

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

* * * * *

PUBLIC MEETING

* * * * *

BEFORE: MEMBERS OF THE BOARD:

DAVID M. BARASCH, CHAIRMAN

Richard G. Jewell

Obra S. Kernodle, IV (via phone)

Sean Logan

Kathy M. Manderino

Merritt C. Reitzel

Dante Santoni, Jr.

EX-OFFICIO MEMBERS/DESIGNEES IN ATTENDANCE:

Jennifer Langan, Designee, Department of
Treasury

Christin Heidingsfelder, Designee,
Department of Revenue

Fred Strathmeyer, Designee,
Department of Agriculture

HEARING: Wednesday, December 19, 2018, 10:00 a.m.

Reporter: Cynthia Piro Simpson

Any reproduction of this transcript is prohibited
without authorization by the certifying agency.

1 LOCATION: Pennsylvania Gaming Control Board
2 Strawberry Square
3 2nd Floor
4 Harrisburg, PA 17101
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S

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

DANETTE BIXLER-GEORGE, Director of Human Resources -
New Hires

R. DOUGLAS SHERMAN, ESQUIRE, Chief Counsel - Petitions

STEVE COOK, ESQUIRE, Deputy Chief Counsel -

Withdrawals/Surrenders and Report and Recommendations

SUSAN HENSEL, Director - Licensing Matters

CYRUS PITRE, ESQUIRE, Chief Enforcement Counsel -

Enforcement Actions

OFFICE OF ENFORCEMENT COUNSEL - ALSO PRESENTING:

JAMES ARMSTRONG, ESQUIRE

Senior Enforcement Counsel

MICHAEL ROLAND, ESQUIRE

Senior Enforcement Counsel

DUSTIN MILLER, ESQUIRE

Deputy Enforcement Counsel

BENJAMIN FERRELL, ESQUIRE

Assistant Enforcement Counsel

ASHLEY GABRIELLE, ESQUIRE

Assistant Enforcement Counsel

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

2

3 OFFICE OF ENFORCEMENT COUNSEL - ALSO PRESENTING:

4 THOMAS MONAGHAN, ESQUIRE

5 Assistant Enforcement Counsel

6 DAVID TEPPER, ESQUIRE

7 Assistant Enforcement Counsel

8 PA Gaming Control Board

9 P.O. Box 69060

10 Harrisburg, PA 17106-9060

11 Counsel for the Pennsylvania Gaming Control Board

12

13 OTHER ATTENDEES FOR MEETING AND/OR PUBLIC HEARINGS:

14 L.E.B. - Request for Removal from Voluntary Self-

15 Exclusion List

16

17 PENN NATIONAL GAMING, INC.

18 Alex Hvizda, Director of Compliance, Hollywood Casino

19 Dan Ihm, Vice President, General Manager, Hollywood

20 Casino

21

22 MOUNT AIRY #1, LLC:

23 Michael Sklar, Esquire, Mount Airy #1, LLC

24 Lianne Asbury, Director of Security, Mount Airy #1,

25 LLC

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

2

3 MOUNT AIRY #1, LLC:

4 Todd Greenberg, Chief Operating Officer, General
5 Manager, Mount Airy #1, LLC

6

7 STADIUM CASINO, LLC:

8 Mark Stewart, Esquire, Eckert Seamans, Counsel for
9 Stadium Casino, LLC

10 Robert Norton, President, Cordish Gaming

11

12 CHESTER DOWNS AND MARINA, LLC:

13 William J. Downey, III, Esquire, Fox Rothschild, LLP,
14 Counsel for Chester Downs and Marina, LLC

15 Christopher Albrecht, Senior Vice President and
16 General Manager, Harrah's Philadelphia

17 N. Lynne Hughes, Esquire, Vice President, Harrah's
18 Philadelphia

19 Marisa Stagg, Regulatory Compliance Officer, Harrah's
20 Philadelphia

21 Joe Tyrrell, Vice President of Government Relations,
22 Harrah's Philadelphia

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

VALLEY FORGE CONVENTION CENTER PARTNERS, LLC:

Adrian King, Esquire, Ballard Spahr, LLC, Counsel for
Valley Forge Convention Center Partners, LLC

David Zerfing, Vice President and General Manager,
Valley Forge

Bill Wright, Senior Vice President of Operations,
Valley Forge

Christian Genetski, Esquire, Chief Legal Officer,
FanDuel

Jonathan Edson, Senior Vice President of Business
Development, Valley Forge

I N D E X

1		
2		
3	DISCUSSION AMONG PARTIES	9 - 10
4	PRESENTATION	
5	By Ms. Bixler-George	10 - 11
6	PRESENTATION	
7	By Attorney Sherman	11 - 20
8	STATEMENT	
9	By L.E.B.	20 - 23
10	QUESTIONS	
11	By Board	24 - 29
12	PRESENTATION	
13	By Attorney Sherman	30 - 32
14	By Attorney Cook	32 - 35
15	PRESENTATION	
16	By Ms. Hensel	35 - 43
17	PRESENTATION	
18	By Attorney Pitre	44
19	By Attorney Miller	45 - 48
20	COMMENTS	
21	By Mr. Hvizda	48 - 50
22	PRESENTATION	
23	By Attorney Tepper	51 - 54
24	DISCUSSION AMONG PARTIES	54 - 56
25		

1	I N D E X (cont.)	
2		
3	PRESENTATION	
4	By Ms. Asbury	56 - 59
5	QUESTIONS AND COMMENTS	
6	By Board	59 - 77
7	PRESENTATION	
8	By Attorney Tepper	77 - 83
9	PRESENTATION	
10	By Ms. Asbury	84 - 88
11	QUESTIONS AND COMMENTS	
12	By Board	88 - 95
13	PRESENTATION	
14	By Attorney Monaghan	95 - 98
15	By Attorney Pitre	98 - 99
16	By Attorney Tepper	99
17	By Attorney Pitre	99 - 100
18	By Attorney Gabrielle	100 - 102
19	By Attorney Ferrell	102 - 108
20	CLOSING REMARKS	
21	By Chairman Barasch	108 - 109
22		
23		
24		
25		

P R O C E E D I N G S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRMAN: Good morning. I'm David Barasch, Chairman of the Pennsylvania Gaming Control Board. And as always, I ask people to put their cell phones and electronic devices on silent.

Today with us, Fred Strathmeyer, you never know who's going to be there. Right, Fred? Representing Russ Redding, Secretary of the Department of Agriculture. Jennifer Langan, representing Joe Torsella, the State Treasurer, and Christin Heidingsfelder, I'm sorry, representing Secretary of Revenue, Dan Hassell. Thank you all for coming and participating.

Commissioner Kernodle is participating today by telephone. Good morning, Obie, if you're not on mute. He's on mute.

MR. KERNODLE: Good morning, Mr. Chairman.

CHAIRMAN: Okay.

Quorum of the members being present, I call the proceedings to order. The first order of business is Pledge of Allegiance.

(WHEREUPON, THE PLEDGE OF ALLEGIANCE WAS RECITED.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRMAN: By way of announcements, the Board held an Executive Session yesterday, Tuesday, December 18th, to discuss personnel matters and to conduct quasi-judicial deliberations relating to matters the Board is going to consider today.

The first order of business is a public hearing involving Stadium Casino, LLC's Petition for Approval of Corporate Restructuring.

(WHEREUPON, PUBLIC HEARINGS WERE HELD.)

CHAIRMAN: Hi, Danette.

MS. BIXLER-GEORGE: Good morning.

CHAIRMAN: Good morning.

Director of Human Resources, Personnel.

MS. BIXLER-GEORGE: Good morning, Chairman, member of the Board - members of the Board. The Office of Human Resources has one motion for your consideration today relative to the hiring of one individual.

Josh Wascura has been selected as a Casino Compliance Representative for Mohegan Sun Casino under the Bureau of Casino Compliance.

1 Mr. Wascura has completed the
2 interview process, background check and drug screening
3 and is recommended for hire by Acting Director of
4 Casino Compliance John Sentell.

5 Unless you have questions, I ask the
6 Board consider a motion to approve the hiring action,
7 as indicated.

8 CHAIRMAN: May I have a motion?

9 MR. JEWELL: Mr. Chairman, I move that
10 the Board approve the Applicant for hire as proposed
11 by the Human Resources Director.

12 MR. LOGAN: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

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

17 MS. BIXLER-GEORGE: Thank you.

18 CHAIRMAN: Thank you, Danette.

19 Doug Sherman, Chief Counsel.

20 ATTORNEY SHERMAN: Good morning,

21 Chairman, members of the Board. The Board has six
22 Petitions before it for consideration today.

23 Three of the Petitions had just been
24 heard a short time ago. The remaining three will be
25 decided based upon the record by agreement of the

1 parties.

2 In each of these matters the Board
3 has, in advance of this meeting, been provided with
4 all documents filed of record.

5 The first Petition before the Board is
6 that of Stadium Casino. And it's their request for
7 approval of their corporate restructuring. As you
8 heard, the restructuring would allow Stadium Casino
9 Baltimore Investors, which is the Cordish Group, to
10 acquire the present 50 percent ownership interest of
11 the Stadium Casino Investors, LLC, which is the Parx
12 side of the equation.

13 The final result would be that the
14 Cordish Group, or Stadium Casino Baltimore Investors,
15 would own 100 percent of the project. Stadium's
16 requested that certain of the information contained in
17 the Petition be maintained as confidential. OEC does
18 not object either to the restructuring or the
19 confidentiality.

20 It would be appropriate to now
21 consider a motion to approve the request.

22 CHAIRMAN: Any questions or comments
23 from the Board at this time? Hearing none, may I have
24 a motion?

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

1 the Board approve Stadium Casino, LLC's Petition for
2 Approval of Corporate Restructuring and Request for
3 Confidentiality, as described by the Office of Chief
4 Counsel (OCC) and with the conditions to be outlined
5 in the Board's Order. I further move that Stadium
6 Casino, LLC be assessed the Change of Control Fee in
7 the amount of \$100,000.

8 MS. MANDERINO: Second.

9 CHAIRMAN: All in favor?

10 AYES RESPOND

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

13 ATTORNEY SHERMAN: Next is Valley -
14 I'm sorry, next is Chester Downs and Marina's Petition
15 to Modify their Gaming Floor.

16 As you heard, the change would remove
17 187 slot machines from the gaming floor. It would
18 reduce the gaming floor by about 7,000 square feet,
19 and reduce the smoking area of the gaming floor by,
20 approximately 2,000 square feet.

21 These changes, as you heard, will
22 allow Chester greater flexibility in managing its
23 gaming floor, including the creation of a Sportsbook
24 and a new non-gaming sports entertainment option.

25 Additionally, Chester has also

1 requested that the Board delegate to the Executive
2 Director the ability to approve minor modifications of
3 the gaming floor during the post-construction phase of
4 its modifications, and to permit Harrah's to provide
5 Quarterly Operational Plans after completion of the
6 construction phase.

7 The Office of Enforcement Counsel
8 (OEC) has proposed several conditions, which were
9 outlined in their Answer. And we would be in
10 agreement that those conditions are appropriate. And
11 the matter is now ready for the Board's consideration.

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

14 MS. MANDERINO: Mr. Chairman, I move
15 the Board approve Chester Downs and Marina, LLC's
16 Petition for Approval to Modify the Gaming Floor, as
17 described by the OCC, and with the conditions outlined
18 in the Board's Order.

19 MS. REITZEL: Second.

20 CHAIRMAN: All in favor?

21 AYES RESPOND

22 CHAIRMAN: All opposed. The motion's
23 adopted.

24 ATTORNEY SHERMAN: The next matter is
25 Valley Forge Convention Center Partners' Petition for

1 the Sports Wagering Certificate, which the Board just
2 heard.

3 I want to address one issue that came
4 up there. And that's with regard to the smoking area.
5 It's our position that the smoking area of the sports
6 betting area is to be considered separate from the
7 general gaming floor where slot machines and table
8 games are played, such that the area of the Sportsbook
9 cannot exceed the percentage of smoking area permitted
10 under the Clean Indoor Air Act.

11 And to make it perfectly clear, it's
12 our position that you can't look at the other floor of
13 the casino and, for instance, make the Sportsbook
14 completely nonsmoking and use that number to then
15 increase smoking on the other areas of the floor.

16 The Clean Indoor Air Act is very clear
17 that the gaming area of the primary gaming floor
18 cannot be more than 50 percent smoking. And you know,
19 no game plan can be used in shifting between the areas
20 to influence another one.

21 CHAIRMAN: Okay.

22 I'm sorry, I know you're trying to
23 clarify it. In my mind you muddied it a little bit
24 for me with your example.

25 ATTORNEY SHERMAN: I have that

1 ability.

2 CHAIRMAN: Yeah. Well, you're also
3 having a bad voice today. I can understand.

4 You said nonsmoking in the Sportsbook,
5 when I thought I heard their intention was to make it
6 smoking.

7 ATTORNEY SHERMAN: Correct.

8 The point being, that if they would
9 say, we're going to make this Sportsbook completely
10 nonsmoking, they can't then reallocate the smoking
11 portion to the primary casino.

12 CHAIRMAN: But this is the inverse of
13 the question I asked Cyrus -

14 ATTORNEY SHERMAN: Correct.

15 CHAIRMAN: - before. I got it.

16 ATTORNEY SHERMAN: Right.

17 CHAIRMAN: Okay.

18 ATTORNEY SHERMAN: So, each section
19 will be looked at independently with respect to the
20 percentage of smoking allowed under the Clean Indoor
21 Air Act.

22 CHAIRMAN: Good. Thank you.

23 ATTORNEY SHERMAN: With that
24 clarification, as you heard, the Board's being
25 requested to approve a Sports Wagering Certificate to

1 be issued to Valley Forge. In doing so, you're not
2 authorizing immediate commencement of Sportsbook, but
3 rather this is the first step, and then allowing the
4 process to move forward under Board staff oversight.
5 Of course, the casino would have to complete a test
6 period, as we have recently been undergoing.

7 And with that, Valley Forge has also
8 requested that certain portions of the record be
9 maintained as confidential. And that the security
10 plans or surveillance issues, we would agree that that
11 should be maintained as confidential, and the matter
12 is ready for the Board's consideration.

13 CHAIRMAN: Are there any further
14 questions or comments from the Board on this matter?

15 MR. JEWELL: I do have a question,
16 because I'm about to make the motion.

17 The conditions to be outlined in the
18 Board's Order will include the enunciation you just
19 made of the smoking analysis?

20 ATTORNEY SHERMAN: We can assure that
21 it will.

22 CHAIRMAN: May I have a motion?

23 MR. JEWELL: Mr. Chairman, I move that
24 the Board approve the Valley Forge Convention Center
25 Partners, LLC's Petition for Sports Wagering

1 Certificate and Request for Confidentiality, as
2 described by the OCC and with the conditions to be
3 outlined in the Board's Order.

4 MR. LOGAN: Second.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

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

9 ATTORNEY SHERMAN: The next matter
10 pertains for a request for removal from a
11 Self-Exclusion List. This is filed by an individual
12 by the initials L.B.

13 And I understand that the individual
14 is present and would like to address the Board.

15 By way of background, in October of
16 2018, L.B. filed a Petition for Removal from the
17 Self-Exclusion List. On November 9th, 2018, L.B. and
18 the OEC filed a Joint Stipulation of Facts, which is
19 before the Board.

20 As provided in the stipulated facts,
21 L.B. placed himself on the Self-Exclusion List in
22 March of 2009 for a period of one year. After the
23 expiration of that one-year period, he removed himself
24 from the list. And then in June of 2011, entered
25 Sands Casino, met with the Casino Compliance

1 Representative and again placed himself on the Self-
2 Exclusion List. And this time, it was for the
3 lifetime.

4 L.B.'s request for removal from the
5 Board's list states that in 2011, he decided to place
6 himself on the Self-Exclusion List at a time when he
7 was getting ready to place three children through
8 college and wanted to ensure that any disposable
9 income or assets would go to their higher education
10 and he would not use them at the casino.

11 He further states that since that
12 time, he has completed the process of the children's
13 education, has relocated out of state and is preparing
14 to start retirement.

15 The stipulation also says that during
16 his retirement he would like to be able to travel with
17 his wife and patronize casinos throughout the United
18 States.

19 And while the Pennsylvania
20 Self-Exclusion List only applies to casinos in
21 Pennsylvania, a number of our casinos do then use our
22 list to exclude patrons from their other sister
23 properties in other jurisdictions.

24 As stated, the individual is present
25 and would like to address the Board.

1 MR. L.B.: Thank you.

2 CHAIRMAN: Good morning.

3 MR. L.B.: I have a brief statement.

4 CHAIRMAN: One second, please.

5 Should I be swearing him in? And if
6 so, since we're operating anonymously, how do we do
7 that?

8 ATTORNEY SHERMAN: I think the
9 individual - we know who he is, and I think if he
10 stands, he can swear to tell the truth and -.

11 CHAIRMAN: Okay.

12 Let's do that. Let's do that.

13 ---

14 L.B.,

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

18 ---

19 CHAIRMAN: Now you can proceed, sir.

20 MR. L.B.: My name is L.E.B. I
21 formerly resided in the Commonwealth of Pennsylvania
22 and had requested to be placed on the Self-Exclusion
23 List in the Commonwealth of Pennsylvania on
24 March 13th, 2009.

25 I have since relocated to Georgia and

1 recently built my retirement home near Atlanta. I
2 have been on the Self-Exclusion List for close to ten
3 years now.

4 Back in 2009, I made a decision that I
5 thought was the correct decision for me and my family
6 at that time. That decision was going from a one-year
7 enlistment of Self-Exclusion to an entire lifetime
8 ban.

9 I truly never realized the full impact
10 of what I was signing up for. The mistake I feel I
11 made has taken an extreme approach to gambling by
12 signing up for a lifetime ban, when I should have only
13 signed up for five years.

14 As I stated, I will have been on the
15 Self-Exclusion List for close to ten years come
16 March 13, 2009 - or 2019.

17 I honestly would like to right the
18 wrong I made ten years ago -.

19 CHAIRMAN: Can I ask a question? You
20 said I'll be on the list for close to ten years. Are
21 you saying that in March of 2019 it will be ten years?

22 MR. L.B.: Yes.

23 CHAIRMAN: Thank you.

24 MR. L.B.: I'm sorry.

25 In October of this year, I decided to

1 reach out to the PA Gaming Control Board and ask for
2 special consideration to have my name removed from the
3 Self-Exclusion List.

4 I had been working through Ashley
5 Gabrielle, Assistant Enforcement Counsel, to assist me
6 with this request.

7 I flew from Atlanta to Harrisburg last
8 evening, so I could personally deliver my Petition to
9 the Gaming Control Board in person. That's why I'm
10 here today.

11 I do acknowledge that I had requested
12 this lifetime ban and signed the necessary documents.
13 However, I never realized the full impact of that
14 decision.

15 At the time of me signing these
16 documents, I was raising a family and had to be very
17 disciplined with any extra money. I took an extreme
18 approach to gambling.

19 There were many casinos being built in
20 Pennsylvania at that time. I lived about 15 minutes
21 away - about a 15-minute drive to the Sands Casino in
22 Bethlehem. And I was actually one of the first
23 persons to sign up on the Self-Exclusion List at
24 Sands.

25 I simply didn't want to lose money

1 gambling it away when I really needed an extra - when
2 I needed the extra disposable income for college
3 savings.

4 My life has changed over the past ten
5 years since I first got in contact with the PA Gaming
6 Control Board. I accomplished what I had set out to
7 do, and that was to pay for my three children's higher
8 education through college.

9 All three of my kids have successful
10 careers after graduating from Penn State University.

11 I relocated to Georgia, built a home
12 and I am starting to plan for retirement. I would
13 like to have this opportunity to occasionally enjoy
14 the fun of gaming at casinos with my wife, friends and
15 family instead of not being able to set foot in one.

16 I truly never realized that at the
17 time of my signing that the Self-Exclusion ban would
18 include nearly all casinos in the United States.

19 Lastly, I'm asking this Board to allow
20 me a second chance and to please remove my name from
21 the Self-Exclusion List and lifetime ban for the
22 reasons I stated.

23 Thank you very much for your
24 consideration.

25 CHAIRMAN: Other questions, comments

1 from the Board, please?

2 MS. MANDERINO: Thank you. Thank you
3 for making the effort to come.

4 I do have a few clarifying questions,
5 because from my reading of the record, I didn't count
6 close to ten years. So, I'm trying to figure out how
7 you got to the ten years.

8 Are you going back to when you first
9 signed up for the one-year exclusion and putting all
10 that time together?

11 MR. L.B.: That is correct.

12 MS. MANDERINO: Okay.

13 And you're saying that during that
14 time you considered yourself self-exclusion, even if
15 there was - well, I don't even know, was there a gap
16 between when you signed up for the one year and then
17 when you signed up for the lifetime?

18 MR. L.B.: I would have to say that
19 there probably was a gap, but I'm not sure.

20 MS. MANDERINO: Okay.

21 MR. L.B.: I'm just going off the fact
22 that as far as I'm concerned, I've been on the
23 Self-Exclusion List really since March 13th of 2009.

24 MS. MANDERINO: Okay.

25 And I do know that some casinos, if

1 you're on another jurisdiction's Exclusion List, they
2 will exclude you from all of their properties.

3 MR. L.B.: That's correct.

4 MS. MANDERINO: But some casinos
5 don't. Have you attempted and been unsuccessful to go
6 into a gaming facility or have you not really tried
7 because you knew you were on this Exclusion List?

8 MR. L.B.: I have not tried. I
9 haven't even gone on a property. But I did do a
10 little research before coming in here. And I know
11 that there's a couple very large companies that - I
12 know Harrah's, for instance, they have - they have a
13 lot of casinos.

14 So, if for instance, if I wanted to go
15 to Las Vegas, I couldn't even stay in a hotel in Las
16 Vegas, because a majority of the properties all are
17 with the Self-Exclusion.

18 MS. MANDERINO: I did - I did also
19 review your paperwork when you signed up for the
20 lifetime Self-Exclusion. And I notice that there are
21 questions at the end of that form that ask you, do you
22 need information on addiction, treatment or addiction
23 counseling, or referrals to addiction places. And on
24 your forms they had been checked off no.

25 So, can you explain kind of what your

1 mindset was at that time -

2 MR. L.B.: Sure.

3 MS. MANDERINO: - and why you checked
4 off no?

5 MR. L.B.: I never felt I had an
6 addiction to gambling. This had nothing to do with
7 it. I think people sign up for self-exclusion for
8 several reasons. In my case it was a money thing.

9 And I just felt with the casinos
10 coming into Pennsylvania that I just didn't want that
11 - that tempt to go.

12 And you know, and I wasn't a big
13 gambler, to be honest with you. So, you know, I just
14 - I did that and now I'm at a different point in my
15 life, several years later, looking forward to
16 retirement and would really like consideration to be
17 removed from it, so that I can gamble again.

18 MS. MANDERINO: And just one more
19 question. Prior to your signing up for the first time
20 for the one-year exclusion, had you been a patron of
21 Pennsylvania casinos? And if so, how often did you
22 go?

23 MR. L.B.: I did. I was - I probably
24 - I'm going back ten years. I'm trying to think. It
25 wasn't that often, because I couldn't even afford

1 losing 200 bucks at the time, so -.

2 MS. MANDERINO: Okay.

3 MR. L.B.: It wasn't very often.

4 MR. LOGAN: Four (sic) kids in
5 college.

6 Right?

7 MR. L.B.: What's that?

8 MR. LOGAN: Not with having to put
9 four kids in college, you couldn't.

10 MR. L.B.: Yes.

11 MS. MANDERINO: Okay. Thank you.

12 I have no more questions, Mr.

13 Chairman.

14 CHAIRMAN: Are there other questions
15 of the Board?

16 I have a clarifying question. There
17 are a number of Indian casinos, Georgia, Mississippi,
18 Florida?

19 MR. L.B.: There are none at all
20 anywheres close by in the South.

21 CHAIRMAN: Oh, really?

22 MR. L.B.: Uh-huh (yes).

23 CHAIRMAN: Oh, okay.

24 Because I was thinking that they
25 generally not tie into - to the bans in other states.

1 Are you familiar with that?

2 MR. L.B.: I'm not. But I can - just
3 the little bit of work that I did do, looking into the
4 companies that do all - there's a few companies that
5 own the majority of the casinos and they all have the
6 Self-Exclusion -.

7 CHAIRMAN: No, I understand.

8 MR. L.B.: And it's kind of a
9 difficult spot for me to be in. Because I can't go
10 onto the property. And it's - I think you can
11 understand where I'm coming from. That's why I'm here
12 today.

13 CHAIRMAN: I understand. I'm just
14 trying to clarify the question about the Indian
15 casinos.

16 At this time, I think - I think we'd
17 like to take a short recess to think about what you
18 had to say today.

19 MR. L.B.: Thank you so much.

20 CHAIRMAN: So, we're going to take a
21 break for a few minutes, unless there's any other
22 questions at this time?

23 Thank you.

24 ---

25 (WHEREUPON, A SHORT BREAK WAS TAKEN.)

1 ---

2 CHAIRMAN: Regarding L.E.B.'s Petition
3 for Removal, are there any further questions or
4 comments from the Board at this time?

5 Hearing none, is there a motion?

6 MS. REITZEL: My understanding, based
7 on your testimony, is that you have been self-excluded
8 from Pennsylvania casinos since March 13, 2009.

9 That's correct?

10 MR. L.B.: Correct.

11 MS. REITZEL: Mr. Chairman, I move
12 that the Board approve L.E.B.'s Petition for Removal
13 from the PGCB Voluntary Self-Exclusion List, effective
14 March 13, 2019.

15 MR. SANTONI: Second.

16 CHAIRMAN: All in favor?

17 AYES RESPOND

18 CHAIRMAN: All opposed? The motion's
19 adopted. Thank you for coming.

20 MR. L.B.: Thank you so much.

21 ATTORNEY SHERMAN: Thank you.

22 CHAIRMAN: Thank you.

23 Moving ahead.

24 ATTORNEY SHERMAN: Yes. The next
25 Petition is Richard M. Lenskold's Request for Removal

1 from the Board's Involuntary Exclusion List.

2 In October of 2016, Mr. Lenskold, who
3 was 19 years old at the time, entered SugarHouse
4 Casino by providing a false identification to
5 Security. He was on the gaming floor for about an
6 hour and a half and gamed during that time.

7 Subsequently, when discovered, he was
8 evicted from SugarHouse and issued a citation. The
9 OEC subsequently entered into a Consent Agreement with
10 the individual, placing him on the Board's Involuntary
11 Exclusion List until at least his 22nd birthday, at
12 which time he could petition the Board for removal
13 from the list.

14 Mr. Lenskold, who is now 22 years of
15 age is requesting removal from the list. OEC has no
16 objection, and the matter is ready for the Board's
17 consideration.

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

20 MR. SANTONI: Mr. Chairman, I move
21 that the Board approve Richard M. Lenskold, II's
22 Petition for Removal from the PGCB Involuntary
23 Exclusion List, as described by the OCC.

24 MR. JEWELL: Second.

25 CHAIRMAN: All in favor?

1 AYES RESPOND

2 CHAIRMAN: All opposed? The motion's
3 adopted.

4 ATTORNEY SHERMAN: And the last
5 Petition before the Board is Roderick Perry's request
6 to be removed from the Board's Involuntary Exclusion
7 List.

8 On July 31st, 2014, Mr. Perry assisted
9 a 20-year-old in accessing Valley Forge's gaming
10 floor. Mr. Perry was evicted from the casino.
11 Subsequently the OEC filed a Petition to place him on
12 the Board's Involuntary Exclusion List.

13 On September 17th, 2014, the Board
14 placed Mr. Perry on the list for at least one year
15 from the date of the Order, at which time he could
16 Petition the Board to come off the list.

17 It's been now over four years since he
18 was placed on the Involuntary Exclusion List, and he
19 is now requested to be removed.

20 There's no evidence that he has
21 violated the Board's Order, and OEC has no objection
22 to the request. And that's the Petition now -.

23 CHAIRMAN: Thank you.

24 Any questions or comments from the
25 Board? Hearing none, may I have a motion?

1 MR. JEWELL: Mr. Chairman, I move that
2 the Board approve Roderick Perry's Petition for
3 Removal from the PGCB Involuntary Exclusion List, as
4 described by the OCC.

5 MR. LOGAN: Second.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

8 CHAIRMAN: All opposed, the motion's
9 adopted.

10 ATTORNEY SHERMAN: Next presenting
11 Withdrawals and Reports and Recommendations is Deputy
12 Chief Counsel, Steve Cook.

13 ATTORNEY COOK: Good morning,
14 afternoon, whatever.

15 The Board has received several
16 unopposed Petitions to Withdraw the Applications or
17 Surrender the Credentials of the following
18 individuals; David Smail, Salvatore Basile, Joseph
19 Feldman and James Grundy.

20 The OEC has no objection to any of
21 these Petitions. And as a result, if the Board were
22 to grant same, they would be doing so without
23 prejudice to each of these persons. These motions or
24 these matters are all ripe now for the Board.

25 CHAIRMAN: Any questions or comments

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

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

5 MS. MANDERINO: Second.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

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

10 ATTORNEY COOK: Next before the Board
11 today is one Report and Recommendation received from
12 the Board's Office of Hearings and Appeals (OHA).

13 This Report and Recommendation, along
14 with the complete evidentiary record, was provided to
15 the Board in advance of today's meeting. Additionally
16 the person that is the subject of this Report and
17 Recommendation, Tyler Criniti, has been notified that
18 the Board would be taking the matter up today, and
19 that he had the ability to come and briefly address
20 the Board.

21 Briefly, in January of 2016, Mr.
22 Criniti was issued a Gaming Employee Occupation Permit
23 and worked as a Table Games Dealer at the Parx Casino.

24 On February 28th of 2018, the OEC
25 filed a Complaint to revoke Mr. Criniti's Gaming

1 Employee Occupation Permit, based upon recent criminal
2 convictions. Specifically, he was convicted of a
3 felony robbery offense, stemming from an altercation
4 with his ex-girlfriend that led to him taking her
5 wallet and leaving the scene.

6 And additionally, there were two cases
7 in which he was found guilty of felony criminal
8 trespass, after entering his parents' home, violating
9 two Protection from Abuse Orders.

10 As a result Mr. Criniti has now been
11 convicted of three felony offenses, and as a result is
12 no longer eligible to hold a Gaming Employee Permit.

13 A hearing was nevertheless held on
14 August 21st, 2018. The OEC put the evidence of his
15 convictions into the record. Mr. Criniti did not
16 appear, and as a result, the Hearing Officer's
17 recommendation is that his Permit be revoked.

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

20 MS. MANDERINO: Mr. Chairman, I move
21 the Board adopt the Report and Recommendation issued
22 by the OHA regarding the revocation of Tyler Criniti's
23 - Criniti's (corrects pronunciation), excuse me, Tyler
24 Criniti's Gaming Employee Occupation Permit, as
25 described by the OCC.

1 MS. REITZEL: Second.

2 CHAIRMAN: All in favor?

3 AYES RESPOND

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

6 ATTORNEY COOK: And that concludes the
7 matters of the OCC.

8 CHAIRMAN: Thank you.
9 Sue Hensel, Bureau of Licensing. Good
10 morning.

11 MS. HENSEL: Thank you, Chairman
12 Barasch and members of the Board.

13 Before the Board today will be one
14 Interactive Gaming Operator, two Sports Wagering
15 Operators and one Video Gaming Terminal Establishment
16 Applicant.

17 In addition, there will be 559
18 Principals, and Key, Gaming and Non-Gaming Employee
19 Applicants. In addition, there will be the
20 consideration of two Gaming Service Provider
21 Applicants.

22 The first matter for your
23 consideration is a Conditional Interactive Gaming
24 Operator License for Rush Street Interactive PA, LLC.
25 Rush Street Interactive PA, LLC is a Chicago, Illinois

1 based interactive gaming operator.

2 It plans to provide an interactive
3 gaming platform and other services on behalf of at
4 least one Interactive Certificate holder.

5 Under the Board's Regulations, the
6 Board may issue a Conditional Interactive Gaming
7 Operator License provided the Applicant has submitted
8 a completed application, agrees to pay a \$1 million
9 licensing fee prior to the issuance of the license.
10 And the Bureau of Investigations and Enforcement (BIE)
11 does not object to the license. The Applicant
12 satisfies these criteria.

13 Prior to this meeting I provided you
14 with an Order to conditionally license Rush Street
15 Interactive PA, LLC, and I ask that you consider that
16 Order.

17 ATTORNEY PITRE: Enforcement Counsel
18 has no objection.

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

21 MS. REITZEL: Mr. Chairman, I move
22 that the Board grant Rush Street Interactive PA, LLC's
23 Conditional Interactive Gaming Operator License, as
24 described by the Bureau of Licensing.

25 MR. SANTONI: Second.

1 CHAIRMAN: All in favor?

2 AYES RESPOND

3 CHAIRMAN: All opposed? The motion's
4 adopted.

5 MS. HENSEL: Next are two Sports
6 Wagering Operator Applicants for conditional
7 licensure.

8 The first is TSG Interactive U.S.
9 Services Limited, which is a New Jersey based company.
10 The second is OpenBet Technologies, Limited, which is
11 a London-based company.

12 Both companies propose to operate
13 Sports Wagering on behalf of at least one Sports
14 Wagering Certificate holder.

15 Under the Gaming Act and Board
16 Regulations, the Board may issue Conditional Sports
17 Wagering Operator Licenses, provided the Applicants
18 have submitted completed applications, agree to pay
19 the \$50,000 licensing fee prior to issuance of their
20 Licenses, and the BIE does not object to the Licenses.
21 The Applicants satisfy these criteria.

22 Prior to this meeting, I provided you
23 with Orders to conditionally license both TSG
24 Interactive U.S. Services Limited and OpenBet
25 Technologies Limited.

1 I ask that you consider the Orders,
2 starting first with TSG Interactive U.S. Services
3 Limited.

4 ATTORNEY PITRE: Enforcement Counsel
5 has no objection.

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 grant TSG Interactive U.S. Services
10 Limited's Conditional Sports Wagering Operator
11 License, as described by the Bureau of Licensing.

12 MR. JEWELL: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

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

17 MS. HENSEL: And next OpenBet
18 Technologies Limited.

19 ATTORNEY PITRE: Enforcement Counsel
20 has no objection.

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

23 MR. JEWELL: Mr. Chairman, I move that
24 the Board grant OpenBet Technologies Limited's
25 conditions - Conditional, I should say, Sports

1 Wagering Operator License, as described by the Bureau
2 of Licensing.

3 MR. LOGAN: Second.

4 CHAIRMAN: All in favor?

5 AYES RESPOND

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

8 MS. HENSEL: Also for your
9 consideration is the Conditional VGT Establishment
10 License for Lancaster Travel Places, LLC, which is
11 located in Ronks, Pennsylvania.

12 Under the Gaming Act, the Board may
13 issue a Conditional Establishment License provided the
14 Applicant has never been convicted of a felony, is
15 current on state taxes, has submitted a completed
16 application and has not been convicted of a gambling
17 law violation.

18 A preliminary review of this Applicant
19 indicates it meets these criteria. I ask that the
20 Board consider a motion to approve the Conditional VGT
21 Establishment License of Lancaster Travel Places, LLC.

22 ATTORNEY PITRE: Enforcement Counsel
23 has no objection.

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

1 MR. LOGAN: Mr. Chairman, I move that
2 the Board grant the Conditional Video Gaming Terminal
3 Establishment License for Lancaster Travel Places,
4 LLC, as described by the Bureau of Licensing.

5 MS. MANDERINO: Second.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

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

10 MS. HENSEL: In addition, there are
11 Temporary Principal and Key Employee Licenses for your
12 consideration. Prior to this meeting, the Bureau of
13 Licensing provided you with an Order regarding the
14 issuance of Temporary Licenses for one Principal and
15 five Key Employees. I ask that the Board consider the
16 Orders approving these Licenses.

17 ATTORNEY PITRE: Enforcement Counsel
18 has no objection.

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

21 MS. MANDERINO: Mr. Chairman, I move
22 that the Board grant the Temporary Principal and Key
23 Employee credentials 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's
4 adopted.

5 MS. HENSEL: Next are Gaming Permits
6 and Non-Gaming Registrations. Prior to this meeting
7 the Bureau of Licensing provided you with a list of
8 461 individuals, to whom the Bureau has granted
9 Temporary or Full Occupation Permits and 85
10 individuals to whom the Bureau has granted
11 registrations under the authority delegated to the
12 Bureau of Licensing.

13 I ask that the Board consider a motion
14 approving the Order.

15 ATTORNEY PITRE: Enforcement Counsel
16 has no objection.

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

19 MS. REITZEL: Mr. Chairman, I move
20 that the Board grant the Gaming Employee Occupation
21 Permits and Non-Gaming Employee Registrations, as
22 described by the Bureau of Licensing.

23 MR. SANTONI: Second.

24 CHAIRMAN: All in favor?

25 AYES RESPOND

1 CHAIRMAN: All opposed? The motion's
2 adopted.

3 MS. HENSEL: There is also a
4 recommendation of Denial for Gaming Employee
5 Applicant, Latoya Butler. The Applicant was notified
6 that she was being recommended for denial and failed
7 to request a hearing within the specified time frame.

8 The Bureau of Licensing has provided
9 you with an Order addressing the Applicant, who the
10 OEC has recommended for denial. I ask that the Board
11 consider a motion approving the denial.

12 ATTORNEY PITRE: Enforcement Counsel
13 continues to request denial in this instance.

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

16 MR. SANTONI: Mr. Chairman, I move
17 that the Board deny Latoya Butler's application for a
18 Gaming Employee Occupation Permit, as described by the
19 Bureau of Licensing.

20 MR. JEWELL: Second.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

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

25 MS. HENSEL: Finally, for your

1 consideration are Gaming Service Provider
2 Registrations.

3 The Bureau of Licensing provided you
4 with an Order and an attached list of two registered
5 Gaming Service Provider Applicants. I ask that the
6 Board consider the Order registering these Gaming
7 Service Providers.

8 ATTORNEY PITRE: Enforcement Counsel
9 has no objection.

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

12 MR. JEWELL: Mr. Chairman, I move that
13 the Board approve the applications for Gaming Service
14 Provider Registration, as described by the Bureau of
15 Licensing.

16 MR. LOGAN: Second.

17 CHAIRMAN: All in favor?

18 AYES RESPOND

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

21 MS. HENSEL: That concludes the
22 matters of the Bureau of Licensing.

23 CHAIRMAN: Thank you, Susan.

24 Cyrus, your people are up now.

25 ATTORNEY PITRE: All right.

1 on behalf of the OEC.

2 This Consent Agreement arises from
3 four incidents involving underage violations at
4 Hollywood Casino at Penn National Race Course.

5 Starting on the night of June 30th,
6 2018 and continuing into the early morning hours of
7 July 1st, 2018, a 19-year-old individual and a
8 20-year-old individual entered the gaming floor
9 together. Neither individual was asked for
10 identification.

11 While on the gaming floor, both
12 individuals gamed at various slot machines. The
13 19-year-old was served alcohol by two different
14 bartenders.

15 The underage individuals were
16 identified by table games personnel when they sat down
17 at a table game. Both the individuals were cited by
18 Pennsylvania State Police and were on the gaming floor
19 for approximately an hour and 34 minutes.

20 On June 29th, 2018, a 20-year-old
21 individual was allowed entry to the gaming floor at
22 Hollywood Casino through the valet entrance after
23 providing a fake identification to a Security Officer.

24 Subsequently, the 20-year-old
25 individual exited the casino and reentered through the

1 bus entrance. Once again, the 20-year-old supplied
2 the fake identification upon request and was granted
3 access to the gaming floor.

4 While on the gaming floor, the
5 20-year-old redeemed two chips at the Cashier's Cage,
6 then the 20-year-old individual exited the casino
7 through the bus entrance and returned to the casino
8 through the racetrack entrance.

9 The 20-year-old individual
10 subsequently observed table game play at two different
11 blackjack tables and cashed out \$625 worth of chips at
12 the cage without being asked for identification.

13 The underage patron was finally
14 identified as being 20 years old after she left the
15 casino through the racetrack entrance and then tried
16 to reenter through the same entrance.

17 Pennsylvania State Police confirmed
18 the identification as fake and the 20-year-old
19 individual was cited for carrying false
20 identification.

21 The underage person was on the gaming
22 floor of Hollywood Casino for approximately one hour
23 and entered and exited the gaming floor three times
24 before that time.

25 Finally, on August 11th, 2018, a

1 17-year-old used the identification of another person
2 to gain access to the gaming floor of Hollywood
3 Casino.

4 The 17-year-old individual remained on
5 the gaming floor for approximately one hour. During
6 that time, the 17-year-old observed his companions
7 engaging in table game play.

8 Eventually a table games floor person
9 challenged the 17-year-old for identification. The
10 17-year-old refused to provide the identification and
11 exited the casino.

12 The 17-year-old was apprehended by
13 Pennsylvania State Police and cited for unlawful to
14 permit persons under 21 on the gaming floor of a
15 licensed facility.

16 The Act and the Board Regulations
17 prohibit underage gaming and also the presence of
18 underage individuals on the gaming floor of licensed
19 facilities.

20 On October 18th, 2018, the parties
21 entered into a Consent Agreement to settle these
22 outstanding compliance matters.

23 The terms of this Agreement include a
24 provision that Mountainview Thoroughbred Racing
25 Association, LLC shall reinforce existing policies to

1 minimize the opportunity for similar incidents to
2 occur in the future.

3 Further, Mountainview Thoroughbred
4 Racing Association, LLC shall pay a total fine of
5 \$40,000 and an administrative fee of \$2,500.

6 The fine and administrative fee shall
7 be paid within five days of the Consent Agreement
8 being approved by the Board.

9 Counsel for Mountainview Thoroughbred
10 Racing Association, LLC is in attendance today to
11 answer any questions you may have. Otherwise, the OEC
12 asks the Board to entertain a motion to approve this
13 Consent Agreement.

14 CHAIRMAN: Any comments from
15 Mountainview, please?

16 MR. HVIZDA: Just briefly. Alex
17 Hvizda, Director of Compliance. This is obviously not
18 how we operate our business at Hollywood Casino, and
19 it's not up to our standards.

20 The first thing we did was the
21 employees, some of whom fell far below our standards,
22 we just had to terminate their employment. Others
23 were put on a final written warning and have -
24 subsequently, many of them have separated from
25 employment with us.

1 But with regard to our entire
2 workforce, we looked at this and saw that this was the
3 dangers of complacency. We had had a string of
4 successes in June with our customer service scores,
5 our employee engagement scores. Security had just
6 celebrated their first \$100 for a hundred days of the
7 year. And there was a sense of complacency.

8 So, we talked about that as a
9 management team. And in late July, when we had our
10 annual Responsible Gaming refresher, we went over the
11 two incidents on June 29th and June 30th in detail
12 with every team member and all the opportunities we
13 missed and why we can't do that.

14 Going forward in the third quarter of
15 2018, after we had this discussion, we saw that the
16 number of ID checks increased almost 22 percent over
17 the prior year.

18 We have had a similar string of
19 success recently with the opening of the Sportsbook,
20 again, hitting our customer service scores, and this
21 Saturday, opening our new food court venue.

22 And so, we actually just celebrated
23 last week. Security had their second hundred - \$100
24 for a hundred days of the year, but again, these are
25 the same sort of steps that were occurring in June.

1 And so, we've had the conversation again with our team
2 members that with all the successes and riding this
3 wave, we have to make sure we don't get complacent
4 going forward.

5 CHAIRMAN: Any comments from the Board
6 on this matter? Hearing none, may I have a motion?

7 MR. LOGAN: Mr. Chairman, I move that
8 the Board approve the Consent Agreement between the
9 OEC and Mountainview Thoroughbred Racing, LLC, as
10 described by the OEC.

11 MS. MANDERINO: Second.

12 CHAIRMAN: All in favor?

13 AYES RESPOND

14 CHAIRMAN: All opposed? The motion's
15 adopted. Thank you for coming.

16 ATTORNEY PITRE: The next two matters
17 on the Agenda for the Board's consideration are
18 Consent Agreements between the OEC and Category 2
19 Licensee Mount Airy #1, LLC, doing business as Mt.
20 Airy Casino Resort.

21 The Consent Agreements will be
22 presented by Assistant Enforcement Counsel David
23 Tepper. Representatives from Mt. Airy Casino are
24 present.

25 At this time, I would request that

1 those individuals introduce themselves for the record,
2 and that anyone not here as an attorney, please stand
3 and be sworn.

4 ---

5 WITNESSES SWORN EN MASSE

6 ---

7 ATTORNEY TEPPER: Good morning,
8 Chairman Barasch, Members of the Board. David Tepper,
9 T-E-P-P-E-R, with the OEC.

10 The proposed Consent Agreement
11 includes a Consent - an incident in which Mt. Airy
12 violated its Beverage Service Policy.

13 On February 28th, an individual with
14 the initials M.G. was a patron at Mt. Airy and served
15 eight alcoholic beverages in a one hour and 29 minute
16 period by one cocktail server.

17 M.G. was served five beers and three
18 shots while he played poker. M.G. finished consuming
19 his last drink at 2:25 a.m. M.G. played poker until
20 approximately 5:26 a.m. And from approximately 5:28
21 a.m. until 7:17 a.m., he played a combination of craps
22 and blackjack.

23 M.G. departed Mt. Airy at
24 approximately 7:28 a.m., after receiving his vehicle
25 from valet attendants. At no time did M.G. appear

1 visibly intoxicated, based upon a review of
2 surveillance footage.

3 At approximately 7:40 a.m., M.G. was
4 involved in a fatal motor-vehicle accident.

5 Since the Consent Agreement was
6 entered into, M.G. pled guilty to one count of
7 homicide by vehicle while driving under the influence.

8 Prior to this -.

9 MR. LOGAN: I'm sorry, can I interrupt
10 you? You said the video surveillance. Did he appear
11 intoxicated or not? I didn't hear.

12 ATTORNEY TEPPER: He did not.

13 MR. LOGAN: He did not, N-O-T.

14 ATTORNEY TEPPER: N-O-T.

15 MR. LOGAN: Okay.

16 ATTORNEY TEPPER: On February 1st,
17 2017, representatives of Mt. Airy appeared before the
18 Board regarding a proposed Consent Agreement for an
19 intoxicated patron, involving an incident in which an
20 individual with the initials T.S. -.

21 At that time, Mt. Airy's
22 representatives informed the Board that if a patron
23 consumed more than three drinks in a one-hour period,
24 a Beverage Supervisor would be contacted to assess the
25 situation.

1 Then on January 12th, 2017,
2 representatives of Mt. Airy, again, appear before the
3 Board in regards to an incident where there was a
4 violation of Mt. Airy's Alcohol Service Policy.

5 At that time, Mt. Airy advised the
6 Board that they purchased BOSS. BOSS is the Beverage
7 Ordering Service System provided by Bally's, which
8 allows Mt. Airy to automatically check alcohol service
9 for Mt. Airy player card patrons, set minimum time
10 intervals between beverage orders, establish a maximum
11 number of drinks within a set time period and other
12 beverage service limitations.

13 Furthermore, timely installation of
14 BOSS was a term of the Consent Agreement between Mt.
15 Airy and OEC, which was approved by the Board on
16 July 12th, 2017. BOSS had not yet been installed by
17 Mt. Airy on February 28th, 2018. BOSS was installed
18 at Mt. Airy in October of 2018.

19 At this time, the OEC requests that
20 the Board approve this Consent Agreement between the
21 parties.

22 The terms of the settlement include
23 that within five days of the Board's Order approving
24 this Consent Agreement, Mt. Airy shall pay a civil
25 penalty of \$100,000 for the alleged violations

1 described. Also within five days of the Board Order
2 approving this Consent Agreement, Mt. Airy shall pay
3 the Board \$2,500 for the costs incurred by OEC, BIE
4 and other related staff in connection with this
5 matter.

6 If you have any questions, we would be
7 happy to address them at this time.

8 CHAIRMAN: I have one question. I'm
9 confused by something you said. You said, I guess,
10 you're referring to some period back in July of this
11 year or last - last year, 2017, something about a
12 condition about the, quote, timely installation of the
13 BOSS system.

14 Was there a time limit on what was
15 timely?

16 ATTORNEY TEPPER: There was no time
17 limit expressed in the Board's Order. However,
18 conversation with counsel from Mt. Airy had indicated
19 that the system was in the process of being
20 implemented and contracted.

21 And I believe Mr. Sklar might be -.

22 CHAIRMAN: Well, before you go there,
23 you mentioned a February date. Where did that
24 February date come out with?

25 It was supposed to be installed by

1 February or you said something like that.

2 ATTORNEY TEPPER: The February date
3 was the date of the incident that involved this
4 overservice.

5 CHAIRMAN: Okay. Thank you.
6 Is that an accurate description?

7 ATTORNEY SKLAR: That's correct.

8 CHAIRMAN: Thank you.
9 Do you have any comments at this time?

10 ATTORNEY SKLAR: I do.

11 Good morning, Mr. Chairman,
12 Commissioners. Michael Sklar, S-K-L-A-R, on behalf of
13 Mount Airy #1, LLC. With me this morning is Lianne
14 Asbury, Executive Director of Security at Mt. Airy and
15 Mt. Airy's new Chief Operating Officer and General
16 Manager Todd Greenberg.

17 Let me first start off by saying, it's
18 obviously a very troubling and tragic incident. When
19 Mt. Airy was notified of what had occurred, Mt. Airy
20 undertook an extensive and exhaustive investigation to
21 learn the facts that took place that was led by
22 Lianne. And she's going to describe the investigation
23 and findings.

24 After she does that, I'll come back
25 and I'll address the timing with the BOSS system.

1 But first I'm going to turn it over to
2 Lianne and let her describe the investigation and
3 findings.

4 MS. ASBURY: Good morning, Chairman,
5 members of the Board.

6 MR. LOGAN: Can I ask just a quick
7 question? Of the three of you, was anybody there in
8 August of 2014? Did you work for the property? You
9 were?

10 MS. ASBURY: Yes.

11 MR. LOGAN: Go ahead.

12 MS. ASBURY: My name is L-I-A-N-N-E.
13 Last name Asbury, A-S-B-U-R-Y. So, relative to the
14 incident that did occur with M.G. in February of 2018,
15 it was - once Mt. Airy found out about this incident
16 that occurred, I did take a lead on doing the
17 investigation.

18 That included incorporating, working
19 with our Surveillance Department to track M.G., his
20 followings, traversing the property from where he
21 played in poker, blackjack, craps and upon exiting the
22 property.

23 That was seven hours of surveillance
24 footage that was viewed of him, you know, playing,
25 watching mannerisms, behaviors, so on and so forth, as

1 well as that 29 different camera angles.

2 With that being said, I did conduct an
3 interview of a variety of different individuals that
4 are employees of Mt. Airy, being Table Games Dealers,
5 Supervisors, Food and Beverage Personnel, as well as
6 Security Personnel. That - anyone that engaged or had
7 any type of interaction with M.G. That was a total of
8 32 personnel that were interviewed and did provide
9 statements relative to, you know, their findings and
10 what they had relative to their interaction with M.G.

11 I will say based upon the
12 investigation, his last drink service and consumption
13 was at 2:26 in the morning. And we do not, obviously,
14 run 24/7.

15 So, he did not drink anything, to my
16 knowledge, in plain sight, visibly under camera
17 coverage from 2:26 in the morning until he did vacate
18 property at 7:26 in the morning.

19 So, there is a five-hour drag of no
20 type of alcoholic - beverages being served to him,
21 hence, obviously, following suit to the Pennsylvania
22 Liquor Control Board, as well as stopping alcohol at
23 2:30 in the morning.

24 There's no visual inspection of M.G.
25 during the course of his time on property, when he

1 gets up from the poker tables and most of the Dealers
2 did say that poker players have a little bit of
3 characteristic traits to them. They're obnoxious,
4 they're annoying. They're sloppy, they're messy, so
5 on and so forth. I'll leave those to opinions.

6 But the chairs were kind of like
7 missed - they weren't neatly put back to the table.
8 So, he was able to traverse around those chairs, go to
9 the restroom, get on the elevator, come down, traverse
10 the terrazzo, sit at blackjack, stand at craps, go to
11 the main cage. As well as, again, traverse through
12 the carpeted area, without any type of sway, stagger,
13 any type of visual inspection that would lead someone
14 to believe that that individual was visibly
15 intoxicated.

16 As far as any signs of, you know,
17 further inspection and interview, it is, you know, the
18 consensus that, again, he did utilize the restrooms.
19 He did vacate property, driving on the proper side of
20 the road.

21 And again, I'm not stating that this
22 incident that occurred is not tragic. It is tragic.
23 A life was taken.

24 But I am stating that we did our due
25 diligence in ensuring that we did a full thorough

1 investigation for this incident.

2 MR. LOGAN: On February 28th, did a
3 Beverage Supervisor assess the situation, what was
4 going on?

5 MS. ASBURY: I'm sorry? A Beverage
6 Supervisor that I interviewed stopped service in the
7 poker room at 1:30 in the morning from that poker bar.
8 So, it would be the Cocktail Server.

9 MR. LOGAN: So, you were there in
10 August of 2014.

11 Right?

12 MS. ASBURY: Yes, sir. Correct.

13 MR. LOGAN: So, on August 23rd, 2014,
14 a 20-year-old came in, gamed, and for approximately
15 two-and-a-half hours consumed alcohol, and it was
16 subject of another Consent Agreement.

17 After that event back in 2014, what
18 procedures did you change?

19 MS. ASBURY: From 2014 to current, I
20 know that every preshift - it's not just a matter of
21 food and beverage, as well as security. It's every
22 preshift; for EVS, Table Games, all departmental
23 personnel that are visibly on the floor working, they
24 are preshifting to ensure that anyone that appears,
25 you know, one, as you're mentioning underage, as well

1 as at the point of intoxication, that they do respond
2 to someone who is RAMP-certified, whether it be a
3 Beverage Manager, Security and that we contact
4 surveillance.

5 MR. LOGAN: So, after the February
6 2017 event, what policies were changed?

7 MS. ASBURY: The policies after this
8 event here, in 2018?

9 MR. LOGAN: After the 2017 event.

10 CHAIRMAN: February 2017.

11 MR. LOGAN: February 2017 event.

12 MS. ASBURY: February 2017 -.

13 MR. LOGAN: I know there's a lot of
14 them, but you have to keep them straight for us.

15 MS. ASBURY: Well, after that event,
16 obviously, you know, we maintain and ensure that RAMP
17 certification is up to par upon all of the departments
18 that are RAMP-certified. As well as, again, it is a
19 preshift, it's due diligence. It's ensuring that we
20 are watching and monitoring alcohol service.

21 It's a continuous remediation of
22 training. It's very thorough of new hires onboarding.
23 Prior to any new hire onboarding currently in the
24 Table Games, as well as Security and Beverage, they
25 cannot enter onto the casino floor unless they are

1 RAMP-certified. So, that is a huge change for us.

2 Prior to them even entering into their
3 new hire orientation, obviously, we ensure that
4 they're licensed. But prior to them entering in their
5 new hire orientation for the property, they do take
6 the RAMP certification, so we know that they are
7 certified.

8 MR. LOGAN: After the February 2017
9 event, wasn't there a change to that Beverage
10 Supervisor would be called to come assess a situation
11 if somebody drank so many drinks in a certain time
12 frame?

13 MS. ASBURY: That is correct.

14 To my knowledge, again, I don't want
15 to speak on behalf of Food and Beverage, but I will
16 say that it is an assessment that is made at - after
17 an hour period of three drink service to push to the
18 fourth drink, they do need to have an assessment made.

19 MR. LOGAN: Okay.

20 So after that February 2017 incident,
21 the person in question fell - I think fell off his
22 barstool, tripped, something happened. And then came
23 back to the property in July of 2017, that same person
24 that had the incident in February of 2017 -

25 MS. ASBURY: Right.

1 MR. LOGAN: - came back in July of
2 2017 and had another incident?

3 MS. ASBURY: You're referencing T.S.?

4 MR. LOGAN: I don't have the initials.

5 ATTORNEY PITRE: That's correct.

6 CHAIRMAN: We may be a little messed
7 up here on dates.

8 MR. LOGAN: No, I -.

9 CHAIRMAN: We're talking - I just want
10 to - he seems - Mr. Sklar seems a little bit confused.
11 I think we're talking about the 26 drinks and the guy
12 who fell off the bar.

13 Is that what you're talking about?

14 MR. LOGAN: That's the February
15 incident of 2017.

16 ATTORNEY SKLAR: No, that was the
17 February - we were here for that first incident on
18 February 2017. And I think that the actual incident
19 occurred in, I think it was November of '16.

20 MR. LOGAN: Okay.

21 ATTORNEY SKLAR: And we came before
22 the Board February, and then -.

23 MR. LOGAN: '17, and that's when you
24 committed to a certain number of drinks and a certain
25 number of time period a Beverage Supervisor -

1 ATTORNEY SKLAR: That's correct.

2 MR. LOGAN: - would come assess the
3 situation.

4 ATTORNEY SKLAR: That's correct.

5 MR. LOGAN: And that '16 event, that
6 didn't happen?

7 ATTORNEY PITRE: No. That's correct.

8 MR. LOGAN: And then tell me about the
9 July 12, 2017 incident, when it was the same person.

10 ATTORNEY PITRE: No, that happened -
11 that actual incident that you're referring to that was
12 the same person happened the day they were here at the
13 Board meeting.

14 MR. LOGAN: Got you.

15 ATTORNEY SKLAR: In February. And
16 then for the February - the second February incident,
17 we were here in July, before the Board.

18 MR. LOGAN: Okay.

19 So after - into the July 12th, 2017,
20 when you committed to the BOSS system, -

21 ATTORNEY SKLAR: Right.

22 MR. LOGAN: - what happened?

23 ATTORNEY SKLAR: Okay.

24 And believe me -.

25 MR. LOGAN: It took a February 2018

1 incident to get BOSS implemented in - I'm sorry, what
2 did you say, October of 2018?

3 ATTORNEY SKLAR: Right.

4 MR. LOGAN: So, you committed to it in
5 July of 2017.

6 ATTORNEY SKLAR: Correct.

7 MR. LOGAN: An incident happened in
8 February of 2018?

9 ATTORNEY SKLAR: Correct.

10 MR. LOGAN: You would think the next
11 day it would be implemented, but it took until October
12 of 2018 to implement BOSS?

13 ATTORNEY SKLAR: Correct.

14 MR. LOGAN: Even though it was a
15 condition of the Consent Agreement in '17?

16 ATTORNEY SKLAR: That's right.

17 MR. LOGAN: Tough to keep these
18 incidents straight.

19 CHAIRMAN: Let me -.

20 MR. LOGAN: I hope you can appreciate
21 that for us.

22 ATTORNEY SKLAR: No, I can. And
23 believe me, I'm not going to sit here and make any
24 excuses. There was a commitment that was made -.

25 CHAIRMAN: Can I just clarify? You, -

1 that's very helpful.

2 Mr. Sklar, you had indicated you were
3 going to explain the timeline. Is that what you're
4 about to do now, so we all have the same set of facts
5 in front of us.

6 ATTORNEY SKLAR: Yes.

7 Commissioner Logan went through the
8 timeline and now -.

9 CHAIRMAN: And I just want to give you
10 a chance to make sure we're all dealing with the same
11 facts and the same -.

12 ATTORNEY SKLAR: That's the correct
13 timeline. Now I'll pick up as to what happened with
14 the not timely installation of BOSS.

15 So, the commitment was made. There's
16 absolutely no excuses that I'm going to give you. I'm
17 just going to give you the facts of what happened.

18 There was - shortly after we were here
19 in July, the Executive Director of Food and Beverage
20 and the number two in the Food and Beverage Department
21 were terminated.

22 That delayed - they were going to be
23 the ones who were going to shepherd the installation.
24 And it's a process, Commissioner Logan. It's not
25 something you can just say, do it.

1 CHAIRMAN: Okay.

2 I'm sorry, please continue.

3 ATTORNEY SKLAR: So, like I said,
4 after the reengagement with Bally's the - it went
5 online for a test period in September, and then it
6 wasn't a go live until about mid-October of 2018.

7 Again, there's no - there's no excuse.
8 There's absolutely no excuse for the significant delay
9 in installation. I wish I had a better answer for
10 you.

11 CHAIRMAN: At least you're being
12 honest.

13 ATTORNEY SKLAR: And all I can say is
14 that the - and you know, I don't want to lay blame,
15 but the - all of the senior people who would have been
16 involved in ensuring timely implementation are no
17 longer with the company.

18 MR. JEWELL: I have a question.

19 CHAIRMAN: I think there's some other
20 questions up here.

21 Go ahead, Dick.

22 MR. JEWELL: Yeah, I do have a
23 question, Mr. Sklar.

24 CHAIRMAN: I'm sorry. Sean, did
25 you -?

1 MR. LOGAN: No, I'm finished. Yeah.

2 MR. JEWELL: This is troubling and you
3 recognize that. Now, I'm curious, though. As counsel
4 in the representations made on behalf of your client,
5 the common denominator here over the time, to be very
6 candid, is yourself.

7 Representation being made, who was
8 tracking the compliance with your representation back
9 here to the Board?

10 For example, if somebody was tracking,
11 at the very least you should call Cyrus and say, we
12 got some problems, here are what they are. And then
13 you got to work it out.

14 And it may not be a good reason, but
15 he's going to push back, and you know, you're going to
16 be on notice. And things are going to move much
17 quicker.

18 I'm just - I'm curious as to how that
19 happened, with all due respect as to yourself as
20 counsel.

21 ATTORNEY SKLAR: The answer is after
22 the terminations of - in the Food and Beverage
23 Department, I was told that there needed to be people
24 - senior people in Food and Beverage, that it was
25 necessary to have those people in place in order to

1 oversee the implementation and participate in the
2 training.

3 In all candor, it took a long time to
4 hire to find qualified people to come back into those
5 positions. I - and perhaps, you know, and it is
6 partly my responsibility to communicate to Enforcement
7 Counsel, which I did not do. And I accept
8 responsibility for that.

9 And certainly, once the Food and
10 Beverage Personnel came back in place, the - I did
11 reengage with - with Mt. Airy Management, and they
12 said, got it, now we're going to get going on it.

13 And then there was - again, there was
14 delay. And again, I understand what you're saying,
15 and you are correct. I certainly should have done a
16 much better job of keeping Enforcement Counsel on the
17 Board apprised as the status. Perhaps I should have
18 been a little more - I should have pushed harder on my
19 end to tell Mt. Airy Management that it was
20 unacceptable.

21 We understand our responsibilities,
22 and that falls on me.

23 MR. JEWELL: Thank you.

24 MR. LOGAN: So, after the 2016
25 incident, when you came to the Board in February of

1 2017, you told the Board that you updated your
2 internal policies for alcohol service. That if an
3 individual is served three alcoholic beverages in a
4 period of one hour, then a Beverage Supervisor will be
5 called to kind of assess, if you will, the situation.

6 Is that still happening?

7 ATTORNEY SKLAR: It is. It is.

8 MR. LOGAN: Apparently it didn't
9 happen in the July 2017 incident or the February 28th.
10 So, how are you fixing that?

11 ATTORNEY SKLAR: It didn't - so the
12 policy for the three drinks in an hour and then a
13 notification to a supervisor for an assessment, that
14 was adopted in November of '16. When the February '17
15 incident occurred, there was a realization that it's
16 difficult to place the onus solely on the servers and
17 bartenders, how they have the ability to track
18 depending on the volumes.

19 How - you know, is it realistic for
20 them to be able to track with certainty? It's not
21 like they have a notepad and they're checking exactly
22 who - which patrons are having what, how often. That
23 was the notion of the BOSS, that that would assist in
24 the tracking. That was the idea.

25 The policy has been there since

1 November. The difficulty has always been the
2 tracking, you know, how - without some automation, how
3 does a server - a bartender -? It's difficult to do
4 that tracking in your brain, even if you were making
5 notations.

6 It's still - and even - I don't mean,
7 to -.

8 MR. LOGAN: Then how did you commit to
9 the Board that that would happen if you can't track
10 it? With the Beverage Supervisor?

11 ATTORNEY SKLAR: I don't know that -
12 the policy exists. I don't know - I don't think we
13 ever said that with absolute certainty. In fact, I
14 think that what was said was we're trying - that's the
15 policy. But there's no ability, even with BOSS.

16 BOSS is only going to be effective
17 with patrons who have a Player's Card. I mean, it's
18 tied to the Bally's ACSC system. If a patron is not
19 playing with a card, BOSS is not going to be the
20 cure-all either.

21 MR. LOGAN: That doesn't make me
22 feel -.

23 MR. GREENBERG: I'm sorry, can I stop
24 you?

25 MR. LOGAN: That doesn't make me - no,

1 you can't stop me.

2 CHAIRMAN: No, no.

3 MR. GREENBERG: No, I meant to stop
4 Michael. I'm sorry.

5 MR. LOGAN: That doesn't make me feel
6 any better. You probably should have stopped 36
7 seconds ago, because if BOSS is - I'm just looking
8 through here. And we have - we have repetitive events
9 that are involving alcohol and problems, so we're
10 all -. I am sitting here thinking BOSS, even though
11 it took a long time to implement, hearing that that
12 may not solve the problem, I'm not quite sure - at
13 least I don't feel comfortable.

14 MR. GREENBERG: Michael, excuse me
15 just for a moment, because you've made an incorrect
16 statement.

17 The way that BOSS works is that a
18 player may not get a comp drink if they do not use
19 their Player's Card. So, we have implemented it. So,
20 absolutely everybody has to have a card.

21 So, a guest who were previously
22 playing without a Player's Card could no longer get
23 drinks. They had to go sign up for the Player's
24 Card -

25 MR. LOGAN: Free drinks.

1 MR. GREENBERG: - in order to get free
2 drinks.

3 CHAIRMAN: They can still get drinks.

4 MR. LOGAN: But I still can pay -.

5 CHAIRMAN: They can still buy drinks.

6 MR. GREENBERG: They can still get
7 drinks at the bar and at the restaurants, -

8 MR. LOGAN: Okay.

9 So let's -.

10 MR. GREENBERG: - but any of the other
11 players cannot - you know, so you can come in without
12 a card. You can't get a drink. You have to sign up.

13 MR. LOGAN: You can't get a free
14 drink?

15 MR. GREENBERG: You can't get a free
16 drink, correct, sir.

17 ATTORNEY SKLAR: Commissioner, I just
18 want to be clear. And I'm glad Todd corrected me.
19 The requirement for - as the casino, it's to prevent
20 intoxicated patrons from getting drinks. The three -
21 the policy that was adopted with the three drinks in
22 an hour, that was adopted to try to head off the
23 intoxication getting to that point.

24 It's not that we said that this is
25 going to cure, you know, the service of intoxicated

1 patrons. It was a policy that was implemented that we
2 thought was reasonable and logical to start making the
3 assessments early on. That once you start getting
4 more than three drinks in an hour, that - timeout,
5 there needs to be an assessment, not that there's an
6 automatic shutoff, it's just that someone - a
7 Supervisor should come, make an assessment.

8 If there's no sign of intoxication,
9 there's no - the policy is not that absolutely they
10 don't get a drink, it's just that an assessment is
11 made.

12 MR. LOGAN: Okay.

13 CHAIRMAN: And if I could, I'm going
14 to - I have a comment, but I just want to clarify
15 something for the record. There's a lot going on
16 here.

17 You just have to be clear when you say
18 you can't get a drink. That's not what we're talking
19 about. You can't get a free drink.

20 MR. GREENBERG: Correct.

21 CHAIRMAN: Incredibly important
22 distinction. And I don't want the record to be
23 confused in any way about this.

24 And I got to say, listening to all
25 this - and I'm not going to jump up and down and blame

1 people and ask somebody individually, It's the entity
2 that's responsible here.

3 You had over a year in recognition of
4 a very serious problem. You committed to do
5 something. And if I got it right, it took you a year
6 and a half to accomplish it. I guess it's not a
7 priority. I don't know what - it's not a matter of
8 whether you forgot to tell somebody. You have some
9 serious problems there.

10 Steps were taken. They may not have
11 solved everything, but they would have helped. And
12 apparently it wasn't a priority, because it doesn't
13 take - I don't care who left and who came, it doesn't
14 take 18 months to install this thing.

15 And when does it happen, it happens,
16 what, a month ago, after we were talking about this in
17 Consent Orders and discussions with OEC a year and a
18 half ago. I just find that outrageous and
19 unacceptable, period.

20 MR. LOGAN: And Mr. Chairman, if I'm
21 correct, on the February 28th, 2018, if M.G. did not
22 have a Player's Card, the BOSS system doesn't even
23 track it?

24 MR. GREENBERG: That's correct.

25 MR. LOGAN: Should you guys go back to

1 the drawing board to find out another system?

2 I'm just saying, so if I go in - if I
3 go in and I don't have a Player's Card and I pay cash
4 for my drinks, you're now reliant on what you
5 committed in the February 2017 meeting, that if
6 somebody serves me three drinks over an hour, somebody
7 that you basically said may - I don't want to put
8 words in your mouth - may or may not have the skillset
9 to assess if I'm - if I'm intoxicated. That's what
10 you're going to rely on now, because I don't have a
11 Player's Card. So, BOSS doesn't impact me.

12 ATTORNEY SKLAR: No, no, no. I want
13 to be clear, not that the skillset isn't there,
14 because all servers and bartenders are RAMP-trained.

15 MR. LOGAN: Okay.

16 ATTORNEY SKLAR: So, it's another set
17 of eyes was the reason for the policy with the three
18 drinks. Just another set of eyes. Not that -.
19 Everyone is RAMP-trained. Everyone should have the
20 experience and the ability to make the assessment on
21 their own.

22 MR. JEWELL: Did the gentleman have a
23 card?

24 MS. ASBURY: Yes. Yes, he did.

25 CHAIRMAN: If there aren't any other

1 questions or comments, is there a motion?

2 MR. JEWELL: Mr. Chairman, I move that
3 the Board reject the Consent Agreement between the OEC
4 and Mount Airy #1, LLC as described by the OEC.

5 MS. REITZEL: Second.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

8 CHAIRMAN: All opposed?

9 MS. MANDERINO: No.

10 CHAIRMAN: Okay.

11 The motion is - the motion is adopted.

12 The motion to reject is adopted.

13 Is that accurate, Doug?

14 Thank you.

15 Let's go on to the next one, please.

16 ATTORNEY TEPPER: The next proposed
17 Consent Agreement includes 17 incidents of underage
18 access gaming and/or alcohol consumption at Mt. Airy
19 Casino, which occurred between 2016 and 2018.

20 In each of these instances, an
21 individual under the age of 21 gained access to the
22 gaming floor, placed wagers at either slot machines or
23 table games and/or consumed alcohol. The underage
24 individuals ranged from 12 years of age to 20 years of
25 age.

1 In the first count, on July 16, 2016,
2 a 17-year-old male gained access to the gaming floor
3 and remained on the gaming floor for approximately 41
4 minutes. During that time, he placed wagers at table
5 games for approximately 35 minutes.

6 In the second incident on
7 February 12th, 2016, a 19-year-old male gained access
8 to the gaming floor. And between February 12th and
9 February 13th, he spent an aggregate of six hours and
10 three minutes on the gaming floor. During this time,
11 the individual placed wagers at table games for
12 approximately three hours and 56 minutes. The
13 individual did not consume any alcoholic beverages.

14 MR. LOGAN: In the first instance, did
15 the individual consume alcohol?

16 ATTORNEY TEPPER: No.

17 MR. LOGAN: And the second, no?

18 ATTORNEY TEPPER: No.

19 On May 28th, 2016, a 20-year-old male
20 gained access to the gaming floor, between - and -
21 between May 28th and May 29th, spent, on three
22 different times, and aggregate amount of 16 hours and
23 32 minutes on the gaming floor.

24 While on the gaming floor, the
25 underage individual spent approximately five hours and

1 32 minutes playing a combination of slot machines and
2 table games and consumed seven alcoholic beverages.

3 In the fourth incident, on July 3rd,
4 2016, a 20-year-old male and a 19-year-old female
5 gained access to the gaming floor. These individuals
6 were on the gaming floor for approximately 18 minutes.
7 The female did not wager, and the male played table
8 games for 13 minutes.

9 On November 3rd, 2016, a 20-year-old
10 male gained access to the gaming floor. The
11 individual was on the gaming floor for approximately
12 seven hours and 17 minutes. The 20-year-old male
13 placed wagers at table games for 3 hours and 33
14 minutes.

15 On December 21st, 2016, a 20-year-old
16 male gained access to the gaming floor, and the
17 individual was on the gaming floor for 52 minutes and
18 placed wagers at slot machines for 41 minutes. The
19 individual consumed one alcoholic beverage.

20 On January 11th, 2017, a
21 20-year-old male gained access to the gaming floor.
22 Between January 11th and January 12th, the individual
23 spent an aggregate of 9 hours and 37 minutes on the
24 gaming floor, placed wagers at table games for 3 hours
25 and 9 minutes, and consumed six alcoholic beverages.

1 On February 17th, 2017, a 20-year-old
2 male and a 20-year-old female gained access to the
3 gaming floor. Between January 17 and February 18, the
4 male spent an aggregate of 5 hours and 56 minutes on
5 the gaming floor and placed wagers at table games for
6 5 hours and 34 minutes. The male consumed one
7 alcoholic beverage. The female was on the gaming
8 floor for an aggregate of 5 hours and 22 minutes and
9 placed wagers at table games for 5 hours and 6
10 minutes.

11 In the ninth incident, on March 25th,
12 2017, a 20-year-old male gained access to the gaming
13 floor. The individual remained on the gaming floor
14 for 39 minutes, and placed wagers at table games for
15 19 minutes.

16 On April 8th, 2017, a 20-year-old
17 female gained access to the gaming floor between
18 April 8th and April 9th. The individual remained on
19 the gaming floor for an aggregate of 5 hours and 34
20 minutes and placed wagers at the slot machines and
21 table games for 34 minutes. The individual consumed
22 three alcoholic beverages while on the gaming floor.

23 On January 23rd, 2017, a 19-year-old
24 female gained access to the gaming floor. The
25 individual remained on the gaming floor for 34 minutes

1 and placed wagers at a hybrid table game for 29
2 minutes.

3 On July 30th, 2017, a 20-year-old
4 female gained access to the gaming floor. The
5 individual remained on the gaming floor for nine
6 minutes and placed wagers at table games for three
7 minutes.

8 On August 7th, 2017, a 20-year-old
9 female gained access to the gaming floor. The
10 individual remained on the gaming floor for an
11 aggregate of 1 hour and 3 minutes and placed wagers at
12 table games and slot machines for 26 minutes. The
13 individual consumed at least one alcoholic beverage
14 while on the gaming floor.

15 In the 14th incident, on October 21st,
16 2017, a 12-year-old female gained access to the gaming
17 floor. The individual, along with her grandmother,
18 remained on the gaming floor for 35 minutes. The 12-
19 year-old is believed to have operated a slot machine.

20 On April - on December -.

21 MR. LOGAN: Did the 12-year-old drink?

22 ATTORNEY TEPPER: The 12-year-old -?

23 MR. LOGAN: You don't have to answer.

24 ATTORNEY PITRE: No, thankfully not.

25 ATTORNEY TEPPER: On December 27th,

1 2017, a 20-year-old gained access to the gaming floor.
2 The individual remained on the gaming floor for an
3 aggregate of 3 hours and 14 minutes, placed wagers at
4 slot machines and table games for 1 hour and 33
5 minutes. The individual consumed two alcoholic
6 beverages while on the gaming floor.

7 In the 16th incident on January 11th,
8 2018, an 18-year-old male, who was an off-duty Mt.
9 Airy employee, gained access to the gaming floor. The
10 individual remained on the gaming floor for an
11 aggregate of one hour and nine minutes, and placed
12 wagers at slot machines for nine minutes.

13 After being identified as underage and
14 escorted off the gaming floor, the individual gained
15 access to the gaming floor three additional times.
16 While on the gaming floor, the individual consumed two
17 alcoholic beverages.

18 In the 17th incident on July 18th,
19 2018, a 20-year-old male gained access to the gaming
20 floor. The individual remained on the gaming floor
21 for 45 minutes and placed wagers at table games for 36
22 minutes.

23 At this time, the OEC requests that
24 the Board approve this Consent Agreement between the
25 parties.

1 The terms of the settlement include
2 that within five days of the Board's Order approving
3 this Consent Agreement, Mt. Airy shall pay a civil
4 penalty of \$170,000 for the alleged violations
5 described.

6 Also, within five days of the Board's
7 Order approving this Consent Agreement, Mt. Airy shall
8 pay the Board \$2,500 for the costs incurred by OEC,
9 BIE and other related Board staff in connection with
10 this matter.

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

13 CHAIRMAN: Any -?

14 MR. LOGAN: I don't even know where to
15 start with that. I guess the only place I can - go
16 ahead, I'm sorry.

17 CHAIRMAN: Just for process, first we
18 hear from Mt. Airy, and then I'll open it up for
19 questions.

20 Mr. Sklar?

21 ATTORNEY SKLAR: I'm going to have
22 Lianne briefly address these overall. I don't know
23 that we'll answer questions on specific incidents, but
24 she's going to, I think, address more globally the
25 security and underage.

1 I just want to make sure everyone
2 understands that this is over a two-and-a-half year
3 time period.

4 CHAIRMAN: Yes, we - yes.

5 ATTORNEY SKLAR: Lianne.

6 MS. ASBURY: Chairman and members of
7 the Board, relative to the 17 incidents that did occur
8 over the two-and-a-half year period, I do obviously,
9 as the Executive Director of Security, take onus and
10 responsibility under my Security Department for
11 identifying anyone that does appear to be under 30, as
12 well as anyone that appears to be under 21 and refuse
13 their access to the gaming floor.

14 Clearly on 17 incidents and occasions,
15 we did fail on those levels. However, I will state -
16 before I bombard you with any type of statistical
17 information, I will state that over 4,000,000
18 individuals did access Mt. Airy through that, you
19 know, period from 2016, '17 and currently '18.

20 Of that, we had 78,307 minors that
21 accessed during that period that were not allowed
22 access to our casino floor.

23 I will also advise that of that, you
24 know, 17 incidents here, we did have 11 of them
25 utilize fake or false IDs, whether it be their

1 siblings, relatives, cousins, friends, so on and so
2 forth. One that actually did, unfortunately, use
3 their own ID and was subsequently caught at the main
4 cage cashing in the chips and owned up to, hence,
5 being under 21.

6 Another fake ID was two-for-one deal
7 in an incident situation because our monitor froze,
8 and we did go to the handheld. With innovative
9 technology, unfortunately handheld scanners are just
10 not that innovative yet. They're not up to par with
11 the software.

12 We are still working on revamping
13 that. However, we have reinvested in Mt. Airy's
14 security, as well as on this property, over \$30,000
15 into a high - highly innovative and technological
16 computerized system at our entranceways that scans the
17 ID. It will perform the risk factors that
18 realistically it would be operator error. And
19 unfortunately we did have some operator errors.

20 But this innovative technology, by far
21 - and I know that some of the Casino Compliance
22 Representatives, as well as our State Police onsite,
23 have said, I think Mt. Airy has to be the casino that
24 has the most fake and false IDs that you guys are
25 catching.

1 So, I will say on that note, that is a
2 good thing for us. We did reinvest in our department
3 as well as this type of technology.

4 We also do remedial training for
5 identification checks, scanners, handhelds, the UV
6 lights, the whole gamut when it comes down to
7 identification checks, in order to ensure that we are
8 refusing anyone that appears to be under 21 admittance
9 into the casino.

10 With respect to these 17 incidents, I
11 will speak on the seven termed employees. I will
12 speak on one suspended employee and nine final
13 warnings that were issues.

14 Subsequently, also, of those nine, I
15 believe only four remain as employees. They have
16 since departed our property.

17 Our policies and procedures relative
18 to minors and incidents such as these is we do allow
19 families to be entertained on our property, and we do
20 provide escorts. That was implemented in another, you
21 know, Compliance and Consent Agreement years back, and
22 we have maintained that.

23 We do, fully understand the
24 responsibility of ensuring that minors do not gain
25 access to our casino floor.

1 We also understand that with our due
2 diligence of allowing families to come to our property
3 and putting another layer up to notify our dispatcher
4 to log that last name of that family member, that
5 takes onus of that under 21 individual to that dining
6 establishment, that if, unfortunately, that they would
7 end up on the casino floor, they would also - we would
8 be able to have that substantial information.

9 We have done really well with
10 providing those escorts, as well as those left-handed
11 wristbands that are bright neon yellow, if you've, you
12 know, had the opportunity to visit our property.
13 Anyone that is under 21 is identified. And also if
14 they do not have the most appropriate ID that we
15 accept on our property is issued that wristband.

16 You know, we do have a curfew
17 implementation as well. The curfew implementation, in
18 order to deter these wild, outrageous hours of, you
19 know, of minors trying to get into the casino is, you
20 know, Fridays and Saturdays we implement curfew at
21 midnight.

22 Anyone that's under 21 can remain in
23 the lower lobby, whether it be through BOSS until they
24 depart or if they are a hotel guest. They cannot go
25 to any type of dining establishment, even if it is one

1 of 24/7 establishments.

2 They have to order - if they're a
3 hotel guest, they would have to order room service.
4 We would not be - we will not provide an escort.

5 During the weekday, Sunday, obviously
6 through Thursday, our escort implementation starts at
7 10:00 p.m., and it doesn't reconvene until 7:00 a.m.
8 So, we are working feverishly as well as continuously
9 to deter this underage gambling issue as well as
10 problem.

11 CHAIRMAN: Thank you.

12 At this point, I'd open it up to
13 questions or comments from the Board.

14 MS. MANDERINO: I just want to
15 understand the 12-year-old incident. Did grandma hide
16 her under the coat?

17 Clearly a 12-year-old, unlike an 18 or
18 20-year-old isn't carrying a false ID and isn't being
19 mistaken in terms of her age at a screening point.
20 So, it leads me to believe somehow she did not - she
21 was able to get on the floor without going through any
22 kind of security checkpoint.

23 How does that happen?

24 MS. ASBURY: To speak on the note of
25 the 12-year-old incident, yes, it is an embarrassment.

1 I will say that through surveillance footage and
2 reviewing of the footage, it was preplanned for the
3 grandmother, as well as the grandmother's boyfriend,
4 to get the 12-year-old on the floor.

5 They waited for the Security Officer
6 to move over to the scanner - he motioned with his
7 cane to go over this way, because he saw the opening.

8 It was a Saturday, you know,
9 mid-afternoon, early evening time period. A lot of
10 volume coming through. They saw their breakaway, and
11 they went to slot machines that are against a wall
12 where you would not have face-to-face interaction,
13 per se, with somebody unless you hit your service
14 button to have them come over.

15 I was there for that incident. When I
16 did engage with grandmother, I did ask her, I said,
17 really? What was the reasoning to have your
18 12-year-old on our gaming floor?

19 MS. MANDERINO: So, it's not like
20 there was a way that someone could get on the floor
21 without getting through a checkpoint. They just
22 figured a way - your testimony is they figured a way
23 to kind of elude the checkpoint?

24 MS. ASBURY: 100 percent, yes.

25 ATTORNEY SKLAR: Commissioner, can I

1 just add to that? Because I agree - and I asked for
2 them to burn the surveillance on a disk and send it to
3 me, because I - it's kind of shocking, a 12-year-old
4 is sticking out like a sore thumb, how is it even
5 possible?

6 They literally - the grandmother and
7 the boyfriend literally - and you can see them kind of
8 talking how to do it. They talked the 12-year-old on
9 the opposite side of the security checkpoint. When
10 they went through the checkpoint, they - the area they
11 went in, you could make a quick right and there's a
12 bank of slot machines against the wall.

13 They faced that bank the entire time.
14 There is - there wasn't a lot of personnel, you know,
15 moving around. Because, again, it's a 12-year-old. I
16 mean, it's not, you know, a 19-year-old. So, I mean,
17 this was clearly a calculated thing to purposely evade
18 the detection.

19 MR. LOGAN: Were those grandparents
20 banned?

21 MS. ASBURY: I'm sorry?

22 MR. LOGAN: Are the grandparents
23 banned?

24 MS. ASBURY: Oh, absolutely.

25 MR. LOGAN: For how long?

1 MS. ASBURY: Forever.

2 MS. REITZEL: How long was the 12-
3 year-old on the floor?

4 MS. ASBURY: Thirty-five (35) minutes,
5 ma'am.

6 CHAIRMAN: You have other questions?

7 MR. LOGAN: Yeah. I'm still hung up
8 on the alcohol, but - so of the 17 incidents that were
9 in that two-and-a-half year period, I lost track, how
10 many involved alcohol?

11 ATTORNEY PITRE: Roughly, I think it's
12 around 22 alcoholic drinks that were served. One
13 instance was 7, I think another one was 6.

14 MR. LOGAN: To all minors?

15 ATTORNEY PITRE: All minors.

16 MR. LOGAN: So, the BOSS system that
17 was implemented -?

18 ATTORNEY PITRE: It wasn't
19 implemented.

20 MR. LOGAN: No, no, I know. The BOSS
21 system that was implemented in October of this year,
22 it wouldn't have impacted any of those?

23 ATTORNEY PITRE: No.

24 MR. LOGAN: Because they didn't have
25 Player's Cards. You still see there's - I'm having a

1 hard time - I'm sorry, go ahead.

2 MR. GREENBERG: It would have actually
3 impacted them, because they wouldn't have been served
4 a drink if they didn't have a card.

5 MR. LOGAN: But they obviously paid
6 for it.

7 ATTORNEY PITRE: No, they were given
8 complimentary drinks.

9 MR. GREENBERG: They were getting
10 complimentary drinks.

11 CHAIRMAN: Anything else, Sean?

12 MR. LOGAN: No.

13 CHAIRMAN: Okay.

14 MS. LANGAN: I just have one question.
15 So, if somebody comes into your hotel and has a family
16 with them, is the casino notified? Is there any
17 communication between the hotel and you because you
18 have Kalahari up there now, or no?

19 MS. ASBURY: Well, Kalahari doesn't
20 have anything to do with Mt. Airy -.

21 MS. LANGAN: No, I'm just saying
22 because people would stay at your hotel to go to
23 Kalahari.

24 MS. ASBURY: Sure. Our hotel, on our
25 hotel folios, when they come in with their Reg Card,

1 there is, you know, our Curfew Policy, as well as the
2 implementation of the wristbands and escorts that are
3 provided for anyone that's under 21, to ensure that
4 they understand that if they have minors with them,
5 these are the policies and procedures that they have
6 to abide by.

7 CHAIRMAN: I'm sorry. Where are we?
8 Are there any other questions up here?

9 ATTORNEY SKLAR: Can I just make one
10 more comment?

11 CHAIRMAN: Sure.

12 ATTORNEY SKLAR: And this is not -
13 this is for, I guess, the legislature, but - and I've
14 said this before the Board before.

15 The problem with underage gaming, no -
16 no casino, including Mt. Airy, wants their business.
17 I mean, this is not - we'll, you know, turn a blind
18 eye, because we're going to generate some revenue. No
19 one wants the underage on the floor.

20 Part of the problem in Pennsylvania is
21 there is no significant deterrent for the minors. The
22 - it's a misdemeanor. It's a small fine. It's just
23 not a disincentive for the minors. They're going to
24 try.

25 And, you know, unfortunately, the

1 reality is - and, you know, I'm not shifting blame or
2 accepting responsibility. It's never going to be
3 foolproof. It's not going to be - Mt. Airy is not
4 going to be at any casino, because the minors are
5 going to try.

6 In New Jersey, they have instituted a
7 - you know, a significant penalty, where you lose your
8 driver's license for a period of time.

9 CHAIRMAN: It sounds like you were
10 once a minor.

11 ATTORNEY SKLAR: It's frustrating, you
12 know, I think to Mt. Airy and probably - and I know
13 the other casinos, we've had conversations, it's a
14 difficult thing to - a strict liability.

15 So, everyone is going to have to
16 accept responsibility for minors getting in, but it's
17 a problem that I don't know how it's ever going to be
18 solved until there really is a disincentive where the
19 minors say, you know what, it's not worth it. It's
20 not worth us - me taking a chance where I can
21 potentially lose my license.

22 CHAIRMAN: Okay.

23 ATTORNEY SKLAR: That's a penalty.
24 What's in place right now, it's not much of a
25 disincentive.

1 CHAIRMAN: Okay.

2 Is there a motion at this point?

3 Oh, I'm sorry, was there another
4 question, Jen? No? Yes?

5 Okay. I'll take a motion.

6 MS. REITZEL: Mr. Chairman, I move
7 that the Board approve the Consent Agreement between
8 the OEC and Mount Airy #1, LLC as described by the
9 OEC.

10 MR. SANTONI: Second.

11 CHAIRMAN: All in favor?

12 AYES RESPOND

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

15 MS. ASBURY: Thank you.

16 MR. GREENBERG: Thank you.

17 ATTORNEY PITRE: Next matter on the
18 Board's Agenda for consideration is a Consent
19 Agreement between the OEC and Gaming Permittee - a
20 Gaming Permittee identified as R.N.

21 The Consent Agreement will be
22 presented by Assistant Enforcement Counsel Thomas
23 Monaghan.

24 ATTORNEY MONAGHAN: Good afternoon,
25 Thomas Monaghan with the OEC. M-O-N-A-G-H-A-N.

1 At this time, the OEC has a Consent
2 Agreement prepared for the Board's consideration. The
3 Consent Agreement is between the OEC and R.N., a
4 Gaming Employee Occupation Permit Holder, who is also
5 on the PGCB Self-Exclusion list, in which he placed
6 himself on in April of 2014 for a period of five
7 years.

8 This Consent Agreement arises from an
9 incident that occurred at Lady Luck Casino at
10 Nemacolin on August 25th, 2017.

11 R.N. gained access to the gaming floor
12 at Lady Luck and wagered at table games. On or about
13 September 3rd, 2017, during a compliance review for
14 unrelated investigation, it was discovered that R.N.
15 is on the Board's Self-Exclusion List.

16 R.N. was on Lady Luck's gaming floor
17 for approximately 3 hours and 48 minutes, and actively
18 wagered at six different table games.

19 Due to R.N.'s actions at Lady Luck,
20 the Pennsylvania State Police cited him with trespass.
21 This Consent Agreement represents the second known
22 self-exclusion violation of R.N. since his licensure.

23 R.N. violated the Self-Exclusion
24 Program on January 22nd, 2016 and entered into a
25 Consent Agreement March of 2016, accepting a five-day

1 suspension for his violation.

2 The Board issued an Order adopting the
3 Consent Agreement in May of 2016, and R.N. served that
4 suspension, and the suspension was lifted in June of
5 that year.

6 By placing himself on the
7 Self-Exclusion List, R.N. acknowledged that if he's
8 discovered on the gaming floor at any licensed
9 facility, that he will be subject to removal and
10 arrested for criminal trespass.

11 Due to R.N. violating the terms of the
12 Self-Exclusion Program, and for being cited for
13 trespass, OEC and R.N. entered into a Consent
14 Agreement whereby R.N.'s Gaming Employee Permit be
15 suspended for a period of ten consecutive days from
16 the date that the Board approves this Consent
17 Agreement.

18 At this time, the OEC requests the
19 Board approve this Consent Agreement and are available
20 to answer any questions you may have at this time.

21 CHAIRMAN: Thank you.

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

24 MR. SANTONI: Mr. Chairman, I move
25 that the Board approve the Consent Agreement between

1 the OEC and R.N., as described by the OEC.

2 MR. JEWELL: Second.

3 CHAIRMAN: All in favor?

4 AYES RESPOND

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

7 ATTORNEY PITRE: The next matter on
8 the Agenda consists of an enforcement action, which
9 the OEC filed a Complaint seeking the revocation of a
10 Gaming Employee Occupation Permit issued by the Board.

11 The Complaint has been filed with the
12 Board's OHA and properly served upon the person named
13 in the Complaint.

14 The person named in the Complaint
15 failed to respond in 30 days, as required by Board
16 Regulation. As a result, the OEC filed a request for
17 default judgment and properly served the same upon the
18 named person.

19 Therefore, the facts in the Complaint
20 are deemed admitted. All filed documents have been
21 provided to the Board. And the matter is presently
22 ripe for the Board's consideration.

23 Mr. Tepper will provide a brief
24 summary of the facts and request the appropriate Board
25 action.

1 ATTORNEY TEPPER: Good afternoon, next
2 on the Agenda is a Complaint to revoke the Gaming
3 Employee Occupation Permit of Robert Sharp. Mr.
4 Sharp, while on duty as an employee of Parx Casino,
5 made threats to cause extreme bodily injury to his
6 Supervisor.

7 As a result of his conduct, Mr. Sharp
8 was terminated by Parx and criminally charged by the
9 Pennsylvania State Police. At this time, the OEC
10 requests that the Board revoke the Gaming Employee
11 Occupation Permit of Robert Sharp.

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

14 MR. JEWELL: Mr. Chairman, I move that
15 the Board approve the revocation of Robert Sharp's
16 Gaming Employee Occupation Permit, as described by the
17 OEC.

18 MR. LOGAN: Second.

19 CHAIRMAN: All in favor?

20 AYES RESPOND

21 CHAIRMAN: All opposed? The motion's
22 adopted.

23 ATTORNEY PITRE: The remaining matters
24 on the Agenda consist of enforcement actions in which
25 the OEC filed Petitions seeking the involuntary

1 exclusion of individuals whose presence in a licensed
2 facility are inimical to the interests of the
3 Commonwealth and/or licensed gaming therein.

4 In each instance, the Petition for
5 Exclusion has been filed with the Board's OHA and
6 properly served upon the individual named in the
7 Petition.

8 The individual named in the Petition
9 failed to respond within 30 days, as required by Board
10 Regulation. As a result, the OEC filed a Request of
11 Default Judgment in each instance and properly served
12 the same upon each named individual.

13 Therefore, all facts in each Petition
14 are deemed admitted. All filed documents have been
15 provided to the Board, and the matters are presently
16 ripe for the Board's consideration.

17 In each instance, if the Board orders
18 the proposed exclusion, each individual's photo,
19 personal identifiers and a summary of their inimical
20 conduct will be placed on the Board's public website.

21 ATTORNEY GABRIELLE: Good afternoon,
22 Mr. Chairman and Commissioners. Ashley Gabrielle,
23 G-A-B-R-I-E-L-L-E.

24 The next matter on the Agenda for the
25 Board's consideration is a Petition for the Exclusion

1 of Jason Sandow. Mr. Sandow attempted to buy-in at a
2 roulette table at Parx Casino with three counterfeit
3 \$10 bills and purchased food in the food court with
4 two counterfeit \$20 bills. Mr. Sandow possessed an
5 additional 58 counterfeit bills, 57 \$10 bills and 1
6 \$20 bill.

7 Mr. Sandow was criminally charged as a
8 result of his conduct and Parx elected to permanently
9 evict him.

10 At this time, the OEC requested that
11 the Board exclude Jason Sandow.

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

14 MR. LOGAN: Mr. Chairman, I move that
15 the Board approve the addition of Jason Sandow to the
16 PGCB Involuntary Exclusion List, as described by the
17 OEC.

18 MS. MANDERINO: Second.

19 CHAIRMAN: All in favor?

20 AYES RESPOND

21 CHAIRMAN: All opposed? The motion's
22 adopted.

23 ATTORNEY GABRIELLE: The next matter
24 on the Agenda for the Board's consideration is a
25 Petition for the Exclusion of Gary St. Jean.

1 Mr. St. Jean cashed a voucher that did
2 not belong to him worth \$745, representing the credits
3 left on a slot machine by a patron at Parx Casino.

4 Mr. St. Jean did not make restitution
5 to the patron.

6 Mr. St. Jean was criminally charged as
7 a result and Parx elected to permanently evict him.

8 At this time, the OEC requests that
9 the Board exclude Gary St. Jean.

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

12 MS. MANDERINO: Mr. Chairman, I move
13 that the Board approve the addition of Gary St. Jean
14 to the PGCB Involuntary Exclusion List, as described
15 by the OEC.

16 MS. REITZEL: Second.

17 CHAIRMAN: All in favor?

18 AYES RESPOND

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

21 ATTORNEY FERRELL: Good afternoon,
22 Chairman, Members of the Board. Benjamin Ferrell,
23 F-E-R-R-E-L-L. The following six matters regarding
24 Petitions to place Doung Su, Tuan Dang, Kam Heng, Minh
25 Nguyen, Zhong Wang and Jun Zhang on the Exclusion List

1 come from the same fact pattern.

2 Between December 1st to December 8th
3 of 2017, three Harrah's Philadelphia Table Game
4 Dealers, Tuan Dang, Kam Heng and Doung Su, included
5 with seven patrons, including Minh Nguyen, Zhong Wang
6 and Jun Zhang to cheat during mini baccarat play at
7 Harrah's Philadelphia, which resulted in a total loss
8 of \$831,650 to Harrah's and resulting tax revenue to
9 the Commonwealth.

10 All individuals have been charged
11 criminally and those charges remain pending. Harrah's
12 Philadelphia permanently evicted all of the
13 individuals from its facility.

14 At this time, the OEC first requests
15 the Board issue an order placing Tuan Dang (sic) on
16 the Involuntary Exclusion List.

17 CHAIRMAN: Before we get to that,
18 we're going to deal with your fact pattern.

19 Is there any questions that anybody
20 has about the underlying fact pattern of these cases?

21 Hearing no questions, now -.

22 MR. JEWELL: Isn't it Doung Su?

23 ATTORNEY PITRE: I think the first one
24 is Doung Su.

25 MR. JEWELL: He said Tuan Dang, and I

1 think it's Doung Su.

2 ATTORNEY FERRELL: Yes. Correct.

3 CHAIRMAN: Let's start with that.

4 Hearing no questions about the - or
5 comments about the underlying fact pattern, may I have
6 a motion relating to Doung Su?

7 MR. LOGAN: Mr. Chairman, I move that
8 the Board approve the addition of Doung Su to the PGCB
9 Involuntary Exclusion List, as described by the OEC.

10 MR. SANTONI: Second.

11 CHAIRMAN: All in favor?

12 AYES RESPOND

13 CHAIRMAN: All opposed? The motion's
14 adopted. What's the next one?

15 ATTORNEY FERRELL: Now at this time,
16 OEC requests the Board issue an Order placing Tuan
17 Dang on the Involuntary Exclusion List.

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

20 MR. SANTONI: Mr. Chairman, I move
21 that the Board approve the addition of Tuan Dang to
22 the PGCB Involuntary Exclusion List as described by
23 the OEC.

24 MR. JEWELL: Second.

25 CHAIRMAN: All in favor?

1 AYES RESPOND

2 CHAIRMAN: All opposed? The motion's
3 adopted.

4 ATTORNEY FERRELL: At this time, OEC
5 requests the Board place Kam Heng on the Involuntary
6 Exclusion List.

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

9 MR. LOGAN: Mr. Chairman, I move that
10 the Board approve the addition of Kam Heng to the PGCB
11 Involuntary Exclusion List, as described by the OEC.

12 MS. MANDERINO: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

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

17 ATTORNEY FERRELL: At this time, OEC
18 requests the Board issue an Order placing Minh Nguyen
19 on the Involuntary Exclusion List.

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

22 MS. MANDERINO: Mr. Chairman, I move
23 that the Board approve the addition of Minh Nguyen to
24 the PGCB Involuntary Exclusion List, as described by
25 the OEC.

1 MS. REITZEL: Second.

2 CHAIRMAN: All in favor?

3 AYES RESPOND

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

6 ATTORNEY FERRELL: At this time, OEC
7 requests the Board issue an Order placing Zhong Wang
8 on the Involuntary Exclusion List.

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

11 MS. REITZEL: Mr. Chairman, I move
12 that the Board approve the addition of the PGCB
13 Involuntary Exclusion List, as described by the OEC.

14 MR. SANTONI: Second.

15 CHAIRMAN: All in favor?

16 AYES RESPOND

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

19 ATTORNEY FERRELL: At this time, OEC
20 requests the Board issue an Order placing Jun Zhang on
21 the Involuntary Exclusion List.

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

24 MR. SANTONI: Mr. Chairman, I move
25 that the Board approve the addition of Jun Zhang to

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

3 MR. JEWELL: Second.

4 CHAIRMAN: All in favor?

5 AYES RESPOND

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

8 ATTORNEY FERRELL: The next matter for
9 consideration is the Petition to place Christopher
10 Jones on the Exclusion List.

11 On August 1st of 2018, Mr. Jones
12 attempted to steal \$2,000 in chips from Harrah's
13 Philadelphia. Mr. Jones was charged by the
14 Pennsylvania State Police with two-theft related
15 misdemeanors and one summary offense. Those charges
16 remain pending.

17 Additionally, Harrah's Philadelphia
18 issued Mr. Jones a Permanent Eviction Notice from its
19 facility.

20 At this time, OEC requests that the
21 Board issue an Order placing Christopher Jones on the
22 Involuntary Exclusion List.

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

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

1 the Board approve the addition of Christopher Jones to
2 the PGCB Involuntary Exclusion List, as described by
3 the OEC.

4 MR. LOGAN: Second.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

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

9 ATTORNEY PITRE: Thank you.

10 That concludes our business. Happy
11 Holidays to everyone.

12 CHAIRMAN: Thank you all. Same,
13 likewise.

14 At this time, we have a scheduled
15 public comment period. As I understand it, we don't
16 have anyone in the general public who wishes to
17 address the Board at this time.

18 Is there anybody here that we've
19 missed somehow? If not, this concludes today's
20 meeting.

21 Our next scheduled public session will
22 be held on Wednesday, January 9th at ten o'clock in
23 this room.

24 May I have a motion to adjourn?

25 MR. LOGAN: So moved.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. MANDERINO: Second.

CHAIRMAN: All in favor?

AYES RESPOND

CHAIRMAN: All opposed? The motion's adopted, and we are adjourned.

Thank you all for your time and patience.

* * * * *

MEETING CONCLUDED AT 12:50 P.M.

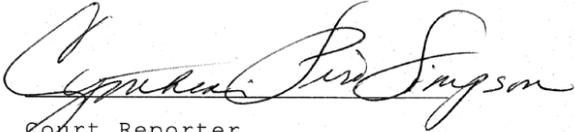
* * * * *

CERTIFICATE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I hereby certify that the foregoing proceedings, meeting held before David M. Barasch, Chairman, was reported by me on 12-19-18 and that I, Cynthia Piro Simpson, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

Dated the 12th day of January, 2019


Court Reporter
Cynthia Piro Simpson