

BEFORE THE  
CALIFORNIA GAMBLING CONTROL COMMISSION

In the Matter of the Application for a Key  
Employee License Regarding:

TOM WILLIS BOWLING, JR.

Applicant.

CGCC Case No. CGCC-2018-0125-6A  
BGC Case No. BGC-HQ2018-00011SL

**DECISION AND ORDER**

Hearing Date: November 8, 2018  
Time: 10:00 a.m.

This matter was heard by the California Gambling Control Commission (Commission) pursuant to Business and Professions Code sections 19870 and 19871 and Title 4, California Code of Regulations (CCR) section 12060(b), in Sacramento, California, on November 8, 2018.

Paras Modha, Deputy Attorney General, State of California, represented complainant Stephanie Shimazu, Chief of the Bureau of Gambling Control (Bureau), Department of Justice, State of California.

Tom Willis Bowling, JR. was present and represented himself during the hearing.

During the administrative hearing, Presiding Officer Jason Pope took official notice of the following: (1) Notice of Evidentiary Hearing and attachments; (2) the Bureau's Statement of Reasons; (3) Applicant's Notice of Defense; (4) the Commission's Notice of Rescheduled Hearing; and (5) the Conclusion of Prehearing Conference Letter.

During the administrative hearing, Presiding Officer Jason Pope accepted into evidence the following exhibits offered by the Bureau:

(1) Disclosure letter to Applicant dated August 29, 2018; Statement to Respondent dated August 29, 2018; Statement of Reasons dated August 29, 2018; Notice of Hearing, without attachments, dated April 11, 2018; copy of Bus. & Prof. Code, §§ 19870 & 19871; Copy of Cal. Code. Regs., tit. 4, § 12060; Certificate of Service dated August 29, 2018; Notice of Defense, signed February 9, 2018; E-mail dated September 21, 2018, and letter dated September 19, 2018, from Applicant withdrawing application; Withdrawal of Designated Agent Parrinello dated

1 September 13, 2018, Bates Nos. 0001-0036;

2 (2) The Bureau's Cardroom Key Employee Background Investigation Report, Level  
3 III, Tom Willis Bowling, Jr., Lucky Lady Card Room, with attachments, dated December 2017;  
4 CD with Bill Vanderberg Interview dated September 6, 2018, Bates Nos. 0037-0124;

5 (3) Application for Interim Key Employee License dated December 22, 2015; Key  
6 Employee Supplemental Background Investigation Information dated January 14, 2016;  
7 Application for Gambling Establishment Key Employee License dated January 28, 2016;  
8 Notification of Change in Key Employee Employment Status dated August 10, 2017; Application  
9 for Gambling Establishment Key Employee License dated September 25, 2017; Authorization to  
10 Release Information dated September 25, 2017; Authorization to Release Information dated  
11 January 23, 2017; Authorization to Release Information dated January 15, 2016; Appointment of  
12 Designated Agent dated January 24, 2018, Bates Nos. 0125-0160;

13 (4) Commission correspondence with Applicant; Commission Meeting Agendas for  
14 meeting January 25, 2018, Bates Nos. 0161-0175;

15 (5) Gaming Contracts and Agreements, Bates Nos. 0176-0198;

16 (6) Applicant work experience history and business database inquiries, Bates Nos.  
17 0199-0232;

18 (7) Bureau applications by Applicant for 2003 and 2004, Bates Nos. 0233-0305;

19 (8) Bureau correspondence with Applicant and request for information, Bates Nos.  
20 0306-0407;

21 (9) Bureau Investigation Reports re: Club Caribe Casino (Club Caribe) June 2005,  
22 October 2005, and May 2006; Investigation relating to slot machines, Bates Nos. 0408-0515;

23 (10) *Bill Vanderberg v. Hollywood Park Inc., et al.* (Super. Ct. L.A. County, 2000, No.  
24 BC222811), Bates Nos. 0516-0544;

25 (11) Court documents re: *David Tom vs. S&S Gaming, Club Caribe Casino & Tom*  
26 *Bowling*; CD with *David Tom v S&S Gaming* case file; Consulting Agreement with Club Caribe;  
27 Resignation letter, Bates Nos. 0545-0599;

28

1 (12) Promissory Note between Applicant and Game Source, LLC., Bates Nos. 0600-  
2 0601;

3 (13) Stock Purchase Agreement between Applicant and Casino Services, Inc., Bates  
4 Nos. 0602-0652;

5 (14) Cudahy Gaming, Inc. Stock Option Agreement dated March 2003, and Business  
6 Relationship Restructuring Agreement dated February 2004, Bates Nos. 0653-0737;

7 (15) Letter from Applicant to San Jose Police Department re: Response to Key  
8 Employee License Application for Additional Information Sutter's Place, Inc., dba Bay 101 dated  
9 March 31, 2006, Bates Nos. 0738-0741;

10 (16) City of San Jose Memo re: Key Employee Applicant Interview dated April 11,  
11 2006, Bates Nos. 0742-0749;

12 (17) Letter from Applicant to San Jose Police Department re: Response to Key  
13 Employee License Application for Additional Information Sutter's Place, Inc., dba Bay 101 dated  
14 July 27, 2006, Bates Nos. 0750-0755;

15 (18) City of San Jose Memo re: Key Employee Applicant Interview #2 dated June 21,  
16 2006, Bates Nos. 0756-0759;

17 (19) Letter from Applicant to San Jose Police Department re: Response to Verbal  
18 Requests for Document Copies and Explanations Sutter's Place, Inc., dba Bay 101 dated August  
19 6, 2007, Bates Nos. 0760-0769;

20 (20) City of San Jose Memo re: Meeting with Ed Ching dated September 5, 2006, Bates  
21 Nos. 0770-0771;

22 (21) San Jose Police Department Card Room Employee Application for Applicant  
23 dated March 16, 2006, Bates Nos. 0772-0844;

24 (22) San Jose Police Department Report on Background Investigation, Bates Nos.  
25 0845-0902;

26 (23) Telephone Contact Sheet re: Debi Yip of San Jose Police Department dated  
27 February 17, 2017, Bates Nos. 0903;

28

1 (24) *David Tom v. S&S Gaming* (Case No. VC046384) case file, Bates Nos. 0904-  
2 2064.

3 During the administrative hearing, Presiding Officer Jason Pope accepted into  
4 evidence the following exhibits offered by Applicant:

5 (A) Nelson Rose summary;

6 (B) Nelson Rose Wikipedia results;

7 (C) Nelson Rose summary;

8 (D) Statement of Jody Wang;

9 (E) Subpoena requesting testimony from Stephanie Shimazu on November 8, and 9,  
10 2018 before the Commission issued by Applicant;

11 (F) October 16, 2018, disclosures by Applicant to Paras Modha;

12 (G) Summary of Applicant's charitable giving, community service, and volunteer  
13 work, and supporting documents;

14 (H) Personal Reference Letters from (1) Paul Chilleo, (2) Leo Chu, (3) Will Espin, (3)  
15 Taro Ito, (4) Nelson Rose, and (5) Gretchen Von Helms;

16 (I) Misc. Documents: (1) May 6, 2010 Letter from San Jose Police Department  
17 confirming Applicant's key employee license application was withdrawn without prejudice; (2)  
18 October 15, 2018 statement by Applicant regarding conversation with Richard Teng; (3) March 6,  
19 1997 correspondence from the Assembly of California Legislature, Committee on Government  
20 Organizations to Applicant;

21 (J) Articles on Effect of Age and Memory: (1) Memory & Aging (2) Age-Related  
22 Memory Loss; What's Normal, What's Not, and When to Seek Help;

23 (K) October 24, 2018 email from Applicant to Paras Modha disclosing witness Bill  
24 Vanderberg and October 24, 2018 email from Taro Ito;

25 (L) October 28, 2018, Emailed statement by James Preston;

26 (M) October 30, 2018 statement by Ronnie Blackwell;

27 (N) Reference letter by Julianna Smith;

28

- 1 (O) Reference letter by Terry Ayjian;
- 2 (P) October 30, 2018 reference letter by Terry Ayjian and Mr. Ayjian's business card;
- 3 (Q) October 29, 2018 statement by Phyllis Caro;
- 4 (R) November 1, 2018 email from Taro Ito to Applicant regarding Bill Vanderberg;
- 5 (T) Special Verdict as to Defendant Tom Bowling in *Vanderberg v. Hollywood Park*, Los  
6 Angeles Superior Court Case No. BC222811;<sup>1</sup>
- 7 (U) November 6, 2018 Statement by Kayumba Kanama;
- 8 (V) Employment Profile, 7/11/95.

9 The matter was submitted on November 8, 2018.

10 FINDINGS OF FACT

11 Background & Procedural History

- 12 1. On January 4, 2016, the Bureau received an Interim Key Employee License  
13 Application from Tom Willis Bowling, Jr. (Applicant) to allow for his employment as a key  
14 employee at Seven Mile Casino, a licensed gambling establishment in Chula Vista, California.
- 15 2. On January 7, 2016, the Commission issued an Interim Key Employee License,  
16 number GEKE-002159, to Applicant with an expiration date of January 31, 2018.
- 17 3. On or about January 21, 2016, the Bureau received Applicant's Key Employee  
18 Supplemental Background Investigation Information form, with attached schedules, and on  
19 February 3, 2016, the Bureau received Respondent's Application for Gambling Establishment  
20 Key Employee License (collectively, Application).
- 21 4. Between January and December 2017, the Bureau sent approximately thirteen  
22 inquiries to Applicant requesting that he provide additional information and documents. For each  
23 request, Applicant provided a response on or before the provided deadline.
- 24 5. In October of 2017, Applicant began his employment at Lucky Lady Card Room, a  
25 licensed gambling establishment in San Diego, California, as an independent manager.
- 26 6. On or about December 21, 2017, the Bureau submitted a Cardroom Key Employee

27 \_\_\_\_\_  
28 <sup>1</sup> Exhibit S was marked for identification, but not admitted as evidence.

1 Background Investigation Report to the Commission recommending Applicant's Application be  
2 denied on the basis that he failed to provide information and provided misleading information to the  
3 Bureau.

4 7. On or about January 10, 2017, Applicant's interim key employee license was cancelled by  
5 the Commission pursuant to California Code of Regulations, title 4, section 12354, subdivision (e)(5).

6 8. On January 25, 2018, the Commission referred consideration of Applicant's  
7 Application to an evidentiary hearing to be held under the provisions of California Code of  
8 Regulations, title 4, section 12060.

9 9. On February 12, 2018, the Commission received Applicant's Notice of Defense, dated  
10 February 9, 2018.

11 10. On August 30, 2018, the Commission received the Bureau's Statement of Reasons,  
12 which alleged four causes for denial: (1) pattern of unsuitable decisions as a key employee at  
13 Club Caribe; (2) making misleading statements to the Bureau; (3) failure to disclose prior  
14 employment; and (4) material misrepresentation regarding prior ownership of entities.

15 Fraudulent Check Cashing by Patron at Club Caribe

16 11. At the hearing, the Bureau admitted evidence that between November 2004 and May  
17 2005, while Applicant was the general manager of Club Caribe, he allowed Ruolon "Jenny"  
18 Huang to cash multiple cashiers and third-party personal checks issued by David Tom, totaling  
19 \$532,000, for purposes of gambling at Club Caribe. Ms. Huang's check cashing activity resulted  
20 in a criminal investigation, criminal charges against Ms. Huang, and the filing of a lawsuit  
21 alleging fraud by Club Caribe, Ms. Huang, and Applicant.

22 12. The Bureau's Statement of Reasons alleges that Applicant made misleading statements to  
23 the Bureau relating to Jenny Huang's check cashing activities at Club Caribe Casino. First, Applicant  
24 allegedly misrepresented to the Bureau the amount of the checks cashed by stating that the cashier's  
25 checks totaled *over* \$200,000, rather than stating the actual amount of \$532,000.

26 13. The second alleged misrepresentation was that Applicant told the Bureau that he  
27 contacted David Tom, the maker of the checks, prior to allowing one of the checks to be cashed.  
28

1 However, during the course of the aforementioned civil fraud lawsuit, it was considered an  
2 undisputed fact that Applicant did not contact David Tom prior to allowing Ms. Huang to cash the  
3 checks.

4 14. The Bureau admitted evidence that The Department of Justice, Division of Gambling  
5 Control (DGC), investigated the incident in 2005 to determine whether Applicant was involved  
6 with the fraud scheme that was perpetrated against Mr. Tom. The DGC Investigation Report  
7 concluded that Jenny Huang was the person responsible for defrauding Mr. Tom and that  
8 Applicant did not appear to have any knowledge regarding the fraud scheme. The investigation  
9 also found that the casino had filled out Cash Transaction Reports as required by law in relation  
10 to the transactions.

11 15. Applicant disclosed the lawsuit, *David Tom, by and through his guardian ad litem,*  
12 *Dennis Tom v. S&S Gaming, Inc. dba Club Caribe Casino, Ruolon “Jenny Huang, Tom Bowling,*  
13 *Los Angeles County Superior Court Case No. VC046384,* on his Application and provided the  
14 Bureau with a copy of the settlement agreement.

15 16. Applicant testified that the lawsuit was settled by the parties with no admission of  
16 guilt by defendants.

17 17. Applicant testified that prior to cashing the third party checks issued to Club Caribe by  
18 David Tom on behalf of Ms. Huang, he contacted the issuing bank to ensure that the checks were  
19 legitimate.

20 18. Applicant testified that he did not believe Jenny Huang had a gambling problem.

21 19. Applicant testified that Ms. Huang was young and attractive, and he assumed that Mr.  
22 Tom was her “wealthy uncle”<sup>2</sup> and provided her with funds to gamble. Applicant further testified  
23 that on one occasion, he contacted Mr. Tom by phone to confirm that he wanted Club Caribe to  
24 accept the check and issue the funds to Ms. Huang for gambling at Club Caribe.

25 20. Applicant admitted a witness statement by Jody Wang stating that she was present at  
26 Club Caribe when Applicant spoke to David Tom on the phone.

27 \_\_\_\_\_  
28 <sup>2</sup> Applicant testified that the term “wealthy uncle” in his mind is similar to the term “sugar daddy.”

1           21. Applicant testified that during the course of the lawsuit, he did not recall that he had  
2 made a phone call to David Tom. However, after the litigation was resolved, he recalled making  
3 the phone call. Applicant testified that if he had recalled making the call during the litigation, it  
4 would have been helpful to his case and he regretted that he had not recalled it at the time.

5           22. Applicant testified that he told the Bureau that Ms. Huang cashed over \$200,000 in  
6 checks because he could not recall the precise total because the incident had occurred so long ago.

7           23. The Commission finds Applicant's testimony that he did not recall the phone  
8 conversation with David Tom during the lawsuit, but later recalled it in relation to his key  
9 employee application, to be credible.

10           24. Further, the Commission finds that Applicant's statement that Jenny Huang cashed  
11 checks in an amount "over \$200,000" to be a truthful statement. Additionally, Applicant's  
12 conduct of disclosing the litigation and settlement agreement further support his position that he  
13 was not attempting to mislead the Bureau regarding the amount of money at issue in the case.

14           Unapproved Video Arcade Machines at Club Caribe

15           25. On or about March 9, 2005, Applicant, as the general manager of Club Caribe, entered  
16 into a "Location Agreement" with Golden State Amusement Company for the purpose of allowing  
17 the casino to offer cash prizes to its customers for playing "coin-operated" devices that may violate  
18 Penal Code sections 337J, 330b, and/or 330.

19           26. According to a DGC Investigative Report, on May 2, 2006, DGC agents conducted an  
20 unannounced site inspection of Club Caribe. During the inspection it was determined that Club  
21 Caribe was using three unapproved video arcade machines to offer \$50 high score contests to  
22 patrons. Club Caribe did not have Bureau permission to operate these games. During the  
23 inspection, the Bureau learned that Applicant had authorized the use of the video arcade  
24 machines, but that he was no longer an employee of the casino as of March 23, 2006.

25           27. According to the DGC Investigative Report, on May 2, 2006, the DGC investigator  
26 contacted Applicant by phone. Applicant told the investigator that he believed that the games  
27 were permissible because they were games of skill. However, the DGC Investigative Report  
28

1 discussed that the games played as part of the \$50 contest were more likely games of chance,  
2 including games that simulated card games, such as Pairs and Triple 11's.

3 28. On July 13, 2006, the DGC determined that the video arcade machine "could not be  
4 classified as a slot machine as defined in the penal code. The machine was returned to Club  
5 Caribe and the club manager was admonished that payment of winnings by the bar inside the  
6 casino may violate state law precluding house-banked games inside cardrooms and place Club  
7 Caribe's gambling license in jeopardy." According to the DGC report, the case was closed.

8 29. Applicant testified that the DGC found that the machines were not slot machines and  
9 returned them to Club Caribe. Applicant testified that he does not know if Club Caribe continued  
10 to offer cash prizes for the arcade games because he left for another job.

11 30. Applicant testified that the video arcade machines were used to play a variety of  
12 games. He testified that the machines featured video games similar to Pong, Tetris, or other  
13 games that you would find in an arcade or pizza place.

14 31. Applicant testified that he did not seek Bureau approval for use of the video arcade  
15 machines at Club Caribe and indicated in his testimony that he did not think that he was required  
16 to.

17 32. The Commission is concerned by Applicant's testimony on this issue, which forms the  
18 basis for the conditions this order places on his license. The games at issue were not approved by  
19 the Bureau and the cardroom should not have paid out cash prizes on the games. Additionally,  
20 Applicant's testimony regarding the practice of the house awarding cash prizes for play on arcade  
21 machines did not demonstrate that he perceived any wrongdoing on his behalf in relation to this  
22 incident or that he would do anything different if confronted with a similar situation in the future.

23 Hollywood Park Discrimination Lawsuit

24 33. The Bureau admitted evidence that while Applicant was employed as the Vice  
25 President of Hollywood Park Casinos, the cardroom was found by a jury to have engaged in  
26 discriminatory employment practices at various times between April of 1997 through December  
27 of 1999, in the case of *Bill Vanderberg v. Hollywood Park, Inc., et al.* (Super. Ct. L.A. County,  
28

1 2000, No. BC222811).

2 The evidence admitted regarding this lawsuit, was insufficient for the Commission to  
3 establish whether Applicant discriminated against Hollywood Park employees in the  
4 course of his work as a key employee.

5 Failure to Disclose Prior Employment with Club Caribe

6 34. The Bureau alleges that Applicant failed to disclose his employment with Club Caribe as  
7 the general manager from February of 2003 to February of 2006 and as a consultant from March 2006  
8 to November 2006 on his 2016 Application.

9 35. The Bureau asked Applicant to explain why he did not disclose his employment as a  
10 general manager and as a consultant at Club Caribe on his Application. Applicant responded to the  
11 Bureau on August 10, 2014, stating that regarding his employment as a general manager, it was a  
12 mistake to omit this information and he apologized. Regarding his consultant work for Club Caribe,  
13 Applicant responded that he did not recall this work “to the best of my memory.”

14 36. Applicant testified that he thought the general manager position was outside the 10-  
15 year period when he filled out the 2016 Application, but he was off by a few months. The Bureau  
16 Report confirmed that Applicant’s employment as the general manager was only two months  
17 from being outside the specified 10-year period.

18 37. Regarding his brief work as consultant for Club Caribe, Applicant testified that he could  
19 not recall this work and he did not think the Bureau’s findings were accurate until he consulted his  
20 own tax records and saw that he was issued a 1099 from Club Caribe in 2006. Applicant testified that  
21 during this time period he worked at Bay 101, but he must have provided some consulting to Club  
22 Caribe, possibly by phone.

23 38. Applicant testified that when he retired he purged many of his older records and  
24 therefore when he decided to return to work, he had to fill the key employee application out by  
25 memory. Applicant testified that he explained to the Bureau on multiple occasions that he did not  
26 have the benefit of his records to use in filling out the Application.

27 39. Applicant disclosed his employment as a general manager with Club Caribe in his 2003  
28

1 and 2004 key employee license applications and referenced the position on his 2016 Application in  
2 portions other than the employment history section, including in sections 6 and 7 (litigation and other  
3 licensing information).

4 40. The Commission finds that Applicant's testimony regarding his reasons for not  
5 disclosing his prior employment and consulting work at Club Caribe on his most recent  
6 application was credible. Further, the fact that he previously disclosed this employment and still  
7 referenced the employment with Club Caribe in other portions of the 2016 Application indicates  
8 that he was not attempting to mislead the Bureau.

9 Misrepresentation of Ownership Structure of Cudahy Gaming, Inc.

10 41. Between January 2003 to February 2006, Applicant was the president and held 20 percent  
11 ownership interest in Cudahy Gaming, Inc. (Cudahy) a wholly owned subsidiary of Casino Services,  
12 Inc. (Casino Services).

13 42. In Applicant's 2003 key employee license application (to be a key employee at Club  
14 Caribe Casino) and his 2004 application for a state gambling license (to be a shareholder of Club  
15 Caribe Casino), Applicant stated that he owned 20 percent of the shares of Casino Services and  
16 Cudahy, and identified John Schipani as his business partner and 80 percent shareholder of both  
17 entities.

18 43. However, on Applicant's 2016 Application, he indicated that Game Source, LLP was the  
19 owner of the other 80 percent of Casino Services. The Bureau wrote to Applicant to inquire about the  
20 discrepancy.

21 44. On or about February 15, 2017, Applicant responded to the Bureau stating that Gaming  
22 Source, LLP was the owner of 80 percent of the shares of both Cudahy and Casino Services, and  
23 that John Schipani never had an ownership interest in Cudahy or Casino Services.

24 45. Applicant testified that without the benefit of his older records, he had simply forgotten  
25 that John Schipani was his partner in Cudahy and Casino Services. Applicant testified that he has not  
26 interacted with John Shipani since 2004, and that was for a brief 3-4 month period.

27 46. Applicant testified that he had disclosed his affiliation with Mr. Shipani on prior  
28

1 applications and did not intend to mislead the Bureau.

2 47. The Commission finds that Applicant's testimony regarding his reasons for not  
3 accurately disclosing the ownership structure of Cudahy to be credible and does not warrant  
4 denial of his Application.

5 Applicant's Character

6 48. James Roy McKee testified that Applicant assisted him when he was the General  
7 Manager of Seven Mile Casino. Mr. McKee testified that when he began his tenure at Seven Mile  
8 Casino, the cardroom had recently been raided and shut down by the Bureau.

9 49. Mr. McKee testified that in a very short time, Applicant created a culture of  
10 compliance that is still present at Seven Mile Casino today. Mr. McKee testified that Applicant is  
11 "Mr. Compliance" and is an honest person.

12 50. Applicant admitted a letter from the Executive Director of the California Council on  
13 Problem Gambling stating that Applicant served on the Board as a member in good standing for a  
14 number of years and made a number of personal contributions to the Council before resigning in  
15 2004.

16 51. Applicant admitted multiple additional character references that attest to the fact that  
17 Applicant is dependable and that he is generally honest and trustworthy and viewed by others  
18 who have managed or currently manage cardrooms as an asset to the industry.

19 52. Applicant testified that he was previously the president of the board of directors of a  
20 Catholic school in Inglewood, California. Applicant testified that he volunteered many hours of  
21 his time and made financial contributions to the school and assisted the school with becoming  
22 financially stable.

23 53. Applicant testified that he also volunteered a significant amount of time as a member  
24 of the Board of Directors of the California Council on Problem Gambling and as a member of the  
25 Little Hoover Subcommittee on Gambling in California.

26 54. Applicant testified that has worked in the gaming industry since approximately 1972  
27 and has never been disciplined by regulators or charged with a crime.  
28



1 Business and Professions Code section 19856(c).

2 6. The Commission has the responsibility of assuring that licenses, approvals, and  
3 permits are not issued to, or held by, unqualified or disqualified persons, or by persons whose  
4 operations are conducted in a manner that is inimical to the public health, safety, or welfare.

5 Business and Professions Code section 19823(a)(1).

6 7. An “unqualified person” means a person who is found to be unqualified pursuant to  
7 the criteria set forth in Business and Professions Code section 19857, and “disqualified person”  
8 means a person who is found to be disqualified pursuant to the criteria set forth in Business and  
9 Professions Code section 19859. Business and Professions Code section 19823(b).

10 8. The Commission has the power to deny any application for a license, permit, or  
11 approval for any cause deemed reasonable by the Commission. Business and Professions Code  
12 section 19824(b).

13 9. No gambling license shall be issued unless, based on all of the information and  
14 documents submitted, the commission is satisfied that the applicant is a person of good character,  
15 honesty and integrity. Business and Professions Code section 19857(a).

16 10. An application for a Key Employee License shall be denied by the Commission if the  
17 applicant is found unqualified pursuant to the criteria set forth in subdivisions (a) or (b) of  
18 Business and Professions Code section 19857.

19 11. Applicant met his burden of demonstrating that he is a person of honesty and integrity.  
20 Therefore, Applicant is qualified for the issuance of a Key Employee License pursuant to  
21 Business and Professions Code section 19857(a).

#### 22 NOTICE OF APPLICANT’S APPEAL RIGHTS

23 Applicant Tom Bowling, Jr. has the following appeal rights available under state law:  
24 Title 4, CCR section 12064, subsections (a) and (b) provide, in part:

25 An applicant denied a license, permit, registration, or finding of suitability, or whose  
26 license, permit, registration, or finding of suitability has had conditions, restrictions,  
27 or limitations imposed upon it, may request reconsideration by the Commission  
28 within 30 calendar days of service of the decision, or before the effective date  
specified in the decision, whichever is later. The request shall be made in writing to  
the Commission, copied to the Bureau, and shall state the reasons for the request,

1 which must be based upon either newly discovered evidence or legal authorities that  
2 could not reasonably have been presented before the Commission's issuance of the  
3 decision or at the hearing on the matter, or upon other good cause which the  
4 Commission may decide, in its sole discretion, merits reconsideration.

5 Business and Professions Code section 19870, subdivision (e) provides:

6 A decision of the commission denying a license or approval, or imposing any  
7 condition or restriction on the grant of a license or approval may be reviewed by  
8 petition pursuant to Section 1085 of the Code of Civil Procedure. Section 1094.5 of  
9 the Code of Civil Procedure shall not apply to any judicial proceeding described in  
10 the foregoing sentence, and the court may grant the petition only if the court finds  
11 that the action of the commission was arbitrary and capricious, or that the action  
12 exceeded the commission's jurisdiction.

13 Title 4, CCR section 12066, subsection (c) provides:

14 A decision of the Commission denying an application or imposing conditions on license  
15 shall be subject to judicial review as provided in Business and Professions Code section  
16 19870, subdivision (e). Neither the right to petition for judicial review nor the time for  
17 filing the petition shall be affected by failure to seek reconsideration.

18 //  
19 //

ORDER

1  
2 1. Tom Willis Bowling Jr.'s Application for a Key Employee License is GRANTED  
3 with the following conditions:

4 a. Applicant must attend a training that is taught or organized by the Bureau of  
5 Gambling Control within six months of the effective date of this Decision and Order. If Applicant  
6 cannot find such a training, he may attend another training that is approved by the Bureau.

7 b. Applicant shall submit to the Bureau copies of any employment or consulting  
8 agreements he enters into with gambling entities within 30 days of finalizing the agreement.

9 2. Each side to pay its own attorneys' fees.

10 This Order is effective on 1/11, 2019.

11  
12 Dated: 1/11/19

Signature: \_\_\_\_\_

13 Jim Evans, Chairman

14  
15 Dated: 1/11/2019

Signature: \_\_\_\_\_

16 Paula LaBrie, Commissioner

17  
18 Dated: 1/11/19

Signature: \_\_\_\_\_

19 Gareth Lacy, Commissioner

20  
21 Dated: 1/11/19

Signature: \_\_\_\_\_

22 Trang To, Commissioner