

California Gambling Control Commission
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**MINUTES OF THE SEPTEMBER 10, 2020
COMMISSION MEETING**

Pursuant to Executive Orders N-25-20 and N-29-20 regarding the COVID-19 virus, the meeting was held by tele/videoconference and there was no location open to the public.

OPEN SESSION

1. Call to Order.

Chairman Evans called the meeting to order at 10:00 a.m.

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

Executive Director Stacey Luna Baxter gave ZOOM participation instructions.

3. Approval of Commission Meeting Minutes for:

- A. March 12, 2020 – Commission Meeting
- B. April 30, 2020 – Commission Meeting
- C. July 9, 2020 – Commission Meeting
- D. July 23, 2020 – Commission Meeting

Action:

Upon motion of Commissioner Lacy, seconded by Commissioner LaBrie, and carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the March 12, 2020, April 30, 2020, July 9, 2020, and July 23, 2020, Commission Meeting Minutes.

4. Consideration of Initial State Gambling License (Pursuant to Business and Professions Code sections 19850, 19851, and 19852; CCR, Title 4, sections 12054 and 12342):

- A. Casino M8trix: Garden City, Inc.
Jeanine Lunardi, Secretary, Director, Officer

Action:

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

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Lacy, and Commissioner To voting yes; the Commission approved the Initial Application through February 28, 2022.

By concurrence of the Commissioners, items 4B through 4G were heard as a group.

Comments Received From:

Barry Lee, Attorney via video

- | | |
|-----------------------------|---|
| B. Parkwest Casino 580: | Casino 580, LLC
Fortiss, LLC
Michael Vasey, Chief Financial Officer |
| C. Parkwest Casino Cordova: | Cal-Pac Rancho Cordova, LLC
Fortiss, LLC
Michael Vasey, Chief Financial Officer |
| D. Parkwest Casino Lodi: | Lodi Cardroom, Inc.
Fortiss, LLC
Michael Vasey, Chief Financial Officer |
| E. Parkwest Casino Lotus: | The Silver F, Inc.
Fortiss, LLC
Michael Vasey, Chief Financial Officer |
| F. Parkwest Casino Sonoma: | Cal-Pac Sonoma, LLC
Fortiss, LLC
Michael Vasey, Chief Financial Officer |
| G. The River Card Room: | The River Card Room, Inc.
Fortiss, LLC
Michael Vasey, Chief Financial Officer |

Mr. Lee stated he understands this is cleaning up an oversight from the February 27, 2020, Commission Meeting.

Action:

Upon motion of Commissioner To, seconded by Commissioner LaBrie, and 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 to be consolidated with the previous Fortiss, LLC applications heard at the February 27, 2020, Commission Meeting.

5. Consideration to Remove Condition(s) from State Gambling License (Pursuant to Business and Professions Code section 19824(b)):

- | | |
|---------------------|---|
| Turlock Poker Room: | Central Valley Gaming, LLC
Jose Fernandez, Managing Member
Philip Rheinschild, Jr., Managing Member
Sara Downs, Member |
|---------------------|---|

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The Deborah Jewel Fernandez 2011 Revocable
Trust, Member
Deborah Fernandez, Trustee, Trustor

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner Lacy, and carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved to remove the conditions as noted below:

- ~~1. Beginning February 1, 2020, and every 30 days thereafter, Central Valley Gaming, LLC dba Turlock Poker Room must provide the Bureau of Gambling Control (Bureau) proof or efforts to obtain a signed Emergency Evacuation and Preparedness Plan until proof of resolution is provided to the Bureau.~~
- ~~2. Once an approved and signed Emergency Evacuation and Preparedness Plan is obtained by the Turlock Fire Department, a copy must be submitted to the Bureau within 10 days.~~

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

A. Chad Benson

Comments Received From:

Stephen Schreiner, Attorney, Designated Agent, via telephone
Todd Vlaanderen, Chief Counsel, Gambling Control Commission, via video
Yolanda Morrow, Assistant Director, Bureau of Gambling Control, via video
Stacey Luna Baxter Executive Director, Gambling Control Commission, via video
Dolores Olivarez, Deputy Director, Gambling Control Commission, via video
Bill Torngren, Deputy Attorney General, Department of Justice, via telephone

Commissioner Lacy stated that he shared the concerns identified in the Bureau's report and staff's recommendation regarding the attempts to get information about lenders, the business contacts that were listed for the lender and concerns around contacting that person as well, in addition to other concerns. Commissioner Lacy further stated that he agrees with the recommendation to send to a GCA hearing.

Commissioner To, agreed with Commissioner Lacy's comments and relayed his concerns noting it is imperative for applicants to provide appropriate adequate information to the Bureau to do their background investigations, which gives the Commission the information they need to license applicants.

Chairman Evans inquired as to whether there was a motion and noted consensus on the concerns. Chairman Evans further stated that there was a lot of information still needed from the applicant and some of the details in the Bureau's report were

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troubling with regards to when the Bureau attempted to get further information and that a hearing would work it out.

Commissioner Lacy made a motion and subsequently withdrew the motion noting he had questions he would like to address.

Commissioner Lacy asked Mr. Schreiner if Mr. Benson is the Chief Operating Officer (COO) of Lake Elsinore Hotel and Casino (Lake Elsinore).

Mr. Schreiner confirmed Mr. Benson is the COO of Lake Elsinore.

Commissioner Lacy asked if Mr. Benson had any responsibility in responding to any the letters of warning during his tenure.

Mr. Schreiner stated that he personally responded to the Letters of Warning; however, both Mr. Benson and Mr. Kingston, the owner of Lake Elsinore, participated in drafting the responses.

Commissioner Lacy inquired about the possible transfer of ownership interest between Mr. Kingston and Mr. Benson and asked whether there are any updates. Commissioner Lacy further stated neither the Commission nor the Bureau have seen the transaction documents.

Mr. Schreiner stated the transaction is still desirable to the parties but has been put on hold as the transferring partner, Joseph Kinston, has passed away from COVID-19 earlier in 2020. Mr. Schreiner further stated he is operating under the assumption that Joseph Kingston's estate will still want to transfer the interest either to Mr. Benson or some other party at some point, but that is not yet confirmed.

Commissioner Lacy inquired as to whether Mr. Benson has a spouse that would have a financial interest or community property interest.

Mr. Schreiner stated that Mr. Benson's spouse has no ownership interest and would not under any of the transactions that have been contemplated. Mr. Schreiner also stated he believes Mr. Benson's spouse has completed a form of non-interest in a gambling establishment from the Bureau.

Commissioner Lacy asked if Mr. Benson is involved in any personal or business related litigation.

Mr. Schreiner responded that he does not recall if Mr. Benson is involved in any litigation.

Commissioner Lacy notes his shared concerns with the issues noted in the Bureau's report and made a motion to refer to a GCA hearing. Commissioner To seconded the motion.

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Assistant Director Morrow confirmed there is no owner application on file for Mr. Benson and no community property interest form signed for his wife.

Mr. Schreiner stated he may be confusing Mr. Benson's wife with Mr. Kingston's wife with regards to the community property interest form.

Deputy Attorney General (DAG) Torngren stated after the Lake Elsinore case was tried, the proposed decision was not adopted by the Commission and was referred to the Office of Administrative Hearings (OAH) for an additional hearing. On the remand there were issues listed which were related to Mr. Benson. DAG Torngren noted a GCA hearing may get ahead of an OAH hearing and may not be right result. DAG Torngren stated that the Commission may want to consider referring Mr. Benson's application to an APA hearing where statement of issues would be consolidated with the Lake Elsinore hearing presently scheduled for April 19, 2021. DAG Torngren noted it may make sense to do the evidentiary hearing as part of the OAH hearing because the remand covers some of the issues and lenders that are involved in this particular matter.

Chairman Evans asked why the consolidation with Lake Elsinore's APA hearing was not recommended by the Commission or Bureau.

Executive Director Luna Baxter responded that the Commission reviewed this as an individual application; however, DAG Torngren's proposal makes perfect sense.

DAG Torngren stated he overlooked the consolidation with the OAH matter as a potential recommendation and accepts responsibility.

Mr. Schreiner stated on behalf of Lake Elsinore and Chad Benson, he believes DAG Torngren's suggestion makes perfect sense and promotes efficiency and economy.

Commissioner Lacy stated he initially wondered why the issue couldn't be consolidated, but was concerned about due process of applicant. Commissioner Lacy also noted concerns regarding what the Commission would give up by consolidating, such as the record being narrowed, or issues that couldn't be addressed if they were outside the scope of the underlying hearing.

Chief Counsel Vlaanderen stated that a recommendation of referral to an APA hearing was possibly overlooked since the Bureau's report reasons for referral were due to failure to provide information and non-disclosure to the Bureau, rather than the overlaps with the lenders. An APA may be the best if the concerns are regarding the lenders; however, if the issues are mainly the non-disclosures and the lack of cooperation with the Bureau, a GCA hearing would be appropriate. Since both the Bureau and the applicant's attorney are interested in the APA, that is fine as well.

Commissioner LaBrie stated as long as all issues and Commission's concerns can be addressed in the APA hearing, it makes sense to consolidate them. Commissioner LaBrie further inquired as to whether all issues could be covered.

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DAG Torngren stated that he agreed, but that it is a matter of the pleading. However, because of overlap these issues should be covered. Additionally, part of the remand included the potential transfer of ownership for Mr. Benson, the transactions and the disclosure of the transactions, as well as the financing. DAG Torngren further stated that they would plead the issues that are raised in the Bureau's report about non-disclosure. DAG Torngren also stated for judicial economy, the consolidation makes good sense because of the overlap in terms of lenders and other participants in the case.

Chairman Evans responded the Commission wouldn't have control once referred to an APA hearing. However, Chairman Evans stated as the questions are related to Lake Elsinore in concert with the fact that the Commission was prescriptive in the remand, hopefully the Commission's questions will be addressed.

Commissioner LaBrie responded that if the pleading could be amended to include Commission concerns then the APA hearing appears to be a good option.

Commissioner Lacy stated that when the case was sent back to the OAH, they did have some questions about Mr. Benson regarding the proposed transaction and the financing for the proposed transaction; however, he doesn't recall Rachel Young listed as business contact and would like those issues brought up, along with issues regarding the non-disclosures/providing information which made it difficult to find out source of funds. Additionally, Commissioner Lacy noted that he would like Mr. Benson's suitability to be considered in the APA hearing as well as the non-disclosures appear egregious. Commissioner Lacy then asked if this item could be tabled.

Commissioner LaBrie stated this is schedule for April 2021, and inquired as to how much notice needs to be given to the court about the consolidation and amendments.

DAG Torngren stated that a statement of issues would be filed with OAH and would be assigned a separate case number. When the Notice of Defense is received, the information would be submitted to the OAH for scheduling. DAG Torngren noted he believes a stipulation could be signed for consolidation to identify issues in separate pleading as a part of the proposed order and consequently, the issues would not get lost in the process. As soon as the Bureau files, a statement of issues would be prepared. Additionally, there is still discovery exchanged for a 20-year period not covered in the first case, which was called up in the remand. Therefore, there does not appear to be a problem of timing.

Commissioner Lacy thanked DAG Torngren and stated that he feels this option is interesting. Additionally, Commissioner Lacy inquired as to whether the APA judge leaning towards Mr. Benson's ability to gain ownership.

DAG Torngren stated that the APA judge made no statements regarding Mr. Benson's suitability or the transaction involving Joseph Kingston.

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Chairman Evans inquired what is the ability to table to give additional time to review.

Deputy Director Olivarez stated the matter can be heard as late as the November 5, 2020, Commission Meeting.

Chairman Evans asked DAG Torngren if a month would change things.

DAG Torngren responded that he doesn't believe a month changes things too much, but noted he believes that two months is way too long.

Chief Counsel Vlaanderen stated if referred to APA hearing today, this matter can be put on a future agenda to be changed to a GCA hearing.

Chairman Evans asked Commissioner Lacy what his preference is regarding the matter.

Commissioner Lacy stated that he would be comfortable tabling the item for two weeks and that a delay for further review is prudent.

Chief Counsel Vlaanderen stated that the September 24, 2020, Commission Meeting agenda is already finalized, therefore it would have to be placed on the first October Commission Meeting.

Chairman Evans stated he is comfortable with the delay.

Mr. Schreiner stated he is also comfortable with the timing.

Deputy Director Olivarez stated that October 15, 2020, is the first October Commission Meeting.

Commissioner Lacy rescinded his motion and Commissioner To rescinded his second.

No action was taken. This item was tabled to be heard on the October 15, 2020, Commission Meeting.

B. Carol Yee

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner To, and carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Initial Application through November 30, 2021, with the condition noted below:

Beginning November 1, 2020, and every 180 days thereafter, Carol Yee must provide the Bureau of Gambling Control with proof of efforts to satisfy her charge-off accounts and collection account until resolved and proof of resolution is provided to the Bureau.

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

Empire Sportsmen's Association: Steven Lustig

Commissioner To stated that Commission staff's recommendation to refer the Initial Application to a GCA hearing is appropriate given the fact that Mr. Lustig has not responded to inquiries relating to his application.

Commissioner LaBrie agreed with Commission staff's recommendation and noted that the underlying actions that resulted in Mr. Lustig's conviction are disturbing.

Commissioner Lacy noted that Mr. Lustig sustained a felony conviction involving moral turpitude which would result in a mandatory denial. Additionally, Commissioner Lacy highlighted that a statement has not be received from Mr. Lustig concerning the circumstances surrounding said conviction. Therefore, a referral to a GCA evidentiary hearing is appropriate to afford Mr. Lustig the opportunity to provide an explanation.

Chairman Evans asked if Mr. Lustig was on the line. Mr. Lustig did not announce himself.

Action:

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

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

By concurrence of the Commissioners, items 8A through 8Cii were heard as a group.

A. KB Ventures:

Player: Robert Mavis

B. Knighted Ventures, LLC:

Supervisors: i) Harold Pham ii) Jordan Price

C. Majesty Partners, LLC:

Supervisors: i) Harold Pham ii) Jordan Price

Action:

Upon motion of Chairman Evans, seconded by Commissioner Lacy, and carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the conversion of the registrations to Initial Licenses through September 30, 2022.

D. Metis TPS, LLC:

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Other Employee: Daniel Micklas

Comments Received From:

Yolanda Morrow, Assistant Director, Bureau of Gambling Control, via video

Commissioner Lacy inquired if Mr. Micklas' intentions are to abandon his Initial Application.

Chairman Evans asked if Mr. Micklas was on the line. Mr. Micklas did not announce himself.

Commissioner LaBrie discussed that Mr. Micklas submitted the requested Duty Statement relating to his position as Surveillance Provider that was requested at a previous Commission Meeting. Commissioner LaBrie noted that the Bureau subsequently requested additional information from Mr. Micklas regarding the submitted documentation and requested confirmation from the Bureau if the additional information had been received.

Assistant Director Morrow responded that Mr. Micklas did respond to the Bureau's inquiries by confirming meeting attendance; however, did not provide the specific information as requested by the Bureau.

Commissioner LaBrie inquired if the Bureau was comfortable with the abandonment of Mr. Micklas' Initial Application.

Assistant Director Morrow stated that as Mr. Micklas is no longer employed, the Bureau is comfortable with abandonment.

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner To, and carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission deemed the Conversion Application abandoned.

E. PT Gaming, LLC:

Supervisor: i) Jonathan Raiman

Comments Received From:

Jonathan Raiman, via telephone

Chairman Evans requested confirmation from Mr. Raiman whether he understands and would comply with the proposed condition.

Mr. Raiman confirmed his understanding, and assent to the condition.

Action:

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

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Lacy, and Commissioner To voting yes; the Commission approved the conversion of the registration to Initial License through September 30, 2022, with the condition noted below:

Beginning November 1, 2020, and every 90 days thereafter, Jonathan Raiman must provide the Bureau of Gambling Control with proof of efforts to satisfy his collection account until resolved and proof of resolution is provided to the Bureau.

Player: ii) Thien Tran

Action:

Upon motion of Commissioner Lacy, seconded by Commissioner To, and carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the conversion of the registration to Initial License through September 30, 2022.

9. Consideration of Tribal-State Gaming Compact Initial Finding of Suitability as a Gaming Resource Supplier (Pursuant to the Tribal-State Gaming Compacts):

NRT Technologies, Inc.:

NRT Technologies, Inc.

John Anthony Dominelli, Chief Executive Officer,
Secretary, Director

NRT Technology Corporation, Parent Company
Dominet Corporation, Shareholder

John Anthony Dominelli, Chief Executive,
Officer, Secretary, Director, Shareholder

John Anthony Dominelli, Chief Executive Officer,
Secretary, Director, Shareholder

Action:

Upon motion of Chairman Evans, seconded by Commissioner LaBrie, and 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, 2022.

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

A. Agua Caliente Casino Resort and Spa Rancho Mirage - Agua Caliente Band of Cahuilla Indians:

James Chittaphong

Comments Received From:

James Chittaphong, via telephone

Commissioner Lacy asked Mr. Chittaphong if he knew the casino patron that was overpaid.

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Mr. Chittaphong stated that he did not know the patron nor has any relationship with the patron and immediately reported the incident to management.

Commissioner Lacy requested confirmation from Mr. Chittaphong whether he understands and would comply with the proposed condition.

Mr. Chittaphong confirmed his understanding, and assent to the condition.

Action:

Upon motion of Commissioner Lacy, seconded by Chairman Evans, and 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 1, 2021, with the condition noted below:

Beginning November 1, 2020 and every 90 days thereafter, James Chittaphong must provide the Bureau of Gambling Control with proof of efforts to satisfy his civil judgment until resolved and proof of resolution is provided to the Bureau.

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

Luan Tran

Comments Received From:

Luan Tran, via telephone

Commissioner Lacy requested confirmation from Mr. Tran whether he understands and would comply with the proposed condition.

Mr. Tran requested an explanation of the recommended condition.

Commissioner Lacy read the condition.

Mr. Tran confirmed his understanding, and assent to the condition.

Action:

Upon motion of Commissioner Lacy, seconded by Commissioner To, and 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 June 19, 2022, with the condition noted below:

Beginning November 1, 2020, and every 90 days thereafter, Luan Tran must provide the Bureau of Gambling Control with proof of efforts to satisfy his State Tax Lien until resolved and proof of resolution is provided to the Bureau.

By concurrence of the Commissioners, items 10C through 10D were heard as a group.

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

Action:

Upon motion of Chairman Evans, seconded by Commissioner LaBrie, and 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 11, 2022¹.

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

Action:

Upon motion of Chairman Evans, seconded by Commissioner LaBrie, and 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 March 14, 2021.

E. Graton Resort & Casino - Federated Indians of Graton Rancheria:
i) Hector Andrade

Chairman Evans stated that given the stated circumstances of the applicant he would feel comfortable tabling the item.

The Commissioners agreed.

No action was taken. This item was tabled to a future Commission Meeting.

ii) Daniel Jolly

Action:

Upon motion of Chairman Evans, seconded by Commissioner Lacy, and 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 March 15, 2022.

iii) Jeremy Lurie

Action:

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

¹ While commission staff did not read the proposed license period into the record, Section 6.5.6 of the TRIBAL-STATE COMPACT BETWEEN THE STATE OF CALIFORNIA AND THE CHICKEN RANCH RANCHERIA specifies that a determination of suitability by the State Gaming Agency is valid for the term of the tribal license held by the applicant. As noted in the report issued by the Bureau of Gambling Control provided to the Commissioners, Mr. Sipe's tribal license is valid through January 11, 2022.

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Lacy, and Commissioner To voting yes; the Commission approved the Initial Finding of Suitability through July 21, 2021.

iv) Nicholas Tedeschi

Action:

Upon motion of Chairman Evans, seconded by Commissioner LaBrie, and 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 March 13, 2021.

F. Jamul Casino - Jamul Indian Village:
Edwin Ruvalcaba

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission deemed the Initial Application for Finding of Suitability abandoned.

G. Morongo Casino Resort and Spa - Morongo Band of Mission Indians:
Tom Nguyen

Action:

Upon motion of Chairman Evans, seconded by Commissioner Lacy, and 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 11, 2021.

H. Red Hawk Casino - Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria:
Samnang Ing

Commissioner Lacy stated that he requested that this item be tabled at a previous Commission Meeting to confirm if the information provided by Mr. Ing to the Bureau regarding the circumstances surrounding his conviction was accurate.

Commissioner Lacy noted that although Mr. Ing's provided statement regarding the conviction was vague, it does not appear to be dishonest. Commissioner Lacy then voiced his support for Mr. Ing's application due to the passage of time since the incident and the court's dismissal of the conviction.

Action:

Upon motion of Commissioner To, seconded by Chairman Evans, and 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 April 7, 2021.

By concurrence of the Commissioners, item 10I through 10K were heard as a group.

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- I. San Manuel Casino - San Manuel Band of Mission Indians:
Joseph Gonzalez

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and 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, 2022.

- J. Soboba Casino Resort - Soboba Band of Luiseno Indians:
Amber Maxwell

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and 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 October 11, 2021.

- K. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:
Ariana Limon Saldivar

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and 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 October 8, 2021.

11. Consideration of Order to Local Jurisdiction for Cancellation of Work Permit Based on Findings of GCA Evidentiary Hearing Decision Refusing the Issuance of a Key Employee License (Pursuant to Business and Professions Code section 19914):
Callaye Jo Strauss

Comments Received From:

Todd Vlaanderen, Chief Counsel, Gambling Control Commission, via video
Danielle Guard, Attorney Designated Agent, via video
Stacey Luna Baxter, Executive Director, Gambling Control Commission, via video
Yolanda Morrow, Assistant Director, Bureau of Gambling Control, via video

Chief Counsel Vlaanderen stated the Commission issued a final decision denying the applicant's Key Employee application. Upon a request for reconsideration, the Commission granted the reconsideration but rather than altering the decision, issued an order confirming the existing decision and declining to offer the applicant the opportunity to work as a non-Key Employee as she requested in the reconsideration. Given this matter, Commission staff put this item on agenda in order for the Commission to decide whether or not they would officially order the local jurisdiction to revoke the applicant's local work permit. The matter has been outlined through a privileged legal memo and parties should be present if they have comments or questions.

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Commissioner LaBrie requested confirmation that Ms. Strauss did not work during the ten days when the Interim Key Employee License during the period where the Commission issued the License, which was subsequently cancelled.

Ms. Guard confirmed that Ms. Strauss did not work during the time period in question.

Commissioner LaBrie asked if she was hired by anyone during that time.

Ms. Guard responded that Ms. Strauss is currently unemployed and receiving unemployment.

Commissioner Lacy asked if Ms. Strauss applied for the Key Employee License after her Key Employee License was denied by the Commission.

Ms. Guard stated she has submitted a new application for a Key Employee License because the decision issued by the Commission did not prevent her from re-applying. Ms. Guard further explained that if Ms. Strauss was able to work in a non-Key Employee position, she would be willing to withdraw the pending Key Employee application.

Chairman Evans asked the Bureau if the cardroom or any of its representatives have to sign anything to indicate that an applicant works for them in order to obtain a work permit in Chula Vista.

Assistant Director Morrow responded that she does not know; however, the work permit typically does have the cardroom name on the work permit issued. Assistant Director Morrow further stated she is not sure if the cardroom has to sign anything on the applicant's behalf or if the applicant just signs the application.

Chairman Evans stated that issue may be something worth looking into given the fact that cardrooms can't employ denied applicants.

Commissioner To asked Ms. Guard to confirm if Ms. Strauss has been unemployed since the Commission's decision was issued.

Ms. Guard confirmed and noted that Ms. Strauss is currently unemployed.

Commissioner To asked how Ms. Strauss is currently supported financially and inquired about Ms. Strauss' family.

Ms. Guard responded that Ms. Strauss is currently receiving unemployment. Ms. Guard further noted that Ms. Strauss currently supports two children and their father has deceased.

Commissioner To asked for confirmation that since Ms. Strauss is no longer employed, she has no health benefits.

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Ms. Guard confirmed that Ms. Strauss currently has no health benefits.

Commissioner Lacy referenced Business & Professions Code section 19823, and asked Ms. Guard how she views this applying in this matter.

Ms. Guard responded that the basis for her disqualification was based upon Ms. Strauss not recalling an unlawful detainer that occurred over 10 years ago. Ms. Guard further noted Ms. Strauss' remorse and rehabilitation from this incident. Ms. Guard further provided more details in support for Ms. Strauss to return to the industry in a non-Key Employee position.

Chief Counsel Vlaanderen noted the Commission has, after an administrative hearing, found this applicant unsuitable. Chief Counsel Vlaanderen further noted there are other legal issues involved as to whether or not she could work even if she had the local work permit and if a cardroom can continue to employ her or whether she is required to resign. The question today is whether or not the Commission is going to order the local jurisdiction to cancel Ms. Strauss' local work permit.

Commissioner Lacy asked if Seven Mile Casino is currently operating.

Executive Director Luna Baxter confirmed that Seven Mile Casino will soon be operating outdoors.

Commissioner LaBrie expressed concerns with Ms. Strauss re-applied for an Interim Key Employee License knowing that the Commission had denied her application Key Employee License.

Ms. Guard responded that the Commission's decision did not preclude Ms. Strauss from re-applying.

Chairman Evans stated he believed it was clear the Commission did not intend for Ms. Strauss to work in the industry.

Action:

Upon motion of Chairman Evans, seconded by Commissioner To, and carried in a vote by roll call with Chairman Evans, Commissioner LaBrie, Commissioner Lacy, and Commissioner To voting yes; the Commission approved the Local Jurisdiction to cancel the Work Permit.

Public Comment:

Ms. Guard stated with a finding like this, it makes it very difficult for anyone to ever reapply.

CONSENT CALENDAR ITEMS:

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12. Consideration of Initial Portable Personal Key Employee License (Pursuant to Business and Professions Code section 19854; CCR, Title 4, sections 12054 and 12350):
 - A. Olivia Anthony-Wood
 - B. Issa Sweis
 - C. Jesse Yang

13. Consideration of Initial Work Permit (Pursuant to Business and Professions Code section 19912; CCR, Title 4, sections 12054 and 12104):
 - A. Empire Sportsmen's Association: Michael Duff
 - B. Napa Valley Casino: Mary Willette Turla-Hines
 - C. Parkwest Casino Sonoma: Sujan Sitaula Jonathan Watkins

14. Consideration of Conversion of Third-Party Providers of Proposition Player Services Registrations to License (Pursuant to Business and Professions Code section 19984; CCR, Title 4, sections 12054 and 12218):
 - A. 2 Kings Gaming, Inc.:
Player: Mariesa Perez
 - B. Arise, LLC:
Supervisor: Michael Lu
 - C. Blackstone Gaming, LLC:
Supervisor: Corrine Donsbach
 - D. KB Ventures:
Player: Fa Sybounleunang

 - E. Knighted Ventures, LLC:
Players: Henry Asuncion Audrey Awalt Roberto Espino
Matthew Gainza David Hemmah Gonzalo Hernandez
Jesus Hernandez Taylor Kinnicutt Jocelyn Ramirez
Alandra Villegas
 - F. Majesty Partners, LLC:
Player: Jose Rodriguez Jr.
 - G. Pacific United Service, Inc.:
Supervisor: Jacqueline Sierra
Players: Denzel Johnson Jun Wang Franklin Xia
 - H. PT Gaming, LLC:
Players: Flor Acosta Dung Lam Dung Tran

15. 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):
Fortune Players Group, Inc.:
Players: Jin Xiong Lin Johnny Yuen Qiang Zhuo

16. Consideration of Initial Tribal-State Compact Key Employee Finding of Suitability (Pursuant to the Tribal-State Gaming Compact):
 - A. Agua Caliente Casino Palm Springs - Agua Caliente Band of Cahuilla Indians:
Joseph Bowie Jr.

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- B. Chicken Ranch Casino - Chicken Ranch Rancheria of Me-Wuk Indians:
Jason Lowe
- C. Graton Resort & Casino - Federated Indians of Graton Rancheria:
Teresa Berry Adam Galassi
- D. Harrah's Resort Southern California - Rincon Band of Luiseno Mission Indians of the Rincon Reservation:
Ana Ortiz Soria
- E. Pala Casino Spa and Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation:
Peter Machnik
- F. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:
Mark Verdugo II
- G. Tachi Palace Hotel and Casino - Santa Rosa Indian Community:
Jeffrey Underwood
- H. Thunder Valley Casino Resort - United Auburn Indian Community of the Auburn Rancheria:
Son Le
- I. Valley View Casino & Hotel - San Pasqual Band of Diegueno Mission Indians:
Gerardo Soto
- J. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission Indians of the Viejas Reservation:
William Powers

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

- A. Augustine Casino - Augustine Band of Cahuilla Indians:
Alexander Torres
- B. Barona Resort and Casino - Barona Group of Capitan Grande Band of Mission Indians:
Rafael Alvarez Eugene Gutierrez David Howell
Kristen Keyser Brittney Kraemer Mark Robertson
Kristin Romeo Adam Sanchez
- C. Chukchansi Gold Resort and Casino - Picayune Rancheria of Chukchansi Indians:
James Snead
- D. Chumash Casino Resort - Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation:
Milton Beard II Sergio Castillo John Dunn
Rodney Huynh Clinton Johnson Samuel Loresco
Daniel Olivares William Peters Jr. Misty Powers
Jesse Quinonez Dominic Sanders Joseph Segovia
Casey Stasulis David Ung Hannah Valdez-Wallace
- E. Fantasy Springs Resort Casino - Cabazon Band of Mission Indians:
Kevin Kim
- F. Graton Resort & Casino - Federated Indians of Graton Rancheria:
Joel Avila Alan Gourgon Suman Karki
Michael Niemann
- G. Jamul Casino - Jamul Indian Village:

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| Aries De La Luna | Mi Cha Lee | James Nugent |
| Irene Rich | Donna Wallace | |
- H. Mono Wind Casino - Big Sandy Rancheria Band of Western Mono Indians:
Stacey Lewis
- I. Pala Casino Spa and Resort - Pala Band of Luiseno Mission Indians of the Pala Reservation:
Elizabeth Baker Victor Estrella Estrella Michael Huang
- J. Pechanga Resort & Casino - Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation:
Jesus Candido Marlon Cordoba Deborah Greco
Anthony Hale Te Inthilath Nina Peart
Jesse Soto
- K. River Rock Casino - Dry Creek Rancheria Band of Pomo Indians:
Rolando Cardona Jorge Correa Ramirez Jorge Gutierrez
Jason Martinez Benjamin Nelson Steve Shipman
- L. Soboba Casino Resort - Soboba Band of Luiseno Indians:
Thomas Beach Ruben Hirst Zachary Morin
- M. Sycuan Casino and Resort - Sycuan Band of the Kumeyaay Nation:
Marvin Bolivar Jeffrey Bueller Robert Bulster
Florence Jardiniano Milagros Logan Soyla Ruiz
Marilou Tonnaer Emerito Twano Terri Wild
- N. Valley View Casino & Hotel - San Pasqual Band of Diegueno Mission Indians:
Robert Guerena-Calderon
- O. Viejas Casino and Resort - Viejas Group of Capitan Grande Band of Mission Indians of the Viejas Reservation:
Habib George

Action:

Upon motion of Commissioner LaBrie, seconded by Commissioner Lacy, and 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 12 through 17.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA:

None.

CLOSED SESSION DISCLOSURE:

- II. Hearing Deliberations Pursuant to Government Code section 11126(c)(3):
- B. In the Matter of the Application for Approval of Third-Party Proposition Player Services Player License for Roderick Lee Hebert, (CGCC-2019-1219-12A)
 - F. In the Matter of the Application for Approval of Third-Party Proposition Player Services Player License for Aaron Robles, (CGCC-2019-1024-11B)

CLOSED SESSION:

- I. Litigation (Government Code section 11126(e)):

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- A. *Stand Up For California, et al. v. State of California, et al., Madera County Superior Court (MCV062850)*
 - B. *Eric G. Swallow v. California Gambling Control Commission, Sacramento County Superior Court (34-2016-800002402)*
 - C. *Garden City, Inc. v. Eric Swallow, Sacramento County Superior Court (34-2016-00198132)*
 - D. *Lucky Chances, Inc. v. California Gambling Control Commission, Sacramento County Superior Court (34-2017-80002549)*
 - E. *California Valley Miwok Tribe v. California Gambling Control Commission et al.; San Diego County Superior Court (37-2017-00050038-MU-CO-CTL)*
 - F. *Yavapai-Apache Nation v. La Posta Band of Diegueno Mission Indians and California Gambling Control Commission, Sacramento Superior Court (34-2018-00238711)*
 - G. *Manuel Corrales, Jr. v. California Gambling Control Commission, San Diego County Superior Court (37-2019-00019079-CU-MC-CTL)*
 - H. *Kris Kat, LLC and Steven C. Ayers v. California Gambling Control Commission, Sacramento County Superior Court (34-2019-80003142)*
 - I. *Larry C. Flynt, et al., v. Kamala Harris, Jim Evans, et al.; United States District Court, Eastern District of California (16 CV 02831 JAM EFB)*
 - J. *Lucky Chances, Inc., VC Cardroom, et al. v. State of California, California Gambling Control Commission, et al. San Francisco County Superior Court (CPF-20-517086)*
 - K. *Harvey F. Souza v. California Gambling Control Commission, Sacramento County Superior Court (34-2096-80003287)*
- 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.201511046)
 - B. In the Matter of the Application for Approval of Third-Party Proposition Player Services Player License for Roderick Lee Hebert, (CGCC-2019-1219-12A)
 - C. Default Decision and Order In the Matter of the Application for Approval of Third-Party Proposition Player Services Player License for Jonathan Sandoval, (CGCC-2020-0416-11Fi)
 - D. Default Decision and Order In the Matter of the Application for Approval of Third-Party Proposition Player Services Player License for Richard Dondiego, (CGCC-2020-0416-11Fii)
 - E. In the Matter of the Application for Approval of Third-Party Proposition Player Services Player License for Britney La'Shae Cooper, (CGCC-2019-0926-14B)
 - F. In the Matter of the Application for Approval of Third-Party Proposition Player Services Player License for Aaron Robles, (CGCC-2019-1024-11B)

ADJOURNMENT:

Chairman Evans adjourned the Commission Meeting into Closed Session at 11:34 am.