

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

Frank Dermody

Obra S. Kernodle, IV

Sean Logan

T. Mark Mustio

Frances J. Regan

Denise J. Smyler

EX-OFFICIO MEMBERS/DESIGNEES IN ATTENDANCE:

Fred Strathmeyer, Designee,

Department of Agriculture

Jennifer Langan, Esquire, Designee,

Department of Revenue

Christin Heidingsfelder, Designee,

Department of Revenue

MEETING: Wednesday, May 19, 2021, 10:04 a.m.

LOCATION: Videoconference Meeting

Reporter: Derek Richmond

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25PA GAMING CONTROL BOARD EXECUTIVE STAFF WHO APPEARED
BEFORE THE BOARD:

KEVIN O'TOOLE, Executive Director

DANETTE BIXLER-GEORGE, Human Resources Director

CHAD ZIMMERMANN, Assistant Chief Counsel

R. DOUGLAS SHERMAN, Chief Counsel

STEVE COOK, Deputy Chief Counsel

SEAN HANNON, Acting Director of Bureau of Licensing

OFFICE OF ENFORCEMENT COUNSEL:

CYRUS R. PITRE, Chief Enforcement Counsel

THOMAS MONAGHAN, Assistant Enforcement Counsel

DUSTIN MILLER, Deputy Chief Enforcement Counsel

OTHER ATTENDEES FOR MEETING AND/OR PUBLIC HEARINGS:

SAMARA DAVIS

ROBERT CARNEY

J.M.

MARK HANNA

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P R O C E E D I N G S

CHAIRMAN: Good morning, everyone.

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

As - as we begin, I would like to note once again that we're holding this meeting via videoconference, with the Board members and other participants in several different locations in furtherance of the directives given to us by the Pennsylvania Secretary of Health pertaining - pertaining to social distancing due to the COVID pandemic situation.

By way of background, on March 11th, 2020 the Commonwealth's Office of Open Records issued an advisory as to how state and local agencies should conduct their businesses in compliance with the Sunshine Act under these unprecedented circumstances.

The advisory provides that, under these circumstances, the public business of the Commonwealth can be conducted via videoconference or teleconference, as long as a mechanism is in place to allow for public access.

We've done that here by providing public access to the video and audio portion of this

1 meeting via the Board's website, as well as by
2 publishing the call-in information for this meeting
3 for those who may not have access to the internet.

4 Additionally, as is always the case,
5 we have a court reporter present who will be
6 transcribing the meeting.

7 All that being said, as - once again,
8 I would ask that anyone who is on this call to try to
9 keep their phone or connection muted until you need
10 to participate.

11 And I would also ask that those who
12 are going to be participating in the meeting, to
13 identify yourself for the court reporter before you
14 begin to speak.

15 So let's get started.

16 In addition to our seven Board
17 members, we also have, representing our Ex-Officio
18 members, Fred Strathmeyer, representing Russell
19 Redding, Secretary of Agriculture. Jennifer Langan,
20 representing Stacy Garrity, the State Treasurer, and
21 Christin Heidingsfelder, representing Dan Hassell,
22 the Secretary of Revenue.

23 We thank you all for joining us this
24 morning.

25 A quorum of the Board being present, I

1 will call the proceedings to order.

2 As our first order of business, the
3 Pledge of Allegiance.

4 PLEDGE OF ALLEGIANCE RECITED

5 CHAIRMAN: By way of announcements,
6 the Board held an Executive Session yesterday,
7 Tuesday, May 18th, to discuss personnel matters and
8 to conduct quasi-judicial deliberations relating to
9 matters coming before the Board this morning. That
10 meeting was also done via videoconference.

11 Additionally, I'd like to announce to
12 the public that the Board has a Public Input Hearing
13 tomorrow, May 20th, at 4:00 p.m. on the Category 4
14 Casino being proposed for Shippensburg Township in
15 Cumberland County.

16 The Public Input Hearing will be held
17 at Luhrs Performing Arts Center on the campus of
18 Shippensburg University. The Board will also have
19 remote participation in the hearing. Information
20 about that can be found on the Board's website.

21 The first matter we have is
22 consideration for a motion to - to approve the
23 transcript and minutes of the March 17th, 2021
24 meeting.

25 May I have such a motion, please?

1 MR. DERMODY: Mr. Chairman,
2 Commissioner Dermody moves that the Board approve the
3 minutes and transcript of the March 17th, 2021
4 meeting.

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 Next, we will hear from our Executive
13 Director - our Esteemed Executive Director, Kevin
14 O'Toole.

15 Kevin.

16 MR. O'TOOLE: Thank you, Chairman.

17 I - I think we have a - a new court
18 reporter transcribing the - the session today.

19 So, for the record, I'm Kevin O'Toole,
20 Executive Director.

21 Good morning to all the members of the
22 Board.

23 This morning, I would like to
24 highlight the continued growth of gaming revenue in
25 the Commonwealth.

1 As reported by the Board's Office of
2 Communication in its press release issued yesterday,
3 total revenue for the month of April, from all
4 sources regulated by the Board, exceeded \$400 million
5 for the second consecutive month.

6 Of particular significance from my
7 perspective is the fact that slot machine revenue at
8 the casinos exceeded \$200 million for the first time
9 in 19 months. It is the gaming taxes from slot
10 machine revenue that allows for the funding of the
11 Property Tax Relief Fund that benefits homeowners
12 throughout the Commonwealth.

13 Additionally, as we approach Memorial
14 Day, May 31st, the casinos are preparing for the
15 lifting of capacity limits at their facilities, both
16 the Gaming Floor and on non-gaming locations.

17 The economic benefits of the casinos
18 to get back to full capacity in all of its food and
19 beverage outlets is very significant, since food and
20 beverage operations is one of the most important
21 sources of non-gaming revenue for each Pennsylvania
22 casino. This also allows casinos the opportunity to
23 bring more of its employees back to the active
24 payroll status.

25 Mr. Chairman, that is my report for

1 today.

2 Thank you very much.

3 CHAIRMAN: Thank you, Kevin.

4 I got some feedback.

5 Anybody have any questions or comments
6 for Kevin at this time?

7 Hearing none, we'll move onto the
8 Office of Human Resources.

9 Danette?

10 MS. BIXLER-GEORGE: Good morning.

11 Danette Bixler-George, Director of Human Resources.

12 Good morning, Chairman, members of the
13 Board.

14 The Office of Hearing Resources has
15 two motions for your consideration today. The first
16 motion is relative to the hiring of five individuals.

17 All of the individuals being presented
18 have completed the PGCB interview process, background
19 investigation and drug screening.

20 First is Joseph Trently, who has been
21 selected as a Sports Wagering Compliance
22 Representative in the Office of Sports Wagering
23 Operators and is recommended for hire by Kevin Kyle,
24 Director of Sports Wagering Operations.

25 Second is Colleen Cahill. She has

1 been selected as an Investigator in the Southeast
2 Regional Office for the Bureau of Investigations and
3 Enforcement (BIE) and is recommended for hire by Paul
4 Mauro, Director of Investigations and Enforcement.

5 The following three individuals are
6 recommended for hire by Christopher Schroder,
7 Director of Casino Compliance. Moniqueka Stephens,
8 as a Casino Compliance Representative at the Rivers
9 Pittsburgh Casino. Jordan Rode, as a Casino
10 Compliance Representative at Lady Luck Casino. And
11 finally, Brett Fox, as a Casino Compliance
12 Representative at Valley Forge Casino.

13 Unless you have any questions, I would
14 ask that the Board consider a motion to approve these
15 hiring actions as indicated.

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

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

20 MR. KERNODLE: Yes.

21 Commissioner Kernodle moves that the
22 Board approve the Applicants for hire as proposed by
23 the Human Resources Director.

24 MR. LOGAN: Commissioner Logan
25 seconds.

1 CHAIRMAN: All in favor?

2 AYES RESPOND

3 CHAIRMAN: All opposed?

4 The motion's adopted.

5 MS. BIXLER-GEORGE: The second motion
6 coming before the Board today seeks to adopt
7 amendments to the PGCB classification and
8 compensation structure.

9 As you are aware, the original
10 classification and compensation structure - structure
11 was adopted by the Board in January 2011. It was
12 based on comparison of data across public sector
13 markets and in conjunction with the pay evaluation
14 measuring each job specification based on problem-
15 solving, know-how and accountability factors. It
16 contained two pay structures, one of non-union and
17 one of executive.

18 In October of 2019, the Board adopted
19 a new and the now current classification compensation
20 structure, which is a single pay structure for all
21 nonunion represented employees.

22 Our primary - primary comparator for
23 our pay ranges is the Commonwealth's standard pay
24 schedule, which has been adjusted since the adoption
25 of the single pay structure, resulting now in the

1 PGCB pay ranges being below pay ranges for comparable
2 positions in other administrative agencies.

3 Based on analysis of this comparative
4 benchmark data, we have adjusted the minimum and the
5 maximum of the pay ranges between one and four
6 percent to allow for the PGCBs pay ranges to remain
7 competitive with and comparable to the Commonwealth
8 standard pay schedule.

9 Additionally, we have completed some
10 housekeeping changes reflecting title and pay range
11 adjustments to individual classifications. A summary
12 of those changes was provided in advance of this
13 meeting.

14 With the Board's adoption, the new
15 schedule will become effective immediately. I would
16 be happy to answer any questions regarding the
17 changes to the compensation structure.

18 CHAIRMAN: Thank you, Danette.

19 Are there any questions for Danette
20 about this?

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

23 MR. LOGAN: Commissioner Logan moves
24 the Board approve the amendments to the PGCB's
25 classification and compensation structure as

1 described by the Human Resources Director.

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. BIXLER-GEORGE: Thank you.

10 CHAIRMAN: Thank you, Danette.
11 Next up, Chief Counsel Doug Sherman.
12 You're muted.

13 ATTORNEY SHERMAN: Yes, I - I got it.
14 Good morning, Chairman, members of the
15 Board.

16 Our first agenda item relates to a
17 final-form rulemaking, which Assistant Chief Counsel
18 Chad Zimmermann is here to present.

19 ATTORNEY ZIMMERMANN: Morning. Chad
20 Zimmermann from the Office of Chief Counsel (OCC).

21 Before you today, Commissioners, is
22 final-form rulemaking #125-234, relating to sports
23 wagering.

24 This final-form rulemaking promulgates
25 the proposed rulemaking that was previously adopted

1 by the Board and encompasses the entire regulatory
2 scheme for sports wagering in the Commonwealth.

3 The proposed rulemaking, after being
4 published was - we received public comments from
5 Greenwood Gaming and Entertainment, doing business as
6 Parx Casino; and Downs Racing, L.P., doing business
7 as Mohegan Sun Pocono, as well as comments from the
8 Independent Regulatory Review Commission.

9 Those comments were considered when
10 drafting this final-form rulemaking, and responses to
11 each comment were provided in the preamble which will
12 be published with the final-form rulemaking.

13 I can answer any questions you have on
14 this rulemaking. If not, I request a motion to adopt
15 final-form Rulemaking #125-234.

16 CHAIRMAN: Thank you, Chad.

17 Does anybody have any questions for
18 Chad about this rulemaking?

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

21 MR. MUSTIO: Mr. Chairman,
22 Commissioner Mustio moves that the Board adopt
23 final-form rulemaking #125-234 regarding sports
24 wagering as described by the OCC.

25 MS. REGAN: Commissioner Regan

1 seconds.

2 CHAIRMAN: Thank you.

3 All in favor?

4 AYES RESPOND

5 CHAIRMAN: All opposed?

6 The motion's adopted.

7 ATTORNEY SHERMAN: Thank you.

8 Next before the Board for

9 consideration today are three petitions. Each
10 petition will be decided based upon the documentary
11 record by agreement of the parties.

12 In each of the matters, the Board has,
13 in advance of this meeting, been provided with all of
14 the documents filed.

15 The first matter before the Board
16 today is Samara Davis's request that the Board
17 reconsider its decision to place her on the
18 Involuntary Exclusion List, which is being treated as
19 a petition for relief.

20 By way of background, in December of
21 2020 the Office of Enforcement Counsel (OEC) filed a
22 petition to place Ms. Davis on the Involuntary
23 Exclusion List, alleging that she and another
24 individual stole a slot machine - slot machine
25 voucher from a patron at Mount Airy Casino.

1 On April 21st of 2021, the Board found
2 Ms. Davis in default after she failed to respond to
3 the OEC petition. And she was placed on the
4 Involuntary Exclusion List.

5 On April 28th, 2021, Ms. Davis filed
6 her request for reconsideration, stating that she was
7 unable to respond to the petition due to health
8 issues.

9 The matter is now ready for the
10 Board's consideration.

11 CHAIRMAN: Are there any questions or
12 comments from the Board?

13 May I have a motion, please?

14 MS. REGAN: Mr. Chairman, Commissioner
15 Regan moves that the Board grant Samara Davis's
16 petition for reconsideration as described by the OCC.
17 And that the matter be referred to the Office of
18 Hearings and Appeals (OHA) for an evidentiary
19 hearing.

20 I further move that Ms. Davis shall
21 remain on the Involuntary Exclusion List until this
22 matter is finally adjudicated.

23 MS. SMYLER: Commissioner Smyler
24 seconds.

25 CHAIRMAN: Thank you.

1 All in favor?

2 AYES RESPOND

3 CHAIRMAN: All opposed?

4 The motion's adopted.

5 MS. DAVIS: Hello.

6 This - this is - this is Samara.

7 Can you explain further what that
8 means?

9 ATTORNEY SHERMAN: Mr. Chairman, if I
10 can?

11 Ms. Davis, the Board has granted the
12 reconsideration. So, you will be scheduled for a
13 hearing to be able to oppose the matter before a
14 Hearing Officer.

15 After that, a report will be coming to
16 the Board, with a recommendation. And the Board will
17 decide the matter later.

18 The - the other aspect of it is, you
19 will be on the exclusion list and not permitted to go
20 to a casino until that matter has been heard and the
21 Board issues a final decision.

22 MS. DAVIS: And how long would that
23 take?

24 Because when I spoke to John Crohe, I
25 believe his name is, he seen the evidence, that it

1 was not me. And basically saying that this matter
2 would be taken care of during this hearing. He -.

3 ATTORNEY SHERMAN: It will be taken -
4 it will be addressed during the hearing before the
5 Hearing Officer. The Hearing Officer will promptly
6 schedule a hearing.

7 MS. DAVIS: Oh, okay. Okay.

8 I just wanted to make sure that was -.
9 And - and how - do you know when that
10 matter will be or not just yet, I'll be notified?

11 ATTORNEY SHERMAN: You will be
12 notified by the Hearing Officer.

13 MS. DAVIS: Oh, okay.

14 So am I able to - should I hang up
15 now?

16 CHAIRMAN: Yes.

17 ATTORNEY SHERMAN: Yes. Your matter
18 is concluded. And you will be contacted by the
19 Hearing Officer -

20 MS. DAVIS: All right. Thank you.

21 Have a great day.

22 ATTORNEY SHERMAN: - Samara, within
23 the next week.

24 Yeah. Thank you.

25 MS. DAVIS: Okay. Bye, bye.

1 ATTORNEY SHERMAN: Okay.

2 Getting back to the agenda.

3 The next matter before the Board is
4 Vincent Mantegna's petition requesting removal from
5 the Board's involuntary exclusion list.

6 By way of background. In February of
7 2015, while playing Blackjack at Harrah's
8 Philadelphia, Mr. Mantegna removed part of his wager
9 from a gaming table after realizing that he would
10 lose the hand.

11 As a result of his actions, the OEC
12 filed a petition requesting that he be placed on the
13 Board's involuntary exclusion list.

14 Mr. Mantegna failed to respond to OEC
15 and the Board issued an Order in September 2015
16 placing him on a list.

17 On April 1st of 2021, Mr. Mantegna
18 attempted to enter Live! Casino Philadelphia. And it
19 was discovered that he was on the exclusion list. As
20 a result, he was removed from the casino. And then
21 the following day, he filed a petition now before the
22 Board.

23 The OEC has no objection to Mr.
24 Mantegna being removed from the list, given that more
25 than five years have passed since his placement on

1 the list.

2 And this matter is now ready for the
3 Board's consideration.

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

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

8 MS. SMYLER: Mr. Chairman,
9 Commissioner Smyler moves that the Board grant Mr.
10 Mantegna's petition for removal from the PGCBs
11 involuntary exclusion list as described by the OCC.

12 MR. DERMODY: Commissioner Dermody
13 seconds.

14 CHAIRMAN: Thank you.

15 All in favor?

16 AYES RESPOND

17 CHAIRMAN: All opposed?

18 The motion's adopted.

19 ATTORNEY SHERMAN: The last petition
20 before the Board today is another request for removal
21 from the involuntary exclusion list.

22 On November 3rd of 2011, the OEC filed
23 a petition requesting that Mohamed A. Mohamed be
24 placed on the Board's involuntary exclusion list
25 after he was found to be adding chips to winning

1 wagers while gaming at Harrah's Philadelphia.

2 Mr. Mohamed failed to respond to OECs
3 petition, and the Board issued an Order on
4 February 8th, 2012, placing him on the exclusion
5 list.

6 Over nine years later, on March 15th
7 of this year, Mr. Mohamed filed his request for
8 removal from the involuntary exclusion list, stating
9 that he paid the restitution he owed for the incident
10 at Harrah's, that he had pled guilty to a summary
11 offense for the conduct, and that he learned his
12 lesson and would like to be able to go to a casino
13 again.

14 OEC filed an action - an Answer,
15 stating that it has no objection to Mr. Mohamed's
16 request, as the events in question, as stated
17 occurred over nine years ago and appear to be an
18 isolated incident.

19 This matter is ready for the Board's
20 consideration.

21 CHAIRMAN: Are there any questions or
22 comments from the Board?

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

25 MR. DERMODY: Mr. Chairman,

1 Commissioner Dermody moves that the Board grant
2 Mohamed A. Mohamed's petition for removal from the
3 PGCB's involuntary exclusion list as described by the
4 OCC.

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 ATTORNEY SHERMAN: Next, we have
13 withdrawals and surrenders, as well as reports and
14 recommendations to be presented by Deputy Chief
15 Counsel Steve Cook.

16 ATTORNEY COOK: Good morning.

17 The next matter before the Board today
18 pertains to several unopposed petitions to withdraw
19 the applications or surrender the credentials of the
20 following individuals and businesses: Eric D. Frank,
21 Mario Kontomerkos, Michele Yavarian, Paul Williams,
22 Shay Segev, Stephen Callender, Sylebra Capital
23 Limited, Sylebra Capital Management and Daniel P.
24 Gibson.

25 The OEC has no objection to any of

1 these withdrawals.

2 And as a result, if the Board grants
3 the same, they would be doing so without prejudice to
4 any of these parties. And these matters are now ripe
5 for the Board's consideration.

6 CHAIRMAN: Any questions or comments
7 from the Board?

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

10 MR. KERNODLE: Commissioner Kernodle
11 moves that the Board issues an order to approve the
12 withdrawals and surrenders described by the OCC.

13 MR. LOGAN: Commissioner Logan
14 seconds.

15 CHAIRMAN: Thank you.
16 All in favor?

17 AYES RESPOND

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

20 ATTORNEY COOK: Next before the Board
21 for consideration are seven reports and
22 recommendations received from the OHA. These reports
23 and recommendations, as well as the complete
24 evidentiary record from each matter, have been
25 provided to the Board in advance of today's meeting.

1 And additionally, each of the parties
2 that are the subject of one of these reports and
3 recommendations have been notified that they could
4 call in or videoconference into the meeting today and
5 briefly address the Board.

6 If any of these parties have done so,
7 I'd ask that they - they make themselves known when
8 their matter is called.

9 The first Report and Recommendation
10 before the Board today pertains to Jeremy Spirer.

11 This case pertains to whether an
12 emergency suspension of Mr. Spirer's non-gaming
13 registration should continue. Mr. Spirer works at
14 the Rivers Casino Pittsburgh.

15 On October 15th, 2020, the OEC filed a
16 request for an emergency suspension of Mr. Spirer's
17 non-gaming employee registration after receiving
18 notice that he was charged with several criminal
19 offenses stemming from an undercover police
20 prostitution investigation.

21 As a result of these charges, the
22 Board's Executive Director issued an emergency
23 suspension of Mr. Spirer's non-gaming registration,
24 as requested by Enforcement Counsel.

25 A hearing in this matter was held on

1 November 24th, 2020. Mr. Spirer appeared at that
2 hearing with counsel. He did not testify. And his
3 counsel acknowledged that Mr. Spirer's charges
4 remained pending at that time.

5 Now, at the hearing, the OEC presented
6 testimony and documentary evidence regarding the
7 pending criminal charges.

8 And based upon that evidence, the
9 Report and Recommendation issued in this matter
10 recommends the suspension of Mr. Spirer's non-gaming
11 employee registration remain in effect.

12 Since that time, however, Mr. Spirer
13 has undergone a court ordered competency evaluation
14 by the Criminal Court in Allegheny - or ordered by
15 the Criminal Court in Allegheny County, which
16 determined that Mr. Spirer is diagnosed with an
17 intellectual disability, which would make him unable
18 to assist in his defense in the criminal matter.

19 And as a result of these findings, the
20 Allegheny County District Attorney's Office nolle
21 prossed the criminal charges.

22 As a result of these charges no longer
23 pending - no longer being - pending against Mr.
24 Spirer, the basis for the emergency suspension no
25 longer exists.

1 And this matter is now ripe for the
2 Board's decision as to whether Mr. Spirer's
3 suspension should continue.

4 CHAIRMAN: Am I correct, Steve, that
5 the attorney for Mr. Spirer is on the call?

6 ATTORNEY COOK: She actually reached
7 out to me. And I don't believe she is, because she
8 had a last minute court conflict this morning.

9 CHAIRMAN: Okay. Thank you.

10 Are there any questions or comments
11 from the Board on this matter?

12 Hearing none, may I have a motion?

13 MS. SMYLER: Mr. Chairman, based upon
14 the new developments in this case, Commissioner
15 Smyler moves that the Board reject the Report and
16 Recommendation issued by the OHA regarding the
17 suspension of Jeremy Spirer's non-gaming employee
18 registration. And that the suspension be lifted, as
19 the criminal charges leading to the suspension have
20 now been withdrawn.

21 MR. MUSTIO: Commissioner Mustio
22 seconds.

23 CHAIRMAN: Thank you.

24 All in favor?

25 AYES RESPOND

1 CHAIRMAN: All opposed?

2 The motion's adopted.

3 MR. LOGAN: Mr. Chairman?

4 CHAIRMAN: Yes.

5 MR. LOGAN: This is Commissioner
6 Logan.

7 Can the record reflect that I recused
8 myself because I know the family?

9 Also, let the record reflect, that no
10 contact from the family or anybody representing the
11 family was ever made to myself.

12 CHAIRMAN: Thank you. Thank you,
13 Commissioner Logan.

14 Okay.

15 We'll move ahead.

16 ATTORNEY COOK: The next Report and
17 Recommendation before the Board today pertains to
18 Sheina Martin's request for permission to make early
19 reapplication for her credential from the Board.

20 Ms. Martin indicated that she'd be
21 calling in today. I don't know if she actually did.
22 But if she did, I would ask her to just hold on a
23 second. I'll give the Board a brief summary of this
24 matter and then give her the opportunity to speak.

25 On December 1st, 2015, Ms. Martin was

1 issued a non-gaming employee registration to work as
2 an EVS Attendant at Greenwood Gaming and
3 Entertainment or the Parx Casino.

4 She was terminated in February of
5 2016, after it was discovered that in December of
6 2015, while she was also working at a Dollar Tree
7 store, Ms. Martin took money out of a purse left
8 behind by a customer.

9 Consequently, the OEC filed a
10 complaint to revoke Ms. Martin's registration.

11 And in January of 2017, the Board
12 issued an Order revoking that registration.

13 Under the Board's regulations, if a
14 person's Board credential is revoked, she cannot
15 reapply for any sort of credential with the Board
16 prior to five years, unless the Board grants her
17 permission to do so.

18 On January 11th, 2021, four years to
19 the day after her registration was revoked, Ms.
20 Martin filed her request with the Board for early
21 reapplication.

22 OEC filed an answer objecting to Ms.
23 Martin's request, because five years have not yet
24 passed. The fifth anniversary of Ms. Martin's
25 revocation will be January 11th, 2022.

1 A hearing in this matter was held on
2 March 16th, 2021. Ms. Martin appeared and testified
3 on her own behalf. She testified that she had
4 applied for and was offered a position as a Slots
5 Attendant and Guest Services Representative at the
6 Live! Casino in Philadelphia. But that offer was
7 rescinded after it was discovered that her prior
8 registration had been revoked.

9 During her testimony, Ms. Martin
10 admitted to the theft and the criminal charges that -
11 that caused the revocation of her prior registration.
12 She stated that she returned the stolen money to the
13 police at the time of the incident. She also
14 indicated she was basically going through a very
15 difficult time.

16 At that time in her life she was
17 working two jobs taking care of her mother, her
18 children, and grandchildren. And she also shared
19 that she has a history of substance abuse and
20 addiction issues but is very happy that she has now
21 been clean for six years.

22 Ms. Martin further testified that has
23 worked steadily since her revocation. However, she
24 recently lost her job in the hotel industry due to
25 the COVID pandemic.

1 After hearing all of the evidence
2 presented, the Hearing Officer issued a Report and
3 Recommendation, recommending that Ms. Martin's
4 request be granted and that she be allowed to reapply
5 for a credential.

6 And that's the recommendation to the
7 Board.

8 If Ms. Martin has phoned in today, now
9 is your opportunity to speak, Ms. Martin.

10 I suppose she has not phoned in, Mr.
11 Chairman.

12 CHAIRMAN: Okay.

13 Are there any questions or comments
14 from the Board at this time?

15 Hearing none, may I have a motion?

16 MR. MUSTIO: Mr. Chairman,
17 Commissioner Mustio moves that the Board adopt the
18 Report and Recommendation issued by the OHA regarding
19 Sheina Martin's petition for early reapplication for
20 a non-gaming employee registration.

21 However, in making this motion, I want
22 to be clear that the Board is in no way saying Ms.
23 Martin is suitable for licensure. Rather, the Board
24 will await the completion of a background
25 investigation for the decision.

1 MS. REGAN: Commissioner Regan
2 seconds.

3 CHAIRMAN: Thank you.
4 All in favor?

5 AYES RESPOND

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

8 ATTORNEY COOK: Next before the Board
9 is Corten - or Cortez Mortimer's Report and
10 Recommendation.

11 Excuse me.

12 On September 17th, 2019, Mr. Mortimer
13 submitted a gaming employee occupation permit in
14 connection with his position as a Customer Service
15 Agent for DraftKings, Incorporated.

16 The OEC sent a notice recommending
17 denial of his application based upon several
18 suitability issues.

19 Specifically, Mr. Mortimer failed to
20 report an outstanding warrant for driving on a
21 suspended license. He failed to provide proof that
22 he filed a 2017 federal income tax return. And also
23 was in default on student loans.

24 Mr. Mortimer requested a hearing,
25 which was held on November 4th, 2020. OEC attended

1 the hearing and presented both testimony and
2 documentary evidence as to its findings.

3 Mr. Mortimer participated in the
4 hearing and testified on his own behalf.

5 The evidence presented at the hearing
6 confirmed the factual basis for OECs position, as
7 well as disclosing that by that point in time Mr.
8 Mortimer had also failed to file a 2018 federal tax
9 return.

10 Mr. Mortimer testified that he did not
11 believe he had to report his outstanding warrant for
12 driving while his license was suspended, because it
13 was traffic-related and not purely criminal.

14 In regard to his delinquent tax
15 returns, Mr. Mortimer testified but provided no other
16 evidence that a fraudulent tax return was filed in
17 his name, as he's the victim of identity theft. And
18 he was instructed by the Internal Revenue Service
19 (IRS) to not file tax returns for three years.

20 Additionally, Mr. Mortimer stated that
21 he had entered into a payment plan regarding his
22 student loans. However, he didn't provide any
23 specific documentation at that time regarding the
24 payment agreement.

25 Mr. Mortimer testified that he was

1 trying to obtain documents pertaining to his criminal
2 charges and his tax obligations, but that the IRS and
3 the court system were both backed up due to the
4 COVID-19 pandemic.

5 Subsequently, the Hearing Officer
6 agreed to keep the record open and schedule another
7 hearing, allowing Mr. Mortimer additional time to
8 provide the requested documentation.

9 A second hearing was held on
10 February 18th, 2021. Mr. Mortimer provided
11 documentation regarding payments on his student loan
12 debt. He indicated that he - he had been in touch
13 with the IRS and would soon be receiving
14 documentation needed to support his position that he
15 was not required to submit tax returns.

16 Additionally, he stated that the
17 driving while suspended charge, which I believe was
18 in Washington State, is still pending. But he
19 resolved the outstanding warrant issue associated
20 with that charge.

21 Enforcement Counsel provided documents
22 showing, in fact, that the warrant was resolved but
23 the charges were still pending.

24 Based upon the evidence received after
25 both of these hearings, a Report and Recommendation

1 was issued in this matter recommending that Mr.
2 Mortimer's application be denied.

3 However, if he provides documentation
4 that his outstanding issues are resolved, rather than
5 wait five years under the Board's regulations he'd be
6 allowed to immediately petition the Board for early
7 reapplication.

8 And this matter is now ready for the
9 Board's consideration.

10 CHAIRMAN: Are there any questions or
11 comments on this matter?

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

14 MS. REGAN: Mr. Chairman, Commissioner
15 Regan moves that the Board adopt the Report and
16 Recommendation issued by the OHA regarding the denial
17 of Cortez Mortimer's gaming employee occupation
18 permit application as described by the OCC.

19 MS. SMYLER: Commissioner Smyler
20 seconds.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed?

24 The motion's adopted.

25 ATTORNEY COOK: Next before the Board

1 is a Report and Recommendation pertaining to Robert
2 Carney, specifically Enforcement - the OEC has
3 requested, that Mr. Carney's G2 Employee Permit
4 Application be denied.

5 Mr. Carney has also indicated that he
6 was going to call in today. And after I give a brief
7 summary, if he is on the phone, I would ask - I - I
8 will give him the opportunity to speak.

9 Presently Mr. Carney is employed as a
10 Dual Rate Table Game Supervisor at the Rivers Casino
11 in Philadelphia under a temporary Board credential.

12 In May of 2018, Mr. Carney submitted
13 his application for this G2 - for a G2 employee
14 occupation permit.

15 After more than a year of attempting
16 to work with Mr. Carney to get his application in
17 order, in October of 2019 the BIE and OEC recommended
18 denial of his application based on several
19 suitability issues.

20 Specifically, allegations that Mr.
21 Carney failed to file tax returns for the years 2014
22 through 2017. He was arrears in child - he was in
23 arrears on child support obligations. He had open
24 judgments in New Jersey and appeared to have active
25 summary citations for traffic violations in

1 Pennsylvania. He also had a judgment filed against
2 him by the Delaware State Division of Revenue.

3 Between February 5th, 2020 and
4 February 25th, 2021, the OHA held five hearings in
5 this matter. Each additional hearing was scheduled
6 to allow Mr. Carney time to resolve all of his
7 pending issues. Both Enforcement Counsel and Mr.
8 Carney appeared at each of these hearings.

9 While the additional time allowed Mr.
10 Carney to resolve certain of his issues, he has still
11 failed to provide proof that he filed numerous
12 federal tax returns. He has also failed to resolve
13 the judgment against him in the State of Delaware.

14 Consequently, a Report and
15 Recommendation was issued recommending that Mr.
16 Carney's G2 employee occupation permit application be
17 denied.

18 Mr. Carney filed exceptions to that
19 Report and Recommendation, stating he filed all of
20 his tax returns. But he was - but because of the
21 pandemic, IRS is behind in processing the returns.
22 And he has not been able to obtain evidence that
23 these tax returns were, in fact, filed.

24 So that is the status of the matter.

25 The recommendation of the Hearing

1 Officer is that the application be denied.

2 And if Mr. Carney is on the phone, I
3 will now give him the opportunity to speak.

4 CHAIRMAN: Mr. Carney, are you there,
5 sir?

6 Perhaps you're on mute.

7 Okay.

8 I - I'm going to presume he's not
9 here.

10 MR. CARNEY: Hello.

11 How are you doing?

12 Morning.

13 CHAIRMAN: Oh, wait a minute.

14 Hello?

15 MR. CARNEY: Yes.

16 Good morning.

17 CHAIRMAN: Is this Mr. Carney?

18 MR. CARNEY: Yes, sir.

19 How are you doing?

20 Good morning, Counsel. Good morning,
21 everybody.

22 CHAIRMAN: Okay.

23 Before you speak, we should have him
24 sworn by the court reporter.

25 Right?

1 MR. CARNEY: I have not.

2 CHAIRMAN: Hold on a second.

3 MR. CARNEY: Okay.

4 CHAIRMAN: Should we have -

5 MR. CARNEY: No problem.

6 CHAIRMAN: - should we have him sworn
7 in?

8 COURT REPORTER: Sir, will you just
9 raise your right hand for me?

10 ---

11 ROBERT CARNEY,

12 CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND
13 HAVING FIRST BEEN DULY SWORN, TESTIFIED AND SAID AS
14 FOLLOWS:

15 ---

16 CHAIRMAN: Okay.

17 Mr. Carney, I assume you've been
18 listening to the conversation?

19 If you have anything to add, this will
20 be a good time to do so, sir.

21 MR. CARNEY: Okay. Yes, sir.

22 How are you doing?

23 Good morning, everybody once again.

24 I - I have attempted -. I did send my
25 2000, I believe 17 through 2020 current taxes, the

1 transcripts which I received from the IRS.

2 Everything - all - you know, all my
3 tax documents that I did send you are originals. All
4 my accountant's information is at the bottom, that
5 they have been filed. I've attempted to contact the
6 IRS in this matter.

7 I do understand that I owe a \$869 -
8 \$889 balance from 2018. And I understand that. They
9 confirmed that, the IRS did.

10 But all these - the - the back money
11 that I do owe, this \$800 is - I have to pay an
12 outside credit agency that's collecting this money.

13 So, I called them to, you know, make a
14 good-faith payment of a hundred dollars, something on
15 this matter. And they said they can't accept
16 anything until it's marked in the system that the IRS
17 has received my 2017 taxes.

18 I called this morning. I was on the
19 phone for an hour and 40 minutes with the IRS, and it
20 still shows that it has not been processed as of
21 March whatever. I had faxed it to them on March 17th
22 or so. I did receive a confirmation that the tax -
23 the - the fax was received by the IRS. But again, as
24 - as per this morning, it hasn't been processed yet,
25 as to what I owe.

1 I - you know, I more than - you know
2 what I mean, tried to make a payment on this money
3 for the tax issue. And they can't deny - won't set
4 me up on a payment plan at all and won't accept any
5 money from me until these taxes are processed.

6 So, I don't know - you know, I know
7 that - that these proceedings, you know what I mean,
8 started as it's noted, you know, February 1st, 2020
9 to February 5th, 2021. The pandemic has just shut
10 everybody down with the IRS, you know, beyond belief,
11 but -.

12 Which is not an excuse, just an
13 explanation, that's all.

14 CHAIRMAN: I understand.

15 MR. CARNEY: Yeah.

16 CHAIRMAN: Does anybody have any
17 questions - does any Board member have any questions
18 or Counsel have any questions for Mr. Carney at this
19 time?

20 Hearing none, is there a motion?

21 MR. LOGAN: Chairman, Commissioner
22 Logan moves that the Board adopt the Report and
23 Recommendation issued by the OHA regarding the denial
24 of Robert Carney's gaming level 2 employee occupation
25 permit application as described by the OCC.

1 Mr. Carney's application is denied.
2 However, if Mr. Carney comes into
3 compliance with all the issues, he may immediately
4 reapply.

5 MR. MUSTIO: Commissioner Mustio
6 seconds.

7 CHAIRMAN: All in favor?

8 AYES RESPOND

9 CHAIRMAN: All opposed?

10 The motion is adopted.

11 Steve Cook, perhaps you can just
12 explain that to Mr. Carney, where we stand right now.

13 ATTORNEY COOK: Mr. Carney, your -
14 your application has been denied.

15 Your employer will be notified today
16 that you're no longer credentialed to work in the
17 casino industry.

18 However, in the event you can get your
19 affairs in order, you can immediately reapply for
20 license in the whole process that is at issue.

21 MR. CARNEY: Okay.

22 CHAIRMAN: Just to clarify - clarify
23 Steve, that means the five-year limitation will not
24 apply to him if he comes into compliance.

25 Correct?

1 ATTORNEY COOK: That is correct, yes.

2 MR. CARNEY: Well, thank you so much.
3 Thank you, Counsel. Thank you, everybody.

4 ATTORNEY COOK: Okay. Thank you, Mr.
5 Carney.

6 MR. CARNEY: And I - I - also, you -
7 sir, I don't know if - is it - I'm on my way to work
8 right now, as we speak.

9 Does this mean I go into work? Should
10 I tell them, or no or what?

11 I don't know what to do now.

12 ATTORNEY COOK: I think it's probably
13 in your best interest to tell them, because our
14 Bureau of Licensing will be reaching out to them
15 later today, in any event.

16 MR. CARNEY: Okay.

17 So the - is - would - do you think,
18 sir, that I will be terminated per the casino, as of
19 this time or -?

20 ATTORNEY COOK: Well, you won't be
21 credentialed to work, sir. Whether the - you're
22 terminated by the casino is not our decision. That's
23 - that's up -

24 MR. CARNEY: Okay.

25 ATTORNEY COOK: - to the casino.

1 But you can't work in a gaming casino
2 if you're not credentialed.

3 MR. CARNEY: Okay. Okay. Okay.

4 I understand. Thank you.

5 Who do I reach out to, when and - if I
6 reapply or - you know, to - to get this matter
7 handled again and what the issues are at hand -

8 ATTORNEY COOK: You can -.

9 MR. CARNEY: - that's stopping me?

10 ATTORNEY COOK: I think you can either
11 reach back out to the OEC attorney that you've been
12 dealing with or our Bureau of Licensing.

13 MR. CARNEY: Okay. Okay.

14 Again, thank you everybody for your
15 time and - you know what I mean. Thank you for -

16 CHAIRMAN: Okay.

17 MR. CARNEY: - considering - giving me
18 consideration for reapplying.

19 CHAIRMAN: You're welcome. And good
20 luck to you, sir.

21 MR. CARNEY: Thank you to everybody.

22 Thanks for all your time. Thank you. God bless.

23 Thanks, guys. Have a good day.

24 CHAIRMAN: Bye, bye.

25 MR. CARNEY: Bye.

1 ATTORNEY COOK: The next Report and
2 Recommendation before the Board pertains to Ms.
3 Suzanne Hook.

4 And - excuse me, by way of background,
5 on September 20th, 2019, Ms. Hook cashed out credits
6 belonging to another patron at the Mohegan Sun
7 Casino.

8 Subsequently, the OEC filed a petition
9 to place Ms. Hook on the exclusion list. Ms. Hook
10 did not respond to the petition. And on September
11 20th, 2020, the Board placed her on the exclusion
12 list by default judgment.

13 The Order was later rescinded,
14 however, after it was discovered that Ms. Hook had
15 requested a hearing prior to the Board's
16 consideration and they effectively crossed in the
17 mail.

18 After several continuances, a hearing
19 in this matter was held on February 17th, 2021.
20 Enforcement Counsel presented testimony and
21 documentary evidence in support of their request to
22 place Ms. Hook on the exclusion list.

23 Despite receiving that notice, Ms.
24 Hook failed to appear and the hearing was held in her
25 absence.

1 The evidence presented at the hearing
2 showed that a patron had gamed for only approximately
3 30 seconds at a slot machine and then walked away
4 from the machine without cashing out the credits that
5 she had put into it.

6 Ms. Hook noticed the unredeemed
7 credits, which were valued at over \$300; eventually
8 sat at the machine, cashed out, and redeemed the
9 voucher and immediately left the property.

10 It was also established at the hearing
11 that this is the third time Ms. Hook has - has taken
12 such actions at a casino in Pennsylvania.

13 After the hearing in this matter, the
14 Report and Recommendation issued recommends that Ms.
15 Hook be placed on the Board's exclusion list.

16 And this matter is now ripe for the
17 Board's consideration.

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. SMYLER: Commissioner Smyler moves
24 that the Board adopt the Report and Recommendation
25 issued by the OHA regarding the placement of Suzanne

1 Hook on the PGCB involuntary exclusion list as
2 described by the OCC, and that Ms. Hook be placed on
3 the Board's involuntary exclusion list.

4 MR. DERMODY: Commissioner Dermody
5 seconds.

6 CHAIRMAN: Thank you.

7 All in favor?

8 AYES RESPOND

9 CHAIRMAN: All opposed?

10 The motion's adopted.

11 ATTORNEY COOK: The next Report and
12 Recommendation before the Board today pertains to May
13 Quoc McElwain.

14 By way of background, on August 14th,
15 2019 the Board placed Ms. McElwain on the involuntary
16 exclusion list by default judgment, after it was
17 found that on January 26th, 2019, she picked up a
18 wallet dropped by a patron at the Meadows Racetrack
19 and Casino and stole \$700 therefrom.

20 Mr. McElwain did not respond to the
21 complaint, a default judgment was filed against her
22 and she was placed on the exclusion list by the Board
23 after not contesting the allegations.

24 In October of 2020, Ms. McElwain filed
25 a petition for early - for removal from the list.

1 The OEC filed an answer objecting to
2 that request.

3 A hearing in this matter was held on
4 January 26, 2021. Ms. McElwain was present with
5 counsel and testified on her own behalf. Enforcement
6 Counsel also appeared at that hearing.

7 Ms. McElwain testified at the hearing
8 that she has multiple degrees, had - college degrees,
9 had been laid off due to the COVID pandemic and is
10 working presently at a job making significantly less
11 money than she had been earning.

12 This triggered her beginning a job
13 search. And she was offered two jobs in her field of
14 expertise but had both rescinded based upon
15 background checks which disclosed her being on the
16 Board's exclusion list.

17 She further testified that she did not
18 take the money out of the patron's wallet previously,
19 the - the event that triggered her placement on the
20 list.

21 However, it's noted the Board has
22 already found that issue against her by default
23 judgment almost two years ago.

24 Subsequent to the hearing, a Report
25 and Recommendation was issued, recommending denial of

1 Ms. McElwain's request for early removal from the
2 exclusion list, as she did not present evidence of
3 extraordinary circumstances which would allow her
4 removal from the list before at least five years had
5 run.

6 And that's the recommendation
7 presently before the Board.

8 CHAIRMAN: Any questions or comments
9 from the Board?

10 Hearing none, may I have a motion?

11 MR. DERMODY: Mr. Chairman,
12 Commissioner Dermody moves that the Board adopt the
13 Report and Recommendation issued by the OHA regarding
14 May Quoc McElwain's petition for removal from the
15 PGCB's involuntary exclusion list as described by the
16 OCC. And that May Quoc McElwain remain on the PGCB's
17 involuntary exclusion list.

18 MR. KERNODLE: Commissioner Kernodle
19 seconds.

20 CHAIRMAN: Thank you.

21 All in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed?

24 The motion's adopted.

25 ATTORNEY COOK: The final Report and

1 Recommendation before the Board today pertains to a
2 request for removal from the Voluntary Interactive
3 Gaming Self-Exclusion List.

4 And - and an individual with the
5 initials J.M. Because this involves an Involuntary
6 Exclusion List, we go simply by the initials.

7 I see J.M. is present today. She can
8 keep her video on. If she chooses to turn her video
9 off, that would be fine as well.

10 Before giving J.M. an opportunity to
11 speak, I'd like to provide the Board with a brief
12 summary.

13 On November 20th, 2020, an individual
14 with - with the initials J.M. filed a request through
15 the Board's website to place herself on the
16 Interactive Gaming Self-Exclusion List. Then on
17 January 20th, 2021, J.M. filed a request to remove
18 herself from the list.

19 OEC filed an Answer objecting to this
20 request.

21 A hearing in this matter was held on
22 March 31st, 2021. J.M. appeared and testified on her
23 own behalf. Enforcement Counsel also appeared
24 presenting testimony and documentary evidence.

25 J.M. testified that she did not fully

1 understand, that when she signed up to be self-
2 excluded form Interactive Gaming, that some
3 brick-and-mortar casinos would also exclude her of
4 their own volition.

5 She additionally testified that while
6 the Self-Exclusion Form she filled out online did
7 state that some casinos may exclude her on their own,
8 she did not fully realize this at that time she was
9 completing the self-exclusion process.

10 J.M. further stated that there is not
11 a way to tell which casinos would prohibit her from
12 gaming and which would not based upon her interactive
13 gaming self-exclusion.

14 Enforcement Counsel provided testimony
15 from the Board's Director of Compulsive and Problem
16 Gaming regarding the process of placement on the
17 list.

18 The evidence presented also showed
19 that J.M. completed the online self-exclusion
20 process, that she reviewed certain statements and
21 acknowledged that licensees and operators may choose
22 to ban her from their facilities, which include
23 casinos, VGT establishments, fantasy sports at - as
24 well as iGaming websites.

25 The acknowledgement also included a

1 statement that it was J.M.'s responsibility to
2 contact operators to find out what their policies
3 were regarding applying the Self-Exclusion List.

4 At the time of her self-exclusion,
5 J.M. - J.M. placed herself on the interactive list
6 for a five-year period.

7 After hearing all of the evidence in
8 this matter the Report and Recommendation issued
9 subsequent to the hearing recommends that J.M.'s
10 petition be denied, based upon the Hearing Officer's
11 findings that she was adequately informed that land-
12 based casinos could, on their own, exclude her based
13 upon her self-exclusion from interactive gaming.

14 And this matter is now reading for the
15 Board's consideration.

16 As noted, J.M. is on the line. And
17 now is her opportunity to address the Board after
18 being sworn in.

19 J.M.: Hi.

20 So there's no question that I
21 didn't -.

22 CHAIRMAN: Well, excuse me. Before
23 you speak, I need to have you sworn in.

24 COURT REPORTER: Yeah, let me -.

25 CHAIRMAN: One second, please.

1 COURT REPORTER: Ma'am, will you just
2 raise your right hand for me?

3 J.M.: Yes.

4 ---

5 J.M.,

6 CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND
7 HAVING FIRST BEEN DULY SWORN, TESTIFIED AND SAID AS
8 FOLLOWS:

9 ---

10 CHAIRMAN: Okay.

11 You can proceed, ma'am.

12 MS. J.M.: So, there's no question
13 that I did sign the Voluntary Self-Exclusion Form.

14 But you know, only in the 19th
15 sentence of that entire form does it mention that I
16 may be excluded from some brick-and-mortar casinos.

17 The title of the form is misleading.
18 It - it says, you know, exclusion - voluntary
19 exclusion from iGaming.

20 I took it at face value. Here, you're
21 going down these 19 statements and you're assuming
22 that you're just excluding yourself from iGaming.

23 Did I read every statement?

24 No, I didn't, because I took it at
25 what it says in the title. So, I feel like I'm - you

1 know, I - I fought this now for a couple months. I'm
2 a professional adult. I have a Master's degree. I -
3 I can control, you know, my gambling. I didn't want
4 to be able to have the access to iGaming because it
5 was too convenient.

6 However, I do still want to be able to
7 go into brick-and-mortar casinos.

8 So, I would ask that in light of this,
9 and the fact that the form is misleading and other
10 people, other patrons have also complained that the
11 form is misleading, that the form be revised and that
12 I be allowed to take myself off of that list.

13 CHAIRMAN: Does anyone have any
14 questions for J.M.?

15 I have one.

16 Have you attempted to contact
17 individual casinos to find out whether you'd be
18 permitted in their facilities?

19 MS. J.M.: No, the - how I found out
20 that I was - that it included some casinos is I
21 attempted to go into the Live! Casino in Westmoreland
22 County in January, not - even at that point, not
23 realizing that I couldn't go, until I went to get a
24 Players Card. And you know, I was surrounded by
25 people, as if I just robbed, you know, the Federal

1 Reserve Bank.

2 And I was questioned. And they asked
3 me to come into a back room. And it was all very
4 dramatic and scary.

5 That's at the point that I realized
6 that I was not allowed to go into brick - some
7 brick-and-mortar casinos.

8 CHAIRMAN: No, I understand that.

9 What I'm really trying to get at is,
10 since that time, have you attempted to contact any
11 other casino since -?

12 It's not - it is not the Board that's
13 excluding you from those facilities, it's the
14 casinos.

15 Have you reached out to any casino
16 that you might want to go to in the future, to find
17 out if they'd let you come in?

18 MS. J.M.: The only one that I
19 contacted was the Erie - Erie, Pennsylvania casino.
20 And they do not follow that same rule. I would be
21 allowed to go there.

22 CHAIRMAN: That's the only one you've
23 spoken to?

24 MS. J.M.: Yes.

25 CHAIRMAN: Okay. Thank you very much.

1 Any other questions for J.M. at this
2 time?

3 Hearing none, is there a motion?

4 MR. KERNODLE: Commissioner Kernodle
5 moves that the Board adopts the Report and
6 Recommendation issued by the OHA regarding J.M.'s
7 petition for removal from the Interactive Gaming
8 Self-Exclusion List as described by the OCC and that
9 J.M. remains on the PGCB Voluntary Exclusion List.

10 MR. LOGAN: Commissioner Logan
11 seconds.

12 CHAIRMAN: All in favor?

13 AYES RESPOND

14 CHAIRMAN: All opposed?

15 The motion is adopted.

16 MS. J.M.: Can I interrupt for one
17 second?

18 CHAIRMAN: Sure. Go ahead.

19 MS. J.M.: So, is there any other
20 appeal process after this or is this the final
21 decision?

22 ATTORNEY COOK: You can - you have 30
23 days. You can appeal this decision to the
24 Commonwealth Court.

25 But you have to do so within 30 days.

1 MS. J.M.: And aside from this, since
2 I did sign up for five years, if you - are - are you
3 willing to reduce that time frame to one year?

4 ATTORNEY COOK: Ma'am, that's not the
5 request that was made. The Board can only decide the
6 matter that was before them that was requested. You
7 requested removal that -. And then the OEC took a -
8 a position based upon that request. Any other - it's
9 too late to make any other requests or modify it at
10 this point.

11 MS. J.M. Can I ask the reasoning
12 behind not allowing me to remove myself from that
13 List?

14 ATTORNEY COOK: Well, it's all under
15 Board recommendation, ma'am. The Board just adopted
16 it. So, the justification behind that decision is in
17 the Report and Recommendation that was issued.

18 MS. J.M.: Okay. Thanks.

19 CHAIRMAN: Okay.

20 Let's move ahead, then.

21 ATTORNEY SHERMAN: That - that
22 concludes the matters for the OCC.

23 CHAIRMAN: Next up, we have the Board
24 of Licensing, the Acting Director, Sean Hannon.

25 Sean, are you there?

1 MR. HANNON: Good morning, Chairman
2 Barasch and members of the Board.

3 Before the Board today will be
4 licensing considerations of one Interactive and one
5 Sports Wagering Gaming Operator License, one
6 Interactive Gaming Manufacturer, one Fantasy Contest
7 Operator, two VGT Establishments, one Conditional VGT
8 Establishment.

9 In addition, there will be 668
10 Principals, Key Employees, Gaming and Non-Gaming
11 Employees, as well as Qualifier Applicants.

12 Finally, there will be consideration
13 of 18 Gaming Service Providers.

14 First for your consideration are
15 Interactive Gaming and Sports Wagering Operator
16 licenses for Digital Gaming Corporation USA. Digital
17 Gaming Corporation USA is a Florida-based business
18 that provides support, manages and maintains an
19 online gaming platform and other gaming-related
20 services, including both casino and sports betting
21 solutions.

22 The Bureau of Licensing and
23 Enforcement - BIE has completed its investigation and
24 the Bureau of Licensing has provided you with a
25 Background Investigations and Suitability Report.

1 I have provided you with the draft
2 Orders and ask that the Board consider the Order to
3 approve the licenses, beginning with the Interactive
4 Gaming Operator License.

5 ATTORNEY PITRE: Cyrus Pitre on behalf
6 of the OEC.

7 We have no objection.

8 CHAIRMAN: Thank you.

9 Any questions or comments from the
10 Board?

11 Hearing none, is there a motion?

12 MR. LOGAN: Commissioner Logan moves
13 that the Board grant the Interactive Gaming Operator
14 License as described by the Bureau of Licensing.

15 MR. MUSTIO: Commissioner Mustio
16 seconds.

17 CHAIRMAN: All in favor?

18 AYES RESPOND

19 CHAIRMAN: All opposed?

20 The motion's adopted.

21 MR. HANNON: Next is Sports Wagering
22 Operator License.

23 ATTORNEY PITRE: Enforcement Counsel
24 has no objection.

25 CHAIRMAN: Questions or comments from

1 the Board?

2 Hearing none, is there a motion?

3 MR. MUSTIO: Mr. Chairman,
4 Commissioner Mustio moves that the Board grant the
5 Sports Wagering Operator License as described by the
6 Bureau of Licensing.

7 MS. REGAN: Commissioner Regan
8 seconds.

9 CHAIRMAN: All in favor?

10 AYES RESPOND

11 CHAIRMAN: All opposed?

12 The motion's adopted.

13 MR. HANNON: Next for your
14 consideration is the approval of an Interactive
15 Gaming Manufacturer License for Alchemybet Limited.
16 Alchemybet Limited is a United Kingdom-based company
17 that provides interactive gaming services.

18 The BIE has completed its
19 investigation. And the Bureau of Licensing has
20 provided you with a Background Investigation and
21 Suitability Report.

22 I have provided you with a draft Order
23 and ask that the Board consider the Order to approve
24 an Interactive Gaming Manufacturer License for
25 Alchemybet Limited.

1 ATTORNEY PITRE: Enforcement Counsel
2 has no objection.

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

5 Hearing none, is there a motion?

6 MS. REGAN: Mr. Chairman, Commissioner
7 Regan moves that the Board grant the Interactive
8 Gaming Manufacturer License as described by the
9 Bureau of Licensing.

10 MS. SMYLER: Commissioner Smyler
11 second.

12 CHAIRMAN: All in favor?

13 AYES RESPOND

14 CHAIRMAN: All opposed?

15 The motion's adopted.

16 MR. HANNON: Next matter is a Fantasy
17 Contest Operator License for Underdog Sports,
18 Incorporated, doing business as Underdog Fantasy.

19 Underdog Sports, Incorporated is a New
20 York-based business that operates a daily fantasy
21 sports platform that offers daily, weekly and
22 seasonal-long fantasy sports contests in various
23 jurisdictions throughout the United States.

24 The BIE has completed its
25 investigation. And the Bureau of Licensing has

1 provided you with a Background Investigation and
2 Suitability Report.

3 I have provided you with a draft Order
4 and ask that the Board consider the Order to approve
5 the Fantasy Contest License for Underdog Sports,
6 Incorporated.

7 ATTORNEY PITRE: Enforcement Counsel
8 has no objection.

9 CHAIRMAN: Any other questions or
10 comments from the Board?

11 Hearing none, is there a motion?

12 MS. SMYLER: Commissioner Smyler moves
13 that the Board grants the Fantasy Contest Operator
14 License as described by the Bureau of Licensing.

15 MR. DERMODY: Commissioner Dermody
16 seconds.

17 CHAIRMAN: Thank you.

18 All in favor?

19 AYES RESPOND

20 CHAIRMAN: All opposed?

21 The motion's adopted.

22 MR. HANNON: The next matter for your
23 considerations are Video Game Terminal
24 Establishments.

25 VGT Establishments are truck stops

1 seeking to have VGTs at their business.

2 Each of the companies were previously
3 conditionally licensed.

4 The BIE has completed its
5 investigation, including an evaluation that the
6 companies meet the VGT Establishment eligibility
7 criteria. And the Bureau of Licensing has provided
8 you with Background Investigation and Suitability
9 Reports.

10 Once fully licensed, the
11 establishments can continue forward toward completing
12 the steps necessary to commence VGT gaming.

13 I have provided you with draft Orders
14 to license the following VGT Establishments: PFJ
15 Southeast, LLC, doing business as Pilot Travel Center
16 # 518, located at 2210 Camp Swatara Road, Frystown,
17 PA; and Pilot Travel Centers, LLC, doing business as
18 Pilot Travel Center #001, located at 5868 Nittany
19 Valley Drive, Mill Hall, PA.

20 I ask that you consider the motion to
21 license these establishments.

22 ATTORNEY PITRE: Enforcement Counsel
23 has no objection.

24 CHAIRMAN: Questions or comments from
25 the Board?

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

3 MR. DERMODY: Mr. Chairman,
4 Commissioner Dermody moves that the Board grant the
5 Video Gaming Terminal Establishment Licenses as
6 described by the Bureau of Licensing.

7 MR. KERNODLE: Commissioner Kernodle
8 seconds.

9 CHAIRMAN: Thank you.
10 All in favor?

11 AYES RESPOND

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

14 MR. HANNON: Next is a Conditional VGT
15 License for Vasas, Incorporated, doing business as
16 Lucky Seven Travel Plaza at 360 East Walnut Street,
17 Lock Haven, PA.

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

25 Note, this is strictly a conditional

1 approval. Final approval will be based on the
2 applicant meeting all the eligibility criteria
3 provided in the statute.

4 A final eligibility determination will
5 follow investigation and site inspections by the BIE.

6 I have provided you with a draft Order
7 and ask that the Board consider a motion to approve
8 the Conditional VGT Establishment License for Vasas,
9 Incorporated.

10 ATTORNEY PITRE: Enforcement Counsel
11 has no objection.

12 CHAIRMAN: Questions or comments from
13 the Board?

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

16 MR. KERNODLE: Yes, Commissioner
17 Kernodle moves that the Board grants the Conditional
18 Video Gaming Terminal Establishment License as
19 described by the Bureau of Licensing.

20 MR. LOGAN: Commissioner Logan
21 seconds.

22 CHAIRMAN: Thank you.

23 All in favor?

24 AYES RESPOND

25 CHAIRMAN: All opposed?

1 The motion's adopted.

2 MR. HANNON: In addition, there are
3 Principal and Key Employee Licenses for your
4 consideration.

5 Prior to this meeting, the Bureau of
6 Licensing provided you with a proposed Order for 9
7 Principals and 17 Employees.

8 I ask that the Board consider the
9 Order approving these licenses.

10 ATTORNEY PITRE: Enforcement Counsel
11 has no objection.

12 CHAIRMAN: Questions or comments from
13 the Board?

14 Hearing none, is there a motion?

15 MR. LOGAN: Mr. Chairman, Commissioner
16 Logan moves the Board grant the Principal and Key
17 Employee Licenses as described by the Bureau of
18 Licensing.

19 MR. MUSTIO: Commissioner Mustio
20 seconds.

21 CHAIRMAN: Thank you.

22 All in favor?

23 AYES RESPOND

24 CHAIRMAN: All opposed?

25 The motion's adopted.

1 MR. HANNON: There are also Temporary
2 Licenses.

3 Prior to this meeting, the Bureau of
4 Licensing provided you with an Order regarding the
5 issuance of Temporary Licenses for one Principal and
6 eight Key Employees.

7 I ask that the Board consider the
8 Order approving these licenses.

9 ATTORNEY PITRE: Enforcement Counsel
10 has no objection.

11 CHAIRMAN: Questions or comments from
12 the Board?

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

15 MR. MUSTIO: Mr. Chairman,
16 Commissioner Mustio moves that the Board grant
17 Temporary Principal and Key Employee credentials as
18 described by the Bureau of Licensing.

19 CHAIRMAN: You're on mute, Fran.

20 MS. REGAN: I'm sorry.

21 Commissioner Regan seconds.

22 CHAIRMAN: Thank you.

23 All in favor?

24 AYES RESPOND

25 CHAIRMAN: All opposed?

1 The motion's adopted.

2 MR. HANNON: Next are Gaming Permits
3 and Non-Gaming Registrations.

4 Prior to this meeting, the Bureau of
5 Licensing provided you with a list of 370 individuals
6 to whom the Bureau has granted Temporary or Full
7 Occupation Permits and 209 individuals to whom the
8 Bureau has granted Registrations under the authority
9 delegated to the Bureau of Licensing.

10 I ask that the Board consider a motion
11 approving the Order.

12 ATTORNEY PITRE: Enforcement Counsel
13 has no objection.

14 CHAIRMAN: Questions or comments from
15 the Board?

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

18 MS. REGAN: Mr. Chairman, Commissioner
19 Regan moves that the Board approve the Applications
20 for Gaming Employee Occupation Permits and Non-Gaming
21 Employee Registrations as described by the Bureau of
22 Licensing.

23 MS. SMYLER: Commissioner Smyler
24 seconds.

25 CHAIRMAN: Thank you.

1 All in favor?

2 AYES RESPOND

3 CHAIRMAN: All opposed?

4 The motion's adopted.

5 MR. HANNON: The next matter for your
6 consideration are Withdrawal Requests.

7 In each case the license, permit or
8 registration is no longer required.

9 For today's meeting, I have provided
10 the Board with 2 Key Employees, 37 Gaming and 7
11 Non-Gaming Employee Applicants.

12 I ask that the Board consider the
13 Order approving these Withdrawals.

14 ATTORNEY PITRE: Enforcement Counsel
15 has no objection.

16 CHAIRMAN: Questions or comments from
17 the Board?

18 Hearing none, is there a motion?

19 Frank, you're on mute.

20 MR. DERMODY: Sorry about that.

21 Oops.

22 CHAIRMAN: That's all right. That's -
23 that's okay.

24 MR. DERMODY: All right.

25 Mr. Chairman, Commissioner Dermody

1 moves that the Board grant the Withdrawal of Gaming
2 and Non-Gaming's Employee Applications as described
3 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 MR. HANNON: Next, we have an Order to
13 certify the following Gaming Service Providers: OBEP
14 Payments, LLC and Worth and Company, Incorporated.

15 I have provided you with a draft
16 Order. And ask that the Board consider the Order
17 certify these gaming service providers.

18 ATTORNEY PITRE: Enforcement Counsel
19 has no objection.

20 CHAIRMAN: Questions or comments from
21 the Board?

22 Hearing none, is there a motion?

23 MR. KERNODLE: Mr. Chairman,
24 Commissioner Kernodle moves that the Board approve
25 the Gaming Service Provider Certification as

1 described by the Bureau of Licensing.

2 MR. LOGAN: Commissioner Logan
3 seconds.

4 CHAIRMAN: Thank you.
5 All in favor?

6 AYES RESPOND

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

9 MR. HANNON: And finally, for your
10 consideration are Gaming Service Provider
11 Registrations.

12 The Bureau of Licensing provided you
13 with an Order and attached list of 16 registered
14 Gaming Service Provider Applicants.

15 I ask that the Board consider the
16 Order registering the gaming service providers.

17 ATTORNEY PITRE: Enforcement Counsel
18 has no objection.

19 CHAIRMAN: Questions or comments from
20 the Board?

21 Hearing none, is there a motion,
22 please?

23 MR. LOGAN: Commissioner Logan moves
24 the Board approve the Gaming Service Provider
25 Registrations as described by the Bureau of

1 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 MR. HANNON: This concludes the Bureau
10 of Licensing matters.

11 Thank you.

12 CHAIRMAN: Thank you very much, Sean.
13 Next, we'll go onto the Chief

14 Enforcement Counsel Cyrus - Cyrus Pitre.

15 ATTORNEY PITRE: Good morning.

16 The OEC will present seven matters
17 today for the Board's consideration, in which we will
18 request the approval of one Consent Agreement, one
19 revocation, two suspensions and three Involuntary
20 Exclusions.

21 The next matter on the agenda for the
22 Board's consideration is a Consent Agreement between
23 the OEC and Fantasy Contest Operator Applicant,
24 Fantasy Sports Games, LLC.

25 The matter will be presented by

1 Assistant Enforcement Counsel Thomas Monaghan.

2 Mr. Hanna is here on behalf of Fantasy
3 Sports Games, LLC. At this time, I would ask that
4 Mr. Hanna introduce himself for the record and be
5 sworn in.

6 MR. HANNA: Thank you, Mr. Chairman
7 and members of the Board.

8 My name is Mark Hanna. I'm the
9 President and CEO of Fantasy Sports Games, which is a
10 wholly-owned subsidiary of RealTime Fantasy Sports
11 operating out of the State of Missouri.

12 COURT REPORTER: Okay.

13 I'll swear you - I'll swear you in
14 real quick.

15 Will you just raise your right hand,
16 sir?

17 CHAIRMAN: Thank you.

18 ---

19 MARK HANNA,

20 SWORN TO TESTIFY

21 ---

22 CHAIRMAN: Okay.

23 Let's proceed.

24 ATTORNEY MONAGHAN: Good morning.

25 Thomas Monaghan, with the OEC.

1 The next matter for the Board's
2 consideration is a Consent Agreement between Fantasy
3 Sports Games, LLC and the OEC, regarding Fantasy
4 Sports Games offering fantasy contests to patrons
5 located in Pennsylvania without being licensed or
6 authorized to do so by the PGCB.

7 On or about December 26, 2019, Fantasy
8 Sports Games submitted an initial Application for
9 licensure as a Fantasy Contest Operator in
10 Pennsylvania.

11 During the course of the background
12 investigation, the BIE discovered and Fantasy Sports
13 Games disclosed that it accepted contest entries from
14 Pennsylvania residents going back to 2007, and that
15 it continued to do so after the amendment to the
16 Gaming Act, which made such activity unauthorized
17 unless an application was timely filed with the
18 Board. Those changes to the Act took effect in May
19 of 2018.

20 Fantasy Sports Games allowed
21 participants located in Pennsylvania to enter fantasy
22 contests, pay an entry fee and earn cash payouts
23 after the law was passed, and became effective up
24 until the company began the application process to
25 obtain a license in Pennsylvania in February of 2019.

1 On or about the - the time that
2 Fantasy Sports Games began that application process
3 in February 2019, Fantasy Sports Games added
4 Pennsylvania to its geolocation filtering software,
5 blocking entrants - entrants from Pennsylvania.

6 According to Fantasy Sports Games,
7 they were unaware of the amendments to the Act
8 involving fantasy contests that went into effect in
9 May of 2018.

10 At this time, the OEC requests that
11 the Board approve this Consent Agreement between the
12 parties. The terms of the settlement include that
13 within five days of the Board's Order approving this
14 Consent Agreement, Fantasy Sports Games shall pay a
15 civil penalty of \$7,500 and an administrative fee in
16 the amount of \$2,500.

17 If you have any questions, the OEC is
18 available to answer them at this time.

19 ATTORNEY PITRE: Thank you.

20 Mr. - Mr. Hanna, do you have anything
21 you want to add?

22 ---

23 MARK HANNA,
24 CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND
25 HAVING BEEN PREVIOUSLY SWORN, TESTIFIED AND SAID AS

1 FOLLOWS:

2

3 MR. HANNA: Mr. Monaghan's summary is
4 - is accurate.

5 I know this sounds strange, we're a
6 company of seven people. You're looking at the CEO,
7 CFO, Compliance Officer, everything for the company.

8 We do our best to try to keep up with
9 - with state laws, regulation.

10 The minute Mr. Hannon, who has been
11 very gracious in helping me, let us know that, hey,
12 you cannot operate fantasy games as long as you're a
13 sole - not under licensure, we immediately - I - I
14 think the COO told him to add Pennsylvania to our
15 geolocation software.

16 And we immediately, February 2019 cut
17 that off. We have been cut off since that time, even
18 before we applied in December of 2019. And we've
19 just been waiting for a license, sir.

20 CHAIRMAN: Okay. Thank you very much.

21 I appreciate you taking the time to be
22 present.

23 Are there any other questions or
24 comments from the Board at this time?

25 Hearing none, is there a motion to

1 approve this Consent Agreement?

2 MR. MUSTIO: Mr. Chairman,
3 Commissioner Mustio moves that the Board approve the
4 Consent Agreement between the OEC and Fantasy Sports
5 Games, LLC as described by the OEC.

6 MS. REGAN: Commissioner Regan
7 seconds.

8 CHAIRMAN: Thank you.
9 All in favor?

10 AYES RESPOND

11 CHAIRMAN: All opposed?
12 The motion is adopted.
13 Thank you for your participation, Mr.
14 Hanna.

15 MR. HANNA: Thank you, everyone.

16 ATTORNEY PITRE: The next three
17 matters on the agenda consist of enforcement actions
18 in which the OEC filed complaints seeking the
19 revocation or suspension of Gaming Employee
20 Occupation Permits issued by the Board.

21 Complaints have been filed with the
22 Board's OHA and properly served upon the individual
23 named in each complaint. The individual named in
24 each complaint failed to respond within 30 days, as
25 required by Board regulation.

1 As a result, the - the OEC filed a
2 Request for Default Judgment in each instance and
3 properly served the same upon each named Respondent.

4 Therefore, the facts in each complaint
5 are deemed admitted. All file documents have been
6 provided to the Board. And the matters are presently
7 ripe for the Board's consideration.

8 Deputy Chief Enforcement Counsel
9 Dustin Miller will provide a brief summary of the
10 facts and make a request for the appropriate Board
11 action in each matter.

12 ATTORNEY MILLER: Good morning,
13 Chairman Barasch, members of the Board.

14 The next item on the agenda for the
15 Board's consideration is a suspension of the Gaming
16 Employee Occupation Permit issued to Brittany Gibbs.

17 The BIE received notification that Ms.
18 Gibbs was arrested and charged with multiple
19 felonies, including drug - drug charges, fleeing or
20 attempting to elude an officer and materially false
21 written statements, among other charges. These
22 charges are currently pending.

23 Ms. Gibbs is not currently employed in
24 the Pennsylvania gaming industry. She previously was
25 hired for the position of Cage Cashier 3 at Harrah's

1 Philadelphia Casino and Racetrack.

2 At this time, the OEC requests that
3 the Board suspend the Gaming Employee Occupation
4 Permit issued to Brittany Gibbs.

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

7 Hearing none, is there a motion?

8 MS. REGAN: Mr. Chairman, Commissioner
9 Regan moves that the Board approve the suspension of
10 Brittany Gibbs' Gaming Employee Occupation Permit for
11 the conduct described by the OEC.

12 MS. SMYLER: Commissioner Smyler.
13 Second.

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 is a request to suspend the Gaming
21 Employee Occupation Permit issued to Tatyana Webster.

22 Ms. Webster was hired as a Marketing
23 Operations Representative at Harrah's Philadelphia
24 Casino and Racetrack but is not currently employed in
25 Pennsylvania's gaming industry.

1 The BIE was notified that Ms. Webster
2 was arrested by the Philadelphia Police Department
3 and criminally charged for threatening three
4 individuals and pointing a gun at them. The charges
5 remain pending in Philadelphia County.

6 At this time, the OEC requests that
7 the Board suspend the Gaming Employee Occupation
8 Permit issued to Tatyana Webster.

9 CHAIRMAN: Questions or comments from
10 the Board?

11 Hearing none, is there a motion?

12 MS. SMYLER: Mr. Chairman,
13 Commissioner Smyler moves that the Board approve the
14 suspension of Tatyana Webster's Gaming Employee
15 Occupation Permit for the conduct described by the
16 OEC.

17 MR. DERMODY: Commissioner Dermody
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 revocation of the Gaming Employee Occupation Permit
2 issued to William Weisler. Mr. Weisler was
3 previously employed as a Security Officer at Parx
4 Casino.

5 While employed at Parx, Mr. Weisler
6 attempted to enter Rivers Philadelphia Casino with a
7 non-legitimate identification. Mr. Weisler was under
8 the age of 21 at the time of the incident.

9 Mr. Weisler was terminated from Parx
10 due to this incident and is not currently employed in
11 Pennsylvania's gaming industry.

12 At this time, the OEC requests that
13 the Board revoke the Gaming Employee Occupation
14 Permit issued to William Weisler.

15 CHAIRMAN: Questions or comments from
16 the Board?

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

19 MR. DERMODY: Mr. Chairman,
20 Commissioner Dermody moves that the Board approve the
21 revocation of William Weisler's Gaming Employee
22 Occupation Permit for the conduct described by the
23 OEC.

24 MR. KERNODLE: Commissioner Kernodle
25 seconds.

1 CHAIRMAN: Thank you.

2 All in favor?

3 AYES RESPOND

4 CHAIRMAN: All opposed?

5 The motion's adopted.

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

12 In each - in each instance, the
13 petition for exclusion has been filed with the
14 Board's OHA and properly served upon the individual
15 named in the petition. The individual named in each
16 petition failed to respond within 30 days, as
17 required by Board regulation.

18 As a result, the OEC filed a Request
19 for Default Judgment in each matter and properly
20 served the same upon each individual.

21 Therefore, all facts in each petition
22 are deemed admitted. All filed documents have been
23 provided to the Board. And the matters are presently
24 ripe for the Board's consideration.

25 In each instance, if the Board orders

1 the proposed exclusion, each individual's photo,
2 personal identifiers and/or a summary of the inimical
3 conduct may be placed on the Board's public website.

4 Once again, Deputy Chief Enforcement
5 Counsel Dustin Miller will provide a brief summary of
6 the facts and make a request for the appropriate
7 Board action.

8 ATTORNEY MILLER: Dustin Miller once
9 again, on behalf of the OEC.

10 The next matter on the agenda for the
11 Board's consideration is a request to place Perry
12 Kellam on the Board's Involuntary Exclusion List.

13 Mr. Kellam was involved in ten
14 robberies involving patrons and employees from Rivers
15 Philadelphia Casino, who were followed and robbed at
16 various locations in Philadelphia after leaving the
17 casino.

18 Mr. Kellam was charged by the
19 Philadelphia Police Department related to the
20 robberies, including robbery, conspiracy,
21 racketeering, theft and weapons violations.

22 At this time, the OEC requests that
23 the Board place Perry Kellam on the Involuntary
24 Exclusion List.

25 CHAIRMAN: Questions or comments from

1 the Board?

2 Hearing none, is there a motion?

3 MR. KERNODLE: Mr. Chairman,

4 Commissioner Kernodle moves that the Board approve
5 the addition of Perry Kellam to the PGCB Involuntary
6 Exclusion List for the conduct described by the OEC.

7 MR. LOGAN: Commissioner Logan

8 seconds.

9 CHAIRMAN: Thank you.

10 All in favor?

11 AYES RESPOND

12 CHAIRMAN: All opposed?

13 The motion's adopted.

14 ATTORNEY MILLER: The next matter for
15 the Board's consideration is a petition to place
16 Matthew Pietluck on the Board's Involuntary Exclusion
17 List.

18 Mr. Pietluck stole \$3,000 in gaming
19 cheques from a table game at Parx Casino while the
20 Dealer was engaged in her duties.

21 Mr. Pietluck ran out of the casino
22 before he could be apprehended.

23 Mr. Pietluck was criminally charged
24 with felony theft and felony receiving stolen
25 property, which remain pending at this time. And a

1 bench warrant has been issued for his arrest.

2 At this time, the OEC requests that
3 the Board place Matthew Pietluck on the Involuntary
4 Exclusion List.

5 CHAIRMAN: Questions or comments from
6 the Board?

7 Hearing none, is there a motion?

8 MR. LOGAN: Mr. Chairman, Commissioner
9 Logan moves that the Board approve the addition of
10 Matthew Pietluck to the PGCB Involuntary Exclusion
11 List for the conduct described by the OEC.

12 MR. MUSTIO: Commissioner Mustio
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: Finally, on the
20 agenda is a request to place Jeffrey Murphy on the
21 VGT Involuntary Exclusion List.

22 Mr. Murphy was a patron at VGT
23 Establishment Licensee Love's Travel Stops & Country
24 Stores, Inc., doing business as Love's Travel Stop
25 #324 located in Mifflinville, Pennsylvania.

1 During this time, Mr. Murphy forcibly
2 entered a video gaming terminal and stole
3 approximately \$3,202.81 in cash or cash equivalents.
4 Mr. Murphy was criminally charged for his actions.

5 At this time, the OEC requests that
6 the Board place Jeffrey Murphy on the VGT Involuntary
7 Exclusion List.

8 CHAIRMAN: Questions or comments from
9 the Board?

10 Hearing none, is there a motion?

11 MR. MUSTIO: Mr. Chairman,
12 Commissioner Mustio moves that the Board approve the
13 addition of Jeffrey Murphy to the PGCB Video Gaming
14 Terminal Involuntary Exclusion List for the conduct
15 described by the OEC.

16 MS. REGAN: Commissioner Regan
17 seconds.

18 CHAIRMAN: Thank you.

19 All in favor?

20 AYES RESPOND

21 CHAIRMAN: All opposed?

22 The motion's adopted.

23 ATTORNEY PITRE: Thank you.

24 That concludes our business.

25 CHAIRMAN: Thank you, Cyrus.

1 Okay.

2 As best I can tell, that concludes
3 today's meeting.

4 The next public meeting of the Board
5 will be held on Wednesday, June 16th at 10:00 a.m.

6 Given the continued uncertainties, I
7 advise all interested parties to monitor the - the
8 Board's website for the latest information as to how
9 that meeting will be conducted.

10 May I have a motion to adjourn the
11 meeting?

12 MS. REGAN: Mr. Chairman, Commissioner
13 Regan moves for adjournment.

14 MS. SMYLER: Commissioner Smyler
15 seconds.

16 CHAIRMAN: All in favor?

17 AYES RESPOND

18 CHAIRMAN: All opposed?

19 The motion is adopted and we are
20 adjourned.

21 * * * * *

22 VIDEOCONFERENCE MEETING CONCLUDED AT 11:20 A.M.

23 * * * * *

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CERTIFICATE

I hereby certify that the foregoing proceeding was reported by me on 5/19/2021 and that I, Derek Richmond, 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 19th day of June 2021



Derek Richmond,
Court Reporter

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