

California Gambling Control Commission
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**MINUTES OF MAY 13, 2021
COMMISSION HEARING**

OPEN SESSION

1. Call to Order and Pledge of Allegiance.

Chair Paula LaBrie called the hearing to order on May 13, 2021 at 10:00 a.m. and announced that the Commission would take a brief recess to fix streaming issues with the Zoom video conference. The Commission reconvened at 10:10 a.m.

2. Roll Call of Commissioners.

Roll Call of Commissioners was taken, with Chair Paula LaBrie and Commissioners Cathleen Galgiani, Eric Heins, and Edward Yee 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 Key Employee License, (CGCC-2020-1029-12A), and Work Permit Renewal, (CGCC-2020-1029-12B) for David Adam Whatley

Presiding Officer: Russell Johnson

For Applicant: David Whatley

For Bureau of Gambling Control: Jeremy Stevens, Deputy Attorney General

Witnesses: David Whatley
Steven Scudero

The Commission met in open session using video conference on Zoom to take evidence concerning David Whatley's suitability for licensure. Complainant's exhibits 1-8 and Applicant's exhibit A were admitted into the record. Deputy Attorney General Stevens provided opening statements and Mr. Whatley waived opening statements. David Whatley and Steven Scudero were sworn in and provided testimony. Both parties provided closing arguments. The record was closed and submitted for decision.

PUBLIC COMMENT: None.

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. *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)*

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

- A. In the Matter of the Application for Approval of State Gambling License for Outlaws 101 LLC, Thomas W. Bartlett, Member, John Wrona, Member, (CGCC-2020-0924-5B)
- B. In the Matter of the Application for Approval of State Gambling License for Robert Russell Harris, Jr., (CGCC-2020-00827-5B)
- C. In the Matter of the Application for Approval of Initial Work Permit for Susan Corine Hooker, (CGCC-2020-1119-7B)
- D. In the Matter of the Application for Approval of Key Employee License, (CGCC-2020-1029-12A), and Work Permit Renewal, (CGCC-2020-1029-12B) for David Adam Whatley

The Commission adjourned to closed session at 11:40 to deliberate on item II.C. and II.D. The Commission did not reconvene to open session following the closed session deliberations.