

BEFORE THE
CALIFORNIA GAMBLING CONTROL COMMISSION

In the Matter of the Application for Approval
of Initial Third-Party Proposition Player
Services License Regarding:

MARY MATI

Applicant.

CGCC Case No. CGCC-2013-1212-13E

DEFAULT DECISION AND ORDER

Hearing Date: July 30, 2015
Time: 1:30 p.m.

1. This matter was scheduled for hearing before the California Gambling Control Commission (Commission) pursuant to Business and Professions Code sections 19870 and 19871 and Title 4, California Code of Regulations (CCR) section 12060, in Sacramento, California, on July 30, 2015.

2. Mary Mati (Applicant) failed to appear and was not represented at the hearing.

FINDINGS OF FACT

3. On or about August 30, 2012, the Commission received an Application for Approval of Third-Party Proposition Player Services License from Applicant.

4. The expiration of Applicant's Third-Party Player Registration, Registration No. TPPL-010733 has been stayed pending resolution of this hearing.

5. On or about October 25, 2013, the Bureau issued its Third-Party Player Background Investigation Report in which in which it concluded that Applicant was unqualified for licensure pursuant to Business and Profession Code section 19857 and disqualified for licensure pursuant to Business and Profession Code section 19859. The Bureau recommended that the Commission deny Applicant's application

6. On or about December 12, 2013, the Commission considered Applicant's application and voted to refer the matter to an evidentiary hearing pursuant to Title 4, CCR section 12050, subdivision (b).

7. Applicant received notice of Commission consideration of Applicant's application

1 in three ways. First, Commission staff mailed an evidentiary hearing referral letter via certified
2 mail to Applicant's address of record on December 19, 2013 indicating that Application would be
3 able to continue to work with her Third-Party Proposition player Registration while the hearing
4 was pending. Applicant was also advised that Applicant would be contacted by the Attorney
5 General on behalf of the Bureau regarding the hearing. A copy of the letter was mailed to
6 Applicant's Designated Agent Robert Furman.

7 8. Second, Applicant further received notice of the hearing through a letter mailed by
8 Deputy Attorney General Ronald Diedrich on February 25, 2015. This letter included a Notice of
9 Defense form with instructions to return it within 15 days or else the Commission may issue a
10 default decision. Deputy Attorney General Ronald Diedrich sent the Commission a letter on
11 April 7, 2015 which indicated that he had not received the Notice of Defense form and had had no
12 Communication with Applicant. (Exhibit A) Copies of both letters were mailed to Applicant's
13 Designated Agent Robert Furman.

14 9. Third, Applicant further received notice of the hearing through a hearing notice
15 sent certified mail on April 24, 2015 to Applicant's address of record which included Exhibit A
16 and stated that the hearing was set to occur on Thursday, July 30, 2015, at 1:30 p.m. A copy of
17 the letter was mailed to Applicant's Designated Agent Tiffany Perry. Commission Staff have
18 received no response in return or the certified mail receipt.

19 DETERMINATION OF ISSUES

20 10. An application to receive a license constitutes a request for a determination of the
21 applicant's general character, integrity, and ability to participate in, engage in, or be associated
22 with, controlled gambling. (Bus. & Prof. Code § 19856, subd. (b).)

23 11. In addition, the burden of proving Applicant's qualifications to receive any license
24 from the Commission is on the applicant. (Bus. & Prof. Code § 19856, subd. (a).)

25 12. At an evidentiary hearing pursuant to Business and Professions Code sections
26 19870 and 19871 and Title 4, CCR section 12060 the burden of proof rests with the applicant to
27 demonstrate why a license should be issued. (Cal. Code Regs., tit. 4, § 12060, subd. (i).)

28

1 (2) Other good cause which the Commission may decide, in its sole
2 discretion, merits reconsideration.

3 Business and Professions Code section 19870, subdivision (e) provides:

4 A decision of the commission denying a license or approval, or imposing any
5 condition or restriction on the grant of a license or approval may be reviewed by
6 petition pursuant to Section 1085 of the Code of Civil Procedure. Section 1094.5
7 of the Code of Civil Procedure shall not apply to any judicial proceeding
8 described in the foregoing sentence, and the court may grant the petition only if
9 the court finds that the action of the commission was arbitrary and capricious, or
10 that the action exceeded the commission's jurisdiction.

11 Title 4, CCR section 12066, subdivision (c) provides:

12 A decision of the Commission denying an application or imposing conditions on a
13 license shall be subject to judicial review as provided in Business and Professions
14 Code section 19870, subdivision (e). Neither the right to petition for judicial
15 review nor the time for filing the petition shall be affected by failure to seek
16 reconsideration.

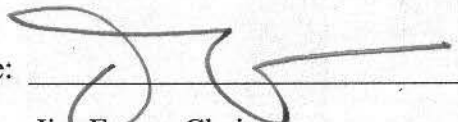
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ORDER

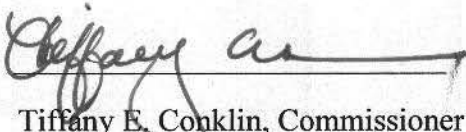
1. Mary Mati's Application for Approval of Initial Third-Party Proposition Player Services License is DENIED.
2. Mary Mati's Third-Party Player Registration, No. TPPL-010733 is cancelled.
3. Mary Mati may not apply to the Commission or the Bureau for any type of license, registration or work permit for one (1) year after the effective date of this Order.

This Order is effective on September 14, 2015.

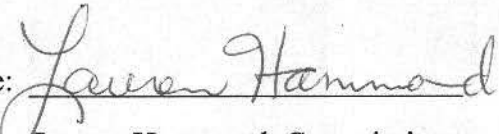
Dated: 8-13-15

Signature: 
Jim Evans, Chairman

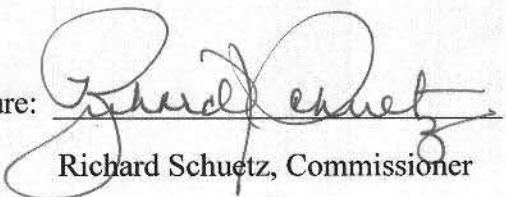
Dated: Aug. 13, 2015

Signature: 
Tiffany E. Conklin, Commissioner

Dated: 8-13-15

Signature: 
Lauren Hammond, Commissioner

Dated: Aug. 13, 2015

Signature: 
Richard Schuetz, Commissioner

KAMALA D. HARRIS
Attorney General

State of California
DEPARTMENT OF JUSTICE



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April 7, 2014

Todd Vlaanderen
Chief Counsel
California Gambling Control Commission
2399 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833-4231

RE: *In the Matter of the Statement of Reasons Against: Mary Mati*
CGCC Case No. CGCC-2013-1212-13E / BGC Case No. BGC-HQ2014-00002SL

Dear Mr. Vlaanderen:

The Bureau of Gambling Control requests that the Commission issue a default decision denying Mary Mati's application for a Third-Party Proposition Player Services License pursuant to California Code of Regulations, title 4, section 12052, subdivision (c)(2)(F).

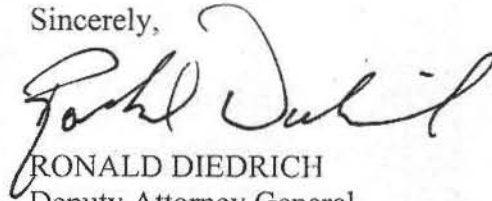
Enclosed for consideration by the Commission is a February 25, 2015 letter to Mary Mati, with enclosed Notice of Defense form, a signed return receipt, a copy of California Code of Regulations, title 4, section 12052, and a Declaration of Service;

A Notice of Defense has not been received and we have had no communications as of this date with Ms. Mati.

Todd Vlaanderen
April 7, 2015
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If you have any questions or if you require any further information, please do not hesitate to contact me.

Sincerely,



RONALD DIEDRICH
Deputy Attorney General

For KAMALA D. HARRIS
Attorney General

RLD:lit

Enclosures

cc: Mary Mati
Robert Furman, Designated Agent
Stacey Luna Baxter, Assistant Bureau Chief, Bureau
Tina Littleton, Executive Director, Commission