

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

* * * * *

BEFORE: MEMBERS OF THE BOARD:

DAVID M. BARASCH, CHAIRMAN

Obra S. Kernodle, IV

Sean Logan

T. Mark Mustio

Merritt C. Reitzel

Dante Santoni, Jr.

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

HEARING: Wednesday, July 8, 2020, 10:10 a.m.

LOCATION: Telephonic

Reporter: Amy Distefano

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

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

OFFICE OF ENFORCEMENT COUNSEL:

- CYRUS PITRE, Chief Enforcement Counsel

ALSO PRESENT WERE:

- MARIE JONES, ESQUIRE, Fox Rothschild, LLP
- STEPHEN MARTINO, Senior Vice President and Chief
Compliance Officer, MGM Resorts International
- PATRICK MADAMBA, JR., ESQUIRE, Senior Vice President
and Legal Counsel, MGM Resorts International

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CHAIRMAN: Good morning, everyone.

I'm Dave Barasch, Chairman of the Pennsylvania Gaming Control Board.

This morning's meeting is the fifth regularly scheduled public session of the Board that's been conducted - being conducted telephonically because of the COVID-19 pandemic. We are holding this meeting remotely with our various Board members and other participants in different locations in furtherance of the directives given to the Pennsylvania State - given by Pennsylvania State health officials and the Governor pertaining to social distancing.

By way of background, the Commonwealth's Office of Open Records has issued -.

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

CHAIRMAN: Has issued various advisories as to how agencies conduct businesses in compliance with the Sunshine Act, given these

1 unprecedented circumstances.

2 These advisories provide that under
3 these emergency circumstances, the public business of
4 the Commonwealth can be conducted by teleconference,
5 so long as a mechanism is in place to allow public
6 access.

7 We have done that here, and have done
8 that for the last four meetings, by providing public
9 access to the audio of this meeting through the
10 Board's website, as well as by publishing the call-in
11 information for this teleconference.

12 Additionally, as always, we have a
13 court reporter dialed in, who will be transcribing
14 our proceedings.

15 All that said, I would ask everyone
16 who has called into this meeting to try to keep your
17 telephone on mute, unless and until you are asked to
18 speak. Also, before anyone speaks, please make sure
19 it is clear on the record who you are.

20 Okay.

21 To get started, I will note for the
22 record that we have six of our seven Board members
23 with us today. Unfortunate Commissioner -
24 unfortunately Commissioner Smyler had an unforeseen
25 personal conflict that arose and she's unable to join

1 us today.

2 In addition to the six Board members,
3 we also have Fred Strathmeyer, representing Russell
4 Redding, Secretary for the Department of Agriculture.
5 Jennifer Langan, representing Joe Torsella, the State
6 Treasurer; and Christin Heidingsfelder, representing
7 Secretary of Revenue, Dan Hassell. Thank you all for
8 joining us.

9 A quorum of the Board being present, I
10 will call the proceedings to order. The first order
11 of business is the Pledge of Allegiance.

12 PLEDGE OF ALLEGIANCE RECITED

13 CHAIRMAN: Thank you. By way of
14 announcement, the Board held an Executive Session
15 yesterday, Tuesday, July 7th, to conduct
16 quasi-judicial deliberations relating to matters that
17 are coming before the Board today. That meeting also
18 was done telephonically.

19 I'd also like to announce that, as
20 mandated by Act 23 of 2020, the Board will be holding
21 an auction for a single available Cat 4 Casino
22 License at our September 2nd, 2020 Board Meeting.
23 Any interested persons should monitor the Board's
24 website as we will be posting the procedures by which
25 this auction will be conducted in the upcoming days.

1 First we have a motion to approve the
2 minutes and transcripts of our May 20th meeting. I'm
3 sorry a second, please.

4 May I have such a motion?

5 MR. KERNODLE: Commissioner Kernodle.
6 I move that the Board approve the minutes and
7 transcripts of the May 20th, 2020 meeting.

8 MR. LOGAN: Commissioner Logan,
9 seconds.

10 CHAIRMAN: Thank you. All in favor?

11 AYES RESPOND

12 CHAIRMAN: All opposed? The motion is
13 adopted.

14 Next I guess we have an Executive
15 Director's report from Kevin O'Toole. Good morning,
16 Kevin.

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

19 This morning I would like to report
20 that ten casinos in Pennsylvania have reopened,
21 beginning the second week of June, and they are
22 operational today. One casino, Rivers Pittsburgh,
23 who did open the second week in June has temporarily
24 closed for a one-week period. Rivers Pittsburgh was
25 closed late in the day on July the 2nd, for a

1 seven-day period.

2 The Allegheny Department of Health
3 issued an Order closing bars, taverns, lounges,
4 nightclubs and the Rivers Casino in an effort to
5 reduce the instances of positive COVID-19 tests in
6 Allegheny County. Rivers Pittsburgh complied fully
7 with that Department of Health Order.

8 Since casinos began to reopen on June
9 the 9th, numerous safety precautions have worked
10 well. And late last week, all casinos implemented
11 temporary policies to prohibit smoking inside the
12 casino facilities. Some casinos are offering an
13 open-air area outside the casino facility for
14 smokers, with the requirement that there be social
15 distancing in that area.

16 Rivers Philadelphia is hopeful to
17 reopen next week. They will re-open with a
18 limitation of 50 percent of its customer capacity.
19 They will also have limits on the number of patrons
20 permitted to play at each individual table game.
21 Social distancing will be accomplished through a
22 reconfiguration of its slot machines on the Gaming
23 Floor. And further steps will be taken to utilize
24 Plexiglas dividers at both table games and slot
25 machines, again, for the purpose of enhancing social-

1 distancing requirements and minimizing any risk of
2 virus transmission.

3 With respect to VGT terminals located
4 within designated areas at approved truck stops, the
5 Board's Bureau of Casino Compliance and Bureau of
6 Investigations and Enforcement (BIE) have authorized
7 the reopening of all 27 VGT rooms that were shut down
8 in March - mid-March due to the Coronavirus.

9 One additional approved truck stop
10 recently opened its VGT room, so now there is a total
11 of 28 locations where patrons can play the Video
12 Gaming Terminals.

13 I would also like to report that we
14 have returned to work over 50 of our - over 80 of our
15 employees due to the reopening of most of the
16 Pennsylvania land-based casinos. Next week we expect
17 to return another 20 employees to teleworking status.

18 Chairman, that concludes my report.
19 Thank you all.

20 CHAIRMAN: Does anybody have any
21 questions for Kevin at this juncture? Hearing none,
22 we'll move on to Office of Chief Counsel (OCC). Doug
23 Sherman.

24 ATTORNEY SHERMAN: Good morning,
25 Chairman and members of the Board. There is one

1 Petition before the Board for consideration today.
2 And with respect to that one, the Board has, in
3 advance of this meeting, been provided with all of
4 the documents filed of record.

5 The Petition before you is Anthony
6 Havard's request for removal from the Board's
7 Involuntary Exclusion List. On July 25th, 2015, Mr.
8 Havard, who was 20 years old at the time, was working
9 as a Security Officer at Mohegan Sun. After
10 completing his shift, and while still in uniform, he
11 was served several alcoholic beverages and played
12 slot machines before he left the property.

13 As a result of this conduct, he was
14 terminated from Mohegan Sun, charged with summary
15 offenses, to which he pled guilty. He's had his
16 Gaming Permit revoked and was also placed on the
17 Board's Involuntary Exclusion List.

18 Typically an individual must wait
19 until they've been on the Exclusion List for five
20 years before they can seek removal, absent
21 extraordinary facts and circumstances. It has now
22 been over four years since Mr. Havard's placement on
23 the Exclusion List and he is requesting early removal
24 from the list.

25 In this case, Mr. Havard has provided

1 the Board with substantial evidence that subsequent
2 to the events of 2015, he has completed a Drug and
3 Alcohol Treatment Program, and in fact, is currently
4 employed as a Care Coordinator at a drug and alcohol
5 treatment facility.

6 Mr. Havard states in his Petition that
7 being on the Exclusion List has interfered with his
8 current job, since one of his responsibilities is to
9 be able to meet a person anywhere when the individual
10 calls the treatment center for help with their
11 substance-abuse issues, which, on occasion, include
12 at a casino property.

13 Under the facts presented, the Office
14 of Enforcement Counsel (OEC) has no objection to Mr.
15 Havard's request for removal from the Exclusion List.
16 And this is the request now ready for the Board's
17 consideration.

18 CHAIRMAN: Thank you, Doug.

19 Do any Board members have any
20 questions or comments at this time? Hearing none,
21 may I have a motion, please?

22 MR. MUSTIO: Commissioner Mustio moves
23 that the Board grant Anthony Havard's Petition for
24 Removal from the Board's Involuntary Exclusion List.

25 MS. REITZEL: Commissioner Reitzel,

1 second.

2 CHAIRMAN: Thank you. All in favor?

3 AYES RESPOND

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

6 ATTORNEY SHERMAN: Next we have
7 Withdrawals and Surrenders as well as two Reports and
8 Recommendations presented by Deputy Chief Counsel
9 Steve Cook.

10 ATTORNEY COOK: Good morning. The
11 Board has received several unopposed Petitions to
12 withdraw the applications or surrenders or
13 credentials of the following individuals and
14 entities: Johannes Bergh, Erik Edeen, Erin Kovnot,
15 Jan Boltz, Emer Timmons, Michael Mulroy, Lowell Mora,
16 Richard Eugene Flaherty, Ruth Catherine Prior, Stars
17 Interactive PS Holdings Limited and William O'Neil.

18 The OEC has no objection to any of
19 these Withdrawals or Surrenders, and as a result, if
20 the Board grants them, they would be doing so without
21 prejudice to each of these parties, and these matters
22 are now ripe for consideration.

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

1 MS. REITZEL: Commissioner Reitzel
2 moves that the Board issue Orders to approve the
3 Withdrawals and Surrenders as described by the OCC.

4 MR. SANTONI: Commissioner Santoni
5 seconds.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

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

10 ATTORNEY COOK: Next before the Board
11 for consideration are two Reports and Recommendations
12 received from the Office of Hearings and Appeals
13 (OHA). These Reports and Recommendations, along with
14 the evidentiary record for each hearing has been
15 provided to the Board in advance of this meeting.

16 Joseph Cassel's matter is the first
17 Report and Recommendation before the Board today. On
18 March 22nd, 2019 the OEC filed a Petition to place
19 Mr. Cassel on the Board's Exclusion List after
20 learning that, during December of 2018, he took
21 another patron's wallet inadvertently left behind at
22 the Parx Casino.

23 A hearing in this matter was held on
24 March 5th, 2020. OEC appeared, offering documentary
25 video and testimonial evidence. Mr. Cassel also

1 appeared at the hearing and testified on his own
2 behalf, stating that he made a mistake and did not
3 realize that the wallet that he had taken was not
4 his. He further testified that he should have gone
5 back to the casino and turned the wallet in when he
6 realized that, but instead he handed it into a
7 grocery store not far from the casino.

8 Mr. Cassel was ultimately charged with
9 theft-related offenses and entered into an ARD
10 Program for 12 months, as well as was ordered to pay
11 \$147 in restitution and perform community service.

12 The Report and Recommendation issued
13 in this matter, while finding Mr. Cassel is credible
14 and remorseful, recommended that he nevertheless be
15 placed on the Board's Involuntary Exclusion List.
16 And that is the recommendation before the Board
17 today.

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

20 MR. SANTONI: Commissioner Santoni
21 moves that the Board adopt the Report and
22 Recommendation issued by the OHA regarding the
23 placement of Joseph Cassel on the PGCB Involuntary
24 Exclusion List in part. And that Mr. Cassel be
25 placed on the Board's Involuntary Exclusion List for

1 one year, at which time he shall be removed without
2 further Board action.

3 MR. MUSTIO: Commissioner Mustio
4 seconds.

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

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

9 ATTORNEY COOK: The next and final
10 Report and Recommendation before the Board today
11 pertains to Cleomie Miller-Ramsey. On June 20th,
12 2020 the OEC filed a Petition requesting that Ms.
13 Miller-Ramsey be placed on the Board's Involuntary
14 Exclusion List, alleging that on March 24th, 2019,
15 she left her eight-year-old grandson in the car
16 unattended while she gamed at Rivers Casino
17 Pittsburgh.

18 The child was left alone for
19 approximately 20 to 25 minutes. A hearing in this
20 matter was held on October 17th, 2019. Enforcement
21 Counsel appeared and presented testimonial,
22 documentary and surveillance video evidence in
23 support of their Petition.

24 Ms. Miller-Ramsey failed to appear at
25 the initial hearing; however, she later requested

1 that the record be reopened, and as a result another
2 hearing was held on October 24th, 2019. Ms. Ramsey
3 appeared at that hearing and testified on her own
4 behalf, admitting to leaving her grandson alone in
5 the vehicle and stating several times that she did
6 not realize she cannot leave the child unattended.

7 And that, nevertheless - and that she
8 had raised four of her own children successfully and
9 apologized. She also apologized multiple times for
10 leaving the child alone.

11 Ms. Miller-Ramsey further testified
12 that she was only planning on running in to pick up a
13 promotional gift at the casino and leave, but did, in
14 fact, played slot machines while inside.

15 After hearing all of the evidence
16 presented, the Report and Recommendation issued
17 recommends that Ms. Miller-Ramsey, in fact, be placed
18 on the Board's Involuntary Exclusion List and that is
19 today before the Board for adoption.

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

23 MR. MUSTIO: Commissioner Mustio moves
24 that the Board adopt the Report and Recommendation
25 issued by the OHA regarding the placement of Cleomie

1 Miller-Ramsey on the PGCB Involuntary Exclusion List
2 as described by the OCC.

3 MR. KERNODLE: Commissioner Kernodle
4 seconds.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

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

9 ATTORNEY SHERMAN: And that concludes
10 the matters of OCC today.

11 CHAIRMAN: Next up we have Bureau of
12 Licensing matters with Director Susan Hensel.

13 Susan, are you there?

14 MS. HENSEL: Yes, I am. Thank you,
15 Chairman Barasch, and members of the Board.

16 Before the Board today will be license
17 applications for one Sports Wagering Operator, one
18 Interactive Gaming Manufacturer and ten Conditional
19 Video Gaming Terminal Establishments. In addition,
20 there will be 187 Principals and Key employees, a
21 Qualifier and Gaming and Non-Gaming employees.
22 Finally, there will be consideration of two Gaming
23 Service Provider Applicants.

24 First for your consideration is a
25 Sports Wagering Operator License for Sports

1 Information Services Limited, doing business as
2 Kambi. Sports Information Services Limited is a
3 Malta-based business that offers online and retail
4 sports wagering. The company was previously issued a
5 Conditional Sports Wagering Operator License.

6 The BIE has completed its
7 investigation and the Bureau of Licensing has
8 provided you with the Background Investigation and
9 Suitability Report. I've provided you with a Draft
10 Order and ask that the Board consider the Order to
11 approve the Sports Wagering Operator License.

12 ATTORNEY PITRE: Cyrus Pitre, on
13 behalf of the OEC. We have no objection.

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

17 MR. KERNODLE: Yes. Commissioner
18 Kernodle moves that the Board grant the Sports
19 Wagering Operator License for Sports Information
20 Service Limited doing business as Kambi as described
21 by the Bureau of Licensing.

22 MR. LOGAN: Commissioner Logan
23 seconds.

24 CHAIRMAN: Thank you. All in favor?

25 AYES RESPOND

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

3 MS. HENSEL: Also for your
4 consideration is an Interactive Gaming Manufacturer
5 License for NetEnt Americas, LLC. NetEnt Americas,
6 LLC is a New Jersey-based company that provides
7 online game content for use by interactive gaming
8 certificate holders. The company was previously
9 issued a Conditional Interactive Gaming Manufacturer
10 License.

11 The BIE has completed its
12 investigation and the Bureau of Licensing has
13 provided you with a Background Investigation and
14 Suitability Report. I have provided you with a Draft
15 Order and ask that you consider the Order to approve
16 the Interactive Gaming Manufacturer License for
17 NetEnt Americas, LLC.

18 ATTORNEY PITRE: Enforcement Counsel
19 has no objection.

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

23 MR. LOGAN: Commissioner Logan moves
24 that the Board grant the Interactive Gaming
25 Manufacturer License for NetEnt Americas, LLC as

1 described by the Bureau of Licensing.

2 MR. MUSTIO: Commissioner Mustio
3 seconds.

4 CHAIRMAN: All in favor?

5 AYES RESPOND

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

8 MS. HENSEL: The next matters are
9 Conditional VGT Establishment Licenses. The
10 applicants are all Raceway Management Company, Inc.
11 related entities. The entities are: Raceway
12 Management Company, Inc. doing business as Liberty
13 Travel Plaza-Lake Ariel, located at 151 Twin Rocks
14 Road in Lake Ariel; Raceway Management Company, Inc.
15 doing business as Liberty Travel Plaza-Great Bend,
16 located at 25106 State Route 11 in Hallstead.

17 Raceway Management Company, Inc. doing
18 business as Liberty Travel Plaza-Gibson, located at
19 2174 State Route 848 in New Milford; Raceway
20 Management Company, Inc. doing business as, Liberty
21 Travel Plaza-Gouldsboro, located at 17 Main Street in
22 Gouldsboro; Raceway Management Company, Inc. doing
23 business as Liberty Travel Plaza-Lakewood, located at
24 1414 State Route 507 in Greentown.

25 Raceway Management Company, Inc. doing

1 business as Liberty Travel Plaza-Mifflinville,
2 located at 451 West Third Street in Mifflinville;
3 Raceway Management Company, Inc. doing business as
4 Liberty Travel Plaza-Duncannon, located at 3298
5 Susquehanna Trail in Duncannon; Raceway Management
6 Company, Inc. doing business as Liberty Express-
7 Duncannon, located at 3151 Susquehanna Trail in
8 Duncannon.

9 Raceway Management Company, Inc. doing
10 business as Liberty Travel Plaza-Mifflintown, located
11 at 9 Stop Plaza Drive in Mifflintown. And Raceway
12 Management Company, Inc. doing business as Liberty
13 Travel Plaza-Mt. Cobb, located at 1174 Mt. Cobb Road
14 in Lake Ariel.

15 The Board may conditionally license an
16 establishment provided the applicant has never been
17 convicted of a felony, is current on state taxes, has
18 submitted a completed application and has not been
19 convicted of a gambling-law violation. A preliminary
20 review of these applicants indicates that they meet
21 these criteria.

22 Note that these are strictly
23 conditional approvals. Final approval will be based
24 on the applicants meeting all of the eligibility
25 criteria provided in the Gaming Act. A final

1 eligibility determination will follow investigation
2 and site inspections by the BIE.

3 I've provided you with Draft Orders
4 addressing each of these applicants and ask that the
5 Board consider a motion to approve the Conditional
6 VGT Establishment Licenses.

7 ATTORNEY PITRE: Enforcement Counsel
8 has no objection.

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

12 MR. MUSTIO: Commissioner Mustio moves
13 that the Board grant the Conditional Video Gaming
14 Terminal Establishment Licenses as described by the
15 Bureau of Licensing.

16 MS. REITZEL: Commissioner Reitzel
17 seconds.

18 CHAIRMAN: All in favor?

19 AYES RESPOND

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

22 MS. HENSEL: Next are approvals for
23 one year license extensions for the following
24 conditionally-licensed entities: PFJ Southeast, LLC,
25 located in Fystown, which is a VGT Establishment;

1 Unibet Interactive, Inc., which is an Interactive
2 Gaming Operator, and Unibet Interactive, Inc., which
3 is also a Sports Wagering Operator.

4 These entities were granted one year
5 Conditional Licenses, approximately one year ago.
6 Under the Gaming Act and Board Regulations, the Board
7 is authorized to extend the licenses for an
8 additional one year for good cause. In each case the
9 Background Investigation and Suitability Report
10 process for the company is continuing.

11 I have provided you with Draft Orders
12 and ask that you grant one year license extensions.

13 ATTORNEY PITRE: Enforcement Counsel
14 has no objection.

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

18 MS. REITZEL: Commissioner Reitzel
19 moves that the Board grant the extensions of
20 Conditional Licenses as described by the Bureau of
21 Licensing.

22 MR. SANTONI: Commissioner Santoni
23 seconds.

24 CHAIRMAN: Thank you. All in favor?

25 AYES RESPOND

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

3 MS. HENSEL: In addition there are
4 Principal entities and individuals and Key Employees.
5 Prior to this meeting the Bureau of Licensing
6 provided you with a Proposed Order for six Principals
7 and seven Key Employees. I ask that the Board
8 consider the Order approving these licenses.

9 ATTORNEY PITRE: Enforcement Counsel
10 has no objection.

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

14 MR. SANTONI: Commissioner Santoni
15 moves that the Board grant the Principal and Key
16 Employee Licenses as described by the Bureau of
17 Licensing.

18 MS. REITZEL: Commissioner Reitzel
19 seconds.

20 CHAIRMAN: All in favor?

21 AYES RESPOND

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

24 MS. HENSEL: There are also Temporary
25 Licenses. Prior to this meeting the Bureau of

1 Licensing provided you with an Order regarding the
2 issuance of Temporary Licenses for 4 Principals and
3 14 Key Employees. I ask that the Board consider the
4 Order approving these licenses.

5 ATTORNEY PITRE: Enforcement Counsel
6 has no objection.

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

10 MS. REITZEL: Commissioner Reitzel
11 moves that the Board grant the Temporary Principal
12 and Key Employee credentials as described by the
13 Bureau of Licensing.

14 MR. KERNODLE: Commissioner Kernodle
15 seconds.

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

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

20 MS. HENSEL: Next are Gaming Permits
21 and Non-Gaming Registrations. Prior to this meeting,
22 the Bureau of Licensing provided you with an Order
23 and a list of 142 individuals to whom the Bureau has
24 granted Temporary or Full Occupation Permits and six
25 individuals to whom the Bureau has granted

1 Registrations under the authority delegated to the
2 Bureau of Licensing. I ask that the Board consider a
3 motion approving the Order.

4 ATTORNEY PITRE: Enforcement Counsel
5 has no objection.

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

9 MR. KERNODLE: Commissioner Kernodle
10 moves that the Board approves the applicants for
11 Gaming Employee Occupation Permits and Non-Gaming
12 Employee Registration as described by the Bureau of
13 Licensing.

14 MR. LOGAN: Commissioner Logan
15 seconds.

16 CHAIRMAN: All in favor?

17 AYES RESPOND

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

20 MS. HENSEL: The next matters for your
21 consideration are Withdrawal Requests. In each case,
22 the Permit or Registration is no longer required.
23 For today's meeting, I have provided the Board with
24 one Non-Gaming Applicant, Kalim Mims-Reaves, and five
25 Gaming Applicants. I ask that the Board consider the

1 Order approving the Withdrawals.

2 ATTORNEY PITRE: Enforcement Counsel
3 has no objection.

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

7 MR. LOGAN: Commissioner Logan moves
8 that the Board grant the Withdrawal of Kalim
9 Mims-Reaves' Non-Gaming Employee Application and
10 Gaming Employee Application as described by the
11 Bureau of Licensing.

12 MR. MUSTIO: Commissioner Mustio
13 seconds.

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

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

18 MS. HENSEL: And finally we have an
19 Order to certify the following Gaming Service
20 Providers. IDology, Inc. and Lighthouse Electric
21 Company, LLC. I ask that the Board consider the
22 Order approving these Gaming Service Providers for
23 certification.

24 ATTORNEY PITRE: Enforcement Counsel
25 has no objection.

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

4 MR. MUSTIO: Commissioner Mustio moves
5 that the Board approve IDology, Inc.'s application
6 for Gaming Service Provider certification and
7 Lighthouse Electric Company's Renewal Application for
8 Gaming Service Provider certification as described by
9 the Bureau of Licensing.

10 MS. REITZEL: Commissioner Reitzel
11 seconds.

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

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

16 MS. HENSEL: And that concludes the
17 Bureau of Licensing's matters.

18 CHAIRMAN: Thank you, Susan. Next up,
19 the Enforcement Counsel, Cyrus Pitre. Good morning,
20 Cyrus.

21 ATTORNEY PITRE: Good morning. The
22 OEC will present four matters today for the Board's
23 consideration, in which we'll request the approval of
24 one Consent Agreement, one Suspension and two
25 Involuntary Exclusions.

1 The next matter on the Agenda for the
2 Board's consideration is a Consent Agreement between
3 the OEC and applicant, MGM Resorts International.
4 Representatives for MGM Resorts International are
5 present on this call. And at this time I would
6 request that those individuals please introduce
7 themselves for the record.

8 ATTORNEY JONES: Good morning, Mr.
9 Chairman, Board members. Marie Jones from Fox
10 Rothschild, here on behalf of MGM Resorts
11 International.

12 With me today is Stephen Martino,
13 Senior Vice President and Chief Compliance Officer of
14 MGM Resorts International. And Patrick Madamba,
15 Senior Vice President and Legal Counsel of MGM
16 Resorts International. Thank you.

17 CHAIRMAN: Thank you.

18 ATTORNEY PITRE: Mr. Chairman, members
19 of the Board, this Consent Agreement involves the
20 hiring of an - and employment of a former Board
21 employee by MGM Resorts International prior to the
22 expiration of the statutorily required two-year
23 period from Pennsylvania Gaming Control Board,
24 employment separation.

25 MGM is a pending applicant and parent

1 affiliate of Marina District Development Company,
2 LLC, who is a Qualified Gaming Entity applicant
3 seeking an Interactive Gaming Certificate and Roar
4 Digital, LLC, who is a pending applicant for an
5 iGaming Operator License.

6 The former Board employee is no longer
7 employed by MGM. The Act prohibits an applicant or
8 an affiliate, intermediary, subsidiary or a holding
9 company of an applicant from employing or retaining
10 an employee of the Board whose duties substantially
11 involve licensing, enforcement, development of law,
12 promulgation of regulations or a development of
13 policy related to gaming for a period of two years
14 following termination of employment.

15 At the time of employment separation
16 from the Board, the former Board employee held a
17 position that was subject to the two year employment
18 restriction. As a result, the employment of the
19 former Board employee by MGM prior to the expiration
20 of the two year employment restriction was in
21 violation of the Act. As a result, MGM implemented
22 several policy changes, as outlined in the Consent
23 Agreement, to prevent similar violations from
24 occurring in the future.

25 At this time the OEC requests that the

1 Board approve this Consent Agreement between the
2 parties. The terms of the settlement include that
3 MGM shall pay a civil penalty in the amount of
4 \$85,000 to the Board prior to providing gaming-
5 related activity to the public in the Commonwealth of
6 Pennsylvania.

7 Additionally, MGM shall pay to the
8 Board an administrative fee in the amount of \$2,500
9 prior to providing gaming-related activity to the
10 public in the Commonwealth of Pennsylvania. The
11 administrative fee is to cover the costs incurred by
12 OEC, BIE and other related staff in connection with
13 this matter.

14 Further, MGM shall continue to review
15 policies and controls and provide training and
16 guidance to its employees, which will minimize the
17 opportunity for the occurrence of a similar incident
18 in the future.

19 If you have any questions, we'll be
20 happy to address them at this time.

21 CHAIRMAN: Thank you, Cyrus. Before I
22 open it up for questions, does any of the
23 representatives, Ms. Jones or anybody, care to make
24 any comment? Any of MGM's representatives care to
25 make a comment at this time? It's not required.

1 ATTORNEY JONES: Thank you, Mr.
2 Chairman. We just urge the Board to approve the
3 Consent Agreement.

4 CHAIRMAN: Okay. Thank you.
5 Are there any questions or comments
6 from the Board on this matter?

7 MR. LOGAN: Mr. Chairman, this is
8 Sean.

9 CHAIRMAN: Yes?

10 MR. LOGAN: If I may?

11 CHAIRMAN: Oh, yeah, please.

12 MR. LOGAN: My phone was going in and
13 out. Cyrus, were you saying the \$85,000 penalty -
14 were you using the word prior to them participating -
15 ? Help me with the language there.

16 ATTORNEY PITRE: Yes. At the present
17 time Roar has an iGaming Operator License, an
18 application present. We anticipate licensing in the
19 very near future, hopefully by the next Board
20 meeting. Prior to them going live and offering any
21 interactive gaming services to the public in the
22 Commonwealth, that fine would have to be paid.

23 MR. LOGAN: I got you. Thank you.
24 Thank you, Mr. Chairman.

25 CHAIRMAN: Thank you, Sean. Anybody

1 else have any questions for this matter?

2 MS. LANGAN: This is Jennifer. I was
3 just wondering - I know this is about MGM.

4 Cyrus, did you refer this matter
5 regarding the employee to the Legal Board, the
6 oversight -?

7 ATTORNEY PITRE: No, I did not.

8 MS. LANGAN: Okay. Thank you.

9 CHAIRMAN: Okay.

10 If there are no other questions or
11 comments, can I have a motion?

12 MS. REITZEL: Commissioner Reitzel
13 moves that the Board adopt the Consent Agreement
14 between the OEC and MGM Resorts International as
15 described by the OEC.

16 MR. SANTONI: Commissioner Santoni
17 seconds.

18 CHAIRMAN: Thank you. All in favor?

19 AYES RESPOND

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

22 ATTORNEY PITRE: The next -.

23 ATTORNEY JONES: Thank you, Mr.

24 Chairman.

25 CHAIRMAN: Thank you. And thank you

1 for participating.

2 ATTORNEY PITRE: The next matter on
3 the Agenda consists of an enforcement action in which
4 the OEC filed a Complaint with the Board's OHA
5 seeking the suspension of the Gaming Employee
6 Occupation Permit issued by the Board to Temurjon
7 Ochilov.

8 The Complaint has been properly served
9 upon Mr. Ochilov, who failed to respond within 30
10 days, as required by Board Regulation. As a result,
11 the OEC filed a Request For Default Judgment in this
12 matter and properly served the same upon Mr. Ochilov.
13 Therefore, the facts in the Complaint are deemed
14 admitted. The following documents have been provided
15 to the Board and the matter is presently ripe for the
16 Board's consideration.

17 In summary, Mr. Ochilov was arrested
18 and criminally charged with felony level aggravated
19 assault and criminal conspiracy, as well as several
20 misdemeanors in Philadelphia, Pennsylvania after he
21 and another individual physically attacked their
22 victim causing severe bodily injury.

23 Mr. Ochilov is not presently employed
24 in the Pennsylvania gaming industry. At this time
25 the OEC requests that the Board suspend the Gaming

1 Employee Occupation Permit issued to Temurjon
2 Ochilov.

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

6 MR. SANTONI: Commissioner Santoni
7 moves that the Board approve the suspension of
8 Temurjon Ochilov's Gaming Employee Occupation Permit
9 as described by the OEC.

10 MR. MUSTIO: Commissioner Mustio
11 seconds.

12 CHAIRMAN: Thank you. All in favor?

13 AYES RESPOND

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

16 ATTORNEY PITRE: The remaining matters
17 on the Agenda consist of enforcement actions in which
18 the OEC filed Petitions seeking the Involuntary
19 Exclusion of individuals whose presence in a licensed
20 facility are inimical to the interests of the
21 Commonwealth and/or licensed gaming therein.

22 In each instance the Petition for
23 Exclusion has been filed with the Board's OHA and
24 properly served upon the individual named in the
25 Petition. The individual named in the Petition

1 failed to respond within 30 days, as required by
2 Board Regulation. As a result, the OEC filed a
3 Request for Default Judgment in each instance and
4 properly served the same upon each individual.

5 Therefore, all facts in each Petition
6 are deemed admitted. All filed documents have been
7 provided to the Board and the matters are presently
8 ripe for the Board's consideration. In each instance
9 if the Board orders the proposed exclusion, each
10 individual's photo, personal identifiers and a
11 summary of the inimical conduct will be placed on the
12 Board's public website.

13 Next on the Agenda is a request to
14 place Dwight Thomas Kevin Pickett, Jr. on the
15 Involuntary Exclusion List. On separate occasions,
16 while he was a patron at Parx Casino and Harrah's
17 Philadelphia Casino, Mr. Pickett passed counterfeit
18 \$100 bills. Mr. Pickett was criminally charged by
19 the Pennsylvania State Police for each incident and
20 subsequently entered a guilty plea.

21 At this time, the OEC requests that
22 the Board place Dwight Thomas Kevin Pickett, Jr. on
23 the Board's Involuntary Exclusion List.

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

1 motion, please?

2 MR. MUSTIO: Commissioner Mustio moves
3 that the Board approve the addition of Dwight Thomas
4 Kevin Pickett, Jr. to the PGCB Involuntary Exclusion
5 List as described by OEC.

6 MR. KERNODLE: Commissioner Kernodle
7 seconds.

8 CHAIRMAN: Thank you. All in favor?

9 AYES RESPOND

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

12 ATTORNEY PITRE: The last matter on
13 the Agenda is a request to place Alvin Siler, Jr. on
14 the Involuntary Exclusion List.

15 Mr. Siler was arrested and charged by
16 the Pennsylvania State Police for cheating at Parx
17 Casino on two separate occasions, at Harrah's
18 Philadelphia Casino on one occasion and at Rivers
19 Philadelphia on two occasions.

20 During these incidents, Mr. Siler
21 placed or moved wagers after the time for making
22 wagers expired. At this time the OEC requests that
23 the Board place Alvin Siler, Jr. on the Board's
24 Involuntary Exclusion List.

25 CHAIRMAN: Are there any questions or

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

3 MR. KERNODLE: Commissioner Kernodle
4 moves that the Board approves the addition of Alvin
5 Siler, Jr. to the PGCB Involuntary Exclusion List
6 described by the OEC.

7 MR. LOGAN: Commissioner Logan
8 seconds.

9 CHAIRMAN: All in favor?

10 AYES RESPOND

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

13 ATTORNEY PITRE: Thank you. That
14 concludes our business.

15 CHAIRMAN: Thank you, Cyrus. It
16 appears that is our Agenda for today's meeting. Our
17 next public meeting will be held on Wednesday,
18 August 5th at 10:00 a.m.

19 Given the continuing uncertain times,
20 I advise that all interested parties monitor the
21 Board's website for the latest information as to how
22 that meeting will be conducted.

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

25 MR. LOGAN: Motion to adjourn by

1 Commissioner Logan.

2 CHAIRMAN: Thank you. Is there a -?

3 MR. MUSTIO: Second by Commissioner
4 Mustio.

5 CHAIRMAN: Thank you. All in favor?

6 AYES RESPOND

7 CHAIRMAN: All opposed? The motion is
8 adopted and we are adjourned. Thank you one and all.

9 * * * * *

10 MEETING CONCLUDED AT 10:48 A.M.

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15 CERTIFICATE

16

17 I hereby certify, as the stenographic reporter,
18 that the foregoing proceedings were taken
19 stenographically by me, and thereafter reduced to
20 typewriting by me or under my direction; and that
21 this transcript is a true and accurate record to the
22 best of my ability.

23

24 Dated the 22nd day of July, 2020

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Amy N. Distefano,
Court Reporter