

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

* * * * *

PUBLIC MEETING

* * * * *

BEFORE: MEMBERS OF THE BOARD:

DAVID M. BARASCH, CHAIRMAN

Obra S. Kernodle, IV

Sean Logan

Kathy M. Manderino

T. Mark Mustio

Merritt C. Reitzel

Dante Santoni, Jr.

EX-OFFICIO MEMBERS/DESIGNEES IN ATTENDANCE:

Jennifer Langan, Designee, Department of
Treasury

Radee Skipworth, Designee,
Department of Revenue

Fred Strathmeyer, Jr., Designee,
Department of Agriculture

HEARING: Wednesday, March 6, 2019, 10:00 a.m.

Reporter: Lindsey Deann Richardson

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1 LOCATION: Pennsylvania Gaming Control Board
2 Strawberry Square
3 2nd Floor
4 Harrisburg, PA 17101

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A P P E A R A N C E S

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

KEVIN O'TOOLE, Executive Director

LIZ LANZA, Director, Office of Compulsive & Problem
Gambling

DANETTE BIXLER-GEORGE, Director of Human Resources

SEAN HANNON, Manager, Enterprise Business Unit

OFFICE OF CHIEF COUNSEL - ALSO PRESENTING:

R. DOUGLAS SHERMAN, ESQUIRE, Chief Counsel

STEVE COOK, ESQUIRE, Deputy Chief Counsel

PA Gaming Control Board

P.O. Box 69060

Harrisburg, PA 17106-9060

OFFICE OF ENFORCEMENT COUNSEL - ALSO PRESENTING:

CYRUS PITRE, ESQUIRE

Chief Enforcement Counsel

JAMES ARMSTRONG, ESQUIRE

Senior Enforcement Counsel

DUSTIN MILLER, ESQUIRE

Deputy Enforcement Counsel

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

OFFICE OF ENFORCEMENT COUNSEL - ALSO PRESENTING
(cont.):

BETH MANIFESTO, ESQUIRE

Senior Enforcement Counsel

MICHAEL ROLAND, ESQUIRE

Senior Enforcement Counsel

BENJAMIN FERRELL, ESQUIRE

Assistant Enforcement Counsel

ASHLEY GABRIELLE, ESQUIRE

Assistant Enforcement Counsel

DAVID TEPPER, ESQUIRE

Assistant Enforcement Counsel

ALSO PRESENT WERE:

CLINTON WILKINSON, ESQUIRE, CEO, Global Innovative
Gaming, LLC

JOHN M. DONNELLY, ESQUIRE, Counsel, SugarHouse HSP
Gaming, LP

DEAN MCBRIDE, Vice President, SugarHouse HSP
Gaming, LP

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PUBLIC HEARING ATTENDANCE:

GREENWOOD GAMING AND ENTERTAINMENT, INC.:

Mark S. Stewart, Esquire, Eckert, Seamans, Cherin &
Mellott, LLC

Matthew Cullen, Senior Vice President of iGaming and
Sports

John Dixon, Chief Operating Officer

Joseph Wilson, COO, Parx Racing

ELDORADO RESORTS, INC., CHURCHILL DOWNS, INCORPORATED
and LLN PA, LLC:

Kevin C. Hayes, Esquire, Doherty Hayes

Austin Miller, Senior Vice President, Gaming
Operations

Craig Robinson, Vice President, Operational Finance

Cathy Beeding, Esquire, Senior Counsel, Corporate
Compliance Officer

Chad Riney, Esquire, Corporate Counsel

Gary Hendricks, General Manager

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P R O C E E D I N G S

1
2 -----
3 CHAIRMAN: Good morning. The hour
4 being ten o'clock, notwithstanding the clocks, we're
5 going to get started. My name is David Barasch,
6 Chairman of the Gaming Control Board. If you haven't
7 already, as always, please turn your electronic
8 devices on silent.

9 With us today, Fred Strathmeyer,
10 representing Russ Reading, the Secretary of
11 Agriculture. Jennifer Langan representing Joe
12 Torsella, State Treasurer. Radee Skipworth,
13 representing Secretary of Revenue Dan Hassell.

14 Thank you all for being here and for
15 your participation. Before we begin, I'd like to
16 extend a warm greeting to our newest Board Member,
17 former State Representative, Mark Mustio has joined
18 the Board. And this will be his first meeting.

19 Good morning, Mark.

20 Okay.

21 Quorum of the Board being present,
22 I'll call the proceedings to order. The first order
23 of business, the Pledge of Allegiance.

24 ---

25 (WHEREUPON, THE PLEDGE OF ALLEGIANCE WAS RECITED.)

1 ---

2 CHAIRMAN: By way of announcements,
3 the Board held an Executive Session yesterday,
4 Tuesday, March 5th, to discuss personnel matters and
5 to conduct quasi-judicial deliberations relating to
6 matters - relating to matters that are on the Board's
7 schedule today.

8 Additionally I'd like to announce that
9 the Pennsylvania Gaming Control Board will be holding
10 a Public Hearing on March 25th, 2019 at Shippensburg
11 University to collect testimony on the Category 4
12 Casino Application submitted by Greenwood Gaming, the
13 owners of Parx Casino. The hearing will begin at 4:00
14 p.m. and be held at the Conference Center, 2nd Floor,
15 Spinnaker Room, 500 Newburg Road, Shippensburg, PA.

16 Citizens community groups, elected
17 officials willing to present oral testimony, which
18 will be part of the evidentiary record in this matter,
19 are able to register by clicking on the Hearing Notice
20 under our Quick Links section on the home page of
21 Pennsylvania Gaming Control Board website.

22 Written comments can be mailed to the
23 Pennsylvania Gaming Control Board, Post Office Box
24 69060, Harrisburg, PA, 17106, attention to the Board,
25 click - clerk, not click.

1 Board. We look forward to working with you.

2 MR. MUSTIO: Thank you.

3 MR. O'TOOLE: Today I have the
4 opportunity to recognize Director Liz Lanza from our
5 Office of Compulsive and Problem Gambling.

6 Liz and her Program Analyst, Elizabeth
7 Burch, do an outstanding job throughout the year to
8 raise awareness of compulsive and problem gambling.
9 March is a particularly significant month in terms of
10 creating additional awareness to that issue. And Liz
11 will describe that in more detail for you.

12 MS. LANZA: Thank you, Kevin.

13 Good morning, Chairman and Members of
14 the Board. Before you today is a resolution
15 proclaiming March as Problem Gambling Awareness Month.
16 This year marks the 15th annual Problem Gambling
17 Awareness Campaign.

18 Problem Gambling Awareness Month is
19 observed nationally every March, with the aim of
20 spreading the word that gambling disorder treatment is
21 both available and effective.

22 With the commencement of expanded
23 gambling in Pennsylvania, it is imperative now more
24 than ever for citizens to learn the signs and symptoms
25 of this addiction and to know where to turn for

1 assistance.

2 According to the National Council on
3 Problem Gambling, while most adults gambling
4 responsibly, for entertainment purposes, approximately
5 four percent of the U.S. population will develop a
6 gambling disorder at some point in their lives. That
7 is why it is vital to share information on gambling
8 addiction prevention and treatment.

9 Over the past year and a half I've
10 worked with other PGCB employees to ensure that
11 safeguards are in place for the newly expanded
12 gambling venues. Individuals will have access to
13 prevention tools and other programs in order to keep
14 their gambling behavior at a responsible level and to
15 distance themselves from the suffering brought on my
16 gambling addiction.

17 I implore anyone who thinks that they
18 or a loved one may have a gambling problem to call
19 1-800-GAMBLER to receive the help that they need.

20 I'd like to thank the Board and PGCB
21 employees for their dedication to lessening the
22 effects of problem gambling throughout the
23 Commonwealth. Thank you for your time.

24 CHAIRMAN: Thank you.

25 Are there any questions or comments on

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

3 MR. LOGAN: Mr. Chairman, I move that
4 the Board approve Resolution 2019-2-CPG, as described
5 by the Director of Compulsive and Problem Gambling.

6 MS. MANDERINO: Second.

7 CHAIRMAN: All in favor?

8 AYES RESPOND

9 CHAIRMAN: All opposed? The motion is
10 adopted. Thank you very much.

11 MS. LANZA: Thank you.

12 MR. O'TOOLE: Thank you, Chairman.

13 CHAIRMAN: Thank you.

14 Danette, Director of Human Services.

15 Good morning.

16 MS. BIXLER-GEORGE: Good morning.

17 Good morning, Chairman, Members of the
18 Boards. The Office of Human Resources has one motion
19 for your consideration today, relative to the hiring
20 of one individual, and one administrative motion
21 relative to the Board's classification and
22 compensation structure.

23 Robert Wood has been selected as an
24 Assistant Chief Counsel under the Office of Chief
25 Counsel (OCC). He has completed the interview

1 process, background investigation and drug screening
2 and is recommended for hire by Chief Counsel R.
3 Douglas Sherman.

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

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

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

12 MR. MUSTIO: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

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

17 MS. BIXLER-GEORGE: With the recent
18 changes to the Agency's organizational structure,
19 there are six positions that either need to be placed
20 onto the Classification and Compensation Structure,
21 have had revisions made to the position, or have had
22 revisions, name changes and pay grade changes within
23 the structure.

24 A memo explaining these changes was
25 provided to you in advance of this meeting. And to

1 summarize the changes, first is the position of the
2 Director of Cyber Security, which was added to the
3 structure in executive pay grade GEO2.

4 The position of Specialized Unit
5 Manager was added to the structure in non-union pay
6 grade, GM09. The position of Specialized Section
7 Supervisor was added to the structure in the union pay
8 schedule, pay range ten.

9 The position of Specialized
10 Investigator was added to the structure in the union
11 pay schedule, pay range eight. The position of Race -
12 Director of Racetrack Gaming was changed to Director
13 of Sports Wagering Operations and was moved from the
14 Executive pay grade GEO2 to GEO3.

15 And finally, the position of Director
16 of Casino Compliance, description of duties was
17 amended with no change in title or in pay grade
18 changes.

19 I would be happy to entertain any
20 questions that you might have relative to this - these
21 changes. And if there are none, I would ask that -
22 for a motion formalizing the changes as described.

23 CHAIRMAN: Thank you, Danette.

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

1 MR. MUSTIO: Mr. Chairman, I move that
2 the Board approve the updated PGCB Classification and
3 Compensation Structure and Organizational Chart, as
4 proposed by the Human Resources Director.

5 MS. REITZEL: Second.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

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

10 Thank you very much.

11 MS. BIXLER-GEORGE: Thank you.

12 CHAIRMAN: Doug Sherman, Chief
13 Counsel.

14 ATTORNEY SHERMAN: Good morning,
15 Chairman and Members of the Board. Before you today
16 are five Petitions. Two of those matters have been
17 heard in Public Hearings just prior to our
18 presentations.

19 The other three will be decided based
20 upon the documentary records by agreement of the
21 parties. And in each matter, all pleadings of record
22 or other evidentiary matters have been provided to the
23 Board in advance of the meeting.

24 As indicated, the first Petition
25 before the Board today is that of Greenwood Gaming and

1 Entertainment. It's their request to open a sports
2 wagering venue at a non-primary location, specifically
3 the Valley Forge Turf Club.

4 The matter, as I indicated, was heard
5 earlier today. And should the Board approve the
6 request to be clear, it will not be authorizing sports
7 wagering to commence immediately, but rather, this
8 will be the first step to allow Board staff to
9 continue to review all aspects of the proposal,
10 including surveillance, security and other required
11 conditions for the Sportsbook to go live.

12 And with that, we would request the
13 Board act on the motion.

14 CHAIRMAN: Just one quick question.
15 Do we have a likely start date, -

16 ATTORNEY SHERMAN: I -.

17 CHAIRMAN: - assuming we get all the
18 approvals taken care of?

19 ATTORNEY SHERMAN: I think it's
20 projected within the next two weeks.

21 CHAIRMAN: Oh, that quickly?

22 ATTORNEY SHERMAN: Yes.

23 CHAIRMAN: Okay.

24 Are there other questions or comments
25 from the Board?

1 And when we get there - so how many -
2 how many of these venues will we then have opened?

3 ATTORNEY SHERMAN: We will have seven
4 total. Five, existing casinos. Once Valley Forge
5 opens up, that would make six. And then Parx would
6 have the South Philly Turf Club and this property.

7 CHAIRMAN: Okay. Thank you.

8 Any other - I guess, any other
9 questions from the Board? No.

10 May I have a motion?

11 MS. REITZEL: Mr. Chairman, I move
12 that the Board approve Greenwood Gaming Entertainment,
13 Inc.'s Petition to Conduct Sports Wagering at its
14 Valley Forge Turf Club, as described by the OCC, and
15 with the conditions to be outlined in the Board's
16 order.

17 I further move that Greenwood Gaming
18 motion - Greenwood Gaming's Motion to Protect
19 Confidential Information be granted.

20 MR. SANTONI: Second.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

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

25 ATTORNEY SHERMAN: The next Petition

1 before the Board today is the joint request of
2 Eldorado Resorts and Churchill Downs, seeking approval
3 for the change of ownership and control of the
4 Management Company Licensee for Lady Luck Casino at
5 Nemacolin.

6 The OEC has no objection to the change
7 in management company, so as long as the conditions
8 which were outlined in his Answer are fulfilled, and
9 that all appropriate licensing has occurred of the
10 people involved in the project.

11 The parties have also indicated that
12 some of the information contained in the Petition is
13 to remain as confidential, to which nobody objects to
14 that request. And that's now ready for the Board's
15 consideration.

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

18 MR. SANTONI: Mr. Chairman, I move to
19 - I move that the Board approve the Joint Petition
20 Seeking a Transfer of Interest in the Management
21 Company Licensee for the Lady Luck Nemacolin Casino,
22 as described by the OCC, and with the conditions to be
23 outlined in the Board's order.

24 I further move that the Petitioner's
25 request for confidentiality be granted.

1 MR. KERNODLE: Second.

2 CHAIRMAN: All in favor?

3 AYES RESPOND

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

6 ATTORNEY SHERMAN: The next matter is
7 Stadium Casino's Petition to redesignate the Category
8 2 Slot Machine License for its proposed casino.

9 Specifically, there's a slight
10 restructuring of the corporate entities, such that the
11 Stadium Casino RE, LLC will replace Stadium Casino,
12 LLC as the holder of the License. There's no new
13 persons entering the ownership structure or any other
14 changes.

15 This is part of a larger corporate
16 restructuring, resulting in Stadium Casino being the
17 parent company to both the Category 2 Licensee and its
18 proposed Category 4 Licensee, which will be Stadium
19 Casino Westmoreland RE, LLC.

20 The OEC has no objection to the - this
21 change, subject to conditions outlined in their
22 Answer, and we would suggest it's now ready for the
23 Board's consideration.

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

1 MR. KERNODLE: Mr. Chairman, I move
2 that the Board approve Stadium Casino's, LLC Petition
3 to Re-Designate Category 2 Slot Machine Licensees, as
4 described by the OCC with the condition to be outlined
5 in the Board's order.

6 MR. LOGAN: Second.

7 CHAIRMAN: All in favor?

8 AYES RESPOND

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

11 ATTORNEY SHERMAN: Next before the
12 Board is Sherri Heinze's request for removal from the
13 Board Involuntary Exclusion List.

14 On December 26, 2013, Ms. Heinze
15 assisted her 18-year old daughter to access Lady Luck
16 Casino Nemaquin's gaming floor, where her daughter
17 gamed and consumed alcohol.

18 On January 14th, 2015 the Board placed
19 Ms. Heinze on the Exclusion List for at least one year
20 from the date of the Order, after which she could
21 petition the Board to be removed from the list.

22 Ms. Heinze has now been excluded for
23 over four years and has petitioned for removal from
24 the Exclusion List. OEC has no objection to that
25 request. And that matter is now ready for the Board's

1 consideration.

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

4 MR. LOGAN: Mr. Chairman, I move that
5 the Board approve Sherri Heinze's Petition for Removal
6 from the PGCB Involuntary Exclusion List, as described
7 by the OCC.

8 MS. MANDERINO: Second.

9 CHAIRMAN: All in favor?

10 AYES RESPOND

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

13 ATTORNEY SHERMAN: And the final
14 Petition before the Board today is Omar Hooks'
15 Petition for Removal from the Involuntary Exclusion
16 List.

17 In September 2015, the Board placed
18 Mr. Hooks on the Involuntary Exclusion List, after it
19 was shown that while gaming at Harrah's Philadelphia,
20 he past-posted one bet, winning \$30 to which he was
21 not entitled. He was criminally charged and
22 permanently evicted from Harrah's. Mr. Hooks did make
23 full restitution to Harrah's.

24 Now, three-and-a-half years later, Mr.
25 Hooks has requested to be removed from the Exclusion

1 List and the OEC has no objection.

2 And that's the matter ready for the
3 Board's consideration.

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

6 MS. MANDERINO: Mr. Chairman, I move
7 the Board approve Omar Hooks's Petition for Removal
8 from the PGCB Involuntary Exclusion List, as described
9 by the OCC.

10 MR. MUSTIO: Second.

11 CHAIRMAN: All in favor?

12 AYES RESPOND

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

15 ATTORNEY SHERMAN: Okay.

16 Next presenting Withdrawals and Report
17 and Recommendation is Deputy Chief Counsel, Steve
18 Cook.

19 ATTORNEY COOK: Good morning.

20 The Board has received several
21 unopposed Petitions to Withdraw the Applications or
22 Surrender the Credentials of the following individuals
23 and entities:

24 Krishnendu Dasgupta, Michael G.
25 Isaacs, Gregory Scott Gronau, Eric Hans Persson,

1 Donald R. Sweitzer, Dominent Holdings Corp., NRT ULC,
2 3LB Investments, LP, NRT Investors, LLC, Sanford
3 Family Trust, Sanford NRT Investors LP., Kirk Sanford,
4 Meredith Sanford, Omer Sattar, Raj Pike Management
5 Corporation and K&H Trading, LLC.

6 The OEC has no objection to any of
7 these Withdrawals or Surrenders. As a result, if the
8 Board grants them, they'd be doing so without
9 prejudice to any of the parties who could, at a future
10 date, reapply for licensure.

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

13 MR. MUSTIO: Mr. Chairman, I move that
14 the Board issue the orders to approve the Withdrawals
15 and Surrenders, as described by the OCC.

16 MS. REITZEL: Second.

17 CHAIRMAN: All in favor?

18 AYES RESPOND

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

21 ATTORNEY COOK: Next before the Board
22 for consideration are four Reports and Recommendations
23 received from the Office of Hearings and Appeals
24 (OHA).

25 The Board has received these Reports

1 and Recommendations as well as the entire evidentiary
2 record in each matter prior to today's meeting.

3 Additionally, each person that is the
4 subject to one of these Reports and Recommendations
5 has been notified that the Board would be taking their
6 matter up today and that they can come forward and
7 briefly address the Board.

8 If any of these persons are present
9 and wish to address the Board, I'd ask them to come
10 forward when their matter is called.

11 The first Report and Recommendation
12 pertains to an individual, D.V.L., and that person's
13 request to be removed from the Voluntary
14 Self-Exclusion List. As a result of this request, a
15 hearing was held before the Board's OHA on
16 September 20th, 2018.

17 The OEC appeared at the hearing
18 offering testimony and documentary evidence. D.V.L.
19 also appeared at this hearing and testified on its own
20 behalf, through a Board-appointed Vietnamese language
21 interpreter, as D.V.L. did not speak English.

22 The evidence presented at the hearing
23 established that on December 6th, 2012 D.V.L. and his
24 wife met with the Casino Compliance Representative in
25 order to place D.V.L. on the Board's Self-Exclusion

1 List.

2 D.V.L. testified at the hearing that
3 he was not asked if he wanted an interpreter in 2012.
4 And instead, his wife, whose English was not very
5 fluent, acted as his interpreter with the Casino
6 Compliance Representative (CCR).

7 The CCR testified at the hearing that
8 she explained the exclusion options and completed all
9 of the required paperwork and procedures with D.V.L.,
10 with his wife acting as interpreter.

11 At the hearing D.V.L. testified that
12 his wife answered most of the questions for him during
13 the interview, and additionally she had threatened him
14 with divorce if he did not place himself on the
15 Exclusion List.

16 D.V.L. also questioned the accuracy of
17 his wife's translation, as he believed he was only
18 being self-excluded for a five-year period rather than
19 a lifetime self-exclusion.

20 In the Report and Recommendation
21 issued by the Hearing Officer in this matter, he
22 recommends granting D.V.L.'s Petition to be removed
23 from the Self-Exclusion List, given there are
24 legitimate questions to -. And it supported the
25 conclusion that the Board could not determine that

1 D.V.L., in fact, voluntarily self-excluded for his
2 lifetime. And that is the recommendation for the
3 Board.

4 CHAIRMAN: Are there any questions or
5 comments from the Board? Hearing none, may I have a
6 motion?

7 MS. REITZEL: Mr. Chairman, I move
8 that the Board adopt the Report and Recommendation
9 issued by the OHA regarding D.V.L.'s Petition for
10 Removal from the Voluntary Self-Exclusion List, as
11 described by the OCC, and that D.V.L. be removed from
12 the list.

13 MR. SANTONI: Second.

14 CHAIRMAN: All in favor?

15 AYES RESPOND

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

18 ATTORNEY COOK: The next Report and
19 Recommendation before the Board today pertains to
20 Booker Talley's Petition for Removal from the Board's
21 Involuntary Exclusion List.

22 By way of background, in December of
23 2016, the OEC filed a Petition to place Mr. Talley on
24 the Exclusion List, alleging that he exposed himself
25 while sitting at a slot machine at the Mount Airy

1 Casino Resort.

2 Mr. Talley was evicted from the casino
3 and charged with disorderly conduct as a result of
4 this conduct and later pled guilty to disorderly
5 conduct.

6 Mr. Talley did not respond to OEC's
7 Petition to place him on the Exclusion List, and a
8 default judgment was entered placing him on the list
9 on - during the March 2017 Board meeting.

10 In July of 2018, Mr. Talley filed a
11 Petition requesting early removal from the list. The
12 OEC answered that Petition, objecting to the request.

13 A hearing was held on October 4th,
14 2018. The OEC attended the hearing, presenting
15 documentary - or documentary, testimonial and video
16 evidence.

17 Mr. Talley appeared and testified on
18 his own behalf. During his testimony, Mr. Talley
19 indicated that he did not knowingly expose himself but
20 had a medical condition that caused him discomfort and
21 to adjust his clothing periodically.

22 Mr. Talley further apologized several
23 times during his testimony, stating that it was not an
24 intention to offend or hurt anyone.

25 After hearing all of the evidence, the

1 Hearing Officer issued a Report and Recommendation,
2 recommending that Mr. Talley, in fact, remain on the
3 list. And that is the recommendation for the Board.

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

6 MR. SANTONI: Mr. Chairman, I move
7 that the Board adopt the Report and Recommendation
8 issued by the OHA regarding Booker Talley's Petition
9 for Early Removal from the PGCB Involuntary Exclusion
10 List, as described by the OCC and that Mr. Talley
11 remain on the list.

12 MR. KERNODLE: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

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

17 ATTORNEY COOK: Roseann Stabile is the
18 next Report and Recommendation before the Board today.

19 By way of background, on April 5th,
20 2013, the Board placed Ms. Stabile on the Involuntary
21 Exclusion List after it found that during September of
22 2012 she was involved with - in a scheme with two
23 other patrons and a Table Games Dealer at Harrah's
24 Philadelphia, which resulted in her collecting
25 winnings she was not entitled to receive.

1 Ms. Stabile pleaded guilty to criminal
2 charges related to this situation and was sentenced to
3 two years of probation and ordered to make restitution
4 in the amount of \$3,515, as well as to pay court
5 costs.

6 In 2016, Ms. Stabile filed a Petition
7 requesting to be removed from the Exclusion List. A
8 hearing was held after OEC objected to that request.
9 She failed to appear at that hearing and subsequently
10 her request was denied and she remained on the
11 Involuntary Self- - Involuntary Exclusion List.

12 Ms. Stabile then filed her current
13 Request for Removal from the Exclusion List in June of
14 2018. This led to a hearing occurring before the OHA
15 in November of 2018.

16 Enforcement Counsel attended that
17 hearing, presenting documentary and testimonial
18 evidence. Ms. Stabile also attended the hearing and
19 testified on her own behalf.

20 During her testimony, she expressed
21 remorse, indicated that she had learned from her
22 mistakes and that she didn't really know the Dealer
23 she had colluded with at the casino and has had no
24 further contact with him.

25 The evidence presented by OEC revealed

1 that Ms. Stabile was resentenced on two occasions
2 relative to the criminal charges relating to this
3 conduct. And that although restitution due to
4 Harrah's has been paid, she currently remains on
5 probation with unpaid court costs.

6 After hearing all the evidence
7 presented, the - a Report and Recommendation was
8 issued recommending that Ms. Stabile be removed from
9 the Exclusion List based upon her having paid
10 restitution due to Harrah's and her expressed remorse
11 under oath.

12 And this matter is ripe for the
13 Board's consideration.

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

16 MR. KERNODLE: Mr. Chairman, I move
17 that the Board reject the Report and Recommendation
18 issued by the OHA regarding Roseann Stabile's Petition
19 for Removal from the PGCB Involuntary Exclusion List
20 described by the OCC. And that Ms. Stabile not be
21 permitted to Petition for Removal from the list until
22 her probation and related criminal case is
23 successfully completed.

24 MR. LOGAN: Second.

25 CHAIRMAN: All in favor?

1 AYES RESPOND

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

4 ATTORNEY COOK: The final Report and
5 Recommendation before the Board today pertains to
6 Michael Willson. Mr. Willson holds a Gaming Level 2
7 Employee Occupation Permit and is currently employed
8 as Senior Player Development Executive at the Valley
9 Forge Casino Resort.

10 In April of 2018 the OEC filed a
11 Complaint to Revoke Mr. Willson's G2 Permit after
12 receiving that he was charged with drug-related
13 criminal activity stemming from an incident that
14 occurred at the Sands Bethworks Casino where he was a
15 patron.

16 Specifically, it was alleged that Mr.
17 Willson had dropped a small bag containing a white
18 substance believed to be cocaine onto the gaming floor
19 at Sands.

20 The hearing in this matter was held on
21 August 28th, 2018. Enforcement Counsel appeared at
22 that hearing offering testimony and documentary
23 evidence. Mr. Willson appeared at that hearing
24 pro se, although he did subsequently retain counsel.
25 And testified that - his - basically his only

1 testimony was that he thought this matter was an
2 embarrassment and that he had never been involved in
3 drugs.

4 The evidence presented at the hearing
5 also showed that Mr. Willson disclosed his arrest to
6 the Board within a week or so of it happening.

7 In September 2018, Mr. Willson entered
8 a six-month Accelerated Rehabilitative - Disposition
9 Program relative to the criminal charges brought in
10 this matter and ultimately was never convicted of the
11 possession charge.

12 After hearing all of the evidence
13 presented, a Report and Recommendation was issued
14 recommending that the enforcement action against Mr.
15 Willson be denied and dismissed. The Hearing Officer
16 having taken the position that none of the evidence
17 presented at the hearing before him proves that Mr.
18 Willson was, in fact, in possession of a controlled
19 substance, but rather anything that pointed to the
20 substance in question being cocaine was entirely
21 hearsay evidence.

22 So, ultimately the Hearing Officer
23 concluded that he should - his Permit should not be
24 revoked, and that's the recommendation for the Board.

25 CHAIRMAN: Thank you.

1 Any questions or comments from the
2 Board on this matter? Hearing none, may I have a
3 motion?

4 MR. LOGAN: Mr. Chairman, I move that
5 the Board adopt the Report and Recommendation issued
6 by the OHA regarding the revocation of Mike Willson's
7 Gaming Level 2 Occupation Permit, as described by the
8 OCC.

9 MS. MANDERINO: Second.

10 CHAIRMAN: All in favor?

11 AYES RESPOND

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

14 ATTORNEY COOK: And that concludes the
15 matters of the OCC.

16 CHAIRMAN: Thank you. Thank you,
17 gentlemen.

18 Next up we have Bureau of Licensing
19 matters with Manager Sean Hannon.

20 MR. HANNON: Good morning, Chairman
21 and Members of the Board. Before the Board today will
22 be one Category 3 Management Company, 1 Sports
23 Wagering Operator, 2 Interactive Gaming Manufacturers,
24 2 Video Gaming Terminal, or VGT, Manufacturers, 2 VGT
25 Operators and 4 VGT Establishments.

1 Also, there will be 779 Principal,
2 Key, Gaming and Non-Gaming Employee Applicants. In
3 addition there will be the consideration of 2
4 Certified Gaming Service Provider Applicants and 3
5 Registered Gaming Service Providers.

6 The first matter for your
7 consideration is the approval of LLN PA, LLC's
8 Management Company License. LLN PA, LLC is a
9 subsidiary of Churchill Downs, Incorporated and seeks
10 to assume the management of Category 3 Slot Machine
11 Licensee, Woodlands Fayette, LLC, doing business as
12 Lady Luck Casino Nemacolin.

13 The Bureau of Investigation and
14 Enforcement (BIE) has completed its investigation of
15 the company and the Bureau of Licensing has provided
16 you with a Background Investigation and Suitability
17 Report.

18 I have provided you with the Draft
19 Order and ask that the Board consider the Order to
20 approve a Management Company License for LLN PA, LLC.

21 ATTORNEY PITRE: Enforcement Counsel
22 has no objection.

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

25 MS. MANDERINO: Mr. Chairman, I move

1 the Board approve - grant a Category 3 Management
2 Company License for LLN PA, LLC, as described by the
3 Bureau of Licensing.

4 MR. MUSTIO: Second.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

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

9 MR. HANNON: Next is a Sports Wagering
10 Applicant, Betfair Interactive US, LLC, which is
11 eligible for a Conditional License.

12 Betfair Interactive US, LLC is a Los
13 Angeles - Los Angeles, California based company that
14 has indicated they will operate as FanDuel Sportsbook.

15 It proposes to offer Sports Wagering
16 on behalf of at least one Sports Wagering Certificate
17 Holder, Valley Forge Casino.

18 Under the Gaming Act and Board
19 Regulations, the Board may issue a Conditional Sports
20 Wagering Operator License provided the Applicant has
21 submitted a complete Application, agrees to pay the
22 \$50,000 licensing fee, and the BIE does not object to
23 the License.

24 The Applicant satisfies these
25 criteria. I have provided you with a Draft Order and

1 ask that the Board consider the Order to conditionally
2 license Betfair Interactive US, LLC.

3 ATTORNEY PITRE: Enforcement Counsel
4 has no objection.

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

7 MR. MUSTIO: Mr. Chairman, I move that
8 the Board grant Betfair Interactive US, LLC's
9 Conditional Sports Wagering Operator License, as
10 described by the Bureau of Licensing.

11 MS. REITZEL: Second.

12 CHAIRMAN: All in favor?

13 AYES RESPOND

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

16 MR. HANNON: Also for your
17 consideration are the Conditional Interactive Gaming
18 Manufacturer Licenses for the London-based company
19 GAN, PLC, doing business as GAN and the New Jersey
20 based company NetEnt Americas, LLC.

21 Both GAN, PLC and NetEnt Americas, LLC
22 plan to offer interactive-related gaming products to
23 Interactive Certificate Holders.

24 An interactive manufacturer Applicant
25 is eligible to - for conditional licensure if the

1 Applicant has submitted a complete application, agrees
2 to pay the licensing fee and the BIE does not object
3 to the issuance of a Conditional License. Both GAN,
4 PLC and NetEnt Americas, LLC satisfy these criteria.

5 I have provided the Board with a Draft
6 Order for GAN and NetEnt Americas, LLC and ask that
7 the Board consider the Orders to approve both
8 Applicants for conditional licensure, beginning with
9 GAN, PLC.

10 ATTORNEY PITRE: Enforcement Counsel
11 has no objection.

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

14 MS. REITZEL: Mr. Chairman, I move the
15 Board grant GAN, PLC's Interactive Gaming Manufacturer
16 Conditional License, as described by the Bureau of
17 Licensing.

18 MR. SANTONI: Second.

19 CHAIRMAN: All in favor?

20 AYES RESPOND

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

23 MR. HANNON: Next would be the
24 conditional licensure for NetEnt Americas, LLC.

25 ATTORNEY PITRE: Enforcement Counsel

1 has no objection.

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

4 MR. SANTONI: Mr. Chairman, I move
5 that the Board grant NetEnt Americas, LLC's
6 Interactive Gaming Manufacturer Conditional License,
7 as described by the Bureau of Licensing.

8 MR. KERNODLE: Second.

9 CHAIRMAN: All in favor?

10 AYES RESPOND

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

13 MR. HANNON: Next for your
14 consideration is a Conditional VGT Manufacturer
15 License for M3 Technology Solutions, LLC.

16 M3 Technology Solutions, LLC is an
17 Oklahoma-based company that manufactures products used
18 in VGT operations. A VGT Manufacturer is eligible for
19 conditional licensure if the Applicant has not been
20 convicted of a felony, is current on state taxes, has
21 submitted a completed application. Has not had a
22 similar License denied or revoked and has not been
23 convicted of a Gambling Law violation.

24 The Applicant satisfies these
25 criteria. I have provided you with the Draft Order

1 and ask that you consider M3 Technology Solutions, LLC
2 for a Conditional VGT Manufacturer License.

3 ATTORNEY PITRE: Enforcement Counsel
4 has no objection.

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

7 MR. KERNODLE: Mr. Chairman, I move
8 that the Board grants M3 Technology Solutions, LLC
9 Interactive Gaming Manufacturer Conditional License as
10 described by the Bureau of Licensing.

11 MR. LOGAN: Second.

12 CHAIRMAN: All in favor?

13 AYES RESPOND

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

16 MR. HANNON: In addition, for your
17 consideration is a VGT Manufacturer License for Everi
18 Payments, Inc.

19 Everi Payments is currently licensed
20 in good standing with the Board. Under the Gaming
21 Act, the Board may use an abbreviated process to
22 consider the application of an already licensed
23 Manufacturer.

24 The Bureau of Licensing, OEC and the
25 BIE have reviewed the application and the status of

1 Everi Payments, Incorporated as a licensee, and I have
2 provided you with the results of that review.

3 I have also provided you with a Draft
4 Order for Everi Payments, and ask that you consider
5 Everi Payments for licensure.

6 ATTORNEY PITRE: Enforcement Counsel
7 has no objection.

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

10 MR. LOGAN: Mr. Chairman, I move that
11 the Board grant Everi Payments, Inc.'s Video Gaming
12 Terminal Manufacturer License as described by the
13 Bureau of Licensing.

14 CHAIRMAN: Is there -?

15 MS. MANDERINO: Second.

16 CHAIRMAN: Thank you.

17 All in favor?

18 AYES RESPOND

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

21 MR. HANNON: Additionally there are
22 Conditional Video Gaming Terminal Operator Licenses.
23 A VGT Operator owns, services or maintains VGTs for
24 placement and operation at truck stop establishments.

25 The VGT Operator Applicants are Better

1 Bets Ventures, LLC and Compass Gaming, Incorporated.

2 A VGT Operator is eligible for
3 conditional licensure if it has not been convicted of
4 a felony, is current on state taxes, has submitted a
5 completed Application and has not had a similar
6 license denied or revoked, and has not been convicted
7 of a Gambling Law violation.

8 A preliminary review of these
9 Applicants indicate that they meet these criteria. I
10 have provided the Board with a Draft Order for Better
11 Bets Ventures, LLC and Compass Gaming, Incorporated
12 and ask that the Board consider the Orders to approve
13 both Applicants for conditional licensure, beginning
14 with Better Bets Ventures, LLC.

15 ATTORNEY PITRE: Enforcement Counsel
16 has no objection.

17 CHAIRMAN: Questions or comments from
18 the Board? Hearing none, I just have one comment or
19 question, just so the public is clear on this.

20 We vote on this, this is not going to
21 result in a truck stop being able to start operating
22 Video Poker Machines tomorrow; is it?

23 MR. HANNON: That's correct. We have
24 the VGT Operators and the VGT Establishments that will
25 fall under both criteria.

1 CHAIRMAN: Okay. Thank you.

2 Any other questions? If not, may I
3 have a motion?

4 MS. MANDERINO: Mr. Chairman, I move
5 the Board grant Better Bets Ventures, LLC's
6 Conditional VGT Operator License, as described by the
7 Bureau of Licensing.

8 MR. MUSTIO: Second.

9 CHAIRMAN: All in favor?

10 AYES RESPOND

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

13 MR. HANNON: Next would be the
14 conditional licensure of VGT Operator Compass Gaming,
15 Incorporated.

16 ATTORNEY PITRE: Enforcement Counsel
17 has no objection.

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

20 MR. MUSTIO: Mr. Chairman, I move that
21 the Board grant Compass Gaming, Inc.'s Conditional VGT
22 Operator License, as described by the Bureau of
23 Licensing.

24 MS. REITZEL: Second.

25 CHAIRMAN: All in favor?

1 AYES RESPOND

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

4 MR. HANNON: Next there are
5 Conditional VGT Establishment Licenses for truck stops
6 seeking to place VGTs in their establishments. The
7 Applicants are Love's Travel Stops & Country Stores,
8 Incorporated, Store Number 324, Store Number 358, 366
9 and 407.

10 The Board may issue a Conditional
11 Establishment License, provided the Applicant has
12 never been convicted of a felony, is current on state
13 taxes, has submitted a completed Application and has
14 not been convicted of a Gambling Law violation.

15 A preliminary review of these
16 Applicants indicate that they meet these criteria. It
17 should be clear that this is strictly a conditional
18 approval and that final approval will be based on
19 Applicants meeting all the eligibility criteria
20 provided in the Statute.

21 A final eligibility determination
22 shall follow an investigation and site inspections by
23 the BIE. I ask that the Board consider a motion to
24 approve the Conditional VGT Establishment Licenses.

25 CHAIRMAN: I appreciate the

1 clarification. Just, when we get to eligibility, will
2 there be a second vote?

3 ATTORNEY PITRE: Yes. What will
4 happen is that the Background Investigation Reports
5 will come through, too.

6 CHAIRMAN: This will come back -

7 ATTORNEY PITRE: Yes.

8 CHAIRMAN: - for final approval at
9 some point down the road.

10 Anybody have any idea how many months
11 away we're talking?

12 ATTORNEY PITRE: We should start
13 having some submitted to the Board, if not at the next
14 Board meeting, probably the May meeting.

15 CHAIRMAN: Some other Applicants, not
16 these?

17 ATTORNEY PITRE: Not these. Other
18 establishments that have gone through the inspection
19 and eligibility criteria.

20 CHAIRMAN: So, you expect the next
21 several months will get to the point where we'll
22 actually be having up and down votes on allowing
23 somebody to start - well, they can start construction
24 if they wish, but for them to begin to operate VGT
25 locations at truck stops.

1 Is that right?

2 ATTORNEY PITRE: That's correct.

3 CHAIRMAN: Thank you.

4 Any other questions or comments from
5 the Board? Hearing none, may I have a motion?

6 MS. REITZEL: Mr. Chairman, I move
7 that the Board grant the Conditional Video Gaming
8 Terminal Establishment Licenses as described by the
9 Bureau of Licensing.

10 MR. SANTONI: Second.

11 CHAIRMAN: All in favor?

12 AYES RESPOND

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

15 MR. HANNON: Next for consideration
16 are Principal Affiliates and Key Employee Licenses.
17 Prior to the meeting the Bureau of Licensing provided
18 you with a Proposed Order for two Principal Affiliates
19 and five Key Employees.

20 I ask that the Board consider the
21 Order approving these licenses.

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

5 MR. KERNODLE: Second.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

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

10 MR. HANNON: There are also Temporary
11 Key Employee Licenses for your consideration. Prior
12 to this meeting the Bureau of Licensing provided you
13 with an Order regarding the issuance of Temporary
14 Licenses for one Principal Employee and five Key
15 Employees.

16 I ask that the Board consider the
17 Order approving these licenses.

18 ATTORNEY PITRE: Enforcement Counsel
19 has no objection.

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

22 MR. KERNODLE: Mr. Chairman, I move
23 that the Board grants the Temporary Principal and Key
24 Employee Credentials, as described by the Bureau of
25 Licensing.

1 MR. LOGAN: Second.

2 CHAIRMAN: All in favor?

3 AYES RESPOND

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

6 MR. HANNON: Additionally, there are
7 Gaming Permits and Non-Gaming Registrations. Prior to
8 this meeting, the Bureau of Licensing provided you
9 with a list of 571 individuals to whom the Bureau has
10 granted Temporary or Full Occupation Permits, and 167
11 individuals to whom the Bureau has granted
12 Registrations under the authority delegated to the
13 Bureau of Licensing.

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

16 ATTORNEY PITRE: Enforcement Counsel
17 has no objection.

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

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

24 MS. MANDERINO: Second.

25 CHAIRMAN: All in favor?

1 AYES RESPOND

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

4 MR. HANNON: There is also the
5 Recommendation of Denial for two Gaming Employee
6 Applicants and one Non-Gaming Employee Applicant.

7 The Applicants were notified that they
8 were being recommended for denial and failed to
9 request hearings within the specified time frames.
10 The Bureau of Licensing has provided you with the
11 Order addressing the Applicants, who the OEC has
12 recommended for denial.

13 I ask that the Board consider the
14 motions approving these denials.

15 ATTORNEY PITRE: Enforcement Counsel
16 continues to request denial in each instance.

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

19 MS. MANDERINO: Mr. Chairman, I move
20 the Board deny the Applications for Gaming Employee
21 Occupation Permits and Non-Gaming Employee
22 Registrations, as described by the Bureau of
23 Licensing.

24 MR. MUSTIO: Second.

25 CHAIRMAN: All in favor?

1 AYES RESPOND

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

4 MR. HANNON: Next for your
5 consideration are Withdrawal Requests for Gaming
6 Employees. In each case the License, Permit or
7 Registration is no longer required.

8 For today's meeting, I have provided
9 the Board with a list of eight gaming employees. I
10 ask that the Board consider the Order approving the
11 List of Withdrawals.

12 ATTORNEY PITRE: Enforcement Counsel
13 has no objection.

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

16 MR. MUSTIO: Mr. Chairman, I move that
17 the Board grant the Withdrawal of Gaming Employee
18 Occupation Permit Applications described by the Bureau
19 of Licensing

20 MS. REITZEL: Second.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

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

25 MR. HANNON: Next, we have an Order to

1 certify the following Gaming Service Providers.
2 Gilbane Building Company is an Applicant for initial
3 certification. And Robert Ganter Contractors,
4 Incorporated is an Applicant for a Renewal
5 Certification.

6 I ask that the Board consider the
7 Orders approving these Gaming Service Providers for
8 Certification and Renewal.

9 ATTORNEY PITRE: Enforcement Counsel
10 has no objection.

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

13 MS. REITZEL: Mr. Chairman, I move the
14 Board approve the Applications for Gaming Service
15 Provider Certification, as described by the Bureau of
16 Licensing.

17 MR. SANTONI: Second.

18 CHAIRMAN: All in favor?

19 AYES RESPOND

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

22 MR. HANNON: Finally, for your
23 consideration are Gaming Service Provider
24 Registrations. The Bureau of Licensing provided you
25 with an Order and attached list of three Registered

1 Gaming Service Provider Applicants.

2 I ask that the Board consider the
3 Order registering these Gaming Service Providers.

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 approve the Applications for Gaming
10 Service Provider Registration, as described by the
11 Bureau of Licensing.

12 MR. KERNODLE: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

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

17 MR. HANNON: This concludes licensing
18 matters.

19 CHAIRMAN: Thank you very much, Sean.
20 Now we get to OEC.

21 ATTORNEY PITRE: The OEC will present
22 eight matters today for the Board's consideration, in
23 which we'll request the Board's approval of two
24 Consent Agreements, 1 Revocation and 5 Involuntary
25 Exclusions.

1 The next matter on the Board's Agenda
2 for the Board's consideration is a Consent Agreement
3 between the OEC and Global Innovative Gaming, LLC.

4 The Consent Agreement will be
5 presented by Deputy Enforcement Counsel Dustin Miller.
6 If representatives from Global Innovative Gaming, LLC
7 are present, I'd request that those individuals come
8 forward.

9 Please introduce yourself for the
10 record. And if you're not an attorney, please stand
11 and be sworn.

12 ATTORNEY WILKINSON: Clinton
13 Wilkinson, C-L-I-N-T-O-N, W-I-L-K-I-N-S-O-N.

14 ATTORNEY MILLER: Good morning.

15 Dustin Miller on behalf of the OEC.
16 At this time the OEC has a Consent Agreement prepared
17 for the Board's approval. This Consent Agreement is
18 between the OEC and Global Innovative Gaming, LLC, a
19 gaming-related Gaming Service Provider.

20 This Consent Agreement arises from a
21 violation referral from the Bureau of Licensing. In
22 2016, the Board's Office of Financial Management
23 attempted to collect payment on outstanding Gaming
24 Laboratory fees owed by Global Innovative Gaming.

25 This collection attempt culminated and

1 contacting the known qualifiers of the company,
2 including Stewart Cohen. When contacted, Mr. Cohen
3 told the Office of Financial Management that he was no
4 longer associated with the company.

5 Further, the Office of Financial
6 Management received communication from a gentleman
7 name Stephen Berkowitz on behalf of Global Innovative
8 Gaming, despite Mr. Berkowitz not being licensed or
9 having an Application pending with the Board at that
10 time.

11 Ultimately the Office of Financial
12 Management received a check from Global Innovative
13 Gaming for the outstanding lab fees signed by Mr.
14 Berkowitz.

15 Following the Bureau of Licensing's
16 violation referral, the BIE conducted an investigation
17 into the matter, which revealed that Mr. Cohen exited
18 the company in 2015, and Mr. Berkowitz became involved
19 with the company at that time as well.

20 No notice of any change to the
21 corporate structure was made to the Board until the
22 BIE's investigation of the matter.

23 At that time, Mr. Cohen filed a
24 Petition to Surrender his qualifier status, which was
25 granted by the Board on January 11th, 2017.

1 The Bureau of Licensing received Mr.
2 Berkowitz's Application for qualification on
3 September 15th, 2017, which remains pending at this
4 time.

5 The Act, Board Regulations and Global
6 Innovative Gaming's executed Statement of Conditions
7 specifically required Global Innovative Gaming to
8 notify the Board immediately if there's a change in
9 the ownership structure of the company.

10 On January 28th, 2019 the parties
11 entered into a Consent Agreement to settle this
12 outstanding compliance matter.

13 The terms of this Agreement include a
14 provision that Global Innovative Gaming, LLC shall
15 institute policies and controls to minimize the
16 opportunity for a similar incident to occur in the
17 future.

18 Further Global Innovative Gaming, LLC
19 shall pay a total fine of \$7,500. And \$3,650 shall be
20 paid for costs incurred by the OEC, BIE and other
21 staff, as itemized in Exhibit A, attached to the
22 Consent Agreement.

23 The fine and time and expense shall be
24 paid within 60 days of the Consent Agreement being
25 approved by the Board.

1 A representative for Global Innovative
2 Gaming, LLC is in attendance today to answer any
3 questions you may have. Otherwise the OEC would ask
4 the Board to entertain a motion to approve this
5 Consent Agreement.

6 CHAIRMAN: Does the representative
7 from Global have anything to offer at this time?

8 ATTORNEY WILKINSON: I'd just like to
9 apologize for the oversights on our part. It won't
10 happen again.

11 CHAIRMAN: Okay. Okay. Thank you
12 very much.

13 Are there any other questions?

14 MR. SANTONI: I didn't catch your name
15 and/or position with Global Innovative.

16 ATTORNEY WILKINSON: Clinton
17 Wilkinson. I'm the CEO.

18 MR. SANTONI: Okay.

19 CHAIRMAN: Oh, you're the CEO? I
20 guess we should back up for the record and have you
21 sworn.

22 ATTORNEY MILLER: He is an attorney.

23 CHAIRMAN: Oh, okay. We'll leave it
24 at that.

25 Okay. Thank you very much.

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

3 MR. KERNODLE: Mr. Chairman, I move
4 that the Board approve the Consent Agreement between
5 the OEC and Global Innovative Gaming, LLC described by
6 the OEC.

7 MR. LOGAN: Second.

8 CHAIRMAN: All in favor?

9 AYES RESPOND

10 CHAIRMAN: All opposed? The motion's
11 adopted. Thank you for coming.

12 ATTORNEY PITRE: Next matter on the
13 agenda is a - for the Board's consideration is a
14 Consent Agreement between the OEC and SugarHouse HSP
15 Gaming, LP, doing business as SugarHouse Casino.

16 The Consent Agreement will be
17 presented by Senior Enforcement Counsel, James
18 Armstrong. Representatives from SugarHouse are
19 present, and at this time, I would request that those
20 individuals introduce themselves for the record, and
21 anyone not here as an attorney please stand and be
22 sworn.

23 ATTORNEY DONNELLY: John M. Donnelly,
24 on behalf of SugarHouse. And with me is Dean McBride,
25 Vice President.

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DEAN MCBRIDE,
CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND
HAVING FIRST BEEN DULY SWORN, TESTIFIED AND SAID AS
FOLLOWS:

ATTORNEY ARMSTRONG: Good morning,
Chairman, Commissioners. James Armstrong for the OEC.

The next matter for the Board's
consideration is a Consent Agreement reached between
the OEC and SugarHouse Casino in regard to two
incidents in the SugarHouse Poker Room, in which
unauthorized poker games were played.

The Bureau of Casino Compliance
referred two regulatory violations that occurred when
SugarHouse personnel permitted unapproved poker games
to be played in the SugarHouse Poker Room.

In the first incident, SugarHouse
Poker Room personnel dealt a game of poker that was
unauthorized by the Board. The improper hand was
recorded and uploaded onto the internet website
YouTube. It was also recorded on SugarHouse's
surveillance coverage.

An investigation by the Board's BIE
revealed that the incident occurred at SugarHouse

1 after SugarHouse hosted an episode of Poker Night in
2 America.

3 A review of the YouTube video and the
4 SugarHouse surveillance coverage revealed the
5 illegitimate hand was Ten-Card Stud Poker.

6 The coverage showed that two patrons
7 remained in the Poker Room after Poker Night in
8 America was over. The patrons requested to play one
9 hand of Ten-Card Stud Poker for \$42,000 each.

10 The Poker Supervisor instructed a
11 Dealer to deal the unauthorized game, while a third
12 patron recorded it on the cell phone. Before the hand
13 was complete, one patron offered the other patron a
14 chance to concede the hand for a lesser amount. The
15 conceding patron paid the other patron \$25,000.

16 SugarHouse took disciplinary action
17 against the employees. They were issued written
18 warnings and coaching memorandums. Two of the
19 Supervisors subsequently resigned and are not
20 presently employed in Pennsylvania's gaming industry.

21 In the second incident, SugarHouse
22 Poker Room Dealers dealt five hands of Open-Face
23 Chinese Poker, a game that has not been authorized by
24 the Board.

25 The surveillance coverage showed that

1 two patrons on the poker table convinced a Dealer to
2 deal the unauthorized game. The other patrons at the
3 table did not participate.

4 The relief Dealer continued the
5 unauthorized game. Before the fifth hand of the
6 Open-Face Chinese Poker was completed, the Poker Room
7 Supervisor stopped the game, after he was advised by
8 the initial Dealer that Open-Face Chinese Poker was
9 being played.

10 SugarHouse took disciplinary action
11 against the employees. Both Dealers were issued
12 written warnings.

13 Commissioners, the OEC and SugarHouse
14 request that the Board approve the Consent Agreement
15 and stipulations entered between the parties.

16 The terms of the settlement include a
17 provision that SugarHouse shall reinforce its policies
18 and provide training and guidance to its Poker
19 Dealers, which will minimize the potential for these
20 violations to occur again.

21 And SugarHouse will pay a civil
22 penalty of \$30,000 and an Administrative Fee of \$2,500
23 for costs incurred by the Board.

24 Mr. Donnelly is here on behalf of
25 SugarHouse and will be glad to answer any questions

1 you may have.

2 CHAIRMAN: Do you have any
3 presentation this morning?

4 ATTORNEY DONNELLY: Just briefly.
5 Very briefly.

6 The poker incident, I want to make it
7 clear that we did not - we, SugarHouse, did not
8 permit, allow or support this activity.

9 What occurred was that at the end of a
10 very popular and very exciting Poker Tournament, after
11 going for about 18 hours, two celebrity players
12 convinced a Dealer to deal kind of a one-showdown with
13 them.

14 We did not videotape that. One of the
15 players put their phone up and then uploaded it onto
16 YouTube. The whole incident took six minutes and -
17 but it was an unauthorized game.

18 Our response to that was that the
19 Dealer who was - who did it, was advised by two
20 Supervisors to allow it to happen. Those Supervisors
21 were disciplined.

22 One of them left right after that, the
23 discipline. The second Supervisor, who hadn't been
24 involved but was in charge of the game, was
25 disciplined, because we wanted to send a message to

1 the whole Poker Room that you can't do this.

2 It was done in a - out of the
3 excitement and interest in the game, and - it was an
4 unfortunate incident, six minutes.

5 The second one was another incident
6 where a Dealer went kind of rogue and dealt games that
7 were poker games but weren't authorized games. And
8 that incident, there were a total of five hands, but
9 only three were bet on, \$600 total.

10 And that was - as soon as a Supervisor
11 found out about that, did exactly what he should have
12 done. He cut in, stopped the game.

13 Again, we issued discipline. So, we
14 didn't see that as a supervisory problem in the room,
15 it was an individual rogue Dealer.

16 Thank you.

17 CHAIRMAN: Thank you.

18 Are there any questions or comments
19 from the Board in this matter? Hearing none, may I
20 have a motion, please?

21 MR. LOGAN: Mr. Chairman, I move that
22 the Board approve the Consent Agreement between the
23 OEC and SugarHouse HSP Gaming, LP, as described by the
24 OEC.

25 MS. MANDERINO: Second.

1 CHAIRMAN: All in favor?

2 AYES RESPOND

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

5 ATTORNEY ARMSTRONG: Thank you.

6 CHAIRMAN: Thank you for coming today.

7 ATTORNEY PITRE: The next matter on
8 the Agenda consists of an enforcement action in which
9 the OEC filed a Complaint seeking the revocation of
10 the Non-Gaming Employee Registration issued to
11 Bernadette Martinez.

12 The Complaint has been filed with the
13 Board's OHA and properly served upon Ms. Martinez, who
14 failed to respond to the Complaint within 30 days as
15 required by Board Regulation.

16 As a result, the OEC filed a Request
17 for Default Judgment and properly served the same upon
18 Ms. Martinez. Therefore, the facts in the Complaint
19 are deemed admitted.

20 All filed documents have been provided
21 to the Board and the matter is presently ripe for the
22 Board's consideration.

23 Senior Enforcement Counsel Michael
24 Roland will provide a brief summation and request the
25 appropriate Board Action.

1 ATTORNEY ROLAND: Good morning, Mr.
2 Chairman and Members of the Board. Michael Roland,
3 R-O-L-A-N-D, with the OEC.

4 The next matter is a Request to Revoke
5 the Non-Gaming Employee Registration issued to
6 Bernadette Martinez.

7 Ms. Martinez, while employed as an
8 Internal Maintenance Specialist at Sands, unlawfully
9 took a voucher valued at \$400.35, which she found on
10 the gaming floor. She then gave the voucher to two
11 male patrons she knew, who successfully redeemed the
12 voucher.

13 She was not charged by the
14 Pennsylvania State Police, but she was terminated by
15 Sands. Full restitution was obtained and issued to
16 the patron.

17 Ms. Martinez is presently not employed
18 in the Pennsylvania gaming industry, and at this time,
19 the OEC requests that the Non-Gaming Employee
20 Registration issued to Bernadette Martinez be revoked.

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

23 MS. MANDERINO: Mr. Chairman, I move
24 the Board approve the revocation of Bernadette
25 Martinez's Non-Gaming Employee Registration, as

1 described by the OEC.

2 MR. MUSTIO: Second.

3 CHAIRMAN: All in favor?

4 AYES RESPOND

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

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

13 In each instance, the Petition for
14 Exclusion has been filed with the Board's OHA and
15 properly served upon the individual named in the
16 Petition. The individual named in the Petition failed
17 to respond within 30 days, as required by Board
18 regulation.

19 As a result the OEC filed a Request
20 for Default Judgment in each instance and properly
21 served it - the individual named in each Petition.
22 Therefore, all facts in each Petition are deemed
23 admitted. All filed documents have been provided to
24 the Board and the matters are presently ripe for the
25 Board's consideration.

1 In each instance, if the Board orders
2 the proposed exclusion, each individual's photo,
3 personal identifiers and a summary of the inimical
4 conduct will be placed on the Board's public website.

5 ATTORNEY GABRIELLE: Good morning, Mr.
6 Chairman and Members of the Board. Ashley Gabrielle,
7 G-A-B-R-I-E-L-L-E, with OEC.

8 Next on the Agenda for the Board's
9 consideration is a Petition Seeking the Exclusion of
10 Christopher Camp.

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

17 As a result of his misconduct, Mr.
18 Camp was criminally charged, terminated by Valley
19 Forge, and his Gaming Level 2 Employee Permit was
20 revoked in October 2018.

21 At this time, the OEC requests that
22 the Board exclude Christopher Camp.

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

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

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

4 MS. REITZEL: Second.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

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

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

12 Next on the Agenda is a Request to
13 Place Priscilla Jackson on the Involuntary Exclusion
14 List.

15 While a patron at Parx, Ms. Jackson
16 stole a purse containing cash and a gaming voucher.
17 As a result of her conduct Ms. Jackson was criminally
18 charged by the Pennsylvania State Police.

19 At this time, the OEC requests that
20 the Board add Priscilla Jackson to the Board's
21 Involuntary Exclusion List.

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

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

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

3 MR. SANTONI: Second.

4 CHAIRMAN: All in favor?

5 AYES RESPOND

6 CHAIRMAN: All opposed? The

7 ATTORNEY TEPPER: Next on the Agenda
8 is a request to place Joseph Kolar on the Involuntary
9 Exclusion List.

10 While a patron at Parx, Mr. Kolar
11 stole a gaming voucher worth \$1,577.25. As a result
12 of his conduct, Mr. Kolar was criminally charged by
13 the Pennsylvania State Police.

14 At this time, the OEC requests that
15 the Board add Joseph Kolar to the Board's Involuntary
16 Exclusion List.

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

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

23 MR. KERNODLE: Second.

24 CHAIRMAN: All in favor?

25 AYES RESPOND

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

3 ATTORNEY TEPPER: Next on the Agenda
4 is a request to place Bendu Saylee on the Involuntary
5 Exclusion List.

6 While a patron at Parx, Ms. Saylee
7 stole a voucher worth \$601.08. As a result of her
8 conduct, Ms. Saylee was criminally charged by the
9 Pennsylvania State Police.

10 And at this time the OEC asks that the
11 Board place Bendu Saylee on the Board's Involuntary
12 Exclusion List.

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

15 MR. KERNODLE: Mr. Chairman, I move
16 that the Board approve the addition of Bendu Saylee to
17 the PGCB Involuntary Exclusion List as described by
18 the OEC.

19 MR. LOGAN: Second.

20 CHAIRMAN: All in favor?

21 AYES RESPOND

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

24 ATTORNEY TEPPER: Next on the Agenda
25 is a request to place Andre Stanton on the Involuntary

1 Exclusion List.

2 Mr. Stanton, unlawfully entered motor
3 vehicles in the parking lot at Parx Casino. As a
4 result of his conduct, Mr. Stanton was criminally
5 charged by the Pennsylvania State Police.

6 And at this time the OEC requests that
7 the Board place Andre Stanton on the Board's
8 Involuntary Exclusion List.

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

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

15 MS. MANDERINO: Second.

16 CHAIRMAN: All in favor?

17 AYES RESPOND

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

20 ATTORNEY PITRE: Thank you.

21 That concludes our business.

22 CHAIRMAN: Thank you.

23 Next we have a scheduled public
24 comment period. As I understand it, we don't appear
25 to have anyone registered to speak today.

1 Is there anyone in the audience who
2 wishes to make a public comment at this point?

3 Hearing none, that will conclude
4 today's meeting. The next public meeting will be held
5 Wednesday, April 17th at 10:00 a.m. in this room.

6 May I have a motion to adjourn the
7 meeting?

8 MS. MANDERINO: So moved.

9 MR. MUSTIO: Second.

10 CHAIRMAN: All in favor?

11 AYES RESPOND

12 CHAIRMAN: All opposed? We are
13 adjourned. Thank you very much.

14 * * * * *

15 MEETING CONCLUDED AT 11:27 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, meeting held before Chairman Barasch, was reported by me on 3/6/2019 and that I, Lindsey Deann Richardson, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

Dated the 28th day of March, 2019.



Lindsey Deann Richardson,
Court Reporter