

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: MEMBERS OF THE BOARD:

DAVID M. BARASCH, CHAIRMAN

Obra S. Kernodle, IV

Sean Logan

T. Mark Mustio

Merritt C. Reitzel (Via Telephone)

Dante Santoni, Jr.

Denise J. Smyler

EX-OFFICIO MEMBERS/DESIGNEES IN ATTENDANCE:

Jennifer Langan, Esquire, Designee,

Department of Treasury

Christin Heidingsfelder, Designee,

Department of Revenue

HEARING: Wednesday, February 12, 2020, 10:00 a.m.

Reporter: Amy Distefano

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LOCATION: Pennsylvania Gaming Control Board
Strawberry Square Complex
2nd Floor
Harrisburg, PA 17101

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

- R. DOUGLAS SHERMAN, Chief Counsel
- STEVE COOK, Deputy Chief Counsel
- DANETTE BIXLER-GEORGE, Director of Human Resources
- CLAIRE B. YANTIS, Administrative Director
- ELIZABETH LANZA, Director, Office of Problem &
Compulsive Gambling
- SUSAN HENSEL, Director, Bureau of Licensing

OFFICE OF ENFORCEMENT COUNSEL:

- CYRUS PITRE, Chief Enforcement Counsel
- MICHAEL ROLAND, Senior Enforcement Counsel
- JAMES ARMSTRONG, Assistant Enforcement Counsel
- THOMAS MONAGHAN, Assistant Enforcement Counsel
- JOHN CROHE, Assistant Enforcement Counsel

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OTHER ATTENDEES FOR MEETING AND/OR PUBLIC HEARINGS:

Chester Downs & Marina, LLC and Eldorado Resorts, Inc.

Tom Reeg, Chief Executive Officer, Eldorado Resorts, Inc.

Ed Quatmann, Chief Legal Officer, Eldorado Resorts, Inc.

Chris Albrecht, Senior Vice President and General Manager, Harrah's Philadelphia

Lynn Hughes, VP and General Counsel of Regional Operations, Caesars

William Downey, Caesars

Stephen D. Schrier, Esquire, Blank Rome, LLP, Eldorado Resorts, Inc.

Michael D. Fabius, Esquire, Ballard Spahr, LLP, VICI Properties

Mountainview Thoroughbred Racing Association, LLC

Alex M. Hvizda, Director of Compliance

Adrian R. King, Jr., Esquire, Ballard Spahr, LLP

Michael D. Fabius, Esquire, Ballard Spahr, LLP

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Crown PA Gaming, Inc.

Kevin C. Hayes, Esquire

TFCF Sport Enterprises, LLC

Frank A. DiGiacomo, Esquire

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CHAIRMAN: Good morning, everyone.
I'm David Barasch, Chairman of the Gaming Control Board. As always, I ask people to put their electronic devices on silent, which reminds me to do the same.

With us today, Jennifer Langan, representing Joe Torsella, the State Treasurer. And Christin Heidingsfelder, representing Secretary Hassell at the Department of Revenue. Thank you for joining us today.

Commissioner Reitzel is under the weather, but she's on the phone from home. So, she will be participating by phone.

Merritt, are you there?

MS. REITZEL: I'm here.

CHAIRMAN: You sound like you're barely there. Okay. We all hope you get well and we'll talk to you later.

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

PLEDGE OF ALLEGIANCE RECITED

CHAIRMAN: By way of announcements,

1 the Board held an Executive Session on Friday, January
2 31st, to discuss certain litigation matters. And a
3 second Executive Session was held yesterday, Tuesday,
4 February 11th, to discuss personnel matters and to
5 conduct quasi-judicial deliberations relating to
6 matters that are expected to come before the Board
7 today.

8 Today we have two Public Hearings
9 scheduled and one Oral Argument.

10 PUBLIC HEARINGS AND ORAL ARGUMENT HELD

11 CHAIRMAN: We'll take a brief break.

12 ---

13 (WHEREUPON, A PAUSE IN THE RECORD WAS HELD.)

14 ---

15 CHAIRMAN: Okay.

16 We're back on the record. Thank you
17 for your patience. Next we have consideration of a
18 motion to approve the minutes and transcripts of the
19 December 18th, 2019 meeting.

20 May I have such a motion?

21 MR. LOGAN: Mr. Chairman, I move that
22 the Board approve the minutes and transcripts of the
23 December 18th, 2019 meeting.

24 MR. SANTONI: Second.

25 CHAIRMAN: All in favor?

1 AYES RESPOND

2 CHAIRMAN: All opposed?

3 The motion is adopted. Thank you.

4 Claire, Director - Administrative
5 Director.

6 MS. YANTIS: Yes. Good morning,
7 Chairman, Barasch, members of the Board. Today we
8 want to bring your attention to the significance of
9 March's focus on raising awareness of the issues
10 involving social gambling and problem gambling.

11 For several years March has been
12 recognized as Problem Gambling Awareness Month, and
13 with me today is our Director of the Office of
14 Compulsive and Problem Gambling, Liz Lanza. Liz,
15 along with Program Analyst, Elizabeth Burch,
16 continuously educate and inform the public on this
17 important topic all throughout the year.

18 But Liz is here today to present a
19 Resolution, specifically highlighting the awareness
20 and attention to problem gambling during the month of
21 March.

22 MS. LANZA: Thank you, Claire.

23 CHAIRMAN: Good morning.

24 MS. LANZA: Good morning, Chairman and
25 members of the Board.

1 Before you today is a Resolution
2 proclaiming March as Problem Gambling Awareness Month.
3 Problem Gambling Awareness Month is observed
4 nationally every March with the objective of
5 publicizing gambling disorder prevention and treatment
6 and that both are available and effective.

7 This year marks the 16th anniversary
8 of this problem gambling awareness campaign. During
9 the past year, Pennsylvania has seen a growth in the
10 availability of gambling statewide. While this
11 expansion has been an overall success for the
12 Commonwealth, we must not turn away from those who
13 have experienced the possible negative effects of
14 gambling.

15 According to the National Council on
16 Problem Gambling, while most adults gamble responsibly
17 for entertainment purposes, approximately four percent
18 of the U.S. population will develop a gambling
19 disorder at some point in their lives.

20 For this reason, it is crucial for the
21 Board and its Licensees to remain diligent in
22 providing protections to those who partake in
23 Pennsylvania's online and land-based gambling venues.

24 For those who ultimately develop a
25 gambling disorder, there are tools, programs and

1 treatment opportunities available throughout the
2 Commonwealth. I implore anyone who thinks that they
3 or a loved one may have a gambling problem to call
4 1-800-GAMBLER to receive the help that they need.

5 I would like to thank the Board, Board
6 employees and Licensees and our partnering agencies
7 and organizations for their dedication to lessening
8 the harmful effects of problem gambling throughout the
9 Commonwealth. I ask the Board to adopt the resolution
10 recognizing March 2020 as Problem Gambling Awareness
11 Month.

12 Thank you for your time.

13 CHAIRMAN: Thank you.

14 Are there any questions or general
15 comments from the Board on this matter?

16 Hearing none, may I have a motion?

17 MR. SANTONI: Mr. Chairman, I move
18 that the Board approve Resolution 2020-1-CPG as
19 described by the Director of Compulsive and Problem
20 Gambling.

21 MS. SMYLER: Second.

22 CHAIRMAN: All in favor?

23 AYES RESPOND

24 CHAIRMAN: All opposed?

25 The motion's adopted. Thank you.

1 MS. LANZA: Thank you.

2 MS. YANTIS: Next we have our Director
3 of Human Resources, Danette Bixler-George with two
4 personnel-related motions for your consideration.

5 CHAIRMAN: Good morning, Danette.

6 MS. BIXLER-GEORGE: Good morning,
7 Chairman, members of the Board. The Office of Human
8 Resources has two motions for your consideration
9 today, relative to the hiring of one individual and
10 the provision of temporary hiring authority to the
11 Personnel Committee for vacancies at Wind Creek
12 Casino.

13 First, Marc Merchiere has been
14 selected as an Investigator for the Southeast Regional
15 Office in the Bureau of Investigations and Enforcement
16 (BIE). He has completed the interview process,
17 background investigation and drug screening and is
18 recommended for hire by Paul Mauro, Director for
19 Investigations and Enforcement.

20 The second matter for your
21 consideration is hiring authority for vacancies at
22 Wind Creek Casino. Due to -.

23 CHAIRMAN: Danette, should we dispose
24 of the first motion before you go to the second?

25 MS. BIXLER-GEORGE: If you so wish.

1 CHAIRMAN: It's probably a good idea.
2 Is there a motion regarding the hiring, Ms. Bixler
3 proposed?

4 MS. SMYLER: Mr. Chairman, I move that
5 the Board approve the hiring, as proposed by the Human
6 Resources Director.

7 MR. KERNODLE: Second.

8 CHAIRMAN: Thank you. All in favor?

9 AYES RESPOND

10 CHAIRMAN: All opposed?

11 That motion is adopted.

12 Proceed, please.

13 MS. BIXLER-GEORGE: Okay. Thank you.

14 The second matter for your
15 consideration is the hiring authority for vacancies at
16 Wind Creek Casino. Due to retirements and a transfer,
17 the Bureau of Casino Compliance has three vacancies
18 for Casino Compliance Representatives at the Wind
19 Creek Casino in Bethlehem.

20 These vacancies represent a third of
21 the Casino Compliance Representative staff at Wind
22 Creek. Interviews have been conducted for two of
23 these positions. And the Office of Human Resources
24 anticipates that the selected individuals will move
25 into the background investigation process shortly.

1 The Office of Human Resources is
2 requesting that the Board temporarily delegate its
3 hiring authority to the Personnel Committee for the
4 positions at Wind Creek as described, so the hiring
5 may occur as needed and appropriate between meetings
6 of the Board. The selections would still be brought
7 to the Board for its approval at the next Public
8 Meeting.

9 Unless you have questions, I ask that
10 you - for the motion to temporarily delegate the
11 hiring authority to the Personnel Committee.

12 CHAIRMAN: Are there any questions on
13 this matter from the Board?

14 If not, may I have a motion?

15 MR. MUSTIO: Mr. Chairman, I move that
16 the Board approve the temporary delegation of
17 authority to hire agency staff to the personal -
18 Personnel Committee as described by the Human
19 Resources Director.

20 MR. SANTONI: Second.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed?

24 The motion's adopted.

25 MS. BIXLER-GEORGE: Thank you.

1 MS. YANTIS: Thank you.

2 CHAIRMAN: Next we have Chief Counsel,
3 Doug Sherman.

4 ATTORNEY SHERMAN: Good morning,
5 Chairman, members of the Board. Today the Board has
6 five Petitions before it for consideration. Three of
7 these matters were heard earlier today during Public
8 Hearings.

9 Additionally, one of the Petitions was
10 subject of an Oral Argument that the Board received
11 this morning, and the remaining matter will be decided
12 based upon the documentary record by agreement of the
13 parties.

14 In each of the matters, the Board has,
15 in advance of this meeting, been provided with all
16 documents filed of record in each - prior to today.

17 The first Petition before the Board
18 today is Chester Downs & Marina, LLC and Eldorado
19 Resorts, Incorporated's Joint Petition for Approval of
20 a Change of Ownership involving Harrah's Philadelphia.

21 This matter was the first matter heard
22 by the Board during the Public Hearing. The Office of
23 Enforcement Counsel (OEC) has no objection to the
24 request for change of ownership, subject to conditions
25 outlined in its Answer.

1 There's also a request for
2 confidentiality for some sensitive financial
3 information which is in the record, and we would agree
4 that that should be maintained as confidential.

5 And with that, the record is closed
6 and ready for the Board's consideration.

7 CHAIRMAN: Any questions or comments
8 from the Board on this matter?

9 Hearing none, may I have a motion?

10 MR. LOGAN: Mr. Chairman, I move that
11 the Board grant Chester Downs & Marina, LLC and
12 Eldorado Resorts, Incorporated's Joint Petition for
13 Approval of a Change in Ownership as described by the
14 Office of Chief Counsel (OCC) and with the conditions
15 requested by the OEC, including requests for
16 confidentiality of certain documents.

17 I further move that a \$3.75 million
18 Change of Control Fee be assessed against the
19 Petitioners.

20 MR. MUSTIO: Second.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed?

24 The motion's adopted.

25 ATTORNEY SHERMAN: Okay.

1 The next two matters are Petitions for
2 Mountainview Thoroughbred Racing Association and
3 involve the authority to conduct sports wagering at
4 two horse racing non-primary locations, which will be
5 located respectively at their Category 4 York Casino
6 facility and the Category 4 Morgantown Casino
7 facility.

8 Non-primary locations, as we heard
9 earlier, those that are authorized by the Horse Racing
10 Commission to conduct off-track betting on
11 thoroughbred and harness racing. In both of these
12 matters, the Commission has approved Mountainview to
13 move existing non-primary locations to the site of the
14 Category 4 Casino facilities.

15 Should the Board approve the request
16 for sports wagering at each facility, sports wagering
17 itself will only start after Board staff has inspected
18 the facilities, made sure that the Commission is on
19 Board with the layout of the facility and that they've
20 undergone a successful test period.

21 Also, as with all prior Sports
22 Wagering Petitions the Board has heard, the OEC has
23 requested a number of conditions be placed upon the
24 operation of the Sportsbook prior to commencing
25 operations.

1 With that, the first matter is the
2 Mountainview Thoroughbred Racing Association's York
3 location. As we heard, the State Horse Racing
4 Commission has authorized the relocation of
5 Mountainview's York OTB, or non-primary location, to
6 the site of Category 4 location. And given that
7 approval by the Horse Racing Commission and the
8 presentation, it's ready for the Board to decide
9 whether to grant the ability to conduct sports
10 wagering at that location.

11 CHAIRMAN: Questions or comments from
12 the Board?

13 Hearing none, may I have a motion?

14 MR. MUSTIO: Mr. Chairman, I move that
15 the Board grant Mountainview Thoroughbred Racing
16 Association, LLC's Petition for Approval to Conduct
17 Sports Wagering at Hollywood Casino York as described
18 by the OCC and with the conditions requested by the
19 OEC.

20 MR. KERNODLE: Second.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed?

24 The motion's adopted.

25 ATTORNEY SHERMAN: The next matter is

1 the Mountainview request to conduct sports wagering at
2 its Morgantown location. Once again, the State Horse
3 Racing Commission has authorized the movement of the
4 Lancaster non-primary location to the Morgantown
5 facility. And this matter is now ready for the
6 Board's consideration.

7 CHAIRMAN: Questions or comments from
8 the Board?

9 Hearing none, may I have a motion?

10 MR. KERNODLE: Mr. Chairman, I move
11 the Board grants Mountainview Thoroughbred Racing
12 Association, LLC Petition for Approval to Conduct
13 Sports Wagering at Hollywood Casino Morgantown as
14 described by the OCC and with the conditions requested
15 by the OEC.

16 MR. SANTONI: Second.

17 CHAIRMAN: All in favor?

18 AYES RESPOND

19 CHAIRMAN: All opposed?

20 The motion's adopted.

21 ATTORNEY SHERMAN: The next matter is
22 the Crown PA, Incorporated and TFCF Sports
23 Enterprises, LLC's Joint Petition requesting a Waiver
24 of Requirements for Certain companies, upstream
25 companies in the TFCF ownership chain.

1 Oral Argument in this matter was heard
2 earlier today and the matter is ready for the Board's
3 consideration.

4 CHAIRMAN: Questions or comments from
5 the Board?

6 Hearing none, may I have a motion?

7 MR. SANTONI: Mr. Chairman, I move
8 that the Board grant Crown Gaming PA, Inc. and TFCF
9 Sports Enterprises, LLC's Joint Petition for a Waiver
10 of the Qualification Requirements of Certain Entities
11 as described by the OCC and with the conditions that
12 will be outlined in the Board's Order.

13 I further move that the Board grant
14 the Joint Petitioners' request for confidentiality.

15 MS. SMYLER: Second.

16 CHAIRMAN: All in favor?

17 AYES RESPOND

18 CHAIRMAN: All opposed?

19 The motion's adopted.

20 ATTORNEY SHERMAN: The final Petition
21 before the Board today is Nakia Jones' request for
22 removal from the Board's Involuntary Exclusion List.

23 By way of background, in October of
24 2012, the Board placed Ms. Jones on the Exclusion List
25 for a theft of \$300 from one of her companions while

1 at the Valley Forge Casino.

2 In September of 2013 Ms. Jones
3 requested to be removed from the list. A hearing was
4 held and ultimately the Board decided that she must
5 remain on the list for at least five years, at which
6 time she could seek removal.

7 It's now been over seven years since
8 her placement on the list, and Ms. Jones has again,
9 requested removal. OEC has no objection to the
10 request, and the matter is ready for the Board's
11 consideration of a motion.

12 CHAIRMAN: Questions or comments from
13 the Board?

14 Hearing none, may I have a motion?

15 MS. SMYLER: Mr. Chairman, I move that
16 the Board grant Nakia Jones' Petition for Removal from
17 the PGCB Involuntary Exclusion List as described by
18 the OCC.

19 MR. KERNODLE: Second.

20 CHAIRMAN: All in favor?

21 AYES RESPOND

22 CHAIRMAN: All opposed?

23 The motion's adopted.

24 ATTORNEY SHERMAN: Next we have
25 Withdrawals and Surrenders as well as Reports and

1 Recommendations by Deputy Chief Counsel, Steve Cook.

2 ATTORNEY COOK: Good morning. The
3 Board has received several unopposed Petitions to
4 withdraw the applications or surrender the credentials
5 of the following individuals and entities:

6 Gerard Hall; Daniel Columbo; Erik R.
7 Massman; Anna Helene Barnekow; Ryan Dale Hammer;
8 Lancaster Travel Places, LLC; Brian A. Larson;
9 Invendium Limited; Dynamic Gaming Systems, LLC; Larry
10 A. Potts and Bradford Turner.

11 The OEC has no objections to any of
12 these Withdrawals or Surrenders, and as a result, if
13 the Board grants them, they'd be doing so without
14 prejudice to each of these parties.

15 CHAIRMAN: Questions or comments from
16 the Board?

17 Hearing none, may I have a motion?

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

21 MR. SANTONI: Second.

22 CHAIRMAN: All in favor?

23 AYES RESPOND

24 CHAIRMAN: All opposed?

25 The motion's adopted.

1 ATTORNEY COOK: Next before the Board
2 for consideration are six Reports and Recommendations
3 received from the Office of Hearings and Appeals
4 (OHA). These Reports and Recommendations, along with
5 the complete evidentiary record for each matter have
6 been provided to the Board in advance of today's
7 meeting.

8 And additionally, in each case, the
9 person that is the subject to the Report and
10 Recommendation has been told that their matter would
11 be taken up by the Board today, and that they could
12 come forward and briefly address the Board. If any of
13 these persons are present today and wish to address
14 the Board, I'd ask them to come forward when their
15 matter is called.

16 Shannon Davis' matter is the first
17 Report and Recommendation before the Board today. Ms.
18 Davis holds a Gaming Employee Occupation Permit and
19 was employed as a Table Games Dealer at Lady Luck
20 Casino.

21 On October 7th, 2019, the OEC filed a
22 request for an Emergency Suspension of Ms. Davis'
23 Gaming Employee Occupation Permit after receiving
24 notice that she had been charged with felony welfare
25 fraud.

1 Specifically, it is alleged that Ms.
2 Davis willfully failed to disclose, on her
3 Supplemental Nutrition Assistance Application, that
4 she was, in fact, employed by Nemaocolin between
5 September 11th, 2018 and February 28th, 2019.

6 As a result of these - this felony
7 charge, the Board's Executive Director issued an
8 Emergency Order suspending Ms. Davis' permit as
9 requested by the OEC.

10 A hearing was held on December 4th,
11 2019. OEC appeared, offering evidence of the criminal
12 charges facing Ms. Davis. Despite receiving notice,
13 Ms. Davis did not attend that hearing, and it was held
14 in her absence.

15 After hearing the evidence presented,
16 the Report and Recommendation issued by the Hearing
17 Officer and before the Board recommends that the
18 suspension of Ms. Davis's Gaming Permit remain in
19 place.

20 CHAIRMAN: Questions or comments from
21 the Board?

22 Hearing none, may I have a motion?

23 MR. LOGAN: Mr. Chairman, I move that
24 the Board adopt the Report and Recommendation issued
25 by the OHA regarding the suspension of Shannon Davis'

1 Gaming Employee Occupation Permit as described by the
2 OCC.

3 MR. MUSTIO: Second.

4 CHAIRMAN: All in favor?

5 AYES RESPOND

6 CHAIRMAN: All opposed?

7 The motion's adopted.

8 ATTORNEY COOK: The next Report and
9 Recommendation before the - before the Board today
10 pertains to Melissa Muller.

11 In September of 2017, Ms. Muller
12 submitted an application for a Gaming Level 2 Employee
13 Occupation Permit, which would have allowed her to
14 work as a Dual Rate Table Games Dealer at Parx Casino.

15 On March 20th, 2019, the OEC issued a
16 Notice of Recommendation of Denial, stating that Ms.
17 Muller had not been able to show that she was
18 compliant with her Federal taxes. Specifically, after
19 several attempts by the BIE to obtain the necessary
20 information, Ms. Muller failed to provide proof that
21 she, in fact, filed a 2016 Federal Tax Return.

22 The recommendation for denial was
23 made. Ms. Muller requested a hearing, which was held
24 on November 13th, 2019. OEC appeared, offering
25 evidence to show that there was no proof that she, in

1 fact, filed a 2016 Federal Tax Return. Ms. Muller did
2 not appear at the hearing, and therefore, did not
3 dispute that evidence.

4 As a result, after hearing the
5 evidence, the Hearing Officer's recommendation is that
6 her - that Ms. Muller's Gaming Level 2 Employee
7 Occupation Permit Application be denied.

8 CHAIRMAN: Questions or comments from
9 the Board?

10 Hearing none, may I have a motion?

11 MR. MUSTIO: Mr. Chairman, I move that
12 the Board adopt the Report and Recommendation issued
13 by the OHA regarding Melissa Muller's Gaming Level 2
14 Employee Occupation Permit as described by the OCC.

15 MR. SANTONI: Second.

16 CHAIRMAN: All in favor?

17 AYES RESPOND

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

20 ATTORNEY COOK: Tony Tran's matter is
21 the next Report and Recommendation before the Board
22 today.

23 On September 21st, 2018 the OEC filed
24 a Petition to place Mr. Tran on the Involuntary
25 Exclusion List, after being notified that he had

1 participated in a cheating scheme at Harrah's
2 Philadelphia.

3 Specifically, it was alleged that in
4 December of 2017, Mr. Tran, along with other patrons,
5 several Table Games Dealers and a Table Games
6 Supervisor, conspired to cheat, resulting in a loss to
7 Harrah's Philadelphia in excess of \$800,000.

8 Mr. Tran was criminally charged. He
9 pled guilty to three counts of rigging a public
10 contest. And he, along with other co-conspirators
11 were ordered to jointly pay restitution to the casino.

12 A hearing in this matter was held on
13 November 5th, 2019. Enforcement Counsel appeared,
14 offering evidence. Mr. Tran also appeared with his
15 counsel, but did not present any evidence.

16 Rather, at the beginning of the
17 hearing, Mr. Tran's attorney notified the Hearing
18 Officer that his client was willing to admit to the
19 factual averments in OEC's Petition and that he was no
20 longer contesting placement on the Involuntary
21 Exclusion List, rather he was primarily concerned
22 about whether the Board would make a finding as to his
23 portion of the loss to the casino, which is not really
24 relevant to this proceeding, so no such finding was
25 made.

1 And as a result, the Report and
2 Recommendation issued requires only - or recommends
3 only that he be placed on the Involuntary Exclusion
4 List.

5 CHAIRMAN: Questions or comments from
6 the Board?

7 Hearing none, may I have a motion?

8 MR. LOGAN: Mr. Chairman, I move that
9 the Board adopt the Report and Recommendation issued
10 by the OHA regarding the placement of Tony Tran on the
11 PGCB Involuntary Exclusion List as described by the
12 OCC.

13 MR. SANTONI: Second.

14 CHAIRMAN: All in favor?

15 AYES RESPOND

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

18 ATTORNEY COOK: The next matter
19 pertains to a second individual who participated in
20 that same cheating scheme at Harrah's Philadelphia.

21 The OEC filed a Petition to place Jian
22 Chen on the Exclusion List after notification of his
23 participation in that scheme. As was just mentioned,
24 Mr. Chen, along with other patrons, Table Games Dealer
25 - Dealers and a Table Games Supervisor conspired to

1 cheat, which resulted in Harrah's casino losing over
2 \$800,000.

3 Mr. Chen was criminally charged. He
4 pled guilty as well to three counts of rigging a
5 public contest. And as with all the parties, was
6 ordered to pay restitution jointly and separately.

7 A hearing in this matter was held on
8 November 6th, 2019. OEC appeared, again, offering
9 evidence. And Mr. Chen, too, appeared with his
10 counsel.

11 At the start of the hearing, the
12 parties informed the Hearing Officer that Mr. Chen was
13 also willing to stipulate to most facts in the
14 Petition. And as a result, he did not present any
15 testimony - or Mr. Chen did not testify.

16 During the hearing, however, his
17 attorney argued that there was no evidence presented
18 to show that Mr. Chen was directed - or directed the
19 Dealer's action, and that he actually conspired with
20 anyone. Rather the attorney argued that he simply
21 took the money that was incorrectly paid to him.

22 Mr. Chen's counsel also introduced Mr.
23 Chen's win/loss records from Harrah's Philadelphia,
24 which showed that over a three or four-year span he,
25 in fact, had lost money to the casino. And as a

1 result, the attorney argued that was evidence that he
2 was not cheating during most of that time period.

3 After hearing all the evidence
4 presented, nevertheless, the Hearing Officer
5 recommends that Mr. Chen was involved in this scheme,
6 and as a result, should be on the Involuntary
7 Exclusion List.

8 CHAIRMAN: Questions or comments from
9 the Board?

10 Hearing none, may I have a motion?

11 MR. SANTONI: Mr. Chairman, I move
12 that the Board adopt the Report and Recommendation
13 issued by the OHA regarding the placement of Jian Chen
14 on the PGCB Involuntary Exclusion List as described by
15 the OCC.

16 MS. SMYLER: Second.

17 CHAIRMAN: All in favor?

18 AYES RESPOND

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

21 ATTORNEY COOK: Coran Auguste is the
22 next Report and Recommendation before the Board. On
23 May 6th, 2019 the OEC filed a Petition requesting that
24 Ms. Auguste be placed on the Board Involuntary
25 Exclusion List, alleging that on December 2nd, 2018

1 Ms. Auguste entered Valley Forge Casino, redeemed the
2 promotional voucher and then attempted to enter the -
3 enter the Gaming Floor with her eight-year-old
4 daughter.

5 Casino staff informed Ms. Auguste that
6 her daughter was not allowed on the Gaming Floor;
7 therefore, Ms. Auguste told her daughter to go to the
8 food court and wait. Ms. Auguste entered the Gaming
9 Floor and gamed for over an hour.

10 Security discovered the unattended
11 child in the food court and sat with her while other
12 Security Officers attempted to locate Ms. Auguste, who
13 ultimately returned to the food court.

14 She was permanently evicted from
15 Valley Forge Casino for leaving her child unattended;
16 however, she was not criminally charged.

17 A hearing in this matter was held on
18 October 22nd, 2019. Enforcement Counsel offered the
19 evidence, as I just described, as well as a video and
20 documentary evidence. Ms. Auguste appeared and
21 testified on her own behalf, and her mother also
22 testified on her behalf.

23 Both stated that Ms. Auguste had, in
24 fact, made arrangements with her brother-in-law and
25 sister-in-law to watch her daughter in the food court.

1 However, there was no corroborating evidence to that
2 fact; video or otherwise, in the record. And as a
3 result, after hearing all the evidence presented, the
4 Hearing Officer recommends that Ms. Auguste, in fact,
5 be placed on the Board's Involuntary Exclusion List.

6 CHAIRMAN: Questions or comments from
7 the Board?

8 Hearing none, may I have a motion?

9 MS. SMYLER: Mr. Chairman, I move that
10 the Board adopt the Report and Recommendation issued
11 by the OHA regarding the placement of Coran Auguste on
12 the PGCB Involuntary Exclusion List as described by
13 the OCC.

14 MR. KERNODLE: Second.

15 CHAIRMAN: All in favor?

16 AYES RESPOND

17 CHAIRMAN: All opposed?

18 The motion's adopted.

19 ATTORNEY COOK: The final Report and
20 Recommendation before the Board today pertains to
21 Francis Butler.

22 On July 18, 2019, the OEC filed a
23 Petition requesting that Mr. Butler be placed on the
24 Board's Involuntary Exclusion List, alleging that on
25 April 14th, 2019 he cheated while gaming at The

1 Meadows Casino. Specifically, while playing
2 Criss-Cross Poker, Mr. Butler capped wagers on several
3 occasions, after cards were revealed.

4 He was evicted from The Meadows for
5 six months - for a six-month period as a result of
6 this conduct. However, no criminal charges were
7 filed.

8 A hearing in this matter was held on
9 November 24th, 2019. Enforcement Counsel appeared,
10 presenting documentary, surveillance and testimonial
11 evidence. Mr. Butler also appeared and testified on
12 his own behalf.

13 Before OEC presented its case at the
14 hearing, Mr. Butler admitted on the record to the
15 incidents alleged by OEC, but indicated that he simply
16 wanted to explain his actions were a mistake and not
17 intentional. He then went on to testify at the time
18 of the incident in question, he had recently
19 experienced a family tragedy, that he and his wife
20 went to the casino to sort of get away from that
21 problem for a while.

22 He had too much to drink, and
23 ultimately was awake for more than 30 hours before
24 they had even entered the casino. He further
25 testified that he had only ever played the game of

1 Criss-Cross Poker a few previous times and was
2 confused by the rules of play.

3 Mr. Butler additionally testified that
4 he's never been in trouble and has never deliberately
5 tried to cheat The Meadows or any other casino.

6 After hearing all the evidence
7 presented, the Hearing Officer recommends that
8 notwithstanding Mr. Butler's testimony that he be
9 placed on the Involuntary Exclusion List. And that's
10 the recommendation before the Board.

11 CHAIRMAN: Questions or comments from
12 the Board?

13 Hearing none, may I have a motion?

14 MR. KERNODLE: Mr. Chairman, I move
15 that the Board adopt the Report and Recommendation
16 issued by the OHA regarding the placement of Francis
17 Butler on the PGCB Involuntary Exclusion List as
18 described by the OCC, and that Mr. Butler be placed on
19 the Board's list of excluded persons for one year.

20 MR. LOGAN: Second.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed?

24 The motion's adopted.

25 ATTORNEY SHERMAN: And that concludes

1 the matters of the OCC.

2 CHAIRMAN: Thank you very much.

3 Sue Hensel, Bureau of Licensing. Good
4 morning.

5 MS. HENSEL: Thank you, Chairman
6 Barasch and members of the Board.

7 Before the Board today will be
8 licensure related to the change of control of Chester
9 Downs, a Category 1 Slot Machine Licensee, and four
10 Video Gaming Terminal Establishments.

11 In addition, there will be 697
12 Principal, Key, Gaming and Non-Gaming Employee
13 Applicants for consideration, as well as 14 Gaming
14 Service Provider Applicants.

15 The first matter for your
16 consideration are Principal Licenses associated with
17 the change of control of Chester Downs and Marina,
18 LLC. As we have heard, under the change of control,
19 Eldorado Resorts, Inc., which is currently licensed in
20 good standing, is acquiring Chester Downs and Marina,
21 LLC.

22 Pursuant to Board requirements for
23 approval of a change of control, all Principals
24 affiliated with Eldorado Resorts, Inc., that are
25 related to the change of control, are required to be

1 licensed by the Board.

2 The BIE has completed its
3 investigation of the Applicants, and the Bureau of
4 Licensing has provided you with the Background
5 Investigation and Suitability Report. I have provided
6 you with a Draft Order and ask that the Board consider
7 licensure of Eldorado Resort, Inc.'s change of control
8 related Principals.

9 ATTORNEY PITRE: Enforcement Counsel
10 has no objection.

11 CHAIRMAN: Questions or comments from
12 the Board?

13 Hearing none, may I have a motion?

14 MR. LOGAN: Mr. Chairman, I move that
15 the Board grant the licensing of Eldorado Resorts,
16 Inc. as a Category 1 Slot Machine Licensee as
17 described by the Bureau of Licensing.

18 MR. MUSTIO: Second.

19 CHAIRMAN: All in favor?

20 AYES RESPOND

21 CHAIRMAN: All opposed?

22 The motion's adopted.

23 MS. HENSEL: Next we have
24 consideration of VGT Establishment Licenses for four
25 establishment entities. VGT establishments are truck

1 stops seeking to place VGTs in their businesses. Each
2 of these Applicants have been conditionally licensed.

3 The BIE has completed its
4 investigations, including evaluation that the
5 Applicants meet the VGT establishment eligibility
6 criteria. The Bureau of Licensing has provided you
7 with Background Investigation and Suitability Reports.

8 Once fully licensed, establishments
9 can continue forward with completing the steps
10 necessary to commence VGT gaming. I have provided you
11 with Draft Orders and ask that you consider the Orders
12 to license the following CHR Corp. related entities:

13 Rutter's Store 17, located at 2115
14 East Berlin Road, East Berlin; Rutter's Store 77,
15 located at 77 Benvenue Road, Duncannon; Rutter's Store
16 81, located at 15 New Enterprise Drive, Leesport; and
17 Rutter's Store 96, located at 20 Commerce Drive,
18 Milroy.

19 I ask that you consider a motion to
20 approve the Orders.

21 ATTORNEY PITRE: Enforcement Counsel
22 has no objection.

23 CHAIRMAN: Questions or comments from
24 the Board?

25 Hearing none, may I have a motion?

1 MR. MUSTIO: Mr. Chairman, I move that
2 the Board grant the Video Gaming Terminal
3 Establishment Licenses for CHR Corporation doing
4 business as Rutter's Store Number 17, Store Number 77,
5 Store Number 81 and Store Number 96 as described by
6 the Bureau of Licensing.

7 MS. SMYLER: Second.

8 CHAIRMAN: All in favor?

9 AYES RESPOND

10 CHAIRMAN: All opposed?

11 The motion's adopted.

12 MS. HENSEL: Next for your
13 consideration are one-year license extensions for
14 conditionally licensed entities. The companies were
15 each granted one-year Conditional Licenses,
16 approximately one-year ago.

17 Under the Gaming Act and Board
18 Regulations, the Board is authorized to extend the
19 licenses for an additional one-year for good cause.
20 In each case the Background Investigation and
21 Suitability Report process for the companies is
22 continuing.

23 I ask that the Board grant one-year
24 extensions to the following companies:

25 Conditional sports wagering operator

1 Betfair Interactive U.S., LLC; Conditional iGaming
2 Manufacturers, GAN plc, and NetEnt Americas, LLC;
3 Conditional VGT Operator, Better Bets Ventures, LLC
4 and Compass Gaming, Inc; Conditional VGT Manufacturer
5 M3 Technology Solutions, LLC and Conditional VGT
6 Establishments that are the Love's Travel Stops &
7 Country Store, Inc. establishments, Numbers 324, 358,
8 366 and 407.

9 I have provided you with Draft Orders
10 and ask that you consider a motion approving the
11 Orders.

12 ATTORNEY PITRE: Enforcement Counsel
13 has no objection.

14 CHAIRMAN: Questions or comments from
15 the Board?

16 Hearing none, may I have a motion?

17 MR. KERNODLE: Mr. Chairman, I move
18 that the Board grant the extension for the Conditional
19 Licensees as described by the Bureau of Licensing.

20 MR. SANTONI: Second.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed?

24 The motion's adopted.

25 MS. HENSEL: In addition, there are

1 Principal and Key Employee Licenses, and a
2 qualification for your consideration. Prior to this
3 meeting, the Bureau of Licensing provided you with a
4 Proposed Order for two Principals, two Key Employees
5 and one Gaming Service Provider Qualifier.

6 I ask that the Board consider the
7 Order approving these licenses and qualification.

8 ATTORNEY PITRE: Enforcement Counsel
9 has no objection.

10 CHAIRMAN: Questions or comments from
11 the Board?

12 Hearing none, may I have a motion?

13 MR. SANTONI: Mr. Chairman, I move
14 that the Board grant the Principal and Key Employee
15 Licenses and Gaming Service Provider Qualifier as
16 described by the Bureau of Licensing.

17 MS. SMYLER: Second.

18 CHAIRMAN: All in favor?

19 AYES RESPOND

20 CHAIRMAN: All opposed?

21 The motion's adopted.

22 MS. HENSEL: Also, for your
23 consideration are Temporary Licenses. Prior to this
24 meeting, the Bureau of Licensing provided you with an
25 Order regarding the issuance of Temporary Licenses for

1 seven Principals and 13 Key Employees.

2 I ask that the Board consider the
3 Order approving these licenses.

4 ATTORNEY PITRE: Enforcement Counsel
5 has no objection.

6 CHAIRMAN: Questions or comments from
7 the Board?

8 Hearing none, may I have a motion?

9 MS. SMYLER: Mr. Chairman, I move that
10 the Board grant the Temporary Principal and Key
11 Employee credentials as described by the Bureau of
12 Licensing.

13 MR. KERNODLE: Second.

14 CHAIRMAN: All in favor?

15 AYES RESPOND

16 CHAIRMAN: All opposed?

17 The motion's adopted.

18 MS. HENSEL: Next are Gaming Permits
19 and Non-Gaming Registrations. Prior to this meeting,
20 the Bureau of Licensing provided you with a list of
21 537 individuals to whom the Bureau has granted
22 Temporary or Full Occupation Permits and 129
23 individuals to whom the Bureau has granted
24 registrations under the authority delegated to the
25 Bureau of Licensing.

1 I ask that the Board consider a motion
2 approving the Order.

3 ATTORNEY PITRE: Enforcement Counsel
4 has no objection.

5 CHAIRMAN: Questions or comments from
6 the Board?

7 Hearing none, may I have a motion?

8 MR. KERNODLE: Mr. Chairman, I move
9 that the Board grants the Gaming Employee Occupation
10 Permit and Non-Gaming Employee Registration as
11 described by the Bureau of Licensing.

12 MR. LOGAN: Second.

13 CHAIRMAN: All in favor?

14 AYES RESPOND

15 CHAIRMAN: All opposed?

16 The motion is adopted.

17 MS. HENSEL: There are also
18 Recommendations of Denial for two Gaming Employee
19 Applicants. The Applicants were notified that they
20 were being recommended for denial and failed to
21 request hearings within the specified time frames.

22 The Bureau of Licensing has provided
23 you with Orders addressing each of the Applicants who
24 the OEC has recommended for denial. I ask that the
25 Board consider the Orders approving the Denials.

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

3 CHAIRMAN: Questions or comments from
4 the Board?

5 Hearing none, may I have a motion?

6 MR. LOGAN: Mr. Chairman, I move that
7 the Board deny the Gaming Employee Occupation Permit
8 Applications as described by the Bureau of Licensing.

9 MR. MUSTIO: Second.

10 CHAIRMAN: All in favor?

11 AYES RESPOND

12 CHAIRMAN: All opposed?

13 The motion's adopted.

14 MS. HENSEL: The next matter for your
15 consideration are Withdrawal Requests. In each case
16 the Permit or Registration is no longer required. For
17 today's meeting, I have provided the Board with four
18 Gaming Applicants and ask that the Board consider the
19 Order approving the Withdrawals.

20 ATTORNEY PITRE: Enforcement Counsel
21 has no objection.

22 CHAIRMAN: Questions or comments from
23 the Board?

24 Hearing none, may I have a motion?

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

1 the Board grant the withdrawal of Gaming Employee
2 Occupation Permit Applications as described by the
3 Bureau of Licensing.

4 MS. SMYLER: Second.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

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

9 MS. HENSEL: Next we have an Order to
10 Renew the Certification of Gaming Service Provider
11 Richard Kendle Associates. I ask that the Board
12 consider the Order approving the renewal of this
13 Gaming Service Provider.

14 ATTORNEY PITRE: Enforcement Counsel
15 has no objection.

16 CHAIRMAN: Questions or comments from
17 the Board?

18 Hearing none, may I have a motion?

19 MR. MUSTIO: Mr. Chairman, I move that
20 the Board approve Richard Kendle Associates' Renewal
21 Application for Gaming Service Provider Certification
22 as described by the Bureau of Licensing.

23 MR. SANTONI: Second.

24 CHAIRMAN: All in favor?

25 AYES RESPOND

1 CHAIRMAN: All opposed?

2 The motion's adopted.

3 MS. HENSEL: Finally, there are Gaming
4 Service Provider Registrations. The Bureau of
5 Licensing provided you with an Order and an attached
6 list of 13 registered Gaming Service Provider
7 Applicants.

8 I ask that the Board consider the
9 Order registering these Gaming Service Providers.

10 ATTORNEY PITRE: Enforcement Counsel
11 has no objection.

12 CHAIRMAN: Questions or comments from
13 the Board?

14 Hearing none, may I have a motion?

15 MR. SANTONI: Mr. Chairman, I move
16 that the Board approve the Applications for Gaming
17 Service Provider Registration as described by the
18 Bureau of Licensing.

19 MS. SMYLER: Second.

20 CHAIRMAN: All in favor?

21 AYES RESPOND

22 CHAIRMAN: All opposed?

23 The motion's adopted.

24 MS. HENSEL: That conclude the Bureau
25 of Licensing's matters.

1 CHAIRMAN: Thank you, Susan.

2 OEC.

3 ATTORNEY PITRE: The OEC will present
4 four matters today for the Board's consideration in
5 which we will request the Board's approval of one
6 Revocation, two Involuntary Exclusions and one
7 Prohibited Gaming Service Provider Request.

8 The next matter on the Agenda consists
9 of an enforcement action in which the OEC filed a
10 Complaint seeking the revocation of a Gaming Level 2
11 Occupation Permit issued by the Board to Respondent
12 Manuela Zingarelli.

13 The Complaint has been filed with the
14 Board's OHA and properly served upon the Respondent,
15 who in turn, failed to respond within 30 days as
16 required by Board Regulation. As a result, the OEC
17 filed a Request for Default Judgment and properly
18 served the same upon the Respondent.

19 Therefore, the facts in the Complaint
20 are deemed admitted. All filed documents have been
21 provided to the Board, and the matter is presently
22 ripe for the Board's consideration.

23 A brief summary of the facts and a
24 request for the appropriate Board action will be
25 provided by Assistant Enforcement Counsel Thomas

1 Monaghan.

2 ATTORNEY MONAGHAN: Good morning.

3 Thomas Monaghan, M-O-N-A-G-H-A-N, with the OEC.

4 The next matter on the Agenda for the
5 Board's consideration is the revocation of the Gaming
6 Level 2 Employee Permit issued to Manuela Zingarelli.

7 On ten separate occasions between
8 February of 2019 and March of 2019, Ms. Zingarelli
9 stole a total of \$700 from the cashier's cage and \$100
10 from a patron at Rivers Philadelphia, then known as
11 SugarHouse Casino.

12 Ms. Zingarelli was terminated from her
13 employment and criminally charged for her actions. At
14 this time, OEC requests the Board revoke the Gaming
15 Level 2 Employee Permit issued to Manuela Zingarelli.

16 CHAIRMAN: Questions or comments from
17 the Board?

18 Hearing none, may I have a motion?

19 MR. KERNODLE: Mr. Chairman, I move
20 that the Board approve the revocation of Manuela
21 Zingarelli's Gaming 2 Employee Occupation Permit as
22 described by the OEC.

23 MR. LOGAN: Second.

24 CHAIRMAN: All in favor?

25 AYES RESPOND

1 CHAIRMAN: All opposed?

2 The motion's adopted.

3 ATTORNEY PITRE: The next two matters
4 on the Agenda consist of enforcement actions in which
5 the OEC filed Petitions seeking the involuntary
6 exclusion of individuals whose presence in a licensed
7 facility are deemed inimical to the interest of the
8 Commonwealth and/or licensed gaming therein.

9 In each instance, the Petition for
10 Exclusion has been filed with the Board's OHA and
11 properly served upon the individual named in the
12 Petition.

13 The individual named in the Petition
14 failed to respond within 30 days, as required by Board
15 Regulation. As a result, the OEC filed a Request for
16 Default Judgment in each instance, and properly served
17 the same upon each named individual.

18 Therefore, all facts in each Petition
19 are deemed admitted, all filed documents have been
20 provided to the Board and the matters are presently
21 ripe for the Board's consideration.

22 In each instance, if the Board orders
23 a proposed exclusion, each individual's photo,
24 personal identifiers and a summary of the inimical
25 conduct will be placed on the Board's public website.

1 ATTORNEY MONAGHAN: The next matter on
2 the Agenda for the Board's consideration is a request
3 to place Victor Robinson on the Board's Involuntary
4 Exclusion List.

5 On May 12, 2019 Mr. Robinson
6 physically assaulted another patron at Harrah's
7 Casino. The victim sustained injuries that required
8 medical attention.

9 Mr. Robinson was criminally charged
10 for his actions. At this time OEC requests the Board
11 place Victor Robinson on the Board's Involuntary
12 Exclusion List.

13 CHAIRMAN: Questions or comments from
14 the Board?

15 Hearing none, may I have a motion?

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

20 MR. MUSTIO: Second.

21 CHAIRMAN: All in favor?

22 AYES RESPOND

23 CHAIRMAN: All opposed?

24 The motion's adopted.

25 ATTORNEY ARMSTRONG: Next on the

1 Agenda for the Board's consideration is a request to
2 place Charles Walters on the Board's Involuntary
3 Exclusion List.

4 Mr. Walters cheated at the game of
5 High Card Flush at Rivers Casino Philadelphia by
6 conspiring with another patron to switch cards to
7 create winning hands. They were both arrested for the
8 conduct.

9 Accordingly, OEC requests the Board
10 place Charles Walters on the Board's Involuntary
11 Exclusion List.

12 CHAIRMAN: Questions or comments from
13 the Board?

14 Hearing none, may I have a motion?

15 MR. MUSTIO: Mr. Chairman, I move that
16 the Board approve the addition of Charles Walters to
17 the PGCB Involuntary Exclusion List as described by
18 the OEC.

19 MR. KERNODLE: Second.

20 CHAIRMAN: All in favor?

21 AYES RESPOND

22 CHAIRMAN: All opposed?

23 The motion's adopted.

24 ATTORNEY PITRE: The final matter on
25 the Agenda is an enforcement action in which the OEC

1 filed a Petition to place Respondent, Full Draw
2 Landscape Design Services, LLC on the Board's
3 Prohibited Gaming Service Provider List for conducting
4 business and providing services in violation of the
5 Act.

6 The Petition has been filed with the
7 Board's OHA and properly served upon the Respondent,
8 who, in turn, failed to respond within 30 days, as
9 required by the Board's Regulations. As a result, the
10 OEC filed a Request for Default Judgment and properly
11 served the same upon the Respondent.

12 All filed documents have been provided
13 to the Board and the matter is presently ripe for
14 Board's consideration. If the Board orders the
15 proposed placement on the Prohibited Gaming Service
16 Provider List, the company and its owner will be
17 prohibited from conducting any business with or
18 providing any services to the Pennsylvania gaming
19 industry and will be placed on the prohibited list on
20 the Board's public website.

21 ATTORNEY ROLAND: Good morning, -

22 CHAIRMAN: Good morning.

23 ATTORNEY ROLAND: - Mr. Chairman,
24 members of the Board. Michael Roland, R-O-L-A-N-D,
25 with the OEC. The final matter is a request to place

1 Full Draw Landscape Design Services, LLC and its 100
2 percent owner, Richard Franz, Jr. on the Prohibited
3 Gaming Service Provider List.

4 Full Draw was licensed as a Registered
5 Gaming Service Provider on or about July 20th, 2011.
6 On or about December 8th, 2011, Full Draw filed an
7 Application with the Board for a Gaming Service
8 Provider Certification.

9 Subsequently Richard Franz was
10 arrested and charged with multiple felony criminal
11 offenses. As a result, on April 8th, 2013, the OEC
12 sought an Emergency Suspension of Full Draw and the
13 request was granted by the Executive Director the same
14 day.

15 On July 8th, 2015 the Board granted
16 the OEC's March 18th, 2015 request to revoke Richard
17 Franz, Jr.'s qualification and Full Draw Landscape
18 Design Service, LLC's registration.

19 An investigation conducted by the BIE
20 revealed that despite being suspended and revoked,
21 Full Draw and Richard Franz continued to provide
22 services to Pennsylvania's gaming industry through
23 another licensed Gaming Service Provider.

24 As a result, it's believed that Full
25 Draw was unlawfully compensated, approximately \$1.2

1 million between April 2013 and June 2019 for this
2 service.

3 Additionally, Mr. Franz, as an agent
4 for another licensed Gaming Service Provider accepted
5 payment for services from a Slot Machine Licensee on
6 behalf of at least two other companies.

7 Mr. Franz then had the licensed Gaming
8 Service Provider issue a check to those companies for
9 their services rendered, minus a fee for routing the
10 payment through the licensed Gaming Service Provider
11 account.

12 This allowed the two other companies
13 to evade a higher level of licensure. Therefore, Mr.
14 Franz deliberately aided in circumventing the
15 licensing requirements in place at the time for the
16 Gaming Service Providers.

17 The matter is now before the Board to
18 consider the placement of Full Draw Landscape Design
19 Services, LLC and its 100 percent owner, Richard
20 Franz, Jr., on the Prohibited Gaming Service Provider
21 List.

22 CHAIRMAN: Questions or comments from
23 the Board?

24 Hearing none, may I have a motion?

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

1 the Board approve the addition of Full Draw Landscape
2 Design Services, LLC to the PGCB Prohibited GSP List
3 as described by the OEC.

4 MR. SANTONI: Second.

5 CHAIRMAN: All in favor?

6 AYES RESPOND

7 CHAIRMAN: All opposed?

8 The motion's adopted.

9 ATTORNEY PITRE: Thank you. That
10 concludes our business.

11 CHAIRMAN: Thank you.

12 ---

13 (WHEREUPON, AN OFF RECORD DISCUSSION WAS HELD.)

14 ---

15 CHAIRMAN: And maybe for the record.

16 I'm not sure the motion - it mentioned the owner, but
17 did we mention the name of Richard Franz in that
18 motion?

19 MR. LOGAN: We did not, but can we
20 include it for the record?

21 CHAIRMAN: Why don't we just slightly
22 adjust that motion, whoever made that? Was that -?

23 MR. LOGAN: I made it. Just include -
24 the name of the owner was again?

25 ATTORNEY ROLAND: Richard Franz, Jr.

1 MR. LOGAN: Richard Franz, Jr. to that
2 list also as described by the OEC.

3 CHAIRMAN: Thank you.

4 All in favor?

5 AYES RESPOND

6 CHAIRMAN: All opposed?

7 That adjustment is made.

8 ATTORNEY PITRE: Thank you.

9 ATTORNEY ROLAND: Thank you.

10 CHAIRMAN: Okay.

11 That concludes today's meeting. The
12 next Public Meeting will be held on Wednesday,
13 March 11th, at 10:00 a.m. in this room.

14 May I have a motion to adjourn the
15 meeting?

16 MR. SANTONI: Mr. Chairman, I move we
17 adjourn.

18 MS. SMYLER: Second.

19 CHAIRMAN: All in favor?

20 AYES RESPOND

21 CHAIRMAN: All opposed?

22 The motion's adopted and we are
23 adjourned. Thank you.

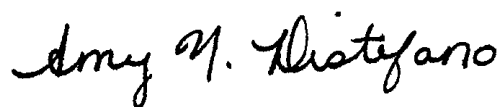
24 * * * * *

25 MEETING CONCLUDED AT 11:56 A.M.

CERTIFICATE

I hereby certify that the foregoing proceedings,
was reported by me on 2/12/2020 and that I, Amy N.
Distefano, read this transcript, and that I attest
that this transcript is a true and accurate record of
the proceeding.

Dated the 10th day of March, 2020.



Amy N. Distefano,

Court Reporter