

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

\* \* \* \* \*

PUBLIC MEETING

\* \* \* \* \*

BEFORE: DAVID M. BARASCH, CHAIRMAN  
Dante Santoni, Jr., William H. Ryan, Jr.,  
Anthony C. Moscato, Richard G. Jewell, Sean  
Logan, Members, Jorge Augusto,  
representing Russell Redding, Secretary of  
Agriculture; Jennifer Langan, representing  
Joseph Torsella, State Treasurer; Robert P.  
Coyne, representing Dan Hassell, Secretary  
of Revenue

MEETING: Wednesday, July 12, 2017  
10:03 a.m.

LOCATION: PA Gaming Bureau of Appeals  
303 Walnut Street, 2nd Floor  
Strawberry Square Complex  
Harrisburg, PA 17101

Reporter: Rhonda K. Thorpe

Any reproduction of this transcript  
is prohibited without authorization  
by the certifying agency

A P P E A R A N C E S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

OFFICE OF CHIEF COUNSEL

R. DOUGLAS SHERMAN, ESQUIRE

Chief Counsel

STEVEN COOK, ESQUIRE

Deputy Chief Counsel

OFFICE OF ENFORCEMENT COUNSEL

CYRUS PITRE, ESQUIRE

Chief Enforcement Counsel

MICHAEL ROLAND, ESQUIRE

Senior Enforcement Counsel

DUSTIN MILLER, ESQUIRE

Senior Enforcement Counsel

DAVID TEPPER, ESQUIRE

Assistant Enforcement Counsel

TAMARA HAKEN, ESQUIRE

Assistant Enforcement Counsel

SARAH KOLESAR, ESQUIRE

Assistant Enforcement Counsel

JOHN POKINIEWSKI, ESQUIRE

Assistant Enforcement Counsel

JOHN CROHE, ESQUIRE

Assistant Enforcement Counsel

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S (cont.)

GLEN STUART, ESQUIRE

Assistant Enforcement Counsel

BENJAMIN FERRELL, ESQUIRE

Assistant Enforcement Counsel

PA Gaming Control Board

P.O. Box 69060

Harrisburg, PA 17106-9060

Counsel for the Pennsylvania Gaming Control Board

MICHAEL D. SKLAR, ESQUIRE

Levine, Staller, Sklar & Chan

3030 Atlantic Avenue

Atlantic City, NJ 08401

Counsel for Mount Airy

LYNNE LEVIN KAUFMAN, ESQUIRE

Cooper Levenson

1125 Atlantic Avenue

Atlantic City, NJ 08401

Counsel for American Gaming and Electronics, Inc.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S (cont.)

MICHAEL A. MAGAZZU, ESQUIRE  
Vice President and General Counsel  
77 Sands Boulevard  
Bethlehem, PA 18015  
Counsel for Sands Casino Resort Bethlehem

ALSO PRESENT:

VALERIE LOPES, Report and Recommendation, Gaming  
Employee Occupation Permit  
ROBERT MARSANICO, Placement on the Involuntary  
Exclusion List  
PASHANG SHERPA, Lift Suspension, Gaming Employee  
Occupation Permit  
JOHN CULETSU, Executive Vice President and General  
Manager, Mount Airy Casino  
MARK JULIANO, Chief Operating Officer, Sands Casino  
Resort  
MATTHEW FORBES, Director of Security, Sands Casino  
Resort  
JEFF TOMLINSON, Director of Compliance, Sands Casino  
Resort

## I N D E X

1		
2		
3	OPENING REMARKS	
4	By Chairman	7 - 8
5	PRESENTATION	
6	By Attorney Sherman	8 - 11
7	By Mr. Marsanico	11 - 12
8	By Attorney Sherman	12 - 18
9	By Mr. Sherpa	18
10	By Attorney Cook	19 - 24
11	By Ms. Lopes	25
12	By Ms. Hensel	25 - 35
13	By Attorney Roland	37 - 42
14	By Attorney Magazzu	42 - 45
15	By Attorney Tepper	47 - 50
16	By Mr. Culetsu	50 - 64
17	By Attorney Tepper	65 - 67
18	By Mr. Culetsu	67 - 69
19	By Attorney Miller	70 - 73
20	By Attorney Kaufman	73 - 75
21	By Attorney Miller	76 - 77
22	By Attorney Haken	77 - 78
23	By Attorney Kolesar	78 - 81
24	By Attorney Ferrell	81 - 83
25	By Attorney Pokiniewski	83 - 87

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I N D E X (cont.)

By Attorney Ferrell	87 - 88
By Attorney Crohe	88 - 89
By Attorney Stuart	89 - 90
By Attorney Kolesar	90 - 93
By Attorney Miller	93 - 95
By Attorney Tepper	95 - 98
CLOSING REMARKS	
By Chairman	98 - 99

P R O C E E D I N G S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

-----

CHAIRMAN: Good morning.

I'm David Barasch, Chairman of the Pennsylvania Gaming Control Commission. Before we begin, as always, I would ask to place your electronic devices on silent. With us today, George Augusto, representing Russell Redding, Secretary of Agriculture. Jen Langan representing Joe Torsella, State Treasurer. Bob Coyne, representing Secretary of Revenue Dan Hassell.

Thank you everybody for being here.

A quorum of the Board being present I'll call proceedings to order. First order is the Pledge of Allegiance.

---

(WHEREUPON, THE PLEDGE OF ALLEGIANCE WAS RECITED.)

---

CHAIRMAN: By way of announcements, the Board held an Executive Session yesterday on July 11th to conduct quasi-judicial deliberation relating to matters being considered by the Board today. Next we have consideration of a motion to approve the Minutes and Transcripts of the April 26th and May 17th meetings. May I have a motion?

1                   MR. RYAN: Mr. Chairman, I move that  
2 the Board approve the Minutes and Transcripts of  
3 April 26th and May 17th, 2017 meetings.

4                   MR. SANTONI: Second.

5                   CHAIRMAN: All in favor?

6 AYES RESPOND

7                   CHAIRMAN: All opposed?

8 The motion is adopted.

9 Under new business we'll hear from  
10 Doug Sherman.

11                   ATTORNEY SHERMAN: Good morning  
12 Chairman, members of the Board. Our first agenda  
13 item relates to Final Regulation #125-189 and it  
14 pertains to Hybrid Gaming Tables and Electronic  
15 Wagering Systems - or Electronic Wagering Terminals.  
16 The rulemaking will transition the regulation from -  
17 into the Final-form adding the new game technology  
18 Hybrid Gaming Tables to the complement of table  
19 games available for play in the Commonwealth.

20                   Hybrid Gaming Tables are tables that  
21 combine live dealer action with fully automated  
22 electronic wagering. The dealer conducts the game  
23 on a physical table referred to as the hybrid table.  
24 And then there are separate electronic wagering  
25 terminals located apart from the table and players

1 make their wagers and monitor the game being dealt  
2 from those terminals.

3 All wagering recordation of wins and  
4 losses as well as the printing of gaming vouchers  
5 occur at the electronic wagering terminal. The  
6 rulemaking will incorporate the new technology into  
7 the existing Board regulations on device testing,  
8 internal controls, table game taxes and the  
9 provisions associated with electronic gaming tables.  
10 The new gaming system will be connected to the  
11 Department of Revenue's central control computer  
12 system and that acts as the system of recordation of  
13 taxes due. With that explanation I'd be happy to  
14 answer any questions but otherwise ask for a motion  
15 to approve.

16 CHAIRMAN: Thank you, Doug.

17 Are there any questions from the Board  
18 or Ex-Officio Members?

19 May I have a motion?

20 MR. JEWELL: Mr. Chairman, I move that  
21 the Board issue an Order to adopt the final  
22 regulation number 125-189 as described by the Office  
23 of Chief Counsel (OCC).

24 MR. LOGAN: Second.

25 CHAIRMAN: All in favor?

1 AYES RESPOND

2 CHAIRMAN: All opposed?

3 The motion is adopted.

4 ATTORNEY SHERMAN: Next we have four  
5 Petitions for your consideration. Each of the  
6 matters can be decided on the record by agreement of  
7 the parties. Each of these matters of the Board has  
8 in advanced of this meeting then provided with all  
9 documents file of the record as of today.

10 The first Petition I believe this  
11 individual may be present and you should come  
12 forward if you'd like to briefly address the Board.  
13 This matter is of Robert Marsanico. It's the Office  
14 of Enforcement Counsel's (OEC) request to place Mr.  
15 Marsanico on the Involuntary Exclusion List. The  
16 uncontested facts in the matter show that on October  
17 8th, 2016, Mr. Marsanico was pinching and past  
18 posting bets while playing craps at Sands Bethworks  
19 Casino thereby unlawfully winning \$325. Mr.  
20 Marsanico was criminally charged and subsequently  
21 entered a six month ARD Program on April 26th, 2017.

22 In February 2017, the OEC filed a  
23 complaint to place Mr. Marsanico on the Involuntary  
24 Exclusion List. After requesting a hearing, Mr.  
25 Marsanico subsequently decided to waive his right to

1 a hearing and have the Board decide the matter based  
2 upon the documents. That's the matter that's now  
3 ready for the Board's consideration. As stated, Mr.  
4 Marsanico has come to the meeting today.

5 CHAIRMAN: Thank you. Did you wish to  
6 say something?

7 MR. MARSANICO: Yeah, I just wish to  
8 say -.

9 CHAIRMAN: Stand and please be sworn.

10 ---

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

15 ---

16 CHAIRMAN: Thank you. You can  
17 proceed.

18 MR. MARSANICO: I just wanted to say  
19 that I was charged with the 11 counts. I have  
20 entered ARD. I have paid my ARD, my restitution in  
21 full and that I will be off - I guess the charges  
22 will be expunged on October 26th. I fully apologize  
23 for my actions and I would like to be considered not  
24 to be permanently banned from the casinos in  
25 Pennsylvania.

1                   CHAIRMAN: Are there any questions  
2 from the Board on this matter? Do you have a  
3 response or should I proceed?

4                   ATTORNEY SHERMAN: You can proceed  
5 with a motion.

6                   CHAIRMAN: Okay.

7                   MR. MARSANICO: Just one more -.

8                   CHAIRMAN: Yes, sir.

9                   MR. MARSANICO: I have absolutely no  
10 record at all. I probably haven't had a parking  
11 ticket in 20 years.

12                   CHAIRMAN: Okay. Thank you.

13                   Is there a motion?

14                   MR. LOGAN: Mr. Chairman, I move the  
15 Board grant the OEC's Petition to place Robert  
16 Marsanico on the PGCB Involuntary Exclusion List as  
17 described by the OCC.

18                   MR. MOSCATO: Second.

19                   CHAIRMAN: All in favor?

20 AYES RESPOND

21                   CHAIRMAN: All opposed?

22                   The motion is adopted. Thank you.

23                   ATTORNEY SHERMAN:

24                   The next matter is that of Bunzl  
25 Midatlantic's Petition for removal from the Board's

1 Prohibited Gaming Service Provider List. Bunzl  
2 Midatlantic supplies a range of products that  
3 include food packaging, disposable supplies and  
4 cleaning and the safety products. Bunzl filed a  
5 certified Gaming Service Provider Application with  
6 the Board in January 2007. While its Application  
7 was under review, it provided services to several  
8 Pennsylvania casinos receiving over \$690,000 in  
9 compensation. In March 2009, Bunzl was placed on  
10 the Board's Prohibited Gaming Service Provider List  
11 for failure to cure deficiencies in its Application.

12 Bunzl Distribution has now filed a  
13 request for the removal from the Prohibited Gaming  
14 Service Provider List. The OEC does not object to  
15 Bunzl being removed from the list so long as it pays  
16 a \$1,500 civil penalty and files a complete  
17 application package with the Board. The matter is  
18 now appropriate for the Board's consideration.

19 CHAIRMAN: Are there are any questions  
20 or comments from the Board?

21 May I have a motion?

22 MR. MOSCATO: Mr. Chairman, I move  
23 that the Board grant Bunzl Midatlantic, LLC's  
24 Petition to be removed from the Prohibited Gaming  
25 Service Provider List described by the OEC - I'm

1 sorry, the OCC and subject to a \$1,500 civil penalty  
2 as requested by Enforcement Counsel.

3 MR. RYAN: Second.

4 CHAIRMAN: All in favor?

5 AYES RESPOND

6 CHAIRMAN: All opposed?

7 The motion is adopted.

8 ATTORNEY SHERMAN: The next Petition  
9 before the Board is that of Eastern Lift Truck  
10 Company which also seeks removal from the Board's  
11 Prohibited Gaming Service Provider List.

12 In July of 2010, Eastern Lift Truck  
13 Company was placed on the Prohibited Gaming Service  
14 Provider List after failing to provide the Board  
15 with information required to complete its  
16 Application. Specifically, the President of the  
17 company at that time informed the Bureau of  
18 Licensing of his concerns about providing personal  
19 information needed to complete the Application  
20 process. The individual indicated at that time that  
21 if personal information of himself was needed he did  
22 not want to complete the process and wanted to  
23 withdraw.

24 Nonetheless, as a result of his  
25 failure to move forward with providing the requested

1 information, Eastern Lift Truck was placed on the  
2 Prohibited GSP List. Eastern Lift Truck's former  
3 President has passed away and the company is now  
4 requesting a removal from the list so that they can  
5 begin the registration application process anew and  
6 conduct good business with Pennsylvania casinos.

7 The OEC does not object to Eastern  
8 Lift Truck being removed from the Prohibited Gaming  
9 Service Provider List and request that they complete  
10 - submit a complete application and pay all  
11 associated fees with the Application as well as  
12 \$1,500 civil penalty. And that's the request before  
13 the Board.

14 CHAIRMAN: Thank you.

15 Are there are any questions or  
16 comments from the Board?

17 May I have a motion?

18 MR. RYAN: Mr. Chairman, I move that  
19 the Board grant the Eastern Lift Truck Company,  
20 Inc.'s Petition to be removed from the Prohibited  
21 Gaming Service Provider List as described the OEC.  
22 However, Eastern Lift Truck Company should not be  
23 assessed a \$1,500 civil penalty.

24 MR. SANTONI: Second.

25 CHAIRMAN: All in favor?

1 AYES RESPOND

2 CHAIRMAN: All opposed?

3 The motion as modified is adopted.

4 ATTORNEY SHERMAN: The next Petition  
5 before -.

6 CHAIRMAN: Let me clarify that. The  
7 motion is not modified. The recommendation is  
8 modified by the motion. Thank you.

9 ATTORNEY SHERMAN: The next Petition  
10 before the Board is that Pasang Sherpa's request to  
11 lift the Suspension of his Gaming Employee Permit.

12 By way of background, Mr. Sherpa was  
13 issued a Gaming Employee Occupation Permit in April  
14 of 2013 to work as a Table Game Dealer at Presque  
15 Isle Downs. On August 2nd, 2016, an Emergency  
16 Suspension of Mr. Sherpa's Gaming Permit was issued  
17 by the Executive Director as requested by the OEC.  
18 After Counsel learned that Mr. Sherpa had been  
19 charged with several criminal charges including one  
20 felony account, specifically after being arrested on  
21 a DUI charge upon the police returning him to his  
22 residence, Mr. Sherpa became combative with police  
23 and struggled leading to a State Police Trooper  
24 sustaining an injury.

25 A hearing on the validity of the

1 Emergency Suspension was held in October of 2016 and  
2 on January 1st, 2017, the Board ordered Mr. Sherpa's  
3 Emergency Suspension remain in effect pending the  
4 outcome of the criminal charges. In April of this  
5 year, Mr. Sherpa filed a motion requesting that the  
6 suspension be lifted as the felony aggravated  
7 assault count, which was the reason for the  
8 Emergency Suspension had been dropped.

9 OEC initially objected to the request  
10 and a hearing was held on June 8th, 2017. After  
11 hearing from Mr. Sherpa and his counsel at that  
12 hearing, OEC withdrew its objection to Mr. Sherpa's  
13 suspension being lifted and it's now that request to  
14 lift the suspension which is before the Board. I  
15 indicate Mr. Sherpa is also present today.

16 CHAIRMAN: Mr. Sherpa, if you would  
17 you like to address will you please stand and be  
18 sworn by the court reporter.

19 ---

20 PASANG SHERPA,  
21 CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND  
22 HAVING FIRST BEEN DULY SWORN, TESTIFIED AND SAID AS  
23 FOLLOWS:

24 ---

25 CHAIRMAN: You can go ahead.

1                   ATTORNEY SHERMAN: You can say  
2 anything to the Board. This is your opportunity.

3                   CHAIRMAN: You can sit. You don't  
4 have to stand. It's fine.

5                   MR. SHERPA: Actually I have nothing  
6 to say but thank you.

7                   CHAIRMAN: Keep your voice up. We  
8 can't hear you.

9                   MR. SHERPA: Actually I have nothing  
10 to say but thank you for the opportunity.

11                   CHAIRMAN: We can't hear. We can't  
12 hear. You have to lean forward. Have him lean  
13 forward, Doug. Have him lean forward, please.

14                   ATTORNEY SHERMAN: Just lean and try  
15 to keep your voice up and lean in.

16                   MR. SHERPA: So, what do I have to  
17 say? I don't know.

18                   ATTORNEY SHERMAN: Say it louder.

19                   MR. SHERPA: So, actually I have  
20 nothing to say, sir. Thank you very much for the  
21 opportunity.

22                   CHAIRMAN: Okay. Thank you.  
23 Are there are any questions, Board?  
24 Do we have - do we have a motion?

25                   MR. SANTONI: Mr. Chairman, I move

1 that the Board grant Pasang Sherpa's Petition to  
2 lift the suspension of his Gaming Employee  
3 Occupation Permit as described by the OCC.

4 MR. JEWELL: Second.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

7 CHAIRMAN: All opposed?

8 The motion is adopted. Thank you.

9 ATTORNEY SHERMAN: Next presenting the  
10 Reports and Recommendations is Deputy Chief Counsel  
11 Steve Cook.

12 ATTORNEY COOK: Before the Board today  
13 - good morning. Before the Board today are there  
14 Reports and Recommendations received from the Office  
15 of Hearings and Appeals (OHA). In each case the  
16 Board has received the evidentiary hearing - or  
17 evidentiary record prior to today's meeting and  
18 additionally in each case the person that is subject  
19 to the Report and Recommendation has been notified  
20 that the Board would be taking the matter up today.  
21 If any of these persons are present and wish to  
22 address the Board, they should come forward when  
23 their matter is called.

24 The first Report and Recommendation  
25 pertains to Jerome Benenati. On January 26th, 2017

1 the OEC filed a Petition to place Mr. Benenati on  
2 the Exclusion List after it was found that on August  
3 9th, 2016 while 20 years old he attempted to gain  
4 access to the Mount Airy gaming floor using false  
5 identification. As a result of his actions, Mr.  
6 Benenati was charged and pled guilty to carrying  
7 false identification.

8 He requested a hearing in this matter  
9 on OEC's request to place him on the Exclusion List.  
10 The hearing was held on April 4th, 2017. Mr.  
11 Benenati and OEC both appeared at that hearing and  
12 essentially this gentleman admitted to his conduct  
13 and just pled for leniency and cited it as poor  
14 judgment. Notwithstanding that testimony, the  
15 Report and Recommendation issued by the OHA  
16 recommends that he be placed on the Board for a  
17 period of at least one year at which time he could  
18 petition to come off of the Exclusion List and the  
19 is the recommendation before the Board.

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

22 MR. JEWELL: Mr. Chairman, I move that  
23 the Board adopt the Report and Recommendation as  
24 described by the OCC and that Mr. Benenati be placed  
25 on the Board's List of Excluded Persons for at least

1 one year at which time he may petition for removal  
2 from the list.

3 MR. LOGAN: Second.

4 CHAIRMAN: All in favor?

5 AYES RESPOND

6 CHAIRMAN: All opposed?

7 The motion is adopted.

8 ATTORNEY COOK: The next Report and  
9 Recommendation before the Board stems from a request  
10 to be removed from the Self Exclusion List pursuant  
11 to the Findings and Fact in the Report and  
12 Recommendation issued in this matter. On January  
13 16th, 2009, an individual with the initials C.W.  
14 entered the Hollywood Casino and request to be  
15 placed on the Lifetime Self Exclusion List. The  
16 Casino Compliance Representative placed C.W. on the  
17 list, testified at the hearing held in this matter  
18 and he conducted a mandatory interview with C.W. in  
19 2009 and completed all the required procedures.

20 Thereafter, C.W. signed an  
21 acknowledgement form selecting the Lifetime Self  
22 Exclusion option. The CCR further testified that  
23 C.W. did not appear to be under the influence of  
24 alcohol or drugs and did not appear to be coerced in  
25 any way to place yourself on the list.

1                   On January 27th, 2017, C.W. filed for  
2 a request to be removed from the list stating that  
3 the day before while at the Hollywood Casino, a  
4 security officer confronted her and advised her she  
5 was self-excluded. She thought at that time and  
6 expressed to the security officer that she was only  
7 on the list for five years and the term had expired.  
8 At that point in time she was shown the  
9 documentation that she had chosen lifetime  
10 self-exclusion and immediately the next day she  
11 requested the hearing to be removed. She did not in  
12 fact attend that hearing so the only evidence put  
13 into the record was the CCR's testimony that he  
14 followed all of the required procedures in placing  
15 her on the list.

16                   As a result, the recommendation of the  
17 Hearing Officer is that she be removed - not that -  
18 that she remain on the list. I'm sorry.

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

21                   MR. LOGAN: Mr. Chairman, I move that  
22 the Board adopt the Report and Recommendation issued  
23 by the OHA regarding the removal of C.W. from the  
24 Voluntary Self Exclusion List described by the OCC.

25                   MR. MOSCATO: Second.

1                    CHAIRMAN: All in favor?

2 AYES RESPOND

3                    CHAIRMAN: All opposed?

4                    The motion is adopted.

5                    ATTORNEY COOK: The final Report and  
6 Recommendation pertains to Valerie Lopes. I believe  
7 Ms. Lopes is present today if she would care to she  
8 can come forward at this time.

9                    By way of background, on February 3rd,  
10 2017, Ms. Lopes submitted a Gaming Employee Permit  
11 Application seeking work as a Table Games Dealer at  
12 Harrah's Philadelphia. Ms. Lopes disclosed in her  
13 application that she was arrested in December of  
14 2014 for a second DUI offense after previously  
15 receiving an ARD on a DUI. And in October of 2015,  
16 she was arrested for her third DUI.

17                    Upon Enforcement Counsel's review of  
18 the application, they recommended her for denial  
19 based upon the nature and recency of her recurring  
20 DUI offenses. She subsequently requested a hearing  
21 and on March 28th, 2017 a hearing was held. Both  
22 Enforcement Counsel and Ms. Lopes appeared at the  
23 hearing offering testimony and documentary evidence.  
24 Ms. Lopes testified that after being released from  
25 jail most recently in December of 2016 for her third

1 DUI, she entered into and completed an eight week  
2 intensive outpatient alcohol treatment program.

3 She also testified at the hearing that  
4 she was presently at that time in an 18 week  
5 outpatient program and attending AA meetings on a  
6 daily basis. She admitted to her problems with  
7 alcohol, acknowledged her poor decision making and  
8 also submitted into the record letters of  
9 recommendation for the Board Probation and Parole as  
10 well as one of the treatment facilities where she  
11 received treatment.

12 After hearing all of the evidence  
13 presented, the Hearing Officer issued a Report and  
14 Recommendation recommending that Ms. Lopes be  
15 granted a Gaming Permit and that is the  
16 recommendation before the Board. As noted, Ms.  
17 Lopes is present. I don't know if she cares to  
18 address the Board or not.

19 ---

20 VALERIE LOPES,  
21 CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND  
22 HAVING FIRST BEEN DULY SWORN, TESTIFIED AND SAID AS  
23 FOLLOWS:

24 ---

25 MS. LOPES: Good morning.

1           Since the first appeal hearing, I have  
2 completed treatments successfully. I am currently  
3 working a program, I attend AA at least three times  
4 a week. I have a good support system and I just  
5 look forward to working in the casino. I think I  
6 would be a great asset to the Board.

7           CHAIRMAN: Are there any questions or  
8 comments from the Board? Is there a motion?

9           MR. MOSCATO: Mr. Chairman, I move  
10 that the Board adopt the Report and Recommendation  
11 issued by the OHA regarding Valerie Lopes' Gaming  
12 Employee Occupation Permit as described by the OCC.

13           MR. RYAN: Second.

14           CHAIRMAN: All in favor?

15 AYES RESPOND

16           CHAIRMAN: All opposed?

17 The motion is adopted.

18           MS. LOPES: Thank you.

19           CHAIRMAN: Thank you for coming.

20           THE WITNESS: Thank you.

21           ATTORNEY COOK: That concludes  
22 findings of the OCC.

23           CHAIRMAN: Next up, Sue Hensel, the  
24 Director of the Bureau of Licensing.

25           MS. HENSEL: Thank you, Chairman

1 Barasch and members of the Board.

2 Before the Board today will be 677  
3 Principal, Key, Gaming and Non-Gaming Employee  
4 Applicants. In addition, there will be the  
5 consideration of 17 Gaming Service Provider  
6 Applicants.

7 The first matter for your  
8 consideration is the renewal of Ainsworth Gaming  
9 Technology Limited's Slot Machine Manufacturer  
10 License. Ainsworth is an Australia based company  
11 that manufactures slot machines. The company was  
12 first approved for a License by the Board in 2007.  
13 The Bureau of Investigation and Enforcement (BIE)  
14 has completed its investigation of the company and  
15 the Bureau of Licensing has provided you with the  
16 Background Investigation and Suitability Report. I  
17 have provided you with the draft Order for this  
18 entity and ask that the Board consider the Order to  
19 renew the Slot Machine Manufacturer License for  
20 Ainsworth.

21 ATTORNEY PITRE: The Enforcement  
22 Counsel has no objection.

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

25 MR. RYAN: Mr. Chairman, I move that

1 Board approve the renewal of Ainsworth Game  
2 Technology, Limited's Slot Machine Manufacturer  
3 License as described by the Bureau of Licensing.

4 MR. SANTONI: Second.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

7 CHAIRMAN: All opposed?

8 The motion is adopted.

9 MS. HENSEL: The next matter for your  
10 consideration is that of a Conditional Table Game  
11 Manufacturer for Cammegh Limited. Cammegh Limited  
12 is a manufacturer of roulette wheels and other  
13 gaming products. The company is headquartered in  
14 England.

15 Pursuant to the Board's regulations,  
16 the Board may issue a Conditional Table Game  
17 Manufacturer License provided the Applicant meets  
18 the following criteria. That they submit a  
19 completed application, are licensed in good standing  
20 in a gaming jurisdiction whose manufacturer  
21 standards are recognized by the PGCB, submits a  
22 written statement from the facility indicating that  
23 the facility may do business with the company,  
24 passes a preliminary criminal history investigation  
25 and pays the licensing fee prior to license

1 issuance.

2                   The Bureau of Licensing has provided  
3 you with a preliminary Background Investigation and  
4 Suitability Report for the company and the report  
5 indicates that these criteria have been satisfied.  
6 Should the Board approve Cammegh Limited for a  
7 Conditional License, the company has asked that the  
8 Board allow it to pay a reduced licensing fee of  
9 \$5,000 rather than the full \$50,000 licensing fee  
10 for an initial one year Manufacturer License.

11                   Under the Gaming Act, the Board may  
12 modify the fee for a Table Game Manufacturer License  
13 if it determines that the fee will unreasonably  
14 limit table game devices or associated equipment.  
15 Consistent with this provision of the Act, the  
16 Bureau of Licensing has adopted a reduced licensing  
17 fee policy which has previously been presented to  
18 the Board.

19                   Under the policy, a reduction of the  
20 licensing fee to \$5,000 is warranted if there are  
21 between one and ten manufacturers of a product and  
22 the anticipated sales are under \$100,000 for a 12  
23 month period. Cammegh Limited would be one of three  
24 Licensed Manufacturers of roulette wheels in the  
25 state and its projected average yearly gross sales

1 for one year are under \$100,000.

2           The Bureau of Licensing recommends  
3 that the Board grant the request for a \$5,000  
4 licensing fee. The BIE has completed its  
5 investigation and the Bureau of Licensing has  
6 provided you with a Background Investigation and  
7 Suitability Report. I have provided you with a  
8 draft Order and ask that the Board consider the  
9 Order to approve the Conditional Table Game  
10 Manufacturer License and the reduced license fee.

11           ATTORNEY PITRE: Enforcement Counsel  
12 has no objection.

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

15           MR. SANTONI: Mr. Chairman, I move  
16 that the Board approve Cammegh Limited's Conditional  
17 Table Games Manufacturer License as described by the  
18 Bureau of Licensing.

19           MR. JEWELL: Second.

20           CHAIRMAN: All in favor?

21 AYES RESPOND

22           CHAIRMAN: All opposed?

23 The motion is adopted.

24           MS. HENSEL: Next is the approval of  
25 Principal and Key Employee Licenses. Prior to this

1 meeting the Bureau of Licensing provided you with  
2 Board's Order for 13 Principal and 13 Key Employee  
3 Licenses. I ask that the Board consider the Order  
4 approving these licenses.

5 ATTORNEY PITRE: Enforcement Counsel  
6 has no objection.

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

9 MR. JEWELL: Mr. Chairman, I move that  
10 the Board approve the issuance of Principal and Key  
11 Employee Licenses as described by the Bureau of  
12 Licensing.

13 MR. LOGAN: Second.

14 CHAIRMAN: All in favor?

15 AYES RESPOND

16 CHAIRMAN: All opposed?

17 The motion is adopted.

18 MS. HENSEL: There were also Temporary  
19 Principal and Key Employee Licenses. Prior to this  
20 meeting, the Bureau of Licensing provided you with  
21 an Order regarding the issuance of Temporary  
22 Licenses for two Principal and ten Key Employees. I  
23 ask that the Board consider the Order approving  
24 these licenses.

25 ATTORNEY PITRE: Enforcement Counsel

1 has no objection.

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

4 MR. LOGAN: Mr. Chairman, I move the  
5 Board approve the issuance of Temporary Principal  
6 and Key Employee Credentials as described by the  
7 Bureau of Licensing.

8 MR. MOSCATO: Second.

9 CHAIRMAN: All in favor?

10 AYES RESPOND

11 CHAIRMAN: All opposed?

12 The motion is adopted.

13 MS. HENSEL: In addition, there are  
14 Gaming Permits and Non-Gaming Registrations. Prior  
15 to this meeting, the Bureau of Licensing provided  
16 you with a list of 427 individuals to whom the  
17 Bureau has granted Temporary or Full Occupation  
18 Permits and 187 individuals for whom the Bureau has  
19 granted Registrations under the authority delegated  
20 from the Bureau of Licensing. I ask that the Board  
21 consider a motion approving the Order.

22 ATTORNEY PITRE: The Enforcement  
23 Counsel has no objection.

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

1                   MR. MOSCATO: Mr. Chairman, I move  
2 that the Board approve the issuance of Gaming  
3 Employee Occupation Permits and Non-Gaming Employee  
4 Registrations as described by the Bureau of  
5 Licensing.

6                   MR. RYAN: Second.

7                   CHAIRMAN: All in favor?

8 AYES RESPOND

9                   CHAIRMAN: All opposed?

10 The motion is adopted.

11                   MS. HENSEL: Also there are  
12 Recommendation of Denial for one Non-Gaming Employee  
13 and one Gaming Service Provider Applicant. In  
14 addition to being denied, the Gaming Service  
15 Provider Applicant would also be placed on the  
16 Prohibited Gaming Service Provider List.

17                   In each case, the Applicant was  
18 notified it was being recommended for denial and  
19 failed to request a hearing within the specified  
20 timeframe. The Bureau of Licensing has provided you  
21 with Orders addressing the Applicant's the OEC has  
22 recommended for denial. I ask that the Board  
23 consider a motion approving the denials.

24                   ATTORNEY PITRE: Enforcement Counsel  
25 continues to request denial in each instance and as

1 it relates to the Gaming Service Provider and  
2 request that it be placed on Prohibited Gaming  
3 Service Providers List.

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

6 MR. RYAN: Mr. Chairman, I move that  
7 the Board deny the Gaming Service Provider and  
8 Non-Gaming Employee Application as described by the  
9 Bureau of Licensing.

10 MR. SANTONI: Second.

11 CHAIRMAN: All in favor?

12 AYES RESPOND

13 CHAIRMAN: All opposed?

14 The motion is adopted.

15 MS. HENSEL: Next for your  
16 consideration are Withdrawal Requests for Gaming and  
17 Non-Gaming Employees. In each case, the Permit or  
18 Registration was no longer required. For today's  
19 meeting I have provided you with a list of 20 Gaming  
20 and three Non-Gaming Employee Applicant Withdrawals  
21 for approval. I ask that the Board consider the  
22 Orders approving the list of Withdrawals.

23 ATTORNEY PITRE: Enforcement Counsel  
24 has no objection.

25 CHAIRMAN: Questions or comments from

1 the Board? May I have a motion?

2 MR. SANTONI: Mr. Chairman, I move  
3 that the Board approve the Withdrawals as described  
4 by the Bureau of Licensing.

5 MR. JEWELL: Second.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

8 CHAIRMAN: All opposed?

9 The motion is adopted.

10 MS. HENSEL: Next we have an Order to  
11 certify the following Gaming Service Providers, E.J.  
12 Raith Mechanical, Inc. and Mark-It Smart, Inc. I  
13 ask that the Board consider the Order approving the  
14 Gaming Service Provider for Certification.

15 ATTORNEY PITRE: Enforcement Counsel  
16 has no objection.

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

19 MR. JEWELL: Mr. Chairman, I move that  
20 the Board approve the Applications for Gaming  
21 Service Provider Certification as described by the  
22 Bureau of Licensing.

23 MR. LOGAN: Second.

24 CHAIRMAN: All in favor?

25 AYES RESPOND

1                   CHAIRMAN: All opposed?

2                   The motion is adopted.

3                   MS. HENSEL: Finally for your  
4 consideration are Gaming Service Provider  
5 Registrations. The Bureau of Licensing provided you  
6 with an Order and attached list of 15 registered  
7 Gaming Service Provider Applicants. I ask that the  
8 Board consider the Order registering these Gaming  
9 Service Providers.

10                   ATTORNEY PITRE: Enforcement Counsel  
11 has no objection.

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

14                   MR. LOGAN: Mr. Chairman, I move that  
15 the Board approve the Application of Gaming Service  
16 Provider Registrations as described by the Bureau of  
17 Licensing.

18                   MR. MOSCATO: Second.

19                   CHAIRMAN: All in favor?

20 AYES RESPOND

21                   CHAIRMAN: All opposed?

22                   The motion is adopted.

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

25                   CHAIRMAN: Thank you, Susan.

1 Next up, OEC.

2 ATTORNEY PITRE: The OEC will present  
3 24 matters for the Board's consideration today  
4 consisting of four Consent Agreements, five  
5 Revocations, three suspensions and 12 Involuntary  
6 Exclusions.

7 The next matter on the agenda for  
8 Board's consideration is a Consent Agreement between  
9 the OEC and Category 2 Licensee Sands Bethworks  
10 Gaming, LLC. This matter will be presented by  
11 Senior Enforcement Counsel Michael Roland.  
12 Representatives for Sands are present and at this  
13 time I would request that those individuals  
14 introduce themselves for the record and for anyone  
15 is not an attorney to stand and be sworn.

16 ATTORNEY MAGAZZU: Michael Magazzu,  
17 M-A-G-A-Z-Z-U, Vice President and General Counsel of  
18 Sands Bethworks Gaming, LLC.

19 MR. JULIANO: Mark Juliano, Chief  
20 Operating Officer, J-U-L-I-A-N-O.

21 MR. FORBES: Matthew Forbes, Director  
22 of Security, F-O-R-B-E-S.

23 MR. TOMLINSON: Jeff Tomlinson,  
24 Director of Compliance, T-O-M-L-I-N-S-O-N.

25 CHAIRMAN: Gentlemen, if you'd all

1 stand to be sworn at this time?

2 ---

3 (WHEREUPON, WITNESSES SWORN EN MASSE)

4 ---

5 ATTORNEY ROLAND: Good morning, Mr.  
6 Chairman. Michael Roland, R-O-L-A-N-D, for the OEC.

7 The first proposed Consent Agreement  
8 between the OEC and Sands Casino consists of ten  
9 fact patterns which will address 11 separate  
10 incidents of underage gaming at the facility.

11 Count one, on March 1st, 2017, Sands  
12 surveillance notified the Bureau of Casino  
13 Compliance of two underage patrons that were found  
14 on the casino floor. The first patron, an underage  
15 male identified as William Stanly, age 19 at the  
16 time, ran away from a blackjack table and out the  
17 casino bus exit after being asked for identification  
18 by the Sands Field Training Officer. Surveillance  
19 footage showed that he met up with a female minor,  
20 S.C., age 17 at the time, at a skate park which is  
21 directly across from the facility.

22 Surveillance revealed that both  
23 underage patrons entered the casino through the  
24 second floor executive office hallway which is a  
25 restricted area. The underage individuals waited

1 until an employee was exiting through the door in  
2 order to gain that entry. Four different employees  
3 passed the underage patrons as they walked through  
4 the restricted back house area.

5 They accessed the gaming floor by the  
6 descending stairwell from that restricted area and  
7 utilized the door which is not manned by security.  
8 The underage individuals were in the back of house  
9 for approximately two minutes.

10 William Stanly was on the gaming floor  
11 for approximately 22 minutes and gamed at two  
12 separate slot machines while S.C. was on the gaming  
13 floor for approximately 21 minutes and gamed at one  
14 slot machine. The Pennsylvania State Police were  
15 notified and cited both with underage on the gaming  
16 floor. Additionally, Sands security issued both  
17 underage patrons permanent evictions and the  
18 incident was self reported.

19 Count two occurs on February 19th,  
20 2017. The Bureau of Casino Compliance received  
21 notification from Sands surveillance regarding an  
22 underage male seated at the table game. A Table  
23 Game Supervisor challenged two males for  
24 identification. One male presented a passport for  
25 identification and the other male presented a

1 driver's license for identification.

2                   However, the passport and the driver's  
3 license presented by the two males had the same  
4 identifying information. It was discovered that  
5 minor N.Z., age 17 at the time, used one of his  
6 identifications that belonged to an older brother,  
7 William Zipher, who was age 21. N.Z. was on the  
8 gaming floor for approximately three hours and 43  
9 minutes. He did not play table games but gamed at  
10 six separate slot machines. Upon being discovered,  
11 N.Z. admitted that he was 17 years of age.  
12 Pennsylvania State Police were contacted and issued  
13 N.Z. a citation. N.Z. and William Zipher were  
14 issued permanent evictions and the incident was self  
15 reported.

16                   Count three, -.

17                   CHAIRMAN: Mr. Roland, we have this  
18 material. If it would possible you could summarize  
19 this instead of going to the level of detail you're  
20 doing with all these counts?

21                   ATTORNEY ROLAND: I absolutely can.

22                   CHAIRMAN: Thank you.

23                   ATTORNEY ROLAND: Count three occurred  
24 February 8th of 2017. It involved minor E.S., who  
25 was aged 17, on the floor for 32 minutes, gamed at

1 five separate slot machines. Incident was self  
2 reported by Sands.

3 Count four occurred January 29th,  
4 2017. Also a minor R.A., who was aged 17 at the  
5 time. R.A. was discovered by - requesting an  
6 alcoholic beverage, was on the gaming floor for  
7 approximately one hour and 51 minutes. Pennsylvania  
8 State Police were contacted and issued citation.  
9 This was also self reported.

10 Count five occurred on January 19th,  
11 of 2017. And individual by Georgina Lamari, who was  
12 age 20 at the time, she had entrance to the gaming  
13 floor through use of a permanent residence card.  
14 She was on for approximately one hour and 40  
15 minutes, was issued a citation. Again, self  
16 reported by Sands.

17 Count six occurred on December 23rd,  
18 2016. Jacob McKresh, who was 20, gained access  
19 through the use of a fraudulent identification, was  
20 on for 2 hours and 47 minutes gamed at two separate  
21 table games, was issued a citation. Again, self  
22 reported by Sands.

23 Count seven occurred on December 17th,  
24 2016. This one a 16 year old identified as C.R.  
25 gained access to gaming floor through the market

1 entrance, passed security several times. She failed  
2 to provide identification to security while on the  
3 floor. That's how she was discovered. She was  
4 actually with her father and the second attempt she  
5 was found, citation issued and that's self reported.

6 Count eight occurred on October 30th,  
7 2016. Chris Jonakecko, age 20, used a fraudulent  
8 identification to gain access. She was also cited,  
9 was on the gaming floor for approximately 31  
10 minutes.

11 Count nine occurred on October 1,  
12 2016. Individual by the name of Amber Morgan, age  
13 18, she was on the floor for approximately three  
14 hours and 15 minutes, gamed at 15 separate slot  
15 machines. It was - a citation was issued and again  
16 it was self reported.

17 I'm sorry, on count eight that was  
18 actually two hours and nine minutes that she gamed.

19 Count ten occurred on September 25th,  
20 2016 when Maria Gomez who was age 20, attempted to  
21 gain access. She had previously been on the floor  
22 several times and someone had misread her  
23 identification. That was confirmed through video  
24 surveillance. Again, self reported by Sands.

25 The ten incidents at this time the OEC

1 requests that Board approve the Consent Agreement  
2 between the parties. The terms of the settlement  
3 include that within five days of the Board's Order  
4 approving this Consent Agreement, Sands shall pay  
5 civil penalty of \$150,000 for the alleged violations  
6 described. Also within five days of the Board's  
7 Order approving this Consent Agreement, Sands shall  
8 pay the Board \$2,500 for the cost incurred by OEC,  
9 BIE and other related staff in connection with the  
10 matter.

11 Further, Sands shall immediately  
12 review its policies and controls and provide  
13 training and guidance to its employees which will  
14 minimize the opportunity for the occurrence of  
15 similar incidents in the future. As Mr. Pitre has  
16 mentioned, there's several representatives from  
17 Sands facility that are here and would be happy to  
18 take any questions you might have.

19 CHAIRMAN: Any comments?

20 ATTORNEY MAGAZZU: Yes, thank you,  
21 Chairman, members of the Board. First we  
22 regrettably agree with the terms of the draft  
23 Consent Agreement as it has been presented to you  
24 and we also ask that you approve that Consent  
25 Agreement in its current form.

1                   Secondly, despite the number of  
2 violations in this Consent Agreement and the  
3 severity of the same, we do want to assure the Board  
4 and the OEC and the people of the Commonwealth that  
5 we fully comprehend the severity of the regulatory  
6 violations and we have and will continue to  
7 implement whatever remedial and preventative  
8 measures we deem appropriate and necessary to, you  
9 know, minimize or prevent these types of incidents  
10 from occurring in the future. So, if you have any  
11 questions, Mr. Juliano and Mr. Forbes and Mr.  
12 Tomlinson will do our best to answer them.

13                   CHAIRMAN: None of these individuals  
14 have any comments other than to be responsive to the  
15 question then. That's fine.

16                   ATTORNEY MAGAZZU: Not at the moment.

17                   CHAIRMAN: Just wanted to make sure.  
18 Okay.

19                   Are there questions or comments from  
20 the Board on this matter?

21                   MR. JEWELL: I do. The comment about  
22 the remedial activities that you're going to do, I'd  
23 like some description of that, please rather than -  
24 it's not self evident.

25                   ATTORNEY MAGAZZU: Sure. For me

1 personally, I hope I can speak on behalf of all four  
2 of us when I say that I believe that the most  
3 important remedial measure that we have implemented  
4 certainly in the 16 months that I've been with  
5 Sands, I will argue since the time of opening has  
6 been the advanced ID scan system that we just  
7 installed and began utilizing in March. You may  
8 recall when we were here in January, very similar  
9 Consent Agreement. We represented to the Board that  
10 we would have that advanced system installed and  
11 operated by the end of the first quarter and if  
12 there's anything we are happy to report today it is  
13 that we held to that representation and on March  
14 13th we began utilities and it has proven to be,  
15 again I would argue, the single best improvement  
16 that we've made in this area.

17 MR. JEWELL: The last reported  
18 incident that's part of this Consent Agreement, have  
19 there been any subsequent to that?

20 ATTORNEY MAGAZZU: There have been a  
21 few. I would submit to you that they are much less  
22 severe in nature. They all - any time a minor is on  
23 the casino floor, whatever the circumstance we take  
24 it very seriously. So, I don't want to minimize the  
25 severity of it but we have had I believe a couple

1 incidents where underage folks were aided by  
2 relatives and had IDs where there was a strong  
3 resemblance between the person who presented the ID  
4 and the photo on the ID and even with the best state  
5 of the art technology, it's very difficult to  
6 prevent those types of entries.

7 MR. JEWELL: It's a hard one. I  
8 concur. Yeah.

9 ATTORNEY MAGAZZU: So, there have been  
10 a couple in the PGCB, you know, we always self  
11 report them, Board staff is aware. I'd love to be  
12 able to tell you that we have a perfect record since  
13 March 13th but that is not the case.

14 CHAIRMAN: Other questions?

15 MR. LOGAN: You said a few and then a  
16 couple, how many?

17 ATTORNEY MAGAZZU: I think there might  
18 - just off the top I think there was an instance of  
19 an underage vendor who entered the floor for a  
20 period of a couple of minutes before we realized he  
21 was in a place he wasn't supposed to be.

22 MR. LOGAN: So, one?

23 ATTORNEY PITRE: No, there have been  
24 about - I'm sorry. There'd been about -.

25 MR. LOGAN: I'm just trying to get a

1 number. You said a couple and then you said just  
2 one.

3 ATTORNEY PITRE: There's been about  
4 three and none of them have been gaming related.  
5 They were all non-gaming related.

6 CHAIRMAN: Other questions? May I  
7 have a motion?

8 MR. MOSCATO: Mr. Chairman, I'm move  
9 that the Board approve the Consent Agreement between  
10 the OEC and Sands Bethworks Gaming, LLC as described  
11 by the OEC.

12 MR. RYAN: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed?

16 The motion is adopted.

17 ATTORNEY MAGAZZU: Thank you.

18 ATTORNEY PITRE: The next matter on  
19 the agenda for Board's consideration is a Consent  
20 Agreement between the OEC and Mount Airy #1, LLC.  
21 The matter will be presented by Assistant  
22 Enforcement Counsel David Tepper. Representatives  
23 for Mount Airy are present and at this time I would  
24 request that those individuals introduce themselves  
25 and let Mr. Culetsu stand and be sworn for the

1 record.

2

---

3

JOHN CULETSU,

4

CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND

5

HAVING FIRST BEEN DULY SWORN, TESTIFIED AND SAID AS

6

FOLLOWS:

7

---

8

CHAIRMAN: Will you state your name

9

for the record, please?

10

MR. CULETSU: John Culetsu, Executive

11

Vice President, General Manager, Mount Airy Casino

12

and Resort.

13

ATTORNEY SKLAR: Michael Sklar,

14

S-K-L-A-R, counsel for Mount Airy.

15

CHAIRMAN: Thank you.

16

ATTORNEY TEPPER: Good morning

17

Chairman Barasch, members of the Board, David

18

Tepper, T-E-P-P-E-R, with the OEC.

19

This proposed Consent Agreement

20

involves a violation of alcohol serving procedures

21

which occurred at Mount Airy Casino. The morning of

22

February 1st, 2017, representatives from Mount Airy

23

appeared before the Board for a Consent Agreement

24

regarding an intoxicated patron with the initials

25

T.S. At the Board meeting, representatives from

1 Mount Airy advised that they had since instituted a  
2 policy where if the patron consumed three drinks in  
3 a one hour period, the beverage supervisor would be  
4 contacted to assess the situation. The same policy  
5 was explained to OEC at the compliance conference,  
6 which occurred in November of 2017.

7 The Board approved the Consent -.

8 ATTORNEY PITRE: 2016.

9 ATTORNEY TEPPER: 2016. I'm sorry.

10 The Board approved the Consent  
11 Agreement as presented on February 1st, 2017. On  
12 the afternoon of February 1st, 2017, T.S. returned  
13 to Mount Airy Casino. During the time that he was  
14 at Mount Airy, T.S. engaged in slot play at the  
15 glass bar and while engaged in slot play, T.S. was  
16 served three drinks on three separate one hour  
17 periods by two bartenders. At no time was the  
18 beverage supervisor summoned in violation of Mount  
19 Airy's policy as described in the testimony before  
20 the Board.

21 OEC notes that T.S. did not show signs  
22 consistent with visible intoxication on February  
23 1st, 2017. OEC further notes that Mount Airy has  
24 since purchased a Bally beverage ordering service  
25 system to prevent future occurrences of similar

1 conduct.

2                   At this time, the OEC requests that  
3 the Board approve this Consent Agreement between the  
4 parties. The terms of the settlement include that  
5 within five days of the Board's Order approving the  
6 Consent Agreement, Mount Airy shall pay a civil  
7 penalty of \$15,000. Also within five days of the  
8 Board's Order approving this Consent Agreement,  
9 Mount Airy shall pay the Board a \$2,500 fee for the  
10 cost occurred by OEC, BIE and other related staff in  
11 connection with this matter.

12                   If you have any questions at this time  
13 we would be happy to answer them?

14                   CHAIRMAN: Any comments from Mount  
15 Airy?

16                   ATTORNEY SKLAR: Yes.

17                   Good morning, Mr. Chairman, members of  
18 the Board. After this most recent incident  
19 occurred, it was obviously very troubling to Mount  
20 Airy and caused Mount Airy to take a step back and  
21 really evaluate all the procedures that are in place  
22 with alcohol service. And the one thing that became  
23 quickly apparent was simply having this three drink  
24 policy and then notify the manager or supervisor,  
25 that really it was - we're putting too much of the

1 onus on the bartenders and the servers that it was -  
2 it was almost unfair that they're the ones who we  
3 are required to monitor, you know, at busy times if  
4 they have to be the failsafe.

5           So, I think the biggest thing - and  
6 John will go through some of the remedial measures -  
7 but the biggest thing was the purchase of the BOSS  
8 system which automates this - the monitoring of  
9 alcohol service and it takes the human side out in  
10 large part. So, I'm going to have John go through  
11 the BOSS system and some of the other remedial  
12 measures that were taken.

13           MR. CULETSU: Thank you, Michael.

14           Good morning, Gentlemen. Let me just  
15 also state that we are most apologetic of what has  
16 occurred and I want to echo what Michael said as  
17 relates to put in the onus on the server to be  
18 totally responsible. You know, we as a management  
19 team are equally responsible and the BOSS system is  
20 a system that is part of Bally's Technology and it  
21 connects directly with ACSC, the gaming system and  
22 let me just highlight some of the features of the -  
23 of the BOSS system and what it will do.

24           For our slot customers, they will have  
25 to have a Players Club Card inserted into a slot

1 machine in order to receive a drink. What will then  
2 occur is a server will go around to - on the gaming  
3 floor. They will take the order from the patron.  
4 What that will allow us to do is track the number of  
5 drinks that a particular patron has consumed on a  
6 given day. We also have the capability of the  
7 system to set time limits. And what I mean by time  
8 limits are that we can state that we will allow a  
9 patron to have a drink every 20 minutes, 30 minutes,  
10 one hour, et cetera. Whatever limits we so choose  
11 as the operator to have.

12                   The system will also allow us the  
13 capability to know what the guest is drinking which  
14 is also equally important. Our drinks that are  
15 served to our guests on a complimentary basis are -  
16 have .75 ounces of alcohol with them so obviously  
17 it's very important to know what the guest is  
18 drinking.

19                   The system also allows the capability  
20 that if a patron is playing at one particular slot  
21 machine or he or she then does get up and goes to a  
22 different machine, the system will follow the patron  
23 if you will, it follow their Player's Club Card so  
24 we will always know if they go to one section to  
25 another section and there's two entirely different

1 servers severing the patron, they can always follow  
2 that patron wherever they are based on the Player's  
3 Club Card.

4 Another very nice feature of the  
5 system is that all of our shift managers, our  
6 beverage shift managers, will have handheld devices,  
7 it has a dashboard on that handheld device which  
8 will allow the manager to totally see at all times  
9 what servers are on the floor, what patrons they're  
10 serving and how many beverages they provide to that  
11 particular server - to that particular patron.

12 The other nice feature about the  
13 system, it allows us to automatically exclude a  
14 patron from the property for a 24 hour, 48 hour  
15 period, once again whatever we determine. So, if we  
16 shut a patron off, he or she could not come back to  
17 the property within eight hours and begin being  
18 served again. The system would automatically ping  
19 them if you will and they would not be allowed to be  
20 served.

21 The other nice - another nice feature  
22 of the system is it also has a maximum drink per day  
23 component to it which will allow us to further  
24 manage the consumption of our - of our patrons when  
25 it comes to alcohol.

1           So, that's kind of a snapshot of the  
2 BOSS system. We are going to being the actual  
3 implementation of the system the third week of this  
4 month roughly around July 24th. Bally's personnel  
5 will be on the property training the Mount Airy  
6 personnel on the - on the system over the course in  
7 the next week or two from the 24th onward.

8           Some other additional remedial  
9 activities that we've taken as a result of this  
10 activity once again, you know, RAMP training is sort  
11 of the gold standard when it comes to training for  
12 alcohol awareness and in the past we've always  
13 trained our beverage team and we've trained our  
14 security team. We've now elevated the level of  
15 training to all of our table game and slot  
16 management teams. So, they can also be very active  
17 in recognizing and know the signs to recognize it  
18 when a patron maybe has reached their limits.

19           We have eliminated a happy hour from  
20 our main glass bar on the casino floor so we no  
21 longer have a daily happy hour. We have implemented  
22 revised alcohol service guidelines. We have  
23 recently contracted with a company called Kent which  
24 provides week - monthly calibration of all of our  
25 liquor guns so we ensure that they are properly

1 operating.

2                   And one of the other changes we've  
3 also implemented what we call a tag and fly system  
4 which is a joint venture between our security  
5 department, our beverage department and our  
6 surveillance department. And what a tag and fly  
7 goes basically is when we have certain known patrons  
8 who visit the property regularly, we have noted an  
9 ACSC where they insert a card or come to the  
10 property that will ping our surveillance department  
11 and the surveillance department will immediately  
12 notify security and the beverage shift manager that  
13 this patron is on property and we have to really do  
14 our due diligence in watching this particular  
15 patron.

16                   Surveillance will also then keep the  
17 camera on that patron during the time in which they  
18 are on the property. We keep a log of these  
19 particular patrons now since we've implemented this  
20 system and it is regularly reviewed by our beverage  
21 shift management team as well as our security shift  
22 management team.

23                   So, those are some of the remedial  
24 actions that we've immediately taken as a result of  
25 this most recent incident.

1                    CHAIRMAN: I have two quick questions  
2 before I see what other people have. What do you  
3 actually - you haven't put this BOSS system in place  
4 quite yet. Obviously when you're deciding to  
5 purchase this, what do you know about the experience  
6 of this Bally system elsewhere in the country?

7                    MR. CULETSU: It is used at various  
8 properties throughout the country. Some  
9 jurisdictions use it for various needs other than  
10 just of course alcohol awareness. Certain  
11 jurisdictions for example don't provide  
12 complimentary drinks to the guests on the floor so  
13 they use it like just equality as a marketing tool.  
14 For example, if the patron comes in regularly, he or  
15 she regularly orders a beer. You'll know when Mr.  
16 Ryan comes in and has a beer one time or so and on a  
17 future visit it will tell us that Mr. Ryan likes the  
18 Coors Light Beer.

19                    CHAIRMAN: I see.

20                    MR. CULETSU: So, that's one of the  
21 benefits from the marketing perspective.

22                    CHAIRMAN: But we haven't seen - you  
23 don't know anything about what effect the  
24 implementation of that system elsewhere has had on  
25 the problem drinking?

1                   MR. CULETSU: I can't -.

2                   CHAIRMAN: If you don't - if you don't  
3 it's fine. I was just wondering.

4                   MR. CULETSU: I can't give you  
5 specific details. One of the other benefits though  
6 to the system, too, from an operating perspective is  
7 there's cost benefits to us in ensuring that we are  
8 not just taking trays of drinks out and, you know,  
9 providing them on the floor without having a  
10 specific order. So, we look at that as a means in  
11 order to also decrease our liquor cost on a daily -  
12 on a daily basis.

13                   CHAIRMAN: Any other questions before  
14 I turn it over to others? Just curious, what  
15 percentage if you know of the people who go to your  
16 casino every day are using Player Cards?

17                   MR. CULETSU: Are utilizing Player  
18 Cards?

19                   CHAIRMAN: Yeah.

20                   MR. CULETSU: Over - approximately 65  
21 percent of our total players are rated.

22                   CHAIRMAN: Okay. Thank you.  
23 Questions?

24                   MR. MOSCATO: Mr. Chairman.

25                   CHAIRMAN: Tony.

1                   MR. MOSCATO: Thank you, Mr. Chairman.  
2 Mr. Culetsu, I think you stated that the player  
3 inserts the Player Card to order a drink?

4                   MR. CULETSU: Yes.

5                   MR. MOSCATO: What if they don't have  
6 a Player's Club Card?

7                   MR. CULETSU: Well, we will mandate on  
8 the slot floor that a player does have a Player's  
9 Club Card in order to receive a beverage. That's  
10 going to be a little tough love if you will.

11                   All right.

12                   But it's something that we're going to  
13 implement, okay, as an operating procedure that you  
14 have to have a Player's Club Card in order to  
15 receive a beverage. We want to make sure and  
16 ensure, too, that patrons are actually playing in  
17 order to receive this complimentary beverage because  
18 our beverages are complimentary to our playing  
19 patrons on the floor and I know different properties  
20 have different policies in that regard.

21                   MR. MOSCATO: So, after I'm off the  
22 Board if I'm driving to - see how I said that, after  
23 I'm off the Board.

24                   CHAIRMAN: Nicely done.

25                   MR. MOSCATO: And I'm driving through

1 and I stop just to play because I haven't been able  
2 to play in six years and I want a drink, I have to  
3 get a Player's Club Card?

4 MR. CULETSU: In order to play at  
5 Mount Airy and have a drink, yes, you will be in the  
6 future.

7 MR. MOSCATO: What if wanted to pay  
8 cash for it instead of in being complimentary?

9 MR. CULETSU: Okay.

10 You will - you will of course be able  
11 to pay cash for a beverage.

12 MR. MOSCATO: But I'd still have to -.

13 MR. CULETSU: Then we have to monitor  
14 that consumption in a more traditional fashion if  
15 you will as it relates to our policies and, you  
16 know, with three drinks. The server is to  
17 immediately notify a beverage shift manager to  
18 assess and evaluate the customer so we will continue  
19 to proceed with our in house policy guidelines for  
20 patrons who may be a strictly cash type customer.

21 MR. MOSCATO: Okay.

22 And this question is just for my own  
23 personal knowledge I guess, when I tended bar in the  
24 last century, a drink had a one ounce shot. Is the  
25 standard now .75?

1                   MR. CULETSU: Point seven-five is in  
2 our drinks that we provide on a complimentary basis  
3 to our guest. On a purchased drink, non out of the  
4 gun type thing, it's 1.25.

5                   MR. MOSCATO: Okay. Thank you.

6                   In this particular incident, since you  
7 had your new policy in place about three drinks per  
8 hour and a supervisor gets called and the two  
9 bartenders that were serving this gentleman didn't  
10 do that, what has happened with those two servers?

11                   MR. CULETSU: Well, those servers were  
12 given a written documentation as to their  
13 performance deficiencies. Unfortunately in the case  
14 of one of the servers in particular, she was not  
15 really properly trained for the outlet that she was  
16 working in that day. She had more - on a more  
17 consistent basis been a service bartender versus in  
18 a retail bar and not been really comfortable and  
19 familiar with all of the policies to the degree that  
20 she should have been. Unfortunately we did have to  
21 make some management changes, some higher level  
22 management changes as a result of these actions that  
23 took place within the beverage department also.

24                   MR. MOSCATO: Okay.

25                   And my last question - and I

1 appreciate that you've gone through this effort to  
2 buy this system and implement it and all that but  
3 when you - not you personally, when the casino  
4 appeared before us because I don't think you were  
5 here that day, and you expressed that we have this  
6 new policy, that was before you decided to purchase  
7 this system. Now you're purchasing the system  
8 because the policy failed. I can't help but get the  
9 feeling that you came and told us you had this  
10 policy to more or less pacify the Board.

11 Is there any - I mean, why should I  
12 not have that feeling?

13 MR. CULETSU: Well, we have not had  
14 numerous occurrences of this type of incident. We  
15 still don't have the BOSS system in place but I can  
16 confidently say that since this incident that  
17 occurred on early February, we have not had any  
18 reoccurrences, our beverage shift management team  
19 has taken it personally. Obviously our servers know  
20 the ramifications and in lieu of just doing a annual  
21 RAMP training, any time somebody is newly hired now  
22 they do an online RAMP training course that is  
23 mandatory for them so there's not a leeway of let's  
24 say six months or eight months until the next RAMP  
25 training class. We don't allow a server to go out

1 on the floor without being RAMP certified.

2 MR. MOSCATO: Thank you.

3 CHAIRMAN: Are there other questions?

4 MR. SANTONI: I just have one  
5 question, Mr. Chairman.

6 Mr. Culetsu, I think I understand all  
7 this. The BOSS system then will apply only to the  
8 60 percent of cardholders and only when they're  
9 playing slots.

10 Correct?

11 MR. CULETSU: Also with table games.

12 MR. SANTONI: Table games also?

13 MR. CULETSU: Yes, the servers will  
14 utilize the same kind of an iPad handheld where  
15 they'll take the orders from patrons and they will  
16 obtain their card either from the patron or they can  
17 also obtain it from the pit manager who has placed  
18 the guest information into the rating system.

19 MR. SANTONI: And again, it will only  
20 apply when the drink it comped?

21 MR. CULETSU: That is correct. Yes.

22 MR. SANTONI: So, if a person  
23 purchases then the traditional ways of determining -

24 MR. CULETSU: Correct.

25 MR. SANTONI: - whether a person's had

1 too much to drink still apply?

2 MR. CULETSU: Yes, it does.

3 CHAIRMAN: Other questions?

4 MR. JEWELL: Yes.

5 Mr. Culetsu, I'm curious about the  
6 timing sequence where you said you can set somebody  
7 in this and say all right, you can't have one for 20  
8 minutes or 25 minutes or - is that per person? Is  
9 it that specific? Is it general? Obviously we're  
10 not weighing, you know, a Steeler tackle versus a  
11 ballerina, you know, something like - you know where  
12 I'm going with that. But how do you make those  
13 determinations? How does that work?

14 MR. CULETSU: It would be a universal  
15 20 minute, 30 minute, hour between drinks for all  
16 patrons. It wouldn't be significant to one  
17 individual.

18 MR. JEWELL: And what would trigger  
19 that differential? What would trigger those timing  
20 intervals? Who makes that decision, how is that  
21 arrived at?

22 MR. CULETSU: We as the management  
23 team of Mount Airy would determine what that number  
24 would be. You know, our present standard allows  
25 three drinks within the first hour so that's a 20

1 minute basis. So, you know, that looks like what we  
2 would initially implement into the system is a 20  
3 minute rule if you will.

4 MR. JEWELL: Okay. Thank you.

5 CHAIRMAN: Just one follow-up question  
6 if there are no other questions. When Commissioner  
7 Moscato was asking his question about comp drinks  
8 versus cash, split a hair with you, if I'm on the  
9 floor and I now know because I'm now informed the  
10 comp drinks are less potent, somebody comes to give  
11 me a comp drink and I have a Player's Club Card and  
12 I say, you know, I want the 1.25 instead of the .75.  
13 If I'm on the floor gaming, can I pay cash on the  
14 floor even though I have a Player's Club Card?

15 MR. CULETSU: Our servers do not carry  
16 cash per se on the floor.

17 CHAIRMAN: Okay.

18 MR. CULETSU: The patron would have to  
19 go to the bar. You know, times of course we  
20 probably would make an exception in our - in our  
21 high limit room for a patron to, you know, to  
22 receive what would be called a premium beverage -

23 CHAIRMAN: Yeah.

24 MR. CULETSU: - and that's pretty  
25 common.

1                   CHAIRMAN: I guess what I'm trying to  
2 get at is I'm a Player's Club Member and I've had  
3 whatever amount of drinks I'm allowed to have on the  
4 floor comped, so I walk over to the bar, don't  
5 present a Player's Club Card, put down my dollars  
6 and get a drink. That then is not going to get  
7 picked up in the BOSS system.

8                   Right?

9                   MR. CULETSU: It would not get picked  
10 up on the BOSS system.

11                   CHAIRMAN: I'm just trying to  
12 understand where the holes are.

13                   MR. CULETSU: It would not. No, it  
14 would not.

15                   CHAIRMAN: Okay.

16                   So, the point about paying cash,  
17 presume somebody's leaving the floor and going to  
18 the bar area if they're going to be paying cash?

19                   MR. CULETSU: Correct.

20                   CHAIRMAN: Okay. Thank you very much.  
21 Are there any other questions on this?

22                   MR. JEWELL: No.

23                   CHAIRMAN: Okay.

24                   May I have a motion?

25                   MR. RYAN: Mr. Chairman, I move that

1 the Board approve the Consent Agreement between the  
2 OEC and Mount Airy #1, LLC as described by the OEC.

3 MR. SANTONI: Second.

4 All in favor?

5 ATTORNEY PITRE: Next matter on the  
6 agenda for the Board's consideration is second  
7 Consent Agreement between the OEC and Mount Airy  
8 Number 1, LLC. Once again, Mr. David Tepper will  
9 present the matter for the Board's consideration.

10 ATTORNEY TEPPER: This proposed  
11 Consent Agreement involves a failure of Mount Airy  
12 Casino to maintain surveillance footage. On January  
13 7th and March 3rd, 2017, individuals under the age  
14 of 21 attempted to gain access to Mount Airy while  
15 utilizing false identification card. Mount Airy  
16 surveillance department failed to maintain, save or  
17 retain complete surveillance footage of either  
18 individual presenting their respective false  
19 identification cards.

20 Prior to these incidents, in June  
21 2016, OEC held a compliance conference with Mount  
22 Airy regarding the failure to save, maintain or  
23 retain surveillance footage by - for use by the  
24 Board. Following that compliance conference, a  
25 warning letter was sent in August 2016 regarding

1 this issue and Mount Airy was advised that the OEC  
2 would receive a monetary penalty for future  
3 infractions.

4 At this time, the OEC requests that  
5 the Board approve this Consent Agreement between the  
6 parties. The terms of the settlement include that  
7 within five days of the Board's Order approving this  
8 Consent Agreement, Mount Airy shall pay a civil  
9 penalty of \$10,000. Also within five days of the  
10 Board Order approving this Consent Agreement, Mount  
11 Airy shall pay the Board a \$2,500 fee for the costs  
12 incurred by OEC, BIE and other related Board staff  
13 in connection with this matter.

14 If you have any questions, we'd be  
15 happy to address them at this time.

16 CHAIRMAN: Any comments from Mount  
17 Airy on this one?

18 ATTORNEY SKLAR: These two incidents  
19 is bizarre to say the least.

20 CHAIRMAN: That's a technical term is  
21 it.

22 ATTORNEY SKLAR Honestly, the - we're  
23 a little baffled how this could happen because the  
24 person in surveillance, they wrote an incident  
25 report so clearly they reviewed each of the clips.

1 And there's multiple cameras. It's not as simple as  
2 just pulling the surveillance and reviewing footage  
3 from one camera. So, it's multiple cameras and the  
4 incident report, you know, recites chapter and verse  
5 exactly the sequencing of what happened. So, we  
6 couldn't figure out - and we talked to the  
7 surveillance agents who are involved. They said  
8 absolutely we saved it. We have no idea.

9           So, you know, we checked the hard  
10 drives. Clearly it wasn't there. So, whether it  
11 wasn't properly - you know, that particular clip is  
12 missing, just for whatever reason, human error, they  
13 didn't save it, there apparently - it's pretty  
14 simple to actually delete one clip.

15           So, whatever reason, these, you know,  
16 couple clips were gone. So, some remedial measures  
17 were put in place and I'll let John go through that  
18 to try to make sure something like this doesn't  
19 happen again.

20           MR. CULETSU: Thank you, Michael.

21           As Michael described, it's a little  
22 bit of a cumbersome process when you save clips from  
23 a particular incident. In a - in a - in an incident  
24 like these particular two incidents where  
25 fortunately minors were prevented from accessing the

1 floor and we also do have the advance ID detection  
2 system that we implemented about two years ago to  
3 keep minors off of the floor, what occurs in an  
4 incident like this, you might have as many as 10 to  
5 15 specific clips from the incident because it is  
6 different cameras. The same - it doesn't  
7 necessarily follow the patron throughout an entire  
8 incident.

9           So, the best we can describe it is  
10 clear operator error. But obviously we need to find  
11 some remedies to ensure that it doesn't occur or  
12 reoccur in the past so we've done a couple of things  
13 in a remedial fashion to - in order to ensure that  
14 it does not reoccur. And one of the first things  
15 that we have done is with our shift manager on any  
16 given shift within the surveillance department is  
17 responsible for checking that entire day's reports  
18 with a company video and clips to ensure they are in  
19 sync with one another.

20           So, the shift manager does that and he  
21 or she then at the end of their shift passes that  
22 onto the departmental manager and that is now part  
23 of his specific daily responsibilities in reviewing  
24 the clips and making sure they are saved under what  
25 is called the - a G drive.

1           The second thing that we have done for  
2 remedial purposes to ensure that we our saving all  
3 potential evidence is that we are taking the clips  
4 from any given day and we are backing them up to an  
5 external hard drive. So, at the end of every week,  
6 the surveillance technician is the person  
7 responsible for backing up all video to an external  
8 hard drive which we keep in a safe within the  
9 Director of Surveillance's office.

10           So, we can then if we have an instance  
11 where for some reason a clip of a particular  
12 incident is lost, we can go back to one of these  
13 hard drives in which we have saved all video  
14 evidence.

15           CHAIRMAN: Okay.

16           Are there any other questions or  
17 comments? May I have a motion?

18           MR. SANTONI: Mr. Chairman, I move  
19 that the Board approve the Consent Agreement between  
20 the OEC and Mount Airy #1, LLC as described by the  
21 OEC.

22           MR. JEWELL: Second.

23           CHAIRMAN: All in favor?

24 AYES RESPOND

25           CHAIRMAN: All opposed?

1 The motion is adopted.

2 CHAIRMAN: Thank you for coming.

3 THE WITNESS: Thank you, gentlemen.

4 ATTORNEY PITRE: The next matter on  
5 the agenda for the Board's consideration is Consent  
6 Agreement between the OEC and American Gaming and  
7 Electronics, Inc. The matter will be presented by  
8 Senior Enforcement Counsel Dustin Miller. Ms.  
9 Kaufman is here on behalf of American Gaming and  
10 Electronics, Inc. With that I'll turn it over to  
11 Mr. Miller.

12 ATTORNEY MILLER: Good morning,  
13 Chairman Barasch, members of the Board. Dustin  
14 Miller on behalf of the OEC.

15 The OEC has a Consent Agreement  
16 between itself and American Gaming and Electronics,  
17 Inc. prepared for the Board's consideration today.  
18 American Gaming and Electronics, Inc. is an  
19 Applicant for a Slot Machine Supplier License. This  
20 Consent Agreement arises from incidents of  
21 unauthorized work on associated equipment by  
22 American Gaming and Electronics, Inc. The  
23 Pennsylvania Race Horse Development and Gaming Act  
24 prohibits supplying associated equipment or  
25 displaying associated equipment on the premises of a

1 licensed facility without the authorization of the  
2 Board.

3                   On November 30th, 2016, Advanced  
4 Gaming Associates, LLC, which was at the time a  
5 Board License Slot Machine Supplier, merged with  
6 American Gaming and Electronics, Inc. and the  
7 resulting entity was American Gaming and  
8 Electronics, Inc. American Gaming and Electronics,  
9 Inc. filed an application for a licensure as a Slot  
10 Machine Supplier on January 9th, 2017. American  
11 Gaming and Electronics, Inc. did not have any  
12 interim authorization to do supplier work at that  
13 time. A subsequent BIE investigation revealed that  
14 work was done by American Gaming and Electronics,  
15 Inc. technicians on 42 slot machine bill validators  
16 for SugarHouse Casino, Rivers Casino and Valley  
17 Forge Casino Resort.

18                   Further it was discovered that  
19 American Gaming and Electronics, Inc. was utilizing  
20 two in house technicians that were not licensed by  
21 the Board who were working on equipment used in  
22 Pennsylvania casinos. Those technicians have since  
23 obtained Gaming Permits as of May 15th, 2017. As  
24 Advanced Gaming Associates, LLC no longer existed  
25 and American Gaming and Electronics, Inc. was not

1 properly licensed to do this type of work, a  
2 violation the Act occurred.

3           During the course of BIE's  
4 investigation, American Gaming and Electronics, Inc.  
5 voluntarily disclosed work done by its technicians  
6 to the Bureau of Licensing. On May 23rd, 2017, the  
7 parties entered into a consent agreement to settle  
8 this outstanding matter. The terms of the agreement  
9 include a provision that American Gaming and  
10 Electronics, Inc. shall institute policies and  
11 provide training, guidance and reinforcement to  
12 employees to minimize the opportunity for a similar  
13 nature - similar incident of this nature to occur in  
14 the future and also American Gaming and Electronics,  
15 Inc. shall pay a total fine of \$7,500.

16           American Gaming and Electronics, Inc.  
17 shall also pay a fee of \$2,500 for costs incurred by  
18 the OEC, BIE and other related staff which is  
19 consistent with the Board's billing policy. Both  
20 the fine and cost shall be due within five days of  
21 the Board's approval of this Consent Agreement.

22           As Cyrus said, Lynne Kaufman, who is  
23 counsel for American Gaming and Electronics, Inc.,  
24 is in attendance today to answer any questions you  
25 may have. Thanks.

1                    CHAIRMAN: Thank you.

2                    Do you have a presentation or do you  
3 just respond to questions, your choice?

4                    ATTORNEY KAUFMAN: I would like to  
5 make a very short presentation.

6                    As mentioned by Mr. Miller and as set  
7 forth in the Consent Agreement and stipulation,  
8 these violations occurred in the aftermath of the  
9 merger between - of American - Advanced Gaming  
10 Associates into American Gaming and Electronics and  
11 the new operation of American Gaming and Electronics  
12 as a Gaming Service Provider as opposed to the  
13 previous operation of Advanced Gaming Associates as  
14 a license supplier.

15                    This statement is not being made as an  
16 excuse for the violation as American Gaming and  
17 Electronics is fully committed to full compliance  
18 with gaming laws and regulations and views any  
19 violation as unacceptable. However, I am mentioning  
20 it to serve as an assurance to the Board the  
21 violations occurred during a unique period of time  
22 and thus American Gaming and Electronics is  
23 confident that the violations will not reoccur.

24                    In sum, there are some general post  
25 merger confusion about exactly what services,

1 products and part of products, particularly bill  
2 validators and parts of bill validators, could be  
3 provided by American Gaming and Electronics as a  
4 Gaming Service Provider. Since that time, American  
5 Gaming and Electronics and the Board staff have  
6 worked together and have had much communication on  
7 the topic.

8 Board staff has provided American  
9 Gaming and Electronics with a very detailed writing  
10 which lists exactly what services, products and  
11 parts can be supplied by American Gaming and  
12 Electronics. That list has been distributed to  
13 employees of American Gaming and Electronics. It  
14 also has been explained to them and that  
15 dissemination of information is continuing.

16 Additionally, with respect to the two  
17 unlicensed technicians, procedures have been  
18 implemented to assure that that will not happen  
19 again and there will be constant monitoring of the  
20 technicians every time they go into a Pennsylvania  
21 casino to assure they have the proper licensure.

22 We want to thank the Board staff for  
23 working with us to become compliant in this matter  
24 and as I said, we feel confident that these type of  
25 violations will not reoccur.

1           CHAIRMAN: I only have one question  
2 because I neglected to do this. Could you spell  
3 your name for the court reporter?

4           ATTORNEY KAUFMAN: Oh, I am so sorry.

5           CHAIRMAN: No, it's not you.

6           ATTORNEY KAUFMAN: I'm Lynne Kaufman,  
7 K-A-U-F-M-A-N, with the law firm of Cooper Levenson.

8           CHAIRMAN: Thank you.

9           Are there any questions from the  
10 Board? If not, may I have a motion?

11           MR. JEWELL: Mr. Chairman, I move that  
12 the Board approve the Consent Agreement between the  
13 OEC and American Gaming and Electronics, Inc. as  
14 described by the OEC.

15           MR. LOGAN: Second.

16           CHAIRMAN: All in favor?

17 AYES RESPOND

18           CHAIRMAN: All opposed?

19           The motion is adopted.

20           Thanks for coming.

21           ATTORNEY KAUFMAN: Thank you.

22           ATTORNEY PITRE: The next eight  
23 matters on the agenda consist of enforcement actions  
24 in which the OEC has filed complaints seeking the  
25 revocation of two Non-Gaming Registrations and two

1 Gaming Permits and the suspension of one Non-Gaming  
2 Registration and three Gaming Permits issued by  
3 the Board. Each complaint has been filed with the  
4 Board's OHA and properly served upon the person  
5 named in each complaint. The person named in each  
6 complaint failed to respond within 30 days as  
7 required by Board regulation. As a result, the OEC  
8 filed a Request for Default Judgment and properly  
9 served the same upon each named person. Therefore,  
10 the facts in each complaint are deemed admitted.  
11 All filed documents have been provided to the Board  
12 and the matters are presently ripe for the Board's  
13 consideration. In each instance, we will provide a  
14 brief summary of the facts and request the  
15 appropriate Board action.

16 ATTORNEY MILLER: Good morning once  
17 again. Dustin Miller on behalf of the OEC.

18 The next matter today is a request for  
19 revocation involving Edward Barco, Jr. Mr. Barco  
20 was employed as an EVS Attendant at SugarHouse  
21 Casino and registered as a Non-Gaming Employee. The  
22 OEC filed an enforcement complaint to revoke Mr.  
23 Barco's Non-Gaming Employee Registration after he  
24 was identified at Parx Casino redeeming another  
25 patron's slot machine credits without the patron's

1 knowledge or consent on July 17th, 2016.

2 The OEC would ask the Board to  
3 consider the revocation of Edward Barco, Jr.'s  
4 Non-Gaming Employee Registration at this time.

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

8 MR. LOGAN: Mr. Chairman, I move the  
9 Board approve the Revocation of Edward Barco, Jr.'s  
10 Non-Gaming Employee Registration as described by the  
11 OEC.

12 MR. MOSCATO: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed?

16 The motion is adopted.

17 ATTORNEY HAKEN: Good morning,  
18 Chairman, members of the Board. Tamara Haken,  
19 H-A-K-E-N, with the OEC.

20 The next matter on the agenda for the  
21 Board's consideration is the Revocation of the  
22 Non-Gaming Employee Registration issued to Melissa  
23 Rooney. Ms. Rooney was previously employed as an  
24 Environmental Services Attendant at Mohegan Sun  
25 Casino from October of 2015 until March of 2016.

1                   On February 2nd, 2017, Ms. Rooney was  
2 arrested by the Pennsylvania State Police and  
3 charged with a controlled substance related felony  
4 and a second felony count of criminal use of  
5 communication facility as well as two drug-related  
6 misdemeanors. The felony charges were subsequently  
7 withdrawn. The misdemeanor charges remain pending  
8 in the Luzerne County Court of Common Pleas.

9                   As a result, the OEC requests that the  
10 Non-Gaming Employee Registration issued to Ms.  
11 Melissa Rooney be revoked.

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

14                   MR. MOSCATO: Mr. Chairman, I move  
15 that the Board approve the revocation of Melissa  
16 Rooney's Non-Gaming Employee Registration as  
17 described by the OEC.

18                   MR. RYAN: Second.

19                   CHAIRMAN: All in favor?

20 AYES RESPOND

21                   CHAIRMAN: All opposed?

22                   The motion is adopted.

23                   ATTORNEY KOLESAR: Good morning,  
24 Chairman Barasch, members of the Board. Sarah  
25 Kolesar, K-O-L-E-S-A-R, with the OEC.

1           The next matter on the agenda for the  
2 Board's consideration is a suspension of the Non-  
3 Gaming Employee Registration issued to P.G. P.G.  
4 was previously employed as an EVS Attendant at the  
5 Rivers Casino. On August 11th, 2016, P.G. was -  
6 placed himself on the Board's Self Exclusion List  
7 for a period of five years.

8           On August 19th, 2016 and January 31st,  
9 2017, P.G. was found gaming at the Meadows Casino  
10 while on the Board's Self Exclusion List. P.G. was  
11 arrested by the Pennsylvania State Police on both  
12 occasions and charged with defiant trespass, actual  
13 communication, too.

14           At this time, OEC requests that the  
15 Board suspend the Non-Gaming Registration issued to  
16 P.G.

17           CHAIRMAN: Questions or comments from  
18 the Board? Hearing non, may I have a motion?

19           MR. RYAN: Mr. Chairman, I move that  
20 the Board approve the suspension of P.G.'s Non-  
21 Gaming Employee Registration as described by the  
22 OEC.

23           MR. SANTONI: Second.

24           CHAIRMAN: All in favor?

25 AYES RESPOND

1                    CHAIRMAN: All opposed?

2                    The motion is adopted.

3                    ATTORNEY KOLESAR: The next matter on  
4 the agenda for the Board's consideration is the  
5 suspension of the Gaming Employee Permit issued to  
6 Bernice Lewison. Ms. Lewison was previously  
7 employed as a Table Games Dealer at Parx Casino.  
8 Ms. Lewison is currently in violation of the Special  
9 Statement of Condition that was placed on her Permit  
10 at the time of her licensure requiring that within  
11 six months of her licensure she provide student loan  
12 documentation to the Bureau of Licensing. To date,  
13 despite multiple requests, Ms. Lewison has not  
14 provided any documentation as required by the  
15 Special Statement of Condition.

16                    At this time, OEC requests that the  
17 Board suspend the Gaming Permit issued to Bernice  
18 Lewison.

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

21                    MR. SANTONI: Mr. Chairman, I move  
22 that the Board approve the suspension of Bernice  
23 Lewison's Gaming Employee Occupation Permit until  
24 such time that she comes into compliance with her  
25 student loan obligation as described by the OEC.

1                   MR. JEWELL: Second.

2                   CHAIRMAN: All in favor?

3 AYES RESPOND

4                   CHAIRMAN: All opposed?

5                   The motion is adopted.

6                   ATTORNEY FERRELL: Good morning,  
7 Chairman, members of the Board. Benjamin Ferrell,  
8 F-E-R-R-E-L-L.

9                   The next matter on the agenda for the  
10 Board's consideration is the complaint to revoke the  
11 Gaming Level 2 Permit of Edward Robb. On January  
12 28th, 2017 while on a shift as a Table Game  
13 Supervisor, Mr. Robb took a \$100 belong to a Table  
14 Games Dealer and did not initially return the \$100  
15 to the dealer. Mr. Robb was not charged but did -  
16 but did provide restitution.

17                   At this time, OEC request the Board  
18 issue an Order revoking Mr. Robb's Gaming Level 2  
19 Permit.

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

22                   MR. JEWELL: Mr. Chairman, I move that  
23 the Board approve the revocation of Edward Robb's G2  
24 Employee Occupation Permit as described by the OEC.

25                   MR. LOGAN: Second.

1                    CHAIRMAN: All in favor?

2 AYES RESPOND

3                    CHAIRMAN: All opposed?

4                    The motion is adopted.

5                    ATTORNEY FERRELL: The next matter for  
6 your consideration is a complaint to suspend Marquis  
7 Williams' Gaming Employee Permit. On March 17th,  
8 2017, the Upper Darby Police Department arrested and  
9 charged Mr. Williams with one count each of criminal  
10 trespass, enter structure, simple assault, resisting  
11 arrest, hurling at nighttime and two summary  
12 offenses relating to allegations that he broke into  
13 a family's home under the influence of a controlled  
14 substance. Those charges remain pending.

15                    At this time, OEC requests that the  
16 Board issue and order suspending Mr. Williams'  
17 Gaming Employee Permit.

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

20                    MR. LOGAN: Mr. Chairman, I move that  
21 the Board approve the suspension of Marquis  
22 Williams' Gaming Employee Occupation Permit as  
23 described by the OEC.

24                    MR. MOSCATO: Second.

25                    CHAIRMAN: All in favor?

1 AYES RESPOND

2 CHAIRMAN: All opposed?

3 Motion's adopted.

4 ATTORNEY POKINIEWSKI: Good morning,  
5 Chairman, fellow Board members. John Pokiniewski,  
6 P-O-K-I-N-I-E-W-S-K-I, for the OEC.

7 The next matter on the agenda for the  
8 Board's consideration is the revocation of the  
9 Gaming Employee Permit issued to Mark Warness.  
10 While visiting SugarHouse Casino as a patron, Mr.  
11 Warness interfered with table games play by creating  
12 a disturbance and interfering with patrons playing  
13 poker. When SugarHouse personnel and the Bureau of  
14 Casino Compliance responded, Mr. Warness acted in a  
15 disorderly and threatening manner towards  
16 SurgarHouse security and Bureau of Casino Compliance  
17 personnel. Mr. Warness had to be handcuffed before  
18 being escorted off the poker room floor.

19 At the time of the incident, Mr.  
20 Warness was employed as a dealer at Harrah's  
21 Philadelphia. In an unrelated incident, Mr. Warness  
22 was also arrested for DUI and reportedly failed to  
23 comply with certain conditions of accelerated  
24 rehabilitated disposition program when he did not  
25 complete his requested community service.

1                   At this time, OEC requests that the  
2 Board revoke the Gaming Employee Permit held by Mr.  
3 Warness.

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

6                   MR. MOSCATO: Mr. Chairman, I move  
7 that the Board approve the revocation of Mark  
8 Warness' Gaming Employee Occupation Permit as  
9 described by the OEC.

10                  MR. RYAN: Second.

11                  CHAIRMAN: All in favor?

12 AYES RESPOND

13                  CHAIRMAN: All opposed?

14                  The motion is adopted.

15                  ATTORNEY POKINIEWSKI: The next matter  
16 on the agenda for the Board's consideration is the  
17 revocation of the Non-Gaming Employee Registration  
18 issued to Michael DeSanto. In December of 2016  
19 while working at the casino room at Presque Isle  
20 Downs Casino, Mr. DeSanto falsely processed cash  
21 transactions for his own personal benefit thereby  
22 depriving Presque Isle of revenue and Presque Isle  
23 employees of tips. The estimated value of the 41  
24 falsely processed transactions by Mr. DeSanto equals  
25 to a total of \$205.

1                   At this time, OEC now requests that  
2 the Board revoke the Non-Gaming Employee  
3 Registration held by Mr. DeSanto.

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

6                   MR. RYAN: Mr. Chairman, I move that  
7 the Board approve the revocation of Michael  
8 DeSanto's Non-Gaming Employee Registration as  
9 described by the OEC.

10                  MR. SANTONI: Second.

11                  CHAIRMAN: All in favor?

12 AYES RESPOND

13                  CHAIRMAN: All opposed?

14 The motion is adopted.

15                  ATTORNEY PITRE: The remaining 12  
16 matters on the agenda consist of enforcement actions  
17 in which the OEC has filed petitions seeking the  
18 Involuntary Exclusion of individuals whose presence  
19 in a licensed facility are inimical to the interests  
20 of the Commonwealth and/or licensed gaming  
21 therein. In each instance, the Petition for  
22 exclusion has been filed with the Board's OHA and  
23 properly served upon the individual named in the  
24 Petition. The individuals named in the Petition  
25 failed to respond within 30 days, as required by

1 Board regulation.

2 As a result, the OEC filed a Request  
3 for Default Judgment in each instance and properly  
4 served the same upon each individual. Therefore,  
5 all facts in each petition are deemed admitted. All  
6 filed documents have been provided to the Board and  
7 the matters are presently ripe for Board  
8 consideration. In each instance if the Board orders  
9 the proposed exclusion, each individual's photo,  
10 personal identifiers, and a summary of the inimical  
11 conduct will be placed on the Board's public  
12 website.

13 ATTORNEY POKINIEWSKI: Next matter for  
14 the Board's agenda is a request to place Gabriel  
15 Solomon on the Involuntary Exclusion List. Mr.  
16 Solomon used false identification while underage in  
17 attempt to gain access to the gaming floor at  
18 SugarHouse Casino.

19 At this time, OEC requests the Board  
20 add Gabriel Solomon to the Board's Involuntary  
21 Exclusion List.

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

24 MR. SANTONI: Mr. Chairman, I move  
25 that the Board approve the addition of Gabriel

1 Solomon to the PGCB Involuntary Exclusion List as  
2 described by the OEC. I furthermore that Mr.  
3 Solomon may petition for removal from the list after  
4 one year.

5 MR. JEWELL: Second.

6 CHAIRMAN: All in favor?

7 AYES RESPOND

8 CHAIRMAN: All opposed?

9 The motion is adopted.

10 ATTORNEY FERRELL: The next matter for  
11 your consideration is a Petition to place Glenn  
12 Holmes on the Involuntary Exclusion List. On April  
13 4th, 2017, Mr. Holmes left his ten year old son and  
14 one year old daughter in his vehicle unattended for  
15 approximately 30 minutes while he gamed at Valley  
16 Forge Casino Resort. On April 4th, 2017 the Upper  
17 Marion Police Department arrested and charged Mr.  
18 Holmes with two counts of child endangerment, two  
19 counts of reckless endangerment, one count of  
20 intentional possession of a controlled substance and  
21 one count of leaving unattended child in the  
22 vehicle.

23 On April 19th, all charges with the  
24 exception of the possession of controlled substance  
25 charger were dismissed. The remaining charge

1 remains pending.

2 At this time, OEC requests that the  
3 Board issue an Order placing Glenn Holmes on the  
4 Involuntary Exclusion List.

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

7 MR. JEWELL: Mr. Chairman, I move that  
8 the Board approve the addition of Glenn Holmes to  
9 the PGCB Involuntary Exclusion List as described by  
10 the OEC.

11 MR. LOGAN: Second.

12 CHAIRMAN: All in favor?

13 AYES RESPOND

14 CHAIRMAN: All opposed?

15 The motion is adopted.

16 ATTORNEY CROHE: Good morning,  
17 Chairman, members of the Board. John Crohe,  
18 C-R-O-H-E, for the OEC.

19 The next matter before the Board is a  
20 Petition to place Ryan Karpovich on the Board's  
21 Excluded Persons List for entering the gaming floor  
22 at Mohegan Sun Pocono on two separate occasions  
23 while only 18 years of age and gaming. Mr.  
24 Karpovich was charged by the Pennsylvania State  
25 Police and pleaded guilty to one count under the act

1 of unlawful gaming under the age of 21.

2 The OEC now asks that Mr. Karpovich be  
3 added to the Board's Excluded Persons List.

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

6 MR. LOGAN: Mr. Chairman, I move that  
7 the Board approve the addition of Ryan Karpovich to  
8 the PGCB Involuntary Exclusion List as described by  
9 the OEC. Further move that Mr. Karpovich may  
10 petition for removal from the list any time after  
11 his 22nd birthday.

12 MR. MOSCATO: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed?

16 The motion is adopted.

17 ATTORNEY STUART: Glen Stuart for the  
18 OEC, S-T-U-A-R-T.

19 Next for the Board's consideration is  
20 the placement of Al Davis on the Board's Involuntary  
21 Exclusion List. In March of 2017, Mr. Davis  
22 forcibly took \$60 in gaming chips from the dealer's  
23 rack while wagering at a Spanish 21 table at  
24 Harrah's Philadelphia. Mr. Davis then cashed out  
25 these chips at the cage and attempted to leave

1 Harrah's property. Mr. Davis was apprehended before  
2 he could leave the property and he was subsequently  
3 charged with one count of theft by unlawful taking.  
4 On June 6th, 2017, this criminal charge was  
5 withdrawn.

6 The OEC now respectfully requests the  
7 Board issue an Order placing Al Davis on the Board's  
8 Involuntary Exclusion List.

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

11 MR. MOSCATO: Mr. Chairman, I move  
12 that the Board approve the addition of Al Davis to  
13 the PGCB Involuntary Exclusion List as described by  
14 the OEC.

15 MR. RYAN: Second.

16 CHAIRMAN: All in favor?

17 AYES RESPOND

18 CHAIRMAN: All opposed?

19 The motion is adopted.

20 ATTORNEY KOLESAR: The next matter on  
21 the agenda for the Board's consideration is the  
22 Involuntary Exclusion of Mohammed Aljaafari as a  
23 result of Mr. Aljaafari using an illegally  
24 manufactured identification to access the gaming  
25 floor at Rivers Casino while under the age of 21.

1 As a result, OEC requests that the Board issue and  
2 Order placing Mohammed Aljaafari on the Involuntary  
3 Exclusion List.

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

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

12 MR. SANTONI: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed?

16 The motion is adopted.

17 ATTORNEY KOLESAR: The next matter on  
18 the agenda for the Board's consideration is the  
19 Involuntary Exclusion of Erin Mansfield. On January  
20 17, 2017, Ms. Mansfield was part of a group of three  
21 individuals who caused a disturbance at the Rivers  
22 Casino by refusing to leave after she and her group  
23 were asked to do so. For her part, Ms. Mansfield  
24 hid on the gaming floor while security personnel  
25 attempted to escort her out, kicked the elevator

1 door and wall, poured her water bottle out in the  
2 elevator, threw water bottle cap at an unknown  
3 patron, attempted to punch an elderly female patron,  
4 made several attempts to engage in a physical  
5 altercation with security and was verbally hostile  
6 towards security officers. Ms. Mansfield was  
7 arrested by the Pennsylvania State Police and  
8 charged with criminal mischief, defiance trespass,  
9 disorderly conduct and public drunkenness.

10 As a result, OEC request that the  
11 Board issue an Order placing Erin Mansfield on the  
12 Involuntary Exclusion List.

13 CHAIRMAN: Thank you.

14 Questions or comments from the Board?

15 May I have a motion?

16 MR. SANTONI: Mr. Chairman, I move  
17 that the Board approve the addition of Erin  
18 Mansfield to the PGCB Involuntary Exclusion List as  
19 described by the OEC.

20 MR. JEWELL: Second.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed?

24 The motion is adopted.

25 ATTORNEY KOLESAR: The next matter for

1 the Board's consideration is the Involuntary  
2 Exclusion of Grace McCune as a result of Ms. McCune  
3 using an illegally manufactured identification to  
4 access the gaming floor at Rivers Casino while under  
5 the age of 21.

6 As a result, OEC requests that the  
7 Board issue an Order placing Grace McCune on the  
8 Involuntary Exclusion List.

9 CHAIRMAN: Questions or comments from  
10 the Board? Hearing none, may I have a motion?

11 MR. JEWELL: Mr. Chairman, I move that  
12 the Board approve the addition of Grace McCune to  
13 the PGCB Involuntary Exclusion List as described by  
14 the OEC. I further move that Ms. McCune may  
15 petition for removal from the list any time after  
16 her 22nd birthday.

17 MR. LOGAN: Second.

18 CHAIRMAN: All in favor?

19 AYES RESPOND

20 CHAIRMAN: All opposed?

21 The motion is adopted.

22 ATTORNEY MILLER: The next matter  
23 today is a request for placement on the Board's  
24 Excluded Persons List involving Ewa Durma. The OEC  
25 filed a Petition to place Ms. Durma on the Exclusion

1 List due to incidents that occurred on July 11th and  
2 12th 2016 at Parx Casino whereby Ms. Durma cheated  
3 while playing blackjack on eight separate occasions.  
4 Ms. Durma was criminally charged for her actions.

5 Based upon the foregoing, the OEC  
6 asked that the Board place Ewa Durma on the Board's  
7 Excluded Persons List.

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

10 MR. LOGAN: Mr. Chairman, I move that  
11 the Board approve the addition of Ewa Durma to the  
12 PGCB Involuntary Exclusion List as described by the  
13 OEC.

14 MR. MOSCATO: Second.

15 CHAIRMAN: All in favor?

16 AYES RESPOND

17 CHAIRMAN: All opposed?

18 The motion is adopted.

19 ATTORNEY MILLER: The next matter  
20 today is a request for the placement on the Board's  
21 Excluded Persons List involving Jenny Nguyen. The  
22 OEC filed a Petition to place Ms. Nguyen on the  
23 Exclusion List due to incidents that occurred on  
24 October 8th, 2016 and January 1st, 2017 whereby Ms.  
25 Nguyen cheated while playing Pai Gow Tiles on three

1 separate occasions at Parx Casino. Further, Ms.  
2 Nguyen had had been involved in five other incidents  
3 at both Parx Casino and SugarHouse Casino that  
4 resulted in her being ejected from those facilities.  
5 Ms. Nguyen was criminally charged for her actions on  
6 October 8th, 2016.

7 Based upon the foregoing, the OEC asks  
8 that the Board place Jenny Nguyen on the Board's  
9 Excluded Persons List.

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

12 MR. MOSCATO: Mr. Chairman, I move  
13 that the Board approve the addition of Jenny Nguyen  
14 to the PGCB Involuntary Exclusion List as described  
15 by the OEC.

16 MR. RYAN: Second.

17 CHAIRMAN: All in favor?

18 AYES RESPOND

19 CHAIRMAN: All opposed?

20 The motion is adopted.

21 ATTORNEY TEPPER: Next on the agenda  
22 is a request to place Devin Flores on the  
23 Involuntary Exclusion List. Mr. Flores used a false  
24 identification card while under age in attempt to  
25 gain access to the gaming floor at Mount Airy

1 Casino.

2 At this time, the OEC requests that  
3 the Board add Devin Flores to the Involuntary  
4 Exclusion List.

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

7 MR. RYAN: Mr. Chairman, I move that  
8 the Board approve the addition of Devin Flores to  
9 the PGCB Involuntary Exclusion List as described by  
10 the OEC. I further move that Mr. Flores may  
11 petition for removal from the list after one year.

12 MR. SANTONI: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed?

16 The motion is adopted.

17 ATTORNEY TEPPER: Next item on the  
18 agenda is a request to place Scott Grindley on the  
19 Involuntary Exclusion List. Mr. Grindley used a  
20 false identification card while under age in attempt  
21 to gain access to the gaming floor at Mount Airy  
22 Casino.

23 At this time, OEC requests that the  
24 Board add Scott Grindley to the Board's Involuntary  
25 Exclusion List.

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

3                    MR. SANTONI: Mr. Chairman, I move  
4 that the Board approve the Scott Grindley to the  
5 PGCB Involuntary Exclusion List as described by the  
6 OEC. I further move that Mr. Grindley may petition  
7 for removal from the list after one year.

8                    MR. JEWELL: Second.

9                    CHAIRMAN: All in favor?

10 AYES RESPOND

11                   CHAIRMAN: All opposed?

12 The motion is adopted.

13                   ATTORNEY TEPPER: The next item of the  
14 agenda is request to place Daniel Volpe on the  
15 Involuntary Exclusion List. Mr. Volpe gained access  
16 to the gaming floor at Mount Airy while under 21 for  
17 approximately 6 hours and 39 minutes and placed  
18 wagers at slots, Spanish 21 and blackjack. Mr.  
19 Volpe was not asked for identification when he  
20 gained access to the gaming floor but was identified  
21 as underage when he attempted to cash out at the  
22 cage.

23                   At this time the OEC requests that the  
24 Board add Daniel Volpe to the Board's Involuntary  
25 Exclusion List.

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

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

9                   MR. LOGAN: Second.

10                  CHAIRMAN: All in favor?

11 AYES RESPOND

12                  CHAIRMAN: All opposed?

13 The motion is adopted.

14                  ATTORNEY PITRE: That concludes our  
15 business. Thank you.

16                  CHAIRMAN: Thank you.

17                         At this time I'd like to announce that  
18 the Board - the Pennsylvania Gaming Control Board  
19 will be holding a public hearing on the licensure of  
20 the Stadium Casino Project on July 31st, 2017 at  
21 2:00 p.m. in this room. This hearing follows - is  
22 the result of the decision of the Pennsylvania  
23 Supreme Court remanding a portion of that decision  
24 back to use for further consideration.

25                         So, our next public session - next

1 public hearing will be on July 31st. That doesn't  
2 change the rest of the schedule. We will then  
3 return again on August 9th, for our regularly  
4 scheduled session.

5 Are there any other final comments  
6 from the Board at this time?

7 Hearing none, may I have a motion to  
8 adjourn the meeting?

9 MR. LOGAN: So, moved.

10 MR. MOSCATO: Second.

11 CHAIRMAN: All in favor?

12 AYES RESPOND

13 CHAIRMAN: All opposed?

14 The motion is adopted.

15 The meeting is adjourned. Thank you  
16 all for your time.

17

18 \* \* \* \* \*

19 HEARING CONCLUDED AT 11:40 A.M.

20 \* \* \* \* \*

21

22

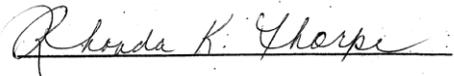
23

24

25

CERTIFICATE

1 I hereby certify that the foregoing proceedings,  
 2 hearing held before Chairman Barasch was reported by  
 3 me on 7/12/2017 and that I, Rhonda K. Thorpe, read  
 4 this transcript, and that I attest that this  
 5 transcript is a true and accurate record of the  
 6 proceeding.

7  
 8   
 9 **Court Reporter**  
 Rhonda K. Thorpe

10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24