

2015 SEP 28 AM 8:39

1 KAMALA D. HARRIS
Attorney General of California
2 SARA J. DRAKE
Senior Assistant Attorney General
3 WILLIAM P. TORNGREN
Deputy Attorney General
4 State Bar No. 58493
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 323-3033
Fax: (916) 327-2319
7 E-mail: William.Torngren@doj.ca.gov
Attorneys for the Complainant
8

9 **BEFORE THE**
10 **CALIFORNIA GAMBLING CONTROL COMMISSION**
11 **STATE OF CALIFORNIA**
12

13
14 **In the Matter of the Accusation and**
15 **Statement of Issues Against:**

16 **ROBERT E. LYTLE**

17 **REDACTED**

18 **LICENSE NUMBERS:**

19 **GEKE-001373**
20 **GEOW-003415**
21 **GEOW-003416**
22

BGC Case No. HQ2014-00005AL

OAH No. 2015010837

ACCUSATION AND
STATEMENT OF ISSUES
(Replacing Accusation filed on
December 23, 2014)

23 Complainant alleges as follows:

24 **PARTIES**

25 1. Wayne J. Quint, Jr. (Complainant) brings this Accusation and Statement of Issues
26 solely in his official capacity as the Chief of the California Department of Justice, Bureau of
27
28

1 Gambling Control (Bureau). This Accusation and Statement of Issues replaces the Accusation
2 originally filed on December 23, 2014.

3 2. Robert E. Lytle (Respondent) is a Gambling Establishment Key Employee with
4 License Number GEKE-001373. That license will expire on February 29, 2016, unless sooner
5 revoked or extended. Respondent also holds a temporary state gambling license (GEOW-
6 003415) arising from his ownership interest in The Tavern at Stones Gambling Hall, which
7 formerly was Phoenix Casino and Lounge (GEGE-001337). Respondent further holds a
8 temporary state gambling license (GEOW-3416) arising from his ownership interest in The
9 Saloon at Stones Gambling Hall, which formerly was Lucky Derby Casino (GEGE-001336).
10 In November 2014, Respondent applied for licensing under the Gambling Control Act (Act) in
11 connection with Stones South Bay Corp., which seeks to acquire an ownership interest in the
12 Village Club (GEGE-000466). Stones South Bay Corp. has amended that application to
13 remove Respondent as an applicant.

14 3. The California Gambling Control Commission (Commission) issued each of
15 Respondent's licenses. On February 25, 2015, the Commission voted to refer the applications
16 to which the above-described temporary licenses (GEOW-3415 and GEOW-3415) relate to an
17 evidentiary hearing to be consolidated with the Accusation previously filed in this proceeding.

18 **STATEMENT OF THE CASE**

19 4. This case seeks to discipline Respondent's licenses – by revocation, suspension,
20 and/or fine as appropriate – and to deny his pending applications for licensure based on his
21 violations of, and lack of suitability for continued licensing under, the Act, the regulations
22 adopted pursuant to the Act, and other laws of the State of California. Until December 30,
23 2007, Respondent was a sworn law enforcement officer and the Director for the Division of
24 Gambling Control (Division), which was the Bureau's predecessor.¹ In those capacities, he had
25 overall responsibility for the Division's performance of its duties under the Act. He was
26 familiar with the need for full and true disclosure of information necessary to carry out the

27 _____
28 ¹ The Bureau succeeded the Division effective January 1, 2008. (See fn. 3, *infra*.)

1 state's policies relating to the licensing, registration, and control of gambling. He also was
2 familiar with the importance of confidentiality to the Division's investigations and licensing
3 activities, the attorney-client privilege as it relates to the open communication between the
4 Division and its attorneys, and the privacy rights of licensees, applicants, and others.

5 5. Respondent's acts and omissions, including without limitation those alleged in this
6 Accusation and Statement of Issues, show that for personal gain and the gain of those whom he
7 came to represent, he abandoned the basic principles of the state agency, and the general public,
8 that he served. Many of those acts and omissions were in derogation of the state's conflict of
9 interest and revolving door provisions. Respondent's acts and omissions, including without
10 limitation those alleged in this Accusation and Statement of Issues, were inimical to public
11 health, safety, and welfare and demonstrate that Respondent is not a person of good character,
12 honesty, and integrity. His acts and omissions, including those alleged in this Accusation and
13 Statement of Issues, pose a threat to the effective regulation and control of controlled gambling,
14 and create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and
15 activities in carrying on the business and financial arrangements incidental to the conduct of
16 controlled gambling. Respondent is not suitable or qualified for continued licensure; therefore,
17 each of his licenses should be disciplined; and each of his applications for license should be
18 denied.

19 **FACTS UNDERLYING CAUSES FOR DISCIPLINE AND DENIAL**

20 6. Complainant is informed and believes and, therefore, alleges that, as a sworn law
21 enforcement officer and Director of the Division, Respondent was familiar with the Act's
22 provisions protecting information from disclosure and the need for licensing and investigatory
23 agencies to maintain the confidentiality of information. Complainant further is informed and
24 believes and, therefore, alleges that, as Director of the Division and a senior official in the
25 California Department of Justice, Respondent knew that communications with attorneys were
26 privileged from disclosure. Complainant also is informed and believes and, therefore, alleges
27 that, as Director of the Division and a senior official in the California Department of Justice,
28

1 Respondent was familiar with, and received education regarding, the state's revolving door and
2 conflict of interest provisions.

3 7. In the fall of 2007, as the Division's Director, Respondent oversaw the regulation of
4 gambling establishments and the Act's enforcement. As part of his duties and responsibilities,
5 Respondent undertook to decide regulatory matters relating to, and directly participate in the
6 regulation of, Garden City Casino (Garden City), which was located in San Jose, California.
7 Among other things, he met with Garden City's owners and others with respect to outstanding
8 notices of violation served on Garden City by both the San Jose Police Department and the
9 Division.

10 8. During its investigation into Respondent's suitability for a state gambling license, the
11 Bureau learned that prior to December 4, 2007, Respondent entered into negotiations with
12 Garden City concerning prospective engagement as its compliance director. Those negotiations
13 led to Garden City's attorney preparing a draft independent contractor agreement that was
14 emailed to Respondent on or about December 4, 2007. Thereafter, Garden City's attorney
15 revised the prospective agreement and emailed another draft to Respondent on or about
16 December 24, 2007.

17 9. On December 30, 2007, Respondent retired from state service. On or about
18 December 31, 2007, Respondent and Garden City entered into the agreement that had been in
19 negotiation since before December 4, 2007. That agreement provided for a compensation
20 advance paid to Respondent.

21 10. Thereafter, Respondent acted as an agent for, or otherwise represented, Garden City.
22 He made formal and informal appearances before, as well as written and oral communications
23 to, the Bureau and its employees for the purpose of influencing administrative action. For
24 example, in January 2008, Respondent complained to the Acting Bureau Chief that Bureau
25 investigators conducted an unannounced visit of Garden City. Respondent also attended
26 meetings with Bureau investigators on behalf of Garden City.

27 11. After his retirement, Respondent acted as an agent for, or otherwise represented, other
28 persons and entities regulated by the Bureau or under its jurisdiction. In many instances, he

1 made formal and informal appearances before, as well as written and oral communications to,
2 the Bureau, the Commission, and their employees for the purpose of influencing administrative
3 action. Respondent offered his services as a designated agent, or consultant, to persons and
4 entities in the gambling business. Not surprisingly, Respondent's past employment as the
5 Division's Director, and in the California Department of Justice, is prominent in promoting his
6 business.

7 12. During its investigation into Respondent's suitability for a state gambling license, the
8 Bureau learned that between 2012 and 2013, Respondent solicited and received confidential
9 information from the Bureau's Special Agent-in-Charge (SAC). Between December 27, 2012,
10 and December 31, 2013, Respondent and the SAC contacted each other by telephone no less
11 than 180 times.² They also communicated by text and email. The confidential information
12 requested or provided included, among other things:

- 13 a) Respondent requested that the SAC determine whether a certain person had a
14 criminal history. The SAC instructed Bureau employees to gather the information.
15 The SAC then reported back to Respondent. That was a misdemeanor.
- 16 b) Respondent received copies of privileged, confidential communications between
17 the Bureau and its attorneys with respect to entities for whom he served as
18 designated agent. Disclosing confidential information was a misdemeanor.
- 19 c) Respondent received confidential information gathered and documents prepared
20 during the course of the Bureau's investigation with respect to persons and entities
21 for which he served as designated agent and for Garden City. Disclosing such
22 confidential information was a misdemeanor.

23
24
25
26 ² As part of its investigation into Respondent's suitability for a state gambling license,
27 the Bureau requested that he provide all phone records, emails, or other written communications
28 with the SAC from March 2012 to May 31, 2014. However, prior to the original Accusation's
filing, Respondent did not provide any phone records for communications before December 27,
2012.

1 d) Respondent's receipt of such information and documents potentially compromised
2 the effectiveness, and undermined the integrity, of the Bureau's investigations, as
3 well as the Bureau's and the Commission's regulation of controlled gambling.

4 13. During the Bureau's investigation into Respondent's suitability for a state gambling
5 license, Respondent provided inaccurate, incomplete, or misleading information. He also failed
6 to provide all information and documents that the Bureau requested. During an interview by
7 Bureau agents, Respondent failed to disclose any information regarding the receipt of
8 confidential information and documents from the SAC.

9 14. Between May 1, 2010, and July 6, 2014, Team View Player Services, LLC (Team
10 View) provided third-party proposition player services to Garden City. During that time,
11 Respondent was engaged, and paid, as Garden City's compliance director. Respondent received
12 monthly payments from an affiliate of Team View. The Bureau first learned of these payments
13 in connection with its investigation into Team View during 2013.

14 15. Since August 3, 2012, PT Gaming LLC (PT Gaming) has had a contract to provide
15 third-party proposition player services to Lucky Derby, which is now The Saloon at Stones
16 Gambling Hall. On May 23, 2013, Respondent became licensed as an owner of the Lucky
17 Derby. Between May 23, 2013, and May 31, 2014, Respondent, through Lytle Consulting
18 Services, Inc., received payments from PT Gaming.

19 **JURISDICTION**

20 16. Business and Professions Code, section 19811 provides, in part:

21 (b) Jurisdiction, including jurisdiction over operation and
22 concentration, and supervision over gambling establishments in this state
23 and over all persons or things having to do with the operations of
24 gambling establishments is vested in the commission.

24 17. Business and Professions Code, section 19823 provides:

25 (a) The responsibilities of the commission include, without
26 limitation, all of the following:

27 (1) Assuring that licenses, approvals, and permits are not
28 issued to, or held by, unqualified or disqualified persons, or by

1 persons whose operations are conducted in a manner that is
2 inimical to the public health, safety, or welfare.

3 (2) Assuring that there is no material involvement, directly
4 or indirectly, with a licensed gambling operation, or the
5 ownership or management thereof, by unqualified or disqualified
6 persons, or by persons whose operations are conducted in a
7 manner that is inimical to the public health, safety, or welfare.

8 (b) For the purposes of this section, "unqualified person" means a
9 person who is found to be unqualified pursuant to the criteria set forth in
10 Section 19857, and "disqualified person" means a person who is found
11 to be disqualified pursuant to the criteria set forth in Section 19859.

12 18. Business and Professions Code, section 19824 provides, in part:

13 The commission shall have all powers necessary and proper to enable
14 it fully and effectually to carry out the policies and purposes of this
15 chapter, including, without limitation, the power to do all of the following:

16 * * *

17 (b) For any cause deemed reasonable . . . deny any
18 application for license . . . or . . . limit, condition, or restrict any
19 license, permit, or approval, or impose any fine upon any person
20 licensed or approved. . . .

21 * * *

22 (d) Take actions deemed to be reasonable to ensure that no
23 ineligible, unqualified, disqualified, or unsuitable persons are
24 associated with controlled gambling activities.

25 19. Business and Professions Code, section 19826 provides, in part:

26 The department^[3] . . . shall have all of the following responsibilities:

27 * * *

28 (c) To investigate suspected violations of this chapter or
laws of this state relating to gambling

³ "Department" refers to the Department of Justice. (Bus. & Prof. Code, § 19805, subd. (h).) Business and Professions Code section 19810 provides, in part, that "any power or authority of the department described in this chapter may be exercised by the Attorney General or any other person as the Attorney General may delegate." Effective January 1, 2008, amendments to the Act replaced all references to the Division with references to the Department. Following those amendments, the Bureau assumed the Division's powers to perform the Department's responsibilities and duties under the Act.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

* * *

(e) To initiate, where appropriate, disciplinary actions as provided in this chapter. In connection with any disciplinary action, the department may seek restriction, limitation, suspension, or revocation of any license or approval, or the imposition of any fine upon any person licensed or approved.

20. California Code of Regulations, title 4, section 12554 provides, in part:

(a) Upon the filing with the Commission of an accusation by the Bureau recommending revocation, suspension, or other discipline of a holder of a license, registration, permit, finding of suitability, or approval, the Commission shall proceed under Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

* * *

(d) Upon a finding of a violation of the Act, any regulations adopted pursuant thereto, any law related to gambling or gambling establishments, violation of a previously imposed disciplinary or license condition, or laws whose violation is materially related to suitability for a license, registration, permit, or approval, the Commission may do any one or more of the following:

(1) Revoke the license, registration, permit, finding of suitability, or approval;

(2) Suspend the license, registration, or permit;

* * *

(5) Impose any fine or monetary penalty consistent with Business and Professions Code sections 19930, subdivision (c), and 19943, subdivision (b)

COST RECOVERY

21. Business and Professions Code, section 19930 provides, in part:

(b) If, after any investigation, the department is satisfied that a license, permit, finding of suitability, or approval should be suspended or revoked, it shall file an accusation with the commission in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

* * *

1
2 (d) In any case in which the administrative law judge recommends
3 that the commission revoke, suspend, or deny a license, the administrative
4 law judge may, upon presentation of suitable proof, order the licensee or
applicant for a license to pay the department the reasonable costs of the
investigation and prosecution of the case.

5 (1) The costs assessed pursuant to this subdivision shall be
6 fixed by the administrative law judge and may not be increased
7 by the commission. When the commission does not adopt a
8 proposed decision and remands the case to the administrative
law judge, the administrative law judge may not increase the
amount of any costs assessed in the proposed decision.

9 (2) The department may enforce the order for payment in
10 the superior court in the county in which the administrative
11 hearing was held. The right of enforcement shall be in addition
12 to any other rights that the division may have as to any licensee
to pay costs.

13 (3) In any judicial action for the recovery of costs, proof of
14 the commission's decision shall be conclusive proof of the
validity of the order of payment and the terms for payment.

15 * * *

16 (f) For purposes of this section, "costs" include costs incurred for
17 any of the following:

18 (1) The investigation of the case by the department.

19 (2) The preparation and prosecution of the case by the
20 Office of the Attorney General.

21 **GAMBLING LICENSING AND PENALTY PROVISIONS**

22 22. Business and Professions Code section 19850 provides, in part:

23 Every person . . . who receives, directly or indirectly, any
24 compensation or reward, or any percentage or share of the money or
25 property played, for keeping, running, or carrying on any controlled
26 game in this state, shall apply for and obtain from the commission, and
27 shall thereafter maintain, a valid state gambling license, key employee
28 license, or work permit In any criminal prosecution for violation of
this section, the punishment shall be as provided in Section 337j of the
Penal Code.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

23. Business and Professions Code section 19854, subdivision (b), provides:

No person may be issued a key employee license unless the person would qualify for a state gambling license.

24. Business and Professions Code section 19855 provides, in part:

[E]very person who, by statute or regulation, is required to hold a state license shall obtain the license prior to engaging in the activity or occupying the position with respect to which the license is required.

25. Business and Professions Code section 19856 provides, in part:

(a) The burden of proving his or her qualifications to receive any license is on the applicant.

(b) An application to receive a license constitutes a request for a determination of the applicant's general character, integrity, and ability to participate in, engage in, or be associated with, controlled gambling.

26. Business and Professions Code, section 19857 provides:

No gambling license shall be issued unless, based on all the information and documents submitted, the commission is satisfied that the applicant is all of the following:

(a) A person of good character, honesty and integrity.

(b) A person whose prior activities, criminal record, if any, reputation, habits, and associations do not pose a threat to the public interest of this state, or to the effective regulation and control of controlled gambling, or create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of controlled gambling or in the carrying on of the business and financial arrangements incidental thereto.

(c) A person that is in all other respects qualified to be licensed as provided in this chapter.

27. Business and Professions Code, section 19859 provides, in part:

The commission shall deny a license to any applicant who is disqualified for any of the following reasons:

(a) Failure of the applicant to clearly establish eligibility and qualification in accordance with this chapter.

(b) Failure of the applicant to provide information, documentation, and assurances required by the Chief, or failure of the applicant to reveal any fact material to qualification, or

1 the supplying of information that is untrue or misleading as to a
2 material fact pertaining to the qualification criteria.

3 28. Business and Professions Code section 19866 provides:

4 An applicant for licensing or for any approval or consent required
5 by this chapter, shall make full and true disclosure of all information
6 to the department and the commission as necessary to carry out the
7 policies of this state relating to licensing, registration, and control of
8 gambling.

9 29. Business and Professions Code section 19984, subdivision (a) provides:

10 Notwithstanding any other provision of law, a licensed gambling
11 enterprise may contract with a third party for the purpose of providing
12 proposition player services at a gambling establishment, subject to the
13 following conditions:

14 (a) Any agreement, contract, or arrangement between a
15 gambling enterprise and a third-party provider of proposition
16 player services shall be approved in advance by the department,
17 and in no event shall a gambling enterprise or the house have any
18 interest, whether direct or indirect, in funds wagered, lost, or won.

19 30. Business and Professions Code section 19942, subdivision (b) provides:

20 Any person who willfully violates any of the provisions of this
21 chapter for which a penalty is not expressly provided, is guilty of a
22 misdemeanor.

23 31. California Code of Regulations, title 4, section 12556, subdivision (c), provides, in
24 part:

25 A state gambling license, finding of suitability, or approval granted
26 by the Commission . . . and an owner license for a gambling
27 establishment if the owner licensee has committed a separate violation
28 from any violations committed by the gambling establishment shall be
subject to revocation by the Commission on any of the following
grounds:

* * *

(3) If the Commission finds the holder no longer meets
any criterion for eligibility, qualification, suitability or continued
operation, including those set forth in Business and Professions
Code section 19857, 19858, or 19880, as applicable, or

(4) If the Commission finds the holder currently meets
any of the criteria for mandatory denial of an application set forth
in Business and Professions Code sections 19859 or 19860.

1 **INFORMATION PROTECTION PROVISIONS**

2 32. Business and Professions Code section 19821 provides, in part:

3 (c) Except as provided in this chapter, the records of the
4 department and the commission are exempt from disclosure under
5 Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1
6 of the Government Code [the Public Records Act].

7 (d) Except as necessary for the administration of this chapter, . . .
8 no official, employee, or agent of the commission or the department,
9 having obtained access to confidential records or information in the
10 performance of duties pursuant to this chapter, shall knowingly disclose
11 or furnish the records or information, or any part thereof, to any person
12 who is not authorized by law to receive it. A violation of this
13 subdivision is a misdemeanor.

14 **REVOLVING DOOR AND CONFLICT OF INTEREST PROVISIONS**

15 33. Business and Professions Code section 19981, subdivision (a) presently provides, in
16 part:

17 [T]he chief, and any employee of the . . . department designated by
18 regulation, shall not, for a period of three years after leaving office or
19 terminating employment, for compensation, act as agent . . . for, or
20 otherwise represent, any other person by making any formal or informal
21 appearance, or by making any oral or written communication, before the
22 commission or the department, or any officer or employee thereof, if the
23 appearance or communication is for the purpose of influencing
24 administrative action, or influencing any action or proceeding involving
25 the issuance, amendment, awarding, or revocation of a permit, license, or
26 approval.

27 34. On December 31, 2007, Business and Professions Code section 19981, subdivision
28 (a) provided, in part:

[T]he director, and any employee of the . . . division designated by
regulation, shall not, for a period of three years after leaving office or
terminating employment, for compensation, act as agent . . . for, or
otherwise represent, any other person by making any formal or informal
appearance, or by making any oral or written communication, before the
commission or the department, or any officer or employee thereof, if the
appearance or communication is for the purpose of influencing
administrative action, or influencing any action or proceeding involving
the issuance, amendment, awarding, or revocation of a permit, license, or
approval.

1 35. Government Code section 87100 provides:

2 No public official at any level of state or local government shall
3 make, participate in making or in any way attempt to use his official
4 position to influence a government decision in which he knows or has
5 reason to know he has a financial interest.

6 36. Government Code section 87406, subdivision (d)(1) provides, in part:

7 No designated employee of a state administrative agency, any
8 officer, employee, or consultant of a state administrative agency who
9 holds a position which entails the making, or participation in making,
10 of decisions which may foreseeably have a material effect on any
11 financial interest, . . . for a period of one year after leaving office or
12 employment, shall, for compensation, act as agent . . . for, or
13 otherwise represent, any other person by making any formal or
14 informal appearance, or by making any oral or written communication,
15 before any state administrative agency, or officer or employee thereof,
16 for which he or she worked or represented in the 12 months before
17 leaving office or employment, if the appearance or communication is
18 made for the purpose of influencing administrative or legislative
19 action, or influencing any action or proceeding involving the issuance,
20 amendment, awarding, or revocation of a permit, license, grant, or
21 contract

22 37. Government Code section 87407 provides:

23 No public official shall make, participate in making, or use his or
24 her official position to influence, any governmental decision relating
25 to any person with whom he or she is negotiating, or has any
26 arrangement concerning, prospective employment.

27 38. Government Code section 91000, subdivision (a) provides:

28 Any person who knowingly or willfully violates any provision of
this title is guilty of a misdemeanor.

FIRST CAUSE FOR DISCIPLINE AND DENIAL

(Unqualified for Continued Licensure)

29 39. Respondent's licenses are subject to discipline, pursuant to Business and Professions
30 Code sections 19823 and 19857, subdivisions (a) and (b). Respondent's continued licensure is
31 inimical to public health, safety, and welfare. Respondent is not a person of good character,
32 honesty, and integrity. His prior activities pose a threat to the effective regulation and control of
33 controlled gambling, and create or enhance the dangers of unsuitable, unfair, or illegal practices,

1 methods, and activities in carrying on the business and financial arrangements incidental to the
2 conduct of controlled gambling. Respondent's conduct in his affairs demonstrates that he is
3 unqualified for licensure. That conduct includes the acts and omissions alleged above.

4 **SECOND CAUSE FOR DISCIPLINE AND DENIAL**

5 **(Providing Untrue or Misleading Information to the Bureau)**

6 40. Respondent's license is subject to discipline, pursuant to Business and Professions
7 Code sections 19823, 19857, subdivisions (a) and (b), and 19859, subdivisions (a) and (b).
8 Respondent's continued licensure is inimical to public health, safety, and welfare. Respondent
9 is not a person of good character, honesty, and integrity. His prior activities pose a threat to the
10 effective regulation and control of controlled gambling, and create or enhance the dangers of
11 unsuitable, unfair, or illegal practices, methods, and activities in carrying on the business and
12 financial arrangements incidental to the conduct of controlled gambling. Respondent supplied
13 untrue or misleading information as to material facts pertaining to his qualification criteria.

14 **THIRD CAUSE FOR DISCIPLINE AND DENIAL**

15 **(Failure To Provide Information and Documentation Requested by the Chief)**

16 41. Respondent's license is subject to discipline, pursuant to Business and Professions
17 Code sections 19823, 19857, subdivisions (a) and (b), and 19859, subdivisions (a) and (b).
18 Respondent's continued licensure is inimical to public health, safety, and welfare. Respondent
19 is not a person of good character, honesty, and integrity. His prior activities pose a threat to the
20 effective regulation and control of controlled gambling, and create or enhance the dangers of
21 unsuitable, unfair, or illegal practices, methods, and activities in carrying on the business and
22 financial arrangements incidental to the conduct of controlled gambling. Respondent failed to
23 provide information and documents requested by the Bureau acting on the Complainant's
24 behalf.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Commission issue a decision:

1. Revoking California State Gambling Establishment Key Employee License Number GEKE-001373, temporary state gambling license (GEOW-003415), and temporary state gambling license (GEOW-3416) issued to Robert E. Lytle;

2. Denying Robert E. Lytle's applications for a state gambling license with respect to The Tavern at Stones Gambling Hall, which formerly was Phoenix Casino and Lounge (GEGE-001337) and The Saloon at Stones Gambling Hall, which formerly was Lucky Derby Casino (GEGE-001336).

3. Fining Robert E. Lytle in an amount according to proof;

4. Awarding Complainant the costs of investigation and costs of bringing this Accusation before the Commission, pursuant to Business and Professions Code section 19930, subdivisions (d) and (f), in a sum according to proof; and

5. Taking such other and further action as the Commission may deem appropriate.

Dated: September 25, 2015


WAYNE J. QUINT, JR., Chief
Bureau of Gambling Control
California Department of Justice