

**Notice and Agenda of Commission Hearing**

CALIFORNIA GAMBLING CONTROL COMMISSION

HEARING WILL BE HELD BY TELECONFERENCE AND/OR VIDEO CONFERENCE

Pursuant to Executive Orders N-25-20 and N-29-20 regarding the COVID-19 virus, the hearing will be entirely by teleconference and/or video conference and there will be no location open to the public.

The public may participate in the hearing by following the directions at the end of this agenda.

www.cgcc.ca.gov

THURSDAY, MAY 13, 2021

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

OPEN SESSION**10:00 A.M.**

1. Roll Call of Commissioners.
2. Hearing Pursuant to Business and Professions Code Sections 19870 and 19871 and CCR, Title 4, section 12060:
In the Matter of the Application for Approval of Key Employee License, (CGCC-2020-1029-12A), and Work Permit Renewal, (CGCC-2020-1029-12B) for David Adam Whatley

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." Public Comment for the agenda item(s) listed above will be taken on the first day of the hearing prior to the official opening of the record.

CLOSED SESSION

- I. Litigation (Government Code section 11126(e)):
 - A. *Stand Up For California, et al. v. State of California, et al.*, Madera County Superior Court (MCV062850)
 - B. *Eric G. Swallow v. California Gambling Control Commission*, Sacramento County Superior Court (34-2016-800002402)
 - C. *Garden City, Inc. v. Eric Swallow*, Sacramento County Superior Court (34-2016-00198132)
 - D. *Lucky Chances, Inc. v. California Gambling Control Commission*, Sacramento County Superior Court (34-2017-80002549)
 - E. *California Valley Miwok Tribe v. California Gambling Control Commission et al.*; San Diego County Superior Court (37-2017-00050038-MU-CO-CTL)
 - F. *Yavapai-Apache Nation v. La Posta Band of Diegueno Mission Indians and California Gambling Control Commission*, Sacramento Superior Court (34-2018-00238711)
 - G. *Manuel Corrales, Jr. v. California Gambling Control Commission*, San Diego County Superior Court (37-2019-00019079-CU-MC-CTL)
 - H. *Kris Kat, LLC and Steven C. Ayers v. California Gambling Control Commission*, Sacramento County Superior Court (34-2019-80003142)
 - I. *Larry C. Flynt, et al., v. Kamala Harris, Jim Evans, et al.*; United States District Court, Eastern District of California (16 CV 02831 JAM EFB)

II. Hearing Deliberations Pursuant to Government Code Section 11126(c)(3):

- A. In the Matter of the Application for Approval of State Gambling License for Outlaws 101 LLC, Thomas W. Bartlett, Member, John Wrona, Member, (CGCC-2020-0924-5B)
- B. In the Matter of the Application for Approval of State Gambling License for Robert Russell Harris, Jr., (CGCC-2020-00827-5B)
- C. In the Matter of the Application for Approval of Initial Work Permit for Susan Corine Hooker, (CGCC-2020-1119-7B)
- D. In the Matter of the Application for Approval of Key Employee License, (CGCC-2020-1029-12A), and Work Permit Renewal, (CGCC-2020-1029-12B) for David Adam Whatley

RECONVENE TO OPEN SESSION

ADJOURNMENT

IMPORTANT NOTICES TO THE PUBLIC:

During the current COVID-19 State of Emergency, the Commission is providing the option for members of the public who do not wish to participate in the live hearing but want to provide public comment on an item NOT included on the agenda to be read into record to send their public comment via email to Comments@cgcc.ca.gov. Those comments received prior to the adjournment of the public hearing will be read into the record.

This hearing will NOT be live streamed on the Commission’s website as in person hearings are presently not occurring at this time. Upon the Commission resuming in person hearings, a live stream option will be provided. Presently there are teleconference and video teleconference options available. We ask that you not start your own video broadcast, unless it is an item you are speaking on to preserve bandwidth. To participate and or to watch public hearings via zoom, access and join the Zoom Meeting at this website address: <https://zoom.us/j/2857578614>. You can also dial into the hearing by your location or toll free at any of the following numbers:

1 669 900 6833 US (San Jose)	1 312 626 6799 US (Chicago)	1 929 205 6099 US (New York)	1 253 215 8782 US
1 301 715 8592 US	1 877 853 5257 US Toll-free	1 888 475 4499 US Toll-free	

After you connect, enter the “Meeting ID” number: 285 757 8614. You can also [click the hyperlink here to learn how to use ZOOM Teleconference](#).

During the hearing, you may notice Commission members accessing their laptops. These laptops are used solely to access the hearing materials, which are available to them in an electronic format.

To submit written material regarding an agenda item, or to request special accommodations for persons with disabilities please contact Pam Mathauser at (916) 263-0700, TDD 1-800-345-4275, or pmathauser@cgcc.ca.gov, no later than 24 hours prior to the start of the noticed meeting. You may also send your special accommodation request to the California Gambling Control Commission, Attn. Pam Mathauser, 2399 Gateway Oaks Drive, Ste. 220, Sacramento, CA 95833. Any person with a disability who wishes to receive this Notice and Agenda in an alternative format may request and shall receive the documents in an alternative format at no cost. In accordance with State or Federal law, any person who needs a disability-related accommodation or modification, including auxiliary aids or services, in order to participate in a meeting of the California Gambling Control Commission should contact Pam Mathauser at the above phone number or address. For additional information regarding the noticed hearing, please contact Ms. Mathauser at the above phone number or address.