

COMMONWEALTH OF PENNSYLVANIA

GAMING CONTROL BOARD

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PUBLIC MEETING

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BEFORE: MEMBERS OF THE BOARD:

DENISE J. SMYLER, CHAIR

Frank Dermody

Shawn Dillon

David S. Hickernell

Sara Manzano-Díaz (phone)

Nedia Ralston

Frances J. Regan

EX-OFFICIO MEMBERS/DESIGNEES IN ATTENDANCE:

Adria Zimmerman, Ex-Officio Member

Department of Revenue

Jorge Augusto, Ex-Officio Member,

Department of Agriculture

Jennifer Langan, Ex-Officio Member,

Department of Treasury

Reporter: Derek Richmond

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MEETING: Wednesday, August 21, 2024,
10:00 a.m.

LOCATION: Pennsylvania Gaming Control Board
Officed of Hearings and Appeals
Strawberry Complex
2nd Floor
Harrisburg, PA 17101

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A P P E A R A N C E S

PA GAMING CONTROL BOARD EXECUTIVE STAFF WHO APPEAREDBEFORE THE BOARD:

Steve Cook, Esquire, Chief Counsel

Chad Zimmermann, Esquire, Deputy Chief Counsel

Robert Wood, Esquire, Assistant Chief Counsel

Cyrus Pitre, Esquire, Chief Enforcement Counsel

Sean Hannon, Director of the Bureau of Licensing

Office of Enforcement Counsel - Also presenting:

John Crohe, Juan Sanchez, Sarah Kolesar, Thomas

Monaghan, Michael Roland, Sarah Groody, Andrea

Roberts

OTHER ATTENDEES FOR MEETING AND/OR PUBLIC HEARINGS:Evolution US, LLC Consent Agreement

Lynne Kaufman, Esquire, Cooper Levenson

Ankita Patel, Esquire, Evolution US, LLC

Jeff Patchen, Compliance North America - Evolution

US, LLC

OTHER ATTENDEE:

R.F. - Petition for Early Removal from Casino

Interactive Gaming, VGT and Fantasy Contest Self-

Exclusion Lists

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OTHER ATTENDEES FOR MEETING AND/OR PUBLIC HEARINGS:
Mountainview Thoroughbred Racing Association -
Petition to Modify Gaming Floor at Hollywood Casino
at Penn National Race Course:

- Adrian King, Esquire, Ballard Spahr
- Tony Frabbiele, Vice President/General Manager,
Hollywood Casino PNRC
- Michele Collins, Vice President/Assistant General
Manager, Hollywood Casino PNRC
- Alex Hvizda, Regional Director of Compliance,
Hollywood Casino PNRC

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CHAIR: Good morning. I'm Denise Smyler, Chair of the Pennsylvania Gaming Control Board. I would like to ask everyone to please silence your cell phones and all electronic devices at this time. Also, while masks are no longer mandatory, please feel free to wear one if you believe it is required or necessary for your own well-being. We have six Board Members present this morning and Commissioner Manzano-Díaz is present by telephone. So I'd like to now call today's meeting to order.

Commissioner Manzano-Díaz, can you hear me?

MS. MANZANO-DÍAZ: Yes. Good morning, Madam Chair.

CHAIR: Good morning. Thank you for joining us. I would also like to note that in addition to the seven Board Members participating today, we also have our Ex-Officio Members and Adria Zimmerman, representing Pat Browne, Secretary for the Department of Revenue, is also joining us by telephone. Adria, can you hear us?

MS. ZIMMERMAN: Yes, I can. Good

1 morning.

2 CHAIR: Good morning. Thank you.
3 We also have Jorge Augusto, representing Russell
4 Redding, Secretary for the Department of Agriculture,
5 and Jennifer Langan, representing Stacey Garrity,
6 State Treasurer. Thank you, Ex-Officios for joining
7 us.

8 As the first order of business, I'd like
9 to ask everyone to please stand and join me in
10 recitation of the Pledge of Allegiance.

11 PLEDGE OF ALLEGIANCE RECITED

12 CHAIR: By way of announcements, the
13 Board held an Executive Session yesterday, Tuesday,
14 August 20th, to discuss personnel matters, pending
15 litigation and to conduct quasi-judicial
16 deliberations relating to matters coming before the
17 Board.

18 I would also like to announce that the
19 Board has scheduled a Public Input Hearing relative
20 to the License Renewal Application for Hollywood
21 Casino at Penn National Race Course in Dauphin
22 County. The hearing will be held next Wednesday,
23 August 28th, beginning at 10:30 a.m. at the East
24 Hanover Township building, 8848 Jonestown Road in
25 Grantville, Pennsylvania, 17028. The public is

1 invited to attend and provide testimony. More
2 details on how to sign up or submit written comments
3 are available on the Board's website.

4 ---
5 (WHEREUPON, PUBLIC HEARING WAS HELD.)

6 ---
7 CHAIR: Next, this morning is the
8 considering of the Board's Meeting Transcript and
9 Minutes from the May 22nd, 2024 Meeting. May I have
10 a motion to approve the Transcript and Minutes of
11 that meeting, please?

12 MR. HICKERNELL: Madam Chair,
13 Commissioner Hickernell moves that the Board approve
14 the Minutes and Transcript of the May 22nd, 2024
15 Meeting.

16 MS. RALSTON: Commissioner Ralston
17 seconds.

18 CHAIR: All in favor?
19 (AYES RESPOND)

20 CHAIR: All opposed?
21 Motion carries. Now we will hear from
22 the OCC.

23 ATTORNEY COOK: Our first Agenda item
24 related to Final Form Regulation and the proposed
25 regulation which we will, excuse me, which will be

1 presented by Assistant Chief Counsel Robert Wood.

2 ATTORNEY WOOD: Good morning, Madam
3 Chair, Members of the Board. As Steve has just
4 stated, there are two regulatory items for the
5 Board's consideration this morning.

6 The first one is Final Form
7 Rulemaking, Number 125-247. This provides the
8 regulatory framework for Direct Bet Coupons and
9 interactive gaming progressives and wide-area - or
10 interactive gaming progressives. Additionally, this
11 package will finalize edits to two table games
12 regulations and will create a more uniform re-login
13 requirement relating to iGaming account timeout
14 periods.

15 This Rulemaking received no public
16 comments during the appropriate time period or at any
17 point through this morning, and therefore is being
18 offered with only one minor editorial correction from
19 the proposed language.

20 Prior to this morning's meeting, a
21 copy of these regulatory items were provided to the
22 Board for their consideration, and if the Board does
23 not have any questions this morning, I would ask for
24 a motion to approve Final Form Rulemaking 125-247.

25 CHAIR: Any questions or comments from

1 the Board?

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

4 MS. REGAN: Madam Chair, Commissioner
5 Regan moves that the Board adopt Final Form
6 Regulation 125 to 247 regarding Direct Bet Coupons,
7 Table Rules Modifications, Interactive Gaming Player
8 Account Control and Interactive Gaming Progressives
9 as described by the OCC.

10 MR. DERMODY: Commissioner Dermody
11 seconds.

12 CHAIR: All in favor?

13 (AYES RESPOND)

14 CHAIR: All opposed?

15 Motion's adopted.

16 ATTORNEY WOOD: Okay.

17 And now the second item this morning
18 is a Proposed Rulemaking numbered 125-250. This
19 Proposed Rulemaking seeks to edit the Board's Self-
20 Exclusion Regulations to provide a consistent
21 automatic removal process from self-exclusion lists,
22 with the specific change being to the casino self-
23 exclusion list.

24 Again, the provisions of this edit or
25 editorial Proposed Rulemaking were provided to the

1 Board for your consideration. If there are no
2 questions this morning, I would ask for a motion to
3 approve Proposed Rulemaking 125-250.

4 CHAIR: Any questions or comments?
5 May I have a motion, please?

6 MR. DERMODY: Madam Chair,
7 Commissioner Dermody moves that the Board adopt
8 Proposed Regulation Number 125-250 regarding the
9 self-exclusion program updates, as described by the
10 OCC.

11 MR. DILLON: Commissioner Dillon
12 seconds.

13 CHAIR: All in favor?
14 (AYES RESPOND)

15 CHAIR: All opposed?
16 Motion's adopted.

17 ATTORNEY COOK: The next item before
18 the Board today is a Resolution delegating certain
19 authority to the Board's Office of Hearings and
20 Appeals, specifically Section 4038.6 of the Board's
21 Regulations, authorizes the Board to delegate
22 authority to Board staff through adoption of a
23 resolution at a public meeting of the Board.

24 In November of 2023, the Board
25 approved a Resolution delegating to the Director of

1 the OHA, the ability to deny petition seeking early
2 removal from the Board's one and five-year Self-
3 Exclusion List when the requester's arguments for
4 early removal were deemed to be meritless.

5 As originally drafted, this decision
6 by the Director of Hearings and Appeals was made only
7 after the OEC filed an Answer to the request. After
8 following this process for approximately eight
9 months, it has become apparent that in every case
10 determined by the Director OHA, determined to be
11 meritless, the determination was clear upon review of
12 the initial request and therefore the OEC's need to
13 file an answer to meritless requests was an
14 unnecessary step.

15 Today's delegation of authority
16 restates the policy established in November of 2023,
17 removing the requirement that the OEC respond to
18 every request. It is noteworthy that requests denied
19 by the OHA do have the ability to appeal that
20 decision to the Board and that will remain in place,
21 and this matter is now ripe for the Board's
22 consideration.

23 CHAIR: Any questions or comments?

24 May I have a motion, please?

25 MS. RALSTON: Commissioner Ralston

1 moves at the Board approve Resolution 2024-2-OCC
2 delegating authority to Board staff, as described by
3 the OCC.

4 MS. REGAN: Commissioner Regan seconds.

5 CHAIR: All in favor?

6 (AYES RESPOND)

7 CHAIR: All opposed?

8 Motion passes.

9 ATTORNEY COOK: Next before the Board
10 today are four petitions. One of those Petitions was
11 just heard by the Board during the Public Hearing,
12 and the remaining three Petitions will be decided on
13 the documentary record by agreement of the parties or
14 because the OEC has no objection to the requested
15 relief. In each of these matters, the Board has, in
16 advance of this meeting, been provided with the
17 complete evidentiary record.

18 The first Petition for the Board today
19 is Mountainview Thoroughbred Racing Association,
20 LLC's Request to Modify the Gaming Floor at the
21 Hollywood Casino at Penn National Race Course. The
22 Board just heard from Mountainview on this matter.

23 Penn National currently has a
24 complement of 1,701 slot machines on its gaming
25 floor. The current request is to remove 169

1 machines, or 9.94 percent of the machines. It will
2 bring the total slot machine complement down to
3 1,532.

4 After review by the Bureau of
5 Investigation Enforcement's Financial Investigations
6 Unit, the OEC does not object to the requested
7 relief, but proposes that the Board impose several
8 conditions. There are also requests by both parties
9 to maintain certain information as confidential and
10 this matter is now ripe for the Board's
11 consideration.

12 CHAIR: Any questions or comments?
13 May I have motion, please?

14 MR. DILLON: Madam Chair, Commissioner
15 Dillon moves that the Board grant Mountainview
16 Thoroughbred Racing Association, LLC's Petition to
17 Modify the Gaming Floor at Hollywood Casino at Penn
18 National Race Course, as described by the OCC,
19 subject to the conditions that will be outlined in
20 the Board's order. I further move that the parties'
21 request for confidentiality be granted.

22 MR. HICKERNELL: Commissioner
23 Hickernell seconds.

24 CHAIR: All in favor?
25 (AYES RESPOND)

1 CHAIR: All opposed?

2 Motion's adopted.

3 ATTORNEY COOK: The next matter before
4 the Board today is a Joint Petition from American
5 Wagering, Inc., William Hill U.S. Holdco, Inc.,
6 Digital Holdco, LLC and Caesars Entertainment, Inc.
7 The parties are requesting a Change in Control of
8 American Wagering, Inc.

9 American Wagering, Inc. was issued a
10 Sports Wagering Operator's License in May of 2020,
11 and provided sports wagering services to Harrah's
12 Philadelphia Casino and Racetrack. Caesars
13 Entertainment, Inc. intends to facilitate a
14 restructuring to transfer ownership of certain
15 digital property rights to one of its subsidiaries,
16 specifically, Digital Holdco, LLC.

17 The Petitioner's proposed transaction
18 would result in a full and total contribution of all
19 ownership assets of William Hill U.S. Holdco, Inc.,
20 from Caesars Entertainment to Digital Holdco, LLC.
21 As a result, Holdco will become the indirect parent
22 American Wagering in Caesars Entertainment, Inc.'s
23 corporate structure. Holdco's acquisition of William
24 Hill U.S. will not result in any change of ownership
25 of Caesars Entertainment, Inc. Nor will it change

1 direct ownership of American Wagering, Inc. by
2 William Hill U.S.

3 Effectively, this is simply a
4 corporate restructuring, but it is a change in
5 ownership. All necessary applications for licensure
6 pertaining to the transfer have been filed with the
7 Bureau of Licensing and this matter is now ripe for
8 the Board's consideration.

9 CHAIR: Any questions or comments?
10 May I have a motion, please?

11 MR. HICKERNELL: Madam Chair,
12 Commissioner Hickernell moves that the Board grant
13 American Wagering, Inc., William Hall U.S. Holdco,
14 Inc., Digital Holdco, LLC and Caesar's Entertainment,
15 Inc.'s Joint Petition for Approval of a change in
16 ownership and certain other relief as described by
17 the OCC.

18 MR. DERMODY: Commissioner Dermody
19 seconds.

20 CHAIR: All in favor?

21 (AYES RESPOND)

22 CHAIR: All opposed?

23 Motion passes.

24 ATTORNEY COOK: Next before the Board
25 is a Request for Removal from the Self-Exclusion

1 List. On July 14th, 2014, an individual with the
2 initials, D.B., placed themselves on the List,
3 choosing the Lifetime Self-Exclusion option. On May
4 30th, 2024, D.B. filed a Request for Removal from the
5 List. D.B. included with the Petition, a Problem
6 Gambling Assessment Verification Form signed by a
7 Certified Assessment Provider, confirming that an
8 Assessment of D.B. was performed and that Problem
9 Gambling treatment was not recommended.

10 The OEC filed an Answer stating it had
11 no objection to D.B.'s request, despite the Petition
12 being filed prior to the ten-year mark required by
13 the Board Regulations, as since the matter before the
14 Board now - or since today's date is more than ten
15 years since his placement on the List, OEC no longer
16 objects to the request and this matter is now ripe
17 for the Board's consideration.

18 CHAIR: Any questions or comments?
19 May I have a motion, please.

20 MR. DERMODY: Madam Chair,
21 Commissioner Dermody moves that the Board grant
22 D.B.'s Petition for Removal from the Self-Exclusion
23 List as described by the OCC.

24 MS. RALSTON: Commissioner Ralston
25 seconds.

1 CHAIR: All in favor?

2 (AYES RESPOND)

3 CHAIR: All opposed?

4 Motion passes.

5 ATTORNEY COOK: The final Petition
6 before the Board today is another Petition requesting
7 Removal from the Self-Exclusion List. On June 12th,
8 2013, an individual with the initials J.Z., not the
9 Jay-Z, placed himself on the List, choosing the
10 Lifetime Self-Exclusion option.

11 On June 11th 2024, J.Z. filed a
12 Request for Removal from the List. J.Z. included in
13 his Petition, a Problem Gambling Assessment
14 Verification Form signed by a Certified Assessment
15 Provider, confirming that assessment of J.Z. was
16 performed and that Problem Gambling treatment was not
17 recommended. The OEC filed an Answer stating it had
18 no objection to J.Z.'s Request for Removal from the
19 Self-Exclusion List as more than ten years had passed
20 since his placement on the List. He submitted all
21 the required documentation and has no known
22 violations of the Self-Exclusion program, and
23 therefore, this matter is ripe for the Board's
24 consideration.

25 CHAIR: Any questions or comments?

1 May I have a motion, please?

2 MS. RALSTON: Commissioner Ralston
3 moves that the Board grant J.Z.'s Petition for
4 Removal from the Self-Exclusion List as described by
5 the OCC.

6 MS. REGAN: Commissioner Regan
7 seconds.

8 CHAIR: All in favor?

9 (AYES RESPOND)

10 CHAIR: All opposed?

11 Motion carries.

12 ATTORNEY COOK: Next, presenting
13 Withdrawals and Reports and Recommendations is Deputy
14 Chief Counsel, Chad Zimmermann.

15 ATTORNEY ZIMMERMANN: Good morning,
16 Commissioners. The next matter before the Board
17 today pertains to several unopposed Petitions to
18 Withdraw Applications or Surrender the credentials of
19 the following individuals and entities.

20 Westly Woodruff, John Enriquez,
21 iGaming Cloud, Inc., Myrlid A.S., SkyCity
22 Entertainment Group Limited, Claudio Caruana, Kjetil
23 Aasen, Nicholas Adelrecreutz, Petter Nylander, GiG
24 SpinCo, Inc. Herve Schlosser, James Coxon, Mateusz
25 Juroszek, Richard Carter, Tomas Juroszek, GiG

1 Platform Holdco Limited, David Lazzarato, Richard
2 Flint, Marvin Sanderson, Simon Nicholls, Ka Yeung
3 Chan, James Griffin, Maria Vullo, Michael Regan,
4 Joseph Asher, Gernhart Beer Coil Cleaning, High 5
5 Games Corporate Revocable Trust, Blu Acquario Prima
6 S.p.A., Richard Livingstone, FROS Ventures AB, JOvB
7 Investment AB, Hideo Yoshizawa, Yukio Sugino, Shione
8 Kinoshita, Yukiot Sakaue and Edward Couture.

9 The OEC has no objection to any of
10 these Withdrawals or Surrenders. As a result, if the
11 Board chooses to grant these requests in every case,
12 it would be doing so without prejudice to the
13 requester, and these matters are all now ripe for the
14 Board's consideration.

15 CHAIR: Any questions or comments?

16 May I have a motion, please?

17 MS. REGAN: Commissioner Regan moves
18 that the Board issue orders to approve the
19 Withdrawals and Surrenders as described by the OCC.

20 MR. DERMODY: Commissioner Dermody
21 seconds.

22 CHAIR: All in favor?

23 (AYES RESPOND)

24 CHAIR: All opposed?

25 Motion's adopted.

1 ATTORNEY ZIMMERMANN: Next before the
2 Board for consideration are seven Reports and
3 Recommendations received from the OHA. These Reports
4 and Recommendations, along with the evidentiary
5 record for each hearing, have been provided to the
6 Board in advance of this meeting. Additionally, the
7 persons involved have each been notified that the
8 Board would be considering their matter today and
9 that each would have the ability to come forward and
10 briefly address the Board. If any of the persons who
11 were the subject of one of these Reports and
12 Recommendations would like to address the Board, I
13 would ask them to come forward when their matter is
14 called.

15 Kelsee Cooke is the first Report and
16 Recommendation before the Board today. Miss Cooke
17 currently holds a Gaming Level 2 Employee Occupation
18 Permit and worked as a Table Games Dealer at
19 Hollywood Casino at the Meadows.

20 On February 2, 2024, the OEC filed a
21 Complaint to suspend Miss Cooke's G-2 Permit after
22 receiving notice she had been charged with drug-
23 related offenses, including a felony, a DUI and other
24 driving violations. A hearing in this matter was
25 held on April 18, 2024. OEC appeared offering

1 testimony and documentary evidence, and although
2 receiving proper notice, Miss Cooke failed to appear
3 at the hearing and it was held in her absence.

4 A Report and Recommendation was issued
5 recommending that Miss Cooke's Gaming Level 2
6 Employee Occupation Permit be suspended and this
7 matter is now ripe for the Board's consideration.

8 CHAIR: Any questions or comments?
9 May I have a motion, please?

10 MR. DERMODY: Madam Chair,
11 Commissioner Dermody moves that the Board adopt the
12 Report and Recommendation issued by the OHA, as
13 described by the OCC, and that Kelsee Cooke's Gaming
14 Level 2 Employee Occupation Permit be suspended.

15 MR. DILLON: Commissioner Dillon
16 seconds.

17 CHAIR: All in favor?

18 (AYES RESPOND)

19 CHAIR: All opposed?

20 Motion's adopted.

21 ATTORNEY ZIMMERMANN: Brian Price is
22 the next Report and Recommendation for the Board
23 today. Mr. Price had been issued a Gaming Employee
24 Occupation Permit and worked as a slot technician at
25 Live! Casino and Hotel Philadelphia.

1 On February 24, 2024, the OEC filed a
2 Complaint for emergency suspension of Mr. Price's
3 Permit after receiving notice that he had been
4 criminally charged with felony and misdemeanor
5 offenses. As a result of these charges, the Board's
6 Executive Director issued an emergency order
7 suspending Mr. Price's Permit. A hearing on this
8 matter was held in March of 2024. OEC appeared at
9 the hearing providing testimony and documentary
10 evidence. Mr. Price initially failed to appear, but
11 contacted OHA on the date of the hearing, stating he
12 had just received a Notice and asked for a new
13 hearing date.

14 A hearing was then held in April of
15 2024, where Mr. Price appeared and testified on his
16 own behalf. Evidence presented at the hearings
17 showed that Mr. Price was in possession of several
18 prohibited firearms and firearm accessories and was
19 charged with firearm violations under New Jersey's
20 Law. Mr. Price testified that he was a firearms
21 instructor and range safety officer in Pennsylvania
22 at the time. He applied for a pistol purchasing
23 permit in New Jersey, where he resided. Mr. Price
24 further testified that he has not worked since
25 November 26, 2022 due to a work injury that he

1 suffered on the job and does not know when he will go
2 back to work because of that and other medical
3 issues.

4 Consequently, the Report and
5 Recommendation issued recommends that the emergency
6 suspension of Mr. Price's Permit remain in effect as
7 the charges remain pending. This matter's now ripe
8 for the Board's consideration.

9 CHAIR: Any questions or comments?
10 May I have a motion, please?

11 MR. DILLON: Madam Chair, Commissioner
12 Dillon moves the Board adopt the Report of
13 Recommendation issued by the OHA, as described by the
14 OCC, and that the suspension of Brian Price's Gaming
15 Employee Occupational Permit remain in effect.

16 MR. HICKERNELL: Commissioner
17 Hickernell seconds.

18 CHAIR: All in favor?
19 (AYES RESPOND)

20 CHAIR: All opposed?
21 Motion's adopted.

22 ATTORNEY ZIMMERMANN: Next before the
23 Board is the Report and Recommendation pertaining to
24 David Pistorius's Request for Removal from the
25 Board's Involuntary Exclusion List.

1 The underlying facts in this matter
2 are then on April 29, 2019, while patronizing Rivers
3 Casino Pittsburgh, Mr. Pistorius took a \$700 voucher
4 that was left in a slot machine by another patron and
5 redeemed the voucher. He pleaded guilty to a theft-
6 related offense, was sentenced to one-year probation,
7 was ordered to pay restitution, and was permanently
8 banned from the casino.

9 Consequently, on October 2nd, 2019,
10 the Board issued an order placing Mr. Pistorius on
11 the list. Mr. Pistorius violated his self-exclusion
12 on one occasion in September of 2021. On February
13 28, 2024, Mr. Pistorius filed a petition requesting
14 removal from the list. The OEC filed an Answer
15 objecting to the request, as it was earlier than the
16 five-year removal period dictates.

17 A hearing in this matter was held in
18 May of 2024. Mr. Pistorius failed to appear for the
19 hearing. OEC appeared and moved to dismiss a
20 petition based on Mr. Pistorius's absence.

21 Thereafter, a Report and Recommendation was issued
22 recommending that the petition be denied and this
23 matter is now ready for the Board's consideration.

24 CHAIR: Any questions and comments?
25 May I have a motion, please?

1 MR. HICKERNELL: Madam Chair,
2 Commissioner Hickernell moves that the Board adopt
3 the Report and Recommendation issued by the OHA, as
4 described by the OCC, and that David Pistorius remain
5 on the Involuntary Exclusion List.

6 MS. REGAN: Commissioner Regan
7 seconds.

8 CHAIR: All in favor?

9 (AYES RESPOND)

10 CHAIR: All opposed?

11 Motion passes.

12 ATTORNEY ZIMMERMANN: The next two
13 Report and Recommendations stem from a similar set of
14 facts and both pertain to requests for removal from
15 the various Self-Exclusion lists by individuals in
16 the initials M.E. and R.F. I will recite one set of
17 facts for both matters and then would request motions
18 for each, and I believe R.F. is present.

19 Both M.E. and R.F. filed Petitions
20 Seeking Early Removal from the Casino Interactive
21 Gaming VGT and Fantasy Contest Self-Exclusion List.
22 The OEC filed an Answer objecting to the requests in
23 each matter, and thereafter, the Director of OHA
24 issued a Decision and Order denying M.E. and R.F.'s
25 requests, stating each was ineligible for removal

1 because it did not meet the requirement that ten
2 years had elapsed since their placement on the list.

3 Both M.E. and R.F. appealed the
4 Decision within ten days as required and a hearing
5 was held on these matters on May 1st and April 30th,
6 2024, respectively. OEC appeared at the hearings and
7 presented testimony and documentary evidence in both
8 matters. M.E. and R.F. appeared with their attorney
9 at their hearings and both testified in their
10 matters.

11 Evidence and testimony presented at
12 M.E.'s hearings showed that on November 22nd, 2022,
13 M.E. had properly filled out the exclusion forms,
14 signing all required acknowledgments and placing
15 herself on the Casino Interactive Gaming and Video
16 Gaming Terminal Exclusion List, choosing the lifetime
17 period for each and also placing herself on the
18 Fantasy Contest Exclusion List for a period of 50
19 years. M.E. testified that she enrolled on the
20 Exclusion List after learning that her partner, R.F.,
21 had a gambling problem.

22 M.E. stated that she felt she needed
23 to place herself on the List to both protect her and
24 the partner. M.E. testified that since her
25 enrollment, her partner has learned that a medication

1 he was taking caused impulsive behavior that led to
2 his gambling problem and he has now stopped taking
3 that medication and become less impulsive. M.E.
4 further testified that she has been diagnosed with
5 ADHD and that prior to her being prescribed
6 medication for the same, she had difficulty with
7 reading, both comprehension and understanding
8 directions.

9 M.E.'s partner R.F. also testified to
10 her decision for placement on the Exclusion List,
11 stating that he believed she panicked when she
12 learned of the issues he was having with gambling and
13 made an abrupt decision. M.E. also presented
14 testimony from her therapist who is a Certified
15 Gaming Counselor and her therapist indicated she does
16 not see M.E. as a risk for Problem Gambling.

17 Evidence and testimony presented at
18 the hearing for R.F. showed that on November 22nd,
19 2022, R.F. also properly filled out all the exclusion
20 forms, signing the required acknowledgments and
21 placing himself Casino Interactive Gaming and Video
22 Gaming Exclusion List for choosing the Lifetime
23 Exclusion for each and then doing Fantasy Contest
24 Exclusion for a period of 50 years as well.

25 R.F. testified that he was feeling out

1 of control of his gambling during a time period when
2 he was taking paroxetine, a medication prescribed him
3 to treat anxiety. He stated that he experienced side
4 effects from the medication, which consists of
5 impulsivity, agitation and abnormal thoughts and
6 behavior. He further indicated that he did not know
7 at the time that these side effects were being caused
8 by the medication until they researched and
9 discovered that the symptoms he was feeling were
10 possible side effects of the paroxetine.

11 R.F. stated that since he has stopped
12 taking the medication, he does not have the same urge
13 to gamble as he experienced while on the medication.
14 R.F. also presented the testimony from a co-worker
15 about behavioral changes the co-worker noticed in
16 R.F. while on medication, noting he was agitated,
17 impulsive and on edge.

18 R.F.'s therapist, also the Certified
19 Gaming Counselor, testified to her treatment of R.F.
20 for Problem Gambling and anxiety, stating that she's
21 had numerous sessions with R.F.; that he's been very
22 compliant with taking his counseling seriously and
23 seriously believes that he can go return to gaming
24 safely and views that gaming would be less harmful
25 impact on his social life caused by his inability to

1 visit casinos.

2 Thereafter on the on July 30th, R.F.,
3 through his attorney, filed a motion to reopen the
4 record asking the Board to consider two additional
5 documents, specifically a letter to the editor
6 published in the Journey of Psychotherapy and
7 Psychosomatics when it talks about an individual who,
8 while taking paroxetine, started gambling and the
9 desire to do so increased over time. The second
10 document is a letter from R.F.'s therapist who
11 reiterates her testimony from the hearing.

12 After hearing all the evidence
13 presented, a Report and Recommendation was issued in
14 each matter recommending both M.E. and R.F.'s
15 requests for removal from the various Self-Exclusion
16 Lists be denied. M.E. and R.F. both filed exceptions
17 to the Hearing Officer's recommendation.

18 These matters are all now ready for
19 the Board's consideration, the first being the motion
20 to reopen the record in R.F.'s matter and then
21 ultimately a motion on the two individual Reports and
22 Recommendations.

23 CHAIR: For the record, the Motion to
24 reopen the record was granted by myself and the
25 record that the Board received, included those two

1 documents. So before we proceed, R.F., would you
2 like to be heard by the Board?

3 MR. F.: Yes, please.

4 CHAIR: Can you also please stand and
5 be sworn in by the Court Reporter?

6 ---

7 R.F.,

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

11 ---

12 CHAIR: You may proceed.

13 MR. F.: I'll try not to take up too
14 much of anybody's time.

15 CHAIR: Can you put the mic closer?

16 MR. F.: Is that good?

17 Okay.

18 Good morning. I would like to start
19 off by thanking the Board for the opportunity to
20 speak today on this matter. Between May and November
21 2022, I was on paroxetine as prescribed by my general
22 practitioner. During this time period, my
23 artificially-intensified gambling behavior and my
24 decision making abilities were unknowingly impacted
25 by paroxetine's side effects. These deceptive side

1 effects, which included impulsivity, agitation,
2 disassociated feelings and abnormal thinking, all
3 gradually became more severe until they peaked in
4 November 2022.

5 When my partner and I abruptly self-
6 excluded for a lifetime in November 2022, we were
7 unaware of how my traumatic paroxetine experience
8 negatively impacted both of our decisions. This is
9 this resulted in us unknowingly having incomplete
10 information about how paroxetine was harming me.
11 This has all since been confirmed by many reputable
12 medical sources and professionals in the form of both
13 hearing testimony and evidence exhibits.

14 When arranging to speak at today's
15 meeting, it was confirmed the two most recent
16 evidence exhibits filed with the motion to reopen the
17 record would be sent to the Board for their review.
18 I believe both evidence exhibits are critical because
19 they reinforce everything summarized in the
20 previously-filed exceptions.

21 Exhibit A was a peer-reviewed medical
22 journal that explicitly states how someone else also
23 unfortunately experienced paroxetine-induced
24 pathological gambling. Exhibit B was a Professional
25 Opinion Letter on this matter from the International

1 Certified Gambling Counselor who participated in our
2 hearings. This Letter provides further background on
3 the extraordinary circumstances caused by paroxetine
4 and states that I do not have a gambling problem.

5 It also mentions how my social life
6 has been negatively impacted due to being isolated
7 from my social circle, which really this has been the
8 most difficult part of all of this as anybody could
9 understand. Imagine how you feel if you discovered
10 after all this time that you decided to self-exclude
11 while you were unknowingly suffering from unforeseen
12 prescription medication side effects.

13 If I had known in November of 2022
14 what I know today about what paroxetine was actually
15 doing to me, I never would have self-excluded because
16 I do not have a gambling problem. I think we can all
17 agree that life is too short and that correcting a
18 mistake should be allowed, especially when there is
19 an abundance of evidence to support doing so. In
20 conclusion, I ask the Board to evaluate these
21 Petition dockets with compassion, understanding and
22 an open mind. Thank you for your time.

23 CHAIR: Any questions or comments for
24 R.F.? Commissioner Manzano-Díaz do you have any
25 questions or comments for R.F.?

1 MS. MANZANO-DÍAZ: No, not at this
2 time.

3 CHAIR: Any other Commissioners have
4 any questions or comments? Hearing none, thank you
5 very much, R.F.

6 MR. F.: Thank you.

7 ATTORNEY ZIMMERMANN: Being it's first
8 on the Agenda, I would request a Motion on M.E.'s
9 Petition for Removal.

10 CHAIR: Any other questions or
11 comments from the Board?

12 Hearing none, may I have a motion?

13 MR. DILLON: Madam Chair, Commissioner
14 Dillon moves that the Board adopt the Report and
15 Recommendation issued by the OHA, as described by the
16 OCC, and that M.E.'s Petition be denied and she
17 remain on the Self-Exclusion List.

18 MS. RALSTON: Commissioner Ralston
19 seconds.

20 CHAIR: All in favor?

21 (AYES RESPOND)

22 CHAIR: All opposed?

23 Motion's adopted.

24 ATTORNEY ZIMMERMANN: Now moving on to
25 R.A.F.

1 MS. RALSTON: Commissioner Ralston
2 moves that the Board adopt the Report and
3 Recommendation issued by the OHA as described by the
4 OCC, and that R.A.F.'s Petition be denied and he
5 remain on the Self-Exclusion List.

6 MS. REGAN: Commissioner Regan
7 seconds.

8 CHAIR: All in favor?

9 (AYES RESPOND)

10 CHAIR: Commissioner Manzano-Díaz?

11 MS. MANZANO-DÍAZ: Aye.

12 CHAIR: All opposed?

13 Motion's adopted.

14 Thank you for appearing.

15 MR. F.: Thank you for having me.

16 ATTORNEY ZIMMERMANN: I'll wait to the
17 live feed goes back up.

18 Next before the Board is a Report and
19 Recommendation stemming from a request to recover
20 funds confiscated while on the Self-Exclusion List.
21 As the Board is aware, when a self-excluded person is
22 found in Pennsylvania casinos, the Act dictates that
23 any winnings possessed by the person be confiscated
24 from them and used to support Compulsive and Problem
25 Gambling programs.

1 On February 27, 2024, J.R. filed a
2 Petition requesting recovery of funds confiscated
3 from him. A hearing in this matter was held on May
4 7, 2024. The OEC appeared and presented testimony on
5 documentary evidence. J.R. appeared and testified on
6 his own behalf.

7 Evidence presented at the hearing
8 showed that on June 12, 2022, J.R. completed all the
9 necessary Self-Exclusion paperwork, choosing the one-
10 year exclusion period. On February 22nd, 2024,
11 erroneously believing he was no longer on the List,
12 J.R. entered Harrah's Philadelphia Casino and
13 Racetrack, gamed at a slot machine, winning a jackpot
14 in the amount of \$1,296.81.

15 Upon discovering he was still on the
16 List, Harrah's personnel confiscated the winnings.
17 He was evicted from the property. However, on May
18 February 23rd, 2024, J.R. then took the steps to
19 remove himself from the List. After hearing all the
20 evidence presented, a Report and Recommendation was
21 issued recommending that J.R.'s Petition be denied
22 and this matter's now ripe for the Board's
23 consideration.

24 CHAIR: Any questions or comments?
25 May I have a motion, please.

1 MS. REGAN: Madam chair, Commissioner
2 Regan moves that the Board reject the Report and
3 Recommendation issued by the OHA as described by the
4 OCC and that J.R.'s Petition be granted.

5 MR. DERMODY: Commissioner Dermody
6 seconds.

7 CHAIR: All in favor?

8 (AYES RESPOND)

9 CHAIR: All opposed?

10 Motion's adopted.

11 ATTORNEY ZIMMERMANN: The final Report
12 and Recommendation before the Board is another
13 request to recover monies confiscated while on the
14 Self-Exclusion list. The OEC filed an Answer and
15 Objection to this request.

16 By way of background, on October 29,
17 2018, T.W. placed himself on the Board's Self-
18 Exclusion List for a period of five years. On
19 February 9, 2024, T.W. entered and gamed at Parx
20 Casino while on Self-Exclusion List, which was his
21 third Self-Exclusion violation. T.W. bought in at a
22 Baccarat table for \$280. Upon realizing that T.W.
23 was on the list, Parx staff confiscated \$675 from him
24 and he was charged with defiant trespass.

25 Thereafter, on February 14, 2024, T.W.

1 filed his request for removal from the list. A
2 hearing in this matter was held May of 2024. T.W.
3 failed to appear for the hearing. OEC appeared at
4 the hearing and moved to dismiss the petition based
5 on T.W.'s absence.

6 Subsequently, the Hearing Officer
7 issued a Report and Recommendation recommending that
8 T.W.'s petition be granted in part and that he be
9 allowed to recover the buy-in amount \$280, as that
10 amount was not winnings. This matter is now ready
11 for the Board's consideration.

12 CHAIR: Any questions or comments?
13 May I have a motion, please?

14 MR. DERMODY: Madam Chair,
15 Commissioner Dermody moves that the Board adopt the
16 Report and Recommendation issued by the OHA as
17 described by the OCC, and the T.W.'s Petition be
18 granted in part and denied in part.

19 MR. DILLON: Commissioner Dillon
20 seconds.

21 CHAIR: All in favor?

22 (AYES RESPOND)

23 CHAIR: All opposed?

24 Motion passes.

25 ATTORNEY ZIMMERMANN: That concludes

1 the matter of the OCC.

2 CHAIR: Thank you Robert, Chad and
3 Steve. We will now have the Bureau of Licensing
4 matters presented by the Director of the Bureau of
5 Licensing, Sean Hannon. Sean?

6 MR. HANNON: Good morning, Madam
7 Chair, Members of the Board. The first licensing
8 matter for your consideration is the renewal of a
9 Sports Wagering Certificate for Mount Airy #1, LLC,
10 doing business as, Mount Airy Casino Resort.

11 The Bureau of Licensing, the BIE and
12 Office of Sports Wagering Operations has completed
13 its review of the documents and the Bureau of
14 Licensing has provided you with a Background
15 Investigation and Suitability Report. I have
16 provided you with a draft order and ask that you
17 consider the renewal of Category 2 Licensee Mount
18 Airy #1, LLC's Sports Wagering Certificate.

19 ATTORNEY PITRE: The OEC has no
20 objection.

21 CHAIR: Any questions or comments?
22 May I have a motion, please?

23 MR. DILLON: Madam Chair, Commissioner
24 Dillon moves with the Board grant the Sports Wagering
25 Certificate Renewal as described by the Bureau of

1 Licensing.

2 MR. HICKERNELL: Commissioner

3 Hickernell seconds.

4 CHAIR: All in favor?

5 (AYES RESPOND)

6 CHAIR: All opposed?

7 Motion passes.

8 MR. HANNON: The next licensing matter
9 for consideration, the Video Gaming Terminal Operator
10 License Renewal for Marquee by Penn, LLC, doing
11 business as Marquee by Penn Entertainment.

12 The company was formed in Delaware on
13 April 27, 2017 with its Principal place of business
14 in Wyomissing, Pennsylvania. Marquee by Penn, LLC
15 operates and maintains Video Gaming Terminals on the
16 premises of establishment licensees in Pennsylvania.

17 The BIE has completed its
18 investigation of the company and the Bureau of
19 Licensing has provided you with a Background
20 Investigation and Suitability Report. I have
21 provided you with a draft order and ask the Board
22 consider the order to renew the Video Game Terminal
23 Operator License for Marquee by Penn, LLC.

24 ATTORNEY PITRE: The OEC has no
25 objection.

1 CHAIR: Any questions or comments?

2 May I have a motion, please?

3 MR. HICKERNELL: Madam Chair,

4 Commissioner Hickernell moves that the Board grant
5 the Video Gaming Terminal Operator License Renewal as
6 described by the Bureau of Licensing.

7 MS. RALSTON: Commissioner Ralston
8 seconds.

9 CHAIR: All in favor?

10 (AYES RESPOND)

11 CHAIR: All opposed?

12 Motion's adopted.

13 MR. HANNON: Next, we have

14 consideration of Interactive Gaming and Sports
15 Wagering Manufacturer Licenses for EveryMatrix
16 Americas Corporation, doing business as, EveryMatrix.

17 Formed in Delaware on August 4, 2020,
18 EveryMatrix's Principal place of business is in
19 Milford, Delaware. The company offers a player's
20 account management platform, a casino aggregator, and
21 fully-managed sportsbook software to interactive
22 gaming and sports wagering operators. EveryMatrix
23 was granted interim authorization on January 8, 2024.

24 The BIE has completed its
25 investigation, and the Bureau of Licensing is

1 provided you with a Background Investigation
2 Suitability Report and the approval is ready for
3 consideration. I provided you with a draft order and
4 ask that you first consider the order to approve
5 EveryMatrix for an Interactive Gaming Manufacturing
6 License.

7 ATTORNEY PITRE: Enforcement Counsel
8 has no objection.

9 CHAIR: Any questions or comments?
10 May I have a motion, please?

11 MR. DERMODY: Madam Chair,
12 Commissioner Dermody moves that the Board grant the
13 Interactive Gaming Manufacturer License as described
14 by the Bureau of Licensing.

15 MS. RALSTON: Commissioner Ralston
16 seconds.

17 CHAIR: All in favor?
18 (AYES RESPOND)

19 CHAIR: All opposed?
20 Motion passes.

21 MR. HANNON: The next would be
22 consideration of EveryMatrix for a Sports Wagering
23 Manufacturer License.

24 ATTORNEY PITRE: Enforcement Counsel
25 has no objection..

1 CHAIR: Any questions or comments?

2 May I have a motion, please?

3 MS. RALSTON: Commissioner Ralston
4 moves that the Board grant the Conditional Video
5 Gaming Terminal Establishment License as described by
6 the Bureau of Licensing.

7 MS. REGAN: Commissioner Regan
8 seconds.

9 CHAIR: All in favor?

10 (AYES RESPOND)

11 CHAIR: All opposed?

12 Motion passes.

13 MR. HANNON: Next is consideration of
14 Conditional Video Gaming Terminal Establishment
15 Licenses for CHR Corp., doing business as, Rutters
16 Store Number 99 and Raceway Management Company, doing
17 business as Onvo Travel Plaza Highridge.

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

25 Please note that these are strictly

1 conditional approvals. Final approval will be based
2 on the applicant meeting all the eligibility criteria
3 provided in the statute. A final eligibility
4 determination will follow investigations and site
5 inspections by the Bureau of Investigation
6 Enforcement. I have provided you with draft orders
7 and asked the Board first consider a motion to
8 approve the Conditional Video Gaming Terminal
9 Establishment License for CHR Corp, doing business as
10 Rutters Store Number 99, located at 1609 Scalp
11 Avenue, Johnstown.

12 ATTORNEY PITRE: Enforcement Counsel
13 has no objection.

14 CHAIR: Any questions or comments?
15 May I have a motion, please?

16 MS. REGAN: Commissioner Regan moves
17 that the Board grant the Conditional Video Gaming
18 Terminal Establishment License as described by Bureau
19 of Licensing.

20 MR. DERMODY: Commissioner Dermody
21 seconds.

22 CHAIR: All in favor?

23 (AYES RESPOND)

24 CHAIR: All opposed?

25 Motion carries.

1 MR. HANNON: Next is consideration of
2 Raceway Management Company Incorporated, doing
3 business as, Onvo Travel Plaza Highridge, located at
4 1297 Keystone Boulevard in Pottsville.

5 ATTORNEY PITRE: Enforcement Counsel
6 has no objection.

7 CHAIR: Any questions or comments?
8 May I have a motion, please?

9 MR. DERMODY: Madam Chair,
10 Commissioner Dermody moves that Board grant the
11 Conditional Video Gaming Terminal Establishment
12 License, as described by the Bureau of Licensing.

13 MR. DILLON: Commissioner Dillon
14 seconds.

15 CHAIR: All in favor?
16 (AYES RESPOND)

17 CHAIR: All opposed?
18 Motion carries.

19 MR. HANNON: Next, there are Principal
20 and Key Employee Licenses.

21 The Bureau of Licensing provided you
22 with a proposed order for 32 Principals and four Key
23 Employees. I ask the Board consider the order
24 approving these licenses.

25 ATTORNEY PITRE: Enforcement Counsel

1 has no objection.

2 CHAIR: Any questions or comments?

3 May I have a motion, please?

4 MR. DILLON: Madam Chair, Commissioner
5 Dillon moves that the Board grant the Principal and
6 Key Employee Licenses as described by the Bureau of
7 Licensing.

8 MR. HICKERNELL: Commissioner
9 Hickernell seconds.

10 CHAIR: All in favor?

11 (AYES RESPOND)

12 CHAIR: All opposed?

13 Motion's adopted.

14 MR. HANNON: Next are Principal and
15 Key Employee Temporary Credentials. The Bureau of
16 Licensing provided with an order regarding the
17 issuance of Temporary Credentials to five Principals
18 and 19 Key Employees. I ask the Board consider the
19 Order approving these credentials.

20 ATTORNEY PITRE: Enforcement Counsel
21 has no objection.

22 CHAIR: Any questions or comments?

23 May I have a motion, please?

24 MR. HICKERNELL: Madam Chair,
25 Commissioner Hickernell moves that the Board grant

1 the Temporary Principal and Key Employee credentials
2 as described by the Bureau of Licensing.

3 MS. REGAN: Commissioner Regan
4 seconds.

5 CHAIR: All in favor?
6 (AYES RESPOND)

7 CHAIR: All opposed?
8 Motion carries.

9 MR. HANNON: Additionally, for
10 consideration are Gaming Employee Permits and Non-
11 Gaming Employee Registrations. The Bureau of
12 Licensing has provided you with a list of 630
13 individuals to whom the Bureau has granted Temporary
14 or Full Occupation Permits, and 214 individuals to
15 whom the Bureau has granted registrations under the
16 authority delegated to the Bureau of Licensing.

17 I ask that the Board consider a motion
18 approving the Order.

19 ATTORNEY PITRE: Enforcement Counsel
20 has no objection.

21 CHAIR: Any questions or comments?
22 May I have a motion, please?

23 MR. DILLON: Madam Chair, Commissioner
24 Dillon moves that the Board approve the Gaming
25 Employee Occupation Permits and Non-Gaming Employee

1 Registration as described by the Bureau of Licensing.

2 MS. RALSTON: Commissioner Ralston
3 seconds.

4 CHAIR: All in favor?

5 (AYES RESPOND)

6 CHAIR: All opposed?

7 Motion passes.

8 MR. HANNON: Next, there is a
9 recommendation of Denial for three Gaming and three
10 Non-Gaming Applicants. The Bureau of Licensing has
11 provided you with an Order addressing the Applicants
12 who the OEC has recommended for denial. I ask that
13 the Board consider the Order approving these denials.

14 ATTORNEY PITRE: Enforcement Counsel
15 continues to request denial in each matter.

16 CHAIR: Any questions or comments?

17 May I have a motion, please?

18 MS. RALSTON: Commissioner Ralston
19 moves that the Board deny the Gaming and Non-Gaming
20 Employee Applications as described by the Bureau of
21 Licensing.

22 MS. REGAN: Commissioner Regan
23 seconds.

24 CHAIR: All in favor?

25 (AYES RESPOND)

1 CHAIR: All opposed?

2 Motion's adopted.

3 MR. HANNON: The next matter for your
4 consideration is Withdrawal Requests. In each case,
5 the license, permit or registration is no longer
6 required. For today's meeting, I've provided the
7 Board with two Key Employees, 20 Gaming and 7 Non-
8 Gaming Applicants. I ask that the Board consider the
9 Orders approving these withdrawals.

10 ATTORNEY PITRE: Enforcement Counsel
11 has no objection.

12 CHAIR: Any questions or comments?

13 May I have a motion, please?

14 MS. REGAN: Madam Chair, Commissioner
15 Regan moves that the Board grant the Withdrawals of
16 Key Employee, Gaming and Non-Gaming Employee
17 Applications as described by the Bureau of Licensing.

18 MR. DERMODY: Commissioner Dermody
19 seconds.

20 CHAIR: All in favor?

21 (AYES RESPOND)

22 CHAIR: All opposed?

23 Motion passes.

24 MR. HANNON: And finally, for your
25 consideration, are Gaming Service Provider

1 Registrations. The Bureau of Licensing provided you
2 with an Order and an attached list of seven
3 Registered Gaming Service Provider Applicants. I ask
4 that the Board consider the order registering these
5 Gaming Service Providers.

6 ATTORNEY PITRE: Enforcement Counsel
7 has no objection.

8 CHAIR: Any questions or comments?
9 Hearing none, may I have a motion,
10 please?

11 MR. DERMODY: Madam Chair,
12 Commissioner Dermody moves that the Board approve the
13 Gaming Service Provider Registrations as described by
14 the Bureau of Licensing.

15 MR. DILLON: Commissioner Dillon
16 seconds.

17 CHAIR: All in favor?
18 (AYES RESPOND)

19 CHAIR: All opposed?
20 Motion's adopted.

21 MR. HANNON: That concludes the Bureau
22 of Licensing matters. Thank you, Madam Chair.

23 CHAIR: Thank you, Sean. Next, is the
24 OEC, Cyrus Pitre. Cyrus?

25 ATTORNEY PITRE: Good morning, Chair,

1 Members of the Board. The OEC will present 19
2 matters today for the Board's consideration in which
3 we will request the approval of one Consent
4 Agreement, two Suspensions, four Revocations, and 12
5 Involuntary Exclusions. The next matter on the
6 Agenda for the Board's consideration is a Consent
7 Agreement between the OEC and iGaming Manufacturer,
8 Licensee Evolution US, LLC. The matter will be
9 presented by assistant enforcement counselor Thomas
10 Monahan. Representatives for Evolution are present,
11 and at this time I would request that those
12 individuals please introduce themselves for the
13 record and that any non-attorney witness please stand
14 and be sworn.

15 ATTORNEY KAUFMAN: Good morning,
16 Chair, Board Members, Lynne Kaufman, L-Y-N-N-E,
17 K-A-U-F-M-A-N, with Cooper Levenson. I have with
18 me, Ankita Patel, she is the head of legal North
19 America for Evolution and Jeff Patchen who is Head of
20 Compliance North America for Evolution.

21 CHAIR: Would the Non-Attorneys be
22 sworn in?

23 ATTORNEY KAUFMAN: Be sworn in.

24 CHAIR: Yes, and also state and spell
25 your names, please.

1 COURT REPORTER: Would you raise your
2 right hand, please?

3 ---

4 (WHEREUPON, WITNESSES SWORN EN MASSE.)

5 ---

6 MR. PATCHEN: My name is Jeff Patchen,
7 J-E-F-F, P-A-T-C-H-E-N.

8 CHAIR: And Ms. Patel?

9 MS. PATEL: An I'm Ankita Patel,
10 A-N-K-I-T-A, P-A-T-E-L.

11 CHAIR: Enforcement Counsel, you may
12 proceed.

13 ATTORNEY MONAGHAN: Good morning.
14 Thomas Monaghan, M-O-N-A-G-H-A-N, with the OEC.
15 This matter involves a male individual who is able to
16 gain authorized access to the Evolution Live Dealer
17 Studio. On or about January 19, 2023. The
18 individual attempted to open the entrance doors, but
19 was unsuccessful. He then knocked on the glass door
20 and an employee pressed the release button allowing
21 the individual to enter.

22 The individual entered the reception
23 area and an employee appeared to direct the
24 individual towards the Evolution Studio entrance
25 security speed gates. A security officer approached

1 the speed gates and allowed the individual entry,
2 wherein, he subsequently entered the restrooms next
3 to the speed gate area.

4 The individual exit the restrooms,
5 briefly took a seat in the meeting lobby area, got
6 up, and briefly went into a meeting room before
7 exiting out of the door into the hallway where he
8 walked around. He then returned to a different
9 entrance door and was able to enter without providing
10 a fingerprint scan. He returned to the security
11 speed gates and followed closely by an employee and
12 was able to pass through the speed gates by walking
13 in immediately behind her.

14 He proceeded to walk past the security
15 officer who was sitting at the desk and down the team
16 member hallway and into the locker room area where
17 there were multiple female employees. The individual
18 stood in the locker room common area and appeared to
19 inappropriately touch himself and also made
20 inappropriate comments to the female employees. He
21 then entered a handicap-accessible dressing room at
22 which time all the female employees hurriedly exited
23 the locker room and proceeded down the team member
24 hallway.

25 The individual exited the locker room,

1 entered the team - entered a team member, proceeded
2 down the team hallway, entered a team manager's
3 office in the hallway and sat at a desk. Security
4 was alerted to the issue and the security officer
5 entered the office and escorted the individual out.

6 The individual was in the studio for a
7 total of approximately 17 minutes before he was
8 escorted from the building by security. The incident
9 was reported to the Philadelphia Police Department.
10 However, the identity of the individual is never
11 obtained. Pursuant to Evolution's PGCB-approved
12 Internal Controls. All visitors must register with
13 reception and show I.D. to the office coordinator or
14 security guard, receive a distinguishing visitor
15 badge and are required to wear that badge around
16 their neck while they're on Evolution's premises.

17 OEC now requests that the Board
18 approve this Consent Agreement and stipulation of
19 settlement entered between the parties. The terms of
20 the settlement include Evolution pay a Civil Penalty
21 in the amount of \$7,500 to the Board within five days
22 of the Board's Order approving this Consent
23 Agreement. Also within five days, Evolution shall
24 pay to the Board \$2,500 for costs incurred by the
25 Office of Enforcement Counsel and other related staff

1 in connections with this matter. And if you have any
2 questions, we'd be happy to address them at this
3 time.

4 CHAIR: Miss Kaufman, would you and
5 your clients like to address the Board?

6 ATTORNEY KAUFMAN: Yes, please. Thank
7 you for the opportunity. We agree with the facts as
8 set forth in the proposed Consent Order and
9 acknowledge that there were significant security
10 breaches based on a combination of human error,
11 failure to follow procedures and it was also
12 exacerbated by a layout that we've now realized had
13 room for improvement, which we have done to further
14 ensure the safety of our employees and the security
15 of the gaming floor and of the gaming related areas.

16 I do note that when we talk about the
17 entrance into the Live studio, the gentleman was in
18 the Evolution Live studio but was not able to and did
19 not access the gaming floor or the gaming related
20 areas. Of course, this is still a terrible breach; I
21 just wanted to factually lay that out.

22 A lot of companies say that they are
23 committed to their employees safety, and I know they
24 are, but Evolution's business model as an Internet
25 gaming company is very unusual because its business

1 model is based on believing that humans are better to
2 provide - present games than virtual people. And
3 that can't happen, they can't value that unless you
4 provide safety and security, which is why, outlined
5 in the proposed Consent Order, there is a list of
6 remedial measures, corrective measures and just extra
7 measures that we have taken.

8 I would just like to briefly also
9 mention a few other measures that are not stated in
10 the Consent Order, but also demonstrates Evolution's
11 commitment. First of all, Evolution did take very
12 quick action after the incident. The order states
13 that they changed security companies in October of
14 2023, which was significantly after the incident, but
15 that is because they took immediate action with the
16 security company that they were using contacted the
17 owners, made demands that the security guards be
18 trained, that the security guard that committed many
19 of the breaches never returned to Evolution, and that
20 the layout of the office be better designed for
21 security that was immediately implemented.

22 Additionally, the game presenters that
23 were in the - that are in work in the studio, also
24 were all contacted that day and the ones that were
25 there that day and over the next few days, they were

1 all spoken to. First of all, obviously to express
2 concern about security, but also to raise their
3 awareness to not breach - to not breach any
4 procedures.

5 They now put an extra security podium
6 that you see right when you get off of the elevator,
7 and the security guard can see people coming in from
8 the elevator. And before they even could implement
9 that, they put a temporary extra security guard there
10 just to really have action taken immediately.

11 I want to say that this occurred
12 during a shift change, and some of the training of
13 the security guards has been focused on paying
14 attention during a shift change. During a shift
15 change, there are approximately 40 employees leaving
16 and 40 employees coming.

17 Since this incident has occurred and
18 these measures have been implemented, there has been
19 no other unauthorized access. And also, Evolution
20 has never had another occasion of unauthorized access
21 in any of its studios.

22 CHAIR: Any questions or comments?
23 Commissioner Manzano-Díaz, do you have any questions?

24 MS. MANZANO-DÍAZ: No, I don't. Not
25 at this time.

1 CHAIR: Any other questions or
2 comments at this time?

3 I'd like to know what happened to the
4 employee that actually buzzed this person in?

5 MR. PATCHEN: So the employee that
6 buzzed him in, he was verbally reprimanded, but since
7 then, he has been terminated just for other reasons
8 unrelated to this incident.

9 CHAIR: He was verbally reprimanded.
10 Was there additional training for that person?

11 MR. PATCHEN: All the employees went
12 through additional training on how important it is
13 and what role they play ensuring security within the
14 facility. Obviously, it's a top priority for us to
15 make sure our employees are safe and they feel
16 comfortable coming to work and the security of the
17 building itself.

18 So I think the measures and the
19 changes we've made will prevent this moving forward.
20 And I'm not sure if any of you have visited a studio.
21 I'd encourage you, if you'd like to come visit
22 Philadelphia or if you're ever in New Jersey, you can
23 visit our studios in A.C., but it is, you know, an
24 office area. And when we say studio, it's not as if
25 you're walking right into an area where there's

1 sensitive gaming activities occurring.

2 So this gentleman was mainly in the
3 common areas, and there was, you know, multiple
4 failures, as Lynne pointed out, during the incident,
5 but since then, and we've addressed all those things
6 and we've always are looking to make improvements to
7 our processes as we identify gaps or issues
8 throughout the operation.

9 CHAIR: Okay.

10 Thank you. Any other questions or
11 comments? All right, hearing none, may I have a
12 motion, please?

13 MR. DILLON: Madam Chair, Commissioner
14 Dillon - that the Board approved the Consent
15 Agreement between OEC and Evolution us, LLC, as
16 described by the OEC.

17 MR. HICKERNELL: Commissioner
18 Hickernell seconds.

19 CHAIR: All in favor?

20 (AYES RESPOND)

21 CHAIR: All opposed?

22 Motion's adopted. Thank you very
23 much.

24 ATTORNEY KAUFMAN: Thank you.

25 ATTORNEY PITRE: Next, on the Agenda

1 consists of Enforcement actions in which the OEC
2 filed complaints seeking the suspension or revocation
3 of permits or registrations previously issued by the
4 Board. The complaint in each matter has been filed
5 with the Board's OHA, and properly served upon the
6 individual naming each complaint. The individual
7 named in each complaint failed to respond within 30
8 days as required by Board regulation. As a result,
9 the OEC filed a request for Default Judgment in each
10 instance and properly served the same upon each
11 Respondent.

12 Therefore, the facts in each complaint
13 are deemed admitted. All filed documents have been
14 provided to the Board and the matters are presently
15 ripe for the Board's consideration. In each matter,
16 we'll provide a brief summary of the facts and make a
17 request for the appropriate Board action.

18 ATTORNEY SANCHEZ: Morning, Madam
19 Chair and Commissioners, Juan Sanchez, S-A-N-C-H-E-Z,
20 with the OEC. The next matter on the Agenda for the
21 Board's consideration is the suspension of the Non-
22 Gaming Employee Registration issued to Larry Best.

23 Mr. Best was previously employed as a
24 games presenter at Evolution US, LLC. Mr. Best
25 failed to disclose to the Board that the Philadelphia

1 Police Department arrested him and criminally charged
2 him for two incidents that occurred on the same date
3 for kidnapping, physical assaulting, attempting to
4 rape, and threatening his former partner and her
5 family, including, at times with a gun. Mr. Best
6 pleaded guilty to a felony offense, aggravated
7 assault, as well as misdemeanor offenses, possession
8 of an instrument of crime, simple assault,
9 terroristic threats and false imprisonment. He is
10 not currently employed in Pennsylvania's gaming
11 industry.

12 At this time, the OEC requests that
13 the Board suspend the Non-Gaming Employee
14 Registration issued to Larry Best.

15 CHAIR: Any questions or comments?
16 May I have a motion, please?

17 MR. HICKERNELL: Madam Chair,
18 Commissioner Hickernell moves that the Board approve
19 the suspension of Larry Bests' Non-Gaming Employee
20 registration for the conduct described by the OEC.

21 MR. DILLON: Commissioner Dillon
22 seconds.

23 CHAIR: All in favor?
24 (AYES RESPOND)

25 CHAIR: All opposed?

1 Motion's adopted.

2 ATTORNEY KOLESAR: Good morning, Sarah
3 Kolesar, K-O-L-E-S-A-R, with the OEC.

4 The next matter on the agenda for the
5 Board's consideration is the revocation of the Gaming
6 Employee Occupation Permit issued to Danielle
7 Claypoole. Miss Claypoole was previously employed as
8 a table games dealer at Mount Airy Casino. Miss
9 Claypool was present on Mount Airy property when her
10 alleged boyfriend picked her up from the property and
11 attempted to engage in a verbal altercation with
12 casino employees in the parking lot and then crash
13 into a Mount Airy operations truck that was being
14 driven by casino personnel and then fleeing the
15 scene.

16 Miss Claypoole refused to cooperate
17 with the investigation and impeded Mount Airy's and
18 the local police investigation. In addition, the
19 Respondent failed - falsified documentation related
20 to absences from her employment. Miss Claypoole was
21 terminated for her actions and is not currently
22 employed in the Pennsylvania gaming industry.

23 At this time, the OEC requests that
24 the Board revoke the Gaming Employee Occupation
25 Permit issued to Danielle Claypoole.

1 CHAIR: Any questions or comments?
2 May I have a motion, please?

3 MS. REGAN: Commissioner Regan moves
4 that the Board approve the revocation of Danielle
5 Claypoole's Gaming Employee Occupation Permit for the
6 conduct described by the OEC.

7 MS. RALSTON: Commissioner Ralston
8 seconds.

9 CHAIR: All in favor?
10 (AYES RESPOND)

11 CHAIR: All opposed?
12 Motion's adopted.

13 ATTORNEY ROLAND: Morning, Madam
14 Chair. Members of the Board, Michael Roland,
15 R-O-L-A-N-D, with the OEC. Next on the agenda is a
16 request to revoke the Gaming Level 2 Employee
17 Occupation Permit issued to Tina Jenkins, who was
18 previously employed by Rivers Casino Philadelphia, as
19 a player services agent.

20 Rivers Philadelphia reported to the
21 Bureau of Casino Compliance details of an internal
22 investigation regarding a violation of procedures
23 surrounding the issuance of Match Play coupons. In
24 order to receive Match Play coupons, a patron must
25 present their player's card and identification to

1 verify they are the person receiving the Match Play.
2 However, Miss Jenkins failed to check identification
3 and issued match play coupons for multiple player
4 cards not belonging to the patron.

5 An investigation confirmed that Miss
6 Jenkins received monetary tips and food in exchange
7 for issuing the Match Play coupons. When questioned,
8 she admitted to violating the policy and receiving
9 the compensation. Pursuant to Board regulations,
10 Gaming Level 2 Occupation Permit holders are
11 prohibited from accepting tips or gratuities. Miss
12 Jenkins was terminated for a position at Rivers
13 Philadelphia for her actions. She is not currently
14 employed in Pennsylvania's gaming industry.

15 At this time, the OEC requests that
16 the Board revoke the Gaming Level 2 Occupation Permit
17 issued to Tina Jenkins.

18 CHAIR: Any questions or comments?
19 May I have a motion, please?

20 MS. RALSTON: Commissioner Ralston
21 moves that the Board approve the revocation of Tina
22 Jenkins, Gaming Level 2 Employee Occupation Permit,
23 for the conduct described by the OEC.

24 MS. REGAN: Commissioner Regan
25 seconds.

1 CHAIR: All in favor?

2 (AYES RESPOND)

3 CHAIR: All opposed?

4 Motion passes.

5 ATTORNEY GROODY: Good morning, Madam
6 Chair, Members of the Board, Sarah Groody,
7 G-R-O-O-D-Y, with the OEC. The next matter on the
8 Agenda for the Board's consideration is the
9 revocation of the Non-Gaming Employee registration
10 issued to Khary Nevels. Mr. Nevels was previously
11 employed as a floor technician at Presque Isle Downs
12 Casino.

13 While he was working, Mr. Nevels was
14 caught stealing money from a wallet and was
15 terminated from his position. A patron reported her
16 missing wallet, which contained approximately \$50. A
17 review of surveillance reveals Mr. Nevel's picking
18 the wallet up and disposing of it in the garbage can,
19 to which he also admitted. When the wallet was
20 retrieved from the garbage can, there was no money
21 inside. Mr. Nevels was terminated for his actions.
22 He was criminally charged with theft of property and
23 the disposition of those charges is unreported. He
24 has not notified the Board of the charges and he is
25 not currently in employed in the Pennsylvania gaming

1 industry.

2 At this time, the OEC request the
3 Board revoke the Non-Gaming registration issued to
4 Khary Nevels.

5 CHAIR: Any questions or comments?
6 May I have a motion, please?

7 MS. REGAN: Madam Chair, Commissioner
8 Regan moves that the Board approve the revocation of
9 Khary Nevels Non-Gaming Employee registration for the
10 conduct described by the OEC.

11 MR. DERMODY: Commissioner Dermody
12 seconds.

13 CHAIR: All in favor?
14 (AYES RESPOND)

15 CHAIR: All opposed?
16 Motion passes.

17 ATTORNEY ROBERTS: Good morning,
18 Chairwoman and Members of the Board. Andrea Roberts,
19 R-O-B-E-R-T-S, Assistant Enforcement Counsel.

20 The next matter on the Agenda for the
21 Board's consideration is the suspension of the Non-
22 Gaming Employee Registration issued to Jabriel
23 Galloway. Mr. Galloway was previously employed as a
24 Custodian 1 at Valley Forge Casino Resort.

25 Mr. Galloway has multiple arrests

1 since the issuance of his Non-Gaming Registration.
2 At the time the complaint for suspension was filed,
3 Mr. Galloway had four pending criminal cases, which
4 included four felony charges, eight misdemeanor
5 charges and one summary offense. Since the filing of
6 the complaint for suspension, all of the pending
7 charges have been resolved, which included Mr.
8 Galloway pleading guilty to two counts of burglary,
9 not adapted for overnight accommodation, no person
10 present, a second degree felony. Mr. Galloway is not
11 currently employed in Pennsylvania's gaming industry.

12 At this time, the OEC requests the
13 Board suspend the Non-Gaming Employee Registration
14 issued to Jabriel Galloway.

15 CHAIR: Any questions or comments?
16 May I have a motion, please?

17 MR. DERMODY: Madam Chair,
18 Commissioner Dermody moves that the Board approve the
19 suspension of Jabriel Galloway's Non-Gaming Employee
20 Registration for the conduct described by the OEC.

21 MR. DILLON: Commissioner Dillon
22 seconds.

23 CHAIR: All in favor?
24 (AYES RESPOND)

25 CHAIR: All opposed?

1 Motion's adopted.

2 ATTORNEY ROBERTS: Again, Andrea
3 Roberts, Assistant Enforcement Counsel. The next
4 matter on the agenda for the Board's consideration is
5 the revocation of the Gaming Employee Occupation
6 Permit issued to Yoshua Gonzalez. Mr. Gonzalez was
7 previously employed as a table games dealer at Rivers
8 Casino Philadelphia.

9 Rivers Casino Philadelphia terminated
10 Mr. Gonzalez's employment for theft because Mr.
11 Gonzalez gave extra change to the same female patron
12 on 11 different incidences over a period of five
13 days. This resulted in a \$365 loss to the casino.
14 He is not currently employed in Pennsylvania's gaming
15 industry.

16 At this time, the OEC requests that
17 the Board revoke the Gaming Employee Occupation
18 Permit issued to Yoshua Gonzalez.

19 CHAIR: Any questions or comments?

20 May I have a motion, please?

21 MR. DILLON: Madam Chair, Commissioner
22 Dillon moves that the Board approve the revocation of
23 Yoshua Gonzalez Gaming Employee Occupation Permit for
24 the conduct described by the OEC.

25 MR. HICKERNELL: Commissioner

1 Hickernell seconds.

2 CHAIR: All in favor?

3 (AYES RESPOND)

4 CHAIR: All opposed?

5 Motion's adopted.

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

12 In each instance, the petition for
13 exclusion has been filed with the Board's OHA, and
14 properly served upon the individual named in the
15 petition. The individual named in each petition
16 failed to respond within 30 days as required by Board
17 regulations. As a result, the OEC filed a request
18 for Default Judgment in each instance and properly
19 served the same upon each individual. Therefore, all
20 facts in each petition are deemed admitted. All
21 filed documents have been provided to the Board, and
22 the matters are presently ripe for the Board's
23 consideration.

24 In each instance, if the Board Orders
25 the proposed exclusion, each individual's photo,

1 personal identifiers, and a summary of the inimical
2 conduct may be placed on the Board's public website.
3 Once again, in each matter, we will provide a brief
4 summary of the facts and make a request for the
5 appropriate Board action.

6 ATTORNEY ROBERTS: Again, Andrea
7 Roberts, Assistant Enforcement Counsel. The next
8 matter on the Agenda for the Board's consideration is
9 the request to place Gregory W. Brown, Jr. on the
10 Involuntary Exclusion List. Mr. Brown left a 13 year
11 old minor unattended in a vehicle outside Live!
12 Casino and Hotel Philadelphia for approximately 39
13 minutes while he entered the casino to wager at the
14 sportsbook. Pennsylvania State Police and the
15 Philadelphia Police Department were notified and
16 responded, but no criminal charges were filed. Live!
17 permanently banned Mr. Brown, Jr. from their casino
18 as a result of this incident.

19 At this time, the OEC request the
20 Board place Gregory W. Brown, Jr. on the Board's
21 Involuntary Exclusion List.

22 CHAIR: Any questions or comments?
23 May I have a motion, please?

24 MR. HICKERNELL: Madam Chair,
25 Commissioner Hickernell moves that the Board approve

1 the addition of Gregory W. Brown, Jr. to the
2 Pennsylvania Gaming Control Board's Involuntary
3 Exclusion List for the conduct described by the OEC.

4 MS. RALSTON: Commissioner Ralston
5 seconds.

6 CHAIR: All in favor?

7 (AYES RESPOND)

8 CHAIR: All opposed?

9 Motion passes.

10 ATTORNEY ROBERTS: Again, Andrea
11 Roberts, Assistant Enforcement Counsel the next two
12 matters on the agenda are related and our request to
13 place Dylan Wade Rodgers and Kaylyn Sparango on the
14 Involuntary Exclusion List. With the Board's
15 permission, I will read one set of facts and then
16 request that each individual be placed on the
17 Exclusion List.

18 Mr. Rodgers, Miss Sparango and two
19 companions were ejected from Live! Casino and Hotel
20 Philadelphia but refused to leave. Pennsylvania
21 State Police were notified and responded. Miss
22 Sparango received a verbal warning after making
23 threats towards PSP. When Mr. Rodgers escalated the
24 situation, PSP informed him he was under arrest. Mr.
25 Rodgers resisted arrest and a physical altercation

1 occurred involving PSP, Mr. Rodgers and Miss
2 Sparango.

3 Mr. Rodgers and Miss Sparango were
4 both arrested and criminally charged. The
5 disposition of the charges against Mr. Rodgers could
6 not be determined by publicly available records.
7 Miss Sparango pled guilty to terroristic threats, a
8 misdemeanor of the first degree, and simple assault,
9 a misdemeanor of the second degree as a result of the
10 incident. Live! permanently evicted Mr. Rodgers and
11 Miss Sparango for their actions.

12 At this time, the OEC requests the
13 Board place Dylan Rodgers on the Board's Involuntary
14 Exclusion List.

15 CHAIR: Any questions or comments?
16 May I have a motion, please?

17 MR. DERMODY: Madam Chair,
18 Commissioner Dermody moves that the Board approve the
19 addition of Dylan Rodgers to the Pennsylvania Gaming
20 Control Board's Involuntary Exclusion List for the
21 conduct described by the OEC.

22 MS. RALSTON: Commissioner Ralston
23 seconds.

24 CHAIR: All in favor?

25 (AYES RESPOND)

1 CHAIR: All opposed?

2 Motion passes.

3 ATTORNEY ROBERTS: At this time, the
4 OEC requests that the Board place Kaylyn Sparango on
5 the Board's Involuntary Exclusion List.

6 CHAIR: Any questions or comments?

7 May I have a motion, please?

8 MS. RALSTON: Commissioner Ralston
9 moves that the Board approve the addition of Kaylyn
10 Sparango to the Pennsylvania Gaming Control Board
11 Involuntary Exclusion List for the conduct described
12 by the OEC.

13 MS. REGAN: Commissioner Regan
14 seconds.

15 CHAIR: All in favor?

16 (AYES RESPOND)

17 CHAIR: All opposed?

18 Motion carries.

19 ATTORNEY ROBERTS: Again, Andrea
20 Roberts, Assistant Enforcement Counsel. The next
21 matter on the agenda for the Board's consideration is
22 the request to place Barbara Strouse on the
23 Involuntary Exclusion List. Miss Strouse left four
24 minors, aged three, six, seven and ten-years of age,
25 unattended for approximately 25 minutes in a vehicle

1 located on the fourth floor of the parking garage of
2 Harrah's Philadelphia Casino. Miss Strouse entered
3 the casino, gamed at one slot machine and ordered
4 food from the market food court. The temperature
5 that day was 86 degrees and the vehicle was running.

6 Pennsylvania State Police were
7 notified and responded, but no criminal charges were
8 filed. Harrah's permanently banned Miss Strouse as a
9 result of this incident.

10 At this time, the OEC requests that
11 the Board place Barbara Strouse on the Board's
12 Involuntary Exclusion List.

13 CHAIR: Any questions or comments?
14 May I have a motion, please?

15 MS. REGAN: Commissioner Regan moves
16 that the Board approve the addition of Barbara
17 Strouse to the PGCB Involuntary Exclusion List for
18 the conduct described by the OEC.

19 MR. DERMODY: Commissioner Dermody
20 seconds.

21 CHAIR: All in favor?

22 (AYES RESPOND)

23 CHAIR: All opposed?

24 Motion's adopted.

25 ATTORNEY ROBERTS: Again, Andrea

1 Roberts, Assistant Enforcement Counsel. The next
2 matter on the agenda for the Board's consideration is
3 the request to place Talbot White on the Involuntary
4 Exclusion List. Mr. White was present at Harrah's,
5 Philadelphia and Casino and gamed at roulette.

6 Mr. White ignored requests to stop
7 smoking at the table and then spilled a bottle of
8 beer. Mr. White was asked to leave the table, which
9 he refused to do and began making verbal threats.
10 Mr. White put his hand against the pit shift
11 supervisor's face and pushed him and then swung his
12 arm at a security officer with a closed fist.

13 Pennsylvania state police were
14 notified, responded, and criminally charged Mr.
15 White. Mr. White pled guilty to harassment subject-
16 other to physical contact, a summary offense as a
17 result of this incident. Harrah's permanently banned
18 Mr. White as a result of this incident.

19 At this time, the OEC requests the
20 Board place Talbot White on the Board's Involuntary
21 Exclusion List.

22 CHAIR: Any questions or comments?
23 May I have a motion, please?

24 MR. DERMODY: Madam chair,
25 Commissioner Dermody moves that the Board approve the

1 addition of Talbot White to the Pennsylvania Gaming
2 Control Board's Involuntary Exclusion List for the
3 conduct described by the OEC.

4 MR. DILLON: Commissioner Dillon
5 seconds.

6 CHAIR: All in favor?

7 (AYES RESPOND)

8 CHAIR: All opposed?

9 Motion's adopted.

10 ATTORNEY ROBERTS: Again, Andrea
11 Roberts, Assistant Enforcement Counsel. The next
12 matter on the agenda for the Board's consideration is
13 the request to place Daniel Williams on the
14 Involuntary Exclusion List. Mr. Williams left two
15 minors, approximately 12 and 13 years of age,
16 unattended for approximately 31 minutes in a vehicle
17 in the parking lot at Live! Casino and Hotel
18 Philadelphia.

19 Mr. Williams and an unidentified
20 female entered the casino where they picked up a gift
21 from the promotions desk and gamed at a slot machine
22 for approximately 26 minutes. When Mr. Williams and
23 the unidentified female returned to the vehicle they
24 failed to identify themselves to security, entered
25 the vehicle and left Live!'s premises. Pennsylvania

1 State Police and the Philadelphia Police Department
2 were notified but Mr. Williams left before they
3 arrived. No criminal charges were filed. Live!
4 permanently banned Mr. Williams as a result of this
5 incident.

6 At this time, the OEC requests that
7 the Board place Daniel Williams on the Board's
8 Involuntary Exclusion List.

9 CHAIR: Any questions or comments?
10 May I have a motion, please?

11 MR. DILLON: Madam Chair, Commissioner
12 Dillon moves that the Board approved the addition of
13 Daniel Williams to the PGCB Involuntary Exclusion
14 List for the conduct described by the OEC.

15 MR. HICKERNELL: Commissioner
16 Hickernell seconds.

17 CHAIR: All in favor?
18 (AYES RESPOND)

19 CHAIR: All opposed?
20 Motion's adopted.

21 ATTORNEY GROODY: Good morning again,
22 Sarah Groody with the OEC. The next matter on the
23 agenda for the Board's consideration is the Petition
24 to place Nazir Johnson on the Involuntary Exclusion
25 List.

1 Mr. Johnson was caught cheating at
2 Harrah's Philadelphia Casino and Racetrack.
3 Specifically, Mr. Johnson capped his wagers on
4 multiple occasions which resulted in him being paid
5 out money to which he was not entitled. Mr. Johnson
6 has only paid a small portion of restitution. He was
7 permanently evicted from Harrah's and was criminally
8 charged with theft of services, which is awaiting a
9 plea according to the publicly available docket.

10 At this time, the OEC requests that
11 the Board place Nazir Johnson on the Involuntary
12 Exclusion List.

13 CHAIR: Any questions or comments?
14 May I have a motion, please?

15 MS. RALSTON: Commissioner Ralston
16 moves that the Board approve the addition of Nazir
17 Johnson to the Pennsylvania Gaming Control Board's
18 Involuntary Exclusion List for the conduct described
19 by the OEC.

20 MS. REGAN: Commissioner Regan
21 seconds.

22 CHAIR: All in favor?

23 (AYES RESPOND)

24 CHAIR: All opposed?

25 Motion passes.

1 ATTORNEY MONAGHAN: Thomas Monaghan
2 once again with the OEC. The next matter on the
3 agenda for the Board's consideration is a Petition to
4 place Erick Solares on the Board's Interactive Gaming
5 Involuntary Exclusion List. Mr. Solares attempted to
6 make 23 separate deposits for a total of \$4,250 on
7 the Bet MGM interactive gaming platform using eight
8 different debit cards that belong to other
9 individuals. Mr. Solares was successful in five of
10 the deposits for a total of \$1,000. Bet MGM
11 permanently closed Mr. Solares' interactive gaming
12 account due to his actions.

13 The OEC now requests the Board place
14 Erick Solares on the Board's Interactive Gaming
15 Involuntary Exclusion List.

16 CHAIR: Any questions or comments?
17 May I have a motion, please?

18 MS. REGAN: Commissioner Regan moves
19 that the Board approve the addition of Erick Solares
20 to the PGCB Involuntary Interactive Exclusion List
21 for the conduct described by the OEC.

22 MR. DERMODY: Commissioner Dermody
23 seconds.

24 CHAIR: All in favor?

25 (AYES RESPOND)

1 CHAIR: All opposed?

2 Motion's adopted.

3 ATTORNEY SANCHEZ: Once again, Juan
4 Sanchez with the OEC. The next matter on the Agenda
5 for the Board's consideration is a request to place
6 Michael Dewberry on the Board's Involuntary Exclusion
7 List. Michael Dewberry engaged in physical
8 altercations and disorderly conduct, possess
9 suspected illegal drugs, who was found to be
10 intoxicated at Live! Casino Pittsburgh, Rivers Casino
11 Pittsburgh and Hollywood Casino at The Meadows.

12 He has been evicted from all these
13 facilities for his actions. He pleaded guilty to a
14 summary offense, disorderly conduct for one incident
15 and was arrested for drug possession for another
16 incident, which disposition is unknown.

17 At this time, the OEC requests that
18 the Board place Michael Dewberry on the Board's
19 Involuntary Exclusion List.

20 CHAIR: Any questions or comments?

21 May I have a motion, please?

22 MR. DERMODY: Madam Chair,
23 Commissioner Dermody moves that the Board approve the
24 addition of Michael Dewberry to the PGCB Involuntary
25 Exclusion List for the conduct described by the OEC.

1 MR. DILLON: Commissioner Dillon
2 seconds.

3 CHAIR: All in favor?
4 (AYES RESPOND)

5 CHAIR: All opposed?
6 Motion carries.

7 ATTORNEY SANCHEZ: Once again, Juan
8 Sanchez with the OEC. The final three matters on the
9 agenda are related in our request to place Lakwang
10 Bungy, William Hicks and Moyai Malone on the
11 Involuntary Exclusion List. With the Board's
12 permission, I will read one set of facts and then
13 requests that each individual be placed on the
14 Exclusion List. William Hicks, Lakwang Bungy and
15 Moyai Malone entered Harrah's Philadelphia Casino
16 gaming floor with two other patrons. Mr. Hicks
17 refused to provide an identification to Harrah's
18 staff. All three individuals refused to leave and
19 were arrested after they verbally and physically
20 assaulted both casino staff and Pennsylvania State
21 Troopers.

22 Mr. Hicks pleaded guilty to a second
23 degree misdemeanor simple assault. Mr. Bungy pleaded
24 guilty to a third degree misdemeanor offenses,
25 defiant trespass and disorderly conduct. Miss Malone

1 pleaded guilty to summary offenses, harassment and
2 disorderly conduct.

3 At this time, the OEC requested the
4 Board place Lakwang Bungy on the Board's Involuntary
5 Exclusion List.

6 CHAIR: Any questions or comments?
7 May I have a motion, please?

8 MR. DILLON: Madam Chair, Commissioner
9 Dillon moves that the Board approve the addition of
10 Lakwang Bungy to the PGCB Involuntary Exclusion List
11 for the conduct described by the OEC.

12 MR. HICKERNELL: Commissioner
13 Hickernell seconds.

14 CHAIR: All in favor?
15 (AYES RESPOND)

16 CHAIR: All opposed?
17 Motion's adopted.

18 ATTORNEY SANCHEZ: At this time, the
19 OEC requests that the Board place William Hicks on
20 the Involuntary Exclusion List.

21 CHAIR: Any questions or comments?
22 May I have a motion, please?

23 MR. HICKERNELL: Madam Chair,
24 Commissioner Hickernell moves that the Board approve
25 the addition of William Hicks to the Pennsylvania

1 Gaming Control Board's Involuntary Exclusion List for
2 the conduct described by the OEC.

3 MS. REGAN: Commissioner Regan
4 seconds.

5 CHAIR: All in favor?
6 (AYES RESPOND)

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

9 ATTORNEY SANCHEZ: At this time, the
10 OEC requests that the Board place Moyai Malone on the
11 Board's Involuntary Exclusion List.

12 CHAIR: Any questions or comments?
13 May I have a motion, please?

14 MR. DERMODY: Madam Chair,
15 Commissioner Dermody moves that the Board approve the
16 addition of Moyai Malone to the PGCB Involuntary
17 Exclusion List for the conduct described by the OEC.

18 MS. RALSTON: Commissioner Ralston
19 seconds.

20 CHAIR: All in favor?
21 (AYES RESPOND)

22 CHAIR: All opposed?
23 Motion's adopted.

24 ATTORNEY PITRE: Thank you. That
25 concludes our business.

1 CHAIR: Thank you, Cyrus. The last
2 item on the Agenda for today is public comment. Is
3 there anyone in the room that would like to address
4 the Board?

5 Having no one step forward? That
6 concludes today's meeting. The next public meeting
7 of the Board will be held on Wednesday, September 18,
8 2024 at 10:00 a.m., at this location.

9 May I please have a motion to adjourn?

10 MS. RALSTON: Commissioner Ralston
11 moves that we adjourn.

12 MS. REGAN: Commissioner Regan
13 seconds.

14 CHAIR: All in favor?

15 (AYES RESPOND)

16 CHAIR: All opposed?

17 Motion's adopted. We are adjourned.

18 Thank you so much.

19 * * * * *

20 MEETING CONCLUDED AT 11:45 A.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, before the Pennsylvania Gaming Control Board, was reported by me on August 21, 2024 and that I, Derek Richmond, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

Date the 11th day of September, 2024



Derek Richmond,
Court Reporter