

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
ORDER NO. 23-09-13-5(a)

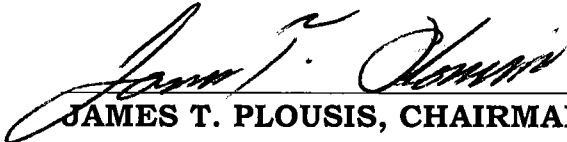
IN THE MATTER OF THE REQUEST OF :
A CASINO KEY EMPLOYEE LICENSEE : **ORDER**
TO BE PLACED ON THE CASINO KEY :
EMPLOYEE APPROVED INACTIVE LIST :

This matter having been submitted to the New Jersey Casino Control Commission (Commission) by Heather M. Allen, 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 13, 2023**;

IT IS on this **13th** day of **September 2023**, **ORDERED** that Heather M. Allen, a casino key employee licensee, #005188-11, 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. 23-09-13-5(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 Dawn D. Casale, 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 13, 2023**;

IT IS on this **13th** day of **September 2023**, **ORDERED** that Dawn D. Casale, a casino key employee licensee, #003852-11, 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. 23-09-13-5(c)

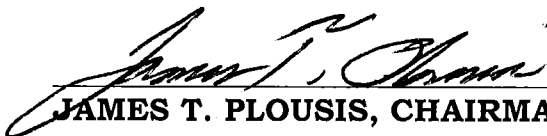
IN THE MATTER OF THE REQUEST OF :
A CASINO KEY EMPLOYEE LICENSEE : **ORDER**
TO BE PLACED ON THE CASINO KEY :
EMPLOYEE APPROVED INACTIVE LIST :

This matter having been submitted to the New Jersey Casino Control Commission (Commission) by Francis J. Pollock, 3rd, 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 13, 2023**;

IT IS on this **13th** day of **September 2023**, **ORDERED** that Francis J. Pollock, 3rd, a casino key employee licensee, #009869-11, 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. 23-09-13-5(d)

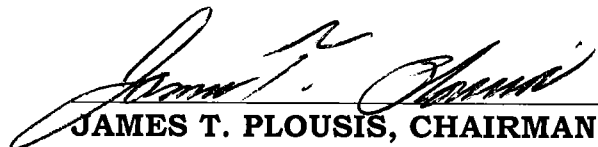
IN THE MATTER OF THE REQUEST OF :
A CASINO KEY EMPLOYEE LICENSEE : **ORDER**
TO BE PLACED ON THE CASINO KEY :
EMPLOYEE APPROVED INACTIVE LIST :

This matter having been submitted to the New Jersey Casino Control Commission (Commission) by Walter P. Simon, 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 13, 2023**;

IT IS on this **13th** day of **September 2023**, **ORDERED** that Walter P. Simon, a casino key employee licensee, #003930-11, 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. 23-09-13-6(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 Joshua A. Coleman 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 13, 2023**;

IT IS on this **13th** day of **September 2023**, **ORDERED** that Joshua A. Coleman's casino key employee license, #009817-11, 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. 23-09-13-6(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 Elizabeth A. D'Andrea 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 13, 2023**;

IT IS on this **13th** day of **September 2023**, **ORDERED** that Elizabeth A. D'Andrea's casino key employee license, #003696-11, 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. 23-09-13-6(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 William L. Gormley 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 13, 2023**;

IT IS on this **13th** day of **September 2023**, **ORDERED** that William L. Gormley's casino key employee license, #009456-11, 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. 23-09-13-6(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 Mark H. Scheiner 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 13, 2023**;

IT IS on this **13th** day of **September 2023**, **ORDERED** that Mark H. Scheiner's casino key employee license, #002312-11, 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. 23-09-13-6(e)

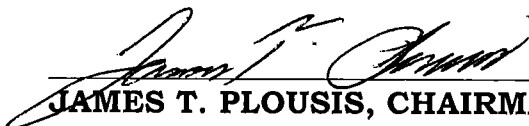
IN THE MATTER OF THE LAPSING OF :
A CASINO KEY EMPLOYEE LICENSE :
FOR FAILURE TO COMPLY WITH THE : **ORDER**
RESUBMISSION PROCESS OR TO :
REQUEST TO BE PLACED ON THE :
APPROVED INACTIVE LIST :

This matter having been undertaken by the New Jersey Casino Control Commission (Commission) for the lapsing of the casino key employee license of Jean M. Schneider 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 13, 2023**;

IT IS on this **13th** day of **September 2023**, **ORDERED** that Jean M. Schneider's casino key employee license, #009116-11, 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
DOCKET NO. 23-0044-CK
CREDENTIAL NO. 10761-11
ORDER NO. 23-09-13-07 (TMP)

I/M/O THE INITIAL APPLICATION OF :
TIANA HARRINGTON :
FOR A CASINO KEY EMPLOYEE LICENSE :

ORDER

The Division of Gaming Enforcement (“**Division**”), having initially objected to the initial application of Tiana Harrington (“**Applicant**”) for casino key employee license #10761-11; and the Division and Applicant having entered into a Stipulation of Settlement (“**Stipulation**”) which was submitted to the New Jersey Casino Control Commission (“**Commission**”); and the Commission being unaware of Applicant having been involved in any other matters inconsistent with licensure; and the Commission having considered this matter in its entirety at its public meeting on September 13, 2023;

IT IS on this **13th** day of **September 2023**, **ORDERED** that the Stipulation, which is incorporated herein by reference, is **APPROVED** and the initial application for casino key employee license #10761-11 is **GRANTED**; and

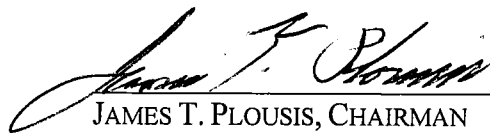
IT IS FURTHER ORDERED that Applicant has established her qualifications for licensure as a casino key employee as required by N.J.S.A. 5:12-89(b)(1) and -89(b)(2) of the Casino Control Act (“**Act**”) based on the credible evidence submitted including Applicant’s voluntary agreement to make any payments required by Nelnet and provide the Division with proof of such payments on an annual basis beginning January 15, 2024; and

IT IS FURTHER ORDERED that the granting of Applicant's initial application for casino key employee license #10761-11 is specifically conditioned on Applicant complying with her voluntary agreements to make any payments required by Nelnet and is further conditioned on Applicant providing proof to the Division of her compliance on an annual basis, beginning January 15, 2024, by sending a copy of all appropriate documentation to:

Division of Gaming Enforcement
ATTN: Jocelyn Fietkiewicz, Deputy Attorney General
1325 Boardwalk
Atlantic City, NJ 08401
Email: jocelyn.fietkiewicz@njdge.org.

Applicant shall provide such annual reports until her outstanding debt owed to Nelnet is paid in full or otherwise satisfied. Failure of Applicant to abide by any of the conditions set forth herein shall constitute grounds to re-open this matter.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
DOCKET NO. 23-0042-CK
CREDENTIAL No. 10753-11
ORDER No. 23-09-13-08 (TMP)

I/M/O THE INITIAL APPLICATION OF :
EDUARDO ALVARADO-FLORES :
FOR A CASINO KEY EMPLOYEE LICENSE :

ORDER

The Division of Gaming Enforcement (“**Division**”), having initially objected to the initial application of Eduardo Alvarado-Flores (“**Applicant**”) for casino key employee license #10753-11; and the Division and Applicant having entered into a Stipulation of Settlement (“**Stipulation**”) which was submitted to the New Jersey Casino Control Commission (“**Commission**”); and the Commission being unaware of Applicant having been involved in any other matters inconsistent with licensure; and the Commission having considered this matter in its entirety at its public meeting on September 13, 2023;

IT IS on this **13th** day of **September 2023**, **ORDERED** that the Stipulation, which is incorporated herein by reference, is **APPROVED** and the initial application for casino key employee license #10753-11 is **GRANTED**; and

IT IS FURTHER ORDERED that Applicant has established his qualifications for licensure as a casino key employee as required by N.J.S.A. 5:12-89(b)(1) and -89(b)(2) of the Casino Control Act (“**Act**”) based on the credible evidence submitted including Applicant’s voluntary agreement to remain compliant with the terms of his New Jersey Division of Unemployment and Disability Insurance (“**NJ DUDI**”) payment plan and

provide the Division with proof of his compliance on an annual basis beginning January 15, 2024; and

IT IS FURTHER ORDERED that the granting of Applicant's initial application for casino key employee license #10753-11 is specifically conditioned on Applicant complying with his voluntary agreement to remain compliant with the terms of his NJ DUDI payment plan and is further conditioned on Applicant providing proof to the Division of his compliance on an annual basis, beginning January 15, 2024, by sending a copy of all appropriate documentation to:

Division of Gaming Enforcement
ATTN: Jocelyn Fietkiewicz, Deputy Attorney General
1325 Boardwalk
Atlantic City, NJ 08401
Email: jocelyn.fietkiewicz@njdge.org.

Applicant shall provide such annual reports until his outstanding NJ DUDI debt is paid in full or otherwise satisfied. Failure of Applicant to abide by any of the conditions set forth herein shall constitute grounds to re-open this matter.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
DOCKET NO. 23-0046-CK
CREDENTIAL NO. 10727-11
ORDER NO. 23-09-13-09 (TMP)

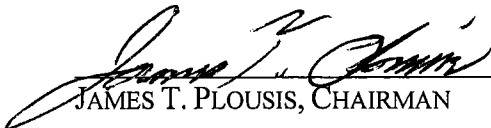
I/M/O THE INITIAL APPLICATION OF :
LATEETAH PRESCOTT :
FOR A CASINO KEY EMPLOYEE LICENSE :

ORDER

The Division of Gaming Enforcement (“**Division**”), having initially objected to the initial application of Lateetah Prescott (“**Applicant**”) for casino key employee license #10727-11; and the Division and Applicant having entered into a Stipulation of Settlement (“**Stipulation**”) which was submitted to the New Jersey Casino Control Commission (“**Commission**”); and the Commission being unaware of Applicant having been involved in any other matters inconsistent with licensure; and the Commission having considered this matter in its entirety at its public meeting on September 13, 2023;

IT IS on this **13th** day of **September 2023**, **ORDERED** that the Stipulation, which is incorporated herein by reference, is **APPROVED** and the initial application for casino key employee license #10727-11 is **GRANTED** based on the credible evidence submitted demonstrating Applicant’s qualifications for licensure as required by N.J.S.A. 5:12-89 of the Casino Control Act.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
AGENCY DOCKET No.: 23-0051-RC
CREDENTIAL No.: 8459-11
ORDER No.: 23-09-13-10 (TMP/tmp)

STATE OF NEW JERSEY, DEPARTMENT OF :
LAW AND PUBLIC SAFETY, DIVISION OF :
GAMING ENFORCEMENT, :
COMPLAINANT, :
V. :
MICHAEL T. BROWN :
RESPONDENT. :

ORDER

An application for suspension and a complaint for revocation of the casino key employee license #8459-11 of Michael T. Brown (“**Respondent**”) having been filed by the Division of Gaming Enforcement (“**Division**”); and the Division having alleged that Respondent engaged in conduct which is disqualifying pursuant to N.J.S.A. 5:12-86(b), -86(d), -86(g) and -89(b); and Respondent having been given an opportunity to respond to the Division’s allegations; and the New Jersey Casino Control Commission (“**Commission**”) having considered the application for suspension at its public meetings of August 9, 2023 and September 13, 2023,

IT IS on this *13th* day of *September 2023*, **ORDERED** that a final decision in this matter is hereby delegated to the Chairman of the Commission and;

IT IS FURTHER ORDERED that Respondent shall provide the Commission with documentation demonstrating the status of the underlying criminal complaint by October 5, 2023, and the Division shall file any response to Respondent's documentation by October 10, 2023.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN



New Jersey Casino Control Commission
Resolution
No. 23-09-13-11

RESOLUTION OF THE NEW JERSEY CASINO CONTROL COMMISSION CONCERNING THE PETITION OF PREMIER ENTERTAINMENT AC, LLC AND BALLY'S CORPORATION REQUESTING AN EXTENSION OF TIME FOR THE TEMPORARY QUALIFICATION OF KIM BARKER LEE TO SERVE AS EXECUTIVE VICE PRESIDENT, CHIEF LEGAL OFFICER OF BALLY'S CORPORATION PENDING PLENARY QUALIFICATION PURSUANT TO N.J.A.C. 13:69C-2.7(c) (PRN 2402306)

WHEREAS, casino licensee, Premier Entertainment AC, LLC ("Premier") d/b/a Bally's Atlantic City ("Bally's AC"), and its qualified holding company, Bally's Corporation ("Bally's"), having filed a Petition (PRN 3482203) dated December 14, 2022, seeking approval of the New Jersey Casino Control Commission ("Commission") to have Kim Barker Lee assume the duties and exercise the powers of Executive Vice President, Chief Legal Officer of Bally's, prior to plenary qualification, for a nine-month period 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

WHEREAS, on January 11, 2023, the Commission, with the recommendation of the Division of Gaming Enforcement ("Division") granted the requested ruling approving Kim Barker Lee's temporary qualification to serve as Executive Vice President, Chief Legal Officer of Bally's for a nine-month period in accordance with the conditions contained in *N.J.A.C. 13:69C-2.7* (Commission Resolution No. 23-01-11-17); and



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WHEREAS, Kim Barker Lee filed a Personal History Disclosure Form-MJ and NJ Supplemental Form on December 16, 2022; and

WHEREAS, the Commission rescheduled its October 2023 Public Meeting from October 11, 2023 to October 25, 2023, and the Division having indicated that it will not be able to complete its investigation and report to the Commission regarding Kim Barker Lee's plenary qualification prior to the expiration of the nine-month period of temporary qualification; and

WHEREAS, Premier and Bally's having filed the instant Petition (PRN 2402306) dated August 28, 2023, seeking to establish good cause pursuant to *N.J.A.C. 13:69C-2.7(d)2* for a ruling extending the nine-month period for a period of three (3) months from October 11, 2023; and

WHEREAS, the Division filed a letter report dated August 29, 2023, in which it does not object to the Commission granting the requested relief; and

WHEREAS, the Commission considered the matter at its public meeting of September 13, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Commission that (a) good cause has been established pursuant to *N.J.A.C. 13:69C-2.7(d)2* to extend the period of temporary qualification of Kim Barker Lee; and (b) Kim Barker Lee is hereby authorized to continue to perform the duties and exercise the powers of Executive Vice President, Chief Legal Officer of Bally's pending plenary



Resolution No. 23-09-13-11

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qualification for a period not to exceed three (3) months from October 11, 2023,
subject to the conditions contained in *N.J.A.C. 13:69C-2.7* as applicable.

Submitted by:

A handwritten signature in black ink, appearing to read 'Dianna W. Fauntleroy', written over a horizontal line.

Dianna W. Fauntleroy
General Counsel

CERTIFICATION

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

A handwritten signature in black ink, appearing to read 'Teresa Pimpinelli', written over a horizontal line.

Teresa Pimpinelli
Senior Counsel
for the Executive Secretary

Meeting of September 13, 2023
Vote taken on page(s) 38-39

STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
PRN 1912306
ORDER NO. 23-09-13-12

IN THE MATTER OF THE FUNDS HELD
FOR REDEMPTION OF PLAYBOY CHIPS

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ORDER

The Division of Gaming Enforcement (“Division”) having filed a Petition (PRN 1912306) dated July 10, 2023, as amended by an Amended Petition dated August 23, 2023, seeking an Order from the New Jersey Casino Control Commission (“Commission”) finding that the time for presenting Playboy Hotel and Casino (“Playboy”) gaming chips by patrons is now closed; an Order, to be served on the Unclaimed Property Administrator (“UPA”) superseding prior Commission Orders and Resolutions and permanently terminating further redemptions of Playboy gaming chips from the funds held by the Commission and administered by the UPA; an Order that funds held by the Commission and administered by the UPA inure to the benefit of the State of New Jersey (“the State”) and an Order for such other relief as may be necessary to end further redemptions of Playboy gaming chips; and the Director of the Division having issued an Emergency Order dated July 7, 2023, and the Division having provided

a copy of the Emergency Order and the Petition to the UPA by letter dated July 26, 2023, and a copy of the Amended Petition by letter dated August 23, 2023; and the Commission having duly considered the matter, including the arguments of Counsel for the Division, at its public meeting of September 13, 2023, and for good cause shown, the Commission makes the following findings:

1. Playboy Elsinore Associates (“PEA”) was a partnership formed in April 1979, consisting of subsidiaries of Playboy Enterprises, Inc. (“Playboy”) and Elsinore Corporation (“Elsinore Corp.”) for the purpose of operating the Playboy Casino Hotel in Atlantic City, New Jersey. The Commission granted PEA a conditional license to operate the Playboy Casino Hotel on April 14, 1981.
2. In April 1982 the Commission denied the application of Hugh Hefner, Chief Executive Officer of Playboy, but granted PEA a plenary casino license on the condition that PEA divest the interests held by Playboy. Playboy sold its interest in the Playboy Hotel and Casino to its partner, Elsinore Shore Associates (“Elsinore”), successor to the partnership between PEA and Elsinore Corp. In 1984, the casino hotel was renamed the Atlantis Hotel and Casino (“Atlantis”). Playboy gaming chips and slot machine tokens continued to be redeemable at the Atlantis.

3. In April 1989 the Commission denied renewal of Elsinore's casino license and appointed a conservator to take title to all of Elsinore's assets and to supervise Elsinore's continued operations of the Atlantis as a casino hotel pending further orders of the Commission. On May 18, 1989, the Commission ordered the closing of the Atlantis as of 4:00 am on May 22, 1989.
4. On June 1, 1989, the Commission entered an Order requiring Elsinore to segregate a fund in the amount of \$875,000 and use that fund to redeem outstanding gaming chips and slot machine tokens for both Playboy and the Atlantis. That amount represented the combined outstanding liability on unredeemed Playboy and Atlantis gaming chips and slot machine tokens previously issued to gaming patrons. There was no inventory of each outstanding gaming chip and slot machine token, nor a record of to whom each was issued. On June 6, 1989, Elsinore filed a Petition with the Commission seeking to withdraw \$450,000.00 from the dedicated funds to use for its own purposes. Elsinore represented that this amount was the value of the gaming chips and slot machine tokens issued by Playboy which remained unredeemed. One week later, on June 8, 1989,

the Commission ordered the Conservator to take exclusive control and possession of bank accounts held by Elsinore, including dedicated accounts to cover any liability for outstanding gaming chips and slot machine tokens. Elsinore amended its Petition on August 30, 1989 and sought the release of all sums held for gaming chip and slot machine token redemptions for its general use. The Division opposed Elsinore's Petition and sought to have the funds dedicated for gaming chip and slot machine token redemption deemed "unclaimed property" subject to custodial escheat to the State pursuant to the Uniform Unclaimed Property Act ("UUPA"), *N.J.S.A. 46:30B-1 et seq.* On November 15, 1989 the Commission determined that it lacked jurisdiction to determine the escheat issue and ordered Elsinore to continue to redeem Playboy and Atlantis gaming chips and slot machine tokens and that the conservator continue possession and control of all dedicated funds.

5. On December 29, 1989 the Commission discontinued the conservatorship and discharged the conservator upon the conservator's transfer of the funds in the dedicated accounts to a Commission representative. By Commission Resolution dated January 24, 1990, the Commission took possession of the funds

remaining in the dedicated accounts and invested them in the State Cash Management Fund.

6. In July 1991 the Appellate Division of the New Jersey Superior Court in State v. Elsinore Shore Associates, 249 N.J.Super. 403 (App.Div. 1991) determined that “gambling casino funds in the amount of unredeemed gaming chips and slot machine tokens are abandoned intangible property subject to the [UUPA], and must therefore be paid to the State Treasurer for protective custody.”
7. Pursuant to an orderly shutdown plan, all unissued Playboy gaming chips held by Elsinore were required to be destroyed and not subject to redemption. The company contracted to destroy the unissued gaming chips failed to do so and instead buried the chips on its property in Mississippi. In mid-2008, a construction project unearthed unissued Playboy gaming chips which were then improperly taken by the public and placed in circulation. Such chips were never intended for redemption and do not represent a legitimate debt owed to casino patrons. Unlike the Playboy gaming chips, upon the closure of the Atlantis, its inventory of unissued gaming chips and slot machine tokens were properly destroyed in accordance with then Commission

regulation, *N.J.A.C.* 19:46-1.6(f).

8. At the time of the renaming of Playboy, as well as at the closure of the Atlantis, Commission regulation, *N.J.A.C.* 19:46-1.5(c), provided that, except for limited circumstances, “and as otherwise approved by the Commission, each casino licensee shall redeem its gaming chips and plaques only from its patrons and shall not knowingly redeem its gaming chips and plaques from any non-patron source.” Current Division regulation, *N.J.A.C.* 13:69E-1.6A(c), specifies the same limitation. As asserted by the Division, “gaming chips are personal to the patron as a representation of debt to a specific patron and are forbidden to be redeemed if they come from a ‘non-patron source’.”
9. Playboy ceased operating as a casino hotel in 1984. The Atlantis ceased operations as a casino hotel by order of the Commission on May 22, 1989. The UPA began administering the funds held for the redemption of Playboy gaming chips and slot machine tokens in 1991. Sufficient time has passed for actual Playboy patrons to have redeemed any gaming chips and/or slot machine tokens owed by Playboy. Recent attempts have been made to present Playboy chips for payment from the funds

administered by the UPA where the chips were not lawful chips held by patrons of Playboy, but instead were unissued chips that should have been legally destroyed or chips obtained on the secondary market.

10. The Director's Emergency Order of July 7, 2023 immediately terminating further redemptions of Playboy chips was issued to prevent fraudulent and improper claims against the funds administered by the UPA and to preserve the public policies expressed through the Casino Control Act and attendant regulations.

11. The failure to properly destroy unissued Playboy gaming chips in accordance with governing Commission regulations and their subsequent unearthing and circulation among non-patrons could not have been foreseen by the Commission when it retained a dedicated account for redemption of Playboy gaming chips and slot machine tokens upon the shutdown of Elsinore, some five (5) years after the closure of Playboy.

12. Circumstances have substantially changed and prohibiting further redemption of Playboy gaming chips and slot machine tokens is necessary to protect and ensure the ongoing integrity of casino gaming and preserve the public policies

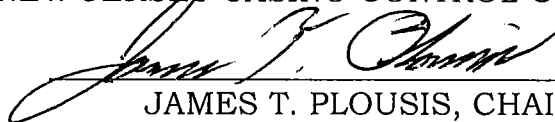
established through the Casino Control Act and as expressed and implemented through regulations.

IT IS, therefore on this 13th day of September 2023, **ORDERED** that pursuant to authority provided in *N.J.S.A. 5:12-75*, the prior Orders and Resolutions of the Commission, including, Order No. 89-22-34 (June 1, 1989), Order No. 89-23-23A (June 8, 1989), Order No. 89-43-29 (November 15, 1989), Order No. 89-50-35 (December 27, 1989) and Resolution No. 90-4-25 (January 24, 1990) are hereby **MODIFIED** or **VACATED** to the extent inconsistent, and the period for redemption of Playboy gaming chips and slot machine tokens is now closed and further redemptions of Playboy gaming chips and slot machine tokens by the UPA shall cease; and

IT IS FURTHER ORDERED that the remaining sum held by the UPA for the redemption of Playboy gaming chips and slot machine tokens shall inure to the benefit of the State; and

IT IS FURTHER ORDERED that a Copy of this Order shall be served on the UPA within five (5) days of its entry.

NEW JERSEY CASINO CONTROL COMMISSION



JAMES T. PLOUSIS, CHAIRMAN

Meeting of September 13, 2023
Vote taken on page(s) 57-58