

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

PUBLIC MEETING

BEFORE: DAVID M. BARASCH, CHAIRMAN
Greg C. Fajt; Richard G. Jewell; Keith R. McCall; Anthony C. Moscato; William H. Ryan, Jr.; Ahmeenah Young (via teleconference), Members, Fred Strathmeyer, representing Russell Redding, Secretary of Agriculture; Jennifer Langan, representing Joseph Torsella, State Treasurer; Robert P. Coyne, representing the Secretary of Revenue; Eileen H. McNulty, Secretary of Revenue

MEETING: Wednesday, February 1, 2017
10:04 a.m.

LOCATION: PA Gaming Bureau of Appeals
303 Walnut Street
Strawberry Square Complex
Harrisburg, PA 17101

Reporter: Rhonda K. Thorpe

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18 ALSO PRESENT:
19 KEVIN O'TOOLE, Executive Director's Report
20 SUSAN HENSEL, Licensing Matters
21 LYNETTE LEE, Director of Compliance, SugarHouse HSP
22 Gaming, LP
23 LINDA POWERS, Director of Marketing, SugarHouse HSP
24 Gaming, LP
25

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ALSO PRESENT:
BORIS KOSTIKOV, Executive Director of Food and
Beverage, Mt. Airy #1
MENA BESHARA, Placement on Involuntary Exclusion List
JUPITER ABRAHAM DALO, Interpreter, Mena Beshara case

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CHAIRMAN:

It being 10:02 I'm going to call this meeting to order. In addition to the six Commissioners up here, Commissioner Ahmeenah Young is on the phone from Philadelphia. She is under the weather today, but she'll be participating telephonically. My name is David Barasch, Chairman of the Gaming Control Board. Before we begin, as always, please put your electronic devices on silent.

Joining us today is Fred Strathmeyer representing Russell Redding, Secretary of the Department of Agriculture. Jen Langan representing Joe Torsella, our new State Treasurer. And Bob Coyne representing Eileen McNulty, but Secretary McNulty is here. Nice to have you here.

MS. MCNULTY:

Thank you.

CHAIRMAN:

Thank you all for coming. A quorum being present, I'll call things to order. First order is the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN:

1 A few housekeeping announcements before
2 we proceed. The Board held an Executive Session
3 yesterday, January 31st to conduct quasi-judicial
4 deliberations relating to matters that we're going to
5 be considering today.

6 Additionally, I'd like to announce that
7 the Gaming Control Board will be holding a Public
8 Hearing regarding the Casino License renewal for Downs
9 Racing, L.P., the operator of Mohegan Sun Pocono on
10 March 29th, 2017, at 10:00 a.m., at the Plains
11 Township Fox Hill Firehouse Number 2. located on 50
12 Second Street, Plains, Pennsylvania.

13 Citizens, community groups, and elected
14 officials wishing to present oral or written
15 testimony, which will be part of the evidentiary
16 record in this matter will be able to register
17 beginning in mid-February by clicking on the QuickLink
18 section of the home page of the Gaming Control Board
19 website.

20 The deadline for registration to speak
21 and for receipt of public comments on the Pocono Sun
22 --- on the Mohegan Sun Pocono renewal is noon on
23 Monday, March 27th. Written comments can be mailed to
24 Gaming Control Board at Post Office Box 69060,
25 Harrisburg, PA, 17106. Attention to the Board Clerk.

1 Comments can also be faxed to the Board Clerk prior to
2 the deadline at 717-265-7416 or e-mailed to
3 BoardClerk@PA.GOV.

4 I'd also like to announce for second
5 time that the Public Session that was originally
6 scheduled for February 22nd has been cancelled. Our
7 next scheduled Public Session will be held on March
8 15th, 10:00 a.m. in this room.

9 Before we get into the particulars of
10 today's meeting, at this time I must announce that
11 it's quite likely that this is the last meeting of two
12 of my fellow --- our fellow Board members; Greg Fajt,
13 who has served as both Chairman and Commissioner, and
14 Keith McCall, who has served many years as
15 Commissioner. I'd just offer a couple brief comments
16 as the prerogative of the Chair. Others of my fellow
17 Board members have served with these two gentlemen for
18 longer than I, but in my 16 months of working with
19 them, I just have a couple comments.

20 First, I'd like to thank both of you for
21 your constant sense of humor and goodwill, which helps
22 make things actually work around here. Your
23 commitment always to do the right thing. Your support
24 of me personally as I've been getting my feet dry,
25 shall we say. And above all, your friendship. And I

1 say to both of you Vaya con Dios.

2 If there are any other comments from
3 other Board members.

4 MR. JEWELL:

5 Yes. Mr. Chairman, thank you. I too
6 would like to add to your comments. Both to Speaker
7 McCall, as I refer to him, that's a high honored
8 position in this Commonwealth --- in the history of
9 this Commonwealth. For his almost four decades of
10 service to the citizens of this Commonwealth. I
11 salute you, sir. And thank you too for your
12 leadership, your friendship. What I've learned from
13 you in the process, which I have been only a year and
14 a half now on this Board.

15 And to Greg Fajt. Greg, to you also,
16 sir, for your over two decades of service to the
17 citizens of this Commonwealth in elected capacity.
18 Both you and the Speaker of course served constituents
19 yourselves in your appointed capacity as a
20 predecessor, I guess twice removed from the Secretary,
21 who is here with us today, in Revenue.

22 And for your historic leadership of
23 implementing, with Governor Rendell and with
24 colleagues in the legislature, this process and the
25 enterprise that is the gaming process here in the

1 Commonwealth of Pennsylvania. For your leadership as
2 Chairman and for your friendship, very two
3 outstanding, collegial gentlemen and I salute you
4 both.

5 MR. RYAN:

6 Mr. Chairman, it's hard to believe Keith
7 and Greg, that it's been over five years since I came
8 onto the Board. And when I came onto the Board,
9 obviously, you two gentlemen were already here. And
10 to be perfectly honest, it's going to seem strange
11 around this place without you. Both of you have made
12 huge contributions to this Board during the time I've
13 been on it.

14 Keith, you brought, as Dick has alluded,
15 a unique perspective. You were in the house when the
16 legislation was debated and when it became law. And I
17 always found your participation, your input
18 invaluable. And I mean that. You had a certain
19 knowledge I didn't have and it really was helpful.

20 And from your perspective, Greg, you go
21 back that far too in the Executive Branch working for
22 Governor Rendell. But you were in on the ground
23 floor, you had to implement it. So, the history you
24 provided this Board when I was here the entire time
25 has been invaluable.

1 And in addition, when I came in, I came
2 in as Chairman and replaced you. And I looked to you
3 for advice, Counsel, and you provided both. And made
4 the first few months of my work on the Board a whole
5 lot easier than it would have otherwise been. And I
6 just want to thank both of you for being outstanding,
7 public officials. Outstanding people who work truly
8 for the public.

9 And that's important and we got a lot
10 done. A lot of good things done, and we had fun doing
11 it. And both of you I'm sure have to know that you're
12 going to be missed. Can't lost two gentlemen like you
13 and not miss them, and you're going to be missed.
14 We'll see you around I'm sure all the time, but I just
15 want to wish the both of you the best of luck.

16 MR. MOSCATO:

17 Well, I'll certainly try to come up with
18 something. I don't like to be verbose, but I'll try
19 to come up with something. Because really I --- words
20 can't really express how I feel. Just --- it's a sad
21 day, although I know that there are fine people still
22 on the Board because I'm still on the Board so. Has
23 to be fine people still on the Board.

24 But I'm just going to tell you guys,
25 you've been wonderful to work with. It's been

1 fantastic having you here. It's been --- I really
2 can't express how I feel. So, I'll just leave it at
3 that.

4 CHAIRMAN:

5 We have some Resolutions that I would
6 need a motion. First is a Resolution regarding
7 Commissioner and former Chairman Greg Fajt. May I
8 have a motion, please?

9 MR. MOSCATO:

10 Mr. Chairman, I would move the Board
11 would adopt Resolution 2017-1-EXE honoring
12 Commissioner Greg Fajt for his service to this Board.

13 MR. JEWELL:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The motion is adopted.
20 Regarding Resolution for Commissioner Keith R. McCall.
21 Do I have a motion?

22 MR. RYAN:

23 Mr. Chairman, I move that the Board
24 adopt Resolution 2017-2-EXE honoring Commissioner
25 Keith McCall for his service to this Board.

1 MR. JEWELL:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 All opposed? The motion is adopted.

8 Thanks both of you.

9 ROOM APPLAUDS

10 MR. FAJT:

11 When do we get to talk, Dave?

12 CHAIRMAN:

13 Now.

14 MR. FAJT:

15 I do want to say a few words. We
16 started this endeavor known as the Pennsylvania Gaming
17 Control Board in April of 2003. Governor Rendell was
18 elected in November of 2002. This was a hallmark of
19 his campaign to reduce property taxes in Pennsylvania
20 through the proceeds of legalized gambling.

21 And he asked me, and Secretary of
22 Revenue, to start a committee to go out and look at
23 other states and find out what they did right and what
24 they did wrong. And I was so fortunate to have my
25 dear, dear friend Eileen McNulty. My dear friend

1 Susan Hensel. Lynne Stale who many of you remember
2 was a consultant to our group and Curt Haines who was
3 an IT professional in the Department of Revenue. We
4 went out, looked at four or five different states,
5 gathered information, budgets, org charts, you know,
6 regulations, and came back.

7 And then when the Gaming bill was
8 passed, which didn't happen until July 5th of 2004.
9 So, almost a year and a half after we formed our
10 initial committee. We were ready to go. And we met
11 with those initial Board members, gave them the
12 information that we had gathered in our due diligence
13 efforts, and we were off to the races.

14 I can't think of a better first Board to
15 have than the Board that we had. They took a lot of
16 arrows. They took a lot of shots, and they made
17 tremendous decisions up and down their decision chain.
18 And we started off with Gaming, the first Licenses
19 were issued in December of 2006. There were rocky,
20 rocky days back then. Those of you who were here as
21 employees understood that, but you kept your heads
22 down, your morale high, and you plugged ahead.

23 And today when I look at what we have in
24 this Commonwealth; the casinos, the bustling casinos,
25 the hotels, the shops, the economic development that

1 we have. There is no doubt the Gaming in Pennsylvania
2 has been an unmitigated success. There are over
3 18,000 jobs in this industry. There are \$410 million
4 spent by the casinos with other businesses in
5 Pennsylvania. And there have been \$12.7 billion,
6 \$12.7 billion of tax revenue from this industry, put
7 into this Commonwealth. And we can --- as we're in
8 tough economic times now, vis-à-vis the State budget,
9 you can imagine where we would be if we had \$12.7
10 billion less.

11 And in closing, I want to thank my
12 fellow Board members; Bill, Tony, David, Keith, Dick,
13 Ahmeenah, Bob, Jennifer, and Fred. We have had a lot
14 of fun on this Board. We take our job seriously. But
15 we always try not to take ourselves too seriously.
16 And the employees who work around our conference room
17 when we're in our meetings, you hear us yell. But
18 mostly you hear us laugh. And that has been a
19 hallmark with this Board since the very, very
20 beginning.

21 I am unaware of any decision that this
22 Board in its 12 years has ever made that was a
23 Democratic or Republican decision. It just never
24 happened. We may disagree, we may, you know, put a no
25 vote on a certain issue, but it was never ever the

1 Republicans vote one way and the Democrats vote
2 another way.

3 And I again go back to the original
4 Board. Their commitment to do what they feel is
5 right, regardless of politics is why we are where we
6 are today. And finally, I want to thank our staff.
7 You guys --- you're the best. Thank you.

8 MR. MCCALL:

9 Thank you, Mr. Chairman. I don't know
10 where to begin. Let me first start by saying I want
11 to thank the gentleman who appointed me, Frank Dermody
12 for his infinite wisdom in making this appointment for
13 me to the Board. But it truly has been an honor and a
14 privilege for me to serve the people of the
15 Commonwealth of Pennsylvania in this capacity.

16 I can echo a lot of what Greg says. You
17 know, first and foremost, you know, I came on this
18 Board to ensure the integrity of Gaming for all levels
19 of Gaming in our casinos. And equally to ensure that
20 the industry can flourish under our regulation. And I
21 think when you hear what Greg has said, I think it's a
22 story that we just do not tell often enough.

23 You know, from protecting --- you know,
24 this all started --- this whole debate about Gaming
25 all started about saving the harness racing and

1 thoroughbred industry here in the Commonwealth of
2 Pennsylvania. And I think we've done that. Not only
3 the industry, but the breeders, the jockeys, the
4 trainers. All have experienced great benefit from
5 Casino gambling here in the Commonwealth of
6 Pennsylvania.

7 But the bottom line is that it aids the
8 number one industry in this Commonwealth and that's
9 Agriculture. People don't realize how much the
10 ancillary spinoff of the racing industry itself
11 benefits Agriculture and that industry here in the
12 Commonwealth of Pennsylvania.

13 And with all that being said, when we
14 think about the jobs, 16,000 plus jobs created in this
15 Commonwealth with this industry. This very agency ---
16 a little under 300 jobs. These 300 jobs are family
17 sustaining jobs. As well as the jobs in the casinos.
18 Jobs that would not be in this Commonwealth were it
19 not for this industry. Including this agency, with
20 the 300 jobs that we have in this agency.

21 So, it really is a story that we don't
22 tell enough. Not to mention the approximate \$700
23 million a year that goes to property tax reform for
24 the citizens of this Commonwealth, that's still asked
25 where is that money? Yet it does flow back into those

1 school districts to reduce property taxes.

2 And the countless millions of dollars
3 that goes to the local share. That many of these
4 communities --- the promises that we made to these
5 communities, with that local share dollars was to take
6 --- so they can handle the impact that casino gambling
7 may have on their communities. And it has been a
8 windfall for them but it has really aided those
9 communities in provided community services.

10 And I think it has to be said that the
11 impacts that we thought were going to be there; crime,
12 delinquency, all those problem gaming. They're there,
13 but not to the degree or level that people ever
14 imagined. So, it really truly has been a success
15 story.

16 And I have to commend the Legislature.
17 When you look around this country, and you look at
18 gaming and casino gaming around the country, this was
19 a very well thought out plan. Very well thought out
20 Legislation. And I think we're all realizing the
21 success of all of that.

22 To the dedicated staff of this agency,
23 Kevin O'Toole, Doug Sherman, Steve Cook, all people
24 that I've worked with every day, Cyrus Pitre, Susan
25 Hensel, Susan Yocum, Claire Yantis, Jerry Stoll,

1 Mozelle Daniels, Doug Harbach, Liz Lanza, Paul Mauro,
2 Paul Resch --- all of you. You're all our front line
3 resources. Our front line employees that --- we
4 couldn't do this job without you.

5 I've said often times. Institutions are
6 only as good as the people that work in those
7 institutions. And the staff of this agency has done
8 an outstanding job in making all of us at this Board
9 look good. For your due diligence, for your work
10 ethic, your dedication to the job, you're all to be
11 highly commended for that. And I'm proud to call you
12 colleagues. But more importantly, I'm proud to call
13 you a friend.

14 To Bob Coyne, Jennifer Langan, Fred.
15 It's always been a pleasure. Don't miss a meeting,
16 sit through those Executive Sessions, and the input
17 that all of you have offered has been invaluable to
18 this Board. And I appreciate the time and the effort
19 that all of you put in as well.

20 Mary Lou, who is my Secretary, retired
21 about two or three weeks ago. I'm not even sure.
22 Somewhere in that vicinity. Evelyn Early, are you
23 back there, Evelynn? Thank you, Evelyn. Doreen
24 Appel, Pam Lewis, Kathy, all the people that I dealt
25 with on a day-to-day basis. Thank you so much for all

1 the work that you've done on behalf of the agency. On
2 my behalf. I appreciate all the time and effort that
3 you put in.

4 But last, but not least, I certainly
5 want to thank this Board and the previous Board
6 members that I have served with. Not only the
7 comradery, collegiality, the common purpose,
8 partnership, and Counsel, I can honestly say that this
9 Board has always worked in a thoughtful, reflective
10 way. And I want to thank Kevin, and Doug Sherman, and
11 Steve for always in a well articulated way as well.

12 I've witnessed a lot in my career.
13 Almost 40 years. But what impresses me the most is
14 how well we worked together as a group on this Board.
15 All of us from different backgrounds and different
16 ideology but all with the same resolve to do what is
17 best for the Commonwealth of Pennsylvania and its
18 citizens.

19 I think --- what Greg said that, you
20 know, he talks about Democratic and Republican. I
21 think a lot of agencies could take a page out of our
22 book and learn from it. It's amazing just through
23 communication and talking, and working with each other
24 we're able to get things done. Now, it's different at
25 this level. We don't have the controversies that you

1 may have across the street, but we've always worked
2 together for a common purpose and a common result.
3 And to the betterment of the people of this
4 Commonwealth, and the industry that we regulate.

5 And that is what has most impressed me.
6 Is how we've always come together and 99.9 percent of
7 the time, came out with a unanimous decision on the
8 things that we do. So, I just want to thank all of
9 you. All of the employees, the Board members. I'm
10 going to certainly miss having my cigar with Mr.
11 Jewell, Dick Jewell and Tony Moscato before our
12 dinners and after our dinners. Because we solved a
13 lot of world problems with those meetings. Bill, you
14 included and Greg as well.

15 So, I'm going to miss all of you, but
16 hopefully we will cross paths in future times I'm
17 sure. And I look forward to seeing you in those
18 times. But thank you so very, very much for the
19 collegiality and support that you've shown me over the
20 years.

21 ROOM APPLAUDS

22 MR. FAJT:

23 Let's get back to work.

24 CHAIRMAN:

25 Next we consider a motion to approve the

1 minutes and transcripts from December 14, 2016. May I
2 have a motion?

3 MR. RYAN:

4 Mr. Chairman, I move that the Board to
5 approve the minutes and transcripts from the December
6 14th, 2016 meeting.

7 MR. FAJT:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 All opposed? Motion is adopted. Under
14 new business we will hear from Kevin O'Toole at this
15 time, our Executive Director.

16 MR. O'TOOLE:

17 Good morning, Chairman Barasch. Good
18 morning, members of the Board. As I was considering
19 what my Executive Director's report would be for
20 today, I wanted --- first of all, I wanted, before we
21 got too far away from calendar year 2016, recognize in
22 a public form the success of the casino industry. At
23 least with respect to a generation of gaming revenue.

24 But more importantly, as the
25 spokesperson for the staff, I wanted to thank on

1 behalf of the staff and myself, Commissioners Fajt and
2 McCall for their long years of support and guidance
3 and leadership on the Gaming Control Board. And as
4 I'm looking at those two topics, it became very
5 obvious that they're inter-related with one another.

6 The decision making of Keith and Greg in
7 consultation with all the Board members that are past
8 and present have really contributed not only to the
9 success of the Gaming Control Board, but to the
10 success of the casinos as well. The willingness to
11 adopt and consider technological developments in
12 gaming equipment. And to promulgate new games, and
13 variations of existing games has really given the
14 industry the tools that they need to put the best
15 gaming product on the gaming floors in Pennsylvania.

16 So, the industry in 2006 --- for the
17 first time you exceeded \$3.2 billion in gross
18 aggregate gaming revenue. And that's to date. The
19 prospects for the future continue to be good. There
20 are significant gaming expansions down the line that
21 have been made public in continuation of non-gaming
22 amenities in hotel development.

23 So, it's quite a legacy for Keith and
24 Greg as they get to the end of their tenure as Board
25 members, that you not only contributed to the Board's

1 success, but to the industry's success as well. Thank
2 you very much.

3 CHAIRMAN:

4 Doug Sherman.

5 ATTORNEY SHERMAN:

6 Good morning, Chairman and members of
7 the Board. I have the easy task today because there
8 are no regulations, no petitions, no withdrawals or
9 surrenders. Just a handful of Report and
10 Recommendations, which Steve Cook will present to you.

11 CHAIRMAN:

12 Thank you.

13 ATTORNEY COOK:

14 Good morning. The Board today has
15 before it for consideration nine Reports and
16 Recommendations received from the Office of Hearings
17 and Appeals (OHA). In each of these matters, the
18 Board has been provided with the complete evidentiary
19 record prior to the meeting today as well as the
20 Report and Recommendation.

21 And additionally, each of these
22 individuals that is the subject of the Report and
23 Recommendation has been notified that the Board would
24 be taking the matter up today and that they could come
25 forward and briefly address the Board. If any of

1 these individuals are present, I'd ask them to come
2 forward when their matter is called.

3 The first Report and Recommendation
4 before the Board stems from a request to be removed
5 from the Voluntary Self Exclusion List. Pursuant to
6 the Findings of Fact in the Report and Recommendation
7 issued in this matter an individual with the initials
8 M.A. on January 1st, 2015 entered the Presque Isle
9 Casino and requested to be placed on the Lifetime Self
10 Exclusion List.

11 The Casino Compliance Representative on
12 duty at that time interviewed M.A., completed all the
13 appropriate paperwork and procedures. And thereafter,
14 M.A. signed an acknowledgment, indicating she wished
15 for a Lifetime Self Exclusion. Approximately 18
16 months later on July 26th, 2016, M.A. filed a request
17 for early removal from the Voluntary Self Exclusion
18 List indicating that she gained responsibility and she
19 wanted to be removed from the list because she thought
20 she could gamble more responsibly.

21 The Office of Enforcement Counsel (OEC)
22 filed an answer objecting to the request and the
23 hearing was held on October 12th, 2016. Both OEC and
24 M.A. appeared at the hearing. At the hearing, M.A.
25 testified essentially that at the time she placed

1 herself on the list, she was in an abusive
2 relationship and was coerced into being placed on the
3 list.

4 Notwithstanding that testimony, the
5 Report and Recommendations subsequently issued by the
6 Hearing Officer recommended that she remain on the
7 list and that is the recommendation before the Board.

8 CHAIRMAN:

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

11 MR. FAJT:

12 Mr. Chairman, I move that the Board
13 adopt the Report and Recommendation issued by the OHA
14 regarding M.A.'s petition to be removed from the
15 Voluntary Self Exclusion list as described by the
16 Office of Chief Counsel (OCC).

17 MR. JEWELL:

18 Second.

19 CHAIRMAN:

20 All in favor.

21 ALL SAY AYE

22 CHAIRMAN:

23 All opposed? The motion is adopted.

24 ATTORNEY COOK:

25 The next matter to be heard by the Board

1 today involves the Report and Recommendation of Mena
2 Beshara. Mr. Beshara is present today. He's to come
3 forward with an interpreter. It's my understanding
4 that Mr. Beshara speaks only Arabic. So, the Board
5 has obtained an interpreter for him.

6 CHAIRMAN:

7 Before we proceed, would both of you
8 please stand and be sworn by the court reporter?

9 -----

10 JUPITER ABRAHAM DALO, INTERPRETER, CALLED AND SWORN

11 -----

12 -----

13 MENA BESHARA, HAVING FIRST BEEN DULY SWORN, TESTIFIED
14 AS FOLLOWS:

15 -----

16 CHAIRMAN:

17 And if the interpreter would please
18 state and spell the names of both of you for the court
19 reporter?

20 INTERPRETER:

21 Mena Beshara. Jupiter Abraham Dalo,
22 D-A-L-O.

23 ATTORNEY COOK:

24 Mr. Chairman, I'll give a brief a
25 summary of the facts. On August 2nd, 2016 the OEC

1 filed a complaint. The complaint requested that Mr.
2 Beshara be placed on the Board's Exclusion List. The
3 reason for that request was his leaving two children,
4 aged four and ten months alone in his vehicle at the
5 Hollywood Casino. The children were alone for
6 approximately 12 minutes.

7 A hearing in this matter was held on
8 October 6th, both Enforcement Counsel and Mr. Beshara
9 appeared and both provided evidence. Mr. Beshara
10 testified that he entered the casino only to see the
11 amount of credit he had available on his players
12 account in the hopes of purchasing a meal for his
13 children and himself.

14 He indicated that he had \$35 in his
15 account. He felt that wasn't enough to purchase a
16 meal and as such he began to gamble in the hopes of
17 securing more funds. Notwithstanding that testimony,
18 the Hearing Officer found that OEC's request should be
19 granted and that Mr. Beshara should be placed on the
20 Exclusion List for at least one year. And that's the
21 matter before the Board for consideration. That's the
22 recommendation before the Board.

23 CHAIRMAN:

24 Thank you. Does Mr. Beshara have any
25 comments he wants to offer at this time?

1 A. I send an objection for the --- do you want me to
2 stand up?

3 CHAIRMAN:

4 No, no. I just want you to speak
5 louder, so the court reporter can hear you.

6 A. Okay. Thanks. I send an objection to the Judge.
7 And I explained that there is some issues with the
8 translation. There was some kind of issues with the
9 interpreter. In addition, I said the whole truth.
10 Even though the casino provided full evidence and they
11 were all actually wrong.

12 And I explained this in my objection, what's
13 wrong with this four points? There was four
14 allegations that was totally untrue. So, if you would
15 like me to give a second testimony using an
16 interpreter, I can do that.

17 CHAIRMAN:

18 Maybe to make it simpler, if you just
19 briefly tell us what are the things that were untrue?

20 A. First of all, the fact that I went inside to use
21 the rewards that I have on my card. So, I said I'm
22 going to use this money, the \$35 so the reward point
23 goes up. That's the only reason I spent 12 minutes
24 ---. I didn't spend 12 minutes playing.

25 Nobody goes to the casino to gamble and spends

1 only this very short amount of time. And I paid fine.
2 It's more like a traffic summons. Even though the
3 casino reports to the Police the wrong allegation, I
4 did admit the citation. That's all that I have to say
5 to that today. What I'm asking is that I tell the
6 truth and I feel like I'm not being treated fairly.

7 On the other side, the casino provided four false
8 allegations. They took into consideration the four
9 wrong points and they never took care of what I had to
10 say actually. And the final point I would like to
11 add, I left the kids alone not knowing about the law.
12 Because in our country it's okay to leave kids in the
13 car. It doesn't violate any law.

14 And to prove that I am not aware of the law, and
15 the objection that I submitted to the Judge, says that
16 I was playing in the casino more than once and the
17 machine restarted. And I didn't know how to --- I
18 didn't know how to cash in because I don't know the
19 law. Thank you.

20 CHAIRMAN:

21 Thank you. Just clarifying something.
22 The motion before us is for a ban of how long?

23 ATTORNEY COOK:

24 At least one year at which point he
25 could petition to come off.

1 CHAIRMAN:

2 Okay. So, the ban is for one year?

3 ATTORNEY COOK:

4 The recommendation.

5 CHAIRMAN:

6 Thank you very much. I open this up to
7 questions from the Board. Go ahead, Greg.

8 MR. FAJT:

9 Thank you, Mr. Chairman. One quick
10 question. Steve, and I heard the explanation by Mr.
11 Beshara. But do we have video evidence that he
12 gambled while in the casino for those 12 minutes?

13 ATTORNEY COOK:

14 I don't know if there's video evidence.
15 Apparently there is video evidence. He didn't play
16 very long. It was approximately 21 times.

17 MR. FAJT:

18 But he gambled?

19 ATTORNEY COOK:

20 Yes.

21 ATTORNEY PITRE:

22 He played the slot machine.

23 CHAIRMAN:

24 Just to clarify. We've now been told he
25 gambled 21 times. Is Mr. Beshara denying that?

1 A. No.

2 CHAIRMAN:

3 No, he's not? Okay. Thank you. Other
4 questions up here? Anybody? Any questions?

5 A. I would like to add one more thing, sir.

6 CHAIRMAN:

7 Yes.

8 A. I have no problem to be banned for life from
9 entering this casino. But the thing I'm worried
10 about, I don't want my name added or like listed on
11 the Board. And I can like sign something to guarantee
12 that.

13 MR. MCCALL:

14 Question? And I'm not sure who said the
15 penalty ---

16 ATTORNEY COOK:

17 The Hearing Officer.

18 MR. MCCALL:

19 --- five years. But somebody said a
20 year.

21 ATTORNEY COOK:

22 For the recommendation.

23 MR. RYAN:

24 Mr. Chairman, is it possible that we
25 meet in Executive Session for a few quick minutes on

1 this?

2 CHAIRMAN:

3 Sure. Could you excuse us for five
4 minutes, please?

5 EXECUTIVE SESSION HELD

6 CHAIRMAN:

7 Before we proceed. In the intervening
8 few minutes there, do you have any further comments
9 that you wanted to offer?

10 A. Nothing. I don't want to be punished because I
11 told the truth. Had I lied I wouldn't be in this
12 situation.

13 CHAIRMAN:

14 Okay. Thank you. Any other comments
15 from the Board. Is there a motion?

16 MR. JEWELL:

17 Mr. Chairman, I move that the Board
18 adopt in part the Report and Recommendation issued by
19 the OHA regarding the placement of Mena Beshara on the
20 PGCB Involuntary Exclusion List.

21 CHAIRMAN:

22 Are there any questions or comments from
23 the Board?

24 MR. MCCALL:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 All opposed? The motion is adopted.

6 Assistant Counsel will explain this to you. Thank you
7 very much. He'll explain it to you off the record.

8 Moving on.

9 ATTORNEY COOK:

10 The next Report and Recommendation
11 before the Board involves Russell Collier. In August
12 of 2016, Mr. Collier submitted an application for a
13 Non-Gaming Employee Registration seeking work as an
14 EVS Attendant at Harrah's Philadelphia. On September
15 6th, 2016, the OEC issued a Notice of Recommendation
16 of Denial of Mr. Collier's application. Based upon
17 his criminal history.

18 Specifically between January of 2007 and
19 March of 2008, Mr. Collier was charged with several
20 firearm offenses. Mr. Collier requested a hearing,
21 which was held on November 9th. Despite receiving
22 notice, he did not attend. At the hearing, the OEC
23 presented testimony and documentary evidence
24 pertaining to the criminal history.

25 And as a result of that evidence, the

1 Hearing Officer issued his Report and Recommendation,
2 recommending that the application be denied. And
3 that's the recommendation before the Board.

4 CHAIRMAN:

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

7 MR. MCCALL:

8 Mr. Chairman, I move that the Board
9 adopt the Report and Recommendation issued by the OHA
10 regarding Russell Collier's Non-Gaming Employer
11 Registration as described by the OCC.

12 MR. MOSCATO:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 All opposed? The motion is adopted.

19 ATTORNEY COOK:

20 James Evans, III is the next Report and
21 Recommendation before the Board today. Mr. Evans was
22 issues a Gaming Employee Occupation Permit in July of
23 2008 and worked as a Slot Technician at Mohegan Sun
24 Pocono Downs. On August 2nd, 2016, the OEC filed a
25 request for emergency suspension with the Board's

1 Executive Director after receiving notice that Mr.
2 Evans had been charged with several assault and
3 endangering the welfare of children offenses, which
4 included three felony counts.

5 These charges stem from allegations that
6 Mr. Evans struck three young children which were his
7 nephews by marriage. After one of the children's
8 teachers noticed bruising on the child and reported it
9 to the proper authorities. As a result of these
10 charges, the Executive Director issued the emergency
11 suspension as requested.

12 Subsequently, a hearing on the validity
13 of the emergency suspension was held before the OHA.
14 Mr. Evans, along with Enforcement Counsel, appeared at
15 the hearing. During the hearing, Mr. Evans presented
16 documentary evidence indicating that the Luzerne
17 County Children and Youth Service Department made an
18 unfounded determination regarding the allegations of
19 abuse. But the letter, in fact, does not provide any
20 factual basis upon, which the agency reached that
21 conclusion. And in fact, the criminal charges
22 including the felony charges remain pending against
23 Mr. Evans.

24 As a result of those felony charges
25 remaining, the Hearing Officer's Report and

1 Recommendation recommends that the emergency
2 suspension remain in place.

3 CHAIRMAN:

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

6 MR. RYAN:

7 Mr. Chairman, I move that the Board
8 adopt the Report and Recommendation issued by the OHA
9 regarding the suspension of James Evans, III, Gaming
10 Employee Occupation Permit as described by the OCC.

11 MR. MOSCATO:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion is adopted.

18 ATTORNEY COOK:

19 Next Report and Recommendation before
20 the Board today pertains to Jon Friend. In December
21 of 2015, Mr. Friend submitted an application for a
22 Non-Gaming Employee Registration seeking work as a
23 Grounds Laborer as Presque Isle Downs. Mr. Friend
24 disclosed his complete criminal history during the
25 application process and BIE's investigation confirmed

1 that criminal history, which included a series of
2 theft related offenses between 2001 and 2013.

3 As a result of that OEC requested that
4 the application be denied. A hearing was held on
5 October 27th as requested by Mr. Friend. However, he
6 did not attend the hearing. After hearing the
7 evidence of the criminal history as presented by OEC,
8 the Hearing Officer issued a Report and Recommendation
9 recommending the application be denied. And that is
10 what is before the Board.

11 CHAIRMAN:

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

14 MR. MCCALL:

15 Mr. Chairman, I move that the Board
16 adopt the Report and Recommendation issued by the OHA
17 regarding Jon Friend's Non-Gaming Employee
18 Registration as described the OCC.

19 MR. FAJT:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 All opposed? The motion is adopted.

1 ATTORNEY COOK:

2 Gabrielle Galante's Report and
3 Recommendation is the next matter before the Board.
4 On August 5th, 2016, the OEC filed a petition to place
5 Ms. Galante on the exclusion list after it was found
6 that on July 2nd of last year, while only 19 years
7 old, she attempted to gain access to Mount Airy. She
8 was discovered at the entrance, charged, and pled
9 guilty to carrying a false identification card.

10 Ms. Galante requested the hearing before
11 OHA and it was held on November 1st. OEC and Ms.
12 Galante filed Stipulation of Facts, in which she did
13 not contest. The facts of the case, however,
14 essentially argued that she's a college student. She
15 was concerned that this being placed on the Exclusion
16 List would inhibit her job opportunities or employment
17 prospects upon graduation from college. And as a
18 result, requested that she not be placed on the list.

19 Notwithstanding that plea, the Hearing
20 Officer recommends that she be placed on the list
21 consistent with past Board practice.

22 CHAIRMAN:

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

25 MR. FAJT:

1 Mr. Chairman, I move that the Board
2 adopt, in part, the Report and Recommendation issued
3 by the OHA regarding the placement of Gabrielle
4 Galante on the PGCB Involuntary Exclusion List. And
5 that Ms. Galante be placed on the Involuntary
6 Exclusion List until at least her 22nd birthday. At
7 which time she may Petition for removal from the list.

8 MR. JEWELL:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 All opposed? The motion is adopted.

15 ATTORNEY COOK:

16 The next Report and Recommendation
17 pertains to Marc Maahs. In August of 2014, Mr. Maahs
18 was issued a Gaming Permit and worked as a Table Games
19 Dealer at Harrah's Philadelphia. The OEC filed a
20 complaint to revoke Mr. Maahs permit and place him on
21 the Boards' Exclusion List as a result of an October
22 3rd, 2015 incident in which a patron allegedly
23 reported Mr. Maahs was stealing chips from his chip
24 rack while dealing Pai Gow Poker.

25 According to the OEC pleadings in this

1 matter, review of Harrah's surveillance video
2 confirmed the patron's report. Further surveillance
3 showed that on a shift in September 26th of 2015, Mr.
4 Maahs also took chips from his chip rack through
5 sleight of hand techniques.

6 Mr. Maahs was thereafter charged with
7 theft related offenses and was terminated by Harrah's.
8 At the hearing held in this matter, the OEC offered
9 witnesses, video evidence, and testimony. And Mr.
10 Maahs also put into evidence or testified on his own
11 behalf. And his attorney argued that essentially he
12 could not be found to have committed a theft having
13 --- the authorities not having found chips on his
14 person. And also that an audit of his chips were
15 never done. So, the Casino couldn't show that any
16 were missing.

17 Notwithstanding those arguments, the
18 Hearing Officer concluded particularly after viewing
19 the video evidence that a theft occurred and as a
20 result, recommends that Mr. Maahs --- his permit both
21 be revoked and he be placed on the Board's Exclusion
22 List.

23 CHAIRMAN:

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

1 MR. JEWELL:

2 Mr. Chairman, I move that the Board
3 adopt the Report and Recommendation issued by the OHA
4 regarding the revocation of Marc Maahs' Gaming
5 Employee Permit and placement on the Involuntary
6 Exclusion List as described by the OCC.

7 MR. MCCALL:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 All opposed? The motion is adopted.

14 ATTORNEY COOK:

15 The final two Reports and
16 Recommendations before the Board today are related and
17 involve Gaming Level 2 Employee Permit Renewal
18 Applications for Patrick O'Donnell and Jason
19 Singleman. I would note for the record that their
20 Attorney Kevin Hayes is present in the room today. I
21 don't believe he wishes to come forward unless the
22 Board has any questions.

23 With these matters, because of the
24 conformity of evidence, they were consolidated before
25 the OHA and a hearing was held on August 9th, 2016.

1 At that hearing, the OEC and both parties represented
2 by Mr. Hayes appeared at the hearing offering
3 testimony and documentary evidence.

4 Essentially, the facts of the case are
5 that in December of 2014, both men submitted renewal
6 applications to continue working at Mohegan Sun. Mr.
7 O'Donnell to continue working as a Dual Rate Lead
8 Poker Supervisor, and Mr. Singleman as a Poker Shift
9 Manager. In March of 2016, the OEC sent both men
10 notices recommending denial of their renewal
11 applications due to facts surrounding a 2013
12 conviction on summary charges for both for disorderly
13 conduct.

14 Those facts also led to both men being
15 suspended from their employment at the casino for
16 approximately four months during the pendency of the
17 criminal charges. Specifically Mr. O'Donnell and Mr.
18 Singleman were alleged to have two or three occasions
19 each, provided money to a bookmaker on behalf of a
20 third person. The alleged bookmaker was Mr.
21 Singleman's brother-in-Law.

22 At the hearing, Mr. O'Donnell and Mr.
23 Singleman testified to their employment history with
24 Mohegan and the promotions both of them have received
25 over the years. Additionally, both testified that

1 they did, in fact, receive monies from third parties.
2 They knew the money was for gambling and they provided
3 them to the person in question. However, they argued
4 also that they were substantially penalized for this
5 conduct by their four month suspension from
6 employment.

7 Subsequently, Reports and
8 Recommendations were issued for each of these
9 individuals separately. And the Hearing Officer
10 basically agrees with arguments raised by Mr.
11 O'Donnell and Mr. Singleman and recommends that their
12 renewal applications be approved. Those are
13 recommendations before the Board.

14 We will need two separate motions. The
15 first would be a motion regarding Patrick O'Donnell's
16 Report and Recommendation.

17 CHAIRMAN:

18 Do I have such a motion?

19 MR. MCCALL:

20 Mr. Chairman, I move that the Board
21 adopt in result the Report and Recommendation issued
22 by the OHA regarding Patrick O'Donnell's G2 Employee
23 Occupation Permit and that Mr. O'Donnell's permit be
24 approved.

25 MR. MOSCATO:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 All opposed? The motion is adopted.

7 ATTORNEY COOK:

8 The second motion would involve Jason
9 Singleman's Report and Recommendation.

10 CHAIRMAN:

11 May I have a motion?

12 MR. MOSCATO:

13 Mr. Chairman, I move that the Board
14 adopt, in result, the Report and Recommendation issued
15 by the OHA regarding Jason Singleman's G2 Employee
16 Occupation Permit and that Mr. Singleman's permit be
17 approved.

18 MR. RYAN:

19 Second.

20 CHAIRMAN:

21 All in favor?

22 ALL SAY AYE

23 CHAIRMAN:

24 All opposed? The motion is adopted.

25 ATTORNEY SHERMAN:

1 And that concludes the matters of the
2 OCC.

3 CHAIRMAN:

4 Thank you. Next Sue Hensel, Director of
5 Bureau of Licensing.

6 MS. HENSEL:

7 Thank you, Chairman Barasch and members
8 of the Board. Before the Board today will be 621
9 Principal Key Gaming and Non-Gaming Employee
10 Applicants. In addition, there will be the
11 consideration of eight Gaming Service Provider
12 Applicants.

13 The first matter for your consideration
14 is the approval of Principal and Key Licenses. Prior
15 to this meeting, the Bureau of Licensing provided you
16 with a proposed Order for three Principal and five Key
17 Employee Licenses. I ask that the Board consider the
18 Order approving the licenses.

19 ATTORNEY PITRE:

20 Enforcement Counsel has no objection.

21 CHAIRMAN:

22 Questions or comments from the Board?

23 May I have a motion?

24 MR. RYAN:

25 Mr. Chairman, I move that the Board

1 approve the issuance of Principal and Key Licenses as
2 described by the Bureau of Licensing.

3 MR. FAJT:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion is adopted.

10 MS. HENSEL:

11 Next there are Temporary Principal and
12 Key Employee Licenses. Prior to this meeting, the
13 Bureau of Licensing provided you with an Order
14 regarding the issuance of temporary licenses for four
15 Principal and ten Key Employees. I ask that the Board
16 consider the Order approving these licenses.

17 ATTORNEY PITRE:

18 Enforcement Counsel has no objection.

19 CHAIRMAN:

20 Thank you. Questions or comments from
21 the Board. May I have a motion?

22 MR. MOSCATO:

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

1 MR. FAJT:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 All opposed? The motion is adopted.

8 MS. HENSEL:

9 There are also Gaming Permits and
10 Non-Gaming Registrations for your consideration.
11 Prior to this meeting, the Bureau of Licensing
12 provided you with a list of 409 individuals to whom
13 the Bureau has granted Temporary or Full Occupation
14 Permits and 182 individuals to whom the Bureau has
15 granted Registrations under the authority delegated to
16 the Bureau of Licensing. I ask that the Board
17 consider a motion approving the Order.

18 ATTORNEY PITRE:

19 Enforcement Counsel has no objection.

20 CHAIRMAN:

21 Thank you. Questions or comments from
22 the Board? May I have a motion?

23 MR. FAJT:

24 Mr. Chairman, I move that the Board
25 approve the issuance of Gaming Employee Permits and

1 Non-Gaming Employee Registrations as described by the
2 Bureau of Licensing.

3 MR. JEWELL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion is adopted.

10 MS. HENSEL:

11 Also there are recommendations of denial
12 for two Gaming Employee Applicants. In each case, the
13 Applicant failed to request a hearing within the
14 specified time frame. The Bureau of Licensing has
15 provided you with Orders addressing the Applicants,
16 who the OEC has recommended for denial. I ask that
17 the Board consider a motion approving the denials.

18 ATTORNEY PITRE:

19 Enforcement Counsel continues to request
20 denial in each instance.

21 CHAIRMAN:

22 Thank you. Questions or comments from
23 the Board? May I have a motion?

24 MR. JEWELL:

25 Mr. Chairman, I move that the Board deny

1 the Gaming Employee Applications as described by the
2 Bureau of Licensing.

3 MR. MCCALL:

4 Second.

5 CHAIRMAN:

6 All in favor?

7 ALL SAY AYE

8 CHAIRMAN:

9 All opposed? The motion is adopted.

10 MS. HENSEL:

11 Also for your consideration are
12 withdrawal requests for Key and Gaming Employees. In
13 each case, the License or Permit is no longer
14 required. For today's meeting, I have provided you a
15 list of two Key and four Gaming Employee withdrawals
16 for approval. I ask that the Board consider the
17 Order, approving the list of withdrawals.

18 ATTORNEY PITRE:

19 Enforcement Counsel has no objection.

20 CHAIRMAN:

21 Thank you. Questions or comments from
22 the Board? May I have a motion?

23 MR. MCCALL:

24 Mr. Chairman, I move that the Board
25 approve the withdrawals as described by the Bureau of

1 Licensing.

2 MR. MOSCATO:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? The motion is adopted.

9 MS. HENSEL:

10 Next we have an Order to certify the
11 following Gaming Service Providers. The Herjavec
12 Group Corporation and Kinsley Construction, Inc. I
13 ask that the Board consider the Order approving these
14 Gaming Service Providers for certification.

15 ATTORNEY PITRE:

16 Enforcement Counsel has no objection.

17 CHAIRMAN:

18 Questions or comments from the Board?

19 May I have a motion?

20 MR. MOSCATO:

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

24 MR. RYAN:

25 Second.

1 CHAIRMAN:

2 All in favor?

3 ALL SAY AYE

4 CHAIRMAN:

5 All opposed? The motion is adopted.

6 MS. HENSEL:

7 Finally for your consideration are
8 Gaming Service Provider Registrations. The Bureau of
9 Licensing provided you with an Order and an attached
10 list of six registered Gaming Service Provider
11 Applicants. I ask that the Board consider the Order,
12 registering the Gaming Service Providers.

13 ATTORNEY PITRE:

14 Enforcement Counsel has no objection.

15 CHAIRMAN:

16 Questions or comments from the Board?

17 May I have a motion?

18 MR. RYAN:

19 Mr. Chairman, I moved that the Board
20 approve the applications for Gaming Service Provider
21 Registration as described by the Bureau of Licensing.

22 MR. MCCALL:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 All opposed? The motion is adopted.

4 MS. HENSEL:

5 That concludes the matters of the Bureau
6 of Licensing.

7 CHAIRMAN:

8 Thanks, Susan. Next up OEC. Cyrus?

9 ATTORNEY PITRE:

10 Good morning. I think it's still
11 morning. The OEC will present 27 matters for the
12 Board's consideration today consisting of 3 consent
13 agreements, 7 revocations, and 17 involuntary
14 exclusions.

15 The first matter on the agenda for
16 Board's consideration is a Consent Agreement between
17 the OEC and SugarHouse HSP Gaming, L.P. I ask
18 representatives from SugarHouse to come forward,
19 please. I'd request that Mr. Donnelly enter his
20 appearance into the record, introduce anyone who will
21 be speaking and have them sworn.

22 ATTORNEY DONNELLY:

23 Thank you. My name's John Donnelly,
24 D-O-N-N-E-L-L-Y. With me is Linda Powers who is the
25 Director of Marketing for SugarHouse and Lynette Lee

1 who is the Director of Compliance. And I guess you
2 should be sworn in case you are asked some questions
3 this morning.

4 -----

5 WITNESSES SWORN EN MASSE

6 -----

7 ATTORNEY PITRE:

8 This matter arises from a referral made
9 from the Bureau of Gaming Operations, which was
10 subsequently investigated by the Bureau of
11 Investigations and Enforcement (BIE). The BIE
12 investigation revealed that on October 24th, 2012,
13 SugarHouse initiated and conducted a credit promotion
14 for approximately 90 days without ever submitting any
15 information regarding the promotion to the Bureau of
16 Casino Compliance, the Bureau of Gaming Operations,
17 and/or the Department of Revenue as required by
18 SugarHouse's internal controls.

19 SugarHouse's 2012 credit promotion
20 sought patrons to establish a credit line with a
21 minimum credit limit of \$500. In return, patrons
22 would receive five percent of the approved credit line
23 in match play coupons or free slots play. The 2012
24 promotion was marketed to 17,286 patrons and 23
25 patrons ultimately participated in the promotion.

1 Subsequently, on January 1st, 2014
2 SugarHouse initiated and conducted another credit
3 promotion similar to the 2012 credit promotion. The
4 2014 credit promotion was marketed to 4,533 patrons
5 and 4 patrons ultimately participated in the
6 promotion.

7 Once again, SugarHouse did not provide
8 the Bureau of Casino Compliance, Bureau of Gaming
9 Operations, and/or the Department of Revenue with the
10 rules of the promotion within two business days of
11 commencing the promotion in violation of its approved
12 internal controls. The 2014 credit promotion was not
13 submitted by SugarHouse until January 13th, 2014 after
14 the Board's Director of Racetrack Gaming discovered
15 that the promotion was taking place and requested more
16 information to which SugarHouse complied.

17 The Director of Racetrack Gaming
18 forwarded the information to the Bureau of Gaming
19 Operations. On January 14, 2014, the Bureau of
20 Gaming Operations ordered SugarHouse to discontinue
21 the promotion and referred the matter to the OEC,
22 which led to the subsequent BIE investigation and
23 discovery of the unauthorized 2012 promotion.

24 The terms of the Consent Agreement
25 require that SugarHouse pay a fine of \$15,000 and

1 \$2,500 for investigative costs incurred by BIE and
2 other related staff within five days of the Board
3 approving the Consent Agreement. Barring any further
4 discussion on the matter, the Office of Enforcement
5 Counsel will request that the Board approve the
6 Consent Agreement.

7 CHAIRMAN:

8 Any comments from SugarHouse?

9 ATTORNEY DONNELLY:

10 Yes. Thank you. I want to make four
11 quick points. Number 1, the promotion substantively,
12 there's nothing improper or untoward about it.
13 Perfectly usual and typical kind of promotion where
14 the company marketed it to its database and said come
15 back in and if you establish a credit account you can
16 get certain slot play or match play. So, there's
17 nothing substantively wrong about it.

18 Number 2, as it states in the Consent
19 Order, the Marketing Department has never had a
20 violation before this one. They file everything.
21 What happened in this one, the Marketing Department
22 did not see this as what is in our own internal
23 controls, which is what the petard we're being hoisted
24 on. Because that says a gaming related promotion.

25 And they didn't view that as a gaming

1 related promotion, so they didn't report it or file
2 it. They filed every other promotion. They've never
3 been questioned with them before. So, when the 2014
4 promotion went out and one of the Casino Compliance
5 Officers saw a flyer on it and went to Marketing and
6 said what's the story on this? They then filed the
7 rules on it because they just simply hadn't thought
8 they had to file it on that kind of promotion.

9 We then, Linda Power's group, went back
10 and checked back to 2012 and found that we had done
11 one before. Again not reported because they didn't
12 think that was a gaming related promotion. And we
13 self-reported that one. So, we're dealing with one
14 event in 2012 and one event in 2014 involving our
15 patrons. Four patrons in one case, and back in 2012,
16 23 people. Nothing wrong about the promotion.

17 The problem is that we admit and
18 acknowledge is that our own internal controls provide
19 that we are to provide rules for gaming related
20 promotions. This was a close one. There isn't any
21 --- there is a gaming relationship because when you
22 get to the casino, you get match play or slot play.
23 But the thrust of this promotion was to go out to
24 database people and say come back in, if you establish
25 a credit account, we'll give you reason to get back

1 into the place.

2 Now we know, and all these promotions
3 are filed now as well. So, those are my statements
4 regarding it. And of course Ms. Powers and Lynette
5 are here to speak to any questions.

6 CHAIRMAN:

7 Are there any questions or comments from
8 the Board on this? Thank you. May I have a motion?

9 MR. JEWELL:

10 Mr. Chairman, I move that the Board
11 approve the Consent Agreement between the OEC and
12 SugarHouse HSP Gaming, LP, as described by the OEC.

13 MR. FAJT:

14 Second.

15 CHAIRMAN:

16 All in favor?

17 ALL SAY AYE

18 CHAIRMAN:

19 All opposed? The motion is adopted.

20 ATTORNEY DONNELLY:

21 Mr. Chairman, may I address the retiring
22 members of the Commission for one second?

23 CHAIRMAN:

24 Sure.

25 ATTORNEY DONNELLY:

1 I sat in listening to it and I was
2 thinking --- as I sat back and I started out like a
3 wake. Everyone was talking about it. And then the
4 departed got to come up and speak, so that's a little
5 different from what I'm used to. But I do want to
6 thank you and wish both of you good luck.

7 And again, I said --- I thought, what am
8 I going to say. And this occurred to me. If I were
9 e-mailing to someone, if someone said what's the story
10 with this Board? And this is what I would e-mail. I
11 would say they are a good Board. They're
12 knowledgeable. They keep their eye on the ball, which
13 is jobs of revenue, and they don't fool around with
14 minutia. And you guys, thank you for that.

15 CHAIRMAN:

16 Thank you.

17 ATTORNEY PITRE:

18 The next matter on the agenda for
19 Board's consideration is a Consent Agreement between
20 the OEC and Jack Lindenman. I don't believe Mr.
21 Lindenman or his attorney is present today. This
22 matter will be presented by Assistant Enforcement
23 Counsel David Tepper.

24 ATTORNEY TEPPER:

25 Good morning, Chairman Barasch, member

1 of the Board. David Tepper, T-E-P-P-E-R, with the
2 OEC. On July 30th, 2016, Jack Lindenman, who was 19
3 years old at the time attempted to enter Mount Airy
4 Casino and was asked for identification by Mount Airy
5 security personnel. At that time, Mr. Lindenman
6 produced a false identification card, which identified
7 him as being 23 years old.

8 OEC engaged in negotiation with Mr.
9 Lindeman by/and through his attorney. Mr. Lindeman
10 has entered into this Consent Agreement in where he
11 agrees to be placed on the Exclusion List until at
12 least his 22nd birthday, which is October 9th, 2018,
13 after which time he may petition the Board to be
14 removed from the Exclusion List.

15 CHAIRMAN:

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

18 MR. FAJT:

19 Mr. Chairman, I move that the Board
20 approve the Consent Agreement between the OEC and Jack
21 Lindenman as described by the OEC.

22 MR. JEWELL:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 All opposed? The motion is adopted.

4 ATTORNEY PITRE:

5 The next matter on the agenda for the
6 Board's consideration is a Consent Agreement between
7 the OEC and Mount Airy #1, LLC. This matter will also
8 be presented by Assistant Enforcement Counsel David
9 Tepper. I see Mr. Sklar is present. I would ask that
10 he enter his appearance into the record and introduce
11 anyone who will be speaking on this matter.

12 ATTORNEY SKLAR:

13 Michael Sklar, S-K-L-A-R, on behalf of
14 Mount Airy. And with me is Boris Kostikov and he is
15 the Executive Director of Food and Beverage at Mount
16 Airy.

17 -----

18 WITNESSES SWORN EN MASSE

19 -----

20 ATTORNEY TEPPER:

21 This proposed Consent Agreement involves
22 an intoxicated patron incident, which occurred at
23 Mount Airy Casino on October 6th, 2016. A patron was
24 served 27 alcoholic drinks in nine hours by three
25 different bartenders. A review of this matter

1 revealed that the patron was served 18 of those
2 alcoholic drinks after he displayed signs consistent
3 with intoxication.

4 Eventually this patron fell off his bar
5 stool. The patron continuously placed wagers on a
6 tabletop slot machine at Mount Airy's Glass Bar during
7 the nine hour period that he consumed the alcohol
8 provided by Mount Airy. At this time, the OEC
9 requests that the Board approve this Consent Agreement
10 between the parties.

11 The terms of the settlement include that
12 within five days of the Board's Order approving this
13 Consent Agreement, Mount Airy shall pay a civil
14 penalty of \$25,000. Also within five days of the
15 Board's Order approving this Consent Agreement, Mount
16 Airy shall pay the Board \$2,500 for the cost incurred
17 by OEC, BIE, and related staff consistent with this
18 matter. And if you have any questions, we'd be happy
19 to address them at this time.

20 CHAIRMAN:

21 Mount Airy have any comments about this?

22 ATTORNEY SKLAR:

23 Yes. Good morning, Mr. Chairman,
24 members of the Board. Let me say from the outset,
25 this is unacceptable, this incident. Mount Airy takes

1 this very seriously. The normal course with
2 discipline at Mount Airy, like at other casinos
3 there's normally progressive discipline. Given the
4 egregious nature of this incident each of the three
5 bartenders were terminated. There was no progressive
6 discipline. They were let go immediately. I'm going
7 to let Boris explain some of the remedial measures
8 that were taken to ensure that something like this
9 never happens again.

10 -----

11 BORIS KOSTIKOV, HAVING BEEN PREVIOUSLY SWORN,
12 TESTIFIED AS FOLLOWS:

13 -----

14 A. Yes. We conducted training --- retraining of all
15 the food and beverage and security staff with RAMP
16 training. We have also changed our house
17 responsibility guidelines where if a guest consumes
18 three drinks, they are to contact the Beverage
19 Supervisor, and the Beverage Supervisor is to be
20 present to assess the situation.

21 And also for the third --- all the Beverage
22 Supervisors as they're conducting their day-to-day
23 operations, they need to be more proactive and take
24 better course in the action if noticing that someone's
25 been in the same place for a long time. And be

1 proactive in a situation where they need to research
2 how many drinks has a guest had and take appropriate
3 action accordingly.

4 CHAIRMAN:

5 Any questions or comments from the
6 Board?

7 MR. JEWELL:

8 I do have a question. When you have
9 successive bartenders. When you're changing shifts,
10 do you have a provision that there's a handoff from
11 one bartender to the next as-far-as service of a
12 particular patron as to the number of drinks? How
13 have you been handling that?

14 A. Yes, so in order to transfer --- if someone
15 starts an open check and a tab, we enforce that from
16 here on out a supervisor must be present when
17 transferring a tab. So, they can visualize and see if
18 someone had excessive drinks. They actually have to
19 be present to transfer a check. And if anything
20 happens at that point of time, they investigate the
21 situation going forward.

22 MR. JEWELL:

23 And a Beverage Supervisor is available
24 24/7?

25 A. Correct.

1 MR. JEWELL:

2 Okay. Thank you very much.

3 MR. FAJT:

4 Thank you, Mr. Chairman. Mr. Sklar, and
5 I accept your comments and I'm glad that you
6 understand and your client understands the seriousness
7 of this. This is pretty outrageous. To follow-up ---
8 before I get to my real questions. To follow-up on
9 Commissioner Jewell's question. What if the patron is
10 paying by cash? So, they don't have running bar tab.
11 What happens then on the handoff?

12 A. At that point with the new policy where someone
13 has three drinks per hour, they have to contact the
14 Beverage Supervisor.

15 MR. FAJT:

16 I'm sorry. How many?

17 A. Three drinks per hour.

18 MR. FAJT:

19 Okay.

20 A. And they have to contact the Beverage Supervisor,
21 where that was not the house responsibility before
22 that. That's one of the changes that's been
23 implemented after the incident.

24 MR. FAJT:

25 Okay.

1 A. Previous house responsibility stated that it was
2 a server or bartender's responsibility to monitor
3 consumption rate and level of intoxication of the
4 guest. So, we took that out of the hourly employee
5 hands and put the emphasis on Beverage Managers to
6 assist every situation where three drinks per hour are
7 consumed.

8 MR. FAJT:

9 Okay. What was this patron drinking?

10 A. Rum and Coke.

11 MR. FAJT:

12 How much alcohol is in each Rum and
13 Coke?

14 A. There's 1.25 ounces of alcohol.

15 MR. FAJT:

16 And how did this patron get home?

17 A. He was escorted by security after the incident
18 happened and there was a medical report filed because
19 the patron did fall off the chair, so ---.

20 MR. FAJT:

21 How did he get home?

22 A. I believe security made sure that he got home.
23 He was in a taxi or ---.

24 MR. FAJT:

25 I would like to finalize that and

1 confirm that you, in fact, did provide a ride home for
2 this patron.

3 ATTORNEY SKLAR:

4 We'll provide exact --- I'm not quite
5 sure. The State Police got involved. He was --- the
6 patron resisted because he fell off the barstool. EMT
7 was called and they wanted to take him in an ambulance
8 to get checked out at the hospital.

9 He resisted. State Police was then
10 called down to handle the situation. He absolutely,
11 positively did not drive himself. State Police would
12 have never permitted that.

13 MR. FAJT:

14 Mr. Tepper, you look like you want to
15 say something?

16 ATTORNEY TEPPER:

17 This gentleman was arrested by the
18 Pennsylvania State Police and instead of going home
19 went to prison.

20 A. Jail.

21 MR. FAJT:

22 Okay. Thank you.

23 CHAIRMAN:

24 Other questions? I'm astonished about a
25 couple of things. I'm not sure I'm going to get the

1 answers because you fired the people involved, but
2 count me naïve, but I don't understand how anybody
3 drinks 27, 1.2 ounces of alcohol drinks, wasn't
4 already in the emergency room. It's kind of a
5 staggering number don't you think? I don't mean to be
6 ironic.

7 ATTORNEY SKLAR:

8 I couldn't agree with you more. The
9 only thing I can say is, normally a lot of times, the
10 person would become disruptive in some way. That
11 didn't happen here until he ---.

12 CHAIRMAN:

13 He wasn't in a coma.

14 ATTORNEY SKLAR:

15 Yeah, believe me, I totally agree.

16 CHAIRMAN:

17 Then that leads to other questions which
18 you can try to provide a response to. What in the
19 world was bartender number three or two thinking?
20 Certainly you must have questioned them.

21 ATTORNEY SKLAR:

22 It's inexplicable what the bartenders
23 did here. There is no excuse. They know what they're
24 supposed to do, what the training calls for. The fact
25 that he was able to sit there and be served that many

1 drinks is ---.

2 CHAIRMAN:

3 Belongs in Ripley's as far as I'm
4 concerned. Unless maybe there's not really all that
5 much alcohol in your drinks, which would be an
6 interesting defense. At any rate, any other questions
7 or comments from Board? May I have a motion?

8 MR. JEWELL:

9 Mr. Chairman, I move that the Board
10 approve the Consent Agreement between the OEC and
11 Mouny Airy #1, LLC as described by the OEC.

12 MR. MCCALL:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 All opposed? The motion is adopted.
19 Thanks for coming.

20 ATTORNEY PITRE:

21 The next seven matters on the agenda
22 consist of enforcement actions in which the OEC has
23 filed complaints seeking the revocation of two Gaming
24 Permits and five Non-Gaming Registrations issued to
25 individuals by the Board. Each complaint has been

1 filed with the Board's OHA and properly served upon
2 the individual named in the complaint.

3 The individual named in each complaint
4 failed to respond within 30 days, as required by Board
5 regulation. As a result, the OEC filed a Request for
6 Default Judgment and properly served the same upon
7 each named individual. Thereby, the facts in each
8 complaint are deemed admitted.

9 All filed complaints have been provided
10 to the Board and the matters are presently ripe for
11 Board's consideration. In each instance, we will
12 provide a brief summary of the facts and request the
13 appropriate Board action.

14 ATTORNEY TEPPER:

15 Next on the agenda for the Board's
16 consideration is the revocation of the Non-Gaming
17 Employee Registration of Lurlei Rutkowski, who was a
18 Beverage Server at Hollywood Casino. While employed
19 at Hollywood, Ms. Rutkowski collected money from
20 patrons for drinks and pocketed the money which she
21 collected. As a result of her actions, Ms. Rutkowski
22 was charged by the Pennsylvania State Police and the
23 criminal matter is currently pending. At this time
24 the OEC requests that the Board revoke the Gaming
25 Employee Registration of Lurlei Rutkowski.

1 CHAIRMAN:

2 Questions or comments from the Board?

3 May I have a motion?

4 MR. MCCALL:

5 Mr. Chairman, I move that the Board
6 approve the revocation of Lurlei Rutkowski's
7 Non-Gaming Employee Registration as described by the
8 OEC.

9 MR. MOSCATO:

10 Second.

11 CHAIRMAN:

12 All in favor?

13 ALL SAY AYE

14 CHAIRMAN:

15 All opposed? The motion is adopted.

16 ATTORNEY CROHE:

17 Good morning, Chairman, members of the
18 Board. John Crohe, C-R-O-H-E, for the OEC. The next
19 matter before the Board is a request to revoke the
20 Gaming Permit held by Nicole Griese for stealing money
21 from the Hollywood Casino while working as a Cocktail
22 Waitress by collecting cash payments from patrons and
23 keeping the money that was given to her.

24 The charge of theft by unlawful taking
25 was converted to a misdemeanor three and is still

1 pending. The OEC now requests that the Board revoke
2 the Gaming Permit held by Ms. Griese.

3 CHAIRMAN:

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

6 MR. MOSCATO:

7 Mr. Chairman, I move that the Board
8 approve the revocation of Nicole Griese's Gaming
9 Employee Occupation Permit as described by the OEC.

10 MR. RYAN:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? The motion is adopted.

17 ATTORNEY CROHE:

18 The next matter before the Board is a
19 request to revoke the Gaming Permit held by Dorothy
20 Henry who while working as a Security Officer at
21 Mohegan Sun obtained a key card, entered a guest's
22 room, and took \$800 from the guest. The OEC now
23 requests that the Board revoke the Gaming Permit held
24 by Ms. Henry.

25 CHAIRMAN:

1 Questions or comments from the Board?

2 May I have a motion?

3 MR. RYAN:

4 Mr. Chairman, I move that the Board
5 approve the revocation of Dorothy Henry's Gaming
6 Employee Occupation Permit as described by the OEC.

7 MR. FAJT:

8 Second.

9 CHAIRMAN:

10 All in favor?

11 ALL SAY AYE

12 CHAIRMAN:

13 All opposed? The motion is adopted.

14 ATTORNEY MILLER:

15 Good morning, Chairman Barasch, members
16 of the Board. Dustin Miller on behalf of the OEC.
17 The next matter today is a request for revocation
18 involving Zabriah Whitmore. Ms. Whitmore was employed
19 as Food Court attendant at Valley Forge Casino Resort
20 and registered as a Non-Gaming Employee.

21 The OEC filed an enforcement complaint
22 to revoke Ms. Whitmore's Non-Gaming Employee
23 Registration after she was observed stealing money
24 from the Food Court while working at Valley Forge. At
25 this time, the OEC would ask the Board to consider the

1 revocation of Zabriah Whitmore's Non-Gaming Employee
2 Registration.

3 CHAIRMAN:

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

6 MR. MCCALL:

7 Mr. Chairman, I move that the Board
8 approve the revocation of Zabriah Whitmore's
9 Non-Gaming Employee Registration as described by the
10 OEC.

11 MR. FAJT:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion is adopted.

18 ATTORNEY MILLER:

19 The next matter today is a request for
20 revocation involving Jessica Avery. Ms. Avery was
21 employed as a Food Court attendant at Valley Forge
22 Casino Resort and registered as a Non-Gaming Employee.

23 The OEC filed an enforcement complaint
24 to revoke Ms. Avery's Non-Gaming Employee Registration
25 after she was observed stealing money from the Food

1 Court while working at Valley Forge. At this time the
2 OEC would ask the Board to consider the revocation of
3 Jessica Avery's Non-Gaming Employee Registration.

4 CHAIRMAN:

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

7 MR. FAJT:

8 Mr. Chairman, I move that the Board
9 approve the revocation of Jessica Avery's Non-Gaming
10 Employee Registration as described by the OEC.

11 MR. MCCALL:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion is adopted.

18 ATTORNEY MILLER:

19 The next matter today is a request for
20 revocation involving Donisha Perry. Ms. Perry was
21 employed as a Food Court attendant at Valley Forge
22 Casino Resort and registered as a Non-Gaming Employee.

23 The OEC filed an enforcement complaint
24 to revoke Ms. Perry's Non-Gaming Employee Registration
25 after she was observed stealing money from the Food

1 Court while working at Valley Forge. At this time the
2 OEC would ask the Board to consider the revocation of
3 Donisha Perry's Non-Gaming Employee Registration.

4 CHAIRMAN:

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

7 MR. MCCALL:

8 Mr. Chairman, I move that the Board
9 approve the revocation Donisha Perry's Non-Gaming
10 Employee Registration as described by the OEC.

11 MR. MOSCATO:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion is adopted.

18 ATTORNEY MILLER:

19 The next matter today is a request for
20 revocation involving Cobeai Riley. Ms. Riley was
21 employed as a Food Court attendant at Valley Forge
22 Casino Resort and registered as a Non-Gaming Employee.

23 The OEC filed an enforcement complaint
24 to revoke Ms. Riley's Non-Gaming Employee Registration
25 after she was observed stealing money from the Food

1 Court while working at Valley Forge. At this time,
2 the OEC would ask the Board to consider the revocation
3 of Cobeai Riley's Non-Gaming Employee Registration.

4 CHAIRMAN:

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

7 MR. MOSCATO:

8 Mr. Chairman, I move that the Board
9 approve the revocation of Cobeai Riley's Non-Gaming
10 Employee Registration as described by the OEC.

11 MR. RYAN:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion is adopted.

18 ATTORNEY PITRE:

19 The remaining matters on the agenda
20 consist of enforcement actions in which the OEC has
21 filed Petitions seeking the involuntary exclusion of
22 individuals whose presence in a licensed facility are
23 inimical to the interests of the Commonwealth and/or
24 licensed gaming therein. In each instance, the
25 Petition for exclusion has been filed with the

1 Board's OHA and properly served upon the individual
2 named in the petition.

3 The individual named in the Petition
4 failed to respond within 30 days, as required by Board
5 regulation. As a result, the OEC filed a Request for
6 Default Judgment in each instance and properly served
7 the same upon each individual. Thereby, all facts in
8 each petition are deemed admitted.

9 All filed documents have been provided
10 to the Board and the matters are presently ripe for
11 Board consideration. If the Board orders the proposed
12 exclusion each individual's photo, personal
13 identifiers, and a summary of the inimical conduct
14 will be placed on the Board's public website.

15 ATTORNEY CROHE:

16 John Crohe again for the OEC. The next
17 matter before the Board is a request to place Jeremy
18 Ray Cain on the Board's excluded person's list. Mr.
19 Cain entered the gaming floor, gamed, consumed an
20 alcoholic beverage, and obtained a cash transaction
21 while under the age of 21.

22 Mr. Cain was charged with two counts of
23 unlawful for a person under the age of 21 to wager or
24 play slots. And one count of purchasing/consumption
25 of alcohol by a minor. The OEC now requests that the

1 Board add Mr. Cain to the excluded persons list?

2 CHAIRMAN:

3 Questions or comments from the Board?

4 May I have a motion?

5 MR. RYAN:

6 Mr. Chairman, I move that the Board
7 approve the addition of Jeremy Ray Cain to the PGCB
8 Involuntary Exclusion List as described by the OEC. I
9 further move that Mr. Cain may petition for removal
10 from the list after one year.

11 MR. JEWELL:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion is adopted.

18 ATTORNEY STUART:

19 Next, Glen Stuart for the OEC,
20 S-T-U-A-R-T. Next for the Board's consideration is
21 the placement of Samantha Smith on the exclusion list.
22 Ms. Smith pinched a \$1,500 wager while playing
23 Roulette at the Valley Forge Casino Resort in King of
24 Prussia, Pennsylvania.

25 The Pennsylvania State Police charged

1 Ms. Smith with one count of theft by unlawful taking;
2 movable property. One count of knowingly by trick or
3 fraud to win or reduce a loss. And one count of
4 unlawful to take a claim with intent to defraud.

5 Ms. Smith was recently approved for
6 admittance into the Montgomery County Accelerated
7 Rehabilitative Disposition Program in relation to
8 these charges. As such, the OEC respectfully requests
9 the Board place Samantha Smith on the exclusion list.

10 CHAIRMAN:

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

13 MR. RYAN:

14 Mr. Chairman, I move that the Board
15 approve the addition of Samantha Smith to the PGCB
16 Involuntary Exclusion List as described by the OEC.

17 MR. FAJT:

18 Second.

19 CHAIRMAN:

20 All in favor?

21 ALL SAY AYE

22 CHAIRMAN:

23 All opposed? The motion is adopted.

24 ATTORNEY TEPPER:

25 Next on the agenda is a request to place

1 Tristan Stowell on the Involuntary Exclusion List.
2 Mr. Stowell used a false identification card while
3 underage in an attempt to gain access the gaming floor
4 at Mount Airy Casino. At this time the OEC requests
5 the Board add Tristan Stowell to the Board's
6 Involuntary Exclusion List.

7 CHAIRMAN:

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

10 MR. FAJT:

11 Mr. Chairman, I move that the Board
12 approve the addition of Tristan Stowell to the PGCB
13 Involuntary Exclusion List as described by the OEC. I
14 further move that Mr. Stowell may petition for removal
15 from that list after one year.

16 MR. JEWELL:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 All opposed? The motion is adopted.

23 ATTORNEY KOLESAR:

24 Good morning, Chairman Barasch, members
25 of the Board. Sarah Kolesar, K-O-L-E-S-A-R. On

1 behalf of OEC. The next matter on the agenda for the
2 Board's consideration is the involuntary exclusion of
3 Soren Larson. On May 29th, 2016, Mr. Larson was
4 arrested by the Pennsylvania State Police and charged
5 with violating Section 1518A(13) of the Gaming Act
6 after he accessed the gaming floor at SugarHouse
7 Casino using an illegally manufactured identification,
8 while under the age of 21. As a result, OEC requests
9 that Board issue an Order placing Soren Larson on the
10 Involuntary Exclusion List.

11 CHAIRMAN:

12 Questions or comments from the Board?

13 May I have a motion?

14 MR. JEWELL:

15 Mr. Chairman, I move that the Board
16 approve the addition of Soren Larson to the PGCB
17 Involuntary Exclusion List as described by the OEC. I
18 further move that Mr. Larson may petition for removal
19 from that list any time after his 22nd birthday.

20 MR. MCCALL:

21 Second.

22 CHAIRMAN:

23 All in favor?

24 ALL SAY AYE

25 CHAIRMAN:

1 All opposed? The motion is adopted.

2 ATTORNEY KOLESAR

3 The next matter on the agenda for the
4 Boards consideration is the involuntary exclusion of
5 James Watson. On May 29th, 2016, Mr. Watson was
6 arrested by the Pennsylvania State Police and charged
7 with violating Section 1518A(13) of the Gaming Act
8 after he accessed the gaming floor at SugarHouse
9 Casino using an illegally manufactured identification
10 while under the age of 21. As a result, OEC requests
11 that the Board issue an Order placing James Watson on
12 the Involuntary Exclusion List.

13 CHAIRMAN:

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

16 MR. MCCALL:

17 Mr. Chairman, I move that the Board
18 approve the addition of James Watson to the PGCB
19 Involuntary Exclusion List as described by the OEC. I
20 further move that Mr. Watson may petition for removal
21 from the list any time after his 22nd birthday.

22 MR. MOSCATO:

23 Second.

24 CHAIRMAN:

25 All in favor?

1 ALL SAY AYE

2 CHAIRMAN:

3 All opposed? The motion is adopted.

4 ATTORNEY KOLESAR:

5 Next matter on the agenda is the
6 involuntary exclusion of Joshua Buksbaum. On April
7 2nd, 2016, Mr. Buksbaum was arrested by the
8 Pennsylvania State Police and charged with violating
9 Section 1518A(13) of the Gaming Act after he accessed
10 the gaming floor at SugarHouse Casino using an
11 identification belonging to another person while under
12 the age of 21. As a result, OEC requests that the
13 Board issue an Order placing Joshua Buksbaum on the
14 Involuntary Exclusion List.

15 CHAIRMAN:

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

18 MR. MOSCATO:

19 Mr. Chairman, I move that the Board
20 approve the addition of Joshua Buksbaum to the PGCB
21 Involuntary Exclusion List as described by the OEC. I
22 further move that Mr. Buksbaum may petition for
23 removal from that list any time after his 22nd
24 birthday.

25 MR. RYAN:

1 Second.

2 CHAIRMAN:

3 All in favor?

4 ALL SAY AYE

5 CHAIRMAN:

6 All opposed? The motion is adopted.

7 ATTORNEY KOLESAR:

8 Next matter on the agenda for the
9 Board's consideration is the involuntary exclusion of
10 Joseph Junkin. On May 30th, 2016, Mr. Junkin was
11 arrested by the Pennsylvania State Police and charged
12 with violating Section 1518A(13) of the Gaming Act
13 after he accessed the gaming floor at SugarHouse
14 Casino using an illegally manufactured identification
15 while under the age of 21. As a result, OEC requests
16 that the Board issue an Order placing Joshua Buksbaum
17 on the Involuntary Exclusion List.

18 CHAIRMAN:

19 Questions or comments from the Board?

20 May I have a motion?

21 MR. RYAN:

22 Mr. Chairman, I move that the Board
23 approve the addition of Joseph Junkin to the PGCB
24 Involuntary Exclusion List as described by the OEC. I
25 further move that Mr. Junkin may petition for removal

1 from the list any time after his 22nd birthday.

2 MR. FAJT:

3 Second.

4 CHAIRMAN:

5 All in favor?

6 ALL SAY AYE

7 CHAIRMAN:

8 All opposed? The motion is adopted.

9 ATTORNEY KOLESAR:

10 The next matter on the agenda for the
11 Board's consideration is the involuntary exclusion of
12 Benjamin Sommers. On May 30th, 2016, Mr. Sommers was
13 arrested by the Pennsylvania State Police and charged
14 with violating Section 1518A(13) of the Gaming Act
15 after he accessed the gaming floor at SugarHouse
16 Casino using an illegally manufactured identification
17 while under the age of 21. As a result, OEC requests
18 that the Board issue an Order placing Benjamin Sommers
19 on the Involuntary Exclusion List.

20 CHAIRMAN:

21 Questions or comments from the Board?

22 May I have a motion?

23 MR. MOSCATO:

24 Mr. Chairman, I move that the Board
25 approve the addition of Benjamin Sommers to the PGCB

1 Involuntary Exclusion List as described by the OEC. I
2 further move that Mr. Sommers may petition for removal
3 from that list any time after his 22nd birthday.

4 MR. FAJT:

5 Second.

6 CHAIRMAN:

7 All in favor?

8 ALL SAY AYE

9 CHAIRMAN:

10 All opposed? The motion is adopted.

11 ATTORNEY ROLAND:

12 Good morning, Mr. Chairman, members of
13 the Board. Michael Roland, R-O-L-A-N-D, with the OEC.
14 We have a request to place Taylor Michael Logan on the
15 Involuntary Exclusion List. Mr. Logan, who's age 19,
16 gained access to the gaming floor at Sands Casino by
17 providing another person's legitimate identification.
18 He both gained and consumed alcohol and was charged by
19 the Pennsylvania State Police with carrying a false
20 identification card, and purchase of alcohol by a
21 minor. The charges remain pending. The matter is now
22 before the Board to consider the placement of Taylor
23 Michael Logan on the Board's Involuntary Exclusion
24 List.

25 CHAIRMAN:

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

3 MR. FAJT:

4 Mr. Chairman, I move that the Board
5 approve the addition of Taylor Michael Logan to the
6 PGCB Involuntary Exclusion List as described by the
7 OEC. I further move that Mr. Logan may petition for
8 removal from that list any time after his 22nd
9 birthday.

10 MR. JEWELL:

11 Second.

12 CHAIRMAN:

13 All in favor?

14 ALL SAY AYE

15 CHAIRMAN:

16 All opposed? The motion is adopted.

17 ATTORNEY ROLAND:

18 Next is a request to place So Hyun Myung
19 on the Involuntary Exclusion List. Ms. Myung, age 20,
20 gained access to the gaming floor at Sands Casino
21 through use of her legitimate Korean Passport, which
22 was misread by security. She was discovered after
23 winning a jackpot. Ms. Myung was not criminally
24 charged. And the matter is now before the Board to
25 consider the placement of So Hyun Myung on the Board's

1 Involuntary Exclusion List.

2 CHAIRMAN:

3 Questions or comments from the Board?

4 May I have a motion?

5 MR. JEWELL:

6 Mr. Chairman, I move that the Board
7 approve the addition of So Hyun Myung to the PGCB
8 Involuntary Exclusion List as described by the OEC. I
9 further move that Ms. Myung may petition for removal
10 from the list after one year.

11 MR. MCCALL:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion is adopted.

18 ATTORNEY ROLAND:

19 Next to request for placement on the
20 Involuntary Exclusion List arise from the same fact
21 pattern. We have underage patrons Kenyatta Meadows,
22 age 20, and Thomas Rollins, age 19, who used false
23 identifications to enter the gaming floor at Sands and
24 successfully gained.

25 Mr. Meadows and Mr. Rollins were

1 identified as underage after being involved in a fight
2 in Sands parking garage. Both were charged with and
3 pled guilty to disorderly conduct. First, the matter
4 is now before the Board to consider the placement of
5 Kenyatta Meadows on the Board's Involuntary Exclusion
6 List.

7 CHAIRMAN:

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

10 MR. MCCALL:

11 Mr. Chairman, I move that the Board
12 approve the addition of Kenyatta Meadows to the PGCB
13 Involuntary Exclusion List as described by the OEC. I
14 further move that Mr. Meadows may petition for removal
15 from the list after one year.

16 MR. MOSCATO:

17 Second.

18 CHAIRMAN:

19 All in favor?

20 ALL SAY AYE

21 CHAIRMAN:

22 All opposed? The motion is adopted.

23 ATTORNEY ROLAND:

24 The matter is now before the Board to
25 consider the placement of Thomas Rollins on the

1 Board's Involuntary Exclusion List.

2 CHAIRMAN:

3 Questions or comments from the Board?

4 May I have a motion?

5 MR. MOSCATO:

6 Mr. Chairman, I move that the Board
7 approve the addition of Thomas Rollins to the PGCB
8 Involuntary Exclusion List as described by the OEC. I
9 further move that Mr. Rollins may petition for removal
10 from that list any time after his 22nd birthday.

11 MR. RYAN:

12 Second.

13 CHAIRMAN:

14 All in favor?

15 ALL SAY AYE

16 CHAIRMAN:

17 All opposed? The motion is adopted.

18 ATTORNEY ROLAND:

19 The next five requests for placement on
20 the Involuntary Exclusion List all arise from the same
21 fact pattern. Xuiqiong Fang, Konghe Lin, Quan Lin,
22 Baoying Yang, and Shu Fang Zheng were all involved in
23 a physical altercation, which lasted several minutes
24 on the gaming floor at Sands Casino.

25 Only Quan Lin, who initiated the

1 altercation, was charged by the Pennsylvania State
2 Police with simple assault, harassment, and disorderly
3 conduct. That case is closed, but the disposition has
4 been unreported.

5 First, the matter is now before the
6 Board to consider the placement of Xuiqiong Fang on
7 the Board's Involuntary Exclusion List.

8 CHAIRMAN:

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

11 MR. RYAN:

12 Mr. Chairman, I move that the Board
13 reject OEC's request to add Mr. Fang to the PGCB
14 Involuntary Exclusion List.

15 MR. JEWELL:

16 Second.

17 CHAIRMAN:

18 All in favor?

19 ALL SAY AYE

20 CHAIRMAN:

21 All opposed? The motion is adopted.

22 ATTORNEY ROLAND:

23 The matter is now before the Board to
24 consider the placement of Konghe Lin on the Board's
25 Involuntary Exclusion List.

1 CHAIRMAN:

2 Questions or comments from the Board?

3 May I have a motion?

4 MR. MCCALL:

5 Mr. Chairman, I move that the Board
6 approve the addition of Konghe Lin to the PGCB
7 Involuntary Exclusion List as described by the OEC.

8 MR. FAJT:

9 Second.

10 CHAIRMAN:

11 All in favor?

12 ALL SAY AYE

13 CHAIRMAN:

14 All opposed? The motion is adopted.

15 ATTORNEY ROLAND:

16 The matter is now before the Board to
17 consider the placement of Quan Lin on the Board's
18 Involuntary Exclusion List.

19 CHAIRMAN:

20 Questions or comments from the Board?

21 May I have a motion?

22 MR. FAJT:

23 Mr. Chairman, I move that the Board
24 approve the addition of Quan Lin to the PGCB
25 Involuntary Exclusion List as described by the OEC.

1 MR. JEWELL:

2 Second.

3 CHAIRMAN:

4 All in favor?

5 ALL SAY AYE

6 CHAIRMAN:

7 All opposed? The motion is adopted.

8 ATTORNEY ROLAND:

9 The matter is now before the Board to
10 consider the placement of Baoying Yang on the Board's
11 Involuntary Exclusion List.

12 CHAIRMAN:

13 Questions or comments from the Board?

14 May I have a motion?

15 MR. JEWELL:

16 Mr. Chairman, I move that the Board
17 approve the addition of Baoying Yang to the PGCB
18 Involuntary Exclusion List as described by the OEC.

19 MR. MCCALL:

20 Second.

21 CHAIRMAN:

22 All in favor?

23 ALL SAY AYE

24 CHAIRMAN:

25 All opposed? The motion is adopted.

1 ATTORNEY ROLAND:

2 And last, the matter is now before the
3 Board to consider the placement of Shu Fang Zheng on
4 the Board's Involuntary Exclusion List.

5 CHAIRMAN:

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

8 MR. MCCALL:

9 Mr. Chairman, I move that the Board
10 reject OEC's request to add Shu Fang Zheng to the PGCB
11 Involuntary Exclusion List.

12 MR. MOSCATO:

13 Second.

14 CHAIRMAN:

15 All in favor?

16 ALL SAY AYE

17 CHAIRMAN:

18 All opposed? The motion is adopted.

19 ATTORNEY PITRE:

20 Thank you. And I'd like to thank
21 Commissioner Fajt, Commissioner McCall for all their
22 support. And even though we agree to disagree
23 sometimes I appreciate everything that you've done for
24 the agency, for the Commonwealth, and personally for
25 me and my staff. So, thank you, and we wish you well.

1 MR. MCCALL:

2 Thank you, Cyrus. And the same to all
3 your attorneys, Cyrus. You know the six years that
4 I've been here, I know you've worked diligently to
5 kind of briefly summarize the exclusions instead of
6 going through the whole diatribe and we greatly
7 appreciate that. But I certainly appreciate the due
8 diligence and the hard work that you do on a daily
9 basis for this agency.

10 I know you're under the radar screen
11 often times, but its greatly appreciated and duly
12 noted by all the Board members for the hard work that
13 you all do. And I thank you very much for that.

14 MR. FAJT:

15 And I will ditto that. You and I have
16 had a great relationship over the years. And I value
17 all the work that all of your attorneys do. And I
18 started to break up a little bit earlier when I was
19 talking about the employees, but you are absolutely
20 the best employees that I've ever worked with. And it
21 goes across.

22 It starts with Kevin and every one of
23 you in here. You know, over the years you've always
24 been there for me, you've always done, you know, some
25 of the crazy things that I've asked you to do, and

1 some not so crazy things. But you've done it with a
2 smile, with competence, and you really are just a
3 tremendous staff. So, I'm not going to get into
4 naming names because I know I'll forget somebody, but
5 you know what you mean to me and I really appreciate
6 it. Thank you.

7 ATTORNEY PITRE:

8 Thank you.

9 CHAIRMAN:

10 That concludes today's meeting. As I
11 mentioned earlier, our next public session will be
12 Wednesday, March 15th at 10:00 a.m. in this building.
13 Are there any final comments from the Board or
14 Ex-Officios? If not, may I have a motion to adjourn
15 the meeting?

16 MR. MOSCATO:

17 Mr. Chairman, I move adjournment
18 reluctantly ---

19 MR. RYAN:

20 Second.

21 MR. MOSCATO:

22 --- of this meeting.

23 CHAIRMAN:

24 All in favor?

25 ALL SAY AYE

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CHAIRMAN:

All opposed? The motion is adopted.

Thank you very much.

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MEETING CONCLUDED AT 11:51 A.M.

* * * * *

CERTIFICATE

I hereby certify that the foregoing proceedings, meeting held before Chairman Barasch was reported by me on 2/1/2017 and that I, Rhonda K. Thorpe, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

Rhonda K. Thorpe
Court Reporter
Rhonda K. Thorpe

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