

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: MEMBERS OF THE BOARD:

DAVID M. BARASCH, CHAIRMAN

Richard G. Jewell

Obra S. Kernodle, IV

Sean Logan

Kathy M. Manderino (via telephone)

Merritt C. Reitzel

Dante Santoni, Jr.

EX-OFFICIO MEMBERS/DESIGNEES IN ATTENDANCE:

Jennifer Langan, Designee, Pennsylvania
Treasury

Christin Heidingsfelder, Designee,
Department of Revenue

Fred Strathmeyer, Designee,
Department of Agriculture

HEARING: Wednesday, October 31, 2018, 10:00 a.m.

Reporter: Bernadette M. Black

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LOCATION: Pennsylvania Gaming Control Board
Strawberry Square
2nd Floor
Harrisburg, PA 17101

A P P E A R A N C E S

PA GAMING CONTROL BOARD EXECUTIVE STAFF WHO APPEARED
BEFORE THE BOARD:

Kevin O'Toole, Executive Director - Delegation of
Authority for Sports Wagering and Interactive Gaming

Danette Bixler-George, Director, Human Resources -
New Hires

David Rhen, Director, Financial Management -
Quarterly Report and FY 2019/20 Budget Request

R. Douglas Sherman, Chief Counsel - Petitions

Steve Cook, Deputy Chief Counsel -

Withdrawals/Surrenders and Report and
Recommendations

Susan Hensel, Director, Bureau of Licensing -
Licensing Matters

Cyrus Pitre, Chief Enforcement Counsel - Enforcement
Actions

OFFICE OF ENFORCEMENT COUNSEL - ALSO PRESENTING:

James Armstrong, Benjamin Ferrell, Ashley Gabrielle,
Tamara Haken, Sarah Kolesar, Dustin Miller, Michael
Roland and David Tepper.

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

OTHER ATTENDEES FOR MEETING AND/OR PUBLIC HEARINGS:

SONIC SERVICES, INC.:

Joseph W. Grad, Esquire, Counsel for Sonic Services, Inc.

Michael Giammarino, President, Sonic Services, Inc.

PRESQUE ISLE DOWNS, INC. & CHURCHILL DOWNS, INC.:

Stephen D. Schrier, Esquire, Counsel for Presque Isle Downs, Inc.

Kevin C. Hayes, Esquire, Counsel for Churchill Downs, Inc.

Justin Hurt, Vice President of Business Development for Online Gaming, Churchill Downs

Kevin O'Sullivan, Vice President and General Manager, Presque Isle Downs, Inc.

Brad Blackwell, Senior Vice President and General Counsel, Churchill Downs, Incorporated

CHESTER DOWNS AND MARINA, LLC:

William J. Downey, III, Esquire, Counsel for Chester Downs & Marina, LLC

Christina Herrera, Vice President of Gaming Operations, Chester Downs and Marina, LLC

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

CHESTER DOWNS AND MARINA, LLC:

Lynn Hughes, Vice President, Chief Legal Officer,
Chester Downs and Marina, LLC

Tracey Witchko, Vice President and Assistant General
Manager, Chester Downs and Marina, LLC

Zara Alayan, Vice President of Finance, Chester
Downs and Marina, LLC

Marissa Stagg, Compliance Manager, Chester Downs and
Marina, LLC

Joe Tyrrell, Vice President of Government Relations,
Chester Downs and Marina, LLC

Christopher Albrecht, Senior Vice President and
General Manager, Chester Downs and Marina, LLC

GREENWOOD GAMING AND ENTERTAINMENT, INC. (Parx):

Bryan Schroeder, Vice President of Regulatory
Affairs and Chief Compliance Officer, Greenwood
Gaming

Steve Houle, Director of Slot Operators, Greenwood
Gaming

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

STADIUM CASINO, LLC:

Mark Stewart, Esquire, Counsel for Stadium Casino,
LLC

HOLDINGS ACQUISITIONS CO., LP (Rivers Casino):

Laura McAllister Cox, Esquire, Counsel for Rush
Street Gaming, LLC, SugarHouse HSP Gaming, LP
(SugarHouse Casino) and Holdings Acquisition
Company, LP (Rivers Casino)

Joe Scibetta, Vice President of Development and
Operations, Rush Street Gaming

Andre Barnabei, Vice President of Slot Operations,
Rivers Casino

SUGARHOUSE HSP GAMING, LP:

Cheryl Duhon, General Manager, SugarHouse Casino

Dean McBride, Vice President of Gaming, SugarHouse
Casino

VALLEY FORGE CONVENTION CENTER PARTNERS, LP:

Adrian R. King, Jr., Esquire, Counsel for Valley
Forge Convention Center Partners, LP and Boyd Gaming

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

VALLEY FORGE CONVENTION CENTER PARTNERS, LP:

Bill Wright, Senior Vice President of Operations,
Boyd Gaming

David Zerfing, Vice President and General Manager,
Valley Forge Convention Center Partners, LP

REVOCAATION APPEAL

Breana Porter, Non-Gaming Employee Registration

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P R O C E E D I N G S

CHAIRMAN: Good morning, everyone.

I'm David Barasch, Chairman of the Pennsylvania Gaming Control Board. If you haven't already, make sure you've put your various electronic devices on silent.

With us today are Fred Strathmeyer representing Russ Redding, Secretary of Department of Agriculture. Jen Langan, representing Joe Torsella, State Treasurer. And Christin Heidingsfelder - we're working on it - a brand new representative of the Department of Revenue representing Dan Hassell. Thank you all for coming.

Quorum of the members being present. I'll call today's meeting to order. Commissioner Manderino is participating via telephone today.

Good morning, Kathy.

MS. MANDERINO: Good morning.

CHAIRMAN: Okay.

You're there. Great.

First order of business, the Pledge of Allegiance.

(WHEREUPON, THE PLEDGE OF ALLEGIANCE WAS

1 RECITED.)

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CHAIRMAN: By way of announcements, the Board held an Executive Session yesterday, October 30th, to discuss personnel matters and to conduct quasi-judicial deliberations relating to matters that we're going to be considering today.

I'd also like to announce the Board will be holding a public input hearing tomorrow, November 1st, at ten o'clock in Springettsbury Township Municipal Administration Building, located at 1501 Mount Zion Road in York, Pennsylvania.

At that time we will collect testimony on the Category 4 License, Casino License Application submitted by Mountainview Thoroughbred Racing Associates. A list of all citizens, public officials, community groups registered to speak can be viewed on the Board's website under the Quick Links section of the home page - of the home page, go to the speakers list.

First matter this morning we're going to take up is Sonic Services. We're going to do this a bit out of order, because Commissioner Manderino has some personal business that she has to attend to later today and won't be able to

1 participate in the entirety of the meeting. As a
2 result, we're going to move the consideration of
3 Sonic Services up to first matter to be heard.

4 I believe Counsel is present and
5 wishes to exercise the ability to briefly address
6 the Board before the matter is decided. So, at this
7 point, I'd ask them to come forward.

8 Steve, you have some comments
9 initially.

10 ATTORNEY COOK: I have a brief summary
11 of the matter, Mr. Chairman, Members of the Board.

12 Sonic Services, Incorporated was
13 approved as a Registered Gaming Service Provider by
14 the Board on August 10th, 2016 after Sonic entered
15 an agreement with an affiliate of Parx Casino to
16 provide assistance in establishing a restaurant in
17 the form of a Lombardi's Pizzeria on the casino
18 property.

19 Within a few months of Sonic's
20 approval for registration, the Bureau of
21 Investigations and Enforcement (BIE) received
22 information from law enforcement in New Jersey,
23 alleging that Sonic Services and its Principal,
24 Michael Giammarino, had ties to organized crime
25 figures.

1 Following a year-long investigation,
2 the Office of Enforcement Counsel (OEC) filed a
3 Complaint to revoke Sonic's GSP Registration.

4 The hearing in this matter was held on
5 May 15th, 2018. OEC appeared, presenting both
6 testimonial and documentary evidence. They
7 presented witnesses, which included representatives
8 of BIE, Parx and law enforcement officials from
9 Pennsylvania, New Jersey and New York.

10 Mr. Giammarino, personally and on
11 behalf of Sonic Services, attended the hearing with
12 Counsel, presented his own testimony and the
13 testimony of an accountant and documentary evidence
14 to defend their position that Mr. Giammarino did not
15 have strong associations with individuals - the
16 individuals in question. And as a result, he was
17 unaware of the individuals alleged ties to organized
18 crime.

19 At issue are three individuals; Joseph
20 DeSimone, a patron of Parx who attempted to broker a
21 deal between Sonic Services and Parx Casino for
22 placement of a Lombardi's Pizzeria at Parx.

23 The evidence presented showed Mr.
24 DeSimone has a history of weapons and drug-related
25 convictions tied to organized crime. I would also

1 make a side note here that upon OEC filing its
2 complaint in this matter, Mr. DeSimone was barred
3 from the property at Parx by Parx management.

4 The second individual is John DeLutoro
5 (sic), the owner of a pastry shop in the Little
6 Italy neighborhood of New York City, who was also
7 introduced in Parx officials by Mr. DeSimone for the
8 purpose of attempting to broker the placement of a
9 pastry shop, along with the Lombardi's Pizza in the
10 Casino.

11 The evidence presented showed Mr.
12 DeLutro had prior convictions for drug distribution
13 tied to organized crime.

14 And the third individual is John
15 Brescio, Mr. Giammarino's stepfather. Mr. Brescio
16 helped reestablish Lombardi's Pizzeria in Little
17 Italy neighborhood of New York City in the mid-1990s
18 and later turned management of that establishment
19 over to Mr. Giammarino, as well as transferred
20 ownership of the restaurant into a trust for Mr.
21 Giammarino's benefit.

22 The evidence presented showed that Mr.
23 Brescio had seven criminal convictions between 1977
24 and 1986 for offenses tied to organized crime, which
25 included theft, illegal gambling, forgery and

1 possession of firearms as well as drug distribution.

2 At the hearing and in the subsequent
3 brief filed in the matter, Sonic Services and Mr.
4 Giammarino have essentially taken the position that
5 he had limited associations with all three of these
6 individuals, having never met Mr. DeSimone prior to
7 being approached by him to broker the deal at Parx.

8 Relative to Mr. DeLutro, Mr.
9 Giammarino testified that they were only
10 acquaintances who only knew each other, because they
11 both had establishments in Little Italy.

12 Finally, relative to his stepfather,
13 Mr. Brescio, Mr. Giammarino testified that he really
14 doesn't know him well. Mr. Brescio married his
15 mother. Mr. Giammarino was already an independent
16 adult, and since his mother's death in 2011, he has
17 only had limited interaction with Mr. Brescio.

18 MR. LOGAN: I'm sorry, Steve. He does
19 or doesn't know him well? What did you say?

20 ATTORNEY COOK: He does not have - he
21 does not know him well since he married his mother
22 as an independent adult, and since his mother's
23 death in 2011, they've had limited interaction.

24 MR. LOGAN: Got you. Thanks.

25 ATTORNEY COOK: The Hearing Officer in

1 this matter, hearing all the evidence issued a
2 Report and Recommendation, finding that the OEC
3 failed to meet their burden to show that Mr.
4 Giammarino's associations with the three individuals
5 in question was anything but unknowing and innocent.

6 As a result, the Hearing Officer
7 recommends that the complaint to revoke Sonic
8 Services, Inc.'s Gaming Service Provider
9 Registration be denied.

10 As noted by the Chairman, Mr.
11 Giammarino and counsel are present, and would like
12 to briefly address the Board.

13 CHAIRMAN: Thank you.

14 Counsel for Sonic Services, who's
15 that?

16 ATTORNEY GRAD: I'm Counsel for Sonic
17 Services. My name's Joseph Grad.

18 Members of the Board -.

19 CHAIRMAN: Excuse me.

20 ATTORNEY GRAD: Sorry.

21 CHAIRMAN: Would each of you - would
22 you both state and spell your name for the court
23 reporter and also the name of your - whoever's with
24 you. And if he intends to testify, I would ask that
25 - stand and be sworn at this time.

1 Mr. Giammarino is going to make a
2 statement on his behalf.

3 MR. GIAMMARINO: Mr. Chairman, members
4 of the Pennsylvania Gaming Control Board, my name is
5 Michael Giammarino, and I am the President and Sole
6 Shareholder of Sonic Services, Inc. I appreciate
7 the opportunity today to tell my story a little bit,
8 and I would be happy to answer any questions at the
9 end.

10 CHAIRMAN: Well, I'll just, again,
11 would caution you. We're not interested in hearing
12 the story again.

13 Okay.

14 The evidentiary record is closed. I'm
15 much more interested in hearing any summary
16 statements or arguments.

17 ATTORNEY GRAD: It's just a summary.

18 CHAIRMAN: Okay.

19 MR. GIAMMARINO: So I was 25 years old
20 when my mother married my stepfather. I never lived
21 under his roof. We never had a close relationship.

22 In the 1990s, it's true, they opened up the
23 restaurant and they both operated together.

24 In 2004 my mother wanted to retire,
25 and my stepfather, at the time, was having some

1 trouble with his heart and they asked me to take the
2 place over. I took the place over.

3 And the only thing that I let him
4 continue to do was handle media, which is something
5 that he did during the whole time that he was there.

6 In 2011 my mother passed away, I then
7 became the President of the corporation. And I
8 continued with that same relationship with him, in a
9 more of like a part-time, few hours a month type of
10 relationship. It was really just - he was only
11 handling media.

12 From the time I took over until the
13 time that, you know, I became President, he had no
14 managerial duties, nothing at all. It was just
15 these - these media appearances, because that was
16 what he was doing over the years.

17 In the 27 years that I've known him, I
18 have never seen him in trouble. And I just - I've
19 never seen anything or heard any rumors that would -
20 that I could even say - that would even - these
21 allegations, I just can't - I can't even believe it.

22 I don't socialize with the guy. I
23 don't have a good relationship with him. I don't
24 have any business dealings with him. All I do is go
25 to work and I run the business.

1 I took the allegations very serious.
2 They come from credible sources. I cancelled his
3 Consulting Agreement. It was a trust that he had
4 some limited rights in, and I asked him to disavow
5 those rights, and he did. My actions with him are
6 final, regardless of the outcome of this.

7 You know, I'm responsible for my
8 actions. And I understand that I'm responsible for
9 the people that are around me. But I mean, with all
10 three of these people, I mean, I had - I have no
11 idea, because I don't - I'm not friends with them, I
12 don't socialize with them.

13 And I'm going to make a statement
14 about the other two people. The first person,
15 DeLutro, he approached me and had this half-baked
16 plan. Didn't even mention the casino name, and I -
17 I told him no.

18 So that - that was a done thing for
19 over a year. And then I was approached by this guy,
20 DeSimone, who I never knew in my life, with an
21 opportunity at Parx Casino.

22 He was able to make contact with them
23 right away, set up an appointment and he had nothing
24 to do with the deal. He never sat in any meetings.
25 He never had anything to do with it at all.

1 And I just don't understand how their
2 - all these people's misdeeds all of a sudden got,
3 you know, basically tattooed on me. I didn't even
4 know these people during the times that all these
5 things happened.

6 So it's just I cooperated to the best
7 of my ability, hundreds of hours, thousands of
8 documents, multiple years of stuff that they looked
9 at for me, and there's nothing. There's nothing.

10 Two years, two ruined Christmases.
11 You know, I would never knowingly associate with
12 anyone that I thought was doing something wrong or
13 illegal.

14 The investigators talked to plenty of
15 people that know me outside of here. And I'm a good
16 person. I have a good character. No one can say
17 anything bad about me. I worked with the casino
18 people for almost two years prior to this. I did
19 every single thing that I promised for them and
20 more.

21 And even in the end, when this whole
22 thing blew up on me two weeks before the restaurant
23 opened, I stood there, and I continued on to - I
24 mean, I was dead in the water, and yet I still
25 fulfilled my obligation and then some to them,

1 because I'm a man of my word.

2 So in closing, you know, I just - you
3 know, I just - I just basically just want to say
4 that, you know, my prayers are that the Board, you
5 know, looks and weighs heavily on the Hearing
6 Officer. He spent a lot of time on this, and I
7 believe he came to the right conclusion based on the
8 lack of the evidence.

9 You know, when - when they had no
10 evidence, all they did was they transposed the
11 criminal histories of these people before I even
12 knew them. I mean, we're talking about 20, 30 years
13 back, before I even knew these people.

14 And as far as the first two, I have -
15 I have no business dealings with them, nothing
16 whatsoever. My stepfather was the only one that's
17 problematic.

18 CHAIRMAN: Okay.

19 MR. GIAMMARINO: I thank you for the
20 time.

21 CHAIRMAN: Do you have anything else
22 you want to add at this point?

23 ATTORNEY GRAD: Nothing further.

24 CHAIRMAN: Enforcement Counsel, have
25 any comments?

1 ATTORNEY SHERMAN: Just our closing
2 argument in this matter. As Steve indicated, this
3 matter arose from communication from the New Jersey
4 Commission of Investigation. The intelligence they
5 possessed indicated that organized crime was
6 attempting to infiltrate Parx Casino through a
7 planned pizzeria at the property.

8 Upon receiving this information, BIE
9 began an investigation which revealed information
10 that corroborated the allegations made by the New
11 Jersey Commission of Investigation.

12 Specifically, BIE found that Sonic
13 Services, the Registered Gaming Service Provider
14 contracted to provide consulting service to
15 establish a pizzeria inside Parx Casino, had
16 numerous associations with organized crime figures.

17 First John Brescio, Mr. Giammarino's
18 stepfather. Mr. Giammarino has worked with him for
19 many years at Lombardi's Pizzeria in New York City.
20 The Consulting Agreement between Sonic Services,
21 Inc. and Parx Casino specified that the pizzeria to
22 be placed in Parx was to be a Lombardi's Pizzeria.

23 Mr. Brescio has been the public face
24 of Lombardi's Pizzeria in numerous interviews. Mr.
25 Giammarino is the sole beneficiary of a trust

1 created by Mr. Brescio. Mr. Brescio has an
2 extensive criminal background, going back to the
3 1970s, including illegal gambling, distribution of
4 drugs and forgery, to name a few.

5 More importantly, Mr. Brescio is a
6 Captain in the Genovese organized crime family in
7 New York City. It should be noted that the New York
8 Waterfront Commission, who investigates these
9 matters, considers Mr. Giammarino an associate of
10 Mr. Brescio due to his numerous ties -.

11 CHAIRMAN: Interrupt you for a second.

12 ATTORNEY SHERMAN: Yes.

13 CHAIRMAN: In the interest of brevity.
14 Is all of this already in the record below?

15 ATTORNEY SHERMAN: The background is.
16 I'll just -

17 CHAIRMAN: Thank you.

18 ATTORNEY SHERMAN: - conclude.

19 OEC presented seven witnesses at the
20 evidentiary hearing in this matter, including
21 testimony from three different law enforcement
22 agencies; the New Jersey Commission of
23 Investigation, Pennsylvania State Police and the New
24 York Waterfront Commission, and our own BIE, which
25 shows the gravity of this matter.

1 Everywhere our investigators looks in
2 this matter, they found histories of drug
3 trafficking and ties to organized crime. In
4 addition to testimony, 25 exhibits were put into
5 evidence showing the nefarious background of Mr.
6 Brescio and Mr. DeSimone, and Mr. DeLutro, as well
7 as the connection between these individuals and Mr.
8 Giammarino.

9 The OEC considers this matter an
10 attempt by organized crime to get a toehold in
11 Pennsylvania's Gaming Industry. We encourage the
12 Board to take a zero-tolerance policy with regard to
13 any association with organized crime by any
14 applicant or licensee. Therefore, we ask the Board
15 to revoke Sonic Services, Inc.'s Gaming Service
16 Provider Registration due to these unsuitable
17 associations.

18 Thank you.

19 CHAIRMAN: Okay.

20 We do not intend to take this matter
21 up for a vote today. We wanted to put you at the
22 front, because you came a distance. We will
23 reschedule it for final vote on November 28th at our
24 next Public Board Meeting. That will give the Board
25 an opportunity to consider what was said today and

1 thoroughly review the record.

2 With the absence of any questions from
3 the Board, that's it for today. And I'd like to
4 thank you for coming.

5 ATTORNEY GRAD: Thank you.

6 CHAIRMAN: Okay.

7 Today we're having several public
8 hearings to address Petitions for Interactive Gaming
9 Certificates, Sports Wagering Certificates and an
10 Increasing the Number of Slot Machines. So, it's
11 going to be a busy morning.

12 ---

13 (WHEREUPON, PUBLIC HEARINGS WERE HELD.)

14 ---

15 CHAIRMAN: Kevin O'Toole, our
16 Executive Director.

17 MR. O'TOOLE: Good morning, Chairman
18 Barasch, Members of the Board.

19 As you are aware, over the last
20 several public meetings, and also today, the Board
21 has taken up, in the previous Public Meetings, has
22 approved a number of petitions relating to expanded
23 gambling in the Commonwealth.

24 Specifically petitions seeking
25 authorization to conduct interactive gaming and

1 petitions to allow sports wagering.

2 In these matters, along with the
3 Board's approval, came several conditions to which
4 the requesting casino had to comply before receiving
5 authorization to go operational.

6 These conditions cover everything from
7 licensure of new staff to required changes in
8 Compulsive and Problem Gambling Plans to testing and
9 approval of technologies involved and to
10 modifications in Security and Surveillance
11 Protocols.

12 I would like to report this morning
13 that all of the operators seeking expanded gaming
14 activities, including those who have appeared before
15 you today, in the areas of interactive gaming and
16 sports wagering, are making significant progress in
17 meeting these conditions.

18 As a result, I believe it will not be
19 very long until operations will begin being in a
20 position to go live in these areas of gaming.

21 As a result, at this time I would like
22 to ask the Board to approve a Delegation of
23 Authority to me, as the Executive Director, as well
24 as to any Board Members the Chairman may assign to
25 assist me, to review and confirm a requesting

1 casino's fulfillment of Board-imposed conditions and
2 to schedule testing periods to go live with the
3 operators at the point in time that they meet all of
4 their obligations.

5 So I'm asking this morning, for a
6 Motion to Approve that Delegation of Authority.

7 CHAIRMAN: Thank you. May I have such
8 a motion?

9 MR. KERNODLE: Mr. Chairman, I move
10 that the Board delegates the Executive Director, any
11 Board Member the Chairman may choose, the authority
12 to authorize sports wagering, interactive gaming to
13 go live when the operator has met all required
14 conditions.

15 MR. LOGAN: Second.

16 CHAIRMAN: All in favor?

17 AYES RESPOND

18 CHAIRMAN: All opposed? Good morning.
19 All opposed?

20 All opposed. Motion's adopted.

21 MR. O'TOOLE: Thank you.

22 CHAIRMAN: Danette Bixler-George, the
23 Director of Human Resources.

24 MS. GEORGE: Good morning, Mr.
25 Chairman, Members of the Board. The Office of Human

1 Resources has one motion for your consideration
2 today, relative to the hiring of three individuals.

3 First, David Pardo has been selected
4 as an Applications Developer under the Office of
5 Information Technology. He has completed the
6 interview process, background investigations and
7 drug screening, and is recommended for hire by the
8 Information Technology Director, Steve Dunn.

9 Second, George Schatzel has been
10 selected as a Casino Compliance Representative at
11 Mohegan Sun Casino under the Bureau of Casino
12 Compliance. He has completed the interview process,
13 background investigation, drug screening and is
14 recommended for hire by Acting Director of Casino
15 Compliance, John Sentell.

16 Finally, Nicholas Underwood has been
17 selected as a Casino Compliance Representative for
18 Rivers under the Bureau of Casino Compliance. He,
19 too, has completed the interview process, background
20 investigation, drug screening and is also
21 recommended for hire by Acting Director of Casino
22 Compliance John Sentell.

23 Unless you have any questions, I ask
24 that the Board consider a motion to approve the
25 hiring actions as indicated.

1 CHAIRMAN: Any questions or comments
2 from the Board? Hearing none, may I have a motion?

3 MR. LOGAN: Mr. Chairman, I move the
4 Board approve the applicants for hire, as proposed
5 by the Human Resource Director.

6 MR. JEWELL: Second.

7 CHAIRMAN: All in favor?

8 AYES RESPOND

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

11 MS. GEORGE: Thank you. Have a good
12 day.

13 CHAIRMAN: Thank you.
14 Dave Rhen, Office of Financial
15 Management.

16 MR. RHEN: Good morning, Chairman and
17 Members of the Board. I have two items for you this
18 morning.

19 First I'll provide an overview of
20 first quarter Board expenditures. And second I'll
21 present the Board's Proposed 2019-2020 Budget
22 Request.

23 The Board's expenditures for the first
24 quarter totaled \$8.4 million. This was distributed
25 through salaries and overtime, totaling \$4.5 million

1 and benefits totaling \$3.1 million.

2 Benefit expenses, as percentage of
3 salaries, were 69 percent. This was the same
4 percentage as for the first quarter of the last
5 fiscal year.

6 Payroll expenses increased by \$358,000
7 from last year. This is due to timing differences.
8 Average payroll expenses year to year were
9 essentially flat.

10 Operating expenses totaled \$768,000,
11 or nine percent overall quarterly expenses. This is
12 down \$53,000, or 6.5 percent from last year. The
13 largest operating expenses were for rentals and
14 leases, which totaled \$331,000; services, including
15 fingerprints used in background investigations, at
16 \$127,000 and telecommunications expenses at
17 \$103,000.

18 That's all I have on expenses. If
19 there are no questions, I'll move to -.

20 CHAIRMAN: Any questions or comments
21 on the first quarter's financials?

22 Hearing none, you can proceed with the
23 budget.

24 MR. RHEN: Thank you.

25 Next for your consideration are the

1 Proposed Fiscal Year '19-'20 Budget Request.

2 The proposed requests are \$46,067,000
3 for administration, which includes oversight of the
4 Category 1 through 4 Casinos. iGaming and sports
5 wagering, \$667,000 for video gaming terminals
6 administration, and \$253,000 for fantasy contest
7 operations.

8 The administration request of
9 \$46,067,000 is \$86,000 less than the current year
10 appropriation. The Board's budget includes \$40.2
11 million for personnel and benefits, and \$5.9 million
12 for operating and fixed asset expenses.

13 The personnel budget is 87 percent of
14 the overall request and includes funding for 325
15 full-time equivalent positions and is based on a
16 benefit rate of 73.1 percent of salary expenses.

17 Operating a fixed-asset -.

18 CHAIRMAN: Dave, can I just interrupt
19 for a second -

20 MR. RHEN: Sure.

21 CHAIRMAN: - with a question?

22 The 325 positions are in the budget
23 funded for a full year or is there -?

24 MR. RHEN: That's correct.

25 So there are more - there are more

1 positions overall, but some of those positions may
2 be funded for half a year.

3 CHAIRMAN: Thank you.

4 MR. RHEN: We don't see them being
5 needed until that point.

6 CHAIRMAN: Fine. Thank you.

7 MR. RHEN: The operating and fixed
8 asset budget is \$5.9 million, 13 percent of the
9 overall requests. The majority of these expenses
10 are for real estate leases, investigative expenses
11 and telecommunications and data costs, our
12 traditional cost drivers on the operating side of
13 the ledger.

14 The proposed budget would be funded
15 through a combination of \$5 million in restricted
16 revenue, which is Application and License Fees, and
17 chargebacks for the cost - the cost of our Gaming
18 Lab, which are charged back to Manufacturers and
19 \$41,067,000 in drawdowns from escrow accounts funded
20 by casino and iGaming operators.

21 The Video Gaming Terminal, or VGT
22 budget includes funding for full time - for five
23 full-time equivalent positions. The personnel
24 component in this budget request is \$567,000 and the
25 operating portion is \$100,000. And would be

1 utilized primarily for travel and related
2 investigative costs.

3 Finally the Fantasy Contest Budget
4 Request is \$253,000 and includes funding for -
5 funding of \$153,000 for personnel and \$100,000 for
6 operating and funds just over one full-time
7 equivalent position.

8 That concludes my presentation of the
9 budget. I'd be happy to take any questions.

10 CHAIRMAN: Thank you.

11 Questions or comments from the Board?

12 Hearing none, may I have a motion?

13 MR. JEWELL: Mr. Chairman, I move that
14 the Board approve the FY 2019-2020 Proposed Budget
15 Request as described by the Office of Financial
16 Management.

17 MS. REITZEL: Second.

18 CHAIRMAN: All in favor?

19 AYES RESPOND

20 CHAIRMAN: All opposed?

21 The motion is adopted.

22 Thank you, Dave.

23 MR. RHEN: Thank you.

24 CHAIRMAN: Doug Sherman, Chief
25 Counsel.

1 ATTORNEY SHERMAN: Good morning,
2 Chairman, Members of the Board. Today we have ten
3 petitions before you for consideration. Six of
4 those have been heard earlier this morning during
5 the Public Hearings. The remaining four petitions
6 will be decided based upon the documentary records.

7 But to be clear, in each of the ten
8 matters, all documents filed of record have been
9 provided to the Board in advance of this meeting.

10 The first two matters are Petitions
11 Seeking Approval of the Interactive Gaming
12 Certificates. And as the Board is aware, Section
13 13B12 of the Gaming Act mandates strict timelines
14 for the Board to consider those petitions, which
15 have been filed by our Licensees.

16 As a result, Slot Machine Licensees
17 are at varying levels of preparedness when the Board
18 takes up a matter for consideration. And for this
19 reason, when the Board has approved an Interactive
20 Gaming Petition, it is not authorizing that Licensee
21 to immediately commence the operation of interactive
22 gaming.

23 But rather, in each case the OEC has
24 imposed data requested. And by Board Order a number
25 of conditions will be imposed that have to be met

1 before the activity can actually commence.

2 After those two Interactive Gaming
3 Petitions, there will be the three slot - Sports
4 Wagering Petitions. And again, should the Board
5 approve those requests, it is not authorizing sports
6 wagering to commence immediately, but rather sports
7 wagering will only begin after staff has reviewed
8 all aspects of the sports wagering area and proposed
9 operation and only after the casino has completed a
10 successful test period.

11 Again, and - as with our other
12 matters, the OEC has requested a number of
13 conditions. And with that is - by way of background,
14 the first Interactive Gaming Petition is Presque
15 Isle Downs' Petition, seeking the issuance of two
16 Interactive Gaming Certificates. Specifically Non-
17 Peer-to-Peer Games, Simulating Slot Machines, and
18 Non-Peer-to-Peer Games, Simulating Table Games.

19 Presque Isle Downs does not seek an
20 Interactive Gaming Certificate for Peer-to-Peer
21 Poker Games.

22 Additionally, Presque Isle has
23 requested that certain information filed of record
24 be treated as confidential. OEC does not object to
25 that request.

1 And the matter is now ready for the
2 Board's consideration.

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

5 MS. REITZEL: Mr. Chairman, I move
6 that the Board approve Presque Isle Downs, Inc.'s
7 Petition for two Interactive Gaming Certificates and
8 Confidentiality Motion as described by the Office of
9 Chief Counsel (OCC) and with the conditions to be
10 outlined in the Board's Order.

11 MR. SANTONI: Second.

12 CHAIRMAN: All in favor?

13 AYES RESPOND

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

16 ATTORNEY SHERMAN: Stadium Casino is
17 the second request for the Board, seeking an
18 issuance of Interactive Gaming Certificates. And
19 while Stadium initially requested all three types of
20 available Interactive Gaming Certificates, as I
21 indicated today, it had amended that petition to
22 only seek the two
23 Non-Peer-to-Peer Games, that is for slot machines
24 and table games, and has abandoned the request for a
25 Poker Certificate.

1 This matter also is ready for the
2 Board's consideration.

3 CHAIRMAN: Questions or comments from
4 the Board.

5 Hearing none, may I have a motion?

6 MR. SANTONI: Mr. Chairman, I move
7 that the Board approve Stadium Casino, LLC's
8 Petition for an Interactive Gaming Certificate as
9 described by the OCC, and with the conditions to be
10 outlined in the Board's Order.

11 MR. JEWELL: Second.

12 CHAIRMAN: All in favor?

13 AYES RESPOND

14 CHAIRMAN: All opposed? The motion is
15 adopted.

16 ATTORNEY SHERMAN: Next before the
17 Board is Chester Downs and Marina's Petition Seeking
18 the Issuance of a Sports Wagering Certificate for
19 the Harrah's Philadelphia Casino Property, as well
20 as the internet-based sports wagering component.

21 Along with this petition, Chester
22 Downs filed a request for confidential treatment of
23 certain information, to which OEC has no objection.

24 This Board heard this matter a short
25 time ago and it's appropriate for the Board's

1 consideration.

2 CHAIRMAN: Questions or comments from
3 the Board?

4 Hearing none, may I have a motion?

5 MR. JEWELL: Mr. Chairman, I move that
6 the Board approve Chester Downs and Marina, LLC's
7 Petition for a Sports Wagering Certificate and
8 Confidentiality Motion as described by the OCC, and
9 with the conditions to be outlined in the Board's
10 Order.

11 MR. KERNODLE: Second.

12 CHAIRMAN: All in favor?

13 AYES RESPOND

14 CHAIRMAN: All opposed? The motion is
15 adopted.

16 ATTORNEY SHERMAN: The next Petition
17 for a Sports Wagering Certificate is that of
18 Holdings Acquisition Company, which operates the
19 Rivers Casino in Pittsburgh. Holdings also has made
20 a request for confidentiality of certain
21 information, and there's no objection to that
22 request.

23 It's ready for the Board's
24 consideration.

25 CHAIRMAN: Questions or comments from

1 the Board? May I have a motion?

2 MR. KERNODLE: Mr. Chairman, I move
3 that the Board approve Holdings Acquisition Company,
4 LP's Petition for Sports Wagering Certificate and
5 request for confidentiality described by the OCC
6 with the conditions to be outlined in the Board's
7 Order.

8 MR. LOGAN: Second.

9 CHAIRMAN: All in favor?

10 AYES RESPOND

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

13 ATTORNEY SHERMAN: And the last
14 Petition that seeks a Sports Wagering Certificate
15 today is that of SugarHouse HSP Gaming. SugarHouse,
16 again, makes a request for confidential treatment of
17 certain information. There's no objection to that.
18 And it's ready for the Board's motion.

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

21 MR. LOGAN: Mr. Chairman, I move that
22 the Board approve SugarHouse HSP Gaming, LP's
23 Petition for a Sports Wagering Certificate and
24 request for confidentiality as described by the OCC
25 and with the conditions to be outlined by the - in

1 the Board's Order.

2 MR. SANTONI: Second.

3 CHAIRMAN: All in favor?

4 AYES RESPOND

5 CHAIRMAN: All opposed? The motion is
6 adopted.

7 ATTORNEY SHERMAN: And the final
8 petition for which there was a Public Hearing today
9 was the Valley Forge Convention Center Partners. As
10 you heard, they are seeking to increase the
11 complement of slot machines from 600 to 850 and are
12 willing to pay the fee of \$2.5 million for the
13 privilege of doing so.

14 This will result in an adjustment of
15 its gaming floor and the removal of five blackjack
16 tables. If the Board is inclined to grant the
17 relief, it's requested that the approval be subject
18 to seven conditions outlined in the OEC Answer,
19 which largely address security and surveillance
20 issues.

21 This motion is now ready for the
22 Board's consideration.

23 CHAIRMAN: Questions or comments from
24 the Board?

25 Hearing none, may I have a motion?

1 MS. REITZEL: Mr. Chairman, I move
2 that the Board approve Valley Forge Convention
3 Center Partners, LP's Petition to Increase the
4 Number of Slot Machines as described by the OCC.

5 MR. JEWELL: Second.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

8 CHAIRMAN: All opposed? The motion is
9 adopted.

10 ATTORNEY SHERMAN: The remaining
11 petitions are all being considered based upon the
12 documentary record. And the first of those is the
13 Joint Petition of Holdings Acquisition Company and
14 SugarHouse, HSP Gaming. And it's a request for the
15 approval of a Shared Service Agreement with Rush
16 Street Gaming.

17 By way of background, in December 2010
18 the parties filed a Joint Petition seeking Approval
19 of an Allocation Schedule, permitting the sharing of
20 certain employees between the two casino properties
21 and allowing the Rush Street employees to provide
22 services to both properties.

23 In March of 2011, the properties each
24 signed letters with Rush Street Gaming, outlining
25 the services that would be provided and the method

1 of reimbursement. Those agreements were approved by
2 the Board in May of 2011 and have been in effect
3 since that time.

4 The current petition before the Board
5 highlights changes and expansions in operations that
6 have taken place since that original agreement. The
7 petition now provides a detailed jobs compendium of
8 Rush Street that gives job descriptions of 30
9 positions that may now provide services to both
10 SugarHouse and/or Holdings.

11 The categories for the positions fall
12 into multiple areas, including Human Resources,
13 Compliance, Legal Finance and Marketing. And under
14 the agreements in place, Rush Street, would charge
15 SugarHouse and Holdings pro rata for the services
16 provided.

17 Petitioners would also request that
18 certain information be maintained as confidential.
19 The OEC has no objection, subject to certain
20 conditions outlined in the Answer, which ensure
21 proper documentation and oversight of the agreement.

22
23 And this matter is now ready for the
24 Board's consideration.

25 CHAIRMAN: Questions or comments from

1 the Board? Hearing none, may I have a motion?

2 MR. JEWELL: Mr. Chairman, I move that
3 the Board approve Holdings Acquisition Co. LP's and
4 SugarHouse HSP Gaming, LP's Joint Petition for
5 Approval of Shared Services with Rush Street Gaming,
6 LLC as described by the OCC and with the conditions
7 requested by the OEC.

8 CHAIRMAN: Is there a second?

9 MS. REITZEL: Second. Sorry.

10 CHAIRMAN: All in favor?

11 AYES RESPOND

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

14 ATTORNEY SHERMAN: The next matter is
15 Chester Downs and Marina's Petition for Approval of
16 a Change in the Operational Structure.

17 In the petition, Chester Downs is
18 requesting Board approval for the sale of the real
19 property upon which Harrah's Philadelphia Casino
20 operates to Philadelphia Propco, LLC.

21 Philadelphia Propco is a subsidiary of
22 VICI Properties, Incorporated, a publicly-traded
23 Real Estate Investment Trust.

24 VICI will thereafter lease the
25 property back to Chester Downs and Marina. VICI

1 currently owns and leases real estate for 20 gaming
2 and/or racing facilities of Caesars Entertainment,
3 which are in the United States. And those
4 properties are all - again, owned, or a majority
5 owned by Caesars Entertainment.

6 Immediately upon the closing of the
7 sale of the real property, the properties will also
8 enter into a Management Lease Support Agreement.

9 The OEC has no objection to Chester's
10 request, subject to several conditions outlined in
11 the Answer. Chester has asked that the exhibits to
12 the petition be maintained - sorry, maintained as
13 confidential. And OEC has no objection to that
14 request.

15 As such the matter is now ready for
16 the Board's consideration.

17 CHAIRMAN: Questions or comments from
18 the Board?

19 Hearing none, may I have a motion?

20 MS. REITZEL: Mr. Chairman, I move
21 that the Board approve Chester Downs and Marina,
22 LLC's Petition for a Change in Operational Structure
23 as described by the OCC. And subject to the
24 conditions which will be outlined in the Board's
25 Order, I further move that the party's request for

1 confidentiality be granted.

2 MR. SANTONI: Second.

3 CHAIRMAN: All in favor?

4 AYES RESPOND

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

7 ATTORNEY SHERMAN: The next Petition
8 is Alexander Kuznetsov's Petition requesting the
9 removal from the Board's Involuntary Exclusion List.
10 This individual, in December of 2016, attempted to
11 enter Mt. Airy Casino by providing a false
12 identification to Security when he was just 20 years
13 old.

14 He was permanently evicted from Mt.
15 Airy and charged with Carrying a False
16 Identification.

17 Subsequently, Mr. Kuznetsov and the
18 OEC signed a Consent Agreement placing him on the
19 Board's Involuntary Exclusion List for one year,
20 after which time he could petition to come off the
21 list.

22 He's now 22 years of age, more than
23 one year has passed and he has asked to be removed
24 from the list. There's no objection to that. And
25 the request is ready for the Board's consideration.

1 CHAIRMAN: Questions or comments from
2 the Board?

3 Hearing none, may I have a motion?

4 MR. SANTONI: Mr. Chairman, I move
5 that the Board grant Alexander Kuznetsov's Petition
6 for Removal from the PGCB Involuntary Exclusion List
7 as described by the OCC.

8 MR. JEWELL: Second.

9 CHAIRMAN: All in favor?

10 AYES RESPOND

11 CHAIRMAN: All opposed? All opposed,
12 the motion's adopted.

13 ATTORNEY SHERMAN: And the final
14 petition before the Board is Kevin Davis' Request
15 for Removal from the Board's Involuntary Exclusion
16 List.

17 In December of 2016, Mr. Davis, who,
18 again, was 20 years old at the time, attempted to
19 enter SugarHouse Casino by providing a false
20 identification to Security. He was permanently
21 evicted from SugarHouse and charged with Carrying a
22 False Identification.

23 Mr. Davis and the OEC entered into a
24 Consent Agreement, which would place him on the list
25 for a minimum of one year, after which he could

1 petition to come off the list. That year is now
2 expired, and Mr. Davis is now 22 years of age and
3 has requested the removal from the list.

4 There's no objection, and this matter
5 also is ready for the Board's consideration.

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

8 MR. JEWELL: Mr. Chairman, I move that
9 the Board grant Kevin Davis' Petition for Removal
10 from the PGCB Involuntary Exclusion List as
11 described by the OCC?

12 MR. KERNODLE: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed? The motion is
16 adopted.

17 ATTORNEY SHERMAN: Next presenting
18 Withdrawals and Reports and Recommendations is
19 Deputy Chief Counsel Steve Cook.

20 ATTORNEY COOK: Hello, again, the
21 Board has received four unopposed Petitions to
22 Withdraw Applications of the following individuals,
23 Henrik per Anders Persson Ekdahl, Philip Glen Satre,
24 Stephen Hirsch and Matthew Whalen.

25 The OEC has no objection to any of

1 these petitions, and as a result, if the Board were
2 to grant same, they'd be doing so without prejudice
3 to each of these persons.

4 And these matters are now ripe for the
5 Board's consideration.

6 CHAIRMAN: Questions or comments from
7 the Board?

8 Hearing none, may I have a motion?

9 MR. KERNODLE: Mr. Chairman, I move
10 that the Board issues the Order to Approve the
11 Withdrawal/Surrender as described by the OCC.

12 MR. LOGAN: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed? All opposed,
16 the motion's adopted.

17 ATTORNEY COOK: Next before the Board
18 for consideration are two Reports and
19 Recommendations.

20 CHAIRMAN: I think I'm going to stop
21 you there. We need about a three-minute break at
22 this point.

23 Okay?

24 MS. MANDERINO: Mr. Chairman?

25 CHAIRMAN: Yes.

1 MS. MANDERINO: I have to excuse
2 myself from the rest of the meeting, so the timing
3 works out well. And I thank you very much for your
4 indulgence.

5 CHAIRMAN: That's probably why I timed
6 it this way, Kathy.

7 MS. MANDERINO: There you go.
8 Okay.

9 CHAIRMAN: Okay.
10 Thank you very much and be safe.
11 Bye-bye.

12 Just three minutes.

13 ---

14 (WHEREUPON, A SHORT BREAK WAS TAKEN.)

15 ---

16 CHAIRMAN: Okay.
17 We're going to come back to order at
18 this time.

19 Proceed, Steve.

20 ATTORNEY COOK: I believe we were at
21 Reports and Recommendations, Mr. Chairman. So,
22 before the Board are two Reports and Recommendations
23 received from the Office of Hearings and Appeals
24 (OHA).

25 These Reports and Recommendations,

1 along with the complete evidentiary record for the
2 hearings in each matter were provided to the Board
3 in advance of the meeting.

4 And additionally, in each case the
5 person who is the subject of the Report and
6 Recommendation was told that they could come before
7 the Board and briefly make a presentation today.

8 If any of these persons are present,
9 and I believe one is, I'd ask him to come forward
10 when their matter is called.

11 The first Report and Recommendation
12 pertains to Bradley Huber. On January 12th, 2018,
13 the OEC filed a petition requesting that Mr. Huber
14 be placed on the Board's Involuntary Exclusion List,
15 alleging that in March of 2017, he was banned from
16 the Rivers Casino after he was found to have dropped
17 a bag containing Klonopin pills that were not
18 prescribed to him.

19 Upon a search of Mr. Huber, incident
20 to his arrest, he was also found to be in possession
21 of marijuana. Mr. Huber was criminally charged with
22 possession of narcotics offenses.

23 Thereafter, in August of 2017, Mr.
24 Huber used a false identification to gain entry into
25 the Rivers Casino, knowing that he had been banned

1 from that casino. He was issued a second permanent
2 ban from the property and criminally charged with
3 trespass.

4 The record reflects that Mr. Huber was
5 also banned from the Meadows Casino for one year,
6 which ended this past March, after engaging in
7 fighting at that facility.

8 A hearing in this matter was held on
9 June 12th, 2018. Mr. Huber appeared and presented
10 testimony. OEC also appeared, presenting testimony
11 from witnesses and documentary evidence.

12 Ultimately, Mr. Huber did not deny any
13 of the underlying allegations, but testified that
14 he'd become addicted to painkillers after a 2010 car
15 accident. And these occurrences happened in the
16 midst of his addiction.

17 But since that time he's completed a
18 28-day inpatient treatment program, a 12-week
19 outpatient program. Was clean and sober for six
20 months, and generally - or I'm sorry, employed in
21 the construction trades.

22 After hearing all of the evidence, the
23 Report and Recommendation was issued, recommending
24 that Mr. Huber be placed on the Involuntary
25 Exclusion List. However, given the ability to

1 petition after two years to come off the list, upon
2 his showing that he remained clean and sober.

3 And that is the recommendation before
4 the Board.

5 CHAIRMAN: Any questions or comments
6 from the Board?

7 Hearing none, may I have a motion?

8 MR. LOGAN: Mr. Chairman, I move the
9 Board adopt the Report and Recommendation issued by
10 the OHA regarding the placement of Bradley Huber on
11 the PGCB Involuntary Exclusion List as described by
12 the OEC.

13 MR. SANTONI: Second.

14 CHAIRMAN: All in favor?

15 AYES RESPOND

16 CHAIRMAN: All opposed? The motion is
17 adopted.

18 ATTORNEY COOK: The second Report and
19 Recommendation pertains to Breana Porter. I believe
20 Ms. Porter is here today and wishes to address the
21 Board.

22 If she'd like to come forward at this
23 time?

24 ATTORNEY COOK: By way of background,
25 in June of 2017 Ms. Porter was issued a Non-Gaming

1 Employee Registration and worked as a Server at the
2 Hollywood Casino at Penn National Race Course.

3 On March 1st, 2018 the OEC filed a
4 Complaint to revoke Ms. Porter's Non-Gaming Employee
5 Registration. The Complaint alleges that Ms. Porter
6 committed thefts during three shifts in the course
7 of her employment at Hollywood Casino.

8 Specifically, she did not ring up
9 sales for beverages purchased by patrons, resulting
10 in approximately an \$18 loss to the Hollywood
11 Casino.

12 A hearing in this matter was held on
13 July 12th, 2018. The OEC appeared, offering
14 testimony and documentary evidence.

15 Ms. Porter appeared pro se, provided
16 testimony and documentary evidence on her own
17 behalf. Ms. Porter admitted to retaining the \$18 in
18 chips or cash received from patrons for payment of
19 their beverages. However, she put the majority of
20 the blame on a handheld device used to accept drink
21 orders and payment, stating that the device has
22 malfunctioned for many of the transactions at issue,
23 and she was obligated to later ring up the
24 transaction at a cash register, but failed to do so.

25 After taking all of the evidence into

1 consideration, the Report and Recommendation of the
2 Hearing Officer is that her Non-Gaming Registration
3 not be revoked, but rather suspended for a term at
4 the - the duration of which would be at the Board's
5 discretion.

6 That's the recommendation before the
7 Board.

8 CHAIRMAN: Thank you.

9 ATTORNEY COOK: Ms. Porter is present.

10 CHAIRMAN: Good morning. Or good -
11 it's still good morning.

12 Would you stand and please be sworn by
13 the court reporter?

14 ---

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

19 ---

20 CHAIRMAN: You have some comments for
21 the Board?

22 MS. PORTER: Good morning. I'm here
23 to claim my innocence.

24 For about seven months I was lucky
25 enough to be working for an amazing company,

1 Hollywood Casino. During my working hours, I would
2 do the job described to the best of my ability. I
3 did this job under pressure and while using faulty
4 equipment.

5 During my employment at Hollywood
6 Casino, the faulty equipment was brought up several
7 times in Surveys as well as Server Pre-Shift
8 Meetings. Not just by me, but by many other Servers
9 who have dealt with the same exact issue.

10 During my hearing here on July 12th, I
11 feel as if Hollywood Casino failed to provide a
12 burden of proof to terminate me from my position, as
13 well as request my License be terminated.

14 During the video shown to Hearing
15 Officer Kenneth Zielonis, Hollywood Casino failed to
16 show bartender stations on the casino floor that
17 allows Servers to go in and ring in orders and make
18 drinks.

19 These bars have a minimum of two
20 cameras each, pointing directly at the Micro System
21 as well as the beverage station. This footage was
22 not used during the hearing.

23 The system referred to as the Micro
24 System on numerous occasions failed to ring in
25 drinks correctly, as far as pricing, using Comp

1 cards and simply ringing in orders.

2 I have no mens rea to take any money
3 that was not deemed as a tip. Being unaware of my
4 criminal justice knowledge, during the last day of
5 my employment, Director of Surveillance, Harry
6 Garula, tried to coerce me into saying I was guilty
7 of my action, stating I admitted to guilt in Section
8 13 of the Complaint for Revocation.

9 During the course of my employment,
10 not once was I told any of my drinks weren't being
11 properly rung into the system, making me aware of my
12 apparent wrongdoing. Nor was there any
13 documentation of a warning or failure to ring in any
14 certain drinks.

15 I am not the first who has run into
16 being terminated for the lack of working equipment
17 for employees, especially Servers at Hollywood
18 Casino, resulting in having to use a pen and a paper
19 while taking over 400 orders a shift, maybe even a
20 thousand on a weekend.

21 Hollywood Casino hasn't taken
22 responsibility for the mistakes on their part, as
23 far as giving employees working equipment to
24 successfully do their job.

25 Although, I appreciate the suggestion

1 from Hearing Officer Kenneth Zielonis of a
2 suspension of my License instead of a revocation,
3 I'm here to tell you I am completely innocent of any
4 malicious acts during my employment at Hollywood
5 Casino.

6 I say this as a Criminal Justice major
7 and aspiring Magisterial District Judge. Thank you.

8 CHAIRMAN: Thank you. And thank you
9 for coming.

10 Are there any comments or questions
11 from the Board?

12 MR. LOGAN: I just have a question for
13 Cyrus or Doug. Cyrus? Anybody?

14 ATTORNEY HAKEN: Good morning.

15 MR. LOGAN: Good morning.

16 ATTORNEY HAKEN: Tamara Haken,
17 H-A-K-E-N, OEC.

18 MR. LOGAN: All right, Tamara.

19 So her comments about the equipment
20 malfunctioning, and I don't want to stick words in
21 your mouth, is it repeatedly?

22 MS. PORTER: Yes. This happened
23 multiple times with, specifically, the handheld
24 systems that Cocktail Servers would use, as well as
25 the Micro Systems in the four bars on the Casino

1 Floors. They won't ring in drink prices properly
2 and not ring in drinks properly.

3 MR. LOGAN: Tamara, has this been
4 brought to our attention before, other than -?

5 ATTORNEY HAKEN: It was - it was in
6 the - entered into the record during her hearing and
7 the surveillance and beverage were able to respond
8 with some information regarding the fact that they
9 have received those complaints at times and they
10 have a process in place to replace the Micros as
11 necessary.

12 And that there is - I believe on the
13 record they stated that there was history that the -
14 the servers that replaced the faulty ones as
15 necessary were able to continue to conduct their
16 provision of service as - as required.

17 MR. LOGAN: So there's a history of
18 this malfunctioning handheld?

19 ATTORNEY HAKEN: As far as the record
20 goes, Beverage did say that they have received
21 complaints at times on these particular machines
22 that they hand out, and they have a process where
23 they can replace them as needed, but they do have
24 some record of having these things needing to be
25 replaced at times.

1 MR. LOGAN: Okay. All right.

2 Thanks, Tamara.

3 CHAIRMAN: Jen?

4 MS. LANGAN: We're only here on the
5 Licensing issue. Her job with Hollywood is up to
6 Hollywood.

7 Correct?

8 ATTORNEY HAKEN: But she made the
9 comment initially.

10 ATTORNEY COOK: Correct.

11 She misspoke, I believe, or
12 misunderstands that the casino is not a party here.
13 She's, I believe, been terminated by the casino.
14 This issue, entirely revolves around her licensing.

15 MS. LANGAN: Okay. I just want to
16 make that clear.

17 CHAIRMAN: Commissioner Jewell?

18 MR. JEWELL: I have a question, back -
19 Counsel.

20 Did you say notwithstanding
21 malfunction problems, that there was a workaround
22 and folks knew how to do that or did that? Did I
23 hear -?

24 ATTORNEY HAKEN: Indeed. Yeah, as
25 they presented in the hearing, it was my

1 understanding that Beverage - Food and Beverage and
2 Surveillance both were able to speak to the
3 workaroud and the repairs as necessary, that were
4 required for the Cocktail Servers to be able to
5 successfully provide service.

6 CHAIRMAN: I just want to clarify
7 something, Ms. Porter.

8 You were terminated by Hollywood?

9 MS. PORTER: I was.

10 CHAIRMAN: And what was their
11 explanation for your termination?

12 MS. PORTER: That I was failing to
13 ring in drinks and taking money for drink orders.

14 CHAIRMAN: Is that the extent of their
15 explanation for your termination?

16 MS. PORTER: That's pretty - the last
17 day of my employment, I was taken down into a room
18 with Director of Surveillance, Harry Garula. And he
19 basically told me what he - the week-long
20 surveillance found. And that he thought I was
21 stealing drinks - I mean, stealing money for the
22 drinks that I was supposedly not ringing in.

23 CHAIRMAN: I see.

24 So regardless of what we do here
25 today, you are not currently employed in any casino.

1 Correct?

2 MS. PORTER: I'm not, no.

3 CHAIRMAN: Okay.

4 MR. JEWELL: I have a follow-up.

5 CHAIRMAN: Yeah.

6 MR. JEWELL: Ms. Porter, question, and
7 concerning the scope of my discussion with Counsel
8 from OEC, she talked about if there was a
9 malfunction that there was a workaround that the
10 folks, I presume, would have known about that and
11 instructed.

12 What's your reaction to that?

13 MS. PORTER: My reaction is that
14 that's completely false. The entire system is very
15 - it's very old, to be completely honest. It all
16 needs an update. And that was brought up in the
17 hearing, that the system did need an update. And
18 they tried to update it.

19 There's no workaround the system that
20 is failing.

21 MR. JEWELL: So your testimony is that
22 at that time, and your view today, is you were never
23 instructed - you were never instructed if it was
24 maloperating what to do, how to go forward?

25 MS. PORTER: My Supervisors instructed

1 us to use a pen and a paper. And that's what I got
2 fired for, for using a pen and a paper, which I was
3 instructed to use.

4 ATTORNEY HAKEN: OEC would just like
5 to present that she did take the money in the end,
6 even if she used the paper and pencil.

7 As described in the hearing, Food and
8 Beverage stated that in a moment of business, if
9 they weren't able to get the replacement Micros at
10 that moment, they were to write down the service and
11 then ring them through into the cash register at the
12 end of their shift.

13 Which she admitted during the hearing
14 that she did not do for all of the drinks she
15 served. And she took the money that was paid to her
16 for those drinks and returned home with it. She did
17 not put it into the system.

18 And there's also evidence in the
19 hearing record stating her - her termination was in
20 regards to improper conduct and negligence. It was
21 not in regard to using a pencil and paper for the
22 service.

23 CHAIRMAN: I thank you very much for
24 your being here. It is - is there a motion?

25 MR. SANTONI: I also appreciate the

1 fact that you're here. And I think because of your
2 attendance, we have been a little lenient in our
3 decision that we're about to make.

4 So I would like to make a motion, Mr.
5 Chairman that the Board adopt the Report and
6 Recommendation issued by the OHA regarding Breana
7 Porter's Non-Gaming Employee Registration as
8 described by the OCC, and that Ms. Porter's Non-
9 Gaming Registration be suspended for a time limit of
10 15 days.

11 CHAIRMAN: Fifteen (15) days.

12 MR. JEWELL: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed?

16 NO RESPONDS

17 CHAIRMAN: Motion's adopted.

18 I wish you good luck.

19 MS. PORTER: Thank you.

20 CHAIRMAN: And thank you for coming.

21 ATTORNEY SHERMAN: That concludes the
22 matters of the OCC.

23 CHAIRMAN: Proceed, Sue.

24 MS. HENSEL: Thank you, Chairman
25 Barasch and Members of the Board.

1 Before the Board today will be one
2 Interactive Gaming Operator, one Sports Wagering
3 Operator, three Video Gaming Terminal Operators,
4 four Video Gaming Terminal Establishment Applicants,
5 and 768 Principal, Key, Gaming and Non-Gaming
6 Employee Applicants.

7 In addition there will be the
8 consideration of four Gaming Service Provider
9 Applicants.

10 The first item is a Conditional
11 Interactive Gaming Operator License for IGT Global
12 Solutions Corporation. IGT Global Solutions
13 Corporation is a Providence, Rhode Island based
14 technology company.

15 IGT Global Solutions Corporations
16 proposes to provide an interactive gaming platform
17 and other services on behalf of at least one
18 Interactive Certificate Holder.

19 Under the Gaming Act the Board may
20 issue a Conditional Interactive Gaming Operator
21 License, provided the Applicant has submitted a
22 completed application, the Applicant agrees to pay
23 the \$1 million licensing fee prior to the issuance
24 of the License, and the BIE does not object to the
25 License.

1 Prior to this meeting, I provided you
2 with an Order to conditionally license IGT Global
3 Solutions Corporation. This is the first time the
4 Board will consider an Interactive Gaming Operator
5 License Applicant, and I ask that you consider the
6 order.

7 ATTORNEY PITRE: Enforcement Counsel
8 has no objection.

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

11 MR. KERNODLE: Mr. Chairman, I move
12 that the Board grants IGT Global Solutions
13 Corporation's Conditional iGaming Operation License
14 as described by the Bureau of Licensing.

15 MS. REITZEL: Second.

16 CHAIRMAN: All in favor?

17 AYES RESPOND

18 CHAIRMAN: All opposed? The motion is
19 adopted.

20 MS. HENSEL: Next for your
21 consideration is a Conditional License for Sports
22 Wagering Operator Applicant, American Wagering, Inc.

23 American Wagering, Inc. does business
24 as William Hill and is based in Las Vegas, Nevada.
25 America Wagering, Inc. proposes to operate sports

1 wagering on behalf of at least one Sports Wagering
2 Certificate Holder.

3 Under the Gaming Act and Board
4 Regulations, the Board may issue a Conditional
5 Sports Wagering Operator License provided the
6 Applicant has submitted a completed application,
7 agrees to pay the \$50,000 licensing fee prior to
8 issuance of the License and the BIE does not object
9 to the License.

10 Prior to this meeting I provided you
11 with an order to conditionally license American
12 Wagering, Inc. and this is the first time the Board
13 will consider a Sports Wagering Operator Applicant.

14 I ask that you consider the Order.

15 ATTORNEY PITRE: Enforcement Counsel
16 has no objection.

17 CHAIRMAN: Questions or comments from
18 the Board?

19 Hearing none, may I have a motion?

20 MS. REITZEL: Mr. Chairman, I move
21 that the Board grant the Conditional Sports Wagering
22 Operator License as described by the Bureau of
23 Licensing.

24 MR. SANTONI: Second.

25 CHAIRMAN: All in favor?

1 AYES RESPOND

2 CHAIRMAN: All opposed?

3 The motion is adopted.

4 MS. HENSEL: In addition there are
5 Conditional Video Gaming Terminal Operator Licenses
6 for your consideration.

7 A VGT Operator owns, services or
8 maintains VGTs for placement and operation at truck
9 stop establishments. The VGT Operator Applicants
10 are Golden Route Operations-Pennsylvania LLC, J&J
11 Ventures Gaming of Pennsylvania, LLC and Lendell
12 Gaming, LLC.

13 Under the Gaming Act, the Board may
14 issue a Conditional VGT Terminal Operator License
15 provided certain criteria are met, including that
16 the Applicant has submitted a completed Application,
17 has never been convicted of a felony or Gambling Law
18 violation, is current on state taxes and has not had
19 a similar license denied or revoked.

20 A preliminary review of these
21 Applicants indicates they meet this criteria, and I
22 ask that the Board consider a motion to approve the
23 Conditional VGT Operator Licenses.

24 ATTORNEY PITRE: Enforcement Counsel
25 has no objection.

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

3 MR. SANTONI: Mr. Chairman, I move
4 that the Board grant the Conditional Video Gaming
5 Terminal Operator License as described by the Bureau
6 of Licensing.

7 MR. LOGAN: Second.

8 CHAIRMAN: All in favor?

9 AYES RESPOND

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

12 MS. HENSEL: Also for your
13 consideration are also Conditional VGT Establishment
14 Licenses for truck stops seeking to place VGTs in
15 their establishments.

16 The Applicants are Pipeline Petroleum,
17 Inc., doing business as Bandit Truckstop, Pit Stop
18 Travel Plaza, Inc., Snow Shoe Travel Plaza, Inc. and
19 Tic Toc Food Mart, Inc.

20 Under the Gaming Act the Board may
21 issue a Conditional Establishment License, provided
22 the Applicant has never been convicted of a felony,
23 is current on state taxes, has submitted a completed
24 Application and has not been convicted of a gambling
25 law violation.

1 A preliminary review of the Applicants
2 indicate they meet these criteria. And I ask that
3 the Board consider a motion to approve the
4 Conditional VGT Establishment Licenses.

5 ATTORNEY PITRE: Enforcement Counsel
6 has no objection.

7 CHAIRMAN: Questions or comments from
8 the Board?

9 Hearing none, may I have a motion?

10 MR. LOGAN: Mr. Chairman, I move the
11 Board grant the Conditional Video Gaming Terminal
12 Establishment Licenses as described by the Bureau of
13 Licensing.

14 MR. JEWELL: Second.

15 CHAIRMAN: All in favor?

16 AYES RESPOND

17 CHAIRMAN: All opposed? The motion is
18 adopted.

19 MS. HENSEL: In addition, there are
20 Principal and Key Employee Licenses.

21 Prior to this meeting the Bureau of
22 Licensing provided you with a Proposed Order for
23 nine Principals and three Key employees. I ask that
24 the Board consider the Order approving these
25 Licenses.

1 ATTORNEY PITRE: Enforcement Counsel
2 has no objection.

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

5 MS. REITZEL: Mr. Chairman, I move
6 that the Board grant the Principal and Key Employee
7 Licenses as described by the Bureau of Licensing.

8 MR. SANTONI: Second.

9 CHAIRMAN: All in favor?

10 AYES RESPOND

11 CHAIRMAN: All opposed?

12 The motion is adopted.

13 MS. HENSEL: There are also Temporary
14 Principal and Key Employee Licenses.

15 Prior to this meeting the Bureau of
16 Licensing provided you with an Order regarding the
17 issuance of Temporary Licenses for one Principal and
18 seven Key employees.

19 I ask that the Board consider the
20 Order approving these Licenses.

21 ATTORNEY PITRE: Enforcement Counsel
22 has no objection.

23 CHAIRMAN: Questions or comments from
24 the Board.

25 Hearing none, may I have a motion?

1 MR. SANTONI: Mr. Chairman, I move
2 that the Board grant the Temporary Principal and Key
3 Employee Credentials as described by the Bureau of
4 Licensing

5 MR. JEWELL: Second.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

8 CHAIRMAN: All Opposed? The motion is
9 adopted.

10 MS. HENSEL: Next are Gaming Permits
11 and Non-Gaming Registrations.

12 Prior to this meeting the Bureau of
13 Licensing provided you with a list of 597
14 individuals to whom the Bureau has granted Temporary
15 or Full Occupation Permits and 124 individuals to
16 whom the Bureau has granted registrations, under the
17 authority delegated to the Bureau of Licensing.

18 I ask that the Board consider a motion
19 approving the Order.

20 ATTORNEY PITRE: Enforcement Counsel
21 has no objection.

22 CHAIRMAN: Questions or comments from
23 the Board?

24 Hearing none, may I have a motion?

25 MR. JEWELL: Mr. Chairman, I move that

1 the Board grant the Gaming Employee Occupation
2 Permits, and Non-Gaming Employee Registrations as
3 described by the Office - by the Bureau, I should
4 say, of Licensing.

5 MR. KERNODLE: Second.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

8 CHAIRMAN: All opposed?

9 The motion is adopted.

10 MS. HENSEL: There was also a
11 Recommendation of Denial for Gaming Employee
12 Applicant Fontane Morris.

13 Mr. Morris was notified that he is
14 being recommended for denial and failed to request a
15 hearing within the specified time frame.

16 The Bureau of Licensing has provided
17 you with an Order addressing the Applicant, who the
18 OEC has recommended for denial.

19 I ask that the Board consider a motion
20 approving the denial.

21 ATTORNEY PITRE: Enforcement Counsel
22 continues to request denial in this matter.

23 CHAIRMAN: Questions or comments from
24 the Board?

25 May I have a matter - may I have

1 motion?

2 MR. KERNODLE: Mr. Chairman, I move
3 that the Board deny the Gaming Employee Occupation
4 Permit Application for Fontane Morris as described
5 by the Bureau of Licensing

6 MR. LOGAN: Second.

7 CHAIRMAN: All in favor?

8 AYES RESPOND

9 CHAIRMAN: All opposed? The motion is
10 adopted.

11 MS. HENSEL: Also for your
12 consideration are Withdrawal Requests for Gaming and
13 Non-Gaming Employees.

14 In each case the License, Permit or
15 Registration is no longer required.

16 For today's meeting, I've provided the
17 Board with a list of two Keys, 23 Gaming and one
18 Non-Gaming Employee withdrawals for approval. I ask
19 that the Board consider a motion approving the List
20 of Withdrawals.

21 ATTORNEY PITRE: Enforcement Counsel
22 has no objection.

23 CHAIRMAN: Questions or comments from
24 the Board?

25 May I have a motion?

1 Commissioner Logan?

2 MR. LOGAN: Mr. Chairman, I move the
3 Board grant the withdrawal of Key Gaming and
4 Non-Gaming Employee Applications as described by the
5 Bureau of Licensing

6 MR. JEWELL: Second.

7 CHAIRMAN: All in favor?

8 AYES RESPOND

9 CHAIRMAN: All opposed?

10 The motion's adopted.

11 MS. HENSEL: Additionally we have an
12 Order to certify Global Surveillance Associates,
13 Inc. I ask that the Board consider the Order
14 approving the Gaming Service Provider Applicant for
15 certification.

16 ATTORNEY PITRE: Enforcement Counsel
17 has no objection.

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

20 MR. JEWELL: Mr. Chairman, I move that
21 the Board grant the Application of Global
22 Surveillance Associates, Inc. for a Gaming Service
23 Provider Certification as described by the Bureau of
24 Licensing.

25 MS. REITZEL: Second.

1 CHAIRMAN: All in favor?

2 AYES RESPOND

3 CHAIRMAN: All opposed? The motion is
4 adopted.

5 MS. HENSEL: Finally for your
6 consideration are Gaming Service Provider
7 Registrations.

8 The Bureau of Licensing provided you
9 with an Order and an attached list of three
10 registered Gaming Service Provider Applicants. I
11 ask that the Board consider the Order registering
12 these Gaming Service Providers.

13 ATTORNEY PITRE: Enforcement Counsel
14 has no objection.

15 CHAIRMAN: Questions or comments from
16 the Board?

17 Hearing none, may I have a motion?

18 MS. REITZEL: Mr. Chairman, I move
19 that the Board grant the applications for a Gaming
20 Service Provider Registration as described by the
21 Bureau of Licensing.

22 MR. SANTONI: Second.

23 CHAIRMAN: All in favor?

24 AYES RESPOND

25 CHAIRMAN: All opposed? The motion is

1 adopted.

2 MS. HENSEL: That concludes the
3 matters of the Bureau of Licensing.

4 CHAIRMAN: Thank you, Susan.

5 OEC?

6 ATTORNEY PITRE: The OEC will present
7 nine matters today for the Board's consideration,
8 consisting of five Consent Agreements, two
9 Revocations and two Involuntary Exclusions.

10 The next matter on the Agenda for the
11 Board's consideration is a Consent Agreement between
12 the OEC and Table Game Manufacturer Genesis Gaming
13 Solutions, Inc.

14 The Consent Agreement will be
15 presented by Assistant Enforcement Counsel, Benjamin
16 Ferrell.

17 We were informed by Genesis Gaming
18 Solutions, Inc. that a representative could not be
19 present today. However, they have no objection to
20 the Board considering the matter.

21 CHAIRMAN: Okay.

22 Please proceed.

23 ATTORNEY FERRELL: Good afternoon.
24 Benjamin Ferrell, F-E-R-R-E-L-L, Assistant
25 Enforcement Counsel for the OEC.

1 This Consent Agreement between OEC and
2 Genesis Gaming solutions, Inc. involves violations
3 of the Act regarding Genesis Gaming's failure to
4 timely provide its Audited Annual Financial
5 Statements.

6 As required by the Act, Genesis Gaming
7 is required to provide its Audited Financial
8 Statements to the Board no later than 90 days at the
9 end of its fiscal year. Genesis Gaming's fiscal
10 year coincides with the calendar year.

11 As such, Genesis Gaming's 2017 Fiscal
12 Year ended on December 31st of 2017. Genesis
13 Gaming's Audited Financial Statements for that year
14 were due on April 1st of 2018.

15 Genesis Gaming did not provide its
16 Audited Financial Statements for the 2017 fiscal
17 year until June 19th, 2018, which is 80 days past
18 the due date.

19 This is Genesis Gaming's third
20 violation for failing to timely provide its Audited
21 Annual Financial Statements. For each of those
22 violations, OEC sent Genesis Gaming a Warning
23 Letter, after which Genesis Gaming would provide its
24 Audited Financial Statement.

25 Under the terms of the Consent

1 Agreement, Genesis Gaming has agreed to pay a civil
2 penalty of \$8,000, along with the \$2,500
3 administrative fee.

4 At this time OEC requests the Board
5 approves the Consent Agreement.

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

8 MR. SANTONI: Mr. Chairman, I move
9 that the Board approve the Consent Agreement between
10 the OEC and Genesis Gaming Solutions, Inc. as
11 described by the OEC.

12 MR. JEWELL: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

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

17 ATTORNEY PITRE: The next two matters
18 on the Agenda for the Board's consideration are
19 Consent Agreements between the OEC and Category 1
20 Licensee Chester Downs and Marina, LLC, doing
21 business as Harrah's Philadelphia.

22 Both Consent Agreements will be
23 presented by Assistant Enforcement Counsel, Benjamin
24 Ferrell. Representatives for Harrah's are present.

25 At this time, I would request that

1 those individuals introduce themselves for the
2 record. And I think everyone has been previously
3 sworn.

4 It's just Mr. Albrecht that needs -.

5 CHAIRMAN: Well, hold on a second. Is
6 there - going to address us potentially, that's not
7 an attorney?

8 Then he should be sworn for this.
9 Please stand.

10 MR. ALBRECHT: Sure.

11 ---

12 CHRISTOPHER ALBRECHT,
13 CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND
14 HAVING FIRST BEEN DULY SWORN, TESTIFIED AND SAID AS
15 FOLLOWS:

16 ---

17 CHAIRMAN: Thank you.

18 ATTORNEY FERRELL: This Consent
19 Agreement between OEC and Harrah's Philadelphia
20 involves violations of the Act and the Board's
21 Regulations regarding violations in Harrah's
22 Philadelphia as well as of roulette chip
23 inventories.

24 On April 4th, 2018, the Bureau of
25 Consumer Compliance began an audit of Harrah's

1 Philadelphia's Roulette Chips inventories. The
2 audit consisted a review of all Harrah's
3 Philadelphia's quarter Roulette Chip Inventory
4 Ledger Reports, Table Games Roulette Chip Monthly
5 Account Reports and Roulette Chip Impression Forms,
6 submitted from the first quarter of 2016 to the
7 first quarter of 2018.

8 The audit found that Harrah's
9 Philadelphia submitted Roulette Chip Discrepancy
10 Logs on the following dates, April 12th, 2017, May
11 24th, 2017, September 15th, 2017 and March 12th of
12 2018.

13 Harrah's Philadelphia did not submit
14 the required Discrepancy Log for the fourth quarter
15 of 2017.

16 In the Discrepancy Log submitted by
17 Harrah's Philadelphia, on May 24th, 2017, for the
18 second quarter of 2017, the audit found the
19 following errors and omissions.

20 The report had the same ending date as
21 the previous report. The beginning balance of the
22 chips of the report differ from the ending balance
23 of chips in the prior report. And only one series
24 of chips reflected a change in the previous report.

25 In the Discrepancy Log submitted by

1 Harrah's Philadelphia on September 15th of 2017, for
2 the third quarter of 2017, the audit found the
3 following errors and omissions. The beginning
4 balance of chips differ from the ending balance of
5 chips in the prior report. And the log was not
6 cleared, resulting in an error, in which return
7 chips in the third quarter were added to the total
8 number of return chips from the second quarter.

9 During the audited time period,
10 Harrah's Philadelphia did not complete any quarterly
11 Roulette Chip Inventory or Ledger Reports or use the
12 approved Impressment Forms, which are completed to
13 replenish or remove chips from table inventories.

14 Additionally during the audited time
15 period, Harrah's Philadelphia did not complete the
16 requested Impressment Forms when additional Roulette
17 Chips were needed to restore the chip inventory.

18 No Impressment Forms were used during
19 2017 and the audit found that chips would be
20 returned and accepted without the completion of the
21 required forms.

22 Harrah's Philadelphia did not
23 immediately report any discrepancies in its
24 Impressment Forms or forward the required reports.

25 BCC notified Harrah's Philadelphia of

1 its findings and recommendations. Harrah's
2 Philadelphia and Table Games Department then
3 conducted its own audit of all active and stored
4 nonvalue roulette chips as of March 15th, 2018,
5 which found a discrepancy of 736 non-value roulette
6 chips.

7 None of the missing chips were
8 reported to BCC as missing or destroyed. If
9 approved, this will be the second Consent Agreement
10 between OEC and Harrah's Philadelphia regarding
11 roulette chip inventory violations since Harrah's
12 Philadelphia commenced its gaming operations.

13 Under the terms of the settlement,
14 Harrah's Philadelphia shall pay a civil penalty of
15 \$10,000 for the violations, along with a \$2,500
16 administrative fee.

17 At this time OEC requests that the
18 Board approve this Consent Agreement.

19 CHAIRMAN: Questions or comments from
20 Chester?

21 ATTORNEY DOWNEY: Thank you, Mr.
22 Chairman. William Downey, with Fox Rothschild, on
23 behalf of Chester Downs and Marina, LLC, doing
24 business as Harrah's Philadelphia Casino and
25 Racetrack. With me at counsels' table are Chris

1 Albrecht, Senior Vice President and General Manager
2 and Lynn Hughes, Vice President, Chief Legal
3 Officer.

4 We concur in the recitation of facts
5 from OEC and - are prepared for any questions that
6 the Board may have.

7 CHAIRMAN: Are there any questions or
8 comments from the Board on this?

9 Hearing none, may I have a motion?

10 MR. JEWELL: Mr. Chairman, I move that
11 the Board approve the Consent Agreement between the
12 OEC and Chester Downs and Marina, LLC as described
13 by the OEC.

14 MR. KERNODLE: Second.

15 CHAIRMAN: All in favor?

16 AYES RESPOND

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

19 ATTORNEY FERRELL: The next matter
20 involves a violation of the Act in the Board's
21 Regulations regarding slot machine pay table
22 violations at Harrah's Philadelphia.

23 On October 30th, 2017 a Technical
24 Field Representative assigned to the Bureau of
25 Casino Compliance conducted slot machine

1 modification inspections at Harrah's Philadelphia.

2 During the inspection, the Technical
3 Field Representative determined that four slot
4 machines were in service with payout percentages
5 falling below the required payout percentage of 85
6 percent required by the Act and the Board's
7 Regulations.

8 Further investigation determined that
9 the slot machines were modified with rejected pay
10 tables by Harrah's Slot Technician on October 25th
11 of 2017. And upon discovery were taken out of
12 service by the Technical Field Representative on
13 October 30th, 2017.

14 Once the pay tables were corrected,
15 the Technical Field Representative authorized the
16 slot machines to return to full operation on the
17 gaming floor.

18 The affected wagers on these slot
19 machines during that time period totaled \$10,000 -
20 net \$10,550.95. Of this amount, cash out to patrons
21 totaled \$8,243.16 and winnings by Harrah's totaled
22 \$2,130.79.

23 Additionally, on February 12th of
24 2018, a Technical Field Representative determined
25 that Harrah's Philadelphia failed to upgrade and

1 remove software they had revoked by a letter issued
2 by the Executive Director on March 17th of 2017.

3 The letter required the revoked
4 software be removed from the affected slot machine
5 within 90 days of the letter.

6 The Technical Field Representative
7 determined the slot machines were compliant with the
8 minimum theoretical payout percentage required by
9 the Board's regulations.

10 The five slot machines were in
11 operation with the revoked software from June 15th,
12 2017 to February 12th of 2018.

13 Finally on May 8th of 2018, a
14 Technical Field Representative conducted a floor
15 audit of the slot machines on the gaming floor at
16 Harrah's Philadelphia, which determined that one
17 slot machine was operating with a rejected pay
18 table.

19 The slot machine was in operation with
20 a minimum payout of 84.06 percent and a maximum
21 payout of 87.5 percent. The minimum payout fell
22 below the 85 percent minimum payout required by the
23 Act and the Board's Regulations.

24 On January 23rd of 2012, the Bureau of
25 Gaming Laboratory Operations rejected the pay table.

1 And in May of 2013, Harrah's Philadelphia placed the
2 slot machine into service with rejected pay table
3 installed.

4 Due to the length of time the slot
5 machine was on the gaming floor, the Technical Field
6 Representative could not determine when the slot
7 machine was last modified.

8 Further investigation found that no
9 RAM or meter clears occurred on the slot machine
10 since January of 2015. Once the rejected pay table
11 was discovered, Harrah's Philadelphia removed the
12 slot machine from service.

13 On May 11th of 2018, the slot machine
14 was returned to service with an approved pay table.

15 The slot machine was in service with the rejected
16 pay table for approximately four years and 105 days.

17 If approved, this will be the first
18 Consent Agreement between OEC and Harrah's
19 Philadelphia regarding pay table violations since
20 Harrah's Philadelphia commenced its gaming
21 operations.

22 Under the terms of the Consent
23 Agreement, Harrah's of Philadelphia has agreed to
24 pay a civil penalty of \$30,000, along with the
25 \$2,500 administrative fee.

1 At this time, OEC requests that the
2 Board approve this Consent Agreement.

3 CHAIRMAN: Any comments from Chester?

4 ATTORNEY DOWNEY: No, Mr. Chairman.

5 We, again, concur in the recitation of facts and are
6 prepared to answer any questions the Board may have.

7 CHAIRMAN: Any questions or
8 observations from the Board?

9 Hearing none, may I have a motion?

10 MR. KERNODLE: Mr. Chairman, I move
11 that the Board approve the Consent Agreement between
12 the OEC, Chester Downs and Marina, LLC. as described
13 by the OEC.

14 MR. LOGAN: Second.

15 CHAIRMAN: All in favor?

16 AYES RESPOND

17 CHAIRMAN: All opposed?

18 The motion is adopted. Thank you for
19 coming.

20 ATTORNEY PITRE: The next matter on
21 the Agenda for the Board's consideration is a
22 Consent Agreement between the OEC and Category 1
23 Licensee Greenwood Gaming and Entertainment, Inc.
24 doing business as Parx.

25 The Consent Agreement will be

1 presented by Deputy Enforcement Counsel Dustin
2 Miller. Representatives of Parx are present. And at
3 this time I would request that those individuals
4 introduce themselves for the record, and that anyone
5 not here as an attorney, please stand and be sworn.

6 MR. SCHROEDER: Good afternoon, Mr.
7 Chairman, Commissioners. My name is Bryan
8 Schroeder, Vice President of Regulatory Affairs and
9 Chief Compliance Officer.

10 With me is Steve Houle, the Director
11 of Slot Operators.

12 Steve, do you want to stand and be
13 sworn in?

14 ---

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

19 ---

20 ATTORNEY MILLER: Good afternoon.
21 Dustin Miller on behalf of the OEC.

22 At this time the OEC has a Consent
23 Agreement prepared for the Board's approval. This
24 Consent Agreement is between the OEC and Greenwood
25 Gaming Entertainment, Inc.

1 This Consent Agreement arises from
2 three incidents involving progressive slot machine
3 violations.

4 On October 31st, 2017 a progressive
5 slot machine was taken out of service due to a
6 malfunction. Parx Casino notes in the Machine Entry
7 Authorization Log Book, otherwise known as the MEAL
8 book, showed that the machine was awaiting parts to
9 fix the machine on November 2nd, 2017.

10 On November 10th, 2017, Parx Casino
11 Slot Technicians installed the needed parts and put
12 the machine back into play without first having the
13 machine tested and certified by a Pennsylvania
14 Gaming Control Board Technical Field Representative,
15 as required by Regulations and Parx approved
16 internal controls.

17 A Technical Field Representative
18 noticed that the machine was active on November 16
19 of 2017 and immediately took the machine out of play
20 until he tested it and approved it for play later
21 that day.

22 The machine was in play without being
23 tested or approved by a Technical Field
24 Representative for six days.

25 On January 13th, 2018 another

1 progressive slot machine at Parx Casino was taken
2 out of service due to a problem with its cash box,
3 and also had a random access memory clear the
4 following day.

5 Similarly the machine was put back
6 into play on January 15th, 2018 by the Parx Casino
7 Slot Department before it was tested or certified by
8 a PGCB Technical Field Representative.

9 In this instance the incident was
10 self-reported when a Parx Casino Slot Technician
11 came to the machine to perform more maintenance on
12 the machine and discovered that the machine had been
13 impermissibly put into play for 15 hours on January
14 15th, 2018 before being taken out of service again.

15 A Technical Field Representative
16 inspected and approved the machine for play on
17 January 18th, 2018.

18 A third progressive slot machine
19 violation occurred at Parx Casino on February 1st,
20 2018. On that date a Parx Casino Slot Technician
21 replaced a wire and coin-tested the machine. After
22 completing his work, the Slot Technician put the
23 machine back into service without reconnecting the
24 slot machine to the Progressive System.

25 The machine remained in service until

1 February 3rd, 2018, when another Slot Technician
2 discovered that the machine had not been reconnected
3 to the Progressive Jackpot System.

4 Further maintenance was performed
5 before the machine was put back into service on
6 February 6th, 2018, following testing and
7 certification by a PGCB Technical Field
8 Representative.

9 Although no official jackpot was hit
10 during the time that this machine was in play while
11 unauthorized, a patron did report that he hit a
12 combination on the machine on February 2nd, 2018
13 that should have resulted in a progressive jackpot
14 if the machine had been properly hooked up to the
15 Progressive System.

16 As part of the negotiations to settle
17 this matter, Parx agreed to compensate the patron
18 for the amount of money that the patron did not
19 receive. OEC has verified that the payment was made
20 to the patron.

21 CHAIRMAN: How much was that?

22 ATTORNEY MILLER: I believe it was
23 \$359.18.

24 MR. SCHROEDER: I will agree with
25 that.

1 ATTORNEY MILLER: Board regulations
2 and Parx Casino's Approved Internal Controls provide
3 that a slot machine that offers a new progressive
4 jackpot or undergoes a modification or RAM clear of
5 an existing progressive jackpot may not be made
6 available to the public until the machine has been
7 tested and certified by the Bureau of Gaming
8 Laboratory Operations.

9 On September 19th, 2018, the parties
10 entered into a Consent Agreement to settle these
11 outstanding compliance violations.

12 The terms of this agreement include a
13 provision that Greenwood Gaming and Entertainment,
14 Inc. shall reinforce existing policies to minimize
15 the opportunity for similar incidents to occur in
16 the future.

17 Further, Greenwood Gaming and
18 Entertainment, Inc. shall pay a total fine of
19 \$22,500 and an administrative fee of \$2,500. The
20 fine and administrative fee shall be paid within
21 five days of the Consent Agreement being approved by
22 the Board.

23 As Cyrus said, counsel for Greenwood
24 Gaming and Entertainment, Inc. is in attendance
25 today to answer any questions you may have;

1 otherwise, the OEC asked the Board to entertain a
2 motion to approve this Consent Agreement.

3 CHAIRMAN: Comments from Greenwood?

4 MR. SCHROEDER: Greenwood agrees with
5 the recitation of facts. And just for the record
6 would like to note, Mr. Houle was not employed as
7 the Director of Slot Operations at the time, he's
8 taken over since then.

9 I'd be glad to answer any questions
10 you may have.

11 CHAIRMAN: Thank you.

12 Any questions or comments?

13 MR. JEWELL: I have one question.

14 This is pretty basic stuff, I think.
15 Right?

16 MR. SCHROEDER: Yes.

17 ATTORNEY JEWELL: Okay.

18 So how did it happen?

19 MR. SCHROEDER: I asked the same
20 question to Mr. Houle. And I think there's two
21 parts to that.

22 One is there was a general lack of
23 urgency and complacency in the department. And I
24 would tie that probably to the fact that the
25 previous Director probably was interviewing and on

1 the way out, so I don't think he was really driving
2 home the point.

3 So part of the Remediation Plan was a
4 retraining, as well as Mr. Houle has completed a
5 full - is completing a full review of the
6 department, employees, procedures, documents,
7 document retention, to make sure everything's up to
8 snuff. So, that's what we're doing now.

9 MR. JEWELL: Thank you.

10 CHAIRMAN: Other questions or
11 comments?

12 Hearing none, may I have a motion?

13 MR. LOGAN: Mr. Chairman, I move that
14 the Board approve the Consent Agreement between the
15 OEC and Greenwood Gaming and Entertainment, Inc. as
16 described by the OEC.

17 MR. JEWELL: Second.

18 CHAIRMAN: All in favor?

19 AYES RESPOND

20 CHAIRMAN: All opposed? Motion's
21 adopted. Thank you for coming.

22 ATTORNEY PITRE: Next matter on the
23 Agenda for the Board's consideration is a Consent
24 Agreement between the OEC and Category 1 Licensee
25 Presque Isle Downs, Inc., doing business as Presque

1 Isle Downs and Casino.

2 The Consent Agreement will be
3 presented by Assistant Counsel Tamara Haken.
4 Representatives for Presque Isle are present. And
5 at this time I request those individuals introduce
6 themselves for the record, and that anyone not
7 present as an attorney please stand and be sworn.

8 ATTORNEY SCHRIER: Good morning, Mr.
9 Chairman. Stephen D. Schrier with the Law Firm of
10 Blank Rome, on behalf of Presque Isle Downs Casino.
11 And also with me is Kevin O'Sullivan, Vice
12 President and General Manager of Presque Isle Downs.

13

14 If you would just stand, please.

15

16

KEVIN O'SULLIVAN,

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 HAKEN: Good afternoon,
22 Chairman, Members of the Board. Tamara Haken,
23 H-A-K-E-N, with the OEC.

24

25 This proposed Consent Agreement
involves five underage violations at Presque Isle

1 Downs and Casino. On November 19th, 2017, a
2 19-year-old was allowed on the gaming floor without
3 being asked for identification. She was on the
4 gaming floor for approximately one hour and eight
5 minutes without gaming, but was served a draft beer,
6 also without being asked for identification.

7 The Pennsylvania State Police issued
8 the individual a citation. Presque Isle issued a
9 verbal warning to the Brew Brothers Server who
10 served the underage individual to an alcoholic
11 beverage, and to the Security Officer who allowed
12 the underage individual access to the gaming floor.

13 On December 27th, 2017, an 18-year-old
14 was allowed on the gaming floor for approximately 17
15 minutes, during which time he gamed for
16 approximately ten minutes.

17 Though his fraudulent identification
18 was not successfully scanned at Security and a
19 Security Supervisor was summoned to visually inspect
20 the identification at his point of entry, the
21 individual was allowed access to the gaming floor by
22 the Security Supervisor.

23 The individual was sought by the
24 Security Supervisor moments after he had been
25 allowed access, so that the supervisor could double-

1 check his identification.

2 The Pennsylvania State Police issued
3 the individual a citation. He was issued a
4 Management Exclusion from the Casino.

5 Presque Isle issued verbal corrective
6 action to the Security Supervisor, who gave the
7 underage individual access to the gaming floor.

8 On May 15th, 2018, a 20-year-old male
9 was allowed on the gaming floor after providing
10 Security Personnel the identification of a
11 42-year-old female as his own identification.

12 The Security Officer initially called
13 for an identification check, but then allowed the
14 underage individual onto the gaming floor without
15 the check after the underage individual explained
16 that he was in a gender transition.

17 He was on the gaming floor for
18 approximately six hours, during which he gamed for
19 approximately half an hour. He exited -.

20 CHAIRMAN: Excuse me. Just a
21 clarifying question.

22 ATTORNEY HAKEN: Yes.

23 CHAIRMAN: How old was this
24 individual?

25 ATTORNEY HAKEN: Twenty (20) - 20

1 years old.

2 CHAIRMAN: And was passing an
3 identity -?

4 ATTORNEY HAKEN: As a 42-year-old
5 female.

6 CHAIRMAN: A 42-year-old woman?
7 Okay.

8 ATTORNEY HAKEN: He exited the casino
9 for less than ten minutes and was given access to
10 the gaming floor a second time by a different
11 Security Officer, who checked his provided
12 identification and allowed him to enter.

13 This time the underage individual was
14 on the gaming floor for less than an hour without
15 gaming, left the gaming floor and reentered the
16 gaming floor a third time, though he left his
17 identification with Security Personnel, who told him
18 to wait.

19 He was apprehended and cited by
20 Pennsylvania State Police and issued a Management
21 Exclusion from the casino. Presque Isle issued
22 written warnings to the first two Security Officers
23 who gave him access to the gaming floor.

24 On August 7th, 2018, a 19-year-old was
25 allowed on the gaming floor without being challenged

1 for her identification. She was on the gaming floor
2 for approximately one hour, during which time she
3 gamed for approximately four minutes.

4 She was approached by Security
5 Personnel and denied having identification, though
6 she had provided it earlier that evening at the
7 track entrance in order to receive a wristband,
8 indicating her age was between 18 and 21.

9 She had removed the band before
10 entering the gaming floor. Pennsylvania State
11 Police cited her and she was issued a Management
12 Exclusion from the casino.

13 The Security Officer who gave the
14 underage individual access to the gaming floor
15 without challenging her for identification was
16 terminated.

17 On August 8, 2018, a 20-year-old was
18 allowed on the gaming floor without being challenged
19 for his identification. He was on the gaming floor
20 for approximately one hour and seven minutes, during
21 which time he gamed for approximately 24 minutes.

22 He was cited by the Pennsylvania State
23 Police. Presque Isle issued a Final Warning to the
24 Security Officer who gave the underage individual
25 access to the gaming floor.

1 At this time, the OEC requests that
2 the Board approve this Consent Agreement between the
3 parties.

4 The terms of the settlement include
5 that within five days of the Board's Order approving
6 this Consent Agreement that Presque Isle shall pay a
7 civil penalty of \$45,000. Also within five days of
8 the Board's Order approving this Consent Agreement,
9 Presque Isle shall pay the Board an administrative
10 fee of \$2,500 in connection with this matter.

11 If you have any questions, we'd be
12 happy to address them at this time.

13 CHAIRMAN: Comments from Presque Isle?

14 ATTORNEY SCHRIER: Mr. Chairman and
15 Members of the Commission, Presque Isle has heard
16 the recitation of the facts and we agree with those.
17 And we're here to answer any questions that you may
18 have today.

19 CHAIRMAN: Thank you.

20 Any questions or comments from the
21 Board?

22 Hearing none, may I have a motion?

23 MR. JEWELL: Mr. Chairman, I move that
24 the Board approve the Consent Agreement between the
25 OEC and Presque Isle Downs, Inc. as described by the

1 OEC.

2 MS. REITZEL: Second.

3 CHAIRMAN: All in favor?

4 AYES RESPOND

5 CHAIRMAN: All opposed?

6 The motion's adopted. Thank you for
7 coming.

8 ATTORNEY SCHRIER: Thank you.

9 ATTORNEY PITRE: The next two matters
10 on the Agenda consist of enforcement actions in
11 which the OEC filed Complaints seeking the
12 revocation of one Non-Gaming Employee Registration
13 and one Gaming Level 2 Employee Occupation Permit,
14 which were issued by the Board.

15 Each Complaint has been filed with the
16 Board's OHA and properly served upon the person
17 named in each Complaint. The person named in each
18 Complaint failed to respond within 30 days, as
19 required by Board Regulation. As a result the OEC
20 filed a Request for Default Judgment and properly
21 served the same upon each named person.

22 Therefore the facts in each Complaint
23 are deemed admitted. All filed documents have been
24 provided to the Board and the matters are presently
25 ripe for the Board's consideration.

1 In each instance we'll provide a brief
2 summary of the facts and request the appropriate
3 Board action.

4 ATTORNEY ROLAND: Good afternoon.
5 Michael Roland, once again, with the OEC.

6 The next matter is to request to
7 revoke the Non-Gaming Employee Registration issued
8 to Drew William Fackenthall for stealing money from
9 Sands by committing 12 instances of under-ringing
10 for a total illegal benefit to himself of \$77.

11 Mr. Fackenthall was charged with
12 retail theft and entered a guilty plea to the
13 charge. He is not presently employed in the
14 Pennsylvania gaming industry.

15 At this time the OEC requests that the
16 Non-Gaming Registration issued to Drew William
17 Fackenthall be revoked.

18 CHAIRMAN: Questions or comments from
19 the Board?

20 Hearing none, may I have a motion?

21 MS. REITZEL: Mr. Chairman, I move
22 that the Board approve the revocation of Drew
23 Fackenthall's Non-Gaming Employee Registration as
24 described by the OEC.

25 MR. SANTONI: Second.

1 CHAIRMAN: All in favor?

2 AYES RESPOND

3 CHAIRMAN: All opposed?

4 The motion is adopted.

5 ATTORNEY GABRIELLE: Good afternoon,
6 Mr. Chairman, Members of the Board. Ashley
7 Gabrielle, OEC.

8 Next on the Agenda for the Board's
9 consideration is a Complaint seeking the revocation
10 of G2 Employee Permit issued to Christopher Camp.

11 While employed at Valley Forge, Mr.
12 Camp used fraudulently-prepared documentation from
13 the Competitive Shop Program to request and receive
14 \$3,700 each month from the cage for 29 months,
15 beginning in October 2015 and ending in February
16 2018. Personally profiting an estimated \$92,390.

17 Mr. Camp was criminally charged and
18 terminated by Valley Forge as a result.

19 At this time the OEC requests that the
20 Board revoke the G2 Employee Permit issued to
21 Christopher Camp.

22 CHAIRMAN: Questions or comments from
23 the Board?

24 Hearing none, may I have a motion?

25 MR. SANTONI: Mr. Chairman, I move

1 that the Board approve the revocation of Christopher
2 Camp's G2 Employee Occupation Permit as described by
3 the OEC.

4 MR. JEWELL: Second.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

7 CHAIRMAN: All opposed?

8 The motion's adopted.

9 ATTORNEY PITRE: The remaining matters
10 on the Agenda consist of enforcement actions in
11 which the OEC filed Petitions Seeking the
12 Involuntary Exclusion of individuals whose presence
13 in a licensed facility are inimical to the interest
14 of the Commonwealth and/or licensed gaming therein.

15 In each instance the Petition for
16 Exclusion has been filed with the Board's OHA and
17 properly served upon each individual named in the
18 petition.

19 The individual named in the petition
20 failed to respond within 30 days, as required by
21 Board Regulation. As a result, the OEC filed a
22 Request for Default Judgment in each instance and
23 properly served the same upon each named individual.

24 And therefore all the facts in each petition are
25 deemed admitted.

1 All filed documents have been provided
2 to the Board, and the matters are presently ripe for
3 the Board's consideration.

4 In each instance if the Board orders
5 the proposed exclusion, each individual's photo,
6 personal identifiers and a summary of their inimical
7 conduct will be placed on the Board's public
8 website.

9 ATTORNEY HAKEN: Good afternoon, once
10 again. Tamara Haken, H-A-K-E-N, with the OEC. The
11 next matter on the Agenda for the Board's
12 consideration is the Involuntary Exclusion of John
13 Moffett.

14 On June 10th, 2018, Mr. Moffett left
15 his 13-year-old son unattended in a car in the
16 Hollywood Casino parking garage for more than an
17 hour and a half in the middle of the night, while he
18 gamed inside the casino.

19 As a result, OEC requests that the
20 Board issue an Order placing John Moffett on the
21 Involuntary Exclusion List.

22 CHAIRMAN: Questions or comments from
23 the Board?

24 Hearing none, may I have a motion?

25 MR. JEWELL: Mr. Chairman, I move that

1 the Board approve the addition of John Moffett to
2 the PGCB Involuntary Exclusion List as described by
3 the OEC.

4 I further move that Mr. Moffett shall
5 be removed from the Exclusion List after two years.

6 MR. KERNODLE: Second.

7 CHAIRMAN: All in favor?

8 AYES RESPOND

9 CHAIRMAN: All opposed? The motion is
10 adopted.

11 ATTORNEY FERRELL: Good afternoon
12 again. Benjamin Ferrell, F-E-R-R-E-L-L, Assistant
13 Enforcement Counsel with the OEC.

14 The next matter for your consideration
15 is a Petition for Placement of Darren Carlton on the
16 Board's Involuntary Exclusion List.

17 On May 22nd of 2018 and May 23rd of
18 2018, Mr. Carlton passed 26 counterfeit 100 dollar
19 bills while playing blackjack and Spanish Poker at
20 Harrah's Philadelphia.

21 On May 23rd, the Pennsylvania State
22 Police arrested and charged Mr. Carlton for these
23 criminal acts.

24 Additionally on February 17th of 2016,
25 Mr. Carlton cheated while playing blackjack at

1 Harrah's Philadelphia by removing and placing wagers
2 after the close of the betting period.

3 The Pennsylvania State Police charged
4 Mr. Carlton for these criminal acts as well.

5 At this time, OEC requests that the
6 Board issue an Order placing Darren Carlton on the
7 Involuntary Exclusion List.

8 CHAIRMAN: Questions or comments from
9 the Board?

10 Hearing none, may I have a motion?

11 MR. KERNODLE: Mr. Chairman, I move
12 that the Board approve the addition of Darren
13 Carlton to the PGCB Involuntary Exclusion List as
14 described by the OEC.

15 MR. LOGAN: Second.

16 CHAIRMAN: Is that a second?

17 MR. LOGAN: Yes. Sorry.

18 CHAIRMAN: All in favor?

19 AYES RESPOND

20 CHAIRMAN: All opposed?

21 The motion is adopted.

22 ATTORNEY PITRE: Thank you.

23 That concludes our matter.

24 CHAIRMAN: All right.

25 That concludes today's meeting. Our

1 next public session will be held at Wednesday,
2 November 28th at ten o'clock in this room.

3 May I have a motion to adjourn?

4 MR. LOGAN: So moved.

5 MS. REITZEL: Second.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

8 CHAIRMAN: All opposed? The meeting's
9 adjourned. Thank you very much.

10 * * * * *

11 MEETING CONCLUDED AT 12:40 P.M.

12 * * * * *

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CERTIFICATE

I hereby certify that the foregoing proceedings, meeting held before David Barasch, Chairman, was reported by me on 10-31-18 and that I, Bernadette M. Black, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

Dated the 27th day of November, 2018

Bernadette M. Black

Bernadette M. Black,
Court Reporter