

California Gambling Control Commission
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**MINUTES OF DECEMBER 11, 2014
COMMISSION MEETING**

OPEN SESSION

1. Call to Order and Pledge of Allegiance.

Chairman Lopes called the meeting to order at 10:00 a.m., and asked everyone to stand for the Pledge of Allegiance.

2. Roll Call of Commissioners.

Roll Call of Commissioners was taken, with Chairman Richard Lopes and Commissioners Tiffany Conklin, Lauren Hammond and Richard Schuetz present.

3. Approval of Commission Meeting Minutes for:
 - A. October 23, 2014
 - B. November 6, 2014
 - C. November 7, 2014 – GCA Hearing
 - D. November 12, 2014 – GCA Hearing

Action:

Upon motion of Commissioner Conklin, seconded by Chairman Lopes and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the minutes for the October 23, 2014, Commission Meeting, November 6, 2014, Commission Meeting, November 7, 2014, GCA Hearing, and the November 12, 2014, GCA Hearing.

By Commissioner's concurrence, the following agenda items 4.A. and 4.B. were considered simultaneously:

Comments Received From:

Richard Shindle, Designated Agent

James Mullins

Stacey Luna-Baxter, Assistant Bureau Chief, Bureau of Gambling Control

4. Consideration of Stock Purchase Agreements (Pursuant to Business and Professions Code Section 19904):

- A. Delta Casino, downtown: Delta C, LP
 Delta CM, Inc.
 Fazel Mostashari (Seller)
 Delta Fore, LLC (Buyer)
- B. Delta Casino: Delta C, LP
 Delta CM, Inc.
 Fazel Mostashari (Seller)
 Delta Fore, LLC (Buyer)

Action:

Upon motion of Commissioner Hammond, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Stock Purchase Agreements with the conditions listed below:

Item 4.A. Delta Casino, downtown:

1. *The Buyer shall provide to the Commission, with a copy to the Bureau, within 15 days after the transfer that the certificate evidencing the stock transferred is legended in accordance with the provisions of Business and Professions Code section 19882, subdivision (c).*
2. *The Buyer shall provide to the Commission, with a copy to the Bureau, within 15 days after the closing that the certificates evidencing the Stock include the following legend:*

THIS CERTIFICATE REPRESENTS SHARES OF STOCK ISSUED BY A CORPORATION THAT HOLDS A GAMBLING LICENSE PURSUANT TO THE LAWS OF THE STATE OF CALIFORNIA. THE STOCK MAY NOT BE TRANSFERRED, ASSIGNED, SOLD, PLEDGED, HYPOTHECATED, OR DISPOSED OF WITHOUT THE PRIOR APPROVAL OF THE CALIFORNIA GAMBLING CONTROL COMMISSION OR ITS SUCCESSOR.

3. *The Buyer shall provide written confirmation to the Commission, with a copy to the Bureau, within 15 days of approval by the Commission that Fazel Mostashari is the only stockholder selling stock in the General Partner to Delta Forte, LLC.*
4. *The Buyer shall provide written confirmation to the Commission, with a copy to the Bureau, within 15 days of approval by the Commission that the Buyer is the maker of each of the promissory notes to be executed and delivered at the closing.*
5. *The Buyer shall provide written confirmation to the Commission, with a copy to the Bureau, within 15 days of approval by the Commission that each promissory note is unsecured.*

6. *The Buyer shall provide written confirmation to the Commission, with a copy to the Bureau, within 15 days of approval by the Commission that George Aslanian is no longer a director or officer of the General Partner and that his replacement is properly licensed.*

Item 4.B. Delta Casino

1. *The Buyer shall provide to the Commission, with a copy to the Bureau, within 15 days after the transfer that the certificate evidencing the stock transferred is legended in accordance with the provisions of Business and Professions Code section 19882, subdivision (c).*
2. *The Buyer shall provide to the Commission, with a copy to the Bureau, within 15 days after the closing that the certificates evidencing the Stock include the following legend:*

THIS CERTIFICATE REPRESENTS SHARES OF STOCK ISSUED BY A CORPORATION THAT HOLDS A GAMBLING LICENSE PURSUANT TO THE LAWS OF THE STATE OF CALIFORNIA. THE STOCK MAY NOT BE TRANSFERRED, ASSIGNED, SOLD, PLEDGED, HYPOTHECATED, OR DISPOSED OF WITHOUT THE PRIOR APPROVAL OF THE CALIFORNIA GAMBLING CONTROL COMMISSION OR ITS SUCCESSOR.

3. *The Buyer shall provide written confirmation to the Commission, with a copy to the Bureau, within 15 days of approval by the Commission that Fazel Mostashari is the only stockholder selling stock in the General Partner to Delta Forte, LLC.*
4. *The Buyer shall provide written confirmation to the Commission, with a copy to the Bureau, within 15 days of approval by the Commission that the Buyer is the maker of each of the promissory notes to be executed and delivered at the closing.*
5. *The Buyer shall provide written confirmation to the Commission, with a copy to the Bureau, within 15 days of approval by the Commission that each promissory note is unsecured.*
6. *The Buyer shall provide written confirmation to the Commission, with a copy to the Bureau, within 15 days of approval by the Commission that George Aslanian is no longer a director or officer of the General Partner and that his replacement is properly licensed.*

By Commissioner's concurrence, the following agenda items 5.A. and 5.B. were considered simultaneously:

Commission Meeting Minutes of December 11, 2014

4. *The Buyer shall provide written confirmation to the Commission, with a copy to the Bureau, within 15 days of approval by the Commission that each promissory note is unsecured.*
5. *The Buyer shall provide written confirmation to the Commission, with a copy to the Bureau, within 15 days of approval by the Commission that George Aslanian is no longer a director or officer of the General Partner and that his replacement is properly licensed.*

Item 5.B. Delta Casino:

1. *The Buyer shall provide to the Commission, with a copy to the Bureau, within 15 days after the transfer that the certificate evidencing the interest transferred is legended in accordance with the provisions of Business and Professions Code section 19892, subdivision (d).*
2. *The Buyer shall provide to the Commission, with a copy to the Bureau, within 15 days after the closing that the certificates evidencing the interest include the following legend:*

THIS CERTIFICATE REPRESENTS AN INTEREST IN A PARTNERSHIP THAT HOLDS A GAMBLING LICENSE PURSUANT TO THE LAWS OF THE STATE OF CALIFORNIA. THE INTEREST MAY NOT BE TRANSFERRED, ASSIGNED, SOLD, PLEDGED, HYPOTHECATED, OR DISPOSED OF WITHOUT THE PRIOR APPROVAL OF THE CALIFORNIA GAMBLING CONTROL COMMISSION OR ITS SUCCESSOR.

3. *The Buyer shall provide written confirmation to the Commission, with a copy to the Bureau, within 15 days of approval by the Commission that the Buyer is the maker of each of the promissory notes to be executed and delivered at the closing.*
4. *The Buyer shall provide written confirmation to the Commission, with a copy to the Bureau, within 15 days of approval by the Commission that each promissory note is unsecured.*
5. *The Buyer shall provide written confirmation to the Commission, with a copy to the Bureau, within 15 days of approval by the Commission that George Aslanian is no longer a director or officer of the General Partner and that his replacement is properly licensed.*

By Commissioner's concurrence, the following agenda items 6.A. and 6.B. were considered simultaneously:

6. Applications for Consideration of Temporary State Gambling License (Pursuant to Business and Professions Code sections 19824(f) and 19852:

A. Delta Casino, downtown: Delta Fore, LLC, Shareholder
Richard Shindle, Managing Member
Tracey Kennedy, Member
James Mullins, Member
Kerry Mullins, Member

B. Delta Casino: Delta Fore, LLC, Shareholder
Richard Shindle, Managing Member
Tracey Kennedy, Member
James Mullins, Member
Kerry Mullins, Member

Action:

Upon motion of Commissioner Conklin, seconded by Chairman Lopes and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Temporary State Gambling Licenses with the conditions listed below:

Item 6.A. Delta Casino, downtown:

1. *Delta Fore, LLC shall provide to the Commission, with a copy to the Bureau, within 15 days after closing, the amended Operating Agreement and any certificate evidencing the membership interests that were previously issued are legended in accordance with the provisions of Business and Professions Code section 19892, subdivision (d).*
2. *Delta Fore, LLC shall provide to the Commission, with a copy to the Bureau, within 15 days after closing, the amended Operating Agreement to provide for the following legend and that any certificates evidencing the membership interest that were issued previously legended:*

THIS CERTIFICATE REPRESENTS A MEMBERSHIP INTEREST IN A LIMITED LIABILITY COMPANY THAT HOLDS A GAMBLING LICENSE PURSUANT TO THE LAWS OF THE STATE OF CALIFORNIA. THE MEMBERSHIP INTEREST MAY NOT BE TRANSFERRED, ASSIGNED, SOLD, PLEDGED, HYPOTHECATED, OR DISPOSED OF WITHOUT THE PRIOR APPROVAL OF THE CALIFORNIA GAMBLING CONTROL COMMISSION OR ITS SUCCESSOR.

3. *Delta Fore, LLC shall provide to the Commission, with a copy to the Bureau, within 15 days after closing, the amendment of the Operating Agreement to provide that no interest shall be sold, assigned, transferred, pledged, or otherwise disposed of without prior approval of the Commission or its successor or without compliance with the Gambling Control Act and any rules and regulations issued pursuant to the Gambling Control Act.*

Commission Meeting Minutes of December 11, 2014

4. *Delta Fore, LLC shall provide to the Commission, with a copy to the Bureau, within 15 days after closing, the amendment of the Operating Agreement to provide that no person shall be admitted as an additional member without the prior approval of the Commission or its successor or without compliance with the Gambling Control Act and any rules and regulations issued pursuant to the Gambling Control Act.*
5. *The temporary initial license takes effect on the date that the Commission approves the request and expires December 31, 2015.*
6. *Issuance of a temporary license does not obligate the Commission to grant a permanent license. Issuance of a temporary license does not create a vested right in the holder to either extension of the temporary license or to a regular license.*
7. *Issuance of this temporary license does not in any way change the legal requirement that the applicant bears the burden of establishing that he/she is suitable pursuant to Business and Professions (B&P) Code section 19856(a) for a regular license.*
8. *Issuance of this temporary license does not change the license qualification requirements of the Gambling Control Act, including but not limited to B&P Code sections 19856, 19857, 19858, and 19859.*
9. *The applicant has pending applications for regular state gambling licenses. A regular license may or may not be issued, depending upon the results of the complete background investigation and upon the conduct of the applicant and its employees during the term of the temporary license.*
10. *If, during the term of the temporary license, the Executive Director determines that any particular applicant is disqualified for any of the reasons set forth in B&P Code section 19859, the Executive Director shall prepare an order to show cause why that applicant's temporary license should not be cancelled, which shall be considered at the first available noticed Commission meeting. The applicant may address the Commission by way of an oral statement at the noticed Commission meeting and/or may submit documents in support of the temporary licensure not less than five days prior to the meeting. The applicant may request an evidentiary hearing either in writing not less than five days prior to the meeting or at the meeting itself.*
11. *If, during the term of the temporary license, the Executive Director determines that any particular applicant may have violated one or more of the conditions under which the temporary license was issued, the Executive Director shall prepare an order to show cause why that applicant's temporary license should not be cancelled, which shall be considered at the first available noticed Commission meeting. The applicant may address the Commission by way of*

an oral statement at the noticed Commission meeting and/or may submit documents in support of the temporary licensure not less than five days prior to the meeting. Either in writing not less than five days prior to the meeting or at the meeting itself, the applicant may request an evidentiary hearing.

Item 6.B. Delta Casino:

1. *Delta Fore, LLC shall provide to the Commission, with a copy to the Bureau, within 15 days after closing, the amended Operating Agreement and any certificate evidencing the membership interests that were previously issued are legended in accordance with the provisions of Business and Professions Code section 19892, subdivision (d).*
2. *Delta Fore, LLC shall provide to the Commission, with a copy to the Bureau, within 15 days after closing, the amended Operating Agreement to provide for the following legend and that any certificates evidencing the membership interest that were issued previously legended:*

THIS CERTIFICATE REPRESENTS A MEMBERSHIP INTEREST IN A LIMITED LIABILITY COMPANY THAT HOLDS A GAMBLING LICENSE PURSUANT TO THE LAWS OF THE STATE OF CALIFORNIA. THE MEMBERSHIP INTEREST MAY NOT BE TRANSFERRED, ASSIGNED, SOLD, PLEDGED, HYPOTHECATED, OR DISPOSED OF WITHOUT THE PRIOR APPROVAL OF THE CALIFORNIA GAMBLING CONTROL COMMISSION OR ITS SUCCESSOR.

3. *Delta Fore, LLC shall provide to the Commission, with a copy to the Bureau, within 15 days after closing, the amendment of the Operating Agreement to provide that no interest shall be sold, assigned, transferred, pledged, or otherwise disposed of without prior approval of the Commission or its successor or without compliance with the Gambling Control Act and any rules and regulations issued pursuant to the Gambling Control Act.*
4. *Delta Fore, LLC shall provide to the Commission, with a copy to the Bureau, within 15 days after closing, the amendment of the Operating Agreement to provide that no person shall be admitted as an additional member without the prior approval of the Commission or its successor or without compliance with the Gambling Control Act and any rules and regulations issued pursuant to the Gambling Control Act.*
5. *The temporary initial license takes effect on the date that the Commission approves the request and expires December 31, 2015.*
6. *Issuance of a temporary license does not obligate the Commission to grant a permanent license. Issuance of a temporary license does not create a vested right in the holder to either extension of the temporary license or to a regular license.*

Commission Meeting Minutes of December 11, 2014

7. Issuance of this temporary license does not in any way change the legal requirement that the applicant bears the burden of establishing that he/she is suitable pursuant to Business and Professions (B&P) Code section 19856(a) for a regular license.
 8. Issuance of this temporary license does not change the license qualification requirements of the Gambling Control Act, including but not limited to B&P Code sections 19856, 19857, 19858, and 19859.
 9. The applicant has pending applications for regular state gambling licenses. A regular license may or may not be issued, depending upon the results of the complete background investigation and upon the conduct of the applicant and its employees during the term of the temporary license.
 10. If, during the term of the temporary license, the Executive Director determines that any particular applicant is disqualified for any of the reasons set forth in B&P Code section 19859, the Executive Director shall prepare an order to show cause why that applicant's temporary license should not be cancelled, which shall be considered at the first available noticed Commission meeting. The applicant may address the Commission by way of an oral statement at the noticed Commission meeting and/or may submit documents in support of the temporary licensure not less than five days prior to the meeting. The applicant may request an evidentiary hearing either in writing not less than five days prior to the meeting or at the meeting itself.
 11. If, during the term of the temporary license, the Executive Director determines that any particular applicant may have violated one or more of the conditions under which the temporary license was issued, the Executive Director shall prepare an order to show cause why that applicant's temporary license should not be cancelled, which shall be considered at the first available noticed Commission meeting. The applicant may address the Commission by way of an oral statement at the noticed Commission meeting and/or may submit documents in support of the temporary licensure not less than five days prior to the meeting. Either in writing not less than five days prior to the meeting or at the meeting itself, the applicant may request an evidentiary hearing.
7. Consideration of Transfer of Interest (Pursuant to Business and Professions Code section 19892):
- | | |
|---------------------|---|
| The Bicycle Casino: | The Bicycle Casino, L.P.
Haig Kelegian Grantor Annuity Trust No. 1
(Transferor)
Haig Kelegian Sr. (Transferee)
Haig Kelegian Jr. (Transferee)
Mark Kelegian (Transferee)
Michelle Shrikian (Transferee) |
|---------------------|---|

Commission Meeting Minutes of December 11, 2014

Comments Received From:

Stacey Luna-Baxter, Assistant Bureau Chief, Bureau of Gambling Control

Action:

Upon motion of Commissioner Hammond, seconded by Chairman Lopes and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Transfer of Interest with the conditions listed below:

1. *The Transferees shall provide to the Commission, with a copy to the Bureau, within 15 days after the transfer that the certificate evidencing the interest transferred is legended in accordance with the provisions of Business and Professions Code section 19892, subdivision (d).*
2. *The Transferees shall provide to the Commission, with a copy to the Bureau, within 15 days after the closing that the certificates evidencing the interest include the following legend:*

THIS CERTIFICATE REPRESENTS AN INTEREST IN A PARTNERSHIP THAT HOLDS A GAMBLING LICENSE PURSUANT TO THE LAWS OF THE STATE OF CALIFORNIA. THE INTEREST MAY NOT BE TRANSFERRED, ASSIGNED, SOLD, PLEDGED, OR DISPOSED OF WITHOUT THE PRIOR APPROVAL OF THE CALIFORNIA GAMBLING CONTROL COMMISSION.

3. *The Transferees shall provide to the Commission, with a copy to the Bureau, within 15 days after each transfer that the parties made no material changes to the transactions and the transactions were substantially the same as approved by the Commission.*

8. Consideration of Transfer of Shares (Pursuant to Business and Professions Code section 19904):

Ocean's Eleven Casino:

Ocean's Eleven Casino Partnership

Ocean's 11 Casino, Inc.

Haig Kelegian Grantor Annuity Trust No. 2
(Transferor)

Haig Kelegian Sr. (Transferee)

Haig Kelegian Jr. (Transferee)

Mark Kelegian (Transferee)

Michelle Shrikian (Transferee)

Action:

Upon motion of Chairman Lopes, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Transfer of Shares with the conditions listed below:

Commission Meeting Minutes of December 11, 2014

1. *Within 30 days of Commission approval, Ocean's 11 Casino, Inc. shall provide to the Commission and to the Bureau copies of the stock certificates evidencing the shares transferred to the transferees including the following legend:*

THIS CERTIFICATE REPRESENTS SHARES OF STOCK ISSUED BY A CORPORATION THAT HOLDS A GAMBLING LICENSE PURSUANT TO THE LAWS OF THE STATE OF CALIFORNIA. THE STOCK MAY NOT BE TRANSFERRED, ASSIGNED, SOLD, PLEDGED, HYPOTHECATED, OR DISPOSED OF WITHOUT THE PRIOR APPROVAL OF THE CALIFORNIA GAMBLING CONTROL COMMISSION OR ITS SUCCESSOR.

2. *Within 30 days of Commission approval, Ocean's 11 Casino, Inc. shall provide to the Commission and to the Bureau written confirmation that no material change was made to the transaction and that the transaction was substantially the same as approved by the Commission.*

By Commissioner's concurrence, the following agenda items 9.A. and 9.B. were considered simultaneously:

9. Applications for Consideration of Initial State Gambling License (Pursuant to Business and Professions Code sections 19850, 19851, and 19852; CCR, Title 4 section 12342):
 - A. Ocean's Eleven Casino: Ocean's Eleven Casino Partnership
Ocean's 11 Casino, Inc.
Michelle Shrikian, Shareholder
 - B. The Bicycle Casino: The Bicycle Casino, L. P.
Haig Kelegian Jr., Limited Partner
Mark Kelegian, Limited Partner
Michelle Shrikian, Limited Partner

Action:

Upon motion of Chairman Lopes, seconded by Commissioner Schuetz and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Applications of the Initial State Gambling Licenses through the periods listed in the reports.

10. Consideration to Extend Temporary State Gambling License (Pursuant to Business and Professions Code sections 19824(f) and 19852):
 - Crystal Casino: Sierra Coast, LLC
Patrick Tierney, Member
Jamie Tierney, Member

Commission Meeting Minutes of December 11, 2014

Comments Received From:

Patrick Tierney

Stacey Luna-Baxter, Assistant Bureau Chief, Bureau of Gambling Control

Action:

Upon motion of Commissioner Schuetz, seconded by Chairman Lopes and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved a six month extension through June 30, 2015, continuing with the existing conditions listed below. The extension allows the Bureau of Gambling Control time to receive and review the 2013 financial documents.

1. *The temporary initial license takes effect on the date that the Commission approves the request and expires ~~December 31, 2014~~ June 30, 2015. If more time is needed to complete the background process, then the temporary state gambling license can be extended for an appropriate amount of time after consultation with the Bureau.*
2. *Issuance of a temporary license does not obligate the Commission to grant a permanent license. Issuance of a temporary license does not create a vested right in the holder to either extension of the temporary license or to a regular license.*
3. *Issuance of this temporary license does not in any way change the legal requirement that the applicant bears the burden of establishing that he/she is suitable pursuant to Business and Professions (B&P) Code section 19856(a) for a regular license.*
4. *Issuance of this temporary license does not change the license qualification requirements of the Gambling Control Act, including but not limited to B&P Code sections 19856, 19857, 19858, and 19859.*
5. *The applicant has pending applications for regular state gambling licenses. A regular license may or may not be issued, depending upon the results of the complete background investigation and upon the conduct of the applicant and its employees during the term of the temporary license.*
6. *If, during the term of the temporary license, the Executive Director determines that any particular applicant is disqualified for any of the reasons set forth in B&P Code section 19859, the Executive Director shall prepare an order to show cause why that applicant's temporary license should not be cancelled, which shall be considered at the first available noticed Commission meeting. The applicant may address the Commission by way of an oral statement at the noticed Commission meeting and/or may submit documents in support of the temporary licensure not less than five days prior to the meeting. The applicant may request an evidentiary hearing either in writing not less than five days prior to the meeting or at the meeting itself.*

Commission Meeting Minutes of December 11, 2014

7. *If, during the term of the temporary license, the Executive Director determines that any particular applicant may have violated one or more of the conditions under which the temporary license was issued, the Executive Director shall prepare an order to show cause why that applicant's temporary license should not be cancelled, which shall be considered at the first available noticed Commission meeting. The applicant may address the Commission by way of an oral statement at the noticed Commission meeting and/or may submit documents in support of the temporary licensure not less than five days prior to the meeting. Either in writing not less than five days prior to the meeting or at the meeting itself, the applicant may request an evidentiary hearing.*

11. Applications for Consideration of Renewal of State Gambling License (Pursuant to Business and Professions Code sections 19850, 19852 and 19876; CCR, Title 4 section 12345):

A. Garlic City Club: Ky Phuon, Sole Proprietor

Action:

Upon motion of Chairman Lopes, seconded by Commissioner Schuetz and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Renewal State Gambling License Application through December 31, 2016.

B. La Fuerza: Eusebio Rodriguez, Sole Proprietor

Action:

Upon motion of Chairman Lopes, seconded by Commissioner Hammond and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Renewal State Gambling License Application through December 31, 2016.

C. Livermore Casino: Sidjon Corporation
John Schireck, President, Treasurer, Shareholder,
Director
Sandra Schireck, Community Property Interest
Holder
Sidney Ahn, Vice President, Secretary,
Shareholder, Director

Comments Received From:

Kristen Salisbury, Designated Agent, via telephone

Action:

Upon motion of Chairman Lopes, seconded by Commissioner Hammond and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Renewal State Gambling License Application through December 31, 2016, removing the existing condition listed below:

Commission Meeting Minutes of December 11, 2014

B. Michael Fuston

Action:

Upon motion of Commissioner Schuetz, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission referred the Initial Key Employee Application to an evidentiary hearing. Mr. Fuston can no longer work in the capacity of a Key Employee.

13. Application for Consideration of Initial Work Permit (Pursuant to Business and Professions Code section 19912; CCR Title 4, section 12104):

Club San Rafael: Andre Owens

Comments Received From:

Andre Owens

Action:

Upon motion of Commissioner Schuetz, seconded by Chairman Lopes and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission referred the Initial Work Permit Application to an evidentiary hearing. Based on the Bureau's recommendation of denial, Mr. Owen's Temporary Work Permit was cancelled on November 21, 2014. Mr. Owens cannot work in the capacity of a Work Permit position.

14. Applications for Consideration of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):

A. Barona Resort and Casino - Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation:

Martin Lima

Comments Received From:

Martin Lima, via telephone

Stacey Luna-Baxter, Assistant Bureau Chief, Bureau of Gambling Control

Action:

Upon motion of Chairman Lopes, seconded by Commissioner Hammond and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Initial Finding of Suitability Application through February 8, 2016.

B. Eagle Mountain Casino - Tule River Indian Tribe of the Tule River Reservation:

Thomas Perez

Rudy Sierra

Thomas Perez

Commission Meeting Minutes of December 11, 2014

Action:

Upon motion of Chairman Lopes, seconded by Commissioner Hammond and carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, and Hammond voting yes, and Commissioner Schuetz voting no, the Commission approved the Initial Finding of Suitability Application through March 19, 2015.

Rudy Sierra

Action:

Upon motion of Commissioner Hammond, seconded by Commissioner Schuetz and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Initial Finding of Suitability Application through June 1, 2015.

C. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:
Gregory Smith

Comments Received From:

Gregory Smith, via telephone

Action:

Upon motion of Chairman Lopes, seconded by Commissioner Conklin and unanimously carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, Hammond and Schuetz voting yes, the Commission approved the Initial Finding of Suitability Application through November 7, 2015.

CONSENT CALENDAR ITEMS:

15. Applications for Consideration of Renewal Portable Personal Key Employee License (Pursuant to Business and Professions Code section 19854; CCR Title 4, section 12351):

- A. Michelle Hackett
- B. Joshua Hufft
- C. Michele Moses
- D. Tyson Powers
- E. Peter Valdez
- F. Pearl Yu

16. Applications for Consideration of Initial Work Permit (Pursuant to Business and Professions Code section 19912; CCR Title 4, section 12104):

- A. Oasis Card Room: Karen Mather
- B. The 101 Casino: Mimi Huynh-Randall

17. Applications for Consideration of Renewal Work Permit (Pursuant to Business and Professions Code section 19912; CCR Title 4, section 12104):

- A. Empire Sportsmen's Association: Mike Nguyen
- B. Napa Valley Casino: Sheila Dionisio Nicholas Harmon
- C. The 101 Casino: Paige Carlson Xiaoxue Tang

18. Applications for Consideration of Renewal of Third Party Providers of Proposition Player Services/Gambling Business Supervisor/Player Licenses (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12218.8 and 12238):

- A. Gaming Fund Group, Inc.:
Players: Kristofer Gibson Zhe Wang
- B. Pacific Gaming Services, LLC:
Players: Milena Goshorn Michael White
- C. PT Gaming, LLC:
Players: Marian Guirguis Gary Wong
Gerald Wright Lucy Xiong

19. Consideration to Withdraw Applications to Convert Third Party Proposition Supervisor Registration to a License (Pursuant to Business and Professions Code section 19984 and CCR, Title 4, section 12218.5):

- A. PT Gaming, LLC:
Supervisor: Hillarie Achoe
- B. Team View Player Services, LLC:
Supervisor: Anh Phan

20. Applications for Consideration of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):

- A. Black Oak Casino - Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria:
Kevin Degn
- B. Graton Resort & Casino - Federated Indians of Graton Rancheria:
Johnny Lam Thengbong Lay Keith Miller
Sophy Na William Pollard Marian Rizan
- C. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:
Todd Harrington Sean Pritchard
- D. Pala Casino Spa Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation:
Trisha Bailey
- E. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation:
Cesar Araujo Julie Phimmasouk Seth Tremble
- F. Quechan Casino Resort - Quechan Tribe of the Fort Yuma Indian Reservation:
Jose Jaimes
- G. Running Creek Casino - Habematolel Pomo of Upper Lake:
Gerald Erickson Jr.
- H. Soboba Casino - Soboba Band of Luiseno Indians:
Eugene Whitman
- I. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians:
Andrew Santos

Commission Meeting Minutes of December 11, 2014

- J. Spotlight 29 Casino - Twenty-Nine Palms Band of Mission Indians:
Guillermo Luna
 - K. Table Mountain Casino - Table Mountain Rancheria:
James George
 - L. Tortoise Rock Casino - Twenty-Nine Palms Band of Mission Indians:
Shelby Blair Marty Heathershaw Venus Hull
 - M. Valley View Casino & Hotel - San Pasqual Band of Diegueno Mission Indians:
Estrella Zapata
21. Applications for Consideration of Renewal Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact, section 6.4.4):
- A. Agua Caliente Casino Resort Spa - Agua Caliente Band of Cahuilla Indians:
Alan Coloma Roberta Martinez Karen Woodruff
 - B. Barona Resort and Casino - Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation:
Chad Keith
 - C. Black Oak Casino - Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria:
Susan Cummins Jarred Pinkston Michael Ryan
Ryan Wynne
 - D. Cache Creek Casino Resort - Yocha Dehe Wintun Nation:
Danniel Bowers
 - E. Chumash Casino Resort - Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation:
Donald Ast Vincent Deluna Maylyne Kamidoi
Jeromy Luxton Larry Palato
 - F. Colusa Casino Resort - Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria:
Rajinder Chauhan Richard Stalions
 - G. Eagle Mountain Casino - Tule River Indian Tribe of the Tule River Reservation:
Xiong Cha Adrian Hernandez
 - H. Harrah's Rincon Casino & Resort - Rincon Band of Luiseno Mission Indians of the Rincon Reservation:
Sergio Flores Joseph Oyos Cuong Truong
 - I. Jackson Rancheria Casino & Hotel - Jackson Rancheria of Me-Wuk Indians:
Michael Burns Mark Encke Lidia Judson
Dara Pol
 - J. Konocti Vista Casino - Big Valley Band of Pomo Indians of the Big Valley Rancheria:
Jesus Alfaro
 - K. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:
Eric Avila Matthew Majors Gregory Missman
Samantha Osborne Linda Richardson
 - L. Pala Casino Spa Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation:
Rosario Beltran

Commission Meeting Minutes of December 11, 2014

M. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation:

Thomas Butler	Summer Carbaugh	Simeon De Los Reyes
Crisanto Eduarte Jr	Indira Gucati-Mak	David Hollaway
Richard Jacques	Andres Manalo Jr.	Abel Martinez
Thong Ngo	David Panek	Sanit Ratanakosikorn
Danny Toma	Pathama Tuntakit	Anoulom Vandyleuam
Siamphone Xayasomroth		Chia Yang
Lourdes Yanga	Ilker Yilmaz	

N. San Manuel Indian Bingo and Casino - San Manuel Band of Mission Indians:

Amol Chand	Pornteva Chittasenee	Anita Curry
Ernesto Gomez	Edward Harris	Brian Lemus
Steve Lengel	Khanh Nguyen	Anna Nip
Voodtikon Phumirat	Rick Rothenberger	James Starcher
Hoc Tram	Gregory Williams	

O. Soboba Casino - Soboba Band of Luiseno Indians:

Shawn Benson	Oscar Licudo
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P. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians:

Fely Ignacio	Terrence Tracy
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Q. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:

Marites Asuncion	Olivia Greer	Edward Perle
Isabel Valencia		

R. Table Mountain Casino - Table Mountain Rancheria:

Vanthan Sea

S. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:

Lisa McGhee	Deanna Silva	Rickelle Stockton
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T. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:

Robert Angus	Angela Padilla	Julie Reid
Hoa Vu	Vue Yang	Sam You

U. Twin Pine Casino & Hotel - Middletown Rancheria of Pomo Indians:

Ronald Young

V. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission Indians of the Viejas Reservation:

Chris Le	Dianne Newman
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22. Consideration for Recognition of Eligibility to Conduct Remote Caller Bingo Games (Pursuant to Penal Code section 326.3 and CCR, Title 4, section 12505):
Comite Del Amor

23. Applications for Consideration of Renewal Interim State License for Bingo Manufacturers and Distributors (Pursuant to Penal Code sections 326.3, 326.5, and CCR, Title 4, section 12492):

A. Arrow International, Inc.:	John Gallagher, Jr., President, Director
	Dennis Gallagher, Senior Vice President, Director
	Jeannie Gallagher, Director
	Kathleen Gallagher-Miller, Director

Commission Meeting Minutes of December 11, 2014

Fred Graf, Secretary, Treasurer

- B. Bingo Innovations of California, Inc.: Michael Lowen, II, Chief Executive Officer
Michelle Lowen-Martins, Chief Operating Officer
David Gunther, Director
- C. Bingo Vision and Gaming, Inc.: Arrow International, Inc.
Jeffery Cooper, President
Dennis Gallagher, Executive Vice President, Director
Fred Graf, Vice President, Secretary
John Gallagher, Jr., Director
- D. Cactus Bingo Supply, Inc.: Sam Whitlock, President
- E. E-Max Gaming Corporation: Activity Advisors, Inc.
Arrow International, Inc.
John Gallagher, Jr., President, Director
Dennis Gallagher, Senior Vice President, Secretary, Treasurer, Director
Jeannie Gallagher, Shareholder
- F. Planet Bingo, LLC: Rick White, President, Chief Executive Officer
- G. VKGS, LLC: Timothy Stuart, Chief Executive Officer, President
Russell Morin, Chief Financial Officer, Vice President
Daniel Free, Chief Technology Officer, Vice President
- H. West Coast Game Management, Inc.: Donald Wilson, President

24. Applications for Consideration of Initial Interim Licenses for Remote Caller Bingo – Fiduciary/Site Manager/Caller (Pursuant to Penal Code section 326.3 and CCR, Title 4, section 12492):
A. Mike Baraboo, *Caller*
B. Dwain O'Dell, *Caller*
C. Michelle Lowen-Martins, *Fiduciary/Caller*
D. William Van Sant, *Caller*
25. Applications for Consideration of Renewal Interim Work Permits for Remote Caller Bingo (Pursuant to Penal Code section 326.3 and CCR, Title 4, section 12503):
A. Dwain O'Dell
B. William Van Sant

Action:

Upon motion of Commissioner Hammond, seconded by Commissioner Conklin and carried in a vote by roll call with Chairman Lopes and Commissioners Conklin, and Hammond voting yes, and Commissioner Schuetz abstaining, the Commission approved Consent Items 15 through 25.

PUBLIC COMMENT:

None.

CLOSED SESSION DISCLOSURE:

Prior to holding closed session, Chief Counsel disclosed that Closed Session item II C would be addressed by the Commission in Closed Session.

CLOSED SESSION: 11:02 a.m.

- I. Litigation: (Government Code section 11126(e)):
 - A. *Pauma Band of Luiseno Mission Indians v. Gambling Control Commission; and Arnold Schwarzenegger*, U.S. Dist Court S. D. California (09 CV01955 LAB AJB)
 - B. *San Pasqual Band of Mission Indians v. State of California, et al.*, Los Angeles County Superior Court (BC431469)
 - C. *Bingo Innovations of California, Inc. v. California Gambling Control Commission*, Sacramento County Superior Court (34-2012-80001139)
 - D. *Yavapai Apache Nation v. Iipay Nation of Santa Ysabel, the State of California, and the California Gambling Control Commission*, Sacramento County Superior Court (34-2012-001199727)
 - E. *Robert Saucier, et al. v. California Gambling Control Commission*, Sacramento County Superior Court (34-2013-80001594)
 - F. *Stand Up For California, et al. v. State of California, et al.*, Madera County Superior Court (MCV062850)
 - G. *California Valley Miwok Tribe v. The California Gambling Control Commission*; Court of Appeal of the State of California, Fourth Appellate District, Division One (D0645271), San Diego County Superior Court (37-2008-00075326-CU-CO-CTL).
 - H. *Picayune Rancheria of Chukchansi Indians v. U.S. Department of the Interior, et al.*, U.S. Dist. Court, San Francisco Division (3:14-cv-04273-EDL)
- II. Hearing Deliberations Pursuant to Government Code Section 11126(c)(3):
 - A. In the Matter of the Application for Approval of Initial Key Employee Portable Personal License for James Tobiasz, (CGCC Case No. 2013-0321-3)
 - B. In the Matter of the Application for Approval of Initial Work Permit for Lippine Nop, (CGCC Case No. 2014-0508-7)
 - C. In the Matter of the Application for Approval of Key Employee Portable Personal License for John Buys, (CGCC-2013-0321-2)
 - D. In the Matter of the Application for Approval of Renewal of Key Employee Portable Personal License for Leon Bernardi, (CGCC Case No. 2013-0426-1)

Commission Meeting Minutes of December 11, 2014

RECONVENE TO OPEN SESSION: 11:50 a.m.

The Commissioners deliberated and Chairman Lopes scheduled a break.

Break: 11:50 a.m. to 1:00 p.m.

CLOSED SESSION: 1:00 p.m.

RECONVENE TO OPEN SESSION: 1:55 p.m.

Met and deliberated on Closed Session Item II.C. In the Matter of the Application for Approval of Key Employee Portable Personal License for John Buys, (CGCC-2013-0321-2). The Commissioners, Chief Counsel, and the Executive Director will continue deliberation on December 17, 2014 at 10:00 a.m.

PUBLIC COMMENT:

None.

ADJOURNMENT:

Chairman Lopes adjourned the Commission Meeting at 1:55 p.m.