



Notice and Agenda of Commission Meeting

California Gambling Control Commission

Hearing Room 100

2399 Gateway Oaks Drive

Sacramento, CA 95833

www.cgcc.ca.gov

10:00 a.m. Wednesday August 29, 2012

Notice: The order of business reflected in the Notice and Agenda is subject to change by the Commission at the meeting

OPEN SESSION:

1. Call to Order and Pledge of Allegiance.
2. Roll Call of Commissioners.
3. Discussion of Tribal-State Gaming Compact Special Distribution Fund Review of Santa Rosa Indian Community of the Santa Rosa Rancheria pursuant to Compact Section 5.3 (Government Code Section 11126.4; Compact Section 7.4.3.)

CLOSED SESSION:

- I. Discussion of Tribal-State Gaming Compact Special Distribution Fund Review of Santa Rosa Indian Community of the Santa Rosa Rancheria pursuant to Compact Section 5.3 (Government Code Section 11126.4; Compact Section 7.4.3.)
- II. Litigation: (Government Code section 11126(e)):
 - A. *California Valley Miwok Tribe v. The California Gambling Control Commission*; San Diego County Superior Court (37-2008-00075326-CU-CO-CTL).
 - B. *Candace Cates v. Steve Westly, et al.*, San Diego County Superior Court (GIC 821775).
 - C. *San Pasqual Band of Mission Indians v. State of California, et al.*, U.S. Dist. Court, S.D. California (06CV0988 LAB AJB).
 - D. *Pauma Band of Luiseno Mission Indians v. Gambling Control Commission; and Arnold Schwarzenegger*, U.S. Dist Court S. D. California (09 CV01955 LAB AJB)
 - E. *Timothy Eugene Stroud v. California Gambling Control Commission*, San Luis Obispo County Superior Court (CV100082).
 - F. *San Pasqual Band of Mission Indians v. State of California, et al.*, Los Angeles County Superior Court (BC431469)
 - G. *Bingo Innovations of California, Inc. v. California Gambling Control Commission*, Sacramento County Superior Court (34-2012-80001139)
 - H. *Yavapai-Apache Nation v. Iipay Nation of Santa Ysabel*, Sacramento County Superior Court, Case No. 34-2012-001197 27
 - I. *In Re: Santa Ysabel Resort and Casino*, United States Bankruptcy Court, Southern District of California, Bankruptcy No. 12-09415-PB11.
 - J. *Iipay Nation of Santa Ysabel v. California Gambling Control Commission*, U.S. Dist. Court, S.D. California (12CV1876BENRBB).

RECONVENE TO OPEN SESSION

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RECONVENE TO OPEN SESSION AT 1:30 PM

4. Approval of Transaction Loan Document (Pursuant to Business and Professions Code section 19824(c)):
Hustler Casino: El Dorado Enterprises, Inc.
Larry Flynt Revocable Trust, Shareholder
Larry Flynt, Trustee, Trustor, Beneficiary
Majestic Properties, Inc., Landlord
5. Application for Approval of Renewal of Third Party Provider of Proposition Player Services/ Gambling Business Licenses (Pursuant to Business and Professions Code section 19824 and CCR, Title 4, sections 12050, 12218.8 and 12238)
Stipulated Settlement; Decision and Order in the Matter of the Statement of Issues Against: PT Gaming, LLC, Patrick A. Tierney & Jamie L. Tierney Family Trust, sole member (BGC-HQ2012-00004AL)
6. Disciplinary Matters (Pursuant to Business and Professions Code section 19930 and CCR, Title 4, section 12552):
 - A. Stipulated Settlement; Decision and Order in the Matter of the Accusation Against: Stanley Penn, sole proprietor, Lucky Lady Card Room (BGC Case No. HQ2011-0001AC, OAH No. 2011111047)
 - B. Default Decision and Order – Michael Penn (BGC Case No. HQ2011-0001AC)

CLOSED SESSION

- III. Deliberation on Decisions (Government Code section 11126(c)(3)):
 - A. Stipulated Settlement; Decision and Order in the Matter of the Accusation Against: Stanley Penn, sole proprietor, Lucky Lady Card Room (BGC Case No. HQ2011-0001AC, OAH No. 2011111047)
 - B. Default Decision and Order – Michael Penn (BGC Case No. HQ2011-0001AC)
 - C. Stipulated Settlement; Decision and Order in the Matter of the Statement of Issues Against: PT Gaming, LLC, Patrick A. Tierney & Jamie L. Tierney Family Trust, sole member (BGC-HQ2012-00004AL)

RECONVENE TO OPEN SESSION

PUBLIC COMMENT:

The Commission affords an opportunity to members of the public to address the Commission on items of interest that are within the Commission's jurisdiction. The Commission is not permitted to take action on items that are not identified on the agenda. The Commission "reserves the right to limit speakers if necessary to provide an adequate opportunity for all to be heard."

ADJOURNMENT

Please contact Lisa Chimento at (916) 263-0700, or TDD 1-800-345-4275, to submit written material regarding an agenda item or to request special accommodations for persons with disabilities. Any person with a disability who wishes to receive this Notice and Agenda in an alternative format, or who wishes to request auxiliary aids or services to participate in meeting of the California Gambling Control Commission, in accordance with State or Federal law, should contact Lisa Chimento at this above phone number or address.