

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: MEMBERS OF THE BOARD:

DAVID M. BARASCH, CHAIRMAN

Obra S. Kernodle, IV

Sean Logan

T. Mark Mustio

Merritt C. Reitzel

Dante Santoni, Jr.

Denise J. Smyler

EX-OFFICIO MEMBERS/DESIGNEES IN ATTENDANCE:

Christin Heidingsfelder, Designee,

Department of Revenue

Fred Strathmeyer, Designee,

Department of Agriculture

Jennifer Langan, Designee,

Pennsylvania Treasury

MEETING: Wednesday, February 10, 2021, 9:59 a.m.

LOCATION: Videoconference

Reporter: Amy N. 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
DANETTE BIXLER-GEORGE, Human Resources Director
R. DOUGLAS SHERMAN, Chief Counsel
STEVE COOK, Deputy Chief Counsel
CHAD ZIMMERMANN, Assistant Chief Counsel

OFFICE OF ENFORCEMENT COUNSEL:

DUSTIN MILLER, Deputy Chief Enforcement Counsel

OTHER ATTENDEES FOR MEETING AND/OR PUBLIC HEARINGS:

JARROD COURY
WILLIAM GAVIGAN
CHELSEA WILSON
JOSEPH BOTT
HEATHER WORNER
TAJIDIN MCGOUGH
JEREMY SPIRER
KATHERINE LOVELACE, ESQUIRE (FOR JEREMY SPIRER)

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CHAIRMAN: Good morning, everyone. My name is David Barasch. I'm the Chairman of the Pennsylvania Gaming Control Board.

I would note once again that we're holding this meeting via teleconference with Board members and other participants in different locations, consistent with the directives of the Governor and the Pennsylvania Secretary of Health pertaining to social distancing due to the COVID pandemic.

On March 11th the Commonwealth's Office of Open Records issued an advisory as to how state and local governments and agencies should conduct their business in 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 via teleconference or videoconference as long as a mechanism was in place to allow for public access.

We've done that here today and provided public access to the video and audio of this meeting through the Board's website as well as by

1 publishing the call-in information for this
2 videoconference for those who may not have internet -
3 excuse me, internet access.

4 Additionally, as is always the case,
5 we have a Court Reporter present, who will be
6 transcribing this meeting for the public record.

7 All that being said, I would again ask
8 that everyone who has called in today, please mute
9 your telephone. Also, those who will be
10 participating in this meeting, I would ask that
11 before you speak, please identify yourself for the
12 Court Reporter.

13 Okay.

14 So getting started, in addition to the
15 seven regular Board members, we have representing our
16 ex-officio members Fred Strather - Strathmeyer,
17 rather representing Russ Redding, Secretary of
18 Agriculture; Jen Langan, representing Stacy Garrity,
19 our new State Treasurer; and Christin Heidingsfelder,
20 representing Dan Hassell, the Secretary of Revenue.

21 Thank you all for joining us this morning.

22 A quorum of the Board being present, I
23 will now call the proceedings to order. First order
24 of business, I'd like everyone to please join me in
25 the recitation of the Pledge of Allegiance.

1 PLEDGE OF ALLEGIANCE RECITED

2 CHAIRMAN: Sadly today -.

3 MS. REITZEL: It seems like - I'm
4 sorry, Chairman. Before we get started, it seems
5 like there is someone on a call who isn't on mute.
6 If everyone could just double-check to make sure?

7 CHAIRMAN: Yeah, I hear some feedback
8 also. Let's see. Yeah, that's still the case, but
9 we'll proceed for the moment.

10 Sadly, today is Commissioner Dante
11 Santoni's last public session as a member of this
12 Board. On a personal note, I want to take - I want
13 to use the prerogative of the Chairmanship to - to
14 wish Dante all the best as he moves forward into
15 whatever the next aspect of his career is going to
16 be.

17 He has been a calm, thoughtful,
18 considerate and knowledgeable public servant and he's
19 shown a keen understanding of what it means to
20 perform in the public service and a sense of duty.
21 For four years he's been a very valuable member of
22 this Board and has become a very good personal friend
23 of mine.

24 He has provided - he's also provided
25 great leadership as the Chairman of our Personnel

1 Committee. I wish all of us could be physically
2 together today so we could give Dante a more
3 personalized sendoff, dinner, et cetera, but COVID
4 has disrupted all our lives in so many ways, and this
5 is what we're stuck with Dante. I want to thank you
6 for your service and your friendship, and I wish you
7 all the best. And please, as this clears up, if we
8 ever get out from under COVID, don't be a stranger.

9 I just was wondering if any other
10 Commissioners have any comments at this time, if not
11 -.

12 MR. MUSTIO: Mr. Chairman,
13 Commissioner Mustio. Mr. Chairman?

14 CHAIRMAN: Yes, Mark.

15 MR. MUSTIO: I'd also like to wish
16 Dante the best. I did serve with him in the House,
17 and - and know him to be a person of integrity and
18 always working for, whether it's his constituents in
19 the House or working for issues on the Board, always
20 being so honorable and not the person in the
21 grandstands, but someone that wants to work hard on
22 issues for the right reasons. And I just wanted to
23 convey my best wishes to him as well.

24 CHAIRMAN: Any other Commissioners
25 have anything they want to offer?

1 MS. SMYLER: Mr. Chairman, this is
2 Commissioner Smyler. Having only served on the Board
3 for a relatively short period of time, Dante was
4 always somebody I could go to for information or
5 advice. He always had an open door. And as you
6 said, he's always been very thoughtful and
7 considerate of my naiveté sometimes, but I've grown
8 very fond of Dante, and I know whatever he does in
9 the future, he'll be successful, but I - I wish him
10 all the best. Thank you.

11 CHAIRMAN: Okay.

12 We're not eulogizing you here, Dante.
13 It's not like that, but if there are other Board
14 members who have something to say, fine, but
15 otherwise -.

16 MR. LOGAN: Mr. Chairman. This is
17 Sean. Dante, best of luck. Thanks for your
18 friendship and keep in touch. God bless you.

19 MR. SANTONI: Same to you.

20 CHAIRMAN: Okay. All right.

21 MR. SANTONI: If I may - if I may, Mr.
22 Chairman? Very - very briefly. I know we have a big
23 agenda today. I do want to thank, first of all my
24 fellow Commissioners. I - I enjoy working with each
25 and every one of you, present Board and some members

1 that have gone on since I've been on the Board. It's
2 been really truly an honor and a privilege to work
3 with each and every one of you. I know your
4 dedication to the gaming industry is very high and I
5 appreciate not just working with you and being a
6 colleague, but also your friendships. I think I
7 would call each and every one of you a friend.

8 And I also want to commend the staff -
9 I don't want to mention individual names, because I'm
10 afraid I might miss somebody, but I think that the
11 Pennsylvania Gaming Control Board, the Pennsylvania
12 gaming industry is in great hands with a great staff.
13 As - as I said in our meeting yesterday, I've been
14 involved as a member when we first introduced and
15 passed the gaming legislation early in the 2000s, so
16 I think 2004.

17 I had the distinct honor - I had the
18 distinct honor of being the Chairman of the House
19 Gaming Oversight Committee when table games were
20 introduced and passed and signed by Governor Ed
21 Rendell at the time.

22 I've served in the industry for a
23 little bit in between that and being appointed to the
24 Board. So, I've been around the gaming industry a
25 lot - for a lot of time, I've seen it grow, and I

1 think it's a terrific addition to the Pennsylvania
2 economy and it's been an honor and a privilege to be
3 part of the Board.

4 So, thanks to the Commissioners and
5 thanks to the great, great staff. The gaming
6 industry is in wonderful hands. And thank you all
7 for your kind words and I'll see you - maybe I'll see
8 you somewhere down the road. Who knows? I'll come
9 back and visit.

10 CHAIRMAN: Okay.

11 I'm sure you will. Thank you, Dante.

12 We have a resolution this morning to
13 commemorate your service to the Board, which we'll be
14 giving to you. At this time may I have a motion on
15 the resolution for Commissioner Santoni?

16 MR. LOGAN: Yes. Mr. Chairman,
17 Commissioner Logan moves that the Board adopt
18 Resolution GCB 2021-1-EXE honoring Commissioner Dante
19 Santoni, Jr. for his service to the Board.

20 MR. MUSTIO: Commissioner Mustio
21 seconds.

22 CHAIRMAN: Thank you. All in favor?

23 AYES RESPOND

24 CHAIRMAN: All opposed?

25 And you pulled it out by a whisker,

1 Dante. The motion is adopted.

2 MR. SANTONI: Thank - thanks again.
3 Thank you, all. I appreciate it.

4 CHAIRMAN: Thank you. Okay.

5 Moving on, next we're going to be
6 presenting service awards to Gaming Control
7 employees, which will be made by our Executive
8 Director, Kevin O'Toole. Kevin.

9 MR. O'TOOLE: Good morning, Chairman
10 Barasch and members of the Board. Today I am pleased
11 once again to continue the process of recognizing
12 employees of the Gaming Control Board for their years
13 of service. This is always an enjoyable event, to
14 recognize the dedication and the loyalty of employees
15 who have significantly contributed to the success of
16 our agency. And it's - it's apropos this morning
17 because we really appreciate Commissioner Santoni's
18 comments in recognizing the staff. Thank you - thank
19 you very much, Dante.

20 So, for today, we do have the pleasure
21 of having five of our 15-year honorees on the Zoom
22 call this morning. So, we will start with Jarrod
23 Coury.

24 Good morning, Jarrod. Thank you for
25 participating this morning. Jarrod was hired on

1 January 21st, 2006 as an Investigator for the Bureau
2 of Investigations and Enforcement (BIE), a position
3 that he continues to excel at today. And Jarrod is
4 assigned to our Harrisburg Office.

5 Jarrod, congratulations on this
6 milestone of 15 years of employment and we thank you
7 very much for your service.

8 MR. COURY: Thank you, Kevin. I
9 appreciate your time this morning.

10 MR. O'TOOLE: Thank you. Our next
11 honoree is William Gavigan. Good morning, Bill.
12 Thank you very much for participating this morning.
13 Bill was also hired on January 21st, 2006 as an
14 Investigator for the BIE, a position that Bill
15 continues to serve today. He has performed quite a
16 few of some of our biggest background investigations
17 over those 15 years. Bill is assigned to our
18 Regional Office in Conshohocken.

19 Congratulations, Bill. Thank you very
20 much for your service.

21 MR. GAVIGAN: Thank you.

22 MR. O'TOOLE: Our third honoree,
23 Chelsea Wilson.

24 Good morning, Chelsea. Thank you for
25 participating this morning.

1 MS. WILSON: Thank you.

2 MR. O'TOOLE: Chelsea was also hired
3 on January 21st, 2006. That was quite a hiring day
4 for our agency. Chelsea started as an Administrative
5 Assistant for the Office of Human Resources, and
6 today she maintains the position of Human Resource
7 Specialist.

8 Chelsea is also the agency's SECA
9 Coordinator, our State Employee Combined Appeal,
10 which runs every single year and creates an enormous
11 amount of - of benefit to all the various charitable
12 organizations in the state.

13 Congratulations, Chelsea, on your
14 15-year anniversary and we thank you very much for
15 your service.

16 MS. WILSON: Thank you.

17 MR. O'TOOLE: Next we have Joseph
18 Bott.

19 Good morning, Joe.

20 MR. BOTT: Good morning.

21 MR. O'TOOLE: Thank you for
22 participating as a recipient and an honoree of our -
23 of our program. Joe was hired on January 21st, 2006.
24 It's a broken record. All four of these honorees
25 were hired on the exact same day.

1 Joe started as a Human Resources
2 Analyst, and he currently holds the position of Human
3 Resources Specialist. I would like to give a special
4 thank you for Joe. Over the past four- or five-years
5 Joe has been the Coordinator of the service award
6 presentation. So, Joe, thank you for that and we
7 congratulate you on your milestone and thank you very
8 much for your service.

9 MR. BOTT: Thank you very much, Kevin.

10 MR. O'TOOLE: And our final honoree
11 today in the Zoom meeting is Heather Worner.

12 Good morning, Heather.

13 MS. WORNER: Good morning.

14 MR. O'TOOLE: Thank you very much for
15 participating this morning. Heather was hired on
16 February 21st, 2006 as a Gaming Laboratories Manager.
17 And today Heather holds the position of Director of
18 the Office of Gaming Laboratory Operations.

19 Heather, your job is very important in
20 managing that Gaming Lab and ensuring that all of the
21 gaming equipment in Pennsylvania operates in a fair
22 manner and operates in accordance with its
23 specifications.

24 We congratulate you, Heather, on your
25 - on your service award today for 15 years and thank

1 you very much for your service.

2 MS. WORNER: Thank you.

3 MR. O'TOOLE: So, I would also like to
4 recognize 13 additional employees who have reached
5 that 15-year milestone. Michelle Ceo is a Deputy
6 Director in the BIE. We have Darci Leezer and Joe
7 Morace, both Investigator Supervisors in the BIE.
8 Charles Kelly, David Moore, Mark Paluck, and Kathy
9 Filbey, all of whom are Investigators in the BIE.
10 John Walczak and Christopher Costigan, both Casino
11 Compliance Representative Supervisors in the Bureau
12 of Casino Compliance. Dorine Bollinger, a Licensing
13 Analyst in the Bureau of Licensing. Ben Williams, an
14 IT Operations Specialist in the Bureau of
15 Administration; and Deborah Davis and Kathy Thomas,
16 both Administrative Assistants in the BIE.

17 And finally, for today, we have one
18 ten-year anniversary recipient. And that is Dennis
19 O'Brien, a Senior Supervisor for the Bureau of Casino
20 Compliance.

21 We congratulate all of the honorees
22 this morning for their - for their service.

23 Thank you very much, Chairman. That
24 finishes this program.

25 CHAIRMAN: Thank you, Kevin. Okay.

1 Moving on with the agenda. By way of
2 announcements, the Board held an Executive Session
3 yesterday, Tuesday, February 9th, to discuss
4 personnel matters and to conduct quasi-judicial
5 deliberations relating to certain matters that are
6 coming before the Board today. This meeting was also
7 conducted via videoconference.

8 Next, I'd like to have consideration
9 of a motion to approve the transcript and minutes of
10 the December 16th, 2020 meeting.

11 May I have such a motion?

12 MS. SMYLER: Mr. Chairman,
13 Commissioner Smyler moves that the Board approve the
14 minutes and transcript of the December 16th, 2020
15 meeting.

16 MR. SANTONI: Commissioner Santoni
17 seconds.

18 CHAIRMAN: Thank you. All in favor?

19 AYES RESPOND

20 MR. SANTONI: All opposed?

21 The motion's adopted.

22 Next up, Kevin. Executive Director's
23 report.

24 MR. O'TOOLE: Thank you again,
25 Chairman. I do have a brief report. Yesterday our

1 Office of Communications issued a press release
2 announcing the preliminary figures associated with
3 the sports wagers made by betters in Pennsylvania on
4 last Sunday's Super Bowl. These figures were very
5 good, \$53.6 million in handle on the Super Bowl game,
6 which produced \$9.4 million dollars in gross sports
7 wagering revenue.

8 The Super Bowl, as a successful
9 betting event, reflects positively on the continuing
10 growth of online gaming in Pennsylvania, both on
11 sporting events and on casino games. Although the
12 final figures for January 2021 are still pending on
13 receipt of final monthly reports from the industry,
14 the growth in our online wagering will continue in a
15 manner that benefits the operators and the casino
16 licensees.

17 The Board's press release with those
18 figures for January of 2021 will be issued early next
19 week. So, that is my report for this morning, but
20 before I close, Chairman, on behalf of the entire
21 staff here at the Board, I would like to personally
22 thank Commissioner Santoni for his support and his
23 contribution to the agency's success over the past
24 four years. Dante, thank you very much and best of
25 luck in your future endeavors.

1 MR. SANTONI: Thank you, Kevin. I
2 appreciate that.

3 MR. O'TOOLE: Your welcome.

4 CHAIRMAN: Thank you, Kevin. Is - any
5 other - any questions or comments for Kevin at this
6 time? If not, the next up is Danette Bixler-George,
7 Office of Human Resources. Danette.

8 MS. BIXLER-GEORGE: Good morning,
9 Chairman. Good morning, members of the Board. The
10 Office of Human Resources has one motion for your
11 consideration today relative to the hiring of five
12 individuals. The following individuals have
13 completed the interview process, background
14 investigations, and drug screening, and are
15 recommended for hire by Christopher Schroder, Bureau
16 Director for Casino Compliance.

17 Terrell Burke has been selected as a
18 Technical Field Representative for Rivers
19 Philadelphia Casino. Fred Sutton has been selected
20 as a Casino Compliance Representative for Rivers
21 Pittsburgh Casino. Joanna Garcia has been selected
22 as a Casino Compliance Representative for Live!
23 Philadelphia Casino. Jarred Shaffer has been
24 selected as a Casino Compliance Representative for
25 Wind Creek Casino. And finally, Brittney Joniec has

1 been selected as a Casino Compliance Representative
2 for Rivers Philadelphia Casino.

3 Unless you have any questions, I would
4 ask that the Board consider a motion to approve these
5 hiring actions as indicated.

6 CHAIRMAN: Any questions or comments
7 for Danette at this moment?

8 Hearing none, may I have a motion,
9 please?

10 MR. SANTONI: Mr. Chairman,
11 Commissioner Santoni moves that the Board approve the
12 applicants for hire as proposed - proposed by the
13 Human Resources Director.

14 MS. SMYLER: Commissioner Reitzel
15 seconds.

16 CHAIRMAN: Thank you.

17 All in favor?

18 AYES RESPOND

19 CHAIRMAN: All opposed?

20 The motion's adopted.

21 MS. BIXLER-GEORGE: Thank you.

22 CHAIRMAN: Next up, our Chief Counsel
23 Doug Sherman. Doug.

24 ATTORNEY SHERMAN: Yes. Good morning,
25 Chairman and members of the Board. Our first agenda

1 item relates to a final form rulemaking, which
2 Assistant Chief Counsel Chad Zimmermann is here to
3 present.

4 ATTORNEY ZIMMERMANN: Good morning
5 Chairman and members of the Board. Chad Zimmermann
6 from the Office of Chief Counsel (OCC).

7 Before you today is Final Form
8 Rulemaking #125-225, which is amendments to our self
9 - the Board's self-exclusion procedures. This final
10 form rulemaking modernizes and brings a more
11 efficient system to the self-exclusion process in the
12 Commonwealth.

13 There are three major changes to the
14 self-exclusion process that I will explain for you
15 now. The first change is a rebranding of the self-
16 exclusion list to the casino self-exclusion list.
17 This delineates that this specific list will apply
18 only to brick and mortar licensed facilities,
19 Sportsbooks at brick and mortar licensed facilities,
20 and Sportsbooks at nonprimary location also known as
21 off-track betting locations.

22 There will be additional self-
23 exclusion lists for the other forms of gaming in the
24 Commonwealth.

25 The second change is the creation of

1 an online portal to allow individuals to complete the
2 self-exclusion process and removal from the self-
3 exclusion list process completely and entirely online
4 without the necessity of traveling to a casino or to
5 a Board office. This will allow individuals who
6 don't live close to a Board office or a casino the
7 ability to do so without the necessity of traveling.

8 The last major change is the creation
9 of a procedure to allow an individual who selects
10 lifetime casino self-exclusion or previously selected
11 lifetime self-exclusion under the old rules to remove
12 their name - to seek removal from the list after a
13 ten-year period has elapsed. The individual bears
14 the burden of proving that they have sought treatment
15 or at least have received an evaluation from a
16 qualified evaluator. And they also must demonstrate
17 that removal from the list will not be detrimental to
18 their mental or physical health or well-being and
19 will not, in any way, be adverse to gaming interests
20 in the Commonwealth.

21 If you have any further questions, I'd
22 be more than happy to answer them at this time.

23 CHAIRMAN: Thank you, Chad. Any
24 questions for Chad at this point?

25 Hearing none, may I have a motion,

1 please?

2 MS. REITZEL: Chairman, Commissioner
3 Reitzel moves that the Board adopt the Final Form
4 Rulemaking #125-225 regarding modifications to the
5 casino self-exclusion list procedures as described by
6 the OCC.

7 MR. MUSTIO: Commissioner Mustio
8 seconds.

9 CHAIRMAN: Thank you. All in favor?

10 AYES RESPOND

11 CHAIRMAN: All opposed?

12 The motion's adopted.

13 ATTORNEY ZIMMERMANN: Thank you,
14 Commissioners.

15 CHAIRMAN: Thank you.

16 ATTORNEY SHERMAN: Next - next before
17 the Board for consideration are a motion and two
18 petitions. These matters will be decided based upon
19 the documentary record by agreement of the parties.
20 In each of the matters, the Board has, in advance of
21 this meeting, been provided with all documents filed
22 of record.

23 The first matter before the Board
24 today is a motion by Interactive Gaming Manufacturer
25 GAN (UK) Limited seeking an extension of time to

1 provide copies of Assignment and Assumption
2 Agreements to Board staff.

3 By way of background, in December of
4 2020, the Board granted GAN (UK) Limited to request
5 to assign its Pennsylvania gaming contracts to its
6 subsidiary company, GAN Nevada, Incorporated, with
7 the condition that GAN (UK) provide to the BIE and
8 the Office of Enforcement Counsel (OEC) a copy of all
9 Assignment and Assumption Agreements between the
10 Nevada company and the United Kingdom company with
11 any Pennsylvania gaming entities within 30 days,
12 which gave the Petitioners until January 15th to
13 comply.

14 On January 11th GAN filed a request
15 for an additional 30 days to provide the requested
16 agreements, stating that they were working with
17 companies to complete the agreements.

18 Subsequently, GAN requested that the
19 deadline be extended to March 15th, 2021, which would
20 be 60 days from the original deadline, averring that
21 the company is working on finalizing one final
22 Assignment Agreement.

23 The OEC has no objection to this
24 request, and it's now ready for the Board's
25 consideration.

1 CHAIRMAN: Questions or comments from
2 the Board?

3 Hearing none, may I have a motion,
4 please?

5 MR. MUSTIO: Commissioner Mustio moves
6 that the Board grant the motion as amended and extend
7 the deadline for compliance to March 15th, 2021.

8 MR. LOGAN: Commissioner Logan
9 seconds.

10 CHAIRMAN: Thank you.

11 All in favor?

12 AYES RESPOND

13 CHAIRMAN: All opposed?

14 The motion's adopted.

15 ATTORNEY SHERMAN: Next before the
16 Board is Pit Stop Travel Plaza's Petition for
17 Approval for Change in Control. Pit Stop Travel
18 Plaza is the holder of a Video Gaming Terminal
19 Establishment License. They are requesting that the
20 Board approve the transfer of ownership of their
21 establishment to PJ Travel Plaza, LLC.

22 In April 2019, the Board issued an
23 Establishment License to Pit Stop Travel Plaza,
24 authorizing them to allow a Terminal Operator
25 Licensee to place and operate video gaming terminals

1 on the premises of the Clinton County truck stop
2 establishment. The owners of Pit Stop Travel Plaza
3 now seek to sell the business to PJ Travel Plaza,
4 LLC.

5 PJ Travel Plaza has filed the
6 appropriate applications with the Board's Bureau of
7 Licensing, and they've been issued a Conditional
8 Establishment License on October of 2020.
9 Additionally, PJ Travel has entered into a contract
10 with Commonwealth Gaming, the same terminal operator
11 that Pit Stop had contracted.

12 The change of control would permit PJ
13 Travel to assume the operations of the truck stop
14 establishment, pursuant to a lease, as Pit Stop
15 principals will continue to be the holders of the
16 real estate.

17 The OEC has no objection to the
18 requested relief, subject to the conditions outlined
19 in their Answer. Including that PJ Travel will only
20 be granted full licensure and the ability to have
21 video gaming at the establishment upon completion of
22 the background investigation and the Board finding it
23 suitable.

24 This matter is now ready for the
25 Board's consideration

1 CHAIRMAN: Are there any questions or
2 comments from the Board on this matter?

3 Hearing none, may I have a motion,
4 please?

5 MR. KERNODLE: Commissioner Kernodle
6 moves that the Board grant Pit Stop Travel Plaza's
7 petition for change of control as described by the
8 OCC and with the condition to be outlined in Board
9 Order. I further move that the request for
10 confidentiality be granted.

11 MS. SMYLER: Commissioner Smyler
12 seconds.

13 CHAIRMAN: Thank you.
14 All in favor?

15 AYES RESPOND

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

18 ATTORNEY SHERMAN: The next matter
19 before the Board is Tajidin McGough's request to lift
20 the suspension of his Gaming Employee Occupation
21 Permit. Mr. McGough is on the phone call today and
22 would like to briefly address the Board. However,
23 before he does that, I'd like to give you a brief
24 summary of the matter.

25 Mr. McGough was a Board licensed

1 gaming employee and was employed as a Table Game
2 Dealer at Parx Casino. In October 2019, the OEC
3 filed a Request for an Emergency Order of Suspension
4 of Mr. McGough's Gaming Employee Occupation Permit
5 after they received notice that he had been charged
6 with a misdemeanor gaming offense stemming from an
7 incident at a Delaware Casino, where he was a patron.

8 As a result of the charges, an
9 Emergency Order suspending Mr. McGough's permit was
10 signed by the Board's Executive Director on
11 October 17th, 2019. Thereafter, a hearing was held
12 at the Board's Office of Hearings and Appeals (OHA)
13 and on December 18th, 2019 the Board issued an Order
14 directing that the suspension remain in effect.

15 On December 7th, 2020 Mr. McGough
16 filed a Petition to Lift the Suspension of his Gaming
17 Employee Occupation Permit, indicating that he had
18 requested a jury trial on the charges filed against
19 him in Delaware, but that, due to COVID-19, the
20 Delaware courts have suspended all jury trials. And
21 as a result, he has not been able to resolve his
22 criminal matter and he has been told that he may not
23 receive a court date until the year 2022.

24 It's Mr. McGough's position that the
25 criminal charges which stem from his removing his

1 wager from a gaming table after the outcome was known
2 is a misunderstanding.

3 OEC filed an Answer objecting to Mr.
4 McGough's request, as his criminal charges are still
5 pending. The OHA held a prehearing conference with
6 both - both Mr. McGough and OEC, wherein Mr. McGough
7 agreed that the facts leading to the suspension of
8 his Gaming Permit remained the same.

9 As a result, this matter is now ready
10 for the Board's consideration. As indicated, Mr.
11 McGough is on the line and would like to briefly
12 address the Board.

13 CHAIRMAN: Should we swear him in,
14 Doug?

15 ATTORNEY SHERMAN: Yes.

16 CHAIRMAN: Would the Court Reporter do
17 that? Mr. McGough, are you there?

18 MR. MCGOUGH: Yes, I am.

19 CHAIRMAN: Okay.

20 Can we swear him in, please?

21 COURT REPORTER: Sure. Mr. McGough,
22 would you raise your right hand, please?

23 ---

24 TAJIDIN MCGOUGH,
25 CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND

1 HAVING FIRST BEEN DULY SWORN, TESTIFIED AND SAID AS
2 FOLLOWS:

3 MR. MCGOUGH: Yes.

4 ---

5
6 COURT REPORTER: Thank you.

7 CHAIRMAN: Okay.

8 Mr. McGough, if you have some
9 comments, please proceed.

10 MR. MCGOUGH: Okay.

11 So, since my last meeting with the
12 OEC, the facts were still remaining, but since then I
13 have been in contact with the investigating officer.

14 And he came to a conclusion that he would dismiss
15 all the charges. He's been in contact with the DA
16 for the - New Castle County in Delaware. I'm not
17 sure - he said he's not sure how long it would take
18 for the motion to be granted, but the charges will be
19 dropped, all the charges will be dropped.

20 So, I'm asking today, may I please
21 have the suspension lifted? Because the charges are
22 being dismissed.

23 CHAIRMAN: Okay.

24 Thank you. Doug, I - I don't know
25 where that leaves us. I think the motion is still

1 pertinent.

2 ATTORNEY SHERMAN: Yes, I would agree.
3 It would still be pertinent. I - he -.

4 CHAIRMAN: Okay.

5 ATTORNEY SHERMAN: Yeah.

6 CHAIRMAN: Okay, we're good. All
7 right then.

8 Is there a motion on this matter
9 relating to Mr. McGough?

10 MS. SMYLER: There is, Mr. Chairman.
11 Commissioner Smyler. Based upon the unique
12 circumstances the Petitioner finds himself in due to
13 the COVID pandemic, and delay in exercising his due
14 process rights in Delaware, moves that the petition
15 be granted, and that the Emergency Suspension of Mr.
16 McGough's permit be lifted.

17 In making this motion, I note that
18 should the Petitioner be convicted of a gambling
19 offense, he may be subject - subject of a future
20 permit revocation proceeding for - by Enforcement
21 Counsel, and the Board will be statutorily obligated
22 to revoke his permit at that time.

23 MR. SANTONI: Commissioner Santoni
24 seconds.

25 CHAIRMAN: All in favor?

1 ATTORNEY SHERMAN: Mr. Chairman before
2 we have a vote, -

3 CHAIRMAN: Yes, yes.

4 ATTORNEY SHERMAN: - I would suggest
5 that given the new information that Mr. McGough also
6 be required to provide any Order from the court
7 consistent with what his representations have been as
8 soon as he receives that.

9 CHAIRMAN: Okay.

10 CHAIRMAN: Do we have to add that to the Order or
11 is that something -?

12 ATTORNEY SHERMAN: We - we will make
13 sure that it's in the Order -

14 CHAIRMAN: Okay. Okay.

15 ATTORNEY SHERMAN: - issued by the
16 Board.

17 MS. SMYLER: And as the mover of this
18 motion, I would concur with that amendment.

19 CHAIRMAN: Okay. All right.

20 MR. SANTONI: Santoni second.

21 CHAIRMAN: Okay, fine.

22 CHAIRMAN: All in favor of that motion as orally
23 modified?

24 AYES RESPOND

25 CHAIRMAN: All opposed?

1 The motion's adopted.

2 Thank you very much for your
3 participation, Mr. McGough, and good luck to you.

4 MR. MCGOUGH: Thank you.

5 CHAIRMAN: Okay, moving on.

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

10 ATTORNEY COOK: Good morning. The
11 next matter before the Board today pertains to
12 several unopposed Petitions to Withdraw the
13 Applications or Surrender the Credentials of the
14 following individuals or businesses: Berit Lindwall;
15 Rolf Lundstrom; Crib Goch Investment Limited - I'm
16 sorry, Investment Limited; Novobis AB; Provobis
17 Holding AB; Provobis Invest AB; Knutsson Holdings AB;
18 OTG OE Holdings, LLC; OTG Management, Inc.; OTG
19 Management, LLC; OTG Experience, LLC; Christopher
20 John Redd; Eric Jay Blatstein; Marc Mitchell
21 Rayfield; Scott David Eitelberg; Thomas John
22 Iacopelli; Jack Alan Markell; Paul Meister; Jeremy
23 Clemmons; Lee Michael Feldman; Aviad Kobrine, and
24 Woodside Investments, LP.

25 The OEC has indicated they have no

1 objection to any of these petitions, and as a result
2 if the Board grants the same, it would be doing so
3 without prejudice to each of these parties.

4 CHAIRMAN: Thank you. Are there any
5 questions or comments from the Board?

6 Hearing none, may I have a motion,
7 please?

8 MR. SANTONI: Mr. Chairman,
9 Commissioner Santoni moves that the Board issues
10 Orders to approve the Withdrawals and Surrenders as
11 described by the OCC.

12 MS. REITZEL: Commissioner Reitzel
13 seconds.

14 CHAIRMAN: All in favor?

15 AYES RESPOND

16 CHAIRMAN: All opposed?

17 The motion's adopted.

18 ATTORNEY COOK: Next before the Board
19 for consideration today are five Reports and
20 Recommendations received from the OHA. These Reports
21 and Recommendations, along with the complete
22 evidentiary hearing - evidentiary record in each
23 hearing have been provided to the Board in advance of
24 these meeting.

25 And additionally, each person that is

1 subject to these Reports and Recommendations have
2 been advised that the Board would be taking their
3 matter up today and that they had the opportunity to
4 briefly address the Board.

5 The first Report and Recommendation
6 pertains to Jeremy Spirer. I believe Mr. Spirer's
7 attorney, Kate Lovelace, is on the phone and would
8 like to address the Board. Before we do that,
9 however, I'll provide a brief summary of this case.

10 Mr. Spirer hurt - holds a Non-Gaming
11 Employee Registration and had worked at the Rivers
12 Casino in Pittsburgh. On October 15th, 2020 the OEC
13 filed a Request for an Emergency Suspension of Mr.
14 Spirer's Non-Gaming Employee Registration after
15 receiving notice that he had been charged with
16 several felonies following an incident where Mr.
17 Spirer solicited sex from an undercover police
18 officer posing as a 15-year-old girl.

19 As a result of these charges, the
20 Board's Executive Director issued an Emergency Order
21 suspending Mr. Spirer's Non-Gaming Employee
22 Registration as requested by Enforcement Counsel.
23 The hearing on this matter was held on November 24th,
24 2020. Mr. Spirer appeared at that hearing with
25 counsel, via telephone, I believe. Mr. Spirer did

1 not testify, but counsel acknowledged that the
2 charges remain pending.

3 The OEC presented testimony and
4 documentary evidence regarding the pending criminal
5 charges. And based upon the evidence received, a
6 Report and Recommendation was issued in this matter,
7 recommending that Mr. Spirer's suspension remain in
8 effect until at least disposition of the criminal
9 charges.

10 As I indicated, Attorney Lovelace is
11 on the phone and I believe she would like to briefly
12 address the Board.

13 CHAIRMAN: Fine.

14 ATTORNEY LOVELACE: Thank you. Hi,
15 this is Kate -.

16 CHAIRMAN: Is this Ms. Lovelace?

17 ATTORNEY LOVELACE: Kate Lovelace,
18 yeah. Attorney for Mr. Spirer. So, just a quick
19 update. Jeremy has a number of intellectual and some
20 physical disabilities, and I believe he's wanted at
21 the casino, but we've scheduled an evaluation for
22 competency because of his IQ and some other
23 intellectual disability diagnoses that he's received.
24 And that evaluation is being held at the County Court
25 on the 23rd of this month.

1 So, I was hoping that you, the Board
2 might be willing to move this to the March date,
3 pending the outcome of that evaluation, because the
4 District Attorney is inclined to withdraw the charges
5 if he's not competent and that could happen before
6 March 17th. So, I think that's your next meeting
7 date. I was hoping that was a request that I could
8 make to this Board today.

9 CHAIRMAN: Okay. Thank you.

10 Anyone have any questions for - for
11 the attorney, Ms. Lovelace, or any comments on this
12 matter at this time?

13 MS. SMYLER: Mr. Chairman, this is
14 Commissioner Smyler. Ms. Lovelace, why - why had you
15 not made this request of our Chief Counsel prior to -
16 to today?

17 ATTORNEY LOVELACE: I didn't - I
18 didn't know I could. I was just following the - I'm
19 a criminal defense attorney. So, I'm doing this as
20 like a courtesy out of the, you know, the other
21 consequences that have come, but I - I've never dealt
22 with the Gaming Commission Board, so I thought that
23 this was not moveable. I thought I just had to do it
24 when you said to do it, but I - my question was
25 that -.

1 ATTORNEY COOK: And Mr. Chairman, I
2 would -.

3 CHAIRMAN: Who's speaking?

4 ATTORNEY LOVELACE: Go ahead.

5 ATTORNEY COOK: It's Steve, Mr.
6 Chairman.

7 ATTORNEY LOVELACE: This is still Kate
8 Lovelace.

9 CHAIRMAN: Okay, one second.

10 ATTORNEY COOK: If I can, Ms.
11 Lovelace? Let me - this is Steve Cook. I'll just
12 provide a little bit - an explanation -. Well, not
13 explanation, but - but if, I mean if we move the
14 matter to March, there's really no harm because the
15 suspension is in effect now and will remain in
16 effect. So, it's not like we're voting to suspend.
17 It - it's, you know -.

18 CHAIRMAN: Okay.

19 That - that's useful to consider. Any
20 comments from any other Board members, and then I'll
21 make a comment?

22 MS. SMYLER: Mr. Chairman, if - again
23 - based -

24 CHAIRMAN: Go ahead. Please, Denise.
25 Go ahead.

1 MS. SMYLER: - based upon Steve Cook's
2 information, I - I would think Ms. Lovelace is
3 accurate in her timing, as far as the evaluation. I
4 - I'd be inclined to - to not oppose a brief
5 continuance of this matter.

6 CHAIRMAN: Okay.

7 Let me just ask a question here. Ms.
8 Lovelace, do you have a particular date in March?

9 ATTORNEY LOVELACE: His evaluation is
10 on February 23rd, and I would guess it'll take him
11 about two weeks to get some kind of result to the
12 District Attorney in writing, but -. Honestly, I
13 mean I would - I will like hustle to get whatever I
14 can get to you before whatever next hearing date we
15 have. They're - I'm not - at their mercy, of course.

16 CHAIRMAN: No, I understand that. I'm
17 just trying to understand logistics, and - and I
18 don't criticize you at all. You've never appeared
19 before here - before us before to know how we
20 process. It's not surprising you wouldn't know that.

21 Hopefully you won't be in front of us again, but if
22 you'd done this in advance, it would have been
23 helpful. Let's just, I would - I would suggest -.

24 MR. LOGAN: Mr. Chairman?

25 CHAIRMAN: Yes? Who's this?

1 MR. LOGAN: This is Sean. Sean.

2 CHAIRMAN: Please.

3 MR. LOGAN: Ms. Lovelace, did you
4 provide any of the documents that indicate that the
5 client, Jeremy, has disabilities? Did you provide
6 them to the -?

7 ATTORNEY LOVELACE: I don't know if I
8 can - I don't have contact - I mean, I'm getting
9 e-mails from Lyndsey Wanich. Like, until Mr. Cook
10 called me just to make sure I was going to be on the
11 call this morning, I've never had any conversations
12 with anyone there about anything really. So, I don't
13 know that I've provided that, but I mean I have
14 psychological reports.

15 MR. LOGAN: Yeah, but we don't have
16 them today.

17 ATTORNEY LOVELACE: But I would -.

18 MR. LOGAN: Did you - did Jeremy
19 provide them during his hearing with the OHA?

20 ATTORNEY LOVELACE: I doubt that he
21 did that without me doing it for him, but I - I mean,
22 I could e-mail them to you now. I'm not - I'm not a
23 hundred percent comfortable like just sending his
24 psychological reports up without -.

25 ATTORNEY COOK: I'm not asking you to.

1 I'm asking you if you've provided them to the Board.
2 And that was a no. And I'm asking you if Jeremy
3 provided them at his hearing in front of Hearings and
4 Appeals. And you don't know, or you do know, and
5 it's no?

6 ATTORNEY LOVELACE: Well, Jeremy's on
7 the phone. Jeremy, can you answer that?

8 MR. SPIRER: I don't think I gave - I
9 mean, I don't have any issues. Like I don't think I
10 did. I mean, I didn't really have any other hearings
11 except for one that we had before this. So, I'm not
12 sure of what you guys have. I mean, we've been
13 getting information from Lyndsey Wanich about my
14 suspension license.

15 So, I mean, that's the only thing that
16 I - that I know that we'll be getting e-mails from.
17 So, I mean, they never really asked for me to just
18 like send anything to them.

19 ATTORNEY LOVELACE: Yeah. And just to
20 follow up on that. I - I have never received their
21 reports before the hearing. It's usually like in -
22 at the last hearing I said - someone said, do you
23 have that? And I was like no. And the same thing as
24 here - I don't have any reports from you guys either.
25 And I apologize, I really - this is all new to me

1 and I'm not trying to -

2 MR. SPIRER: Yeah.

3 ATTORNEY LOVELACE: - get into the
4 Gaming License in front of you.

5 MR. SPIRER: And Lyndsey just like
6 send me an e-mail to me, like to us saying that, you
7 know, that they're having another hearing today about
8 my suspended license and that was it. Like she
9 didn't like ask for any documents or anything.

10 CHAIRMAN: Okay.

11 ATTORNEY LOVELACE: Yeah, I don't know
12 if we'd have known to do that, but -.

13 CHAIRMAN: Okay.

14 Let me see if I can wrap this thing up
15 for the moment.

16 MR. LOGAN: Can I just - Mr. Chairman,
17 can I just say one more -?

18 CHAIRMAN: Yeah, go ahead.

19 MR. LOGAN: This is Sean.

20 Steve, do we know if any of those -?

21 ATTORNEY COOK: I don't believe
22 there's any records of the nature you're talking
23 about in the record, no.

24 MR. LOGAN: Was Jeremy represented by
25 counsel at the hearing at Hearings and Appeals?

1 ATTORNEY COOK: I believe Ms. Lovelace
2 was on the phone, yes.

3 ATTORNEY LOVELACE: Yeah.

4 MR. SPIRER: Yeah, she was.

5 MR. LOGAN: Okay.

6 Then let me - I'm - I'm sorry, then
7 maybe I didn't ask my question correctly.

8 Ms. Lovelace, at the hearing with the
9 Hearings and Appeals, you did not provide any
10 documentation that illustrates Jeremy's disabilities?

11 ATTORNEY LOVELACE: I - I have not. I
12 - I'm going to say no, because nobody ever asked me
13 for it, and I've never spoken to attorney - an
14 attorney before today.

15 CHAIRMAN: I - I can see here - I can
16 Dustin Miller shaking his head, and I presume he's
17 telling us no data was presented.

18 Is that fair, Dustin?

19 ATTORNEY MILLER: That's correct,
20 Chairman.

21 MR. LOGAN: Okay.

22 Look, I'm just saying is it - you're
23 probably - I'll stay in my lane, but it would've
24 probably been helpful. You had that information, you
25 had those reports at his initial hearings - hearing

1 in front of Hearings and Appeals that you would have
2 presented it. I - I - again, I'll stay in my lane as
3 a nonlawyer.

4 CHAIRMAN: Well, let me just -.

5 ATTORNEY LOVELACE: I believe we
6 talked about it, and it came up. I personally
7 couldn't - don't remember it being confirmed. Sorry.

8 CHAIRMAN: Okay.

9 Let me try to wrap this up. If I wish
10 to table this motion for now, does that require a
11 vote of the Board or can I just do that, as the
12 Chairman?

13 ATTORNEY COOK: You can just table it
14 yourself, Mr. Chairman.

15 CHAIRMAN: Okay.

16 I would say given the fact that Steve
17 has pointed out that - that he's already been
18 suspended and all we're doing is continuing his
19 suspension until we can unravel this, I would suggest
20 that I'm going to table this for now and we'll take
21 this up, hopefully, in March.

22 Okay? That's -.

23 ATTORNEY LOVELACE: Thank you.

24 MR. LOGAN: Mr. Chairman, I'd just
25 like the record to reflect I'm against the tabling.

1 CHAIRMAN: Okay, fine. Let's proceed.

2 MS. SMYLER: Mr. Chairman - Mr.
3 Chairman, I also would just like to make sure Ms.
4 Lovelace knows now that there is a process. That she
5 does need to provide documentation and evidence of -
6 of her client's disability prior to the next Board
7 meeting.

8 CHAIRMAN: Okay.

9 So, we're going to table this now
10 because it doesn't appear to create any prejudice
11 either for him or for us. And we'll take this up in
12 March with whatever data we're given by then.

13 Okay?

14 Let's - let's move on then.

15 ATTORNEY LOVELACE: Jeremy, you can
16 hang up.

17 MR. SPIRER: I will.

18 ATTORNEY COOK: Okay.

19 Mr. Chairman, the next matter is
20 Joshua Selter's Report and Recommendation. On
21 January 17th, 2019 Mr. Selter submitted a Gaming
22 Employee Occupation Permit application seeking work
23 as an IT System Administrator at Presque Isle Downs
24 and Casino.

25 On January 9th, 2020, after attempting

1 to work with Mr. Selter for over a year, the OEC
2 filed and sent Mr. Selter a Notice of Recommendation
3 of Denial of his application based upon his failure
4 to file a 2017 federal tax return.

5 Mr. Selter requested a hearing, which
6 was held on March 10th, 2020. OEC attended the
7 hearing and presented both testimony and documentary
8 evidence outlining Mr. Selter's continued
9 noncompliance in providing the requested tax
10 information.

11 Mr. Selter appeared and testified on
12 his own behalf. He stated that during the time he
13 would have been preparing his 2017 tax return, he's
14 having difficulty getting mortgage documents needed
15 to complete his return. He further testified that a
16 week before the hearing he had found the documents
17 and would be filing his return within the week.

18 Following the hearing, an Order was
19 issued, giving Mr. Selter until May 29th, 2020 to
20 provide proof that his 2017 tax return had been
21 filed. Subsequently, due to COVID-19, that date was
22 extended until August 24th, 2020. Thereafter, OHA,
23 Hearings and Appeals, held a teleconference hearing
24 on September 22nd, 2020, with both - with both
25 parties appearing.

1 Mr. Selter still did not file his tax
2 return at that point. An agreement was reached
3 between the parties to give him until November 17th,
4 2020, to show that he had filed, by that point in
5 time, both his 2017 and 2018 tax returns. Mr. Selter
6 failed to comply with that deadline.

7 As a result, a Report and
8 Recommendation was issued recommending that his
9 application be denied.

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

12 MR. MUSTIO: Yes. Mr. Chairman, just
13 so the technicians know my Zoom froze. So, I'm now
14 calling in. This is Commissioner Mustio.

15 Commissioner Mustio moves that the Board
16 adopt the Report and Recommendation issued by the OHA
17 regarding the denial of Joshua Selter's Gaming
18 Employee Occupation Permit application as described
19 by the OCC.

20 MR. LOGAN: Commissioner Logan
21 seconds.

22 CHAIRMAN: Thank you. All in favor?

23 AYES RESPOND

24 CHAIRMAN: All opposed?

25 The motion's adopted.

1 ATTORNEY COOK: Next before the Board
2 is the Report and Recommendation pertaining to Dung
3 Dang Nguyen.

4 By way of background, on June 14th,
5 2015, while playing Asian Poker at Harrah's
6 Philadelphia Casino & Racetrack, Mr. Nguyen violated
7 the rules of the game by resetting two of his hands
8 after the Dealer had exposed his hands, which
9 resulted in Mr. Nguyen winning \$500, to which he was
10 not entitled. After being confronted, Mr. Nguyen
11 returned the \$500 to Harrah's. He was permanently
12 evicted from Harrah's and criminally charged;
13 ultimately pleading guilty to disorderly conduct.

14 Subsequently, the OEC filed a petition
15 to place Mr. Nguyen on the exclusion list. The
16 hearing in this matter was held, and the parties
17 thereafter entered a Consent Agreement, which the
18 Board adopted in August of 2016. The Consent
19 Agreement placed Mr. Nguyen on the exclusion list and
20 prohibited him from requesting early removal from the
21 list for a period of four years.

22 It also stated that after five years
23 had elapsed from his placement on the list,
24 regardless of whether Mr. Nguyen had requested early
25 removal, OEC would not object to the request for

1 removal, provided he had no gambling offenses or had
2 violated the Exclusion Order.

3 On September 17th, 2020, four years
4 and one month after his placement on the list
5 pursuant to the Consent Agreement, Mr. Nguyen filed
6 his request for early removal. OEC filed an Answer
7 objecting to the request and a hearing was held on
8 December 9th, 2020.

9 Mr. Nguyen appeared with his counsel
10 and presented testimony and documentary evidence. He
11 testified that he is the father of a six-year-old
12 girl who resides in a 24-hour skilled nursing
13 facility and his placement on the list has inhibited
14 his ability to obtain employment, which he needs to
15 secure resources to help in the care for his
16 daughter.

17 He provided a letter from a nursing
18 facility explaining his daughter's medical issues,
19 and also provided documentation showing that his
20 criminal record for these offenses have been
21 expunged. OEC did not provide testimony or exhibits
22 at the hearing, but they did, however, state that
23 they objected to Mr. Nguyen's request only because
24 the five years had not yet elapsed from Mr. Nguyen's
25 placement on the list. And his current circumstances

1 did not meet the regulatory test for early removal
2 from the list, which requires the showing of
3 extraordinary facts and circumstances.

4 A Report and Recommendation was issued
5 recommending that Mr. Nguyen's petition be denied,
6 with the Hearing - the Hearing Officer also finding
7 that extraordinary facts and circumstances were not
8 shown. And that is the recommendation before the
9 Board.

10 CHAIRMAN: Thank you.

11 Are there any questions or comments
12 from the Board on this matter? Hearing none, may I
13 have a motion?

14 MR. LOGAN: Mr. Chairman, Commissioner
15 Logan moves that the Board reject the Report and
16 Recommendation issued by the OHA regarding Dung Dang
17 Nguyen's Petition for Removal from the PGCB
18 Involuntary Exclusion List as described by the OCC,
19 and that Mr. Nguyen be removed from the Board's
20 involuntary exclusion list.

21 MR. KERNODLE: Commissioner Kernodle
22 seconds.

23 CHAIRMAN: Thank you.

24 All in favor?

25 AYES RESPOND

1 CHAIRMAN: All opposed?

2 The motion's adopted.

3 ATTORNEY COOK: The Report and
4 Recommendation pertaining to Ron Chen is next before
5 the Board today. The OEC filed a petition to place
6 Mr. Chen on the exclusion list after notification
7 that he conspired with the Dealer at Sands Bethworks
8 Casino, now Wind Creek, to cheat while playing
9 Baccarat.

10 A hearing in this matter was held on
11 November 5th, 2020. Mr. Chen appeared pro se and
12 testified on his own behalf. OEC appeared and
13 presented testimony and documentary evidence and
14 surveillance video in support of their request to
15 place Mr. Chen on the exclusion list.

16 The evidence presented by OEC showed
17 that in the overnight hours of November 24th and 25th
18 of 2018, during four separate games of Baccarat, Mr.
19 Chen conspired with the Dealer who would violate
20 casino protocol, look at the face of cards, and then
21 not shuffle them appropriately.

22 After memorizing the order of the
23 cards while shuffling, the Dealer, whose license has
24 since been revoked, would provide that information to
25 Mr. Chen, allowing him to place large bets when he

1 knew certain cards would be drawn. This scheme
2 resulted in Mr. Chen placing 11 \$15,200 bets, winning
3 ten of those hands, and resulting in \$128,000 - in
4 excess of \$128,000 in winnings.

5 OEC further presented evidence that
6 showed that between August 17th, 2018 and
7 November 25th, 2018 Mr. Chen visited Sands Bethworks
8 Casino 13 times and won over \$850,000, always during
9 shifts worked by the conspiring Dealer.

10 Additionally, on one occasion on
11 November - in November of 2016, Mr. Chen won \$385,000
12 playing table games at Valley Forge Casino Resort
13 while the conspiring Dealer was an employee there.

14 Mr. Chen testified at the hearing that
15 he did nothing wrong, that he did not win every time
16 he gamed. And that OEC was only presenting evidence
17 of his times of good fortune and - and rested its
18 case on that information.

19 Based upon all of the evidence
20 received, the Hearing Officer recommends that Mr.
21 Chen be placed on the Board's involuntary exclusion
22 list as a cheat.

23 CHAIRMAN: We good? Any questions or
24 comments from the Board on this matter?

25 Hearing none, may I have a motion,

1 please?

2 MR. KERNODLE: Commissioner Kernodle
3 moves that the Board adopt the Report and
4 Recommendation issued by the OHA regarding the
5 placement of Ron Chen on the PGCB involuntary
6 exclusion list as described by the OCC and that Mr.
7 Chen be placed on the Board's involuntary exclusion
8 list.

9 MS. SMYLER: Commissioner Smyler
10 seconds.

11 CHAIRMAN: All in favor?

12 AYES RESPOND

13 CHAIRMAN: All opposed?

14 The motion's adopted.

15 ATTORNEY COOK: The final Report and
16 Recommendation before the Board today pertains to
17 Joseph Riccelli.

18 On June 30th, 2020, the OEC filed a
19 petition to place Mr. Riccelli on the Board's
20 involuntary exclusion list, alleging that he
21 participated in a scheme with several employees of
22 The Meadows Racetrack & Casino in which the casino
23 employees were hiding previously used match play
24 coupons, and then providing them to Mr. Riccelli to
25 reuse.

1 Match play coupons are a marketing
2 tool for casinos, allowing the patron to make a
3 larger wager without risking their own funds. Once a
4 match play coupon is utilized, casino staff are
5 typically required to collect and void the coupon.

6 A video hearing in this matter was
7 held on October 7th, 2020. OEC appeared, presenting
8 testimony, documentary and surveillance video
9 evidence. The evidence presented by OEC showed that
10 on five different dates, while Mr. Riccelli was
11 playing table games, he was repeatedly handled -
12 handed recycled match play coupons, which were shown
13 to have been surreptitiously hidden by four different
14 Meadows Casino employees, all of whom have now had
15 their licenses revoked.

16 Mr. Riccelli appeared at the hearing.
17 He testified on his own behalf and presented the
18 testimony of another witness, who was another patron
19 of The Meadows, who testified that he had no
20 knowledge of any rules associated with match play
21 coupons nor were there any rules posted on the
22 property - at the property, that he had seen.

23 Mr. Riccelli ultimately testified that
24 he didn't do anything wrong, that he didn't know that
25 the coupons couldn't be given to him or that they

1 were previously used. And that basically that if
2 someone handed him a coupon, he was going to use it
3 regardless.

4 After the hearing, all of the evidence
5 in this matter, the Report and Recommendation was
6 issued, recommending that Mr. Riccelli be placed on
7 the Board's involuntary exclusion list. Mr. Riccelli
8 filed Exceptions to the Report and Recommendations,
9 arguing he accepted the coupons which were given to
10 him voluntarily. And - he also in those Exceptions
11 restated his objections to the evidence presented and
12 stated that he felt that the Hearing Officer had
13 predetermined his guilt prior to the hearing. He
14 further argued that he was deprived of certain due
15 process rights.

16 This Report and Recommendation is now
17 before the Board and ready for consideration. The
18 recommendation of the Hearing Officer, as indicated,
19 is that Mr. Riccelli be placed on the exclusion list.

20 CHAIRMAN: Thank you, Steve.

21 Are there any questions or comments
22 from the Board on this matter? Hearing none, may I
23 have a motion, please?

24 MS. SMYLER: Mr. Chairman,
25 Commissioner Smyler moves that the Board adopt the

1 Report and Recommendation issued by the OHA end
2 result, and that Mr. Riccelli be placed on the
3 Board's involuntary exclusion list.

4 MR. SANTONI: Commissioner Santoni
5 seconds.

6 CHAIRMAN: Thank you.
7 All in favor?

8 AYES RESPOND

9 CHAIRMAN: All opposed?
10 The motion's adopted. Okay.
11 Is that the end, Steve?

12 ATTORNEY COOK: Yeah. That concludes
13 our matters.

14 CHAIRMAN: Okay, thank you.
15 Next up, Bureau of Licensing, Director
16 Susan Hensel. Hi, Susan.

17 MS. HENSEL: Thank you, Chairman
18 Barasch and members of the Board.

19 Before the Board today will be license
20 consideration of an Interactive Gaming and Sports
21 Wagering Operator, an Interactive Gaming
22 Manufacturer, a Sports Wagering Manufacturer, a Video
23 Gaming Terminal Establishment and a Conditional Video
24 Gaming Terminal Operator.

25 In addition, there will be 423

1 Principals and Key Gaming and Non-Gaming Employee
2 Applicants.

3 Finally, there will be consideration
4 of nine Gaming Service Provider Applicants.

5 First for your consideration are
6 Interactive Gaming and Sports Wagering Operator
7 Licenses for Betfair Interactive US, LLC. Betfair
8 Interactive US, LLC provides interactive and sports
9 wagering technologies and services to interactive and
10 sports wagering certificate holders.

11 The BIE has completed its
12 investigation, and the Bureau of Licensing has
13 provided you with Background Investigation and
14 Suitability Reports. I have provided you with Draft
15 Orders and ask that the Board consider the Orders to
16 approve the licenses, beginning first with the
17 Interactive Gaming Operator License.

18 CHAIRMAN: Comments from Enforcement
19 Counsel?

20 ATTORNEY MILLER: This is Dustin
21 Miller, on behalf of the OEC. The OEC has no
22 objection.

23 CHAIRMAN: Thank you. Any questions
24 or comments from the Board?

25 Hearing none, may I have a motion,

1 please?

2 MR. SANTONI: Yes. Mr. Chairman,
3 Commissioner Santoni moves that the Board grant the
4 Interactive Gaming Operator License as described by
5 the Bureau of Licensing.

6 MS. REITZEL: Commissioner Reitzel
7 seconds.

8 CHAIRMAN: Thank you.
9 All in favor?

10 AYES RESPOND

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

13 MS. HENSEL: And next for your
14 consideration is the Sports Wagering Operator
15 License.

16 ATTORNEY MILLER: The OEC has no
17 objection.

18 CHAIRMAN: Thank you.
19 Any questions or comments from the
20 Board?

21 Hearing none, may I have a motion,
22 please?

23 MS. REITZEL: Commissioner Reitzel
24 moves that the Board grant a Sports Wagering Operator
25 License as described by the Bureau of Licensing.

1 MR. MUSTIO: Commissioner Mustio
2 seconds.

3 CHAIRMAN: Thank you.
4 All in favor?

5 AYES RESPOND

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

8 MS. HENSEL: Next for your
9 consideration is the approval of an Interactive
10 Gaming Manufacturer License for NSUS Group, Inc.
11 NSUS Group, Inc. provides software and technology for
12 interactive gaming activities.

13 The BIE has concluded its
14 investigation and the Bureau of Licensing has
15 provided you with a Background Investigation and
16 Suitability Report.

17 I have provided you with a Draft Order
18 and ask that the Board consider the Order to approve
19 an Interactive Gaming Manufacturer License for NSUS
20 Group, Inc.

21 ATTORNEY MILLER: The OEC has no
22 objection.

23 CHAIRMAN: Is something wrong with
24 your audio, Dustin? I'm not sure. You may have to
25 get closer. I - I heard you, but -.

1 Any questions or comments from the
2 Board?

3 Hearing none, may I have a motion,
4 please?

5 MR. MUSTIO: Commissioner Mustio moves
6 that the Board grant the Interactive Gaming
7 Manufacturer License as described by the Bureau of
8 Licensing.

9 MR. LOGAN: Commissioner Logan
10 seconds.

11 CHAIRMAN: Thank you.
12 All in favor?

13 AYES RESPOND

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

16 MS. HENSEL: In addition, there is a
17 Sports Wagering Manufacturer License for GAN Nevada,
18 Inc. GAN Nevada, Inc. provides sports wagering
19 technologies and services to sports wagering
20 operators. Under the Gaming Act, the Board may use
21 an abbreviated process to consider the application of
22 an already licensed Manufacturer. GAN Nevada, Inc.
23 is currently licensed as an Interactive Gaming
24 Manufacturer.

25 The Bureau of Licensing, OEC, and BIE

1 have reviewed the application for a Sports Wagering
2 Manufacturer License and the status of GAN Nevada,
3 Inc. as a Licensee, and I have provided you with the
4 results of those reviews.

5 I have provided you with a Draft
6 Order, and ask that you consider the Order to approve
7 a Sports Wagering Manufacturer License for GAN
8 Nevada, Inc.

9 ATTORNEY MILLER: The OEC has no
10 objection.

11 CHAIRMAN: Questions or comments from
12 the Board?

13 Hearing none, may I have a motion,
14 please?

15 MR. LOGAN: Mr. Chairman, Commissioner
16 Logan moves that the Board grant the Sports Wagering
17 Manufacturer License as described by the Bureau of
18 Licensing.

19 MR. KERNODLE: Commissioner Kernodle
20 seconds.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed?

24 The motion's adopted.

25 MS. HENSEL: Next is a VGT

1 Establishment License for TA Operating, LLC doing
2 business as Travel Centers of America #12. VGT
3 establishments are truck stops seeking to place VGTs
4 in their businesses. TA Operating, LLC was
5 previously conditionally licensed.

6 The BIE has now completed its
7 investigation, including an evaluation that the
8 applicant meets the VGT establishment eligibility
9 criteria in the Gaming Act.

10 The Bureau of Licensing has provided
11 you with a Background Investigation and Suitability
12 Report. Once fully licensed, an establishment can
13 continue forward toward completing the steps
14 necessary to commence VGT gaming.

15 I have provided you with a Draft Order
16 and ask that you consider the Order to license TA
17 Operating, LLC, doing business as Travel Centers of
18 America #12, which is located at 7848 Linglestown
19 Road in Harrisburg.

20 ATTORNEY MILLER: The OEC has no
21 objection.

22 CHAIRMAN: Thank you, Dustin. Dustin,
23 we're going to have to probably do something about
24 your audio. It's not good. Maybe - if Richard's on
25 the line, maybe he can communicate with you. Because

1 when you have to start making presentations in a
2 little while, we may have some difficulty.

3 ATTORNEY MILLER: Okay.

4 RICHARD: Mr. Chairman, I'm working on
5 it right now.

6 CHAIRMAN: Okay. Thank you. Let's
7 continue, then.

8 Are there any questions or comments
9 from the Board on this?

10 Hearing none, may I have a motion,
11 please?

12 MR. KERNODLE: Commissioner Kernodle
13 moves that the Board grants the Video Game Terminal
14 Establishment License as described by the Bureau of
15 Licensing.

16 MS. SMYLER: Commissioner Smyler
17 seconds.

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

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

22 MS. HENSEL: The next matter for your
23 consideration is a Conditional Video Gaming Terminal
24 Operator License for Legacy Gaming, LLC. Legacy
25 Gaming, LLC is a Pennsylvania-based company. A VGT

1 operator owns, services or maintains VGTs for
2 placement and operation at truck stop establishments.

3 Under the Gaming Act, the Board may
4 issue a Conditional VGT Operator License provided
5 certain criteria are met, including that the
6 Applicant has submitted a completed application, has
7 never been convicted of a felony or gambling law
8 violation, is current on state taxes, and has not had
9 a similar license denied or revoked. A preliminary
10 review of this applicant indicates it meets these
11 criteria.

12 I ask that the Board consider a motion
13 to approve the Conditional VGT Operator License of
14 Legacy Gaming, LLC.

15 CHAIRMAN: Thank you.

16 ATTORNEY MILLER: The OEC has no
17 objection.

18 CHAIRMAN: Okay.

19 I got it there was a no comment from
20 you, Dustin. Dustin, we're having some problems.

21 Any questions or comments from the
22 Board? Hearing none, may I have a motion, please?

23 MS. SMYLER: Mr. Chairman,
24 Commissioner Smyler moves that the Board grant the
25 Conditional Video Gaming Terminal Operator License as

1 described by the Bureau of Licensing.

2 MR. SANTONI: Commissioner Santoni
3 seconds.

4 CHAIRMAN: Thank you.

5 All in favor?

6 AYES RESPOND

7 CHAIRMAN: All opposed?

8 The motion's adopted.

9 MS. HENSEL: In addition, there are
10 Principal and Key Employee Licenses for your
11 consideration. Prior to this meeting, the Bureau of
12 Licensing provided you with a Proposed Order for 11
13 Principals and 12 Key Employees. I ask that the
14 Board consider the Order approving these licenses.

15 CHAIRMAN: Comments from Enforcement
16 Counsel?

17 ATTORNEY MILLER: The OEC has no
18 objection.

19 CHAIRMAN: That's better.

20 Questions or comments from the Board?

21 Hearing none, may I have a motion,
22 please?

23 MR. SANTONI: Mr. Chairman,
24 Commissioner Santoni moves that the Board grant the
25 Principal and Key Employee Licenses as described by

1 the Bureau of Licensing.

2 MS. REITZEL: Commissioner Reitzel
3 seconds.

4 CHAIRMAN: Thank you.
5 All in favor?

6 AYES RESPOND

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

9 MS. HENSEL: There are also Temporary
10 Licenses for your consideration. Prior to this
11 meeting, the Bureau of Licensing provided you with an
12 Order regarding the issuance of Temporary Licenses
13 for one Principal and 11 Key Employees. I ask that
14 the Board consider the Order approving these
15 licenses.

16 CHAIRMAN: Enforcement Counsel?

17 ATTORNEY MILLER: The OEC has no
18 objection.

19 CHAIRMAN: Questions or comments from
20 the Board?

21 Hearing none, may I have a motion,
22 please?

23 MS. REITZEL: Commissioner Reitzel
24 moves that the Board grant the Temporary Principal
25 and Key Employee credentials as described by the

1 Bureau of Licensing.

2 MR. MUSTIO: Commissioner Mustio
3 seconds.

4 CHAIRMAN: Thank you.
5 All in favor?

6 AYES RESPOND

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

9 MS. HENSEL: Next are Gaming Permits
10 and Non-Gaming Registrations. Prior to this meeting,
11 the Bureau of Licensing provided you with a list of
12 323 individuals to whom the Bureau has granted
13 Temporary or Full Occupation Permits and 73
14 individuals to whom the Bureau has granted
15 Registrations under the authority delegated to the
16 Bureau of Licensing. I ask that the Board consider a
17 motion approving the Order.

18 ATTORNEY MILLER: The OEC has no
19 objection.

20 CHAIRMAN: Questions or comments from
21 the Board?

22 Hearing none, may I have a motion,
23 please?

24 MR. MUSTIO: Mr. Chairman,
25 Commissioner Mustio moves that the Board approve the

1 applications for Gaming Employee Application Permits
2 and Non-Gaming Employee Registrations as described by
3 the Bureau of Licensing.

4 MR. LOGAN: Commissioner Logan
5 seconds.

6 CHAIRMAN: Thank you.
7 All in favor?

8 AYES RESPOND

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

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

20 ATTORNEY MILLER: The OEC continues to
21 request denials in each instance.

22 CHAIRMAN: Questions or comments from
23 the Board?

24 Hearing none, may I have a motion,
25 please?

1 MR. SANTONI: Mr. Chairman,
2 Commissioner Santoni moves that the Board deny the
3 Gaming Employee Occupation Permit Application as
4 described by the Bureau of Licensing.

5 MS. REITZEL: Commissioner Reitzel
6 seconds.

7 CHAIRMAN: Thank you.
8 All in favor?

9 AYES RESPOND

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

12 MS. HENSEL: The next matter for your
13 consideration are Withdrawal Requests. In each case,
14 the permit is no longer required. For today's
15 meeting, I have provided the Board with 13 Gaming
16 Employee Applicants for withdrawal. I ask that the
17 Board consider the Orders approving these
18 Withdrawals.

19 ATTORNEY MILLER: The OEC has no
20 objection.

21 CHAIRMAN: Questions or comments from
22 the Board?

23 Hearing none, may I have a motion,
24 please?

25 MR. LOGAN: Mr. Chairman, Commissioner

1 Logan moves that the Board grant the Withdrawal of
2 Gaming and Non-Gaming Employee Applications as
3 described by the Bureau of Licensing.

4 CHAIRMAN: Thank you.

5 MR. KERNODLE: Commissioner Kernodle
6 seconds.

7 CHAIRMAN: Thank you.

8 All in favor?

9 AYES RESPOND

10 CHAIRMAN: All opposed?

11 The motion's adopted.

12 MS. HENSEL: Next we have an Order to
13 certify the following gaming service provider
14 applicants: Archtype Signmakers, Inc.; Boyle
15 Construction, Inc.; CAMS, LLC; Madison Construction
16 Company doing business as Madison Concrete
17 Construction; Novo Industries, LLC doing business as
18 Nova Sign Group and Pride Enterprises, Inc.

19 I have provided you with a Draft Order
20 and ask that the Board consider the Order certifying
21 these Gaming Service Provider Applicants.

22 ATTORNEY MILLER: The OEC has no
23 objection.

24 CHAIRMAN: Questions or comments from
25 the Board?

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

3 MR. KERNODLE: Commissioner Kernodle
4 moves that the Board approve the gaming service
5 provider certification described by the Bureau of
6 Licensing.

7 MS. SMYLER: Commissioner Smyler
8 seconds.

9 CHAIRMAN: Thank you.
10 All in - all in favor?

11 AYES RESPOND

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

14 MS. HENSEL: Finally, for your
15 consideration are Gaming Service Provider
16 Registrations. The Bureau of Licensing provided you
17 with an Order and an attached list of three
18 registered Gaming Service Provider Applicants. I ask
19 that the Board consider the Order registering these
20 gaming service providers.

21 ATTORNEY MILLER: OEC has no
22 objection.

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

1 please? Is there a motion, Commissioner Smyler?
2 We're on you.

3 MS. SMYLER: Thank you. Sorry, I was
4 on - sorry, I was on mute. Sorry.

5 CHAIRMAN: That's okay, that's okay.

6 MS. SMYLER: Commissioner Smyler moves
7 that the Board approve the Gaming Service Provider
8 Registrations as described by the Bureau of
9 Licensing.

10 MR. SANTONI: Commissioner Santoni
11 seconds.

12 CHAIRMAN: Thank you.

13 All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed?

16 The motion's adopted.

17 MS. HENSEL: And that concludes the
18 matters of the Bureau of Licensing.

19 CHAIRMAN: All right. Thank you,
20 Susan.

21 Then next up we're going to hear from
22 Deputy Chief Enforcement Counsel, Dustin Miller. I'm
23 not sure how your - how your sound is doing, Dustin.
24 Let's get started and see how it goes.

25 ATTORNEY MILLER: Okay.

1 Thank you, Chairman.

2 CHAIRMAN: That's much - much better.
3 Did you switch to another room or something?

4 ATTORNEY MILLER: Yeah, yeah. Doug
5 Harbach is helping me out.

6 CHAIRMAN: Good, very good. Let's
7 proceed.

8 ATTORNEY MILLER: The OEC will present
9 23 matters today for the Board's consideration in,
10 which we will request the approval of one revocation,
11 six suspensions, and 16 involuntary exclusions.

12 The next seven matters on the agenda
13 consist of enforcement actions in which the OEC filed
14 complaints seeking the revocation or suspension of
15 Gaming Employee Occupation Permits and Non-Gaming
16 Employee Registrations issued by the Board. The
17 complaints have been filed with the Board's OHA and
18 properly served upon the individual named in each
19 complaint.

20 The individual named in each complaint
21 failed to respond within 30 days, as required by
22 Board regulation. As a result, the OEC filed a
23 request for default judgement in each instance, and
24 promptly served the same upon the Respondent.
25 Therefore, the facts in each complaint are deemed

1 admitted. All filed documents have been provided to
2 the Board, and the matters are presently ripe for the
3 Board's consideration.

4 I will provide a brief summary of the
5 facts and make a request for the appropriate Board
6 action in each matter.

7 CHAIRMAN: Thank you.

8 ATTORNEY MILLER: The next matter is a
9 request to suspend the Gaming Employee Occupation
10 Permit issued to Ian Hancock. Mr. Hancock is a
11 former Cage Cashier at Valley Forge Casino Resort.

12 The Bureau of Casino Compliance was
13 notified that Mr. Hancock was arrested and criminally
14 charged by the Upper Providence Township Police
15 Department in Delaware County. On the date of the
16 incident, the police were dispatched to a residence
17 for a domestic disturbance, where Mr. Hancock was
18 found inside the residence. Mr. Hancock threatened
19 the police from inside the residence.

20 Ultimately, Mr. Hancock surrendered
21 peacefully, and no one was injured. However, upon
22 execution of a warrant at the residence, numerous
23 firearms, knives, and a large quantity of explosive
24 devices were found inside the residence. Mr. Hancock
25 was criminally charged with terroristic threats,

1 recklessly endangering another person, simple assault
2 and possession of an instrument of crime. Mr.
3 Hancock had previously resigned from his position at
4 Valley Forge and is not currently employed at any
5 Pennsylvania casino facility.

6 At this time the OEC requests that the
7 Gaming Employee Occupation Permit issued to Ian
8 Hancock be suspended.

9 CHAIRMAN: Questions or comments from
10 the Board?

11 Hearing none, may I have a motion,
12 please?

13 MR. SANTONI: Mr. Chairman,
14 Commissioner Santoni moves that the Board approve the
15 suspension of Ian Hancock's Gaming Employee
16 Occupation Permit as described by the OEC.

17 MS. REITZEL: Commissioner Reitzel
18 seconds.

19 CHAIRMAN: Thank you.

20 All in favor?

21 AYES RESPOND

22 CHAIRMAN: All opposed?

23 The motion's adopted.

24 ATTORNEY MILLER: The next matter on
25 the agenda for the Board's consideration is the

1 suspension of the Gaming Employee Occupation Permit
2 issued to Dajuan Luster. Mr. Luster had been
3 employed as a Security Officer at Rivers Pittsburgh
4 Casino. The Bureau of Investigations and Enforcement
5 was notified that Mr. Luster was arrested and charged
6 with felony drug charges. These charges are
7 currently pending. Mr. Luster is not currently
8 employed in the Pennsylvania gaming industry.

9 At this time the OEC requests that the
10 Board suspend the Gaming Employee Occupation Permit
11 issued to Dajuan Luster.

12 CHAIRMAN: Questions or comments from
13 the Board?

14 Hearing none, may I have a motion,
15 please?

16 MS. REITZEL: Commissioner Reitzel
17 moves that the Board approve the suspension of Dajuan
18 Luster's Gaming Employee Occupation Permit as
19 described by the OEC.

20 MR. MUSTIO: Commissioner Mustio
21 seconds.

22 CHAIRMAN: Thank you very much.
23 All in favor?

24 AYES RESPOND

25 CHAIRMAN: All opposed?

1 The motion's adopted.

2 ATTORNEY MILLER: The next matter on
3 the agenda for the Board's consideration is the
4 revocation of the Gaming Employee Occupation Permit
5 issued to Shaelin Nixon-Mosee.

6 While working as a Table Games Dealer
7 at Rivers Philadelphia, Mr. Nixon-Mosee actively
8 assisted players by revealing information about the
9 hole card and the next cards coming from the Dealer
10 shoe. He also made decisions for the players and
11 moved losing wagers from bonus bets to tips on the
12 player's base - base wagers.

13 Mr. Nixon-Mosee was terminated from
14 his employment for this incident. Mr. Nixon-Mosee is
15 not currently employed in Pennsylvania's gaming
16 industry.

17 At this time the OEC requests that the
18 Board revoke the Gaming Employee Occupation Permit
19 issued to Shaelin Nixon-Mosee.

20 CHAIRMAN: Questions or comments from
21 the Board?

22 Hearing none, may I have a motion,
23 please?

24 MR. MUSTIO: Mr. Chairman,
25 Commissioner Mustio moves that the Board approve the

1 revocation of Shaelin Nixon-Mosee's Gaming Employee
2 Occupation Permit as described by the OEC.

3 MR. LOGAN: Commissioner Logan
4 seconds.

5 CHAIRMAN: Thank you.
6 All in favor?

7 AYES RESPOND

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

10 ATTORNEY MILLER: The next matter on
11 the agenda for the Board's consideration is a
12 suspension of the Non-Gaming Employee Registration
13 issued to Rasheed Oberton. Mr. Oberton had been
14 employed as a Bar Porter at Valley Forge Casino
15 Resort.

16 The BIE received notification that Mr.
17 Oberton was charged with felony burglary, criminal
18 trespass, conspiracy, and also misdemeanor theft and
19 receiving stolen property by the Philadelphia Police
20 Department. These charges are currently pending.

21 Mr. Oberton is not currently employed
22 in the Pennsylvania gaming industry.

23 At this time the OEC requests that the
24 Board suspend the Non-Gaming Employee Registration
25 issued to Rasheed Oberton.

1 CHAIRMAN: Questions or comments from
2 the Board?

3 Hearing none, may I have a motion,
4 please?

5 MR. LOGAN: Mr. Chairman, Commissioner
6 Logan moves that the Board approve the suspension of
7 Rasheed Oberton's Non-Gaming Employee Registration as
8 described by the OEC.

9 MR. KERNODLE: Commissioner Kernodle
10 seconds.

11 CHAIRMAN: Thank you.
12 All in favor?

13 AYES RESPOND

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

16 ATTORNEY MILLER: The next matter on
17 the agenda for the Board's consideration is the
18 suspension of the Gaming Employee Occupation Permit
19 issued to Keith Smith. Mr. Smith had been employed
20 as a Security Officer at Parx Casino.

21 The BIE was notified that Mr. Smith
22 was charged with felony drug and conspiracy charges
23 by the Philadelphia Police Department. These charges
24 are currently pending. Mr. Smith is not currently
25 employed in the Pennsylvania gaming industry.

1 At this time the OEC requests that the
2 Board suspend the Gaming Employee Occupation Permit
3 issued to Keith Smith.

4 CHAIRMAN: Any questions or comments
5 from the Board?

6 Hearing none, may I have a motion,
7 please?

8 MR. KERNODLE: Commissioner Kernodle
9 moves that the Board approve the suspension of Keith
10 Smith's Gaming Employee Occupation Permit as
11 described by the OEC.

12 MS. SMYLER: Commissioner Smyler
13 seconds.

14 CHAIRMAN: Thank you.

15 All in favor?

16 AYES RESPOND

17 CHAIRMAN: All opposed?

18 The motion's adopted.

19 ATTORNEY MILLER: The next matter on
20 the agenda for the Board's consideration is the
21 suspension of the Non-Gaming Employee Registration
22 issued to Gbafalai Subah. Mr. Subah had been hired
23 as an EVS attendant at Harrah's Philadelphia Casino &
24 Racetrack.

25 The BIE was notified that Mr. Subah

1 was charged with multiple felonies, including rape
2 and sexual assault, in Delaware County. Further, Mr.
3 Subah was charged with misdemeanor receiving stolen
4 property and unauthorized use of a motor vehicle in a
5 separate matter in Montgomery County. These charges
6 are currently pending. Mr. Subah is not currently
7 employed in the Pennsylvania gaming industry.

8 At this time the OEC requests that the
9 Board suspend the Non-Gaming Employee Registration
10 issued to Gbafalai Subah.

11 CHAIRMAN: Questions or comments from
12 the Board?

13 Hearing none, may I have a motion,
14 please?

15 MS. SMYLER: Mr. Chairman,
16 Commissioner Smyler moves that the Board approve the
17 suspension of Gbafalai Subah's Non-Gaming Employee
18 Registration as described by the OEC.

19 MR. SANTONI: Commissioner Santoni
20 seconds.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed?

24 The motion's adopted.

25 ATTORNEY MILLER: The next matter on

1 the agenda for the Board's consideration is the
2 suspension of the Gaming Employee Occupation Permit
3 issued to Keyon Tate. Mr. Tate had been employed as
4 a Security Officer at Harrah's Philadelphia Casino &
5 Racetrack.

6 The BIE was notified that Mr. Tate was
7 charged with felony drug, weapons and received -
8 receiving stolen property charges in Delaware County.
9 Further, Mr. Tate was charged with a felony drug
10 offense in a separate matter by the Philadelphia
11 Police Department. These charges are currently
12 pending. Mr. Tate is not currently employed in the
13 Pennsylvania gaming industry.

14 At this time the OEC requests that the
15 Board suspend the Gaming Employee Occupation Permit
16 issued to Keyon Tate.

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

19 Hearing none, may I have a motion,
20 please?

21 MR. SANTONI: Mr. Chairman,
22 Commissioner Santoni moves that the Board approve the
23 suspension of Keyon Tate's Gaming Employee Occupation
24 Permit as described by the OEC.

25 MS. REITZEL: Commissioner Reitzel

1 seconds.

2 CHAIRMAN: Thank you.

3 All in favor?

4 AYES RESPOND

5 CHAIRMAN: All opposed?

6 The motion's adopted.

7 ATTORNEY MILLER: The remaining
8 matters on the agenda consist of enforcement actions
9 in which the OEC filed petitions seeking the
10 involuntary exclusion of individuals whose presence
11 in a licensed gaming facility are inimical to the
12 interests of the Commonwealth and/or licensed gaming
13 therein.

14 In each instance the petition for
15 exclusion has been filed with the Board's OHA and
16 properly served upon the individual named in the
17 petition. The individual named in each petition
18 failed to respond within 30 days, as required by
19 Board regulation. As a result, the OEC filed a
20 request for judgement upon default in each instance,
21 and properly served the same upon each individual.

22 Therefore, all facts in each petition
23 are deemed admitted. All file documents have been
24 provided to the Board, and the matters are presently
25 ripe for Board consideration.

1 In each instance, if the Board orders
2 the proposed exclusion, each individual's photo,
3 personal identifiers, and a summary of the inimical
4 conduct will be placed on the Board's public website.
5 Once again, I will provide a brief summary of the
6 facts and make a request for the appropriate Board
7 action in each matter.

8 The next matter on the agenda is a
9 request to place Michael Harper on the involuntary
10 exclusion list.

11 Mr. Harper came to Rivers Philadelphia
12 Casino with two children, ages four and two. Mr.
13 Harper left the children unattended in a vehicle, and
14 proceeded to the casino, where he placed a sports
15 wager. The two children were unsupervised for
16 approximately 30 minuets. Mr. Harper was not
17 criminally charged for his actions. However, he was
18 permanently evicted from the property.

19 The matter is now before the Board to
20 consider the placement of Michael Harper on the
21 Board's involuntary exclusion list.

22 CHAIRMAN: Thank you.

23 Are there any questions for Mr. Miller
24 at this time from anybody about this matter?

25 MR. LOGAN: Mr. Chairman, this is

1 Sean. I do have a few. It's not so much about Mr.
2 Harper, but the process that - the process and/or
3 timeline.

4 So, it's my understanding that another
5 patron I believe in the garage saw Mr. Harper
6 possibly exiting the car, and the two-year-old and
7 the
8 four-year-old in the car?

9 ATTORNEY MILLER: That's correct,
10 Commissioner Logan. I believe that around 11:17 a.m.
11 that Mr. Harper left the vehicle, and he encountered
12 another patron shortly after he left his vehicle.
13 And according to the report we got, that the - the
14 patron reported to Security that he had warned Mr.
15 Harper not to leave the children unattended in the
16 vehicle.

17 MR. LOGAN: Okay.

18 So, the patron - how was that done?
19 Did the patron go back in and talk to somebody at
20 all?

21 ATTORNEY MILLER: Yes, the - the
22 information we do not have is when the patron
23 contacted Security. The first report that we have
24 regarding when Security contacted our Bureau of
25 Casino Compliance and - and when Security contacted

1 surveillance was at 11:40. So, that's 23 minutes
2 after Mr. Harper left his vehicle.

3 I don't know what the patron - the
4 third-party patron, I don't know if he went - was
5 leaving the casino or was going into the casino, but
6 Casino Security did not contact Surveillance until
7 11:40 a.m.

8 MR. LOGAN: So, at least 23 minutes
9 later?

10 ATTORNEY MILLER: Right.

11 MR. LOGAN: And - and just help me,
12 I'm sure the patron indicated to someone at the
13 casino that the kids were young. You can't - you're
14 not going to say they're 13 and 15 when they're two
15 and four.

16 I can appreciate contacting
17 Surveillance as another set of eyes, but why in the
18 hell didn't somebody from the casino go out to the
19 car?

20 ATTORNEY MILLER: They did. When -
21 when Security contacted Surveillance, they were at
22 the vehicle at 11:40.

23 MR. LOGAN: Okay, but still 20 -.

24 ATTORNEY MILLER: Twenty-three (23)
25 minutes had passed, but I don't know the time period

1 when the patron contacted Security. I don't know
2 that time gap.

3 MR. LOGAN: Okay.

4 I guess my concern is, and for the
5 last four years, are idiots like Michael Harper
6 leaving kids in cars. In this particular case, a
7 two-year-old and a four-year-old. And I have been
8 crystal clear that I wish we could do more to people
9 like Michael Harper. Shame on the local police
10 department for not doing more.

11 I would - Mr. Chairman I think there
12 may be another Board member or somebody else that has
13 possibly a question, but I would, you know, do it
14 however necessary. I think the OEC, hopefully you're
15 looking into the process here. I just find there to
16 be a lot of gaps here.

17 ATTORNEY MILLER: Okay.

18 MR. LOGAN: I just don't know how a
19 two-year-old and four-year-old at least stay in the
20 car for 20-some minutes before the casino gets there?
21 How is this guy on the floor for 30-some minutes
22 before we grab him? There's just - there seems to be
23 a whole host of gaps for me.

24 I'm not accusing anybody, but I think
25 the Enforcement - OEC needs to at least take the next

1 step to see if all the casinos process and protocols
2 were in place, because just that 10,000 feet for me
3 it seems like there were gaps.

4 CHAIRMAN: Yeah, I - I would agree
5 with Commissioner Logan completely on this. I'd like
6 to ask a couple questions and maybe somebody else
7 does. Because you're talking about gaps, Sean, and,
8 Dustin, you're answering based upon what you know.

9 Okay?

10 ATTORNEY MILLER: Right.

11 CHAIRMAN: And we're not asking you to
12 make stuff up. The fact that they were at the car
13 when Surveillance was contacted doesn't tell me when
14 they got to the car.

15 Okay?

16 You said they were there at the car
17 when they contacted Surveillance. I'd like to know
18 how much time went by, which I think is exactly what
19 Sean is asking.

20 How much time between, A, when the
21 patron discovered this, and when it was told to
22 somebody at the casino? We don't know that.

23 And secondly, from the moment that any
24 casino official had it, how long did it take them to
25 get out to the car?

1 Because I would find, if the casino
2 was notified and took over 20 minutes to get out
3 there to take a look at the safety of a two and a
4 four-year-old, this is a grievous problem, that
5 something needs to be looked at.

6 And I understand you can look into it.
7 I'm going to need to have some help on how we're
8 going to find out what you found out. We're going to
9 have a motion here, we're going to vote on the motion
10 to deal with Mr. Harper.

11 But the point that Commissioner Logan
12 is - is raising, which was raised before, is
13 extremely valid. And it's not enough for us to just
14 be reacting and - and saying, okay, we took care of
15 Mr. Harper.

16 If there are structural problems in
17 this casino or any other casino, we have an
18 obligation to do something about that. So, that's -
19 so those are the questions on my mind, Dustin.

20 ATTORNEY MILLER: Okay.

21 CHAIRMAN: And we also have to figure
22 out how you're going to be able to communicate that
23 back to this Board.

24 Okay?

25 ATTORNEY MILLER: Yes.

1 CHAIRMAN: I think - I think there may
2 have been other questions here from other
3 Commissioners.

4 Were there?

5 MS. SMYLER: Mr. Chairman, I just had
6 one - one question, which I completely agree and echo
7 concerns that my fellow Commissioner Logan expressed
8 and yourself, Mr. Chairman. I don't understand, even
9 if the security folks got to the car at 23 minutes,
10 why didn't somebody retrieve the father from the
11 casino? Why did it take another 10, 20 minutes,
12 whatever it was, before Security or somebody in the
13 casino actually escorted the father back to these
14 kids?

15 So, that that - I don't know if that's
16 part of the process if they just called Surveillance
17 or whatever, but it needs to be - it needs to be
18 changed. Somebody should have grabbed that person
19 and taken them back out. Which I know Security has
20 the right to do, to escort somebody out of the
21 casino.

22 ATTORNEY MILLER: Yeah. I know at
23 11:40 when they contacted Surveillance, they started
24 a surveillance review. And that's when they tried to
25 locate Mr. Harper. And I believe that took around

1 ten minutes for them to locate Mr. Harper in the
2 casino. And then he was taken out to the vehicle.

3 CHAIRMAN: Okay.

4 Well, Dustin, we have to come up with
5 - before we get to the motion, we have to come up
6 with some way for you to conduct some review and
7 bring us up-to-date on exact -. This is obviously
8 some missing facts here which is causing concerns
9 from at least three Commissioners. I wouldn't be
10 surprised if it's not all seven of us.

11 ATTORNEY MILLER: Okay.

12 CHAIRMAN: So, let's figure out a way
13 to do that.

14 Okay?

15 ATTORNEY MILLER: Sure.

16 CHAIRMAN: Any other comments?

17 MR. LOGAN: Mr. Chairman?

18 CHAIRMAN: Yes?

19 MR. LOGAN: Yeah, Mr. Chairman.

20 Dustin, I think I understand.

21 So, Mr. Harper was never charged?

22 ATTORNEY MILLER: That's correct.

23 MR. LOGAN: And he left the casino
24 before the police got there?

25 ATTORNEY MILLER: That's correct.

1 Well, the police were contacted at the same time
2 that -. When Surveillance was contacted, they made
3 their mandatory notifications to Bureau of Casino
4 Compliance, onsite Pennsylvania State Police and
5 Philadelphia Police Department.

6 MR. LOGAN: So, how did he leave? I
7 understand, again, I don't want to put words in your
8 mouth. I understand Mr. Harper left with the
9 two-year-old and the four-year-old I was told before
10 the police arrived.

11 How is that possible if we have PSP
12 onsite?

13 ATTORNEY MILLER: That's a question -
14 I don't know - I don't - there's no record that
15 Pennsylvania State Police responded to the scene, to
16 the parking lot.

17 MR. LOGAN: Are you saying that for
18 fact or are you just -?

19 ATTORNEY MILLER: I'm saying that as a
20 matter of record. So, as a matter of record, there's
21 no indication that Pennsylvania State Police
22 responded to the scene.

23 MR. LOGAN: Why?

24 ATTORNEY MILLER: I don't know that.

25 MR. LOGAN: We got to - we have a two-

1 year-old and a four-year-old left alone in a car at
2 least for - again, there's gaps. At least for 13
3 minutes.

4 And the PSP doesn't believe it's
5 prudent, necessary to go to the garage?

6 ATTORNEY MILLER: I can't speak for
7 them.

8 MR. LOGAN: What - what do they do
9 then? And this is a person who, I - I - when I was
10 in the State Senate, the Law and Justice Committee,
11 which had oversight for the State Police and have -.

12 Because I know somebody will tweet something or - or
13 somebody will take my comments out of context, I have
14 complete respect and admiration for the PSP.

15 But nobody can tell me that a two-
16 year-old and a four-year-old should be in a car
17 without the PSP going there, and then Michael Harper
18 walks away and doesn't get charged because local
19 police don't come?

20 I - I - the whole thing -. The whole
21 thing, Dustin - respectfully, the whole thing is
22 wrong and the whole thing that the OEC doesn't have,
23 and I'm only speaking for myself, didn't have the
24 same concerns and questions that I have is
25 concerning.

1 MR. MUSTIO: Mr. Chairman?

2 CHAIRMAN: Yes?

3 MR. MUSTIO: This is Mark,
4 Commissioner Mustio.

5 Does it make sense that we get all
6 these answers, use it as kind of a pilot case to see,
7 you know, if the balls were dropped and then see if
8 there are specific consistent programs of all the
9 casinos on how -?

10 CHAIRMAN: Absolutely. Absolutely.

11 That's exactly why I want to see these
12 gaps filled in, so we're not chasing ghosts. We'll
13 know exactly what happened and what didn't happen.
14 And at that point I think this matter, I'm guessing,
15 will go to -. It's something that Kevin will have to
16 deal with to see what kind of changes or -. Well, I
17 guess OEC will do whatever they do. We can't tell
18 them what - what to do in terms of actions or
19 considering the investigations of individual casinos.
20 That's - you guys are on the other side of the
21 Chinese wall.

22 But certainly, Kevin, if there is a
23 structural problem here, then it's something we need
24 to address with all the casinos, instead of waiting
25 for the next two-year-old or four-year-old to be left

1 in the car.

2 So, thank you Mark. That's very
3 helpful.

4 MR. MUSTIO: Well, we don't know - we
5 don't know if PSP was onsite. We don't know if
6 perhaps they were dealing with another individual in
7 the casino at the same time.

8 CHAIRMAN: Sure.

9 MR. MUSTIO: So, I guess we get - have
10 to get all those answers first.

11 CHAIRMAN: Yes. And that's what needs
12 to be done, Dustin. And whatever you guys are going
13 to do on the other side of the Chinese wall, we need
14 some information to make good policy decisions here.

15 Okay?

16 ATTORNEY MILLER: Okay.

17 We'll take a look at this matter
18 further.

19 CHAIRMAN: Okay.

20 Any other comments? Yeah?

21 MS. REITZEL: Another gap - another
22 gap that I would like to see filled in that I didn't
23 see in the record was whether that day - I see it was
24 September, but was it hot, was it cold? Just so we
25 all have the same information.

1 CHAIRMAN: Yeah.

2 ATTORNEY MILLER: Well, I - I can
3 answer that question. It was actually very hot that
4 day. It was a temperature of 93 degrees.

5 CHAIRMAN: Okay. All right.

6 I think we've gone as far as we can at
7 the moment.

8 Is there a motion here?

9 MS. REITZEL: Yes. Commissioner
10 Reitzel moves that the Board approve the addition of
11 Michael Harper to the PGCB involuntary exclusion list
12 as described by the OEC.

13 MR. MUSTIO: Commissioner Mustio
14 seconds.

15 CHAIRMAN: All in favor?

16 AYES RESPOND

17 CHAIRMAN: All opposed?

18 The motion's adopted.

19 ATTORNEY MILLER: Okay.

20 The next matter on the agenda for the
21 Board's consideration is the petition to place Dennis
22 Willis on the Board's excluded persons list.

23 Mr. Willis past-posted a bet while
24 playing Roulette at Wind Creek Bethlehem Casino,
25 winning an illegal gain of \$175. Mr. Willis was

1 criminally charged for his actions. He was also
2 evicted from Wind Creek.

3 Therefore, the OEC now requests that
4 the Board add Dennis Willis to the excluded persons
5 list.

6 CHAIRMAN: Questions or comments from
7 the Board?

8 Hearing none, may I have a motion,
9 please?

10 MR. MUSTIO: Mr. Chairman,
11 Commissioner Mustio moves that the Board approve the
12 addition of Dennis Willis to the PGCB involuntary
13 exclusion list as described by the OEC.

14 MR. LOGAN: Commissioner Logan
15 seconds.

16 CHAIRMAN: Thank you.

17 All in favor?

18 AYES RESPOND

19 CHAIRMAN: All opposed?

20 The motion's adopted.

21 ATTORNEY MILLER: The next two matters
22 on the Board's agenda arise from the same fact
23 pattern. With the Board's permission, I'll read one
24 set of facts and then ask that each individual be
25 placed on the exclusion list.

1 Ali Jalil Abdul-Hamid and Christina
2 Odom participated in the theft of a jacket containing
3 a wallet, identification, credit cards, and a medical
4 marijuana card from the Gaming Floor at The Meadows,
5 whereby Ms. Odom picked up the jacket of another
6 patron from the back of a chair at a Blackjack table.
7 After taking the jacket, Ms. Odom and Mr. Abdul-Hamid
8 left The Meadows.

9 Subsequently, Ms. Odom and Mr. Abdul-
10 Hamid went to a nearby convenience store where they
11 both used the victim's credit card to make several
12 purchases. Both Mr. Abdul-Hamid and Ms. Odom were
13 criminally charged for their actions.

14 At this time the OEC now requests that
15 the Board add Ali Jalil Abdul-Hamid to the excluded
16 persons list.

17 CHAIRMAN: Questions or comments from
18 the Board?

19 Hearing none, may I have a motion,
20 please?

21 MR. LOGAN: Mr. Chairman, Commissioner
22 Logan moves that the Board approve the addition of
23 Ali Jalil Abdul-Hamid to the PGCB involuntary
24 exclusion list as described by the OEC.

25 MR. KERNODLE: Commissioner Kernodle

1 seconds.

2 CHAIRMAN: Thank you.

3 All in favor?

4 AYES RESPOND

5 CHAIRMAN: All opposed?

6 The motion's adopted.

7 ATTORNEY MILLER: At this time the OEC
8 now requests that the Board add Christina Odom to the
9 excluded persons list.

10 CHAIRMAN: Questions or comments from
11 the Board?

12 Hearing none, may I have a motion,
13 please?

14 MR. KERNODLE: Commissioner Kernodle
15 moves that the Board approve the addition of
16 Christina Odom to the PGCB involuntary exclusion list
17 as described by the OEC.

18 MS. SMYLER: Commissioner Smyler
19 seconds.

20 CHAIRMAN: Thank you.

21 All - all in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed?

24 The motion's adopted.

25 ATTORNEY MILLER: The next two matters

1 on the agenda arise from the same fact pattern. With
2 the Board's permission, I'll read one set of facts
3 and then ask that each individual be placed on the
4 exclusion list.

5 A patron reported to Parx Casino
6 Security that he was approached by three individuals
7 in the parking lot who attempted to rob him at
8 gunpoint. The robbers fled the scene in a vehicle
9 after seeing Parx Security in the vicinity. Later
10 the three suspects were located and arrested in
11 Philadelphia. Two of the robbers were successfully
12 identified as Sumere Robinson and Talee Wright. Both
13 Sumere Robinson and Talee Wright were criminally
14 charged with criminal attempt and conspiracy to
15 commit robbery and theft by unlawful taking by
16 Bensalem Township Police. The charges for each
17 remain pending.

18 The matter is now before the Board to
19 consider the placement of Sumere Robinson on the
20 Board's involuntary exclusion list.

21 CHAIRMAN: Questions or comments from
22 the Board?

23 Hearing none, may I have a motion,
24 please?

25 MS. SMYLER: Mr. Chairman,

1 Commissioner Smyler moves that the Board approve the
2 addition of Sumere Robinson to the PGCB involuntary
3 exclusion list as described by the OEC.

4 MR. SANTONI: Commissioner Santoni
5 seconds.

6 CHAIRMAN: Thank you.

7 All in favor?

8 AYES RESPOND

9 CHAIRMAN: All opposed?

10 The motion's adopted.

11 ATTORNEY MILLER: The matter is now
12 before the Board to consider the placement of Talee
13 Wright on the Board's involuntary exclusion list.

14 CHAIRMAN: Questions or comments from
15 the Board?

16 Hearing none, may I have a motion,
17 please?

18 MR. SANTONI: Mr. Chairman,
19 Commissioner Santoni moves that the Board approve the
20 addition of Talee Wright to the PGCB involuntary
21 exclusion list as described by the OEC.

22 MS. REITZEL: Commissioner Reitzel
23 seconds.

24 CHAIRMAN: Thank you.

25 All in favor?

1 AYES RESPOND

2 CHAIRMAN: All opposed?

3 The motion's adopted.

4 ATTORNEY MILLER: The final ten
5 matters on the agenda arise from the same fact
6 pattern. With the Board's permission, I'll read one
7 set of facts and then ask that each individual be
8 placed on the exclusion list.

9 Through news outlets, the Bureau of
10 Casino Compliance learned that a group of individuals
11 participated in a check-cashing scheme that affected
12 numerous casinos on the East Coast. Three of those
13 casinos were in Pennsylvania and included Rivers
14 Pittsburgh, Rivers Philadelphia, and Presque Isle
15 Downs.

16 Further investigation by the BIE
17 revealed that the suspects had obtained Birth
18 Certificates and Social Security numbers of other
19 individuals and used that information to obtain
20 driver's licenses, open checking accounts, and obtain
21 Players' Club Cards in other individual's names.

22 The suspects would then go to casinos
23 and withdraw money through electronic cash services
24 and close the association - associated checking
25 accounts before the fraudulent activity was detected

1 and the money could be recovered. The suspects
2 successfully conspired to cash fraudulent checks at
3 casinos along the East Coast from May of 2014 to
4 February of 2017.

5 The scope of the investigation
6 included Florida, Maryland, Louisiana, Michigan, New
7 York, New Jersey, Pennsylvania and West Virginia.
8 Loses from the scheme totaled over \$555,000,000. Of
9 that amount, approximately \$80,756 was identified as
10 losses which occurred within Pennsylvania casinos.

11 All suspects were indicted in the
12 Western District of Pennsylvania, United States
13 District Court on charges related to bank fraud,
14 conspiracy and identity theft regarding the
15 check-cashing scheme. Seven of the individuals have
16 entered a plea of guilty to the charges. The dockets
17 for Isaac Rivera, Kadijha Starks and Sarah Wiley are
18 under seal and the last known docket status indicated
19 the charges are still pending for those individuals.

20 The matters are now before the Board
21 to consider the placement of Kristina Arnold, James
22 Brown, Eddi Del Shawn Cruz, Isaac Rivera, Damari
23 Rodriguez, Kadijha Starks, Leslie M. Starks, Karim
24 Wiley, Karl Wiley, and Sarah Wiley to the Board's
25 involuntary exclusion list.

1 CHAIRMAN: Are there any questions or
2 comments from the Board?

3 Hearing none, may I have a motion,
4 please?

5 MR. LOGAN: Mr. Chairman, I do have
6 just one question. Sean.

7 CHAIRMAN: Please.

8 MR. LOGAN: Dustin, I think you
9 started the synopsis here by you saw this in news
10 reports?

11 ATTORNEY MILLER: Yes. Yeah, that's
12 how it ended up - Bureau of Casino Compliance became
13 aware of it. And that's how we became aware of it.

14 MR. LOGAN: Is that customary, we
15 don't get some sort of notification?

16 ATTORNEY MILLER: Sometimes - we - we
17 received, you know, information from - from all
18 sources.

19 MR. LOGAN: But in this particular
20 case, it was via newspaper?

21 ATTORNEY MILLER: It was from news
22 reports, that's correct.

23 MR. LOGAN: Seems willy-nilly to me,
24 but I - okay.

25 CHAIRMAN: Well, none of these people

1 were employees of the casino. These were people,
2 semi-patrons, thieves.

3 Right?

4 ATTORNEY MILLER: That's correct.

5 CHAIRMAN: I understand. Any other
6 questions at the moment?

7 What I would comment is I can tell you
8 this, Sean, when I was the U.S. Attorney, some of our
9 best white-collar cases, we - we got our first lead
10 from the newspaper. Sometime that's the way it
11 starts. Maybe it's been -.

12 MR. LOGAN: Okay, I get that. Okay.

13 But I guess my concern is these ten
14 individuals weren't writing the newspaper article.
15 There must have been some agency that talked about
16 it.

17 CHAIRMAN: Yeah, the -.

18 MR. LOGAN: I guess my concern is not
19 - it's not like we got the lead from a newspaper
20 article because James Brown participated in an
21 article.

22 CHAIRMAN: Yeah.

23 MR. LOGAN: There must have been some
24 federal, state agency. I would just think that while
25 they were investigating this, that they would have

1 notified our Enforcement Division. We would have
2 been on the lookout and we could have protected the
3 state's interests. Again, I'll - as a nonlawyer
4 enforcement person, I'll stay in my lane. Just, it's
5 just -

6 CHAIRMAN: No -.

7 MR. LOGAN: - I mean, I - I sometimes
8 just use a common sense test after 30 plus years, and
9 this just doesn't meet it either.

10 CHAIRMAN: Yeah, I - common sense is
11 always a good place to start. I - I'm just curious,
12 I think one of the points that you're raising is -.

13 MR. LOGAN: How about if we weren't
14 reading the newspaper that day?

15 CHAIRMAN: That's right. Then we
16 wouldn't - the truth of the matter is, I assume all
17 these fellows and guys and gals are not going to be
18 in any casino for quite a while anyway, but -. I
19 would imagine that if in the course of this
20 investigation, you would have thought there probably
21 would have been some interviews with investigatory
22 people inside the various casinos where they were
23 conducting these activities. And I think then you
24 would think it might have come to our attention.

25 MR. LOGAN: Yeah.

1 CHAIRMAN: But sometimes the other
2 piece of that is if there's a grand criminal
3 investigation, sometimes when it's the FBI or whoever
4 it is, they would say we really don't want you
5 talking about this until we pick these people up, you
6 know? So, there's a lot of variables that we can't
7 possibly know, but I don't - we'll do what we'll do,
8 but I suspect none of these folks are going to be
9 free to go into any casino for a while, at any rate.

10 Any other questions or comments on
11 this matter? Maybe from my other former Prosecutor?
12 Denise, do you have something you want to add?

13 MS. SMYLER: Just - no, I think you
14 summarized it pretty well. I mean, it's - there's no
15 guarantee there's going to be cooperation between the
16 various law-enforcement agencies. And timing is
17 everything. So, there probably are - were good
18 reasons why we weren't notified. And we probably
19 would have ultimately been notified, but, you know,
20 when that would have happened is a question.

21 CHAIRMAN: Yeah.

22 MS. SMYLER: It sounds like these
23 crimes were already committed before any of these
24 arrests were being made, so -.

25 CHAIRMAN: Yeah. I'm going to guess,

1 Dustin, that whatever we learned was probably a press
2 release from the U.S. Attorney's Office in
3 Pittsburgh -

4 ATTORNEY MILLER: That's correct.

5 CHAIRMAN: - announcing the -
6 announcing the charges, because it tends to be -.

7 ATTORNEY MILLER: And we did receive
8 extensive cooperation from them after we began our
9 investigation into this matter.

10 CHAIRMAN: But by that time, they'd
11 already indicted everybody and they've already -

12 ATTORNEY MILLER: Right

13 CHAIRMAN: - they've already picked
14 them up, which is exactly what I would have expected.
15 Because particularly in a large conspiracy in many
16 states, you want to make sure you have all the
17 kittens in your - in the cage before you let anything
18 be known publically, but - okay. They've been
19 cooperative with you in the course of what you were
20 trying to do?

21 ATTORNEY MILLER: That's correct.

22 CHAIRMAN: Okay.

23 Any other - okay. Any other questions
24 or comments?

25 We had quite an interesting day today.

1 May I have a motion?

2 MS. REITZEL: Commissioner Reitzel
3 moves that the Board approve the addition of the ten
4 individuals identified by the OEC to the PGCB
5 involuntary exclusion list for the conduct described
6 by the OEC.

7 MR. MUSTIO: Commissioner Mustio
8 seconds.

9 CHAIRMAN: Thank you.

10 All in favor?

11 AYES RESPOND

12 CHAIRMAN: All - all opposed?

13 The motion's adopted. Well, that
14 wraps up today's meeting. I'd point out that, Dante,
15 this was not done this way on purpose, but we made
16 your last day on the Board probably an interesting
17 one.

18 MR. SANTONI: Very much.

19 CHAIRMAN: At any - at any rate, our
20 next public meeting is going to be held on Wednesday,
21 March 17th at 10:00 a.m. Given the continued
22 uncertainty surrounding COVID, I advise all
23 interested parties to monitor the Board's website for
24 the latest information as to how that meeting will be
25 conducted.

1 That being said, best of luck to you,
2 Dante.

3 MR. SANTONI: Thank you.

4 CHAIRMAN: May I have a motion to
5 adjourn?

6 MR. MUSTIO: Mr. Chairman,
7 Commissioner Mustio moves adjournment.

8 MR. LOGAN: Commissioner Logan
9 seconds.

10 CHAIRMAN: Thank you.
11 All in favor?

12 AYES RESPOND

13 CHAIRMAN: All opposed?

14 We are adjourned. Thanks one and all
15 for your participation.

16 * * * * *

17 MEETING CONCLUDED AT 11:50 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceeding was reported by me on 2/10/2021 and that I, Amy N. Distefano, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding. This notarial act involved the use of communication technology.

Dated the 8th day of March 2021

Amy N. Distefano,
Court Reporter

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