

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: DAVID BARASCH, CHAIRMAN

Gregory C. Fajt, Richard G. Jewell (via telephone), Keith R. McCall, Anthony C. Moscato, William H. Ryan, Jr., David W. Woods

Fred Strathmeyer, Representing Russell Redding, Secretary of Agriculture

Jennifer Langan, Representing Timothy Reese, State Treasurer

Robert Coyne, Representing Eileen McNulty, Secretary of Revenue

HEARING: Wednesday, November 18, 2015, 10:03 a.m.

LOCATION: Pennsylvania Gaming Control Board

Office of Hearings and Appeals

Strawberry Square Complex, Second Floor

Harrisburg, PA 17101-9060

Witnesses: NICHOLAS YEM

Reporter: Denise L. Travis, RPR

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CLOSING REMARKS

By Chairman Barasch

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P R O C E E D I N G S

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CHAIRMAN BARASCH:

Good morning, everyone. I'm David Barasch. I'm the Chairman of the Gaming Control Board. And before we begin, I would like everybody to put on silent or turn off their cell phones or electronic devices.

With us today in addition to the board members who are present, we have Commissioner Jewell who is on the telephone and will be participating long distance. We also have Fred Strathmeyer, representing the Secretary of Agriculture; Jennifer Langan, representing the State Treasurer; and Bob Coyne representing the Department of Revenue. Thanks, everybody, for being here.

And good morning, Dick, on the phone. You there?

MR: JEWELL:

Good morning.

CHAIRMAN BARASCH:

Good. I'm glad we got you. All right.

A quorum of the board members being president -- present, including Commissioner Jewell, I will call today's meeting to order.

1 The first order of business is the Pledge
2 of Allegiance, if everyone would please join me.

3 PLEDGE OF ALLEGIANCE RECITED

4 CHAIRMAN BARASCH:

5 Before we get to the first matter, I
6 believe Commissioner Woods has -- there you are --
7 something to say.

8 MR. WOODS:

9 Thank you, Mr. Chairman. Last meeting, we
10 had the opportunity to honor one of our colleagues who
11 departed the Board, Annmarie Kaiser. It was fitting
12 that we focus on her service and to commend her for all
13 that she added to this Board. And indeed we had the
14 opportunity to welcome you, Mr. Chairman,
15 as -- without ceremony, I might say, to the Board.

16 And I do, however, feel that we would be
17 remiss as a Board and me personally if we did not take
18 at least a few moments for me to say some words about
19 our past chairman, Bill Ryan. I want to talk about
20 Bill in terms of on behalf of this Board and to thank
21 him for his service.

22 It was in 2011 in August that Governor
23 Corbett appointed Bill to be Chairman. He served for
24 four years through October 8th, 2015. And what I would
25 say is under his tenure, we had a Board that came from

1 its infancy into an age of maturity. And it was with
2 Bill's guidance that we were ever vigilant over the
3 budget and headcount, which I know was something that
4 was very important to Bill and important to our
5 licensees and important to the staff that we knew
6 exactly what we had to work with. And we were doing it
7 in the most efficient way possible.

8 Bill also worked to enhance the
9 understanding of what this Board does, one, by moving
10 us into a new meeting space which is far more
11 accessible to the public and, second of all, by making
12 sure that the public could view our meetings via the
13 web. So working with communications, I think we are a
14 very transparent organization in all of our activities.

15 While the licensing process had been
16 completed on the two Cat 3's for Valley Forge and
17 Nemacolin Woodlands, it would be safe to say under
18 Bill's leadership, both of those facilities were
19 opened. And I believe it was done on time and they are
20 adding greatly to the revenue and to the casino
21 industry here in Pennsylvania.

22 In addition, it was through Bill's
23 leadership that we undertook a very, very comprehensive
24 process on the reissuing of the Cat 2 license in
25 Philadelphia. And I think it was a process that all

1 would say was fair and transparent from the hearings to
2 the deliberations of our colleagues on this Board. We
3 did come forth in November of 2014 with a 7-0 vote
4 which I think reflective both the leadership and the
5 ability of Bill to allow this Board to work among
6 itself to come to the best conclusion possible.

7 The process was transparent. I think
8 that's a hallmark and legacy of Bill's leadership. And
9 I want to personally and on behalf of the Board thank
10 you, Bill, for all that you've done to bring this
11 forward -- us as a Board forward. I know that the
12 staff appreciates your leadership. The Board
13 appreciates your leadership. And indeed the
14 Commonwealth of Pennsylvania should be very
15 complimentary of all that you have done to enable this
16 agency to move forward. So I want to thank you on
17 behalf of our Board.

18 MR. RYAN:

19 If I may briefly comment. Thank you,
20 David, for the kind words.

21 Thanks, all my colleagues on the board,
22 those who are here and those who served with us and
23 have left in the four-plus years that I've been here.
24 And I guess most of all thanks to everybody in the
25 agency who worked so hard to make the agency the

1 success that it is. I think we can all point to a lot
2 of successes during the time that I've been around.
3 And that's because everybody understands what our goals
4 are. And I think we've been able to achieve them.

5 It's interesting that the Board is moving,
6 I guess, pretty soon into its second decade. And I
7 think the people of this state can be proud of what the
8 Board has accomplished. And I think the people of the
9 state can also see an industry that despite a lot of
10 misgivings on the part of a lot of people 10, 12, 13
11 years ago, it is a successful industry. It's a
12 well-run industry. And certainly, it's providing the
13 jobs, the economic development, the tax revenue that
14 people back then who proposed the Gaming Act said it
15 would. And I think it has been a success. And there
16 are a lot of people who deserve credit for that. I'm
17 proud that I've been part of it. I'm proud to have
18 worked with all of you.

19 Dave, I welcome you here as the new
20 Chairman. I'm sure that you'll have all the success in
21 the world, too. And I look forward to working with
22 you. So thank you all very much.

23 PUBLIC HEARING HELD

24 CHAIRMAN BARASCH:

25 By way of announcements, the Board held an

1 executive session yesterday, November 15th, for the
2 purpose of discovering -- discussing personnel issues
3 and to conduct quasi-judicial deliberations relating to
4 matters that we're considering today. The ex-officio
5 members -- well, two out of three ex-officio members
6 were present.

7 At this point, I'd like a motion to
8 approve the minutes and transcripts from our September
9 23rd meeting.

10 MR. FAJT:

11 Mr. Chairman, I move that the Board
12 approve the minutes and transcript of the September
13 23rd, 2015, meeting.

14 MR. MCCALL:

15 Second.

16 CHAIRMAN BARASCH:

17 All in favor? All opposed?

18 ALL SAY AYE

19 CHAIRMAN BARASCH:

20 Motion carries.

21 Moving on, we'll now hear from our
22 Executive Director, Kevin O'Toole.

23 EXECUTIVE DIRECTOR O'TOOLE:

24 Good morning, Chairman Barasch. Good
25 morning, members of the Board. I have two items I

1 would like to report on this morning. The first
2 pertains to the regulatory interest in preventing
3 underage gambling.

4 In our effort to raise awareness about the
5 dangers and negative consequences of underage gambling,
6 the Board's Office of Communication and Office of
7 Compulsive and Problem Gambling have proposed a
8 framework for a multifaceted underage gambling
9 prevention campaign. To assist in accomplishing this
10 initiative, a Request for Quotation was sent to
11 Commonwealth-approved vendors with communications and
12 social media expertise. This RF -- from this RFQ,
13 eight submissions were received.

14 The evaluation committee for this RFQ
15 consisted of Communications Director Doug Harbach,
16 Compulsive and Problem Gambling Director Liz Lanza, and
17 Communications Deputy Director Richard McGarvey. They
18 reviewed each submission. The evaluation committee
19 recommended the selection of MarketSpace
20 Communications, LLC, located in Cranberry Township,
21 Butler County. MarketSpace will provide its expertise
22 to -- in communications and media services to design
23 and produce public service messages about the pitfalls
24 of underage gambling that will be disseminated through
25 print and social media. The term of the project is one

1 year, and the cost is not to exceed \$250,000.

2 We are excited to begin this campaign and
3 are very encouraged by the expertise and enthusiasm of
4 MarketSpace Communications. At future public meetings,
5 I will update the board on the progress of this
6 initiative.

7 The second matter that I wanted to report
8 on relates to the topics that the Board has listened to
9 in recent public meetings regarding the initiation of
10 new technology in electronic table game systems. In
11 the last six weeks, Parx Casino implemented 48
12 electronic wagering terminals associated with three
13 dealer assisted table games. One of those systems
14 involves the game of blackjack, and the other system
15 involves the games of roulette and baccarat.

16 Those systems were implemented
17 successfully with the assistance of DOR in ensuring
18 communication with the central control computer system.
19 And for the first six months, it appears that they have
20 been received well by the public; and we're hopeful
21 that that will continue.

22 October was a very good month in terms of
23 gross slot machine revenue and gross table game
24 revenue. Combined month over month -- or year over
25 year, it's 4.12 percent increase. Table games has been

1 on a pretty good consistent month-over-month increase.
2 I think we've gone about 18 months with -- with
3 improved table game revenue figures. So we're
4 encouraged by that as well. Thank you.

5 CHAIRMAN BARASCH:

6 Any questions for Kevin from the Board?
7 Ex-officio members, have any questions?

8 Thank you, Kevin.

9 Now, we'll hear from our Chief Counsel,
10 Doug Sherman.

11 ATTORNEY SHERMAN:

12 Good morning, Chairman, members of the
13 Board. Our first agenda item relates to a statement of
14 policy and a proposed regulation which Assistant Chief
15 Counsel Susan Yocum is here to present.

16 ATTORNEY YOCUM:

17 Good morning, Chairman and members of the
18 Board. I have two agenda items for your consideration
19 today. The first is a Statement of Policy 125-197,
20 which will add a variation to our baccarat style games.
21 It's called commission-free baccarat in which no
22 vigorish is collected on winning wagers. Included in
23 this variation are two side wagers, the Lucky 6 and a
24 Pair Bonus Wager. I'll be happy to answer any
25 questions that you may have regarding this SOP.

1 CHAIRMAN BARASCH:

2 Any questions? Thank you. May I have a
3 motion, please?

4 MR. MCCALL:

5 Mr. Chairman, I move that the Board issue
6 an Order to adopt Statement of Policy No. 125-197 as
7 described by the Office of Chief Counsel (OCC).

8 MR. MOSCATO:

9 Second.

10 CHAIRMAN BARASCH:

11 All in favor? All opposed?

12 AYES RESPOND

13 CHAIRMAN BARASCH:

14 Motion carries.

15 ATTORNEY YOCUM:

16 The next agenda item for you consideration
17 is a Proposed Rule Making, 125-198, which will add a
18 brand new game to the complement of games available for
19 play in the Commonwealth. The new game is called 21
20 Baccarat. It's a combination of baccarat style games
21 in which players wager on either the player hand or
22 banker hand as well as the rules of blackjack in which
23 additional cards are drawn until the hand has a hard or
24 a soft 17. Included in this are two side wagers, the
25 bonus wager and tie wager. This rule making contains

1 the rules of play, permissible payout wagers, and the
2 dealing procedures. I'll be happy to answer any
3 questions you may have.

4 CHAIRMAN BARASCH:

5 Any questions? May I have a motion,
6 please?

7 MR. MOSCATO:

8 Mr. Chairman, I move that the Board issue
9 an Order to adopt Proposed Regulation 125-198 as
10 described by the OCC.

11 MR. RYAN:

12 Second.

13 CHAIRMAN BARASCH:

14 All in favor? All opposed?

15 ALL SAY AYE

16 CHAIRMAN BARASCH:

17 Motion carries.

18 ATTORNEY YOCUM:

19 Thank you.

20 ATTORNEY SHERMAN:

21 Thank you very much.

22 There are no petitions for the Board's
23 actions at this meeting. So we'll move directly to
24 Withdrawals and Reports and Recommendations, which
25 Deputy Chief Counsel Steve Cook will present.

1 CHAIRMAN BARASCH:

2 Thank you, Steve.

3 ATTORNEY COOK:

4 Good morning. The Board has received six
5 unopposed petitions to withdraw applications or
6 surrender the credentials of individuals or, in one
7 case, a business. The persons and business subject to
8 these petitions are as follows: Colleen M. Sweeney,
9 Genevieve Cossette, Farid Khan, Wolfgang Ebner, Johann
10 Heissinger, and Danny Leung Enterprises.

11 The Office of Enforcement Counsel has no
12 objection to any of these withdrawals. As a result, if
13 the Board were inclined to grant the same, they would
14 be doing so without prejudice.

15 CHAIRMAN BARASCH:

16 Thank you. Is there that a motion?

17 MR. RYAN:

18 Mr. Chairman, I move that the Board issue
19 Orders to approve the Withdrawals and Surrenders as
20 described by the OCC.

21 MR. WOODS:

22 Second.

23 CHAIRMAN BARASCH:

24 All in favor? All opposed?

25 ALL SAY AYE

1 CHAIRMAN BARASCH:

2 Motion carries.

3 ATTORNEY COOK:

4 Next before the Board for consideration
5 are five Reports and Recommendations received from the
6 Office of Hearings and Appeals (OHA).

7 These Reports and Recommendations, along
8 with the complete evidentiary record in each matter,
9 have been provided to the Board in advance of this
10 meeting.

11 Additionally, in each case, the person or
12 entity subject to the Report and Recommendation was
13 advised that the Board would be taking the matter up
14 today and that they could come forward and briefly
15 address the Board.

16 The first Report and Recommendation before
17 the Board today pertains to a joint petition filed by
18 Mount Airy No. 1, LLC, and N&L Transportation, Inc.,
19 requesting that N&L Transportation be removed from the
20 Board's Prohibited Gaming Service Provider List.

21 A hearing in this matter was held on March
22 19th, 2015. Both the -- both of the Petitioners along
23 with their counsel and the Office of Enforcement
24 Counsel (OEC) appeared at the hearing offering
25 evidence.

1 After the hearing, a briefing schedule was issued. And
2 all parties filed briefs and reply briefs.

3 By way of background, N&L Transportation
4 has provided snow removal services to Mount Airy
5 Casino. In 2011, after N&L's revenues exceeded the
6 threshold of compensation allowed for Gaming Service
7 Provider Registration, it filed an Application for
8 Gaming Service Provider Certification.

9 According to the evidence of record in
10 this proceeding, after the application was filed,
11 suitability concerns arose within the Bureau of
12 Investigations and Enforcement relative to a person
13 maintaining an ownership interest in N&L. Due to these
14 concerns, the ownership structure of N&L was
15 subsequently changed. And a Gaming Service Provider
16 Certification Application -- the application submitted
17 by N&L was amended to reflect the new ownership.

18 The amended application remained under
19 review until February 21st, 2013, at which time N&L
20 petitioned to withdraw the application. OEC did not
21 object to the withdrawal of the application so long as
22 it was with prejudice, however, given the pendency of
23 an investigation or the fact that an investigation
24 wasn't completed.

25 In August of 2013, the Board issued an

1 Order withdrawing N&L's application with prejudice.
2 Upon receipt of the Board Order, the Bureau of
3 Licensing placed N&L on the Prohibited Gaming Service
4 Provider List.

5 N&L Transportation now seeks to be removed
6 from the Board's Prohibited Gaming Service Provider
7 List, averring that they were incorrectly placed on
8 that list when their prior application to withdraw --
9 was withdrawn with prejudice.

10 OEC objects to the request, specifically
11 arguing that placement of entities whose applications
12 are withdrawn with prejudice should be placed on the
13 list, that it is necessary to provide notice to the
14 regulating community of vendors they can or cannot use.

15 The Report and Recommendation issued in
16 this matter recommends that N&L be removed from the
17 Prohibited Gaming Service Provider List as the Board's
18 regulations at the time this all occurred did not
19 provide for automatic placement of a vendor or Gaming
20 Service Provider on the list when their application was
21 withdrawn with prejudice.

22 The Report and Recommendation further
23 notes that N&L has expressed a desire to now resubmit
24 an application to become a Gaming Service Provider to
25 Mount Airy.

1 For the record, it's noteworthy that our
2 regulations were subsequently amended to now provide
3 for placement on the prohibited list if somebody is
4 withdrawn with prejudice.

5 Michael Sklar representing both N&L and, I
6 believe, Mount Airy is present today. And I think he
7 may want to briefly address the Board on the issue of
8 application.

9 CHAIRMAN BARASCH:

10 Mr. Sklar.

11 ATTORNEY SKLAR:

12 Good morning, Mr. Chairman, members of the
13 Board. Michael Sklar, S-K-L-A-R, on behalf the Joint
14 Petitioners. The only thing I just want to address --
15 obviously, the Joint Petitioners would request that the
16 Board adopt the recommendation of the Hearing Officer
17 and N&L be removed from the prohibited list.

18 In terms of licensure of N&L and
19 reapplication, I would submit to you that N&L does not
20 fall within the definition of a Gaming Service Provider
21 under the Gaming Act and, therefore, does not need to
22 reapply.

23 The definition of a Gaming Service
24 Provider is a person who provides goods or services for
25 use in the operation or at a licensed facility. The

1 licensed facility is the location where licensees are
2 authorized to place and operate slot machines or
3 conduct table games.

4 The Board in January of 2009 had the
5 opportunity to examine the definition and the scope of
6 what a licensed facility is. And at that time, the
7 Board concluded that it is clearly not -- although some
8 commentators suggested that it was the entire footprint
9 of the facility, all of the land that a licensee owned,
10 the Board came back and said, No, it is -- it's
11 limited -- it's much more limited than that entire
12 footprint. It's limited to the gaming floor,
13 restricted areas and any amenities, food and beverage
14 outlets, retail outlets that are either on the gaming
15 floor or adjacent to the gaming floor.

16 In addition, the Board found that any
17 other ancillary uses, for example, hotel, restaurants,
18 retail areas that weren't either on the floor or
19 adjacent, so if it's on the lower floor or lower level,
20 those persons who are providing goods and services in
21 those other areas were not subject to licensure. And
22 that is -- is currently the -- the policy of -- of the
23 Board, that those vendors providing goods or services
24 in those areas outside of the licensed facility, they
25 don't have to apply at all.

1 So I would submit to you that N&L, where
2 their services that they're providing, the snow removal
3 services, are obviously exclusively outside of the
4 facility -- they don't step foot in the facility at
5 all -- that they do not fit within the definition of
6 Gaming Service Provider and, therefore, aren't subject
7 to licensure.

8 CHAIRMAN BARASCH:

9 Cyrus, do you have any comments?

10 ATTORNEY PITRE:

11 I am in total disagreement with Mr.
12 Sklar's interpretation. Anyone who does business with
13 a licensed facility falls under the jurisdiction of
14 this Board. Whether or not the Board chooses to exempt
15 that business from having to file an application is a
16 decision that's made by the Board. If Mr. Sklar
17 chooses to have a business exempt, he should petition
18 this Board for an exemption of that particular business
19 or that particular service.

20 As far as the policy, I don't know what
21 policy Mr. Sklar is referring to. I'm completely
22 unaware of that policy. We have Gaming Service
23 Providers who provide construction services. We have
24 Gaming Service Providers who provide snow removal
25 services. We have Gaming Service Providers that

1 provide trash hauling services. So -- and that's for
2 every entity that exists -- a licensed entity that
3 exists and operates a casino in this Commonwealth.

4 Whether -- as long as -- if the entity
5 does business with a casino, whether they do it for
6 free or whether they do it for billions of dollars over
7 the course of years, the Board has the discretion to
8 call upon that entity to be licensed. Should the
9 Board's discretion be taken away in the manner that Mr.
10 Sklar has described, it would open the door to various
11 nefarious acts by anyone within the gaming industry and
12 would turn the Board's regulatory authority on its
13 head.

14 So while I applaud Mr. Sklar for coming up
15 with a creative argument, that interpretation is
16 completely off the mark.

17 CHAIRMAN BARASCH:

18 Okay.

19 ATTORNEY SKLAR:

20 I'm sorry. Can I just briefly respond?

21 CHAIRMAN BARASCH:

22 Not yet. Not yet. Not yet, sir.

23 ATTORNEY SKLAR:

24 Sorry.

25 CHAIRMAN BARASCH:

1 I have a question for both of you. And
2 I'll let you respond first. I would like to hear from
3 you as well, Cyrus. Is parking considered an amenity?

4 ATTORNEY PITRE:

5 If the -- if the parking is utilized by --
6 if they're leasing parking from a third party entity
7 for utilization of -- of the patrons, then, yes, the
8 Board has discretion to --

9 CHAIRMAN BARASCH:

10 So you would consider parking, regardless
11 of how it's being provided, to be an amenity that's
12 part of a casino operation?

13 ATTORNEY PITRE:

14 Any -- anything -- any agreement that a
15 licensed casino entity reaches with a third party falls
16 under the jurisdiction of the Board as to whether or
17 not the Board would require or request that that entity
18 be licensed.

19 CHAIRMAN BARASCH:

20 Okay. Yes. You can respond to that
21 question now.

22 ATTORNEY SKLAR:

23 Thank you. I don't for a second dispute
24 that the Board doesn't have jurisdiction over any
25 entity that the Board -- that a licensee does business

1 with. So I clearly agree with Cyrus that it's in the
2 Board's discretion. What I submit to you is that the
3 Board does have a policy that is currently being
4 implemented by the Bureau of Licensing where game --
5 where vendors who are providing goods and services that
6 are not in connection with the -- the operation of slot
7 machines or at the licensed facility that they are not
8 subject to licensure. That is absolutely the policy of
9 the Board. And that's what's being implemented.

10 So I would submit to you that if a vendor
11 who is providing goods or services to a hotel or to a
12 restaurant or retail area that's physically inside the
13 building but it's just not adjacent to the licensed
14 facility, they're not subject to licensure. So I would
15 submit to you that here where you have a snow removal
16 company who is not stepping foot inside the licensed
17 facility that they also should not be subject to
18 licensure.

19 CHAIRMAN BARASCH:

20 Now, with that, can you respond to the
21 narrow question I put to both of you, which is, do you
22 believe that parking is an amenity in a casino
23 operation?

24 ATTORNEY SKLAR:

25 I -- I do think it is an amenity and

1 because it is not at the licensed facility, the parking
2 amenity, similar to a hotel or to a restaurant or
3 retail area that's not adjacent -- or on or adjacent to
4 the gaming floor, that that would be treated and not
5 subject to within the definition of a Gaming Service
6 Provider.

7 CHAIRMAN BARASCH:

8 When the Mount Airy Casino submitted its
9 application, was there a requirement from this Board
10 that a certain amount of parking be provided as part of
11 their license, as part of the consideration of their
12 application?

13 ATTORNEY SKLAR:

14 I don't believe that there was a specific
15 requirement for a specific number as far as parking
16 spaces. We certainly -- certainly -- I'm sorry.

17 CHAIRMAN BARASCH:

18 You said not a specific number?

19 ATTORNEY SKLAR:

20 No. I think the way it -- it occurred was
21 in the initial application, Mount Airy described what
22 parking they were going to be providing and that was
23 the -- what took place.

24 CHAIRMAN BARASCH:

25 All right. I think there were some other

1 questions.

2 MR. FAJT:

3 Thank you, Mr. Chairman.

4 Mr. Sklar, did you make your argument that
5 N&L doesn't meet the definition of a Gaming Service
6 Provider before Hearings and Appeals?

7 ATTORNEY SKLAR:

8 I did not, Commissioner Fajt. And the
9 reason was I thought it was -- it was presumptuous of
10 me to raise it before the Hearing Officer without N&L
11 being removed from the prohibited list. Clearly, if --
12 if they're on the prohibited list, it doesn't matter
13 whether my argument or my contention you agree with or
14 not. If they're on the prohibited list, they're off
15 limits, period. It doesn't matter whether they have to
16 apply or don't have to apply. If they're on the
17 prohibited list, they're off limits, period.

18 MR. FAJT:

19 Thank you.

20 CHAIRMAN BARASCH:

21 Other -- other questions up here?

22 MR. RYAN:

23 If I can. But you agree, Mr. Sklar, it
24 would have been better -- it would be better if this
25 were -- if this issue, which is kind of important to

1 you, would be decided the way all the other issues
2 are -- I shouldn't say decided -- are dealt with,
3 correct; that is, going up through the hearing process
4 so we have a record, so we have some idea what the
5 position is on both sides? Coming here today seems a
6 little late to me to bring this up.

7 ATTORNEY SKLAR:

8 Again, I -- I apologize if -- honestly,
9 the thought process and what I said in -- before the
10 Hearing Officer and in my briefs was I thought that
11 the -- the sole issue that was -- that was ripe was
12 removal from the prohibited list. And if I should have
13 raised this, I apologize. It's my fault. I certainly
14 wasn't -- again, I just didn't want to be presumptuous
15 that, well, they're going to be removed and, therefore,
16 here's my position in terms of -- of licensure.

17 CHAIRMAN BARASCH:

18 Other questions?

19 MR. WOODS:

20 Mr. Chairman, given the discussion between
21 the parties, I would ask that the Report and
22 Recommendation issued by the OHA regarding Mount Airy
23 No. 1, LLC, and N&L Transportation, Incorporated, be
24 tabled at this time.

25 CHAIRMAN BARASCH:

1 Is that a motion?

2 MR. WOODS:

3 That is a motion.

4 MR. FAJT:

5 I'll second that motion.

6 CHAIRMAN BARASCH:

7 All in favor? Opposed?

8 ALL SAY AYE

9 CHAIRMAN BARASCH:

10 The motion carries. Thank you for your
11 time.

12 ATTORNEY COOK:

13 Mark Powell is the next Report and
14 Recommendation before the Board today. On May 14th,
15 2015, the OEC filed a Complaint to place Mr. Powell on
16 the Board's exclusion list alleging that on seven
17 occasions on March 22nd, 2015, while playing Ultimate
18 Texas Hold 'Em Poker at Harrah's Philadelphia, Mr.
19 Powell surreptitiously adjusted his wagers after seeing
20 his cards. As a result of this conduct, Mr. Powell was
21 charged criminally and ultimately pled guilty to
22 disorderly conduct.

23 A hearing in this matter was held on
24 August 12th, 2015. OEC appeared at the hearing
25 offering testimony and other evidence. Mr. Powell also

1 appeared at the hearing testifying on his own behalf,
2 essentially indicating that on the night in question he
3 was intoxicated and that was the reason for his
4 conduct.

5 Notwithstanding Mr. Powell's testimony,
6 after a hearing -- after the hearing, a Report and
7 Recommendation was issued recommending that he be
8 placed on the Board's exclusion list. And that is the
9 recommendation before the Board.

10 CHAIRMAN BARASCH:

11 Any questions from the Board? I should
12 just say whenever I ask any questions from the Board,
13 that includes you guys. Please don't be shy.

14 Okay. May I have a motion?

15 MR. FAJT:

16 Mr. Chairman I move that the Board adopt
17 the Report and Recommendation issued by the OHA
18 regarding the placement of Mark Powell on the
19 Pennsylvania Gaming Control Board Involuntary Exclusion
20 List as described by the Office of Chief Counsel.

21 MR. MCCALL:

22 Second.

23 CHAIRMAN BARASCH:

24 All in favor. Opposed?

25 ALL SAY AYE

1 CHAIRMAN BARASCH:

2 Motion carries.

3 ATTORNEY COOK:

4 The next matter before the Board is the
5 Report and Recommendation pertaining to Desean Green.
6 Mr. Green was issued a Non-Gaming Employee Registration
7 on December 3rd, 2014, and worked as a steward in the
8 restaurant at Parx Casino prior to his termination in
9 early 2015.

10 On June 18th, 2015, the Office of
11 Enforcement Counsel filed a complaint to suspend Mr.
12 Green's Non-Gaming Employee Registration after learning
13 he had been arrested and charged with several offenses
14 in two separate criminal complaints. Specifically, in
15 February of 2015, he was arrested and charged with
16 retail theft after allegedly stealing over \$200 in
17 clothing from a Walmart store. And in March of 2015,
18 he was arrested and charged criminally after
19 alleging -- allegedly engaging in a physical
20 altercation with his girlfriend.

21 Mr. Green did participate in the August
22 4th, 2015, hearing before the Board Hearing Officer.
23 During the hearing, Mr. Green acknowledged his criminal
24 charges and offered that he would not be found guilty
25 of either of the crimes. Thereafter, a Report and

1 Recommendation was issued recommending that Mr. Green's
2 permit be suspended for two weeks as OEC had requested.

3 After reviewing the evidence of record,
4 the OCC concurs with the findings of Hearing Officer
5 but recommends that the recommendation of the Hearing
6 Officer be denied and that instead Mr. Green's
7 registration be suspended and remain suspended until at
8 least the resolution of his criminal charges at which
9 time he can petition the Board to have his license
10 reinstated.

11 I would also note for the record that
12 during our review of the matter, it was determined that
13 both of these matters now have bench warrants issued
14 and Mr. Green's whereabouts are unknown.

15 CHAIRMAN BARASCH:

16 Any questions or comments from the Board?
17 May I have a motion?

18 MR. MCCALL:

19 Mr. Chairman, I move that the Board adopt,
20 in part, the Report and Recommendation issued by the
21 OHA regarding the Non-Gaming Employee Registration of
22 Desean Green. However, relative to the duration of Mr.
23 Green's suspension, I move that the suspension not be
24 for two weeks but remain in place until at least Mr.
25 Green's criminal charges are disposed of at which time

1 he can petition the Board to have the suspension
2 lifted.

3 MR. MOSCATO:

4 Second.

5 CHAIRMAN BARASCH:

6 All in favor. Opposed?

7 ALL SAY AYE

8 CHAIRMAN BARASCH:

9 Motion carries.

10 ATTORNEY COOK:

11 The next Report and Recommendation
12 pertains to Saray Windom. On June 26th, 2015, Ms.
13 Windom submitted an Application for a Gaming Employee
14 Occupation Permit seeking work as a table games dealer
15 at Sands. Ms. Windom disclosed her criminal history on
16 her application. However, based on the nature of her
17 criminal record, the OEC issued a Notice of
18 Recommendation of Denial. Specifically, Ms. Windom was
19 convicted on two separate occasions in 2006 for retail
20 theft. And in 2013, Ms. Windom was convicted for a
21 theft relative to an incident that occurred at Mohegan
22 Sun at Pocono Downs Casino. Specifically, in that
23 latter incident, she took a patron's handbag, the cash
24 in it as well as a debit card and subsequently used the
25 debit card.

1 A hearing in this matter was held on
2 September 9th, 2015. Ms. Windom appeared along with
3 the OEC and essentially testifying that she did not
4 dispute her criminal record but as she has now
5 completed all of her probation sentences, she felt that
6 she should be -- should be granted a gaming permit.

7 Notwithstanding that testimony, the Report
8 and Recommendation issued recommends that her
9 application be denied due to the nature and recency of
10 her criminal conduct.

11 CHAIRMAN BARASCH:

12 Any questions from the Board? May I have
13 a motion?

14 MR. MOSCATO:

15 Mr. Chairman, I move that the Board adopt
16 the Report and Recommendation issued by the OHA
17 regarding the Gaming Employee Occupation Permit
18 Application of Saray Windom as described by the OCC.

19 MR. RYAN:

20 Second.

21 CHAIRMAN BARASCH:

22 All in favor. Opposed?

23 ALL SAY AYE

24 CHAIRMAN BARASCH:

25 The motion is adopted.

1 ATTORNEY COOK:

2 The final Report and Recommendation before
3 the Board today pertains to Nicholas Yem. And I
4 believe Mr. Yem may be present.

5 If he would like to address the Board, I
6 would ask him to come forward.

7 On May 20th, 2015, Mr. Yem submitted an
8 application seeking work as a table games dealer at
9 Harrah's Philadelphia. In June of 2015, the OEC issued
10 a notice recommending that Mr. Yem's application be
11 denied given he was convicted of drug related offenses
12 during April of 2015.

13 A hearing in this matter was held on July
14 28th. Both the OEC and Mr. Yem appeared at the
15 hearing. OEC presented evidence showing that Mr. Yem
16 pled guilty to one count of manufacture, delivery, or
17 possession with intent to manufacture or deliver
18 approximately 1 1/2 pounds of marijuana and was
19 sentenced to five years of probation.

20 Mr. Yem testified on his own behalf
21 expressing remorse for his actions stating that he is
22 working with an after-school program for young children
23 per the terms of his court-ordered community service
24 and that he has successfully passed at least one drug
25 screen.

1 Notwithstanding Mr. Yem's rehabilitative
2 efforts, a Report and Recommendation was subsequently
3 issued recommending that his application be denied
4 given the recency of his criminal conviction.

5 As indicated, Mr. Yem is present.

6 CHAIRMAN BARASCH:

7 Good morning, Mr. Yem.

8 MR. YEM:

9 Good morning, sir. How's it going?

10 CHAIRMAN BARASCH:

11 Just fine. Would you please stand and be
12 sworn?

13 -----
14 NICHOLAS YEM, HAVING FIRST BEEN DULY SWORN, TESTIFIED
15 AS FOLLOWS:
16 -----

17 CHAIRMAN BARASCH:

18 Would you state your name for the record
19 and spell it for the court reporter?

20 MR. YEM:

21 Nicholas Yem, N-I-C-H-O-L-A-S, Y-E-M.

22 CHAIRMAN BARASCH:

23 Thank you. Do you have some comments,
24 sir?

25 MR. YEM:

1 I just wanted to say that I regret what
2 I've done. I wasn't thinking at the time. I was
3 just -- I realized I was having a newborn and that I
4 was looking for a quick way to make some money for her.
5 But then when I -- when she was born and my incident
6 happened in December, like, I thought about it like it
7 wasn't worth it. And now that I'm -- I'm a single
8 father for almost eight months. And I'm living off of
9 my parents' allowance. And that's how I'm raising her.
10 And I've been job hunting and putting in applications
11 all over but no luck yet. And I've just been hoping
12 that I get a chance to work at the casino. But it's
13 something that I see, like, family, you know, they go
14 there. And they say it's fun. And I like to play
15 cards at the house and enjoy time with my baby.

16 CHAIRMAN BARASCH:

17 I think we lost sound?

18 MR. YEM:

19 Hello.

20 CHAIRMAN BARASCH:

21 Oh, no, we didn't. That's fine.

22 MR. YEM:

23 And right now just I'm struggling trying
24 like -- even though my mom and dad is helping me,
25 they're struggling. And an allowance every week isn't

1 enough, because that's only -- that can only take care
2 of maybe, like, diapers and milk and clothes. I have,
3 like -- that's all I can say.

4 CHAIRMAN BARASCH:

5 Just so I understand, what is the status
6 of -- of the criminal case against you at the moment?

7 MR. YEM:

8 Right now is I'm on probation serving my
9 five-year sentence.

10 CHAIRMAN BARASCH:

11 A five-year probation you said?

12 MR. YEM:

13 Yes.

14 CHAIRMAN BARASCH:

15 I see. Are there questions of any of the
16 board in this matter?

17 MR. FAJT:

18 Thank you, Mr. Chairman.

19 Steve, what was the -- what's the recency
20 of the conviction again?

21 ATTORNEY COOK:

22 I believe the actual conviction was in
23 April, this past April.

24 MR. FAJT:

25 Past April. Mr. Yem, do you have any

1 other brushes with the law?

2 MR. YEM:

3 No. I've been good since.

4 MR. FAJT:

5 This is one incident?

6 MR. YEM:

7 Yes.

8 CHAIRMAN BARASCH:

9 When were you arrested?

10 MR. YEM:

11 I believe December 5th of 2014.

12 CHAIRMAN BARASCH:

13 Is there a motion?

14 MR. RYAN:

15 Mr. Chairman, I move that the Board adopt
16 the Report and Recommendation issued by the OHA
17 regarding the Gaming Employee Occupation Permit
18 Application of Nicholas Yem as described by the OCC.

19 CHAIRMAN BARASCH:

20 Is there a second?

21 MR. WOODS:

22 Second.

23 CHAIRMAN BARASCH:

24 All in favor. All opposed?

25 ALL SAY AYE

1 CHAIRMAN BARASCH:

2 Motion passes. I'm sorry, Mr. Yem.

3 MR. YEM:

4 Okay.

5 MR. FAJT:

6 Mr. Chairman, just a point before Mr. Yem
7 leaves.

8 Mr. Yem, I can only speak for myself. But
9 my vote is, you know, I'm happy to see you here. I
10 believe you. But this Board historically looks at the
11 recency of offenses. And -- and when they occur, you
12 know, within the last year or two of when somebody
13 appears before the Board and depending on the severity
14 of the offense, you know, we typically do not permit
15 re-licensure. And a pound and a half of marijuana is a
16 lot of marijuana. And that is a significant offense in
17 my mind. But I will say to you that, you know, with
18 some passage of time, if you came back before the
19 Board, I might be willing to change my vote. But as it
20 sits today, the offense is just too recent.

21 MR. YEM:

22 Okay.

23 CHAIRMAN BARASCH:

24 Other comments? Thank you very much for
25 coming.

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MR. YEM:

Thank you. Have a good one.

ATTORNEY SHERMAN:

And that concludes the matters of the Office of Chief Counsel.

CHAIRMAN BARASCH:

Thank you very much. The Office of Licensing.

MR. HENSEL:

Thank you, Chairman Barasch and members of the Board.

Before the Board today will be motions regarding one Slot Machine Operator Renewal License, two gaming junket enterprises, 691 Principal, Key, Gaming and Non-Gaming Employee Applicants. In addition, there will be the consideration of 20 Gaming Service Provider Applications.

The first matter for your consideration is the renewal of the Holdings Acquisition Co., LP, Category 2 license. The license renewal hearing process for this entity is now complete. In addition, the Bureau of Investigations and Enforcement has completed its investigation of the company. And the Bureau of Licensing has provided you with a Background Investigation and Suitability Report. As a result, the

1 license renewal is ready for your consideration.

2 I have provided you with a draft Order for
3 this entity and ask that the Board consider the Order
4 to renew the Category 2 License for Holdings
5 Acquisition Co., LP.

6 ATTORNEY PITRE:

7 Enforcement counsel has no objection.

8 CHAIRMAN BARASCH:

9 Any questions or comments from the Board?
10 May I have a motion, please?

11 MR. WOODS:

12 Mr. Chairman, I move that the Board
13 approve the renewal of Holdings Acquisition Co., LP's,
14 Category 2 License as described by the Bureau of
15 Licensing.

16 MR. FAJT:

17 Second.

18 CHAIRMAN BARASCH:

19 All in favor. All opposed?

20 ALL SAY AYE

21 CHAIRMAN BARASCH:

22 Motion is adopted.

23 MR. HENSEL:

24 Next is an Application for a Gaming Junket
25 Enterprise License for Gaimari Gaming Group, LLC.

1 Gaimari Gaming Group, LLC, is a New Jersey-based junket
2 business. The Bureau of Investigations and Enforcement
3 has completed its investigation of the company. And
4 the Bureau of Licensing has provided you with a
5 Background Investigation and Suitability Report. I
6 have provided you with an Order and ask that the Board
7 consider the approval of a license for Gaimari Gaming
8 Group, LLC.

9 ATTORNEY PITRE:

10 Enforcement counsel has no objection.

11 CHAIRMAN BARASCH:

12 Questions or comments from the Board? May
13 I have a motion?

14 MR. FAJT:

15 Mr. Chairman, I move that the Board
16 approve the Gaming Junket Enterprise License of Gaimari
17 Gaming Group, LLC, as described by the Bureau of
18 Licensing.

19 MR. MCCALL:

20 Second.

21 CHAIRMAN BARASCH:

22 All in favor. All opposed?

23 ALL SAY AYE

24 CHAIRMAN BARASCH:

25 Motion passes.

1 MR. HENSEL:

2 In addition, there is an application for a
3 Conditional Gaming Junket Enterprise License for
4 Ghazwan Arabo. Ghazwan Arabo is a Nevada-based junket
5 business. Pursuant to the Board's Statement of Policy,
6 the Board may issue a Conditional Gaming Junket
7 Enterprise License provided the applicant meet certain
8 criteria, including the submission of a completed
9 application, being licensed in good standing in a
10 gaming jurisdiction whose licensing standards are
11 recognized by the Board, and passing a preliminary
12 review. This company satisfies the criteria for
13 conditional licensure.

14 The Bureau of Licensing has provided you
15 with a Conditional Background Investigation and
16 Suitability Report for this applicant. I have provided
17 you with a draft Order and ask that the Board consider
18 the approval of a conditional license for Ghazwan
19 Arabo.

20 ATTORNEY PITRE:

21 Enforcement counsel has no objection.

22 CHAIRMAN BARASCH:

23 Questions from the Board? May I have a
24 motion, please?

25 MR. MCCALL:

1 I move that the Board approve the
2 Conditional Gaming Junket Enterprise License of Ghazwan
3 Arabo as described by the Bureau of Licensing.

4 MR. MOSCATO:

5 Second.

6 CHAIRMAN BARASCH:

7 All in favor? All opposed?

8 ALL SAY AYE

9 CHAIRMAN BARASCH:

10 Motion passes.

11 MR. HENSEL:

12 Also for your consideration is the
13 approval of Key Employee Licenses. Prior to this
14 meeting the Bureau of Licensing provided you with a
15 Proposed Order for two Key Employee Licenses. I ask
16 that the Board consider the Order approving these
17 licenses.

18 ATTORNEY PITRE:

19 Enforcement counsel has no objection.

20 CHAIRMAN BARASCH:

21 Questions from the Board? May I have
22 motion, please?

23 MR. MOSCATO:

24 Mr. Chairman, I move that the Board
25 approve the issuance of Key Employee Licenses as

1 described by the Bureau of Licensing.

2 MR. RYAN:

3 Second.

4 CHAIRMAN BARASCH:

5 All in favor? All opposed?

6 ALL SAY AYE

7 CHAIRMAN BARASCH:

8 Motion is adopted.

9 MR. HENSEL:

10 Next are Temporary Principal and Key
11 Employee Licenses. Prior to this meeting, the Bureau
12 of Licensing provided you with an Order regarding the
13 issuance of temporary licenses for three Principal and
14 eleven Key Employees. I ask that the Board consider
15 the Order approving these licenses.

16 ATTORNEY PITRE:

17 Enforcement counsel has no objection.

18 CHAIRMAN BARASCH:

19 Questions from the board? May I have a
20 motion?

21 MR. RYAN:

22 Mr. Chairman, I move that the Board
23 approve the issuance of Temporary Principal and Key
24 Employees Credentials as described by the Bureau of
25 Licensing.

1 MR. WOODS:

2 Second.

3 CHAIRMAN BARASCH:

4 All in favor? All opposed?

5 ALL SAY AYE

6 CHAIRMAN BARASCH:

7 Motion passes.

8 MR. HENSEL:

9 There are also gaming permits and
10 non-gaming registrations for your consideration. Prior
11 to this meeting, the Bureau of Licensing provided you
12 with a list of 482 individuals to whom the Bureau has
13 granted temporary or full occupation permits and 171
14 individuals to whom the Bureau has granted
15 registrations under the authority delegated to the
16 Bureau of Licensing. I ask that the Board consider a
17 motion approving the Order.

18 ATTORNEY PITRE:

19 Enforcement counsel has no objection.

20 CHAIRMAN BARASCH:

21 Questions from the Board? May I have a
22 motion?

23 MR. WOODS:

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

1 Non-Gaming Employee Registrations as described by the
2 Bureau of Licensing.

3 MR. FAJT:

4 Second.

5 CHAIRMAN BARASCH:

6 All in favor? All opposed?

7 ALL SAY AYE

8 CHAIRMAN BARASCH:

9 Motion passes.

10 MR. HENSEL:

11 Next there are recommendations of denial
12 for five gaming and three non-gaming employee
13 applicants. In each case, the applicant failed to
14 request a hearing within the specified time period.
15 The Bureau of Licensing has provided you with Orders
16 addressing these applicants who the Office of
17 Enforcement Counsel has recommended for denial. I ask
18 that the Board consider a motion approving the denials.

19 ATTORNEY PITRE:

20 Enforcement counsel continues to request
21 denial in each matter.

22 CHAIRMAN BARASCH:

23 Questions or comments from the Board? May
24 I have a motion?

25 MR. FAJT:

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

4 MR. MCCALL:

5 Second.

6 CHAIRMAN BARASCH:

7 All in favor? All opposed?

8 ALL SAY AYE

9 CHAIRMAN BARASCH:

10 Motion passes.

11 MR. HENSEL:

12 Also for your consideration are withdrawal
13 requests for gaming employees. In each case, the
14 permit is no longer required. For today's meeting, I
15 have provided the Board with a list of 14 gaming
16 employee withdrawals for approval. I ask that the
17 Board consider the Order approving the list of
18 withdrawals.

19 ATTORNEY PITRE:

20 Enforcement counsel has no objection.

21 CHAIRMAN BARASCH:

22 Questions or comments from the Board? May
23 I have a motion?

24 MR. MCCALL:

25 Mr. Chairman, I move that the Board

1 approve the withdrawals as described by the Bureau of
2 Licensing.

3 MR. MOSCATO:

4 Second.

5 CHAIRMAN BARASCH:

6 All in favor? All opposed?

7 ALL SAY AYE

8 CHAIRMAN BARASCH:

9 Motion is adopted.

10 MR. HENSEL:

11 Finally, for your consideration are Gaming
12 Service Provider Registrations. The Bureau of
13 Licensing provided you with an Order and an attached
14 list of 20 registered Gaming Service Provider
15 Applicants. And I ask that the Board consider the
16 Order registering these Gaming Service Providers.

17 ATTORNEY PITRE:

18 Enforcement Counsel has no objection.

19 CHAIRMAN BARASCH:

20 Comments, questions from the Board? May I
21 have a motion?

22 MR. RYAN:

23 Mr. Chairman, I move that the Board issue
24 an Order to approve the applications for Gaming Service
25 Provider Registration as described by the Bureau of

1 Licensing.

2 MR. WOODS:

3 Second.

4 CHAIRMAN BARASCH:

5 All in favor? All opposed?

6 ALL SAY AYE

7 CHAIRMAN BARASCH:

8 Motion is adopted. Thank you, Susan.

9 MR. HENSEL:

10 Thank you.

11 CHAIRMAN BARASCH:

12 Office of Enforcement Counsel.

13 ATTORNEY PITRE:

14 Good morning, Mr. Chairman -- it's still
15 morning -- members of the Board. I'm Cyrus Pitre,
16 P-I-T-R-E, Chief Enforcement Counsel. The Office of
17 Enforcement Counsel will present 20 matters for the
18 Board's consideration today consisting of 3 consent
19 agreements, 9 revocations, and 8 involuntary
20 exclusions.

21 The first three OEC matters on the agenda
22 are consent agreements that have been entered into by
23 the -- negotiated by the OEC. And those matters will
24 be presented by Assistant Enforcement Counsel Cassandra
25 Fenstermaker.

1 ATTORNEY FENSTERMAKER:

2 Good morning, Chairman Barasch, members of
3 the Board. I'm Cassandra Fenstermaker,
4 F-E-N-S-T-E-R-M-A-K-E-R, Assistant Enforcement Counsel
5 with the OEC.

6 Here today on behalf of Chester Downs and
7 Marina, LLC, doing business as Harrah's Philadelphia
8 Casino and Racetrack, are Bill Downey and Lynne Hughes.

9 First, we have for your consideration
10 today a consent agreement between Harrah's and the OEC
11 regarding a failure by Harrah's personnel to properly
12 address automatic shuffler error messages which
13 resulted in the table game play at a blackjack table
14 being compromised.

15 On March 7th, 2015, a table games dealer
16 opened Blackjack Table BJ402 with a blue deck of cards
17 and a red deck of cards. Following the dealer's
18 initial attempt to shuffle the blue deck, the automatic
19 shuffler indicated an error. The table games
20 supervisor assigned to BJ402 attempted to reshuffle the
21 cards in the automatic shuffler two more times without
22 success. The blue deck was then placed into play
23 without the error being addressed and without the cards
24 being counted.

25 When the red deck was placed in the same

1 shuffler, the error light appeared again. After two
2 more unsuccessful attempts to shuffle the red deck
3 using the automatic shuffler, the red deck was counted;
4 and all cards were accounted for. At this point, the
5 issue was determined to be with the shuffler itself;
6 and it was replaced.

7 The shuffler continued to indicate an
8 error with the blue deck, even when placed in the new
9 shuffler. Despite the error messages, the blue deck
10 was placed into play two more times before the cards
11 were counted.

12 The blue cards were eventually counted,
13 and it was determined that one card was missing. The
14 missing card was discovered stuck in the shuffler which
15 had been removed from BJ402 more than three hours
16 before. The blue deck was in play for approximately
17 3.5 hours before the missing card was discovered.

18 Harrah's surveillance conducted a review
19 to determine affected players and returned a total of
20 \$375 to those players.

21 The table games supervisors who failed to
22 properly address the shuffler problems were both
23 terminated as a result of the incident.

24 Based on the violations associated with
25 the incident, the OEC and Harrah's entered into a

1 consent agreement wherein Harrah's agreed to pay a
2 civil penalty in the amount \$15,000 and administrative
3 fees in the amount of \$2,500 in connection with costs
4 incurred by Board staff related to this matter.

5 The OEC requests that the Board approve
6 the consent agreement as presented today. And if you
7 have any questions, we would be happy to answer them.

8 CHAIRMAN BARASCH:

9 Any comments from Chester Downs?

10 ATTORNEY DOWNEY:

11 Good morning, Mr. Chairman. Bill Downey,
12 D-O-W-N-E-Y, for Harrah's Chester Downs and Marina,
13 LLC, doing business as Harrah's Philadelphia. With me
14 today are Charles O'Hala, who is the freshly minted
15 Vice President of Human Resources and Community
16 Relations. And to his left is N. Lynne Hughes, who is
17 Chief Counsel -- VP and Chief Counsel for the eastern
18 region.

19 Mr. Chairman, we -- we concur in the
20 recitation of facts presented by OEC. And we're
21 prepared to answer any questions the Board may have.

22 CHAIRMAN BARASCH:

23 Are there any questions or comments from
24 the Board? May I have a motion?

25 MR. WOODS:

1 Mr. Chairman, I move that the Board issue
2 an Order to approve the consent agreement between the
3 OEC and Chester Downs and Marina, LLC as described by
4 the OEC.

5 MR. FAJT:

6 Second.

7 CHAIRMAN BARASCH:

8 All in favor? All opposed?

9 AYES RESPOND

10 CHAIRMAN BARASCH:

11 Motion is adopted.

12 ATTORNEY FENSTERMAKER:

13 Thank you. The second consent agreement
14 we have between Harrah's and the OEC is regarding
15 Harrah's employment of an individual who is not
16 licensed by the Board.

17 R.P. applied for a G2 Employee Permit in
18 August of 2014. After a preliminary investigation, she
19 was granted G2 temporary credentials to allow her to
20 begin working as a Table Games Supervisor while BIE
21 conducted a complete background investigation. On
22 March 7th, 2015, R.P. was suspended from her employment
23 with Harrah's pending investigation following an
24 underage incident at the facility.

25 On March 10th, 2015, Harrah's filed a form

1 requesting that R.P.'s G2 Employee Permit Application
2 be withdrawn.

3 On March 13th, 2015, R.P. was permitted to
4 return to work. However, Harrah's did not retract the
5 withdrawal request. And her application was formally
6 withdrawn by the Board on April 20th, 2015.

7 On May 20th, 2015, during the Bureau of
8 Licensing's review of Harrah's active employee roster,
9 the Bureau of Licensing noted that R.P. was listed as
10 an active employee. R.P. was paid for 16 days between
11 the date of the withdrawal of -- R.P.'s application was
12 formally withdrawn by the Board and the date that the
13 Bureau of Licensing determined she was an active
14 employee.

15 The OEC and Harrah's entered into a
16 consent agreement wherein Harrah's agreed to pay a
17 civil penalty in the amount of \$7,500 and
18 administrative fees in the amount \$2,500 in connection
19 with the costs incurred with this matter.

20 Again, the OEC requests that the consent
21 agreement be approved as presented today. And if you
22 have any questions, we'd be happy to answer them.

23 CHAIRMAN BARASCH:

24 Any comments from Chester?

25 ATTORNEY DOWNEY:

1 Thank you, Mr. Chairman. Again, Bill
2 Downey, D-O-W-N-E-Y, for Chester Downs and Marina, LLC,
3 doing business as Harrah's Philadelphia. Remaining
4 with me are Mr. O'Hala and Ms. Hughes. And we're
5 prepared to answer any questions the Board may have.

6 CHAIRMAN BARASCH:

7 Are there any questions from the Board?
8 May I have a motion?

9 MR. FAJT:

10 Mr. Chairman, I move that the Board issue
11 an Order to approve the consent agreement between the
12 OEC and Chester Downs and Marina, LLC, as described by
13 the OEC.

14 MR. MCCALL:

15 Second.

16 CHAIRMAN BARASCH:

17 All in favor? All opposed?

18 ALL SAY AYE

19 CHAIRMAN BARASCH:

20 Motion passes. Thank you very much.

21 ATTORNEY DOWNEY:

22 Thank you.

23 ATTORNEY FENSTERMAKER:

24 Next we have for your consideration a
25 consent agreement between the OEC and Jaimmy Chun, who

1 holds a Non-Gaming Employee Registration.

2 In January of 2015, Jaimmy Chun was issued
3 a Non-Gaming Employee Registration for an
4 administrative position -- an administrative assistant
5 position at Harrah's.

6 On July 29th, 2015, by and through her
7 attorney, she disclosed that she had entered a guilty
8 plea in the United States Court for the Eastern
9 District of Pennsylvania to the following felony
10 charges: Trafficking in counterfeit goods, wire fraud,
11 and conspiracy to trafficking in counterfeit goods and
12 wire fraud.

13 As a result of the convictions, on August
14 4th, 2015, Ms. Chun's Non-Gaming Employee Registration
15 was suspended on an emergency basis.

16 Following discussions with Ms. Chun's
17 attorney, she entered into a consent agreement with the
18 OEC in which she agrees to the revocation of her
19 Non-Gaming Employee Registration.

20 If the consent agreement is approved, the
21 emergency suspension will be moot and the revocation of
22 her Non-Gaming Employee Registration will prohibit her
23 from reapplying for licensure with the Board for a
24 period of five years.

25 As a result, the OEC requests that the

1 consent agreement be approved as presented. And if you
2 have any questions, I would be happy to answer them.

3 CHAIRMAN BARASCH:

4 Questions or comments from the Board? May
5 I have motion?

6 MR. MCCALL:

7 Mr. Chairman, I move the Board issue an
8 Order to approve the consent agreement between the OEC
9 and Jaimmy Chun as described by the OEC.

10 MR. MOSCATO:

11 Second.

12 CHAIRMAN BARASCH:

13 All in favor? All opposed?

14 AYES RESPOND

15 CHAIRMAN BARASCH:

16 Motion is adopted.

17 ATTORNEY PITRE:

18 The next nine matters on the agenda
19 consist of enforcement actions in which the Office of
20 Enforcement has filed a complaint seeking the
21 revocation of registrations or permits to individuals
22 licensed by the Board. Each complaint has been filed
23 with the Board's Office of Hearings and Appeal and
24 properly served upon the individuals named in the
25 complaint. The individual -- individuals named in the

1 complaints failed to respond within 30 days as required
2 by the Board regulation. As a result, the OEC filed a
3 Request for Default Judgment in each matter and served
4 the same upon each named individual. Thereby, the
5 facts in each complaint are deemed admitted. All filed
6 documents have been provided to the Board. And the
7 matters are presently ripe for Board consideration.

8 In each matter, we'll present a brief
9 summation of the facts and request the appropriate
10 Board action.

11 ATTORNEY FENSTERMAKER:

12 First, we have for your consideration a
13 complaint filed against Leland Garrett, Sr., requesting
14 the revocation of his Gaming Employee Permit for
15 failure to become complaint with the Department of
16 Revenue and for his failure to cooperate with the
17 Bureau of Investigations and Enforcement (BIE). His
18 license is currently suspended as a result of the same
19 issues. The OEC requests that Leland Garrett, Sr.'s,
20 Gaming Employee Permit be revoked.

21 CHAIRMAN BARASCH:

22 Any questions from the Board? May I have
23 a motion, please?

24 MR. MOSCATO:

25 Mr. Chairman, I move that the Board issue

1 an Order to approve the revocation of Leland Garrett,
2 Sr's, Gaming Employee Occupation Permit as described by
3 the OEC.

4 MR. RYAN:

5 Second.

6 CHAIRMAN BARASCH:

7 All in favor? All opposed?

8 ALL SAY AYE

9 CHAIRMAN BARASCH:

10 Motion is adopted.

11 ATTORNEY FENSTERMAKER:

12 Next we have for your consideration a
13 complaint filed against Frank Romano, Jr., requesting
14 the revocation of his Non-Gaming Employee Registration.
15 Mr. Romano was observed stealing gift cards from
16 Harrah's marketing department while employed at the
17 facility. The OEC requests that Frank Romano, Jr.'s,
18 Non-Gaming Employee Registration be revoked.

19 CHAIRMAN BARASCH:

20 Questions from the Board? May I have a
21 motion?

22 MR. RYAN:

23 Mr. Chairman, I move that the Board issue
24 an Order to approve the revocation of Frank Romano,
25 Jr.'s, Non-Gaming Employee Registration as described by

1 the OEC.

2 MR. WOODS:

3 Second.

4 CHAIRMAN BARASCH:

5 All in favor? All opposed?

6 AYES RESPOND

7 CHAIRMAN BARASCH:

8 Motion is adopted.

9 ATTORNEY FENSTERMAKER:

10 We have for your consideration a complaint
11 filed against Eric Thoumma requesting the revocation of
12 his Gaming Employee Permit. While employed as a dealer
13 at Harrah's, Mr. Thoumma was observed relocating and/or
14 instructing a patron to relocate dealer bets placed by
15 that patron. At this time, the OEC requests that Mr.
16 Thoumma's Gaming Employee Permit be revoked.

17 CHAIRMAN BARASCH:

18 Questions or comments from the Board? May
19 I have a motion?

20 MR. WOODS:

21 Mr. Chairman, I move that the Board issue
22 an Order to approve the revocation of Eric Thoumma's
23 Gaming Employee Occupation Permit as described by the
24 OEC.

25 MR. FAJT:

1 Second.

2 CHAIRMAN BARASCH:

3 All in favor? All opposed?

4 ALL SAY AYE

5 CHAIRMAN BARASCH:

6 Motion is adopted.

7 ATTORNEY MILLER:

8 Good morning, Chairman Barasch, members of
9 the Board. Dustin Miller on behalf of the OEC.

10 The next matter today is a request for
11 revocation involving Rathana San. Mr. San was employed
12 as a table games dual rate dealer at Parx Casino. The
13 OEC filed an enforcement complaint to revoke Mr. San's
14 G2 Employee Permit for giving a patron of Parx Casino a
15 falsified player rating on January 21st, 2015. Mr. San
16 was terminated by Parx Casino on January 26th, 2015,
17 for his actions. Mr. San is not currently employed by
18 any Pennsylvania casino facility.

19 At this time, the OEC would ask the Board
20 to consider the revocation of Rathana San's G2 Employee
21 Permit.

22 CHAIRMAN BARASCH:

23 Questions or comments from the Board? May
24 I have a motion?

25 MR. FAJT:

1 Mr. Chairman, I move that the Board issue
2 an Order to approve the revocation of Rathana San's G2
3 Employee Occupation Permit as described by the OEC.

4 MR. MCCALL:

5 Second.

6 CHAIRMAN BARASCH:

7 All in favor? All opposed?

8 ALL SAY AYE

9 CHAIRMAN BARASCH:

10 Motion is adopted.

11 ATTORNEY TEPPER:

12 Good morning, Chairman Barasch, members of
13 the Board. David Tepper, T-E-P-P-E-R, Assistant
14 Enforcement Counsel with the OEC.

15 Today for your consideration is a
16 complaint to revoke the Gaming Employee Permit of
17 Nicholas Leive. Mr. Leive stole and pawned jewelry
18 from his sister in order to purchase heroin. He's been
19 criminally charged and convicted in this matter. And
20 at this point in time, the OEC requests that the Board
21 remove Mr. Leive's Gaming Employee Permit.

22 CHAIRMAN BARASCH:

23 Questions from the Board? May I have a
24 motion?

25 MR. MCCALL:

1 Mr. Chairman, I move the Board issue an
2 Order to approve the revocation of Nicholas R. Leive's
3 Gaming Employee Occupation Permit as described by the
4 OEC.

5 MR. MOSCATO:

6 Second.

7 CHAIRMAN BARASCH:

8 All in favor? All opposed?

9 ALL SAY AYE

10 CHAIRMAN BARASCH:

11 Motion is adopted.

12 ATTORNEY ADAMS:

13 Good morning, Chairman Barasch, members of
14 the Board. Kim Adams with the OEC.

15 The next matter for your consideration is
16 the revocation of Sandra Fisher's G2 Employee Permit.
17 While employed as a cage supervisor at Rivers Casino,
18 Ms. Fisher falsified a prize redemption form by signing
19 the patron's name on the form instead of having the
20 patron sign it. Ms. Fisher was terminated from Rivers.
21 No criminal charges were filed.

22 At this time, the Office of Enforcement
23 Counsel is requesting the Board revoke Ms. Fisher's G2
24 Employee Permit.

25 CHAIRMAN BARASCH:

1 Questions from the Board? May I have a
2 motion, please?

3 MR. MOSCATO:

4 Mr. Chairman, I move that the Board issue
5 an Order to approve the revocation of Sandra Fisher's
6 G2 Employee Occupation Permit as described by the
7 Office of Enforcement Counsel.

8 MR. RYAN:

9 Second.

10 CHAIRMAN BARASCH:

11 All in favor? All opposed?

12 ALL SAY AYE

13 CHAIRMAN BARASCH:

14 Motion is adopted.

15 ATTORNEY ADAMS:

16 The next item for the Board's
17 consideration is the revocation of Douglas Price's G2
18 Employee Permit. While employed as a poker dealer at
19 Rivers, Mr. Price was removing chips from his chip rack
20 and placing the chips in his tote box. He would then
21 fail to cash out all of his totes at the end of the
22 shift. It was discovered during a two-week period that
23 Mr. Price removed his tote box from the casino and took
24 approximately \$785 from his tote box. Mr. Price was
25 terminated from Rivers and criminally charged. The

1 charges have been resolved.

2 And the OEC is requesting the Board revoke
3 Mr. Price's G2 Employee Permit.

4 CHAIRMAN BARASCH:

5 Questions from the Board? May I have a
6 motion?

7 MR. RYAN:

8 Mr. Chairman, I move that the Board issue
9 an Order to approve the revocation of Douglas Price's
10 G2 Employee Occupation Permit as described by the OEC.

11 MR. WOODS:

12 Second.

13 CHAIRMAN BARASCH:

14 All in favor? All opposed?

15 ALL SAY AYE

16 CHAIRMAN BARASCH:

17 Motion is adopted.

18 ATTORNEY ADAMS:

19 The next matter for the Board's
20 consideration is the revocation of Kara -- Kara
21 Yanosick's Gaming Employee Permit. While employed as a
22 table games dealer at Rivers Casino, it was discovered
23 that Ms. Yanosick was cheating and/or colluding with a
24 patron while she was dealing blackjack. She was
25 terminated by Rivers and criminally charged along with

1 the patron. It was alleged the two of them stole
2 approximately \$49,875. Her charges are still pending.
3 And the OEC is requesting the Board revoke Ms.
4 Yanosick's Gaming Employee Permit.

5 CHAIRMAN BARASCH:

6 Questions from the Board? May I have a
7 motion?

8 MR. WOODS:

9 Mr. Chairman, I move that the Board
10 approve an issue -- or, Mr. Chairman, I move that the
11 Board issue an Order to approve the revocation of Kara
12 Yanosick's Gaming Employee Occupation Permit as
13 designed by the OEC.

14 MR. FAJT:

15 Second.

16 CHAIRMAN BARASCH:

17 All in favor? All opposed?

18 ALL SAY AYE

19 CHAIRMAN BARASCH:

20 Motion is adopted.

21 ATTORNEY ROLAND:

22 Good morning, Mr. Chairman, members of the
23 Board. Michael Roland, R-O-L-A-N-D, with the OEC.

24 The next matter we have is a request to
25 revoke the Non-Gaming Employee Registration of Brian

1 Morykan. Mr. Morykan held the position of a bartender
2 at Sands Casino. And while working over a six-month
3 period, he incorrectly charged patrons for drinks in
4 order to increase his tip payouts. Sands surveillance
5 department was able to confirm the theft of at least
6 \$136. Mr. Morykan was charged by the state police with
7 retail theft. And that criminal charge remains
8 pending.

9 The matter is now before the Board to
10 consider the revocation of the Non-Gaming Employee
11 Registration of Brian Morykan.

12 CHAIRMAN BARASCH:

13 Any questions from the Board? May I have
14 a motion?

15 MR. FAJT:

16 Mr. Chairman, I move that the Board issue
17 an Order to approve the revocation of Brian Morykan's
18 Non-Gaming Employee Registration as described by the
19 OEC.

20 MR. MCCALL:

21 Second.

22 CHAIRMAN BARASCH:

23 All in favor? All opposed?

24 ALL SAY AYE

25 CHAIRMAN BARASCH:

1 Motion is adopted.

2 ATTORNEY PITRE:

3 The remaining matters on the agenda
4 consist of enforcement actions in which the OEC has
5 filed petitions seeking the involuntarily exclusion of
6 individuals whose presence in a licensed facility are
7 inimical to the interests of the Commonwealth and
8 gaming therein.

9 In each instance, the Petition for
10 Exclusion has been filed with the Office -- the Board's
11 Office of Hearings and Appeal and properly served upon
12 the individual named in the petition. The individual
13 named in the petition failed to respond within 30 days
14 as required by Board regulation. As a result the OEC
15 filed a Request for Default Judgment in each instance
16 and properly served the same upon each individual.
17 Thereby, all facts are deemed admitted -- in the
18 petition are deemed admitted.

19 All filed documents have been provided to
20 the Board. And the matters are presently ripe for
21 Board consideration. Again, we'll read a brief
22 summation of the facts and request the appropriate
23 Board action.

24 ATTORNEY TEPPER:

25 First, for your consideration is a

1 petition to place Kyron Sapp on the Board's exclusion
2 list. In November 2014, Mr. Sapp added and abetted an
3 underage individual to place wagers at Mount Airy
4 Casino. Mr. Sapp then assaulted this individual as
5 they exited -- or immediately after they exited the
6 gaming floor. Mr. Sapp was criminally charged and
7 convicted in this matter.

8 And at this point in time, the OEC
9 requests Kyron Sapp be placed on the Board's exclusion
10 list.

11 CHAIRMAN BARASCH:

12 Questions from the Board members? May I
13 have a motion?

14 MR. MOSCATO:

15 Mr. Chairman, I move that the Board issue
16 an Order to approve the addition of Kyron Sapp to the
17 PGCB Involuntary Exclusion List as described by the
18 OEC.

19 MR. RYAN:

20 Second.

21 CHAIRMAN BARASCH:

22 All in favor? All opposed?

23 AYES RESPOND

24 CHAIRMAN BARASCH:

25 Motion is adopted.

1 ATTORNEY CROHE:

2 Good morning, Chairman, members of the
3 Board. John Crohe, C-R-O-H-E, for the OEC.

4 The next matter before the Board is a
5 request to exclude Jack Moran who gained access to the
6 gaming floor at Hollywood Casino while only 19 years of
7 age. Mr. Moran was evicted from Hollywood Casino and
8 subsequently pled guilty to defiant trespass.

9 The OEC now requests that the Board place
10 Jack Moran on the Board's excluded person list.

11 CHAIRMAN BARASCH:

12 Questions from the Board? May I have a
13 motion?

14 MR. RYAN:

15 Mr. Chairman, I move that the Board issue
16 an Order to approve the addition of Jack Moran to the
17 PGCB Involuntary Exclusion List as described by the
18 OEC. I further move that Mr. Moran may petition to be
19 removed from the Involuntary Exclusion List anytime
20 after his 22nd birthday.

21 MR. WOODS:

22 Second.

23 CHAIRMAN BARASCH:

24 All in favor? All opposed?

25 ALL SAY AYE

1 CHAIRMAN BARASCH:

2 Motion is adopted.

3 ATTORNEY MANIFESTO:

4 Beth Manifesto on behalf of OEC,
5 presenting a petition to place Otabek, O-T-A-B-E-K,
6 Shakirov, S-H-A-K-I-R-O-V, on the Board's Involuntary
7 Exclusion List. On October 18th of 2014, Mr. Shakirov
8 past posted three bets at Rivers Casino. Security did
9 observe this. And when he was questioned, he admitted
10 to his behavior.

11 At this time, we would request that he
12 part of the Board's Involuntary Exclusion List.

13 CHAIRMAN BARASCH:

14 Any questions from the Board? May I have
15 a motion?

16 MR. WOODS:

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

21 MR. FAJT:

22 Second.

23 CHAIRMAN BARASCH:

24 All in favor? All opposed?

25 AYES RESPOND

1 CHAIRMAN BARASCH:

2 Motion is adopted.

3 ATTORNEY ROLAND:

4 The next matter is a request to place
5 Lolita Houser on the Involuntary Exclusion List. Ms.
6 Houser left her nine-year-old child unattended in her
7 vehicle which was parked in the Rivers' parking garage
8 for approximately 1 hour and 35 minutes while she gamed
9 in the casino. Ms. Houser was issued a permanent
10 eviction by Rivers security and cited by the Pittsburgh
11 Police Department with endangering the welfare of
12 children. That charge remains pending.

13 And the matter is now before the Board to
14 consider the placement of Lolita Houser on the Board's
15 Involuntary Exclusion List.

16 CHAIRMAN BARASCH:

17 Are there any questions from the Board?
18 May I have a motion?

19 MR. FAJT:

20 Mr. Chairman, I move that the Board issue
21 an Order to approve the addition of Lolita Houser to
22 the Pennsylvania Gaming Control Board Involuntary
23 Exclusion List as described by the OEC.

24 MR. MCCALL:

25 Second.

1 CHAIRMAN BARASCH:

2 All in favor? All opposed?

3 ALL SAY AYE

4 CHAIRMAN BARASCH:

5 Motion is adopted.

6 ATTORNEY ROLAND:

7 Mr. Chairman, the next two matters, Lin
8 Hua Qiu and Sheng Ping Xie, both are part of the same
9 fact pattern. So with your permission, I would ask
10 just to present it once and address each individually.

11 CHAIRMAN BARASCH:

12 Very well. One second.

13 Do you need spellings of any of that?

14 COURT REPORTER:

15 I have them.

16 ATTORNEY ROLAND:

17 Thank you. The first of those two matters
18 is Lin Hua Qiu and her placement on the Involuntary
19 Exclusion List. Ms. Qiu left a six-year-old child
20 unattended in her vehicle which was parked in the
21 Rivers parking garage for approximately 6 hours and 12
22 minutes while she gamed inside the casino. Ms. Qiu
23 was issued a permanent eviction by the Rivers security
24 and cited by the Pittsburgh Police Department with
25 endangering the welfare of children. Her charge

1 remains pending.

2 And the matter is now before the Board to
3 consider the placement of Lin Hua Qiu on the Board's
4 Involuntary Exclusion List.

5 CHAIRMAN BARASCH:

6 Questions from the Board? May I have a
7 motion?

8 MR. MCCALL:

9 Mr. Chairman, I move that the Board issue
10 an Order to approve the addition of Lin Hua Qiu to the
11 Pennsylvania Gaming Control Board Involuntary Exclusion
12 List as described by the OEC.

13 MR. MOSCATO:

14 Second.

15 CHAIRMAN BARASCH:

16 All in favor? All opposed?

17 ALL SAY AYE

18 CHAIRMAN BARASCH:

19 Motion is adopted.

20 ATTORNEY ROLAND:

21 And second is the consideration of Sheng
22 Ping Xie. Sheng Ping Xie was issued a permanent
23 eviction also by Rivers security and was also cited by
24 the Pittsburgh Police Department with endangering the
25 welfare of children. His charge remains pending.

1 And the matter is now before the Board to
2 consider the placement of Sheng Ping Xie on the Board's
3 Involuntary Exclusion List.

4 CHAIRMAN BARASCH:

5 Questions or comments from the Board? May
6 I have a motion?

7 MR. MOSCATO:

8 Mr. Chairman, I move the Board issue an
9 Order to approve the addition of Sheng Ping Xie to the
10 PGCB Involuntary Exclusion List as described by the
11 OEC.

12 MR. RYAN:

13 Second.

14 CHAIRMAN BARASCH:

15 All in favor? All opposed?

16 ALL SAY AYE

17 CHAIRMAN BARASCH:

18 Motion is adopted.

19 ATTORNEY ADAMS:

20 The next matter for the Board's
21 consideration is the placement of Kara Yanosick on the
22 Board's Involuntary Exclusion List. As stated earlier,
23 Ms. Yanosick was caught cheating and/or colluding with
24 a patron while she was dealing blackjack at Rivers.
25 She was criminally charged. And those charges are

1 still pending.

2 At this time, the OEC is requesting the
3 placement of Ms. Yanosick on the Board's Involuntary
4 Exclusion List.

5 CHAIRMAN BARASCH:

6 Questions or comments from the Board? May
7 I have a motion, please?

8 MR. RYAN:

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

13 MR. WOODS:

14 Second.

15 CHAIRMAN BARASCH:

16 All in favor? All opposed?

17 AYES RESPOND

18 CHAIRMAN BARASCH:

19 Motion is adopted.

20 ATTORNEY ADAMS:

21 And the next matter for the Board's
22 consideration is the placement of Aron Lesko on the
23 Involuntary Exclusion List. While playing Three Card
24 Poker at Rivers Casino, Mr. Lesko capped his bets on at
25 least five occasions, collecting \$165 in false

1 winnings. He was criminally charged, and those charges
2 have been resolved.

3 At this time, the OEC is requesting Mr.
4 Lesko be placed on the Board's Involuntary Exclusion
5 List.

6 CHAIRMAN BARASCH:

7 Questions or comments from the Board? May
8 I have a motion?

9 MR. WOODS:

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

14 MR. FAJT:

15 Second.

16 CHAIRMAN BARASCH:

17 All in favor? All opposed?

18 ALL SAY AYE

19 CHAIRMAN BARASCH:

20 Motion is adopted.

21 ATTORNEY PITRE:

22 Thank you. That concludes our business.

23 CHAIRMAN BARASCH:

24 Thank you very much. At this point, we
25 have scheduled our public comment period. As I

1 understand it, we do not have anyone who registered to
2 speak today. Nevertheless, is there anyone in the
3 audience who wishes to make a comment -- public comment
4 to the Board at this time?

5 Okay. Well, that then concludes today's
6 meeting. Our next scheduled public session will be
7 held on December 9th, Wednesday at ten o'clock.

8 Are there any final comments from the
9 Board or ex-officio members?

10 All right. Then may I have a motion to
11 adjourn?

12 MR. FAJT:

13 So moved, Mr. Chairman.

14 MR. MCCALL:

15 Second.

16 CHAIRMAN BARASCH:

17 All in favor? All opposed?

18 AYES RESPOND

19 CHAIRMAN BARASCH:

20 Motion is adopted. The meeting is
21 adjourned. Thank you very much.

22 * * * * *

23 MEETING CONCLUDED AT 11:56 A.M.

24 * * * * *

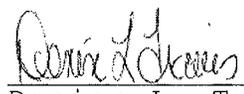
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CERTIFICATE

I hereby certify that the foregoing proceedings,
meeting held before Chairman Barasch were reported by
me on 11/17/2015 and that I, Denise L. Travis, RPR,
read this transcript and that I attest that this
transcript is a true and accurate record of the
proceeding.



Denise L. Travis, RPR