

California Gambling Control Commission

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**MINUTES OF THE NOVEMBER 1, 2018
COMMISSION MEETING**

OPEN SESSION

1. Call to Order and Pledge of Allegiance.

Chairman Evans 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 Jim Evans, Commissioner Paula LaBrie, Commissioner Gareth Lacy, and Commissioner Trang To present.

3. Approval of Commission Meeting Minutes for:
 - A. August 23, 2018 – Commission Meeting
 - B. September 24, 2018 – GCA Hearing

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner Lacy, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Commission Meeting Minutes for: the August 23, 2018 Commission Meeting and the September 24, 2018 GCA Hearing.

4. Consideration of Additional Permanent Authorized Tables (Pursuant to Business and Professions Code section 19841(p); CCR, Title 4, section 12359):
Westlane Card Room: Delta C, LP

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner Lacy, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the request for 2 additional permanent authorized tables, which increased Westland Card Room's total of permanent authorized tables from 6 to 8.

5. Consideration of Initial Portable Personal Key Employee License (Pursuant to Business and Professions Code section 19854; CCR, Title 4, sections 12054 and 12350):

A. Kenneth Behney, Jr.

Action:

Upon motion of Commissioner To, seconded by Chairman Evans, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Key Employee license through April 30, 2019.

B. Ryan Koptke

Commissioner Lacy and Commissioner LaBrie discussed why they were inclined to grant the Initial Key Employee license.

Action:

Upon motion of Commissioner Lacy, seconded by Commissioner LaBrie, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Key Employee license through January 31, 2019.

6. Consideration to Withdraw Application for Portable Personal Key Employee License (Pursuant to Business and Professions Code section 19869; Title 4, sections 12015 and 12054):

Berney James Hoover

Comments Received From:

Yolanda Morrow, Assistant Director, Bureau of Gambling Control, in person

Deputy Director Alcalá-Beshara informed the Commission that multiple attempts to confirm the applicant's attendance were made by Commission staff; however the applicant did not confirm attendance. The applicant did not announce himself at the meeting.

Chairman Evans discussed why he was inclined to deny the withdrawal request. Commissioner Lacy and Commissioner LaBrie concurred and discussed that it was important to review this application and adjudicate the matter on the record.

Commissioner To asked the Bureau if the Bureau anticipates criminal charges being filed against Mr. Hoover. Assistant Director Morrow noted that she has not heard that criminal charges are being pursued at this time.

Action:

Upon motion of Chairman Evans, seconded by Commissioner Lacy, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner

LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission denied the request to withdraw and allow the Bureau of Gambling Control to complete their background investigation.

7. Consideration of Initial Work Permit (Pursuant to Business and Professions Code section 19912; CCR, Title 4, sections 12054 and 12104):

Poker Flats Casino: Che Lao

Commissioner To discussed why they were inclined to grant the Initial Key Employee license.

Chairman Evans called upon the applicant to ask if she was present. The applicant was not present in person or by telephone.

Action:

Upon motion of Commissioner To, seconded by Commissioner LaBrie, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Work Permit through May 31, 2020, with the condition noted below:

Beginning December 1, 2018, and every 90 days thereafter, Che Lao must submit to the Bureau of Gambling Control status updates regarding her outstanding fines until satisfied.

8. Consideration to Withdraw Application for Work Permit (Pursuant to Business and Professions Code section 19869; CCR, Title 4, sections 12015 and 12054):

A. Empire Sportsmen's Association : Jennyann Armstrong Portrey

Chairman Evans indicated that he was inclined to move for this matter to be approved with prejudice as the charges within the background investigation were serious and there should be a cooling off period. Commissioner To noted that he agreed with Chairman Evans and discussed areas regarding the incident that raised concerns. Commissioner Lacy concurred with Chairman Evans and Commissioner To.

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the request to withdraw with prejudice.

B. Lake Bowl Cardroom:

Daniel Reyes

Chairman Evans indicated that he was inclined to move for this matter to be approved without prejudice. Commissioner LaBrie concurred.

Action:

Upon motion of Chairman Evans, seconded by Commissioner LaBrie, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the request to withdraw without prejudice.

9. Consideration of Conversion of Third-Party Providers of Proposition Player Services Registration to License (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12054 and 12218):

Fortune Players Group, Inc.:

Fortune Players Group, Inc.

Tricia Castellanos, Chief Executive Officer,
Shareholder,
Director

Phyllis Cuison, Chief Financial Officer,
Shareholder, Director

Remil Medina, Secretary, Shareholder, Director

Chief Counsel Vlaanderen recused himself citing litigation with significant factual overlap before item nine was called and left the hearing room while the item was heard.

Comments Received From:

Jarhett Blonien, Designated Agent, in person

Adrianna Alcala-Beshara, Deputy Director, California Gambling Control Commission

Stacey Luna Baxter, Executive Director, California Gambling Control Commission

Yolanda Morrow, Assistant Director, Bureau of Gambling Control, in person

Designated Agent Jarhett Blonien stated that his clients were amenable to the proposed conditions with the exception of condition three as it appeared incomplete.

The Commissioners deliberated and came to an agreement to amend condition number three.

Executive Director Luna Baxter commented she understood condition number 3 to mean that if Rene Medina is observed to be in violation of conditions 1, 2, or 4 or the owners of Fortune Players Group are aware of such that they need to notify those individuals listed in condition 3, which would be the Executive Director and the Bureau Assistant Director. Chairman Evans asked Designated Agent Blonien if his client assents to the conditions that are to be placed on the license and amending condition three.

Chairman Evans asked for confirmation regarding a timeline of events. Chairman Evans confirmed with Mr. Blonien that Maria Escueta had sued Fortune Players Group, Inc. for discrimination. Chairman Evans asked what was the disposition of that matter. Mr. Blonien indicated that he believed the matter went to trial, the jury found in favor of Ms. Escueta, the matter was appealed and the appellate court upheld the trial court's order. Mr. Blonien confirmed Chairman Evans' inquiry that Ms. Escueta prevailed on her discrimination complaint. Chairman Evans' asked Mr. Blonien if Mr. (Rene) Medina was the decider in that matter. Mr. Blonien responded that he was not. Chairman Evans' asked Mr. Blonien if Mr. (Rene) Medina was the person Ms. Escueta accused of discrimination. Mr. Blonien responded that Mr. (Rene) Medina was not. Chairman Evans followed up to ask if the judge found him to be, Mr. Blonien clarified that was not and that the matter had a split order. Chairman Evans asked as he understood that there was a preliminary finding [motion in limine] that Mr. [Rene] Medina was an authorized agent of Fortune Players. Mr. Blonien responded that he wasn't entirely certain as he wasn't the attorney who had tried the matter he wasn't able to answer exactly what the jury's findings were. Chairman Evans acknowledged the statement and noted that would be of concern if it was true Mr. [Rene] Medina was found to have been an authorized agent of Fortune Players. Chairman Evans asked the Bureau if that was also their understanding of the matter.

Assistant Director Morrow confirmed that was also the Bureau's understanding. Chairman Evans noted that he saw a lot of concerns regarding that matter and for that reason was inclined to move for the matter to be referred to an APA hearing and asked if Fortune Players Group, Inc. assented to the conditions. Designated Agent Blonien confirmed his client assented to the conditions and further stated that would resolve any Commission concerns on a go-forward basis. Chairman Evans responded that as there had been similar past concerns, he was more comfortable referring the matter to an APA evidentiary hearing to have the matter fully reviewed and adjudicated.

Commissioner Lacy discussed that as the agency between Fortune Players Group, Inc. and Rene Medina is a contested issue, it would be prudent to have the matter heard through an evidentiary hearing wherein the applicants have an opportunity to present evidence which could explain or rebut Mr. Rene Medina's role. Commissioner Lacy also noted the business relationships that exist between the ownership of the third party proposition player services and the cardroom may be lawful and acceptable, but additional information is needed from the applicant that they are fair market value and comply with the law. Chairman Evans concurred.

Commissioner Lacy noted that the assent to the condition notably could support or is consistent with the applicants' assertion that Mr. Rene Medina is not involved in the operations of the business presently and noted the appreciation to the applicant for their willingness to assent to the conditions, however there is also a question of the past and there may be other factors to review. Chairman Evans and Commissioner LaBrie concurred.

Chairman Evans asked one additional follow up question and noted that as a judge and jury had found discrimination to have occurred against Ms. Escueta, had Fortune Players

Group, Inc. put in any steps or processes to avoid the possibility of recurrence of discrimination. Mr. Blonien responded affirmatively and that Fortune Players Group, Inc. has and has been very attentive to the matter. Mr. Blonien further noted that he would also be able to explain the business structure and business relationship of Fortune Players Group, Inc. which Mr. Blonien has noted have been in existence for a long time. Mr. Blonien noted that it appeared to him to be upon the Commission to put into regulation what is and is not prohibited, so it appeared backward to have to explain the business structure, but he could and would do so.

Mr. Blonien confirmed, with the discussed modifications to the conditions, his clients assent to the conditions.

Action:

Upon motion of Chairman Evans, seconded by Commissioner LaBrie, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved to refer the Initial Applications to an APA evidentiary hearing and imposed the following conditions with the applicants' assent:

- 1. Rene Medina shall be prohibited from entering or being present in any areas on Fortune Players Group, Inc. property or any gambling establishments in which Fortune Player's Group, Inc. provides third party proposition player services.*
- 2. Rene Medina shall be prohibited from working, providing services for, or contracting with Fortune Players Group, Inc. without prior Commission approval.*
- 3. If Rene Medina is observed by a Fortune Players Group, Inc. employee or agent in a manner which violates condition 1, 2, or 4, the employee shall immediately report their observation to an owner or the manager-in-charge who shall within 30 minutes telephone (1) the California Gambling Control Commission (Commission), and (2) the Department of Justice, Bureau of Gambling Control (Bureau). The call to the Commission shall be made to the Executive Director at (916) 263-0700. The call to the Bureau shall be made to the Bureau Assistant Director at (916) 830-1700.*
- 4. Any communication between Rene Medina and any shareholder or employee of Fortune Players Group, Inc. concerning the operation of the Fortune Players Group, Inc. shall be disclosed to the Executive Director and the Bureau Assistant Director of Licensing within one business day of the of the communication. This disclosures requirement applies to both oral and written communications. This disclosure must be made in writing. The owners shall maintain records documenting each disclosure for four years following the disclosure.*

5. *The owners shall exercise due diligence in ensuring compliance with all conditions.*

10. Consideration of Conversion of Third-Party Providers of Proposition Player Services Registration to License (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12054 and 12218):

A. Aces High Gaming, LLC:

Player: Cindy Yanez

Comments Received From:

Brian Stonoff, Designated Agent/Owner of Aces High Gaming, LLC, in person

Commissioner Lacy noted his main concern was the discrepancy in statement regarding the event that the applicant provided to the Bureau compared to what Ms. Yanez noted to the reporting officer (California Highway Patrol). Mr. Stonoff stated that the incident occurred eleven years ago and gave a brief timeline from the incident to the present. Commissioner LaBrie noted that the difference between the explanations appears very different and noted the incident was within ten years of the application date. Commissioner To noted that he agreed and having an evidentiary hearing could assist in resolving the issues in dispute. Chairman Evans noted that he concurred with his colleagues statements.

Action:

Upon motion of Commissioner To, seconded by Commissioner Lacy, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission referred the Initial Conversion License to a GCA evidentiary hearing.

B. Alpha Gaming, Inc.:

Player: Rebecca Kuchta

Comments Received From:

Yolanda Morrow, Assistant Director, Bureau of Gambling Control, in person

Commissioner LaBrie noted that the disclosure was positive, but noted a concern regarding the applicant's past employment history. Commissioner Lacy noted the Commission's recent past approval of the license after the employment incident happened. Assistant Director Morrow answered Chairman Evans' question that the reason the Bureau recommends approval is because Ms. Kuchta disclosed the incident, the employment incident in question seemed more accidental rather than intentional, and the money was returned by the patron.

Action:

Upon motion of Commissioner Lacy, seconded by Commissioner LaBrie, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner

LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Conversion License through November 30, 2020.

C. Knighted Ventures, LLC:

Player: Lola Walker-Marcia

Comments Received From:

Lola Walker-Marcia, via telephone

Ms. Walker-Marcia confirmed that she did not disclose her violation on her employment and State application.

Commissioner Lacy noted for the applicant and generally that a past violation of the law does not necessary mean that there will be a definite denial of a license, unless the violation is a grounds for a mandatory denial. However if an applicant purposely conceals the violation or is dishonest in the application process that is definitely an issue as that is an act of dishonesty in the present.

Commissioner To asked the applicant how old she was at the time of the incident. The applicant responded that she was about twenty-five years old. The applicant admitted that she knew it was wrong to lie on the applications but as a single mother responsible for supporting three children, she made that decision and understands it is wrong.

Commissioner LaBrie noted her view of the applicant's application. Commissioner LaBrie noted that she was eager for the applicant to have an opportunity to come forward and present evidence that supports the applicant's position.

Commissioner LaBrie and Chairman Evans noted to Ms. Walker-Marcia that she will be able to continue working while her application is pending.

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner To, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission referred the matter to a GCA evidentiary hearing.

11. Consideration of Renewal of Third-Party Providers of Proposition Player Services License (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12054 and 12218.8):

Knighted Ventures, LLC:

Player: Britney Kronberger

Commissioner LaBrie discussed the procedural aspects of the application and why she was inclined to grant the renewal application.

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner Lacy, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Third Party Renewal License through October 31, 2020.

12. Consideration of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compacts):

A. Graton Resort & Casino - Federated Indians of Graton Rancheria:

i) Brittany Holcomb

Comments Received From:

Brittney Holcomb, in person

Ms. Holcomb answered the Commissioners' questions regarding her employment and personal history. She then discussed how she has learned and grown from her past mistakes.

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner To, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Finding of Suitability through September 30, 2019.

ii) Robert Tselentis

Comments Received From:

Robert Tselentis, by telephone

Chairman Evans asked Mr. Tselentis if he understood the condition to be placed on his license. Mr. Tselentis confirmed that he understood the condition.

Action:

Upon motion of Commissioner Lacy, seconded by Chairman Evans, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Finding of Suitability through August 25, 2019, with the condition noted below:

Beginning January 1, 2019, and every 180 days thereafter, Mr. Tselentis must provide the Bureau of Gambling Control proof of ongoing efforts to satisfy his outstanding charge-off accounts.

B. Jamul Casino - Jamul Indian Village of California:

Nicholas Valitutto

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner Lacy, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Finding of Suitability through July 4, 2020.

- C. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation:
Jared Archer

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Finding of Suitability through January 31, 2019.

- D. Red Hawk Casino - Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria:
Jai Saetern

Comments Received From:

Jai Saetern, in person

Chairman Evans asked Mr. Saetern if he understood and accepts the condition to be placed on his license.

Mr. Saetern confirmed that he understood and accepts the condition.

Action:

Upon motion of Chairman Evans, seconded by Commissioner LaBrie, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Finding of Suitability through December 29, 2019 with the condition noted below:

Beginning January 1, 2019, and every 180 days thereafter, Mr. Saetern must provide the Bureau of Gambling Control proof of ongoing efforts to satisfy his outstanding charge-off accounts.

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

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie,

Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Finding of Suitability through February 28, 2019.

13. Consideration of Renewal Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compacts):

Barona Resort and Casino - Barona Group of Capitan Grande Band of Mission Indians:
Brett Smith

Comments Received From:

Brett Smith, via telephone

Commissioner LaBrie asked Mr. Smith if he understood the existing condition to continue to be placed on his license.

Mr. Smith confirmed that he understood the existing condition.

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner Lacy, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Finding of Suitability through September 22, 2020, continuing with the existing condition noted below:

Beginning July 1, 2018 and every 90 days thereafter, Mr. Smith must provide the Bureau of Gambling Control proof of ongoing efforts to resolve his state lien and collection accounts.

By concurrence of the Commissioners, items 14 A-F were heard as a group.

14. Hearing Pursuant to Business and Professions Code Sections 19870 and 19871 and CCR, Title 4, section 12060:

- A. Default Decision and Order In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Joel Muniz, (GCADS-TPPL-018080)
- B. Default Decision and Order In the Matter of the Application for Approval of Gambling Establishment Key Employee License for Bouakeo Phouminavong, (CGCC-2018-0510-5M)
- C. Default Decision and Order In the Matter of the Application for Approval of Initial Regular Work Permit for Amanda Olson, (GCADS-GEWP-002664)
- D. Default Decision and Order In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Frank Vang, (CGCC-2018-0524-12F)
- E. Default Decision and Order In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Abigail Morales, (CGCC-2018-0607-7B)

F. Default Decision and Order In the Matter of the Application for Approval of Initial Regular Work Permit for Thea Bun, (CGCC-2018-0524-1)

Comments Received From:

Yolanda Morrow, Assistant Director, Bureau of Gambling Control, in person

Staff Counsel Pope announced items 14A-14F.

Chairman Evans also called upon each applicant again to ensure none one was on the line or in attendance in-person.

Commissioner Lacy confirmed that the reason the applicants are on this item is that they did not return a Notice of Defense and no decision is being made on the substance, but rather procedural only as the Notice of Defense was received.

Commissioner Lacy asked if there is any prejudice to the parties and asked if they could return at a future date.

Staff Counsel Pope responded yes and elaborated that all applications are subject to denial pursuant to Business and Professions code 19856 and there is no finding as far as the merits.

Commissioner LaBrie confirmed that a request for reconsideration is also available.

Assistant Director Morrow also clarified that if the applicant is a Third Party Provider of Proposition Player Services applicant and denied, the applicant will not be allowed to return to the Third Party Provider of Proposition Player Services industry.

Action:

Upon motion of Commissioner To, seconded by Commissioner LaBrie, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy and Commissioner To voting yes; the Commission moved to approve the Default Decision and Order for items 14 A-F.

15. Request for Reconsideration (Pursuant to Business and Professions Code section 19824; CCR, Title 4, section 12064):

In the Matter of the Application for Approval of Gambling Establishment Key Employee License for Danny Liv, (CGCC-2017-1207-5F)

Comments Received From:

Robert McWhorter, Attorney and Designated Agent, in person

Paras Modha, Deputy Attorney General, Department of Justice, in person

Todd Vlaanderen, Chief Counsel, Gambling Control Commission, in person

Chief Counsel Vlaanderen gave a brief timeline of the item. Chief Counsel Vlaanderen advised that the reconsideration is considered in Open Session, and if

the Commission decides to grant reconsideration, the reconsideration is decided in closed session.

Mr. McWhorter provided a summary of Mr. Liv's background and the people who support his application. Mr. McWhorter stated that the reconsideration was not brought to challenge the findings or conclusions of law; but rather to ask the Commission exercise its discretion and impose conditions that can ensure the public is protected and allow Mr. Liv could continue to work in an a key employee capacity. In the alternative, Mr. McWhorter stated that his client requests that the Commission make a finding that Mr. Liv be allowed to work in a non-key capacity to earn the trust and respect of the Commission. Mr. McWhorter noted that his employer is in the audience in support and wants Mr. Liv to be able to keep his job. Mr. McWhorter noted that Mr. Liv has not had an incident in five years and has demonstrated he is a good employee. Mr. McWhorter further stated that Mr. Liv's non-disclosure was not of ill intent, but of carelessness. Mr. Liv just did not have a good understanding of filling out the application, as it was his first time applying for a managerial position. Mr. McWhorter discussed as a possibility for the Commission's consideration protecting the public interest through monitoring. Mr. McWhorter asked the Commission to impose conditions on Mr. Liv to allow Mr. Liv to work as a Key Employee and earn the trust of the Commission. Mr. McWhorter noted that Casino 580 must terminate Mr. Liv's employment pursuant to regulation due to Mr. Liv being denied a Key Employee license. Mr. McWhorter asked if the Commissioners are not willing to grant the Key Employee license, his client again requests that he be able continue to work with a work permit to allow him to still be employed at the cardroom.

Chief Counsel Vlaanderen stated that there was no offer of additional proof of evidence.

Mr. McWhorter responded that he filed a petition of Reconsideration, which can be filed for new evidence or for good cause. He also stated that his client had reason for good cause.

Deputy Attorney General Paras Modha stated in response that there is no offer of additional evidence and there was no reason for good cause.

Commissioner Lacy abstained from the Request for Reconsideration as he was not with the Commission for the initial hearing.

Commission To inquired as to how Mr. Liv could work. Chief Counsel Vlaanderen stated that, if provided in the decision, Mr. Liv could work for an LLC in a Non Key Employee capacity and provisions are further discussed in the Legal memorandum.

Chairman Evans discussed difficulty in making the decision to deny Mr. Liv based on non-gambling related non-disclosures and a poorly filled out application. Additionally, Chairman Evans discussed his hesitance with regards to Mr. Liv's understanding of

the differences between a traffic violation and a misdemeanor. Further Chairman Evans discussed his amenableness to a non-portable key license with progress reports provided every two months. Chief Counsel Vlaanderen stated that it was his belief the terms could be discussed in closed session.

Commissioner To stated that he supported a request for reconsideration in closed session.

Commissioner LaBrie discussed her amenableness to review the issues raised by Chairman Evans and suitable ways to continue forward.

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, and Commissioner To voting yes, and Commissioner Lacy abstaining; the Commission moved to approve the Reconsideration.

CONSENT CALENDAR ITEMS:

16. Consideration of Renewal Portable Personal Key Employee License (Pursuant to Business and Professions Code section 19854; CCR, Title 4, sections 12054 and 12351):

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|-----------------------|--------------------------|
| A. Renee Boches | M. Peter Lydon |
| B. Thomas Chiang | N. Jorge Magana |
| C. Rick Covello | O. Sean McMahan |
| D. Richard Danisi | P. Tony Nguyen |
| E. Melvin del Rosario | Q. Johnny Reeves |
| F. Rebecca Gray | R. Ron Sarabi |
| G. Cheng Her | S. Gregory Steponavicius |
| H. Phillip Hewitt | T. Jack Tumasian |
| I. Brenda Hill | U. Emma Vardy |
| J. Camille Johnson | V. Robert Velasquez |
| K. Gary Kobayashi | W. Trevor Walz |
| L. Justin Liddicoat | X. Marc Weinreich |

17. Consideration of Initial Work Permit (Pursuant to Business and Professions Code section 19912; CCR, Title 4, sections 12054 and 12104):

The Nineteenth Hole: Ying Doucet

18. Consideration of Renewal Work Permit (Pursuant to Business and Professions Code section 19912; CCR, Title 4, sections 12054 and 12104):

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|------------------------------------|----------------------------|------------------|
| A. Empire Sportsmen's Association: | David Bustamante | Narin Kak |
| B. Napa Valley Casino: | Minangela Howell-Zievinger | Anthony Hutchins |

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|---------------------------------|------------------|----------------|
| | Quynh-Anh Nguyen | |
| | Teresa Vandal | |
| C. The Deuce Lounge and Casino: | Renee Boches | Gumbel Saephan |
| D. The Nineteenth Hole: | Diana Lane | |
| E. Towers Casino: | Jamie Williams | |

19. Consideration of Conversion of Third-Party Providers of Proposition Player Services Registration to License (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12054 and 12218):

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|--------------------------------|-----------------------|--------------------|-------------------|
| A. Acme Players Services, LLC: | | | |
| Other Employee: | Von Stephen Dizon | | |
| Players: | Roger Bo | Christopher Ibarra | |
| B. Blackstone Gaming, LLC: | | | |
| Players: | Julia Arenas | Binh Ly | Francis Mangino |
| C. Certified Players, Inc.: | | | |
| Player: | Kittiphon Sinhbandith | | |
| D. Gaming Fund Group, Inc.: | | | |
| Player: | Son Huynh | | |
| E. Knighted Ventures, LLC: | | | |
| Players: | Tyler Cannon-Nelson | | Ana Duran Chavez |
| | Christopher Frison | | |
| | Sesar Gonzales | Daniel Jobb | Cassandra Willner |
| F. Metis TPS, LLC: | | | |
| Players: | Jue Chen | Weixuan Tan | |
| G. PT Gaming, LLC: | | | |
| Players: | Dilu Gurung | Pinky Joshi | |
| H. Suns Gaming, Inc.: | | | |
| Player: | Cindy Meza-Ojeda | | |

20. Consideration of Renewal of Third-Party Providers of Proposition Player Services License (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12054 and 12218.8):

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|---------------------------------|------------------|------------------------|----------------|
| A. Acme Player Services, LLC: | | | |
| Players: | Lou Calleja | Marc Andro Espana | Michael Jajo |
| | Richard Lee | Joseph Lindsay | Leroy Ling |
| | Alfio Soo | Maly Sorn | Chong Sung |
| | Qi Hui Ye | Ronglu Zhang | |
| B. Arise, LLC: | | | |
| Player: | Inocencio Perez | | |
| C. Fortune Players Group, Inc.: | | | |
| Players: | Pai Chung | Gengino Gozum | Hugh Ha |
| | Gaudencio Jonson | Julie Tan | |
| D. Gaming Fund Group, Inc.: | | | |
| Player: | Ngan Huynh | | |
| E. Knighted Ventures, LLC: | | | |
| Players: | Edwin Aurelio | Christopher Candelario | |
| | Monichan Chea | Charles Cole | Joshua Dean |
| | Shyamal Deo | Oscar Figueroa | Brandon Garcia |

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Ryan Henry	Leticia Hurm	Jason Lee
Yeins Lee	Juan Lezcano	Larry Moua
Brittney Nikiel	Raymond Ouch	
Fernando Palma	Francisco Perez	Emily Pich
Raul Puyat	Angel Ruiz	Chhinda Song
Nancy Vang	Yang Vue	

F. L.E. Gaming, Inc.:

Players: Carleen Muth Christie Vanthamaly
Lisamaree Vasquez

G. PT Gaming, LLC:

Supervisors: Michael Hartley Robert Willard
Players: Alejandro Jose Encinas Jorge Hernandez

21. Consideration of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compacts):

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

Kimberley Lopez Charlotte Maglalang-Sterling Ruth Munoz

B. Bear River Casino Hotel - Bear River Band of the Rohnerville Rancheria:

Kevin Fox

C. Chicken Ranch Casino - Chicken Ranch Rancheria of Me-Wuk Indians:

Bruce Nesbit

D. Chukchansi Gold Resort and Casino - Picayune Rancheria of Chukchansi Indians:

Franklin Jacinto Jr.

E. Fantasy Springs Resort Casino - Cabazon Band of Mission Indians:

Tomas Zavala

F. Feather Falls Casino & Lodge - Mooretown Rancheria of Maidu Indians:

Ashley Clark

G. Graton Resort & Casino - Federated Indians of Graton Rancheria:

Subash Basnet Maria Mercedes Albina Cabrera
Luis Gonzalez

H. Jackson Rancheria Casino Resort - Jackson Rancheria of Me-Wuk Indians:

Andrew Bryce

I. Jamul Casino - Jamul Indian Village:

Henry Benaid

J. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:

Edgar Andrade Diana Felix

K. Pala Casino Spa and Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation:

Stephanie Dancz Amanda Hogenmiller Huong Tran

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

Joshua Javage

M. Red Earth Casino - Torres Martinez Desert Cahuilla Indians:

Cristina Martinez Jennifer Soto

N. Red Hawk Casino - Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria:

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Devin Hector

- O. River Rock Casino - Dry Creek Rancheria Band of Pomo Indians:
Elizabeth Jimenez Alvarez Blair Moreno Jr.
- P. San Manuel Casino - San Manuel Band of Mission Indians:
Lawrence Weaver Jr. Melvin Young
- Q. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:
Christi-Ann Auld
- R. Twin Pine Casino & Hotel - Middletown Rancheria of Pomo Indians:
Tina Harris Christina Pomeroy Misty Wathen
- S. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission
Indians of the Viejas Reservation:
Javier Jacobo
- T. Win-River Casino - Redding Rancheria:
David Cosca

22. Consideration of Renewal Tribal-State Compact Key Employee Finding of Suitability
(Pursuant to the Tribal-State Gaming Compacts):

- A. Agua Caliente Casino Resort Spa - Agua Caliente Band of Cahuilla Indians:
Sophia Chang Daniel Hartzler
Alberto Lopez Gutierrez
Gary McCool Amie Montes Joseph Orta
Letha Rohr Steven Tafoya Gene Yang
- B. Barona Resort and Casino - Barona Group of Capitan Grande Band of Mission
Indians:
Roger Ball
- C. Bear River Casino Hotel - Bear River Band of the Rohnerville Rancheria:
Lori Barcelos
- D. Black Oak Casino - Tuolumne Band of Me-Wuk Indians of the Tuolumne
Rancheria:
Aaron Batt Kimberly Greene Christoph Phipps
- E. Blue Lake Casino and Hotel - Blue Lake Rancheria:
William Loomis
- F. Cache Creek Casino Resort - Yocha Dehe Wintun Nation:
Joseph Beauchamp Alma Bravo Philip Chau
Robert Codarre Dean Comoletti Henry Corteza
May Dizon Walter Gimeno Gursarawjit Gosal
Somphoch Helsel Phillip Kang Dinesh Khadka
Lyndo Khiev Harold Kinney Andy Liu
Liam Luangrath Tone Mayora Tanya Munoz
Jacqueline Newbre Hungze Pham Pha Reach
Path Reach Shelley Saetern Charles Saetern
Joey Saeteune Scott Saysourivong Robert Scrivener Jr.
Quincy Sertaangh Sonyee Sith Sayan Smith
Youqun Tence Bridgette Tern Elizabeth Torres
Connie Venethongkham Tsun-Kai Young
- G. Cahuilla Casino - Cahuilla Band of Mission Indians:
Lacy Ramberg

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- H. Casino Pauma - Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation:
Hong Bui George Carrasco Olivia Hernandez
James Smart Bounsoum Xayasomroth
- I. Chukchansi Gold Resort and Casino - Picayune Rancheria of Chukchansi Indians:
Pieter Moerdyk
- J. Chumash Casino Resort - Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation:
Dave Abayan Clifford Chapman II Letitia Flores
Rebecca Gallagher Napoleon Huey Wayne Hurte Jr.
Christopher Jose Phillip Mendoza JR Belinda Miranda
Richard Perkins Brandon Perkins Brittany Rehr
Fidel Terrones Jr. Michael Wied
- K. Colusa Casino Resort - Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria:
Joshua Copeland Kao Saechao
- L. Eagle Mountain Casino - Tule River Indian Tribe of the Tule River Reservation:
Rose Gonzalez Rhonda Kern Donna Medrano
- M. Elk Valley Casino - Elk Valley Rancheria:
Mary Helen Rodriguez Ruth Smith Michael White
- N. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:
Francis Couraut Inna Franklin Susan Gates
Andrew Lester Alan Neri Robert Rodriguez Jr.
- O. River Rock Casino - Dry Creek Rancheria Band of Pomo Indians:
Cameron Giannini Nathan Napoli Kaye Roeum
George Rojas Renee Schinkowsky
- P. San Manuel Casino - San Manuel Band of Mission Indians:
Chia Chang John Hernandez Juan Martinez
Jack Shang Bridjette Whaley Charles Williams
- Q. Soboba Casino - Soboba Band of Luiseno Indians:
Araceli Hernandez
- R. Spa Resort Casino - Agua Caliente Band of Cahuilla Indians:
Anthony Abriel Warren Chard II Elizabeth Gonzales
Michael Russ Aaron Thomas Terrence Tracy
- S. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:
Robert Bulster Roger Hagoriles Elizabeth Hinds
Milagros Logan Jose Reveles Terri Wild
- T. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:
Todd DeRemer Sonia Keo
- U. Tortoise Rock Casino - Twenty-Nine Palms Band of Mission Indians:
Paul Desilets Jr.
- V. Valley View Casino & Hotel - San Pasqual Band of Diegueno Mission Indians:
Efren Leal III Christian Sandoval Segura
- W. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission Indians of the Viejas Reservation:
Joe Berry III Nolan Childress Errol Pangelinan

Action:

Upon motion of Commissioner To, seconded by Commissioner LaBrie, and unanimously carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Consent Calendar items 16 through 22.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA:

None.

CLOSED SESSION DISCLOSURE:

Chairman Evans disclosed that the Commissioners would meet in Closed Session on the following:

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

- C. In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Jeffrey David Stubblebine, (GCADS-TPSU-001149)
- M. In the Matter of the Application for Approval of Gambling Establishment Key Employee License for Danny Liv, (CGCC-2017-1207-5F)
- N. In the Matter of the Application for Approval of State Gambling License for Kris Kat, LLC, and Steven C. Ayers, (CGCC-2018-0111-5A)

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. *Rene Medina v. Xavier Becerra, Jim Evans, et al.*; United States District Court, Northern District of California (17-cv-03293 KAW)
- F. *California Valley Miwok Tribe v. California Gambling Control Commission et al.*; San Diego County Superior Court (37-2017-00050038-MU-CO-CTL)
- G. *Tongtoua Yang v. California Gambling Control Commission et al.*; Sacramento County Superior Court (34-2017-80002744)
- H. *Callaye Jo Strauss v. California Gambling Control Commission*, Sacramento County Superior Court (34-2018-80002882)
- I. *Yavapai-Apache Nation v. La Posta Band of Diegueno Mission Indians and California Gambling Control Commission*, Sacramento Superior Court (34-2018-00238711)

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

- A. In the Matter of the Accusation and Statement of Issues Against Lucky Chances, Inc., Rommel Medina, Ruell Medina, (OAH No.2015110463)

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- B. In the Matter of the Application for Renewal of Third Party Providers of Proposition Players Services Player License and the Statement of Issues for Joseph Capps, (TPPL-006948; OAH No. 2016100308)
- C. In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Jeffrey David Stubblebine, (GCADS-TPSU-001149)
- D. In the Matter of the Application for Approval of Gambling Establishment Key Employee License for Sai Fo Saechao, (CGCC-2018-0111-8C)
- E. In the Matter of the Application for Approval of Initial Regular Work Permit for Sai Fo Saechao, (CGCC-2018-0111-10B)
- F. In the Matter of the Application for Approval of Initial Key Employee License for Callaye Strauss, (CGCC-2017-0713-7G)
- G. Default Decision and Order In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Joel Muniz, (GCADS-TPPL-018080)
- H. Default Decision and Order In the Matter of the Application for Approval of Gambling Establishment Key Employee License for Bouakeo Phouminavong, (CGCC-2018-0510-5M)
- I. Default Decision and Order In the Matter of the Application for Approval of Initial Regular Work Permit for Amanda Olson, (GCADS-GEWP-002664)
- J. Default Decision and Order In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Frank Vang, (CGCC-2018-0524-12F)
- K. Default Decision and Order In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Abigail Morales, (CGCC-2018-0607-7B)
- L. Default Decision and Order In the Matter of the Application for Approval of Initial Regular Work Permit for Thea Bun, (CGCC-2018-0524-1)
- M. In the Matter of the Application for Approval of Gambling Establishment Key Employee License for Danny Liv, (CGCC-2017-1207-5F)
- N. In the Matter of the Application for Approval of State Gambling License for Kris Kat, LLC, and Steven C. Ayers, (CGCC-2018-0111-5A)
- O. In the Matter of the Application for Approval of Gambling Establishment Key Employee License for Robert Henry Ezzell, (CGCC-2017-1207-5D)

ADJOURNMENT:

Chairman Evans adjourned the Commission Meeting into Closed Session at 11:35 AM. No further information was given.