COMMONWEALTH OF PENNSYLVANIA
GAMING CONTROL BOARD
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PUBLIC MEETING
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BEFORE: DAVID M. BARASCH, CHAIRMAN
Gregory C. Fajt; Richard G. Jewell; Keith R. McCall; Anthony C. Moscato; William H. Ryan, Jr.; David W. Woods, Members;
Fred Strathmeyer, representing Russell Redding, Secretary of Agriculture;
Jennifer Langan, representing Timothy Reese, State Treasurer; Robert P. Coyne, representing Eileen H. McNulty, Secretary of Revenue
MEETING: Wednesday, October 5, 2016
LOCATION: Strawberry Square Complex
320 Market Street, 2nd Floor
Harrisburg, PA 17101
WITNESSES: Kim Hankins; Charles Harris; Michael Paul;
Juliette Porcelli, Alex Hvizda, Esquire;
T.L.
Reporter: Cynthia Piro Simpson
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CHAIRMAN:

Good morning. I'm David Barasch, Chairman of the Pennsylvania Gaming Control Board. Before we begin, I'd like to ask everybody to turn off or put on silent their cell phones. I have to do that myself. With us today we have Fred Strathmeyer, representing Russell Redding, Secretary of Agriculture; Jennifer Langan, representing Tim Reese, State Treasurer; and Bob Coyne representing Eileen McNulty, Secretary of Revenue. Thank you all for coming. A quorum of the Board being present, I'll call today's proceedings to order. First, the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

Before we begin our meeting, we have several presentation of Service Awards to certain parties given out by Kevin O'Toole.

MR. O'TOOLE:

Good morning, Chairman Barasch. Good morning, members of the Board. It's always an enjoyable event to begin a public meeting by recognizing employees who have provided competent and
loyal service to our agency for over a decade. And they are on their way to their second decade of employment with our agency. So, without any further ado, I'd like these seven individuals to please stand up. Thank you. And with the assistance of our Director of Human Resources, Claire Yantis, we're going to provide Certificates of Appreciation to these seven employees.

So, first and foremost, we have Pam Lewis. Pam began her employment with the PGCB in May of 2006. And since I have been here for six-and-a-half years, Pam has been my Executive Assistant. And thank you very much for your service. She has recently accepted the responsibilities to also provide support services to Chairman Barasch. Thank you very much for your service, Pam. Congratulations.

MS. LEWIS:
Thank you. Thank you very much.

MR. O'TOOLE:
Our second recipient is Glen Stuart. Glen Stuart also began his employment in May of 2006 as an Assistant Enforcement Counsel in our Office of Enforcement Counsel (OEC). Glen continues his role with the OEC. He is currently a Senior Enforcement Counsel. And I know that during those years he has
been assigned to provide special counsel to a number of our bureaus and offices. And for a while he provided outstanding support to our Bureau of Gaming Operations in ensuring that internal controls of casinos met our regulatory standards.

Congratulations, Glen, and thank you for your service.

Our third honoree is Kevin Kile. Kevin began his employment in May of 2006 as well. And when he began his employment, it was as an auditor. Soon thereafter, recognizing his experience in the horseracing industry, we promoted Kevin to Director of Racetrack Gaming within our Bureau of Gaming Operations. Kevin, thank you very much for your service and congratulations.

Angela Harper is our next honoree. Angela began her employment in June of 2006, and she began as an Administrative Assistant. And she had the opportunity to provide outstanding support services to a number of bureaus within the agency, including the Bureau of Casino Compliance. Angela is always looking for new challenges within the division and within the Bureau of Casino Compliance, so she's applied for a Casino Compliance Representative position, which she's been in for about three or four years now. And she is assigned to Hollywood Casino and Penn National
Racecourse. Angela, thank you very much for your service and congratulations.

Doug Harbach needs no introduction. Doug is here at every public meeting and he's here at all of the other official gatherings of the Board. Doug began his employment with the PGCB in July of 2006 as the Deputy Director of Communications. And when that position became open for a new Director, Doug was the best candidate and the logical choice, and he has been our Director of Communications ever since. And Doug also spearheaded the beginning of the Speaker's Bureau, which allows all of our board members and other key executives to provide very valuable information to the citizens of the Commonwealth about what we do as regulators and what the casino industry contributes to our Commonwealth. Doug, thank you very much for your service.

Our next honoree is Sherry Megonnel. Sherry also began her employment back in July of 2006 as an Administrative Assistant. Sherry has had an opportunity to work with a number of bureaus. For quite a while she was the Administrative Assistant for the Office of Information Technology. Sherry had an opportunity to go upstairs and work with BIE in what was initially a tavern investigation unit. Recently,
Sherry has also accepted the challenge to come down to the fifth floor again with the Bureau of Licensing as a Licensing Technician. Sherry, thank you very much for your service.

And last but not least --- come away from the wall. She's a very unassuming gal. You could walk around here for years and all of a sudden recognize Kristen in the hallway. Kristin Hand began her employment in September of 2006 as a Budget Analyst working for David Rhen in the Bureau of Financial Management. Kristin performs a whole lot of very important financial related functions for the Board, but the one that we all kind of take advantage of frequently is the fact that Kristin collates and distributes daily, weekly and monthly information about gaming revenue and gaming taxes, which we all need to know on a quick basis. So, Kristin, we really appreciate all of your efforts, congratulations, and thank you.

MS. HAND:

Thank you.

MR. O'TOOLE:

So let's have a round of applause.

APPLAUSE

CHAIRMAN:
Thanks, Kevin. By way of an announcement, the Board held an executive session yesterday, October 4th, for the purpose of discussing personnel matters and to conduct quasi-judicial deliberations relating to matters that are going to be considered today.

Initially there was a public meeting previously scheduled for October 26th. I'll remind everyone that that session has been canceled, but our next public session will be held November --- Wednesday, November 16th, at 10:00, in this room.

Next, we have consideration of a motion to approve the minutes of the August 10th and September 7th meetings and the transcript of the August 10th meeting. Do we have such a motion?

MR. RYAN:
Mr. Chairman, I move that the Board approve the minutes and transcripts of the August 10th and September 7th, 2016 meetings.

MR. WOODS:
Thank you.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
Opposed? Motion's adopted. Under new business, we will next hear from our Executive Director, Kevin O'Toole, regarding the Meadows Standardbred Association's amendment to their Health Insurance Plan. Kevin?

ATTORNEY O'TOOLE:

Good morning. Once again, as you can see, we're going to have a matter involving a racetrack operation, so our Director of Racetrack Gaming, Kevin Kile, will make a brief presentation.

MR. KILE:

Good morning, Chairman, members of the Board. The Meadows Standardbred Owners Association or MSOA, has requested approval of an amendment to their Health Insurance Plan and Drivers' and Trainers' Retirement Savings Plan.

Under Section 1406 of the Act, approximately four percent of funding received from the Racehorse Development Fund is required to be used to fund health insurance and pension benefits to the members of the horsemen's organizations and their families in accordance with the Rules of Eligibility Requirements of each organization. Subsection (f) of Section 1406 of the Act requires that all health and pension benefit contracts be approved by the Board.
The MSOA represents the horse owners, trainers and others that race at the Meadows. Representatives from the MSOA to my left are present today and would like to address the amendment to their Health Insurance Plan and Retirement Plan with the Board.

MR. HANKINS:

Good morning, Mr. Chairman.

KIM HANKINS, HAVING FIRST BEEN DULY SWORN, TESTIFIED AS FOLLOWS:

A. Again, good morning to all. We come to you today to ask for a proposal to change our health and retirement plans. It's a small but substantive change. We reduced our number of race days this year from 208 to 186, approximately ten percent. So, with looking at the retirement and health benefits, we have a minimum --- or had a minimum of 35 starts for trainers and incrementally up from there for trainers and 50 minimum starts for drivers and up from there. So, what we're asking is to drop the minimum and the incremental numbers to match the number of race days that we have reduced, and that would bring it down --- the trainers would go down to 30 starts per year to be
qualified and drivers to go down to 45 starts and then incrementally up from there. Like I said, it's a small change, but it's substantive. People that are borderline, that don't quite make it or on the incremental side, they don't quite get up to the next level. So, that's what we're here to ask for today, is your approval of this proposal. Our attorney, Tom King, has proposed Amendment Number Two that I'm sure Kevin will turn in to you, and that's the legal reference to what I've said. And hopefully, you can give us a positive view on that.

CHAIRMAN:

Thank you. Are there any questions or comments from the Board?

MR. WOODS:

Just one question. How many drivers and trainers are there?

A. There's 153 and this is retirement. 153 trainers and 30 drivers and 63 grooms. We provide a retirement program for our grooms also from the Act 71 money because they're a vital part to our industry also.

CHAIRMAN:

Any questions here? Ex-officio, any questions? May I have a motion?
MR. WOODS:
Mr. Chairman, I move that the Board
grant the Meadows Standardbred Owners Association's
Amendment to their Health Insurance Plan and Drivers'
and Trainer's Retirement Savings Plan, as proposed by
the Office of Racetrack Gaming.

ATTORNEY FAJT:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
Opposed? Motion's adopted. Thank you very much.

A. Thank you so much for your consideration.

CHAIRMAN:
The next, Human Resources. Claire?

MS. YANTIS:
Good morning, Chairman, Board members. The Office of Human Resources has one motion for your consideration today relative to hiring of Mr. Stephen Dunn. Mr. Dunn has been selected as the Director of Information Technology and has completed the PGCB interview process, background investigation and drug screening. He is recommended for hire by Executive
Director O'Toole. Unless you have any questions, I ask for the Board to consider a motion to hire Mr. Dunn as indicated.

CHAIRMAN:
Questions or comments from the Board? May I have a motion?

MR. FAJT:
Mr. Chairman, I move that the Board approve the Applicant as proposed by the Director of Human Resources.

MR. JEWELL:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
Anybody opposed? The motion's adopted.

MS. YANTIS:
Thank you.

CHAIRMAN:
Dave Rhen, Director of Financial Management.

MR. RHEN:
Good morning, Chairman and Board members. I'm here today to present a quarterly update
of expenditures. This would include the time period July 1st through September 30th. During the first quarter of the fiscal year, expenditures totaled $7,974,000. This is a decline of $406,000 or 4.8 percent in the same quarter last year. This is predominantly due to timing differences.

Eighty-eight (88) percent of the quarterly expenditures were for payroll, which totaled $7 million. Salaries, overtime and payouts totaled $4.1 million and benefits totaled $2.9 million. The average payroll expense for the quarter was down about $5,000 per payroll from last year. This was a result of carrying, A, fewer employees and a decrease in the employer health benefit contribution of six percent.

Despite the decline in health benefit costs, benefit expenses as a percentage of salaries increased 70 percent and 68 percent a year ago. This is primarily as the result of a 19-percent increase in pension costs.

Operating and fixed asset expenses combined totaled $969,000 or 12 percent of overall quarterly expenses. The largest operating and fixed actual expenses for rentals and leases, which totaled $436,000. Telecommunications expenses at $113,000 and software licenses at $109,000. That concludes my
CHAIRMAN:
Thank you. Any questions from the Board?

MR. FAJT:
Thank you, Mr. Chairman. Dave, just a quick question. What percentage of our annual allocation have we spent so far in the first quarter?

MR. RHEN:
Twenty (20) percent.

MR. FAJT:
Thank you.

CHAIRMAN:
Thanks, Dave.

MR. RHEN:
Thank you.

CHAIRMAN:
Doug, Office of Chief Counsel (OCC)?

ATTORNEY SHERMAN:
Good morning, Chairman and members of the Board. Today we have four petitions before you for consideration. Each is to be decided on the documents filed of record as they are uncontested. In each of the matters the Board has in advance of this meeting been provided with the petition, the answer of
OEC, any other documents of record. And those are
some of the matters that have been presented to the
Board for each.

The first petition today is that of Ace
Marketing & Promotions, which seeks to be removed from
the Board's Prohibited Gaming Service Provider List.
Ace Marketing filed a Registered Gaming Service
Provider Application with the Board in January of
2008, after which it provided services to Mohegan Sun
and Pocono Downs between January of '08 and April of
that year and received about $17,000 in payments,
while an application investigation was ongoing.

Ultimately, Ace Marketing was placed on
the Prohibited Gaming Service Provider List in
December of 2008 after it failed to cue deficiencies
in its application. Ace Marketing has now filed a
request to be removed from the Prohibited Gaming
Service Provider List. The OEC does not object to
that removal as long as Ace Marketing pays a $1,500
civil penalty and files the appropriate application
package for the Board prior to conducting any further
business. That is the matter now before the Board
ready for consideration.

CHAIRMAN:
Any questions or comments from the Board
on this? May I have a motion?

MR. JEWELL:

Mr. Chairman, I move that the Board grant Ace marketing & Promotions' petition to be removed from the Prohibited Gaming Service Provider List contingent on payment of a $1,500 civil penalty as described by the OCC.

MR. MCCALL:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.

ATTORNEY SHERMAN:
The next petition before the Board is that of Delvon McMillian. He has a request to be removed from the Involuntary Exclusion List. On March 31st, 2015, the Board placed Mr. McMillian on the Involuntary Exclusion List for six months, after which he could petition for removal from the list. He was placed on the list after it was determined that he left his nine-year-old son in his car while he went inside Harrah's Philadelphia for approximately 15 minutes. Although the Chester City Police were
called, no charges were filed against him.

The six-month term has now long expired, and he is requesting to be removed from the Involuntary Exclusion List. There is no objection to that. And therefore, his request is before the Board and ready for consideration and approval.

CHAIRMAN:
Questions or comments from the Board?

May I have a motion?

MR. MCCALL:
Mr. Chairman, I move that the Board grant the petition of Delvon McMillian to be removed from the Pennsylvania Gaming Control Board Involuntary Exclusion List, as described by the OCC.

MR. MOSCATO:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
Opposed? Motion's adopted.

ATTORNEY SHERMAN:
The next matter is William Jefferson's Petition for Reconsideration of the Board's Order which denied his Gaming Employee Permit Renewal
Application. By way of background, in May of 2015 Mr. Jefferson submitted a Renewal Application for a Gaming Permit to allow him to continue working as a security officer at the SugarHouse Casino. On August 10th, 2016, the Board denied that application based on his lack of tax compliance with both the Pennsylvania Department of Revenue and the IRS.

Subsequently, on September 6th, 2016, Mr. Jefferson informed the Board staff that he is now compliant with his taxes and requested reconsideration of his Renewal Application. The Bureau of Licensing has confirmed that he now is compliant with his tax obligations. OEC has no objection to that request. So, the request for reconsideration is now ready for the Board's consideration.

CHAIRMAN:
Questions or comments from the Board?
Mr. Coyne, I assume the Revenue Department is happy?

MR. COYNE:
Yes, we are.

CHAIRMAN:
Do we have a motion?

MR. MOSCATO:
Mr. Chairman, I move that the Board
grant the Petition of William Jefferson for reconsideration of the denial of his Gaming Employee Occupation Permit Application and that his Renewal Application be approved.

ATTORNEY RYAN:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
Opposed? Motion is adopted.

ATTORNEY SHERMAN:
The final petition before the Board pertains to the OEC's request to revoke Ronald Wentz's Gaming Permit. Mr. Wentz has waived his right to a hearing and, therefore, the Board can decide the matter on the documents filed of record.

The uncontested facts in the matter show that on May 26th and May 29th of this year Mr. Wentz, who is employed as a security officer at Sands Bethworks, was determined to have engaged in an inappropriate use of surveillance equipment. Based on that determination, Mr. Wentz was terminated from Sands and has acknowledged in his response to his petition his conduct now is a matter of the request to
revoke his permit that is ready for the Board's consideration.

CHAIRMAN:
Questions or comments from the Board?
Do I have a motion?

MR. RYAN:
Mr. Chairman, I move that the Board grant the petition to revoke Ronald Wentz's Gaming Employee Occupation Permit, as described by the OCC.

MR. WOODS:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted. Next, presenting Withdrawals and reports reporter sand Recommendations is Deputy Chief Counsel Steve Cook.

ATTORNEY COOK:
Good morning. The Board received several unopposed petitions to withdraw the applications or surrender the credentials of the following individuals and entities. Cremosa Food Company, LLC; Fred Clark Enlow; Joseph Girard O'Brien; the General Retirement System of the City of Detroit;
the Police and Fire Retirement System of the City of
Detroit; GRS PITG Holdings Corp; PFRS PITG Holdings
Corp; Jon Soren Reynertson; Abraham T. Han; Lucky 9
Enterprise, Inc.; Filomena A. Arce; the Carpenters
Pension and Annuity Fund of Philadelphia and Vicinity;
the Pennsylvania Regional Center LP V; CanAm
Pennsylvania Regional Center, LLC; CanAm PA GP V, LLC;
CanAm PA Enterprises, LLC; Tommy Rosenfeld; Petra
Vidmar and GLP Southeast Properties I, LLC. The OEC
has no objection to any of these petitions and, as a
result, if the Board were to grant same, they would be
doing so without prejudice.

CHAIRMAN:
Any questions or comments from the
Board? Do I have a motion?

MR. WOODS:
Mr. Chairman, I move that the Board
issue an Order to approve the Withdrawals and
Surrenders as described by the OCC.

MR. FAJT:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion is adopted.

ATTORNEY COOK:

Next before the Board for consideration are nine Report and Recommendations received from the Office of Hearings and Appeals (OHA). In each of these matters the complete evidentiary record, along with the Report and Recommendation, have been provided to the Board in advance of this meeting. Additionally, in each case, the person that is subject to the Report and Recommendation has been notified of this matter being taken by the Board today and that they have the ability to come forward and briefly address the Board if they so choose. I would note that at least three of these persons are in the audience.

The first Report and Recommendation before the Board pertains to Matthew Duda. Mr. Duda was issued a Gaming Level 2 Employee Occupation Permit in January 2013 to work as a Dual Rate Table Supervisor and Tip Manager at Presque Isle Downs. In April of 2015, Mr. Duda allegedly sent harassing text messages to a coworker with whom he had previously had a relationship. Some of those texts threatened violence at the property. As a result of his conduct, Mr. Duda was arrested and charged with terrorist...
threats and disorderly conduct and the Board thereafter revoked Mr. Duda's G2 permit on August 5th, 2015.

OEC has now brought a petition to place Mr. Duda on the Exclusion List. A hearing on this request was held on June 1st, 2016, with both OEC and Mr. Duda appearing and putting evidence into the record. Mr. Duda's participation in the hearing essentially was that --- his position was that there was no evidence, in fact, showing that he owned a cell phone and, as a result, the OEC couldn't prove that the texts in question which were put into evidence were from him. After hearing all of that evidence, including Mr. Duda's evidence, the Hearing Officer concluded that his testimony wasn't credible and, as a result, the Report and Recommendation recommended that he, in fact, be placed on the Exclusion List.

CHAIRMAN:
Questions or comments from the Board?
May I have a motion?

MR. FAJT:
Mr. Chairman, I move that the Board adopt the Report and Recommendation issued by the OHA regarding the placement of Matthew Duda on the PGCB Involuntary Exclusion List, as described by the OCC.
MR. JEWELL:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.

ATTORNEY COOK:
The next Report and Recommendation before the Board today pertains to Charles Harris. I believe Mr. Harris is in the audience, if he wants to come forward. By way of background, in August of 2015 Mr. Harris submitted an application for a Non-Gaming Employee Registration seeking work as a computer technician for Pendum, LLC, a Board-credentialed Gaming Service Provider which is in the business of repairing ATMs and casino ticket redemption units.

On his application Mr. Harris fully disclosed that in October 2002 he pled guilty to bank fraud and conspiracy charges stemming from a fraudulent check cashing scheme. And as a result of his conviction, he was sentenced to 27 months' incarceration followed by three years supervised release and the payment of over $117,000 in restitution.
Mr. Harris requested a hearing, which was held on May 24th, 2016. Both he and OEC appeared, offering testimony and documentary evidence. Mr. Harris testified, acknowledging his prior criminal conduct, but stating that, since he has completed his term of incarceration and supervised release, he is also --- he has had no additional contact with law enforcement, continues to make payments towards the restitution obligation, completed an IT training programing and education program, and has worked in various West Virginia casinos, repairing ATMs and ticket redemption units. He also mentors at his church, engaging young people to avoid involvement in criminal activity.

After hearing all the evidence presented, the Report and Recommendation issued by the Board Hearing Officer recommends that the Board approve Mr. Harris's Non-Gaming Employee Application as he has shown substantial evidence of rehabilitation. That is the evidence --- or the Recommendation before the Board. And as indicated, Mr. Harris is present.

CHAIRMAN:

Mr. Harris, do you wish to make any statement or just to answer questions?
MR. HARRIS:
A statement.

CHAIRMAN:
Would you please stand to be sworn?

CHARLES HARRIS, HAVING FIRST BEEN DULY SWORN,
TESTIFIED AS FOLLOWS:

A. Good morning, Board members, Mr. Chairman. I want to just say thank you to the appeal process, giving me this Recommendation to get my license. I really appreciate it. And be here today to stand in front of the actual Board just to show my appreciation to be here. And I'm looking forward to advancing my career to the highest level I can possibly take it.

This is a new step in the right direction. So, with this right here, my family is in back there. My wife and my two daughters have come with me just to verify all of the accomplishments that I've made so far.

CHAIRMAN:
Does anybody have any questions for Mr. Harris or anyone in this matter? None. May I have a motion, please?

MR. JEWELL:
Mr. Chairman, I'd move that the Board
adopt the Report and Recommendation issued by the OHA regarding Charles Harris's Non-Gaming Employee Registration Application, as described by the OCC.

MR. MCCALL:
Second.

CHAIRMAN:
All in favor.

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted. Good luck to you, sir.

A. Thank you all.

ATTORNEY COOK:
The next Report and Recommendation before the Board today pertains to Gerald Laughing. Mr. Laughing was issued a Gaming Level 2 Employee Permit on July --- during July of 2010 and was employed as a Pit Floor Supervisor at the Meadows Racetrack and Casino prior to being terminated on March 8th of 2016.

On March 21st of 2016, the OEC filed a Complaint to suspend Mr. Laughing's G2 Permit. The Complaint alleged that on February 24th, 2016, this gentleman was charged with unlawful restraint, simple assault and harassment, stemming from an incident that
occurred with his coworker, with whom he had previously had a relationship. Specifically, it was alleged that Mr. Laughing had sent this woman in question approximately 100 text messages in a 24-hour period. Later, the coworker went to Mr. Laughing's home to confront him, and it is alleged that a physical altercation took place there, where Mr. Laughing was the aggressor.

A hearing in this matter was held on June 14th, 2016. The OEC appeared, providing evidence in support of the allegations made. Mr. Laughing also appeared and testified, denying the allegations of assault and, in fact, testifying that he was the victim of an assault rather than vice versa. He also provided pictures of himself showing bruising and scratching on his body.

After hearing all of the evidence presented, the Report and Recommendation issued by the Board Hearing Officer recommends that the Suspension remain in place because, in fact, Mr. Laughing continues to be charged with the felony charges. That is the Recommendation before the Board.

CHAIRMAN:
Questions or comments from the Board?
May I have a motion?
MR. MCCALL:

Mr. Chairman, I move that the Board adopt the Report and Recommendation issued by the OHA regarding the suspension of Gerald Laughing's G2 Employee Permit, as described by the OCC, and that Mr. Laughing's permit be suspended until at least disposition of his pending criminal charges, at which time he may petition the Board to have the Suspension lifted.

MR. MOSCATO:

Second.

CHAIRMAN:

All in favor?

ALL SAY AYE

CHAIRMAN:

All opposed? Motion's adopted.

ATTORNEY COOK:

Pamela Marchant's Report and Recommendation is next before the Board. In February of 2016 Ms. Marchant submitted her Gaming Employee Permit Application seeking work as a Cage Cashier at Chester Downs Marina, Harrah's Philadelphia.

On May 12th of 2016 the OEC issued a Notice of Recommendation of Denial of this application based upon Ms. Marchant's failure to file her 2014
Federal Income Tax Return, as well as a $101 debt owed to the Philadelphia Parking Bureau. Ms. Marchant failed to respond to repeated BIE attempts to have her address these issues.

A hearing in this matter was held on July 20th, 2016. Despite requesting the hearing and receiving notice of it, Ms. Marchant failed to attend the hearing and it was held in her absence. The Hearing Officer took in evidence supporting the unfiled tax return and the debt owed to the City of Philadelphia. And as a result, the Report and Recommendation subsequently issued and that before the Board recommends that her application be denied.

CHAIRMAN:
Questions or comments from the Board?
May I have a motion?

MR. MOSCATO:
Mr. Chairman, I move that the Board adopt, in result, the Report and Recommendation issued by the OHA regarding Pamela Marchant's Gaming Employee Occupation Permit Application, as described by the OCC.

MR. RYAN:
Second.

CHAIRMAN:
All in favor?
ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.

ATTORNEY COOK:
The next Report and Recommendation pertains to Michael Paul. I believe Mr. Paul may also be present today. By way of background, in March of 2016 Mr. Paul submitted an application for a Gaming Permit seeking work as a Count Room Representative at Harrah's Philadelphia.

On May 12th, 2016, the OEC issued a Notice of Recommendation of Denial based upon the nature and recency of Mr. Paul's criminal history. Specifically, in September of 2014, Mr. Paul pled guilty to several misdemeanors relating to a domestic dispute with his wife and an ensuing altercation with police.

A hearing on this matter was held on July 19th, 2016. Both the OEC and Mr. Paul participated in the hearing and put evidence into the record. Mr. Paul, at that hearing, admitted his actions, stating that he had made a mistake and he's learned from it. He also submitted several letters attesting to his good character. Additionally, Mr.
Paul's wife, who was the victim of the domestic assault, indicated that, while it did occur, she nevertheless felt that he was an honest and trustworthy individual.

After hearing all of the evidence presented, a Report and Recommendation was issued by the Hearing Officer, finding that Mr. Paul's one involvement with law enforcement appeared to be an anomaly and that there was nothing in the record to question his honesty. And as a result, the Hearing Officer ultimately recommends that his application be approved. That is the recommendation before the Board. As indicated, Mr. Paul is present.

CHAIRMAN:
Mr. Paul, do you wish to address us or just respond to questions?

MR. PAUL:
Yes.

CHAIRMAN:
Would you please stand and be sworn?

MICHAEL PAUL, HAVING FIRST BEEN DULY SWORN, TESTIFIED AS FOLLOWS:

CHAIRMAN:
Do you have anything to say?
A. I drove from Philadelphia, a long drive.

CHAIRMAN:
Keep your voice up, please.
A. I'm sorry. I drove from Philadelphia. It was a long drive. And I wanted to come here to be face to face with you gentlemen and say I will take this and grow from it.

CHAIRMAN:
Any questions from anybody, from the Board? Thank you. May I have a motion, please?

MR. RYAN:
Mr. Chairman, I move that the Board adopt the Report and Recommendation issued by the OHA regarding Michael Paul's Gaming Employee Occupation Permit Application, as described by the OCC.

MR. WOODS:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted. Good luck to you, sir.
A. Thank you, gentlemen.
ATTORNEY COOK:

The next matter before the Board today is the Report and Recommendation pertaining to Juliette Porcelli. I believe Ms. Porcelli is also in the room. Ms. Porcelli was issued a Gaming Employee Occupation Permit on August 27th, 2013, and works as a Table Games Dealer at the Parx Casino.

In June of 2014 Ms. Porcelli was arrested and charged with several drug-related offenses. She ultimately pled guilty in November of 2014 to a charge of possession of drug paraphernalia and was sentenced to one year's probation and to undergo and drug and alcohol evaluation. She self-reported that matter to the Board's Bureau of Casino Compliance, and subsequently the OEC sent her a warning letter, informing her that any further criminal conduct could affect her suitability and result in the suspension or revocation of her Gaming Permit.

On August 26th of 2015, approximately a year later, Ms. Porcelli self-reported to the Bureau of Casino Compliance that she had been arrested and charged with retail theft, a summary offense. She ultimately pled guilty to that charge on September 3rd, 2015, and had to pay a fine and court costs. And
consequently, based on that second involvement with law enforcement, the OEC filed a Complaint to revoke Ms. Porcelli's Gaming Employee Occupation Permit.

A hearing in this matter was held on May 4th, 2016. The OEC and Ms. Porcelli, along with Counsel, appeared at the hearing, offering testimony and documentary evidence. Among the evidence presented was the testimony of Ms. Porcelli's mother, who stated that through personal circumstances in her daughter's life she had relapsed into drug use, which may have contributed to her theft conviction, which, by the way, was, I believe, a $90 retail theft, and that she is currently undergoing substance abuse counseling.

The Board of Casino Compliance representative when questioned also testified that, but for her two run-ins with law enforcement, Ms. Porcelli's record at the casino was otherwise spotless. Based upon all of the evidence presented, the Hearing Officer recommends that, in fact, her application not --- or I'm sorry, her permit not be revoked but rather that a two-day suspension be imposed. That is the recommendation before the Board.

As indicated, Ms. Porcelli is present.

CHAIRMAN:
Will you please stand and be sworn?

JULIETTE PORCELLI, HAVING FIRST BEEN DULY SWORN,
TESTIFIED AS FOLLOWS:

CHAIRMAN:
Do you have any comments you want to make this morning?
A. I am obviously sorry for the retail theft. It was a mistake and never to be made again. I did not --- I was not thinking straight at the time. I was under a lot of stress, and I just apologize. The last thing I want to do is lose my job. I truly love working at the casino.

CHAIRMAN:
Questions or comments from the Board?

MR. FAJT:
Ms. Porcelli, so I assume from your testimony you are still working at Parx?
A. Uh-huh (yes).

MR. FAJT:
As part of your drug counseling are you undergoing any drug testing?
A. I go to a doctor and I get drug tested at my doctor.
MR. FAJT:
How often does that happen?
A. Every month. I'm sorry, every two months.

MR. FAJT:
And how long is the drug counseling, slash, testing going on for? Is it a year, two years, indefinite?
A. It's been for two years.

MR. FAJT:
And how much longer are you under that mandate?
A. Until I --- I'm actually on a medication so that it blocks opiates.

MR. FAJT:
But you're saying you're under drug counseling now, as I understood your testimony?
ATTORNEY SHERMAN:
I believe it may be voluntary, though. I don't think it's court imposed.
A. It's voluntary, yes.

MR. FAJT:
Thank you.

CHAIRMAN:
Obviously, you understand that you can't have any more slip-ups here?
A. Absolutely.

CHAIRMAN:
May I have a motion?

MR. WOODS:
Mr. Chairman, I move that the Board adopt the Report and Recommendation issued by the OHA regarding Juliette Porcelli's Gaming Employee Occupation Permit, as described by the OCC.

MR. FAJT:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted. Good luck to you.

ATTORNEY COOK:
The next Report and Recommendation before the Board pertains to an individual with the initials P.S. and her request to be removed from the Voluntary Self-Exclusion List. Pursuant to the findings of fact and the Report and Recommendation issued in this matter, on January 12th, 2010, P.S. entered Mohegan Sun and Pocono Downs Casino, met with the Casino Compliance Representative and requested to
be placed on the Lifetime Self-Exclusion List. The
CCR conducted the mandatory interview with P.S. and
completed all of the required procedures. Thereafter,
P.S. signed the acknowledgement form, selecting a
lifetime self-exclusion.

Approximately six years later, on
February 5th, 2016, P.S. filed a request for early
removal from the Voluntary Self-Exclusion List. The
OEC filed an answer objecting to P.S.'s request and a
hearing was held on June 21st, 2016. Both OEC and
P.S. appeared at the hearing and presented testimony
and evidence. P.S. testified that she had been
hospitalized for post-partum depression and on the day
she was released from the hospital, after, I believe,
a weeklong stay, her then boyfriend told her she could
not home and live with their children unless she
placed herself on the list. P.S. further testified
that her boyfriend took her directly from the hospital
to the Board's offices at Mohegan Sun Pocono.

At the hearing, the CCR which placed her
on the list and processed the paperwork testified that
during the interview with P.S. she was sober, coherent
and there were no outward indications that she was
being coerced. The Report and Recommendation
subsequently issued by the Hearing Officer recommends
that she remain on the Self-Exclusion List, as the
evidence presented by P.S. does not overcome the
testimony and documentary evidence put in by OEC. I
would note, however, for the record that subsequent to
the issuance of the Report and Recommendation, P.S.
filed exceptions to it, attaching to those exceptions
two documents, one being hospital records verifying,
in fact, that she was discharged from the hospital on
the day she placed herself on the list; and
secondarily, an unverified and unsworn statement from
her then boyfriend, indicating that he did, in fact,
mandate her be --- that she be placed on the list
because he did not believe --- not support gaming or
believe it was a controlled activity, but again
indicated it was not verified. It was not otherwise
notarized or anything of that nature. So, those two
additional documents were put into evidence subsequent
to the issuance of the Report and Recommendation.
Again, the Report and Recommendation recommends that
her request was denied and she remains on the Lifetime
Self-Exclusion List.

CHAIRMAN:
Any questions or comments from the
Board? May I have a motion?

MR. FAJT:
Mr. Chairman, I move that the Board adopt the Report and Recommendation issued by the OHA regarding the removal of P.S. from the Voluntary Self-Exclusion List, as described by the OCC. And I believe that we may want a roll call vote on this motion.

MR. WOODS:
I'll second the motion.

CHAIRMAN:
Thank you. All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? I'm sorry. Mr. Ryan, how do you vote?

MR. RYAN:
Aye.

CHAIRMAN:
Tony, how do you vote?

MR. MOSCATO:
Aye.

CHAIRMAN:
Mr. Fajt?

MR. FAJT:
Even though I made the motion, I'm going to vote no.
CHAIRMAN:
The Chair will vote no.

MR. MCCALL:
Aye.

MR. WOODS:
Aye.

MR. JEWELL:
No.

CHAIRMAN:
It's a qualified majority. I guess the motion fails; is that correct?

ATTORNEY SHERMAN:
Her motion fails and the status quo remains in place. She will remain on the list. You need a qualified majority to break the status quo.

The final Report and Recommendation before the Board pertains to Thomas Preston. Mr. Preston was issued a Gaming Employee Permit on April 19th, 2016, to work as a Security Officer at Harrah's. On July 5th, 2016, the OEC filed a request for an Emergency Suspension of Mr. Preston's Gaming Permit after learning that he had been arrested by the OEC and charged criminally with insurance fraud. Specifically, Mr. Preston allegedly filed an insurance claim with Progressive Insurance for vehicle damage.
sustained in an accident for which he had previously
already received payment from Nationwide Insurance.
As a result of his arrest, the Executive Director
issued an Emergency Suspension, as requested by OEC.

A hearing on the validity of the Emergency Suspension was held this past July 21st.
Despite receiving notice, Mr. Preston did not attend.
OEC put in evidence of the alleged insurance fraud.
And as a result, the Report and Recommendation issued recommended that the Emergency Suspension remain in place.

CHAIRMAN:
questions or comments from the Board?
May I have a motion?

MR. JEWELL:
Mr. Chairman, I move that the Board
adopt the Report and Recommendation issued by the OHA regarding Thomas Preston's Gaming Employee Occupation Permit, as described by the OCC.

MR. MCCALL:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
Chris Swanson is the final Report and Recommendation before the Board today. On April 13th, 2016, Mr. Swanson submitted a Gaming Employee Permit Application seeking work as a Table Games Dealer at Harrah's. Mr. Swanson disclosed his complete criminal history on the application, and BIE's investigation confirmed that Mr. Swanson was convicted on various crimes on five different occasions in a 27-month period spanning between 2012 and 2014. As a result of his criminal record and because he is in arrears with his court-imposed costs and fees from those convictions, the OEC issued a Notice of Recommendation of Denial of his application.

A hearing in this matter was held on August 4th, 2016. Both Mr. Swanson and OEC appeared at the hearing, offering testimony and documentary evidence. Mr. Swanson specifically testified without hesitancy as to his prior criminal conduct, indicating that his transgressions are all now behind him. He further indicated that he currently works as an EMT, volunteers in his community working at the firehouse and with young children in the community and also works with several medical rescue emergency response
units. He also testified that he is unable at this
time to fully pay his court costs and is arrears
because of his lack of employment, but he does intend
to make good on those obligations once employed.

Based on Mr. Swanson's testimony, the
Report and Recommendation issued ultimately recommends
that Mr. Swanson's Gaming Permit Application be
approved. That is the recommendation before the
Board.

CHAIRMAN:
Questions or comments from the Board?
May I have a motion?

MR. MCCALL:
Mr. Chairman, I move that the Board
reject the Report and Recommendation issued by the OHA
regarding Christopher Swanson's Gaming Employee
Occupation Permit Application, as described by the
OCC.

MR. MOSCATO:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.
That concludes all matters of the OEC.

Next we have Sue Hensel, Director of Bureau of Licensing.

Thank you, Chairman Barasch and members of the board. Before the Board today will be one Gaming Related Gaming Service Provider Renewal Certification, one Gaming Junket Enterprise License and 846 Principal and Key Gaming and Non-Gaming Employee Applicants. In addition, there will be the consideration of 19 Gaming Service Provider Applications.

The first matter for your consideration is the approval of a Gaming Related Gaming Service Provider Renewal Certification for In Bet Gaming, Inc. In Bet Gaming is the New Jersey-based company that develops side bets and game variations in Black Jack, Craps and Poker. The BIE has completed its investigation of the company and the Bureau of Licensing has provided you with a Background Investigation Suitability Report. I have provided you with a Draft Order and ask that the Board consider the approval of the Gaming Related Gaming Service Provider
Certification for In Bet Gaming, Inc.

CHAIRMAN:
Any comments from Enforcement Counsel?

ATTORNEY PITRE:
Enforcement Counsel has no objection.

CHAIRMAN:
Any questions or comments from the Board? May I have a motion?

MR. MOSCATO:
Mr. Chairman, I move that the Board approve the renewal of In Bet Gaming, Inc.'s Gaming Related Gaming Service Provider Certification, as described by the Bureau of Licensing.

MR. RYAN:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.

MS. HENSEL:
Next for your consideration is the approval of a Gaming Junket Enterprise License for Ghazwan Arabo. Ghazwan Arabo is a sole proprietorship junket business that is based in Michigan and conducts
business in Pennsylvania and Nevada. Ghazwan Arabo has been operating in Pennsylvania under a Conditional License since November of 2015. The BIE has concluded its investigation and the Bureau of Licensing has provided you with a Background Investigation and Suitability Report. I have provided you with a draft Order and ask that the Board consider the approval of a Junket Enterprise License for Ghazwan Arabo.

CHAIRMAN: Thank you. Enforcement Counsel

ATTORNEY PITRE: Enforcement Counsel has no objection.

CHAIRMAN: Thank you. Questions or comments from the Board? May I have a motion?

MR. RYAN: Mr. Chairman, I move that the Board approve the Gaming Junket Enterprise License of Ghazwan Arabo, as described by the Bureau of Licensing.

MR. WOODS: Second.

CHAIRMAN: All in favor?

ALL SAY AYE
CHAIRMAN:
All opposed? Motion's adopted.

MS. HENSEL:
In addition, there are Principal and Key Employee Licenses. Prior to this meeting, the Bureau of Licensing provided you with an Order for 11 Principal and 4 Key Employee License Applicants. I ask that the Board consider the Order approving these licenses.

ATTORNEY PITRE:
Enforcement Counsel has no objection.

CHAIRMAN:
Questions or comments from the Board? May I have a motion?

MR. WOODS:
Mr. Chairman, I move that the board approve the issuance of Principal and Key Employee Licenses, as described by the Bureau of Licensing.

MR. FAJT:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.
MS. HENSEL:

There are also Temporary Principal and Key Employee Licenses. Prior to this meeting, the Bureau of Licensing provided you with an Order regarding the issuance of Temporary Licenses for 22 Principal and 3 Key Employees. I ask that the Board consider the Order approving these licenses.

ATTORNEY PITRE:

Enforcement Counsel has no objection.

CHAIRMAN:

Questions or comments from the Board?

May I have a motion?

MR. FAJT:

Mr. Chairman, I move that the Board approve the issuance of Temporary Principal and Key Employee Credentials as described by the Bureau of Licensing.

MR. JEWELL:

Second.

CHAIRMAN:

All in favor?

ALL SAY AYE

CHAIRMAN:

All opposed? Motion's adopted.

MS. HENSEL:
Next are the Gaming Permits and Non-Gaming Registrations. Prior to this meeting, the Bureau of Licensing provided you with a list of 586 individuals to whom the Bureau has granted Temporary or Full Occupation Permits and 204 individuals to whom the Bureau has granted Registration under the authority delegated to the Bureau of Licensing. I ask that the Board consider a motion approving the Order.

ATTORNEY PITRE:
Enforcement Counsel has no objection.

CHAIRMAN:
Thank you. Questions or comments from the Board? May I have a motion?

MR. JEWELL:
Mr. Chairman, I move that the Board approve the issuance of Gaming Employee Permits and Non-Gaming Employee Registrations as described by the Bureau of Licensing.

MR. RYAN:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.
MS. HENSEL:
Also are recommendations of denial for five Gaming and four Non-Gaming Employee Applicants. In each case the Applicant failed to request a hearing within the specified time period. The Bureau of Licensing has provided you with an Order addressing the Applicants who the OEC has recommended for denial. I ask that the Board consider a motion approving the denial.

ATTORNEY PITRE:
Enforcement Counsel continues to request denial in each instance.

CHAIRMAN:
Questions or comments from the Board? May I have a motion?

MR. MCCALL:
Mr. Chairman, I move that the Board deny the Gaming and Non-Gaming Employee Applications, as described by the Bureau of Licensing.

MR. MOSCATO:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.

MS. HENSEL:

In addition, for your consideration are withdraw requests for Key, Gaming and Non-Gaming Employees. In each case, the Permit or Registration is no longer required. For today's meeting I have provided the Board with a list of 1 Key, 21 Gaming and 3 Non-Gaming Employee Withdrawals for approval. I ask that the Board consider the Order approving the list of withdrawals.

ATTORNEY PITRE:
Enforcement Counsel has no objection.

CHAIRMAN:
Thank you. Questions or comments from the Board? May I have a motion?

MR. MOSCATO:
Mr. Chairman, I move that the Board approve the withdrawals, as described by the Bureau of Licensing.

MR. RYAN:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.

MS. HENSEL:

Next we have an Order to certify the following Gaming Service Provider Applicants, Bonland Industries, Inc.; Eastern Exterior Wall Systems, Inc.; and Schindler Elevator Corporation. I ask that the Board consider the order approving these Gaming Service Providers for certification.

ATTORNEY PITRE:

Enforcement Counsel has no objection.

CHAIRMAN:

Questions or comments from the Board? May I have a motion?

MR. RYAN:

Mr. Chairman, I move that the Board approve the applications for Gaming Service Provider Certification, as described by the Bureau of Licensing.

MR. WOODS:

Second.

CHAIRMAN:

All in favor?

ALL SAY AYE

CHAIRMAN:

All opposed? Motion's adopted.
Finally for your consideration are Gaming Service Provider Registrations. The Bureau of Licensing provided you with an Order and attached list of 16 Registered Gaming Service Provider Applicants. I'd ask that the board consider the Order approving these registrations.

ATTORNEY PITRE:
Enforcement counsel has no objection.

CHAIRMAN:
Questions or comments from the Board? May I have a motion?

MR. WOODS:
Mr. Chairman, I move that the Board approve the applications for Gaming Service Provider Registration, as described by the Bureau of Licensing.

MR. FAJT:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.

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

CHAIRMAN:
Thank you, Susan.

ATTORNEY PITRE:
The OEC will present 21 matters for the
Board's consideration today, consisting of three
Consent Agreements, 4 Revocations and 14 Involuntary
Exclusions.

The first matter on OEC's agenda for the
Board's consideration is a Consent Agreement that the
OEC has negotiated with Mountainview Thoroughbred
Racing Association, doing business as Hollywood
Casino. The matter will be presented by Assistant
Enforcement Counsel Kim Adams.

ATTORNEY ADAMS:
Mr. Chairman, members of the Board, good
morning. The next Consent Agreement for your
consideration is between the OEC and Mountainview
Thoroughbred Racing Association whereby Hollywood
Casino acknowledges there was procedural violations
regarding the table game play of poker. As part of
the Consent Agreement, Hollywood Casino agrees to pay
a civil penalty in the amount of $10,000 and
associated costs in the amount of $2,500.

On July 9th, 2016, the table game of
poker was being conducted improperly at Hollywood Casino where a deck of cards that was being used contained two eight of Spades and was missing an eight of Clubs. This procedural violation was discovered when the player at C10 was holding a six of Spades and an eight of Spades and another eight of Spades was dealt onto the poker board. Hollywood Casino immediately stopped game play and the deck of cards was removed from the table. Hollywood Casino confirmed that the deck contained two eight of Spades and was missing an eight of Clubs. This deck of cards was in play for approximately three hours.

The parties have entered into a Consent Agreement that within five days of the Board Order Hollywood Casino will pay a civil penalty in the amount of $10,000 and associated costs in the amount of $2,500 for the costs incurred by the OEC and other staff in connection with this matter. The OEC recommends that the Board approve this Consent Agreement. And if you have any questions, we'll be happy to answer them at this time. And Mr. Hvizda is here on behalf of Hollywood Casino.

CHAIRMAN:

Just for the record, would you stand and be sworn?
ATTORNEY HVIZDA:

I'm an attorney.

CHAIRMAN:

Oh, you're an attorney. Never mind. Do you wish to make a statement?

ATTORNEY HVIZDA:

Mr. Chairman, the Board, we take this matter seriously. Following this incident, we completely scrapped our card renewal, poker card renewal process, because clearly it wasn't working. We redesigned the entire card deck inspection room and added a mechanical step by reprogramming one of the shufflers to show us if there is a card missing or a duplicate, another card. So, hopefully, with those improvements, we'll never be before you with this issue again.

CHAIRMAN:

Thank you. Are there any questions from the Board? May I have a motion?

MR. FAJT:

Mr. Chairman, I move that the Board approve the Consent Agreement between the OEC and Mountainview Thoroughbred Racing Association, as described by the OEC.

MR. JEWELL:
Second.

CHAIRMAN:

All in favor?

ALL SAY AYE

CHAIRMAN:

All opposed? Motion's adopted. Thank you.

ATTORNEY ADAMS:

The next Consent Agreement for the Board's consideration is between the OEC and Edward Rogers, whereby Mr. Rogers is acknowledging that, while as a patron at Mohegan Sun Pocono, he inappropriately touched a female beverage server on her buttocks while she was working in the area of Pits Two and Three. As part of the Consent Agreement, Mr. Rogers will be placed on the Board's Involuntary Excluded Persons List for three years, during which time he will be barred from petitioning or requesting a hearing with the Board for early consideration of his removal from the list.

On March 5th, 2016, a female beverage server was speaking with a customer at Blackjack Table SCJ03-305, which is located in Pit Three of Mohegan Sun Pocono. Mr. Rogers was walking in the area between Pits Two and Three with another guest. As Mr.
Rogers approached this Blackjack table, he switched the drink he was holding from his right hand to his left hand, then inappropriately touched the beverage server on her buttocks with his right hand. The beverage server immediately notified a security officer of the incident and pointed out Mr. Rogers to the security officer. Mr. Rogers was escorted off the gaming floor by the security officer, and the Casino Compliance Representative on duty, the security supervisor, Pennsylvania State Police all responded to the area.

While in the presence of these individuals, Mr. Rogers was informed that there was surveillance of the incident and he admitted the conduct. Pennsylvania State Police charged Mr. Rogers with summary harassment, subject other to physical contact, to which he entered a guilty plea to those offenses on March 14th, 2015.

The OEC and Edward Rogers have entered into a Consent Agreement whereby Mr. Rogers will be placed on the Board's Involuntary Exclusion List for a period of three years. During the three-year time period, Mr. Rogers is barred from petitioning or requesting a hearing of the Board for early consideration of his removal from the list. Mr.
Rogers may file a petition with the Board to request a hearing for the removal of his name from the list at any time after three years. Placement of Mr. Rogers on the Exclusion List shall have the effect of requiring exclusionary ejection of himself from all licensed facilities in the Commonwealth and to be prohibited from collecting in any matter any winnings or recovering any losses arising as a result of any gaming activities in the entire period of time he is on the Board's Exclusion List. If Mr. Rogers violates any terms of this Consent Agreement, the Agreement will be set aside by the Board. In the event of such a violation causing the Agreement to be set aside, Mr. Rogers will remain on the Exclusion List until such time as he is removed by the Board. At this time the OEC is requesting the Board to accept this Consent Agreement. If you have any questions, we'll be happy to answer them at this time.

CHAIRMAN:

Questions or comments from the Board?

May I have a motion?

MR. JEWELL:

Mr. Chairman, I move that the Board approve the Consent Agreement between the OEC and Edward Rogers, as described by the OEC.
MR. MCCALL:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.

ATTORNEY PITRE:
The next matter on the agenda for the Board's consideration is a Consent Agreement that the OEC has negotiated with T.L., a self-excluded individual licensed by the Board. This matter will be presented by Senior Enforcement Counsel Glen Stuart.

ATTORNEY STUART:
Thank you. Next for the Board's consideration --- Glen Stuart, S-T-U-A-R-T, with the OEC. Next for the Board's consideration is a Consent Agreement entered into between the OEC and a Gaming Employee Permittee with the initials T.L.

In January 2013 T.L. placed himself on the Board's Self-Exclusion List for a period of five years. By placing himself on the Self-Exclusion List, T.L. agreed that he would refrain from entering any gaming facility in Pennsylvania and would refrain from any gaming activity in Pennsylvania.
On or about March 8th, 2015, the Board issued T.L. a Gaming Employee Permit. On March 29th, 2016, T.L. attempted to gain access to the gaming floor in Pennsylvania. T.L. was found to be on the Self-Exclusion List before he could access the gaming floor. T.L. was issued a citation for criminal trespass as a result of his actions. And at the time, T.L. was employed as a Table Games Dealer at a Pennsylvania casino and he was still utilizing his Gaming Employee Permit in that capacity.

The terms of the Consent Agreement require T.L. to have his Gaming Employee Permit suspended for a period of three consecutive calendar days for violating the terms of his self-exclusion program and for violating the laws of the Commonwealth. The Consent Agreement is now ripe for the Board's consideration.

CHAIRMAN:
Do you wish to make any comments, sir?
T.L.:
Yes.

CHAIRMAN:
We're not going to use your name, but would you please stand and be sworn by the court reporter.
T.L., HAVING FIRST BEEN DULY SWORN, TESTIFIED AS
FOLLOWS:

CHAIRMAN:

Please proceed.

A. I admit I had a gambling problem, and that's why I placed myself on the list. And this past year I grew. My mom, she got sick, and she's a single mom, and it's only me and my three younger problems. And she hasn't been working much hours and the bills have been behind, my little brother's tuition. And she wasn't around, and so I just decided not to gamble anymore. I work every day now and all the money goes to her. I learned my lesson. I don't really think or urge to gamble anymore or even think about it.

CHAIRMAN:

Are there any questions or comments from the Board? May I have a motion?

MR. MCCALL:

Mr. Chairman, I move the Board approve the Consent Agreement between the OEC and T.L., as described by the OEC.

MR. MOSCATO:

Second.
CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted. Good luck to you, sir.

A. Thank you.

ATTORNEY PITRE:
The next four matters on the agenda consist of enforcement actions in which the OEC has filed complaints seeking the revocation of two Gaming Permits and two Non-Gaming Registrations issued to individuals by the Board. Each complaint has been filed with the Board's OHA and properly served upon the individuals named in each complaint. The individual named in each complaint failed to respond within 30 days, as required by Board regulations. As a result, the OEC filed a request for default judgment and properly served the same upon each named individual. Thereby, the fact that each complaint are deemed admitted, all filed documents have been provided to the Board and the matters are presently ripe for the Board's consideration. In each matter we'll read a brief summation and request the appropriate Board action.
ATTORNEY ADAMS:

Good morning, again. Kim Adams for the OEC. The next matter for the Board's consideration is the revocation of Michael Breznay's Gaming Employee Permit. April 9th, 2016 Mr. Breznay was charged by the Fauquier County Sheriff's Department in Warrenton, Virginia, for felony distribution of a controlled substance and accompanying misdemeanor offenses. He was then also charged on April 20th, 2015 by the Kingston Township Police Department in Wilkes-Barre, Pennsylvania, for felony possession with intent to distribute charges and accompanying misdemeanor offenses. All of his charges are still currently pending. At this time, the OEC is requesting the Board revoke Mr. Breznay's Gaming Employee Permit.

CHAIRMAN:

Questions or comments from the Board? May I have a motion?

MR. MOSCATO:

Mr. Chairman, I move that the board approve the revocation of Michael B. Breznay's Gaming Employee Occupation Permit, as described by the OEC.

MR. RYAN:

Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.

ATTORNEY FERRELL:
Good morning, Chairman, members of the board. Benjamin Ferrell, F-E-R-R-E-L-L. the next matter for your consideration is that of Rahmeen Naylor. On June 21st, 2016 Mr. Naylor was arrested by the Parkside Borough Police Department and charged with two counts of a felony aggravated assault in addition to 11 other misdemeanor charges in connection with an incident in which he pointed a loaded shotgun at his girlfriend and daughter. At this time, OEC would request the Board revoke Rahmeen Naylor's Non-Gaming Employee Registration.

CHAIRMAN:
Questions or comments from the Board? May I have a motion?

MR. RYAN:
Mr. Chairman, I move that the Board approve the revocation of Rahmeen Naylor's Non-Gaming Employee Registration, as described by the OEC.

MR. WOODS:
Second.
CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.

ATTORNEY TEPPER:
Good morning, Chairman Barasch, members of the board. David Tepper, T-E-P-E-R, with the OEC. I have for your consideration today a complaint to remove the Non-Gaming Employee Registration of Melissa Shales. Ms. Shales was criminally charged following the alleged abuse of her twin infant children and otherwise endangering the welfare of her three-year-old child. At this point the OEC requests that the Board revoke Melissa Shales's Non-Gaming Employee Registration.

CHAIRMAN:
Questions or comments from the Board? May I have a motion?

MR. WOODS:
Mr. Chairman, I move that the Board approve the revocation of Melissa Shales's Non-Gaming Employee Registration, as described by the OEC.

MR. FAJT:
Second.
CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.

ATTORNEY TEPPER:
Next on the agenda is a complaint to revoke the Gaming Employee Permit of Wade Barnett, Jr. Mr. Barnett was charged with aggravated assault after an accident while he was driving under the influence of alcohol. And at this point, the OEC requests that the Board revoke Mr. Barnett's Gaming Employee Permit.

CHAIRMAN:
Questions or comments from the Board? may I have a motion?

MR. FAJT:
Mr. Chairman, I move that the Board approve the revocation of Wade Barnett's Gaming Employee Occupation Permit, as described by the OEC.

MR. JEWELL:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.

ATTORNEY PITRE:
The remaining 14 matters on the agenda consist of enforcement actions in which the OEC has filed a petition seeking the involuntary exclusion of individuals whose presence in a licensed facility are inimical to the interests of the Commonwealth and/or licensed gaming therein.

In each instance, the Petition for Exclusion has been filed with the Board's OHA and properly served upon the individual named in the petition. The individual named in the petition failed to respond within 30 days, as required by Board regulations. As a result, the OEC filed a request for default judgment in each instance and properly served the same upon each named individual. Thereby, all facts in each petition are deemed admitted. All filed documents have been provided to the Board and the matters are presently ripe for Board consideration. Once again, we'll read a brief summation of the facts and request the appropriate Board action.

ATTORNEY TEPPER:

Good morning again. The next matter on the agenda is a petition to place Brandon Eshaghoff on the Exclusion List. In January of 2016 Brandon
Eshaghoff attempted to use a fake ID to gain access to the gaming floor at Mount Airy Casino. He was subsequently cited by Pennsylvania State Police with violations concerning driver's licenses and pled guilty. And at this time, the OEC requests that the Board add Brandon Eshaghoff to the Board's Involuntary Exclusion List.

CHAIRMAN:
Questions or comments from the Board?

May I have a motion?

MR. JEWELL:
Mr. Chairman, I move that the Board approve the addition of Brandon Eshaghoff to the PGCB Involuntary Exclusion List, as described by the OEC. I further move that Mr. Eshaghoff may petition for removal from the list after his 22nd birthday.

MR. MCCALL:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion is adopted.

ATTORNEY TEPPER:
The next matter on the agenda is to
place Maurice Mathieu on the Board's Exclusion List. In May 2015 Mr. Mathieu stole while at Hollywood Casino. He was criminally charged by the Pennsylvania State Police with theft of property and access device fraud and has since pled guilty to the theft charge. At this time, the OEC requests that the Board add Maurice Mathieu to the Exclusion List.

CHAIRMAN:
Questions or comments from the Board?
May I have a motion?

MR. MCCALL:
Mr. Chairman, I move that the Board approve the addition of Maurice Mathieu to the Pennsylvania Gaming Control Board's Involuntary Exclusion List, as described by the OEC.

MR. MOSCATO:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion is adopted.

ATTORNEY TEPPER:
The next matter on the agenda is Nathaniel Tsimikas. In June 2015 Mr. Tsimikas
attempted to use a fake ID to gain access to the
gaming floor at Mount Airy Casino while he was under
the age of 21. Mr. Tsimikas was subsequently cited by
the Pennsylvania State Police and pled guilty. And at
this time the OEC requests that the Board add
Nathaniel Tsimikas to the Board's Involuntary
Exclusion List.

CHAIRMAN:
Questions or comments from the Board?
May I have a motion?

MR. MOSCATO:
Mr. Chairman, I move that the Board
approve the addition of Nathaniel Tsimikas to the PGCB
Involuntary Exclusion List, as described by the OEC.
I further move that Mr. Tsimikas may petition for
removal from the list after his 22nd birthday.

MR. RYAN:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion is adopted.

ATTORNEY ADAMS:
The next matter for the Board's
consideration is the placement of Dimitrija Noceski on the Board's Excluded Person List. March 31st, 2015, while at Mohegan Sun Pocono Mr. Noceski stole a patron's purse and was criminally charged with various offenses. On July 1st of 2015 Mr. Noceski was ejected from Parx Casino after he stole a patron's wallet and was panhandling outside the casino. No charges were filed in these incidents. At this time the OEC is requesting Mr. Noceski's placement on the Board's Excluded Persons List.

CHAIRMAN:
Questions or comments from the Board?

May I have a motion?

MR. RYAN:
Mr. Chairman, I move that the Board approve the addition of Dimitrija Noceski to the PGCB Involuntary Exclusion List, as described by the OEC.

MR. WOODS:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion is adopted.

ATTORNEY ADAMS:
The next item for the Board's consideration is the placement of the Tiana Teti on the Board's Exclusion List. January 19th, 2016 Ms. Teti, while under age, gained access to Mohegan Sun Pocono's gaming floor. Sat at a spot where she had attempted to order an alcohol beverage and when requested to produce a valid ID, she refused. She was criminally charged and pled guilty to an offense under our Act. At this time the OEC requests that she be placed on the Board's Exclusion List.

CHAIRMAN:
Questions or comments from the Board?

May I have a motion?

MR. WOODS:
Mr. Chairman, I move that the Board approve the addition of Tiana Teti to the PGCB Involuntary Exclusion List, as described by the OEC. I further move that Ms. Teti may petition for removal from the list after her 22nd birthday.

MR. FAJT:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
The next matter for your consideration is that of Jabree Snowden. On October 16th, 2015, Mr. Snowden had posted and/or capped five wagers on five different hands while playing Blackjack at Harrah's Philadelphia Racetrack and Casino. At this time OEC would request that the Board place Jabree Snowden on the Involuntary Exclusion List.

Questions or comments from the Board?

May I have a motion?

Mr. Chairman, I move that the Board approve the addition of Jabree Snowden to the PGCB Involuntary Exclusion List, as described by the OEC.

Second.

All in favor?

ALL SAY AYE

All opposed? Motion's adopted.

Good morning, Mr. Chairman, members of
the board. Michael Roland, R-O-L-A-N-D, with the OEC. Next is a request to place Faith Grant on the Involuntary Exclusion List. Ms. Grant, who was age 19 at the time, gained access through the use of another individual's legitimate identification. She was challenged by security at Sands and the identification successfully scanned. Ms. Grant was on the property for just over one hour. She did not game; however, a cocktail waitress served her an unknown beverage. She was not charged by the Pennsylvania State Police. The matter is now before the Board to consider the placement of Faith Grant on the Board's Involuntary Exclusion List.

CHAIRMAN:
Questions or comments from the Board?
May I have a motion?

MR. JEWELL:
Mr. Chairman, I move that the Board approve the addition of Faith Grant to the PGCB Involuntary Exclusion List, as described by the OEC. I further move that Ms. Grant may petition for removal from the list after her 22nd birthday.

MR. MCCALL:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion's adopted.

ATTORNEY MILLER:
Good morning, Chairman Barasch, members of the Board. Dustin Miller on behalf of the OEC. The next two matters are related so with the Board's permission, I'll read one set of facts and then ask each individual to be placed on the Exclusion List.

ON January 2nd, 2016, Jarrett Nelson and Ebony Walker came to Parx Casino and left their eight-year-old, three-year-old and one-year-old daughters in their vehicle while they went inside Parx Casino and played slot machines. Parx Casino security personnel discovered the children and called the Bensalem Township Police. When Mr. Nelson and Ms. Walker returned to their vehicle over an hour later, they were taken into custody and each charged with three counts of endangering the welfare of children and reckless endangering another person. At this time both Mr. Nelson and Ms. Walker have pleaded guilty to one count each of the aforementioned crimes and have been sentenced to probationary terms for their conviction.
The OEC filed a petition to place Mr. Nelson on the Exclusion List on May 13th, 2016. Based upon the foregoing, the OEC asks that the Board place Jarrett Nelson on the Board's Excluded Persons List.

CHAIRMAN:
Questions or comments from the Board?
May I have a motion?

MR. MCCALL:
Mr. Chairman, I move that the Board approve the addition of Jarrett Nelson to the PGCB Involuntary Exclusion List, as described by the OEC.

MR. MOSCATO:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion is adopted.

ATTORNEY MILLER:
The OEC also filed a petition to place Ms. Walker on the Exclusion List on May 13th, 2016. Based upon the foregoing, the OEC asks that the Board place Ebony Walker on the Board's Excluded Persons List.

CHAIRMAN:
Questions or comments from the Board?

May I have a motion?

MR. MOSCATO:

Mr. Chairman, I move that the Board approve the addition of Ebony Walker to the PGCB Involuntary Exclusion List, as described by the OEC.

MR. RYAN:

Second.

CHAIRMAN:

All in favor?

ALL SAY AYE

CHAIRMAN:

All opposed? Motion is adopted.

ATTORNEY CROHE:

Good morning, Chairman, members of the Board. John Crohe, C-R-O-H-E, for the OEC. The next three matters for the Board's consideration are related. So, with your permission, I'll read one set of facts and ask that each person be placed on the Board's Exclusion List.

Brandon Butler and Jeffrey Norris were discovered in a vehicle in the Meadows Casino parking lot while under the age of 21. And in the vehicle it was discovered that there were knives, an unlicensed and unregistered firearm, a small amount of marijuana
and a small amount of narcotics were discovered in the vehicle.

Upon further search, the owner and driver of the vehicle, Frankie Butler, was discovered gaming inside the casino with a telescoping baton on his person. Brandon Butler was then charged with making a repairs, selling offensive weapon and possession a small amount of marijuana as was Jeffrey Norris. Frankie Butler was charged with carrying an unlicensed firearm. I now ask that Brandon Butler be placed on the Board's Excluded Persons List.

CHAIRMAN:

Any questions or comments from the Board? May I have a motion?

MR. RYAN:

Mr. Chairman, I move that the Board Deny OEC's request to add Brandon Butler to the PGCB Involuntary Exclusion List.

MR. WOODS:

Second.

CHAIRMAN:

All in favor?

ALL SAY AYE

CHAIRMAN:

All opposed? Motion adopted.
MR. CROHE:

The OEC now asks that Frankie Butler, the owner and driver of the vehicle, be added to the Board's Excluded Persons List.

CHAIRMAN:

Questions or comments from the Board? May I have a motion?

MR. WOODS:

Mr. Chairman, I move that the Board deny OEC's request to add Frankie Butler to the PGCB Involuntary Exclusion List.

MR. FAJT:

Second.

CHAIRMAN:

All in favor?

ALL SAY AYE

CHAIRMAN:

All opposed? Motion is adopted.

ATTORNEY CROHE:

The OEC now asks that Jeffrey Norris be added to the Board's Excluded Persons List.

CHAIRMAN:

Questions or comments from the Board? May I have a motion?

MR. FAJT:
Mr. Chairman, I move that the Board deny OEC's request to add Jeffrey Norris to the PGCB Involuntary Exclusion List.

MR. JEWELL:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion is adopted.

ATTORNEY CROHE:
And the last two matters again are related. With the Board's permission, I ask to read one set of facts and then each person be placed on the Board's Exclusion List.

Two individuals, Lisa Barczak and Ryan Taylor, were discovered working together and actively participating in a scheme to use other players' other individual's player's cards to collect free play at Rivers Casino. The OEC now asks that the Board add Lisa Barczak to the Board's Excluded Person's List.

CHAIRMAN:
Questions or comments from the Board?

May I have a motion?

MR. JEWELL:
Mr. Chairman, I move that the Board approve the addition of Lisa Barczak to the PGCB Involuntary Exclusion List, as described by the OEC.

MR. MCCALL:
Second.

CHAIRMAN:
All in favor?

ALL SAY AYE

CHAIRMAN:
All opposed? Motion is adopted.

ATTORNEY CROHE:
And the OEC would now ask that Ryan Taylor be added to the Board's Excluded Persons List.

CHAIRMAN:
Questions or comments from the Board? May I have a motion?

MR. MCCALL:
Mr. Chairman, I move that the Board approve the addition of Ryan Taylor to the Pennsylvania Gaming Control Board Involuntary Exclusion List, as described by the OEC.

MR. MOSCATO:
Second.

CHAIRMAN:
All in favor?
ALL SAY AYE

CHAIRMAN:

All opposed? Motion is adopted.

ATTORNEY PITRE:

Thank you. That concludes our business.

CHAIRMAN:

That concludes today's meeting. As stated earlier, the next scheduled public meeting will be held Wednesday, November 16th. It will begin at ten o'clock in this room.

Do we have any final comments from the Board or ex-officio members? If not, may I have a motion to adjourn?

MR. MOSCATO:

Mr. Chairman, although it pains me to do so, I will make a motion to adjourn this robust meeting.

MR. RYAN:

Second.

CHAIRMAN:

All in favor?

ALL SAY AYE

CHAIRMAN:

All opposed? Motion adopted. Thank you one and all.
* * * * * *

MEETING CONCLUDED AT 11:45 A.M.

* * * * * *
CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Chairman Barasch was reported by me on 10/5/2016 and that I, Cynthia Piro Simpson, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

Cynthia Piro Simpson

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