

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, Esquire, Designee,

Department of Treasury

Radee Skipworth, Designee, Department of

Revenue

HEARING: Wednesday, August 14, 2019, 10:00 a.m.

Reporter: Lindsey Deann Richardson

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

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

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

- KEVIN O'TOOLE, Executive Director
- R. DOUGLAS SHERMAN, Chief Counsel
- STEVE COOK, Deputy Chief Counsel
- SUSAN HENSEL, Director, Bureau of Licensing

OFFICE OF ENFORCEMENT COUNSEL - ALSO PRESENTING:

- CYRUS PITRE, Chief Enforcement Counsel
- BETH MANIFESTO, Senior Enforcement Counsel
- JAMES ARMSTRONG, Senior Enforcement Counsel
- BRADLEY MCALLISTER, Assistant Enforcement Counsel
- THOMAS MONAGHAN, Assistant Enforcement Counsel
- ASHLEY GABRIELLE, Assistant Enforcement Counsel
- JOHN CROHE, Assistant Enforcement Counsel

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

OTHER ATTENDEES FOR MEETING AND/OR PUBLIC HEARINGS:STADIUM CASINO WESTMORELAND RE, LLC

MARK S. STEWART, ESQUIRE, Eckert Seamans

JOSEPH WEINBERG - CEO Cordish Gaming Group

MICHAEL HABERMAN - Gateway Engineers

JOE BILLHIMER, Executive Vice President and General
Manager for project

TRAVIS LAMB - Chief Financial Officer, Cordish
Gaming Group

ROB NORTON - President, Cordish Gaming Group

CHRISTOPHER K. BAUER, PE, PTOE - McMahon
Transportation Engineers & Planners

PRESQUE ISLE DOWNS, LLC

KEVIN C. HAYES, ESQUIRE, Doherty Hayes, LLC

AUSTIN MILLER, Senior Vice President of Gaming
Operations, Churchill Downs, Incorporated

JOHN MATTER, ESQUIRE, Corporate Counsel, Churchill
Downs, Incorporated

KEVIN O'SULLIVAN, Vice President and General
Manager, Presque Isle Downs Casino

DAN CUIC, Director of Slot Operation and Sportsbook,
Presque Isle Downs Casino

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.)

WASHINGTON TROTting ASSOCIATION

MICHAEL D. FABIUS, ESQUIRE, Ballard Spahr, LLP
TONY FRABBIELE, Vice President and General Manager
BENJAMIN BAUGH, Director of Slot Operations
ALEX HVIZDA, Director of Compliance

HOLDINGS ACQUISITION CO. LP

JOHN DONNELLY, ESQUIRE
ANDRE BARNABEI, Vice President of Gaming, Rivers
Casino

WITNESS:

JOHN MARCHETTI, Faming Employee Occupation Permit
Application

I N D E X

1		
2		
3	OPENING REMARKS	
4	By Chairperson Barasch	7 - 8
5	PRESENTATION	
6	By Mr. O'Toole	8 - 10
7	By Attorney Sherman	10 - 25
8	By Attorney Cook	25 - 34
9	DISCUSSION AMONG PARTIES	34 - 37
10	PRESENTATION	
11	By Ms. Hensel	38 - 53
12	By Attorney Pitre	53 - 54
13	By Attorney McAllister	54 - 55
14	By Attorney Monaghan	55 - 58
15	By Attorney Armstrong	59 - 61
16	By Attorney Monaghan	62 - 63
17	By Attorney Gabrielle	64
18	By Attorney Manifesto	64 - 65
19	DISCUSSION AMONG PARTIES	65 - 66
20		
21		
22		
23		
24		
25		

P R O C E E D I N G S

CHAIRMAN: Good morning, everyone.

I'm David Barasch, the Chairman of the Pennsylvania Gaming Control Board. As always, I ask you all to put your electronic devices on silent.

With us today representing Joseph Torsella, Jen Langan. And representing C. Daniel Hassell, Radee Skipworth. Thank you for joining us. I think Jorge Augusto will be joining us. He's not here at the moment.

A quorum of the Board members present, I'll call the proceedings to order. The first order of business is the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN: The Board held an Executive Session yesterday, Tuesday, August 13th, to conduct quasi-judicial deliberations about matters that will be coming before the Board today. Additionally I want to announce the Board will have its first auction for the now reopened Cat 4 Licenses on September 4th at 10:00 a.m., just prior to our regular meeting, which is scheduled at ten o'clock that morning. More information about those auctions and process can be found on the Board's website.

1 This morning, first we have several
2 Public Hearings.

3 HEARINGS WERE HELD

4 BRIEF BREAK TAKEN

5 CHAIRMAN: Sorry for the delay. We're
6 going to reconvene now.

7 Next matter is consideration of a
8 motion to approve the minutes and transcript of the
9 June 12th, 2019 meeting.

10 MR. LOGAN: Mr. Chairman, I move that
11 the Board approve the minutes and transcript of the
12 June 12th, 2019 meeting.

13 MS. MANDERINO: Second.

14 CHAIRMAN: All in favor?

15 AYES RESPOND

16 CHAIRMAN: All opposed?

17 The motion's adopted.

18 Executive Director's report. Kevin?

19 MR. O'TOOLE: It's almost 12:18, so
20 good afternoon, Chairman Barasch, and members of the
21 Board. Today, I'm going to provide some updates on
22 the efforts of our staff in implementing expanded
23 gambling initiatives in Pennsylvania.

24 Subsequent to the Board's last Public
25 Meeting on July the 10th Board staff coordinated the

1 implementation of Interactive Gaming in accordance
2 with the Gaming Act and Board Regulations.

3 Interactive Gaming was offered to the public through
4 the iGaming Certificates held by Hollywood Casino,
5 Parx Casino and SugarHouse Casino, respectively.

6 Additionally Presque Isle Downs &
7 Casino has opened its retail sports wagering operation
8 and Valley Forge Casino's online sports wagering
9 platform operated by FanDuel is available to the
10 public.

11 Moving forward, we anticipate over the
12 next four to six weeks to implement retail and online
13 sports wagering activity at several additional
14 Pennsylvania casinos that hold Sports Wagering
15 Certificates.

16 This morning I - or this afternoon,
17 excuse me, I am pleased to inform the Board that video
18 gaming at approved truck stop establishments will be
19 implemented this month. We expect up to five
20 locations to be operating VGT machines by
21 mid-September of 2019. These VGT machines have been
22 tested and approved by the Board's Gaming Lab. The
23 VGTs will be connected to the Central Control Computer
24 System, overseen by the Department of Revenue and the
25 Licensed Terminal Operators have submitted and

1 received approval for detailed internal controls
2 covering all aspects of regulated video gaming
3 operations.

4 I would also like to point out that
5 three new Self-Exclusion Programs had been developed
6 and implemented by Board Staff led by the Board's
7 Office of Compulsive and Problem Gambling.
8 Self-Exclusion Programs for Interactive Gaming for
9 video gaming terminals and for fantasy contest
10 activity are now in place.

11 At subsequent Public Meetings I will
12 give you an update as to how much activity we get in
13 the Self-Exclusion associated with the new gambling
14 expansion initiatives. That's my presentation this
15 morning. Thank you.

16 CHAIRMAN: Any questions for Kevin?

17 Okay. Thank you, Kevin.

18 Doug, Office of Chief Counsel (OCC).

19 ATTORNEY SHERMAN: Good afternoon,
20 Chairman, members of the Board. First, before the
21 Board is - are eight Petitions for your consideration.
22 Four of those were heard earlier today during Public
23 Hearings. The remaining Petitions will be decided on
24 the record by agreement of the parties.

25 In each of the matters the Board has,

1 in advance of this meeting, been provided with all
2 documents filed of record.

3 The first Petition today is Stadium
4 Casino Westmoreland's request for approval from the
5 Board to conduct table games at its Category 4
6 Facility. During the Public Hearing earlier today,
7 the Board heard from Stadium with regard to both the
8 Table Game Petition and their Category 4 License
9 Application.

10 The Bureau of Licensing will be
11 presenting the Category 4 Application under their
12 section of the meeting in a few minutes. In regard to
13 the Petition for Approval of the Conduct of Table
14 Games, the Office of Enforcement Counsel (OEC) has no
15 objection, subject to conditions outlined in their
16 Answer.

17 And of course the issuance of the
18 Table Games Certificate is contingent upon the Board
19 also approving Stadium for the Category 4 License,
20 which Susan Hensel will present.

21 With that, the matter is ready for the
22 Board's consideration of a motion.

23 CHAIRMAN: Fine. Are there any
24 questions or comments from the Board regarding the
25 Westmoreland Table Games Petition? Hearing none, may

1 I have a motion?

2 MS. MANDERINO: Mr. Chairman, I move
3 that the Board grant Stadium Casino Westmoreland RE,
4 LLC's Petition for Approval to Conduct Table Games and
5 Issuance of a Table Games Operation Certificate,
6 contingent on being awarded a Category 4 License.

7 MR. MUSTIO: Second.

8 CHAIRMAN: All in favor?

9 AYES RESPOND

10 CHAIRMAN: All opposed?

11 The motion's adopted.

12 ATTORNEY SHERMAN: Next is Presque
13 Isle Downs' Petition to Modify its Gaming Floor Plan.
14 And as you heard, they're requesting to remove 41 of
15 their underperforming slot machines from the Gaming
16 Floor reducing the complement of slots to 1,525.

17 Presque Isle proposes taking this
18 action in furtherance of establishing its retail
19 Sportsbook in its facility, which includes the
20 placement of 50 sports wagering kiosks on the floor.
21 The OEC proposes that the Board impose several
22 conditions on the approval, which will be outlined in
23 the - which have been outlined by Enforcement Counsel
24 in their Answer.

25 Additionally, the parties have

1 requested that certain information in the pleadings be
2 maintained as confidential, and we would support that
3 confidentiality for those items is appropriate. And
4 the Board is ready for the Board's - the matter is
5 ready for the Board's consideration.

6 CHAIRMAN: The scope of what we're
7 voting on here is simply the question of the reduction
8 in the number of games that are going to be offered?

9 ATTORNEY SHERMAN: The reduction -.

10 CHAIRMAN: Is that the only thing
11 we're voting on here?

12 ATTORNEY SHERMAN: You're voting on
13 the reduction of the number of slot machines on the
14 floor. To be clear, the Executive Director has
15 delegated authority to permit up to two percent
16 reduction. Each of the matters heard by the Board
17 earlier are over two percent, and that's outside of
18 the Executive Director's delegated authority.
19 Therefore, that's why it's before the Board to approve
20 the reduction of slot machines.

21 Other issues such as reconfigurations
22 of the Gaming Floor are within the Executive
23 Director's delegated authority. And those items,
24 including inasmuch as issues related to the smoking
25 versus non-smoking designations will still have to be

1 presented to the Executive Director within his
2 delegated authority.

3 CHAIRMAN: So, in voting on this, all
4 we're voting on is whether it's appropriate or
5 inappropriate to reduce the number of games on the
6 floor. We are not passing comment one way or the
7 other about the proposed new Floor Plan is
8 satisfactory to this Board.

9 Is that correct?

10 ATTORNEY SHERMAN: That's correct.

11 CHAIRMAN: Okay. Thank you.

12 Questions regarding Presque Isle? If
13 not, I'd ask for a motion.

14 MR. MUSTIO: Mr. Chairman, I move that
15 the Board grant Presque Isle Downs, LLC's request to
16 reduce the number of slot machines, as described by
17 the OCC. I further move that the party's request for
18 confidentiality be granted.

19 To be clear, the Board is not
20 approving the Gaming Floor Plans as presented, that
21 approval is delegated to the Executive Director.

22 MS. REITZEL: Second.

23 CHAIRMAN: All in favor?

24 AYES RESPOND

25 CHAIRMAN: All opposed?

1 The motion's adopted.

2 ATTORNEY SHERMAN: Okay.

3 Next before the Board is a request to
4 modify the Gaming Floor Plan by Washington Trotting
5 Association (WTA). And that Petition seeks to remove
6 485 slot machines and three table games from the
7 Gaming Floor. If granted, the result will be The
8 Meadows has - will have a complement of 2,506 machines
9 and 85 table games.

10 WTA and OEC have also requested the
11 portions of their pleadings be maintained as
12 confidential. The OEC has no objection to the
13 Petition, subject to several conditions outlined in
14 their Answer. And that matter is now ready for the
15 Board's consideration.

16 CHAIRMAN: And similarly, the same
17 question to you, Doug, that we - that I asked about
18 Presque Isle.

19 We are only voting this morning - this
20 afternoon, excuse me, on whether or not the reduction
21 in number of games is appropriate. We are not voting
22 in any way about whether we accept or reject the
23 proposed Floor Plan?

24 ATTORNEY SHERMAN: That's correct.
25 Same answers.

1 CHAIRMAN: Thank you.

2 Any other questions? Hearing none,
3 may I have a motion?

4 MR. MUSTIO: Mr. Chairman, I move that
5 the Board grant Washington Trotting Association, LLC's
6 request to reduce the number of slot machines, as
7 described by the OCC. I further move that the party's
8 request for confidentiality be granted.

9 To be clear, the Board is not
10 approving the Gaming Floor Plans as presented, that
11 approval is delegated to the Executive Director.

12 MS. REITZEL: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed?

16 The motion's adopted.

17 ATTORNEY SHERMAN: Next is Holdings
18 Acquisition's Petition for approval of revised Gaming
19 Floor Plan, which seeks to reduce the number of slot
20 machines on the floor from 2,766 to 2,608 or a
21 reduction of 158 machines.

22 Rivers has provided testimony as to
23 the reasons for the reduction. And the number of the
24 machines removed will be in the area of the new
25 Sportsbook and a restaurant. If approved the OEC

1 proposes ten conditions which are outlined in their
2 Answer. In addition, they have both requested to have
3 portions of the pleadings be maintained as
4 confidential.

5 And subject to the same explanation of
6 what the Board is approving, that is the reduction of
7 machines and not the overall reconfiguration of the
8 Floor Plan, which would be - go to the Executive
9 Director for approval. It's ready for the Board's
10 consideration.

11 CHAIRMAN: Thank you.

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

14 MR. MUSTIO: Mr. Chairman, I move that
15 the Board grant Holdings Acquisition Company, LP's
16 request to reduce the number of slot machines, as
17 described by the OCC.

18 I further move that the party's
19 request for confidentiality be granted. To be clear,
20 the Board is not approving the Gaming Floor Plans as
21 presented, that approval is delegated to the Executive
22 Director.

23 MS. REITZEL: Second.

24 CHAIRMAN: All in favor?

25 AYES RESPOND

1 CHAIRMAN: All opposed?

2 The motion's adopted.

3 ATTORNEY SHERMAN: The next Petition
4 before the Board is Greenwood Gaming & Entertainment's
5 request seeking Approval of a Corporate Restructuring.

6 By way of background, Greenwood Gaming
7 & Entertainment has been licensed by the Board since
8 December of 2007. Greenwood Racing is the 100 percent
9 owner of Greenwood Gaming & Entertainment and Watche
10 Manoukian indirectly owns 90.2 percent of Greenwood
11 Racing, and therefore a 90.2 percent interest in
12 Greenwood Gaming & Entertainment.

13 This indirect ownership interest of
14 Mr. Manoukian and Greenwood Racing is presently held
15 through five intervening companies. The proposed
16 restructuring would create a new entity Kooringal
17 Holding Limited for which Mr. Manoukian would be the
18 sole owner.

19 Through a series of transactions,
20 three of the companies which currently exist in that
21 structure would be removed from the casino's ownership
22 and Kooringal Holdings, Limited would then take the
23 place and have the 90.2 percent indirect interest in
24 Parx, which again, flows to Mr. Manoukian.

25 Greenwood Gaming believes the

1 restructuring is necessary because of legal and tax
2 changes in some of the incorporating jurisdictions of
3 those other holding companies. Additionally Greenwood
4 avers that the restructuring will simplify the lines
5 of ownership and the overall corporate structure and
6 that no new third parties will obtain an ownership
7 interest in Parx Casino.

8 They do acknowledge that Kooringal
9 Holdings will need to file a License Application with
10 the Board. And - however, Greenwood asserts that the
11 request for restructuring does not meet the Act's
12 definition of a Change of Control because Mr.
13 Manoukian's interest will not be affected.

14 The OEC does not object to Greenwood's
15 Petition, subject to conditions outlined in the
16 Answer. And this matter is now ready for the Board's
17 decision.

18 CHAIRMAN: Any questions or comments
19 from the Board?

20 Hearing none, may I have a motion?

21 MR. KERNODLE: Mr. Chairman, I move
22 that the Board grant Greenwood Gaming & Entertainment,
23 Inc.'s Petition for Corporate Restructuring as
24 described by the OCC and that a \$100,000 Change in
25 Control Fee be imposed.

1 I further move that Greenwood Gaming's
2 request for confidentiality be granted in part.

3 MR. LOGAN: Second.

4 CHAIRMAN: All in favor?

5 AYES RESPOND

6 CHAIRMAN: All opposed?

7 The motion's adopted.

8 ATTORNEY SHERMAN: Next before the
9 Board is Marquee by Penn, LLC's Petition for Approval
10 of Corporate Overhead and Shared Services Agreements.

11 Marquee by Penn is a wholly-owned
12 subsidiary of Penn National Gaming, which possesses a
13 Conditional Video Gaming Terminal Operator License.
14 Mountainview Thoroughbred Racing Association is also a
15 wholly-owned subsidiary of Penn National and does
16 business as Hollywood Casino at Penn National
17 Racetrack.

18 In the Petition Marquee by Penn
19 requests that the Board approve a restated Corporate
20 Shared Services Assessment Agreement between Marquee
21 and Penn, so that Penn, the corporate parent can
22 provide advice, support and assistance, along with
23 corporate infrastructure related to the operation of
24 Marquee's video gaming terminals.

25 Penn will provide services to Marquee,

1 which include business planning and procurement,
2 quality control, financial services, internal control
3 procedures, regulatory compliance, legal services and
4 marketing. And this would be a five-year agreement
5 with the possibility of a five-year renewal option
6 thereafter.

7 Marquee's Service Agreement with
8 Mountainview, for which it seeks approval, is for the
9 purpose of allowing Marquee to use existing
10 infrastructure and operations from Hollywood Casino to
11 run and manage Marquee's video gaming terminals. And
12 this is a three-year agreement with a one-year renewal
13 option.

14 The OEC has no objection to the relief
15 requested, subject to the conditions outlined in its
16 Answer. Additionally, OEC has no objection to the
17 requested confidentiality in the matter which protects
18 the contracts entered into between various entities.
19 With that explanation, the matter's now ready for the
20 Board's consideration.

21 CHAIRMAN: Questions or comments from
22 the Board.

23 Hearing none, may I have a motion?

24 MR. LOGAN: Mr. Chairman, I move that
25 the Board grant Marquee by Penn, LLC's Petition for

1 Approval of Corporate Overhead and Shared Services
2 Agreements, as described by the OCC. I further move
3 that the Petitioner's request for confidentiality be
4 granted.

5 MS. MANDERINO: Second.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

8 CHAIRMAN: All opposed?

9 The motion's adopted.

10 ATTORNEY SHERMAN: Next before the
11 Board is Mountainview Thoroughbred Racing
12 Association's Request for Approval of a Shared Service
13 Agreement with Penn Online Entertainment.

14 By way of background, Penn National
15 Gaming, as the hundred percent owner of Mountainview
16 Thoroughbred Racing Association and Penn Online
17 Entertainment -. Mountainview has a Category 1 Slot
18 Machine License and does business as Hollywood Casino.
19 Penn Online Entertainment has a Conditional License to
20 provide Interactive Gaming on behalf of Mountainview.

21 Mountainview avers that the purpose of
22 the shared agreement is to leverage the existing
23 infrastructure and operations of Penn National's
24 subsidiaries and allow Mountainview to have access to
25 Penn National's Interactive Gaming Division.

1 Per the Shared Service Agreement,
2 Mountainview is required to delegate all of its
3 responsibilities for the successful Interactive Gaming
4 operation to Penn Online. Penn Online shall provide
5 all of the services necessary for that Interactive
6 Gaming operation.

7 Once again, OEC has no object, subject
8 to conditions outlined in the Answer. And they do not
9 object to request for confidentiality of certain
10 information outlined in the Petition. And this matter
11 is ready for the Board's consideration.

12 CHAIRMAN: Questions or comments from
13 the Board?

14 Hearing none, may I have a motion?

15 MS. MANDERINO: Mr. Chairman, I move
16 the Board grant Mountainview Thoroughbred Racing
17 Association, LLC's Petition for Approval of a Shared
18 Services Agreement, as described by the OCC.

19 I further move that the Petitioner's
20 request for confidentiality be granted.

21 MR. MUSTIO: Second.

22 CHAIRMAN: All in favor?

23 AYES RESPOND

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

1 ATTORNEY SHERMAN: The final Petition
2 before the Board today is Chelsea Plocker's request
3 for removal from the Board's Involuntary Exclusion
4 List. In January of 2017, Ms. Plocker, who was 19
5 years of age at the time, attempted to enter Mount
6 Airy Casino by providing false identification to
7 security.

8 The identification was determined to
9 be fake. And upon being confronted, she admitted to
10 having the false ID and was charged with a summary
11 offense and permanently evicted from Mount Airy.

12 Subsequently the OEC filed a Petition
13 to place her on the Board's Involuntary Exclusion
14 List, which the Board granted until her 22nd birthday,
15 at which time she would be able to apply to be
16 removed.

17 Ms. Plocker, who is now 22 years of
18 age, is requesting removal from the Exclusion List,
19 and there's no objection to that request by OEC. So,
20 it would be appropriate for the Board to consider a
21 motion granting the request.

22 CHAIRMAN: Questions or comments from
23 the Board?

24 Hearing none, may I have a motion?

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

1 the Board grant Chelsea Plocker's Petition for Removal
2 from the PGCB Involuntary Exclusion List, as described
3 by the OCC.

4 MS. REITZEL: Second.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

7 CHAIRMAN: All opposed?

8 The motion's adopted.

9 ATTORNEY SHERMAN: Okay.

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

13 ATTORNEY COOK: Good afternoon. The
14 Board has received several unopposed Petitions to
15 withdraw the Applications or surrender the credentials
16 of the following individuals or entities; Ray
17 Angelini, Inc.; Jeremy Bowskill; Richard K. Santiago;
18 Roger John Kendrick; Sergei Bourenkov; Timothy
19 Donovan; Matthew Davey; Steven Hovagimyan; John
20 Worthington; Takahiro Usui; Robert Saucier; Triangulum
21 Partners, LLC (NV) and Triangulum Partners, LLC (NM).

22 The OEC has no objection to any of
23 these Petitions. And as a result if the Board grants
24 same, they'd be doing so without prejudice to each of
25 these parties.

1 CHAIRMAN: Questions or comments from
2 the Board?

3 Hearing none, may I have a motion?

4 MS. REITZEL: Mr. Chairman, I move
5 that the Board issue Orders to approve the Withdrawals
6 and Surrenders as described by the OCC.

7 MR. SANTONI: Second.

8 CHAIRMAN: All in favor?

9 AYES RESPOND

10 CHAIRMAN: All opposed?

11 The motion's adopted.

12 ATTORNEY COOK: Next before the Board
13 for consideration are five Report and Recommendations
14 received from the Office of Hearings and Appeals
15 (OHA). In each of these cases, the entire - the
16 entire record's been provided to the Board in advance
17 of this meeting. And in each case the person that's
18 the subject of the Report and Recommendation has been
19 put on notice that the Board would be taking the
20 matter up today.

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

24 The first Report and Recommendation
25 before the Board pertains to Malik Jones and his

1 request to lift the suspension of his Gaming Employee
2 Occupation Permit. Mr. Jones was issued a Gaming
3 Employee Permit in December of 2016 and was employed
4 as a Table Games Dealer at Parx Casino.

5 In August of 2018, the OEC filed a
6 Request for Emergency Suspension of Mr. Jones' permit
7 after receiving notice that he had been charged with
8 theft and related offenses. Emergency Order
9 suspending Mr. Jones permit was signed by the Board's
10 Executive Director on August 1st, 2018.

11 Thereafter, a hearing was held at the
12 Board's OHA. And in November of 2018 the Board issued
13 an Order directing that the suspension remain in
14 effect until at least resolution of Mr. Jones'
15 criminal charges.

16 In March of 2019, Mr. Jones filed a
17 Petition to lift the suspension of his permit,
18 indicating that the matter leading to his suspension
19 was resolved and that no criminal charges remain
20 pending against him.

21 Enforcement Counsel filed an Answer,
22 however, objecting to this request and arguing that
23 the felony charges, in fact, remain pending subject to
24 his completion of an ARD Program. A hearing was held.
25 Despite receiving notice, Mr. Jones didn't attend that

1 hearing. And as a result of the evidence put into the
2 record, was entirely put in by the OEC, and based upon
3 that evidence, the Report and Recommendation was
4 issued recommending that Mr. Jones suspension remain
5 in place.

6 CHAIRMAN: Questions or comments from
7 the Board?

8 Hearing none, may I have a motion?

9 MR. SANTONI: Mr. Chairman, I move
10 that the Board adopt the Report and Recommendation
11 issued by the OHA, as described by the OCC.

12 MR. KERNODLE: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed?

16 The motion's adopted.

17 ATTORNEY COOK: George Brown, III is
18 the next Report and Recommendation before the Board
19 today. Mr. Brown was issued a Gaming Employee
20 Occupation Permit in June of 2013 and was employed as
21 a Table Games Dealer at Parx Casino.

22 On May 22nd of 2019, the OEC filed a
23 request for Emergency Suspension of Mr. Brown's permit
24 after receiving notice that he had been charged in
25 five different cases with various crimes, including

1 numerous felony assault charges.

2 The Criminal Docket in this matter
3 shows that in each case listed the same offense date
4 and location occurred but had a different victim. The
5 charging documents did not specify exactly the factual
6 underpinnings of Mr. Brown's conduct.

7 The hearing in this matter was held on
8 May 30th, 2019. Mr. Brown appeared at the hearing and
9 testified on his own behalf. Ultimately he testified
10 that the charges do, in fact, remain pending against
11 him. However, he was sure that they would eventually
12 be dropped.

13 After hearing all this evidence, the
14 Report and Recommendation issued by the Hearing
15 Officer recommends that, in fact, the suspension
16 remain in place until completion or the duration of
17 the criminal proceedings.

18 CHAIRMAN: Questions or comments from
19 the Board?

20 Hearing none, may I have a motion?

21 MR. KERNODLE: Mr. Chairman, I move
22 that the Board adopt the Report and Recommendation
23 issued by the OHA, as described by the OCC.

24 MR. LOGAN: Second.

25 CHAIRMAN: All in favor?

1 AYES RESPOND

2 CHAIRMAN: All opposed?

3 The motion's adopted.

4 ATTORNEY COOK: The next matter to be
5 heard by the Board today is the Report and
6 Recommendation regarding Markel Walker. In September
7 2018, Mr. Walker was issued a Gaming Employee
8 Occupation Permit and was employed as a Table Games
9 Dealer at Parx Casino.

10 On May 3rd, 2019 the OEC filed a
11 Request for an Emergency Suspension of Mr. Walker's
12 Gaming Employee Permit after receiving notice that he
13 had been charged with numerous theft offenses and
14 other gaming-related offenses. Specifically, it was
15 alleged that on March 9th and 10th of 2019, while
16 working at Parx Casino, Mr. Walker, along with two
17 other individuals, engaged in a scheme where he paid
18 losing wagers, failed to collect losing wagers and
19 other such activity, which ultimately cost Parx Casino
20 \$5,585.

21 As a result of these charges, the
22 Board's Executive Director issued an Emergency Order
23 suspending Mr. Walker's permit, as requested by OEC.
24 A hearing was thereafter held on May 29th. OEC
25 attended that hearing. Mr. Walker did not attend.

1 Ultimately, after hearing the evidence presented by
2 OEC, the Report and Recommendation recommends the
3 suspension remain in place.

4 CHAIRMAN: Questions or comments from
5 the Board?

6 Hearing none, may I have a motion?

7 MR. LOGAN: Mr. Chairman, I move that
8 the Board adopt the Report and Recommendation issued
9 by the OHA as described by the OCC.

10 MS. MANDERINO: Second.

11 CHAIRMAN: All in favor?

12 AYES RESPOND

13 CHAIRMAN: All opposed?

14 The motion's adopted.

15 ATTORNEY COOK: The next matter to be
16 heard by the Board is the Report and Recommendation
17 pertaining to Jason Van Tran's Petition to be removed
18 from the Board's Involuntary Exclusion List.

19 By way of background, in July of 2011,
20 the OEC filed a Petition to place Mr. Van Tran on the
21 Exclusion List for his allegedly possessing 15
22 counterfeit \$100 bills and attempting to pass ten of
23 them while playing Blackjack at Harrah's Philadelphia.

24 Consequently, on October 13th, 2011,
25 the Board issued an Order placing Mr. Van Tran on the

1 Involuntary Exclusion List. This past February, over
2 seven years after placement on the list, Mr. Van Tran
3 filed his request to be removed from the Exclusion
4 List.

5 The hearing was held on May 7th. Mr.
6 Tran appeared at the hearing and testified on his own
7 behalf. He essentially testified he did not dispute
8 the underlying issues that got him placed on the list,
9 but basically indicated he had learned from his
10 mistakes. He was young, and has since that time
11 gotten his life in order.

12 OEC offered testimony at the hearing
13 going back over the evidence that placed - that ended
14 up placing Mr. Van Tran on the list, but ultimately
15 did not necessarily oppose his being removed from the
16 list and left it to the Board's discretion.

17 The Hearing Officer in this case
18 recommends that after hearing all of the evidence, he
19 believes that Mr. Van Tran should be removed from the
20 Exclusion List.

21 CHAIRMAN: Questions or comments from
22 the Board?

23 Hearing none, may I have a motion?

24 MS. MANDERINO: Mr. Chairman, I move
25 the Board adopt the Report and Recommendation issued

1 by the OHA, as described by the OCC.

2 MR. MUSTIO: Second.

3 CHAIRMAN: All in favor?

4 AYES RESPOND

5 CHAIRMAN: All opposed?

6 The motion's adopted.

7 ATTORNEY COOK: The final Report and
8 Recommendation before the Board pertains to John
9 Marchetti. In February of 2019, Mr. Marchetti
10 submitted a Gaming Employee Occupation Permit seeking
11 work as a Table Games Dealer at Chester Downs and
12 Marina operating as Harrah's Philadelphia.

13 Mr. Marchetti disclosed his criminal
14 record on his application. And subsequently on
15 March 13th, 2019, the OEC issued a Notice of
16 Recommendation of Denial of his application based upon
17 that criminal record, which included a 2009 felony
18 conviction, making him ineligible to hold a Gaming
19 Permit under the Pennsylvania Race Horse Development
20 and Gaming Act, as 15 years had not passed since that
21 conviction.

22 A hearing was held in August of 2018.
23 OEC appeared offering that argument and the evidence
24 of Mr. Marchetti's criminal record. Ultimately the
25 Report and Recommendation issued subsequent to that

1 hearing recommends that the permit, actually, in fact,
2 be denied because it is statutorily prohibited that he
3 be issued a -.

4 CHAIRMAN: Are you Mr. Marchetti?

5 MR. MARCHETTI: Yes, I am, sir.

6 CHAIRMAN: Why don't you have a seat,
7 please?

8 MR. MARCHETTI: Thank you.

9 CHAIRMAN: Whatever you wish to say,
10 please proceed.

11 MR. MARCHETTI: Yes. I -.

12 MR. LOGAN: You have to be sworn in.

13 CHAIRMAN: Oh, excuse me. Yes. I'm
14 sorry. Please stand and be sworn.

15 ---

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

20 ---

21 CHAIRMAN: State your name and spell
22 it for the record.

23 MR. MARCHETTI: My name is John
24 Marchetti, M-A-R-C-H-E-T-T-I.

25 CHAIRMAN: Okay. Proceed.

1 MR. MARCHETTI: I came in today
2 basically to prove my - my challenges were mostly
3 constitutional, based on the statutory clause that
4 they're using to deny my -. I wanted to preserve my
5 statutory - or preserve my rights to proceed to the
6 Supreme Court and to preserve my objections to the
7 denial of the Application, should this Board determine
8 to deny me - my license at this time.

9 CHAIRMAN: Okay.

10 MR. MARCHETTI: Taking into
11 consideration, hopefully, that I do currently hold an
12 active license in New Jersey, and I do currently work
13 in New Jersey dealing cards, which is the same
14 license, same background, same job, same job duties.

15 You know, if there's - I believe that
16 the Board is allowed to make exceptions for its Rules,
17 Regulations and Statutes, and I would like to ask you
18 to do so, reject the OCC's recommendation for -.

19 CHAIRMAN: Just for clarification,
20 it's not their recommendation.

21 MR. MARCHETTI: Oh, I'm sorry.

22 CHAIRMAN: But that's - that's okay.
23 They're advisory to us. You had a
24 hearing, that's where the recommendation came from.

25 MR. MARCHETTI: Okay.

1 Well, the Hearing Officer's - I'd like
2 you to reject the Hearing Officer's recommendation and
3 issue me a license, so that I can work in this state
4 and pay my employment taxes to the state where I live.

5 CHAIRMAN: Okay. All right. Thank
6 you very much.

7 MR. MARCHETTI: You're welcome.

8 CHAIRMAN: Okay.

9 I should say, are there any questions
10 or comments from Mr. Marchetti or anything else like
11 that at this time?

12 Okay. Thank you very much.

13 I'll ask an obvious question to my
14 illustrious legal counsel. In your view, do we have
15 the latitude to ignore expressed condition in our
16 Statute?

17 ATTORNEY SHERMAN: You do not have the
18 discretion to ignore the expressed condition that's in
19 the Statute with respect to who's eligible.

20 CHAIRMAN: If this was a Regulation we
21 could, perhaps, but this is a statutory requirement?

22 ATTORNEY SHERMAN: That's correct.

23 CHAIRMAN: Okay.

24 ATTORNEY SHERMAN: Nor does the Board
25 have the ability to rule on a constitutional issue. I

1 understand that -

2 CHAIRMAN: Yeah, I understand.

3 ATTORNEY SHERMAN: - Mr. Marchetti was
4 simply indicating -.

5 CHAIRMAN: Yeah, he wants to preserve
6 his rights. And I appreciate that.

7 Okay.

8 I just wanted to make sure everybody's
9 clear on the law that we're operating under. That
10 said, may I have a motion?

11 MR. MUSTIO: Mr. Chairman, I move that
12 the Board adopt the Report and Recommendation issued
13 by the OHA, as described by the OCC.

14 MS. REITZEL: Second.

15 CHAIRMAN: All in favor?

16 AYES RESPOND

17 CHAIRMAN: All opposed?

18 The motion's adopted.

19 ATTORNEY SHERMAN: And that concludes
20 all the matters of Chief Counsel.

21 CHAIRMAN: Thank you.

22 Next we have the Bureau of Licensing
23 with Director Susan Henshel - Hensel.

24 MS. HENSEL: Thank you, Chairman.

25 Close enough.

1 CHAIRMAN: We're getting pretty punchy
2 around now. I would note that the first matter you're
3 going to address today is the renewal of Stadium
4 Casino's LLC Category 2 License for the casino
5 presently under construction in South Philly. This
6 renewal was the subject of a lengthy Public Hearing at
7 our July 10th meeting, but we chose to defer the vote
8 to today, so the Board could review some of the
9 evidence presented regarding traffic mitigation in the
10 area.

11 Having now reviewed all that
12 information, the Board is now prepared to take up the
13 matter and issue what we believe to be is an
14 appropriate Order. With that said, Susan, you can
15 begin.

16 MS. HENSEL: Thank you, Chairman
17 Barasch, and members of the Board. Before the Board
18 today will be one Category 2 Slot Machine Renewal
19 License, one Category 4 Slot Machine License, three
20 Video Gaming Terminal Establishment Licenses and two
21 Manufacturer Licenses.

22 In addition, there will be 995
23 Principals, Key employees and Gaming and Non-Gaming
24 Employees. Finally, there will be the consideration
25 of three Gaming Service Provider Applicants and eight

1 Gaming - and eight Registered Gaming Service Provider
2 Applicants.

3 The first matter before you is the
4 renewal of the Stadium Casino RE, LLC Category 2
5 License that you just referred to. The license
6 renewal process for this entity is now complete.

7 In addition, the Bureau of
8 Investigations and Enforcement (BIE) has finished its
9 investigation, and the Bureau of Licensing has
10 provided you with a Background Investigation and
11 Suitability Report. As a result, the license renewal
12 is ready for your consideration.

13 I have provided you with a Draft Order
14 and ask the Board consider the Order to renew the
15 Category 2 License for Stadium Casino RE, LLC.

16 ATTORNEY PITRE: Enforcement Counsel
17 has no objection.

18 CHAIRMAN: Questions or comments from
19 the Board?

20 Hearing none, may I have a motion?

21 MS. REITZEL: Mr. Chairman, I move
22 that the Board grant the Category 2 License Renewal
23 for Stadium Casino RE, LLC as described by the Bureau
24 of Licensing and with the conditions to be outlined in
25 the Board's Order.

1 MR. SANTONI: Second.

2 CHAIRMAN: All in favor?

3 AYES RESPOND

4 CHAIRMAN: All opposed?

5 The motion's adopted.

6 MS. HENSEL: The next matter is the
7 approval of Stadium Casino Westmoreland RE, LLC's
8 Category 4 Slot Machine License. Stadium Casino
9 Westmoreland RE, LLC will be placing its casino, as we
10 heard today, within the exiting Westmoreland Mall in
11 Hempfield Township.

12 The BIE has completed its
13 investigation, and the Bureau of Licensing has
14 provided you with a Background Investigation and
15 Suitability Report. I have provided you with a Draft
16 Order and ask that the Board consider the Order to
17 approve a Category 4 License for Stadium Casino
18 Westmoreland RE, LLC.

19 ATTORNEY PITRE: Enforcement Counsel
20 has no objection.

21 CHAIRMAN: Questions or comments from
22 the Board?

23 Hearing none, may I have a motion?

24 MR. SANTONI: Mr. Chairman, I move
25 that the Board grant the Category 4 License for

1 Stadium Casino Westmoreland RE, LLC, as described by
2 the Bureau of Licensing and with conditions to be
3 outlined in the Board's Order.

4 MR. KERNODLE: Second.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

7 CHAIRMAN: All opposed?

8 The motion's adopted.

9 MS. HENSEL: Also for your
10 consideration are two VGT Establishment Licenses for
11 CHR Corp. doing business as Rutter's. VGT
12 establishments are truck stops seeking to place VGTs
13 in their businesses.

14 The Rutter's stores up for licensure
15 today are Stores 60 and 69. Both were previously
16 conditionally licensed. The BIE has now completed its
17 investigations, including evaluation that the
18 Applicants meet the VGT Establishment Eligibility
19 Criteria.

20 The Bureau of Licensing has provided
21 you with Background Investigation and Suitability
22 Reports. Once fully licensed, an establishment can
23 continue forward toward completing the steps necessary
24 to commencing VGT gaming.

25 I have provided you with Draft Orders

1 and ask that you consider the Orders to approve the
2 VGT Establishment Licenses, beginning first with CHR
3 Corporation, doing business as Rutter's, Rutter's
4 Store 60, which is located at 4425 West Market Street
5 in York, York County.

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. KERNODLE: Mr. Chairman, I move
11 the Board grants the Video Gaming Terminal
12 Establishment License for CHR Corp., Rutter's Store
13 Number 60, as described by the Bureau of Licensing.

14 MR. LOGAN: Second.

15 CHAIRMAN: All in favor?

16 AYES RESPOND

17 CHAIRMAN: All opposed?

18 The motion's adopted.

19 MS. HENSEL: Next is CHR Corporation
20 doing business as Rutter's, Rutter's 69, which is
21 located at 100 Grant Street in Hamburg Borough Berks
22 County.

23 ATTORNEY PITRE: Enforcement Counsel
24 has no objection.

25 CHAIRMAN: Questions or comments from

1 the Board?

2 Hearing none, may I have a motion?

3 MR. LOGAN: Mr. Chairman, I move that
4 the Board grant the Video Gaming Terminal
5 Establishment License for CHR Corp. Rutter's Store
6 Number 69, as described by the Bureau of Licensing.

7 MS. MANDERINO: Second.

8 CHAIRMAN: All in favor?

9 AYES RESPOND

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

12 MS. HENSEL: We also have for your
13 consideration a Conditional VGT Establishment License
14 for PFJ Southeast, LLC doing business as Pilot Travel
15 Center Number 581. The Board may conditionally
16 license an establishment provided the Applicant has
17 never been convicted of a felony, is current on state
18 taxes, has submitted a complete application and has
19 not been convicted of a gambling law violation.

20 A preliminary review of this Applicant
21 indicates that it meets these criteria. However,
22 final approval will be based on the Applicant meeting
23 all of the eligibility criteria provided in the
24 Statute. A final eligibility determination will
25 follow investigation and site inspection by the BIE.

1 I ask that the Board consider a motion
2 to approve a Conditional Video Gaming Terminal
3 Establishment License for PFJ Southeast, LLC doing
4 business as Pilot Travel Center 518, which is located
5 at 2210 Camp Swatara Road in Frystown, Berks County.

6 ATTORNEY PITRE: Enforcement Counsel
7 has no objection.

8 CHAIRMAN: Questions or comments from
9 the Board?

10 Hearing none, may I have a motion?

11 MS. MANDERINO: Mr. Chairman, I move
12 the Board grant the Conditional Video Gaming Terminal
13 Establishment License for PFJ Southeast, LLC as
14 described by the Bureau of Licensing.

15 MR. MUSTIO: Second.

16 CHAIRMAN: All in favor?

17 AYES RESPOND

18 CHAIRMAN: All opposed?

19 The motion's adopted.

20 MS. HENSEL: In addition, there are
21 Conditional Manufacturer Licenses for your
22 consideration. The first is a Conditional Sports
23 Wagering Manufacturer License for Amelco UK Limited.
24 Amelco UK Limited is a Sports Wagering Manufacturer
25 based in London. It provides sports wagering

1 technology and support services.

2 The second is an Interactive Gaming
3 Manufacturing License for Evolution New Jersey, LLC.
4 Evolution New Jersey, LLC is a Malta-based company
5 that provides live casino solutions to gaming
6 operators.

7 Under the Board's Regulations, sports
8 wagering and Interactive Gaming Manufacturer
9 Applicants are eligible for conditional licensure if
10 the Applicants have submitted complete Licensing
11 Applications and fees and the BIE does not object to
12 the issuance of the Conditional Licenses. The
13 entities satisfy these criteria.

14 I have provided you with a Draft Order
15 and ask that the Board consider the Order for Amelco
16 UK Limited.

17 ATTORNEY PITRE: Enforcement Counsel
18 has no objection.

19 CHAIRMAN: Questions or comments from
20 the Board?

21 Hearing none, may I have a motion?

22 MR. MUSTIO: Mr. Chairman, I move that
23 the Board grant the Conditional Sports Wagering
24 Manufacturer License for Amelco UK Limited, as
25 described by the Bureau of Licensing.

1 MS. REITZEL: Second.

2 CHAIRMAN: All in favor?

3 AYES RESPOND

4 CHAIRMAN: All opposed?

5 The motion's adopted.

6 MS. HENSEL: And next is the Draft

7 Order for Evolution New Jersey, LLC.

8 ATTORNEY PITRE: Enforcement Counsel
9 has no objection.

10 CHAIRMAN: Questions or comments from
11 the Board?

12 Hearing none, may I have a motion?

13 MS. REITZEL: Mr. Chairman, I move
14 that the Board grant the Conditional Interactive
15 Gaming Manufacturer License for Evolution New Jersey,
16 LLC as described by the Bureau of Licensing.

17 MR. SANTONI: Second.

18 CHAIRMAN: All in favor?

19 AYES RESPOND

20 CHAIRMAN: All opposed?

21 The motion's adopted.

22 MS. HENSEL: Also for your
23 consideration are Principal Entities and Employees and
24 Key Employee Licenses. Prior to this meeting, the
25 Bureau of Licensing provided you with a Proposed Order

1 for nine Principals and three Key Employees. I ask
2 that the Board consider the Order approving these
3 licenses.

4 ATTORNEY PITRE: Enforcement Counsel
5 has no objection.

6 CHAIRMAN: Questions or comments from
7 the Board?

8 Hearing none, may I have a motion?

9 MR. SANTONI: Mr. Chairman, I move
10 that the Board grant the Principal and Key Employee
11 Licenses, as described by the Bureau of Licensing.

12 MR. KERNODLE: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed?

16 The motion's adopted.

17 MS. HENSEL: There were also Temporary
18 Licenses for your consideration. Prior to this
19 meeting, the Bureau of Licensing provided you with an
20 Order regarding the issuance of Temporary Licenses for
21 one Principal and ten Key Employees. I ask that the
22 Board consider the Order approving these licenses.

23 ATTORNEY PITRE: Enforcement Counsel
24 has no objection.

25 CHAIRMAN: Questions or comments from

1 the Board?

2 Hearing none, may I have a motion?

3 MR. KERNODLE: Mr. Chairman, I move
4 that the Board grant the Temporary Principal and Key
5 Employee Credential as described by the Bureau of
6 Licensing.

7 MR. LOGAN: Second.

8 CHAIRMAN: All in favor?

9 AYES RESPOND

10 CHAIRMAN: All in favor?

11 The motion's adopted.

12 MS. HENSEL: Additionally, there are
13 Gaming Permits and Non-Gaming Registrations. Prior to
14 this meeting, the Bureau of Licensing provided you
15 with a list of 702 individuals to whom the Bureau has
16 granted temporary or full Occupation Permits and 190
17 individuals to whom the Bureau has granted
18 registrations under the authority delegated to the
19 Bureau of Licensing.

20 I ask that the Board consider a motion
21 approving the Order.

22 ATTORNEY PITRE: Enforcement Counsel
23 has no objection.

24 CHAIRMAN: Questions or comments from
25 the Board?

1 Hearing none, may I have a motion?

2 MR. LOGAN: Mr. Chairman, I move that
3 the Board grant the Gaming Employee Occupation Permits
4 and the Non-Gaming Employee Registrations as described
5 by the Bureau of Licensing.

6 MS. MANDERINO: Second.

7 CHAIRMAN: All in favor?

8 AYES RESPOND

9 CHAIRMAN: All opposed?

10 The motion's adopted.

11 MS. HENSEL: There are also
12 recommendations of denial for three Gaming and one
13 Non-Gaming Employee Applicants, as well as the
14 Non-Gaming Service Provider Applicant Metro Beverage
15 of Philadelphia and one VGT Establishment Applicant
16 AMR Trading Corporation doing business as Bethel Food
17 Shop.

18 The Applicants were notified that they
19 were being recommended for denial and failed to
20 request hearings within the specified time frames.
21 The Bureau of Licensing has provided you with Orders
22 addressing each of the Applicants who the OEC has
23 recommended for denial.

24 I ask that the Board consider the
25 Orders approving these denials.

1 ATTORNEY PITRE: Enforcement Counsel
2 continues to request denial in each instance.

3 CHAIRMAN: Questions or comments from
4 the Board?

5 Hearing none, may I have a motion?

6 MS. MANDERINO: Mr. Chairman, I move
7 the Board deny the Gaming, Non-Gaming, Video Gaming
8 Terminal and Non-Gaming Service Provider Applications,
9 as described by the Bureau of Licensing.

10 MR. MUSTIO: Second.

11 CHAIRMAN: All in favor?

12 AYES RESPOND

13 CHAIRMAN: All opposed?

14 The motion's adopted.

15 MS. HENSEL: In addition, for your
16 consideration are Withdrawal Requests. In each case
17 the license, permit or registration is no longer
18 required. For today's meeting, I have provided the
19 Board with 60 Gaming Employees and 3 Non-Gaming
20 Employee Applicants.

21 I ask that the Board consider the
22 Order approving the list of withdrawals.

23 ATTORNEY PITRE: Enforcement Counsel
24 has no objection.

25 CHAIRMAN: Questions or comments from

1 the Board?

2 Hearing none, may I have a motion?

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

7 MS. REITZEL: Second.

8 CHAIRMAN: All in favor?

9 AYES RESPOND

10 CHAIRMAN: All opposed?

11 The motion's adopted.

12 MS. HENSEL: Additionally, we have an
13 Order to certify the following Gaming Service
14 Providers. Billitier Electric, Inc., Giesecke+
15 Devrient Currency Technology America, Inc. and Video
16 Walltronics, Inc.

17 I ask that the Board consider the
18 Order approving these Gaming Service Providers for
19 certification.

20 ATTORNEY PITRE: Enforcement Counsel
21 has no objection.

22 CHAIRMAN: Questions or comments from
23 the Board?

24 Hearing none, may I have a motion?

25 MS. REITZEL: Mr. Chairman, I move

1 that the Board approve the applications for Gaming
2 Service Provider Certification, as described by the
3 Bureau of Licensing.

4 MR. SANTONI: Second.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

7 CHAIRMAN: All opposed?

8 The motion's adopted.

9 MS. HENSEL: Finally for your
10 consideration are Gaming Service Provider
11 Registrations. The Bureau of Licensing provided you
12 with an Order and an attached list of eight Registered
13 Gaming Service Provider Applicants. I ask that the
14 Board consider the Order registering these Gaming
15 Service Providers.

16 ATTORNEY PITRE: Enforcement Counsel
17 has no objection.

18 CHAIRMAN: Questions or comments from
19 the Board?

20 Hearing none, may I have a motion?

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

25 MR. KERNODLE: Second.

1 CHAIRMAN: All in favor?

2 AYES RESPOND

3 CHAIRMAN: All opposed?

4 The motion's adopted.

5 MS. HENSEL: That concludes the
6 matters of the Bureau of Licensing.

7 CHAIRMAN: Thank you very much, Susan.
8 Now, we move over to Cyrus Pitre.

9 ATTORNEY PITRE: The OEC will present
10 11 matters today for the Board's consideration,
11 consisting of 4 Revocations, 2 Suspensions and 5
12 Involuntary Exclusions. The next six matters on the
13 Agenda consist of enforcement actions in which the OEC
14 filed complaints seeking the revocation or suspension
15 of Employee Occupation Permits and/or Employee
16 Registrations issued by the Board.

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

24 Therefore, the facts in each Complaint
25 are deemed admitted. All filed documents have been

1 provided to the Board and the matters are presently
2 ripe for the Board's consideration.

3 In each instance, we will provide a
4 brief summary of the facts and request the appropriate
5 Board action.

6 CHAIRMAN: Thank you.

7 ATTORNEY MCALLISTER: Good afternoon,
8 Chairman, and members of the Board. Bradley
9 McAllister, M-C-A-L-L-I-S-T-E-R, on behalf of the OEC.
10 The next matter on the Agenda for the Board's
11 consideration is the revocation of the Non-Gaming
12 Employee Registration issued to Ms. Elizabeth Duffy.

13 Ms. Duffy was found in possession of
14 heroin and cocaine during the course of her shift as a
15 Buffet Supervisor at Rivers Casino Pittsburgh. And
16 she admitted to using heroin before her shift. Ms.
17 Duffy was terminated from her employment at Rivers and
18 a criminal charge for possession of a controlled
19 substance is currently pending.

20 At this time the OEC requests that the
21 Board revoke the Non-Gaming Employee Registration
22 issued to Elizabeth Duffy.

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

25 MR. KERNODLE: Mr. Chairman, I move

1 that the Board approve the revocation of Elizabeth
2 Duffy's Non-Gaming Employee Registration as requested
3 by the OEC.

4 MR. LOGAN: Second.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

7 CHAIRMAN: All opposed?

8 The motion's adopted.

9 ATTORNEY MONAGHAN: Good afternoon.

10 Thomas Monaghan, M-O-N-A-G-H-A-N, with the OEC. The
11 next matter on the Agenda for the Board's
12 consideration is the revocation of the Gaming Employee
13 Permit issued to Matthew Mantik.

14 On March 8th, 2019 Mr. Mantik was
15 arrested and charged for sexually assaulting two
16 underaged individuals, ages 13 and 16.

17 At this time OEC requests that the
18 Board revoke the Gaming Employee Permit issued to
19 Matthew Mantik.

20 CHAIRMAN: Questions or comments from
21 the Board?

22 Hearing none, may I have a motion?

23 MR. LOGAN: Mr. Chairman, I move that
24 the Board approve the revocation of Matthew Mantik's
25 Gaming Employee Occupation Permit, as requested by the

1 OEC.

2 MS. MANDERINO: Second.

3 CHAIRMAN: All in favor?

4 AYES RESPOND

5 CHAIRMAN: All opposed?

6 The motion's adopted.

7 ATTORNEY MONAGHAN: The next matter on
8 the Agenda for the Board's consideration is the
9 suspension of the Non-Gaming Employee Registration
10 issued to Max Miller.

11 In February of 2019 Mr. Miller was
12 arrested and charged for making numerous terroristic
13 threats to his co-workers at the retail store in which
14 he was employed. The charges remain pending in
15 Allegheny County.

16 At this time OEC requests that the
17 Board suspend the Non-Gaming Employee Registration
18 issued to Max Miller.

19 CHAIRMAN: Questions or comments from
20 the Board?

21 Hearing none, may I have a motion?

22 MS. MANDERINO: Mr. Chairman, I move
23 that the Board approve the suspension of Max Miller's
24 Non-Gaming Employee Registration as requested by the
25 OEC.

1 MR. MUSTIO: Second.

2 CHAIRMAN: All in favor?

3 AYES RESPOND

4 CHAIRMAN: All opposed?

5 The motion is adopted.

6 ATTORNEY MONAGHAN: The next matter on
7 the Agenda for the Board's consideration is the
8 revocation of the Non-Gaming Employee Registration
9 issued to Timothy Scheitlin.

10 On January 31st, 2019, Mr. Scheitlin
11 pled guilty to theft for stealing over \$1,000 in which
12 he collected from vending machines, as part of his job
13 duties at a previous employer. Mr. Scheitlin never
14 disclosed these charges to the PGCB or Mohegan Sun
15 Casino.

16 At this time OEC requests the Board
17 revoke the Non-Gaming Employee Registration issued to
18 Timothy Scheitlin.

19 CHAIRMAN: Questions or comments from
20 the Board?

21 Hearing none, may I have a motion?

22 MR. MUSTIO: Mr. Chairman, I move that
23 the Board approve the revocation of Timothy
24 Scheitlin's Non-Gaming Employee Registration, as
25 requested by the OEC.

1 MS. REITZEL: Second.

2 CHAIRMAN: All in favor?

3 AYES RESPOND

4 CHAIRMAN: All opposed?

5 The motions is adopted.

6 ATTORNEY MONAGHAN: The next matter on
7 the Agenda for the Board's consideration is the
8 suspension of the Gaming Employee Permit issued to
9 Candice Thorpe.

10 In December of 2018, Ms. Thorpe was
11 arrested and charged with felony child endangerment
12 and felony drug charges. The charges remain pending
13 in Fayette County.

14 At this time OEC requests that the
15 Board suspend the Gaming Employee Permit issued to
16 Candice Thorpe.

17 CHAIRMAN: Questions or comments from
18 the Board?

19 Hearing none, may I have a motion?

20 MS. REITZEL: Mr. Chairman, I move
21 that the Board approve the suspension of Candice
22 Thorpe's Gaming Employee Occupation Permit, as
23 requested by the OEC.

24 MR. SANTONI: Second.

25 CHAIRMAN: All in favor?

1 AYES RESPOND

2 CHAIRMAN: All opposed?

3 The motion is adopted.

4 ATTORNEY ARMSTRONG: James Armstrong
5 for the OEC. Commissioners, next on the Agenda for
6 the Board's consideration is a complaint to revoke
7 Tahkeiya White's Gaming Employee Permit for engaging
8 in unsuitable behavior by improperly conducting
9 financial transactions at SugarHouse Casino while
10 employed there as a Cage Cashier.

11 Ms. White was terminated from
12 SugarHouse. She is not presently employed in
13 Pennsylvania's Gaming Industry. Accordingly OEC
14 requests the Board revoke Ms. White's Gaming Employee
15 Permit.

16 CHAIRMAN: Questions or comments from
17 the Board?

18 Hearing none, may I have a motion?

19 MR. SANTONI: Mr. Chairman, I move
20 that the Board approve the revocation of Tahkeiya
21 White's Gaming Employee Occupation Permit, as
22 requested by the OEC.

23 MR. KERNODLE: Second.

24 CHAIRMAN: All in favor?

25 AYES RESPOND

1 CHAIRMAN: All opposed?

2 The motion's adopted.

3 ATTORNEY PITRE: The remaining matters
4 on the Agenda consist of Enforcement actions in which
5 the OEC filed Petitions seeking the involuntary
6 exclusion of individuals whose presence in a licensed
7 facility are inimical to the interest of the
8 Commonwealth and licensed gaming therein.

9 In each instance the Petition for
10 Exclusion has been filed with the Board's OHA and
11 properly served upon the individual named in the
12 Petition.

13 The individual named in the Petition
14 failed to respond in 30 days as required by Board
15 Regulation. As a result, the OEC filed a Request for
16 Default Judgment in each instance and properly served
17 the same upon each named individual. Therefore all
18 facts in the Petition are deemed admitted. All filed
19 documents have been provided to the Board and the
20 matters are presently ripe for the Board's
21 consideration.

22 In each instance, if the Board orders
23 a proposed exclusion, each individual's photo,
24 personal identifiers and a summary of the inimical
25 conduct will be placed on the Board's public website.

1 CHAIRMAN: Questions - oh, who's up?
2 There we are.

3 ATTORNEY ARMSTRONG: James Armstrong,
4 for the OEC. Next on the Agenda for the Board's
5 consideration is a request to place Sean Owens on the
6 Board's Involuntary Exclusion List.

7 Mr. Owens left seven children, ages
8 two years old through ten years old, unattended in his
9 vehicle in the parking lot for approximately 15
10 minutes while he engaged in gaming activities inside
11 SugarHouse Casino.

12 He was formally evicted from
13 SugarHouse Casino. Accordingly OEC requests that the
14 Board place Mr. Owens on the Board's Involuntary
15 Exclusion List.

16 CHAIRMAN: Are there any questions or
17 comments from the Board?

18 Hearing none, may I have a motion?

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

23 MR. LOGAN: Second.

24 CHAIRMAN: All in favor?

25 AYES RESPOND

1 CHAIRMAN: All opposed?

2 The motion's adopted.

3 ATTORNEY MONAGHAN: Thomas Monaghan,
4 once again with the OEC. The next matter on the
5 Agenda for the Board's consideration is a request to
6 place Ryun Mitchell on the Board's Involuntary
7 Exclusion List.

8 On April 23rd, 2019, Mr. Mitchell was
9 confronted by security at Rivers Casino for credit
10 sweeping. It was discovered by PSP that Mr. Mitchell
11 had active arrest warrants. And PSP had attempted to
12 arrest Mr. Mitchell, but he resisted, and in the
13 process injured a PSP Trooper. Mr. Mitchell is
14 criminally charged for his actions.

15 At this time OEC requests the Board
16 place Ryun Mitchell on the Board's Involuntary
17 Exclusion List.

18 CHAIRMAN: Questions or comments from
19 the Board?

20 Hearing none, may I have a motion?

21 MR. LOGAN: Mr. Chairman, I move that
22 the Board approve the addition of Ryun Mitchell to the
23 PGCB Involuntary Exclusion List 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 MONAGHAN: The next matter on
6 the Agenda for the Board's consideration is a request
7 to place May McElwain on the Board's Involuntary
8 Exclusion List. On January 26, 2019 Ms. McElwain
9 stole \$700 from a wallet belonging to another patron
10 at The Meadows Casino.

11 Ms. McElwain was charged with theft by
12 the Pennsylvania State Police for her actions. At
13 this time OEC requests that the Board place May
14 McElwain on the Board's Involuntary Exclusion List.

15 CHAIRMAN: Questions or comments from
16 the Board?

17 Hearing none, may I have a motion?

18 MS. MANDERINO: Mr. Chairman, I move
19 the Board approve the addition of May McElwain to the
20 PGCB Involuntary Exclusion List as described by the
21 OEC.

22 MR. MUSTIO: Second.

23 CHAIRMAN: All in favor?

24 AYES RESPOND

25 CHAIRMAN: All opposed? The motion's

1 adopted.

2 ATTORNEY GABRIELLE: Good afternoon,
3 Mr. Chairman, members of the Board. Ashley Gabrielle,
4 G-A-B-R-I-E-L-L-E, Assistant Enforcement Counsel with
5 the OEC.

6 Next on the Agenda for the Board's
7 consideration is a Petition seeking the exclusion of
8 Daniel W. Evan. On April 16th, 2019 while at Valley
9 Forge Casino Resort, Mr. Evan stole a voucher
10 belonging to another patron worth \$2,900.09 from an
11 unattended slot machine.

12 Mr. Evan cashed out the \$2,900.09
13 voucher at a ticket redemption machine and left the
14 casino. Mr. Evan did not make restitution to the
15 patron. Valley Forge permanently evicted Mr. Evan.

16 At this time the OEC requests that the
17 Board exclude Daniel W. Evan.

18 CHAIRMAN: Questions or comments from
19 the Board?

20 Hearing none, may I have a motion?

21 MR. MUSTIO: Mr. Chairman, I move that
22 the Board approve the addition of Daniel W. Evan to
23 the PGCB Involuntary Exclusion List, as described by
24 the OCC.

25 MS. REITZEL: Second.

1 CHAIRMAN: I have a second.

2 All in favor?

3 AYES RESPOND

4 CHAIRMAN: All opposed?

5 The motion is adopted.

6 ATTORNEY MANIFESTO: Beth Manifesto on
7 behalf of the OEC. The last item on the Agenda for
8 the Board's consideration is a Petition seeking the
9 exclusion of Aumbrey Prysock, A-U-M-B-R-E-Y,
10 P-R-Y-S-O-C-K.

11 On June 15th of 2018, Mr. Prysock
12 engaged in table game play at Rivers Casino. Mr.
13 Prysock played Roulette for two hours and five
14 minutes. During his play he attempted to pass post
15 bets four times and successfully past posted an
16 additional four bets, causing a loss to the casino of
17 \$496.

18 At this time we ask Mr. Prysock be
19 placed on the Board's Excluded Persons List.

20 CHAIRMAN: Questions or comments from
21 the Board?

22 Hearing none, may I have a motion?

23 MS. REITZEL: Mr. Chairman, I move
24 that the Board approve the addition of Aumbrey Prysock
25 to the PGCB Involuntary Exclusion List, as described

1 by the OEC.

2 MR. SANTONI: Second.

3 CHAIRMAN: All in favor?

4 AYES RESPOND

5 CHAIRMAN: All opposed?

6 The motion's adopted.

7 ATTORNEY PITRE: That concludes our
8 business.

9 CHAIRMAN: Thank you very much. I
10 believe that concludes all the business we had before
11 us this morning and this afternoon.

12 The next Public Meeting will be held
13 on Wednesday, September 4th at 10:00 a.m. in this
14 room, where the first order of business will be to
15 conduct a Category 4 Casino Auction.

16 May I have a motion to adjourn the
17 meeting?

18 MR. SANTONI: Mr. Chairman, I move
19 that we adjourn.

20 MR. KERNODLE: Second.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed?

24 The motion's adopted. Thank you all
25 for your time and attention.

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

* * * * *

MEETING CONCLUDED AT 1:12 P.M.

* * * * *

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

CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Chairman David M. Barasch, was reported by me on 08/14/19 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 16th day of September, 2019



Lindsey Deann Richardson,
Court Reporter