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BEFORE THE  
CALIFORNIA GAMBLING CONTROL COMMISSION

CGCC Case No. CGCC-2018-0726-10D

In the Matter of the Application for Approval  
of Third-Party Proposition Player License for:

JA'MEIKA THOMPSON  
Registration No. TPPL-014608

Applicant.

**DECISION AND ORDER**

Hearing Date: Wednesday March 6, 2019  
Time: 10:00 a.m.

1. This matter was scheduled for hearing before 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, in Sacramento, California, on Wednesday, March 6, 2019.

2. The Bureau of Gambling Control (Bureau) was represented by Deputy Attorney General Collin Wood with the Indian and Gaming Law Section, Department of Justice, Attorney General's Office.

3. Ja'Meika Thompson (Applicant) failed to appear and was not represented at the hearing.

4. During the administrative hearing, Presiding Officer Jason Pope took official notice of the following: (1) Notice of Hearing with enclosures; (2) Conclusion of Prehearing Conference letter, dated January 16, 2019; (3) Statement of Reasons, dated September 25, 2018; and (4) Notice of Defense, signed September 4, 2018.

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

- (1) Statement of Reasons; Statement to Respondent; Excerpts from the Business and Professions Code and CCR; October 4, 2018, Certificate of Service; unsigned and undated Notice of Defense, received by the Commission on August 20, 2018; Notice of Defense, dated September

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4, 2018; and August 15 & 22, 2018 email correspondence between Applicant and the Commission, Bates Nos. 001-032;

- (2) Commission Memorandum, Notices and Letters:
  - a. June 16, 2018, Licensing Division Memorandum, Bates Nos. 033-034;
  - b. July 27, 2018, Referral of Third-Party Proposition Player Services to an Evidentiary Hearing, Bates Nos. 035-036;
  - c. October 3, 2018, Notice of Hearing, with attachments and proof of service, Bates Nos. 037-055;
  - d. January 16, 2019, Conclusion of Prehearing Conference, Bates Nos. 056-061;
- (3) The Bureau’s Registration History/Information for Applicant, Bates Nos. 062-063;
- (4) Redacted copies of Applicant’s Application for Third Party Proposition Player Services License for Supervisor, Player or Other Employee and Level I Supplemental Information (collectively, Application), Bates Nos. 064-076;
- (5) Redacted copy of the Bureau’s June 2018, Third-Party Player Background Investigation Report, Bates Nos. 077-089;
- (6) March 15, 2017 thru May 24, 2018 email correspondence between the Bureau and Cary Cauley, designated agent, Certified Players, Inc. (Certified), Bates Nos. 090-096 with copies of:
  - a. Excerpt from Employee Relations handbook, Bates Nos. 097;
  - b. Employment Verification form, Bates Nos. 098;
  - c. Personnel Action Form, Bates Nos. 099;
- (7) A copy of the Change in Status Form for a Third Party Proposition Players Services or Registration or License submitted by Certified regarding Applicant, Bates Nos. 100;

1 (8) September 2017 email correspondence between Harlan Goodson,  
2 attorney for Hollywood Park Casino and Adriana Budmark, analyst,  
3 Bureau, with attached copy of a Hollywood Park Casino Barred Patron  
4 Report for Applicant, Bates Nos. 101-105;

5 (9) March 8, 2017 thru August 7, 2017 correspondence between Beck  
6 Gray, designated agent, and the Bureau, with copies of written  
7 statements made by Applicant, Bates Nos. 106-114.

8 6. At the March 6, 2019 hearing, the Commission requested that the Bureau obtain,  
9 and provide it with, a copy of a restraining order mentioned by the Bureau's witness, Kathi  
10 Hegelein, during her testimony at the hearing. The Commission ordered that the record would  
11 remain open until March 20, 2019 for this limited purpose.

12 7. On March 14, 2019, Deputy Attorney General Collin Wood notified the  
13 Commission that the Bureau could not obtain a copy of the restraining order because the privacy  
14 authorization Applicant provided to the Bureau expired. However, the Bureau was able to verify  
15 that the restraining order was issued by the San Bernardino Superior Court on August 21, 2017 on  
16 Applicant's behalf.

17 8. Applicant did not provide any additional information to the Commission regarding  
18 the restraining order or her failure to appear.

19 9. The matter was submitted on March 20, 2019.

#### 20 FINDINGS OF FACT

21 10. Applicant has been employed by Metis TPS, LLC (Metis), a registered third-party  
22 proposition player services provider, since December 2014. On or about December 10, 2014, the  
23 Commission issued Applicant a Third-Party Proposition Player Services Registration, registration  
24 number TPPL-014608 as an employee of Metis. Applicant's registration expired on February 28,  
25 2019.<sup>1</sup>

26 <sup>1</sup> Commission records indicate that Applicant's registration was renewed on March 4, 2019 and valid  
27 through February 28, 2021 but that information is not part of the administrative record. As a result, even though the  
28 administrative record indicates that Applicant's registration is expired, this Decision and Order still orders the  
cancellation of Applicant's registration.

1           11.     On or about June 24, 2016, the Bureau received an application for Third-Party  
2 Proposition Player Services License for Supervisor, Player or Other Employee and a Level I  
3 Supplemental Information forms, both dated June 10, 2015 (collectively, Application) from  
4 Applicant to allow for her continued employment as a third-party proposition player for Metis.

5           12.     On or about June 4, 2018, the Bureau provided its Third-Party Player Background  
6 Investigation Report to the Commission where it concluded that Applicant was not qualified for  
7 licensure. The Bureau recommended that the Commission deny Applicant's application.

8           13.     On or about July 27, 2018, the Commission considered Applicant's application  
9 and elected to refer it to an evidentiary hearing pursuant to CCR section 12054, subdivision (a),  
10 subsection (2). Commission staff mailed an evidentiary hearing referral letter via certified mail to  
11 Applicant's address of record which included a blank Notice of Defense form with instructions to  
12 return it to the Commission within 15 days of receipt or else the Commission may issue a default  
13 decision.

14           14.     On or about August 20, 2018 Commission staff received an unsigned and undated  
15 Notice of Defense form from Applicant requesting an evidentiary hearing. Thereafter, Applicant  
16 submitted a second Notice of Defense requesting an evidentiary hearing that was signed and  
17 dated September 4, 2018.

18           15.     Commission staff mailed a Notice of Hearing sent certified mail on October 5,  
19 2018 to Applicant's address of record stating that the hearing was set to occur on March 6, 2019  
20 at 10:00 a.m. The Notice of Hearing was returned to the Commission on or about August 23,  
21 2018 with the designation of "unclaimed, unable to forward, return to sender." Thereafter,  
22 Commission staff sent the Notice of Hearing to Applicant by email.

23           16.     On January 16, 2019, Jason Pope, Presiding Officer for the forthcoming hearing,  
24 conducted a pre-hearing conference with Deputy Attorney General Collin Wood and Applicant.  
25 Applicant was present at the prehearing conference on her own behalf without representation. On  
26 January 16, 2019, a letter confirming the topics discussed at the prehearing conference was  
27 mailed out to the parties. The January 16, 2019 letter also reminded the parties of the date and  
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1 time of the hearing.

2 17. At the March 6, 2019 hearing, Applicant was not present, and submitted no  
3 evidence on behalf of her application.

4 18. All documentary and testimonial evidence submitted by the parties that is not  
5 specifically addressed in this Decision and Order was considered but not used by the Commission  
6 in making its determination.

7 LEGAL CONCLUSIONS

8 19. Division 1.5 of the Business and Professions Code, the provisions of which govern  
9 the denial of licenses on various grounds, does not apply to licensure decisions made by the  
10 Commission under the Gambling Control Act. Business and Professions Code section 476(a).

11 20. Public trust and confidence can only be maintained by strict and comprehensive  
12 regulation of all persons, locations, practices, associations, and activities related to the operation  
13 of lawful gambling establishments and the manufacture and distribution of permissible gambling  
14 equipment. Business and Professions Code section 19801(h).

15 21. The Commission has the power to deny any application for a license, permit, or  
16 approval for any cause deemed reasonable by the Commission. Business and Professions Code  
17 section 19824(b).

18 22. The burden of proving his or her qualifications to receive any license from the  
19 Commission is on the applicant. Business and Professions Code section 19856(a).

20 23. An application to receive a license constitutes a request for a determination of the  
21 applicant's general character, integrity, and ability to participate in, engage in, or be associated  
22 with, controlled gambling. Business and Professions Code section 19856(b).

23 24. At an evidentiary hearing pursuant to Business and Professions Code sections  
24 19870 and 19871 and CCR section 12060(b), the burden of proof rests with the applicant to prove  
25 his or her qualifications to receive any license under the Gambling Control Act. CCR section  
26 12060(i).

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

3 26. No gambling license shall be issued unless, based on all of the information and  
4 documents submitted, the commission is satisfied that the applicant is a person whose prior  
5 activities, criminal record, if any, reputation, habits, and associations do not pose a threat to the  
6 public interest of this state, or to the effective regulation and control of controlled gambling, or  
7 create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in  
8 the conduct of controlled gambling or in the carrying on of the business and financial  
9 arrangements incidental thereto. Business and Professions Code section 19857(b).

10 27. No gambling license shall be issued unless, based on all of the information and  
11 documents submitted, the commission is satisfied that the applicant is a person that is in all other  
12 respects qualified to be licensed as provided in this chapter. Business and Professions Code  
13 section 19857(c).

14 28. A requester shall be ineligible for licensing [as a third-party proposition player] if  
15 the requester has failed to meet the requirements of Business and Professions Code sections  
16 19856 or 19857. CCR section 12218.11(e).

17 29. An applicant shall be ineligible for registration [as a third-party proposition player]  
18 if the applicant has had an application denied under this chapter or the [Gambling Control] Act.  
19 CCR section 12204(d).

20 30. Any regular registration shall be cancelled if the Commission determines after a  
21 noticed hearing that the registrant is ineligible for registration. CCR section 12205(a).

22 31. Applicant did not attend the evidentiary hearing or submit any information or  
23 evidence in favor of granting her Application. As a result, Applicant did not meet her burden of  
24 proving her qualifications to receive a third-party proposition player services license pursuant to  
25 Business and Professions Code section 19856(a) and CCR section 12060(i). As a result,  
26 Applicant is ineligible for licensing as third-party proposition player pursuant to CCR section  
27 12218.11(e).

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**ORDER**

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3 1. Ja'Meika Thompson's application for Third-Party Proposition Player License is  
4 DENIED.


5 2. Ja'Meika Thompson's Third-Party Proposition Player registration number TPPL-  
6 014608 is cancelled.

7 3. No costs are to be awarded.


8 4. Each side to pay its own attorneys' fees.  
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10 This Order is effective on May 10, 2019.

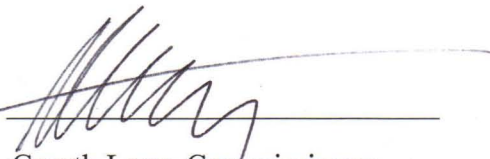
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12 Dated: 4/10/19

Signature:   
13 Jim Evans, Chairman

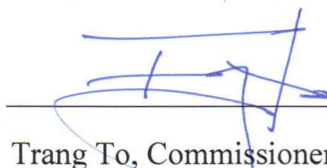
14  
15 Dated: 4/10/2018

Signature:   
16 Paula LaBrie, Commissioner

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18 Dated: 4/10/2018

Signature:   
19 Gareth Lacy, Commissioner

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21 Dated: 4/10/2018

Signature:   
22 Trang To, Commissioner  
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