

California Gambling Control Commission
2399 GATEWAY OAKS DRIVE, SUITE 220
SACRAMENTO, CA 95833
(916) 263-0700 FAX (916) 263-0499
www.cgcc.ca.gov

**MINUTES OF OCTOBER 19, 22-25, AND 29, 2018
COMMISSION HEARING**

OPEN SESSION

October 19, 2018

1. Call to Order and Pledge of Allegiance.

Chairman Evans called the hearing to order on October 19, 2018, 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 Jim Evans and Commissioners Paula LaBrie, Gareth Lacy, and Trang To present.

3. 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 State Gambling License for Kris Kat, LLC, and Steven C. Ayers, (CGCC-2018-0111-5A)

Call for Public Comments: None received

Presiding Officer: Jason Pope

For Applicant: David Millstein, Attorney at Law
John Maloney, Esq.

For Bureau of Gambling Control: William Torngren, Deputy Attorney General
Paras Modha, Deputy Attorney General

Witnesses: Dawn Ward

The Commission met in open session to hear testimony concerning Steven C. Ayers' suitability for licensure. Deputy Attorney General Torngren provided opening argument. Complainant's exhibits 1- 15, 18, 20, 22, 23, and 25 (pages 635-638) were admitted into the record. Dawn Ward was sworn in and provided testimony.

PUBLIC COMMENT: None

Commission Hearing Minutes of October 19, 22-25, and 29, 2018

The Commission adjourned for the day at 4:00 p.m.

October 22, 2018

Chairman Evans called the hearing to order on October 22, 2018, at 10:00 a.m.

Roll Call of Commissioners was taken, with Chairman Jim Evans and Commissioners Paula LaBrie, Gareth Lacy, and Trang To present.

Witnesses: Dawn Ward
Adrian Retiz
Andrew Penrose
Frances Asuncion

Witness Dawn Ward's testimony continued and Adrian Retiz, Andrew Penrose and Frances Asuncion were sworn in and provided testimony. Complainant's exhibits 25 (pages 639-649) and 25 (audio recording and certification), 26, and 28 were admitted into the record. Applicant's exhibits FFF (pages 2838-2843, and 2875), RRR, and JJJ were admitted into the record.

PUBLIC COMMENT: None

The Commission adjourned for the day at 3:00 p.m.

October 23, 2018

Chairman Evans called the hearing to order on October 23, 2018, at 10:00 a.m.

Roll Call of Commissioners was taken, with Chairman Jim Evans and Commissioners Paula LaBrie, Gareth Lacy, and Trang To present.

Witnesses: Frances Asuncion
Yolonda Morrow
Ross Cofer
Steven Ayers

Witness Frances Asuncion's testimony continued and Yolonda Morrow, Ross Cofer, and Steven Ayers were sworn in and provided testimony. David Millstein and Steven Ayers presented opening argument for Applicant's case. Complainant's exhibit 16 and Applicant's exhibits A-LL, LLL, and VVV were admitted into the record.

PUBLIC COMMENT: None

The Commission adjourned for the day at 4:30 p.m.

October 24, 2018

Chairman Evans called the hearing to order on October 24, 2018, at 10:00 a.m.

Roll Call of Commissioners was taken, with Chairman Jim Evans and Commissioners Paula LaBrie, Gareth Lacy, and Trang To present.

Witnesses: Steven Ayers

Witness Steven Ayers' testimony continued. Applicant's exhibits OO, SS, FFF (pages 663-669, 671-673, and 2311-2334), FFFa, GGG, and TTT were admitted into the record.

PUBLIC COMMENT: None

The Commission adjourned for the day at 3:30 p.m.

October 25, 2018

Chairman Evans called the hearing to order on October 25, 2018, at 10:00 a.m.

Roll Call of Commissioners was taken, with Chairman Jim Evans and Commissioners Paula LaBrie, Gareth Lacy, and Trang To present.

Witnesses: Steven Ayers
Theodore Oien
Penny Ayers

Witness Steven Ayers' testimony continued and Theodore Oien and Penny Ayers were sworn in and provided testimony. Complainant's exhibit 29 and Applicant's exhibits MM-RR, TT-FFF (pages 382-662, 670, 674-2310, 2335-2837, 2844-2874, and 2876-2903), HHH-III, KKK, MMM-QQQ, SSS, and UUU were admitted into the record.

PUBLIC COMMENT: None

The Commission adjourned for the day at 4:57 p.m.

October 29, 2018

Chairman Evans called the hearing to order on October 29, 2018, at 10:00 a.m.

Commission Hearing Minutes of October 19, 22-25, and 29, 2018

Roll Call of Commissioners was taken, with Chairman Jim Evans and Commissioners Paula LaBrie, Gareth Lacy, and Trang To present.

Witnesses: Penny Ayers
Terrance Risse
Roy Larry
Elizabeth Beigh
Scott C. Syphax
William Porter
Fred Springer
Mark Tyndale
Mark Wiese
Aristides Tzikas
Stanley J. Matranga

Witness Penny Ayers' testimony continued and Terrance Risse, Roy Larry, Elizabeth Beigh, Scott C. Syphax, William Porter, Fred Springer, Mark Tyndale, Mark Wiese, Aristides Tzikas, and Stanley J. Matranga were sworn in and provided testimony. Complainants exhibits 17 (pages 533-610), 19 (pages 614-618), 21 (pages 623-628), and 24 (pages 633-635) and Applicant's exhibit XXX were admitted into the record. Applicant's exhibit WWW was withdrawn. Both sides provided closing arguments.

The Commission requested a copy of the Bureau's records of the calls for service to the Ayers' home through December 2017. That document is to be provided to Presiding Officer Pope on October 30, 2018 and will be marked as Commission exhibit 1. Applicant may submit objections to Commission exhibit 1 and declarations to the Presiding Officer by close of business on October 31, 2018. The record will close upon receipt of agreed to documents or at 5:00 p.m. on October 31, 2018.

PUBLIC COMMENT: None

The Commission adjourned 4:52 p.m.