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STATE OF NEW JERSEY

CASINO CONTROL COMMISSION

PUBLIC MEETING NO. 23-09-13

Wednesday, September 13, 2023

Atlantic City Commission Offices

Joseph P. Lordi Public Meeting Room - First Floor

Tennessee Avenue and Boardwalk

Atlantic City, New Jersey 08401

10:33 a.m. to 11:24 a.m.

Certified Court Reporter: M. Darlene Engel

ATLANTIC CITY COURT REPORTING

1125 Atlantic Avenue, Suite 543

Atlantic City, New Jersey 08401

(609) 345-8448 www.accourtreporting.com

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1 B E F O R E :

2 CASINO CONTROL COMMISSION:
 JAMES T. PLOUSIS, CHAIR

3 ALISA BETH COOPER, VICE CHAIR
 JOYCE MOLLINEAUX, COMMISSIONER

4

PRESENT FOR THE CASINO CONTROL COMMISSION:

5 DARYL W. NANCE, MANAGER/OPRA CUSTODIAN

6 OFFICE OF THE GENERAL COUNSEL:
 DIANNA W. FAUNTLEROY, GENERAL COUNSEL/EXECUTIVE
 SECRETARY

7 TERESA M. PIMPINELLI, SENIOR COUNSEL

8

OFFICE OF REGULATORY AFFAIRS:

9 PATRICK EALER, MANAGER OF LICENSING
 AND FINANCIAL EVALUATIONS

10

DIVISION OF GAMING ENFORCEMENT:

11 DEPUTY ATTORNEYS GENERAL
 JOCELYN R. FIETKIEWICZ

12 JAMES LEE
 CHARLES KIMMEL

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AGENDA
 PUBLIC MEETING NO. 23-09-13
 SEPTEMBER 13, 2023, 10:33 a.m.

2

3 ITEM PAGE VOTE

4

1 Ratification of the minutes of the August 9 10
 9, 2023, public meeting

5 2 Applications for initial casino key
 employee licenses:

6 a) Chardae W. Drinks 12 14
 b) Kenneth A. Hitzelberger 11 12
 c) William H. Hudgins, Jr. 12 14
 d) Kylelia M. Macon 12 14
 e) Bryce D. Martin 11 14
 f) Alexander Mateo 12 14
 g) Dylan M. Mateyka 12 14
 h) Carlos J. Gutierrez-Martinez 11 12
 i) Bruce C. Pearlman 11 12

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11 3 Application of Kevin F. Scull for a 14 15
 resubmitted casino key employee license
 and for qualification

12 4 Approvals through Delegation of Authority 15
 between August 1, 2023, and August 31,
 2023, pursuant to Resolution No.
 22-01-12-11-B

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14 5 Request for inactivation of casino key 19 20
 employee licenses:

15 a) Heather M. Allen
 b) Dawn D. Casale
 c) Francis J. Pollock III
 d) Walter P. Simon

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17 6 Consideration of the lapse of casino key 20 22
 employee licenses:

18 a) Joshua A. Coleman
 b) Elizabeth A. D'Andrea, a/k/a
 Elizabeth A. Bennett
 c) William L. Gormley
 d) Mark H. Scheiner
 e) Jean M. Schneider

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21 7 Consideration of the initial application 22 24
 of Tiana Harrington for a casino key
 employee license (DKT 23-0042-CK)

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23 8 Consideration of the initial application 25 28
 of Eduardo Alvarado-Flores for a casino
 key employee license (DKT 23-0042-CK)
 Eduardo Alvarado-Flores, sworn

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1 A P P E A R A N C E S :

2 ITEM NO. 11 DIANNA W. FAUNTLEROY, GENERAL COUNSEL
 JAMES LEE, DEPUTY ATTORNEY GENERAL

3 COOPER LEVENSON
 LYNNE KAUFMAN, ESQ.
 FOR: BALLY'S ENTERTAINMENT CORP.

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1 CONTINUED AGENDA
 PUBLIC MEETING NO. 23-09-13
 SEPTEMBER 13, 2023, 10:33 a.m.

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3 ITEM PAGE VOTE

4 9 Consideration of the initial 28 30
 application of Lateetah Prescott for a
 casino key employee license
 (DKT 23-0042-CK)

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6 10 Application for suspension in State v. 31 35
 Michael Brown (DKT 23-0051-RC)
 Michael Brown, sworn

7 33

8 11 Joint Petition of Premier Entertainment 36 39
 AC, LLC, and Bally's Corporation
 requesting an extension of time for Kim
 Barker Lee to assume the duties and
 exercise the powers of Executive Vice
 President, Chief Legal Officer, pending
 plenary qualification (PRN 2302306)
 (PRN 3482203)

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12 12 I/M/O the funds held by the Department 39 58
 of Treasury for redemption of Playboy
 Chips (PRN 1912306)

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6	<p>1 ITEM NO. 12</p> <p>2 EXHIBITS:</p> <p>3 NUMBER DESCRIPTION EVIDENCE</p> <p>4</p> <p>5 C-1 Casino Control Commission Order 89-22-34 X Petition of Elsinore Shore Associates seeking release of funds held in certain dedicated accounts (PRN 189907)</p> <p>6</p> <p>7 C-2 Casino Control Commission Order 89-23-23A X I/M/O the Conservatorship of Elsinore Shore Associates</p> <p>8</p> <p>9 C-3 Casino Control Commission Order 89-43-29 X Amended Petition of Elsinore Shore Associates seeking the release of certain restricted accounts held for the redemption of gaming chips; and seeking a declaration that funds set aside for progressive slot machine jackpot liability be treated as "Casino Winnings" belonging to Petitioner (PRN 180902)</p> <p>10</p> <p>11 C-4 Casino Control Commission Order 89-50-35 X Conservator's Petition for a declaratory ruling that the Casino Control Fund can be used to pay the fees and expenses of the Conservator and his counsel and for other relief</p> <p>12</p> <p>13</p> <p>14 C-5 Casino Control Commission Order 90-4-25 X Designating the State of New Jersey Cash Management Fund as a legal depository</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	8
7	<p>1 (Public Meeting 23-09-13 was commenced at 10:33 a.m.)</p> <p>2</p> <p>3 MR. NANCE: Good morning. I'd like to read an opening statement:</p> <p>4</p> <p>5 This is to advise the general public that in compliance with Chapter 231 of the public laws of 1975 entitled "Senator Bryon M. Baer Open Public Meeting Act," the New Jersey Casino Control Commission on December 7th, 2022, filed with the Secretary of State at the State House in Trenton an annual meeting schedule.</p> <p>6</p> <p>7 On December 8th, 2022, copies were mailed to subscribers.</p> <p>8</p> <p>9 Any member of the public who wishes to address the Commission will be given the opportunity to do so before the Commission adjourns for the day.</p> <p>10</p> <p>11 Please stand for the Pledge of Allegiance.</p> <p>12</p> <p>13 (The Pledge of Allegiance was recited.)</p> <p>14</p> <p>15 CHAIR PLOUSIS: Good morning. Welcome everyone who is joining us in person and remotely today.</p> <p>16</p> <p>17 Meeting participants who wish to do so</p>	9
	<p>1 can continue to address the Commission through remote technology. We are also permitting in-person participation. The public meeting room is, therefore, open, and appropriate health measures are being taken. We will, however, continue to stream our public meetings.</p> <p>2</p> <p>3 The public is able to listen through access provided on the Commission's website as well as through our YouTube channel.</p> <p>4</p> <p>5 We will accept public comments via e-mail. Public comments can be sent to public.comments@ccc.nj.gov. I will repeat that. Public comments can be sent to public.comments@ccc.nj.gov beginning how and any time throughout the meeting, ending in the time of adjournment.</p> <p>6</p> <p>7 This meeting is being transcribed as well as recorded, and minutes will be available on our website in due course.</p> <p>8</p> <p>9 To meeting participant callers, I ask that you follow the instructions provided with the web link or the audio call-in code. And please place your phones on mute until your matter is called.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	

10	<p>1 ITEM NO. 2</p> <p>2 CHAIR PLOUSIS: Are there any questions</p> <p>3 for counsel or corrections?</p> <p>4 COMMISSIONER MOLLINEAUX: No.</p> <p>5 VICE CHAIR COOPER: No.</p> <p>6 CHAIR PLOUSIS: Hearing none, is there a</p> <p>7 motion?</p> <p>8 VICE CHAIR COOPER: Mr. Chairman, I move</p> <p>9 to ratify the minutes of August 9th, 2023.</p> <p>10 CHAIR PLOUSIS: Is there a second?</p> <p>11 COMMISSIONER MOLLINEAUX: Mr. Chairman,</p> <p>12 I second the motion.</p> <p>13 CHAIR PLOUSIS: Any further discussions?</p> <p>14 COMMISSIONER MOLLINEAUX: No.</p> <p>15 CHAIR PLOUSIS: Hearing none, all in</p> <p>16 favor, say aye?</p> <p>17 (Ayes.)</p> <p>18 CHAIR PLOUSIS: Opposed?</p> <p>19 (No response.)</p> <p>20 CHAIR PLOUSIS: Ayes have it.</p> <p>21 MS. FAUNTLEROY: Thank you.</p> <p>22 Item No. 2 are applications for initial</p> <p>23 casino key employee licenses. They include:</p> <p>24 Chardae W. Drinks, Kenneth A.</p> <p>25 Hitzelberger, William H. Hudgins, Jr., Kyledia</p>	12	<p>1 ITEM NO. 2</p> <p>2 CHAIR PLOUSIS: Is there a second?</p> <p>3 COMMISSIONER MOLLINEAUX: Mr. Chairman,</p> <p>4 I second the motion.</p> <p>5 CHAIR PLOUSIS: Any further discussion?</p> <p>6 VICE CHAIR COOPER: No.</p> <p>7 COMMISSIONER MOLLINEAUX: No.</p> <p>8 CHAIR PLOUSIS: Hearing none, all in</p> <p>9 favor, say aye?</p> <p>10 (Ayes.)</p> <p>11 CHAIR PLOUSIS: Opposed?</p> <p>12 (No response.)</p> <p>13 CHAIR PLOUSIS: Ayes have it.</p> <p>14 MS. FAUNTLEROY: Okay. Continuing with</p> <p>15 respect to the matters Chardae W. Drinks,</p> <p>16 William H. Hudgins, Jr., Kyledia M. Macon,</p> <p>17 Bryce D. Martin, Alexander Mateo, and Dylan M.</p> <p>18 Mateyka, objections have been raised by the</p> <p>19 Division with a request that the matters be</p> <p>20 referred to the Commission's contested-case</p> <p>21 process.</p> <p>22 Staff concurs with that recommendation</p> <p>23 and so ask that you do.</p> <p>24 With respect -- for the record to note</p> <p>25 with respect with d, Kyledia M. Macon, you will</p>
11	<p>1 ITEM NO. 2</p> <p>2 M. Macon, Bryce D. Martin, Alexander Mateo, and</p> <p>3 Dylan M. Mateyka.</p> <p>4 With respect to matters Kenneth</p> <p>5 Hitzelberger -- one second. Oh, there were</p> <p>6 some addendums. Addendums included Carlos J.</p> <p>7 Gutierrez-Martinez and Bruce C. Pearlman. My</p> <p>8 apologies. They are H and I.</p> <p>9 Now, with respect to Kenneth</p> <p>10 Hitzelberger, Carlos J. Gutierrez-Martinez, and</p> <p>11 Bruce C. Pearlman, the Division of Gaming</p> <p>12 Enforcement has reviewed those matters.</p> <p>13 Staff has also reviewed and provided all</p> <p>14 information necessary and recommend that those</p> <p>15 initial casino key employee licenses be</p> <p>16 granted.</p> <p>17 CHAIR PLOUSIS: Are there any questions</p> <p>18 regarding any of these matters?</p> <p>19 COMMISSIONER MOLLINEAUX: No.</p> <p>20 VICE CHAIR COOPER: No.</p> <p>21 CHAIR PLOUSIS: Hearing none, is there a</p> <p>22 motion?</p> <p>23 VICE CHAIR COOPER: Mr. Chairman, I move</p> <p>24 to grant the three initial casino key employee</p> <p>25 licenses.</p>	13	<p>1 ITEM NO. 2</p> <p>2 recall that her matter was addressed at the</p> <p>3 last Commission meeting where you suspended her</p> <p>4 initial casino key employee license. The</p> <p>5 followup matter for your consideration with</p> <p>6 respect to the remand vote for her matter is</p> <p>7 the Division's request that her initial casino</p> <p>8 key employee license be revoked.</p> <p>9 Again, with respect to all matters</p> <p>10 called, the recommendation is that they be</p> <p>11 remanded for a hearing by the Commission at</p> <p>12 this time.</p> <p>13 CHAIR PLOUSIS: Are there any questions</p> <p>14 for counsel regarding these matters?</p> <p>15 COMMISSIONER MOLLINEAUX: No.</p> <p>16 VICE CHAIR COOPER: No.</p> <p>17 CHAIR PLOUSIS: Hearing none, is there a</p> <p>18 motion?</p> <p>19 VICE CHAIR COOPER: Mr. Chairman, I move</p> <p>20 to remand for a hearing the six initial casino</p> <p>21 key employee license applications.</p> <p>22 CHAIR PLOUSIS: Is there a second?</p> <p>23 COMMISSIONER MOLLINEAUX: Mr. Chairman,</p> <p>24 I second the motion.</p> <p>25 CHAIR PLOUSIS: Any further discussion?</p>

<p style="text-align: right;">14</p> <p>1 ITEM NO. 3 2 COMMISSIONER MOLLINEAUX: No. 3 CHAIR PLOUSIS: Hearing none, all in 4 favor, say aye? 5 (Ayes.) 6 CHAIR PLOUSIS: Opposed? 7 (No response.) 8 CHAIR PLOUSIS: Ayes have it. 9 MS. FAUNTLEROY: Item No. 4 -- oh, 10 excuse me. 11 Item No. 3 is application of Kevin F. 12 Scull for a resubmitted casino key employee 13 license and for qualification to serve as -- to 14 continue to serve as Assistant General Manager 15 for Golden Nugget Atlantic City, LLC. 16 This matter has been reviewed by both 17 the Division as well as Commission staff with a 18 recommendation that Kevin Scull's resubmitted 19 application and continued qualification be 20 granted. 21 CHAIR PLOUSIS: Are there any questions 22 regarding this matter? 23 VICE CHAIR COOPER: No. 24 COMMISSIONER MOLLINEAUX: No. 25 CHAIR PLOUSIS: Hearing none, is there a</p>	<p style="text-align: right;">16</p> <p>1 ITEM NO. 4 2 Patrick Ealer, Manager, is here to 3 review those matters with you for the record; 4 however, no action is required by the 5 Commission at this time. 6 MR. EALER: Good morning, Chairman and 7 Commissioners. 8 COMMISSIONER MOLLINEAUX: Good morning. 9 MR. EALER: I am Patrick Ealer, 10 Licensing and Financial Evaluation Unit Manager 11 appearing on behalf of the Commission. 12 Between August 1st and August 31st, 13 2023, the staff of the Commission's Regulatory 14 Affairs Division granted the following 15 approvals via its delegated authority: 16 On August 2nd, 2023, temporary casino 17 key employee licenses were granted to Paul T. 18 Garraty for a security shift supervisor 19 position at Resorts Atlantic City and to Lesley 20 A. Wright, also known as Lesley A. Wilkens, for 21 a senior manager of internal audit position at 22 Borgata. 23 On August 8th, 2023, temporary casino 24 key employee licenses were granted to Gary 25 Imperatore for a dual-rate casino game</p>
<p style="text-align: right;">15</p> <p>1 ITEM NO. 4 2 motion? 3 VICE CHAIR COOPER: Mr. Chairman, I move 4 to grant the resubmitted key license and 5 qualification. 6 CHAIR PLOUSIS: Is there a second? 7 COMMISSIONER MOLLINEAUX: Mr. Chairman, 8 I second the motion. 9 CHAIR PLOUSIS: Any further discussion? 10 VICE CHAIR COOPER: No. 11 COMMISSIONER MOLLINEAUX: No. 12 CHAIR PLOUSIS: Hearing none, roll call 13 vote? 14 MS. FAUNTLEROY: Commissioner 15 Mollineaux? 16 COMMISSIONER MOLLINEAUX: Yes. 17 MS. FAUNTLEROY: Vice Chair Cooper? 18 VICE CHAIR COOPER: Yes. 19 MS. FAUNTLEROY: And Chairman Plousis? 20 CHAIR PLOUSIS: Yes. 21 MS. FAUNTLEROY: Thank you. 22 Item No. 4 are approvals through 23 Delegation of Authority between August 1, 2023, 24 and August 31, 2023, pursuant to Resolution No. 25 22-01-12-11B.</p>	<p style="text-align: right;">17</p> <p>1 ITEM NO. 4 2 supervisor and an assistant casino shift 3 manager position at Caesars Atlantic City. And 4 to Sonia M. Paz-Alvarado for a count room lead 5 position at Borgata. 6 On August 9th, 2023, a temporary casino 7 key employee license was granted to Geno J. 8 Cantell for a sportsbook supervisor position at 9 Caesars Atlantic City. 10 On August 10th, 2023, the temporary 11 casino key employee license was granted to 12 Jarred M. Mills for a count room lead position 13 at Harrah's Atlantic City. 14 On August 15th, 2023, a temporary casino 15 key employee license was granted to Alfredo A. 16 Filice, Jr., for a security director position 17 at Bally's Atlantic City. 18 On August 17th, 2023, temporary casino 19 key employee licenses were granted to Ross D. 20 Barth for an IT manager position at Bally's 21 Atlantic City, and to Shah M. Shehab-Zaman for 22 a sportsbook supervisor position at Hard Rock 23 Atlantic City. 24 On August 21st, 2023, temporary casino 25 key employee licenses were granted to Sanjib</p>

18	<p>1 ITEM NO. 4</p> <p>2 Karki for a dual-rate surveillance operator</p> <p>3 position, and to Sayvon D. Rolls for a casino</p> <p>4 cage supervisor position, both at Hard Rock</p> <p>5 Atlantic City.</p> <p>6 On August 22nd, 2023, a temporary casino</p> <p>7 key employee license was granted to Kenneth J.</p> <p>8 Cheung for a poker operations administrator</p> <p>9 position at Borgata.</p> <p>10 On August 23rd, 2023, a temporary casino</p> <p>11 key employee license was granted to Karri D.</p> <p>12 Cooper for a dual-rate slot services supervisor</p> <p>13 and shift manager position at Tropicana</p> <p>14 Atlantic City.</p> <p>15 And on August 30th, 2023, the temporary</p> <p>16 casino key employee license was granted to</p> <p>17 Ashley B. Gibson for a dual-rate surveillance</p> <p>18 officer and shift manager position at Golden</p> <p>19 Nugget Atlantic City.</p> <p>20 This memorializes the noted approvals</p> <p>21 that were granted by the Commission's Division</p> <p>22 of Regulatory Affairs via its delegated</p> <p>23 authority during this period, and no further</p> <p>24 Commission action is required.</p> <p>25 Thank you.</p>	20	<p>1 ITEM NO. 6</p> <p>2 COMMISSIONER MOLLINEAUX: No.</p> <p>3 CHAIR PLOUSIS: Hearing none, is there a</p> <p>4 motion?</p> <p>5 VICE CHAIR COOPER: Mr. Chairman, I move</p> <p>6 to grant the requested relieve and order that</p> <p>7 the four casino key employee licenses be</p> <p>8 inactivated.</p> <p>9 CHAIR PLOUSIS: Is there a second?</p> <p>10 COMMISSIONER MOLLINEAUX: Mr. Chairman,</p> <p>11 I second the motion.</p> <p>12 CHAIR PLOUSIS: Any further discussion?</p> <p>13 COMMISSIONER MOLLINEAUX: No.</p> <p>14 CHAIR PLOUSIS: Hearing none, all in</p> <p>15 favor, say aye?</p> <p>16 (Ayes.)</p> <p>17 CHAIR PLOUSIS: Opposed?</p> <p>18 (No response.)</p> <p>19 CHAIR PLOUSIS: Ayes have it.</p> <p>20 MR. EALER: Thank you.</p> <p>21 MS. FAUNTLEROY: Item No. 6 is</p> <p>22 consideration of the lapsing of casino key</p> <p>23 employee licenses.</p> <p>24 Again, Patrick Ealer, Manager, will</p> <p>25 address those matters with you.</p>
19	<p>1 ITEM NO. 5</p> <p>2 MS. FAUNTLEROY: Thank you.</p> <p>3 Item No. 5 is request for inactivation</p> <p>4 of casino key employee licenses.</p> <p>5 Again, Patrick Ealer will review those</p> <p>6 matters with you.</p> <p>7 MR. EALER: Thank you.</p> <p>8 MS. FAUNTLEROY: Uh-hum.</p> <p>9 MR. EALER: In lieu of filing a casino</p> <p>10 key employee license review application, the</p> <p>11 following four individuals have requested to be</p> <p>12 placed on the casino key employee license</p> <p>13 approved inactive list:</p> <p>14 Heather M. Allen, also known as Heather</p> <p>15 M. Bennett, Dawn D. Casale, Francis J. Pollock</p> <p>16 III, and Walter P. Simon.</p> <p>17 If the requests are granted, each</p> <p>18 individual may remain on the approved inactive</p> <p>19 list for a period of up to five years.</p> <p>20 Commission staff has reviewed these</p> <p>21 requests and recommends that you granted</p> <p>22 requested relief.</p> <p>23 CHAIR PLOUSIS: Are there any questions</p> <p>24 on any of these matters?</p> <p>25 VICE CHAIR COOPER: No.</p>	21	<p>1 ITEM NO. 6</p> <p>2 MR. EALER: At this time the following</p> <p>3 five individuals are up for your consideration</p> <p>4 to lapse their casino key employee license:</p> <p>5 Joshua A. Coleman, Elizabeth A.</p> <p>6 D'Andrea, also known as Elizabeth A. Bennett,</p> <p>7 William L. Gormley, Mark H. Scheiner, and Jean</p> <p>8 M. Schneider.</p> <p>9 In each of these cases the casino key</p> <p>10 employee license review application filing</p> <p>11 deadline has passed and the individual has not</p> <p>12 filed a casino key employee license review</p> <p>13 application nor requested to be placed on the</p> <p>14 casino key employee license approved inactive</p> <p>15 list.</p> <p>16 Based on these facts, staff recommends</p> <p>17 that the casino key employee licenses of each</p> <p>18 of the individuals be deemed to have lapsed.</p> <p>19 CHAIR PLOUSIS: Are there any questions</p> <p>20 on any of these matters?</p> <p>21 COMMISSIONER MOLLINEAUX: No.</p> <p>22 VICE CHAIR COOPER: No.</p> <p>23 CHAIR PLOUSIS: Hearing none, is there a</p> <p>24 motion?</p> <p>25 VICE CHAIR COOPER: Mr. Chairman, I move</p>

22	<p>1 ITEM NO. 7</p> <p>2 to find that the five casino key employee</p> <p>3 licenses lapsed pursuant to NJAC 19:41A-6.1(f)</p> <p>4 of the regulations.</p> <p>5 CHAIR PLOUSIS: Is there a second?</p> <p>6 COMMISSIONER MOLLINEAUX: Mr. Chairman,</p> <p>7 I second the motion.</p> <p>8 CHAIR PLOUSIS: Any further discussion?</p> <p>9 COMMISSIONER MOLLINEAUX: No.</p> <p>10 CHAIR PLOUSIS: Hearing none, all in</p> <p>11 favor, say aye?</p> <p>12 (Ayes.)</p> <p>13 CHAIR PLOUSIS: Opposed?</p> <p>14 (No response.)</p> <p>15 CHAIR PLOUSIS: Ayes have it.</p> <p>16 MR. EALER: Thank you.</p> <p>17 MS. FAUNTLEROY: Item No. 7 is</p> <p>18 consideration of the initial application of</p> <p>19 Tiana Harrington for a casino key employee</p> <p>20 license, Docket No. 23-0044-CK.</p> <p>21 Senior Counsel Teresa Pimpinelli will</p> <p>22 review that matter with you.</p> <p>23 MS. PIMPINELLI: Good morning, Chairman</p> <p>24 and Commissioners. Teresa Pimpinelli, Senior</p> <p>25 Counsel, appearing for the Commission.</p>	24	<p>1 ITEM NO. 7</p> <p>2 CHAIR PLOUSIS: Correct?</p> <p>3 Are there any questions for counsel?</p> <p>4 COMMISSIONER MOLLINEAUX: No.</p> <p>5 VICE CHAIR COOPER: No.</p> <p>6 CHAIR PLOUSIS: Hearing none, is there a</p> <p>7 motion?</p> <p>8 VICE CHAIR COOPER: Mr. Chairman, I move</p> <p>9 to approve the stipulation of settlement</p> <p>10 between the Division and applicant and grant</p> <p>11 the initial application of Tiana Harrington for</p> <p>12 a casino key employee license subject to</p> <p>13 compliance with the terms and conditions as</p> <p>14 provided for in the stipulation.</p> <p>15 CHAIR PLOUSIS: Is there a second?</p> <p>16 COMMISSIONER MOLLINEAUX: Mr. Chairman,</p> <p>17 I second the motion.</p> <p>18 CHAIR PLOUSIS: Any further discussion?</p> <p>19 COMMISSIONER MOLLINEAUX: No.</p> <p>20 CHAIR PLOUSIS: Hearing none, all in</p> <p>21 favor, say aye?</p> <p>22 (Ayes.)</p> <p>23 CHAIR PLOUSIS: Opposed?</p> <p>24 (No response.)</p> <p>25 CHAIR PLOUSIS: Ayes have it.</p>
23	<p>1 ITEM NO. 7</p> <p>2 Before you is a stipulation of</p> <p>3 settlement for the initial application of Tiana</p> <p>4 Harrington for her casino key employee license.</p> <p>5 If approved, her license will be valid</p> <p>6 through September of 2028.</p> <p>7 You have staff's memo and recommendation</p> <p>8 for this matter.</p> <p>9 Miss Harrington was notified of today's</p> <p>10 proceedings and expressed an interest in being</p> <p>11 on the Zoom, but I do not see her.</p> <p>12 So I just ask counsel for the Division</p> <p>13 to enter their appearance and proceed.</p> <p>14 MS. FIETKIEWICZ: Good morning, Mr.</p> <p>15 Chairman and Commissioners. Jocelyn</p> <p>16 Fietkiewicz, Deputy Attorney General, on behalf</p> <p>17 of Division of Gaming Enforcement.</p> <p>18 The Division has nothing further on this</p> <p>19 matter and respectfully request that the</p> <p>20 stipulation be approved as submitted.</p> <p>21 Thank you.</p> <p>22 CHAIR PLOUSIS: Again for the record,</p> <p>23 the Applicant is not here in person or</p> <p>24 telephonically?</p> <p>25 MS. PIMPINELLI: Correct.</p>	25	<p>1 ITEM NO. 8</p> <p>2 MS. FAUNTLEROY: Item No. 8 is the</p> <p>3 consideration of the initial application of</p> <p>4 Eduardo Alvarado-Flores for a casino key</p> <p>5 employee license, Docket No. 23-0042-CK.</p> <p>6 Again, Senior Counsel Teresa Pimpinelli</p> <p>7 will review that matter with you.</p> <p>8 MS. PIMPINELLI: Again, Chairman and</p> <p>9 Commissioners, Teresa Pimpinelli, Senior</p> <p>10 Counsel, appearing for the Commission.</p> <p>11 Before you is a stipulation of</p> <p>12 settlement for the initial application of</p> <p>13 Eduardo Alvarado-Flores for his casino key</p> <p>14 employee license. If approved, his license</p> <p>15 will be valid through September of 2028.</p> <p>16 You have staff's memo and recommendation</p> <p>17 for this matter.</p> <p>18 Mr. Alvarado-Flores is present for you.</p> <p>19 And I would just ask counsel for the</p> <p>20 Division to enter their appearance and proceed.</p> <p>21 MS. FIETKIEWICZ: Chairman and</p> <p>22 Commissioners, Jocelyn Fietkiewicz, Deputy</p> <p>23 Attorney General, on behalf of Division of</p> <p>24 Gaming Enforcement.</p> <p>25 The Division has nothing further on this</p>

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1 ITEM NO. 8
 2 matter and respectfully request that the
 3 stipulation be approved as submitted.
 4 Additionally, if the Applicant wishes to
 5 speak, we just request that they be sworn in
 6 prior to that.
 7 Thank you.
 8 CHAIR PLOUSIS: Sir, did you want to
 9 make any comments?
 10 MR. ALVARADO-FLORES: First I want to
 11 say good morning. My name is --
 12 MS. FAUNTLEROY: He's going to swear you
 13 in.
 14 MR. ALVARADO-FLORES: Sorry.
 15 - - -
 16 EDUARDO ALVARADO-FLORES, having
 17 been first duly sworn remotely, testified as follows:
 18 - - -
 19 MR. NANCE: State your name for the
 20 record.
 21 MR. ALVARADO-FLORES: Eduardo
 22 Alvarado-Flores.
 23 MR. NANCE: Thank you. You may be
 24 seated.
 25 MR. ALVARADO-FLORES: Okay. I just want

27

1 ITEM NO. 8
 2 to say good morning, and thanks for the
 3 opportunity to be here.
 4 And that I will comply with everybody
 5 you guys want need me to do. And that's it.
 6 CHAIR PLOUSIS: Thank you.
 7 COMMISSIONER MOLLINEAUX: Thank you.
 8 MS. FAUNTLEROY: Thank you.
 9 CHAIR PLOUSIS: Are there any questions
 10 for the counsel or Applicant?
 11 MR. ALVARADO-FLORES: No.
 12 CHAIR PLOUSIS: Thank you.
 13 Is there a motion?
 14 VICE CHAIR COOPER: Mr. Chairman, I move
 15 to approve the stipulation of settlement
 16 between the Division and Applicant and grant
 17 the initial application of Eduardo
 18 Alvarado-Flores for a casino key employee
 19 license subject to compliance with the terms
 20 and conditions as provided for in the
 21 stipulation.
 22 CHAIR PLOUSIS: Is there is second?
 23 COMMISSIONER MOLLINEAUX: Mr. Chairman,
 24 I second the motion.
 25 CHAIR PLOUSIS: Any further discussion?

28

1 ITEM NO. 9
 2 COMMISSIONER MOLLINEAUX: Mr. Flores,
 3 thank you for coming.
 4 MR. ALVARADO-FLORES: Oh, you're
 5 welcome.
 6 COMMISSIONER MOLLINEAUX: Seems like
 7 you're a little nervous, but it's okay.
 8 MR. ALVARADO-FLORES: Thank you.
 9 CHAIR PLOUSIS: Hearing none, all in
 10 favor, say aye?
 11 (Ayes.)
 12 CHAIR PLOUSIS: Opposed?
 13 (No response.)
 14 CHAIR PLOUSIS: Ayes have it.
 15 Congratulations, sir.
 16 MR. ALVARADO-FLORES: Thank you. Thank
 17 you.
 18 MS. FAUNTLEROY: Item No. 9 is
 19 consideration of the initial application of
 20 Lateetah Prescott for a casino key employee
 21 license, Docket No. 23-0046-CK.
 22 Again we have Senior Counsel Teresa
 23 Pimpinelli who will address that matter with
 24 you.
 25 MS. PIMPINELLI: Chairman and

29

1 ITEM NO. 9
 2 Commissioners, Teresa Pimpinelli, Senior
 3 Counsel, appearing for the Commission.
 4 Before you is a stipulation of
 5 settlement for the initial application of
 6 Lateetah Prescott for her casino key employee
 7 license. Again, if approved today, her license
 8 will be valid through September of 2028.
 9 You have staff's memo and recommendation
 10 for this matter.
 11 Miss Prescott was notified of today's
 12 meeting.
 13 I would just ask counsel for the
 14 Division to enter their appearance and proceed.
 15 MS. FIETKIEWICZ: Chairman and
 16 Commissioners, Jocelyn Fietkiewicz, Deputy
 17 Attorney General, on behalf of Division of
 18 Gaming Enforcement.
 19 The Division has nothing further on this
 20 matter and respectfully request the stipulation
 21 be approved as submitted.
 22 Thank you.
 23 CHAIR PLOUSIS: Again for the record,
 24 the Applicant is not here in person or
 25 telephonically?

30	<p>1 ITEM NO. 9</p> <p>2 MS. PIMPINELLI: Correct.</p> <p>3 CHAIR PLOUSIS: Are there any questions</p> <p>4 for counsel?</p> <p>5 VICE CHAIR COOPER: No.</p> <p>6 COMMISSIONER MOLLINEAUX: No.</p> <p>7 CHAIR PLOUSIS: Hearing none, is there a</p> <p>8 motion?</p> <p>9 VICE CHAIR COOPER: Mr. Chairman, I move</p> <p>10 to approve the stipulation of settlement</p> <p>11 between the Division and Applicant and grant</p> <p>12 the initial application of Lateetah Prescott</p> <p>13 for a casino key employee license subject to</p> <p>14 compliance with the terms and conditions as</p> <p>15 provided for in the stipulation.</p> <p>16 CHAIR PLOUSIS: Is there a second?</p> <p>17 COMMISSIONER MOLLINEAUX: Mr. Chairman,</p> <p>18 I second the motion.</p> <p>19 CHAIR PLOUSIS: Any further discussion?</p> <p>20 COMMISSIONER MOLLINEAUX: No.</p> <p>21 VICE CHAIR COOPER: No.</p> <p>22 CHAIR PLOUSIS: Hearing none, all in</p> <p>23 favor, say aye?</p> <p>24 (Ayes.)</p> <p>25 CHAIR PLOUSIS: Opposed?</p>	32	<p>1 ITEM NO. 10</p> <p>2 Attorney General, on behalf of Division of</p> <p>3 Gaming Enforcement.</p> <p>4 As of now, the criminal matter -- it</p> <p>5 remains pending. Therefore, the charges of the</p> <p>6 invasion of privacy, which are disqualifying,</p> <p>7 remain pending in the system.</p> <p>8 Additionally, the warrant relating to</p> <p>9 Michael Brown's pending charge of attendance</p> <p>10 required by required by children ages 6 to 16</p> <p>11 has been recalled, and that has a pending court</p> <p>12 date of October 20th, 2023. The Division will</p> <p>13 monitor that matter to make sure that it is</p> <p>14 resolved.</p> <p>15 Thank you.</p> <p>16 And we just request that if Michael</p> <p>17 Brown speaks today that he be sworn in prior to</p> <p>18 doing so.</p> <p>19 CHAIR PLOUSIS: Thank you.</p> <p>20 Mr. Brown is on the line?</p> <p>21 MS. PIMPINELLI: Yes, he is.</p> <p>22 CHAIR PLOUSIS: Mr. Brown, did you want</p> <p>23 to make a statement?</p> <p>24 MR. BROWN: Yes. The only statement I</p> <p>25 would like to make is --</p>
31	<p>1 ITEM NO. 10</p> <p>2 (No response.)</p> <p>3 CHAIR PLOUSIS: Ayes have it.</p> <p>4 MS. FAUNTLEROY: Item No. 10 is the</p> <p>5 application for suspension in State of New</p> <p>6 Jersey versus Michael Brown, Docket No.</p> <p>7 23-0051-RC.</p> <p>8 This matter was adjourned for today from</p> <p>9 the August 9, 2023, public meeting.</p> <p>10 Senior Counsel Teresa Pimpinelli will</p> <p>11 review that matter with you.</p> <p>12 MS. PIMPINELLI: Chairman and</p> <p>13 Commissioners, Teresa Pimpinelli, Senior</p> <p>14 Counsel, appearing again for the Commission.</p> <p>15 For your consideration is the request of</p> <p>16 the Division of Gaming Enforcement to suspend</p> <p>17 the casino key employee license of Michael</p> <p>18 Brown.</p> <p>19 You have staff's memo and recommendation</p> <p>20 for this matter.</p> <p>21 Mr. Brown is available by Zoom.</p> <p>22 And I would just ask counsel for the</p> <p>23 Division to enter their appearance and proceed.</p> <p>24 MS. FIETKIEWICZ: Chairman and</p> <p>25 Commissioners, Jocelyn Fietkiewicz, Deputy</p>	33	<p>1 ITEM NO. 10</p> <p>2 MR. NANCE: Mr. Brown --</p> <p>3 CHAIR PLOUSIS: Mr. Brown --</p> <p>4 MR. NANCE: You have to be sworn in.</p> <p>5 MS. PIMPINELLI: That's okay.</p> <p>6 - - -</p> <p>7 M I C H A E L B R O W N , having been first duly</p> <p>8 sworn remotely, testified as follows:</p> <p>9 - - -</p> <p>10 MR. NANCE: Please state your name for</p> <p>11 the record.</p> <p>12 MR. BROWN: Michael Brown.</p> <p>13 MR. NANCE: Thank you.</p> <p>14 MR. BROWN: Thank you.</p> <p>15 CHAIR PLOUSIS: Proceed, Mr. Brown.</p> <p>16 MR. BROWN: Yes. I would just like to</p> <p>17 make it known that I'm working on these</p> <p>18 matters, and I was informed that the one matter</p> <p>19 will be dismissed soon. They said it take four</p> <p>20 to five days.</p> <p>21 And the attendance matter will be</p> <p>22 resolved once I go to court on October the</p> <p>23 20th. I'm optimistic about both cases. And if</p> <p>24 I'm allowed the time to, you know, prove that</p> <p>25 these cases have been resolved, I would</p>

34

1 ITEM NO. 10
 2 appreciate it.
 3 CHAIR PLOUSIS: Mr. Brown, for the
 4 record, what kind of time are you talking
 5 about? When is your next court matter?
 6 THE WITNESS: My next court matter, I
 7 was told October the 4th.
 8 CHAIR PLOUSIS: Thank you, sir.
 9 Any other questions for Mr. Brown?
 10 VICE CHAIR COOPER: No.
 11 COMMISSIONER MOLLINEAUX: No.
 12 CHAIR PLOUSIS: So, Mr. Brown, you're
 13 confidant then on October 4th you'll have that
 14 one matter resolved, and you have a court date
 15 of October 20th for the other pending matter.
 16 MR. BROWN: Yes, sir.
 17 CHAIR PLOUSIS: Thank you. All right.
 18 There were no other questions for
 19 counsel or Mr. Brown?
 20 Is there a motion?
 21 VICE CHAIR COOPER: Mr. Chairman, I move
 22 to delegate to you, the Chairman, the authority
 23 to decide this matter and further order the
 24 Respondent to provide you, the Chairman, with
 25 proof of the resolution of the underlying

35

1 ITEM NO. 10
 2 criminal matter by October 5th, 2023, and the
 3 Division to file any response to such proof of
 4 resolution by October 10th, 2023, at which time
 5 the Chairman, you, may issue a determine -- a
 6 determination on this matter.
 7 CHAIR PLOUSIS: Thank you.
 8 Is there a second?
 9 COMMISSIONER MOLLINEAUX: Mr. Chairman,
 10 I second the motion.
 11 CHAIR PLOUSIS: Any further discussion?
 12 COMMISSIONER MOLLINEAUX: No.
 13 VICE CHAIR COOPER: No.
 14 CHAIR PLOUSIS: Hearing none, all in
 15 favor, say aye?
 16 (Ayes.)
 17 CHAIR PLOUSIS: Opposed?
 18 (No response.)
 19 CHAIR PLOUSIS: Ayes have it.
 20 Mr. Brown, did you hear the stipulation
 21 that you have to get that one matter resolved
 22 by October 5th?
 23 MR. BROWN: Yes, sir. I did hear that.
 24 CHAIR PLOUSIS: Okay. And after that
 25 date you'll make sure the appropriate

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1 ITEM NO. 11
 2 documentation comes to the Commission as well?
 3 MR. BROWN: I certainly will.
 4 CHAIR PLOUSIS: Thank you, sir.
 5 MR. BROWN: Thank you.
 6 MS. FAUNTLEROY: Item No. 11 is the
 7 Joint Petition of Premier Entertainment AC,
 8 LLC, and Bally's Corporation, requesting an
 9 extension of time for Kim Barker Lee to assume
 10 the duties and exercise the powers of Executive
 11 Vice President, Chief Legal Officer pending
 12 plenary qualification, Petition 3482203.
 13 You may recall that this matter was
 14 originally initiated by petition which you
 15 considered at your January 11, 2023, meeting
 16 considering and granting Kim Barker Lee
 17 temporary qualification to serve as Executive
 18 Vice President and Chief Legal Officer. You
 19 granted that temporary qualification. It's
 20 reflected in Resolution 23-011117.
 21 That temporary qualification is set to
 22 expire on October 11. The current pending
 23 petition seeks to extend that pursuant to
 24 statutory relief for up to a three-month period
 25 of time.

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1 ITEM NO. 11
 2 You do have counsel for the Petitioner
 3 present, Lynne Kaufman, and counsel for the
 4 Division.
 5 And with your permission, Mr. Chairman,
 6 I would defer to them to address the Commission
 7 directly.
 8 MS. KAUFMAN: Good morning, Chair,
 9 Commissioners. Lynne Kaufman, Cooper Levenson,
 10 on behalf of Bally's Corporation.
 11 As stated, and in view of the
 12 rescheduling of the Commission's October
 13 meeting from October 11 to October 25th, per
 14 the petition, we believe that we have
 15 established good cause to extend the temporary
 16 qualification of Kim Barker Lee who is Chief
 17 Legal Officer and Executive Vice President of
 18 Bally's Corporation for an additional three
 19 months pending plenary qualification. And we
 20 ask that -- respectfully request the Commission
 21 to approve the relief requested.
 22 We have reviewed -- I have reviewed the
 23 draft resolution and have no objections.
 24 Thank you.
 25 CHAIR PLOUSIS: Thank you.

38	<p>1 ITEM NO. 11</p> <p>2 MR. LEE: Good morning, Chairman and</p> <p>3 Commissioners. James Lee, Deputy Attorney</p> <p>4 General, on behalf of the Division of Gaming</p> <p>5 Enforcement.</p> <p>6 You have the Division's response of no</p> <p>7 objection dated August 29, to the petition</p> <p>8 requesting a three-month extension for the</p> <p>9 temporary qualification of Kim Barker Lee,</p> <p>10 Executive Vice President and Chief Legal</p> <p>11 Officer, Bally's Corporation.</p> <p>12 In addition, the Division has reviewed</p> <p>13 the draft resolution and has no objections.</p> <p>14 Thank you.</p> <p>15 CHAIR PLOUSIS: Are there any questions</p> <p>16 for counsel?</p> <p>17 COMMISSIONER MOLLINEAUX: No.</p> <p>18 VICE CHAIR COOPER: No.</p> <p>19 CHAIR PLOUSIS: Hearing none, is there a</p> <p>20 motion?</p> <p>21 VICE CHAIR COOPER: Mr. Chairman, I move</p> <p>22 to adopt the draft resolution, find good cause</p> <p>23 and grant the requested relief and: A, extend</p> <p>24 Kim Barker Lee's temporary qualification for</p> <p>25 three months effective October 11th, 2023; and,</p>	40	<p>1 ITEM NO. 12</p> <p>2 This matter was initiated by Petition</p> <p>3 PRN 2092304 filed by the Division of Gaming</p> <p>4 Enforcement. It's dated July 10, 2023.</p> <p>5 The matter was initially listed for</p> <p>6 consideration at the Commission August 9, 2023,</p> <p>7 public meeting, adjourned to today's meeting.</p> <p>8 In the interim, an amended petition was filed</p> <p>9 by the Division of Gaming Enforcement dated</p> <p>10 August 23, 2023. The matter is now ready for</p> <p>11 your consideration.</p> <p>12 We have counsel for the Division, Chuck</p> <p>13 Kimmel here. And with your permission, Mr.</p> <p>14 Chairman, I would ask that he enter his</p> <p>15 appearance for the record.</p> <p>16 CHAIR PLOUSIS: All right.</p> <p>17 MR. KIMMEL: Good morning, Mr. Chairman,</p> <p>18 members of the Commission. Charles Kimmel on</p> <p>19 behalf of the Division of Gaming Enforcement.</p> <p>20 As noted, the Division of Gaming</p> <p>21 Enforcement initially filed a petition and then</p> <p>22 an amended petition on August 23rd seeking to</p> <p>23 confirm our emergency order of July 7th,</p> <p>24 permanently ending redemptions for chips of the</p> <p>25 former Playboy Hotel Casino.</p>
39	<p>1 ITEM NO. 12</p> <p>2 B, authorize Miss Lee to continue to perform</p> <p>3 the duties and exercise the powers as Executive</p> <p>4 Vice President, Chief Legal Officer for Bally's</p> <p>5 Corporation pending qualification and licensure</p> <p>6 subject to the conditions in NJAC 13:69C-2.7.</p> <p>7 CHAIR PLOUSIS: Is there a second?</p> <p>8 COMMISSIONER MOLLINEAUX: Mr. Chairman,</p> <p>9 I second the motion.</p> <p>10 CHAIR PLOUSIS: Any further discussion?</p> <p>11 COMMISSIONER MOLLINEAUX: No.</p> <p>12 CHAIR PLOUSIS: Hearing none, roll call</p> <p>13 vote?</p> <p>14 MS. FAUNTLEROY: Commissioner</p> <p>15 Mollineaux?</p> <p>16 COMMISSIONER MOLLINEAUX: Yes.</p> <p>17 MS. FAUNTLEROY: Vice Chair Cooper?</p> <p>18 VICE CHAIR COOPER: Yes.</p> <p>19 MS. FAUNTLEROY: And Chairman Plousis?</p> <p>20 CHAIR PLOUSIS: Yes.</p> <p>21 MS. KAUFMAN: Thank you.</p> <p>22 MS. FAUNTLEROY: The next matter for</p> <p>23 your consideration is the matter of the funds</p> <p>24 held by the Department of Treasury for</p> <p>25 redemption of Playboy chips, PRN 1912306.</p>	41	<p>1 ITEM NO. 12</p> <p>2 To give a little history --</p> <p>3 MS. FAUNTLEROY: Mr. Kimmel, before you</p> <p>4 get started, just for the record if -- by</p> <p>5 virtue of the request of the Petition to amend</p> <p>6 prior Commission orders, we would ask that</p> <p>7 certain exhibits be marked to coincide with</p> <p>8 your arguments regarding revisiting certain</p> <p>9 orders.</p> <p>10 MR. KIMMEL: I have reviewed those</p> <p>11 exhibits, and I have no objection to their</p> <p>12 admission.</p> <p>13 MS. FAUNTLEROY: Okay. So Mr. Nance?</p> <p>14 With your permission, Mr. Chairman, Mr.</p> <p>15 Nance will identify those exhibits for the</p> <p>16 Commission.</p> <p>17 MR. NANCE: Chair, the premarked</p> <p>18 exhibits are as follows:</p> <p>19 The Casino Control Commission has five</p> <p>20 exhibits premarked as C1 to C5.</p> <p>21 C-1 is the Casino Control Order No</p> <p>22 89-22-34; Petition of Elsinore Shore Associates</p> <p>23 seeking release of funds held in certain</p> <p>24 dedicated accounts.</p> <p>25 C-2 is a Casino Control Commission Order</p>

42	<p>1 ITEM NO. 12</p> <p>2 89-23-23A in the matter of conservatorship of</p> <p>3 Elsinore Shore Associates.</p> <p>4 C-3 is a Casino Control Commission Order</p> <p>5 No. 89-43-29; amended Petition of Elsinore</p> <p>6 Shore Associates seeking the release of certain</p> <p>7 restricted accounts held for redemption of</p> <p>8 gaming chips and seeking a declaratory -- a</p> <p>9 declaration that funds set aside for</p> <p>10 progressive slot machine jackpot liability be</p> <p>11 treated as "casino winnings" belonging to</p> <p>12 Petitioners.</p> <p>13 C-4 is the Casino Control Commission</p> <p>14 Order No. 89-50-35; Conservator's Petition for</p> <p>15 a declaratory ruling that the Casino Control</p> <p>16 Fund can be used to pay the fees and expenses</p> <p>17 of the conservator and his counsel and for</p> <p>18 other relief.</p> <p>19 And C-5, which is a Casino Control</p> <p>20 Commission Resolution No. 90-4-25 delegating</p> <p>21 the State of New Jersey Cash Management Fund as</p> <p>22 a legal depository.</p> <p>23 These are the exhibits.</p> <p>24 CHAIR PLOUSIS: Okay.</p> <p>25 MR. KIMMEL: Again, I think a little bit</p>	44	<p>1 ITEM NO. 12</p> <p>2 outstanding chips were for people who actually</p> <p>3 received them as representation of gambling</p> <p>4 debt.</p> <p>5 Now, what happened was that company</p> <p>6 contracted to destroy those chips failed to do</p> <p>7 so. They were instead buried in a roadside and</p> <p>8 at some point after that dug up and able to be</p> <p>9 accessed by certain members of the public.</p> <p>10 The fund itself was meant only for</p> <p>11 redemption of people who obtained the chips</p> <p>12 from the Playboy. It was not meant as</p> <p>13 something for a hedge on speculation or for</p> <p>14 people to be able to redeem on a secondary</p> <p>15 market. In fact, the Commission had a</p> <p>16 regulation and the Division has adopted that in</p> <p>17 its own regulation that chips that are obtained</p> <p>18 from the gambling tables are strictly for the</p> <p>19 person who obtained them. They are not</p> <p>20 supposed to be cash equivalents. They are not</p> <p>21 supposed to be able to be redeemed on a</p> <p>22 secondary market or traded on a secondary</p> <p>23 market. They may have collector value, but</p> <p>24 they are not intended for redemption. The fund</p> <p>25 that was established for redemption nearly 40</p>
43	<p>1 ITEM NO. 12</p> <p>2 of a brief history probably is needed.</p> <p>3 The Playboy Casino was opened in 1981.</p> <p>4 It was rebranded when in 1984 to the Atlantis</p> <p>5 Casino Hotel. In 1989 the Commission denied</p> <p>6 the renewal of the Atlantis license and ordered</p> <p>7 the facility closed.</p> <p>8 Between 1984 and 1989, the people who</p> <p>9 had been given Playboy chips as representation</p> <p>10 of gambling debt were able to redeem those at</p> <p>11 the Atlantis in person at the very same</p> <p>12 building that they obtained them. So there</p> <p>13 wasn't much difficulty in being able for people</p> <p>14 to cash those in.</p> <p>15 In 1989 when the Atlantis closed, the</p> <p>16 Commission ordered that an amount of money be</p> <p>17 set aside for both Atlantis redemptions and</p> <p>18 Playboy redemptions. The Playboy redemption</p> <p>19 amount was approximately \$450,000. This amount</p> <p>20 represented the chips that were outstanding to</p> <p>21 gamblers at that time. It did not represent</p> <p>22 the inventory of the company.</p> <p>23 Those chips that were in the inventory</p> <p>24 of the company, of then the Atlantis, were</p> <p>25 ordered to be destroyed. So that the only</p>	45	<p>1 ITEM NO. 12</p> <p>2 years ago is meant only for gamblers of</p> <p>3 Playboy. It was not meant for redemption on</p> <p>4 the secondary market.</p> <p>5 What has happened recently is we have</p> <p>6 found that people -- at least one person -- has</p> <p>7 obtained chips on the secondary market and has</p> <p>8 attempted to redeem those. The funds that are</p> <p>9 currently held by Unclaimed Property</p> <p>10 Administrator denied that request for</p> <p>11 redemption. And because that brought it to</p> <p>12 everybody's attention, the Division filed its</p> <p>13 emergency order on July 7th saying that after</p> <p>14 almost 40 years, since those chips were only</p> <p>15 intended to be redeemed by the gamblers</p> <p>16 themselves, the time has now passed for</p> <p>17 redemption. People are obtaining them on the</p> <p>18 secondary market. That's not what the funds</p> <p>19 were for.</p> <p>20 So accordingly, the Division is asking</p> <p>21 that you make permanent our order that the fund</p> <p>22 no longer be available for redemption and that</p> <p>23 the matter finally be closed. The Playboy has</p> <p>24 been closed since 1984. Time to end the</p> <p>25 matter.</p>

46	<p>1 ITEM NO. 12</p> <p>2 So I'd be happy to answer any questions.</p> <p>3 I have reviewed the draft order and</p> <p>4 fully support it.</p> <p>5 CHAIR PLOUSIS: Thank you.</p> <p>6 Any questions?</p> <p>7 Yes. Go ahead Commissioner.</p> <p>8 VICE CHAIR COOPER: Yes. Thank you, Mr.</p> <p>9 Chairman. Thank you for being here.</p> <p>10 I do have a question. You're talking</p> <p>11 about -- in specific you're talking about</p> <p>12 Atlantis and Playboy. I am curious though.</p> <p>13 Over the years there have been other casinos</p> <p>14 that have closed. What has been the process or</p> <p>15 the procedure? Has it been the same? Is it</p> <p>16 different? Or would you elaborate on what the</p> <p>17 process has been regarding the, you know -- the</p> <p>18 unredeemed gaming chips and tokens? What has</p> <p>19 happened? Because as I said, there have been</p> <p>20 other casino that have closed.</p> <p>21 MR. KIMMEL: What happened is</p> <p>22 essentially we learned our lesson from the</p> <p>23 Playboy case. When other casinos closed, we</p> <p>24 established a period of time that they had to</p> <p>25 remain -- they had to establish a fund and</p>	48	<p>1 ITEM NO. 12</p> <p>2 clarification, this is just addressing the</p> <p>3 Playboy chips, not the Elsinore.</p> <p>4 MR. KIMMEL: That is correct.</p> <p>5 CHAIR PLOUSIS: And then at a later date</p> <p>6 are you thinking the Division is going to</p> <p>7 address that?</p> <p>8 MR. KIMMEL: If we have reason to</p> <p>9 believe that those chips are being improperly</p> <p>10 redeemed or presented for redemption, then we</p> <p>11 would come back before you. However, at this</p> <p>12 time it's only the Playboy chips that have been</p> <p>13 proven to be problematic, so that's the one</p> <p>14 we're acting on.</p> <p>15 CHAIR PLOUSIS: This company that didn't</p> <p>16 do it properly, were they involved with any</p> <p>17 other casinos that you are aware of that this</p> <p>18 chip destruction could pop back up?</p> <p>19 MR. KIMMEL: Not that I'm aware of. The</p> <p>20 company was the Green Duck Company. What</p> <p>21 happened there was that they were eventually</p> <p>22 acquired, and the acquiring company was itself</p> <p>23 acquired by a large conglomerate in England.</p> <p>24 That company chose to shut the Green Duck</p> <p>25 Company down. So that company no longer</p>
47	<p>1 ITEM NO. 12</p> <p>2 allow people to come in and redeem them in</p> <p>3 person for a certain amount of time. Generally</p> <p>4 six months to a year. So that when places like</p> <p>5 the Showboat closed or the Taj Mahal, you had a</p> <p>6 limited amount of time in order to redeem those</p> <p>7 chips, which didn't go on forever the way the</p> <p>8 Playboy one was.</p> <p>9 The Atlantis one also is open-ended.</p> <p>10 However, the Atlantis inventory chips were</p> <p>11 correctly destroyed; and, therefore, the only</p> <p>12 outstanding chips on Atlantis are not on the</p> <p>13 secondary market that we know of. Those are</p> <p>14 the ones that can actually be redeemed. If we</p> <p>15 can find that people, for example, are buying</p> <p>16 them on eBay or something like that, we can</p> <p>17 come back and appear before you again asking</p> <p>18 for you to deal with that. But at this time</p> <p>19 we're only aware of the Playboy chips being</p> <p>20 redeemed improperly. For the other casinos</p> <p>21 that have been closed, we established a finite</p> <p>22 period for them to be redeemed.</p> <p>23 VICE CHAIR COOPER: Okay. All right.</p> <p>24 Thank you so much.</p> <p>25 CHAIR PLOUSIS: And just for</p>	49	<p>1 ITEM NO. 12</p> <p>2 exists. It was a based in Mississippi. It was</p> <p>3 a casino service industry enterprise at the</p> <p>4 time, but it has been closed for quite a while.</p> <p>5 CHAIR PLOUSIS: Commissioner Mollineaux,</p> <p>6 any questions?</p> <p>7 COMMISSIONER MOLLINEAUX: No.</p> <p>8 CHAIR PLOUSIS: Commissioner Cooper?</p> <p>9 VICE CHAIR COOPER: I'm okay.</p> <p>10 CHAIR PLOUSIS: Thank you.</p> <p>11 I have some remarks.</p> <p>12 We are being asked to consider issues</p> <p>13 related to the former Playboy Casino Hotel, a</p> <p>14 casino property that operated in Atlantic City</p> <p>15 for a very short period in the 1980s.</p> <p>16 On April 14th, 1981, per the provisions</p> <p>17 the Casino Control Act at the time, the</p> <p>18 Commission granted the owners and the operators</p> <p>19 of Playboy a conditional one-year casino</p> <p>20 license.</p> <p>21 At the license review hearing on April</p> <p>22 of 1982 the Commission denied the application</p> <p>23 of Hugh Hefner, Chief Executive Officer of</p> <p>24 Playboy. However, the Commission granted its</p> <p>25 joint venture partner, a precursor to Elsinore</p>

50	<p>1 ITEM NO. 12</p> <p>2 Shore Associates, a plenary casino license on</p> <p>3 the condition that it divest the interests held</p> <p>4 by Playboy.</p> <p>5 Playboy ultimately sold its interests in</p> <p>6 the Playboy Casino to its partner in 1984. The</p> <p>7 casino hotel was renamed the Atlantis Hotel and</p> <p>8 Casino. The Commission did, however, require</p> <p>9 Atlantis to continue to redeem on site any</p> <p>10 outstanding Playboy gaming chips and slot</p> <p>11 machine tokens.</p> <p>12 Struggling financially, in April of</p> <p>13 1989, the Commission denied the renewal of the</p> <p>14 Elsinore's casino license and appointed a</p> <p>15 conservator to take title to all the Elsinore's</p> <p>16 assets and to supervise the Elsinore's</p> <p>17 continued operation of the Atlantis as a casino</p> <p>18 hotel pending further orders of the Commission.</p> <p>19 Shortly thereafter, on May 18, 1989, the</p> <p>20 Commission ordered the closing of the Atlantis</p> <p>21 as of 4 a.m. on May 22nd, 1989.</p> <p>22 On June 1st, 1989, the Commission</p> <p>23 entered an order requiring Elsinore to</p> <p>24 segregate a fund in the amount of \$875,000 and</p> <p>25 use that fund to redeem outstanding gaming</p>	52	<p>1 ITEM NO. 12</p> <p>2 30th, 1989, and sought the release for its</p> <p>3 general use of all sums held for redemption.</p> <p>4 The Division opposed Elsinore's Petition</p> <p>5 and sought to have the funds dedicated for</p> <p>6 gaming chip and slot token redemption deemed</p> <p>7 unclaimed property subject to custodial</p> <p>8 possession to the State pursuant to the Uniform</p> <p>9 Unclaimed Property Act.</p> <p>10 On November 15th, 1989, the Commission</p> <p>11 determined that -- determined that it lacked</p> <p>12 jurisdiction to determine the State issue and</p> <p>13 ordered Elsinore to continue to redeem Playboy</p> <p>14 and Atlantis chips and tokens. The Commission</p> <p>15 also directed the conservator to continue to</p> <p>16 hold and control all dedicated accounts.</p> <p>17 On December 29th, 1989, the Commission</p> <p>18 discontinued the conservatorship. This</p> <p>19 discharged the conservator and required the</p> <p>20 conservator to transfer the funds in dedicated</p> <p>21 accounts to a Commission representative.</p> <p>22 By Commission Resolution dated January</p> <p>23 24, 1990, the Commission took possession of the</p> <p>24 funds remaining in the dedicated accounts and</p> <p>25 invested them in a State Cash Management Fund.</p>
51	<p>1 ITEM NO. 12</p> <p>2 chips and tokens for both Playboy and Atlantis.</p> <p>3 As presented by the Commission --</p> <p>4 presented to the Commission by counsel for</p> <p>5 Elsinore, that amount represented the combined</p> <p>6 outstanding liability on unredeemed Playboy and</p> <p>7 Atlantis gaming chips and token -- tokens</p> <p>8 previously issued to gaming patrons. Although</p> <p>9 there was a running account of how much was</p> <p>10 owed, there was no detailed inventory of each</p> <p>11 outstanding gaming chip and token, nor a record</p> <p>12 of to whom each was issued.</p> <p>13 On June 6, 1989, Elsinore filed a</p> <p>14 petition with the Commission seeking the</p> <p>15 withdrawal of the \$450,000 from the dedicated</p> <p>16 funds to use for its own purposes. Elsinore</p> <p>17 represented to the Commission that this amount</p> <p>18 was the value of the gaming chips and tokens</p> <p>19 issued by Playboy which remained unredeemed.</p> <p>20 A few days later on June 8th, 1989, the</p> <p>21 Commission ordered the conservator to take</p> <p>22 exclusive control and possession of the bank</p> <p>23 accounts held by Elsinore, including dedicated</p> <p>24 accounts.</p> <p>25 Elsinore amended its petition on August</p>	53	<p>1 ITEM NO. 12</p> <p>2 In July 1991 the Appellate Division of</p> <p>3 the New Jersey Superior Court determined in</p> <p>4 "State versus Elsinore Shore Associates" that</p> <p>5 gambling casino funds held by the Commission in</p> <p>6 the amount of unredeemed gaming chips and slot</p> <p>7 tokens were subject to the Uniform Unclaimed</p> <p>8 Property Act and payable into the protective</p> <p>9 custody of the State treasurer.</p> <p>10 Per the orderly shutdown plan, all</p> <p>11 unissued Playboy chips held by Elsinore were</p> <p>12 required to be destroyed. Unissued gaming</p> <p>13 chips are not redeemable.</p> <p>14 It was subsequently learned that the</p> <p>15 company contracted to destroy the unused gaming</p> <p>16 chips failed to do so and instead buried the</p> <p>17 chips on a property in Mississippi.</p> <p>18 In the mid-2008 a construction project</p> <p>19 unearthed unissued issued Playboy gaming chips.</p> <p>20 Those unearthed chips were then improperly</p> <p>21 bought by the public and placed in circulation.</p> <p>22 Such chips were never intended for redemption</p> <p>23 and do not represent a legitimate debt owed to</p> <p>24 casino patrons.</p> <p>25 Unlike the Playboy gaming chips upon the</p>

<p style="text-align: right;">54</p> <p>1 ITEM NO. 12 2 closure of Atlantis, its inventory of unissued 3 gaming chips and slot machine tokens were 4 properly destroyed in accordance with the 5 Commission's regulations in place at the time. 6 At the time of the renaming of Playboy, 7 as well as the closure of Atlantis, Commission 8 Regulations, specifically NJAC 19:46-1.5(c), 9 provided that: Except for limited 10 circumstances as otherwise approved by the 11 Commission, each casino license shall redeem 12 its gaming chips and plaques only from its 13 patrons and shall not knowingly redeem its 14 gaming chips and plaques from any nonpatron 15 source. 16 Current Division regulations NJAC 17 13:69E-1.6A(c) specifically -- specifies the 18 same limitation. 19 The Division's position that gaming 20 chips are personal to the patron as a 21 representation of debt to a specific patron and 22 are forbidden to be redeemed if they come from 23 a nonpatron source was the prevailing law at 24 the time and remains so to this day. 25 Playboy ceased operating as a casino</p>	<p style="text-align: right;">56</p> <p>1 ITEM NO. 12 2 policies expressed through the Casino Control 3 Act and implementing regulations. 4 The failure to properly destroy unissued 5 Playboy gaming chips in accordance with the 6 governing Commission regulations and the 7 subsequent unearthing and circulating among 8 nonpatrons could not have been foreseen by the 9 Commission when it retained a dedicated account 10 for redemptions of Playboy gaming chips and 11 slot machine tokens upon the shutdown of 12 Elsinore some five years after the closure of 13 Playboy. 14 The Division has made a compelling 15 argument. The circumstances surrounding the 16 Playboy chips and the tokens have so 17 substantially changed that I believe 18 prohibiting further redemption of Playboy 19 gaming chips and slot tokens is necessary to 20 protect and ensure the ongoing integrity of 21 casino gaming. Granting the relief requested 22 by the Division further preserves the public 23 policies established through the New Jersey 24 Casino Control Act as is implemented through 25 regulations.</p>
<p style="text-align: right;">55</p> <p>1 ITEM NO. 12 2 hotel in 1984. The Atlantis ceased operations 3 as a casino hotel by order of the Casino 4 Control Commission on May 22nd, 1989. The 5 Unclaimed Property Administrator began 6 administering the funds held for redemption of 7 Playboy gaming chips and slot machine tokens in 8 1991. 9 Sufficient time has passed for actual 10 Playboy patrons to have redeemed any gaming 11 chips and/or tokens owed by Playboy. 12 Recent attempts have been made to 13 present Playboy chips for payment from the 14 funds administered by the Unclaimed Property 15 Administrator where the chips were not lawfully 16 chips held by patrons of Playboy but, instead, 17 they were unissued chips that should have been 18 legally destroyed or chips obtained on the 19 secondary market. 20 The Director's Emergency Order of July 21 7th, 2023, immediately terminating further 22 redemptions of Playboy chips was issued to 23 prevent fraudulent and improper claims against 24 the funds administered by the Unclaimed 25 Property Administrator and preserve the public</p>	<p style="text-align: right;">57</p> <p>1 ITEM NO. 12 2 Accordingly, I move that: 3 One, find that pursuant to the authority 4 provided in NJSA 5:12-75 that the Commission 5 modify or vacate to the extent inconsistent 6 with prior orders and resolutions, including 7 Orders 89-22-34, 89-23-23A, 89-43-29, 89-50-35, 8 and Resolutions No. 90-4-25 and find that the 9 period for redemption of Playboy gaming chips 10 and slot machine tokens is now closed and that 11 further redemptions by the Unclaimed Property 12 Administrator shall cease; and find that the 13 remaining sum held by the Unclaimed Property 14 Administrator shall be relinquished and inure 15 to the benefit of the State; and that a copy of 16 the Commission's order be served on Unclaimed 17 Property Administrator within five days of its 18 entry. 19 I know that was a long motion, but I 20 thought it was critical that we give the entire 21 background from the Commission's standpoint on 22 this matter. 23 So with that being said, is there a 24 second to my motion? 25 VICE CHAIR COOPER: Mr. Chairman, I'll</p>

58	<p>1 ITEM NO. 12</p> <p>2 second that.</p> <p>3 CHAIR PLOUSIS: Any further discussion?</p> <p>4 No.</p> <p>5 COMMISSIONER MOLLINEAUX: No.</p> <p>6 VICE CHAIR COOPER: No.</p> <p>7 CHAIR PLOUSIS: Don't ask me to read it</p> <p>8 again.</p> <p>9 (Laughter.)</p> <p>10 CHAIR PLOUSIS: Roll call vote?</p> <p>11 MS. FAUNTLEROY: Commissioner</p> <p>12 Mollineaux?</p> <p>13 COMMISSIONER MOLLINEAUX: Yes.</p> <p>14 MS. FAUNTLEROY: Vice Chair Cooper?</p> <p>15 VICE CHAIR COOPER: Yes.</p> <p>16 MS. FAUNTLEROY: And Chairman Plousis?</p> <p>17 CHAIR PLOUSIS: Yes.</p> <p>18 MS. FAUNTLEROY: Thank you.</p> <p>19 CHAIR PLOUSIS: Thank you.</p> <p>20 MR. KIMMEL: Thank you very much.</p> <p>21 MS. FAUNTLEROY: In accordance with</p> <p>22 Resolution 22-12-07-03, the next closed session</p> <p>23 shall be held on Wednesday October 25, 2023, at</p> <p>24 9:30 a.m. in the Commission offices.</p> <p>25 CHAIR PLOUSIS: This is the public</p>	60	<p>1</p> <p>2 adjourned.</p> <p>3 (Public Meeting 23-09-13 was adjourned</p> <p>4 at 11:24 a.m.)</p> <p>5 - - -</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
59	<p>1</p> <p>2 participation portion of the meeting. Is there</p> <p>3 anyone from the public that wishes to speak?</p> <p>4 (No response.)</p> <p>5 MS. FAUNTLEROY: I have no indication</p> <p>6 that there are any on-line comments.</p> <p>7 CHAIR PLOUSIS: We have no e-mail</p> <p>8 comments as well.</p> <p>9 MS. FAUNTLEROY: No.</p> <p>10 CHAIR PLOUSIS: Hearing that, the public</p> <p>11 participation portion of the meeting is now</p> <p>12 closed.</p> <p>13 Can I have a motion to adjourn this</p> <p>14 meeting?</p> <p>15 VICE CHAIR COOPER: Mr. Chairman, I'll</p> <p>16 make the motion.</p> <p>17 CHAIR PLOUSIS: Is there a second?</p> <p>18 COMMISSIONER MOLLINEAUX: I second the</p> <p>19 motion, Mr. Chairman.</p> <p>20 CHAIR PLOUSIS: Any further discussion?</p> <p>21 (No response.)</p> <p>22 CHAIR PLOUSIS: Hearing none, all in</p> <p>23 favor, say aye?</p> <p>24 (Ayes.)</p> <p>25 CHAIR PLOUSIS: Meeting is now</p>	61	<p>1</p> <p>2 CERTIFICATE</p> <p>3</p> <p>4 I, M. DARLENE ENGEL, a Certified Court Reporter</p> <p>5 and Notary Public of the State of New Jersey, certify</p> <p>6 that the foregoing is a true and accurate transcript</p> <p>7 of the proceedings.</p> <p>8</p> <p>9 I further certify that I am neither attorney, of</p> <p>10 counsel for, nor related to or employed by any of the</p> <p>11 parties to the action; further that I am not a</p> <p>12 relative or employee of any attorney or counsel</p> <p>13 employed in this case; nor am I financially interested</p> <p>14 in the action.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20 -----</p> <p>21 M. DARLENE ENGEL, CCR</p> <p>22 License No 30XI0102300</p> <p>23 Dated: September 14, 2023</p> <p>24 My Notary Commission Expires</p> <p>25 November 21, 2024</p> <p>ID No 2062871</p>

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