24 forward. Dustin Miller will present the matter for  
25 OEC.

1                   ATTORNEY MILLER:

2                   Good morning again. Ms. Coleman had been  
3 employed as a Counter Attendant at Parx Casino and  
4 registered as a Non-Gaming Employee. The OEC filed an  
5 enforcement complaint to revoke Ms. Coleman's  
6 Non-Gaming Employee Registration for failing to  
7 maintain her suitability to hold a Non-Gaming Employee  
8 Registration on October 17th, 2011. The Enforcement  
9 Complaint was properly served upon Ms. Coleman at the  
10 address listed on her application by certified and  
11 first class mail. Ms. Coleman did not respond to the  
12 filing in any way. Due to Ms. Coleman's failure to  
13 respond, the averments in the Enforcement Complaint  
14 are deemed to be admitted as fact and her right to a  
15 hearing has been waived. On December 14, 2011, the  
16 OEC filed a Request to Enter Judgment upon Default.  
17 The matter is now before the Board to consider  
18 revocation of Ms. Coleman's Non-Gaming Employee  
19 Registration.

20                   CHAIRMAN:

21                   Is Beatrish Coleman in the hearing room?  
22 Any questions or comments from the Board?

23                   MR. FAJT:

24                   Mr. Chairman, thank you. Dustin, could  
25 you give us --- I think this is the one that I had had

1 a question about regarding the involvement of the  
2 Bensalem Police. Hey, Doug, could you grab the Parx  
3 guys before they leave? This is the lady with the  
4 cigarettes; right?

5 ATTORNEY MILLER:

6 Right.

7 MR. FAJT:

8 Could you guys stick around for this?  
9 This is an employee of yours, and I had some questions  
10 about the involvement of the Bensalem Police. And so,  
11 Dustin, I'm going to ask you, do you know the facts of  
12 the incident and could you just paraphrase that just  
13 so everybody else is ---?

14 ATTORNEY MILLER:

15 I do. As I said, Ms. Coleman was a  
16 Counter Attendant at Parx Casino. I believe she was  
17 working at the Foodie's Food Court when these  
18 incidents occurred. They occurred on March 2nd of  
19 2011. She was observed on surveillance using another  
20 employee's cash register. She was conducting a  
21 transaction for the sale of cigarettes with a patron  
22 of Parx Casino. The Respondent gave the patron a pack  
23 of cigarettes in exchange for currency. Respondent  
24 did not enter the transaction into the cash register,  
25 continued to hold the currency in her hand. Then

1 she --- well, the currency is still in her hand.  
2 Basically she never entered the transaction into the  
3 cash register and put the money from the transaction  
4 into her tip jar.

5 MR. FAJT:

6 And who was the responding law  
7 enforcement agency?

8 ATTORNEY MILLER:

9 I don't believe there was any law  
10 enforcement involvement in this incident.

11 MR. FAJT:

12 Okay. All right. I was under the  
13 mistaken belief that the Bensalem Police Department  
14 charged this lady as opposed to the State Police, and  
15 so my concern and my discussion with Deputy Chief  
16 Counsel Steve Cook and Chief Counsel Doug Sherman was  
17 why was the Bensalem Police involved inside the four  
18 walls of the casino? I believe that that was the  
19 purview of the Pennsylvania State Police, and local  
20 law enforcement have jurisdiction outside the four  
21 walls of the casino. So, we entered into some  
22 discussion yesterday about whether that was, in fact,  
23 the case. And so, again, I'll just state for the  
24 record --- I could be wrong on this, but my  
25 understanding is that Pennsylvania State Police,

1 unless they waive their right, have the authority, the  
2 arresting powers and jurisdiction within the four  
3 walls of the casino. And local law enforcement, be  
4 that State Police or a local jurisdiction, like  
5 Bensalem, have jurisdiction outside the four walls of  
6 the casino. So if that's not the case, then somebody  
7 please tell me. And I see Mr. Bonner coming up, Mr.  
8 Chairman. If we could just have him address us.

9 CHAIRMAN:

10 Thank you, again. Mr. Bonner, could you  
11 just state ---?

12 ATTORNEY BONNER:

13 Sure. Thomas Bonner, B-O-N-N-E-R. I'm  
14 General Counsel of Parx Casino. With me is Jerry  
15 Fretz, F-R-E-T-Z, our Director of Security. Your  
16 understanding is inaccurate, Commissioner. Bensalem  
17 Police and the State Police, with respect to the Parx  
18 property, have entered into an agreement whereby the  
19 --- basically the non-casino areas of the casino in  
20 the front of the house are the responsibility of  
21 Bensalem Police Department. And then the casino areas  
22 in the back of the house generally are the  
23 responsibilities of the State Police. In cases like  
24 this, unfortunately, we've had more than one incident  
25 where employees have been stealing by not ringing up

1 things properly. And depending on the circumstances  
2 of each case, Mr. Fretz's office will sometimes refer  
3 the matter to Bensalem Police for appropriate charges.  
4 Is there anything you want to add to that?

5 MR. FRETZ:

6 Typically, the State Police cover the  
7 gaming floor, back of the house area. Private vendor  
8 areas, private restaurants --- even though Foodie's is  
9 a consumer restaurant, it's not part of the gaming  
10 floor. So, the Bensalem Police, with the Agreement of  
11 the State Police, investigate those crimes.

12 MR. FAJT:

13 So the State Police have waived that ---?

14 ATTORNEY BONNER:

15 That's correct.

16 MR. FAJT:

17 And let me ask one last question then to  
18 Enforcement Counsel. Are you aware of any other  
19 casino where that's been done, where the State Police  
20 have waived their, I'll say authority? That may not  
21 be the right word, but their jurisdiction inside the  
22 four walls of the casino?

23 ATTORNEY PITRE:

24 Specifically, a specific casino I  
25 couldn't name, but I am aware of several --- few

1 casinos that State Police have used their jurisdiction  
2 as the gaming floor and the restricted areas within  
3 the casino.

4 MR. FAJT:

5 Okay. Thank you.

6 CHAIRMAN:

7 Sir, for the benefit of the court  
8 reporter and the record, could you please state your  
9 name and position and spell your last name?

10 MR. FRETZ:

11 Yes. First name Gerald, G-E-R-A-L-D,  
12 last name Fretz, F-R-E-T-Z, Director of Security at  
13 Parx Casino.

14 CHAIRMAN:

15 Any other ---?

16 MR. SOJKA:

17 Yeah, just --- again, since we're really  
18 worried about details here and absolute clarification,  
19 what you just gave us in terms of the description of  
20 the events don't exactly match what we were given as  
21 written material. I don't believe the person ---  
22 we're talking only about like \$20. I don't think she  
23 put it in her tip jar. She put it under the tip jar.  
24 And then there's yet another person involved. After  
25 the shift ended, the other person I think picked up

1 the money and gave it to her, at least that's the way  
2 I recall it being written up. Does that suggest the  
3 culpability of yet another person over this \$20?

4 ATTORNEY MILLER:

5 I know another person was revoked earlier  
6 by the Board related to this incident.

7 MR. SOJKA:

8 This \$20 has taken out two people.

9 ATTORNEY MILLER:

10 Two people. I think there were some  
11 additional facts related to the other person.

12 MR. SOJKA:

13 Okay.

14 CHAIRMAN:

15 Anything else? Any questions from the  
16 Board? Ex-officio members? Do I have a motion?

17 MR. MCCALL:

18 Mr. Chairman, I move that the Board issue  
19 an Order to approve the revocation of Beatrish  
20 Coleman's Non-Gaming Employee Registration, as  
21 described by the OEC.

22 MR. FAJT:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 AYES RESPOND

2 CHAIRMAN:

3 Opposed? The motion carries. Thank you,  
4 gentlemen.

5 MR. FAJT:

6 Thank you very much for sticking around.  
7 I'm sorry for grabbing you, but I saw you leaving  
8 and ---.

9 ATTORNEY BONNER:

10 Happy to help any way we can.

11 ATTORNEY MILLER:

12 The next Request for Revocation today  
13 involves Anthony J. Volz, III. Mr. Volz had been  
14 employed as a Casino Games Dealer at Parx Casino and  
15 permitted as a Gaming Employee. The OEC filed an  
16 enforcement complaint to revoke Mr. Volz's Gaming  
17 Employee Permit for failure to maintain his  
18 suitability to hold a Gaming Employee Permit on  
19 September 15th, 2011. The enforcement complaint was  
20 properly served upon Mr. Volz to the address listed on  
21 his application by both certified and first class  
22 mail. Mr. Volz did not respond to the filing in any  
23 way. Due to Mr. Volz's failure to respond, the  
24 averments in the enforcement complaint are deemed to  
25 be admitted as fact and his right to a hearing has

1 been waived. On December 14th, 2011, the OEC filed a  
2 Request to Enter Judgment Upon Default. The matter is  
3 now before the Board to consider the revocation of Mr.  
4 Volz's Gaming Employee Permit.

5 CHAIRMAN:

6 Is Anthony Volz in the hearing room? Any  
7 questions or comments from the Board? Ex-officio  
8 members? May I have a motion?

9 MR. FAJT:

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

13 MR. GINTY:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 AYES RESPOND

18 CHAIRMAN:

19 Opposed? Motion carries.

20 ATTORNEY MILLER:

21 The next matter is a request for  
22 placement on the Board's Excluded Persons List today  
23 involving Antonio D. Scotto.

24 The OEC filed a petition to place Mr.  
25 Scotto on the Exclusion List for cheating while

1 playing blackjack at Parx Casino on March 10th, 2011.  
2 The petition was filed on October 11th, 2011. Sorry.  
3 that's incorrect. It was filed on --- yeah, the  
4 petition was filed on October 11th, 2011. The  
5 incident occurred on March 10th, 2011. The petition  
6 was properly served upon Mr. Scotto to the address  
7 listed on the criminal complaint filed against him by  
8 both certified and first class mail. Mr. Scotto did  
9 not respond to the filing in any way. Due to Mr.  
10 Scotto's failure to respond, the averments in the  
11 petition are deemed to be admitted as fact and his  
12 right to a hearing has been waived. On December 14th,  
13 2011, the OEC filed a Request to Enter Judgment upon  
14 Default. The matter is now before the Board to  
15 consider the placement of Antonio D. Scotto on the  
16 Board's Excluded Persons List.

17 CHAIRMAN:

18 Is Antonio Scotto present in the hearing  
19 room? Any questions or comments from the Board?  
20 Ex-officio members of the Board? May I have a motion?

21 MR. GINTY:

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

25 MR. SOJKA:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 AYES RESPOND

5 CHAIRMAN:

6 Opposed? Motion carries.

7 ATTORNEY MILLER:

8 The next matter is a request for  
9 placement on the Board's Excluded Persons List  
10 involving Vitali Sinkevich. The OEC filed a petition  
11 to place Mr. Sinkevich on the Exclusion List for  
12 cheating while playing four-card poker at Parx Casino  
13 on March 9th, 2011. The petition was filed on October  
14 11th, 2011. The petition was properly served upon Mr.  
15 Sinkevich to the address listed on the criminal  
16 complaint filed against him by both certified and  
17 first class mail. Mr. Sinkevich did not respond to  
18 the filing in any way. Due to Mr. Sinkevich's failure  
19 to respond, the averments in the petition are deemed  
20 to be admitted as fact and his right to a hearing has  
21 been waived. On December 28th, 2011, the OEC filed a  
22 Request to Enter Judgment Upon Default. The matter is  
23 now before the Board to consider the placement of  
24 Vitali Sinkevich on the Board's Excluded Persons List.

25 CHAIRMAN:

1                   Is Vitali Sinkevich in the hearing room?  
2 Any questions or comments from the Board? Ex-officio  
3 members? May I have a motion?

4                   MR. SOJKA:

5                   Yes, Mr. Chairman. I move that the Board  
6 issue an Order to approve the addition of Vitali  
7 Sinkevich to the PGCB Exclusion List as described by  
8 the OEC.

9                   CHAIRMAN:

10                   Second?

11                   MR. TRUJILLO:

12                   Second.

13                   CHAIRMAN:

14                   All in favor?

15 AYES RESPOND

16                   CHAIRMAN:

17                   Opposed? The motion carries.

18                   ATTORNEY MILLER:

19                   The final matter today is a request for  
20 placement on the board's Excluded Persons List today  
21 involving Kevin Hannon.

22                   The OEC filed a petition to place Mr.  
23 Hannon on the Exclusion List for committing theft at  
24 Parx Casino on March 3rd, 2011. The petition was  
25 filed on October 11th, 2011. The petition was

1 properly served upon Mr. Hannon to the address listed  
2 on the criminal complaint filed against him by both  
3 certified and first class mail. Mr. Hannon did not  
4 respond to the filing in any way. Due to Mr. Hannon's  
5 failure to respond, the averments in the petition are  
6 deemed to be admitted as fact and his right to a  
7 hearing has been waived. On December 14th, 2011, the  
8 OEC filed a Request to Enter Judgment Upon Default.  
9 The matter is now before the Board to consider the  
10 placement of Kevin Hannon on the Board's Excluded  
11 Persons List.

12 CHAIRMAN:

13 Is Kevin Hannon present in the hearing  
14 room? Any questions or comments from the Board?  
15 Ex-officio members? May I have a motion?

16 MR. MOSCATO:

17 Mr. Chairman, I move that the Board issue  
18 an Order to approve the addition of Kevin Hannon to  
19 the PGCB Exclusion List, as described by the OEC.

20 MR. MCCALL:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 AYES RESPOND

25 CHAIRMAN:

1                   Opposed? The motion carries. Thank you,  
2 Dustin.

3                   ATTORNEY MILLER:

4                   You're welcome.

5                   CHAIRMAN:

6                   Thank you, Cyrus.

7                   ATTORNEY PITRE:

8                   Thank you, Chairman.

9                   CHAIRMAN:

10                  Okay. We were blessed with a brief  
11 agenda today. That, ladies and gentlemen, concludes  
12 our business today. Our next scheduled public meeting  
13 will be held here, on Wednesday, February 8th, 2012 at  
14 10:00 a.m. Any final comments from anyone on the  
15 Board? Ex-officio members? Do I have a motion to  
16 adjourn?

17                  MR. FAJT:

18                  So moved.

19                  CHAIRMAN:

20                  Second?

21                  MR. GINTY:

22                  Second.

23                  CHAIRMAN:

24                  This meeting is adjourned. Thank you.

25                  MEETING CONCLUDED AT 11:05 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Chairman Ryan, was reported by me on 01/18/2012 and that I Beth A. Duzzny read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

