

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: MEMBERS OF THE BOARD:

DAVID M. BARASCH, CHAIRMAN

Obra S. Kernodle, IV

Sean Logan

T. Mark Mustio

Merritt C. Reitzel

Dante Santoni, Jr.

Denise J. Smyler

EX-OFFICIO MEMBERS/DESIGNEES IN ATTENDANCE:

Jennifer Langan, Esquire, Designee,

Department of Treasury

Christin Heidingsfelder, Designee,

Department of Revenue

Fred Strathmeyer, Designee, Department of

Agriculture

MEETING: Wednesday, April 29, 2020, 10:00 a.m.

LOCATION: Teleconference meeting

Reporter: Bernadette M. Black

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

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

OFFICE OF ENFORCEMENT COUNSEL:

- CYRUS PITRE, Chief Enforcement Counsel

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P R O C E E D I N G S

CHAIRMAN: Good morning, everyone.

I'm David Barasch, Chairman of the Pennsylvania Gaming Control Board. As we get started, I'll remind everyone this - and the public, this meeting is the second regularly scheduled public session of the Gaming Control Board that it's conducting telephonically because of the COVID-19 pandemic presently impacting the State of Pennsylvania.

Board members and staff are all participating from remote locations in furtherance of the directives given to us by state and federal health officials.

By way of background, on March 6th, Governor Wolf made a disaster emergency declaration regarding this situation. This was followed by a March 11th advisory issued by the Office of Open Records, which was updated on March 18th and April 22nd. The Office of Open Records has advised that under these emergency circumstances, the public business of the Commonwealth can be conducted telephonically, so long as there is a mechanism in place to allow public access. We are providing that public access today to the audio of this meeting through the Board's website, as well as by

1 publishing the call-in information for this
2 teleconference. Additionally, as always, we have a
3 court reporter who's dialed in who will be
4 transcribing the minutes in the course of this
5 meeting.

6 All that being said, I would ask that
7 anybody who has called into this meeting to please
8 mute your telephone unless or until you are required
9 to speak. Also, before anyone coming before the
10 Board speaks, please make sure to please identify
11 who you are for the record. Okay.

12 With us today, we have seven Board
13 members. With us are Fred Strathmeyer, representing
14 Russell Redding, Secretary of Agriculture; Jennifer
15 Langan, representing Joseph Torsella, the State
16 Treasurer; and Christin Heidingsfelder, representing
17 Secretary of Revenue, Dan Hassell. Thank you all
18 for joining us. I'd also remind you all to try to
19 remember to identify yourself when you make a
20 motion, or ask to speak, or anything so the court
21 reporter has an accurate record.

22 All that being said, a quorum of the
23 Board appears to be present. I will call these
24 proceedings to order. The first order of business
25 is the Pledge of Allegiance.

1 PLEDGE OF ALLEGIANCE RECITED

2 CHAIRMAN: By way of announcements,
3 the Board held an Executive Session yesterday,
4 Tuesday, April 28th, to discuss personnel matters
5 and to conduct quasi-judicial deliberations relating
6 to matters coming before the Board today. That
7 meeting as well was conducted telephonically.

8 The first order of business this
9 morning, we have a report from our Executive
10 Director, Kevin O'Toole. Kevin?

11 MR. O'TOOLE: This is Kevin O'Toole,
12 Executive Director speaking. Good morning, Chairman
13 Barasch. Good morning, members of the Board. I
14 have a brief Executive Director's report this
15 morning. As we all know, on March the 16th, 2020,
16 all land-based casinos in Pennsylvania were closed
17 as a necessary precaution associated with the spread
18 of the COVID-19 virus. For over six weeks now, many
19 of our employees have been tele-working from their
20 homes with laptop computers. Board Staff has begun
21 the process of discussing with the casino operators
22 their plans for the eventual reopening of the land-
23 based casino facilities.

24 There is an anxiousness among all of
25 our staff to continue the process toward reopening

1 land-based casinos, as well as VGT gaming at
2 approved truck stop establishments. At this time
3 however, we do not know specifically when state and
4 local government in consultation with health experts
5 will give the okay for casinos to reopen. We hope
6 that that day will come fairly soon. Board Staff is
7 confident that the reopening of land-based casinos
8 and VGT rooms at approved truck stops will coincide
9 with responsible initiatives taken by casino
10 operators and VGT operators; initiatives that will
11 ensure appropriate social distancing throughout the
12 gaming floor, along with other protections that will
13 ensure the cleanliness of gaming equipment, gaming
14 tables, restrooms, cage and cashier counters, point
15 of sale locations, and any other areas that patrons
16 or employees access.

17 Our team of experienced casino
18 regulators, both those tele-working and those non-
19 tele-working are looking forward to rejoining each
20 other to assist in the task of reopening all gaming
21 activity under our regulatory oversight. That
22 concludes my remarks, Chairman and Commissioners.
23 Thank you very much.

24 CHAIRMAN: Thank you, Kevin. Are
25 there any questions for our Executive Director from

1 any staff or members of the Board? Hearing none,
2 I'll proceed.

3 Next up, we have Danette Bixler-
4 George, Director of the Human Resources. Good
5 morning, Danette.

6 MS. BIXLER-GEORGE: Good morning.
7 Good morning, Commissioners, Board Members. The
8 Office of Human Resources has one motion for your
9 consideration today relative to the provision of
10 temporary hiring authority to the Executive
11 Director.

12 Currently, we are engaged in a
13 temporary hiring freeze due to office
14 inaccessibility and the curtailment of certain
15 regulatory activities due to the closing of casinos
16 brought about by COVID-19. The Office of Human
17 Resources is requesting that the Board temporarily
18 delegate its hiring authority to the Executive
19 Director to allow the PGCB to continue to offer
20 employment to individuals who have completed the
21 background screening and drug testing so we have the
22 appropriate staff in place when normal operations
23 resume. The individuals selected for employment
24 will only be offered a position contingent upon
25 normal operations resuming and will be brought to

1 the full Board for ratification of hire at its next
2 meeting following those offers.

3 Unless you have questions or concerns,
4 the Office of Human Resources is requesting a motion
5 to temporarily delegate hiring authority to the
6 Executive Director through such time that the
7 casinos are able to fully reopen.

8 CHAIRMAN: Are there any questions or
9 comments from the Board? Hearing none, may I have a
10 motion, please?

11 COMMISSIONER SMYLER: Mr. Chairman,
12 this is Commissioner Smyler. I move that the Board
13 grant temporary delegated hiring authority to the
14 Executive Director as proposed by the Human
15 Resources Director.

16 COMMISSIONER KERNODLE: This is
17 Commissioner Kernodle and I second.

18 CHAIRMAN: Thank you. All in favor?
19 AYES RESPOND

20 CHAIRMAN: All opposed? Hearing none,
21 the motion is adopted.

22 MS. BIXLER-GEORGE: Thank you. Have a
23 good day.

24 CHAIRMAN: Next order of business,
25 Office of Chief Counsel (OCC), Doug Sherman.

1 ATTORNEY SHERMAN: Yes. Good morning,
2 Chairman and Members of the Board. As indicated,
3 this is Doug Sherman, Chief Counsel for the Board.
4 There are eight Petitions before the Board today for
5 your consideration. Each will be decided based upon
6 the documentary record as they are matters in which
7 the record is closed or there is no opposition to
8 the relief requested. In each of the matters, the
9 Board has, in advance of this meeting, been provided
10 with all of the documents filed of record.

11 First before the Board is Rush Street
12 Interactive PA, LLC's request for Board approval of
13 a restructuring transaction involving its parent
14 company, Rush Street Interactive, LLC. Rush Street
15 Interactive PA is licensed by the Board as both an
16 Interactive Gaming Operator and a Sports Wagering
17 Operator.

18 By way of background, Neil Bluhm, Greg
19 Carlin and two trusts established by each of them
20 owned Rush Street Interactive, LLC, which was the
21 100 percent owner of Rush Street Interactive PA,
22 LLC. Mr. Bluhm and Mr. Carlin began the process of
23 restricting the company to allow certain other
24 employees and individuals to invest in the company.
25 The restructuring became effective in December of

1 2019 when Rush Street Interactive, LLC converted to
2 a limited partnership, Rush Street Interactive, LP.

3 The overall effect of this
4 restructuring was to dilute Mr. Bluhm's and his
5 trust's ownership interests by approximately 14.1
6 percent and allowing 13 new individuals to invest
7 directly or indirectly in the organization. The
8 company will continue to operate under the same
9 management. And Mr. Carlin and Mr. Bluhm will
10 continue to maintain overall control.

11 The Office of Enforcement Counsel
12 (OEC) has no objection to the restructuring of the
13 parent company, subject to standard conditions
14 typical of a transaction of this nature.
15 Petitioners have asked that details of the
16 transaction be maintained as confidential, which
17 Enforcement Counsel also does not oppose. The
18 approval of the restructuring along with the
19 maintenance of confidentiality is now ready for the
20 Board's consideration.

21 CHAIRMAN: Thank you, Doug. Are there
22 any questions or comments from the Board? Hearing
23 none, may I have a motion, please?

24 COMMISSIONER KERNODLE: Mr. Chairman,
25 this is Commissioner Kernodle and I move that the

1 Board grant Rush Street Interactive PA approval of
2 reconstruction transaction as described by the OCC
3 and with the condition requested by the OEC. And I
4 further move that the Petitioner's request for
5 confidentiality be granted.

6 COMMISSIONER LOGAN: Logan. Second.

7 CHAIRMAN: Thank you. All in favor?

8 AYES RESPOND

9 CHAIRMAN: All opposed? Hearing none,
10 the motion's adopted.

11 ATTORNEY SHERMAN: Next before the
12 board is Rush Street Gaming, LLC's petition
13 requesting the Board to retroactively approve a
14 change to its parent company's ownership. The
15 change in ownership actually occurred in November of
16 2019. Rush Street Gaming, LLC provides corporate
17 overhead services to Rivers-Philadelphia and Rivers-
18 Pittsburgh Casinos. They are wholly-owned by Rush
19 Street Gaming Partners, LLC which was owned by Neil
20 Bluhm, and trusts established by Andrew Bluhm and
21 Greg Carlin.

22 For estate planning and other related
23 purposes, Mr. Bluhm reallocated his ownership
24 interest in Rush Street Gaming Partners by
25 transferring most of his ownership interest into

1 trusts. Mr. Carlin, who has an indirect ownership
2 in Rush Street Gaming Partners, LLC, will allow the
3 ownership to transfer to a newly created investment
4 vehicle. And the changes requested will not alter
5 the ownership of Rush Street Gaming, LLC, which will
6 remain wholly-owned by Rush Street Gaming Partners,
7 LLC.

8 The OEC has no objection to the relief
9 requested subject to standard conditions outlined in
10 its Answer. Again, there are aspects of the
11 transaction to be maintained as confidential and are
12 agreed to by Enforcement Counsel. And again, this
13 restructuring with the confidentiality is now ready
14 for the Board's consideration.

15 CHAIRMAN: Thank you, Doug. Are there
16 any questions or comments from the Board? Hearing
17 none, may I have a motion, please?

18 COMMISSIONER LOGAN: Mr. Chairman,
19 Commissioner Logan moves that the Board grant Rush
20 Street Gaming, LLC's petition seeking approval of
21 certain transfers as described by the OEC and with
22 the conditions requested by the OEC. I further move
23 that the Petitioner's request for confidentiality be
24 granted.

25 COMMISSIONER MUSTIO: Mr. Chairman,

1 Commissioner Mustio seconds that motion.

2 CHAIRMAN: Thank you. All in favor?

3 AYES RESPOND

4 CHAIRMAN: All opposed? Hearing none,
5 the motion's adopted.

6 ATTORNEY SHERMAN: The next matter
7 before the Board is the Joint Petition of the Stars
8 Group, Incorporated, TSG Interactive US Services,
9 Limited, Flutter Entertainment, PLC, and Betfair
10 Interactive US, LLC.

11 In Pennsylvania, the operating
12 subsidiary of Flutter Entertainment, PLC is Betfair
13 Interactive US, LLC, which operates as Fan Duel and
14 holds both a Conditional Sports Wagering Operator
15 License and a Conditional Interactive Operator
16 License. And they hold that in partnership with
17 Valley Forge Casino Resort. Flutter Entertainment
18 is presently traded on the London Stock Exchange.

19 The operating subsidiary of the Stars
20 Group is TSG Interactive US Services Limited, which
21 operates as Fox Bet and holds a Conditional Sports
22 Wagering Operator License and Conditional
23 Interactive Gaming Operator License in partnership
24 with Mount Airy Casino. The Stars Group is publicly
25 traded on both the NASDAQ and the Toronto Stock

1 Exchange.

2 The parties in the Petition are
3 seeking approval of a change in ownership and
4 control whereby Flutter Entertainment will acquire
5 all issued and outstanding shares of the Stars
6 Group. The Stars Group will thereafter emerge into
7 Flutter Entertainment PLC, making Flutter the direct
8 corporate parent of the Stars Group, Incorporated
9 and the ultimate corporate parent of TSG Interactive
10 US Services Limited.

11 Upon completion of the merger, it's
12 estimated the present shareholders of Flutter will
13 maintain a 54.64 percent interest in Flutter, while
14 present shareholders of the Stars Group will obtain
15 a 45.36 interest in Flutter. Additionally, after
16 the merger is complete, Flutter will then cause an
17 internal transfer of certain assets to be undertaken
18 and seek to refinance existing debt, as well as debt
19 incurred in the merger with the Stars Group.

20 The OEC has no objection to the
21 request subject to conditions outlined in the Answer
22 and this matter is now ready for the Board's
23 consideration.

24 CHAIRMAN: Are there any questions or
25 comments from the Board? Hearing none, may I have a

1 motion, please?

2 COMMISSIONER MUSTIO: Mr. Chairman,
3 this is Commissioner Mustio. I move that the Board
4 grant the Joint Petition for change of control as
5 described by the OCC and with the conditions
6 requested by the OEC.

7 COMMISSIONER REITZEL: Commissioner
8 Reitzel, second.

9 CHAIRMAN: Thank you. All in favor.

10 AYES RESPOND

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

13 ATTORNEY SHERMAN: Next before the
14 Board is GAN PLC's petition requesting the Board's
15 approval of a change in their company's corporate
16 structure.

17 GAN PLC is an interactive gaming
18 manufacturer and is conditionally licensed by the
19 Board to provide internet gaming software and sports
20 betting applications to online casinos in
21 Pennsylvania. At present, GAN is traded on the
22 London Stock Exchange.

23 Given increased involvement in the
24 U.S. gaming market, GAN PLC wishes to move its
25 company from the United Kingdom to Bermuda and to

1 list on the NASDAQ stock exchange.

2 In order to accomplish this move, GAN
3 PLC needs to create a new entity, which will be
4 known as GAN Limited, that is incorporated in
5 Bermuda. GAN Limited will then serve as GAN PLC's
6 parent company and shareholders in GAN PLC will
7 receive shares in GAN Limited. As a result of the
8 transaction, GAN PLC will delist from the London
9 Stock Exchange and register as a private limited
10 company owned by GAN Limited.

11 The OEC has no objection to the
12 request for change in ownership subject to several
13 conditions outlined in their Answer. And this
14 matter, too, is now ready for the Board's
15 consideration.

16 CHAIRMAN: Thank you, Doug. Are there
17 any questions or comments from the Board? Hearing
18 none, may I have a motion, please?

19 COMMISSIONER REITZEL: Mr. Chairman,
20 Commissioner Reitzel moves that the Board grant GAN
21 PLC's Petition for Approval of Change of Control as
22 described by the OCC and with the conditions
23 requested by the OEC.

24 COMMISSIONER SANTONI: Commissioner
25 Santoni seconds.

1 CHAIRMAN: Thank you. All in favor?

2 AYES RESPOND

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

5 ATTORNEY SHERMAN: Ronald Cook's
6 Petition to Lift the suspension of his Gaming
7 Employee Occupation Permit is the next matter before
8 the Board today.

9 Mr. Cook had been employed at Harrah's
10 Philadelphia Casino as a Total Rewards Coordinator.
11 In October 2019, the OEC filed a request for an
12 emergency suspension of Mr. Cook's Gaming Employee
13 Occupation Permit after receiving notice that he'd
14 been charged with firearm offenses, one of which
15 included a felony. Specifically, on October 11th of
16 2019, Mr. Cook entered the Delaware County
17 Courthouse. Upon entering, he informed security
18 that he had a handgun in his bag and asked if there
19 was a locker or lockbox available to store his gun.
20 Security determined that Mr. Cook did not have a
21 current valid concealed weapons permit and he was
22 arrested.

23 As Mr. Cook was charged with a felony,
24 the Board's Executive Director issued an Emergency
25 Order suspending Mr. Cook's Gaming Employee

1 Occupation Permit as requested by OEC. That hearing
2 on the matter was held and the Board issued an Order
3 on December 18th of 2019 continuing the emergency
4 suspension as the felony charge remained pending at
5 that time.

6 This past February, Mr. Cook pled
7 guilty to a reduced misdemeanor firearm charge. He
8 received two years of probation and was ordered to
9 complete 64 hours of community service and forfeited
10 his firearm to the Commonwealth. As a result of
11 those developments, OEC has no objection to the
12 request to lift the suspension of his permit with a
13 condition that he abides by the terms of his
14 probation.

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

17 CHAIRMAN: Thank you, Doug. Are there
18 any questions or comments from the Board? Hearing
19 none, may I have a motion?

20 COMMISSIONER SANTONI: Mr. Chairman,
21 Commissioner Santoni moves that the Board grant
22 Ronald Cook's Petition to Lift the suspension of his
23 Gaming Employee Occupation Permit as described by
24 the OEC.

25 COMMISSIONER SMYLER: Commissioner

1 Smyler, second.

2 CHAIRMAN: Thank you. All in favor?

3 AYES RESPOND

4 CHAIRMAN: All opposed? Hearing none,
5 the motion's adopted.

6 ATTORNEY SHERMAN: Next before the
7 Board is Shannon Davis' request to lift the
8 suspension of her Gaming Employee Occupation Permit.

9 By way of background, Ms. Davis was
10 employed as a table game dealer at Lady Luck Casino
11 Nemaquin. In October 2019, the OEC filed a request
12 for an emergency suspension of her Gaming Employee
13 Occupation Permit after receiving notice that she
14 had been charged with felony welfare fraud. The
15 Board's Executive Director issued the emergency
16 order suspending her permit as requested.

17 A hearing on the matter was held
18 before the Board's Office of Hearings and Appeals
19 (OHA), and subsequently, the Board issued an order
20 on February 12th, 2020, continuing the suspension as
21 Ms. Davis' felony charge remained pending.

22 Ms. Davis' charges have now been
23 dismissed and she is requesting that the suspension
24 of her Gaming Employee Occupation Permit be lifted.
25 OEC has no objection to that request.

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

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

6 COMMISSIONER SMYLER: Mr. Chairman,
7 Commissioner Smyler moves that the Board grant
8 Shannon Davis' Petition to Lift the suspension of
9 her Gaming Employee Occupation Permit as described
10 by the OEC.

11 COMMISSIONER KERNODLE: Commissioner
12 Kernodle, second.

13 CHAIRMAN: Thank you. All in favor?
14 AYES RESPOND

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

17 ATTORNEY SHERMAN: Next before the
18 Board is Ilan Cohen's request for removal from the
19 Board's Involuntary Exclusion List.

20 By way of background, on February
21 25th, 2015, the Board placed Mr. Cohen on the
22 Involuntary Exclusion List after he was caught
23 capping wagers while gaming at Sands Bethworks
24 Casino. Upon being confronted, Mr. Cohen made full
25 restitution to the casino. He was criminally

1 charged, permanently evicted, and was admitted into
2 and completed an Accelerated Rehabilitative
3 Disposition Program.

4 In March 2018, Mr. Cohen requested
5 early removal from the Exclusion List. And the
6 Board at that time issued an Order denying the early
7 removal, but advised Mr. Cohen that he could request
8 removal after five years from the date of his
9 placement on the list. It has now been more than
10 five years since the Board placed Mr. Cohen on the
11 Exclusion List and six years since the capping
12 incident. Mr. Cohen has again expressed remorse for
13 the action and has requested that he be removed from
14 the Exclusion List. The OEC does not object to that
15 request.

16 And it's Mr. Cohen's request that is
17 now ready for the Board's consideration.

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

21 COMMISSIONER KERNODLE: Mr. Chairman,
22 this is Commissioner Kernodle and I move that the
23 Board grant Ilan Cohen's Petition for Removal from
24 the PGCB Involuntary Exclusion List as described by
25 the OCC.

1 COMMISSIONER LOGAN: Logan, second.

2 CHAIRMAN: All in favor?

3 AYES RESPOND

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

6 ATTORNEY SHERMAN: The final petition
7 before the Board is Rahsheedah Fabor's request for
8 removal from the Board's Involuntary Exclusion List.

9 By way of background, in November
10 2016, Ms. Fabor and a friend entered Mohegan Sun at
11 Pocono Downs and, despite her age, refused to stop
12 and provide identification to security. Security
13 followed the women into the gaming floor. The
14 friend provided her ID. However, Ms. Fabor refused
15 to provide ID, became argumentative, disruptive, and
16 physical with security staff. Her actions at that
17 time resulted in her being charged with Resisting
18 Arrest, Criminal Trespass, Disorderly Conduct, and
19 Criminal Mischief. The charges were later, however,
20 dismissed.

21 Due to her actions, at that time the
22 OEC filed a petition to place Ms. Fabor of the
23 Exclusion List. A hearing was held on June 7th.
24 The Board placed Ms. Fabor on the Exclusion List.
25 Ms. Fabor is now requesting removal from the list

1 stating that she has learned her lesson and wanted
2 to go back to a casino. The Board's regulations
3 generally require an individual to be on the
4 Exclusion List for five years before they can
5 request removal absent extraordinary facts and
6 circumstances.

7 OEC does not believe that Ms. Fabor
8 meets the requirements for early removal as she had
9 not demonstrated extraordinary facts and
10 circumstances warranting early removal. However,
11 OEC has not actively opposed the relief requested
12 considering that the criminal charges were later
13 dismissed and that Ms. Fabor had been on the list
14 for almost three years.

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

17 CHAIRMAN: Are there any questions or
18 comments from the Board? Hearing none, may I have a
19 motion, please?

20 COMMISSIONER LOGAN: Mr. Chairman,
21 Commissioner Logan moves that the Board deny
22 Rahsheedah Fabor's petition for removal from the
23 PGCB Involuntary Exclusion List as described by the
24 OCC and that she remain on the PGCB Involuntary
25 Exclusion List.

1 COMMISSIONER MUSTIO: Second by
2 Commissioner Mustio.

3 CHAIRMAN: All in favor?

4 AYES RESPOND

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

7 ATTORNEY SHERMAN: Next, we have
8 withdrawals and surrenders, as well as Reports and
9 Recommendations presented by Deputy Chief Counsel
10 Steve Cook.

11 ATTORNEY COOK: Good morning. The
12 Board has received several unopposed Petitions to
13 withdraw the applications or surrender the
14 credentials of the following individuals and
15 entities: Angel Playing Cards Manufacturing Kyoto
16 Company, Limited; Angel Playing Cards USA,
17 Incorporated; as well as the principals of those two
18 companies; Mark F. Brown; Frank T. Donaghue; Ronald
19 S. Ellis; Alberto Fornaro; John J. Dougherty & Sons,
20 Inc.; Brian R. Pierce; Brian Reid Shultz; Speedy
21 Meedy's, Inc.; and James Stern.

22 The OEC has no objection to any of
23 these withdrawals or surrenders. And as a result,
24 if the Board chooses to grant these requests, they'd
25 be doing so without prejudice to each of these

1 parties. And these matters are now ripe for the
2 Board's consideration.

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

6 COMMISSIONER MUSTIO: Mr. Chairman,
7 this is Commissioner Mustio. I move that the Board
8 execute orders to approve the withdrawals and
9 surrenders as described by the OCC.

10 COMMISSIONER REITZEL: Commissioner
11 Reitzel, second.

12 CHAIRMAN: All in favor?

13 AYES RESPOND

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

16 ATTORNEY COOK: Next before the Board
17 for consideration are three reports and
18 recommendations received from the OHA. These
19 reports and recommendations, along with the complete
20 evidentiary record have been provided to the Board
21 in advance of this meeting.

22 The first report and recommendation
23 before the Board today pertains to John Bik. Mr.
24 Bik was issued a Gaming Employee Occupation Permit
25 to work as a carpenter at the Parx Casino. On

1 February 25th, 2019, the OEC filed a request for an
2 emergency suspension of Mr. Gik - excuse me, Bik's
3 Gaming Employee Occupation Permit after receiving
4 notice that he had been charged with four felony
5 offenses, a misdemeanor, and numerous summary
6 offenses following an incident where he was speeding
7 and his vehicle struck and killed a pedestrian and
8 had fled the scene of the accident.

9 As a result of these charges, the
10 Board's Executive Director issued an Emergency Order
11 suspending Mr. Bik's Gaming Employee Occupation
12 Permit as requested by Enforcement Counsel. After
13 several continuances, a hearing in this matter was
14 held before the Board's OHA on January 7th, 2020.
15 At that hearing, OEC appeared offering testimony and
16 documentary evidence. Mr. Bik did not appear.

17 After hearing the evidence presented,
18 a Report and Recommendation was issued recommending
19 that the suspension of Mr. Bik's Gaming Employee
20 Occupation Permit remain in effect as Mr. Bik at
21 that point in time had pled no contest to Homicide
22 by Vehicle, a felony; Aggravated Assault by Vehicle,
23 a felony; and Involuntary Manslaughter, a
24 misdemeanor of the first degree. Since the felony
25 convictions have now been entered against Mr. Bik,

1 he is no longer eligible to hold a Gaming Permit.
2 And as a result, the Hearing Officer recommends the
3 suspension remain in effect. And that is the
4 recommendation before the Board.

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

8 COMMISSIONER REITZEL: Mr. Chairman,
9 Commissioner Reitzel moves that the Board adopt the
10 report and recommendation issued by the OHA
11 regarding the suspension of John Bik's Gaming
12 Employee Occupation Permit as described by the OCC.

13 COMMISSIONER SANTONI: Seconded by
14 Commissioner Santoni.

15 CHAIRMAN: Thank you. All in favor?
16 AYES RESPOND

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

19 ATTORNEY COOK: Suzi Smith's Report
20 and Recommendation is the next matter before the
21 Board today.

22 On September 16th, 2019, the OEC filed
23 a Petition requesting that Ms. Smith be placed on
24 the Board's Involuntary Exclusion List alleging that
25 on August 24th, 2019, Ms. Smith picked up and

1 removed money from a wallet dropped by another
2 patron at the Mohegan Sun Pocono Casino. She was
3 charged with Theft of Property and entered into a
4 12-month Accelerated Rehabilitative Disposition or
5 ARD program, which included payment of restitution
6 to the individual who dropped the wallet.

7 A hearing in this matter was held
8 during December of 2019. The OEC appeared
9 presenting testimony and documentary evidence. The
10 criminal documents entered into evidence showed that
11 a patron reported a lost wallet, that an
12 unidentified person turned the wallet in to
13 security, and that when it was turned in, it was
14 missing \$1,900 in cash. Surveillance - it was also
15 alleged that surveillance video showed Ms. Smith
16 picking up the wallet, removing something, and then
17 leaving the wallet at a slot machine. However, the
18 video evidence or video recording was not put into
19 evidence due to a technical problem which would not
20 allow it to play during the hearing.

21 Ms. Smith appeared and testified on
22 her own behalf. She admitted to picking up the
23 wallet and looking through it, but stated that there
24 was no money in it when she found it and simply
25 placed it back down. Ms. Smith acknowledged it was

1 irresponsible on her part to not turn the wallet in
2 to security, but she denied taking any money. She
3 further indicated that she did, in fact, enter an
4 ARD program, however it was upon the advice of her
5 Counsel, even though she didn't believe she was
6 guilty of any theft.

7 After hearing the evidence presented,
8 a Report and Recommendation was issued by the
9 Hearing Office recommending that Ms. Smith be placed
10 on the Board's Involuntary Exclusion List.

11 And that is the recommendation that is
12 now ripe for the Board's consideration.

13 CHAIRMAN: Are there any questions or
14 comments from the Board? Hearing none, may I have a
15 motion?

16 COMMISSIONER SANTONI: Mr. Chairman,
17 Commissioner Santoni moves that the Board reject the
18 Report and Recommendation issued by the OHA
19 regarding the placement of Suzi Smith on the PGCB
20 Involuntary Exclusion List and that Ms. Smith not be
21 placed on the Involuntary Exclusion List for reasons
22 to be outlined in the Board's order.

23 COMMISSIONER SMYLER: Commissioner
24 Smyler, 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 G.K.'s request to be removed from the Voluntary
7 Self-Exclusion List. G.K. is being identified by
8 their initials as the person who is self-excluded,
9 and therefore, the person's name is confidential.

10 A hearing was held in this matter on
11 January 28th, 2020. The OEC appeared presenting
12 testimony and documentary evidence opposing removal
13 from the Voluntary Self-Exclusion List. G.K. also
14 appeared and testified on her own behalf.

15 The evidence presented at the hearing
16 established that on May 30th, 2019, G.K entered the
17 Wind Creek Bethlehem Casino, met with a Casino
18 Compliance Representative and requested to be placed
19 on the Self-Exclusion List for a five-year period.
20 The Casino Compliance Representative who placed G.K.
21 on the list testified that he conducted the
22 mandatory interview with G.K.; explained the process
23 of being placed on the List; the consequences of the
24 various exclusion periods; and he also completed all
25 of the required paperwork and procedures with G.K.

1 initialing the checklist acknowledging a five-year
2 exclusion period.

3 G.K. testified that she believed she
4 was only being placed on the List for a one-year
5 exclusion period and that the computer monitor that
6 the CCR was using was not visible to her, so she
7 could not see what he was typing into the system.
8 G.K. further testified that she did not realize she
9 was on the list for five years until she opened the
10 paperwork after the fact when she got home. G.K.
11 stated that her and her husband enjoy going to the
12 casino to see shows and dinner, not to gamble, and
13 didn't feel she needed to be on the list for more
14 than one year. Ultimately, G.K.'s request before
15 the Board is to be placed on the Self-Exclusion List
16 for only a one-year term, which would expire on May
17 30th, 2020, as opposed to the five-year term
18 reflected in the paperwork.

19 In the Report and Recommendation
20 issued subsequent to the hearing, the Hearing
21 Officer recommended that G.K.'s Petition be denied
22 and that she remain on the Self-Exclusion List for
23 five years.

24 And that is the matter that's ripe for
25 the Board's consideration.

1 CHAIRMAN: Are there any questions or
2 comments from the Board? Hearing none, do I have a
3 motion?

4 COMMISSIONER SMYLER: Mr. Chairman,
5 Commissioner Smyler moves that the Board adopt the
6 report and recommendation issued by the OHA
7 regarding G.K.'s petition for removal from the PGCB
8 Voluntary Self-Exclusion List for a five-year run as
9 described by the OCC, and that G.K. remain on the
10 Voluntary Self-Exclusion List.

11 COMMISSIONER KERNODLE: Commissioner
12 Kernodle, second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

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

17 ATTORNEY SHERMAN: That concludes the
18 matters of the OCC.

19 CHAIRMAN: Thank you, Doug. I guess
20 next we have Sue Hensel, Bureau of Licensing. Sue,
21 are you there?

22 MS. HENSEL: Yes, I am. As indicated,
23 this is Susan Hensel, the Director of Licensing.
24 Thank you, Chairman Barasch and members of the
25 Board. Before the Board today will be applicants

1 for an Interactive Gaming Operator License, a Sports
2 Wagering Operator License, an Interactive
3 Manufacturer License, and a Slot Machine
4 Manufacturer Renewal License. In addition, there
5 will be 678 principal entities and individuals, Key
6 Employees and Gaming and Non-Gaming Employees.
7 Finally, there will be consideration of four Gaming
8 Service Provider Applicants.

9 First for your consideration are
10 Interactive Gaming and Sports Wagering Operator
11 Licenses for Crown PA Gaming, Inc., doing business
12 as DraftKings. Crown PA Gaming, Inc. is a Boston,
13 Massachusetts based business that offers daily
14 fantasy, sports wagering and online casino products.
15 The company has previously been licensed as a
16 fantasy contest operator and conditionally licensed
17 as a sports wagering operator.

18 The Bureau of Investigations and
19 Enforcement (BIE) has completed its investigation
20 and the Bureau of Licensing has provided you with
21 background investigation and suitability reports. I
22 have provided you with draft Orders and ask that the
23 Board consider the Orders to approve the licenses
24 beginning first with the Interactive Gaming Operator
25 License.

1 ATTORNEY PITRE: Cyrus Pitre on behalf
2 of the OEC. We have no objection.

3 CHAIRMAN: Thank you, Cyrus. Are
4 there any questions or comments from the Board?
5 Hearing none, can I have a motion, please?

6 COMMISSIONER KERNODLE: Mr. Chairman,
7 this is Commissioner Kernodle and I move that the
8 Board grant the Interactive Gaming Operator License
9 for Crown PA Gaming, Inc. doing business as
10 DraftKing described by the Bureau of Licensing.

11 COMMISSIONER LOGAN: Logan seconds.

12 CHAIRMAN: Thank you. All in favor?

13 AYES RESPOND

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

16 MS. HENSEL: And next would be the
17 Sports Wagering Operator License.

18 ATTORNEY PITRE: Once again, the OEC
19 has no objection.

20 CHAIRMAN: Thank you. Any questions
21 or comments from the Board? Hearing none, may I
22 have a motion, please?

23 COMMISSIONER LOGAN: Mr. Chairman,
24 Commissioner Logan moves that the Board grant the
25 Sports Wagering Operator License for Crown PA

1 Gaming, Incorporated doing business as DraftKing as
2 described by the Bureau of Licensing.

3 COMMISSIONER MUSTIO: Commissioner
4 Mustio, second.

5 CHAIRMAN: Thank you. All in favor?
6 AYES RESPOND

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

9 MS. HENSEL: Also for your
10 consideration is the approval of an Interactive
11 Gaming Manufacturer license for Majime Services OU.
12 Majime Services OU is an Estonia based company that
13 provides interactive gaming services. It was
14 previously issued a Conditional Interactive Gaming
15 Manufacturer License. The BIE has completed its
16 investigation and the Bureau of Licensing has
17 provided you with a background investigation and
18 suitability report. I provided you with a draft
19 Order and ask that the Board consider the order to
20 approve an Interactive Gaming Manufacturer License
21 for Majime Services OU.

22 ATTORNEY PITRE: The OEC has no
23 objection.

24 CHAIRMAN: Are there any questions or
25 comments from the Board? Hearing none, may I have a

1 motion, please?

2 COMMISSIONER MUSTIO: Mr. Chairman,
3 Commissioner Mustio moves that the Board grant the
4 Interactive Gaming Manufacturer License for Majime
5 Services OU as described by the Bureau of Licensing.

6 COMMISSIONER REITZEL: Commissioner
7 Reitzel, second.

8 CHAIRMAN: Thank you. All in favor?

9 AYES RESPOND

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

12 MS. HENSEL: The next matter for your
13 consideration is the renewal of a Slot Machine
14 Manufacturer License for Ditronics Financial
15 Services, LLC. Ditronics Financial Services, LLC
16 manufactures ticket redemption kiosks and other
17 financial services products. It is based in Nevada.
18 The BIE has completed its investigation and the
19 Bureau of Licensing has provided you with a
20 background investigation and suitability report.
21 I've provided you with a draft Order and ask that
22 the Board consider the Order to renew the Slot
23 Machine Manufacturer License for Ditronics Financial
24 Services, LLC.

25 ATTORNEY PITRE: The OEC has no

1 objection.

2 CHAIRMAN: Thank you. Any questions
3 or comments from the Board? Hearing none, may I
4 have a motion, please?

5 COMMISSIONER REITZEL: Mr. Chairman,
6 Commissioner Reitzel moves that the Board grant the
7 renewal of Ditronics Services, LLC's Slot Machine
8 Manufacturer License as described by the Bureau of
9 Licensing.

10 COMMISSIONER SANTONI: Commissioner
11 Santoni seconds.

12 CHAIRMAN: Thank you. All in favor?
13 AYES RESPOND

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

16 MS. HENSEL: Next are approvals for
17 one-year additional license extensions for the
18 following entities; Conditional iGaming Manufacturer
19 Licensees, Pala Interactive, LLC, and SBTech Malta,
20 Limited; Conditional VGT Operator Licensee, Accel
21 Entertainment Gaming PA, LLC; and Conditional VGT
22 Establishment Licensee, Geneva Truck Stop, Inc.

23 These companies were granted one-year
24 conditional licenses approximately one year ago.
25 Under the Gaming Act and Board regulations, the

1 Board is authorized to extend the licenses for an
2 additional one year for good cause. In each case,
3 the background investigation and suitability report
4 process for the companies is continuing. I've
5 provided you with draft Orders and ask that you
6 grant the one-year license extensions.

7 ATTORNEY PITRE: The OEC has no
8 objection.

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

12 COMMISSIONER SANTONI: Mr. Chairman,
13 Commissioner Santoni moves that the Board grant the
14 extension for conditional licenses as described by
15 the Bureau of Licensing.

16 COMMISSIONER SMYLER: Commissioner
17 Smyler seconds.

18 CHAIRMAN: All in favor?

19 AYES RESPOND

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

22 MS. HENSEL: In addition, there are
23 Principal entities and individuals and Key
24 Employees. Prior to this meeting, the Bureau of
25 Licensing provided you with a proposed order for six

1 Principals and five Key Employees. I ask that the
2 Board consider the Order approving these licenses.

3 ATTORNEY PITRE: The OEC has no
4 objection.

5 CHAIRMAN: Thank you. Any questions
6 or comments from the Board? Hearing none, may I
7 have a motion, please?

8 COMMISSIONER SMYLER: Mr. Chairman,
9 this is Commissioner Smyler. I move that the Board
10 grant the Principal and Key Employee Licenses as
11 described by the Bureau of Licensing.

12 COMMISSIONER KERNODLE: Commissioner
13 Kernodle second.

14 CHAIRMAN: Thank you. All in favor?
15 AYES RESPOND

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

18 MS. HENSEL: There are also Temporary
19 Licenses. Prior to this meeting, the Bureau of
20 Licensing provided you with an Order regarding the
21 issuance of Temporary Licenses for 3 Principals and
22 21 Key Employees. I ask that the Board consider the
23 Order approving these licenses.

24 ATTORNEY PITRE: The OEC has no
25 objection.

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

4 COMMISSIONER KERNODLE: Mr. Chairman,
5 this is Commissioner Kernodle. I move that the
6 Board grant Temporary Principal and Key Employee
7 Accreditation as described by the Bureau of
8 Licensing.

9 COMMISSIONER LOGAN: Logan seconds.

10 CHAIRMAN: Thank you. All in favor?

11 AYES RESPOND

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

14 MS. HENSEL: Next are Gaming Permits
15 and the Non-Gaming Registrations. Prior to this
16 meeting, the Bureau of Licensing provided you with a
17 list of 451 individuals to whom the Bureau has
18 granted Temporary or Full Occupation Permits, and
19 101 individuals to whom the Bureau has granted
20 Registrations under the authority delegated to the
21 Bureau of Licensing. I ask that the Board consider
22 a motion approving the Order.

23 ATTORNEY PITRE: The OEC has no
24 objection.

25 CHAIRMAN: Any questions or comments

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

3 COMMISSIONER LOGAN: Mr. Chairman,
4 Commissioner Logan moves that the Board approve the
5 applications for Gaming Employee Occupation Permits
6 and Non-Gaming Employee Registrations as described
7 by the Bureau of Licensing.

8 COMMISSIONER MUSTIO: Commissioner
9 Mustio seconds.

10 CHAIRMAN: Thank you. All in favor?

11 AYES RESPOND

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

14 MS. HENSEL: There are also
15 recommendations of denial for two Gaming Employee
16 Applicants. The applicants were notified that they
17 were being recommended for denial and failed to
18 request hearings within the specified time frames.
19 The Bureau of Licensing has provided you with Orders
20 addressing each of the applicants who the OEC has
21 recommended for denial. I ask that the Board
22 consider the Orders approving these denials.

23 ATTORNEY PITRE: The OEC continues to
24 recommend denial of each application.

25 CHAIRMAN: Thank you. Any questions

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

3 COMMISSIONER MUSTIO: Mr. Chairman,
4 Commissioner Mustio moves that the Board deny the
5 applications for Gaming Employee Occupational
6 Permits as described by the Bureau of Licensing.

7 COMMISSIONER REITZEL: Commissioner
8 Reitzel second.

9 CHAIRMAN: Thank you. All in favor?

10 ---

11 (WHEREUPON, THERE WAS A BRIEF INTERRUPTION IN THE
12 PROCEEDINGS.)

13 ---

14 CHAIRMAN: All in favor again, please.

15 AYES RESPOND

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

18 MS. HENSEL: The next matters for your
19 consideration are Withdrawal requests. In each
20 case, the license, permit or registration is no
21 longer required. For today's meeting, I have
22 provided the Board with 1 Key, 79 Gaming, and 9
23 Non-Gaming Applicants. I ask that the Board
24 consider the Orders approving the Withdrawals.

25 ATTORNEY PITRE: The OEC has no

1 objection.

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

4 COMMISSIONER REITZEL: Mr. Chairman, I
5 move that the Board approve the addition of Leng Bun
6 to the PGCB Involuntary Exclusion List as described
7 by the OEC.

8 CHAIRMAN: Wait a minute.

9 COMMISSIONER REITZEL: Am I on the
10 wrong one?

11 MS. HENSEL: We're considering right
12 now a motion for the Withdrawal Requests.

13 COMMISSIONER REITZEL: I'm sorry. I'm
14 reading the wrong one. Mr. Chairman, I apologize.
15 Commissioner Reitzel moves that the Board grant the
16 Withdrawal of a Key Employee Application and Gaming
17 and Non-Gaming Employee Applications as described by
18 the Bureau of Licensing.

19 CHAIRMAN: Thank you.

20 COMMISSIONER SANTONI: Commissioner
21 Santoni, second.

22 CHAIRMAN: Thank you. All in favor?

23 AYES RESPOND

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

1 MS. HENSEL: Finally, we have orders
2 to certify - finally, we have orders to certify the
3 following Gaming Service Providers. For initial
4 certification, we have Flatiron Collective, Inc. and
5 Somerville Construction Services, Inc. And for
6 renewal certification, we have Philadelphia D&M,
7 Inc. and Roma Steel Erection, Inc. I ask that the
8 Board consider the Orders approving these Gaming
9 Service Providers for certification.

10 ATTORNEY PITRE: The OEC has no
11 objection.

12 CHAIRMAN: Thank you. Are there any
13 questions or comments from the Board? Hearing none,
14 may I have a motion?

15 COMMISSIONER SANTONI: Mr. Chairman,
16 Commissioner Santoni moves that the Board approve
17 the applications for Gaming Service Provider
18 Certification as described by the Bureau of
19 Licensing.

20 COMMISSIONER SMYLER: Commissioner
21 Smyler, second.

22 CHAIRMAN: Thank you. All in favor?
23 AYES RESPOND

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

1 MS. HENSEL: That concludes the Bureau
2 of Licensing's matters.

3 CHAIRMAN: Thank you so much, Sue.
4 Now we're going to hear from Chief Enforcement
5 Counsel, Cyrus Pitre. Cyrus?

6 ATTORNEY PITRE: Good morning. The
7 OEC will present six matters for the Board's
8 consideration today in which we request the approval
9 of three Revocations, one Suspension, one
10 Involuntary Exclusion, and one Gaming Service
11 Provider Revocation and Prohibition.

12 The next four matters on the agenda
13 consist of enforcement actions in which the OEC
14 filed complaints seeking the Revocation of two
15 Non-Gaming Employee Registrations and one Gaming
16 Employee Occupation Permit, as well as a Suspension
17 of one Non-Gaming Employee Registration, all of
18 which were issued by the Board.

19 The complaints have been filed with
20 the Board's OHA and properly served upon the
21 individual named in each complaint. The individual
22 named in each complaint failed to respond within 30
23 days as required by Board regulation. As a result,
24 the OEC filed the Request for Default Judgment in
25 each instance and properly served the same upon each

1 Respondent. Therefore, the facts in each complaint
2 are deemed admitted, all filed documents have been
3 provided to the Board, and the matters are presently
4 ripe for the Board's consideration. I will provide
5 a brief summary of the facts in each matter and make
6 a request for the appropriate Board action.

7 The next matter on the agenda for the
8 Board's consideration is the suspension of the Non-
9 Gaming Employee Registration issued to Jasmine
10 Dowell.

11 Ms. Dowell was arrested and
12 subsequently pled guilty to misdemeanor trespassing
13 for which she was sentenced to one-year probation.
14 As a result, the OEC requests that the Board suspend
15 the Non-Gaming Employee Registration issued to
16 Jasmine Dowell.

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

20 COMMISSIONER SMYLER: Mr. Chairman,
21 Commissioner Smyler moves that the Board approve the
22 suspension of Jasmine Dowell's Non-Gaming Employee
23 Registration as described by the OEC.

24 COMMISSIONER KERNODLE: Commissioner
25 Kernodle seconds.

1 CHAIRMAN: All in favor?

2 AYES RESPOND

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

5 ATTORNEY PITRE: The next matter on
6 the agenda for the Board's consideration is the
7 revocation of the Gaming Employee Occupation Permit
8 issued to Zhi Lai.

9 Mr. Lai, while employed as a dealer,
10 colluded with a patron to cheat at the game of
11 Baccarat and repeatedly stacked the shoe allowing
12 the patron to fraudulently win. The patron made a
13 total of 15 trips to the licensed facility in which
14 he fraudulently won more than \$1.1 million during
15 the time period that Mr. Lai worked as the dealer.
16 Mr. Lai was terminated from employment and is not
17 presently employed in the Pennsylvania Gaming
18 industry.

19 At this time, the OEC requests that
20 the Board revoke the Gaming Employee Occupation
21 Permit issued to Zhi Lai.

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

24 COMMISSIONER KERNODLE: Mr. Chairman,
25 this is Commissioner Kernodle and I move that the

1 Board approve the revocation of Zhi Lai's Gaming
2 Employee Occupation Permit as described by the OEC.

3 COMMISSIONER LOGAN: Logan seconds.

4 CHAIRMAN: All in favor?

5 AYES RESPOND

6 CHAIRMAN: All opposed? The motion's
7 adopted. Before you proceed, just one quick
8 question, Cyrus. Was Mr. Lai prosecuted?

9 ATTORNEY PITRE: That matter is still
10 under review for prosecution. I don't want to go
11 into the details because we believe that there's
12 some other jurisdictions involved.

13 CHAIRMAN: Okay. Thank you.

14 ATTORNEY PITRE: The next matter on
15 the agenda for the Board's consideration is
16 revocation of the Non-Gaming Employee Registration
17 issued to Paul Sabash.

18 While employed as a valet supervisor
19 at a licensed facility, Mr. Sabash stole money from
20 the valet cash register at least 11 times for a
21 total of \$153. Mr. Sabash was terminated from his
22 employment and was criminally prosecuted. At this
23 time, OEC requests that the Board revoke the Non-
24 Gaming Employee Registration issued to Paul Sabash.

25 CHAIRMAN: Any questions or comments

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

2 COMMISSIONER LOGAN: Mr. Chairman,
3 Commissioner Logan moves that the Board approve the
4 revocation of Paul Sabash's Non-Gaming Employee
5 Registration as described by the OEC.

6 COMMISSIONER MUSTIO: Commissioner
7 Mustio seconds.

8 CHAIRMAN: Thank you. All in favor?

9 AYES RESPOND

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

12 ATTORNEY PITRE: The next matter on
13 the agenda for the Board's consideration is the
14 revocation of the Non-Gaming Employee Registration
15 issued to Trey Darnell. Mr. Darnell was arrested
16 and pled guilty to felony burglary charges,
17 receiving stolen property, criminal trespassing,
18 firearm charges, and misdemeanor resisting arrest.
19 At this time, OEC requests the Board revoke the
20 Non-Gaming Employee Registration issued to Trey
21 Darnell.

22 CHAIRMAN: Thank you. Any questions
23 or comments from the Board? Hearing none, may I
24 have a motion, please?

25 COMMISSIONER MUSTIO: Mr. Chairman,

1 Commissioner Mustio moves that the Board approve the
2 revocation of Trey Darnell's Non-Gaming Employee
3 Registration as described by the OEC.

4 CHAIRMAN: Is there a second, please?

5 COMMISSIONER LOGAN: Commissioner
6 Logan, second.

7 CHAIRMAN: Oh, thank you. Thank you,
8 Sean. All in favor?

9 AYES RESPOND

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

12 ATTORNEY PITRE: The next matter on
13 the agenda -.

14 ---

15 (WHEREUPON, AN OFF RECORD DISCUSSION WAS
16 HELD.)

17 ---

18 CHAIRMAN: Okay. Thank you. Let's
19 proceed then.

20 ATTORNEY PITRE: The next matter on
21 the agenda consists of the enforcement action in
22 which the OEC filed a Petition seeking the
23 involuntary exclusion of Leng Bun for intentionally
24 starting a fire in the parking garage at Rivers
25 Philadelphia. As a result of his actions, Mr. Bun's

1 presence in the licensed facility has been deemed
2 inimical to the interest of the Commonwealth and
3 licensed gaming therein. Petition for his exclusion
4 has been filed with the Board's OHA and properly
5 served upon Mr. Bun. Thereafter, Mr. Bun failed to
6 respond within 30 days as required by Board
7 regulation. As a result, the OEC filed a Request
8 for Default Judgment and properly served the same on
9 Mr. Bun. Therefore, the facts in the petition are
10 deemed admitted.

11 All filed documents have been provided
12 to the Board and the matter is presently ripe for
13 the Board's consideration. If the Board orders the
14 proposed exclusion, Mr. Bun's photo, personal
15 identifiers, and a summary of his inimical conduct
16 will be placed on the Board's public website. At
17 this time, the OEC requests that the Board place
18 Leng Bun on the Involuntary Exclusion List.

19 CHAIRMAN: Any questions or comments
20 from the Board? Hearing none, may I have a motion,
21 please?

22 COMMISSIONER REITZEL: Mr. Chairman,
23 Commissioner Reitzel moves that the Board approve
24 the addition of Leng Bun to the PGCB Involuntary
25 Exclusion List as described by the OEC.

1 COMMISSIONER SANTONI: Seconded by
2 Commissioner Santoni.

3 CHAIRMAN: Thank you. All in favor?
4 AYES RESPOND

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

7 ATTORNEY PITRE: The final matter on
8 the agenda consists of an enforcement action in
9 which the OEC filed a complaint to revoke the Gaming
10 Service Provider Registration issued to Clearview
11 Landscaping and Design, Incorporated and to place
12 Clearview Landscaping and Design, Incorporated on
13 the Board's Prohibited Gaming Service Provider List
14 for conducting business and providing services in
15 violation of the Act.

16 The enforcement action has been filed
17 with the Board's OHA and properly served upon
18 Clearview Landscaping and Design, Incorporated, who
19 in turn failed to respond within 30 days as required
20 by Board regulation. As a result, the OEC filed a
21 Request for Default Judgment and properly served the
22 same upon Clearview Landscaping and Design,
23 Incorporated.

24 All filed documents have been provided
25 to the Board and the matter is presently ripe for

1 the Board's consideration. If the Board orders the
2 revocation and proposed placement on the Prohibited
3 Gaming Service Provider List, the company will be
4 prohibited from conducting any business with or
5 providing any services to Pennsylvania's Gaming
6 industry, and will be placed on the prohibited list
7 on the Board's public website.

8 By way of background, Clearview
9 Landscaping was licensed as a Gaming Service
10 Provider on or about May 11th, 2011, to provide
11 services at Hollywood Casino. An investigation
12 conducted by the BIE discovered that through
13 collusion with Clearview Landscaping, an
14 unauthorized company performed services at Hollywood
15 Casino despite being prohibited by the Board.
16 Through Clearview Landscaping, the unauthorized
17 company was unlawfully compensated approximately
18 \$1.2 million for its services.

19 In addition to colluding with the
20 unauthorized company, it was discovered that
21 Clearview Landscaping accepted payment for services
22 rendered at Hollywood Casino on behalf of two other
23 companies. Clearview Landscaping then issued a
24 check to those companies for the services rendered
25 minus a fee for providing payment through the

1 Clearview Landscaping account. As payment has been
2 properly made to the two companies without the
3 collusion of Clearview Landscaping, both companies
4 would have exceeded the dollar threshold amount for
5 business at their approved level of licensure and
6 would have been required to submit additional
7 licensing applications and additional licensing
8 application fees to the Board. Therefore, Clearview
9 Landscaping deliberately aided in circumventing the
10 licensing requirements in place for Gaming Service
11 Providers.

12 At this time, the OEC requests that
13 the Board revoke the Gaming Service Provider
14 Registration issued to Clearview Landscape and
15 Design, Incorporated, and place Clearview and
16 Design, Incorporated on the Board's Prohibited
17 Gaming Service Providers List.

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

21 COMMISSIONER SANTONI: Mr. Chairman,
22 Commissioner Santoni moves that the Board approve
23 the revocation of Clearview Landscaping and Design,
24 Inc.'s Gaming Service Provider Registration and that
25 it also be placed on the Prohibited Gaming Service

1 Provider List as described by the OEC.

2 COMMISSIONER SMYLER: Commissioner
3 Smyler, second.

4 CHAIRMAN: Thank you. All in favor?

5 AYES RESPOND

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

8 ATTORNEY PITRE: That concludes my
9 business.

10 CHAIRMAN: Thank you so much, Cyrus.
11 Okay.

12 I guess that concludes today's public
13 meeting. Our next public meeting of the Gaming
14 Control Board is scheduled to be held on Wednesday,
15 May 20th at 10:00 a.m., we hope in the Board's
16 regular public meeting room at the Pennsylvania
17 Gaming Control Board OHA in Strawberry Square. With
18 that said, all interested parties, given the
19 uncertainty of the situation, should monitor the
20 Board's website for the latest information about the
21 location, or way, or manner in which we will conduct
22 the meeting.

23 May I have a motion to adjourn the
24 meeting, please?

25 COMMISSIONER SMYLER: This is

1 Commissioner Smyler. Mr. Chairman, I move to
2 adjourn.

3 COMMISSIONER KERNODLE: Kernodle,
4 second.

5 CHAIRMAN: Thank you. All in favor?

6 AYES RESPOND

7 CHAIRMAN: All opposed? We are
8 adjourned. The motion's adopted. Thank you
9 everybody for your cooperation.

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11 HEARING CONCLUDED AT 11:05 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceeding was reported by me on 04/29/2020 and that I, Bernadette M. Black, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

Dated the 7th day of May, 2020

Bernadette M. Black

Bernadette M. Black,
Court Reporter