

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: MEMBERS OF THE BOARD:

David M. Barasch

Obra S. Kernodle, IV

Sean Logan

T. Mark Mustio

Merritt C. Reitzel

Dante Santoni, Jr.

Denise 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, November 18, 2020, 10:00 a.m.

LOCATION: Videoconference

Reporter: Samantha Bramble

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PA GAMING CONTROL BOARD EXECUTIVE STAFF WHO APPEARED

BEFORE THE BOARD:

- KEVIN F. O'TOOLE, Executive Director's Report
- R. DOUGLAS SHERMAN, Chief Counsel
- CHAD ZIMMERMANN, Assistant Chief Counsel
- STEPHEN S. COOK, Deputy Chief Counsel
- SUSAN HENSEL, Director, Bureau of Licensing

OFFICE OF ENFORCEMENT COUNSEL:

- CYRUS PITRE, Chief Enforcement Counsel
- DUSTIN MILLER, Assistant Enforcement Counsel

ALSO PRESENT WERE:

- Amanda Peters
- Deborah Joyce
- Kathryn Shoup
- Kelly Spittle
- Konedra Jackson
- Pamela Lewis

I N D E X

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CHAIRMAN: Good morning everyone. I'm David Barasch, Chairman of the Pennsylvania Gaming Control Board. Before we begin, I'd like to note that this meeting is being held by a video teleconference with Board members and other participants in different locations in furtherance with the directives given to us by state health officials and the governor's office pertaining to the social distancing requirements due to the COVID-19 pandemic.

On March 11, 2020, the Commonwealth's Office of Open Records issued an advisory as to how state and local agencies are to conduct themselves with compliance with the Sunshine Act given these unprecedented circumstances. The advisory provides that under these emergency circumstances, the public business of the Commonwealth can be conducted by teleconference or videoconference so long as a mechanism is in place to allow for public access. We have done that here by providing public access to

1 this video and audio of this meeting through the  
2 Board's website as well as by publishing the call-in  
3 information of this video conference for those who  
4 may not have internet access. Additionally, as is  
5 always the case, we have a court reporter, I believe,  
6 who's here to transcribe this meeting.

7 All that being said, again, I'd ask  
8 everyone who's in on this call to please keep your  
9 equipment on mute unless and until you are going to  
10 be speaking, and then when you do that, please make  
11 sure that it's clear for the court record who is  
12 speaking. Thank you very much. So, let's get  
13 started.

14 In addition to our seven Board members  
15 we also have Fred Strathmeyer here representing  
16 Russell Redding, Secretary of Agriculture; Jenn  
17 Langan representing Joe Torsella, the State  
18 Treasurer, and Christin Heidingsfelder representing  
19 Secretary of Revenue Daniel Hassell. Thank you all  
20 for being here this morning. A quorum of the Board  
21 Members being present, I will call these proceedings  
22 to order. The first order of business is the pledge

1 of allegiance.

2 PLEDGE OF ALLIGIANCE RECITED

3                   CHAIRMAN: Before we get started with  
4 our formal business this morning, we have some  
5 presentations of service awards to Gaming Control  
6 Board Employees, which will be made by our Executive  
7 Director Kevin O'Toole. Good morning, Kevin.

8                   MR. O'TOOLE: Good morning,  
9 Chairman. Good morning members of the Board. Today  
10 I'm pleased to continue the process that we began  
11 five years ago in recognizing employees for their  
12 years of service. This is always a terrific occasion  
13 to recognize the dedication and the loyalty of  
14 employees who have clearly and significantly  
15 contributed to the success of our agency. Due to  
16 COVID-19, our recognition of employees will not  
17 unfortunately be in person, but some are able to be  
18 with us today via Zoom.

19                   By way of background, the Pennsylvania  
20 Gaming Control Board recently met its own milestone  
21 of 15 years in existence. In 2005, the agency began  
22 its mission to regulate the new casino industry in

1 Pennsylvania and to build from the ground up a staff  
2 of qualified and talented professionals. We have  
3 five persons who were at or near the ground floor at  
4 the agency's startup and will be recognized today for  
5 their 15-year anniversary as employees of the Gaming  
6 Control Board, three of whom are able to be with us  
7 today via Zoom. Additionally, we have ten other  
8 employees who have reached the ten-year milestone of  
9 employment, one of whom is with us today.

10           So, let me start with our 15-year  
11 service award recipients. Susan Hensel. Good  
12 morning, Susan. Susan was the first official  
13 employee of the Gaming Control Board. She was hired  
14 in January of 2005 as a special assistant. In August  
15 of that year, Susan became the Board's Director of  
16 Licensing, a position she holds today. In her tenure  
17 with the Gaming Control Board, Susan has been  
18 instrumental in the coordination of all licensing  
19 functions, including the development of licensing  
20 policies, procedures, and regulations.  
21 Congratulations, Susan, on this milestone, and thank  
22 you very much for your service.



1                   MS. HENSEL: Thank you.

2                   CHAIRMAN: Thank you, Susan.

3                   MR. O'TOOLE: If we were in our public  
4 meeting room, I'd be shaking your hand right now.

5                   Our second 15-year award recipient is  
6 Amanda Peters. Good morning, Amanda.

7                   MS. PETERS: Good morning.

8                   MR. O'TOOLE: Amanda was hired in  
9 February of 2005 as a clerical support specialist.  
10 Within a few months of her hire, Amanda became the  
11 Gaming Control Board's procurement specialist. In  
12 that role, Amanda ensured that services and goods  
13 were procured in accordance with the Commonwealth's  
14 procurements code. Today, Amanda serves as the  
15 acting director of the Office - of our Office  
16 Services Department, which is part of our Bureau of  
17 Administration. Congratulations, Amanda. Thank you  
18 very much for your service.

19                   MS. PETERS: Thank you.

20                   CHAIRMAN: Congratulations.

21                   MS. PETERS: Thank you.

22                   MR. O'TOOLE: Our third recipient is

1 Deborah Joyce. Good morning Deb.

2 MS. JOYCE: Good morning.

3 MR. O'TOOLE: Deb was hired in August  
4 of 2005 as a paralegal. Today, Deb works in our  
5 Bureau of Financial Management and Administration.  
6 Deb has a variety of responsibilities, not the least  
7 of which is being our records retention manager, as  
8 well as the agency's open records officer.  
9 Congratulations, Deb, on this milestone and thank you  
10 very much for your service.

11 MS. JOYCE: Thank you, Kevin.

12 CHAIRMAN: Congratulations.

13 MS. JOYCE: Thank you.

14 MR. O'TOOLE: I would also like to  
15 recognize two other 15-year milestone employees,  
16 April Fegley, our licensing manager in the special  
17 services unit of the Bureau of Licensing, and Lisa  
18 McClain, our deputy chief counsel for licensing in  
19 the Office for Chief Counsel (OCC). April and Lisa  
20 have both attained their 15-year milestones.

21 Today with us for her 10-year  
22 anniversary is Koneda Jackson. Good morning, Koneda.

1                   MS. JACKSON: Good morning.

2                   MR. O'TOOLE: Thank you very much for  
3 joining us. Koneda was hired in April of 2010 as a  
4 Casino Compliance Representative, and her initial  
5 assignment was with the Parx Casino. As a Casino  
6 Compliance Representative, Koneda conducts compliance  
7 reviews to ensure all required controls are complied  
8 with by casino licensees. Today, Koneda performs her  
9 role as a Casino Compliance Representative at the  
10 Valley Forge Casino. Congratulation, Koneda, on this  
11 anniversary of your ten-year - ten years of  
12 employment and thank you very much for your service.

13                   MS. JACKSON: Thank you.

14                   CHAIRMAN: Congratulations.

15                   MS. JACKSON: Thank you.

16                   MR. O'TOOLE: I would also like to  
17 publicly recognize nine additional employees who have  
18 reached ten years of service with the Pennsylvania  
19 Gaming Control Board. Jim Armstrong and Beth  
20 Manifesto, both Senior Enforcement Counsel in the  
21 Office of Enforcement Counsel (OEC). Greg Hazuri,  
22 Casino Compliance Representative Supervisor in the

1 Bureau of Casino Compliance. Kayla DeJulius,  
2 investigator supervisor in the Bureau of  
3 Investigations and Enforcement (BIE), and the  
4 following Casino Compliance Representatives in the  
5 Bureau of Casino Compliance; Anthony Caldinetti,  
6 Michael Sando, Michael Kam, Michael Danotti, and  
7 Scott Madenchek. We congratulate all of these  
8 employees and their ten-year and 15-year anniversary.  
9 Thank you, Chairman. That concludes our recognition  
10 ceremony.

11 CHAIRMAN: Thank you Kevin. I'm sorry  
12 we had to conduct it in this fashion. We try to be  
13 more personal whenever we possibly can. So thank you  
14 to Kevin and thank you for - to all of you that he's  
15 mentioned, both those on video and others that are  
16 not on it, for your years of service to the Board and  
17 your dedication to the citizens of the Commonwealth.  
18 Thank you very much.

19 Moving ahead now, with the formal  
20 agenda, by way of announcements. The Board held an  
21 Executive Session meeting yesterday, Tuesday,  
22 November 17, to conduct quasi-judicial deliberations

1 relating to matters coming before the Board today.  
2 This meeting was done by video conference. Next, we  
3 have consideration of a motion to approve the  
4 transcript of the September 30, 2020 meeting. May I  
5 have such a motion?

6 MR. KERNODLE: Commissioner Kernodle  
7 move that the Board approve the transcripts of  
8 September 30, 2020 meeting.

9 MR. LOGAN: Mr. Logan seconds.

10 CHAIRMAN: Thank you. All in favor?

11 AYES RESPOND

12 CHAIRMAN: All opposed? Motion's  
13 adopted. Now we'll hear from Kevin the Executive  
14 Director's report.

15 MR. O'TOOLE: Thank you again,  
16 Chairman. For this morning's executive director's  
17 report, I would like to update the members of the  
18 Board on two openings. First, Casino Licensee,  
19 Stadium Casino has successfully opened a Live Casino  
20 Pittsburgh, the first category for a casino facility  
21 in the Commonwealth, which is located in Greensburg,  
22 Pennsylvania, Westmoreland County. A two-day test

1 period was completed on Saturday, November the 14 and  
2 Sunday, November the 15. Our director of the Bureau  
3 of Casino Compliance, Chris Schroder, and his opening  
4 team observed the operation of 750 slot machines and  
5 30 table games, and he has reported that the property  
6 followed required procedures and internal controls  
7 and was satisfactorily prepared to open the casino.

8           Live Casino Pittsburgh also opened its  
9 retail sports book, with sports wagering operator  
10 FanDuel. All aspects of the sports book were  
11 observed by Board personnel during last weekend's  
12 two-day test period. All gaming revenues for those  
13 two dates will be donated to two charities by Stadium  
14 Casino after required gaming taxes are paid.

15           The second opening that just recently  
16 completed was at the Wind Creek Casino Hotel in  
17 Bethlehem, Pennsylvania. Wind Creek opened its  
18 retail sports book for a two-day test period on  
19 Monday and Tuesday of this week with the assistance  
20 of the sports wagering operator Betfred Sports. All  
21 aspects of the sports book appeared to have run  
22 smoothly. However, our Board staff's evaluation will

1 not be completed until early this afternoon. That  
2 concludes my report for this morning. Thank you,  
3 Chairman.

4 CHAIRMAN: Kevin, I just want to  
5 comment on behalf of myself and I believe the Board,  
6 your staff has just done an extraordinary job to be  
7 able to stand up these new sources of revenue for the  
8 Commonwealth in the midst of everything else that's  
9 going on. I just want to recognize that. Thank you  
10 so much, Kevin, and please thank all the people who  
11 did this to get those places up and running.

12 MR. O'TOOLE: I will do that. Thank  
13 you, Chairman.

14 CHAIRMAN: Okay.

15 Next, we have a report from our Chief  
16 Counsel, Doug Sherman.

17 ATTORNEY SHERMAN: Good morning,  
18 Chairman and members of the Board. Our first agenda  
19 item relates to an amended statement of policy, which  
20 is Assistant Chief Counsel Chad Zimmermann will  
21 present.

22 ATTORNEY ZIMMERMANN: Good morning,

1 Chairman and members of the Board. Chad Zimmermann  
2 from the OCC. What I have to present to you today is  
3 amended statement of policy number 125-235. This  
4 original statement of policy was discussed at the  
5 last Board meeting and involves the approval of the  
6 Jackpot Party Progressive Wager and several Match-  
7 the-Dealer Wagers, which are side wagers that our  
8 gaming lab has determined to be appropriate for offer  
9 in the Commonwealth.

10           After the initial statement of policy  
11 was approved, Board staff was notified of a few  
12 technical errors in the pay tables of the Jackpot  
13 Party - sorry, up the Match-the-Dealer Wagers. Those  
14 have been corrected and amended. We were also  
15 notified by the manufacturer of the Jackpot Party  
16 Progressive that there were a set of additional pay  
17 tables that they sought to have approved in an  
18 updated submission to our Gaming Lab. Those were  
19 vetted by the Gaming Lab and deemed to be appropriate  
20 for offer. The statement of policy has been amended  
21 to include all of those changes, and once approved,  
22 will go up on our Board's public website for



1 inspection and the side wage may then be offered at  
2 casinos within the Commonwealth. I'd be happy to  
3 answer any questions on the amendments to the  
4 statement of policy. If there are none, I would ask  
5 for a motion to approve the amended statement of  
6 policy.

7 CHAIRMAN: Thank you, Chad. Does  
8 anybody have any questions or comments for Chad?  
9 Hearing none, may I have a motion please?

10 MR. SANTONI: Mr. Chairman,  
11 Commissioner Santoni moves that the Board adopt the  
12 amended statement of policy number 125-235 regarding  
13 the Jackpot Party Progressive Blackjack Wager as  
14 described by the OCC.

15 MS. SMYLER: Commissioner Smyler  
16 seconds.

17 CHAIRMAN: All in favor?

18 AYES RESOND

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

21 ATTORNEY ZIMMERMANN: Thank you.

22 ATTORNEY SHERMAN: Next the Board

1 has -.

2 CHAIRMAN: What else do you have?

3 ATTORNEY SHERMAN: Next the Board has  
4 three petitions before it for consideration these  
5 matters will be decided on the documentary record by  
6 agreement of the parties. In each of the matters,  
7 the Board has in advance of the meeting been provided  
8 with all documents filed of record.

9 The first petition before the Board  
10 today is Evolution New Jersey, LLC and Netent  
11 America, LLC's joint request for approval of a change  
12 in control of an interactive gaming manufacturer  
13 licensee. Evolution New Jersey is the company that  
14 provides live interactive gaming for interactive  
15 gaming operators and certificate holders. It is  
16 owned by Evolution Gaming Group AB, a publicly traded  
17 company. Netent Americas, LLC develops and provides  
18 interactive games to interactive gaming operators and  
19 certificate holders. Netent Americas LLC is owned by  
20 Netent AB, also a publicly traded company.

21 The Board has previously granted both  
22 Evolution New Jersey, LLC and Netent Americas, LLC

1 interactive gaming manufacturer licenses. Evolution  
2 Gaming Group has entered an agreement to purchase  
3 Netent Americas AB in consolidating their own live  
4 interactive games with Netent's interactive gaming  
5 products under one business. The OEC has reviewed  
6 the proposed transaction and has no objection to the  
7 parties' proposed change in control subject to  
8 conditions outlined in their Answer, and this matter  
9 is now ready for the Board's consideration.

10 CHAIRMAN: Thank you, Doug. Are there  
11 any questions or comments from Board members?  
12 Hearing none, may I have a motion please?

13 MR. LOGAN: Mr. Logan moves that the  
14 Board grant Evolution New Jersey, LLC and Netent  
15 America, LLC petition for approval of a change of  
16 control of the manufacturer license as described by  
17 the OCC and with the conditions requested by the OEC.

18 MR. MUSTIO: Commissioner Mustio  
19 seconds.

20 CHAIRMAN: Thank you. All in favor?  
21 AYES RESPOND

22 CHAIRMAN: All opposed? The motion is

1 adopted.

2                   ATTORNEY SHERMAN: Next before the  
3 Board is IGT Global Solutions Corporation's petition  
4 for approval of a transfer of interest. The  
5 transaction is an internal reorganization under the  
6 International Game Technology PLC umbrella of  
7 companies with the ultimate indirect owner of IGT  
8 Global Solutions not changing.

9                   IGT Global Solutions currently holds a  
10 manufacturer license issued by the Board. It is 100  
11 percent directly owned by IGT, a subsidiary of  
12 International Game Technology, PLC. IGT Global is  
13 requesting the Board to approve a change in control  
14 from its immediate owner to another entity,  
15 Lottomatica Holdings, which is ultimately owned by  
16 the same shared parent company.

17                   International Game Technology, PLC,  
18 which is a publicly traded company will be the  
19 ultimate parent. Essentially, the transfer of  
20 interests will shift ownership of IGT Global  
21 Solutions from one stream of subsidiaries to another  
22 stream of subsidiaries under that same parent

1 company. The OEC again has no objection to the  
2 request subject to conditions outlined in its Answer  
3 and this request is now ready for the Board's  
4 consideration.

5 CHAIRMAN: Thank you. Are there any  
6 questions from Board members in this matter? Hearing  
7 none, may I have a motion please?

8 MR. MUSTIO: Mr. Chairman,  
9 Commissioner Mr. Mustio moves that the Board grant  
10 IGT Global Solution Corporation's petition for  
11 approval of the transfer of interest as described by  
12 the OCC and with the conditions requested by the OEC.

13 MS. REITZEL: Ms. Reitzel seconds.

14 CHAIRMAN: Thank you. All in favor?

15 AYES RESPOND

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

18 ATTORNEY SHERMAN: The final petition  
19 before the Board is a joint request from Rush Street  
20 Interactive PA, LLC and Rush Street Interactive, LP  
21 for approval of a reorganization that will result in  
22 Rush Street Interactive, LP in part becoming held by

1 publicly traded entity.

2                   By way of background, Rush Street  
3 Interactive PA, LLC is a Board licensed interactive  
4 gaming and sports wagering operator. Rush Street  
5 Interactive, LP is the parent company. DMY  
6 Technology Group, Incorporated is a publicly traded  
7 special purpose acquisition company formed to  
8 effectually - merger acquisition or reorganization  
9 with one or more entities.

10                   Rush Street Interactive, LP and DMY  
11 have negotiated a business combination agreement that  
12 will result in a combined company being listed on the  
13 New York Stock Exchange. The agreement will result  
14 in DMY gaining an ownership interest between 13  
15 percent and 23 percent of Rush Street Interactive,  
16 LP. DMY will thereafter change its name to Rush  
17 Street Interactive, Incorporated.

18                   Following the transaction, Rush Street  
19 Interactive, LP and therefore Rush Street Interactive  
20 PA will still be primarily owned and controlled by  
21 its current owners through a - though a substantial  
22 portion of its indirect ownership will be publicly

1 traded. As in the prior matters, the OEC has no  
2 objection to this transaction subject to the  
3 conditions outlined in their Answer, and that's the  
4 matter now ready for the Board's consideration.

5 CHAIRMAN: Thank you, Doug. Are there  
6 any questions about this matter from the Board?  
7 Hearing none, may I have a motion please?

8 MS. REITZEL: Mr. Chairman,  
9 Commissioner Reitzel moves that the Board grant Rush  
10 Street Interactive, LP's and Rush Street Interactive  
11 PA, LLC's petition for approval of a reorganization  
12 as described by the OCC and with the conditions  
13 requested by the OEC.

14 MR. SANTONI: Commissioner Santoni  
15 seconds.

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

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

20 ATTORNEY SHERMAN: Next we have  
21 withdrawals and surrenders as well as four Reports  
22 and Recommendations presented by Deputy Chief Counsel

1 Steve Cook.

2                   ATTORNEY COOK: Good morning. The  
3 next matter before the Board today pertains to  
4 several unopposed petitions to withdraw the  
5 applications or surrender the credentials of the  
6 following individuals and in one case a business.  
7 The individuals are Akira Gemma, Kagetsugi Kozuki,  
8 Kazula Kozuki, Takuya Kozuki, Yoko Kozuki, Kimito  
9 Kubo, Osama Nakano, Satoshi Sakamoto, Kaori  
10 Yamaguchi, Rafael Ashkenzai, Tristan Forrest, Brian  
11 Kyle, Thomas Benninger, Michelle Lee Bushore, Joyce  
12 Arpin, Jonathan Bennet, Frederick Kjell and Raceway  
13 Management Company, Incorporated doing business as  
14 Liberty Travel Great Bend.

15                   The OEC has no objections to any of  
16 these withdrawals or surrenders, and as a result, if  
17 the Board grants each of these requests, they'd be  
18 doing so without prejudice to each of these parties.  
19 These matters are now ready for the Board's  
20 consideration.

21                   CHAIRMAN: Thank you, Steve. Any  
22 questions or comments from the Board? May I have a



1 motion please?

2 MR. SANTONI: Mr. Chairman,  
3 Commissioner Santoni moves that the Board issue  
4 orders to approve the withdrawals and surrenders as  
5 described by the OCC.

6 MS. SMYLER: Commissioner Smyler  
7 seconds.

8 CHARIMAN: Thank you. All in favor?

9 AYES RESPOND

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

12 ATTORNEY COOK: Next before the Board  
13 for consideration are five Reports and  
14 Recommendations received from the Office of Hearings  
15 and Appeals (OHA). These Reports and Recommendations  
16 along with the complete evidentiary record for each  
17 matter has been provided to the Board to today's  
18 meeting. Additionally, the persons involved in each  
19 of these cases have been notified that the Board will  
20 be taking their matter up today.

21 The first Report and Recommendation  
22 before the Board pertains to Damahr Lockhart. Mr.

1 Lockhart holds a non-gaming employer registration and  
2 was employed as a Bar Porter at Valley Forge Casino  
3 and Resort. On August 5th, 2020, the OEC filed for  
4 the request for an emergency suspension of Mr.  
5 Lockhart's non-gaming employer registration after  
6 receiving notice that he had been charged with felony  
7 and misdemeanor offenses following allegations that  
8 he broke into a drugstore and took merchandise.

9 As a result of these charges, the  
10 Board's Executive Director issued an emergency order  
11 suspending Mr. Lockhart's non-gaming registration as  
12 requested by Enforcement Counsel.

13 A hearing in this matter was held on  
14 September 1, 2020, OEC appeared offering testimony  
15 and documentary evidence. Despite receiving notice,  
16 Mr. Lockhart did not participate in that hearing and  
17 it was held in his absence. Based upon the evidence  
18 presented, the Hearing Officer issued a Report and  
19 Recommendation recommending that Mr. Lockhart's  
20 suspension remain in place, and that is the  
21 recommendation before the Board.

22 CHAIRMAN: Thank you, Steve. Are

1 there any questions or comments from the Board?

2 Hearing none, may I have a motion please?

3 MS. SMYLER: Mr. Chairman, Commission  
4 Smyler moves that the Board adopt the Report and  
5 Recommendation issued by the OHA regarding the  
6 suspension of Damahr Lockhart's non-gaming employee  
7 registration as described by the OCC.

8 MR. KERNODLE: Commissioner Kernodle  
9 seconds.

10 CHAIRMAN: Thank you. All in favor?

11 AYES RESPOND

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

14 ATTORNEY COOK: The next Report and  
15 Recommendation before the Board today involves a  
16 request for removal from the voluntary self-exclusion  
17 list made by an individual with the initials G.N. A  
18 hearing in this matter was held before a Board  
19 Hearing Officer on September 16, 2020. OEC appeared  
20 presenting testimony and documentary evidence at that  
21 hearing. G.N. also appeared and testified on his own  
22 behalf.

1           The evidence presented at the hearing  
2 established that on September 2, 2017, G.N. entered  
3 Sands Bethworks Casino and requested to be placed on  
4 the self-exclusion list for a five-year period. The  
5 Casino Compliance Representative who placed G.N. on  
6 the list testified that he conducted the mandatory  
7 interview with G.N., screened G.N. for signs of  
8 intoxication, finding none, explained the process of  
9 being placed on the list, the consequences of the  
10 exclusion period options of either one, five - one or  
11 five years or a lifetime, and thereafter completed  
12 all the required paperwork and procedures. During  
13 the process, G.N. verbally requested and initialed  
14 the checklist acknowledging that he desired a five-  
15 year self-exclusion period.

16           At the hearing, G.N. acknowledged that  
17 he requested to be placed on the self-exclusion list,  
18 stating that he wanted to spend more time with his  
19 family, particularly his father who was ill. He  
20 testified, however, that he was under the influence  
21 of alcohol at the time, and during his self-exclusion  
22 interview he had only requested a one-year exclusion,

1 or he meant to only request a one-year exclusion. He  
2 also indicated that he could not see what he was  
3 signing, and he trusted the casino clients - Casino  
4 Compliance Representative to complete the paperwork  
5 with his, you know, in line with his wishes.

6                   The Report and Recommendation  
7 subsequently issued at this hearing - in that Report  
8 and Recommendation, the Hearing Officer recommends  
9 G.N.'s petition be denied based upon his finding that  
10 the testimony of the Casino Compliance Representative  
11 was more credible than that of G.N., and that is the  
12 recommendation before the Board.

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

16                   MR. KERNODLE: Commissioner Kernodle  
17 moves that the Board adopts the Report and  
18 Recommendation issued by the OHA regarding G.N.'s  
19 petition for early removal from the PGCB involuntary-  
20 exclusion list as described by the OCC and that the  
21 petition be denied.

22                   MR. LOGAN: Commissioner Logan

1 seconds.

2 CHAIR: Thank you. All in favor?

3 AYES RESPOND

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

6 ATTORNEY COOK: The next Report and  
7 Recommendation before the Board today pertains to  
8 another request to be removed from the voluntary  
9 self-exclusion list.

10 On September 20, 2009 an individual  
11 with the initials M.W. entered Presque Isle Downs  
12 Casino and requested to be placed on the lifetime  
13 self-exclusion list. M.W. is now petitioning to be  
14 removed from that list. OEC ultimately objected to  
15 that request and a hearing was held on September 17.  
16 According to the testimony and records presented, a  
17 casino - the Casino Compliance Representative who  
18 placed M.W. on the list indicated that M.W.'s husband  
19 was present for the intake interview but the M.W.  
20 signed a non-coercion form indicating that she was  
21 placing herself on the self-exclusion list of her own  
22 volition.

1                   The Casino Compliance Representative  
2 further testified that he conducted the mandatory  
3 interview with M.W., explained the process of being  
4 placed on the list, the consequences and the various  
5 exclusion period options. At that point, M.W. signed  
6 an acknowledgement form selecting a lifetime self-  
7 exclusion period.

8                   At the hearing held in this matter,  
9 M.W. appeared and testified on her own behalf,  
10 specifically testifying that she understood what she  
11 was doing at the time that she placed herself on the  
12 list but that she did so only because her husband was  
13 adamantly opposed to gambling, his health was  
14 declining due to a dementia diagnosis and that she  
15 agreed to place herself on the lifetime self-  
16 exclusion list to appease him. She further testified  
17 that her husband has - later passed away in December  
18 of 2018. She is now 79 years old and would like to  
19 visit the casino with her friends.

20                   In the Report and Recommendation  
21 issued subsequent to the hearing, the Hearing Officer  
22 found that while M.W. appeared sincere in her

1 testimony, he did not think there was sufficient  
2 evidence to allow her to be removed from the lifetime  
3 self-exclusion list and that is the recommendation  
4 before the Board.

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

8 MR. LOGAN: Commissioner Logan moves  
9 that the Board reject the Report and Recommendation  
10 issued by the OHA regarding M.W.'s petition for  
11 removal from the PGCB voluntary self-exclusion list  
12 and that M.W. be removed from the voluntary self-  
13 exclusion list.

14 MR. MUSTIO: Commissioner Mustio  
15 seconds.

16 CHAIRMAN: Thank you. All in favor?

17 AYES RESPOND

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

20 ATTORNEY COOK: The next Report and  
21 Recommendation before the Board today pertains to a  
22 request for a recovery of winnings while on the



1 Board's self-exclusion list. As the Board is aware,  
2 when self-excluded persons are found in Pennsylvania  
3 casinos, the Act authorizes that any winnings  
4 possessed by the person can be confiscated from him  
5 or her and used to support compulsive and problem  
6 gambling programs.

7 In this case, T.S. filed a petition on  
8 January 15th, 2020 requesting the Board return monies  
9 confiscated from him while on the self-exclusion  
10 list. A hearing in this matter was held on September  
11 1st, 2020. The OEC and T.S., with his counsel,  
12 participated in that hearing. Additionally, I  
13 believe T.S.'s counsel is present or intended to be  
14 present on the phone today and would like to address  
15 the Board today. I'd first like to give a summary  
16 before allowing him that opportunity, however.

17 Specifically, on March 19th, 2017,  
18 T.S. placed himself on the Board's voluntary self-  
19 exclusion list for a one-year period. According to  
20 T.S., he placed himself on the list because - not  
21 because he was a problem gambler but because his  
22 daughter at the time was terminally ill and he did

1 not want to use gaming as an escape from dealing with  
2 that situation. T.S.'s daughter has unfortunately  
3 since passed away.

4                   According to the other evidence  
5 presented at the hearing during his self-excluded  
6 interview, it was explained to T.S. that even after a  
7 one-year term of self-exclusion, he would have to  
8 take affirmative steps to remove himself from the  
9 list. T.S. testified that he did not recall being  
10 informed of this and, therefore, took no steps to  
11 remove himself from the list even after the one-year  
12 term expired.

13                   More than two years after self-  
14 excluding, T.S. entered the Rivers Casino  
15 Philadelphia believing he was no longer on the self-  
16 exclusion list. At that time, he gamed and won a  
17 \$1,457.76 jackpot, which was confiscated as the  
18 result of his self-excluded status. Also taken was  
19 \$19.20 in credits on the slot machine he was playing.  
20 Additionally, he was charged with trespassing, though  
21 those criminal charges were later withdrawn.  
22 Following this incident, T.S. immediately took steps

1 to remove himself from the self-excluded list and he  
2 is no longer on the list.

3           After hearing all of the evidence  
4 presented, a Report and Recommendation was issued  
5 with the Hearing Officer recommending that T.S. be  
6 permitted to recover one-half of the jackpot at  
7 issue, or \$728.88, as well as the credits remaining  
8 on the slot machine, so a total of \$748.08. The  
9 Hearing Officer's rationale in making this  
10 recommendation was that it was really only a  
11 technicality that T.S. was on the self-exclusion list  
12 but he did bear some responsibility for not taking  
13 himself off the list so the Hearing Officer's  
14 recommendation as I indicated was that the jackpot be  
15 split between T.S. and that the Board remit - keep  
16 half of it.

17           Ultimately, as I indicated, T.S.'s  
18 counsel Danny Elmore did indicate he wanted to  
19 address the Board today. I'm not sure if he is on  
20 the line. If he is, I'd ask him to speak at this  
21 point.

22           CHAIRMAN: Mr. Elmore, are you

1 available to speak on behalf of your client? Hearing  
2 no response, we'll proceed. Are there any questions  
3 or comments from the Board members? Hearing none,  
4 may I have a motion please?

5 MR. MUSTIO: Mr. Chairman, Mr. Mustio  
6 moves that the Board adopts, in part, the Report and  
7 Recommendation issued by the OHA regarding T.S.'s  
8 petition to recover money while on the PGCB's  
9 voluntary self-exclusion list and that the petition  
10 be granted in total and that T.S. recover \$1,476.96  
11 confiscated from him.

12 MS. REITZEL: Commissioner Reitzel  
13 seconds.

14 CHAIRMAN: Thank you. All in favor?

15 AYES RESPOND

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

18 ATTORNEY COOK: The Report and  
19 Recommendation pertaining to Christina Zick is the  
20 final matter before the Board today. By way of  
21 background, on February 25, 2015, the Board placed  
22 Ms. Zick on the involuntary exclusion list by default

1 judgement after it was found that on July 2nd, 2014,  
2 she took a wallet left on a slot chair by another  
3 patron at the Sands Bethlehem Casino.

4 In May of 2020, Ms. Zick filed a  
5 petition requesting removal from the exclusion list.  
6 A hearing was held on August 13, 2020, with  
7 Enforcement Counsel appearing and offering  
8 testimonial as well as documentary evidence. Ms.  
9 Zick did not appear at that hearing. However, the  
10 next day, she contacted the OHA asking that the  
11 record be reopened. The Hearing Officer complied, and  
12 a second hearing was held on September 9th, 2020.  
13 Ms. Zick appeared at that hearing and testified on  
14 her own behalf.

15 During her testimony, she stated that  
16 both during the time or around the time of the  
17 incident in Sands and since that 2014 incident, she  
18 had endured numerous personal ordeals, medical  
19 issues, and tragedies. She expressed remorse for her  
20 conduct at the casino and stated that her placement  
21 on the list has caused her embarrassment. She has  
22 not visited a casino since her placement on the list

1 and would like to be able to go back now to at least  
2 see shows and have dinner.

3                   After hearing all of the evidence the  
4 Report and Recommendation issued by the Hearing  
5 Officer recommends that Ms. Zick be removed from the  
6 list since more than five years has passed since her  
7 placement on the list as well as the evidence  
8 presented by her relative to her personal  
9 circumstances, and this recommendation is - this is  
10 the recommendation before the Board.

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

15                   MS. REITZEL: Mr. Chairman,  
16 Commissioner Reitzel moves that the Board reject the  
17 Report and Recommendation issued by the OHA regarding  
18 Christina Zick's petition for removal from PGCB's  
19 involuntary-exclusion list and that Ms. Zick remain  
20 on the PGCB's involuntary-exclusion list.

21                   MR. SANTONI: Commissioner Santoni  
22 seconds.

1                    CHAIRMAN: Thank you. All in favor?

2 AYES RESPOND

3                    CHAIRMAN: All opposed? Motion's

4 adopted.

5                    ATTORNEY SHERMAN: That concludes the

6 matters of the OCC.

7                    CHAIRMAN: Thank you. Next up we have

8 the Bureau of Licensing and we have Sue Hensel got

9 her 15-year recognition. Go ahead, Sue.

10                   MS. HENSEL: Thank you, Chairman

11 Barasch and members of the Board. Before the Board

12 today will be license consideration of one sports

13 wagering operator, one video gaming terminal

14 operator, and four video gaming terminal

15 establishments. In addition, there will be 454

16 principals and key gaming and non-gaming employee

17 applicants. Finally, there will be consideration of

18 four gaming service provider applicants.

19                    First for your consideration is a

20 sports wagering operator license for NYX Digital

21 Gaming USA, LLC. NYX Digital Gaming USA, LLC is a

22 Las Vegas based business that offers online and

1 retail sports wagering technologies and services.  
2 BIE has completed its investigation and the Bureau of  
3 Licensing has provided you with a background  
4 investigation and suitability report. I have  
5 provided you with a draft Order and ask that the  
6 Board consider the Order to approve the sports  
7 wagering operator license.

8 ATTORNEY PITRE: Enforcement Counsel  
9 has no objection.

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

13 MR. KERNODLE: Commissioner Kernodle  
14 moves that the Board grants the sports wagering  
15 operator license as described by the Bureau of  
16 Licensing.

17 MR. LOGAN: Commissioner Logan  
18 seconds.

19 CHAIRMAN: Thank you. All in favor?

20 AYES RESPOND

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



1                   MS. HENSEL: Next is a video gaming  
2 terminal operator license for Accel Entertainment  
3 Gaming PA, LLC. A video gaming terminal (VGT)  
4 operator owns services or maintains VGTs for  
5 placement in operation at truck stop establishments.  
6 Accel Entertainment Gaming PA, LLC was previously  
7 issued a conditional VGT operator license. The BIE  
8 has completed its investigation and the Bureau of  
9 Licensing has provided you with a background  
10 investigation and suitability report. I provided you  
11 with a draft Order and ask that you consider the  
12 Order to license Accel Entertainment Gaming PA, LLC.

13                   ATTORNEY PITRE: The Enforcement  
14 Counsel has no objections.

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

18                   MR. SANTONI: Mr. Chairman,  
19 Commissioner Santoni moves that the Board grant the  
20 video gaming terminal operator license as described  
21 by the Bureau of Licensing.

22                   MS. SMYLER: Commissioner Smyler

1 seconds.

2 CHAIRMAN: All in favor?

3 AYES RESPOND

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

6 MS. HENSEL: Next for your  
7 consideration is a VGT establishment license for  
8 Raceway Management Company, Inc. doing business as  
9 Liberty Travel Plaza Mount Cobb. VGT establishments  
10 are truck stops seeking to place VGTs at their  
11 businesses. Raceway Management Company, Inc. doing  
12 business as Liberty Travel Plaza Mount Cobb which is  
13 located at 1174 Mount Cobb Road in Lake Ariel was  
14 previously conditionally licensed.

15 The BIE has completed its  
16 investigation, including an evaluation that the  
17 company meets the VGT establishment eligibility  
18 criteria and the Bureau of Licensing has provided you  
19 with the background investigation and suitability  
20 report. Once fully licensed, the establishment can  
21 continue forward for completing the steps necessary  
22 to commence VGT gaming. I provided you with a draft

1 Order and ask that you consider the Order to license  
2 Raceway Management Company, Inc. doing business as  
3 Liberty Travel Plaza Mount Cobb.

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 please?

9 MS. SMYLER: Mr. Chairman,  
10 Commissioner Smyler moves that the Board grant the  
11 video gaming terminal establishment license as  
12 described by the Bureau of Licensing.

13 MR. KERNODLE: Commissioner Kernodle  
14 seconds.

15 CHAIRMAN: All in favor?

16 AYES RESPOND

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

19 MS. HENSEL: In addition, there is  
20 consideration of one-year license extensions for  
21 conditionally licensed VGT establishments, Pilot  
22 Travel Centers, LLC doing business as Pilot Travel

1 Centers number 001 in Mill Hill, Pilot Travel Centers  
2 number 336 in DuBois, and Pilot Travel Centers number  
3 620 in Smithton. These establishments were granted  
4 one-year conditional licenses approximately one year  
5 ago. Under the Gaming Act and Board Regulations, the  
6 Board is authorized to extend the licenses for an  
7 additional year for good cause. In each case, the  
8 background investigation and suitability report  
9 processed for the establishment is continuing. I've  
10 provided you with draft Orders and ask that you  
11 consider the grant of one-year license extensions.

12 ATTORNEY PITRE: Enforcement Counsel  
13 has no objection.

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

17 MR. KERNODLE: Commissioner Kernodle  
18 move that the Board grants extension approval for  
19 conditional establishment licensees as described by  
20 the Bureau of License.

21 MR. LOGAN: Commissioner Logan  
22 seconds.

1                   CHAIRMAN: Thank you. All in favor?

2 AYES RESPOND

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

5                   MS. HENSEL: Additionally, there are  
6 principal and key employee licenses for your  
7 consideration. Prior to this meeting, the Bureau of  
8 Licensing provided you with the proposed Order for  
9 nine principals and five key employees. I ask that  
10 the Board consider the order approving these  
11 licenses.

12                   ATTORNEY PITRE: Enforcement Counsel  
13 has no objections.

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

16                   MR. LOGAN: Commissioner Logan moves  
17 that the Board grant the principal and key employee  
18 licenses as described by the Bureau of Licensing.

19                   MR. MUSTIO: Commissioner Mustio  
20 seconds.

21                   CHAIRMAN: Thank you. All in favor?

22 AYES RESPOND

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

3                   MS. HENSEL: There are also temporary  
4 licenses. Prior to this meeting, the Bureau of  
5 Licensing provided you with an Order regarding the  
6 issuance of temporary licenses for four principals  
7 and five 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 please?

13                   MR. MUSTIO: Mr. Chairman,  
14 Commissioner Mustio moves that the Board grant the  
15 temporary principal and key employee credentials as  
16 described by the Bureau of Licensing.

17                   MS. REITZEL: Commissioner Reitzel  
18 seconds.

19                   CHAIRMEN: Thank you. All in favor?

20 AYES RESPOND

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

1                   MS. HENSEL: Next are gaming permits  
2 and non-gaming registrations. Prior to this meeting,  
3 the Bureau of Licensing provided you with a list of  
4 304 individuals to whom the Bureau has granted  
5 temporary or full occupation permits and 117  
6 individuals to whom the Bureau has granted  
7 registrations under the authority delegated to the  
8 Bureau of Licensing. I ask that the Board consider a  
9 motion approving the Order.

10                   ATTORNEY PITRE: Enforcement Counsel  
11 has no objection.

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

14                   MS. REITZEL: Commissioner Reitzel  
15 moves that the Board approve the applications for  
16 gaming employee occupation permits and non-gaming  
17 employee registrations as described by the Bureau of  
18 Licensing.

19                   MR. SANTONI: Commissioner Santoni  
20 seconds.

21                   CHAIRMAN: Thank you. All in favor?

22 AYES RESPOND

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

3                   MS. HENSEL: The next matters for your  
4 consideration are withdrawal requests. In each case,  
5 the license or permit is no longer required. For  
6 today's meeting, I have provided the Board with a  
7 list of five key and one gaming applicant. I ask  
8 that the Board consider the Orders approving these  
9 withdrawals.

10                   ATTORNEY PITRE: Enforcement Counsel  
11 has no objection.

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

15                   MR. SANTONI: Mr. Chairman,  
16 Commissioner Santoni moves that the Board grant the  
17 withdrawal of key and gaming employee applications as  
18 described by the Bureau of Licensing.

19                   MS. SMYLER: Commissioner Smyler  
20 seconds.

21                   CHAIRMAN: Thank you. All in favor?

22 AYES RESPOND



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

3                   MS. HENSEL: Finally, for your  
4 consideration are gaming service provider  
5 registrations. The Bureau of Licensing provided you  
6 with an Order and an attached list of four registered  
7 gaming service provider applicants. I ask that the  
8 Board consider the Order registering these gaming  
9 service providers.

10                   ATTORNEY PITRE: Enforcement Counsel  
11 has no objection.

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

14                   MS. SMYLER: Mr. Chairman,  
15 Commissioner Smyler moves that the Board approve the  
16 gaming service provider registrations as described by  
17 the Bureau of Licensing.

18                   MR. KERNODLE: Commissioner Kernodle  
19 seconds.

20                   CHAIRMAN: Thank you. All in favor?

21 AYES RESPOND

22                   CHAIRMAN: All opposed? The motion's

1 adopted.

2 MS. HENSEL: That concludes the  
3 matters of the Bureau of Licensing.

4 CHAIRMAN: Thanks so much, Susan. Now  
5 we'll move across to Chief Enforcement Counsel Cyrus  
6 Pitre. Good morning, Cyrus.

7 ATTORNEY PITRE: Good morning,  
8 Chairman and members of the Board. Today the OEC  
9 will present eight matters for the Board's  
10 consideration, in which we will request the approval  
11 of two revocations, three suspensions, and three  
12 involuntary exclusions.

13 The next five matters on the agenda  
14 consist of enforcement actions in which the OEC filed  
15 complaints seeking the revocation of two gaming  
16 employee occupation permits, the suspension of two  
17 non-gaming employee registrations, and one gaming  
18 employee occupation permit, all of which were issued  
19 by the Board. The complaints have been filed with  
20 the Board's OHA and properly served upon the  
21 individual named in each complaint.

22 The individual named in each

1 complaint failed to respond within 30 days as  
2 required by Board regulations. As a result, the OEC  
3 filed a request for default judgement in each  
4 instance and properly served the same upon each  
5 respondent. Therefore, the facts in each complaint  
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. Deputy Chief  
9 Enforcement Counsel Dustin Miller will provide a  
10 brief summary of the facts and make a request for the  
11 appropriate Board action in each matter.

12 ATTORNEY MILLER: Good morning,  
13 Chairman Barasch and members of the Board. Dustin  
14 Miller on behalf of the OEC. The next matter on the  
15 agenda for the Board's consideration is the  
16 suspension of the non-gaming employee registration  
17 issued to Emoni Glenn. Ms. Glenn had been employed  
18 as a food court attendant cashier at Valley Forge  
19 Casino Resort. Ms. Glenn was arrested for  
20 participating in an attempted burglary. She was  
21 charged criminally for her actions. Ms. Glenn had  
22 been terminated by Valley Forge prior to this

1 incident and is currently not working in  
2 Pennsylvania's Gaming Industry.

3 At this time the OEC requests that the  
4 Board suspend the non-gaming employee registration  
5 issued to Emoni Glenn.

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

9 MR. KERNODLE: Commissioner Kernodle  
10 moves that the Board approve the suspension of Emoni  
11 Glenn's non-gaming employee registration as described  
12 by the OEC.

13 MR. LOGAN: Commissioner Logan  
14 seconds.

15 CHAIRMAN: Thank you. All in favor?

16 AYES RESPONE

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

19 ATTORNEY MILLER: The next matter on  
20 the agenda for the Board's consideration is the  
21 revocation of the gaming level 2 employee permit  
22 issued to John Jacobs. Mr. Jacobs had been employed

1 as a pit manager at the Meadows Race Track and  
2 Casino. An internal investigation conducted by the  
3 Meadows revealed that Mr. Jacobs directed a scheme in  
4 which match-play coupons were recycled by Meadows  
5 employees after they were used by a patron and then  
6 returned to that patron so that they could be used  
7 again by that same patron. Mr. Jacobs was terminated  
8 from his employment for his actions. Mr. Jacobs is  
9 not currently employed in Pennsylvania's Gaming  
10 Industry. At this time the OEC requests that the  
11 Board revoke the gaming level 2 employee occupation  
12 permit issued to John Jacobs.

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

15 MR. LOGAN: Commissioner Logan moves  
16 that the Board approve the revocation of John Jacobs'  
17 gaming level 2 employee occupation permit as  
18 described by the OEC.

19 MR. MUSTIO: Commissioner Mustio  
20 seconds.

21 CHAIRMAN: Thank you. All in favor?

22 AYES RESPOND

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

3                    ATTORNEY MILLER: The next matter on  
4 the agenda for the Board's consideration is the  
5 revocation of the gaming employee occupation permit  
6 issued to Daniel Raymond, who was previously employed  
7 as a Security Officer at Lady Luck Casino. Mr.  
8 Raymond was observed smoking marijuana near the  
9 armored car entrance to the casino while working at  
10 the casino. Mr. Raymond was terminated by Lady Luck  
11 for his actions and was cited by the Pennsylvania  
12 State Police. Mr. Raymond is not currently employed  
13 in the Pennsylvania Gaming Industry.

14                    At this time, the OEC requests that  
15 the Board revoke the gaming employee occupation  
16 permit issued to Daniel Raymond.

17                    CHAIRMAN: Questions or comments from  
18 the Board? Hearing none, is there a motion?

19                    MR. MUSTIO: Mr. Chairman,  
20 Commissioner Mustio moves that the Board approve the  
21 revocation of Daniel Raymond's gaming employee  
22 occupation permit as described by the OEC.

1                   MS. REITZEL: Commissioner Reitzel  
2 seconds.

3                   CHAIRMAN: Thank you. All in favor?

4 AYES RESPOND

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

7                   ATTORNEY MILLER: The next matter on  
8 the agenda for the Board's consideration is the  
9 suspension of the non-gaming employee registration  
10 issued to Marc Redfearn. Mr. Redfearn was employed  
11 as an EDS attendant at Harrah's Philadelphia Casino  
12 and Racetrack. Mr. Redfearn was arrested and charged  
13 with multiple weapons charges including a felony  
14 offense. The charges remain pending in Philadelphia  
15 County. Mr. Redfearn is not currently employed in  
16 the Pennsylvania Gaming Industry.

17                   At this time, the OEC requests that  
18 the Board suspend the non-gaming employer  
19 registration issued to Marc Redfearn, also known as  
20 Christopher Redfearn.

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

1 a motion?

2 MS. REITZEL: Commissioner Reitzel  
3 moves that the Board approve the suspension of Marc  
4 Redfearn's, also known as Christopher Redfearn, non-  
5 gaming employer registration as described by the OEC.

6 MR. SANTONI: Commissioner Santoni  
7 seconds.

8 CHAIRMAN: Thank you. All in favor?

9 AYES RESPOND

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

12 ATTORNEY MILLER: The next matter on  
13 the agenda for the Board's consideration is the  
14 complaint to suspend the gaming employee occupation  
15 permit held by Nyemah Hazel-Ann Sway. Ms. Sway was  
16 employed as a cage cashier at Parx Casino. Nyemah  
17 Hazel-Ann Sway allegedly committed theft in the  
18 amount of \$6,318.66 from a TD bank account through  
19 the passing of fraudulent checks and was criminally  
20 charged by the Lower Moreland Police Department with  
21 multiple felonies relating to forgery and access  
22 device fraud. Ms. Sway is not currently employed in



1 Pennsylvania's Gaming Industry.

2                   As these charges are still pending,  
3 the OEC now requests that the Board suspend the  
4 gaming employee occupation permit held by Nyemah  
5 Hazel-Ann Sway.

6                   CHAIRMAN: Any questions or comments  
7 from the Board? Hearing none, is there a motion?

8                   MR. SANTONI: Mr. Chairman,  
9 Commissioner Santoni moves that the Board approve the  
10 suspension of Nyemah Hazel-Ann Sway gaming employee  
11 occupation permit as described by the OEC.

12                   MS. SMYLER: Commissioner Smyler  
13 seconds.

14                   CHAIRMAN: All in favor?

15 AYES RESPOND

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

18                   ATTORNEY PITRE: The remaining matters  
19 on the agenda consist of enforcement actions in which  
20 the OEC filed petitions seeking the involuntary  
21 exclusion of individuals whose presence in a licensed  
22 facility are inimical to the interests of the

1 Commonwealth and their licensed gaming therein.

2           In each instance, the petition for  
3 exclusion has been filed with the Board's OHA and  
4 properly served upon the individual named in the  
5 petition. The individual named in each petition  
6 failed to respond within 30 days as required by Board  
7 regulation. As a result, the OEC filed a request for  
8 default judgement in each instance and properly  
9 served the same upon each named individual.  
10 Therefore, all facts in each petition are deemed  
11 admitted. All filed documents have been provided to  
12 the Board and the matters are presently ripe for the  
13 Board's consideration.

14           In each instance, if the Board Orders  
15 the proposed exclusion, each individual's photo,  
16 personal identifiers and summary of the inimical  
17 conduct will be placed on the Board's public website.  
18 Once again, Deputy Chief Enforcement Counsel Dustin  
19 Miller will provide a brief summary of the facts and  
20 make a request for the appropriate Board action in  
21 each matter.

22                           ATTORNEY MILLER: The next matter on

1 the agenda is a request to place Ernestine Johnson on  
2 the involuntary exclusion list. Ernestine Johnson  
3 illegally utilized her sister's Pennsylvania driver's  
4 license to claim a jackpot at Parx Casino for  
5 \$11,579.28. Ms. Johnson hit the jackpot but could  
6 not claim it because she was on the self-exclusion  
7 list. At the time, Ernestine Johnson fraudulently  
8 identified herself to casino employees as her sister.  
9 Because she could not produce identification proving  
10 that she was her sister, the jackpot was withheld  
11 pending proper identification. Ms. Johnson obtained  
12 a duplicate copy of her sister's driver's license and  
13 claimed the jackpot using her sister's  
14 identification. Ms. Johnson's sister did not become  
15 aware that the jackpot was claimed in her name until  
16 viewing her Parx Casino win/loss statement in  
17 preparation for filing her income tax return.

18 Ernestine Johnson was criminally  
19 charged by the Pennsylvania State Police with defiant  
20 trespass and exhibit another driver's license. She  
21 entered a guilty plea to both charges. The matter is  
22 now before the Board to consider the placement of

1 Ernestine Johnson on the Board's involuntary  
2 exclusion list.

3 CHAIRMAN: Are there any questions or  
4 comments from the Board? Hearing none, is there a  
5 motion?

6 MS. SMYLER: Mr. Chairman,  
7 Commissioner Smyler moves that the Board approve the  
8 addition of Ernestine Johnson to the PGCB involuntary  
9 exclusion list as described the OEC.

10 MR. KERNODLE: Commissioner Kernodle  
11 seconds.

12 CHAIRMAN: Thank you. All in favor?

13 AYES RESPOND

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

16 ATTORNEY MILLER: The next matter on  
17 the agenda for the Board's consideration is a  
18 petition for the exclusion of Don Tran. Mr. Tran is  
19 a former dealer at Rivers Casino Philadelphia. Mr.  
20 Tran paid out losing wagers and improperly exchanged  
21 chips for the incorrect value to the benefit of a  
22 patron 20 times resulting in a loss of approximately

1 \$9,410 to the casino.

2 As a result, Mr. Tran was arrested and  
3 criminally charged with one felony, four misdemeanor  
4 theft and fraud related offenses. Also, Mr. Tran was  
5 terminated by Rivers Philadelphia. The OEC filed a  
6 request for a temporary emergency order to suspend  
7 the gaming employee occupation permit of Mr. Tran.  
8 Mr. Tran's gaming employee occupation permit was  
9 suspended by the Board on May 20th, 2020. At this  
10 time, the OEC requests that the Board exclude Don  
11 Tran.

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

15 MR. KERNODLE: Commissioner Kernodle  
16 moves that the Board approve the addition of Don Tran  
17 to the PGCB involuntary exclusion list described by  
18 the OEC.

19 MR. LOGAN: Commissioner Logan  
20 seconds.

21 CHAIRMAN: Thank you. All in favor?

22 AYES RESPOND

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

3                    ATTORNEY MILLER: The final matter on  
4 the agenda for the Board's consideration is a request  
5 to place Kenneth Wilson on the Board's involuntary  
6 exclusion list. Mr. Wilson reached into a chip rack  
7 at Rivers Philadelphia and stole \$220 in gaming chips  
8 connected to the property. Mr. Wilson returned to  
9 the casino and cashed in the chips; at which time he  
10 was apprehended by police. Mr. Wilson was  
11 permanently evicted from Rivers Philadelphia and  
12 criminally charged for his actions. At this time,  
13 the OEC requests that the Board place Kenneth Wilson  
14 on the Board's involuntary exclusion list.

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

18                    MR. LOGAN: Commissioner Logan moves  
19 that the Board approve the addition of Kenneth Wilson  
20 to the PGCB involuntary exclusion list as described  
21 by the OEC.

22                    MR. MUSTIO: Commissioner Mustio

1 seconds.

2 CHAIRMAN: Thank you. All in favor?

3 AYES RESPOND

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

6 ATTORNEY MILLER: Thank you.

7 ATTORNEY PITRE: That concludes our  
8 business.

9 CHAIRMAN: Thank you very much, Cyrus.  
10 Thank you, Dustin. Okay. That appears to conclude  
11 today's business. The next public meeting of the  
12 Board will be held on Wednesday, December 16th at  
13 10:00 a.m. Given the apparently continuing uncertain  
14 times, I would advise that all interested parties  
15 monitor the Board's website for the latest  
16 information as to how and in what form that meeting  
17 will be conducted. May I have a motion to adjourn  
18 the meeting?

19 MR. MUSTIO: Mr. Chairman,  
20 Commissioner Mustio moves for adjournment.

21 MS. REITZEL: Commissioner Reitzel  
22 seconds.

1                    CHAIRMAN: Thank you. All in favor?

2 AYES RESPOND

3                    CHAIRMAN: All opposed? The motion's  
4 adopted and we are adjourned. Thank you one and all.  
5 Remain safe.

6                    \* \* \* \* \*

7                    MEETING CONCLUDED AT 11:00 A.M.

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## CERTIFICATE

I hereby certify, as the stenographic reporter,  
that the foregoing proceedings were taken  
stenographically by me, and thereafter reduced to  
typewriting by me or under my direction; and that  
this transcript is a true and accurate record to the  
best of my ability. This notarial act involved the  
use of communication technology.

Dated the 24<sup>th</sup> day of December 2020

Samantha Sennett

Samantha Sennett,

Court Reporter