

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
ORDER NO. 21-09-15-5(a)

IN THE MATTER OF THE REQUEST OF :
A CASINO KEY EMPLOYEE LICENSEE : **ORDER**
TO BE PLACED ON THE CASINO KEY :
EMPLOYEE APPROVED INACTIVE LIST :

This matter having been submitted to the New Jersey Casino Control Commission (Commission) by Sameh R. Ghattas, a licensed casino key employee, pursuant to *N.J.S.A. 5:12-89*, for consideration and approval to be placed on an inactive list in accordance with the provisions of *N.J.A.C. 19:41A-6.1(e)1* in lieu of complying with the resubmission process set forth in *N.J.S.A. 5:12-94h*; and the Commission having considered this request at its public meeting of **September 15, 2021**;

IT IS on this 15th day of **September 2021, ORDERED** that Sameh R. Ghattas, a casino key employee licensee, #007337-11, be placed on the Casino Key Employee Approved Inactive List for a period not to exceed five (5) years; and

IT IS FURTHER ORDERED that a copy of this Order be served upon all interested persons.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
ORDER NO. 21-09-15-5(b)


IN THE MATTER OF THE REQUEST OF :
A CASINO KEY EMPLOYEE LICENSEE : **ORDER**
TO BE PLACED ON THE CASINO KEY :
EMPLOYEE APPROVED INACTIVE LIST :

This matter having been submitted to the New Jersey Casino Control Commission (Commission) by Christine McGrath-Perez, a licensed casino key employee, pursuant to *N.J.S.A. 5:12-89*, for consideration and approval to be placed on an inactive list in accordance with the provisions of *N.J.A.C. 19:41A-6.1(e)1* in lieu of complying with the resubmission process set forth in *N.J.S.A. 5:12-94h*; and the Commission having considered this request at its public meeting of **September 15, 2021**;

IT IS on this **15th** day of **September 2021**, **ORDERED** that Christine McGrath-Perez, a casino key employee licensee, #009216-11, be placed on the Casino Key Employee Approved Inactive List for a period not to exceed five (5) years; and

IT IS FURTHER ORDERED that a copy of this Order be served upon all interested persons.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
ORDER NO. 21-09-15-5(c)

IN THE MATTER OF THE REQUEST OF :
A CASINO KEY EMPLOYEE LICENSEE : **ORDER**
TO BE PLACED ON THE CASINO KEY :
EMPLOYEE APPROVED INACTIVE LIST :

This matter having been submitted to the New Jersey Casino Control Commission (Commission) by Alberto Rosario, a licensed casino key employee, pursuant to *N.J.S.A. 5:12-89*, for consideration and approval to be placed on an inactive list in accordance with the provisions of *N.J.A.C. 19:41A-6.1(e)1* in lieu of complying with the resubmission process set forth in *N.J.S.A. 5:12-94h*; and the Commission having considered this request at its public meeting of **September 15, 2021**;

IT IS on this 15th day of **September 2021, ORDERED** that Alberto Rosario, a casino key employee licensee, #009220-11, be placed on the Casino Key Employee Approved Inactive List for a period not to exceed five (5) years; and

IT IS FURTHER ORDERED that a copy of this Order be served upon all interested persons.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
ORDER NO. 21-09-15-6(a)

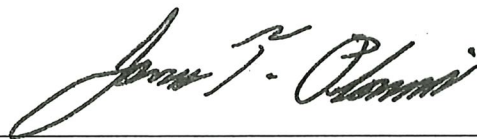
IN THE MATTER OF THE LAPSING OF :
A CASINO KEY EMPLOYEE LICENSE :
FOR FAILURE TO COMPLY WITH THE : **ORDER**
RESUBMISSION PROCESS OR TO :
REQUEST TO BE PLACED ON THE :
APPROVED INACTIVE LIST :

This matter having been undertaken by the New Jersey Casino Control Commission (Commission) for the lapsing of the casino key employee license of Mary R. Alioto for failure to comply with the resubmission process set forth in *N.J.S.A. 5:12-94h*, failure to request inactive status as set forth in *N.J.A.C. 19:41A-6.1(e)*, and in accordance with *N.J.A.C. 19:41A-6.1(f)*; and the Commission having considered this matter at its public meeting of **September 15, 2021**;

IT IS on this **15th** day of **September 2021**, **ORDERED** that Mary R. Alioto's casino key employee license, #009700-11, is hereby **LAPSED**; and

IT IS FURTHER ORDERED that a copy of this Order be served upon all interested persons.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
ORDER NO. 21-09-15-6(b)

IN THE MATTER OF THE LAPSING OF :
A CASINO KEY EMPLOYEE LICENSE :
FOR FAILURE TO COMPLY WITH THE : **ORDER**
RESUBMISSION PROCESS OR TO :
REQUEST TO BE PLACED ON THE :
APPROVED INACTIVE LIST :

This matter having been undertaken by the New Jersey Casino Control Commission (Commission) for the lapsing of the casino key employee license of Keisha L. Boyer for failure to comply with the resubmission process set forth in *N.J.S.A. 5:12-94h*, failure to request inactive status as set forth in *N.J.A.C. 19:41A-6.1(e)*, and in accordance with *N.J.A.C. 19:41A-6.1(f)*; and the Commission having considered this matter at its public meeting of **September 15, 2021;**

IT IS on this **15th** day of **September 2021, ORDERED** that Keisha L. Boyer's casino key employee license, #007293-11, is hereby **LAPSED**; and

IT IS FURTHER ORDERED that a copy of this Order be served upon all interested persons.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
ORDER NO. 21-09-15-6(c)

IN THE MATTER OF THE LAPSING OF :
A CASINO KEY EMPLOYEE LICENSE :
FOR FAILURE TO COMPLY WITH THE : **ORDER**
RESUBMISSION PROCESS OR TO :
REQUEST TO BE PLACED ON THE :
APPROVED INACTIVE LIST :

This matter having been undertaken by the New Jersey Casino Control Commission (Commission) for the lapsing of the casino key employee license of Joseph J. Herling for failure to comply with the resubmission process set forth in *N.J.S.A. 5:12-94h*, failure to request inactive status as set forth in *N.J.A.C. 19:41A-6.1(e)*, and in accordance with *N.J.A.C. 19:41A-6.1(f)*; and the Commission having considered this matter at its public meeting of **September 15, 2021**;

IT IS on this **15th** day of **September 2021**, **ORDERED** that Joseph J. Herling's casino key employee license, #009244-11, is hereby **LAPSED**; and

IT IS FURTHER ORDERED that a copy of this Order be served upon all interested persons.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
ORDER NO. 21-09-15-6(d)

IN THE MATTER OF THE LAPSING OF :
A CASINO KEY EMPLOYEE LICENSE :
FOR FAILURE TO COMPLY WITH THE : **ORDER**
RESUBMISSION PROCESS OR TO :
REQUEST TO BE PLACED ON THE :
APPROVED INACTIVE LIST :

This matter having been undertaken by the New Jersey Casino Control Commission (Commission) for the lapsing of the casino key employee license of Phillip R. Roberts for failure to comply with the resubmission process set forth in *N.J.S.A. 5:12-94h*, failure to request inactive status as set forth in *N.J.A.C. 19:41A-6.1(e)*, and in accordance with *N.J.A.C. 19:41A-6.1(f)*; and the Commission having considered this matter at its public meeting of **September 15, 2021**;

IT IS on this **15th** day of **September 2021**, **ORDERED** that Phillip R. Roberts' casino key employee license, #009678-11, is hereby **LAPSED**; and

IT IS FURTHER ORDERED that a copy of this Order be served upon all interested persons.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
ORDER NO. 21-09-15-6(e)


IN THE MATTER OF THE LAPSING OF :
A CASINO KEY EMPLOYEE LICENSE :
FOR FAILURE TO COMPLY WITH THE : **ORDER**
RESUBMISSION PROCESS OR TO :
REQUEST TO BE PLACED ON THE :
APPROVED INACTIVE LIST :

This matter having been undertaken by the New Jersey Casino Control Commission (Commission) for the lapsing of the casino key employee license of Damian R. Taylor for failure to comply with the resubmission process set forth in *N.J.S.A. 5:12-94h*, failure to request inactive status as set forth in *N.J.A.C. 19:41A-6.1(e)*, and in accordance with *N.J.A.C. 19:41A-6.1(f)*; and the Commission having considered this matter at its public meeting of **September 15, 2021**;

IT IS on this 15th day of **September 2021**, **ORDERED** that Damian R. Taylor's casino key employee license, #009693-11, is hereby **LAPSED**; and

IT IS FURTHER ORDERED that a copy of this Order be served upon all interested persons.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
AGENCY DOCKET No.: 21-0003-CK
CREDENTIAL No.: 10361-11
ORDER No.: 21-09-15-07 (TMP)

I/M/O THE INITIAL APPLICATION OF :
FRANK M. RUOCCO, JR. FOR A : **ORDER**
CASINO KEY EMPLOYEE LICENSE :

The Division of Gaming Enforcement (“**Division**”) having initially taken “No Position” on the pending initial application of Frank M. Ruocco, Jr. (“**Applicant**”) for casino key employee license #10361-11; and a hearing having been held in this matter on May 6, 2021; and the Initial Decision of the Hearing Examiner having been filed with the New Jersey Casino Control Commission (“**Commission**”); and the Commission having considered the entire record of these proceedings at its public meeting of September 15, 2021;

IT IS on this *15th* day of *September 2021*, **ORDERED** that the Initial Decision, which is incorporated herein by reference, is **ADOPTED** by a vote of 2-1; and

IT IS FURTHER ORDERED that Applicant has demonstrated his qualifications for licensure as a casino key employee by clear and convincing evidence and has established the requisite good character, honesty and integrity and financial stability, integrity and

responsibility as required by N.J.S.A. 5:12-89 and is thus hereby found **QUALIFIED** and his initial application for casino key employee license #10361-11 is **GRANTED** for the period ending September 30, 2026; and

IT IS FURTHER ORDERED that the granting of Applicant's casino key employee license #10361-11 is specifically conditioned on Applicant's compliance with the following conditions:

1. Applicant shall not gamble or participate, directly or indirectly, including sports betting and online wagering, in any gambling activity anywhere in the world unless and until this condition is lifted by the Commission.
2. Applicant shall make all payments related to the balance due on the agreement that satisfies the verdict incurred as a result of The Hemmerdinger Corp. v. Ruocco et al., 976 F.Supp.2d 401 (E.D.N.Y. 2013) on or before the agreement due date. Applicant shall provide proof of payment to the Commission and the Division no later than ten (10) calendar days from each due date, commencing with the payment due on December 15, 2021. In the event proof of payment cannot be provided as required herein, Applicant shall notify the Commission and the Division no later than five (5) calendar days after such payment is due as to why payment is not being timely made and provide a proposed alternative date for payment.
3. Applicant shall provide the Commission and the Division with a copy of his filed 2020 Federal and New Jersey state income tax returns, as well as satisfaction of any tax liability incurred, within ten (10) days of the approval of his initial application for a CKEL or within ten (10) days of their filing, whichever is later. If Applicant has entered into a payment arrangement to satisfy any outstanding tax liabilities, Applicant shall provide a copy of such agreement within ten (10) days of the approval of his initial application for a CKEL, or within ten (10) calendar days from when such payment arrangement is established, whichever is later. Applicant shall provide the

Commission and the Division with proof of each payment no later than ten (10) calendar days from each due date. In the event proof of payment cannot be provided as required herein, Applicant shall notify the Commission and the Division no later than five (5) calendar days after such payment is due as to why payment is not being timely made and provide a proposed alternative date for payment.

Failure of Applicant to abide by any of the conditions set forth herein shall constitute grounds to reopen this matter.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
DOCKET No. 21-0011-CK
CREDENTIAL No. 10359-11
ORDER No. 21-09-15-08 (TMP/TMP)

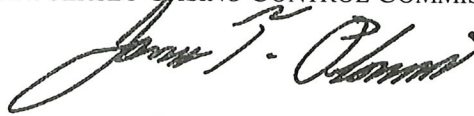
I/M/O THE INITIAL APPLICATION OF :
NICHOLAS R. SCAPPA :
FOR A CASINO KEY EMPLOYEE LICENSE :

ORDER

The Division of Gaming Enforcement (“**Division**”), having recommended that the New Jersey Casino Control Commission (“**Commission**”) grant the initial application of Nicholas R. Scappa (“**Applicant**”) for casino key employee license #10359-11; and the Commission having considered this matter in its entirety at its public meeting on September 15, 2021;

IT IS on this **15th** day of **September 2021**, **ORDERED** that the initial application for casino key employee license #10359-11 is **GRANTED** based on the credible evidence submitted demonstrating Applicant’s qualifications for licensure by clear and convincing evidence as required by N.J.S.A. 5:12-89(b)(1) and -89(b)(2) of the Casino Control Act.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

New Jersey Casino Control Commission Resolution



No.

21-09-15-09

RESOLUTION OF THE NEW JERSEY CASINO CONTROL COMMISSION
CONCERNING THE PLENARY QUALIFICATION AND
CASINO KEY EMPLOYEE LICENSURE WITH A MULTI-CASINO ENDORSEMENT
OF NANETTE LORRAINE HORNER TO SERVE AS
VICE PRESIDENT LEGAL AND GENERAL COUNSEL FOR
BOARDWALK 1000, LLC AND HR ATLANTIC CITY, LLC

WHEREAS, pursuant to N.J.S.A. 5:12-85.1c and -d, N.J.A.C. 13:69C-2.6 and/or -2.7, certain officers, directors, security holders, principal employees and other persons with the ability to control a casino licensee or a holding company thereof must be individually qualified for approval under the standards, but for residency, governing casino key employees (N.J.S.A. 5:12-89); and

WHEREAS, on February 10, 2021, the New Jersey Casino Control Commission (Commission), with the recommendation of the Division of Gaming Enforcement (Division), granted Nanette Horner temporary casino key employee license #10322-11, pursuant to N.J.S.A. 5:12-89(e), with a multi-casino endorsement pursuant to N.J.S.A. 5:12-91.1, and found Ms. Horner temporarily qualified to serve as Vice President Legal and General Counsel for casino licensees Boardwalk 1000, LLC ("Boardwalk") and HR Atlantic City, LLC ("HRAC") (Resolution No. 21-02-10-07); and

WHEREAS, the Division filed a letter report dated August 18, 2021, recommending that the Commission find Ms. Horner plenary qualified to



serve as Vice President Legal and General Counsel for Boardwalk and HRAC and grant her initial application for casino key employee license #10322-11, with a multi-casino endorsement; and

WHEREAS, the Commission considered the matter in its entirety at its public meeting on September 15, 2021;

NOW, THEREFORE, BE IT RESOLVED by the Commission that Nanette Lorraine Horner is hereby found plenary qualified to serve as Vice President Legal and General Counsel for Boardwalk and HRAC, and her initial application for casino key employee license #10322-11 is hereby granted, with a multi-casino endorsement pursuant to N.J.S.A. 5:12-91.1, in accordance with and subject to the conditions contained in N.J.S.A. 5:12-85.1, -89a and -b and N.J.A.C. 13:69C-2.6 and -2.7.

Submitted by: Teresa M. Pimpinelli
Teresa M. Pimpinelli
Senior Counsel

CERTIFICATION

I HEREBY CERTIFY that this Resolution correctly reflects the decision of the New Jersey Casino Control Commission.

Dianna W. Fauntleroy
Dianna W. Fauntleroy, Esq.
Executive Secretary

Meeting of September 15, 2021
Vote taken on pages 32-33

New Jersey Casino Control Commission



Resolution

No.

21-09-15-10

RESOLUTION OF THE NEW JERSEY CASINO CONTROL COMMISSION
CONCERNING THE PETITION OF
AC OCEAN WALK LLC d/b/a OCEAN CASINO RESORT FOR TEMPORARY
CASINO KEY EMPLOYEE LICENSURE FOR RYAN BURCH PURSUANT TO
N.J.S.A. 5:12-89(e) AND FOR PERMISSION TO PERMIT HIM TO PERFORM
THE DUTIES AND EXERCISE THE POWERS OF
VICE PRESIDENT HOTEL OPERATIONS FOR AC OCEAN WALK LLC
PENDING PLENARY QUALIFICATION
(PRN 2172101)

WHEREAS, this matter having been brought before the New Jersey Casino Control Commission (Commission) by the petition of casino licensee AC Ocean Walk LLC d/b/a Ocean Casino Resort (Ocean) for the issuance of a temporary casino key employee license, pursuant to N.J.S.A. 5:12-89(e) and N.J.A.C. 19:41A-5.3(d), to Ryan Burch, and for permission for Mr. Burch to serve as Vice President Hotel Operations for Ocean for a nine-month period pending his plenary licensure and qualification, in accordance with the conditions contained in N.J.S.A. 5:12-85.1, N.J.S.A. 5:12-89 and N.J.A.C. 13:69C-2.6 and

WHEREAS, Mr. Burch filed the requisite form(s) with the Division of Gaming Enforcement (Division) as required by N.J.A.C. 13:69C-2.6(b); and

WHEREAS, Mr. Burch filed a completed initial application for casino key employee license #10504-11 with the Commission as required by N.J.S.A. 5:12-89 and N.J.A.C. 19:41A-5.3(d); and

WHEREAS, on August 30, 2021, the Division interposed no objection to the Commission granting the requested relief; and



WHEREAS, the Commission considered the entire record of the matter at its public meeting of September 15, 2021;

NOW, THEREFORE, BE IT RESOLVED by the Commission that Ryan Burch is hereby granted a temporary casino key employee license, #10504-11, pursuant to N.J.S.A. 5:12-89(e) and N.J.A.C. 19:41A-5.3(d), and is found temporarily qualified and hereby authorized to assume the duties and exercise the powers of Vice President Hotel Operations for Ocean, for a nine-month period, subject to the conditions contained in N.J.S.A. 5:12-85.1, N.J.S.A. 5:12-89 and N.J.A.C. 13:69C-2.6.

Submitted by: Teresa M. Pimpinelli
Teresa M. Pimpinelli,
Senior Counsel

CERTIFICATION

I HEREBY CERTIFY that this Resolution correctly reflects the decision of the New Jersey Casino Control Commission.

Dianna W. Fauntleroy
Dianna W. Fauntleroy, Esq.
Executive Secretary

Meeting of September 15, 2021
Vote taken on pages 35-36

New Jersey Casino Control Commission



Resolution

No.

21-09-15-11

RESOLUTION OF THE NEW JERSEY CASINO CONTROL COMMISSION
CONCERNING THE AMENDED PETITION OF
BOARDWALK 1000, LLC AND HR ATLANTIC CITY, LLC
FOR THE ISSUANCE OF A TEMPORARY CASINO KEY EMPLOYEE LICENSE
WITH A MULTI-CASINO ENDORSEMENT TO
ANTHONY SPAGNO AND FOR PERMISSION TO PERMIT HIM
TO PERFORM THE DUTIES AND EXERCISE THE POWERS OF
CASINO MANAGER AND VICE PRESIDENT OF TABLE GAMES OPERATIONS
FOR BOARDWALK 1000, LLC AND HR ATLANTIC CITY, LLC
PENDING PLENARY QUALIFICATION (PRN 2322101)

WHEREAS, this matter having been brought before the New Jersey Casino Control Commission ("Commission") by the amended petition of casino licensees Boardwalk 1000, LLC ("Boardwalk") and HR Atlantic City, LLC ("HRAC"), for the issuance of a temporary casino key employee license and multi-casino endorsement, pursuant to N.J.S.A. 5:12-89(e) and -91-.1 and N.J.A.C. 19:41A-5.4 to Anthony Spagno, and for permission for Mr. Spagno to serve as Casino Manager and Vice President of Table Games Operations for Boardwalk and HRAC for a nine-month period pending his plenary licensure and qualification, in accordance with the conditions contained in N.J.S.A. 5:12-85.1c, N.J.A.C. 13:69C-2.6 and N.J.A.C. 13:69C-2.7; and

WHEREAS, Mr. Spagno filed an initial application for a casino key employee license #10512-11 with the Commission as required by N.J.S.A. 5:12-89 and N.J.A.C. 19:41A-5.3(d); and



WHEREAS, Mr. Spagno filed the requisite qualifier forms with the Division of Gaming Enforcement ("Division") as required by N.J.A.C. 13:69-2.6 and N.J.A.C. 13:69C-2.7; and

WHEREAS, by email dated September 7, 2021, the Division interposed no objection to the Commission granting the requested relief; and

WHEREAS, the Commission considered the entire record of the matter at its public meeting of September 15, 2021;

NOW, THEREFORE, BE IT RESOLVED by the Commission that Anthony Spagno is hereby granted a temporary casino key employee license #10512-11 for a nine (9) month period pursuant to N.J.S.A. 5:12-89 and N.J.A.C. 19:41A-5.3(d) and is hereby found temporarily qualified and authorized to assume the duties and exercise the powers of Casino Manager and Vice President of Table Games Operations for Boardwalk, subject to the conditions contained in N.J.S.A. 5:12-85.1, N.J.S.A. 5:12-89 and N.J.A.C. 13:69C-2.6; and

BE IT FURTHER RESOLVED by the Commission that Anthony Spagno is hereby granted a multi-casino endorsement pursuant to N.J.S.A. 5:12-91.1 and N.J.A.C. 19:41A-5.4 and further found temporarily qualified and authorized to assume the duties and exercise the powers of Casino Manager and Vice President of Table Games Operations for HRAC, subject to the conditions contained in N.J.S.A. 5:12-85.1c and -d and N.J.A.C. 13:69C-2.7.



Resolution No. 21-09-15-11

Page 3

Submitted by: Teresa M. Pimpinelli
Teresa M. Pimpinelli
Senior Counsel

CERTIFICATION

I HEREBY CERTIFY that this Resolution correctly reflects the decision of the New Jersey Casino Control Commission.

Dianna W. Fauntleroy, Esq.
Dianna W. Fauntleroy, Esq.
Executive Secretary

Meeting of September 15, 2021
Vote taken on pages 38-39



New Jersey Casino Control Commission Resolution No. 21-09-15-12

RESOLUTION OF THE NEW JERSEY CASINO CONTROL COMMISSION CONCERNING THE PLENARY QUALIFICATION OF JONATHAN HALKYARD AS THE CHIEF FINANCIAL OFFICER AND TREASURER OF MGM RESORTS INTERNATIONAL

WHEREAS, on January 13, 2021, the New Jersey Casino Control Commission (“Commission”) granted temporary qualification to Jonathan Halkyard, prior to his plenary qualification, to perform the duties and exercise the powers of Chief Financial Officer (“CFO”) of MGM Resorts International (“MGM”), a qualified holding company of casino licensee, Marina District Development Company, LLC d/b/a Borgata Hotel Casino & Spa, for a period up to nine months in accordance with the conditions contained in *N.J.S.A. 5:12-85.1c* and *N.J.A.C. 13:69C-2.7(c)* and (d); and

WHEREAS, Jonathan Halkyard is also designated Treasurer for MGM; and

WHEREAS, the Division of Gaming Enforcement filed a letter report dated September 7, 2021 recommending that the Commission find Mr. Halkyard plenary qualified to serve as CFO and Treasurer of MGM; and

WHEREAS, the Commission considered the entire record of the proceedings at its public meeting of September 15, 2021.

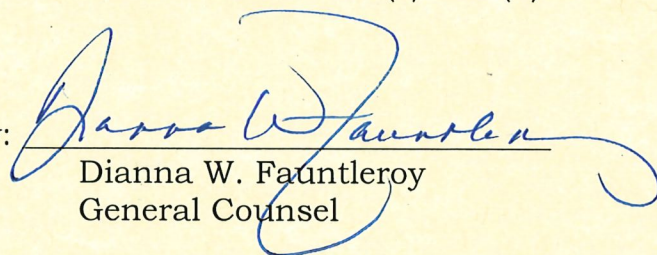


Resolution No. 21-09-15-12

Page 2

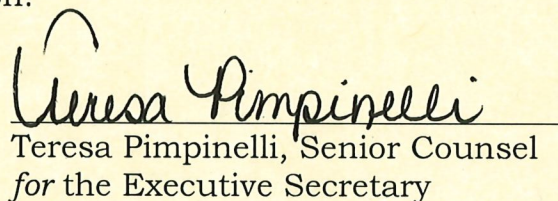
NOW, THEREFORE, BE IT RESOLVED by the Commission that Jonathan Halkyard is hereby qualified to serve as CFO and Treasurer of MGM in accordance with *N.J.S.A. 5:12-85.1, -89b(1)* and *N.J.A.C. 13:69C-2.7(c)* and (d).

Submitted by:


Dianna W. Fauntleroy
General Counsel

CERTIFICATION

I HEREBY CERTIFY that this Resolution correctly reflects the decision of the New Jersey Casino Control Commission.


Teresa Pimpinelli, Senior Counsel
for the Executive Secretary

Meeting of September 15, 2021
Vote taken on pages 41-42

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
PETITION NO.: 2322001
ORDER NO. 21-09-15-13

IN THE MATTER OF THE :
AMENDED AND RESTATED PETITION :
FOR TEMPORARY KEY LICENSURE AND :
WAIVER OF THE RESIDENCY REQUIREMENT :
AND RELATED RELIEF FOR RAYMOND P. :
PINEAULT, JR. :

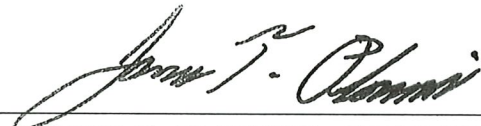
ORDER

THIS MATTER having been initiated by Petition of MGA Gaming NJ, LLC (“Mohegan”) dated May 21, 2021 seeking a temporary casino key employee license and a waiver of the residency requirement in connection with the appointment of Raymond P. Pineault as Chief Operating Officer (“COO”) of Mohegan Tribal Gaming Authority d/b/a Mohegan Gaming and Entertainment (“MGE”) and President of Mohegan; and by letter dated September 8, 2021, PRN 2322001 and the application of Mr. Pineault for casino key employee licensure was requested to be withdrawn without prejudice as Mr. Pineault was no longer serving as COO of MGE and President of Mohegan and as a result did not require a casino key employee license; and the Division of Gaming Enforcement did not object to the withdrawal request; and the New Jersey Casino Control Commission considered the request at its Public Meeting of September 15, 2021;

Order. No. 21-09-15-13

IT IS on this **15th** day of **September 2021**, **ORDERED** that the request to withdraw PRN 2322001 and the casino key employee license application of Raymond P. Pineault, without prejudice, is **GRANTED**.

NEW JERSEY CASINO CONTROL COMMISSION

A handwritten signature in black ink, appearing to read "James T. Plousis", written over a horizontal line.

JAMES T. PLOUSIS, CHAIRMAN



New Jersey Casino Control Commission

Resolution

No. 21-09-15-14

RESOLUTION OF THE NEW JERSEY CASINO CONTROL COMMISSION CONCERNING THE PETITION OF DGMB CASINO, LLC d/b/a/ RESORTS CASINO HOTEL, DGMB CASINO HOLDING LLC, MGA GAMING NJ, LLC AND MGA HOLDING NJ, LLC FOR APPROVAL OF A SECOND AMENDED AND RESTATED MANAGEMENT AGREEMENT AND A THIRD AMENDED AND RESTATED LIMITED LIABILITY COMPANY AGREEMENT PURSUANT TO N.J.S.A. 5:12-82c (PRN 0782103, PRN 1052107)

WHEREAS, the Casino Control Act (the “Act”) at N.J.S.A. 5:12-82c requires that every agreement for the management of a casino shall be in writing and filed with the Casino Control Commission (“Commission”) and the Division of Gaming Enforcement (“Division”) and that no such management agreement shall be effective unless expressly approved by the Commission; and

WHEREAS, on October 14, 2015, the Commission approved an Amended and Restated Management Agreement and a Second Amended and Restated Limited Liability Company Agreement between DGMB Casino, LLC (“DGMB Casino”) d/b/a Resorts Casino Hotel (“Resorts”), DGMB Casino Holding LLC (“DGMB Holding”) and MGA Gaming NJ, LLC (“MGA NJ”) and MGA Holding NJ, LLC (“MGA Holding”), subject to certain conditions, including a condition that any proposed material amendment to the Amended and Restated Management Agreement or the Second Amended and Restated LLC Agreement shall require the prior approval of the Commission which shall be initiated by the prompt filing



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of a petition with the Division requesting such Commission approval (Commission Resolution No. 15-10-14-11); and

WHEREAS, by Petition (PRN 0782103) dated March 19, 2021 as amended on July 30, 2021, and by Petition (PRN 1052107) dated April 15, 2021, DGMB Casino, DGMB Holding, MGA NJ and MGA Holding seek Commission approval of a Second Amended and Restated Management Agreement (“Second Amended Management Agreement”) and a Third Amended and Restated Limited Liability Company Agreement (“Third Amended LLC Agreement”) pursuant to *N.J.S.A.* 5:12-82c; and

WHEREAS, DGMB Casino, DGMB Holding, MGA NJ and MGA Holding have submitted drafts of the Second Amended Management Agreement and the Third Amended LLC Agreement to the Division and the Commission (P-1 and P-2, in evidence); and

WHEREAS, the Division filed a report dated September 8, 2021 responding to the Petitions and recommending that the Commission grant the requested relief, subject to certain conditions; and

WHEREAS, the Commission considered the matter at its public meeting on September 15, 2021;

NOW, THEREFORE, BE IT RESOLVED by the Commission, that the Second Amended Management Agreement and the Third Amended LLC



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Agreement are hereby APPROVED, based upon and to the extent set forth in the findings and rulings, and subject to the conditions, contained in this Resolution, as follows:

FINDINGS AND RULINGS

Based upon consideration of the entire record of these proceedings, the Commission issues the following rulings and makes the following findings:

1. The draft Second Amended Management Agreement and Third Amended LLC Agreement comply with each of the requirements for such agreements as set forth in sections 82c(7) and (10) of the Act;
2. The draft Second Amended Management Agreement and Third Amended LLC Agreement include within its terms all provisions reasonably necessary to best accomplish the policies of the Act in accordance with *N.J.S.A. 5:12-82c*.

CONDITIONS

Based on the entire record of the proceedings, the findings and rulings set forth herein are subject to the following conditions:

1. Executed copies of the Second Amended Management Agreement and the Third Amended LLC Agreement shall be provided to the Commission and the Division within five (5) calendar days of execution.
2. Any proposed material amendment to the Second Amended



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Management Agreement or the Third Amended LLC Agreement shall require prior approval of the Commission which shall be initiated by the prompt filing of a petition with the Division by DGMB Casino and MGA NJ requesting such approval and an opportunity for the Division to submit a report regarding any such changes;

3. DGMB Casino and MGA NJ shall provide the Commission and the Division with at least sixty (60) days notice in advance of the December 31, 2024 termination date of the Second Amended Management Agreement as to whether the five (5) year option to renew the Second Amended Management Agreement has been exercised and/or agreed upon by the parties.

BE IT FURTHER RESOLVED that the Chairman or his designee is delegated authority to review and approve the final form of the documents relating to the rulings and findings herein for which Commission approval is being sought to ensure that those documents, as executed, conform to and are consistent with the Act, the regulations promulgated thereunder and the Commission's rulings and findings in the matter, which rulings and findings shall be of no force and effect and automatically withdrawn to the extent of any such inconsistency or nonconformity.

BE IT FURTHER RESOLVED that the Chairman or his designee is delegated the authority to make a final ruling regarding Petitioners' request, as

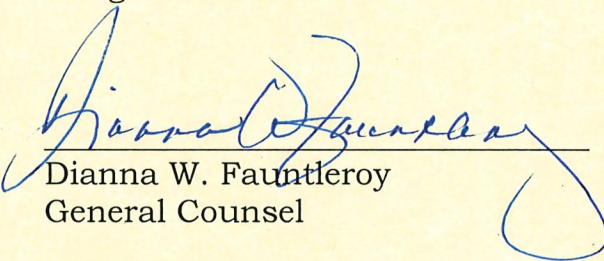


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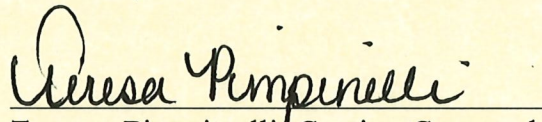
set forth on the record, to seal certain portions of P-1 and P-2 giving consideration to any additional written arguments of the parties which may be submitted within fifteen (15) days of the hearing on this matter.

Submitted by:


Dianna W. Fauntleroy
General Counsel

CERTIFICATION

I HEREBY CERTIFY that this Resolution correctly reflects the decision of the New Jersey Casino Control Commission.


Teresa Pimpinelli, Senior Counsel
for the Executive Secretary

Meeting of September 15, 2021
Vote taken on pages 49-50



New Jersey Casino Control Commission Resolution No. 21-09-15-16

RESOLUTION OF THE NEW JERSEY CASINO CONTROL COMMISSION CONCERNING THE PETITION OF AC OCEAN WALK LLC AND LUXOR CAPITAL GROUP, LP FOR QUALIFICATION OF OCEAN CASINO RESORT HOLDINGS LLC AND NEW TEN RE, LLC AS HOLDING COMPANIES, AND NEW TEN RE MERGER SUB, LLC AS AN ENTITY QUALIFIER PURSUANT TO *N.J.S.A. 5:12-85.1 ET SEQ.* (PRN 1812103)

WHEREAS, casino licensee, AC Ocean Walk LLC (“AC Ocean”) d/b/a Ocean Casino Resort (“Ocean Casino”) and its holding company, Luxor Capital Group, LP (“Luxor”) filed a Petition dated June 30, 2021 seeking a ruling from the Casino Control Commission (“Commission”) pursuant to *N.J.S.A. 5:12-1 et seq.* of the Casino Control Act (“Act”) finding the newly identified holding companies of AC Ocean, Ocean Casino Resort Holdings LLC (“OCRH”) and New TEN RE, LLC (“New TEN RE”), and newly identified entity qualifier, New TEN RE Merger Sub, LLC (“Merger Sub”), qualified in connection with a restructuring to facilitate a Framework and Investment Agreement dated March 24, 2021 that provides for a two-phase investment by OCR Investment, LLC; finding the natural person qualifiers of the newly identified holding companies and entity qualifier qualified; and approving the restructuring of TEN RE ACNJ, LLC (“TEN RE”) and the Luxor affiliates’ ownership interest in AC Ocean; and

WHEREAS, on May 6, 2020, as set forth in Commission Resolution No. 20-05-06-13, the Commission found AC Beachfront LLC (“AC Beachfront”), TEN



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RE and Luxor qualified as holding companies of AC Ocean; Luxor Capital Partners, LP, Ocean 1, LLC, Ocean 2, Inc., Thebes B Onshore, LLC and Luxor Venture Partners, LP qualified as entities required to qualify pursuant to *N.J.S.A.* 5:12-85.1 in connection with the qualification of Luxor as the new parent holding company of AC Ocean; and Michael Conboy, Norris Nissim and Nathaniel Redleaf, among others, qualified as natural person qualifiers of Luxor; and

WHEREAS, on December 9, 2020, as set forth in Commission Resolution No. 20-12-09-10, the Commission found Ocean 2, LLC qualified as an entity qualifier in connection with Ocean 2 Inc.'s contribution of its interest in TEN RE to Ocean 2, LLC; and

WHEREAS, pursuant to *N.J.S.A.* 5:12-85.1b, OCRH and New TEN RE are required to meet the qualification standards of the Act as new holding companies of AC Ocean in connection with the restructuring of TEN RE; and

WHEREAS, pursuant to *N.J.S.A.* 5:12-85.1c, Merger Sub is required to meet the qualification standards of the Act as an entity designated by the Director of the Division of Gaming Enforcement ("Division") as appropriate for qualification in connection with the restructuring; and

WHEREAS, by Report dated and filed August 3, 2021, the Division recommended that the Commission grant the relief requested; and



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WHEREAS, the Commission considered the entire record in this matter, together with the presentations of counsel, at its public meeting of September 15, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the Commission that based upon the Report of the Division and all other evidence presented to the Commission at the public meeting of September 15, 2021, Petitioners' request to qualify OCRH, New TEN RE and Merger Sub and to approve the pre-phase one restructuring of TEN RE is hereby GRANTED based upon the findings and rulings specified herein.

FINDINGS and RULINGS

Based upon consideration of the entire record of these proceedings, the Commission enters the following findings and rulings:

1. OCRH, New TEN RE and Merger Sub have complied with all requirements regarding the submission of information necessary for the Commission and the Division to evaluate PRN 1812103;
2. Luxor Capital Partners, LP, Ocean 1, LLC, Ocean 2, LLC, Thebes B Onshore, LLC and Luxor Venture Partners, LP, majority owners of New TEN RE, have been previously found qualified by the Commission and remain qualified pursuant to the applicable provisions of the Act.
3. The individuals required to qualify in connection with the



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restructuring of TEN RE are Michael Conboy, Norris Nissim and Nathaniel Redleaf, each of whom has previously been found qualified by the Commission and remain qualified pursuant to the applicable provisions of the Act.

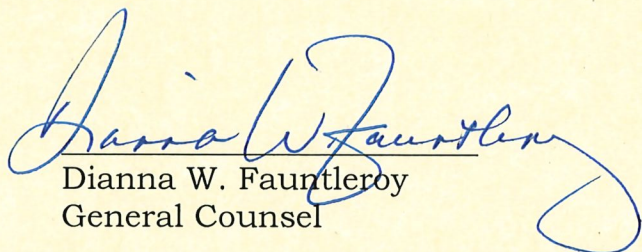
4. OCRH and New TEN RE have each established compliance with *N.J.S.A. 5:12-82d(7), (8) and (10) and 85b(1)*.

5. Merger Sub, as a designated entity qualifier that will cease to exist after the restructuring, has established compliance with *N.J.S.A. 5:12-85b(1)*.

6. OCRH, New TEN RE and Merger Sub have each established by clear and convincing evidence that it possesses the financial stability, integrity and responsibility and good character, honesty and integrity required by *N.J.S.A. 5:12-84 and 85.1*; and

7. OCRH, New TEN RE and Merger Sub, in view of the foregoing and the entire record of the proceeding, are each qualified pursuant to *N.J.S.A. 5:12-85.1*.

Submitted by:


Dianna W. Fauntleroy
General Counsel

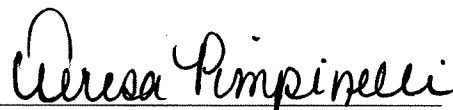


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CERTIFICATION

I HEREBY CERTIFY that this Resolution correctly reflects the decision of the New Jersey Casino Control Commission.



Teresa Pimpinelli, Esq.
For the Executive Secretary

Meeting of September 15, 2021
Vote taken on page(s) 54-55