

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 APRIL 25, 2018
COMMISSION HEARING**

OPEN SESSION

1. Call to Order and Pledge of Allegiance.

Chairman Evans called the hearing to order on April 25, 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 present 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 Tribal Key Employee Finding of Suitability for Gary Steven Kirby, Sr. (CGCC-2017-0921-17E)

Presiding Officer: Jason Pope

For Applicant: Gary Kirby

For Bureau of Gambling Control: Michelle Laird, Deputy Attorney General

Witnesses: Gary Kirby

The Commission met in open session to hear testimony concerning Gary Kirby's suitability for licensure. Deputy Attorney General Michelle Laird offered Complainant's exhibits 1- 19 and Gary Kirby offered Applicant's exhibits A-F that were admitted into the record. Both Deputy Attorney General Laird and Mr. Kirby waived opening statements. Mr. Kirby was sworn in and provided testimony. Deputy Attorney General Laird and Mr. Kirby provided closing argument. The record was closed and submitted for decision.

PUBLIC COMMENT: None

CLOSED SESSION

1. Litigation (Government Code section 11126(e)):
 - A. *Robert Saucier, et al. v. California Gambling Control Commission*, Sacramento County Superior Court (34-2013-80001594)
 - B. *Stand Up For California, et al. v. State of California, et al.*, Madera County Superior Court (MCV062850)
 - C. *Eric G. Swallow v. California Gambling Control Commission*, Sacramento County Superior Court (34-2016-800002402)
 - D. *Garden City, Inc. v. Eric Swallow*, Sacramento County Superior Court (34-2016-00198132)
 - E. *Lucky Chances, Inc. v. California Gambling Control Commission*, Sacramento County Superior Court (34-2017-80002549)
 - F. *Rene Medina v. Xavier Becerra, Jim Evans, et al.*; United States District Court, Northern District of California (17-cv-03293 KAW)
 - G. *California Valley Miwok Tribe v. California Gambling Control Commission et al.*; San Diego County Superior Court (37-2017-00050038-MU-CO-CTL)
 - H. *Tongtoua Yang v. California Gambling Control Commission et al.*; Sacramento County Superior Court (34-2017-80002744)
2. Hearing Deliberations Pursuant to Government Code Section 11126(c)(3):
 - A. In the Matter of the Application for Approval of Tribal Key Employee Finding of Suitability for Charles Bain, Jr., (CGCC-2017-0828-14D2)
 - B. In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Kin Ping Wong, (CGCC-2017-0828-10B)
 - C. In the Matter of the Application for Approval of Third-Party Proposition Player Services License for Sweeney Jahrin Williams, (CGCC-2017-0828-10A)
 - D. In the Matter of the Accusation and Statement of Issues Against Lucky Chances, Inc., Rommel Medina, Ruell Medina (OAH No.2015110463)
 - E. In the Matter of the Application for Approval of Work Permit for Duangmanee Charoensuk. (CGCC-2017-0921-13)
 - F. In the Matter of the Application for Approval of Work Permit for Gloria Sibbald, (GCADS-GEWP-002559)
 - G. In the Matter of the Application for Approval of Tribal Key Employee Finding of Suitability for Gary Steven Kirby, Sr. (CGCC-2017-0921-17E)

The Commission adjourned to closed session at 11:45 to deliberate on closed session Items 2.D., 2.E., 2.F. and 2.G. The Commission did not reconvene to open session following closed session deliberations.