

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: DAVID M. BARASCH, CHAIRMAN
Richard G. Jewell, Obra S. Kernodle, IV,
Sean Logan, Kathy M. Manderino,
Merritt C. Reitzel, Dante Santoni, Jr.,
Members
Sue Leighton, representing Secretary of
Revenue, C. Daniel Hassell; Fred
Strathmeyer, representing Russell Redding,
Secretary, Department of Agriculture; Jen
Langan, representing Joseph M. Torsella,
State Treasurer

MEETING: Wednesday, May 2, 2018

Reporter: Cynthia Piro-Simpson

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1 LOCATION: Pennsylvania Gaming Control Board
2 Strawberry Square Complex
3 2nd Floor
4 Harrisburg, PA 17101
5 WITNESSES: John Timar

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A P P E A R A N C E S (cont.)

ALSO PRESENT:

LYNNE HUGHES, VP and Chief Counsel, Harrah's
Philadelphia

CHRIS ALBRECHT, Senior VP and General manager,
Harrah's Philadelphia

KEVIN O'TOOLE, Executive Director

SUSAN HENSEL, Director, Bureau of Licensing

DANETTE BIXLER-GEORGE, Director of Human Resources

BRYAN SCHROEDER, VP of Regulatory Affairs, Parx
Casino

STEVE PFANN, Assistant Director of Table Games, Parx
Casino

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NONE OFFERED

P R O C E E D I N G S

CHAIRMAN: By way of announcements the Board held executive session yesterday, May 1st, to discuss personnel matters and to conduct quasi-judicial deliberations relating to matters being considered by the Board today.

Additionally, we held a second executive - oh, excuse me. Next we have consideration of a motion to approve the minutes and transcripts of the February 8th and March 21st meetings.

Is there a motion?

MR. SANTONI: Mr. Chairman, I move that the Board approve the minutes and transcripts of the February 8th and March 21st, 2018 meetings.

MR. JEWELL: Second.

CHAIRMAN: All in favor?

AYES RESPOND

CHAIRMAN: All opposed? The motion's adopted.

Kevin O'Toole. Morning, Kevin.

ATTORNEY O'TOOLE: Good morning, Chairman Barasch. Good morning, members of the Board.

1 I'm pleased to report this morning
2 information that we included in a press release
3 earlier this week. That with the gambling expansion
4 initiatives, we have reached a point where one of
5 those initiatives will be bringing tax revenue into
6 the Commonwealth. And that is Fantasy Sports
7 Contests.

8 So, as reported in our press release,
9 we received six application submissions from
10 operators. And I want to supplement that press
11 release this morning, by indicating that a seventh
12 operator has submitted a timely application.

13 Their submission was postmarked on or
14 before April 27th of 2018. So, in addition to the
15 six that were identified in the press release,
16 StarStreet, Fantasy Football Players Championship,
17 FanDuel, Draft Kings, Boom Fantasy and FastPick, we
18 also have the entity identified as Sportshub
19 Technologies.

20 So, at the current time we have seven
21 operators of - of - of Fantasy Sports contests. So,
22 as indicated, effective Saturday, April 28th, 2018,
23 the operators became obligated to remit a 15-percent
24 tax on gross fantasy contest revenues obtained from
25 entry fees received from players. This tax revenue

1 is remitted to the Department of Revenue on a
2 monthly basis and is applied to the General Fund.

3 I would also like to indicate that
4 within these submissions are quite a few pieces of
5 information that are - are compliant with the Act
6 and compliant with our regulations. And our Board
7 staff is currently reviewing the internal control
8 procedures and accounting controls submitted by
9 these Fantasy Sports Contest Operators to ensure
10 that various protections are in place.

11 And just a few of those that I would
12 like to note are, number one, age and identity
13 verification of accountholders, user name and
14 password protections for accountholders, adequate
15 procedures to ensure the confidentiality of the
16 information provided by accountholders. Procedures
17 that would allow accountholders to restrict
18 themselves from playing. Procedures that allow
19 accountholders to restrict the amount of their
20 deposits and the length of time that they play.

21 And certainly procedures in place for
22 recording accurately Fantasy Sports Contests
23 adjusted revenue and taxation.

24 And the final point is, as with all of
25 the expanded gambling initiatives, there is a

1 portion of the tax revenue that is allocated to the
2 Department of Drug and Alcohol Programs for purposes
3 of assisting the funding of Compulsive and Problem
4 Gambling Treatment and Awareness Programs.

5 So, that concludes my report this
6 morning. Thank you very much.

7 CHAIRMAN: Thanks, Kevin. Any
8 questions or comments from the Board on that? If
9 not, we move ahead to Human Resources, our new
10 Director, Danette Bixler George. Good morning.

11 MS. GEORGE: Good morning, Chairman,
12 Board members. The Office of Human Resources has
13 one motion for your consideration today relative to
14 the hiring of two individuals. First, Lisa Laroche
15 has been selected as a Compliance Examiner in the
16 Bureau of Gaming Operations. Ms. Laroche has
17 completed the interview process, background
18 investigation and drug screening, and is recommended
19 for hire by the Director of Gaming Operations, Paul
20 Resch.

21 Second is Shawn Fleming, who has been
22 selected as an Investigator in the Bureau of
23 Investigations and Enforcement (BIE). Mr. Fleming
24 has completed the interview process, background
25 investigation and drug screening and is recommended

1 for hire by the BIE's Deputy Director, Michelle Ceo.
2 Unless you have questions, I ask the Board consider
3 a motion to approve the hiring actions as indicated.

4 CHAIRMAN: Thank you. Are there any
5 questions for Danette at this time? If not, may I
6 have a motion?

7 MR. JEWELL: Mr. Chairman, I move that
8 the Board the applicants for hire as proposed by the
9 Human Resources Director.

10 MR. KERNODLE: Second it.

11 CHAIRMAN: All in favor?

12 AYES RESPOND

13 CHAIRMAN: All opposed? Motion's
14 adopted. Thanks, Danette.

15 MS. GEORGE: Thank you.

16 CHAIRMAN: Doug? Doug Sherman, Chief
17 Counsel.

18 ATTORNEY SHERMAN: Good morning,
19 Chairman, members of the Board. There's just one
20 petition before you for consideration today. And
21 that's the petition of Mountainview Thoroughbred
22 Racing Association, which you heard just a few
23 minutes ago.

24 In addition to the presentation today
25 and the PowerPoint that was moved into evidence, the

1 Board has in advance of this meeting been provided
2 with all the documents filed of record in that
3 matter.

4 Mountainview, of course, is requesting
5 to remove 315 machines from its floor, which take
6 the complement from 2,317 to 2,002. If approved the
7 OEC has proposed a number of conditions, which were
8 outlined in their Answer, all of which would be
9 appropriate to impose in this case.

10 Additionally, Mountainview has
11 requested that the exhibits attached to its petition
12 be maintained as confidential. And there's no
13 objection to that request.

14 Therefore, the matter is now ready for
15 the Board's decision.

16 CHAIRMAN: Prior to a vote on that,
17 are there any further comments anybody on the Board
18 wishes to make?

19 Hearing none, may I have a motion?

20 MR. LOGAN: Mr. Chairman, I move the
21 Board approve the petition of Mountainview
22 Thoroughbred Racing Association, LLC to modify its
23 gaming floor plan with the conditions requested by
24 the OEC. I further move that the Petitioner's
25 request for confidentiality be granted.

1 MS. MANDERINO: Second.

2 CHAIRMAN: All in favor?

3 AYES RESPOND

4 CHAIRMAN: All opposed? Motion's
5 adopted.

6 ATTORNEY SHERMAN: Next report -
7 presenting Reports and Recommendations is Deputy
8 Chief Counsel, Steve Cook.

9 ATTORNEY COOK: Morning.

10 CHAIRMAN: Morning, Steve.

11 ATTORNEY COOK: Next before the Board
12 for consideration are four Reports and
13 Recommendations received by the Office of Hearings
14 and Appeals (OHA). In each matter the person who's
15 the subject of the Report and Recommendation
16 received notice that the Board would be taking the
17 matter up today and that they had the right to come
18 forward and briefly address the Board.

19 Additionally, prior to today the Board
20 has received the Report and Recommendation and the
21 complete evidentiary record. If any of these
22 persons are present today, I'd ask them to come
23 forward when their matter is called.

24 The first Report and Recommendation
25 pertains to Michael Booth. On October 19th, 2017

1 the OEC filed a petition requesting that Mr. Booth
2 be placed on the Board's Involuntary Exclusion List,
3 alleging that August of 2017, while gaming at the
4 Mount Airy Casino and Resort, Mr. Booth copped
5 Blackjack wagers on two occasions, unlawfully
6 winning \$300.

7 As a result of his conduct, he was
8 charged with theft-related offenses and these
9 criminal charges remain pending. Mr. Booth
10 requested a hearing, which was held on January 23rd,
11 2018. The OEC attended the hearing and put evidence
12 into the record.

13 Mr. Booth, however, failed to attend
14 the hearing. And as a result, the Hearing Officer
15 based his decision only upon the evidence submitted
16 by Enforcement Counsel. The Report and
17 Recommendation issued by that Hearing Officer
18 recommends that Mr. Booth be placed on the Exclusion
19 List. And that is the recommendation before the
20 Board.

21 CHAIRMAN: Questions or comments from
22 the Board? May I have a motion?

23 MS. MANDERINO: Mr. Chairman, I move
24 the Board adopt the Report and Recommendation issued
25 by the OHA, regarding Michael Booth's placement on

1 the PGCB Involuntary Exclusion List, as described by
2 the OCC.

3 MS. REITZEL: Second.

4 CHAIRMAN: All in favor?

5 AYES RESPOND

6 CHAIRMAN: All opposed? The motion's
7 adopted.

8 ATTORNEY COOK: The next matter before
9 the Board pertains to Tuan Dang. Mr. Dang was
10 issued a Gaming - Gaming Employee Occupation Permit
11 in June of 2016 and worked as a Table Games Dealer
12 at Harrah's Philadelphia.

13 On January 12th, 2018, the OEC filed a
14 Request for an Emergency Suspension of Mr. Dang's
15 Gaming Permit, after receiving notice that Mr. Dang
16 was charged with numerous theft-related offenses.

17 Specifically, it was alleged that in
18 December of 2017, Mr. Dang, along with other
19 table game staff at Harrah's, conspired with
20 numerous patrons to cheat, depriving Harrah's of
21 significant amount of revenue. It is estimated the
22 scheme resulted in a loss to Harrah's of over
23 \$761,000.

24 As a result of these allegation, the
25 Board's Executive Director entered an Emergency

1 Suspension and a hearing on the suspension was
2 scheduled. The hearing was held on February 6th,
3 2018.

4 Mr. Dang did not attend the hearing.
5 The OEC did attend and put in evidence of the
6 conspiracy and criminal charges. And as a result of
7 that evidence, the Hearing Officer recommends that
8 the suspension continue.

9 CHAIRMAN: Questions or comments from
10 the Board? May I have a motion?

11 MS. REITZEL: Mr. Chairman, I move
12 that the Board adopt the Report and Recommendation
13 issued by the OHA regarding the suspension of Tuan
14 Dang's Gaming Employee Occupation Permit, as
15 described by the OCC.

16 MR. SANTONI: Second.

17 CHAIRMAN: All in favor?

18 AYES RESPOND

19 CHAIRMAN: All opposed? The motion's
20 adopted.

21 ATTORNEY COOK: The next matter to be
22 heard by the Board today is the Report and
23 Recommendation pertaining to John Joseph Timar. I
24 would note for the record that Mr. Timar and his
25 Counsel are present and I believe they wish to

1 address the Board.

2 I'd ask them to come forward at this
3 time. While they're doing that, I'll provide the
4 Board with a brief summary.

5 Mr. Timar was issued a Gaming Employee
6 Permit in May of 2011 and worked as a Table Games
7 Dealer at Sands Bethworks until his termination in
8 March of 2016. On March - on May 5th of 2017, the
9 Office of Enforcement Counsel (OEC) filed a
10 complaint to revoke Mr. Timar's Gaming Employee
11 Occupation Permit.

12 The complaint alleges that between
13 March 13th of 2016 and March 20th of 2016, while
14 dealing poker at Sands, Mr. Timar concealed chips
15 and placed them in his token box. The total amount
16 taken by Mr. Timar over this seven-day period was
17 \$143.

18 There were no criminal charges filed
19 as a result of this incident, but Sands did
20 terminate Mr. Timar's employment. A hearing in this
21 matter was requested and after several continuances,
22 it was held on January 25th, 2018.

23 The OEC, Mr. Timar and his attorney
24 were present at the hearing. And the parties
25 submitted a joint Stipulation of Facts. No

1 testimony was taken at the hearing. The OEC did,
2 however, submit video surveillance as evidence.

3 That, in addition to the Stipulation
4 of Facts submitted, showed that Mr. Timar admitted
5 to the facts alleged by OEC in the Revocation
6 Complaint, and essentially was asking for sympathy
7 from - from the Board.

8 I should note for the record that
9 notwithstanding this incident occurred at Sands, Mr.
10 Timar is presently employed at SugarHouse as a
11 Dealer as of today, I believe.

12 Correct?

13 ATTORNEY SLUZIS: He's still working
14 there today. He has been since his termination from
15 Sands.

16 ATTORNEY COOK: Those are the facts
17 that were heard by the Hearing Officer and the
18 Report and Recommendation ultimately issued -
19 recommended that his license be revoked.

20 CHAIRMAN: Are there questions from
21 the Board? Do you have any questions?

22 ATTORNEY SLUZIS: Mr. Chairman, excuse
23 me. We need to have the person sworn.

24 CHAIRMAN: Sure. Proceed.

25 ATTORNEY SLUZIS: Stand up. Raise

1 your right hand.

2 ---

3 JOHN J. TIMAR,
4 CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND
5 HAVING FIRST BEEN DULY SWORN, TESTIFIED AND SAID AS
6 FOLLOWS:

7 ---

8 COURT REPORTER: I need the attorney's
9 name.

10 ATTORNEY SLUZIS: My name is Frank
11 Sluzis, S-L-U-Z-I-S, and I'll - I'll give you a card
12 after this. Thank you.

13 CHAIRMAN: You can proceed.

14 ATTORNEY SLUZIS: Sir, and members -
15 members - I guess I should sit down. Members of the
16 Board, Mr. Chairman, we are not here, obviously, to
17 dispute the facts. We entered into a stipulation.

18 What we are here to ask is a second
19 chance. And I can't spout out law, I can't spout
20 out regulation. All I can tell you is that I have a
21 firm belief that we're a society of second chances
22 in everything we do in life, in love, in business,
23 in sports.

24 There's so many examples of second
25 chances. We had a young man, and he would wish

1 to -. After I give my brief presentation, he would
2 like to address the Board. We have a young man who
3 has made a mistake. Perhaps swayed by a wrong
4 crowd, who has stepped up to the plate, so to speak,
5 accepted responsibility. Now, of course, there were
6 some delays. And I'm going to mea culpa, mea culpa.

7 If there's any adverse inference to
8 that, please, blame me, as counsel. There was an
9 Answer filed. Because when I looked at the rules
10 and regulations, it was my conclusion that a
11 responsive - a reply should have been filed, which I
12 did. Some of the delay happened to be because I had
13 court in other jurisdictions. But ultimately we
14 resolved the case with respect to the factual
15 scenario by stipulation.

16 Now, I do -. I know it's an
17 evidentiary matter. However, we were under the
18 impression that we could present some mitigation
19 here today at the Board. And I have four letters
20 from supervisors and co-workers at his present place
21 of employment in support of Mr. Timar.

22 Now, of course, as an officer of the
23 Court, I can't authenticate these. I did not speak
24 to these people. They were supplied. So with that
25 in mind, I know there may be an objection with

1 respect to how -.

2 MR. LOGAN: Hand them to somebody and
3 let me - let me see it.

4 ATTORNEY SLUZIS: I had given them -.

5 ATTORNEY COOK: I've looked - I've
6 looked over them. Mr. Sluzis gave them -.

7 ATTORNEY SLUZIS: I have enough for
8 all the members of the Board. If you would so be
9 kind to take a look at them.

10 CHAIRMAN: Continue. We'll deal with
11 that - I'm sorry? Continue presentation before we
12 deal with that.

13 ATTORNEY SLUZIS: Sure. That's it for
14 me, Mr. Chairman. I would just like the opportunity
15 to let Mr. Timar speak on his own behalf.

16 CHAIRMAN: In a moment we certainly
17 will do that. Counsel?

18 ATTORNEY COOK: The letters are as
19 Counsel indicated. They're basically four letters
20 of recommendation from various employees of
21 SugarHouse, one or two supervisory I think, and one
22 or two co-workers that all vouch for - for Mr. - for
23 this gentleman.

24 CHAIRMAN: Okay.

25 You wish to make a presentation?

1 Please proceed.

2 THE WITNESS: Hello. My name is John
3 Timar, T-I-M-A-R. I would just - just one thing. I
4 started dealing at - I started poker at Sands.
5 Didn't really know anything, just decided to give it
6 a shot.

7 Wasn't working out too well. Was
8 getting yelled at and making mistakes and
9 everything. Wasn't making a lot of money.

10 So, I went to my co-workers, and you
11 know, seen they made a lot of money, but I confided
12 in the wrong people. They - the way they told me to
13 make money wasn't the honest making money, trying
14 to, you know, work as fast as you can and all that.
15 So, you know, I did that wrong and -.

16 CHAIRMAN: Can I stop you for one
17 second?

18 THE WITNESS: Yes. You got it.

19 CHAIRMAN: I just want to make sure I
20 understand what you just said.

21 THE WITNESS: Okay.

22 CHAIRMAN: You went and spoke to other
23 people that worked at your casino?

24 THE WITNESS: Just co-workers, to see
25 how -.

1 CHAIRMAN: Asked them how to make more
2 money?

3 THE WITNESS: Just how to get like,
4 you know, to their - like how to make more money,
5 because I wasn't making anything. I was, you know,
6 messing up and doing all that, so I -.

7 CHAIRMAN: Continue. I'm sorry.

8 THE WITNESS: Okay.

9 So, you know, as you can see, that
10 didn't work out. And I definitely have learned my
11 lesson with that. I taught myself how to learn -
12 you know, do poker and all that.

13 And it did weigh heavy on me. And I -
14 I had talked to like family members and all them.
15 My grandmother said, you know, you didn't earn that
16 money, so, you know, do the right thing with it.

17 So, it was like \$145, \$150. And I
18 times it by two, gave half to the SPCA, which is for
19 animals. And then the other - another \$145 to the
20 Jimmy V Foundation, which is for cancer.

21 I have been working. I did get a
22 second chance, which a lot of people don't. I've
23 been working for over two years at SugarHouse Casino
24 as a Poker Dealer. I haven't had one thing on my
25 record. I haven't had one problem there.

1 I - you know, I try to mentor like the
2 new Dealers to show them down the road, you know,
3 not to do what I did. I love my job. I just - you
4 know, I've - I've been given award for customer
5 service.

6 I've helped out in the community and
7 all that to CHOP medical house to - you know, for
8 all this. And just been trying to do the right
9 thing. And I just wish you guys will give me - to
10 keep working. And I appreciate you guys having me
11 today.

12 CHAIRMAN: Just one question before I
13 see what everybody else wants to do here. Did you
14 get a job at the second casino after you were fired
15 at the first casino?

16 THE WITNESS: Correct.

17 CHAIRMAN: Does your current employer
18 know about your difficulties?

19 THE WITNESS: The - the ones that I've
20 talked to, not - not everybody there.

21 CHAIRMAN: When you applied for that
22 job, did you tell them that you'd been fired from
23 the other casino for stealing money?

24 THE WITNESS: I just said I was just
25 let go. I was just not for - because everything was

1 going on. Yeah, I did not.

2 CHAIRMAN: So your current employer,
3 at least prior to this morning, has no idea that
4 they hired somebody who'd been fired by another
5 casino for stealing money?

6 THE WITNESS: No, but I put all my
7 like -. I put that I worked there and all that and
8 everything for like if they wanted to call and that.

9 CHAIRMAN: I see.

10 MS. MANDERINO: The letters that you
11 have with you today, I just want to understand who
12 they are from. It says that a couple of them are
13 from supervisors. I don't exactly know what that
14 means.

15 Does somebody in the HR Department at
16 SugarHouse know, as we sit here today, that you had
17 been let go from another casino for cheating while
18 dealing at the table? And are they willing to keep
19 you on as an employee or is that something you don't
20 know as you sit here today?

21 THE WITNESS: One of my last - I asked
22 about like the suspension thing. And they said they
23 could - if you talked to like - if I talked to the
24 head boss, which I have his e-mail, if I would get
25 like suspended like a month or -. I don't know how

1 it works. I talked to him about it and he said I
2 would have to go through the - the Program Manager.

3 MS. MANDERINO: Okay.

4 So, to - to -? As we sit here today,
5 you actually don't know what effect your being
6 before us today and - or you don't really know what
7 - whether or not folks higher up in your
8 organization are aware of what happened at - was it
9 Sands, the original -?

10 ATTORNEY SLUZIS: Yes.

11 MS. MANDERINO: At Sands.

12 Is that correct?

13 THE WITNESS: Yeah, it's correct.

14 ATTORNEY COOK: The letters are from
15 poker staff, rather than Human Resources.

16 MS. MANDERINO: Gotcha.

17 CHAIRMAN: You mean the letters of
18 support are from -

19 ATTORNEY COOK: Letters of -.

20 CHAIRMAN: - fellow workers at the new
21 casino?

22 ATTORNEY COOK: In the poker room, not
23 in Human Resources.

24 CHAIRMAN: I understand.

25 ATTORNEY SHERMAN: One is a Poker

1 Supervisor, two are identified as Shift Managers and
2 I think another one is a co-employer - co-worker.

3 ATTORNEY SLUZIS: And that's at the
4 present employer.

5 CHAIRMAN: I understand. Do we have
6 independent knowledge, I'm looking at Counsel here,
7 as to what knowledge -

8 ATTORNEY COOK: We - we do not,
9 because -

10 CHAIRMAN: - the employer might have?

11 ATTORNEY COOK: - we are not aware of
12 what SugarHouse knows at this point, as far as I'm -
13 as far as I'm aware. Yeah.

14 CHAIRMAN: Are there other questions?

15 MR. LOGAN: Yeah. So, John, when you
16 filled out your application for your current
17 employer, -

18 THE WITNESS: Yes.

19 ATTORNEY LOGAN: - you had to get to
20 some section that indicated, you know, your past -

21 THE WITNESS: Yeah.

22 ATTORNEY LOGAN: - employers. What
23 did you fill out in that section, that you just got
24 terminated? You didn't tell them -. Walk me
25 through that.

1 THE WITNESS: I just - it was two
2 years ago. I just put that I worked for like the
3 Sands Casino and all that and that -.

4 MR. LOGAN: When it said reason why
5 you left, what did you stick there?

6 THE WITNESS: I just put I was left -
7 I believe I thought I was -. I didn't say I was
8 like fired for cheating or any of that.

9 MR. LOGAN: You said let go?

10 THE WITNESS: Correct.

11 But you - you put that on your
12 application that you worked there?

13 THE WITNESS: Yeah.

14 MR. LOGAN: Okay.

15 When you - you obviously had at least
16 one face-to-face interview with somebody?

17 THE WITNESS: I had to do like a panel
18 or how they do it.

19 MR. LOGAN: Okay.

20 So there was more than one person?

21 THE WITNESS: Yeah. And then after
22 that, if you -.

23 MR. LOGAN: Nobody asked about that?
24 Said, okay, you worked at this casino and you say
25 you were -

1 THE WITNESS: Uh-uh (no).

2 MR. LOGAN: - let go, did anybody ask
3 about it?

4 THE WITNESS: It was just questions.
5 And then after that you had to -. After you passed
6 the panel - like they seen you had that, then you
7 just did like the dealing audition after like you
8 passed the panel. So, yeah.

9 CHAIRMAN: Is there a question

10 MS. LANGAN: Enforcement Counsel, did
11 you guys notify SugarHouse or did - during the
12 course of the investigation?

13 ATTORNEY PITRE: We're not at liberty
14 to notify SugarHouse about the background of an
15 individual. We notified Casino Compliance to keep a
16 close watch on Mr. Timar during his employment
17 there.

18 And he - to our knowledge he has not
19 committed any additional thefts since he's been
20 working at SugarHouse.

21 CHAIRMAN: Are there other questions
22 up here?

23 MR. LOGAN: It's not a -

24 CHAIRMAN: Oh, I'm -.

25 MR. LOGAN: - it's not a - I'm sorry.

1 It's not a question. It's just a - a comment that
2 your attorney - you said it, John, and then the -
3 the Chairman asked a question.

4 This wrong crowd troubles me a little
5 bit. The - the - the not making enough money -

6 THE WITNESS: Uh-huh (yes).

7 MR. LOGAN: - and you talking to
8 people in the casino who had similar jobs told you
9 how to make more money. That's really troubling and
10 I hope it - so that's it. It was just a comment.

11 THE WITNESS: Oh, okay.

12 CHAIRMAN: If I could before I turn it
13 over. What's going on here is I beat around the
14 bush. And I think -

15 MR. LOGAN: Yeah, I - I -.

16 CHAIRMAN: - I think you've done it,
17 too. I think we've both done it. Somebody in that
18 casino suggests to you that a good way -. One of
19 your fellow workers at your casino suggests to you,
20 the first casino, the way to make more money was by
21 stealing money.

22 THE WITNESS: Right.

23 Taking like an extra like a dollar or
24 so, yes.

25 CHAIRMAN: That was suggested to you

1 by fellow employees at the first casino?

2 THE WITNESS: Yes. Yeah, people that
3 I said that I, you know, believed in.

4 CHAIRMAN: I see.

5 MR. LOGAN: Okay.

6 I'm - I'm -.

7 CHAIRMAN: No, that's good. Now we -
8 we nailed that down.

9 MR. LOGAN: Yeah, it just - it just -.

10 CHAIRMAN: I'm glad that you followed
11 up, because that nailed down something I wasn't
12 clear on.

13 MR. LOGAN: You understand what you're
14 saying there?

15 THE WITNESS: That I was told that
16 cheating's okay.

17 MR. LOGAN: Okay.

18 Just so somebody's listening to that.
19 I used to be the Chairman of the Turnpike Commission
20 and we have toll collectors.

21 Okay?

22 And they make X an hour and that's
23 like somebody saying to another toll collector the
24 \$20 an hour isn't enough. How do we make more?

25 Well, when somebody comes in, you

1 throw this over here and then you pocket the money.
2 That's - you know, that is just -. I'm baffled
3 by -.

4 CHAIRMAN: If I - if I could, I think
5 there was some questions down here.

6 MR. KERNOLDE: I just wondered. How
7 long you been working at SugarHouse?

8 THE WITNESS: Just about over two
9 years.

10 MR. KERNODLE: Two years. And this
11 happened as soon as you got terminated or fired at -
12 at -?

13 THE WITNESS: Well, I - yeah, I took
14 time to like, you know, learn how to deal better and
15 not even - you know, to make everything sharp and
16 not make sure this happened again. Yeah, so over
17 two years no - no problem, no nothing, no dings or
18 any - as you can see, no - nothing.

19 MR. KERNODLE: Okay.

20 Thank you.

21 CHAIRMAN: Merritt, did you have a
22 question?

23 MS. REITZEL: Nope. I'm good.

24 MR. SANTONI: I just want to be clear,
25 Cyrus. You contacted Casino Compliance at

1 SugarHouse, made them aware of Mr. Timar's past
2 transgression. And then kept an eye on him for -
3 for the last couple of years.

4 Is that -?

5 ATTORNEY PITRE: Casino Compliance has
6 been keeping a close watch of him, yes.

7 MR. SANTONI: Okay, okay.

8 Thank you.

9 CHAIRMAN: Commissioner?

10 MR. JEWELL: I have a couple of
11 questions and - and a reaction. To bring a former
12 life into this, as a longtime college president, and
13 dealing with young people and understanding the -
14 the concept of second chances. But I have to put
15 your actions into a context of not only immaturity
16 and criminality, but into the structure of the
17 requirements of the Act under which we - we operate,
18 that's 204. And that Act is - is - is rigid as far
19 as its requirements of compliance of honesty.

20 It kind of -. Investigations we do
21 from Licensees, even to - to employees to Gaming
22 Service Providers to - to - to suppliers, et cetera,
23 is strong, extraordinary and important. It's
24 important because the public has to have confidence
25 that the folks who work there, the folks who own the

1 operations and made this great investment, in fact,
2 are suitable and there are no - there are no
3 problems.

4 And moreover, we are faced up here,
5 from time to time, with employees who do exactly
6 what you did.

7 A cocktail person putting extra - the
8 tip money in the wrong place, et cetera, and so we
9 have to understand the concept of - of deterrence
10 here, in even the small things. You know, there's a
11 statement, falsus in uno, falsus in omnibus. I'm
12 always concerned with, you made a mistake, you're
13 wrong in one, you're going to do it again.

14 You've shown you've done it before.
15 You have that capacity, but again, this is all
16 coming down in the context of a very strict
17 statutory requirement of integrity and honesty. And
18 that's what concerns me.

19 THE WITNESS: Thank you.

20 CHAIRMAN: Are there any other
21 questions of the Board? We're going to take a brief
22 executive session recess at this time. We'll
23 reconvene in a few minutes.

24 ATTORNEY SLUZIS: Chairman, are you
25 coming back to this case?

1 ---

2 (WHEREUPON, A SHORT BREAK WAS TAKEN.)

3 ---

4 CHAIRMAN: We've completed, I don't
5 know, five or ten-minute break here to consider the
6 case of John Joseph Timar. And at this question -
7 at this point I'd like to note does - does anybody
8 have a motion?

9 MR. SANTONI: Mr. Chairman, I move
10 that the Board reject the Report and Recommendation
11 issued by the OHA regarding the revocation of John
12 Joseph Timar's Gaming Employee Occupation Permit, as
13 described by the Office of Chief Counsel (OCC).

14 CHAIRMAN: Is there a second to that
15 motion?

16 MR. LOGAN: Before I second, you
17 better go home and kiss your grandmother for that
18 sound advice. Second.

19 CHAIRMAN: Any other comments on this
20 matter before we vote?

21 MR. SANTONI: Mr. Chairman, I would
22 just like to speak to Mr. Timar directly. This
23 Board has decided to give you another chance.

24 We're not going to call it a second
25 chance, we're going to call it a last chance. The

1 fact that you came here, presented your case, we
2 appreciate that.

3 The fact that for the last two years
4 you've been under the watch of Casino Compliance at
5 SugarHouse and have done nothing else wrong, so we
6 appreciate that. But let me be clear again, we
7 don't want to see you here again.

8 We're giving you your last chance.
9 And so we wish you the best. See you later.

10 THE WITNESS: Thank you.

11 CHAIRMAN: Other comments?

12 The only thing I would add is to
13 recognize the amount of time that this Board has
14 taken on this matter. We don't want to see you here
15 again.

16 THE WITNESS: I appreciate it.

17 CHAIRMAN: Okay.

18 Having said that, is there - all in
19 favor?

20 AYES RESPOND

21 CHAIRMAN: All opposed? Motion's
22 adopted. Good luck to you.

23 THE WITNESS: Thank you.

24 ATTORNEY SLUZIS: May we be excused?

25 CHAIRMAN: Yes.

1 ATTORNEY SLUZIS: Thank you.

2 ATTORNEY COOK: The final Report and
3 Recommendation before the Board today pertains to
4 Shawn Reilly. Mr. Reilly was issued a Non-Gaming
5 Employee - Employee Registration in August of 2010
6 and worked as a Bartender at SugarHouse Casino. On
7 September 29th of 2017 the OEC filed a complaint to
8 revoke Mr. Reilly's Non-Gaming Employee Registration
9 after being notified that on August 17th, 2017 Mr.
10 Reilly was involved in a verbal dispute with a
11 customer, which resulted in casino personnel and the
12 Pennsylvania State Police being notified of the
13 incident.

14 Mr. Reilly was issued a disorderly
15 conduct citation for allegedly acting
16 argumentatively and raising his arm to the Trooper
17 who responded to the dispute. This charge was later
18 withdrawn.

19 However, as a result of this incident,
20 SugarHouse terminated Mr. Reilly's employment. A
21 hearing in this matter was held on February 6th,
22 2018. The OEC appeared, offering testimony and
23 documentary evidence, including surveillance video.

24 Mr. Reilly received notification of
25 the hearing, however, he contacted OHA and informed

1 them that he would not be participating.

2 The Hearing Officer took the evidence
3 presented by OEC, including reviewing the
4 surveillance footage of the incident between Mr.
5 Reilly and the customer, as well as the incident
6 between Mr. Reilly and the Trooper.

7 And although the video has no audio,
8 the Hearing Officer found that Mr. Reilly's conduct
9 did not appear egregious. Rather the surveillance
10 showed that Mr. Reilly's interaction with the patron
11 seemed calm and nonthreatening and that the incident
12 with the Trooper was initiated by the Trooper first
13 grabbing Mr. Reilly's arm.

14 After seeing all this evidence and
15 taking all this evidence into consideration, the
16 Hearing Officer issued a Report and Recommendation,
17 recommending that the OEC's request for revocation
18 be denied and that - and Mr. Reilly be allowed to
19 maintain his Non-Gaming Registration. This matter
20 is now ready for the Board's consideration.

21 CHAIRMAN: Questions or comments from
22 the Board? Hearing none, may I have a motion?

23 MR. JEWELL: Mr. Chairman, I move that
24 the Board adopt the Report and Recommendation issued
25 by the OHA regarding Shawn Reilly's Non-Gaming

1 Employee Registration, as described by the OCC.

2 MR. KERNODLE: Second.

3 CHAIRMAN: All in favor?

4 AYES RESPOND

5 CHAIRMAN: All opposed? Motion's
6 adopted.

7 ATTORNEY SHERMAN: And that concludes
8 the matters of -

9 CHAIRMAN: Thank you so much.

10 ATTORNEY SHERMAN: - OCC.

11 CHAIRMAN: Sue Hensel, Bureau of
12 Licensing.

13 MS. HENSEL: Thank you, Chairman
14 Barasch and members of the Board. Before the Board
15 today will be one Slot Machine Supplier Renewal, 900
16 Principal and Key Gaming and Non-Gaming Employee
17 Applicants and one Gaming-Related Gaming Service
18 Provider Qualifier Applicant.

19 In addition, there will be the
20 consideration of three Gaming Service Provider
21 Applicants.

22 The first matter for your
23 consideration is the renewal of the KGM Gaming, LLC
24 Slot Machine Supplier License. KGM Gaming is a
25 Pennsylvania-based company that sells and services

1 slot machines and associated equipment in multiple
2 states. The company has been licensed with us since
3 2006.

4 The BIE has completed its
5 investigation of the company and the Bureau of
6 Licensing has provided you with a background
7 investigation and suitability report.

8 I have provided you with a draft order
9 and ask that the Board consider an Order to renew
10 the Slot Machine Supplier License for KGM Gaming,
11 LLC.

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

14 MR. KERNODLE: Mr. Chairman, I move
15 that the Board approve the renewal of KGM Gaming,
16 LLC Supplier License, as described by the Bureau of
17 Licensing.

18 MR. LOGAN: Second.

19 CHAIRMAN: All in favor?

20 AYES RESPOND

21 CHAIRMAN: All opposed? Motion's
22 adopted.

23 MS. HENSEL: Next is approval of
24 Principal Key and Gaming Related Gaming Service
25 Provider Licenses and Qualifications. Prior to this

1 meeting, the Bureau of Licensing provided you with a
2 proposed order for eight Principals, nine Keys and
3 one gaming-related Gaming Service Provider
4 Qualifier. I ask that the Board consider the Order
5 approving these licenses and qualification.

6 CHAIRMAN: Questions or comments from
7 the Board? May I have a motion? Oh, I'm sorry.

8 ATTORNEY PITRE: No problem. I have
9 no objection.

10 CHAIRMAN: We're - we're on a fast
11 track today.

12 ATTORNEY PITRE: Believe me, if I
13 objected, you'd hear it.

14 MR. LOGAN: Mr. Chairman, I move that
15 the Board approve the issuance of Principal, Key
16 Employees and Gaming-Related Service Provider
17 Qualifier Licenses, as described by the Bureau of
18 Licensing.

19 MS. MANDERINO: Second.

20 CHAIRMAN: All in favor?

21 AYES RESPOND

22 CHAIRMAN: All opposed? Motion's
23 adopted.

24 MS. HENSEL: Also there are Temporary
25 Principal and Key Employee Licenses. Prior to this

1 meeting, the Bureau of Licensing provided you with
2 an Order regarding the issuance of Temporary
3 Licenses for two Principals and six Key Employees.
4 I ask that the Board consider the Order approving
5 these licenses.

6 ATTORNEY PITRE: Enforcement Counsel
7 has no objection.

8 CHAIRMAN: Questions or comments from
9 the Board? May I have a motion?

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

14 MS. REITZEL: Second.

15 CHAIRMAN: All in favor?

16 AYES RESPOND

17 CHAIRMAN: All opposed? The motion's
18 adopted.

19 MS. HENSEL: In addition, there are
20 Gaming Permits and Non-Gaming Registrations. Prior
21 to this meeting, the Bureau of Licensing provided
22 you with a list of 660 individuals to whom the
23 Bureau has granted Temporary or Full Occupation
24 Permits and 177 individuals to whom the Bureau has
25 granted registrations under the authority delegated

1 to the Bureau of Licensing. I ask that the Board
2 consider a motion approving the Order.

3 ATTORNEY PITRE: Enforcement Counsel
4 has no objection.

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

7 MS. REITZEL: Mr. Chairman, I move
8 that the Board approve the issuance of Gaming
9 Employee Occupation Permits and Non-Gaming Employee
10 Registrations, as described by the Bureau of
11 Licensing.

12 MR. SANTONI: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed? Motion's
16 adopted.

17 MS. HENSEL: Also for your
18 consideration there are recommendations of denial
19 for seven Gaming Employee Applicants and three
20 Non-Gaming Employee Applicants. In each case the
21 Applicant was notified that he or she was being
22 recommended for denial and failed to request a
23 hearing within the specified time period.

24 The Bureau of Licensing has provided
25 you with Orders addressing the Applicants who the

1 OEC has recommended for denial. I ask that the
2 Board consider a motion approving the denials.

3 ATTORNEY PITRE: Enforcement Counsel
4 continues to request denial in each instance.

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

7 MR. SANTONI: Mr. Chairman, I move
8 that the Board deny the Gaming and Non-Gaming
9 Employee Applications, as described by the Bureau of
10 Licensing.

11 MR. JEWELL: Second.

12 CHAIRMAN: All in favor?

13 AYES RESPOND

14 CHAIRMAN: All opposed? The motion's
15 adopted.

16 MS. HENSEL: Next for your
17 consideration are Withdrawal requests for Key Gaming
18 and Non-Gaming Employees. In each case the licensed
19 permit or registration is no longer required.

20 For today's meeting I have provided
21 the Board with a list of 1 Key, 19 Gaming and 7
22 Non-Gaming Employee Withdrawals for approval. I ask
23 that the Board consider the Order approving the list
24 of withdrawals.

25 ATTORNEY PITRE: Enforcement Counsel

1 has no objection.

2 CHAIRMAN: Questions or comments from
3 the Board? May I have a motion?

4 MR. JEWELL: Mr. Chairman, I move the
5 Board approve the withdrawal of Key, Gaming and
6 Non-Gaming Employee applications, as described by
7 the Bureau of Licensing.

8 MR. LOGAN: Second.

9 CHAIRMAN: All in favor?

10 AYES RESPOND

11 CHAIRMAN: All opposed? Motion's
12 adopted.

13 MS. HENSEL: Next we have an Order to
14 certify TM Word Company. I ask that the Board
15 consider the order approving this Gaming Service
16 Provider for Certification.

17 ATTORNEY PITRE: Enforcement Counsel
18 has no objection.

19 CHAIRMAN: Questions or comments from
20 the Board? May I have a motion?

21 MR. LOGAN: Mr. Chairman, I move that
22 the Board approve the applications for Gaming
23 Service Provider Certification, as described by the
24 Bureau of Licensing.

25 MS. MANDERINO: Second.

1 CHAIRMAN: All in favor?

2 AYES RESPOND

3 CHAIRMAN: All opposed? Motion's
4 adopted.

5 MS. HENSEL: Finally for your
6 consideration are Gaming Service Provider
7 Registrations. The Bureau of Licensing provided you
8 with an Order and an attached list of two registered
9 Gaming Service Provider applicants. I ask that the
10 Board consider the Order registering these Gaming
11 Service Providers.

12 ATTORNEY PITRE: Enforcement Counsel
13 has no objection.

14 CHAIRMAN: Questions or comments from
15 the Board? May I have a motion?

16 MS. MANDERINO: Mr. Chairman, I move
17 the Board approve the applications for Gaming
18 Service Provider Registration, as described by the
19 Bureau of Licensing.

20 MS. REITZEL: Second.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed? The motion's
24 adopted.

25 MS. HENSEL: That concludes the

1 matters of the Bureau of Licensing.

2 CHAIRMAN: Thank you, Susan.

3 OEC?

4 ATTORNEY PITRE: OEC would present 15
5 matters today for the Board's consideration
6 consisting of two Consent Agreements, two
7 revocations, three suspensions and eight involuntary
8 exclusions.

9 The next matter on the agenda for the
10 Board's consideration is a Consent Agreement between
11 the OEC and Category 1 Licensee Chester Downs
12 Marina, LLC, doing business as Harrah's
13 Philadelphia. The Consent Agreement will be
14 presented by Assistant Enforcement Counsel Benjamin
15 Farrell.

16 Representatives for Harrah's are
17 present. And at this time I would request that
18 those individuals introduce themselves for the
19 record and that anyone not here as an attorney
20 please stand and be sworn.

21 ---

22 (WHEREUPON, WITNESSES WERE SWORN EN MASSE)

23 ---

24 MR. DOWNEY: Morning, Mr. Chairman, -

25 CHAIRMAN: Morning.

1 ATTORNEY DOWNEY: - members of the
2 Board, Bill Downey, D-O-W-N-E-Y, with Fox
3 Rothschild, on behalf of Harrah's Philadelphia. To
4 my left is Chris Albrecht, Senior Vice President and
5 GM of Harrah's Philadelphia. And to his left, Lynn
6 Hughes, Vice President and Chief Legal Officer.

7 CHAIRMAN: Thank you.

8 ATTORNEY FERRELL: Good morning,
9 Chairman, members of the Board. Benjamin Ferrell,
10 F-E-R-R-E-L-L, Assistant Enforcement Counsel for the
11 OEC. This Consent Agreement between OEC and
12 Harrah's Philadelphia involves violations of the
13 Act, Board regulations and Harrah's Philadelphia's
14 Compulsive and Problem Gambling Plan regarding a
15 self-exclusion violation.

16 On July 27th of 2017, Harrah's
17 Philadelphia notified the Bureau of Casino
18 Compliance of a self-excluded patron who entered the
19 gaming floor, gamed and cashed a personal check. A
20 review of the matter revealed that the self-excluded
21 patron entered the gaming floor through the fourth
22 floor entrance and first gamed at a slot machine for
23 approximately 40 minutes.

24 Subsequently the self-excluded patron
25 proceeded to the main cage and attempted to redeem a

1 Total Rewards Voucher, which belonged to another
2 individual.

3 The cashier informed the self-excluded
4 patron that the voucher could not be redeemed
5 without identification. The self-excluded patron
6 then went to her vehicle, retrieved her
7 identification. The self-excluded patron reentered
8 the gaming floor and proceeded to the main cage.
9 The cashier informed the self-excluded patron that
10 the voucher could not be redeemed, because the
11 voucher belonged to another individual. The
12 self-excluded patron then wrote a check for \$140 to
13 be cashed.

14 The cashier scanned the self-excluded
15 patron's identification, but failed to notice a
16 system alert, which indicated that the self-excluded
17 patron was on the Self-Exclusion List. The cashier
18 then cashed the self-excluded patron's check.
19 Afterwards the self-excluded patron gamed at four
20 different slot machines for approximately one hour
21 and six minutes.

22 The self-excluded patron returned to
23 the main cage and received a free slot pay coupon
24 from the cashier. The self-excluded patron then
25 gamed another slot machine for approximately ten

1 minutes.

2 The self-exclusion - self-excluded
3 patron then redeemed a \$1.00 voucher at the main
4 cage and returned to the gaming floor and gamed at
5 two slot machines for a total of 32 minutes. The
6 self-excluded patron then proceeded to the Casino
7 Credit Office in an attempt to receive casino
8 credit.

9 The Credit Office employee checked the
10 self-excluded patron's identification and determined
11 that the - that the patron was on the Self-Exclusion
12 List. The credit employee notified Harrah's
13 Philadelphia Surveillance and Security and PSP.

14 PSP charged self-excluded patron with
15 one count of defiant trespass. Harrah's
16 Philadelphia permanently evicted the self-excluded
17 patron. The self-excluded patron was on the gaming
18 floor for approximately three hours and 47 minutes,
19 where she gamed for approximately two hours and 28
20 minutes.

21 Under the terms of the Consent
22 Agreement Harrah's Philadelphia has agreed to pay a
23 civil penalty of \$10,000, along with a \$2,500
24 administrative fee. At this time OEC requests the
25 Board approve this Consent Agreement.

1 CHAIRMAN: Questions or comments from
2 Harrah?

3 ATTORNEY DOWNEY: Mr. Chairman, we
4 concur in the recitation of the facts provided by
5 OEC, with one clarification. The - the second
6 approach to - to the window, to the cage was
7 actually dealt with by a second employee, who had,
8 in fairness, observed the first transactions and
9 knew that that person had - had a check cashed, but
10 it was a second employee.

11 CHAIRMAN: I see. Any questions or
12 comments from the Board in this matter? Hearing
13 none, may I have a motion?

14 MS. REITZEL: Mr. Chairman, I move
15 that the Board approve the Consent Agreement between
16 the OEC and Chester Downs and Marina, LLC, as
17 described by the OEC.

18 MR. SANTONI: Second.

19 CHAIRMAN: All in favor?

20 AYES RESPOND

21 CHAIRMAN: All opposed? Motion's
22 adopted. Thanks for coming.

23 ATTORNEY DOWNEY: Thank you.

24 ATTORNEY PITRE: Next matter on the
25 agenda for the Boards' consideration is a Consent

1 Agreement between the OEC and Category 1 Licensee
2 Greenwood Gaming and Entertainment, Inc., doing
3 business as Parx Casino.

4 The Consent Agreement will be
5 presented by Deputy Chief Enforcement Counsel Dustin
6 Miller. Representatives from Parx are present.

7 At this time I would request that
8 those individuals introduce themselves for the
9 record and that anyone not here as an attorney
10 please stand and be sworn.

11 MR. SCHROEDER: Good afternoon. Bryan
12 Schroeder, Vice President of Regulatory Affairs,
13 S-C-H-R-O-E-D-E-R. I have with me Steve Pfann,
14 P-F-A-N-N, Assistant Director of Table Games.

15

16

STEVE PFANN,

17 CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND
18 HAVING FIRST BEEN DULY SWORN, TESTIFIED AND SAID AS
19 FOLLOWS:

20

21

ATTORNEY MILLER: Good morning.

22 Dustin Miller on behalf of the OEC. This Consent
23 Agreement arises from an incident that occurred on
24 March 21st, 2017 at Parx Casino, whereby during the
25 play of Blackjack, a patron spilled his drink on a

1 gold-backed queen of diamonds playing card and a
2 gold-backed three of diamonds playing card. The
3 Dealer at the Blackjack table attempted to clean up
4 the spilled drink, notified a Lead Supervisor and
5 continued with the Blackjack hand.

6 Subsequently the Lead Supervisor came
7 to the table and replaced the damaged card with a
8 gold-backed jack of diamonds and a gold-backed three
9 of diamonds. The Lead Supervisor properly displayed
10 both sets of cards for the Surveillance Department,
11 but Parx Casino was unable to provide verification
12 that the Surveillance Department had been notified
13 of the damaged cards. In any event, the error was
14 not discovered.

15 Blackjack play continued at the
16 Blackjack table with an extra jack of diamonds in
17 the deck and with one less queen of diamonds in the
18 deck from 8:39 p.m. on March 21st, 2017 until the
19 deck was retired from play at 3:53 a.m. on
20 March 22nd, 2017. Approximately 420 rounds were
21 played at the Blackjack table with the deck in
22 question. The error was discovered by the Parx
23 Casino Security Department, as it conducted an
24 inspection of the replacement deck.

25 As a result, the Parx Casino

1 Surveillance Department was notified and they in
2 turn notified the Board's Bureau of Casino
3 Compliance of the error on March 24th, 2017. Board
4 regulations and Parx Casino's approved internal
5 controls provide the proper procedure for the
6 replacement of damaged playing cards, and also the
7 requirements for the contents of a deck of cards
8 approved for table games play.

9 The terms of this agreement include a
10 provision that Greenwood Gaming and Entertainment,
11 Inc. shall reinforce existing policies to minimize
12 the opportunity for similar incidents like this to
13 occur in the future. Further, Greenwood Gaming and
14 Entertainment, Inc. shall pay a total fine of
15 \$10,000 and an administrative fee of \$2,500.

16 The fine and administrative fee shall
17 be paid within five days of the Consent Agreement
18 being approved by the Board. Counsel for Greenwood
19 Gaming Entertainment, Inc. is in attendance today to
20 answer any questions you may have. Otherwise, the
21 OEC asks that the Board entertain a motion to
22 approve this Consent Agreement.

23 CHAIRMAN: Comments?

24 MR. SCHROEDER: Chairman and
25 Commissioners, I'd quickly like to discuss remedial

1 measure we put in place. I was here, I believe,
2 three months ago for an incident that also occurred
3 at Table Games Operations.

4 Both that incident and this incident
5 happened over a year ago. Because of those two
6 incidents, table games management put in a refresher
7 course for our supervisors.

8 It was designed to handle the basic
9 machinations of table games, dealing, shuffling,
10 placing cards. It happened every day, but due to
11 the amount of transactions that occur, there's a
12 certain compliancy that we've noticed. And because
13 of that we do this refresher course and we hope that
14 refresher course eliminates or substantially reduces
15 errors like this in the future.

16 And that's - that's all I have right
17 now. I'd be glad to answer any questions you have.

18 CHAIRMAN: Thank you. Any questions
19 or comments from the Board in this matter? Hearing
20 none, may I have a motion?

21 MR. SANTONI: Mr. Chairman, I move
22 that the Board approve the Consent Agreement between
23 the OEC and Greenwood Gaming and Entertainment, Inc.
24 as described by the OEC.

25 MR. JEWELL: Second.

1 CHAIRMAN: All in favor?

2 AYES RESPOND

3 CHAIRMAN: All opposed? Motion's
4 adopted. Thanks for coming.

5 ATTORNEY PITRE: The next five matters
6 on the agenda consist of enforcement actions in
7 which the OEC filed complaints seeking the
8 revocation of one Gaming Employee Occupation Permit
9 and one Non-Gaming Registration and the suspension
10 of three Non-Gaming Employee Registrations, which
11 were issued by the Board. Each complaint has been
12 filed with the Board's OHA and properly served upon
13 the individual named in each complaint.

14 The person named in each complaint
15 failed to respond within 30 days as required by
16 Board regulation. As a result, the OEC filed a
17 request for default judgment and properly served the
18 same upon each named individual. Therefore, the
19 facts in each complaint are deemed admitted. All
20 filed documents have been provided to the Board and
21 the matters are presently ripe for the Board's
22 consideration. In each instance we will provide a
23 brief summary of the facts and request the
24 appropriate Board action.

25 ATTORNEY MILLER: Good morning.

1 Dustin Miller, once again, on behalf of the OEC.
2 The next matter today is a request for revocation
3 involving Demetrius Davis. Mr. Davis was hired as
4 an EBS Attendant at Parx Casino and registered as a
5 Non-Gaming Employee. The OEC filed an enforcement
6 complaint to - on February 1st, 2018 to revoke Mr.
7 Davis' Non-Gaming Employee Registration after he was
8 convicted of sale of a firearm to an ineligible
9 transferee, a felony of the third degree on
10 January 11th, 2018.

11 Although licensed, Mr. Davis, never
12 started work at any casino in Pennsylvania. Based
13 upon the foregoing, the OEC ask that the Board
14 consider a motion to revoke Demetrius Davis'
15 Non-Gaming Employee Registration.

16 CHAIRMAN: Thank you. Questions or
17 comments from the Board? May I have a motion?

18 MR. JEWELL: Mr. Chairman, I move that
19 the Board approve the revocation of Demetrius Davis'
20 Non-Gaming Employee Registration, as described by
21 the OEC.

22 MR. KERNODLE: Second.

23 CHAIRMAN: All in favor?

24 AYES RESPOND

25 CHAIRMAN: All opposed? Motion's

1 adopted.

2 ATTORNEY GABRIELLE: Good morning, Mr.
3 Chairman and members of the Board. Ashley
4 Gabrielle, G-A-B-R-I-E-L-L-E, with the OEC. Next on
5 the agenda for the Board's consideration is a
6 complaint seeking the suspension of a Non-Gaming
7 Employee Registration issued to Gianna Furia. On
8 November 7th, 2017, in concert with others, with
9 intent to commit a crime therein, Ms. Furia
10 unlawfully entered a building or occupied a
11 structure belonging to another individual at or near
12 1013 South 12th Street in Philadelphia.

13 She was arrested and charged with
14 criminal conspiracy, a felony-graded offense;
15 burglary, a felony-graded offense; criminal
16 trespass, break into structure, a felony-graded
17 offense and criminal mischief. The charges are
18 pending. At this time the OEC requests that the
19 Board suspend a Non-Gaming Employee Registration
20 issued to Gianna Furia.

21 CHAIRMAN: Questions or comments from
22 the Board? May I have a motion?

23 MR. KERNODLE: Mr. Chairman, I move
24 that the Board approve the suspension of Gianna
25 Furia's Non-Gaming Employee Registration, as

1 described by the OEC.

2 MR. LOGAN: Second.

3 CHAIRMAN: All in favor?

4 AYES RESPOND

5 CHAIRMAN: All opposed? The motion's
6 adopted.

7 ATTORNEY KOLESAR: Good morning,
8 Chairman, members of the Board, Sarah Kolesar,
9 K-O-L-E-S-A-R, Assistant Enforcement Counsel with
10 the OEC. The next matter on the agenda for the
11 Board's consideration is the revocation of the
12 Gaming Employee Permit issued to Robert Henderson,
13 for failing to comply with a special statement of
14 conditions of licensure that required him to abide
15 by all conditions of the State of Maryland Step
16 Program, which he entered into as a result of
17 misdemeanor criminal charges and provide any
18 documentation related to said criminal charges.

19 Mr. Henderson has not provided any
20 additional documentation regarding the criminal
21 charges, has not completed the Step Program, and has
22 violated the terms of his probation by failing to
23 appear. At this time the OEC requests that the
24 Board revoke the Gaming Employee Permit issued to
25 Mr. Henderson.

1 CHAIRMAN: Questions or comments from
2 the Board? May I have a motion?

3 MR. LOGAN: Mr. Chairman, I move that
4 the Board approve the revocation of Robert
5 Henderson's Gaming Employee Occupation Permit as
6 described by the OEC.

7 MS. MANDERINO: Second.

8 CHAIRMAN: All in favor?

9 AYES RESPOND

10 CHAIRMAN: All opposed? The motion's
11 adopted.

12 ATTORNEY KOLESAR: The next matter on
13 the agenda for the Board's consideration is the
14 suspension of the Non-Gaming Employee Registration
15 issued to James Satter for being arrested and
16 criminally charged with two felony offenses that
17 stem from a domestic incident where Mr. Satter
18 assaulted and threatened his mother. Mr. Satter
19 pled guilty to misdemeanor simple assault and
20 misdemeanor terroristic threat and was sentenced to
21 two years probation.

22 At this time the OEC request that the
23 Board suspend the Non-Gaming Employee Registration
24 issued to Mr. Satter.

25 CHAIRMAN: Questions or comments from

1 the Board? May I have a motion?

2 MS. MANDERINO: Mr. Chairman, I move
3 the Board approve the suspension of James Satter's
4 Non-Gaming Employee Registration, as described by
5 the OEC.

6 MS. REITZEL: Second.

7 CHAIRMAN: All in favor?

8 AYES RESPOND

9 CHAIRMAN: All opposed? The motion's
10 adopted.

11 ATTORNEY MILLER: Dustin Miller, once
12 again, on behalf of the OEC. The next matter today
13 is request for suspension involving Albert Ramirez.
14 Mr. Ramirez was employed as a Food and Beverage
15 Attendant at Parx Casino and registered as a
16 Non-Gaming Employee.

17 The OEC filed an enforcement complaint
18 on October 6th, 2017, to suspend Mr. Ramirez's
19 Non-Gaming Employee Registration, after an arrest
20 warrant was issued for his arrest after he failed to
21 appear in the Court of Common Pleas of Bucks County
22 for formal arraignment to address his arrest for
23 driving under the influence, possession of a small
24 amount of marijuana and related charges.

25 Mr. Ramirez was terminated from his

1 employment at Parx Casino on February 27th, 2017 for
2 attendance issues. Based on the foregoing, the OEC
3 asks the Board to consider the suspension of Albert
4 Ramirez's Non-Gaming Employee Registration.

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

7 MS. REITZEL: Mr. Chairman, I move
8 that the Board approve the suspension of Robert
9 Ramirez's Non-Gaming Employee Registration as
10 described by the OEC.

11 MR. SANTONI: Second.

12 CHAIRMAN: All in favor?

13 AYES RESPOND

14 CHAIRMAN: All opposed? Motion's
15 adopted.

16 ATTORNEY PITRE: The remaining matters
17 on the agenda consist of enforcement actions in
18 which the OEC filed petitions seeking the
19 involuntary exclusion of individuals whose presence
20 in a licensed facility are inimical to the interest
21 of the Commonwealth and their licensed gaming
22 therein. In each instance the petition for
23 exclusion has been filed with the Board's OHA and
24 properly served upon the individual named in each
25 petition. The individual named in each petition

1 failed to respond within 30 days as required by
2 Board regulation.

3 As a result the OEC filed a request
4 for default judgment in each instance and properly
5 served the same upon each named individual.
6 Therefore, all facts in each petition are deemed
7 admitted. All filed documents have been provided to
8 the Board. And the matters are presently ripe for
9 the Board's consideration. In each instance if the
10 Board orders the proposed exclusion, each
11 individual's photo, personal identifiers and a
12 summary of the inimical conduct will be placed on
13 the Board's public website.

14 ATTORNEY COOK: Next for your
15 consideration is a petition to place Thomas Daniels
16 on the Board's Involuntary Exclusion List. On
17 December 23rd, 2017, Mr. Daniels physically
18 assaulted a female patron while patronizing Harrah's
19 Philadelphia. The Chester Police Department
20 arrested and charged Mr. Daniels with one count of
21 misdemeanor simple assault and three summary
22 offenses.

23 On March 20th, 2018 a preliminary
24 hearing was held. At that preliminary hearing Mr.
25 Daniels pled guilty to disorderly conduct and the

1 simple assault. At this time OEC requests the Board
2 issue an Order placing Mr. Daniels on the Board's
3 Involuntary Exclusion List.

4 CHAIRMAN: Questions or comments from
5 the Board? Hearing none, may I have a motion?

6 MR. SANTONI: Mr. Chairman, I move
7 that the Board approve the addition of Thomas
8 Daniels to the PGCB Involuntary Exclusion List as
9 described by the OEC.

10 MR. JEWELL: Second.

11 CHAIRMAN: All in favor?

12 AYES RESPOND

13 CHAIRMAN: All opposed? The motion's
14 adopted.

15 ATTORNEY COOK: The next matter for
16 your consideration is a petition to place William
17 Gates in the Board's Involuntary Exclusion List. On
18 November 10th, 2017, Mr. Gates punched the display
19 glass of a slot machine while gaming at Harrah's
20 Philadelphia. Mr. Gates intentionally damaged the
21 slot machine temporarily - which temporarily placed
22 it out of order.

23 The Pennsylvania State Police cited
24 Mr. Gates with one count of criminal mischief. On
25 December 20th, 2017, Mr. Gates pleaded guilty to

1 that charge. At this time OEC requests the Board
2 issue an Order placing Mr. Gates on the Board's
3 Involuntary Exclusion list.

4 CHAIRMAN: Questions or comments from
5 the Board?

6 MR. JEWELL: We should identify him as
7 William Gates, Sr., I believe, for the record.

8 CHAIRMAN: Any other questions or
9 comments from the Board? Hearing none, may I have a
10 motion?

11 MR. JEWELL: Mr. Chairman, I move that
12 the Board approve the addition of William Gates, Sr.
13 to the PGCB Involuntary Exclusion List, as described
14 by the OEC.

15 MR. KERNODLE: Second.

16 CHAIRMAN: All in favor?

17 AYES RESPOND

18 CHAIRMAN: All opposed? The motion's
19 adopted.

20 ATTORNEY COOK: The next matter for
21 your consideration is a petition to place Kenneth
22 Hamilton on the Board's Involuntary Exclusion List.
23 On February 25th of 2017 Mr. Hamilton accompanied an
24 underage individual onto the gaming floor in
25 Harrah's Philadelphia. While on the gaming floor

1 Mr. Hamilton stole a patron's check and car keys and
2 was involved in an altercation with the Chester
3 Police Department.

4 The Chester PD arrested and criminally
5 charged Mr. Hamilton. On January 24th of 2018 Mr.
6 Hamilton pleaded guilty to theft by unlawful taking
7 and aggravated assault. At this time OEC requests
8 the Board issue an Order placing Mr. Hamilton on the
9 Board's Involuntary Exclusion List.

10 CHAIRMAN: Questions or comments from
11 the Board? May I have a motion?

12 MR. KERNODLE: Mr. Chairman, I move
13 that the Board approve the addition of Kenneth
14 Hamilton to the PGCB Involuntary Exclusion List,
15 described by the OEC.

16 MR. LOGAN: Second.

17 CHAIRMAN: All in favor?

18 AYES RESPOND

19 CHAIRMAN: All opposed? The motion's
20 adopted.

21 ATTORNEY MILLER: Dustin Miller, once
22 again, on behalf of the OEC. The next matter today
23 is request for placement on the Board's Excluded
24 Persons List, involving Melissa Jo McCloskey. The
25 OEC filed a petition to place Ms. McCloskey on the

1 Exclusion List due to an incident that occurred on
2 April 22nd, 2017.

3 On that date Ms. McCloskey entered the
4 Rivers Casino parking garage and then left her
5 12-year-old daughter alone in the vehicle for
6 approximately one hour and 54 minutes to engage in
7 gaming activity. Patron reported to Security that
8 the girl was unattended in the garage.

9 Ms. McCloskey was issued a one-year
10 ban by Rivers Casino for her actions. Based upon
11 the foregoing, the OEC asks that the Board place
12 Melissa McCloskey on the Board's Excluded Persons
13 List.

14 CHAIRMAN: Is there any time
15 limitation on that request?

16 ATTORNEY PITRE: No.

17 ATTORNEY MILLER: No.

18 CHAIRMAN: Okay.

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

21 MR. LOGAN: Yeah, before I do, I -
22 these just drive me crazy. I - I know the - the
23 child was 12 year old - 12 years old, but these
24 parents. I mean, get a babysitter, get Xbox.

25 Let them play Fort Knight. My kid

1 plays Fort Knight for hours. So, I just don't - I
2 can't understand when - whether it's 12 or 10 or -
3 or whatever, leaving them in the car -.

4 Gaming can't be all that important, so
5 I - I don't -. I doubt if Melissa is listening, but
6 for the next Melissa or Mark or whoever - because
7 we'll have another one of these cases. It blows my
8 mind where they leave their kid in the car to go
9 game whether it's for a minute or in this particular
10 case almost two hours.

11 With that said, Mr. Chairman, I move
12 that the Board approve the addition of Melissa Jo
13 McCloskey to the PGCB Involuntary Exclusion List as
14 described by the OEC. I further move that Ms.
15 McCloskey be removed from the list after two years.

16 MS. MANDERINO: Second.

17 CHAIRMAN: Thank you.

18 MS. MANDERINO: Question. Is that an
19 automatic removal or does she have to petition?

20 ATTORNEY PITRE: Automatic.

21 MS. MANDERINO: Automatic. Thank you.

22 CHAIRMAN: Would you just state that
23 as part of your motion, if you would, again?

24 MR. LOGAN: Yeah. I further move that
25 Ms. McCloskey be automatically removed from the list

1 after two years.

2 CHAIRMAN: And is there a second?

3 MS. MANDERINO: Second.

4 CHAIRMAN: All in favor?

5 AYES RESPOND

6 CHAIRMAN: All opposed? Motion's
7 adopted.

8 ATTORNEY ROLAND: Good afternoon, Mr.
9 Chairman. Michael Roland, R-O-L-A-N-D, with the
10 OEC. Next two matters on the agenda arise from the
11 same fact pattern. And each involves a request to
12 place the individual on the Involuntary Exclusion
13 List. In October of 2017, the Bureau of Casino
14 Compliance was notified by Sands surveillance that
15 two adult males were searching through unlocked cars
16 in the parking garage at Sands Casino.

17 Tyrone Wint and Ishyya Hicks were
18 observed attempting to gain access to multiple cars
19 and were successful on at least one occasion. The
20 owner of the vehicle was located and identified and
21 advised that a receipt and a key were missing from
22 the car. The receipt was found on Tyrone Wint. Mr.
23 Wint was criminally charged by the Bethlehem Police
24 Department with theft from a motor vehicle and
25 entered a guilty plea to the charge.

1 Mr. Hicks was criminally charged with
2 conspiracy to commit theft from a motor vehicle and
3 possession of drug paraphernalia and his charges
4 remain pending. The matter is now before the Board
5 to consider the placement of Ishyya Hicks on the
6 Board's Involuntary Exclusion List.

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

9 MS. MANDERINO: Mr. Chairman, I move
10 the Board approve the addition of Ishyya Hicks to
11 the PGCB Involuntary Exclusion List, as described by
12 the OEC.

13 MS. REITZEL: Second.

14 CHAIRMAN: All in favor?

15 AYES RESPOND

16 CHAIRMAN: All opposed? The motion's
17 adopted.

18 ATTORNEY ROLAND: And the matter is
19 now before the Board to consider the placement of
20 Tyrone Wint on the Board's Involuntary Exclusion
21 List.

22 CHAIRMAN: Questions or comments from
23 the Board? Hearing none, may I have a motion?

24 MS. REITZEL: Mr. Chairman, I move
25 that the Board approve the addition of Tyrone Wint

1 to the PGCB Involuntary Exclusion List, as described
2 by the OEC.

3 MR. SANTONI: Second.

4 CHAIRMAN: All in favor?

5 AYES RESPOND

6 CHAIRMAN: All opposed? The motion's
7 adopted.

8 ATTORNEY GABRIELLE: Ashley Gabrielle,
9 on behalf of OEC. I'll address the final two
10 matters. The next two matters on the agenda for the
11 Board's consideration are petitions for the
12 exclusion of Tariq Ibrahim and Celestinen
13 Washington. As the exclusion request arise from the
14 same set of facts, I will provide the facts given
15 rise to the request and then separately request the
16 exclusion of each individual.

17 On Friday, September 8th, 2017 at Parx
18 Casino in Bensalem, PA, Ms. Washington unlawfully
19 entered another person's in the Parx parking lot
20 through a broken window. She entered the vehicle,
21 closed the door and sat inside for approximately
22 seven minutes. Mr. Ibrahim roamed the parking lot
23 as a lookout for Ms. Washington while she committed
24 the break-in. Once she exited the vehicle, Ms.
25 Washington and Mr. Ibrahim proceeded to Parx Casino

1 to engage in gaming activity.

2 When the owner of the vehicle returned
3 to his car, he noticed that his car had been broken
4 into and reported to security staff that a camera,
5 CDs, Bluetooth speaker, coins and two drills were
6 missing from his vehicle. According to the victim
7 the value of the missing items totaled approximately
8 \$860. Mr. Ibrahim and Ms. Washington were found
9 playing at slot machines inside of Parx and
10 arrested. Additionally, Ms. Washington is being
11 excluded for incidents of misconduct that occurred
12 on June 21st, 2014, while she was on SugarHouse
13 Casino's gaming floor.

14 Ms. Washington stole a cigarette case
15 containing a cell phone, ID and credit cards
16 belonging to another patron. When confronted by
17 SugarHouse staff, Ms. Washington admitted to the
18 theft, returned the items and was issued a permanent
19 eviction from SugarHouse. At this time the OEC
20 requests that the Board exclude Tariq Ibrahim.

21 CHAIRMAN: Questions or comments from
22 the Board? Hearing none, may I have a motion?

23 MR. SANTONI: Mr. Chairman, I move
24 that the Board approve the addition of Tariq Ibrahim
25 to the PGCB Involuntary Exclusion List, as described

1 by the OEC.

2 MR. JEWELL: Second.

3 CHAIRMAN: All in favor?

4 AYES RESPOND

5 CHAIRMAN: All opposed? The motion's
6 adopted.

7 ATTORNEY GABRIELLE: At this time the
8 OEC requests that the Board exclude Celestinen
9 Washington.

10 CHAIRMAN: Sorry. Could you repeat
11 that for a second? I'm sorry.

12 ATTORNEY GABRIELLE: At this time the
13 OEC requests that the Board exclude Celestinen
14 Washington.

15 CHAIRMAN: Any questions or comments
16 from the Board? May I have a motion?

17 MR. JEWELL: Mr. Chairman, I move that
18 the Board approve the addition of Celestinen
19 Washington to the PGCB Involuntary Exclusion List as
20 described by the OEC.

21 MR. KERNODLE: Second.

22 CHAIRMAN: All in favor?

23 AYES RESPOND

24 CHAIRMAN: All opposed? The motion's
25 adopted.

1 ATTORNEY PITRE: Thank you. That
2 concludes our business.

3 CHAIRMAN: Thank you. That concludes
4 today's meeting. Our next public session will be
5 held on Wednesday, May 30th at 10:00 a.m. in this
6 room. May I have a motion to adjourn?

7 MR. KERNODLE: I motion to adjourn.

8 CHAIRMAN: Is there -?

9 MR. LOGAN: Second.

10 CHAIRMAN: All in favor?

11 AYES RESPOND

12 CHAIRMAN: All opposed? The motion's
13 adopted. Thank you all for your time and your
14 attendance. Thank you.

15 * * * * *

16 HEARING CONCLUDED AT 12:15 P.M.

17 * * * * *

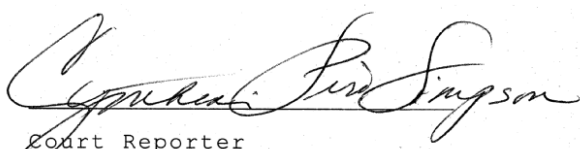
18

19 CERTIFICATE

20 I hereby certify that the foregoing proceedings,
21 a meeting held before Chairman Barasch, was reported
22 by me on 5/2/18 and that I, Cynthia Piro Simpson, read
23 this transcript, and that I attest that this
24 transcript is a true and accurate record of the
25 proceeding.

1 Dated the 24th day of May, 2018

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Court Reporter
Cynthia Piro Simpson