

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: WILLIAM H. RYAN, JR., CHAIRMAN
Gregory C. Fajt; James B. Ginty; Annmarie
Kaiser; Keith R. McCall; John J. McNally,
III; Anthony C. Moscato; Members
George Greig, Secretary of Agriculture
Jennifer Langan, representing State
Treasurer, Robert M. McCord
Robert Coyne, representing Secretary of the
Department of Revenue, Daniel Meuser
HEARING: Wednesday, June 5, 2013, 10:00 a.m.
LOCATION: Pennsylvania Gaming Control Board
Strawberry Square Complex
Second Floor
Harrisburg, PA 17101

Reporter: Jennifer T. Alves

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CHAIRMAN:

Good morning, everyone. I'm Bill Ryan, Chairman of the Pennsylvania Gaming Control Board. Before we begin, I would like to ask everyone to please turn off cell phones, PDAs and other electronic devices. Thank you.

We would like to welcome today the Secretary of Agriculture, George Greig. Mr. Secretary. Jennifer Langan is here representing State Treasurer Robert McCord. And Bob Coyne here --- is here, excuse me, representing the Secretary for the Department of Revenue, Dan Meuser. Thank you all for coming. Everybody's here, therefore I will call today's meeting to order.

And the first order of business, I would ask everyone to stand for the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

Thank you, ladies and gentlemen. First, this announcement. The Board held an Executive Session yesterday, the purpose of which was to discuss personnel matters and to conduct quasi judicial deliberations relating to matters being considered by

1 the Board today. Also, the Board would like to
2 announce that it will hold a public hearing on
3 Tuesday, June 25th, 2013, to gather evidence including
4 public comment, on the renewal of the casino license
5 of Harrah's Chester Downs & Marina, LLC, operator of
6 Harrah's Philadelphia Casino & Racetrack in Delaware
7 County, Pennsylvania. The hearing will begin at 9:30
8 a.m., at Chester City Hall, 1 East Fourth Street, in
9 the City of Chester, Pennsylvania.

10 Anyone who wishes to present oral or
11 written testimony, which will become part of the
12 evidentiary record in this matter, can now register by
13 clicking on a special link on the quick link section
14 of the homepage of the Board's website. The deadline
15 for registration to speak at the hearing is noon on
16 Monday, June 24th. Written comments can also be
17 mailed with a postmark no later than Monday, June
18 24th, to the Pennsylvania Gaming Control Board,
19 Attention: Board Secretary, P.O. Box 69060,
20 Harrisburg, Pennsylvania, 17106. Or comments can be
21 faxed to (717)346-8350. Anyone wishing to speak at
22 these hearings can also register by calling the Board
23 Secretary, Mickey Kane, at (717)346-8325.

24 Next we will have the report of our
25 Executive Director, Kevin O'Toole. Good morning,

1 Kevin.

2 MR. O'TOOLE:

3 Good morning, Chairman Ryan, members of
4 the Board. This morning I'm pleased to report that
5 the Lady Luck Casino at Nemaquin Woodlands Resort in
6 Fayette County has progressed significantly toward the
7 commencement of gaming operations. Two test periods
8 have been identified that will provide this new casino
9 operation with the opportunity to establish that it
10 has met its regulatory obligations and is ready to
11 receive the public for live gaming activity. The
12 first test period is Thursday, June the 27th, from
13 4:00 p.m. to 10:00 p.m. And the second test period is
14 Saturday, June 29th, from 2:00 p.m. to 8:00 p.m.

15 I would like to read into the record the
16 following resolution pertaining to this matter.
17 Whereas, pursuant to Section 1202.A1, the Pennsylvania
18 Gaming Control Board has general and sole regulatory
19 authority over the conduct of gaming and related
20 activities, and whereas, pursuant to Commission
21 Regulation, Section 467.A2B, a Slot Machine Licensee
22 may not commence slot operations until the Slot
23 Machine Licensee successfully demonstrates to the
24 Board that no less than nine criteria are met,
25 including but not limited to confirmation that the

1 slot machines and associated equipment are properly
2 operating, that adequate surveillance and security
3 measures are in place, that the Slot Machine Licensees
4 Employees are all properly licensed, permitted or
5 registered by the Board, as well as properly trained,
6 that all conditions of licensure have been met, that
7 the Licensee's proposed site plan, internal control
8 systems and audit protocols have been approved by the
9 Board and that the Slot Machine Licensee has
10 successfully completed the test periods.

11 Whereas, pursuant to Section 13A2 of the
12 Gaming Act, a Slot Machine Licensee holding a Table
13 games Operations Certificate may not commence table
14 games operations until the certificate holder is shown
15 to be in full compliance with the Pennsylvania Race
16 Horse Development and Gaming Act, the table games
17 related to internal controls and the audit protocols
18 are found to be sufficient, all table games employees
19 are properly authorized and credentialed, the
20 certificate holder is prepared in all respects to
21 offer table games to the public, and all necessary
22 internal and management controls, security
23 arrangements and surveillance systems are in place and
24 operational.

25 Whereas, the Board has previously

1 approved Woodlands Fayette, LLC for slot machine
2 licensure to hold a Table games Operation Certificate
3 as well as the Woodlands Fayette, LLC Casino and
4 related amenities site plan.

5 And whereas, the Board has previously
6 approved Isle of Capri, Pennsylvania, as the
7 management company for operation of the Lady Luck
8 Casino at Nemaquin Woodlands Resort, pursuant to the
9 Slot Machine License and Table games Operation
10 Certificate approved for Woodlands Fayette, LLC.
11 Whereas, Board staff has now reviewed the proposed
12 internal controls and audit protocols submitted by
13 Woodlands Fayette, LLC and Isle of Capri,
14 Pennsylvania, as they relate to both slot machine
15 operations and table games operations. And Board
16 staff recommends that the Board approve the proposed
17 internal controls and audit protocols submitted by
18 Woodlands Fayette, LLC and Isle of Capri,
19 Pennsylvania.

20 Whereas, Woodlands Fayette, LLC, and
21 Isle of Capri, Pennsylvania continue to work towards
22 meeting the other prerequisites to commencing slot
23 machine and table games operations.

24 And whereas, the Board has in the past
25 delegated authority upon certain members of the Board

1 acting collectively to review whether all remaining
2 pre-opening criteria have been met and to grant
3 authorizations on behalf of the full Board when the
4 required criteria have been met.

5 And whereas, the Board believes it is,
6 once again, in the Board's best interest to delegate
7 such authority to certain members of the Board. Be it
8 resolved now that the Board hereby approves the
9 proposed internal controls and audit protocols
10 submitted by Woodlands Fayette, LLC and Isle of Capri,
11 Pennsylvania, as they relate to both slot machine
12 operations and table games operations. And be it
13 further resolved now that the Board members Annmarie
14 Kaiser, Anthony C. Moscato and John J. McNally, III,
15 are delegated authority to determine whether Woodlands
16 Fayette, LLC and Isle of Capri, Pennsylvania, have
17 demonstrated all pre-opening criteria and have met ---
18 and have been met, and to authorize commencement of
19 slot operations and table games operations for the
20 Lady Luck Casino at Nemaquin Woodlands Resort.

21 The Board members delegated this
22 authority shall also have the authority to approve
23 minor modifications of any Gaming Floor Plan
24 previously approved by the full Board, between the
25 date of such Board approval and the commencement of

1 slot operations and table games operations.

2 And be it finally resolved that any
3 approvals granted subject to this resolution shall be
4 subject to 17 conditions which are attached to the
5 resolution and marked as Exhibit A. At this time, I
6 respectfully request that the Board move to approve
7 this resolution as just described. Thank you.

8 CHAIRMAN:

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

11 MR. MCCALL:

12 Mr. Chairman, I move that the Board
13 approve the Woodlands Fayette, LLC Resolution for the
14 commencement of operations as described by the
15 Executive Director.

16 MR. GINTY:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 AYES RESPOND

21 CHAIRMAN:

22 Opposed. Motion carries. Thank you,
23 Kevin. Next we will hear from Claire Yantis, our
24 Director of Human Resources. Good morning, Claire.

25 MS. YANTIS:

1 Good morning, Chairman, members of the
2 Board. The Office of Human Resources has one motion
3 for your consideration today. Mr. Martin Nelson has
4 been selected for the position of Casino Compliance
5 Representative at Harrah's Philadelphia and has
6 completed the PGCB interview process, background
7 investigation and drug screening. As such, he is
8 recommended for hire by Director of Casino Compliance,
9 Jerry Stoll. Unless you have any questions, I'd ask
10 that the Board consider a motion to hire Mr. Nelson as
11 indicated.

12 CHAIRMAN:

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

15 MR. MOSCATO:

16 Chairman, I move that the Board approve
17 the Applicant as proposed on the condition that they
18 have completed the necessary background investigations
19 and drug testing.

20 MR. FAJT:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 AYES RESPOND

25 CHAIRMAN:

1 Opposed? The motion carries. Thank
2 you, Claire. Next, Chief Counsel Doug Sherman. Good
3 morning, Doug.

4 ATTORNEY SHERMAN:

5 Good morning, Chairman, members of the
6 Board. Our first two agenda items relate to a
7 Statement of Policy and a Temporary Regulation, which
8 Assistant Chief Counsel Susan Yocum is here to
9 present.

10 ATTORNEY YOCUM:

11 Good morning, members of the Board. The
12 first item for your consideration today is Statement
13 of Policy 125-171. This will add a new side wager to
14 the Perfect Pairs wager to Baccarat, Mini Baccarat and
15 Blackjack. I'd be happy to answer any questions you
16 may have regarding this Statement Policy.

17 CHAIRMAN:

18 Questions or comments from the Board.
19 Ex-officio members? May I have a motion?

20 MR. FAJT:

21 Yes. Mr. Chairman, I move that the
22 Board adopt Policy Statement 125-171, as described by
23 the Office of Chief Counsel (OCC), and that Policy
24 Statement 125-171 be posted on the Board's website.

25 MR. GINTY:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 AYES RESPOND

5 CHAIRMAN:

6 Opposed? Motion carries.

7 ATTORNEY YOCUM:

8 The next item for your consideration
9 today is Temporary Rulemaking 125-172. This will add
10 two new games to the complement of games that
11 operators are allowed to offer. It is the Slot Poker
12 and Props and Hops. Again, I'll be happy to answer
13 questions you may have regarding this regulation.

14 CHAIRMAN:

15 Questions or comments from the Board?

16 Ex-officio members? May I have such a motion?

17 MR. MCCALL:

18 Mr. Chairman, I move that the Board
19 adopt Temporary Regulation Number 125-172, as
20 described by the OCC and that Temporary Regulation
21 Number 125-172 be posted to the Board's website.

22 MR. MCNALLY:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 AYES RESPOND

2 CHAIRMAN:

3 Opposed? The motion carries.

4 ATTORNEY YOCUM:

5 Thank you.

6 CHAIRMAN:

7 Thank you, Susan.

8 ATTORNEY SHERMAN:

9 There are two Petitions on the agenda
10 this morning. Each of the matters will be considered
11 based upon the documents filed of record. The Board
12 has in advance of the meeting been provided with
13 Petitions, responsive pleadings, as well as any
14 evidentiary materials also in the record.

15 The first Petition before the Board
16 today is that of Paul B. DeAngelo, who's requesting to
17 be removed from the Board's Involuntary Exclusion
18 List. In January of 2011, Mr. DeAngelo, who was 20
19 years old at that time, entered Mohegan Sun at Pocono
20 Downs and engaged in gaming activity. Mr. DeAngelo
21 was charged with underage gaming and pled guilty to
22 that charge in April of 2011.

23 On February 29th, 2012, the Board issued
24 an Order adopting the Consent Agreement between the
25 Office of Enforcement Counsel (OEC) and Mr. DeAngelo,

1 placing him on the Board's Exclusion List for one year
2 from the date of the Order, with the ability to
3 petition the Board for removal from the list after
4 that one-year term had expired.

5 On April 1st, 2013, Mr. DeAngelo, who is
6 now 23 years old, petitioned for removal from the
7 list. The OEC does not object to the request, and
8 it's appropriate for the Board's consideration at this
9 time.

10 CHAIRMAN:

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

13 MR. GINTY:

14 Mr. Chairman, I move that the Board
15 grant Paul B. DeAngelo's Petition, as described by the
16 OCC.

17 CHAIRMAN:

18 Second?

19 MS. KAISER:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 AYES RESPOND

24 CHAIRMAN:

25 Opposed? The motion carries.

1 ATTORNEY SHERMAN:

2 The second Petition before the Board is
3 that of Nicholas Repko-Moschini. Again, it's a
4 Petition to lift a suspension of his Gaming Employee
5 Permit. Mr. Repko-Moschini was issued a Gaming
6 Employee Permit on October 5th, 2011, and was employed
7 as a security officer at Sands Bethworks Gaming. On
8 September 28th, 2013, Mr. Repko-Moschini was arrested
9 and charged with 33 felonies and one misdemeanor. The
10 arrests and charges filed against Mr. Repko-Moschini
11 were all related to an alleged relationship with a
12 minor. As a result of the charges, an Emergency Order
13 of Suspension of Mr. Repko-Moschini's Gaming Employee
14 Permit was signed by the Executive Director on October
15 3rd, 2012.

16 After a full evidentiary hearing on the
17 matter, a Report and Recommendation was issued and the
18 Board entered an Order in January of 2013, approving a
19 Report and Recommendation and continuing that
20 Suspension.

21 Since that time, the District Attorney
22 of Northampton County has withdrawn all criminal
23 charges against Mr. Repko-Moschini, and the case was
24 closed. Mr. Repko-Moschini has now filed a Petition
25 notifying the Board that all charges against him have

1 been withdrawn and requesting that the Suspension be
2 lifted. The OEC has not objected to the request to
3 lift the Suspension. The matter is now appropriate
4 for the Board's consideration. If either Mr.
5 Repko-Moschini or his counsel are present in the
6 Board, they're free to come to the front desk at this
7 point to address the Board.

8 ATTORNEY RUSSO:

9 Mr. Chairman, my name's Donald Russo. I
10 represent ---.

11 CHAIRMAN:

12 Sir, why don't you come forward. And
13 you're this gentleman's attorney, sir?

14 ATTORNEY RUSSO:

15 Yes, I am.

16 CHAIRMAN:

17 Could you state your name for the record
18 and spell your last name?

19 ATTORNEY RUSSO:

20 Attorney Donald P. Russo, R-U-S-S-O.

21 CHAIRMAN:

22 And sir, could you also state your name
23 for the record?

24 MR. REPKO-MOSCHINI:

25 Nicholas Repko-Moschini, R-E-P-K-O,

1 hyphen, M-O-S-C-H-I-N-I.

2 CHAIRMAN:

3 Sir, I'm going to have your client
4 sworn. Will the court reporter swear the witness?

5 -----

6 NICHOLAS REPKO-MOSCHINI, HAVING FIRST BEEN DULY SWORN,
7 TESTIFIED AS FOLLOWS:

8 -----

9 CHAIRMAN:

10 Go ahead, sir. You may both sit down.
11 Counselor, why don't you begin?

12 ATTORNEY RUSSO:

13 Chairman Ryan, I'm here today on behalf
14 of Mr. Repko-Moschini. And as was stated by counsel,
15 the charges were withdrawn. The charges are
16 completely expunged from my client's record. I did
17 not represent him as his criminal counsel, but it's my
18 understanding that nothing was done of these charges
19 by the District Attorney. I don't want to say
20 anything further beyond the fact that there's not
21 going to be any record against this young man, and he
22 is clear. And we would respectfully ask the
23 Commission to consider his reinstatement. He's
24 willing to answer any questions that the Board may
25 have.

1 CHAIRMAN:

2 Okay. We appreciate that. So, why
3 don't we go first to the Board. Anyone from the Board
4 want to ask any questions? Greg?

5 MR. FAJT:

6 Thank you, Mr. Chairman. Mr.
7 Repko-Moschini, how long did you work at the Sands?

8 A. I was employed from October 17th, 2011, until my
9 suspension, which was October 1st, 2012.

10 MR. FAJT:

11 So a little less than a year.

12 A. Yes.

13 MR. FAJT:

14 And what did you do before you worked at
15 the Sands?

16 A. I was working at a golf course, Bethlehem Golf
17 Club.

18 MR. FAJT:

19 Your e-mail to our office --- you sent
20 us an e-mail on February 12th, '13 and you used the
21 tagline at the end of the e-mail that --- you listed
22 your name and then you put down Allentown Police
23 Academy, 88th class.

24 A. That's correct.

25 MR. FAJT:

1 Any reason why you used that tagline?

2 A. I usually use that tagline for my emails. It
3 let's them know my professional standing.

4 MR. FAJT:

5 And what year was the 88th class? When
6 did you graduate?

7 A. It was from February 7th, 2011, until June 30th,
8 2011. So, about five months.

9 MR. FAJT:

10 And how many hours and days were you in
11 the actual Academy? Was it all day during those five
12 months?

13 A. 756 academic hours, plus PT hours.

14 MR. FAJT:

15 I'm sorry. How many hours?

16 A. 756 academic hours and PT hours.

17 MR. FAJT:

18 And were you offered a job with the
19 Allentown Police Academy when you were finished?

20 A. No. It was not for employment. It was for basic
21 training.

22 MR. FAJT:

23 While in the Police Academy, did you do
24 any work with how to ID --- how to identify people?
25 Did they have any classes on, you know, people popping

1 on the screen and then asking you, you know, what did
2 they look like, age, height, weight?

3 A. No.

4 MR. FAJT:

5 Tell me a little bit about what they
6 taught you then.

7 A. Well, there was a lot. They taught me a lot of
8 which we did not necessarily need to know, which was
9 ballistic forensics, coroner reports, defensive
10 tactics, firearms, Criminal Code, Vehicle Code,
11 anything that the state mandated that we learn. But
12 in 756 hours, a lot of it is, you know, falls --- goes
13 through the sieve.

14 MR. FAJT:

15 And on the Criminal Code issues, did
16 they talk anything about sex with underage ---

17 A. Yes, sir.

18 MR. FAJT:

19 --- people?

20 A. Yes, sir.

21 MR. FAJT:

22 And what was your understanding of the
23 law on that?

24 A. What was my understanding of the law?

25 MR. FAJT:

1 Yes.

2 A. I'm not sure ---.

3 MR. FAJT:

4 What did you learn from the classes on,
5 you know, what the age of consent was?

6 A. It was always kind of gray. We never really
7 talked about what the age of consent was. We talked
8 about what the penalties are, the consequences of the
9 laws were.

10 MR. FAJT:

11 And did you have any classes on sexting?

12 A. No, we did not.

13 MR. FAJT:

14 When you worked at the Sands, tell me
15 about your duties at the Sands. What were you
16 employed as?

17 A. A security officer. So, I would check IDs of
18 patrons. I would escort people around, escort money,
19 patrol the gaming floor, patrol the parking lots, the
20 hotel, respond to medical emergencies, all security
21 emergencies.

22 MR. FAJT:

23 And were you given any training at the
24 Sands as to how to ID patrons as related to age
25 specifically?

1 A. Other than just anyone who looks under 30, that's
2 who we're supposed to ID.

3 MR. FAJT:

4 How did you meet the minor in question?

5 A. She was on an adult dating website. Zoosk is
6 what it's called.

7 MR. FAJT:

8 I'm sorry?

9 A. The name is Zoosk, Z-O-O-S-K. And she had a
10 profile that she said she was 19. And I sent her a
11 message saying, hey, I'm Nick. And then sometime
12 later she responded back, directing me to her
13 Facebook.

14 MR. FAJT:

15 And how old were you when you met the
16 individual?

17 A. Twenty-four (24).

18 MR. FAJT:

19 And how old was she when you met her?

20 A. Well, I assumed, based on everything she told me,
21 she was 19.

22 MR. FAJT:

23 And how old was she?

24 A. Apparently, she was 13.

25 MR. FAJT:

1 And how many times did you get together
2 with the 13-year-old?

3 A. One time.

4 MR. FAJT:

5 And how long did the relationship last,
6 either on the internet or in person?

7 A. I would say about a month.

8 MR. FAJT:

9 And it's my understanding that you did
10 have sex with this individual?

11 A. That is incorrect.

12 MR. FAJT:

13 That is incorrect?

14 A. We did not have sex.

15 MR. FAJT:

16 Tell me about where you met her and the
17 one time.

18 A. She insisted repeatedly that I would go over to
19 her place. And she would always ask me to go over.
20 And I was having family problems, at the time my
21 father was sick, and I was always either going to the
22 hospital or checking on him at home, so it wasn't ---
23 it was never a really good time. Eventually we did
24 find some time. And between communication back and
25 forth online, she --- it was going over for a

1 consensual relationship, shall we say. And as soon as
2 I get over there, something was just a little off.
3 But I went inside. We were hanging out a little bit,
4 and eventually she, very abruptly, started grabbing at
5 me. And she was kissing me and eventually had taken
6 my pants off and performed oral sex. But there was
7 never any sexual penetration.

8 MR. FAJT:

9 And this happened one time in her family
10 home?

11 A. Yes.

12 MR. FAJT:

13 How did the relationship end?

14 A. Well, after that, it --- like I said, something
15 just --- it didn't feel right. Something was just
16 wrong. And I really didn't have any interest in
17 seeing her. She kept persisting, trying to have me
18 come over again or have me bring her to my house, et
19 cetera. And I would always tell her like, oh, I have
20 something to do with my dad or I have something else
21 going on at work. I couldn't do it. So, I always
22 kept trying to kick the can down the road.
23 Eventually, communications kind of stopped.

24 She eventually had sent me a message. This
25 happened all over Facebook. She sent me a message

1 saying, hey, here's my cell phone number. If you need
2 anything, you can get in touch with me. And I didn't
3 pay much attention to it. And then sometime later I
4 get a message from her account at roughly 2:30 in the
5 morning asking me what my age was. And I thought that
6 was kind of strange being that we've been talking for
7 a month now. And needless to say, 2:30 in the
8 morning, I'm asleep, so I didn't answer. The next
9 message was, because I'm 13, and this is her mother,
10 and you can get in a lot of trouble, et cetera, et
11 cetera.

12 So, that's essentially what happened. And as
13 soon as I saw that, I went ghost white, I deleted
14 everything, blocked my Facebook, et cetera, because I
15 knew what the implications were if this incident had
16 got out. So, I just kind of wanted to block it away,
17 block it out of memory.

18 MR. FAJT:

19 After you met with her and had your
20 sexual relations, did you sext her after that?

21 A. No.

22 MR. FAJT:

23 During your rendezvous meeting with her,
24 nothing in your mind, in your police training, in your
25 training as a security guard at Sands, alerted you to

1 the fact that she may not be 18 years old and, in
2 fact, she was five years younger than 18 years old?

3 A. Everyone always says that, that you couldn't tell
4 that she was 13. And honestly, you can't, because I
5 can walk in any bar around here and you could throw a
6 stick in the air and you could find someone that's
7 just like her in that bar. And it was --- it's
8 remarkable. The Academy training, they don't train
9 you for stuff like that, so it was all relying on the
10 training with the security guard job. And even with
11 that, I would still peg her at 18, 19, as the age
12 range. And I could show you a picture of her, a
13 lineup with her and three of her friends. I bet you
14 wouldn't be able to pick her out of a group and tell
15 me what her age was. It's ---.

16 MR. FAJT:

17 I would hope I'd be able to tell she was
18 younger than 18.

19 A. You wouldn't be able to tell if she was as young
20 as she was is what I'm saying.

21 ATTORNEY RUSSO:

22 And if I may quickly address the Board?
23 I saw her at a preliminary hearing, and I was
24 surprised. I'm not obviously here to testify as a
25 fact witness today, but I was quite surprised at how

1 old she does look. And on her MySpace and her web
2 account ---

3 A. On her Facebook page.

4 ATTORNEY RUSSO:

5 --- she had a graduation ---.

6 A. She had a cap and gown picture was one of the
7 ones, not just her, but other people around her
8 wearing a cap and gown. I also was able to find a
9 second Facebook she had that said that she went to
10 Mansfield, was a full-time student, born in 1981,
11 so --- plus the adult, you know, dating website
12 account she has. She was portraying herself to be
13 more than what she was easily.

14 MR. FAJT:

15 No further questions, Mr. Chairman.

16 MR. GINTY:

17 I have one for Counsel. Maybe I'm just
18 a little ---, but it was my understanding that when
19 you have a female who's 13 years old, it doesn't
20 matter what the person's assumption is, it's an
21 offense. It'd be statutory rape. Is that the law?

22 ATTORNEY RUSSO:

23 That's correct. I mean, again, I do not
24 do criminal defense work. I did 25 years ago. He had
25 a separate counsel for that. Your understanding of

1 the law is my understanding, that --- and my client
2 did what he just testified he did, not knowing her
3 age. But not knowing the age is not a cognizable
4 defense under the Pennsylvania Crimes Code. I mean,
5 we all learned that in law school, first year criminal
6 law class. You have any type of sexual relations with
7 a person of a certain age, you could truly prove to a
8 jury that you genuinely did not know, which I believe
9 my client could do, but that's not a defense.

10 I don't know why the District Attorney
11 --- I don't want to disparage this young lady or her
12 family. I think, from what I saw, there was some real
13 problems with the evidence produced to the
14 investigating officer. The District Attorney, who I
15 know very well, had no problem in not wanting to
16 pursue this case. I don't think it was viewed as a
17 case that a conviction would be possible. Again, I
18 can't testify why the DA chose not to pursue this
19 case, but my client has been punished in the media.

20 This young man has led a good life.
21 He's a clean-cut young man. He's now currently
22 employed. He wants to have a career as a Law
23 Enforcement Officer. He did a stupid thing. He did a
24 bad thing, and he's not trying to tell the Board that
25 it wasn't stupid, it wasn't bad, and it wasn't

1 illegal. But I would just respectfully ask that he be
2 given a second chance after making this mistake.

3 CHAIRMAN:

4 John?

5 MR. MCNALLY:

6 Yeah. You said that something didn't
7 feel right when you saw her. What was that something?
8 A. I don't know. It just --- I don't know, I can't
9 explain it. You know, it's just like something like
10 that nitpicky thing in the back of your head saying
11 maybe this isn't such a good idea to be here kind of
12 thing.

13 MR. MCNALLY:

14 Did it have to do with her age?

15 A. No. I just --- I don't know. I mean, you're
16 trying to peg it with the age. I can't tell you. I'm
17 trying to revert back to then. It was just something.
18 I can't pinpoint it. It's a cloud of, hey, maybe this
19 isn't the best thing.

20 MR. MCNALLY:

21 If she walked into your casino, you
22 would've ID'd her?

23 A. Absolutely. You have to understand that we're
24 not trained to peg age, like this person's 18, this
25 person's 15, but they're 33. It's 30 and under and

1 people even over 30 who happen to look like they are
2 25. Happens all the time. We're trained to peg those
3 people and get their ID. We don't disparage between
4 who's 10 and who's 40. It's just like this is the
5 group of people who shows an ID.

6 MR. MCNALLY:

7 When you were at the Academy, did you
8 get any training in standard operating procedures and
9 protocols on traffic stops?

10 A. Yes.

11 MR. MCNALLY:

12 And was part of that training asking
13 someone for their identification?

14 A. Yes.

15 MR. MCNALLY:

16 Did you report any of this activity to
17 your employer?

18 A. To the casino?

19 MR. MCNALLY:

20 Uh-huh (yes).

21 A. Oh, I didn't have to. It was already reported
22 before I even made it back.

23 MR. MCNALLY:

24 And you said you destroyed --- deleted
25 all the e-mails and other evidence; correct?

1 A. Well, I thought it was, but it was actually
2 archived. So, it wasn't actually deleted or
3 destroyed.

4 MR. MCNALLY:

5 No further questions.

6 CHAIRMAN:

7 Anybody else?

8 MR. MOSCATO:

9 I have just one. Since your suspension
10 from the casino, what have you done for employment?

11 A. Well, for the first four or five months I did
12 nothing. I tried applying for places; no one would
13 call me. I couldn't get work anywhere. And I have a
14 very limited skill set. I'm not --- I can't make
15 anything. I know how to do security. I know how to
16 do law enforcement. That's what I'm trained to do.
17 That's what I know how to do, and I do it well.

18 Someone could just Google my name. It's as easy
19 as that and they could find out right away what kind
20 of trouble I'm in before even doing an actual
21 background check. So, I was being screwed right from
22 the get-go. I was lucky enough to get back with my old
23 employers at the golf course because they know who I
24 am. I've been with them since 2007. And that's who I
25 left to go work in the casino. So, they absolutely

1 --- they took me back in, and I've been with them
2 since April, so ---.

3 MR. MOSCATO:

4 Thank you.

5 MR. GINTY:

6 One other. Do you have any idea whether
7 the casino will take you back?

8 A. When I was having to hand my license over, they
9 said that, you know, assuming everything gets cleared
10 away and this and that, they said --- I'm quoting the
11 one human resource lady, they would love to have me
12 back. And I talked to my Director also, and he said
13 that hopefully everything would clear up because he
14 wants to have me back as well.

15 CHAIRMAN:

16 How long after you were at this girl's
17 house were the charges brought against you?

18 A. I was made aware of the warrant for my arrest, I
19 believe it was September 28th. So, this alleged
20 incident was April 26th. So, sometime in between.

21 CHAIRMAN:

22 So, April to September?

23 A. Correct.

24 CHAIRMAN:

25 Any other questions?

1 MS. KAISER:

2 I just have one.

3 CHAIRMAN:

4 Go ahead.

5 MS. KAISER:

6 And I'm sorry, you may have covered
7 this. When did you discover she was --- her true age?
8 A. That was early on in May. It was a few weeks
9 after our rendezvous. And that was not from her end
10 but apparently from her Mother.

11 CHAIRMAN:

12 May I have a motion?

13 MS. KAISER:

14 Mr. Chairman, I move that the Board
15 table the Petition of Nicholas Repko-Moschini, as
16 described by the OCC and that the Board issue a Rule
17 to Show Cause upon Mr. Repko-Moschini, answerable to
18 the Board's Office of Hearing and Appeals (OHA), so
19 that Mr. Repko-Moschini may be given the opportunity
20 to show why he remains suitable to hold a Gaming
21 Employee Permit in light of the evidence of the record
22 before the Board.

23 MR. MCCALL:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 AYES RESPOND

3 CHAIRMAN:

4 Opposed? The motion carries.

5 Counselor, what the Board has done here, the Board
6 understands that the District Attorney withdrew the
7 charges, but we're just not comfortable, because of
8 the age of the girl, with things the way they are, and
9 therefore, as you heard, the Board has decided that
10 the matter should be referred back to the Board's OHA.
11 And your client will be given the opportunity to show
12 why he remains suitable before the OHA, and we'll go
13 from there. Okay?

14 ATTORNEY RUSSO:

15 Thank you.

16 CHAIRMAN:

17 All right. Thank you.

18 ATTORNEY SHERMAN:

19 Next, presenting Withdrawals and Reports
20 and Recommendations is Deputy Chief Counsel Steve
21 Cook.

22 ATTORNEY COOK:

23 Good morning. The Board has received
24 six unopposed Petitions to withdraw the applications
25 of individuals or businesses. The persons and

1 entities subject to these Petitions are as follows:
2 Ruth Anne Andrews, David E. Roberson, the Robert
3 Nicoletti Family Trust, Marc D. Schorr, Single Source
4 Plus, LLC, and Ronald S. Marks. The OEC has reviewed
5 these Petitions, has no objection to same. And as a
6 result, if the Board were to grant the Petitions, it
7 would be doing so without prejudice.

8 CHAIRMAN:

9 Questions or comments from the Board?
10 Ex-officio members? May I have a motion?

11 MR. MCCALL:

12 Mr. Chairman, I move that the Board
13 issue Orders to approve the withdrawals as described
14 by the OCC.

15 MR. MCNALLY:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 AYES RESPOND

20 CHAIRMAN:

21 Opposed? The motion carries.

22 ATTORNEY COOK:

23 Next before the Board for consideration
24 are three Reports and Recommendations received from
25 the OHA. These Reports and Recommendations, along

1 with the complete evidentiary record, have been
2 provided to the Board in advance of this meeting. In
3 addition, each individual that is the subject of these
4 Reports and Recommendations was given a notice that
5 the matter will be taken up by the Board today and
6 that they can come forward when their matter was
7 announced. If any of these individuals are present,
8 I'd ask them to come forward when that case --- or
9 their case is announced.

10 The first Report and Recommendation
11 before the Board pertains to the Emergency Suspension
12 of John Herr. Mr. Herr was issued a Gaming Employee
13 Permit on April 4th, 2012, and was employed as a Table
14 games Dealer at the Hollywood Casino.

15 On August 30th, 2012, the Pennsylvania
16 State Police notified the Bureau of Investigation and
17 Enforcement that Mr. Herr was arrested and charged
18 with seven felonies and two misdemeanors relating to
19 an organized operation that was alleged to have been
20 selling synthetic cannabinoids and bath salts, as well
21 as drug paraphernalia.

22 As a result of these charges, the OEC
23 filed a Request for Emergency Order of Suspension of
24 Mr. Herr's Gaming Employee Permit. The Executive
25 Director signed the Order on September 4th, 2012,

1 thereby imposing the Emergency Suspension.

2 On September 13th, 2012, the Board
3 referred this matter to the OHA to conduct a complete
4 evidentiary record on the Emergency Suspension.

5 Mr. Herr thereafter requested several
6 continuances, which delayed the hearing in this matter
7 until April 9th, 2013, approximately seven months
8 after the Emergency Suspension was originally put in
9 place. At that April hearing, both Mr. Herr and the
10 OEC appeared and offered evidence. At the hearing it
11 was determined that on March 27th, 2013 Mr. Herr
12 pleaded guilty to possession of drug paraphernalia and
13 possession with intent to distribute drug
14 paraphernalia, both of which are misdemeanors. And
15 all the felony charges were dismissed.

16 A Report and Recommendation was
17 thereafter issued by the Hearing Officer, recommending
18 that Mr. Herr's Suspension continue until the later of
19 September 4th, 2013, which would be one year after the
20 imposition of the Emergency Suspension or until
21 termination of any period of incarceration. At the
22 time the Report and Recommendation was issued, the
23 sentence had not been --- Criminal Court had not yet
24 imposed a sentence on Mr. Herr.

25 The OCC has not confirmed, however, that

1 Mr. Herr was sentenced on May 22nd, 2013 to a period
2 of 12 months of probation. The effect of this really
3 is that the recommendation now from the Hearing
4 Officer would be that Mr. Herr's Suspension remain in
5 place until September 4th, 2013, as there was no
6 period of incarceration imposed. And that's the
7 Recommendation that is before the Board at this time.

8 CHAIRMAN:

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

12 MR. MCNALLY:

13 Mr. Chairman, I move that the Board
14 adopt, in part, and reject, in part, the Report and
15 Recommendation of the OHA regarding the Gaming
16 Employee Permit of John Herr. I further move that the
17 suspension of Mr. Herr's permit remain in place until,
18 at least, termination of his criminal probationary
19 sentence, at which time he may petition the Board to
20 have the suspension lifted.

21 CHAIRMAN:

22 Second?

23 MR. MOSCATO:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 AYES RESPOND

3 CHAIRMAN:

4 Opposed? The motion carries.

5 ATTORNEY COOK:

6 The next Report and Recommendation
7 pertains to Samuel Schiavo. Mr. Schiavo was issued a
8 Temporary Gaming Employee Permit to work at Parx as a
9 Table Games Floor Manager, while his application for a
10 permanent G2 Permit was under investigation by Board
11 Staff.

12 The evidence in this case shows that on
13 January 30th, 2011, during Mr. Schiavo's shift, a
14 patron found a wallet on the gaming floor and turned
15 it over to Mr. Schiavo, as an employee of the casino.
16 Before turning the wallet --- before Mr. Schiavo
17 turned the wallet over to Parx security, however, he
18 took approximately \$500 out of the wallet and placed
19 it in his pocket.

20 Shortly thereafter, the patron who lost
21 the wallet went to Parx security, retrieved the wallet
22 and notified Parx security of the missing money. This
23 triggered a review of surveillance footage of the
24 night in question, and that footage in turn showed Mr.
25 Schiavo pocketing --- taking the money from the wallet

1 and putting it in his pocket. Mr. Schiavo was
2 thereafter terminated by Parx and charged criminally
3 with theft. He then entered an ARD program and
4 completed the ARD program on September 27, 2012,
5 resulting in all his criminal charges being dismissed.

6 As a result of this, as I indicated,
7 Parx terminated Mr. Schiavo and they also filed a
8 Petition on September 26th, 2012, to withdraw his
9 gaming --- or G2 Permit Application. The OEC had no
10 objection to that Petition; however, they've requested
11 that it be with prejudice, given the circumstances.
12 Mr. Schiavo was given notice of the Withdrawal
13 Petition, as well as OEC's objection to the
14 requirement that it be with prejudice. He interjected
15 himself in the action, requested a hearing before the
16 OHA, attended that hearing, admitted his conduct to
17 the Board --- or to the Hearing Officer, essentially
18 indicating that he did the conduct in question, and
19 essentially threw himself at the mercy of the Hearing
20 Officer.

21 Notwithstanding his remorse, the Hearing
22 Officer issued a Report and Recommendation, indicating
23 that the application should be withdrawn with
24 prejudice, given the circumstances. And that's the
25 Recommendation before the Board.

1 CHAIRMAN:

2 Questions or comments from the Board?
3 Ex-officio members? May I have a motion?

4 MR. MOSCATO:

5 Yes, sir. I would move the Board adopt
6 the Report and Recommendation of the OHA regarding the
7 Gaming Employee Permit of Samuel Schiavo, as described
8 by the OCC.

9 MR. FAJT:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 AYES RESPOND

14 CHAIRMAN:

15 Opposed? The motion carries.

16 ATTORNEY COOK:

17 The final Report and Recommendation
18 before the Board today pertains to Samantha Fly. I do
19 understand Ms. Fly is in the room today, so I would
20 ask her to come forward at this time.

21 CHAIRMAN:

22 Is Samantha Fly in the hearing room?
23 Will you come forward, please?

24 ATTORNEY COOK:

25 While Ms. Fly comes forward, I'll give

1 the Board a brief summary of the Report and
2 Recommendation. The OEC commenced an action to place
3 Ms. Fly on the Board's Exclusion List, alleging that,
4 on August 18th, 2012, Ms. Fly, being under 21 years of
5 age, entered the Sands Casino utilizing a fake ID.
6 While in the casino, Ms. Fly consumed alcoholic
7 beverages but did not engage in any gambling activity.

8 After leaving the casino, Ms. Fly's
9 companion was pulled over the Lower Saucon Township
10 Police Department for a traffic stop. At that time,
11 Ms. Fly admitted to the police that she was under 21,
12 had used a fake ID to enter the casino, the Sands
13 Casino, and had consumed alcoholic beverages while in
14 that casino. She was issued several summary citations
15 by the Lower Saucon Township Police and in October
16 2012 pled guilty to one count of disorderly conduct.

17 The hearing on this matter was held
18 before our OHA on February 27th, 2013, and both the
19 OEC and Ms. Fly appeared and offered testimony and
20 exhibits, including a Stipulation of Facts.
21 Thereafter, the Hearing Officer issued a Report and
22 Recommendation recommending that Ms. Fly not be placed
23 on the Board's Exclusion List based on the fact that
24 she was neither charged nor convicted of a gaming
25 offense, nor, in fact, did she gamble while on the

1 casino floor. The Hearing Officer also gave some
2 credence to Ms. Fly's argument at the hearing that
3 she's an actress, and her placement on the Exclusion
4 List would be available on the internet and could
5 negatively impact her hopes to secure employment.

6 The OEC filed Exceptions to the Report
7 and Recommendation, arguing that, although Ms. Fly did
8 not gamble while on the Sands floor, she did, in fact,
9 violate the Liquor Code, the Crimes Code, the Gaming
10 Act, and the Board's regulations, and as a result, the
11 OEC maintains that she should be placed on the Board's
12 Exclusion List. Typically, the Board, for underage
13 persons, place these people on the Exclusion List,
14 barring unique circumstances, for one year or until
15 their 22nd birthday. But as I indicated, the
16 Recommendation before the Board right now is that she
17 not be placed on the List.

18 CHAIRMAN:

19 You are Samantha Fly; is that correct?

20 MS. FLY:

21 Yes.

22 CHAIRMAN:

23 First of all, Miss, could you please
24 stand and state your name for the record, spell your
25 last name.

1 MS. FLY:

2 Samantha Fly, F-L-Y.

3 CHAIRMAN:

4 We're going to have the court reporter
5 swear you as a witness. Okay?

6 -----

7 SAMANTHA FLY, HAVING FIRST BEEN DULY SWORN, TESTIFIED
8 AS FOLLOWS:

9 -----

10 CHAIRMAN:

11 All right, Ms. Fly. You were present
12 when Counsel just explained what is going on. What is
13 your response, if any, to that?

14 A. I would just like to be definitely considered to
15 not be put on. I am still only 19, and the next year,
16 until I'm 21, is crucial in what I'm trying to do.
17 And I know that it will definitely affect if I get
18 hired for any competitions, anything for TV, any
19 singing opportunities. It could be huge. I'm also
20 --- I have been accepted to college, and I'm looking
21 to do that, and I just don't want this to affect
22 anything.

23 CHAIRMAN:

24 Anything else? Does the OEC have any
25 response?

1 ATTORNEY ROLAND:

2 Just briefly, Mr. Chairman. Michael
3 Roland, R-O-L-A-N-D, with the OEC. I mean, obviously,
4 our concern is the number of violations, albeit minor,
5 as put in the Report and Recommendation, but there are
6 several. I mean, we're looking at first obtaining a
7 fake identification. Depending upon what state that's
8 in, that's, I'm sure, a violation of that state's law.
9 Possessing that identification in Pennsylvania, just
10 carrying it, in and of itself, under Section 6310, is
11 illegal. And then gaining access to the gaming floor
12 three times, each one of those times is a violation.
13 And then consuming alcohol as a minor is a violation.
14 We just couldn't possibly look past it.

15 And I understand that there's not gaming
16 involved here, but we did take some time to look at
17 some of the other cases where people were placed on
18 the Exclusion List, and gaming isn't always involved.
19 Sometimes people are placed on that list because
20 they're drunk. Sometimes it's because they fight.
21 Sometimes it's because they've stolen from another
22 patron. I believe there was even an incidence of
23 panhandling. And none of those incidents are directly
24 related to gaming, so ---.

25 I'm sympathetic to Ms. Fly's position

1 and I'll be honest and say she, right out of the gate,
2 has been completely forthright and open with this, and
3 I think that's commendable, but I just don't know if
4 it undoes or if it corrects, to use a proper word,
5 everything that had to happen in order for the
6 infraction to occur on our gaming floor.

7 To add a little bit of clarity, I
8 understand she's concerned about how this could
9 potentially impact her future regarding acting,
10 singing. At the time we were preparing for the case,
11 I had discussed with Ms. Fly --- she was actually
12 auditioning for a TV show, The Voice, I believe it
13 was. It was an immediate concern then. My
14 understanding is that that opportunity has passed.
15 Albeit there may be other opportunities that present
16 themselves for her in the future, I don't know if that
17 specific issue of it impacting her employment is as
18 ripe now as it was going into the hearing. Beyond,
19 that, we just stand by our position.

20 CHAIRMAN:

21 Thank you, Mr. Roland.

22 ATTORNEY ROLAND:

23 Sure.

24 CHAIRMAN:

25 Any ---?

1 MS. KAISER:

2 How long did you have the fake ID before
3 you used it? Had you used it on other occasions?

4 A. Maybe two months, and I did not use it.

5 MS. KAISER:

6 Where did you obtain it?

7 A. A friend gave it to me.

8 MS. KAISER:

9 Was it someone else's valid ID or was it
10 a manufactured ID?

11 A. Manufactured.

12 CHAIRMAN:

13 Greg?

14 MR. FAJT:

15 Question for OEC. And if you can answer
16 it, fine. If not, that's fine, too. But are you
17 looking at culpability of the casino in this matter?

18 ATTORNEY PITRE:

19 No, we're not because the casino did
20 everything that they were supposed to do. That's my
21 understanding. The identification scanned.

22 ATTORNEY ROLAND:

23 It did scan?

24 ATTORNEY PITRE:

25 It was a good fake ID that scanned. As

1 a result, the casino purchased new equipment. But as
2 we're well aware, that there are several fake
3 identification websites that are now producing very
4 good fake identifications that are able to work
5 through the casino's scanners.

6 This case is no different than any other
7 case with college students that we have or from the
8 local universities, where we put them on the Exclusion
9 List. I think it --- I don't think that it's any
10 different in the opportunities that they have in life
11 that are impacted by it, but this is the Board's only
12 way of --- as we know, with regard to underage and
13 ensuring that they understand that there's an impact
14 for entering the casino under the age of 21.

15 CHAIRMAN:

16 Thank you, Mr. Pitre. Jim?

17 MR. GINTY:

18 Cyrus, I'm trying to recall, but we have
19 had a number or at least a few cases where the
20 underage person neither consumed alcoholic beverages
21 or gambled, but they simply were on the gaming floor,
22 which is contrary to the law. Have we ever made an
23 exception in any cases that have come before us with
24 respect to how we've treated underage ---?

25 ATTORNEY PITRE:

1 The exceptions that we have made were in
2 cases where an underage individual somehow got on the
3 floor, but the casino did everything that they were
4 supposed to do. The underage individual got on the
5 floor, did not gamble, did not consume alcohol, did
6 not cause a problem in the casino, and they were
7 identified by casino staff later because it was
8 someone that knew them and said, hey, I know that
9 person, they shouldn't be in here, and then they were
10 removed.

11 In those instances we didn't do anything
12 against the casino. We sent them a warning letter.
13 The underage individual, the most we would have done
14 was sent them a letter if we had their identification,
15 if they were identified, telling them that they're not
16 allowed in the casino. And we did not place those
17 individuals on the exclusion list. If we were to do
18 that, that number would skyrocket to triple the number
19 --- easily, the number of people that we have. There
20 are always underage individuals that make their way
21 onto the casino floor but don't do anything. They
22 walk around, they look around, and they're identified,
23 or they just leave as quickly as they show up.

24 CHAIRMAN:

25 Sorry, Cyrus. Mr. Roland, what was Ms.

1 Fly charged with criminally here?

2 ATTORNEY ROLAND:

3 She was actually charged with initially
4 carrying a false identification card. And based upon
5 the docket sheet that I see, that was changed and
6 amended to allow her to enter a guilty plea to
7 disorderly conduct. And she was also charged
8 initially with purchasing alcohol by a minor, and that
9 appears to have also been a changed charge to a
10 disorderly conduct. Both of those disorderly conducts
11 would have been summary offenses.

12 CHAIRMAN:

13 So, she already got a break in the
14 courts here in Pennsylvania, it sounds like?

15 ATTORNEY ROLAND:

16 Certainly sounds like it to me.

17 CHAIRMAN:

18 Any other questions, comments? John?

19 MR. MCNALLY:

20 Just a couple. You said that, since
21 this happened, you've applied to college and have been
22 accepted into college; correct?

23 A. Correct.

24 MR. MCNALLY:

25 When do you begin college?

1 A. I'm still deciding if I'm going to go this fall
2 or if I'm going to go in the spring term of this
3 coming year because I'm actually moving to Boston in
4 two weeks for opportunities up there. I have another
5 opportunity with The Voice in like two weeks in
6 Boston, so ---.

7 MR. MCNALLY:

8 With regard to those college
9 applications, did you have to disclose on those
10 applications that you pled guilty to a summary
11 offense?

12 A. I did.

13 MR. MCNALLY:

14 And it didn't affect your ability to get
15 into college, did it?

16 A. I had to --- like they had to e-mail me a lot and
17 go back and forth about what actually happened and the
18 outcome of it, but I still got accepted.

19 ATTORNEY MCNALLY:

20 You've been accepted to participate in
21 The Voice again even though this matter is pending?

22 A. Well, the last time that I went to the audition,
23 I didn't get far enough that they actually did the
24 check that they do, the background check. If they did
25 ask me to come back for this time, for this audition,

1 so this time I could get through and get far enough
2 that I have to do a background check.

3 MR. MCNALLY:

4 I have nothing further.

5 MR. GINTY:

6 You're going to have to disclose as you
7 go forward your underage drinking and possession of a
8 fake ID. I mean, you were found guilty of those; were
9 you not?

10 A. Well, I was charged with a misdemeanor of the
11 disorderly conduct, but yes.

12 MR. GINTY:

13 You're going to have to disclose that.

14 A. Sometimes it just depends what it's for, because
15 they only ask for a felony sometimes.

16 MR. GINTY:

17 Based on personal experience, I would
18 disclose it.

19 A. Yes.

20 CHAIRMAN:

21 Okay. May I have a motion?

22 MR. FAJT:

23 Mr. Chairman, I move that the Board
24 reject the Report and Recommendation of the OHA
25 regarding the placement of Samantha Fly on the PGCB

1 Involuntary Exclusion List. I further move that Ms.
2 Fly be placed on the List until at least her 22nd
3 birthday, at which time she can petition the Board for
4 removal from the List.

5 MR. GINTY:

6 Second.

7 CHAIRMAN:

8 All in favor?

9 AYES RESPOND

10 CHAIRMAN:

11 Opposed? The motion carries. Ms. Fly,
12 basically what happened here was the Court --- or the
13 Board, excuse me, rejected the Recommendation from the
14 Hearing Officer. You have been placed on the
15 Exclusion List until at least your 22nd birthday. The
16 Board is not unsympathetic to your position, you
17 should know that, but as counsel said, as you heard,
18 we have an obligation here to the public, we have an
19 obligation to the people of Pennsylvania to make sure
20 that underage people do not go on casino floors. You
21 did so and did so, what, three times in one night.
22 And we have to make sure that we do everything we can
23 to deter that type of conduct and make it clear that
24 it can't be tolerated. So, that's what this is about.
25 Okay? We all wish you good luck. All right, ma'am.

1 ATTORNEY SHERMAN:

2 That concludes the matters of the OCC.

3 CHAIRMAN:

4 Next, Susan Hensel, Director of
5 Licensing.

6 MS. HENSEL:

7 Thank you, Chairman Ryan and members of
8 the Board. Before the Board today will be motions
9 regarding two Table Games Manufacturer Renewal
10 Licenses, 742 Principal, Key, Gaming and Non-Gaming
11 Employees and Gaming Service Provider Qualifiers. And
12 in addition, there will be consideration of 14 Gaming
13 Service Provider Applications.

14 The first matter for your consideration
15 is renewal of Table Games Manufacturer Licenses for
16 TCS John Huxley America, Inc., and TCS John Huxley
17 Europe, Inc. TCS John Huxley America, Inc. is
18 headquartered in Las Vegas, Nevada. It manufactures
19 and sells a range of table games and table games
20 products, including table games displays, felts, chips
21 and chip-sorting machines. TCS John Huxley Europe,
22 Limited, is headquartered in the United Kingdom. It
23 manufactures roulette and Big Six wheels.

24 The Bureau of Investigations and
25 Enforcement (BIE) has completed its investigations of

1 these companies, and the Bureau of Licensing has
2 provided you with a background investigation and
3 suitability reports. I have provided you with draft
4 Orders and ask that the Board consider the approval of
5 each renewal license, beginning with TCS John Huxley
6 America, Inc.

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

14 MR. GINTY:

15 Mr. Chairman, I move that the Board
16 approve the renewal of TCS John Huxley America, Inc.'s
17 Table Games Manufacturer License, as described by the
18 Bureau of Licensing.

19 CHAIRMAN:

20 Second?

21 MS. KAISER:

22 Second.

23 CHAIRMAN:

24 All in favor?

25 AYES RESPOND

1 CHAIRMAN:
2 Opposed? The motion carries.
3 MS. HENSEL:
4 Next would be TCS John Huxley Europe.
5 ATTORNEY PITRE:
6 Enforcement Counsel has no objection.
7 CHAIRMAN:
8 Any questions or comments from the
9 Board? Ex-officio members? May I have a motion?
10 MS. KAISER:
11 Mr. Chairman, I move that the Board
12 approve the renewal of TCS John Huxley Europe Limited
13 Table Games Manufacturer License, as described by the
14 Bureau of Licensing.
15 MR. MCCALL:
16 Second.
17 CHAIRMAN:
18 All in favor?
19 AYES RESPOND
20 CHAIRMAN:
21 Opposed? The motion carries.
22 MS. HENSEL:
23 The next matter for your consideration
24 is the approval of Principal and Key Employee Licenses
25 and a Gaming Service Provider Qualification. Prior to

1 this meeting, the Bureau of Licensing provided you
2 with a proposed Order for two Principal and five Key
3 Employee Licenses for Slot Machine Operator and
4 Manufacturer Licensees and one Gaming Service Provider
5 qualifier for the Halo Group. I ask that the Board
6 consider the Order approving these licenses and
7 qualification.

8 CHAIRMAN:

9 Any comments from Enforcement Counsel?

10 ATTORNEY PITRE:

11 Enforcement Counsel has no objection.

12 CHAIRMAN:

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

15 MR. MCCALL:

16 Mr. Chairman, I move that the Board
17 approve the issuance of Principal and Key Employee
18 Licenses and Gaming Service Provider Qualifications as
19 described by the Bureau of Licensing.

20 MR. MCNALLY:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 AYES RESPOND

25 CHAIRMAN:

1 Opposed? The motion carries.

2 MS. HENSEL:

3 Next for your consideration are
4 Temporary Key Employee Licenses. Prior to this
5 meeting, the Bureau of Licensing provided you with an
6 Order regarding the issuance of Temporary Licenses to
7 12 Key Employees. I ask that the Board consider the
8 Order approving these licenses.

9 CHAIRMAN:

10 Any comments from Enforcement Counsel?

11 ATTORNEY PITRE:

12 Enforcement Counsel has no objection.

13 CHAIRMAN:

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

16 MR. MCNALLY:

17 Mr. Chairman, I move that the Board
18 approve the issuance of Temporary and Key Employee
19 Credentials as described by the Bureau of Licensing.

20 CHAIRMAN:

21 Second?

22 MR. MOSCATO:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 AYES RESPOND

2 CHAIRMAN:

3 Opposed? The motion carries.

4 MS. HENSEL:

5 In addition, there are Gaming Permits
6 and Non-Gaming Registrations. Prior to this meeting,
7 the Bureau of Licensing provided you with a list of
8 537 individuals to whom the Bureau has granted
9 Temporary or Full Occupation Permits and 137
10 individuals to whom the Bureau has granted
11 registrations under the authority delegated to the
12 Bureau of Licensing. I ask that the Board consider a
13 motion approving the Order.

14 CHAIRMAN:

15 Any comments from Enforcement Counsel?

16 ATTORNEY PITRE:

17 Enforcement Counsel has no objection.

18 CHAIRMAN:

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

21 MR. MOSCATO:

22 Yes, sir. I move that the Board approve
23 the issuance of Gaming Employee Permits and Non-Gaming
24 Employee Registrations as described by the Bureau of
25 Licensing.

1 MR. FAJT:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 AYES RESPOND

6 CHAIRMAN:

7 Opposed? The motion carries.

8 MS. HENSEL:

9 There are also Recommendations of Denial
10 for two Non-Gaming Employee Applicants. Prior to this
11 meeting, the Bureau of Licensing provided you with
12 Orders addressing these Applicants, who the OEC has
13 recommended for denial. The Applicants failed to
14 request a hearing within the specified time period. I
15 ask that the Board consider the Orders denying the
16 Non-Gaming Employee Applicants.

17 CHAIRMAN:

18 Any comments from Enforcement Counsel?

19 ATTORNEY PITRE:

20 Enforcement Counsel requests denial in
21 each instance.

22 CHAIRMAN:

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

25 MR. FAJT:

1 Mr. Chairman, I move that the Board
2 approve the denial of the Non-Gaming Employee
3 Applications as described by the Bureau of Licensing.

4 MR. GINTY:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 AYES RESPOND

9 CHAIRMAN:

10 Opposed? The motion carries.

11 MS. HENSEL:

12 Also for your consideration are
13 Withdrawal Requests for Gaming and Non-Gaming
14 Employees. In each case, the Permit or Registration
15 is no longer required. For today's meeting, I have
16 provided the Board with a list of 43 Gaming and three
17 Non-Gaming Employee withdrawals for approval. I ask
18 that the Board consider the Order approving the list
19 of withdrawals.

20 CHAIRMAN:

21 Any comment from Enforcement Counsel?

22 ATTORNEY PITRE:

23 Enforcement Counsel has no objection.

24 CHAIRMAN:

25 Any questions or comments from the

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

2 MR. GINTY:

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

6 CHAIRMAN:

7 Second?

8 MS. KAISER:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 AYES RESPOND

13 CHAIRMAN:

14 Opposed? The motion carries.

15 MS. HENSEL:

16 In addition, we have an Order to certify
17 the following Gaming Service Providers, Brainstorm
18 Logistics, LLC; Duggan & Marcon, Inc.; and iTech
19 Solutions Group, LLC. I ask that the Board consider
20 the Order approving these Gaming Service Providers for
21 Certification.

22 CHAIRMAN:

23 Any comments from Enforcement Counsel?

24 ATTORNEY PITRE:

25 Enforcement Counsel has no objection.

1 CHAIRMAN:

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

4 MS. KAISER:

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

9 MR. MCCALL:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 AYES RESPOND

14 CHAIRMAN:

15 Opposed? The motion carries.

16 MS. HENSEL:

17 Next we have an Order regarding Gaming
18 Service Provider Registrations. The Bureau of
19 Licensing provided you with an Order and an attached
20 list of ten Registered Gaming Service Provider
21 Applicants. I ask that the Board consider the Order
22 approving these Applicants for Registration.

23 CHAIRMAN:

24 Any comments from Enforcement Counsel?

25 ATTORNEY PITRE:

1 Enforcement Counsel has no objection.

2 CHAIRMAN:

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

5 MR. MCCALL:

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

10 MR. MCNALLY:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 AYES RESPOND

15 CHAIRMAN:

16 Opposed? The motion carries.

17 MS. HENSEL:

18 Finally, we have a Recommendation of
19 Denial from Color Print, Inc.'s Gaming Service
20 Provider Application. Prior to this meeting, the
21 Bureau of Licensing provided you with an Order
22 addressing this Applicant, who the OEC has recommended
23 for Denial. The Applicant failed to request a hearing
24 within the specified time period. I ask that the
25 Board consider the Order denying Color Print, Inc.'s

1 Gaming Service Provider Application.

2 CHAIRMAN:

3 Any comments from Enforcement Counsel?

4 ATTORNEY PITRE:

5 Enforcement Counsel would request Denial
6 in this matter.

7 CHAIRMAN:

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

10 MR. MCNALLY:

11 Mr. Chairman, I move that the Board
12 issue an Order to deny the Gaming Service Application
13 of Color Print, Inc. as described by the Bureau of
14 Licensing.

15 CHAIRMAN:

16 Second?

17 MR. MOSCATO:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 AYES RESPOND

22 CHAIRMAN:

23 Opposed? The motion carries.

24 MS. HENSEL:

25 That concludes the matters of the Bureau

1 of Licensing.

2 CHAIRMAN:

3 Thank you, Susan. Next, OEC. Mr.
4 Pitre?

5 ATTORNEY PITRE:

6 We have 15 matters for the Board's
7 consideration today. Of those matters, we have three
8 Consent Agreements, five Revocation Complaints, and
9 seven Exclusions. The first matter will be presented
10 by Assistant Enforcement Counsel Alexandra Sacavage.

11 ATTORNEY SACAVAGE:

12 Good morning, Chairman Ryan, members of
13 the Board. My name is Alexandra Sacavage,
14 S-A-C-A-V-A-G-E. We have today for the Board's
15 consideration a Consent Agreement between the OEC and
16 Vincent Quartararo. This agreement involves a
17 Suspension on Consent of Mr. Quartararo's Gaming
18 Employee Permit.

19 The Board granted Mr. Quartararo a
20 Gaming Employee Permit on February 17th, 2012. But
21 during a background investigation related to a
22 subsequent G2 Permit Application, BIE discovered that
23 Mr. Quartararo was arrested on March 5th, 2012, and he
24 was charged with one count of credit card larceny and
25 a count of identity theft in the Commonwealth of

1 Virginia, which are both felonies in that
2 jurisdiction.

3 On May 16th, 2012, those charges were
4 withdrawn and Mr. Quartararo pled guilty to one count
5 of misdemeanor, petty larceny less than \$100. He
6 received a 12-month suspended sentence and a fine of
7 \$526, which has been paid. The sentence is complete.
8 When he was questioned by BIE regarding this arrest,
9 Mr. Quartararo readily admitted his conduct,
10 apologized for not disclosing it, since it was
11 reduced. He informed BIE that the incident was the
12 result of a domestic dispute with a former roommate.
13 He immediately amended his Gaming Employee
14 Application, as well as his G2 Permit Application.
15 The G2 Permit Application has since been withdrawn,
16 although Mr. Quartararo maintains his Gaming Employee
17 Permit, and he's currently employed at Mount Airy as a
18 Marketing Operations Representative.

19 The parties have agreed that as a result
20 of the above arrest and conviction, Mr. Quartararo's
21 Gaming License shall be suspended for a period of 14
22 days. If approved, this will be the first enforcement
23 action taken against Mr. Quartararo by the OEC since
24 he was granted the Gaming Employee Permit. We ask
25 that the Board approve the Consent Agreement presented

1 here today, and we'd be happy to answer any questions
2 you may have.

3 CHAIRMAN:

4 Anybody here on behalf of the other
5 party, Ms. Sacavage?

6 ATTORNEY SACAVAGE:

7 Mr. Quartararo contacted our office
8 yesterday and said he was unable to be here today
9 because he is working at Mount Airy.

10 CHAIRMAN:

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

14 MR. MOSCATO:

15 Yes, sir. I move that the Board issue
16 an Order to adopt the Consent Agreement between the
17 OEC and Vincent Quartararo as described by the OEC.

18 MR. FAJT:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 AYES RESPOND

23 CHAIRMAN:

24 Opposed? Motion carries.

25 ATTORNEY SACAVAGE:

1 Thank you.

2 CHAIRMAN:

3 Thank you, Sasha.

4 ATTORNEY PITRE:

5 The next matter that we have for the
6 Board's consideration is a Consent Agreement with Mr.
7 Edward Weidner. Mr. Mike Roland will present the
8 matter on behalf of the OEC. I believe Mr. Weidner is
9 present. Here he is. I'd ask that Mr. Weidner be
10 sworn, also.

11 CHAIRMAN:

12 Mr. Weidner, why don't you stand, if you
13 will, sir. State your name and spell your last name.

14 MR. WEIDNER:

15 Edward D. Weidner, III, W-E-I-D-N-E-R.

16 CHAIRMAN:

17 I would ask the court reporter to swear
18 the witness.

19 -----
20 EDWARD D. WEIDNER, III, HAVING FIRST BEEN DULY SWORN,
21 TESTIFIED AS FOLLOWS:
22 -----

23 CHAIRMAN:

24 All right. You may be seated, sir.

25 A. Thank you.

1 CHAIRMAN:

2 Mr. Roland?

3 ATTORNEY ROLAND:

4 Thank you, Mr. Chairman. The next
5 proposed Consent Agreement involves Edward Weidner,
6 III, and his alleged misconduct during his employment
7 with Sands Casino as a Dual Rate Dealer. I'll try and
8 clarify this because it involves a father and a son,
9 both who share the name of Edward Weidner. So, when I
10 speak about the father, I'll refer to him as Patron
11 Weidner, because he actually came and gamed at the
12 facility. When I refer to Mr. Weidner, who's in front
13 of you today, I'll refer to him as Employee Weidner,
14 because he's a Licensee of the Board and was actually
15 employed by the facility. I hope that helps. I'm not
16 sure if it does. At least it's a shot.

17 On October 6th, 2012, a review of Patron
18 Weidner's player's account was made. His player's
19 account showed him playing at several different table
20 games simultaneously. Surveillance footage showed
21 that Patron Weidner was not gaming or present at any
22 of the tables. Employee Weidner was observed at the
23 table view tablet entering player ratings without
24 receiving a Player's Card from anyone at the table. A
25 point of clarification. A table view tablet is

1 basically a small tablet-size computer that's
2 available at each gaming table, and it keeps track of
3 the games played, who's there, how much time they have
4 spent, wagers that are made. All the information
5 entered into that computer system is entered by the
6 supervisor. It's entered manually. And the reason
7 that all that data is important is because the casino
8 looks at that data when it decides what kind of comps
9 it's going to give the players in the future.

10 Each time Employee Weidner manually
11 entered ratings into the table view tablet, it
12 corresponded with the end times listed in Patron
13 Weidner's false readings. Surveillance was able to
14 link the Weidners as father and son by using various
15 casino computer systems, showing that they had
16 matching home addresses. Surveillance was also able
17 to determine from the dates of August 16th, 2012, to
18 October 5th, 2012, Patron Weidner accumulated
19 \$5,947.90 in comp dollars through false ratings. The
20 amount that was legitimately earned was \$9.02.
21 Employee Weidner was charged on October 7th, 2012 by
22 the Pennsylvania State Police with theft by deception,
23 computer trespass, unlawful use of a computer, and
24 intent to commit theft by deception.

25 On April 1st of 2013, Employee Weidner

1 signed an ARD participation agreement with the
2 Northampton County District Attorney's office to enter
3 the ARD program for the charges. The ARD
4 participation agreement states and Employee Weidner
5 has agreed that he shall pay \$2,544.89 in restitution,
6 as determined by the Northampton County Adult
7 Probation Department. Furthermore, he has admitted to
8 the underlying action related to the specific offenses
9 charged as being allowed into the ARD program. When
10 they sign the program, one of the conditions is ---
11 that they agree to is that they have committed all the
12 underlying offenses. That's what allows them to enter
13 into that program.

14 Both Employee Weidner and OEC are of the
15 joint understanding that at the successful completion
16 of the ARD program, all the charges against Employee
17 Weidner will be expunged. Employee Weidner is not
18 currently working at any casino in the Commonwealth of
19 Pennsylvania. At this time, the OEC requests that the
20 Board approve this Consent Agreement between the
21 parties. The terms of the settlement include that OEC
22 shall withdraw its complaint to revoke the Gaming 2
23 Permit of Edward Weidner, III. In return, Mr. Weidner
24 agrees to have his Gaming 2 Permit remain suspended
25 until the satisfactory completion of his ARD program.

1 Satisfactory completion includes full payment of
2 restitution, as described in Mr. Weidner's ARD
3 Participation Agreement. I'd like to add that he's
4 already made full restitution to the facility, as laid
5 out in that agreement.

6 Upon the satisfactory completion of the
7 ARD program, Mr. Weidner may petition the Board to
8 have his Permit Suspension lifted. If you have any
9 questions, we'd be happy to entertain them at this
10 point.

11 CHAIRMAN:

12 Any questions from the Board? First of
13 all, let me ask you, sir, do you have any response to
14 this or anything you want to say to the Board?

15 A. I'm not quite sure even how to present this. It
16 was simply just a mistake. It was something that I
17 shouldn't have done. I've suffered. Not only me, my
18 family has suffered. It's awful. None of my family
19 have been compensated from any of what I've done. It
20 was just a stupid act on my part. I worked for the
21 Township of Boalsburg for 17 years. Never had any
22 problems. Just want to say I'm sorry.

23 CHAIRMAN:

24 Any questions from the Board? You
25 understand this was a serious violation?

1 A. Absolutely.

2 CHAIRMAN:

3 All right. Thank you, sir. Any other
4 questions, comments? May I have a motion?

5 ATTORNEY FAJT:

6 Yeah. Mr. Chairman, before I make the
7 motion, I'd just like to make a quick statement.
8 While I expect to make a motion to approve the Consent
9 Agreement in this matter, I want the record to reflect
10 that I consider the falsification of player ratings to
11 be a very serious matter that undermines the integrity
12 of an important area of casino operations, that being
13 a casino's ability to reward its players with
14 complimentaries based upon that player's legitimate
15 gaming activity. I do not want the outcome of this
16 matter to be a precedent for handling this type of
17 case in the future.

18 And having said that, Mr. Chairman, I
19 move that the Board issue an Order to adopt the
20 Consent Agreement between the OEC and Edward Weidner,
21 as described by the OEC.

22 MR. GINTY:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 AYES RESPOND

2 CHAIRMAN:

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

5 ATTORNEY PITRE:

6 The next matter that we have for the
7 Board's consideration is a Consent Agreement between
8 the OEC and Greenwood Gaming Entertainment, Inc.
9 Assistant Enforcement Counsel Dustin Miller will
10 present the matter for the Board's consideration. And
11 Mr. Bonner is here on behalf of Greenwood.

12 CHAIRMAN:

13 Good morning, Mr. Bonner.

14 ATTORNEY BONNER:

15 Good morning, Mr. Chairman and
16 Commissioners.

17 ATTORNEY MILLER:

18 Good morning, Chairman Ryan, members of
19 the Board. Dustin Miller on behalf of the OEC. This
20 Consent Agreement arises from two incidents of
21 conducting business with companies that were on the
22 Board's Prohibited Gaming Service Providers List.
23 Emerson Network Power was placed on the Board's
24 Prohibited Gaming Service Providers List on October
25 21st, 2009, and was removed from the Prohibited Gaming

1 Service Providers List on or about January 9th, 2013.

2 On June 18th, 2012, Parx Casino made a
3 disbursement to Emerson Network Power, \$28,212.96.
4 They made another disbursement to Emerson Network
5 Power on October 17th, 2012 of \$347.68. Also,
6 Greenwood Racing, Inc., an affiliate of Parx Casino,
7 did business with Emerson Network Power in 2010, 2011
8 and 2012.

9 Belle Mead Hot Glass, LLC, was placed on
10 the Board's Prohibited Gaming Service Provider List on
11 August 18th, 2011, and remains on the Prohibited
12 Gaming Service Providers List at this time.

13 Parx Casino conducted business with
14 Belle Mead Hot Glass while Belle Mead Hot Glass was on
15 the Prohibited Gaming Service Provider List and made a
16 disbursement to Belle Mead Hot Glass of \$8,200 on
17 January 23rd, 2013. This was Parx Casino's second
18 Consent Agreement for doing business with a company on
19 the Prohibited Gaming Service Providers List. On
20 August 1st, 2012, the Board approved the Consent
21 Agreement, ordering Parx to pay a civil penalty of
22 \$5,000 for a similar violation to those just
23 described.

24 On March 28th, 2013, the parties entered
25 into a Consent Agreement to settle these outstanding

1 compliance matters. The terms of the agreement
2 include a provision that Greenwood Gaming and
3 Entertainment shall reinforce existing policies to
4 minimize the opportunity for similar incidents to
5 occur in the future. These policies include training
6 of all necessary employees to verify whether a Gaming
7 Service Provider is on the Prohibited Gaming Service
8 Providers List and to prevent Parx from doing business
9 with a Prohibited Gaming Service Provider.

10 Parx has also submitted a revised
11 internal control outlining these procedures in detail.
12 Further, Greenwood Gaming and Entertainment, Inc.
13 shall pay a total fine of \$15,000, and in accordance
14 with the Board's billing policy, Greenwood Gaming and
15 Entertainment, Inc. will pay a flat fee of \$2,500 in
16 investigative fees. These fines and fees shall be
17 paid within five days of the Consent Agreement being
18 approved by the Board. Counsel for Greenwood Gaming
19 and Entertainment, Inc. is in attendance today to
20 answer any questions you may have. Otherwise, the OEC
21 asks the Board to entertain a motion to approve this
22 Consent Agreement.

23 CHAIRMAN:

24 Mr. Bonner?

25 ATTORNEY BONNER:

1 Mr. Chairman, I think Mr. Miller has
2 fairly and accurately stated the facts concerning the
3 matter, but I would be happy to answer any questions
4 that any of the Board members may have.

5 CHAIRMAN:

6 Greg?

7 MR. FAJT:

8 Thank you, Mr. Chairman. Dustin, what
9 was it that Parx agreed to do in the first Consent
10 Agreement back on August 1st of 2012 that wasn't done
11 that resulted in this second infraction?

12 ATTORNEY MILLER:

13 I guess it was the training of the
14 employees because, obviously, it happened again.

15 MR. FAJT:

16 Mr. Bonner, do you know what you agreed
17 to do in the first instance that didn't happen that
18 resulted in the second instance?

19 ATTORNEY BONNER:

20 I can maybe explain that by --- I can
21 maybe answer that by explaining what we agreed to do
22 in the second instance. I don't recall what we did in
23 the first instance. Certainly, we'd agree to retrain
24 and emphasize to our staff the importance of checking
25 the Gaming Board's website to verify that the vendors

1 with whom they're dealing are not prohibited.
2 Significantly, what we did in this case was we
3 instituted a second check of the Gaming Board's
4 website before payment is made. The existing
5 procedure has our purchasing department make the check
6 up front so that, before we begin the contractual
7 relationship, we know that this vendor is not on the
8 Prohibited List.

9 What happened in this case, both of
10 these payments originated with folks in our facilities
11 and design and construction department. And those
12 requisitions don't go through purchasing, typically,
13 through the purchasing department, typically. So,
14 there was no front-end check done on these particular
15 payments. And at the time we didn't have a procedure
16 that did the back-end checks. So, that's how these
17 payments fell through the crack. Now, everything gets
18 checked through purchasing up front, whether it comes
19 from the facility side or the general goods and
20 services purchasing side. And accounting will not cut
21 a check without doing a second check on the Prohibited
22 Vendor List. So, that's the significant difference
23 between case one and case two that we're looking at
24 today.

25 MR. FAJT:

1 I apologize, Dustin, if you covered
2 this, but how was this offense discovered?

3 ATTORNEY MILLER:

4 The two disbursements from Greenwood
5 Gaming and Entertainment, Greenwood has to submit a
6 monthly disbursement report to the Bureau of
7 Licensing. It was on those reports that, you know, it
8 showed up that they did business with Emerson Network
9 Power. And then, you know, our Bureau of Licensing
10 compared that to the Prohibited Gaming Service
11 Provider List, saw Emerson Network Power on that, and
12 referred it to the OEC.

13 MR. FAJT:

14 Thank you. Thank you, Mr. Chairman.

15 CHAIRMAN:

16 Anyone else on the Board? May I have a
17 motion?

18 MR. GINTY:

19 Mr. Chairman, I move that the Board
20 issue an Order to adopt the Consent Agreement between
21 the OEC and Greenwood Gaming and Entertainment, Inc.,
22 as described by the OEC.

23 CHAIRMAN:

24 Second?

25 MS. KAISER:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 AYES RESPOND

5 CHAIRMAN:

6 Opposed? The motion carries. Thanks,
7 gentlemen.

8 ATTORNEY BONNER:

9 Thank you, Mr. Chairman and
10 Commissioners.

11 ATTORNEY PITRE:

12 The next matter that we have for the
13 Board's consideration is the Revocation of Danny
14 Ramirez's Gaming Employee Permit. Assistant
15 Enforcement Kathleen Higgins will present the matter
16 for the Board's consideration.

17 CHAIRMAN:

18 Good morning, Kathleen.

19 ATTORNEY HIGGINS:

20 Good morning, Chairman Ryan, members of
21 the Board. My name, again for the record, is Kathleen
22 Higgins, H-I-G-G-I-N-S. The matter before the Board
23 now is that of Danny Ramirez. On March 14, 2013, the
24 OEC filed an amended Enforcement Action Complaint
25 seeking the Revocation of Danny Ramirez's Gaming

1 Employee Permit and G2 Employee Permit due to his
2 failure to maintain suitability after it was
3 determined that Mr. Ramirez stole approximately \$700
4 worth of casino chips while working as a Table games
5 Dealer at Presque Isle Downs.

6 Mr. Ramirez received the complaint via
7 certified mail on March 16th, 2013, but did not
8 respond to the complaint within 30 days, and
9 therefore, pursuant to Board regulations, all facts
10 alleged in the complaint are deemed admitted. The OEC
11 filed a Request for Default Judgment on May 10th,
12 2013. And at this time, OEC would ask that the Board
13 revoke Mr. Ramirez's Gaming Employee Permit and his G2
14 Employee Permit.

15 CHAIRMAN:

16 Is Danny Ramirez in the hearing room?
17 Any questions or comments from the Board? Ex-officio
18 members? May I have a motion?

19 MR. MCCALL:

20 Mr. Chairman, I move that the Board
21 issue an Order to approve the Revocation of Danny
22 Ramirez's Gaming Employee Permit and G2 Permit, as
23 described by the OEC.

24 MR. MCNALLY:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 AYES RESPOND

4 CHAIRMAN:

5 Opposed? The motion carries.

6 ATTORNEY PITRE:

7 The next matter we have for the Board's
8 consideration is a Revocation of Lozonnah James'
9 Non-Gaming Employee Registration. That matter will be
10 presented to the Board by Assistant Enforcement
11 Counsel Jeff Hoeflich.

12 ATTORNEY HOEFLICH:

13 Good morning, Chairman Ryan, members of
14 the Board. Jeff Hoeflich, H-O-E-F-L-I-C-H, Assistant
15 Enforcement Counsel. The next matter before the Board
16 today is a request for Revocation of Lozonnah James'
17 Non-Gaming Employee Registration. The OEC filed an
18 Enforcement Action against Mr. James following his
19 arrest for theft while working at Hollywood Casino.

20 On January 1st, 2013, at approximately
21 12:51 a.m., surveillance observed Mr. James removing
22 money from a cash drawer and concealing the cash in a
23 drawer at his desk. He then removed the money and
24 placed it in his pocket. At approximately 1:35 a.m.
25 the same morning, Mr. James was observed removing cash

1 from a different cash drawer and concealing it under
2 his keyboard. He would eventually pocket that money
3 as well.

4 On January 11, Hollywood Casino
5 terminated Mr. James for his actions after he admitted
6 to them that he had stolen several hundred dollars
7 over New Year's. Theft charges were filed against Mr.
8 James on February 1st, 2013.

9 OEC's Enforcement Action was filed on
10 March 14th, 2013. The Enforcement Action was properly
11 served upon Mr. James by both certified and first
12 class mail. Mr. James did not respond to the filing
13 in any way. Due to Mr. James' failure to respond, the
14 averments in the Enforcement Action are deemed to be
15 admitted as fact and his right to a hearing has been
16 waived.

17 On April 29th, 2013, the OEC filed a
18 Request to Enter Judgment Upon Default. The matter is
19 now before the Board to consider the Revocation of
20 Lozonnah James' Non-Gaming Employee Registration.

21 CHAIRMAN:

22 Is Lozonnah James in the hearing room?
23 Any questions, comments from the Board? Ex-officio
24 members? May I have a motion?

25 MR. MCNALLY:

1 Mr. Chairman, I move that the Board
2 issue an Order to approve the Revocation of Lozonnah
3 James' Non-Gaming Employee Registration, as described
4 by the OEC.

5 CHAIRMAN:

6 Second?

7 MR. MOSCATO:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 AYES RESPOND

12 CHAIRMAN:

13 Opposed? The motion carries.

14 ATTORNEY HOEFLICH:

15 Thank you.

16 CHAIRMAN:

17 Thank you, Jeff.

18 ATTORNEY PITRE:

19 The next matter we have for the Board's
20 consideration is the Revocation of Michael Jefferson's
21 Gaming Employee Permit. Dustin Miller is back to
22 present that matter on behalf of the OEC.

23 ATTORNEY MILLER:

24 Hello again. Mr. Jefferson was employed
25 as a Table games Dealer at Parx Casino and licensed as

1 a Gaming Employee. The OEC filed an Enforcement
2 Complaint to revoke Mr. Jefferson's Gaming Employee
3 Permit for failing to maintain his suitability on
4 March 27th, 2013.

5 Mr. Jefferson was terminated from Parx
6 Casino on December 12, 2012, after the Parx Casino
7 Surveillance Department observed Mr. Jefferson
8 stealing prescription medication out of a coworker's
9 purse on December 7th, 2012 and December 8th, 2012.
10 Mr. Jefferson was criminally charged by Pennsylvania
11 State Police with possession of a controlled
12 substance, possession of drug paraphernalia, three
13 counts of theft, and two counts of receiving stolen
14 property for his actions. The Enforcement Complaint
15 was properly served upon Mr. Jefferson to the address
16 listed on his application by both certified and first
17 class mail. Mr. Jefferson did not respond to the
18 filing in any way. Due to Mr. Jefferson's failure to
19 respond, the averments in the Enforcement Complaint
20 are deemed to be admitted as fact and his right to a
21 hearing has been waived.

22 On May 8th, 2013, the OEC filed a
23 Request to Enter Judgment Upon Default. The matter is
24 now before the Board to consider the Revocation of
25 Michael R. Jefferson, II's Gaming Employee Permit.

1 CHAIRMAN:

2 Is Michael Jefferson in the hearing
3 room? Question or comments from the Board?
4 Ex-officio members? May I have a motion?

5 MR. MOSCATO:

6 Yes, sir. I move that the Board issue
7 an Order to approve the Revocation of Michael
8 Jefferson's Gaming Employee Permit as described by the
9 OEC.

10 MR. FAJT:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 AYES RESPOND

15 CHAIRMAN:

16 Opposed? Motion carries.

17 ATTORNEY MILLER:

18 The next matter is a Request for
19 Revocation today involving Natalia Levin. Ms. Levin
20 was employed as a Table games Dealer at Parx Casino
21 and licensed as a Gaming Employee. The OEC filed an
22 Enforcement Complaint to revoke Ms. Levin's Gaming
23 Employee Permit for failing to maintain her
24 suitability on March 1st, 2013.

25 On December 1st, 2013, a patron of Parx

1 Casino reported to Parx Casino Table games personnel
2 that Ms. Levin was taking chips out of the chip bank
3 at the poker table she was working at and placing the
4 chips into her tip box. The Parx Casino Surveillance
5 Department reviewed Ms. Levin's actions and determined
6 that she had improperly placed \$145 worth of chips in
7 her tip box on December 1st, 2012.

8 Further, Parx Casino Surveillance
9 reviewed Ms. Levin's prior work shifts from November
10 24th, November 27th and November 28th. Ms. Levin
11 committed similar acts throughout her shifts on these
12 dates as well. Ms. Levin improperly placed a total of
13 \$579 worth of chips in her tip box over the course of
14 these work shifts. Ms. Levin was terminated from Parx
15 Casino on December 7th, 2012 for her actions. Ms.
16 Levin was criminally charged by the Pennsylvania State
17 Police with theft and receiving stolen property. The
18 Enforcement Complaint was properly served upon Ms.
19 Levin to the address listed on her application by both
20 certified and first class mail. Ms. Levin did not
21 respond to the filing in any way.

22 Due to Ms. Levin's failure to respond,
23 the averments in the Enforcement Complaint are deemed
24 to be admitted as fact and her right to a hearing has
25 been waived. On May 8th, 2013, the OEC filed a

1 Request to Enter Judgment Upon Default. The matter is
2 now before the Board to consider the Revocation of
3 Natalia Levin's Gaming Employee Permit.

4 CHAIRMAN:

5 Is Natalia Levin in the hearing room?
6 Any questions or comments from the Board? Ex-officio
7 members? May I have a motion?

8 MR. FAJT:

9 Mr. Chairman, I move that the Board
10 issue an Order to approve the Revocation of Natalia
11 Levin's Gaming Employee Permit as described by the
12 OEC.

13 MR. GINTY:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 AYES RESPOND

18 CHAIRMAN:

19 Opposed? The motion carries.

20 ATTORNEY MILLER:

21 The next matter is a Request for
22 Revocation today involving Holly Rocap. Ms. Rocap was
23 employed as a cage cashier at Parx Casino and licensed
24 as a Gaming Employee. The OEC filed an Enforcement
25 Complaint to revoke Ms. Rocap's Gaming Employee Permit

1 for failing to maintain her suitability on January
2 17th, 2013.

3 From 11:00 p.m. on September 8th, 2012
4 to 7:00 a.m. on September 9th, 2012, Ms. Rocap was
5 working as a cage cashier inside the satellite bank at
6 Parx East. Following Ms. Rocap's work shift, a \$500
7 variance was discovered when Parx Casino staff were
8 reconciling the money within the satellite bank from
9 the prior day. A surveillance review was initiated.
10 The surveillance review revealed that Ms. Rocap took
11 money out of the cash drawer at 6:45 a.m., placed it
12 in an envelope, and left the premises with the
13 envelope at 7:35 a.m. Ms. Rocap was terminated by
14 Parx Casino on September 18th, 2012 for this incident.
15 Ms. Rocap was also charged by the Pennsylvania State
16 Police with theft and receiving stolen property.

17 The Enforcement Complaint was properly
18 served upon Ms. Rocap to the address listed on her
19 application by both certified and first class mail.
20 Ms. Rocap did not respond to the filing in any way.
21 Due to Ms. Rocap's failure to respond, the averments
22 in the Enforcement Complaint are deemed to be admitted
23 as fact and her right to a hearing has been waived.

24 On May 8th, 2013, the OEC filed a
25 Request to Enter Judgment Upon Default. The matter is

1 now before the Board to consider the Revocation of
2 Holly Rocab's Gaming Employee Permit.

3 CHAIRMAN:

4 Is Holly Rocab in the hearing room? Any
5 questions or comments from the Board? Ex-officio
6 members? May I have a motion?

7 MR. GINTY:

8 Mr. Chairman, I move that the Board
9 issue an Order to approve the Revocation of Holly
10 Rocab's Gaming Employee Permit as described by the
11 OEC.

12 CHAIRMAN:

13 Second?

14 MS. KAISER:

15 Second.

16 CHAIRMAN:

17 All in favor?

18 AYES RESPOND

19 CHAIRMAN:

20 Opposed? The motion carries.

21 ATTORNEY MILLER:

22 The next two matters today are a Request
23 for Placement on the Board's Excluded Person's List
24 involving Nicole Donahue and Ryan Feyh. Both of these
25 matters share a common fact pattern. With the Board's

1 permission, I'd like to recite the facts of the
2 incident one time and then ask that each individual be
3 placed on the Exclusion List.

4 CHAIRMAN:

5 That's fine, Dustin.

6 ATTORNEY MILLER:

7 Okay. On May 25th, 2012, the Middletown
8 Township Police in Bucks County were called to a Giant
9 Grocery Store in Levittown, Pennsylvania, at 12:45
10 a.m. for a report of a toddler running around in the
11 parking lot of the store, unattended by any adult.
12 Upon arrival, the police observed an unharmed
13 two-year-old child that was upset, confused and alone.
14 Due to the child's age, the boy was unable to verbally
15 provide any information to the police but pointed in
16 the direction of Foxwood Manor Apartments, which are
17 located adjacent to the Giant Grocery Store, across a
18 footbridge.

19 A police officer went to the Foxwood
20 Manor Apartments and observed that the door of
21 Apartment Number 1516 was open. Police took the
22 two-year-old child to this apartment, and the child
23 responded with relief upon arrival at the apartment.
24 Police then inspected the inside of the apartment and
25 found pictures confirming that the child lived in that

1 apartment. While inspecting the apartment, police
2 found no adults present but did find another child, a
3 four-year-old, sleeping in his bed inside the
4 apartment.

5 Also, while police were inspecting in
6 the apartment, a neighbor approached the police and
7 indicated that she had received two text messages from
8 Ms. Donahue, who lives in Apartment 1516 with Mr. Feyh
9 and their children, indicating that Ms. Donahue and
10 Mr. Feyh were going to Parx Casino at 11:00 p.m. on
11 May 24th --- on May 24th, 2012, and that Ms. Donahue's
12 children were sleeping and asking the neighbor to
13 listen for the children. Although the neighbor did
14 not respond to the text messages, Ms. Donahue and Mr.
15 Feyh went to Parx Casino anyway. After speaking with
16 police, the neighbor contacted Ms. Donahue and Mr.
17 Feyh by telephone and they returned to the apartment.

18 While speaking with police, Ms. Donahue
19 and Mr. Feyh admitted to leaving their children at
20 home and going to Parx Casino to gamble. This was
21 also confirmed by Parx Casino surveillance, which
22 showed Ms. Donahue and Mr. Feyh playing slot machines
23 on May 24th and leaving Parx Casino at 1:10 a.m. on
24 May 25th, 2012. Subsequently, Mr. Feyh and Ms.
25 Donahue were criminally charged with two counts of

1 endangering the welfare of children and two counts of
2 recklessly endangering another person.

3 On October 19th, 2012, Ms. Donahue and
4 Mr. Feyh each pleaded guilty to the aforementioned
5 charges and were each sentenced to two-and-a-half
6 years probation, completion of a hundred hours of
7 community service, ordered to stay away from Parx
8 Casino and any other casino, participation in
9 parenting classes and submission to drug and alcohol
10 evaluation.

11 The Petition for Ms. Donahue was filed
12 on November 5th, 2012. The Petition was properly
13 served upon Ms. Donahue by personal service. Ms.
14 Donahue did not respond to the filing in any way. Due
15 to Ms. Donahue's failure to respond, the averments in
16 the Petition are deemed to be admitted as fact and her
17 right to a hearing has been waived.

18 On April 30th, 2013, the OEC filed a
19 Request to Enter Judgment Upon Default. The matter is
20 now before the Board to consider the placement of
21 Nicole l. Donahue on the Board's Excluded Persons
22 List.

23 CHAIRMAN:

24 Is Nicole Donahue in the hearing room?
25 Questions or comments from the Board? Ex-officio

1 members? May I have a motion?

2 MS. KAISER:

3 Mr. Chairman, I move that the Board
4 issue an Order to approve the admission of Nicole
5 Donahue to the Pennsylvania Gaming Control Board's
6 Involuntary Exclusion List as described by the OEC.

7 MR. MCCALL:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 AYES RESPOND

12 CHAIRMAN:

13 Opposed? The motion carries.

14 ATTORNEY MILLER:

15 The Petition for Mr. Feyh was filed on
16 November 5th, 2012. The Petition was properly served
17 upon Mr. Feyh by personal service. Mr. Feyh did not
18 respond to the filing in any way. Due to Mr. Feyh's
19 failure to respond, the averments in the Petition are
20 deemed to be admitted as fact, and his right to a
21 hearing has been waived.

22 On April 30th, 2013, the OEC filed a
23 Request to Enter Judgment Upon Default. The matter is
24 now before the Board to consider the placement of Ryan
25 S. Feyh on the Board's Excluded Persons List.

1 CHAIRMAN:

2 Is Ryan Feyh in the hearing room? Any
3 questions or comments from the Board? Ex-officio
4 members? May I have a motion?

5 MR. MCCALL:

6 Mr. Chairman, I move that the Board
7 issue an Order to approve the addition of Ryan Feyh to
8 the Pennsylvania Gaming Control Board's Involuntary
9 Exclusion List as described by the OEC.

10 MR. MCNALLY:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 AYES RESPOND

15 CHAIRMAN:

16 Opposed? The motion carries.

17 ATTORNEY MILLER:

18 Thank you, Chairman Ryan.

19 ATTORNEY PITRE:

20 The next matter that we have for the
21 Board's consideration is an exclusion matter involving
22 Mr. Thuy Duc Doan. That matter will be presented by
23 Ms. Beth Manifesto on behalf of the OEC.

24 CHAIRMAN:

25 Good morning.

1 ATTORNEY MANIFESTO:

2 Chairman Ryan, good morning. Members of
3 the Board. Beth Manifesto, M-A-N-I-F-E-S-T-O, for the
4 OEC. And as Cyrus said, I have a Request for Judgment
5 regarding Mr. Thuy Duc Doan. And essentially, on July
6 23rd of 2012, the OEC filed a Petition to Place Mr.
7 Duc Doan on the Pennsylvania Gaming Control Board's
8 Involuntary Exclusion List. Service was made upon Mr.
9 Doan via first class mail. The certified mail was
10 returned as unclaimed.

11 In the Petition OEC alleged surveillance
12 footage from Rivers Casino memorialized Mr. Doan as he
13 distracted a Roulette Table Games Dealer and then
14 moved a losing bet to a winning position. He pointed
15 out his winning bet and accepted a payout of \$150,
16 which he should not have received. When questioned,
17 Mr. Doan admitted to cheating and returned the money
18 to the Rivers Casino. Mr. Doan did not respond to the
19 OEC's Petition within 30 days; therefore, his right to
20 a hearing has been waived and the facts alleged in the
21 Petition are deemed to be admitted.

22 On May 9th, 2013, the OEC filed a
23 Request for Default Judgment. And at this time, the
24 OEC would ask that the Board place Mr. Doan on the
25 Pennsylvania Gaming Control Board's Involuntary

1 Exclusion List.

2 CHAIRMAN:

3 Is Thuy Duc Doan in the hearing room?
4 Questions or comments from the Board? Ex-officio
5 members? May I have a motion?

6 MR. MCNALLY:

7 Mr. Chairman, I move that the Board
8 issue an Order approving the addition of Thuy Duc Doan
9 to the Pennsylvania Gaming Control Board's Involuntary
10 Exclusion List as described by the OEC.

11 CHAIRMAN:

12 Second?

13 MR. MOSCATO:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 AYES RESPOND

18 CHAIRMAN:

19 Opposed? The motion carries.

20 ATTORNEY PITRE:

21 The next matter that we have for the
22 Board's consideration is the placement of Mr. Jemoni
23 Laron Ghee on the Board's Involuntary Exclusion List.
24 That matter will be presented to the Board by
25 Assistant Enforcement Counsel Jeff Hoeflich.

1 ATTORNEY HOEFLICH:

2 Hello again. The next matter before the
3 Board today is a Request for Placement of Jemoni Laron
4 Ghee on the Board's Excluded Persons List. The OEC
5 filed a Petition to place Mr. Ghee on the Exclusion
6 List for his part in an assault and robbery of a
7 casino patron after leaving the casino.

8 On November 7th, 2012, the Pennsylvania
9 State Police were called to the emergency room at
10 Chambersburg Hospital for an individual who was being
11 treated for severe trauma. The victim informed police
12 that he had attended Hollywood Casino with Mr. Ghee
13 and his brother, Jemoni Laron Ghee. According to the
14 victim, before the three returned to the Chambersburg
15 area, the two brothers assaulted the victim and robbed
16 him of \$170, then struck him with their vehicle as
17 they drove away.

18 Pennsylvania State Police interviewed
19 Mr. Ghee and his brother and both admitted to riding
20 with the victim to and from the casino. Mr. Ghee and
21 his brother were arrested on November 8th, 2012, for
22 aggravated assault, robbery and attempted homicide.
23 OEC's Petition was filed on December 28th, 2012. The
24 Petition was properly served upon Mr. Ghee by both
25 certified and first class mail. Mr. Ghee did not

1 respond to the filing in any way. Due to Mr. Ghee's
2 failure to respond, the averments in the Petition are
3 deemed to be admitted as fact and his right to a
4 hearing has been waived.

5 On May 6th, 2013, the OEC filed a
6 Request to Enter Judgment Upon Default. The matter is
7 now before the Board to consider the placement of
8 Jemoni Laron Ghee on the Board's Excluded Persons
9 List.

10 CHAIRMAN:

11 Is Jemoni Laron Ghee in the hearing
12 room? Questions or comments from the Board?
13 Ex-officio members? May I have a motion?

14 MR. MOSCATO:

15 Yes, sir. I move that the Board issue
16 an Order to approve the addition of Jemoni Laron Ghee
17 to the Pennsylvania Gaming Control Board's Involuntary
18 Exclusion List as described by the OEC.

19 MR. FAJT:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 AYES RESPOND

24 CHAIRMAN:

25 Opposed? The motion carries. Thank

1 you, Jeff.

2 ATTORNEY PITRE:

3 The next matter we have for the Board's
4 consideration --- in fact, the remaining matters will
5 be presented by Assistant Enforcement Counsel Beth
6 Manifesto.

7 ATTORNEY MANIFESTO:

8 I'm back. This is involving David
9 Gordon. On July 13th of 2012, the OEC filed a
10 Petition to place Mr. Gordon on the Pennsylvania
11 Gaming Control Board's Involuntary Exclusion List. In
12 the Petition, the OEC alleged that Mr. Gordon engaged
13 in underage gaming at the Rivers Casino. Mr. Gordon
14 engaged in slot play after utilizing a false
15 identification to obtain entry twice to the casino.
16 He was 19 at the time of the incident.

17 Relative to his activity at the Rivers,
18 on April 1st, 2012, Mr. Gordon was found guilty by a
19 Magisterial District Justice of underage gaming and
20 carrying false identification. He was ordered to pay
21 fines and costs in the amount of \$769. The OEC served
22 the Petition on Mr. Gordon by mailing a copy via first
23 class mail and certified mail to Mr. Gordon's last
24 known address on July 5th of 2012. The certified mail
25 was returned with a message unclaimed. The first

1 class mail has not been returned to OEC, and Mr.
2 Gordon has failed to respond to the Petition;
3 therefore, his right to a hearing has been waived and
4 the facts alleged are deemed to be admitted.

5 On May 9th of 2013, OEC filed a Request
6 for Default Judgment and at this time asked that the
7 Board place Mr. David Gordon on the Pennsylvania
8 Gaming Control Board's Involuntary Exclusion List.
9 And I should add that Mr. Gordon's activity was
10 included in an underage Consent Agreement that we had
11 with Rivers Casino on November 12th of 2012.

12 CHAIRMAN:

13 Is David A. Gordon in the hearing room?
14 Any questions or comments from the Board? Ex-officio
15 members? May I have a motion?

16 MR. FAJT:

17 Mr. Chairman, I move that the Board
18 issue an Order to approve the addition of David A.
19 Gordon to the PGCB Involuntary Exclusion List as
20 described by the OEC. Mr. Gordon can petition the
21 Board for removal from the List any time after his
22 22nd birthday.

23 MR. GINTY:

24 Second.

25 CHAIRMAN:

1 All in favor?

2 AYES RESPOND

3 CHAIRMAN:

4 Opposed? The motion carries.

5 ATTORNEY MANIFESTO:

6 Thank you. The next matter is involving
7 Mr. Anh, A-H-A --- I'm sorry, A-H-N (sic), Phuc,
8 P-H-U-C, L-E. And on July 3rd of 2012, the OEC filed
9 a Petition to place this gentleman on the Pennsylvania
10 Gaming Control Board's Involuntary Exclusion List.
11 The Petition was served on Mr. Le on July 5th of 2012
12 via first class mail. The certified mail was returned
13 to the OEC marked delivery attempted on July 24th,
14 August 4th, and 9/20/12.

15 In the Petition OEC alleged that on
16 April 7th of 2012 Mr. Le past posted bets three times
17 and attempted the same activity two additional times.
18 This activity resulted in a gain of \$270 to Mr. Le
19 which he should not have received. Mr. Le was charged
20 with three counts of Title IV, Section 1518A7.1, and
21 on August 7th, 2012, the charge was amended to one
22 count of disorderly conduct, and Mr. Le pled guilty.
23 He paid a fine and costs in the amount of \$225. Mr.
24 Le did not respond to the Petition within 30 days;
25 therefore, he waived his right to a hearing, and the

1 facts alleged in the Petition are deemed to be
2 admitted.

3 On May 9th of 2013, OEC filed the
4 request for default judgment. And at this time we
5 would ask that the Board place Mr. Anh Phuc Le on the
6 Pennsylvania Gaming Control Board's Involuntary
7 Exclusion List.

8 CHAIRMAN:

9 Is Anh Phuc Le in the hearing room? Any
10 questions or comments from the Board? Ex-officio
11 members? May I have a motion?

12 MR. GINTY:

13 Mr. Chairman, I move that the Board
14 issue an Order to approve the addition of Anh Phuc Le
15 to the PGCB Involuntary Exclusion List as described by
16 the OEC.

17 MR. MCCALL:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 AYES RESPOND

22 CHAIRMAN:

23 Opposed? Motion carries.

24 ATTORNEY MANIFESTO:

25 Thank you. Lastly, the Petition

1 involves Brittany, B-R-I-T-T-A-N-Y, Lynn Thornton,
2 T-H-O-R-N-T-O-N. On July 3rd of 2012, the OEC filed a
3 Petition to place Ms. Thornton on the Pennsylvania
4 Gaming Control Board's Involuntary Exclusion List.
5 The Petition was served on her through first class
6 mail on July 5th of 2012. The certified mail was
7 returned to the OEC on August 28th, 2012, marked
8 unclaimed. The first class mail has not been
9 returned.

10 In the Petition OEC alleged that on May
11 6th of 2012 Ms. Thornton, who was 20 years of age at
12 the time, utilized false identification to enter the
13 Rivers Casino and participated in slots gaming at 30
14 machines and also consumed alcohol. As a result of
15 her activity, Ms. Thornton was charged with underage
16 gaming and possession of a false ID.

17 Ms. Thornton did not respond to the
18 petition within 30 days; therefore, her right to a
19 hearing has been waived and the facts alleged in the
20 Petition are deemed to be admitted. On May 9th of
21 2013, the OEC has filed a Request for Default Judgment
22 and at this time asks that the Board place Ms.
23 Thornton on the Pennsylvania Gaming Control Board's
24 Involuntary Exclusion List. I'm sorry. This matter
25 was also part of an underage Consent Agreement

1 presented to the Board on November 12th of 2012.

2 CHAIRMAN:

3 Thank you. Is Brittany Thornton in the
4 hearing room? Any questions or comments from the
5 Board? Ex-officio members? May I have a motion?

6 MR. MCCALL:

7 Mr. Chairman, I move that the Board
8 issue an Order to approve the addition of Brittany
9 Thornton to the Pennsylvania Gaming Control Board's
10 Involuntary Exclusion List as described by the OEC.
11 Ms. Thornton can petition the Board for removal from
12 the List after one year.

13 MR. MCNALLY:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 AYES RESPOND

18 CHAIRMAN:

19 Opposed? The motion carries.

20 ATTORNEY PITRE:

21 Chairman, if I may, I'd like to make one
22 clarification for the record. With regard to a
23 question that Commissioner Ginty asked me earlier with
24 regard to Ms. Fly's case, as to whether or not the
25 casino had been punished or fined, we did fine Sands.

1 It was part of a previous Consent Agreement that was
2 brought before the Board in the past. So, I wanted to
3 correct that for the record. And with that, that
4 concludes our business.

5 CHAIRMAN:

6 Thank you both.

7 ATTORNEY MANIFESTO:

8 Thank you.

9 CHAIRMAN:

10 Ladies and gentlemen, this concludes
11 today's meeting. Our next scheduled public meeting
12 will be on Wednesday, June 26th, here in the hearing
13 room, at 10:00 a.m. Any comments from the Board?
14 Ex-officios? May I have a motion to adjourn?

15 MR. MCNALLY:

16 I move that we adjourn.

17 CHAIRMAN:

18 Second?

19 MR. MOSCATO:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 AYES RESPOND

24 CHAIRMAN:

25 The meeting's adjourned. Thank you all.

* * * * *

MEETING CONCLUDED AT 11:45 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings,
hearing held before Chairman Ryan was reported by me
on 6/5/2013 and that I Jennifer T. Alves read this
transcript and that I attest that this transcript is a
true and accurate record of the proceeding.

Jennifer T. Alves
Court Reporter