Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

Meeting Agenda
Thursday, May 2, 2024
9:30 AM
Marriott Fort Lauderdale Airport
166 North Compass Way
Dania Beach, Florida 33004

1. Approval of meeting minutes
   - 1.1. December 6, 2023
   - 1.2. March 6, 2024
2. Discussion of amended application for cardroom
   - 2.1. 2024-017556 – West Volusia Racing, Inc.
3. Discussion of default final orders
   - 3.1. 2023-025665 – Gutierrez Guzman, Iver Daniel
   - 3.2. 2023-028678 – Vega, Ledier A.
   - 3.3. 2023-028906 – Curgil, Zachary Lee
   - 3.4. 2023-032587 – Navarro, Alexis
   - 3.5. 2023-037871 – Herrera Quesada, Arabel
   - 3.6. 2023-043622 – Hughes Jr., Raymond Thomas
   - 3.7. 2023-048247 – Santiago Reyes, Christian
4. Discussion of license denials
   - 4.1. 2024-009404 – Newnum, Michael J.
   - 4.2. 2024-010428 – Roque De Escobar, Yosandris
   - 4.3. 2024-012011 – May, Michael
   - 4.4. 2024-012247 – Hockman, Trista
5. Discussion of rulemaking
6. Executive Director update
7. Public comment
8. Attorney-client session
   - 8.1. 2022-017792 – Brown, Donald L.
   - 8.2. 2022-029982 – Vitali, Marcus Jon

9. Discussion of consent orders
    9.1. 2022-029982 – Vitali, Marcus Jon
    9.2. 2023-057292 – Ziadie, Kirk

Lunch Break

10. Discussion of cashless wagering rulemaking

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THE COMMISSION ON ANY OF THE AGENDA ITEMS
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START OF THE MEETING

1. Approval of meeting minutes

FLORIDA GAMING CONTROL COMMISSION

PUBLIC MEETING

Date of Meeting: December 6, 2023

Stenographically Transcribed Audio Recording by

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Job No: 332976

APPEARANCES:

COMMISSION MEMBERS:

Vice Chair Julie I. Brown
Commissioner Charles Drago
Commissioner John D'Aquila
Commissioner Tina Repp
Executive Director, Louis Trombetta

SPEAKERS:

Emily Alvarado, Deputy Chief Attorney
Ms. Elina Valentine, Deputy General Counsel
Ms. Jamie Pouncey, Program Administrator
Mr. Marshman, General Counsel

Joseph P. Cresse Hearing Room 148
Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399-0850

Various Members of the Public

The Florida Channel

The following proceeding was transcribed from an audio-recorded file as follows:

VICE CHAIR BROWN: All right. Good morning, everyone. Today is December 6th. The time is 9:30.

This is the Florida Gaming Commission -- Control Commission's December annual --monthly meeting.

And please rise for the Pledge of Allegiance which will be given by Commissioner Repp. Thank you.

Thank you all. And thank you, Commissioner Repp. And I wanted to wish everyone, Happy Holidays. Hope you all will have a wonderful December.

We're starting off the meeting today with -- we have a pretty brief agenda. But we'll start off the meeting with Number 1.1 Discussion of Amended Application for Pari-Mutuel Operating License.

Good morning Ms. Pouncey.

MS. POUNCEY: Good morning. Jamie Pouncey for Pari-Mutuel Wagering. Item number 1.1, Case Number 2023-062189 is an application by Dania Entertainment LLC. Permit Number 274. They have

submitted an application to amend their current performances. There are 91 performances, 89 matinee and two charities.

The Division is recommending denial of this request to amend their license.

VICE CHAIR BROWN: Thank you Ms. Pouncey. Can you elaborate on why the Commission staff is recommending a denial for this application renewal?

MS. POUNCEY: Yes, ma'am. This is a highlight permit. The statute doesn't have an allowance for highlights to amend their license.

VICE CHAIR BROWN: Thank you. Commissioners, I would just like to have our legal staff kind of elaborate a little bit further on the applicable statutes related to this amended application, please. Mr. Ross.

MR. MARSHMAN: Good morning. So, Ms. Pouncey was correct of course, that this application is to amend a series of games. There is no provision in Section 550.01215 Sub 3 that permits the Commission to issue amendments to a schedule of games. The Only authority by statute is to amend a schedule of racing.

VICE CHAIR BROWN: Thank you. And the Commission dealt with a similar issue, if I recall

last year?

MR. MARSHMAN: Yes, ma'am.

VICE CHAIR BROWN: Commissioners, any questions on this item? If not, we'll wait for a Motion.

COMMISIONER DRAGO: I'll make a Motion to approve the recommendation.

VICE CHAIR BROWN: Is there a second?

COMMISSIONER D'AQUILA: I will second that Motion.

VICE CHAIR BROWN: Thank you. Any discussions? Seeing none all those in favor of the Motion say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. Thank you, Ms. Pouncey.

The next items are the discussions of renewal applications for slot machines licenses. Will you please combine 2.1 and 2.2?

MS. POUNCEY: Yes, ma'am. Item 2.1 is Case Number 2023-050194, Casino Miami's application for slot machines licensure. Item Number 2.2, Case Number 2023-055203 The South Florida Racing Association's application for slot machines licensure. Both of these facilities have submitted

their applications, their required documentation and the required fees and the Division is recommending approval of these licenses.

VICE CHAIR BROWN: Thank you. Commissioners, on these items, the 2.1 and 2.2 the Statutory items seem to be completely met. If there is no discussions, can I get a Motion to approve the staff recommendation on 2.1, 2.2?

COMMISSIONER D'AQUILA: I make a Motion to approve the staff recommendation on 2.1 and 2.2.

VICE CHAIR BROWN: Is there a second?

COMMISSIONER DRAGO: Second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: The Motion passes on those two items. Now, on to 2.3.

MS. POUNCEY: Item Number 2.3 is Case Number 2023-062956, PPI, Incorporated. PPI has submitted their application for slot machine licensure. They currently possess a harness permit. And they have submitted all of the requirement -- all of the required documentation except for the fees and a updated updated surety bond.

The surety bond is current but it is scheduled to renew. As soon as that occurs they'll send us the updated security. And once the fees are received, we are requesting that the Commission approve the approval of the license effective upon receipt of fees.

VICE CHAIR BROWN: Thank you, Ms. Pouncey. And this one is just a little unique because it's more like akin to a conditional approval since the necessary items aren't met just yet based on the timing.

So with that Commissioners, I think we are ripe to approve a conditional approval subject to those requirements. Is there a Motion?

COMMISSIONER DRAGO: So moved.

VICE CHAIR BROWN: Thank you.

COMMISSIONER D'AQUILA: I'll second it.

VICE CHAIR BROWN: Any discussion? All Those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. Now, we are on to Items 3.1 through 3.4, the discussion of consent orders.

MS. VALENTINE: Good morning, Elina Valentine for the record. Item 3.1 is Repass v

Florida Gaming Control Commission in Case Number 2023-025872. This case is before the Commission in regards to --

VICE CHAIR BROWN: Can you put the microphone closer, please? Thank you.

MS. VALENTINE: Sorry. This case is in front of the Commission in regards to a settlement offer proposed by the Petitioner also the Applicant Ms. Repass in lieu of further litigation of this matter.

Procedurally, the Commission has issued a letter of license denial notifying Ms. Repass of the Commission's intent to deny her application for a license, a general individual occupational license based on a disqualifying conviction.

Ms. Repass has requested a hearing, and this case is now in litigation.

The terms of the proposed settlement are set forth in the settlement and consent order that's in front of the Commission.

And I can briefly go over those terms. The main two provisions are increased and heightened reporting requirements and also revocation provisions should Ms. Repass be found in violation of any state law or federal law

or any rules. And if you have any questions, we are open to discuss them?

VICE CHAIR BROWN: Thank you. We do have a speaker on this item before we get into questions. We have Mr. Todd Repass. Is he in the audience here or is he on the phone? I have a speaker card. Going once, twice. All right. Commissioners, are there any questions of staff? Yes. Commissioner D'Aquila.

COMMISSIONER D'AQUILA: Yes. Deputy General Counsel Valentine, I'm looking at all of the documents prepared and presented. Do we know for certain that the restitution that was requested by The State of New Jersey on one of the felonies was indeed paid in full? I was unable to ascertain whether that was done or not.

MS. VALENTINE: Yes. According to the correspondence submitted by Ms. Repass and I believe our internal investigations, the restitution has been repaid in full and the applicant's (inaudible) rights have been restored.

COMMISSIONER D'AQUILA: Thank you.

VICE CHAIR BROWN: Thank you, Commissioner D'Aquila. Executive Director Trombetta, do we know if the individual is on the

phone?

MR. TROMBETTA: From what I understand, a phone number to call in was provided and we're not -- it does not look like anybody has called in.

VICE CHAIR BROWN: Okay. Thank you. So, we will not defer the item. We will just go with the consent order right now.

Commissioners, any other questions? I want to compliment staff for the creativity coming up with the settlement order. I think it's great having a five-year probationary too. And reinforcing the fact that the licensee needs to notify us of any crimes and arrests. So, thank you for your work on this.

Commissioner Drago.

COMMISSIONER DRAGO: I just want to just verify something for myself. Does the Applicant have a real estate license at this point?

MS. VALENTINE: Yes.

COMMISSIONER DRAGO: An active real estate license?

MS. VALENTINE: Yes. That is correct.

COMMISSIONER DRAGO: Okay.

MS. VALENTINE: This is -- as part of the Exhibit 1, the Applicant submitted e-mail

correspondence from DBPR verifying that she has a license. And I believe that there's no action against her license at this time.

COMMISSIONER DRAGO: Okay. Great. Thank you very much.

VICE CHAIR BROWN: Commissioners, can we get a Motion to approve the consent order at this time?

COMMISSIONER REPP: I'll make an order (inaudible) Motion to be approved.

VICE CHAIR BROWN: Thank you. Second?

COMMISSIONER DRAGO: Second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. The item passes. On to 3.2.

MS. ALVARADO: Good morning. This is Emily Alvarado for the record. Item 3.2 is Alavaro Vasquez, 2023-034324. In this case you were provided with the filed administrative complaint alleging that the Respondent violated 7511.0048A Florida Administrative Code by failing to clear his hands when cash, chips or tokens were exchanged with a player. You were also provided the settlement of

Consent Order that had an $100 fine.

This is Respondent's first violation in Florida. The case was presented at the October meeting with a $50 fine. The Commission asked that I provide more information regarding the manager who trained him in this case.

Following the meeting, investigations provided me with information that the manager has since been terminated and excluded from the facility for an unrelated theft incident. Also, I spoke with the individual and they have no further violations since the incident occurred.

Therefore, the Division would ask that the Commission approve the consent order in this case.

VICE CHAIR BROWN: Thank you, Ms. Alvarado. Any questions on this item? None. Commissioner D'Aquila.

COMMISSIONER D'AQUILA: I'd like to make a Motion approve the recommendation to the Commission.

VICE CHAIR BROWN: Thank you.

COMMISSIONER REPP: Second.

VICE CHAIR BROWN: Thank you. All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. On to 3.3.

MS. ALVARADO: 3.3 is OBS Real Estate Holdings LLC. Case Number 2023-043589. In this case you were provided with a five-count administrative complaint alleging that the Respondent violated Rule 7511.0144B2, 750.251B and 7511.0253 Florida Administrative Codes by failing to mark the sealed evidence bags with the appropriate information three times, allowing an employee in a supervisory role to be present for the surveillance of the courtroom and drop activities and failing to ensure the number of security guards were required -- as required by the securities plan were present for shifts.

Respondent has two prior violations of failing to appropriately mark the sealed evidence bags. The Respondent has signed the consent order which has a $2000 fine in this case. Therefore, the Division would ask that the Commission adopt the Consent Order.

VICE CHAIR BROWN: Thank you, Ms. Alvarado. Commissioners, any questions on 3.3? If not, can we get a Motion to approve?

COMMISIONER REPP: (Inaudible) Motion.

VICE CHAIR BROWN: Thank you. Is there a second?

COMMISSIONER DRAGO: I'll second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. On to 3.4.

MS. ALVARADO: 3.4 is South Marion Real Estate Holdings which is Case Number 2023049873. In this case there was a filed administrative complaint alleging that the Respondent violated Rule 7511.0129 by failing to issue a photo ID to a card room employee. Respondent has one prior violation of this rule which resulted in a $250 fine. Respondent has sent back the fine, settlement and consent order in this case. It contained a $500 fine.

Therefore, the Division would ask that the Commission adopt the consent Order in this case.

VICE CHAIR BROWN: Thank you, Ms. Alvarado. I think that's an appropriate amount as well. Commissioners, any questions? Can I get a Motion? Commissioner D'Aquila.

COMMISSIONER D'AQUILA: Yes, I'd like to make a Motion to approve the recommendation of Counsel.

VICE CHAIR BROWN: Okay. Is there a second?

COMMISSIONER DRAGO: I'll second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. Thank you for your work on that. On to Discussion of default final orders. 4.1 through 4.7.

MS. ALVARADO: 4.1 is Kevin Ramos. 2022-045861. In this case there was a five-count administrative complaint alleging that while working at Casino Miami it was discovered that Respondent was removing money from the ticket redemption unit cassette and documenting the incorrect amount on the control log. This amount ended up totaling over $3500.

The Respondent was excluded and arrested for grand theft. The Respondent failed to notify the Commission of his arrest and his conviction. He is subject to exclusion as well of revocation or suspension of his license.

We attempted to serve Respondent via USPS and hand service. But we were unsuccessful. Therefore, we published a notice in the local newspaper. Respondent failed to respond to the publication notice.

Therefore, the Division would ask that the Commission enter an order finding that the Respondent was given notice via publication and failed to respond by the deadline, that the factual allegations in the administrative complaint are accepted as the facts in this case.

And concluding that Respondent shall be added to the permanent exclusion list for all Pari-Mutuels and slot machine facilities and that his slot machine, card room Pari-Mutuel occupational license is revoked.

VICE CHAIR BROWN: Thank you for your thorough summary. Commissioners, can I get a Motion to approve 4.1 recommendation?

COMMISSIONER DRAGO: So moved.

VICE CHAIR BROWN: Thank you.

COMMISSIONER REPP: Second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. 4.2 -- and I do want to note, 4.7 has been withdrawn, I'm sorry for the record.

MS. ALVARADO: It's actually 4.4 and 4.8l are going to be withdrawn and moved to another

meeting.

VICE CHAIR BROWN: Thank you.

MS. ALVARADO: Item 4.2 is Alexis Comano in Case Number 2022-051619. In this case you were provided with a one-count complaint seeking the suspension of Respondent's Pari-Mutuel wagering professional individual occupational license due to an outstanding debt related to horse racing in Florida. We attempted to serve this Respondent again via USPS and hand service but were unsuccessful.

Therefore, we had posted a notice in a local newspaper. Respondent failed to respond to the publication notice.

Therefore, the Division would ask that the Commission enter an order that Respondent was given notice via publication and failed to respond, that the facts in the administrative complaint are accepted as the facts in this case.

And concluding that Respondent's Pari-Mutuel wagering professional individual occupational license shall be suspended until the Commission receives confirmation that the payment has been satisfied.

VICE CHAIR BROWN: Thank you. Commissioners, can I get a Motion to approve this Staff recommended order?

COMMISSIONER D'AQUILA: I make a Motion to approve the staff recommendation in regards to this matter.

VICE CHAIR BROWN: Thank you.

COMMISSIONER REPP: I'll second.

VICE CHAIR BROWN: Thank you. All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. On to 4.3.

MS. ALVARADO: 4.3 is Yaneri Garcia in Case Number 2023-026969. This case was a one-count administrative complaint alleging that Respondent was excluded from Calders Casino on May 9th 2023 for capping her bet.

She is subject to exclusions from all Pari-Mutuel and all slot machine facilities in the state pursuant to 550.02516 and 551.112 Florida Statutes.

You were also provided with the USPS mail certified tracking that showed that it was served on Respondent and she failed to respond within 21 days.

Therefore, the Division would ask that the

Commission enter an order finding that the Respondent has been properly served with the administrative complaint, that she failed to respond within 21 days, that the facts in the administrative complaint are accepted as the facts in this case

And concluding that she should be added to the permanent exclusion list for all slot machine and Pari-Mutuel facilities.

VICE CHAIR BROWN: Thank you, Ms. Alvarado. Can I please get a Motion for 4.3 approving staff recommended order?

COMMISSIONER REPP: I'd like to make Motion.

VICE CHAIR BROWN: Thank you. Is there a second?

COMMISSIONER D'AQUILA: I'll make a second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. 4.3 passes. On to 4.5. Again, 4.4 is withdrawn.

MS. ALVARADO: 4.5 is Yesiset Acevedo in Case Number 2023-043905. In this case you were provided with a two-count administrative complaint

alleging that while working at Casino Miami, Respondent was terminated when it was discovered that she was stealing chips in the amount of $49 from the player's pot.

She's subject to exclusion as well as revocation or suspension of her license. You were also provided with the USPS tracking that showed that she was served and did not respond within 21 days.

Therefore, the Division would ask the Commission to enter an order finding that the Respondent was properly served with the administrative complaint, failed to respond within 21 days, that the facts in the administrative complaint are accepted as the facts in this case.

And concluding that she shall be added to the permanent exclusion list for all slot machines and --

VICE CHAIR BROWN: Is that 4.4 or 4.5?

MS. ALVARADO: 4.5. 4.4 was removed from the agenda.

VICE CHAIR BROWN: Okay.

MS. ALVARADO: Sorry, did I say the wrong name?

VICE CHAIR BROWN: It's Zachary. 4.5 is Zachary -- hold on.

MS. ALVARADO: Okay.
MR. TROMBETTA: Commissioner Brown.
VICE CHAIR BROWN: Uh-huh.
MR. TROMBETTA: There might just be a different -- Emily might have a different agenda.
MS. ALVARADO: Yeah.
MR. TROMBETTA: So, I think if you -- I'd suggest maybe go through the numbers you have Emily --
MS. ALVARADO: Yeah.
MR. TROMBETTA: -- and associate it with the name or the Case Number just so you can get on the same page.
VICE CHAIR BROWN: Thank you, because (inaudible).
MR. TROMBETTA: Yes, ma'am.
VICE CHAIR BROWN: Thank you.
MS. ALVARADO: (Inaudible) removed. Okay. So for clarification, mine had 4.4 as a different person. So, 4.4 is not removed. That's the one I'm looking on right now.
VICE CHAIR BROWN: Thank you.
MS. ALVARADO: I can go back and start over but this is the same Case Number and the same --
VICE CHAIR BROWN: Right.

MS. ALVARADO: -- person. It's just 4.4 instead of 4.5.

VICE CHAIR BROWN: I think that's clear for the record. Thank you.

MS. ALVARADO: Okay. So we're going to ask that the Commission enter an order concluding that Respondent shall be added to the permanent exclusion list for all Pari-Mutuel facilities and all slot machine facilities and conclude that Respondent's card room employee occupational license shall be revoked.

VICE CHAIR BROWN: Excellent, thank you. Commissioners, if there are no questions can we get a Motion to approve the item on 4.4 on our meeting Agenda for the recommended order? Commissioner Drago.

COMMISSIONER DRAGO: So moved.

VICE CHAIR BROWN: Is there a second?

COMMISSIONER REPP: Second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Item 4.4 on the posted meeting agenda passes.

MS. ALVARADO: Okay. So, Item 4.5 is

Zachary Oranje which is Case Number 2023-044814. In this case you were provided with a three-count administrative complaint alleging that Respondent was arrested and convicted of one felony and two misdemeanor offenses.

Respondent failed to notify the Commission of his arrest and his convictions. He is therefore subject to revocation of his card room employee occupational license.

You were also provided with the USPS certified mail showing that he was served and did not respond within 21 days.

Therefore, the Division would ask that the Commission enter an order finding that Respondent was properly served with an administrative complaint, that he failed to respond within 21 days, that the facts in the administrative complaint are accepted as the facts in this case. And concluding that Respondent's card room occupational license shall be revoked.

VICE CHAIR BROWN: Thank you. Commissioners, are there any questions on this item? If not, can we get a Motion to approve the staff recommended order in 4.5?

COMMISSIONER D'AQUILA: I make a

recommendation to approve the staff recommendation order on 4.5.

VICE CHAIR BROWN: Is there a second?

COMMISSIONER DRAGO: I second.

VICE CHAIR BROWN: Thank you. All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. On to 4.6, Mr. Blanco or Ms. Blanco.

MS. ALVARADO: Andry Blanco, Case Number 2023-046372. In this case you were provided with one-count administrative complaint seeking suspension of Respondent's Pari-Mutuel wagering professional individual occupational license due to an outstanding debt related to horse racing in Florida. You were also provided with the USPS tracking that showed that the Respondent was served and failed to respond within 21 days.

Therefore, the Division would ask that the Commission enter an order finding that the Respondent was properly served, that they failed to respond within 21 days; that the facts in the administrative complaint are accepted as the facts in this case.

And concluding that the Respondent's

Pari-Mutuel wagering professional individual occupational license shall be suspended until we receive confirmation of payment.

VICE CHAIR BROWN: Thank you. This is similar to 4.2. Commissioners, if there are no questions can we get a Motion to approve the recommended order in 4.6?

COMMISSIONER REPP: Motion to approve the recommended order.

VICE CHAIR BROWN: Thank you. Is there a second?

COMMISSIONER D'AQUILA: Second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. Ms. Alvarado, was 4.7 withdrawn?

MS. ALVARADO: Yes, it is.

VICE CHAIR BROWN: Okay. Thank you. Thank you for your work on this -- these items. Moving on to the discussion of stewards recommended Order 5.1.

MS. ALVARADO: 5.1 is Aubrey Maragh in Case Number 2023-003854. This comes before you following the recommended order that was issued by

the stewards after a stewards' hearing.

The hearing was conducted on September 20th regarding an administrative complaint alleging that Respondent violated 550.24151A Florida Statute and Rule 756.0082F Florida Administrative Code by racing a horse with an impermissible amount of hydro dantrolene.

The stewards issued a recommended order on October 10th recommended that the Respondent pay a fine of $1500. They issued a 15-day suspension and return the purse that was obtained from that race. Rule 753.00119B provides that if the stewards determine a statute or rule has been violated and the penalty is greater than 60 days or a fine of a thousand dollars it must be presented -- the recommendation must be presented before the Division for an order to be issued.

Therefore, the Division would ask you enter an order adopting the stewards' recommended order in this case.

VICE CHAIR BROWN: Thank you, Ms. Alvarado. I just have a question on this. The Statute that they cite and the rule that they cite, it doesn't -- it provides a limit for how much the fine is, or is that by racing standards, the

violation of this Class 4?

MS. ALVARADO: So, they followed the ARC guidelines but the Stewart's have a hearing but they consider it mitigation and can make the penalty based on whatever is presented at a hearing.

This is on terms with the ARC guidelines as well when you look at whether it's a Class C substance as well.

VICE CHAIR BROWN: The fines just seem a little more steep than other Class 4.

MS. ALVARADO: He has prior. He has prior violations. So, he had two prior violations in this case so they considered that when making the penalty as well.

VICE CHAIR BROWN: Thank you for the clarification.

COMMISSIONER REPP: Yeah.

VICE CHAIR BROWN: Commissioners, are there any questions? if not, can we get a motion to approve that Stewart's recommended order?

COMMISSIONER DRAGO: So moved.

VICE CHAIR BROWN: Thank you.

COMMISSIONER D'AQUILA: Second.

VICE CHAIR BROWN: All those in favor say

aye

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. 5.1 passes.

On to discussion of license denial 6.1 and 6.2.

MS. ALVARADO: 6.1 is Tamari Muldrow on Case Number 2023-05815. The Division received an application on October 17th, 2023. Applicant was seeking a slot machine card room Pari-Mutuel Wagering combination occupational license.

After review of the application, it was discovered that they were convicted of grand theft in the third degree in 2015 and resisting an officer and violence in 2018.

They did not disclose this on their application, and there are many other arrests since then, but there was no other convictions passed that 2018 conviction.

There is not super-specific information on the arrest itself, other than the -- they were issued being two months probation in that 2018 case. And it does not seem like the fines have been paid. They were sent to a collection agency so I can't confirm if the collection agency

was able to receive those fines, but I do not think so.

They did not apply for a waiver because that is not contemplated under 551.10768. Therefore, the Division would ask the Commission authorization for the notice of intent to deny in this case..

VICE CHAIR BROWN: Thank you. Commissioner D'Aquila.

COMMISSIONER D'AQUILA: I'm just going to make a motion to issue an intent to deny.

VICE CHAIR BROWN: Thank you. If there are no questions, can we get a second?

COMMISSIONER REPP: Second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. Commissioner D'Aquila. 6.2.

COMMISSIONER REPP: 6.2 is Kevin Robinson in Case Number 2023-063904. In this case, the Applicant applied for a slot machine card room Pari-Mutuel Wagering Occupational license on November 1st, 2023.

After review, it was discovered that they were convicted of grand theft in the third degree in

2001. They had previously applied for a license back in 2019 which was denied. He still failed to disclose it on his application. It seems like there was some sort of violation of a probation back in 2002. But I believe it has been completed. It's still unclear. There wasn't much information online about the conviction there I guess, because it was from 2001.

They did not apply for a waiver of the felony conviction because it's not contemplated under Chapter 551. Therefore, we would ask that the Commission authorize the notice of intent to deny in this case.

VICE CHAIR BROWN: Thank you. I just note for the record that PMW Division did not have the license back in 2019 as well.

Commissioners, are there any questions? If not, can we get a Motion for the recommended order?

COMMISSIONER DRAGO: Just one question, I think. I've always had trouble with the ones that are so old as this. 22 years since the offense was committed and doesn't appear to be any other offenses in all that period of time. And it's a third degree, grand theft third degree. Do we know what the sentencing was or anything in this case,

Ms. Alvarado?

MS. ALVARADO: I know that he was issued probation for six months. That seemed to have ended in 2002. There was some indication that there was a violation of probation. So, I'm not sure if that was extended. But it seemed like it was still ended in 2002.

COMMISSIONER DRAGO: Can they get a license now?

MS. ALVARADO: No.

COMMISSIONER DRAGO: None, right, no temporary or anything?

MS. ALVARADO: No.

COMMISSIONER DRAGO: Okay.

MS. ALVARADO: I don't believe so. Actually, let me check that before I say that. But no, I don't think so.

VICE CHAIR BROWN: Commissioner Drago, typically I tend to agree except for the underlying offense of theft. And I believe he's opined to be a security officer and is established. So, that is one of those, I guess, really disqualifies an individual even though given the amount of time.

COMMISSIONER DRAGO: Yeah, I'd just like us to, I guess, thoroughly, closely look at these

where there's a considerable amount of time between the offense, and they're attempting to get a license while, of course, always remembering it is our duty to protect the public.

And so, we try to do that but we also don't want to hamper people from being able to make a living if there's not a reason to. So, I just want to make sure we've got all the facts, all the information on this before the Commission makes a decision. Back to you.

VICE CHAIR BROWN: I appreciate that. Thank you, Commissioner Drago.

Commissioner Repp.

COMMISSIONER REPP: I'm on the same lines -- I'm looking at this. What was his date?

MS. ALVARADO: One second. Occurred in 2001. Let me see. '28 the late 20s.

VICE CHAIR BROWN: Commissioners, any other questions?

Commissioner Drago, would you like to defer this item to get more information?

COMMISSIONER DRAGO: I think I would, yes.

VICE CHAIR BROWN: Okay.

COMMISSIONER DRAGO: I'd appreciate that. Yeah, I think that would be a good idea.

MS. ALVARADO: Okay the 90n days is January 30th? So, this can be pushed to the next meeting, early January.

COMMISSIONER DRAGO: Great.

VICE CHAIR BROWN: We're going to defer 6.2. Ms. Alvarado, if you could just get more information on this, that would be helpful to the commissioners. Thank you.

On to discussion of policies and procedures under Item 7.

MR. TROMBETTA: Thank you Vice Chair Brown. On the agenda this month, we have eight total policies, six of them are specific to law enforcement division, two are agency-wide. If you don't mind, we can correct and go through with them with the record and then both Director Herold and myself are here to answer any questions you may have.

VICE CHAIR BROWN: Excellent.

MR. TROMBETTA: So, relating to law enforcement, we have Policy 02.18.01, Operations Planning and Deconfliction, policy 02.12.01 blue alert, 02.42.01 Ride Along, 02.38.01 Off-duty law enforcement actions, 02.22.01 Record Section, 02.52.01 Training. And then the two agency wide

policies are Number 03.11.01 reporting of arrest, convictions and Court Orders, 04.01.01 Assignment, use and management of motor vehicles.

VICE CHAIR BROWN: Thank you. Commissioners, I think the best way to go through this is just if you want to get through each item and get questions on an order, I'll just ask you all. So, let just go through the first one. 02.12.01 blue alert. It's like a very standard policy that is applied statewide. Any questions?

Seeing none, can we get a Motion to approve that item?

COMMISSIONER REPP: So -- go ahead.

COMMISSIONER DRAGO: So moved.

VICE CHAIR BROWN: Is there a second?

COMMISSIONER REPP: Second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: That motion passes.

On to the second policy, 02.18.01 Operation Planning and Deconfliction. Are there any questions?

Seeing none, can I get a Motion to approve that item. Thank you.

COMMISSIONER D'AQUILA: Second.

VICE CHAIR BROWN: All those in favor say aye.
BOARD MEMBERS: Aye.
VICE CHAIR BROWN: Thank you.
Moving on to 02.22.01, Records. Is there any questions on this item?
Seeing none, can I get a Motion to approve that item?
COMMISSIONER DRAGO: So moved.
VICE CHAIR: Is there a second?
COMMISSIONER D'AQUILA: Second.
VICE CHAIR BROWN: All those in favor say aye.
BOARD MEMBERS: Aye.
VICE CHAIR BROWN: Thank you. The Motions passes.
Moving on to 02.38.01 Off-Duty law enforcement actions. Are there any questions?
COMMISSIONER D'AQUILA: No.
VICE CHAIR BROWN: Seeing none -- all those in favor say -- oh, pardon me. Is there a Motion?
COMMISSIONER DRAGO: So moved.
VICE CHAIR BROWN: Is there a second?
COMMISSIONER D'AQUILA: Second.
VICE CHAIR BROWN: All these in favor say aye.
BOARD MEMBERS: Aye.
VICE CHAIR BROWN: Thank you. That policy

passes.

Moving on to 02.42.01 Ride-Alongs. Is there any discussion or questions?

COMMISSIONER D'AQUILA: No.

VICE CHAIR BROWN: Can I get a Motion to approve the policy as presented?

COMMISSIONER REPP: Motion to approve.

VICE CHAIR BROWN: Is there a second?

COMMISSIONER D'AQUILA: Second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: That Motion passes.

And for our last law enforcement policy, 02.52.01 Training. Is there any discussion or questions? Can I get a Motion to approve the policy?

COMMISSIONER DRAGO: So moved.

VICE CHAIR BROWN: Is there a second?

COMMISSIONER REPP: Second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: And that passes. And I want to thank Carl Herold, Chief and Mr. Trombetta as well for the work that went into this. I know we all had briefings on these items, and spent a

good deal of time going over them individually with you also. Thank you for coming up with solid policies.

Moving on to the 03.11.01 human resource -- report, arrest, convictions and court orders that's under human resource management. Are there any questions from that item?

COMMISSIONER D'AQUILA: No.

VICE CHAIR BROWN: Okay, I do just wanted to reinforce that once that particular item, and some of these others, but this is for our whole agency that says staff, for all agencies informed of this particular policy so that they have notification of when they have the duty to report anything. Some of them are very timely felony is immediately misdemeanors within three days. So staff just need to be made aware of their duty.

MR. TROMBETTA: Oh, yes, ma'am.

VICE CHAIR BROWN: Thank you. If there are no questions, can we get a Motion to approve that item, 03.11?

COMMISSIONER REPP: Motion to approve.

VICE CHAIR BROWN: Is there a second?

COMMISSIONER D'AQUILA: Second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. And that passes.

On to our last one, 04.01.01, Assignment, use and management of motor vehicle policy. If there's no questions, can I get a Motion to approve?

COMMISSIONER DRAGO: So moved.

VICE CHAIR BROWN: Is there a second?

All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you. Those items pass.

On to executive director update.

MR. TROMBETTA: Thank you. I have essentially one -- one -- well, one ask and them I'm happy to answer any questions.

So, the ask is that at the prior meeting, the Commission authorized me to file notice of rule development as it relates to the patient dispute process that we are working on establishing with the Seminole Tribe as required by the 2021 compact.

I believe that we will be able to do that prior to our next meeting.

And I'm now asking for judicial authority to file a notice of proposal as well, so that if

everything goes well, we don't necessarily have to wait for the January meeting to file the second action.

Again, the rule makes process in multiple stages. Stage 1 is rule development. Stage 2 is filing the notice of proposal rule and No. 3 is moving for adoption. So this will allow us to hopefully get through -- get into that second stage prior to the January meeting.

VICE CHAIR BROWN: This is a natural linear process. So, with that I think Commissioner -- unless you have any questions.

COMMISSIONER DRAGO: No, I don't.

VICE CHAIR BROWN: You can make a Motion to go ahead with that recommendation.

COMMISSIONER D'AQUILA: I'll make a Motion to go ahead with the executive director's recommendation and proceed to Step 2.

VICE CHAIR BROWN: Thank you. Is there a second?

COMMISSIONER D'AQUILA: Second.

VICE CHAIR BROWN: All those in favor say aye.

BOARD MEMBERS: Aye.

VICE CHAIR BROWN: Thank you, Mr. Trombetta. Those were asks. Do you have any other update?

MR. TROMBETTA: Updates, we are moving towards sessions. We are working kind of on -- we have a few agency packages that we're trying to, you know, get moving; one dealing with criminal stuff, one dealing with sort of regulatory side and then one dealing with the trust fund.

I will provide updates as we move into session and get more, you know, I guess, things get filed and things change. We have sponsors for all these bills. And I'm kind of optimistic about feedback rating and going into our early sessions here.

VICE CHAIR BROWN: Okay, Commissioners, are there any questions? Mr. Trombetta? I do want to compliment Mr. Mahler on a really thorough legislative update report, doing a great job. And there's a lot of work going on and really just you hopped in and taking off. So, thank you for your work.

If there are no questions for Mr. Trombetta, we are now into public comment. All right, is there anybody from the public that would like to address the Commission?

Seeing none. Are there any other matters to address? All right, oh, yes, Mr. Trombetta.

MR. TROMBETTA: Just for a point of order, we

are going to do swearing in ceremony for our Division of law enforcement following this meeting. So, just on your radar, I don't know how you'd like to wrap up the meeting. But I think it's important that we do let the public know that we will be turning off. But as the meeting ends, once we're officially done, we're going to ask Florida Channel to stop recording and we will conduct our ceremony afterwards. And obviously, you're welcome to join us.

VICE CHAIR BROWN: Thank you. I think the Florida Channel is here. So, with that as soon as we're adjourned which is minute late, then we ask the Florida Channel to stop the rolling tape.

And if there are no other matters, this concludes the meeting and we're adjourned.

Have a safe travel. Happy holidays to all. Enjoy your time with your family and friends. Thank you.

(Thereafter, the proceedings ended).

REPORTER'S CERTIFICATE

STATE OF FLORIDA

COUNTY OF ORANGE

I, Carmel M. Street, do hereby certify that I was authorized to and did stenographically transcribed the foregoing proceedings, and that the transcript, pages 1 through 42, is a true and complete record of my stenographic notes.

Dated this 19th day of March, 2024.

CARMEL M. STREET

In The Matter Of:

Florida Gaming Control Commission

Public Meeting

DATE: Wednesday, March 6, 2024

TIME: 9:32 a.m. to 12:00 p.m.

LOCATION: The Joseph P. Cresse Hearing Room 148 in the Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida 32399

Stenographically Reported, via Teams, by:

JUDY LYNN MARTIN, STENOGRAPHER

Job Number: 345107

APPEARANCES:
Julie Brown, Vice Chair
Tina Repp, Commissioner
Chuck Drago, Commissioner
John D'Aquila, Commissioner

PARTICIPANTS:
Louis Trombetta, Executive Director
Ross Marshman, Deputy Exec. Director/Chief Legal Officer
Elina Valentine, General Counsel
Jamie Pouncey, Program Administrator
Carl Herold, Director of Gaming Enforcement
Joseph Dillmore, Director of PMW
Joseph Klein, Senior Attorney

PUBLIC SPEAKER:
Jonathan Zachem, Esquire

OTHER PRESENT:
The Florida Channel
Various Members of the Public

Proceedings began at 9:32 a.m.

VICE CHAIR BROWN: Good morning and welcome to the Florida Gaming Control Commission meeting. Today is March 6 and the time is 9:32.

Please rise with us for the Pledge of Allegiance, which will be given by Commissioner Repp.

(Pledge of Allegiance by Commissioner Repp)

VICE CHAIR BROWN: Thank you, Commissioner Repp. Today we have a meeting of a lot of material, so I just wanted to give you all an overview for ease and sufficiency.

We're going to kind of rearrange the agenda a little bit after we get the approval of meeting minutes through. We're going to go to the license applications in bulk, that's item 6 through 10.

So we're going to -- after we approve the meeting minutes, we're going to go 6 through 10 and we're going go back up to Items 2, 3, and 4 and close it out with our policies and procedures.

So with that, Commissioners, does that sound good? All right. Can we get -- go into the approval of the meeting minutes for January 11 and February 1st, 2024, can I get a motion to approve both.

(Motion inaudible)

VICE CHAIR BROWN: Is there a second?

COMMISSIONER REPP: Second.

VICE CHAIR BROWN: All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: We are moving on to Items 6.1 through 6.19, the discussion of license applications for Greyhound permitholders. We have with us from our staff Ms. Jamie Pouncey. Good morning.

MS. POUNCEY: Good morning. With permission I'd like to group these primarily by industry and then secondary by performances and cardrooms.

VICE CHAIR BROWN: Certainly.

MS. POUNCEY: So we're going to start with Item 6.1 through 6.16 which is Greyhound permitholders who have submitted their annual application for an operating license and cardroom.

They have submitted the required documentation, associated fees, and meet the requirements for the license. The Division recommends approval.

VICE CHAIR BROWN: Commissioners, do any of you have any questions regarding 6.1 through 6.16?

Personally I've read all of the (technical interference) documentation and all of them and the -- the requirements, the statutory requirements have been met.

If you have a question, if not we can have a motion to approve the staff recommendation on Item 6.1 through 6.16.

COMMISSIONER DRAGO: So moved.

VICE CHAIR BROWN: Is there a second?

All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Thank you.

MS. POUNCEY: Item 6.17, 6.18, 6.19 are Greyhound permitholders who have submitted an application for an operating license and no cardroom. They have submitted the required documentation and the -- meet the requirements for an annual operating license. The Division recommends approval.

VICE CHAIR BROWN: Thank you, Ms. Pouncey.

Commissioners, any questions on 6.17 through 6.19? If not, can we get a motion to approve.

COMMISSIONER REPP: I'll make a motion to approve the permit (technical interference).

VICE CHAIR BROWN: Thank you.

COMMISSIONER D'AQUILA: I will second said motion.

VICE CHAIR BROWN: Thank you. Any discussion? Seeing none all those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: The motion passes on those items.

Moving on to 7, discussion of license application for Jai Alai permitholders.

MS. POUNCEY: Item 7.1 through 7.5 are Jai Alai permitholders who have applied for an annual operating license and an annual cardroom license.

They have submitted the required documentation for the operating license, documentation for the cardroom license, and associated fees and have met the requirements. The Division recommends approval.

VICE CHAIR BROWN: Thank you. We are Item 7.1 through 7.5. Commissioners, any questions? If not, can we get a motion to approve those applications.

COMMISSIONER DRAGO: I move to approve.

VICE CHAIR BROWN: Thank you. Is there a second?

COMMISSIONER REPP: Second.

VICE CHAIR BROWN: All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Thank you. Motion passes on 7.1 through 7.5.

MS. POUNCEY: We have 7.6, which is also a Jai Alai permitholder who has submitted an application for live performances in their operating license and also a cardroom license.

They have submitted the required documentation for the operating license, the documentation for the cardroom license, and the associated fees, and the Division recommends approval.

VICE CHAIR BROWN: Thank you. That's great. Item 7.6 through 7.10, any questions on them? If not, can we get a motion to approve.

COMMISSIONER DRAGO: I make a motion to approve.

VICE CHAIR BROWN: Is there a second?

COMMISSIONER D'AQUILA: I'll second said motion.

VICE CHAIR BROWN: Thank you. All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: 7.6 through 7.10 passes and we are on to Items 8.1 through 8.3, Thoroughbred permitholders.

MS. POUNCEY: The following, 8.1 through 8.3 are Thoroughbred racing permitholders who have submitted an application for live performances and two of which have submitted an application for cardroom license, excluding Gulfstream Park Thoroughbred After Racing who has no cardroom.

They have all submitted the required documentation for their annual operating license, in addition the documents required for their cardroom license, and if applicable have submitted the fees associated with it. The Division recommends approval.

VICE CHAIR BROWN: Thank you, Ms. Pouncey.

Any questions on Items 8.1 through 8.3? If not, can we get a motion to approve those applications.

COMMISSIONER REPP: Motion to approve applications 8.1 through 8.3.

VICE CHAIR BROWN: A second?

COMMISSIONER D'AQUILA: I'll second that motion.

VICE CHAIR BROWN: Thank you. All those in

favor, say aye.

(Aye response)

VICE CHAIR BROWN: The motion passes.

And moving on to Items 9.1 through 9.6 Quarter Horse permitholders.

MS. POUNCEY: The Quarter Horse permits reference 9.1 through 9.6, have submitted an annual operating license and cardroom license, only one of which does not have a cardroom.

They have submitted the required documentation for their annual operating license in addition the documents required for the cardroom license, and associated fees. As required they've met the requirements and the Division recommends approval.

VICE CHAIR BROWN: Commissioner D'Aquila.

COMMISSIONER D'AQUILA: I have a question with regard to 9.5 Hamilton Downs Horsetrack, LLC, and just understanding the paperwork, the checklist prepared by the commission is either deficiency letters were sent on the 12th, but I just didn't notice the box next to it completed.

Were those deficiencies addressed on the 12th specifically -- submission of the of the original application that was offered?

MS. POUNCEY: Yes. All the deficiencies have

been resolved. I don't have the documentation immediately in front of me, but all the deficiencies on the application have been resolved.

COMMISSIONER D'AQUILA: It would be the -- I guess the original application which appears right after the license, so they have all been as they -- it is checked off on the submission at the top, I guess the bottom (technical interference). Thank you. My question's been answered.

VICE CHAIR BROWN: Thank you, Commissioner D'Aquila.

And, Ms. Pouncey, that -- that will become part of the record too, the clearing up of the deficiencies as well, the supporting documentation?

MS. POUNCEY: Yes, ma'am. If there's any information missing, I'll look into it. Generally what we do is it's order of receipt. So if it was a deficiency on something not answered on the application, then that top application would be the correct version, which answers whatever question was vacant on the previous submission.

VICE CHAIR BROWN: Thank you.

Commissioners, any other questions? If not, can we get a motion to approve 9.1 through 9.6.

COMMISSIONER DRAGO: I'll move --

COMMISSIONER A'QUILA: Second.

VICE CHAIR BROWN: All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Thank you. Motion passes.

Finally moving on to Item 10, discussion for Harness permitholder.

MS. POUNCEY: Item 10.1 is the Harness racing permit application. They submitted an application for annual operating license and annual cardroom license.

They have submitted the required documentation for operating license and cardroom license and the associated fees required for the cardroom. They have met the requirements and the Division recommends approval.

VICE CHAIR BROWN: Commissioners, any question on 10.1? Seeing none, can we get a motion to approve the application.

COMMISSIONER REPP: Motion to approve 10.1.

VICE CHAIR BROWN: Thank you. Is there a second?

COMMISSIONER D'AQUILA: Second.

VICE CHAIR BROWN: All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Thank you. Motion passes.

We're circling up to Item 2, which is a discussion of petition for waiver or variance, 2.1. We do have a speaker card and I just want to note real quickly for the record before the meeting began, petitioner's counsel did approach the bench and ask to give him an opportunity to be heard before our staff speaks, and I've let our staff know. So before I go ahead and do that, I just will turn it over to our legal counsel.

MR. MARSHMAN: Good morning. This is Ross Marshman for the record. Out of an abundance of caution based on petitioner's counsel's addressing the commissioners out of the commission meeting about the merits potentially about an item that was on the agenda today, I think, Vice Chair Brown, you've already satisfied I hope what the law would require for us to disclose the ex parte communication and substance of it.

I would note that the speaker of the ex parte communication also has requirements under Chapter 16, so I would encourage him to review that statute as well.

VICE CHAIR BROWN: Thank you. Does, Counsel,

have any objection to allowing the petitioner's counsel speak prior to your introduction of the item?

MR. MARSHMAN: No.

VICE CHAIR BROWN: Commissioners, do you have any questions or comments before we begin and turn it over to Mr. Zachem?

COMMISSIONER DRAGO: That's fine.

VICE CHAIR BROWN: Mr. Zachem, welcome.

MR. ZACHEM: Thank you. Sorry I'm a little taller than Ms. Pouncey. Thank you and I appreciate Mr. Marshman's point, for an abundance of clarity, any communication that I had with Commissioner Brown, I told executive director prior to doing so, Trombetta, what I was doing and it simply had to do with being able to lodge an objection before things were put on record. It had nothing to do with substantive matters. It just was a procedural element.

So as much as I appreciate Mr. Marshman's education, I'm not aware of anything that would prohibit someone from being able to -- to do so, but I'll make sure to research deferring to his expertise in that area.

I think what -- and forgive me. I'm trying to

work my way through this in procedural order. My understanding is that a memo was provided to the commission sometime within the last 24 hours.

The record that you have before you on this matter is approximately 20 pages long with about eight pages of those redacted, but somehow an 11-page legal -- legal memo was provided to you all that substantively would affect the -- the ability of my client to have a -- an approval in this variance.

Our objection that we're putting forth for the record is that this has not been provided to us, this legal memo. The first that I became aware of it was yesterday afternoon, less than 24 hours before this meeting. In an abundance of caution I was told that there probably would be a recommendation of denial. That did occur and it was within the last two weeks that I was told that by counsel, but I have not set eyes on this memo that you have been provided until less than 24 hours before this meeting.

You'll notice that there is no service block that's included on it that would show that I have been served with it. I checked with my client to make sure that they haven't been served with it as

well, and my objection has to do with whether or not that should be for consideration by the commission in -- in their review of this.

I would point to the areas of concern that we have pertaining to an ex parte communication and the entire reason that this is put forward, which I'm sure counsel would agree with and this was not their attempt.

I'm not saying that they were intentionally trying to do something that would have been wrong, but just as an education from the commissioners from the Florida Bar, an ex parte consideration: Communication between the Court, or in this case hearing officers, and counsel, or other interested persons, when opposing counsel has neither notice nor an opportunity to respond is a prohibited ex parte communication.

The purpose behind prohibiting ex parte communications is to ensure that litigants in a proceeding have a neutral forum and an impartial judge. Ex parte communications with a judge or even related to such matters as scheduling can often damage the perception of fairness and should be avoided where at all possible. That's Rose versus State.

So the idea is that if something is submitted to a hearing officer or a finder of fact, which you all serve in this situation, that there be an opportunity for opposing counsel to be able to put their arguments forward too so that both arguments can be considered neutrally and there not be, I always find gaming terms slipping away vernacular when I'm dealing with commission, stacking of the deck going in a negative direction.

Again I'm not suggesting this was intentional, but when you have an 11-page memorandum with legal conclusions that are drawn in it and no opportunity for me or for my client to be able to present a counterargument for your consideration and put on public record less than 24 hours before a proceeding, I would object to it being included and I would ask that it be excluded from the record and for consideration by the commission.

VICE CHAIR BROWN: Thank you, Mr. Zachem. I'm going to turn it over to Mr. Marshman or Elina.

MR. MARSHMAN: I think if -- with the commission's permission, I'd like to address Mr. Zachem's points he raised now and then for the substance of the petition I would rely --

VICE CHAIR BROWN: Please.

MR. MARSHMAN: -- on Ms. Valentine. Thank you.

Petitioner's counsel's objection lacks any and all merit and demonstrates yet again a fundamental lack of understanding of the administrative process.

Your lawyers work for you and we are under an obligation to provide you with counsel. And we are not in a 120.569 or 120.57 proceeding. We are under 120.542. We are also subject to other provisions in 120, including 120.525 which state when agenda and meeting materials must be made available to the public.

We have complied with all of those requirements, and I believe that the objection today is mixing apples and oranges frankly to use the legal term.

This is a recommendation from staff. This is not a new recommendation to petitioner's counsel. In fact on February 21st staff met with petitioner's counsel for over an hour and explained the substance that you see in this memo to him two weeks ago.

That should have given petitioner's counsel ample opportunity to understand staff's

recommendation well in advance of when these materials were made public and then either work with his client or prepare to address what counsel had already flagged to petitioner's counsel.

And just to put it on the record, I mean, this -- this meeting included a full Whiteboard chart of the entirety of staff's analysis of this issue before the commission today. This memo is nothing more than the long form of the chart.

There is no merit to the objection being raised today as a matter of law or as a matter of any judicial bar -- strike that, Florida Bar opinion that's been raised. We're just not in that scenario. We're not in that far along.

I'm happy to answer any other questions you have, but I would encourage the commission to move to the merits of the petition for waiver of variance today.

VICE CHAIR BROWN: Thank you, Mr. Marshman. You know, as Mr. Zachem was talking, I was thinking back to my over a decade my phase before the Public Service Commission when we would get petitions for variances and waivers. And similarly staff -- legal staff represent like in this case the commissioners, very similar, and we would get

similar fact patterns, background materials, as well as a recommendation.

Timing I do understand the 24 hours wanting to be able to opine and refute the materials potentially, but it's really just helpful for the commissioners and serves as a background and a summary of all of the facts that have happened since the petition was filed.

Without this document, you know, going through the documents that were filed in the petition would be really hard to decipher, because there seems to be some vagueness to what is already in the materials filed by the petitioner.

So this has been very helpful for me. I do -- I think it is appropriate to move forward. I think you sum up -- summed up the legal argument disputing Mr. Zachem's claim, but I will let the commissioners talk first.

Mr. Zachem, I'll give you an opportunity as soon as commissioners have an opportunity to speak.

MR. ZACHEM: Thank you.

VICE CHAIR BROWN: Any comments?

COMMISSIONER DRAGO: I -- personally I think we're ready to move forward and -- and listen to the merits of the petition and discuss that and

make a decision based on that at that point.

And we can always come back to this I guess if there seems to be something -- information or something that's been provided in this memo that you were not provided with in the past or some reason why we should not further consider that -- this memo, but I haven't heard anything that would cause us to go down that road right now.

VICE CHAIR BROWN: Thank you. Commissioners, any other comments? Commissioner Repp.

COMMISSIONER REPP: Vice chair stated a summary of what's already heard (technical interference). I've had full (technical interference) to review all of that (technical interference).

VICE CHAIR BROWN: Thank you, Commissioner Repp.

Commissioner D'Aquila.

COMMISSIONER D'AQUILA: I will just add having read the earlier version and the latter version, it did not change any thoughts I had with the issue at hand. It was definitely longer, but I think the substance in my mind having read it multiple times, both (technical interference).

VICE CHAIR BROWN: Thank you. And I finally

would add the relevant law provisions that staff illuminated in the memo was very helpful, because of course that was in the documentation that was provided by the petitioner, so that to me has been the most helpful aspect of the memo and appreciate staff preparing.

Yes, Mr. Marshman.

MR. MARSHMAN: Thank you, Vice Chair. I forgot to mention as well petitioner's counsel raised the issue that perhaps the commissioners saw redacted versions of their submissions.

There is of course a difference between the publicly available materials that are redacted to protect trade secrets that are marked by members of the industry versus the materials that you as commissioners and us as staff are able to see.

So of course I believe the commissioners have reviewed the unredacted materials in connection with this petition as you would with any other matter before the commission today.

VICE CHAIR BROWN: I'll confirm that. I certainly have and I'm sure my colleagues have as well, if you just want to say yes on the record.

COMMISSIONER DRAGO: Yes.

COMMISSIONER D'AQUILA: Yes.

COMMISSIONER REPP: Yes.

VICE CHAIR BROWN: Thank you. Thank you, Mr. Marshman.

Mr. Zachem.

MR. ZACHEM: Thank you, Commissioner, Madam Vice Chair.

For clarity sake the meeting that Mr. Marshman was putting forward to you, he was not at. So his testimony as far as -- I should say his presentation to you as far as what occurred in the meeting, with all due respect he wasn't there.

So I get it and I understand that you can look procedurally what happened and a lot of the substance of what's forwarded in the memo is -- is available to you. It's the law. It is what it is. The entire idea is that I was not afforded the opportunity for a counterargument, but I understand what you're saying, Commissioners, and I get what you're -- you're putting forward.

I would just ask Mr. Marshman to please stop, even though I'm considering giving him all of these credits and compliments, to perhaps not continue insulting me on the record, so I would appreciate that.

VICE CHAIR BROWN: Thank you, Mr. Zachem.

We're going to move into the substance, Ms. Valentine.

MS. VALENTINE: Elina Valentine for the record. I just want to mention that I was at the meeting and I presented the information to Mr. Zachem. And I drew a chart and I went and explained in detail everything that is in the memorandum, so I just wanted to state that --

VICE CHAIR BROWN: Thank you. I will note that -- it is a public record. I've seen the chart, picture of the chart as well.

MS. VALENTINE: Mr. Zachem took a picture of the chart as well for his record, so he -- he does have that should he wish to review it.

VICE CHAIR BROWN: Mr. Zachem, we'll get to you. She has a lot of material to cover. If you want to hold off so that we can go in a procedural fashion, that would be great.

MR. ZACHEM: That's fine. Can I have one clarity?

VICE CHAIR BROWN: Sure.

MR. ZACHEM: Did you say you saw the chart?

VICE CHAIR BROWN: I saw a picture of it, a document.

MS. VALENTINE: The chart is a public record.

Mr. Zachem, you took a photo of the chart and so therefore we also saved the photo of the chart.

MR. ZACHEM: I understand. I didn't know it existed. I hadn't -- I was unaware that it was provided to the commission.

VICE CHAIR BROWN: Thank you.

MS. VALENTINE: Moving to the merits of the petition. PPI, Inc., d/b/a Harrah's Pompano Beach, filed a petition requesting a waiver from Rule 75-14.047 of the Florida Administrative Code entitled Facility Based Monitoring System and Computer Diagnostics.

The petition comprises the initial submission and two subsequent responses. The three documents that were submitted by the petitioner do not have the information that is required by Florida law. Therefore, the petition is legally deficient and the staff recommends that the commission issue a notice of intent to deny the petition.

VICE CHAIR BROWN: Thank you, Ms. Valentine. I appreciate the brief summary. Can you just walk us through the dates and the time frame here. You do highlight them in the memorandum of what is legally required, but when the petition was filed, when the supplemental information was reported back

to the commission and all of that, so give us kind of a time frame of the overall process.

MS. VALENTINE: Absolutely. On July 17, 2023, PPI filed the initial petition with the agency clerk. On August 14, 2023, the commission requested from PPI additional information that is required under Section 120.542 and Rule 28-104.002.

Ninety days -- I apologize, 60 days following the commission's request on October 13, PPI submitted a written response. This written response raised a new matter, which is fully explained in the memo, and did not satisfy the statutory requirements and it was therefore deficient.

On November 9, 2023, the commission sent a second request to PPI for additional information. On December 18, 2023, 39 days following the commission's request, the commission received a response from PPI with additional information, that response was legally deficient as well. At that point the 90-day time period for the commission's denial or grant of the waiver started.

VICE CHAIR BROWN: Then can you clarify your two-week meeting that occurred ago with the petitioner's counsel?

MS. VALENTINE: Yes. As evident by the memo, that just explains the documents that were submitted by the petitioner and it includes the implicated rules. This matter is complex. And so once staff had a chance to review all of the submitted documents, it was evident that the memo was -- I mean, I'm sorry, that the petition was legally deficient.

At that point, I reached out to Mr. Zachem to discuss the deficiencies and that OGC was going to recommend denial of the petition. And to -- to ensure that all of the matters were covered and that Mr. Zachem had all of the information necessary, as a professional courtesy, I had scheduled a meeting in person with Mr. Zachem.

At the meeting I drew a chart in an effort to explain the deficiencies and how a petition should petitioner wish to submit a new petition could be drafted to -- to avoid the current issues.

VICE CHAIR BROWN: Thank you very much for the summary.

Commissioners, are there questions about the process? If not, we're going to hear from the petitioner on the substance here, Mr. Zachem.

MR. ZACHEM: Thank you, Madam Vice Chair. And

while I appreciate the recitation of time frames, I'm afraid that some things were left out of the communication that existed.

As I'm sure that questions would arise to you why would a petition come to you that is unsigned and not dated, so I think the back story as far as how we got there since it seems to be that time frames are so relevant to legal staff, I think putting all of them forward is more relevant than what was said during those time frames.

So moving backward and I think this is important that I say before we even get into some of these nuances. Gaming is a partnership that is established to generate tax revenue for the state.

PPI Harrah's is a partner with you all. We're not talking about something that's that complex, we're obviously not. Maybe for an attorney such as myself it's complex, because I have no idea how a Cloud works, but even I can use it at my work.

All we're talking about is data storage, that's it. The totality of what you have before you is a sophisticated facility that's in multiple jurisdictions is trying to switch from a physical server location to Cloud based, that's it, but we've now gone here.

This is 10 months after legal staff was contacted about this, not 90 days. The first communications that we actually had were officially in early May, and I'll read that to you briefly. For some reason it was not included in the information before you, but it puts things in a proper stance so that you can see where the petitioner was at in their submittal and you can understand why it's where it is.

But in trying to work in this partnership and what has always happened with the gaming industry is there have been discussions with your team at locations, with your team here in an effort to be compliant with statute.

As I said in February we're risk adverse people. We want to talk to you and we will ask you how do you want this to be presented, so that we can check all the boxes and do all the things you want from us. And no matter what happens with this today, that's our desire going forward.

We don't want to be adversarial to you. And honestly the fact that we're in this situation to me is -- well, I wish it hadn't happened this way and I don't think it needed to.

But with putting things in the posture of when

things occurred and how they occurred, I would let you know that I joined into this -- this petition well after it started. It was after the initial documentation that you have, and some of these things predated me so I had to go back and research and find out and get information provided by my client that was emailed to them by the commission.

So the first communication was on or about May 11th where as normally happens with slot facilities, some of your team is down at the locations doing great jobs as they always have throughout the years and some discussions started about plan going forward.

Communication happened between Pompano and between some of the slot folks that work for you all and here's what we would like to do with Cloud based. But as very appropriately should be handled, this was not answered at site. Instead it was forwarded up to legal. It resulted in an email from Mr. Ross Marshman that's dated May 24th, 2023, that was back to Bill Crafts (ph) and copied Joe Dillmore, Emily Alvarado, Elina Valentine, and Lou Trombetta. The subject is Rubrik backup, SES 13 system regulatory requirement.

I'm not going to include all of it, because it

includes a separate subject matter in the second half, but I'm going to include the first paragraph which is substantive towards what we're here for.

Bill, thanks again for your patience. Starting with method of storage issue, my understanding after our conversation is the facility wants to move away from storing or backing up certain records on physical media and migrate to Cloud storage instead.

From my reading of 551 Florida Statutes, there's no particular statute directing a slot machine gaming facility such as this one to store or backup any of its record in a particular manner.

I agree with Mr. Marshman 100 percent. There's no statutory element to it. The commission, though, is authorized to adopt more specific rules. He sites to the two rules that are relevant.

To keep me from stumbling over the subsections, that's 75-14.047, 75-14.080. Those rules include requirements mandating certain types of records be backed up to physical media guaranteeing a certain level of fire and water protection. So the motivation is for fire and water protection, that's why that rule is issued

there from this.

And since it seeks to deviate from requirement related to physical storage stemming from a rule as opposed to statute, the facility may want to consider submitting a petition for variance or waiver. More details about such petition can be done.

In Florida Statutes absent a formal petition -- and this is important, because I want to make sure it's not being mischaracterized. Mr. Marshman very appropriately said: Absent a formal petition, however, that spells out exactly how the facility plans on storing certain types of data, the commission can provide neither meaningful analysis or definitive answer. That's very fair. It's hard to end up getting a hypothetical sent to you and try to give a definitive answer, but the research began in May. That's when all of this started.

So in response to what happened from this email, my client on July 17th sent an email to Mr. Crafts trying to make sure they captured this. My client was not an attorney doing so, but a layperson trying to do things, again, to work with the commission.

The substance of the email is: Bill, is there anything else I need to answer for this waiver? Please see attached draft and let me know if there's anything else I need to provide. Thank you.

The document you have before you was intended to be a draft. For some reason it was taken and put in the posture of being a formal variance. So afterwards we were kind of going -- trying to go upriver. But even with that, we appreciate the commission working with us. They did everything very professionally and tried to get it to the proper posture.

But it's important that you understand that if we're being held to account that we had an improper petition, there's a reason for it. It wasn't supposed to be a petition at that time. That's why it's not signed and dated. It was a draft.

The response that was received by my client is that there would be a meeting and they would follow up. This was done on July 17th and not too long after this petition was filed -- or draft of a petition was filed as being a formal petition.

Now, I ended up coming into the game a little bit -- in August 1st, so some of this your counsel

might know much better than me, but this is what I had before me.

Immediately I contacted Mr. Marshman, requested any additional information, and I received a clerk response dated August 15, 2023. Part of the confusion that occurred is staff on site asked follow-up questions, because they were aware there were a couple systems that we were going to change on it. It wasn't just Cloud based.

But on about September 11th, there were questions from staff in South Florida saying that we understand you're going to do a new accounting system as well. How are they going to interact with a Cloud-based system? That's where some of these questions that appear to have created confusion came from.

So we received questions from two areas and they were the best-intended questions, they honestly were, but they started less than 30 days after that August 15th letter.

So as we got these on September 11th, they were formally sent to us -- well, I shouldn't say formally, but there was an email that contained these questions that was dated September 27th.

If you end up looking at the document, you can

see two parts. The first part addresses what came from one letter that ends up addressing those questions. The second part was from that email, and that's why the time frame ended up going a little bit longer, because there were follow-up questions that came.

Now, the response to those questions was submitted October 13th. There were follow-up questions that were sent November 9th, and a response was submitted to counsel. I will tell you it was my fault. I think it was about three days late. It was right around December 16th and with the holidays, honestly that was -- I appreciate the commission being able to accept something three days late.

That was emailed to Ms. Stinson. And in an attempt to make sure that it was received, there was another email to Mr. Marshman, which he appropriately did confirmation the exact same day, which was December 18th.

Since that December 18th communication, we're now 80 days out. So it's been 80 days in addition to having all of this information before them in May.

So in abundance of caution trying to find out

the status for my client, on January 7th an email to Mr. Marshman, which I understand he had some reasons to be out, understandable, but after that there was no response to the email. In abundance of caution again an email to Ms. Stinson January 10th, no response. Email to both on January 23rd, 2024, still no response.

I did receive a call prior to the February meeting pertaining to the fact that we would not be on the agenda, but there was no issue raised to us at all that there was a reason to oppose the petition or that there was anything substantively that we needed to provide an answer to.

That's about 45 days that we're looking at from when this was submitted to the February 1st meeting that you all had. I stood before you and tried to keep it between the lines without seeing the substance of the petition, but mentioned to you all that time was ticking on this element.

And this is partially why is because now we're at this far along and if we have anything procedurally that happens today, there's no buffer for you all to end up working with. We're not at less than 10 days before we've had our 90 I think if my math's right. I might be off by a day.

I have received a telephone call like I said from Ms. Stinson saying we wouldn't be on the agenda, but the communication I received two weeks ago, so that it's put in the proper context, where apparently I was put on notice of what was going to happen is the totality of what I was provided is that they were going to recommend a denial. What was going to be denied, I didn't know until I got here. I was not provided documentation. I was not provided a memorandum. I was not provided any of these things.

I was given a board and on that board I tried to take pictures and understand what I was talking about without the opportunity to even prepare to have questions for that meeting.

So you understand we're looking at close to 70 days after the petition came. The first time that I'm hearing there's going to be a possible denial is then.

So with that being said, my understanding from the meeting is that there was concern about how another rule might apply to my factual situation. That's very fair, but that's not the question before you all today. The question is this specific rule and how it applies.

Even if you approve this rule, we still have to follow all the others. It's not a blanket petition. We have not cited to another rule where we suddenly get a get-out-of-jail-free card on it. It is this one narrow area. So hopefully we'll have further discussion with some of your team so we can communicate with them. And if they determine that there's another area that we need a variance for, we'll file another variance for that as well.

But for the petition you have before you, and again I'll try and wrap this up because I know I'm taking a long period of time, is specifically for this subpart of the rule and how it applies in our situation. We were asked how it affects us and some of the constraints that are legally put forward to us. There are eight total licensees that this rule applies to including us.

So when you talk about how does this put you in a position compared to the rest of the industry, there isn't a whole lot of the rest of the industry to present to you as far as what they're doing. And some of it honestly they don't share with each other.

But what I can tell you is we provided data

that shows that over $50,000 a year will be saved by my client by this process. They ask for money, we're telling you money, but more importantly security is going to be provided for this information.

The more locations that you keep data, the more opportunity for people to try and access it. This is to protect our systems. We exist in multiple jurisdictions throughout the country, and I'll also share with you as we've rolled this out nationwide, Florida is the only one so far that's given us any pushback. It's already been approved in multiple jurisdictions, Pennsylvania is the only other one that we've been asked follow-up questions on. This is not some form of voodoo that we're asking you all to look at. It's a very simple question.

Now, I can stand here all day and end up having staff try and find ways to say no, and maybe some of it has merit but the question is why. Why are we looking for a reason to say no at a partnership for something that honestly is this narrow. And if there is a further variance needed, I look forward to communicating with you and filing it with you soon. It would be really nice to have

this same conversation two months from now.

VICE CHAIR BROWN: Thank you, Mr. Zachem. Thank you.

Commissioners, I'm going to give staff an opportunity to respond to some of the comments made first before -- if you have questions for Zachem -- Mr. Zachem or staff.

Ms. Valentine or Mr. Marshman, would you like to respond to some of the comments?

MR. MARSHMAN: Again I think we'll do a tag-team approach here. Strength in numbers. For the procedure that was presented, if the commission has any specific questions about staff on how we handle this, I'm happy to address it.

But as I stated a month ago we've already done more than what the law or the rule requires here for this petition in terms of working with petitioner's counsel and trying to tease out the exact issues.

I understand that this is not going the way petitioner's counsel may have anticipated, but we've already gone above and beyond to try to do as much as we can to get this across the finish line. But as petitioner's counsel stated, he -- this is a complex issue. He may not understand all the exact

workings of how the Cloud works. You as regulators, however, must to make these decisions that you're about to make.

And as I stated a month ago, this is statewide industry. These are slot machine licensees. They are the revenue producers for the state. These are the most regulated entities that you have on your plate.

So what you do with one will have an impact on the entire slot machine gaming industry in the State of Florida that is licensed by you. So this does have a serious statewide impact, even though it may seem at first glance to be insignificant, minor. I don't believe that's a fair characterization and that this will have industry-wide implications.

So again if the commission has any questions about the procedure, I'm happy to answer that. But if not, I would like to again turn it over to Ms. Valentine to address the substance of the petition that is currently before the commissioners.

VICE CHAIR BROWN: Thank you. Commissioners, any questions on Mr. Marshman?

COMMISSIONER DRAGO: No.

VICE CHAIR BROWN: Ms. Valentine.

MS. VALENTINE: Elina Valentine for the record. As a preliminary matter everything that Mr. Zachem has testified to today that does not relate to the initial submission and the subsequent two responses cannot be considered by the commissioners.

The record for this petition closed. It closed in December when the second response was filed and the 90-day time period began.

Section 120.542 does not contemplate a process where once the 90-day time period has began and the time period for requesting and providing additional information has terminated that the record can be supplemented or amended or just be verbalized to the agency head, such as the commissioners.

And the reason for that is the industry and members of the public as a whole have a right under Section 125.42 and Rule 28-104 of the Florida Administrative Code to review the documents that are submitted with a petition for a variance or waiver and to have an ability to comment on such documents within 14 days of the submission.

And -- and in addition, the members of the industry, members of the public as a whole can

request copies of the documents that are submitted. The submission has to be in writing. Anything that is just spoken or testified to would violate Section 120.542 if it is considered. And as Mr. Zachem -- as Mr. Zachem's client and as the commission, we all have to follow Florida law, so that is the preliminary matter.

The second item I want to address relates to the substantial hardship that is mentioned by Mr. Zachem, which is the extra expense. And this is explained in detail in the memorandum, but when I had stated earlier as I state in the memo, the commission does not have sufficient information relating to the waiver from the rule that Mr. Zachem has requested.

And the reason for that is because the information that was provided regarding the substantial hardship deals with the requirements of a separate rule that is not mentioned in the petition.

The -- the rule from which the waiver is requested deals with the matter of saving data to removal storage device. The information provided in the petition for the hardship, reasons for the waiver relates to storing the data on premises.

That is in a separate rule.

Furthermore, while I understand that Mr. Zachem wishes that certain parts of the petition are just not considered by the commission, including remote access into potentially the facility-based monitoring system, the record is the record. Everything that has been submitted has to be considered.

If there is any explanation or if Mr. Zachem wishes to submit a new petition that does not include that information, he's welcome to do so. If you have any other questions, then I'm here to answer them.

VICE CHAIR BROWN: That was a very succinct explanation. I appreciate that too.

So the petition before us is regarding the FB, we call it. You refer to it as the facilities-based computer system, FBCS, which has triggered after the supplemental data that was provided by the petitioner back to the staff triggered several other rules based on the facts and explanation of how that operation Cloud system would work.

A hardship that is being met is not -- is not attached to the rule petitioner is seeking, but

rather one of the other rules that would have been triggered just to kind of sum up what you stated.

MS. VALENTINE: Yes. That's correct, Vice Chair Brown.

VICE CHAIR BROWN: Commissioners, I know Commissioner D'Aquila's got one.

COMMISSIONER D'AQUILA: Well, first I want to add as a commissioner I fully appreciate the effort of your client, they're trying to do. We're no stranger to what is the current trend among large organizations deal with threats of both cybersecurity, efficiency, protection of data, growing their business in the most efficient manner.

So your opening point I think we are sympathetic to that. I think -- it appears to me, though, this reminds me very similar readings of many state tax codes don't get updated.

And we have -- perhaps maybe one thing that is confusing this is the statutes when they were written many, many years ago if one were to look at instructions and statutes in other places, one might see words like mimeograph and Telex and what is storage and where is it and so forth, not necessarily written for the year 2024, so years.

And it's natural that your client being as significant a player in the industry is going in that direction.

However with that said having come into this later, I can't help but wonder -- it seemed to me the original request was for demonstration of substantial hardship and whether it was the 55,000, 53,000 for the additional cost of maintaining a redundant, albeit older system simultaneously to meet the requirements of the statute while simultaneously investing -- and it's not inexpensive running a Cloud environment. I'm very familiar with that.

If that is it, the first request for the variance I think, if I'm not mistaken, I'm going to ask our counsel the same question, why was that not just put right out from the very beginning that we are -- our hardship, our economic hardship is the cost of the Cloud and (technical interference), how did we get to this? Question for counsel -- for the commission.

MS. VALENTINE: Elina Valentine for the record. Again the cost -- the information regarding the expenses that was provided in the petition is -- is information that is required by

different rule, and that is the storage of this data on site.

As to why it was not provided in the initial petition, I don't have an answer for that. I think that is a decision that was made by the petitioner. There was a follow-up request -- there were two follow-up requests for additional information from the commission asking for the required information by statute.

One of them was to please identify this -- how the application of the rule would violate a principle of fairness or would create a substantial hardship. In the second response, we received an explantation of the substantial hardship. Unfortunately that is not a hardship that is created by the rule from which the waiver is being sought.

Because the waiver from -- that is being sought is from the requirement that this backup data is stored -- is stored on a removable storage device. The requirement that this removable storage device once it is created is stored on site, on premises at PPI is in a separate rule, a rule that is not contained in the petition. And so because of that, the petition itself is legally

deficient.

VICE CHAIR BROWN: Commissioner Drago.

COMMISSIONER DRAGO: Personally I feel we got enough information adequate to make a decision in the information memo and -- and accompanying documents that we've received.

But I -- but I do appreciate you coming in and I do -- I do because I do -- I am concerned and want to certainly be sure that we, the staff, and the commission is providing everything that we need to provide and working closely with petitioners to make sure that everything is done fairly and properly and openly when they -- when they do this process.

And I feel very comfortable that the staff has done everything they possibly can to try to work this out and try to accommodate -- accommodate the petitioner to ensure that everybody's treated fairly.

So I'm personally satisfied with that part, which is -- which is concerning to me or important to me as I hear this from Mr. Zachem and go over everything, I'm satisfied with that. I'm satisfied with -- with the material that's been provided as it relates to the merits of the petition as well,

so.

VICE CHAIR BROWN: Thank you.

Mr. Zachem.

MR. ZACHEM: Thank you, Commissioner.

And just for clarification, I keep hearing something over and over again that I don't think is correct. We've already been approved for off-site storage. We don't have it on site.

It keeps being mentioned that it's on-site storage. The rule contemplates off-site storage and this was a matter that was resolved with the Division of Pari-Mutuel Wagering three years ago. I guess that wasn't included in the record either, but we've already been approved for that, so --

VICE CHAIR BROWN: Thank you for your clarification.

Ms. Valentine.

MS. VALENTINE: Mr. Zachem under -- misunderstands the rule. So the rule from which the waiver is requested does include an additional storage requirement to the on-site premises and that is a 120-day on site or off-site storage requirement that is for a copy of the backup data.

So the way that the rule is drafted and the way that the rule reads is that this facility-based

monitoring system data has to be daily backed up to removal storage device.

And then the rule goes on to read as the rule was produced in the memo that in addition to the requirements of Rule 75-14.080 this -- a copy of the backup data has to be stored for 120 days on or off-site premises in a fire and water resistent storage.

What Mr. Zachem is missing is that there is this requirement under Rule 75-14.080 and that is where the on-site premises storage requirement is set forth and that is a rule from which a waiver was not requested in the petition. I explained this information to Mr. Zachem at the meeting two weeks ago.

VICE CHAIR BROWN: Thank you for that clarification.

Yes. So I'm clear on the three rules that are really impacted by the petitioner's initial request and supplemental materials. I do want to also give big compliments to staff for going the extra mile and really trying to help guide the petitioner on this process and identify the areas of -- of concern.

And then I did want to just ask Mr. Dillmore

too just generally an overview -- I mean, some of these rules may be -- you know, they're from years ago. I think Commissioner D'Aquila stated it very well about companies do -- are -- are gearing towards Cloud storage.

The actual request in general, just a general term, it's not an unusual request but for I think the -- the rules that we have in place and as well as the actual petition and the compliance with the substantial hardship.

In fairness facts that were presented and the petitioner -- I just -- the big one for me is the -- the remote access rule. That one causes me consternation because of the susceptibility of security intrusion and the lack of internal controls. I get why we have that rule. I get why we have the other rules, but they predate a lot of the newer technology.

Do you want to just opine or comment?

MR. DILLMORE: Yes, Joe Dillmore for -- for the record. I won't get into the legal aspects of this at all. I think Ms. Elina and Mr. Marshman handled that quite well.

Sure that some of the rules in which slots were first contemplated were 2006 I think when the

Constitution Amendment came. I think the -- the rules were probably developed within -- within a year time frame after that.

There have been some amendments in different areas through the years, but certainly technology is -- is moving rapidly and particularly in the Cloud storage and other types of available technologies to store such data.

But be that as it may, the rule is still existent and has multiple reasons for it, it forces data redundancy and things of that nature. I don't think the concept is horrible as long as we understand what the scope is that's -- what's being asked in the petition.

So I think those things that you really need clarity on to approve a waiver so we exactly know what things you're touching in this petition, particularly remote access like you have referenced. And those instances we get very concerned about someone off site, maybe another jurisdiction or another state, reaching into the data that's stored on site and that's in the real time monitoring system of all the slot machines and all the data.

I mean, that's -- you know, you've -- you've

kind of heard that old saying, you know, the data's only good as what your inputs are. So you have bad inputs or changing things, we don't have good outputs as far as the coin and state revenue and net revenue to the -- to the industries.

So with that being said, you know, these might be things that are right for -- for future consideration for general rule changes. Like we actually recently had a workshop on cashless, which is a new concept in technologies that we're viewing and certainly that can be considered in the future.

VICE CHAIR BROWN: Appreciate that. Thank you, Mr. Dillmore.

I just wanted to kind of talk generally although -- what, before us is -- we have very, very -- four corners that are pretty limited in what we are, but I did want to get some feedback on the actual substance.

Commissioners, any additional questions or comments? Commissioner Repp.

COMMISSIONER REPP: I just wanted to say that I do empathize with the issue that that time constraints -- time lines that we're working with that you brought up, everything that we've done either by statute, or by rules that we have here in

Florida and technology is not always contemplated (technical interference).

However time lines are (technical interference). But we have to read these (technical interference) just because we don't, but I do understand the frustration that -- everybody's frustration from time to time (technical interference), but do I feel that...

VICE CHAIR BROWN: Thank you, Commissioner Repp.

Commissioner D'Aquila.

COMMISSIONER D'AQUILA: Just one more question. With regard to the remote access that -- that's proposed storage in the Cloud unlike, use your example of floppy or flash drive, physical copy that maintains the integrity of the data, how is that data, that integrity at that point in time protected from anyone accessing for 120 days under the scenario you present?

MR. ZACHEM: How is it protected, is that --

COMMISSIONER D'AQUILA: In other words, I believe the spirit of the statute is that once that date has ended, that date -- the data is lost. It can -- and is available for audit, cannot be altered by another party after that point in time.

I mean, every day is a day and every day begins a 120-day clock, do I understand that correctly the backup, Mr. Dillmore?

MR. DILLMORE: It seems to be the spirit of the rule, that's a moving window. It's not --

COMMISSIONER D'AQUILA: So my -- and excuse my question if -- if it seems simplistic, but how is that accomplished in the scenario presented here by your client?

MR. ZACHEM: Excellent question. And the drive for this is to create more security, because with -- counsel is correct. There are requirements to keep things on site, but there also are elements of backups that end up being kept off site.

The more locations that you have that people can access, the more vulnerabilities you have. If all data is kept in one Cloud storage so that all of the security team can protect it, to be able to do so that is part of our business. It actually is a higher level of security.

And I'm sure, Commissioner, you've seen that there have been challenges with the security in the gaming industry just within this last year. This is to offer more security.

And again I can read the writing on the wall

as far as where y'all are going to go, but this is just for this one part of the rule. If there is another part of the rule that we have to follow, we still would have to. And if counsel is suggesting that, we will submit another variance. I would ask you to approve this narrowly tailored for this one area, because it will help us with that security.

I hope that answers your question, sir.

COMMISSIONER D'AQUILA: It does. It answers -- I understand, but what I don't understand is does it maintain -- my question was directed more towards the auditing of compliance, which is very sensitive to the commission on that particular day, and the question was not about overall security.

The question was about the integrity of the data on that particular day and I provided the example of if I take the data and place it on a flash drive, excuse me, and that flash drive is locked up and I'm auditing that data, albeit 30 days later, I can be assured nobody has touched that data.

So I'll repeat my question, which is: What under the scenario you have presented accomplishes the same objective, which I believe is the

objective of the statute that has been referred to in this particular instance?

Again I'll ask counsel to correct me if I'm incorrect on that. Yes.

MS. VALENTINE: Elina Valentine for the record. You are correct.

COMMISSIONER D'AQUILA: Thank you. I'll leave the question with you, Mr. Zachem.

MR. ZACHEM: I apologize I misunderstood on the first attempt. No, the integrity is going to be maintained. I date myself back to flash drives as well, so I guess that shows about where I am on the scheme of things.

But all of the data is required to be limited as far as any access. It is only going to be accessed by the same points that access it currently, which are going to be law enforcement, they're going to be by the Gaming Commission. Nothing changes there. It's just literally what medium it's being stored on. There's not going to be an access that's going to change at all.

So if you're asking about integrity, there's no one able to go in and manipulate it that would be any different than if they could now, which I couldn't imagine a scenario where they could.

This would actually protect against that more so, because if you had a hacker come in or someone like that that were able to get ahold of data or if you ended up having -- God forbid a hurricane end up striking where your data center is or something like that, this protects it more so than you would have had before.

COMMISSIONER D'AQUILA: I think I understand your answer, but I think where we're differing here and understanding is I understand the security and all the protections that are offered by the Cloud. I've actually been a part of building Clouds, so I get it.

What I don't -- I almost -- thinking about the statute here and it almost seems both can be accomplished by doing both, right, the -- what's the -- the way the statute's written now you could be in compliance by simply doing a backup in the original -- well, with the legacy method fashion.

We've been using the example of flash drive but yet continue to operate your business in the Cloud and I fully understand and appreciate that, albeit I do understand there's an additional cost until the statutes have been upgraded perhaps to deal with it. Is that not where we're going here?

MR. ZACHEM: Yes. And just for clarity, the statute doesn't address it, it's just a rule. And I -- I'm a lawyer, so I got to do that nuance. The statute doesn't address it, it's rule, but, yes, you are a hundred percent correct, sir. There's nothing that would prohibit some element of dual backup.

But again if you end up doing that, it does explore -- expose more locations. The idea is to reduce points of entry. In computer world the fewer points of entry you have, the more security. You're right, could they do it, yes, but then it generates actually another point of entry.

COMMISSIONER D'AQUILA: Thank you. I think I understand the situation and I appreciate your candor on the subject.

MR. ZACHEM: Thank you, sir.

VICE CHAIR BROWN: Thank you. Okay. I think it sounds like from the bench that we are prepared to move forward with the petition as presented before us. Again the burden of proof is on the petitioner under Section 120.542 of Florida Statutes, and I think we are right for a motion now based on the petition as presented.

Commissioners, either Commissioner Repp or

Commissioner Drago or Commissioner D'Aquila.

COMMISSIONER DRAGO: I'd like to make a motion to deny the petition -- excuse me, deny the petition.

VICE CHAIR BROWN: Could you please also note that without prejudice?

COMMISSIONER DRAGO: Yes. Without prejudice, yes.

VICE CHAIR BROWN: Is there a second?

COMMISSIONER REPP: Second.

VICE CHAIR BROWN: Is there any further discussion on the matter? Being none all those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Thank you. Thank you, Mr. Zachem.

We are moving on to Items 3.1 through 3.3, of default final orders. Mr. Klein.

MR. KLEIN: Yes. Thank you. For the record this is Joseph Klein. Good morning.

We have -- 3.1 is Florida Gaming Control Commission versus Lucasindre Remy, Case Number 2023-014450.

In the meeting materials you've been provided with an administrative complaint that was filed

against the respondent who is permanently excluded from Calder Casino effective April 17th, 2023, for capping his bet.

The respondent was served via publication and failed to respond. He is therefore subject to permanent exclusion from all pari-mutual and slot machine facilities in the state pursuant to Sections 550.0251(6) and 551.112 respectively.

The division would therefore ask that the commission find that the respondent was properly served, find that he failed to respond within 21 days, find that the facts in the administrative complaint are accepted as the facts in this case, and conclude that respondent be excluded from all pari-mutual and slot machine facilities.

VICE CHAIR BROWN: Thank you, Mr. Klein, appreciate the overview.

Commissioners, any questions on this item? If not, can we get a motion to approve the final order permanently excluding the individual.

COMMISSIONER D'AQUILA: I will make a motion to approve the final order --

VICE CHAIR BROWN: A second?

COMMISSIONER D'AQUILA: -- including the individual.

COMMISSIONER REPP: Second.

VICE CHAIR BROWN: All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Thank you. On to 3.2.

MR. KLEIN: Thank you. 3.2 is Florida Gaming Control Commission versus Alfonso Morgade Yoamet, Case Number 2023-049923.

In the meeting materials you have been provided an administrative complaint that was filed against respondent who was ejected and issued a permanent trespass from Casino Miami on June 28, 2023, for shaking the visual display dice machine game each time he played to manipulate the outcome. He's therefore subject to permanent exclusion from all pari-mutual and slot machine facilities pursuant to Sections 550-0251(6) and 551.112 respectively.

The respondent was properly served via certified mail and failed to respond. The division would ask that the commission find that the respondent was properly served, find that he failed to respond within 21 days, find that the facts in the administrative complaint are accepted as the facts in the case, and conclude that respondent be

excluded from all pari-mutual and slot machine facilities.

VICE CHAIR BROWN: Thank you, Mr. Klein. And he shook it 149 times and didn't have a complaint against him for property damage?

MR. KLEIN: Yes.

VICE CHAIR BROWN: Thank you.

Commissioners, any questions? If not, can we get a motion to approve the final order permanently -- permanently excluding.

COMMISSIONER REPP: Motion to approve final order, 3.2.

VICE CHAIR BROWN: Thank you. Is there a second?

COMMISSIONER A'QUILA: Second.

VICE CHAIR BROWN: All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Thank you. Motion passes.

3.3, please.

MR. KLEIN: 3.3 is Florida Gaming Control Commission versus Frank C. Hurlbert, Case Number 2023-055750.

In this case you've been provided a two-count administrative complaint alleging that respondent

was terminated as a poker dealer for stealing chips from players during live poker games.

He's therefore subject to exclusion from all pari-mutual facilities pursuant to Section 550-0251(6) as well as the suspension or revocation of his cardroom employee occupational license pursuant to Section 849-086(14)(a).

The respondent was properly served and failed to respond to the administrative complaint. The division would therefore ask that the commission find that the respondent was properly served, find that he failed to respond in 21 days, find that the facts in the administrative complaint are accepted as the facts in the case, and conclude that the respondent will be excluded from all pari-mutual facilities in the state and that his cardroom employee occupational license will be revoked.

VICE CHAIR BROWN: Thank you, or suspended. Does it say revoked or suspended?

MR. KLEIN: Well, the complaint was stating the law. The statute states it's subject to suspension or revocation. We're asking for revocation.

VICE CHAIR BROWN: I just wanted that clarification. Thank you.

Commissioners, any questions on this? All right. If not, can we get a motion to approve the staff recommendation of the final order permanently excluding as well as revoking Mr. Hurlbert's license.

COMMISSIONER DRAGO: So moved.

VICE CHAIR BROWN: Thank you. Is there a second?

COMMISSIONER D'AQUILA: Second.

VICE CHAIR BROWN: All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Thank you. Moving on to consent orders, Items 4.1 and 4.2.

MR. KLEIN: 4.1 is Luc-Hugues Genna, II, Case Number 2023-041937. In this case an administrative complaint was filed charging respondent with a violation of Rule 75-110047 for allowing a food container to be placed onto a poker table between two patrons.

There's no prior violation at hand. The commission has been provided a settlement imposing a $50 administrative fine. Therefore the division would ask that the commission adopt this consent order.

VICE CHAIR BROWN: Commissioners, any questions on this item? Seeing none, can we get a motion to approve the proposed settlement and consent order.

COMMISSIONER REPP: Motion to approve.

COMMISSIONER D'AQUILA: Second.

VICE CHAIR BROWN: All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Motion passes. Thank you.

4.2, please.

MR. KLEIN: 4.2 is Florida Gaming Control Commission versus Gretna Racing, LLC, Case Number 2023-050851.

A three-count administrative complaint was filed charging respondent with violating Rule 75-110.144(b)(1) for failure to remove an entire deck of cards when the damaged card was discovered, Rule 75-11312 for conducting transactions of chips and cash from patrons from a podium, and Rule 75-110151 for storing chips not in play in an unlocked location.

There are no prior violations of these rules. The commission has been provided with a settlement and consent order imposing $750 fine, that's 250

for each violation, therefore the division would ask that the commission adopt this consent order.

VICE CHAIR BROWN: Thank you, Mr. Klein. I know we've seen this one before and this was sent back.

I have just a question briefly. The license -- the actual individual licensees that were offending -- involved in the rule offenses, were they also cited previously by the commission?

MR. KLEIN: No. I did not find that there were any previous violations --

VICE CHAIR BROWN: I mean of the individual licensees.

THE WITNESS: That's what I mean. I'm sorry. I looked and I did not find them in the record as being cited, not to the best of my knowledge.

VICE CHAIR BROWN: Commissioners, any questions? Can we get a motion to approve the consent order?

COMMISSIONER DRAGO: I'll move to adopt the proposed settlement and consent order.

VICE CHAIR BROWN: Thank you. Is there a second?

COMMISSIONER A'QUILA: I will second that motion.

VICE CHAIR BROWN: Any discussion? All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Thank you. The motion passes.

Moving on to license denials, 5.1 through 5.5, please.

MR. KLEIN: 5.1 is Alberto Luis Ocasio, Case Number 2023-058027. The division received a license application from Mr. Ocasio on October 10, 2023, seeking a pari-mutual general individual occupational license.

After review of the application, it was discovered that in 1997 the applicant was convicted of a felony offense in New Jersey and was convicted of 13 felony offenses in the State of Florida over a span of more than 16 years from 2004 through 2020.

Applicant failed to disclose the status of the case, dispositions, and arrests at the time of his application. The applicant applied for a waiver, which was declined by the executive director. As such the division's recommendation is that the commission authorize the issuance of a notice of intent to deny.

VICE CHAIR BROWN: Thank you. Mr. Klein, I want to compliment you on your memorandum too. The formatting was very thorough. I'm really delighted and in a very clear fashion, so thank you.

MR. KLEIN: You're welcome. Thank you.

VICE CHAIR BROWN: Commissioners, any questions of this? If not, can we get a motion of a notice of intent to deny.

COMMISSIONER DRAGO: So moved.

VICE CHAIR BROWN: Thank you. Is there a second?

COMMISSIONER REPP: Second.

VICE CHAIR BROWN: All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Thank you. 5.2, please.

MR. KLEIN: Yes. 5.2 is Tamolis Mandrel Clark, II, Case Number 2023-068578.

The division received a license application from Mr. Clark on December 5th, 2023, seeking a pari-mutual general individual occupational license.

After review of the application, it was discovered that in 2013 the applicant was convicted of four felony offenses in the State of Florida:

Possession of a firearm on school property, possession of a destructive device on school property, trespass on school property with a firearm or weapon, and carrying a concealed firearm.

The applicant failed to disclose these on his initial application. He applied for a waiver, which was declined by the executive director. As such the division's recommendation is that the commission authorize the issuance of a notice of intent to deny.

VICE CHAIR BROWN: Thank you. Commissioners, is this -- another straightforward one. Is there any questions on this, Commissioner D'Aquila?

COMMISSIONER D'AQUILA: Yeah, I read the matter. I guess over 10 years have lapsed. All of these charges were one instance I guess when he was 19 years old. He's now 30 years old. He's had no other charges ever since. If I understand correctly too, he's applying for a security officer position despite all of that, am I correct?

MR. KLEIN: It is for security, yes.

COMMISSIONER D'AQUILA: Thank you.

MR. KLEIN: You're welcome.

VICE CHAIR BROWN: Commissioners, any other

questions or comments?

COMMISSIONER DRAGO: Yes. My allergies are killing me.

Yes, so this is -- this is one incident that occurred back in 2013 and my understanding from the material is that this gentleman has a security license now, Security Guard G license from what I could determine from the material. So he's already been approved for that, now he wants to get a license for security in the casino.

You know, we've -- we've tried to balance these in terms of supporting people who were trying to make a living and appeared to have rehabilitated themselves since the offense and kept themselves clean and trying to work hard and work through it and I don't see anything else that this individual's done other than that offense when he was in high school.

Not to make light of the offense by any means, but it was -- it was one offense when he was 19, '13 or -- what was it, 11 years ago, whenever it was, and he's got a temporary license I understand now.

So I just would ask the commission to take all that in consideration I guess when we look at this

and make a decision. His probation was terminated back in 2015, so I just point out some things that I'm considering and ask the commission to just consider those when we make our decision here.

VICE CHAIR BROWN: Thank you, Commissioner Drago. I agree his statement in his interview, his waiver interview was really clear about why he was carrying the gun, possessing the gun, and the fact -- I think what gives our staff confliction of when they look at these license applications is the fact that they don't disclose the offenses initially on the application, so they failed to approve the waiver request.

That's something we really need to emphasize on our applications that they need to be aware. I mean, I know it's there, but a lot of folks after a decade they -- they tend to either forget or they think that if it's an adjudication withheld that it doesn't need to be provided.

I just think some people are not as aware of -- even if we emphasize provide all -- all arrests, just bold language to make sure that they're clear, but I think that, if I'm right, Mr. Trombetta and I had a conversation about this the fact that -- we've had lots of discussions

about these applicant -- many of these that of course did not disclose their prior offenses and as such I know that you tend to -- that's a big element of a denial of the waiver.

MR. TROMBETTA: I consider the applications in their entirety. One of the factors I do look at is whether or not they were truthful and forthcoming in their prior criminal history. I believe our application is very clear in the instructions.

VICE CHAIR BROWN: I know you do.

MR. TROMBETTA: It does indicate and specifically say that adjudications withheld or any type of arrest should be disclosed.

VICE CHAIR BROWN: I know. Commission -- Commissioner Repp.

COMMISSIONER REPP: I have a couple of concerns, first of all being that it was not disclosed in the first place of -- and on school grounds I think would be something significant one would remember and I think it's quite clear in our application and, second, his interview, though compelling, says: I was there to pick my girlfriend up for breakfast.

Anyone who has a child in school knows that you don't show up in the morning after your child

arrives at school to then pick your girlfriend up to take her out of school to -- so I didn't buy the whole story to begin with.

And then reading the subsequent witness reports and the police reports, I -- I am not compelled under -- to -- I'm not compelled to believe his story that he conveyed during his most current interview.

It seems to go into quite a bit of detail from witnesses that there was a fight to be had, that there was issues there, that Mr. Clark had actually threatened to harm someone at the time.

I think his -- his interview I believe he failed to be completely honest in that particular interview also, which causes me concern when we're dealing with a security officer.

VICE CHAIR BROWN: Thank you. All right.

COMMISSIONER DRAGO: Can I ask one --

VICE CHAIR BROWN: Yes, Commissioner Drago.

COMMISSIONER DRAGO: When they leave this off the application, they get a deficiency notice just like if they leave anything else off, right. So if they -- if they don't put their address on there, they get deficiency notice.

They don't get disqualified automatically,

correct, when they leave something off like that and whether it's -- whether it's their arrest or their address or last employee -- employer or whatever?

MR. MARSHMAN: Yes, sir, that's correct.

COMMISSIONER DRAGO: He also mentioned something in his -- in his statement that I'm just curious about. He said that his lawyer told him not to -- not to report that, because it's been seven years.

Is there any basis for that at all or can you think of any reason why that would actually happen whether an attorney might misunderstand something and say something like that? I just never heard that before, so I'm just wondering if there's a possibility that could have occurred in your opinion.

MR. MARSHMAN: If I might?

COMMISSIONER DRAGO: Sure. Oh, I'm sorry.

MR. MARSHMAN: I'm sure that defense counsel at the time advised their client a lot of things about the repercussions of having an adjudication withheld for a series of felonies.

I am unaware as I sit here today about any seven-year time line that would -- that I -- if I

was doing this job, yeah, I would advise my client to wait seven years and then stop telling people about it.

Just as a note, I'm sure Mr. Taupier would have said this as well if he was here. He was sentenced to community control, which is the strictest form of house arrest that Florida has and he successfully made community control and he did not have a violation of probation.

So he is separate from other applicants that you have had in that sense that he was able to stay on a very strict regime with in my experience probation officers are looking to violate you on community control.

So I just wanted to note that as well on behalf of the applicant. Because I hear what Vice Chair Brown is saying, but also what Director Trombetta is saying. I just want to note that, so the commission can weigh that as well.

COMMISSIONER DRAGO: Thank you.

VICE CHAIR BROWN: Thank you. Thank you for the question and the point too, Mr. Marshman. Again his probation has been served, has been terminated March 23rd, 2015, his fines and court costs have been paid, and his Level 1 community

control has been served without fail, so I'm inclined to support the license.

I do understand Commissioner Repp's concerns on it -- on the matter, but at this point, Commissioners, if there's a motion to proceed.

COMMISSIONER DRAGO: I make a motion to approve the license.

VICE CHAIR BROWN: A second.

COMMISSIONER D'AQUILA: I will second the motion.

VICE CHAIR BROWN: All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: All those opposed say nay.

(Nay response)

VICE CHAIR BROWN: Three/one, the applicant gets a license. Thank you.

Item 5.3, please.

MR. KLEIN: 5.3 is Glenn C. Koelbel, Case Number 2024-000615.

The division received a license application from Mr. Koelbel on December 21st, 2023, seeking a cardroom employee occupational license. After review of the application, it was discovered that the applicant was convicted of a second degree

misdemeanor offense for promoting gambling in Suffolk County, New York in 1989, which he failed to initially disclose on the application.

The applicant applied for a waiver, which was declined by the executive director. Therefore the division's recommendation is that the commission authorize the issuance of a notice of intent to deny.

VICE CHAIR BROWN: Thank you. Mr. Klein, this is a 19 -- 1989 case. I think the individual was in his teens at the time in high school and thank you. Thank you.

Commissioners, are there thoughts or comments on this? Commissioner D'Aquila.

COMMISSIONER D'AQUILA: In the '71 matter was possession of a device, narcotics device, is that correct, such as a pipe or something of that nature?

MR. KLEIN: There were -- I believe --

COMMISSIONER D'AQUILA: The laws were probably quite different at the time?

MR. KLEIN: Yes, there were -- I believe it was possession of narcotics and possession of a narcotic device, which were misdemeanors, yes.

COMMISSIONER D'AQUILA: So my understanding is

the applicant once -- is applying for a host, chip runner host position at the age of 73, my understanding is correct having read all the (talkover) materials?

MR. KLEIN: Your understanding is correct.

COMMISSIONER D'AQUILA: To me these -- and the other charges were like appears that somewhat accusations of participating in sports gambling in a friend's bar back in 1989 and a fine was, you know, paid for such and it was enforced by the Suffolk County Police at that time.

I think my -- after reading everything, it appears to me that maybe enough time has lapsed and by his own admission that this might be -- we might consider -- motion to consider granting this gentleman a license (technical interference) to be a host chip runner.

VICE CHAIR BROWN: Thank you. Thank you, Commissioner D'Aquila. Yes, this is 40 years. In his comments he has been completely rehabilitated if you look at his past criminal record since that time.

Commissioners, the disqualifying matter is 1989 and there are no other arrests or convictions in the matter. Are there any comments or can I get

a motion to approve or deny the license.

COMMISSIONER REPP: Motion to approve the license.

VICE CHAIR BROWN: Is there a second?

COMMISSIONER DRAGO: Second.

VICE CHAIR BROWN: All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Any opposed, no. Motion passes.

5.4.

MR. KLEIN: 5.4 is Tiffany Shaunta Walker, Case Number 2024-003876. The division received a license application from Ms. Walker on January 4th, 2024, where a slot machine, cardroom, pari-mutual combination occupational license.

Upon review of the application, it was discovered that in 2014 the applicant was convicted of battery on law -- battery on a law enforcement officer, a third degree felony in the State of Florida.

The applicant didn't apply for a waiver as that is not authorized under Chapter 551. The division would therefore ask that the commission issue a notice of intent to deny in this case.

VICE CHAIR BROWN: Thank you, Mr. Klein.

Any questions for Mr. Klein? If not, can we get a motion.

COMMISSIONER DRAGO: Motion to accept staff recommendation.

VICE CHAIR BROWN: Is there a second?

COMMISSIONER D'AQUILA: I'll second that motion.

VICE CHAIR BROWN: All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Thank you. Motion passes.

5.5.

MR. KLEIN: 5.5 is Marvin M. Malcolm, Case Number 2024-006143.

The division received a license application from Mr. Malcolm on December 12th, 2023, for a slot machine, cardroom, pari-mutual combination occupational license.

Upon review of the application, it was discovered that in 2002 the applicant was convicted of driving with a license suspended habitual, a felony offense in the State of Florida.

He did not disclose this on his application. The applicant did not apply for a waiver as that is

not authorized under Chapter 551. The division would therefore ask the commission to issue a notice of intent to deny in this case.

VICE CHAIR BROWN: Thank you, Mr. Klein. This again -- this is 2002 case and the individual cannot apply for a waiver given the nature of the license.

Commissioners, are there any questions or comments on this item?

COMMISSIONER DRAGO: If I might.

VICE CHAIR BROWN: Please.

COMMISSIONER DRAGO: Again this is -- it's been a long time since this offense. It sounds like it's a driving offense, even though it's an habitual violation, which is much more serious of course, but I don't see anything else in the material that indicates he's been convicted of anything else, and that's been 23 year -- 22 years since this happened.

I think as I've said before, I think -- I can assume based on the material that he's been rehabilitated and I'll leave it at that.

VICE CHAIR BROWN: Thank you. And I guess I'll just add to yours is that the harm to the industry and consumers for which the license is

intended (technical interference) hearing none -- with that -- hearing no other comments can we get a motion to approve the license.

COMMISSIONER DRAGO: So moved.

VICE CHAIR BROWN: Is there a second?

COMMISSIONER REPP: Second.

VICE CHAIR BROWN: All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: The motion passes unanimously.

We are now moving on to Item 11.1 through 11.11, which is discussion of policies and procedures law enforcement in nature. I guess I will start with either Mr. Herold or Trombetta.

MR. TROMBETTA: Thank you. I guess just for -- for order of the meeting, I think Director Herold and I and the rest of the staff here are prepared to handle this however you'd like.

What we've had on the agenda are 11 policies, all involving our Division of Law Enforcement. And the individual briefings we've had with you all yesterday, there was some discussion points. So it sounds like some of them everybody is fine with.

You know, Vice Chair Brown, if you want to maybe see if there's an appetite to move several of them as is, but I think the use of force I think probably merits little bit of discussion and then if there's anything else that, you know, you'd like to discuss, we are here to help.

VICE CHAIR BROWN: Commissioners, if this is amenable to you, 11.2, the use of force, we're going to take that after we get through the other ones.

Are there any major policies that you'd like to -- or questions that you'd like to go over? We'll have Mr. Herold just do a brief summary of the policies that we'll be voting on, but if there are any ones that you have questions on beforehand.

COMMISSIONER DRAGO: Just for clarification, so director will go through -- at least give the title of each one, go through for the record?

VICE CHAIR BROWN: That's right.

COMMISSIONER DRAGO: If we have any discussion, we can --

VICE CHAIR BROWN: Yeah, absolutely. And we'll -- we're going to move 11.2 to the -- the end of the policy...

Okay. So can we just start with 11.1, just a

brief summary.

MR. HEROLD: Carl Herold, Director of Gaming Enforcement. Thank you, Vice Chair.

So I'll go through these. We have as -- excuse me. I'm sorry. I'll go through these. We have 10 new policies, one that -- that we've done some edits on and I'll give you some information on that when I get there, and I think we are going to pull one of these policies so that we will not take one of these up right now. It will be the domestic violence.

VICE CHAIR BROWN: 11.9. Okay. So let's just address 11.1 and the others and then go back to 11.2 at the end. Does that sound good?

MR. HEROLD: Yes, absolutely. I'm sorry. I was looking for 11.1 if -- the first one that I see here is 2.03.01, which is public recording of law enforcement, and just so that there's complete understanding from the commission.

You know, a lot of these policies are meant to provide direction to law enforcement so we handle our interaction with the community in an appropriate way. And this is one of those -- it just simply reaffirms to our law enforcement agents that persons have a right to lawfully record any of

their activities while they're performing official duties. It just provides guidance to them and understanding on we don't violate anybody's constitutional rights to record us.

VICE CHAIR BROWN: Thank you, Mr. Herold.

Commissioners, any questions? Okay. We're going to take a motion at the end of -- after you're done.

11.3, which is foot pursuits.

MR. HEROLD: Thank you. Foot pursuits, this is just a policy that helps the agents understand when they should decide or initiate a foot pursuit and then also helping them to understand and balance the -- the objective of apprehending a suspect and the risk of potential injury to themselves should they continue a foot pursuit.

So once again, it's guidelines that we ask our agents to consider if they should consider a foot pursuit.

VICE CHAIR BROWN: Thank you.

Commissioners, any questions on -- okay. Thank you.

11.4, which is personal communication devices.

MR. HEROLD: This particular policy just reiterates to our agents that we issued them

division-issued communication devices, phones, and that they can also carry their personal phones with them, but that there are certain limitations and activities that they can partake in as it relates to personal devices and what -- that they should be doing business on business phones.

VICE CHAIR BROWN: Thank you. Makes sense. 11.5, temporary custody of juveniles.

MR. HEROLD: This particular policy is driven so that -- just for clarify for the commission is that all the things related to juveniles, whether it be the holding, temporary custody, or keeping them safe if you take them in a temporary capacity where you're trying to reunite them with either their family or a caretaker.

There are a lot of both state and federal rules and also accreditation rules related to this, and this is simply a policy that provides guidance to the agents on how they would handle those in all the disparate types of situations they may come in and interactions with these -- and the juveniles.

VICE CHAIR BROWN: Thank you, Mr. Herold. And, yes, it notes a lot of the federal and state local statutes in that rule -- policy, pardon me.

Commissioners, any questions on this one?

COMMISSIONER DRAGO: No.

VICE CHAIR BROWN: 11.6, medical aid and response.

MR. HEROLD: Medical aid and response is simply a policy that states that all the agents and other folks that are within the -- the Division of Gaming Enforcement should be trained on how to provide emergency medical aid and facilitate any kind of emergency medical response.

And to that end we -- we provide first aid training, AED training is on the books to provide to our folks, and also some of the other first responder type training.

VICE CHAIR BROWN: Thank you.

Any questions on this one?

Moving on to 11.7, foreign diplomatic and consular representatives.

MR. HEROLD: The best way to explain this is that the rules associated with dealing with foreign nationals is quite complex.

And to appropriately handle that, we have a policy -- this is pretty typical in law enforcement, because there are the occasions where you interact with somebody that is from another country or foreign diplomatic representative, and

this simply gives them guidance on how to do that without creating some sort of incident.

VICE CHAIR BROWN: Thank you.

Commissioners, questions?

COMMISSIONER DRAGO: No.

VICE CHAIR BROWN: 11.8, please, major incident notification.

MR. HEROLD: So major incident notification is simply a guidebook for agency and for folks like myself on how we would notify the upper staff and administration on any type of incident that would be either newsworthy or involve an injury to one of our employees or something like that.

VICE CHAIR BROWN: Thank you. Mr. Herold, just a question on page 2 of that policy under criteria for notification, just the last bullet point says: Any other incident that has attracted or is likely to attract significant media attention, just a pretty vague, subjective --

MR. HEROLD: If you don't mind it really is intentionally vague and subjective in that we don't know what might be important and so -- and oftentimes any of the things that don't fall particularly within the other bullets that are on there sometimes do have relevance and have

significant impact.

And so we don't want to give too many -- we want this one to be specifically vague so that they can think outside the box and let us know.

VICE CHAIR BROWN: Not necessarily related to the gaming industry or --

MR. HEROLD: Exactly, exactly. It could be some incident that an agent occasions upon and could be something that is newsworthy that -- in some fashion.

VICE CHAIR BROWN: Skipping to 11.10, emergency management -- oh, Commissioners, I'm sorry. Do you have any questions on the major?

MR. HEROLD: I don't have emergency management.

VICE CHAIR BROWN: It's 02.63.01.

MR. HEROLD: The last one I have is volunteers.

VICE CHAIR BROWN: In our materials we've got emergency management plan, two pages. It's pretty straightforward, about the EOC operations.

MR. HEROLD: So this one is -- this particular policy is about response to emergencies as dictated by, you know, emergency response plan. These are for the most part issues that are taken -- come

from -- come to us from the Division of Emergency Management. They ask for response by us in our law enforcement capacity to help protect the persons and property of individuals, I'm sorry.

VICE CHAIR BROWN: Thank you.

Commissioners, any questions on this item? Thank you. We are going to volunteers and then use of force.

MR. HEROLD: So volunteers -- thank you. Volunteers, this particular policy is to set guidelines -- set guidelines and rules in place for volunteers that we have and somebody might say, well, what type of volunteers are we typically referring to here, and that is part of our overall interaction with the community.

In helping to foster future law enforcement officers is that we are partnering with FSU and some other organizations to have students that are trying to get their criminal justice degree, they can come and intern with -- with the Gaming Commission and get that experience to kind of help them understand how law enforcement functions and better drive them in their future careers.

VICE CHAIR BROWN: Commissioners, any questions? And then back -- our last one, 11.2,

use of force, on yours 02.04.01.

MR. HEROLD: Yes. Use of force. This particular policy is one that you've seen previously. And the reason we're bringing it back to you is because after some feedback from stakeholders and from agents, what we've attempted to do here is help clarify language to make it a little better understood and -- not that there was any problem with it, but we wanted to make sure that we provided clarity to the agents and law enforcement personnel and also met the needs and requirements of our stakeholders.

VICE CHAIR BROWN: Thank you. I'm going to turn it over to our law enforcement commissioners here, whichever, Commissioner Repp or Commissioner Drago.

COMMISSIONER REPP: Yes. I'm happy to see some of the concerns that I had have been addressed. However the copy I got right now is the most current or --

MR. MARSHMAN: If I may?

COMMISSIONER REPP: Yes, please.

MR. MARSHMAN: I can speak to that. Based on some of the feedback we received from the commissioners individually yesterday, last night

Carl and his team prepared additional edits that were sent to the commissioners late last evening.

If we would like to discuss those edits now, I think we just need to read them out clearly into the record so that members of the public know exactly what we're talking about.

But to your specific question, Commissioner Repp, if you have a version that has two phrases highlighted towards the beginning of the policy, that is the version that I would like -- or I would suggest that the commission read aloud and discuss today so that we can move the policy forward.

And if additional changes are needed, we can always make those as well. We're not bound to anything here. We just have to have the discussion in public and make sure everything is saved for the record.

VICE CHAIR BROWN: Thank you, and read into the record?

MR. MARSHMAN: Yes, ma'am.

COMMISSIONER REPP: Thank you. My concern, harking back to previous discussions about policies not aging well or rules not aging well, it still remains here in both of A and B under duty to

intercede: Any special agent present and observing another law enforcement officer or a member using force, and then B is: Any special agent who observed.

Do we want to take out "present" in A as -- as I would note that there are occasions now that I have seen in military and some police forces where people can't observe actions taking place real time without actually being present or if there's a reason why we should keep present, should it be in both? Thank you.

VICE CHAIR BROWN: Commissioners -- I'm sorry, Mr. Marshman or Mr. Herold.

MR. MARSHMAN: I would defer to Mr. Herold.

VICE CHAIR BROWN: Mr. Herold.

MR. HEROLD: Thank you. The distinction between the two, and I thank you again for your comment, Commissioner, was that there was a -- the first bullet A speaks to being there at the scene and observing actions taken by another law enforcement and that the actions -- the key set of words here is clearly beyond what is objectionably reasonable under the circumstances.

And so obviously something that is taking place that's clearly beyond the necessary amount of

force needed to do whatever it is that they're trying to do, we have a duty to intercede under 943.1735.

The second bullet is that it's not clear. It's not clear that what's actually occurring is objectively unreasonable for the situation. And so what it says is that if there's a situation where an officer observes this kind of conduct and they believe it's potentially beyond, they should just report it if -- if there's some question about that, and so that's the distinction between the two.

Did I answer the question?

MR. MARSHMAN: If I may?

VICE CHAIR BROWN: Yes, please.

MR. MARSHMAN: I think just to add on to what Director Herold just noted. In Sub A there is also the duty to intercede. When I was reviewing this policy last night, I was unclear how an agent viewing in a remote capacity would then be able to intercede.

So I think the -- the commission is -- is definitely understanding Commissioner Repp's position on this. Like I think that it is reasonable to expect that people will be observing

our agents in the future remotely. I don't know if the statute is written in such a way to contemplate the remote observation in conjunction with a duty to intercede at the scene, at present.

So we're open to making changes to this policy. Still I think we may have to modify it on the back end of the policy to clarify exactly what intervention would look like, maybe communicating to an agent who we know is present could be something. We can make that change as well.

I just to your point, Commissioner Repp, the statutes are frozen in time and we're trying to -- to work with it too. So I think changing the intersession, I don't know how to conjugate that word. I don't know how to exactly phrase that, but I think we can work on that part hopefully with your guidance as well.

VICE CHAIR BROWN: The goal today, though, is to get these 11 policies approved, and this one particularly because we've already seen it before. So even if we need to take a five minute, ten-minute recess so that we can read the language directly, that may be helpful.

MR. MARSHMAN: I agree and perhaps if we can use the time to go through the rest of the proposed

changes too so that the break we have can be maximized in futility.

VICE CHAIR BROWN: Great. Thank you.

Commissioner Repp, you still have the floor.

COMMISSIONER REPP: No, that was very helpful. Thank you.

VICE CHAIR BROWN: Commissioner Drago.

COMMISSIONER DRAGO: Just a comment on that. Yeah, I think -- well, A and B are different in that the first one is you know it's illegal, the activity is illegal, the force is illegal. The second one is it potentially could be illegal.

And in the first one you are absolutely mandated to intervene. The second one you have to at least report it at some point, that this -- potentially unreasonable force was used at some point.

I think the present like Commissioner Repp brought up I think was a little bit confusing to me too because -- but you just answered it I think, Mr. Marshman.

If someone's not present, how do they know that there's unreasonable force being used at the time, but it could -- it could occur after, it could be something they see on a video, something

they could be told by another officer, or whatever the case may be.

So the agent wouldn't have to be present in order to be -- in order to learn or suspect that there was some unreasonable force used, but I think the difference between A and B is clear in that officers are often -- and it's often like this in policies across the country.

Often one that there is a difference between what is clearly unreasonable force and what may potentially be in your opinion especially since you may not have all the facts as to what was occurring before you got there and those types of things.

So I think -- I think this is trying to differentiate those two -- those two issues for clarity for -- for the officer who has to -- who has to understand that he also has to -- and while it is his duty to intervene without doubt, he also has to be careful when he makes that call. That it's not just automatic, that he's got -- he has to be careful when he intervenes -- intercedes in some type of police action.

VICE CHAIR BROWN: Mr. Marshman.

MR. MARSHMAN: I think a five-minute break for staff to wear one hat at a time will be very useful

and I think we can create some language that addresses the commission's concern so we can get this policy through today.

VICE CHAIR BROWN: Would now be right?

MR. MARSHMAN: Well, I think there are some other (talkover) that if there are no I guess suggestions made to it, we should at least note -- we should at least make them part of the record, because this was something that we sent last night just so we could get it done today.

So if you would like, either Director Herold or I can just go through the remaining changes.

VICE CHAIR BROWN: Commissioners, if you -- yes, Commissioner Repp.

COMMISSIONER REPP: Just for the rest of it I have no other issues and I understand A and B are two different policies as they read differently. My only interest is in the word "present." Thank you.

VICE CHAIR BROWN: Thank you.

Commissioner Drago, you want to move forward and --

COMMISSIONER DRAGO: Sure. Yes.

VICE CHAIR BROWN: My CPA colleague I know wants to move forward.

So with that, Mr. Marshman, can you please go ahead, unless Mr. Herold wants to do it, and read the redline changes that you sent last night.

MR. MARSHMAN: Director Herold, would you like me to go through these? I've got them pulled up in front of me. Okay.

So we were already discussing just previously under the policy duty to intercede and report. In Subsection B of Section 1 we changed "should" to "shall" in the second to last line and we also changed more of a formatting issue on the first paragraph.

Under "perspective," which is Subsection A of Sub 2, I'm just going to try to give you some perspective. We have omitted the phrase "observing or" and have just included "when reporting force," that's how it now reads.

And we have also omitted starting at the second line starting at and, "and the possibility that other law enforcement officers may have additional information," we have struck that. So the sentence now reads, "when reporting force used by a law enforcement officer, each special agent should take into account the totality of circumstances regarding the threat posed by the

subject."

VICE CHAIR BROWN: Thank you. Under 4.

MR. MARSHMAN: Well, I'm seeing changes to purpose first.

VICE CHAIR BROWN: Yes.

MR. MARSHMAN: We have omitted the statutory reference at the end of the first paragraph, so that Section 943.1735 no longer appears. And we have also omitted the second paragraph under the purpose section, and there's a reason for that. It's because we've reconfigured the policy and makes it clear later how we're terming it.

VICE CHAIR BROWN: Definitions.

MR. MARSHMAN: I'm sorry?

VICE CHAIR BROWN: Definitions.

MR. MARSHMAN: Under deadly force we have omitted, quote, very serious injury, and have replaced it with "great bodily harm," that tracks the statute more closely.

VICE CHAIR BROWN: Subsection 4, use of force.

MR. MARSHMAN: In the first paragraph we have omitted a citation again, Section 943.1735. We have also omitted what was the third paragraph that read no -- given that no policy can realistically predict, et cetera, et cetera, we have omitted

that.

In the following paragraph we have omitted from that paragraph the sentence starting with "special agents may find it more effective to," we have omitted that and provided clarity in the policy elsewhere.

There is an uninterrupted paragraph. We have suggested two additional paragraphs that I think clarify some of the content that was previously omitted.

The first paragraph reads: An agent is permitted to use any force necessary, including deadly force, to defend their life or another agent's life when faced with imminent unlawful force designed to cause great bodily harm or death regardless of whether they've been trained in a particular technique or not.

The next paragraph begins with: However in situations where an agent faces unlawful force not designed to cause great bodily harm or death, uses of physical force and weapons are authorized to be used. Agents may only use such physical force and weapons if they have been previously trained and are proficient using such techniques and weapons. Those alternatives include but are not limited to,

colon, and then a list of techniques that were previously part of this policy.

So again kind of skimming through, not skimming, I have to read all of them. In the next section under alternative tactic, deesalation (sic) -- deescalation, we have omitted the statutory reference at the end of the paragraph.

Likewise under paragraph 2, we have omitted and reconfigured to a more correct statutory citation for use of force to effect an arrest, and that statutory citation is 776.05 and 776.051.

VICE CHAIR BROWN: I think the next change is under Section 5, deadly force, Subsection A and B.

MR. MARSHMAN: Yes. Under what looks like paragraph A, we have again omitted the term "serious" and included the term "great bodily harm" instead of "serious bodily injury," that tracks more narrowly to the Florida Statute.

Again in paragraph B we made the same consistent change that again tracks to the Florida Statute, "great bodily harm."

We have also omitted the paragraph beginning with "imminent does not mean immediate or instantaneous." There are reasons for doing that. If the commission has any questions for that,

please ask. If not, we can move on to the moving vehicles portion --

VICE CHAIR BROWN: Seeing none, move on to moving vehicles.

MR. MARSHMAN: Under moving vehicles we have changed in the first paragraph the word "of" in the last line to "from," I think that makes it more grammatically correct and gives state agents more flexibility. We have omitted the second paragraph in its entirety and we have kept the third paragraph in its entirety.

VICE CHAIR BROWN: Thank you. The next changes are under 6 Subsection 2.

MR. MARSHMAN: Again this is more of a scribner's change more than anything. We have made a more correct citation to Chapter 9 -- Section 943.6872 Florida Statutes.

VICE CHAIR BROWN: Thank you. Moving to 8, supervisor of possibilities.

MR. MARSHMAN: We have clarified in Section 8 that the term is actually in the first paragraph a special agent supervisor or higher. As it was originally written it stated simply "a supervisor should," now it reads "a special agent supervisor or higher should respond," so again more

flexibility for the Division of Law Enforcement and its team.

VICE CHAIR BROWN: Thank you. Moving on to 9 (technical interference).

MR. MARSHMAN: In paragraph 1 we have omitted again a statutory citation and we have also omitted a reference to a crisis intervention incident policy and --

VICE CHAIR BROWN: That's it.

MR. MARSHMAN: I agree, Vice Chair Brown.

VICE CHAIR BROWN: So now would be a great time -- oh, Mr. Trombetta.

MR. TROMBETTA: Could I make sort of a question for Mr. Marshman for everybody, but on the record because I think it's worth discussing. It sounds like there might still be a little bit of -- I think we -- I don't think we need to break essentially.

Were there any feedback on any things that were just mentioned by Mr. Marshman that was read into the record that you'd like additional discussion or that you'd like us to consider when we take this break?

VICE CHAIR BROWN: No.

MR. TROMBETTA: It's just then the part

about --

MR. MARSHMAN: Duty to intervene or intercede while also being remote.

MR. TROMBETTA: So if we can talk about just on that one issue, but is it worth maybe like having a vote to approve everything else right now just for purposes of a clear record.

VICE CHAIR BROWN: Commissioners, so then we'll just have one policy left. So we are voting on our Agenda Item 11.1, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.10, and 11.11; is that correct -- I think that's all. We're just not voting on 11.2 and 11.9.

So if there's no other discussion, can we get a motion to approve the items listed, other than 11.2 and 11.9?

COMMISSIONER DRAGO: So moved.

VICE CHAIR BROWN: Thank you. Is there a second?

COMMISSIONER REPP: Second.

VICE CHAIR BROWN: Any further discussion? All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Motion passes. It's 11:30, does ten minutes or five minutes work? Five

minutes. Okay. We are going to recess right now and we'll be back at 11:36.

(Recessed at 11:30 a.m. to 11:40 a.m.)

VICE CHAIR BROWN: We went a little bit longer, but I think we've got the language down. The time is 11:40. We are reconvening the Florida Gaming Control Commission meeting at this time to address a -- our policies and procedures. Just one item is left, 11.2.

Mr. Marshman.

MR. MARSHMAN: Thank you. So after the recess and after viewing the statute and speaking with the Division of Law Enforcement's legal adviser as well, we believe that omitting the word "present" in Section 1A would satisfy the legal requirements, but also the practical requirements of having agents that would still be on notice that Florida law would still apply even if they are observing another agent's actions that are clearly beyond what is reasonable force in a remote capacity.

So that would I think address Commissioner Repp's concern in trying to future proof this policy. If there was some remote access viewing, I think the duty would still apply and I think the statute still makes the duty apply.

VICE CHAIR BROWN: Commissioner Repp.

COMMISSIONER REPP: Yes, thank -- thank you so much for taking the time to look that over and evaluate it and as I said complies with Florida law. I think it's probably the best way to go to as you said future proof particular rule here and hoping that rest of the commission agrees, because I feel it's something that I can agree to.

VICE CHAIR BROWN: Commissioner Drago.

COMMISSIONER DRAGO: Yeah. I'm fine with that. I just wonder how we contemplate if somebody's not present how they would intercede.

Do we -- do we -- I guess that's my question. How does somebody intercede if they're not present to -- to intervene or intercede, they're off watching another video or -- or whatever.

I just -- I just want to make sure we're not putting an obligation on someone that I'm not quite sure how we do it, so that's my question.

MR. MARSHMAN: If I may?

VICE CHAIR BROWN: Yes, please.

MR. MARSHMAN: I think Florida law does impose that obligation on the agent or any law enforcement agent if they are -- happen to be remote, they have a take some action, they have a duty to intervene

to stop the unreasonable force within the limits of Chapter 943.

So this is a problem that we'll have to tackle, but it will be a problem that all law enforcement will have to tackle across the state, so at least we're not unique and hopefully we can get some feedback from other stakeholders that may have additional resources and experiences and help inform us.

I think Director Herold is going to have to bear this in mind as he crafts the training for this policy on gaming out some scenarios that I think, Commissioner Drago, you've already kind of flagged how exactly -- what -- what exactly is intervention going to look like.

And I think that the division legal adviser can help Carl craft some meaningful training to give some agents some -- some tools on how they would have to respond in these cases.

COMMISSIONER DRAGO: Great. Thank you.

VICE CHAIR BROWN: Commissioners, are there any other questions or comments?

And I think you read it pretty clearly into the -- the minor modification is just removing that one word.

MR. MARSHMAN: Yes, ma'am. Again just for as much clarity as I can muster, this is in Item 11.2, appearing on page 2 of 12, and Section 1, paragraph A omitting the term "present" in the first line.

VICE CHAIR BROWN: Thank you for the clarify.

Commissioners, can we get a motion to approve this policy as presented with the proposed changes that were read into the record?

MR. MARSHMAN: Sorry, one note, if we remove the word present, we should also remove the word "and," so to avoid a mistake there.

The sentence will read now if my proposed amendment is adopted: Any special agent present -- strike that.

Any special agent observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall and in a position to do so intercede to prevent the use of unreasonable force, period, followed by Statutory Citation Section 943.1735.

VICE CHAIR BROWN: Yes. We're good.

Commissioners, can we get a motion to approve this item under 11.2, 02.04.01, use of force as presented with the modifications here today?

COMMISSIONER REPP: Motion to approve the use of force policy with the modifications.

VICE CHAIR BROWN: Can we get a second?

COMMISSIONER DRAGO: Second.

VICE CHAIR BROWN: Any discussion? All those in favor, say aye.

(Aye response)

VICE CHAIR BROWN: Thank you. The motion passes. Is there any -- before we get to the executive director update, any other issues surrounding discussion of policies and procedures on the law enforcement side?

COMMISSIONER DRAGO: I would like to bring up one thing as it -- as it relates to these policies. Policies as we all know is a critical part of -- of law enforcement and it's really critical that we get these completed and out and approved and so forth as quickly as we possibly can.

And we may not be able to do that in the format that we're doing it at this point and it kind of slows the whole process down a bit and I know it's frustrating to everybody involved that's trying to make this happen.

So I just want to make a suggestion perhaps to the commission that maybe we form a committee aside

from the commission itself that would sit with -- with the subject matter experts and Director Herold, attorneys, and so forth separate from the commission meeting and go over policies at that meeting and make decision either -- however the commission wants to do it, whether it's to approve them at that time or present them to the commission at a later time.

I would hope that we could have some format whereby we could approve them at the time that would -- that way we are speeding it up, not waiting for commission meetings.

But we would have to talk about who would be on the committee, how many commissioners we need on the committee, everything that goes along with that, notification of the meetings, et cetera.

So I just open that up now for discussion to see if anybody has any thoughts on that whether that sounds like a viable alternative to what we're doing now. And if you do, how we might structure that.

And of course I would ask staff to help us out with that and how this needs to be structured in order to be complied with the law, but if -- if we could get a consensus I guess to start off from the

commission that, yes, that might be worthwhile looking into so that we can speed up this process and get these policies approved and out so that the agents can be trained in them. So that's my thought for discussion if anybody's interested in going down that avenue.

VICE CHAIR BROWN: Commissioner Drago, I know these law enforcement policies and procedures are really so critical. And timing is as the agency and law enforcement team is more engaged and involved is an evolving discussion and I know that time is certainly of the essence on a lot of these, which I really wanted to get these all approved today.

So I'm completely receptive to the idea. You know, I'm not a subject matter expert in law enforcement like Commissioner Drago and Commissioner Repp, so I would just defer to Commissioner Repp for further discussion on it.

COMMISSIONER REPP: I completely agree with Commissioner Drago. I think law enforcement as well as its policy work best when it's collaborative and a group effort where people can really contribute ideas, that's going to move policies along quicker and I think make them

ultimately better, so I agree.

VICE CHAIR BROWN: Thank you.

Commissioner D'Aquila, do you have any comments or thoughts?

All right. We're going to turn it over to legal and staff to figure out how -- logistics.

MR. TROMBETTA: I'm going to ask Mr. Marshman or Ms. Valentine to kind of go over some of the technical kind of legal things to consider and then again I'll just kind of throw some ideas out there.

MR. MARSHMAN: In Section 16.71(1)(c) there are some statutory requirements on when a meeting -- a formal meeting can be convened. And the type of action that I expect the working group or the subcommittee, however we're going to phrase "to take" would likely trigger the scrutiny under the section, so what does that mean.

That means that we need at least three commissioners for every meeting and a majority of those commissioners present would have to vote to adopt to take a formal agency action.

There is a provision that applies to rulemaking that I don't think would apply here. So I think a majority of the members present at a committee meeting would be able to adopt on behalf

of the entire commission and new law enforcement policy.

MR. TROMBETTA: I have a question to you. This is a bit free flowing, this is kind of not, but it's -- because I somewhat disagree a little bit.

I think that that is true for agency action but if -- in other words there's a -- the commission formally adopted a policy on adopting and revising policies where they provided the overview of how that process is supposed to happen.

In my head this could be done where they could empower a committee to adopt policies, because that's little bit different than like adopting a rule or taking final agency action.

VICE CHAIR BROWN: So that there are commissioners present. I think we adopted that rule with staff in mind, not commissioners. We delegated designated authority to staff.

MR. MARSHMAN: Just to clarify my point if I may, Vice Chair, if more than one commissioner meeting and discussing things, we're going to need to make that a publicly noticed meeting just for matters of the commission, just commission business itself, not -- not just final agency actions. So

that's -- that's why I still believe that section would apply in this scenario.

MR. TROMBETTA: I guess my take is not on the public notice formal commission meeting side of it, it's the need for quorum I guess is -- is my -- and again I'll defer to you on this.

VICE CHAIR BROWN: Mr. Marshman, would -- and this is just for final agency action to adopt the policy, not necessarily a working group to discuss the merits. A quorum would not be necessary for -- to a committee with two commissioners. There would be notice and Sunshine Law rules and requirements would apply, but to adopt a policy a quorum would be required.

MR. MARSHMAN: If I may read the statute, I think it is worded very broadly. This is again from Section 16.71(1)(c): Meetings may be held via teleconference or other electronic means. Three members of the commission constitute a quorum and an affirmative vote of the majority of the quorum is required for any action or recommendation by the commission. So I believe that that language would bind the commission's hands and require the more formal quorum requirements, formal notice requirements.

Do any of my legal colleagues disagree or Executive Director Trombetta or any of the commissioners have any questions?

MR. TROMBETTA: What I was going to suggest is that I think obviously this is a good idea. I think from my end too I was supporting this idea.

Could we maybe -- I don't want to delay this too long, but it seems like maybe it might be a good idea to come up with a plan for this.

MR. MARSHMAN: I think that Commissioner Drago's idea can work. It can work and we can just notice the meeting just like any other meeting. We will publish the agenda and we'll just list law enforcement policies and then we will just convene the meeting via electronic means if we want or teleconference and we can just discuss those matters just like any other meeting. It will just be focused on the law enforcement policies.

And whatever decision that group of commissioners takes will be binding, and so it will not be an unnecessary step. In other words, it won't be the precept to getting a commission meeting -- or a policy before the meeting. Let me rephrase.

The subcommittee working group if it meets and we comply with Florida's laws, requirements and they vote to adopt law enforcement policy, that will be the final word on that matter and that policy will be in effect.

VICE CHAIR BROWN: But there will need to be three commissioners or more present?

MR. MARSHMAN: Correct. Yes, ma'am, because there will need to be quorum. And then a majority of the members present will have to vote to adopt, so two out of three Commissioners will have to vote to adopt a policy.

VICE CHAIR BROWN: Well, it is clear that Commissioner Repp and Commissioner Drago would be the two and I don't have a preference. It would be -- we could take turns attending it or not. I guess the subject matter experts are the law enforcement commissioners; correct?

MR. TROMBETTA: Yes. So taking just everything that has just come up, I think we can work with staff. I'll discuss this individually with you all and we can set up some meeting outside of our own meeting schedule to meet on Zoom to have an agenda just with law enforcement policies, either for their initial adoption or for their, you

know, revisions type thing. We'll notice it and we can meet by Zoom or if you guys want to get together, you know, we can figure all that out, but we can do that at a meeting separate from our normal calendared meeting.

VICE CHAIR BROWN: Does that sound good, Commissioner Drago?

COMMISSIONER DRAGO: Yeah. I just want to ask one question. Do we have to notice it in the same way we would notice a regular commission meeting, seven days I think it is?

MR. MARSHMAN: Yes, sir. If I may, yes, sir, I believe so. Just because when more than one commissioner are meeting together and discussing commission business and are going to be taking action, I think this provision in Chapter 16 is going to be triggered.

COMMISSIONER DRAGO: I'm just trying to -- trying to figure out a way to streamline this whole thing and make it move quicker and not get bogged down, but we have to follow the law obviously.

But any way we can speed it up or move quicker or make it more lean, you know, would be -- I think is what I would hope to see, however we can do that.

VICE CHAIR BROWN: Commissioners, does that sound good?

So, Mr. Trombetta, we look forward to talking to you one on one.

MR. TROMBETTA: Thank you.

VICE CHAIR BROWN: Well, we're going to go back to executive director update. I mean, back to you, Mr. Trombetta.

MR. TROMBETTA: Sorry, mic phone was not on. I actually -- I have a single -- just got a message. I have a single executive director update dealing with calendars.

I think a number of commissioners have expressed to me the desire to plan beyond -- or just plan the next few months, try to get through to the July 4th weekend.

Separately I have a copy of PSC room. We've also discussed traveling to South Florida for a meeting sometime spring, summer type thing. So really that's -- I don't have much of an update beyond trying to get the next few meetings planned.

VICE CHAIR BROWN: Commissioners, so I believe -- can we -- we have all of our meetings planned for April I thought and -- is that correct? April -- we have April 3rd and then May -- nothing,

that's right.

Mr. Trombetta, I know there was a conference that commissioners may be wanting to attend that week of May 6. Is there -- are there any type of deadlines that are needed or necessary to meet in May?

MR. TROMBETTA: Thank you. Mr. Dillmore did just hand me two -- well, it's June and July. We do have some -- the dates for slot license expirations. As you're aware the slot -- when the slot license expires, it's not on a set schedule. It's on an individual set schedule, so I do have that. Your question about May, I don't have a conflict in May.

VICE CHAIR BROWN: Does anybody have a conflict or preference for May, the first week in May or the week beginning with the 13th?

COMMISSIONER DRAGO: The 13th?

VICE CHAIR BROWN: Yes, of -- of May.

COMMISSIONER REPP: Of May we have the first Thursday, the 2nd.

VICE CHAIR BROWN: Oh, we have that -- we have that -- I don't have that in my --

COMMISSIONER REPP: Either way, I don't have a conflict, Thursday the 2nd...

VICE CHAIR BROWN: I don't either.

COMMISSIONER REPP: Or the 9th.

VICE CHAIR BROWN: May 2nd sounds good. Does it work for everyone?

COMMISSIONER DRAGO: Let me -- I think so. I'm not a hundred percent sure. I guess we can put it in.

VICE CHAIR BROWN: We can always change it next month.

COMMISSIONER DRAGO: Is that the Fort Lauderdale -- Fort Lauderdale week or no?

MR. TROMBETTA: Well, I was going to say, May this room is occupied the 1st and 2nd, so it might be a good opportunity to visit South Florida for our commission meeting --

VICE CHAIR BROWN: For May.

MR. TROMBETTA: -- because you can stick to that date still and just do it in a different location.

VICE CHAIR BROWN: Yes. Do we want to tentatively explore the idea of doing it the -- either the week of May 1st or the week of May 13th down in South Florida?

COMMISSIONER DRAGO: Is the week of May 6 out?

VICE CHAIR BROWN: There's a conference that I

know.

COMMISSIONER DRAGO: Oh, okay.

VICE CHAIR BROWN: National conference.

COMMISSIONER DRAGO: Okay.

VICE CHAIR BROWN: Suggestions May 2nd, does that sound good?

MR. TROMBETTA: I mean, it does for me if everybody else is good.

COMMISSIONER REPP: I'm fine with it.

VICE CHAIR BROWN: Yep, me too. So let's -- South Florida and we'll finalize the details at the next meeting.

MR. TROMBETTA: Yes, ma'am.

VICE CHAIR BROWN: Then June, I just want to get us through the summer.

MR. TROMBETTA: So June there is a slot license expires on June 10th, so as long as we meet before, where's my calendar, before June 10 --

COMMISSIONER REPP: June 6. Does June 6 work for everybody?

COMMISSIONER DRAGO: Yes.

COMMISSIONER D'AQUILA: Yes.

COMMISSIONER REPP: Yes.

VICE CHAIR BROWN: June 6 sounds good. And then July.

MR. TROMBETTA: July 4th is the first Thursday in July.

VICE CHAIR BROWN: We are not doing it then. How about July 11th?

COMMISSIONER REPP: That fine.

COMMISSIONER DRAGO: Yep.

VICE CHAIR BROWN: July 11th.

MR. TROMBETTA: And other complication in July is that there's a slot -- one of the slot machine licenses expires July 9th.

COMMISSIONER REPP: We can do it remote. I'm open to that.

MR. TROMBETTA: So just for my -- looking at possibly doing a remote meeting at the end of June?

VICE CHAIR BROWN: Yes, at the end of June. Does that work, Mr. Dillmore, for a remote meeting?

MR. DILLMORE: Yes, that slot license isn't expired till June -- July 11th, so we would make that and it would give us enough time to obviously review all of the materials and submissions.

VICE CHAIR BROWN: We won't have a solidified date just yet, but staff will work with each of us on that last week in June for a remote meeting, if that works.

COMMISSIONER DRAGO: Is that a remote meeting

in addition to the July meeting?

VICE CHAIR BROWN: Yes.

COMMISSIONER DRAGO: I just want to be clear.

COMMISSIONER D'AQUILA: Clarification, the July meeting will be July 11th and the remote meeting to be announced?

VICE CHAIR BROWN: That is correct, but we know it's the last week in June.

Correct?

MR. TROMBETTA: Thank you for the question, Commissioner D'Aquila. So remote meeting at the end of June and then a regular scheduled July meeting the week after July 4th on July 11th, was that the date that was just --

VICE CHAIR BROWN: That's right.

COMMISSIONER D'AQUILA: Yes.

VICE CHAIR BROWN: You guys want to go in August or --

COMMISSIONER REPP: I am prepared to.

VICE CHAIR BROWN: They got critical dates in August.

COMMISSIONER REPP: I'm fine with August 1st, which is the first Thursday (technical interference).

MR. TROMBETTA: It is not -- we're talking

about something not related to August.

VICE CHAIR BROWN: I do have a conflict August 1st, but does August 8th work for everybody? I know school starts.

COMMISSIONER D'AQUILA: Yep.

VICE CHAIR BROWN: Tentatively August 8. Okay.

Is there any other matters to address, Mr. Trombetta?

MR. TROMBETTA: No, Commissioner Brown, thank you.

VICE CHAIR BROWN: Commissioners, are there any other matters to address before we get to public comment? Seeing none.

All right. Is there anybody from the public that would like to address us today? Going once, going twice. We are adjourned at 12 o'clock. Thank you.

(The proceedings concluded at 12:00 p.m.)

CERTIFICATE OF REPORTER

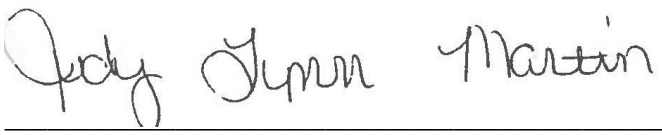
STATE OF FLORIDA

COUNTY OF WAKULLA

I, JUDY LYNN MARTIN, do hereby certify that I was authorized to and did stenographically report the foregoing remote proceedings and that the transcript, pages 1 through 125, is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 20th day of March, 2024.



JUDY LYNN MARTIN

2. Discussion of amended application for cardroom

MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Re:	Operator's Request to add Card Tables West Volusia Racing, Inc. (GHND175) 2024-017556
Date:	March 25, 2024

Executive Summary

A cardroom operator is seeking permission to add additional card tables to its poker room. The Commission should approve this request.

Background

West Volusia Racing, Inc. d/b/a Orange City Racing and Card Club ("Orange City") possesses a greyhound permit. Orange City was issued two licenses for the 2024-2025 Fiscal Year: 1) a pari-mutuel operating license; and 2) a cardroom license.[1] Orange City is currently licensed to operate 40 card tables and is requesting permission to add 18 more to its cardroom. Orange City has paid the $18,000 license fee associated with the additional tables.[2]

Analysis

Aside from the $1,000-per-card-table license fee, there is no other applicable restriction[3] to the number of card tables that Orange City can add to its cardroom. Since Orange City has paid the additional $18,000 license fee, Orange City should be authorized to add additional card tables to its cardroom.

Recommendation: The Florida Gaming Control Commission should approve West Volusia Racing, Inc. d/b/a Orange City Racing and Card Club's request to add additional card tables to its cardroom.

[1] *See generally* § 849.086, Fla. Stat.

[2] The annual cardroom license fee costs $1,000 for each table in the cardroom. § 849.086(5)(e), Fla. Stat.

[3] There is no indication that TBD is seeking to change the number of card tables for the play of poker games in a designated player method. *See* §§ 849.086(7)(h)2. & 4., Fla. Stat. (restricting the number of tables for the play of poker games in a designated player manner).

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

License Number:	CR175
Permit Type:	GHND
Permit County:	Volusia
Amendment:	A

LICENSE TO OPERATE A CARDROOM

For:

West Volusia Racing, Inc.

D/B/A Orange City Racing and Card Club

Licensed to Operate, At the Pari-Mutuel Facility, Located At:

822 Saxon Boulevard, Suite 4
Orange City, FL 32763
Volusia County

Valid From: July 1, 2024
Expires On: June 30, 2025
Licensed to Operate: 58 Tables

Issued and dated, this _____ day of May, 2024.

By _____
Louis Trombetta, Executive Director
Florida Gaming Control Commission

This license is issued in accordance with the Florida Pari-Mutuel Wagering Act, Section 849.086, Fla. Stat., and the rules promulgated thereunder. This license is to be operated at the location of a pari-mutuel permit and is subject to any and all laws of the State of Florida.

PERMITHOLDER LICENSE CHANGE REQUEST CHECKLIST

PERMITHOLDER: West Volusia Racing, Inc. (GHND175) **FISCAL YEAR:** 2024/2025

DATE RECEIVED: March 25, 2024 **CASE NUMBER:** 2024-017556

DATE PROCESSED: March 25, 2024

REVIEWER'S NAME: La'Kesha Jelks

CHANGE REQUESTED: Adding 18 tables for a total of 58.

Requirement	Met? Y/N	Deficiency Sent	Resolved
Original application form DBPR PMW 3160.	Y		
Payment for additional tables	Y		
Floor Plan	N/A		

PMW / CARDROOM LICENSE FORWARDED TO THE FOLLOWING FOR FINAL REVIEW:

REVENUE SECTION	**REVIEWED**	**INITIALS:**	(18)	**DATE:**	4/2/2024
PERMIT ADMIN	**REVIEWED**	**INITIALS:**		**DATE:**	4/2/24
OGC	**REVIEWED**	**INITIALS:**		**DATE:**	4/3/24

DISTRIBUTION OF PMW AND CARDROOM (If applicable) LICENSE(S):

PARI-MUTUEL LICENSE

- General Manager (Original)
- Office of Auditing
- Licensing Administrator (with all paperwork)
- Regional Manager
- Director's MRS
- Office of Investigations
- Office of Revenue & Financial Analysis
- Chief Inspector
- U of FL Laboratory
- Florida Greyhound Association (Greyhound Tracks Only)

CARDROOM LICENSE

- General Manager (Original)
- Office of Auditing
- Licensing Administrator (with all paperwork)
- Chief Inspector
- Office of Investigations
- Office of Revenue & Financial Analysis
- Regional Manager
- Director's MRS

State of Florida

Department of Business and Professional Regulation

Cash Listing Report

Client: 100 - Division of Pari-Mutuel Wagering
Origin: TLH Centra
Fiscal Year: 2023
Batch #: 23019704
Total $ Entered: $ 18,000.00
Deposit #: 110735
Deposit Date: 2024-03-28
 # Receipt: 1
Receipts Entered: 1
Total: $ 18,000.00
Status: Deposited

Receipt #	DLN	Received	Disp	Pmt	Note	Unassigned	Prof	Remitted By / Beneficiary	File #	License #	Assigned
230133749		$ 18,000.00	DEP	CHK		$ 18,000.00					
							1002	DAYTONA BEACH KENNEL CLUB, INC.	30	143	$ 0.00
							1002	WEST VOLUSIA RACING, INC.	61	175	$ 0.00
Total:			$ 18,000.00			$ 18,000.00					$ 0.00

DAYTONA,FL 32114

0000217311	03/19/24	01007573

Invoice Date	Invoice Number	Gross Amount	Discount Taken	Paid Amount
03/12/24	2024LICENSEFEES_OC EXPANSION	18,000.00	0.00	18,000.00
DETACH BEFORE DEPOSITING	**TOTALS :**	**$18,000.00**	**$0.00**	**$18,000.00**

RECEIVED
2024 MAR 28 PM 1:12
FLORIDA GAMING CONTROL COMMISSION

REMOVE DOCUMENT ALONG THIS PERFORATION

ARTIFICIAL WATERMARK ON REVERSE SIDE - DO NOT ACCEPT WITHOUT NOTING WATERMARK - HOLD AT ANGLE TO VIEW

Batch# a3019704 Receipt# a3033749

DAYTONA BEACH KENNEL CLUB
960 SOUTH WILLIAMSON BLVD
DAYTONA , FL 32114

50-937
213

JP MORGAN CHASE BANK, N.A.
Syracuse , NY

DATE	CHECK NO.
03/19/24	01007573
	**** $18,000.00

VOID IF NOT CASHED WITHIN 90 DAYS

** Eighteen thousand and xx/100Dollar **

PAY TO THE ORDER OF: FLORIDA GAMING CONTROL COMMISSION
0
VEN:0000217311

AUTHORIZED SIGNATURE

State of Florida
Department of Business and Professional Regulation
Cash Listing Report

Client:	100 - Division of Pari-Mutuel Wagering			**Origin:**	TLH Centra	**Fiscal Year:**	2023
Batch #:	23019704	**Total $ Entered:**	$ 18,000.00	**Deposit #:**	110735	**Deposit Date:**	2024-03-28
# Receipt:	1	**Receipts Entered:**	1	**Total:**	$ 18,000.00	**Status:**	Deposited

Receipt #	DLN	Received	Disp	Pmt	Note	Unassigned	Prof	Remitted By / Beneficiary	File #	License #	Assigned
230133749		$ 18,000.00	DEP	CC		$ 18,000.00					
							1002	WEST VOLUSIA RACING, INC.	61	175	$ 0.00
Total:			$ 18,000.00			$ 18,000.00					$ 0.00

DEPOSIT TICKET
SUPERIOR PRESS (800) 990-6466

Wells Fargo Bank, N.A.

№ 735

DATE 3/28/24

	CENTS	DOLLARS	CURRENCY	COIN	LIST EACH CHECK
1	00	18000			1107573
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
TOTAL FROM OTHER SIDE OR ATTACHED LIST					

L3

110735

TOTAL ITEMS 1

PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED.

PLEASE ENTER TOTAL 18000 00

TOTAL DEPOSIT
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL.

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERICAL CODE OR ANY APPLICABLE COLLECTION AGREEMENT.

STATE OF FLORIDA DEPARTMENT OF
FINANCIAL SERVICES #4150110
FGCC MAIN

4554875
DSP 10-T-BK

$ 18000.00

[redacted]

FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Application Home | Change Application

Domain: **10 - Division of Pari-Mutuel Wagering** Logged in as: **ljelks**

VR Home > Application Search > Transaction Check List > **Transaction Header**

Fed Tax #	[redacted]	Name	**WEST VOLUSIA RACING, INC.**	Lic Type	**1002 - Cardroom License**		
File #	**61**	Rank	**Cardroom Operating License**	App #	**2238**	Trans Class	**I - Initial**
License #	**175**	Lic Status	**Current**	Status	**Open**	Sec Class	**S - Standard**
Entity #	**175**	Expires On	**06/30/2025**	Trans Code	**1030 - Add Table to Cardroom**		

App Date 03/28/2024 mm/dd/yyyy

Normal Expiration Date **03/29/2025**

Override Expiration Date mm/dd/yyyy

Application Disposition

1st Reminder

2nd Reminder

Total Fee $	**18,000.00**
Paid $	**18,000.00**
Released $	**18,000.00**
Due $	**0.00**
Notes	
Set License Expiry	

Application For

Rank **Cardroom Operating License**

Lic Status

Dpsit History | History | Deficiencies | Regenerate | Notes | Notes History | Cancel | OK

Modifiers

Type Code Additional Info Add

Type	Modifier	Additional Info	Actions
No items found.			

Checklist | Release | Transfer | Approve | Exit

Get Adobe Reader

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FLORIDA GAMING
CONTROL COMMISSION

FGCC PMW-3160 – Permitholder Application for Annual License to Operate a Cardroom

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

www.flgaming.gov

INSTRUCTIONS
This form is to be submitted in conjunction with Form FGCC PMW-3220. FGCC PMW-3220 must be submitted with all pertinent cardroom operation information.

ORGANIZATION INFORMATION		
Federal Employer ID Number: [redacted]		
Permitholder's Legal Name: West Volusia Racing, Inc.		
Doing Business As (D/B/A) Name: Orange City Racing and Card Club		
MAILING ADDRESS		
Street Address or P.O. Box: 960 S. Williamson Blvd		
City: Daytona Beach	State: FL	Zip Code (+4 optional): 32114
County (if Florida address): Volusia	Country: USA	
CONTACT INFORMATION		
Contact Name: Todd Schryver		
Primary Phone Number: (386) 947-3305	Primary E-Mail Address: tschryve@delawarenorth.com	
PHYSICAL ADDRESS		
Street Address: 822-4 Saxon Blvd		
City: Orange City	State: FL	Zip Code (+4 optional): 32763
County: Volusia		

ADDITIONAL CONTACT INFORMATION (OPTIONAL)	
Alternate Phone Number:	Fax Number:
Alternate E-Mail Address:	

2024 MAR 28 PM 1:12

FLORIDA GAMING
CONTROL COMMISSION

CARDROOM INFORMATION
Physical Location of Cardroom:
First floor - main lobby & rear left corner of building
What is the maximum number of card tables you intend to operate during the license period? 58
A check or money order made payable to FGCC for the table fees ($1,000 per table) must be submitted with this application.
Name of cardroom manager or cardroom management company: Richard Manning
Cardroom manager or cardroom management company license number: 8784657
Type of participation fee charged to players: Rake - Ante ☑ Seat Charge ☐ Both ☐

Additional documentation requirements:

1) Attach a list of card games to be offered to your patrons.
2) As specified in s. 849.086(9), Florida Statutes, provide evidence that there is in force a surety bond in the amount of $50,000, payable to the state, or evidence that the pari-mutuel bond has been expanded to include cardroom operations.
3) Attach Form FGCC PMW-3220, List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom, with whom you intend to do business.
4) Attach a copy of your internal controls.
5) If this is your initial cardroom operator license application, attach proof that the county commission in the county where you desire to conduct cardroom gaming has voted to approve such activity within the county.

ATTEST STATEMENT

I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida.

Signature of Applicant or Applicant's Representative _____

Date 3/25/2024

Lic Type **1012 - Cardroom Employee Occupational**
Name **MANNING, RICHARD EDWIN**
Rank **CEMP - Cardroom Employee Occupational**
Lic Status **Current**

Expires On **06/30/2024**
Extended To
Renewed On **05/24/2021**

Modifiers

Type	Modifier	Effective Date	Additional Info
C	CMAN - Cardroom Manager	05/24/2021	
C	DEAL - Dealer	06/25/2018	
I	GHND - Greyhound	09/20/2010	
L	143 - Daytona Beach Kennel Club, Inc.	05/13/2015	
Y	3YR - 3 Year License	06/11/2012	

Alt Keys

BEST LIC NBR **8784657**

2024 MAR 28 PM 1:13
FLORIDA GAMING
CONTROL COMMISSION

FGCC PMW-3220 – List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING
www.flgaming.gov

INSTRUCTIONS
This form is to be submitted to the division annually in conjunction with Form FGCC PMW-3160. List all of the Cardroom Vendors with which the Cardroom Operator will be conducting business during the next state fiscal year.

CARDROOM OPERATOR	
Federal Employer ID Number:	[redacted]
Name:	West Volusia Racing. Inc. d/b/a Orange City Racing and Card Club

OCCUPATIONAL LICENSEES WHO PROVIDE PRODUCTS AND SERVICES TO CARDROOM		
Name	License Number	Type of Product or Service
Please see attached		

OCCUPATIONAL LICENSEES WHO NO LONGER PROVIDE PRODUCTS AND SERVICES TO CARDROOM		
Name	License Number	Type of Product or Service
Please see attached		

ATTEST STATEMENT
I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida.
Signature of Applicant or Applicant's Representative [signature]
Date 3/25/2024

2024 MAR 28 PM 1:13
FLORIDA GAMING CONTROL COMMISSION

FGCC PMW-3220 - List of Cardroom Business Occupational Licenses Providing Products and Services to a Cardroom

West Volusia Racing, Inc. d/b/a Orange City Racing & Card Club

[redacted]

PROVIDING PRODUCTS OR SERVICES

Name	License Number	Expiration	Type of Product of Service
916 Poker Depot, Inc.	12988018	6/24	Poker Chips
Avalon Gaming, Inc.	11196683	6/25	Poker tables, boxes
Genesis Gaming Solutions	7951003	6/24	Poker tracking system
Faded Spade Poker	11548928	6/26	Playing Cards
Gaming Partners International USA, Inc.	1498877	6/26	Table layouts, playing cards
Game On Chip Co. (Chipco)	10176844	6/26	Poker chips
Everi Payments, Inc.	9993721	6/26	Cash advance, compliance
TCS John Huxley America, Inc.	8552813	6/25	Poker equipment, table layouts
LNW Gaming, Inc.	7805891	6/24	Shuffle machine service
Royal Gaming Products	13607188	6/26	Locks
Nevada Gaming Chip	12001243	6/24	Poker chips
No Limit Gaming Supply LLC	13893315	6/26	Poker chips, equipment
MSC Gaming	12265720	6/25	Poker equipment

NO LONGER PROVIDING PRODUCTS OR SERVICES

Name	License Number	Expiration	Type of Product of Service
AGS, LLC	8281949	6/23	Table layouts
Service Central, Inc	8566232	6/24	Poker equipment

La'Kesha Jelks

From: Todd Schryver <TSCHRYVE@delawarenorth.com>
Sent: Monday, March 25, 2024 11:58 AM
To: La'Kesha Jelks; Jamie Pouncey
Cc: Todd Schryver
Subject: Updated forms
Attachments: Form 3220 WVR 2024-2025.pdf; Form 3220 DBK 2024-2025.pdf; Form 3160 WVR 2024-2025.pdf

Updated forms for 2024-2025:
Supplier listings for both properties
Cardroom license fees for Orange City.

Originals and check for the table fees being sent by mail.
Thank you

Todd Schryver
Director of Finance

Daytona Beach Racing & Card Club
960 S. Williamson Blvd.
Daytona Beach, FL 32114

Orange City Racing & Card Club
822-4 Saxon Blvd.
Orange City, FL 32763

American Greyhound Racing
3801 E. Washington St.
Phoenix, AZ 85034

D (386) 947-3305
F (386) 252-4808
www.daytonagreyhound.com

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FGCC PMW-3160 – Permitholder Application for Annual License to Operate a Cardroom

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

www.flgaming.gov

INSTRUCTIONS
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ORGANIZATION INFORMATION		
Federal Employer ID Number: [redacted]		
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Doing Business As (D/B/A) Name: Orange City Racing and Card Club		
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Street Address or P.O. Box: 960 S. Williamson Blvd		
City: Daytona Beach	State: FL	Zip Code (+4 optional): 32114
County (if Florida address): Volusia	Country: USA	
CONTACT INFORMATION		
Contact Name: Todd Schryver		
Primary Phone Number: (386) 947-3305	Primary E-Mail Address: tschryve@delawarenorth.com	
PHYSICAL ADDRESS		
Street Address: 822-4 Saxon Blvd		
City: Orange City	State: FL	Zip Code (+4 optional): 32763
County: Volusia		

ADDITIONAL CONTACT INFORMATION (OPTIONAL)	
Alternate Phone Number:	Fax Number:
Alternate E-Mail Address:	

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Physical Location of Cardroom:
First floor - main lobby & rear left corner of building
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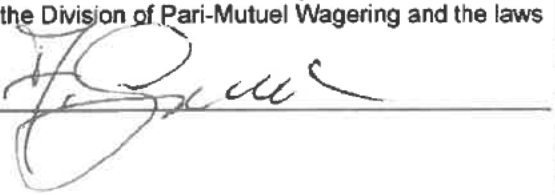
Name of cardroom manager or cardroom management company: Richard Manning
Cardroom manager or cardroom management company license number: 8784657
Type of participation fee charged to players: Rake - Ante ☑ Seat Charge ☐ Both ☐

Additional documentation requirements:

1) Attach a list of card games to be offered to your patrons.
2) As specified in s. 849.086(9), Florida Statutes, provide evidence that there is in force a surety bond in the amount of $50,000, payable to the state, or evidence that the pari-mutuel bond has been expanded to include cardroom operations.
3) Attach Form FGCC PMW-3220, List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom, with whom you intend to do business.
4) Attach a copy of your internal controls.
5) If this is your initial cardroom operator license application, attach proof that the county commission in the county where you desire to conduct cardroom gaming has voted to approve such activity within the county.

ATTEST STATEMENT
I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. **Signature of Applicant or Applicant's Representative**  Date 2/25/2024

FGCC PMW-3220 – List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING
www.flgaming.gov

INSTRUCTIONS
This form is to be submitted to the division annually in conjunction with Form FGCC PMW-3160. List all of the Cardroom Vendors with which the Cardroom Operator will be conducting business during the next state fiscal year.

CARDROOM OPERATOR	
Federal Employer ID Number:	[redacted]
Name:	West Volusia Racing. Inc. d/b/a Orange City Racing and Card Club

OCCUPATIONAL LICENSEES WHO PROVIDE PRODUCTS AND SERVICES TO CARDROOM		
Name	License Number	Type of Product or Service
Please see attached		

OCCUPATIONAL LICENSEES WHO NO LONGER PROVIDE PRODUCTS AND SERVICES TO CARDROOM		
Name	License Number	Type of Product or Service
Please see attached		

ATTEST STATEMENT
I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida.
Signature of Applicant or Applicant's Representative [signature]
Date 2/25/2024

FGCC PMW-3220 - List of Cardroom Business Occupational Licenses Providing Products and Services to a Cardroom

West Volusia Racing, Inc. d/b/a Orange City Racing & Card Club

[redacted]

PROVIDING PRODUCTS OR SERVICES

Name	License Number	Expiration	Type of Product of Service
916 Poker Depot, Inc.	12988018	6/24	Poker Chips
Avalon Gaming, Inc.	11196683	6/25	Poker tables, boxes
Genesis Gaming Solutions	7951003	6/24	Poker tracking system
Faded Spade Poker	11548928	6/26	Playing Cards
Gaming Partners International USA, Inc.	1498877	6/26	Table layouts, playing cards
Game On Chip Co. (Chipco)	10176844	6/26	Poker chips
Everi Payments, Inc.	9993721	6/26	Cash advance, compliance
TCS John Huxley America, Inc.	8552813	6/25	Poker equipment, table layouts
LNW Gaming, Inc.	7805891	6/24	Shuffle machine service
Royal Gaming Products	13607188	6/26	Locks
Nevada Gaming Chip	12001243	6/24	Poker chips
No Limit Gaming Supply LLC	13893315	6/26	Poker chips, equipment
MSC Gaming	12265720	6/25	Poker equipment

NO LONGER PROVIDING PRODUCTS OR SERVICES

Name	License Number	Expiration	Type of Product of Service
AGS, LLC	8281949	6/23	Table layouts
Service Central, Inc	8566232	6/24	Poker equipment

Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2024**
Name **916 POKER DEPOT INC** Extended To
Rank **CBUS - Cardroom Business Occupational** Renewed On
Lic Status **Current**

Modifiers

Type	Modifier	Effective Date	Additional Info
L	910 - TLH Licensing	02/17/2022	
Y	3YR - 3 Year License	11/22/2021	

Alt Keys

BEST LIC NBR **12988018**

Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2025**
Name **AVALON GAMING, INC.** Extended To
Rank **CBUS - Cardroom Business Occupational** Renewed On **07/19/2022**
Lic Status **Current**

Modifiers

Type	Modifier	Effective Date	Additional Info
L	910 - TLH Licensing	02/16/2022	
Y	3YR - 3 Year License	10/11/2016	

Alt Keys

BEST LIC NBR **11196683**

Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2024**
Name **GENESIS GAMING SOLUTIONS, INC.** Extended To
Rank **CBUS - Cardroom Business Occupational** Renewed On **05/11/2021**
Lic Status **Current**

Modifiers

Type	Modifier	Effective Date	Additional Info
L	910 - TLH Licensing	02/16/2022	
Y	3YR - 3 Year License	08/31/2012	

Alt Keys

BEST LIC NBR **7951003**

Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2026**
Name **FADED SPADE POKER** Extended To
Rank **CBUS - Cardroom Business Occupational** Renewed On **08/11/2023**
Lic Status **Current**

Modifiers

Type	Modifier	Effective Date	Additional Info
C	GVDR - Gaming Vendor	12/05/2017	
I	GHND - Greyhound	11/06/2017	
I	TBRD - Thoroughbred	08/11/2023	
L	143 - Daytona Beach Kennel Club, Inc.	11/06/2017	
Y	3YR - 3 Year License	11/06/2017	

Alt Keys

BEST LIC NBR **11548928**

Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2026**
Name **GAMING PARTNERS INTERNATIONAL USA, INC** Extended To
Rank **CBUS - Cardroom Business Occupational** Renewed On **08/14/2023**
Lic Status **Current**

Modifiers

Type	Modifier	Effective Date	Additional Info
C	GVDR - Gaming Vendor	07/15/2014	
I	TBRD - Thoroughbred	06/27/2017	
L	910 - TLH Licensing	10/06/2001	
Y	3YR - 3 Year License	08/03/2011	

DBA Name

DBA **GPI, USA**

Alt Keys

BEST LIC NBR **CBU1498877**

Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2026**
Name **GAME ON CHIP COMPANY** Extended To
Rank **CBUS - Cardroom Business Occupational** Renewed On **06/30/2023**
Lic Status **Current**

Modifiers

Type	Modifier	Effective Date	Additional Info
I	GHND - Greyhound	06/26/2023	
L	151 - St. Petersburg Kennel Club, Inc	02/16/2022	
Y	3YR - 3 Year License	08/05/2013	

Alt Keys

BEST LIC NBR **10176844**

Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2026**
Name **EVERI PAYMENTS INC** Extended To
Rank **CBUS - Cardroom Business Occupational** Renewed On
Lic Status **Current**

Modifiers

Type	Modifier	Effective Date	Additional Info
C	GVDR - Gaming Vendor	08/21/2023	
I	MULT - Multiple Industries	08/21/2023	
L	910 - TLH Licensing	08/21/2023	
Y	3YR - 3 Year License	08/29/2023	

Alt Keys

BEST LIC NBR **9993721**

Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2025**
Name **TCS JOHN HUXLEY AMERICA INC** Extended To
Rank **CBUS - Cardroom Business Occupational** Renewed On
Lic Status **Current**

Modifiers

Type	Modifier	Effective Date	Additional Info
I	MULT - Multiple Industries	03/17/2023	
I	TBRD - Thoroughbred	08/06/2009	
L	910 - TLH Licensing	02/16/2022	
Y	3YR - 3 Year License	06/21/2012	

Alt Keys

BEST LIC NBR **8552813**

Modifiers

Type	Modifier	Effective Date	Additional Info
C	GVDR - Gaming Vendor	06/30/2021	
I	MULT - Multiple Industries	06/30/2021	
L	SLOT - Slot Facilities	07/06/2021	
Y	3YR - 3 Year License	06/30/2021	

Lic Type **1050 - Slot Machine Business** Expires On **06/30/2024**
Name **LNW GAMING INC** Extended To
Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **06/22/2012**
Lic Status **Current**

Modifiers

Type	Modifier	Effective Date	Additional Info
C	DIST - Distributor	06/28/2021	
C	GVDR - Gaming Vendor	09/18/2009	
C	SMAN - Manufacturer	06/28/2021	
I	TBRD - Thoroughbred	09/18/2009	
L	910 - TLH Licensing	07/14/2006	
Y	3YR - 3 Year License	06/28/2021	

Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2026**
Name **BUNNIE STRAUB** Extended To
Rank **CBUS - Cardroom Business Occupational** Renewed On
Lic Status **Current**

Modifiers

Type	Modifier	Effective Date	Additional Info
C	GVDR - Gaming Vendor	05/26/2023	
I	MULT - Multiple Industries	06/28/2023	
L	910 - TLH Licensing	06/28/2023	
Y	3YR - 3 Year License	06/28/2023	

DBA Name

DBA **ROYAL GAMING PRODUCTS**

Alt Keys

BEST LIC NBR **13607188**

Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2026**
Name **BUNNIE STRAUB** Extended To
Rank **CBUS - Cardroom Business Occupational** Renewed On
Lic Status **Current**

Modifiers

Type	Modifier	Effective Date	Additional Info
C	GVDR - Gaming Vendor	05/26/2023	
I	MULT - Multiple Industries	06/28/2023	
L	910 - TLH Licensing	06/28/2023	
Y	3YR - 3 Year License	06/28/2023	

DBA Name

DBA **ROYAL GAMING PRODUCTS**

Alt Keys

BEST LIC NBR **13607188**

Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2024**
Name **NEVADA GAMING CHIP** Extended To
Rank **CBUS - Cardroom Business Occupational** Renewed On **12/28/2021**
Lic Status **Current**

Modifiers

Type	Modifier	Effective Date	Additional Info
I	TBRD - Thoroughbred	03/14/2019	
L	910 - TLH Licensing	03/14/2019	
Y	3YR - 3 Year License	03/14/2019	

Alt Keys

BEST LIC NBR **12001243**

Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2025**
Name **MSC GAMING, INC.** Extended To
Rank **CBUS - Cardroom Business Occupational** Renewed On **07/21/2022**
Lic Status **Current**

Modifiers

Type	Modifier	Effective Date	Additional Info
L	910 - TLH Licensing	02/17/2022	
Y	3YR - 3 Year License	11/19/2019	

Alt Keys

BEST LIC NBR **12265720**

Lic Type	**1010 - Cardroom Business Occupational**	Expires On	**06/30/2026**
Name	**NO LIMIT GAMING SUPPLY LLC**	Extended To	
Rank	**CBUS - Cardroom Business Occupational**	Renewed On	
Lic Status	**Current**		

Modifiers

Type	Modifier	Effective Date	Additional Info
C	GVDR - Gaming Vendor	02/12/2024	
I	MULT - Multiple Industries	02/12/2024	
Y	3YR - 3 Year License	02/12/2024	

Alt Keys

BEST LIC NBR **13893315**

State of Florida
Department of Business and Professional Regulation
Chronology Report

Case #: 2024017556 **Incident date:** 03/25/2024 **Status:** 10 - Initial Review

Lic Type: 1002 **Disposition:**

Case Type: Complaint

Responsible: ljelks - JELKS, LA'KESHA

Complainant: WEST VOLUSIA RACING, INC.

822 SAXON BLVD., SUITE 4, ORANGE CITY, FL 32763

Respondent: FGCC, PARI-MUTUEL WAGERING

4070 ESPLANADE WAY, TALLAHASSEE, FL 32399

Summary: PERMITHOLDER: West Volusia Racing, Inc. (GHND175) FISCAL YEAR: 2024/2025

DATE RECEIVED: March 25, 2024
DATE PROCESSED: March 25, 2024
REVIEWER'S NAME: La'Kesha Jelks
CHANGE REQUESTED: The operator is currently approved to operate 40 tables for the 2024/2025 Fiscal Year. The operator is now requesting to add 18 tables for a total of 58 tables.

Chronology:

Effective Date	Type	Lic Type	Code	Description	Responsible Party	Respondent
03/25/2024	R		ljelks	JELKS, LA'KESHA	ljelks	
03/25/2024	S	1002	10	Initial Review	ljelks	

3. Discussion of default final orders

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Joseph Klein, Senior Attorney
Re: FGCC v. Iver Daniel Gutierrez Guzman
Case Number 2023-025665; Default Final Order
Date: April 9, 2024

Executive Summary

The Division of Pari-Mutuel Wagering (the "Division") served the Respondent, Iver Daniel Gutierrez Guzman ("Respondent"), with an administrative complaint seeking to exclude him from all pari-mutuel and slot facilities in the state of Florida. Respondent failed to timely respond to the administrative complaint and thereby waived his right to request a hearing contesting this matter. The Division requests that the Florida Gaming Control Commission enter a final order permanently excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

Background

On April 23, 2023, Respondent was a patron at West Flagler Associates, Ltd. d/b/a Magic City Casino ("Magic City Casino")[1]. Subsequently, Respondent was ejected and permanently excluded from the facility.[2] The reason for the ejection is included as Exhibit 1 of the Administrative Complaint.

Based on Respondent's ejection from Magic City Casino, the Division filed an administrative complaint on July 26, 2023, seeking his exclusion from all pari-mutuel and slot machine facilities in the state of Florida.

The Division attempted to serve Respondent with the administrative complaint by Certified Mail on July 28, 2023, September 19, 2023, and October 19, 2023, but was unsuccessful. On November 27, 2023, the Division attempted to serve Respondent by hand-delivery, but was also unsuccessful. The Division then

[1] Magic City Casino is operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the state of Florida.

[2] Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

requested that a notice be placed in the Sun Sentinel, which was published February 21, 2024, February 28, 2024, March 6, 2024, and March 13, 2024.[3]

Respondent failed to respond to the notice in a timely manner, which would have been required no later than March 20, 2024.

Analysis

Florida law allows for the exclusion of Respondent from all pari-mutuel and slot machine facilities in the state.

Section 550.0251(6), Florida Statutes, provides that "[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state." Further, Section 551.112 provides that "[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state."

Therefore, Respondent's ejection from Magic City Casino – which is both a pari-mutuel facility and slot machine licensee in this state – subjects him to exclusion from all pari-mutuel and slot machine facilities in this state.

Moreover, Respondent failed to file a timely response to the publication notice and has thus waived his right to request a hearing on the matter.

Staff Recommendation: The Division recommends that the Florida Gaming Control Commission enter a final order permanently excluding the Respondent, Iver Daniel Gutierrez Guzman, from all pari-mutuel and slot machine facilities in the state of Florida.

[3] Section 120.60(5), Florida Statutes, provides, "when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee's last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county."

SUN-SENTINEL

Sold To:
Florida Gaming Control Commission - CU80176232
4070 Esplanade Way, Suite 250
Tallahassee,FL 32399

Bill To:
Florida Gaming Control Commission - CU80176232
4070 Esplanade Way, Suite 250
Tallahassee,FL 32399

Published Daily
Fort Lauderdale, Broward County, Florida
Boca Raton, Palm Beach County, Florida
Miami, Miami-Dade County, Florida

State Of Florida
County Of Orange

Before the undersigned authority personally appeared
Rose Williams, who on oath says that he or she is a duly authorized representative of the SUN- SENTINEL, a DAILY newspaper published in BROWARD/PALM BEACH/MIAMI-DADE County, Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of 11745-Other Legal Notices ,
Was published in said newspaper by print in the issues of, and by publication on the newspaper's website, if authorized on Feb 28, 2024; Mar 06, 2024; Mar 13, 2024; Mar 20, 2024
Self Service Multi-Product Purchase
Affiant further says that the newspaper complies with all legal requirements for publication in Chapter 50, Florida Statutes.

Rose Williams

Signature of Affiant

Sworn to and subscribed before me this: March 21, 2024.

LeAnne Rollins

Signature of Notary Public

LEANNE ROLLINS
Notary Public - State of Florida
Commission # GG 982233
My Comm. Expires Apr 27, 2024
Bonded through National Notary Assn.

Name of Notary, Typed, Printed, or Stamped
Personally Known (X) or Produced Identification ( )

Affidavit Delivery Method: E-Mail
Affidavit Email Address: Ebonie.Lanier@flgaming.gov
7587623

NOTICE OF ACTION
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING

IN RE: Sections 550.0251(6), and 551.112, Florida Statutes.
IVER DANIEL GUTIERREZ GUZMAN
5701 NW 114th Court, Apt. 102
Miami, Florida 33178
CASE NO.: 2023-025665
LICENSE NO.: N/A

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 4070 Esplanade Way, Tallahassee, FL 32399, (850) 794-8072. If no contact has been made by you concerning the above by Wednesday, March 20, 2024, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action. In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257- 6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

2/28/2024, 3/6/2024, 3/13/2024, 3/20/2024 7587623

Order # - 7587623

NOTICE OF ACTION

BEFORE THE DIVISION OF PARI-MUTUEL WAGERING

IN RE: Sections 550.0251(6), and 551.112, Florida Statutes.
IVER DANIEL GUTIERREZ GUZMAN
5701 NW 114th Court, Apt. 102
Miami, Florida 33178

CASE NO.: 2023-025665

LICENSE NO.: N/A

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 4070 Esplanade Way, Tallahassee, FL 32399, (850) 794-8072.

If no contact has been made by you concerning the above by Wednesday, March 20, 2024, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257- 6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.

FLORIDA GAMING CONTROL COMMISSION

TINA REPP, COMMISSIONER
JULIE I. BROWN, COMMISSIONER
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER

FLORIDA GAMING CONTROL COMMISSION,

Petitioner,

v. DBPR Case No.: 2023-025665

IVER DANIEL GUTIERREZ GUZMAN,

Respondent.
_____/

AFFIDAVIT OF SERVICE OR DILIGENT SEARCH

COMES NOW, the Affiant, an employee of the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, State of Florida, who first being duly sworn, deposes and states:

On (date)_NOVEMBER 21,2023_RAUL SUAU_____, Affiant made a diligent effort to locate Respondent, to serve: **X** Administrative Complaint and related papers; ____Subpoena(s); ____Final order; ESO and related papers; ___(other) Amended Election of Rights.

(PLEASE CHECK APPLICABLE ANSWER)

____ Affiant made personal service on Respondent, on (date), _____, at (location) _____.

__X__ Affiant was unable to make service after searching for Respondent at: (a) all addresses for Respondent shown in the F.G.C.C. investigation of the case; (b) all official addresses for Respondent shown in his/her licensing records of the Division of Pari-Mutuel Wagering; (c) any others: _____

_____
Signature of Affiant

STATE OF Florida
COUNTY OF Broward.

Before me, appeared Raul Suau; X who is personally known to me or ____whose identity I proved on the basis of _____; and who acknowledges that his/her signature appears above.

Sworn to or affirmed by Affiant before me this 27th day of November 2023

_____
Notary Public

_____
Type or Print Name

MICHELLE M. FUTRELL
Commission # HH 135946
Expires June 14, 2025
Bonded Thru Budget Notary Services

OFFICE OF THE GENERAL COUNSEL
4070 ESPLANADE WAY
TALLAHASSEE, FLORIDA 32399

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-025665

IVER DANIEL GUTIERREZ GUZMAN,

Respondent.
_____/

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Iver Daniel Gutierrez Guzman ("Respondent"), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.

2. At all times material hereto, Respondent's address was reported as 5701 Northwest 11th Court, Apt. 102, Doral, Florida 33178.

3. At all times material hereto, Magic City Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.

4. On or about April 23, 2023, Respondent was a patron of Magic City Casino.

5. On or about April 23, 2023, Respondent was ejected and permanently excluded from Magic City Casino.

6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

7. Section 550.0251(6), Florida Statutes, provides in relevant part:

> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

> In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida under sections 550.0251(6) and 551.112, Florida Statutes based on his ejection from Magic City Casino on or about April 23, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any

facility of a slot machine licensee in the State of Florida, along with any other remedy provided by chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-025665 is signed this 6th day of July 2023.

/s/Emily A. Alvarado

Emily A. Alvarado
Deputy Chief Attorney
Florida Bar Number: 1025200
Florida Gaming Control Commission
Office of the General Counsel
Division of Pari-Mutuel Wagering
4070 Esplanade Way Ste. 250
Tallahassee, Florida 32399-2202
Telephone: (850) 794-8066
Facsimile: (850) 921-1311
Primary: Emily.Alvarado@flgaming.gov
Secondary: Ebonie.Lanier@flgaming.gov

NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

Closed: 07/05/2023
63 Days

Lic Type **1098 - Unlicensed Complaints** Status **90 Closed** Status Date **07/03/2023**

Complaint # **2023025665** Case Type **CMP - Complaint** Disposition Disposition Date

Docket# Respondent **GUTEIERREZ GUZMAN, IVER DANIEL** Responsible **bjones - JONES, BRADFORD** **Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source **INTN - Internal** Security Level **1**

Form **INTR - Internal** Priority

Class'n **V-C - Cardroom Violations** Complexity **R - Regular**

Security **STND - Standard** Incident **04/23/2023**

Region **SR - Southern Region** Received **05/02/2023**

Reference **550.0251**

Entered **05/03/2023** Entered By **nmelvai**

Summary

155 - West Flagler Associates LTD (Magic City Casino) - 550.0251 Powers and duties of the Florida Gaming Control Commission - On April 23, 2023, at approximately 2:13 A.M., Magic City Casino Surveillance staff were watching a patron who was captured on video surveillance urinating on the exterior wall of the north west section of the facility. It was at this time that they also observed another male patron in the same area of the facility snorting an unknown substance from his right wrist. Surveillance notified security along with Miami Police who responded to the area to locate the patron. Upon their arrival the patron was no longer there but was later located in the poker room standing next to table #2. The patron who was identified as Iver Daniel Gutierrez Guzman was approached by Security and Police and escorted to the Security Office. Once inside the Security Office Guzman was informed of the Casinos Rules and Regulations regarding the Possession of an Illegal Substances, and was given the facilities Trespass Warning Form, which he acknowledged and signed. He was advised by Security Supervisor Bryan Ortega that he was being permanently excluded from the facility and was allowed to leave without further incident.

Updated **07/05/2023 14:22:16** By **nmelvai**

☐ Parties ☑ Activities

☑ Allegations ☐ Discipline

☐ Violations ☐ Compliance

☐ Related ☑ Disposition

☐ Inspection

☐ Costs

☐ Time Tracking Auto Assign

☐ Attachments History

☐ Work Notes Print Report

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FLORIDA GAMING CONTROL COMMISSION

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of Complaint:	Case Number:
PMW	**SOUTHERN**	**May 3, 2023**	**2023 02 5665**

Respondent:	Complainant:
GUTIERREZ GUZMAN, IVER DANIEL **5701 NW 114TH COURT APT # 102** **DORAL, FLORIDA 33178**	**DIVISION OF PARI-MUTUEL WAGERING** **OFFICE OF INVESTIGATIONS** **1400 W. COMMERCIAL BLVD. SUITE 165** **FT. LAUDERDALE, FLORIDA 33309** **TEL (954) 202-3900**

License # and Type:	Profession:	Report Date:
N/A - 1098	**Patron**	**June 13, 2023**

Period of Investigation:	Type of Report:
May 2, 2023 through June 13, 2023	**Final**

Alleged Violation: 550.0251 Powers and duties of the Florida Gaming Control Commission.—The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and: **(6)** In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

Synopsis: On April 23, 2023, at approximately 2:13 A.M., the Magic City Casino (MCC) Surveillance team was watching live surveillance video of a patron urinating outside the Northwest section of the facility, when they observed another male patron in the same area snorting a powdery substance from his left wrist. According to Incident Report IN202300001857, Surveillance notified Security and the City of Miami Police Officer working the off-duty detail to respond to the parking lot. However, the patron who was observed snorting the powdery substance was no longer in the area but was later located in the poker room standing next to poker table #2. The patron was approached by Security and Police and escorted to the Security Office where he was identified as Iver Daniel **GUTIERREZ GUZMAN.** Once inside the Security Office, **GUTIERREZ GUZMAN** was informed that possessing an illegal substance was a violation of Casino Rules. **GUTIERREZ GUZMAN** was given the MCC Trespass Warning Form, which he acknowledged and signed. He was permanently excluded from the facility and advised by Security Supervisor Bryan Ortega not to return.

Related Case(s):

Investigator / Date: June 13, 2023	Investigator Supervisor / Date
Tyrell Smith /	Julio Minaya / June 20, 2023

Chief of Investigations / Date

Bradford D. Jones / July 3, 2023

CONTINUATION

On May 1, 2023, this Investigator requested and obtained a copy of Incident Report #IN202300001857 from Magic City Casino Compliance Manager, Yadelin Crespo. Crespo also provided a copy of the Magic City Casino Trespass Warning Form that was acknowledged and signed by **GUTIERREZ GUZMAN (EXHIBIT #2).**

According to the Incident Report on Sunday, April 23, 2023, at approximately 2:13 A.M., MCC Surveillance was observing live video of patron [redacted] urinating in the Northwest section of the parking lot. While conducting their observation, they also observed another male in the parking lot with Palma who was later identified as Iver Daniel **GUTIERREZ GUZMAN** snorting a substance from his right wrist. Surveillance notified Security of their observation and Security Supervisor Jose Guevara along with City of Miami Police Officers responded to the area. **GUTIERREZ GUZMAN** was eventually located in the poker room standing next to poker table #2. He was escorted from the poker room and to the Security Office by Security Team Leader Bryan Ortega and the Police.

While in the Security Office, **GUTIERREZ GUZMAN** was informed by Ortega that possessing an illegal substance was a violation of Casino Rules. He was given a Magic City Casino Trespass Warning Form, which he acknowledged and signed. After signing the form, **GUTIERREZ GUZMAN** was informed by Ortega that he was being permanently excluded from the facility. **GUTIERREZ GUZMAN** was allowed to leave the premises without further incident.

On May 9, 2023, this Investigator visited Magic City Casino's Surveillance Department and obtained a copy of the surveillance video footage of the incident from Magic City Surveillance Manager Gabriel Flores **(EXHIBIT #4).**

A review of the surveillance video footage revealed the following:

On April 23, 2023, at approximately 1:39 A.M., **GUTIERREZ GUZMAN** along with [redacted] are observed standing in the Northwest section of the parking lot beside a black BMW. **GUTIERREZ GUZMAN** was standing outside of the vehicle by the driver's side door which was opened and Palma was also standing on the passenger side of the vehicle with the passenger door open. **GUTIERREZ GUZMAN** is then observed reaching into his right front pants pocket with his right hand, taking out a small unidentifiable object. He then sprinkles what looks like a white powdery substance onto his left wrist (not his right as indicated in the incident report) and is observed leaning forward while raising, his left wrist up to his nose and runs is nose across the white powdery substance causing the substance to be inhaled. **GUTIERREZ GUZMAN** then wipes his nose with his fingertips. He and Palma each close the doors to the vehicle and both men walk away from the car and towards the entrance of the Casino.

At 1:42 A.M., when approaching the front entrance of the Casino **GUTIERREZ GUZMAN** and Palma are called over to the valet area by Police and Security. The Police are seen speaking with Palma and **GUTIERREZ GUZMAN** and they walk back over to the BMW.

At 1:45 A.M., Palma gets into the BMW in an attempt to leave and **GUTIERREZ GUZMAN** walks back toward the Casino entrance. Security and Police pull in front of the BMW occupied by Palma and make him exit the vehicle. He is temporarily detained and questioned by Police before being released; Palma remains in the parking lot.

CONTINUATION

At 1:54 A.M., **GUTIERREZ GUZMAN** returns to the parking lot with an unidentified male. The unidentified male speaks with Police and Palma and then leaves.

At 2:07 A.M., Palma and **GUTIERREZ GUZMAN** are seen walking away from the BMW and Police, and towards the valet area. Palma gets into an Uber and leaves, meanwhile, **GUTIERREZ GUZMAN** enters the Casino.

At 2:13 A.M., **GUTIERREZ GUZMAN** is located by Security Team Leader Ortega in the card room standing next to Poker table #2. He is escorted to the Security Office where he and Ortega can be seen talking to each other; presumably about Casino Rules, and him being excluded from the facility.

At 2:24 A.M., Security and Police escort **GUTIERREZ GUZMAN** to the valet parking area, where he waits for an Uber to pick him up. Upon the Ubers arrival, he entered the vehicle and is seen leaving the facility.

On May 25, 2023, this Investigator spoke with Magic City Security Team Leader Bryan Ortega about the incident. Ortega stated that on the day of the incident, Surveillance contacted Security via radio to have a Security Supervisor respond to Surveillance to view video footage of an incident. He then went to Surveillance and viewed a male urinating in the parking lot behind a vehicle. While observing the male urinating, he also observed another male standing by the same vehicle snorting a powdery substance, (possibly cocaine) from his left wrist. He then contacted Security Supervisor Jose Guervara who along with the Police went outside to locate the males in question.

According to Ortega, he and the Police located the male who was observed snorting the white powdery substance in the poker room, while the other male was located in the parking lot. Both men were subsequently excluded from the facility.

On June 13, 2023, this Investigator spoke with Magic City Security Supervisor Jose Guervara about the incident. Guervara stated that on the day of the incident he was the Security Supervisor. He was contacted via radio by Security Team Leader Bryan Ortega to respond to the parking lot in reference to a male urinating by a vehicle, and another male possibly doing drugs. He along with Miami PD Officers responded to the parking lot to locate the males in question. According to Guervara, while he and the Officer were responding to the parking lot, Ortega and Police responded to the poker room and located the male who was observed snorting the powdery substance standing next to Poker table #2. The male was approached and identified by the Police as Iver Daniel **GUTIERREZ GUZMAN**.

Per Guervara, the male who was observed urinating in the parking lot, [redacted], was excluded from the facility for 3 months and **GUTIERREZ GUZMAN** was permanently excluded from the facility. Both men were allowed to leave the premises without further incident. Guervara advised that **GUTIERREZ GUZMAN** was not arrested by Police because the Police had said that they could not arrest him based only on video footage.

Conclusion: This case is closed by Investigations and forwarded to Legal for review.

CONTINUATION

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2. Magic City Trespass Warning Form…….. 1-1
3. Magic City Weekly Exclusion List…….. 1-6
4. Property Receipt..……. 1-1

Incident File Full Report

iTrak Incident Reporting and Risk Management System Version 2020.1.0.05202

Incident Number:	IN20230001857
Date/Time Occurred:	4/23/2023 2:13:17 AM
Day of Week:	Sunday
Created by:	bortega

Printed By: igarcia

Printed On: 5/ 1/2023 at 9:37:48 AM

EXHIBIT # - 1
PAGE # 1

Incident File Full Report

Incident File #IN20230001857

Date/Time Occurred:	4/23/2023 2:13:17 AM
Day of Week Occurred:	Sunday
Date/Time Created:	4/23/2023 3:45:21 AM
Date/Time Closed:	
Closed By:	

Record Creation Details

Department:	Security
Owner:	bortega
Operator ID:	bortega
Operator Name:	
Personnel ID:	
Card Number:	
Job Position	
Secondary Operator:	

Location of Incident:

Property:	Magic City Casino
Location:	Poker Room
Sublocation:	

Details of Incident:

Daily Log #:	DL20230013559
Incident Type:	Possession of Drugs
Specific:	Permanent Exclusion
Risk Classification:	
Incident Status:	Open
Custom 3:	
Custom 4:	

Synopsis: On Sunday April 23, 2023 at approximately 2:13 A.M Surveillance was observing a patron and advised Security Supervisor about a male patron who was snorting an illegal substants from his right wrist in the North West (Section 1 Red Row 3) Security Supervisor responded to the Location alongside MPD. Upon Surveillance Video Review, Security Team Leader confirmed that the male patron takes out an illegal Substants from his right pocket and puts it in his right wrist then snorts it. Security Team Leader approached the male patron in the Poker Room next to Table 2 and escorted him to the Security Office alongside MPD to gather more information. Upon Arrival at the Security Office Security Team Leader alongside MPD advised the male patron of the Casino Rules Regulations regarding Possession of Drugs. The male patron understood, signed the Trespass Warning Form and left the property shortly after.

Checklist:

Narrative:

Created On	Created By	Modified On	Modified By
4/23/2023 5:44:16 PM	bortega	4/23/2023 5:52:20 PM	jguevara08

On Sunday April 23, 2023 at approximately 2:13 A.M Surveillance was observing the male patron [redacted] – Urinating on Property) and advised Security Supervisor Jose Guevara about a male patron, later identified as

EXHIBIT #-1
PAGE # -2

Reporting Party:

Supervisor:

Iver Daniel Gutierrez Guzman who was observed snorting an illegal substance from his right wrist in the North West (Section 1 Red Row 3) S.S Guevara was en route to the location alongside MPD. S.T.L Ortega who had confirmed the illegal substance through video review approached Mr. Gutierrez Guzman in the Poker Room next to Table 2 and escorted him to the Security Office alongside MPD to gather more information. Upon Arrival at the Security Office S.T.L Ortega alongside MPD advised Mr. Gutierrez Guzman of the Casino Rules Regulations regarding Possession of Drugs. Mr. Gutierrez Guzman understood, signed the Trespass Warning Form and left the property shortly after.

Upon Surveillance Video Review, S.T.L Ortega confirmed that Mr. Gutierrez Guzman takes out an illegal Substance from his right pocket and puts it in his right wrist then snorts it.

Executive Brief:

Participants Involved:

Personnel

Full Name:	GUEVARA, JOSE LUIS	Property:	Magic City Casino
Role:	Security Supervisor	Department:	Security
Date Of Birth:			

Full Name:	ORTEGA, BRYAN	Property:	Magic City Casino
Role:	Security Team Leader	Department:	Security
Date Of Birth:			

Subject

Full Name:	Gutierrez Guzman, Iver Daniel	Company:	
Role:	Patron		
Date Of Birth:	[redacted]		
Address:	5701 NW 114TH CT APT 102, Doral, FL, 33178, USA		
Contact Info:			

Ban/Watch Details

Full Name	Ban/Watch	Start Date	End Date
Gutierrez Guzman, Iver Daniel	Ban	4/23/2023	Permanent

Type Of Ban: Permanent

Notes:

Reason For Ban: Possession of Drugs

Identification: Learners License

List of Attached Records:

Record Type	Summary	Attached By	Date Attached

Reporting Party:

Supervisor:

EXHIBIT # 1
PAGE # 3

iDispatch	Dispatch#: DS20230002821 - Daily Log#: DL20230013559 - Call Time: 23/04/2023 02:13:17 - Dispatch Code: 10-36 - Dispatch Subcode: - Dispatch Level: - Dispatch Emergency Type: - Property: Magic City Casino - Location: Poker Room - Dispatch Status: Cleared	bortega	4/23/2023

EXHIBIT # 1
PAGE # 4

Reporting Party:

Supervisor:

Media Title

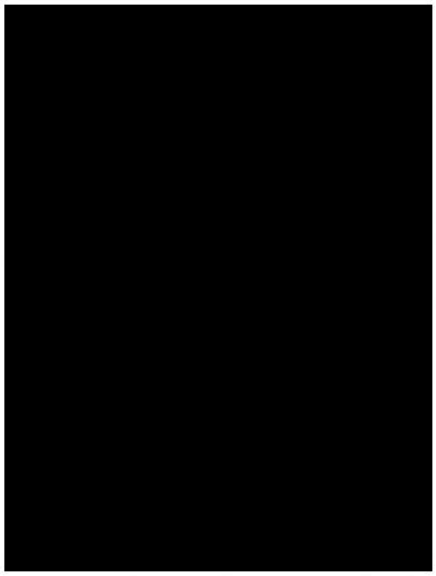
Original Filename
Iver Daniel Gutierrez Guzman.jpg

Date Attached
4/23/2023 5:47:52 AM

Attached By
bortega

Type
JPG

Size
1432232



Media Title

Original Filename
Iver Daniel Gutierrez Guzman ID.jpg

Date Attached
4/23/2023 5:47:52 AM

Attached By
bortega

Type
JPG

Size
920056

EXHIBIT # 1
PAGE # 5

Media Title

Original Filename
Mr. Gutierrez Guzman Trespass Warning Form.pdf

Date Attached
4/23/2023 5:47:52 AM

Attached By
bortega

Type
PDF

Size
67441

EXHIBIT # 2
PAGE # 4

MAGIC CITY
CASINO

TRESPASS WARNING

NAME / LAST NAME: Iver Daniel Gutierrez Guzman

DRIVER LICENSE #: [redacted] D.O.B. [redacted]

ADDRESS: 5701 NW 114th ct Apt 102 CITY: Doral ST: FL ZIP: 33178

RACE: Hispanic SEX: M HEIGHT: 5'8 WEIGHT: 170 HAIR: Brown EYES: Brown

REASON FOR TRESPASSING: Possession of Drugs

The above-named person was advised to stay off MAGIC CITY CASINO property for a period of:

☐ 24 Hrs ☐ 3 Days ☐ 7 Days ☐ 30 Days ☐ 3 Months ☐ 6 Months ☐ 1 Year ☐ 2 Year ☑ Permanent

This warning was given on April 23, 2023 at 12:17 AM hours.

If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes. Additionally, MAGIC CITY CASINO may permanently withhold any winnings from the above-named person that were won during the stated period of time.

SUBJECT'S SIGNATURE: [signature]

CASE #: N/A ARRESTED: ☐ YES ☑ NO

SECURITY AGENT: [signature] 4058 DATE: 4/23/22

POLICE OFFICER / WITNESS: [signature] #27455

☑ Warned by MPD referenced trespass after warning ☐ Subject refused to sign this trespass warning

EXHIBIT # - 7
PAGE # -

Tyrell Smith

From: Yadelin Crespo <ycrespo@magiccitycasino.com>
Sent: Friday, April 28, 2023 3:46 PM
To: Tyrell Smith; Raul Suau; Julio Minaya
Cc: Victor Suarez; Ileana Zamora
Subject: MCC Weekly Exclusions 4/27/23
Attachments: MCC Weekly Exclusions 2023-04-27.xlsx

Good Afternoon,

Attached please find MCC's weekly exclusions for this week.

*State Exclusion website checked today 4/28/23 – MCC Master Exclusion List up to date

Thank you,

Yadelin Crespo
Director of Compliance
Magic City Casino
305.631.4536 (direct line)
ycrespo@magiccitycasino.com
magiccitycasino.com

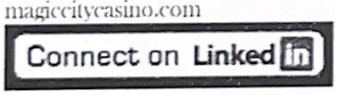


EXHIBIT # -3
PAGE # – 1

Date	Last Name	First Name	DOB	Gender
[redacted]				
4/23/2023	Gutierrez Guzman	Iver Daniel	[redacted]	Male
[redacted]				

EXHIBIT #-3
PAGE # - 2

Race	Address	City	State
[redacted]			
Hispanic	5701 NW 114TH CT APT 102	Doral	FL
[redacted]			

EXHIBIT # -3
PAGE # -3

Zip	Height	Weight	Hair Color	Eye Color	Build	Length
[redacted]						
33178	5'8	171	Brown	Brown	Normal	Permanent
[redacted]						

EXHIBIT # -3
PAGE # -4

Incident Type	Report#	Photo Taken	Arrested
[redacted]			
Possession of Drugs	IN20230001857	Y	N
[redacted]			

EXHIBIT #-3
PAGE # -5

Driver's License	Location	Sublocation
[redacted]		

EXHIBIT #-3
PAGE # -6

State of Florida
Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
Office of Investigations

PROPERTY RECEIPT

Complaint # 2023-02-5665 Date 5/9/23 Lab # _____

Item No.	Quantity	Description
1	1	USB CONTAINING VIDEO FOOTAGE OF EXCLUDED PATRON IVER DANIEL GUTIERREZ GUZMAN FOR POSSESSION OF DRUGS ON 4/23/23.
		LAST ITEM

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

Signature – Impounding Investigator

RETURNED PROPERTY RECEIPT

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature Date

Received by: _____ Date: _____
Received by: _____ Date: _____
Received by: _____ Date: _____

Copies for: File, Transmittal, Laboratory, Property Receipt

Form FGCC 11-75 (Revised 07/22)

EXHIBIT # 4
PAGE # 1

Closed: 07/05/2023
63 Days

Lic Type	**1098 - Unlicensed Complaints**		Status **90 Closed**	Status Date	**07/03/2023**
Complaint #	**2023025665**	Case Type **CMP - Complaint**	Disposition	Disposition Date	
Docket#		Respondent **GUTEIERREZ GUZMAN, IVER DANIEL**	Responsible **bjones - JONES, BRADFORD**		**Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**INTN - Internal**	Security Level	**1**
Form	**INTR - Internal**	Priority	
Class'n	**V-C - Cardroom Violations**	Complexity	**R - Regular**
Security	**STND - Standard**	Incident	**04/23/2023**
Region	**SR - Southern Region**	Received	**05/02/2023**
Reference	**550.0251**		
Entered	**05/03/2023**	Entered By	**nmelvai**

Summary: **155 - West Flagler Associates LTD (Magic City Casino) - 550.0251 Powers and duties of the Florida Gaming Control Commission - On April 23, 2023, at approximately 2:13 A.M., Magic City Casino Surveillance staff were watching a patron who was captured on video surveillance urinating on the exterior wall of the north west section of the facility. It was at this time that they also observed another male patron in the same area of the facility snorting an unknown substance from his right wrist. Surveillance notified security along with Miami Police who responded to the area to locate the patron. Upon their arrival the patron was no longer there but was later located in the poker room standing next to table #2. The patron who was identified as Iver Daniel Gutierrez Guzman was approached by Security and Police and escorted to the Security Office. Once inside the Security Office Guzman was informed of the Casinos Rules and Regulations regarding the Possession of an Illegal Substances, and was given the facilities Trespass Warning Form, which he acknowledged and signed. He was advised by Security Supervisor Bryan Ortega that he was being permanently excluded from the facility and was allowed to leave without further incident.**

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☐ Work Notes Print Report

63 Days | Change | Save | OK | Cancel | Back

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FLORIDA GAMING CONTROL COMMISSION

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
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Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of Complaint:	Case Number:
PMW	**SOUTHERN**	**May 3, 2023**	**2023 02 5665**

Respondent:	Complainant:
GUTIERREZ GUZMAN, IVER DANIEL **5701 NW 114TH COURT APT # 102** **DORAL, FLORIDA 33178**	**DIVISION OF PARI-MUTUEL WAGERING** **OFFICE OF INVESTIGATIONS** **1400 W. COMMERCIAL BLVD. SUITE 165** **FT. LAUDERDALE, FLORIDA 33309** **TEL (954) 202-3900**

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Related Case(s):

Investigator / Date: June 13, 2023	Investigator Supervisor / Date
Tyrell Smith /	Julio Minaya / June 20, 2023

Chief of Investigations / Date

Bradford D. Jones / July 3, 2023

CONTINUATION

On May 1, 2023, this Investigator requested and obtained a copy of Incident Report #IN202300001857 from Magic City Casino Compliance Manager, Yadelin Crespo. Crespo also provided a copy of the Magic City Casino Trespass Warning Form that was acknowledged and signed by **GUTIERREZ GUZMAN (EXHIBIT #2).**

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While in the Security Office, **GUTIERREZ GUZMAN** was informed by Ortega that possessing an illegal substance was a violation of Casino Rules. He was given a Magic City Casino Trespass Warning Form, which he acknowledged and signed. After signing the form, **GUTIERREZ GUZMAN** was informed by Ortega that he was being permanently excluded from the facility. **GUTIERREZ GUZMAN** was allowed to leave the premises without further incident.

On May 9, 2023, this Investigator visited Magic City Casino's Surveillance Department and obtained a copy of the surveillance video footage of the incident from Magic City Surveillance Manager Gabriel Flores **(EXHIBIT #4).**

A review of the surveillance video footage revealed the following:

On April 23, 2023, at approximately 1:39 A.M., **GUTIERREZ GUZMAN** along with [redacted] are observed standing in the Northwest section of the parking lot beside a black BMW. **GUTIERREZ GUZMAN** was standing outside of the vehicle by the driver's side door which was opened and Palma was also standing on the passenger side of the vehicle with the passenger door open. **GUTIERREZ GUZMAN** is then observed reaching into his right front pants pocket with his right hand, taking out a small unidentifiable object. He then sprinkles what looks like a white powdery substance onto his left wrist (not his right as indicated in the incident report) and is observed leaning forward while raising, his left wrist up to his nose and runs is nose across the white powdery substance causing the substance to be inhaled. **GUTIERREZ GUZMAN** then wipes his nose with his fingertips. He and Palma each close the doors to the vehicle and both men walk away from the car and towards the entrance of the Casino.

At 1:42 A.M., when approaching the front entrance of the Casino **GUTIERREZ GUZMAN** and Palma are called over to the valet area by Police and Security. The Police are seen speaking with Palma and **GUTIERREZ GUZMAN** and they walk back over to the BMW.

At 1:45 A.M., Palma gets into the BMW in an attempt to leave and **GUTIERREZ GUZMAN** walks back toward the Casino entrance. Security and Police pull in front of the BMW occupied by Palma and make him exit the vehicle. He is temporarily detained and questioned by Police before being released; Palma remains in the parking lot.

CONTINUATION

At 1:54 A.M., **GUTIERREZ GUZMAN** returns to the parking lot with an unidentified male. The unidentified male speaks with Police and Palma and then leaves.

At 2:07 A.M., Palma and **GUTIERREZ GUZMAN** are seen walking away from the BMW and Police, and towards the valet area. Palma gets into an Uber and leaves, meanwhile, **GUTIERREZ GUZMAN** enters the Casino.

At 2:13 A.M., **GUTIERREZ GUZMAN** is located by Security Team Leader Ortega in the card room standing next to Poker table #2. He is escorted to the Security Office where he and Ortega can be seen talking to each other; presumably about Casino Rules, and him being excluded from the facility.

At 2:24 A.M., Security and Police escort **GUTIERREZ GUZMAN** to the valet parking area, where he waits for an Uber to pick him up. Upon the Ubers arrival, he entered the vehicle and is seen leaving the facility.

On May 25, 2023, this Investigator spoke with Magic City Security Team Leader Bryan Ortega about the incident. Ortega stated that on the day of the incident, Surveillance contacted Security via radio to have a Security Supervisor respond to Surveillance to view video footage of an incident. He then went to Surveillance and viewed a male urinating in the parking lot behind a vehicle. While observing the male urinating, he also observed another male standing by the same vehicle snorting a powdery substance, (possibly cocaine) from his left wrist. He then contacted Security Supervisor Jose Guervara who along with the Police went outside to locate the males in question.

According to Ortega, he and the Police located the male who was observed snorting the white powdery substance in the poker room, while the other male was located in the parking lot. Both men were subsequently excluded from the facility.

On June 13, 2023, this Investigator spoke with Magic City Security Supervisor Jose Guervara about the incident. Guervara stated that on the day of the incident he was the Security Supervisor. He was contacted via radio by Security Team Leader Bryan Ortega to respond to the parking lot in reference to a male urinating by a vehicle, and another male possibly doing drugs. He along with Miami PD Officers responded to the parking lot to locate the males in question. According to Guervara, while he and the Officer were responding to the parking lot, Ortega and Police responded to the poker room and located the male who was observed snorting the powdery substance standing next to Poker table #2. The male was approached and identified by the Police as Iver Daniel **GUTIERREZ GUZMAN**.

Per Guervara, the male who was observed urinating in the parking lot, [redacted], was excluded from the facility for 3 months and **GUTIERREZ GUZMAN** was permanently excluded from the facility. Both men were allowed to leave the premises without further incident. Guervara advised that **GUTIERREZ GUZMAN** was not arrested by Police because the Police had said that they could not arrest him based only on video footage.

Conclusion: This case is closed by Investigations and forwarded to Legal for review.

CONTINUATION

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Incident File Full Report

iTrak Incident Reporting and Risk Management System Version 2020.1.0.05202

Incident Number:	IN20230001857
Date/Time Occurred:	4/23/2023 2:13:17 AM
Day of Week:	Sunday
Created by:	bortega

Printed By: igarcia

Printed On: 5/ 1/2023 at 9:37:48 AM

EXHIBIT # - 1
PAGE # 1

Incident File Full Report

Incident File #IN20230001857

Date/Time Occurred:	4/23/2023 2:13:17 AM
Day of Week Occurred:	Sunday
Date/Time Created:	4/23/2023 3:45:21 AM
Date/Time Closed:	
Closed By:	

Record Creation Details

Department:	Security
Owner:	bortega
Operator ID:	bortega
Operator Name:	
Personnel ID:	
Card Number:	
Job Position	
Secondary Operator:	

Location of Incident:

Property:	Magic City Casino
Location:	Poker Room
Sublocation:	

Details of Incident:

Daily Log #:	DL20230013559
Incident Type:	Possession of Drugs
Specific:	Permanent Exclusion
Risk Classification:	
Incident Status:	Open
Custom 3:	
Custom 4:	

Synopsis: On Sunday April 23, 2023 at approximately 2:13 A.M Surveillance was observing a patron and advised Security Supervisor about a male patron who was snorting an illegal substants from his right wrist in the North West (Section 1 Red Row 3) Security Supervisor responded to the Location alongside MPD. Upon Surveillance Video Review, Security Team Leader confirmed that the male patron takes out an illegal Substants from his right pocket and puts it in his right wrist then snorts it. Security Team Leader approached the male patron in the Poker Room next to Table 2 and escorted him to the Security Office alongside MPD to gather more information. Upon Arrival at the Security Office Security Team Leader alongside MPD advised the male patron of the Casino Rules Regulations regarding Possession of Drugs. The male patron understood, signed the Trespass Warning Form and left the property shortly after.

Checklist:

Narrative:

Created On	Created By	Modified On	Modified By
4/23/2023 5:44:16 PM	bortega	4/23/2023 5:52:20 PM	jguevara08

On Sunday April 23, 2023 at approximately 2:13 A.M Surveillance was observing the male patron [redacted] Urinating on Property) and advised Security Supervisor Jose Guevara about a male patron, later identified as

EXHIBIT #-1
PAGE # -2

Reporting Party:

Supervisor:

Incident File Full Report

Incident File #IN20230001857

Iver Daniel Gutierrez Guzman who was observed snorting an illegal substance from his right wrist in the North West (Section 1 Red Row 3) S.S Guevara was en route to the location alongside MPD. S.T.L Ortega who had confirmed the illegal substance through video review approached Mr. Gutierrez Guzman in the Poker Room next to Table 2 and escorted him to the Security Office alongside MPD to gather more information. Upon Arrival at the Security Office S.T.L Ortega alongside MPD advised Mr. Gutierrez Guzman of the Casino Rules Regulations regarding Possession of Drugs. Mr. Gutierrez Guzman understood, signed the Trespass Warning Form and left the property shortly after.

Upon Surveillance Video Review, S.T.L Ortega confirmed that Mr. Gutierrez Guzman takes out an illegal Substance from his right pocket and puts it in his right wrist then snorts it.

Executive Brief:

Participants Involved:

Personnel

Full Name:	GUEVARA, JOSE LUIS	Property:	Magic City Casino
Role:	Security Supervisor	Department:	Security
Date Of Birth:			

Full Name:	ORTEGA, BRYAN	Property:	Magic City Casino
Role:	Security Team Leader	Department:	Security
Date Of Birth:			

Subject

Full Name:	Gutierrez Guzman, Iver Daniel	Company:	
Role:	Patron		
Date Of Birth:	[redacted]		
Address:	5701 NW 114TH CT APT 102, Doral, FL, 33178, USA		
Contact Info:			

Ban/Watch Details

Full Name	Ban/Watch	Start Date	End Date
Gutierrez Guzman, Iver Daniel	Ban	4/23/2023	Permanent

Type Of Ban: Permanent

Notes:

Reason For Ban: Possession of Drugs

Identification: Learners License

List of Attached Records:

Record Type	Summary	Attached By	Date Attached

Reporting Party:

Supervisor:

EXHIBIT # 1
PAGE # 3

iDispatch	Dispatch#: DS20230002821 - Daily Log#: DL20230013559 - Call Time: 23/04/2023 02:13:17 - Dispatch Code: 10-36 - Dispatch Subcode: - Dispatch Level: - Dispatch Emergency Type: - Property: Magic City Casino - Location: Poker Room - Dispatch Status: Cleared	bortega	4/23/2023

EXHIBIT # 1
PAGE # 4

Reporting Party:

Supervisor:

Media Title

Original Filename
Iver Daniel Gutierrez Guzman.jpg

Date Attached
4/23/2023 5:47:52 AM

Attached By
bortega

Type
JPG

Size
1432232

[redacted]

Media Title

Original Filename
Iver Daniel Gutierrez Guzman ID.jpg

Date Attached
4/23/2023 5:47:52 AM

Attached By
bortega

Type
JPG

Size
920056

[redacted]

EXHIBIT # -1
PAGE # -5

Media Title

Original Filename
Mr. Gutierrez Guzman Trespass Warning Form.pdf

Date Attached
4/23/2023 5:47:52 AM

Attached By
bortega

Type
PDF

Size
67441

EXHIBIT # 2
PAGE # 4

MAGIC CITY
CASINO

TRESPASS WARNING

NAME / LAST NAME: Iver Daniel Gutierrez Guzman

DRIVER LICENSE #: [redacted] D.O.B. [redacted]

ADDRESS: 5701 NW 114th ct Apt 102 CITY: Doral ST: FL ZIP: 33178

RACE: Hispanic SEX: M HEIGHT: 5'8 WEIGHT: 170 HAIR: Brown EYES: Brown

REASON FOR TRESPASSING: Possession of Drugs

The above-named person was advised to stay off MAGIC CITY CASINO property for a period of:

☐ 24 Hrs ☐ 3 Days ☐ 7 Days ☐ 30 Days ☐ 3 Months ☐ 6 Months ☐ 1 Year ☐ 2 Year ☑ Permanent

This warning was given on April 23, 2023 at 12:17 AM hours.

If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes. Additionally, MAGIC CITY CASINO may permanently withhold any winnings from the above-named person that were won during the stated period of time.

SUBJECT'S SIGNATURE: [signature]

CASE #: N/A ARRESTED: ☐ YES ☑ NO

SECURITY AGENT: [signature] 4058 DATE: 4/23/22

POLICE OFFICER / WITNESS: [signature] #27455

☑ Warned by MPD referenced trespass after warning ☐ Subject refused to sign this trespass warning

EXHIBIT # - 7
PAGE # -

Tyrell Smith

From: Yadelin Crespo <ycrespo@magiccitycasino.com>
Sent: Friday, April 28, 2023 3:46 PM
To: Tyrell Smith; Raul Suau; Julio Minaya
Cc: Victor Suarez; Ileana Zamora
Subject: MCC Weekly Exclusions 4/27/23
Attachments: MCC Weekly Exclusions 2023-04-27.xlsx

Good Afternoon,

Attached please find MCC's weekly exclusions for this week.

*State Exclusion website checked today 4/28/23 – MCC Master Exclusion List up to date

Thank you,

Yadelin Crespo
Director of Compliance
Magic City Casino
305.631.4536 (direct line)
ycrespo@magiccitycasino.com
magiccitycasino.com

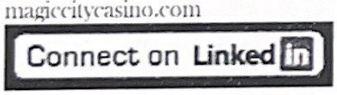

EXHIBIT # -3
PAGE # – 1

Date	Last Name	First Name	DOB	Gender
[redacted]				
4/23/2023	Gutierrez Guzman	Iver Daniel	9/9/1996	Male
[redacted]				

EXHIBIT #-3
PAGE # - 2

Race	Address	City	State
[redacted]			
Hispanic	5701 NW 114TH CT APT 102	Doral	FL
[redacted]			

EXHIBIT # -3
PAGE # -3

Zip	Height	Weight	Hair Color	Eye Color	Build	Length
[redacted]						
33178	5'8	171	Brown	Brown	Normal	Permanent
[redacted]						

EXHIBIT # -3
PAGE # -4

Incident Type	Report#	Photo Taken	Arrested
[redacted]			
Possession of Drugs	IN2023001857	Y	N
[redacted]			

EXHIBIT #-3
PAGE # -5

Driver's License	Location	Sublocation
[redacted]		

EXHIBIT #-3
PAGE # -6

State of Florida
Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
Office of Investigations

PROPERTY RECEIPT

Complaint # 2023-02-5665 Date 5/9/23 Lab # _____

Item No.	Quantity	Description
1	1	USB CONTAINING VIDEO FOOTAGE OF EXCLUDED PATRON IVER DANIEL GUTIERREZ GUZMAN FOR POSSESSION OF DRUGS ON 4/23/23.
		LAST ITEM

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

Signature – Impounding Investigator

RETURNED PROPERTY RECEIPT

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature Date

Received by: _____ Date: _____
Received by: _____ Date: _____
Received by: _____ Date: _____

Copies for: File, Transmittal, Laboratory, Property Receipt

Form FGCC 11-75 (Revised 07/22)

EXHIBIT # 4
PAGE # 1

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Joseph Klein, Senior Attorney
Re: FGCC v. Ledier A. Vega
Case Number 2023-028678; Default Final Order
Date: April 18, 2024

Executive Summary

The Division of Pari-Mutuel Wagering (the "Division") served the respondent, Ledier A. Vega ("Respondent"), with an administrative complaint seeking to exclude him from all pari-mutuel and slot facilities in the state of Florida. Respondent failed to timely respond to the administrative complaint and thereby waived his right to request a hearing contesting this matter. The Division requests that the Florida Gaming Control Commission enter a final order permanently excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

Background

On April 28, 2023, Respondent was a patron at West Flagler Associates, Ltd. d/b/a Magic City Casino ("Magic City Casino")[1]. Subsequently, Respondent was ejected and permanently excluded from the facility.[2] The reason for the ejection is included as Exhibit 1 of the Administrative Complaint.

Based on Respondent's ejection from Magic City Casino, the Division filed a corrected administrative complaint on July 26, 2023, seeking his exclusion from all pari-mutuel and slot machine facilities in the state of Florida.

The Division attempted to serve Respondent with the administrative complaint by Certified Mail on July 19, 2023, which was returned as undeliverable. On August 22, 2023, September 21, 2023, October 30, 2023, January 25, 2024, and February 20, 2024, the Division attempted to serve Respondent by Certified Mail at alternate addresses but was unsuccessful.

[1] Magic City Casino is operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the state of Florida.

[2] Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

The Division then requested that a notice be placed in the Sun Sentinel, which was published February 27, 2024, March 5, 2024, and March 12, 2024, and March 19, 2024.[3]

Respondent failed to respond to the notice in a timely manner, which would have been required no later than March 26, 2024.

Analysis

Florida law allows for the exclusion of Respondent from all pari-mutuel and slot machine facilities in the state.

Section 550.0251(6), Florida Statutes, provides that "[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state." Further, Section 551.112 provides that "[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state."

Therefore, Respondent's ejection from Magic City Casino – which is both a pari-mutuel facility and slot machine licensee in this state – subjects him to exclusion from all pari-mutuel and slot machine facilities in this state.

Moreover, Respondent failed to file a timely response to the publication notice and has thus waived his right to request a hearing on the matter.

Staff Recommendation: The Division recommends that the Florida Gaming Control Commission enter a final order permanently excluding the Respondent, Ledier A. Vega, from all pari-mutuel and slot machine facilities in the state of Florida.

[3] Section 120.60(5), Florida Statutes, provides, "when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee's last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county."

NOTICE OF ACTION

BEFORE THE DIVISION OF PARI-MUTUEL WAGERING

IN RE: Sections 550.0251(6), and 551.112, Florida Statutes.
LEDIER A. VEGA
6125 West 20th Avenue, Apt. 109
Miami, Florida 33013

CASE NO.: 2023-028678

LICENSE NO.: N/A

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 4070 Esplanade Way, Tallahassee, FL 32399, (850) 794-8072.

If no contact has been made by you concerning the above by Tuesday, March 19, 2024, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257- 6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.

SUN-SENTINEL

Sold To:
Florida Gaming Control Commission - CU80176232
4070 Esplanade Way, Suite 250
Tallahassee,FL 32399

Bill To:
Florida Gaming Control Commission - CU80176232
4070 Esplanade Way, Suite 250
Tallahassee,FL 32399

Published Daily
Fort Lauderdale, Broward County, Florida
Boca Raton, Palm Beach County, Florida
Miami, Miami-Dade County, Florida

State Of Florida
County Of Orange

Before the undersigned authority personally appeared
Rose Williams, who on oath says that he or she is a duly authorized representative of the SUN- SENTINEL, a DAILY newspaper published in BROWARD/PALM BEACH/MIAMI-DADE County, Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of 11745-Other Legal Notices ,
Was published in said newspaper by print in the issues of, and by publication on the newspaper's website, if authorized on Feb 27, 2024; Mar 05, 2024; Mar 12, 2024; Mar 19, 2024
Self Service Multi-Product Purchase
Affiant further says that the newspaper complies with all legal requirements for publication in Chapter 50, Florida Statutes.

Signature of Affiant

Sworn to and subscribed before me this: March 20, 2024.

Signature of Notary Public

LEANNE ROLLINS
Notary Public - State of Florida
Commission # GG 982233
My Comm. Expires Apr 27, 2024
Bonded through National Notary Assn.

Name of Notary, Typed, Printed, or Stamped
Personally Known (X) or Produced Identification ( )

Affidavit Delivery Method: E-Mail
Affidavit Email Address: Ebonie.Lanier@flgaming.gov
7587696

NOTICE OF ACTION
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING

IN RE: Sections 550.0251(6), and 551.112, Florida Statutes.
LEDIER A. VEGA
6125 West 20th Avenue, Apt. 109
Miami, Florida 33013
CASE NO.: 2023-028678
LICENSE NO.: N/A

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If no contact has been made by you concerning the above by Tuesday, March 19, 2024, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action. In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257- 6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

2/27/2024, 3/5/2024, 3/12/2024, 3/19/2024 7587696

Order # - 7587696

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-028678

LEDIER A. VEGA,

Respondent.
_____/

CORRECTED ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Corrected Administrative Complaint against Ledier A. Vega ("Respondent"), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.

2. At all times material hereto, Respondent's address was reported as 6125 West 20th Avenue, Apt. 109, Miami, Florida 33178.

3. At all times material hereto, Magic City Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the state of Florida.

4. On or about April 28, 2023, Respondent was a patron of Magic City Casino.

5. On or about April 28, 2023, Respondent was ejected and permanently excluded from Magic City Casino.

6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

7. Section 550.0251(6), Florida Statutes, provides in relevant part:

> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

> In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the state of Florida under sections 550.0251(6) and 551.112, Florida Statutes based on his ejection from Magic City Casino on or about April 28, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any

facility of a slot machine licensee in the state of Florida, along with any other remedy provided by chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Corrected Administrative Complaint for FGCC Case Number 2023-028678 is signed this 26th day of July 2023.

/s/Emily A. Alvarado

Emily A. Alvarado
Deputy Chief Attorney
Florida Bar Number: 1025200
Florida Gaming Control Commission
Office of the General Counsel
Division of Pari-Mutuel Wagering
4070 Esplanade Way
Tallahassee, Florida 32399-2202
Telephone: (850) 794-8066
Facsimile: (850) 921-1311
Primary: Emily.Alvarado@flgaming.gov
Secondary: Ebonie.Lanier@flgaming.gov

NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

Closed: 07/14/23
57 days

FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update | Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **nmelvai**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	**1098 - Unlicensed Complaints**			Status	**90 Closed**	Status Date	**07/11/2023**
Complaint #	**2023028678**	Case Type	**CMP - Complaint**	Disposition		Disposition Date	
Docket#		Respondent	**VEGA, LEDLER A**	Responsible	**bjones - JONES, BRADFORD**		**Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**INTN - Internal**	Security Level	**1**
Form	**INTR - Internal**	Priority	
Class'n	**V-C - Cardroom Violations**	Complexity	**R - Regular**
Security	**STND - Standard**	Incident	**04/28/2023**
Region	**SR - Southern Region**	Received	**05/18/2023**
Reference	**550.0251**		
Entered	**05/18/2023**	Entered By	**nmelvai**

Summary: **155-- Magic City Casino-- (550.0251)-- On May 12, 2023, at approximately 1:00 P.M., myself and Investigator T. Smith requested the updated exclusion list from surveillance room personnel. After reviewing the exclusion list, we learned that on April 28, 2023, a patron by the name of Ledler Vega had been permanently excluded by the facility for cheating (Capping his Bets) during a live Poker game. The undersigned investigator also obtained a copy of the Magic City Incident Report # IN20230001959 which documented Vega's actions. Video footage to follow.**

Updated **07/14/2023 09:03:10** By **nmelvai**

☐ Parties ☑ Activities
☑ Allegations ☐ Discipline
☐ Violations ☐ Compliance
☐ Related ☑ Disposition
☐ Inspection
☐ Costs
☐ Time Tracking Auto Assign
☐ Attachments History
☐ Work Notes Print Report

57 Days | Change | Save | OK | Cancel | Back

Get Adobe Reader.

FLORIDA GAMING CONTROL COMMISSION

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of Complaint:	Case Number:
PMW	**SOUTHERN**	**May 25, 2023**	**2023 02 8678**

Respondent:	Complainant:
VEGA, LEDIER A. **6125 W. 20th AVE, Apt 109** **MIAMI, FLORIDA 33178**	**DIVISION OF PARI-MUTUEL WAGERING** **1400 COMMERCIAL BLVD.., SUITE 165** **FT/ LAUDERDALE, FL 33309** **(954) 202-3900**

License # and Type:	Profession:	Report Date:
N/A - 1098	**N/A**	**May 25, 2023**

Period of Investigation:	Type of Report:
May 11, 2023 through May 25, 2023	**Final**

Alleged Violation: 75-11.005 Prohibitions.
(4) No person shall, either directly or indirectly:
(a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.
(b) Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator.
(c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.

Synopsis: On May 11, 2023, Investigator Tyrell Smith and I conducted a routine facility visit of Magic City Casino. During our visit, Investigator Smith reviewed an e-mail from Magic City Casino Compliance Officer Yadelin Crespo. The e-mail contained an updated facility exclusion list. A review of the newly added names revealed that on April 28, 2023, patron Ledier **VEGA** had been added to the list for cheating ("capping" his bet) during a live Poker. The above incident was documented on Magic City Casino (MCC) Incident Report # IN20230001959.

Related Case:

Investigator / Date May 25, 2023	Investigator Supervisor / Date
Darryl S. Stroud	Julio Minaya June 8, 2023

Chief of Investigations / Date

Bradford D. Jones / July 11, 2023

This case is predicated on a May 5, 2023, e-mail notification that Investigator Tyrell Smith received from Magic City Casino Compliance Officer Yadelin Crespo. The e-mail contained an updated facility exclusion list which included a patron by the name of Ledier **VEGA,** who on April 28, 2023 was permanently excluded from the facility for "capping" his bets during a live poker game. The incident was documented in Incident Report #IN20230001959. Investigator Smith e-mailed Compliance Officer Crespo and requested copies of the Incident Report and the facility Trespass Form pertaining to this incident **(Exhibits #1 & 2).**

On May 12, 2023, I received an e-mail from Crespo containing requested copies of the Incident Report, Trespass Form (which **VEGA** refused to sign) along with a picture of **VEGA (Exhibit #2).**

Per Incident Report #IN20230001959, MCC Security Team Leader Bryan Ortega was walking near stairwell 8 when he was approached by Poker Supervisor Kim Jenkins and informed that there was an unidentified male patron (later identified as Ledier **VEGA)** who was "capping" his bets in the Poker room. Upon learning of this, Ortega responded to the cardroom (with Jenkins) at which time Jenkins advised Ortega that **VEGA** was seated at table #24, seat #2. Ortega and a Miami Police Officer approached **VEGA** and escorted him out of the cardroom and to the Security Vestibule where Security Team Leader Ortega informed **VEGA** of the casino rules regarding patron conduct. **VEGA** was issued the facility Trespass Form which he refused to acknowledge and sign. He was permanently excluded and allowed to leave the casino **(Exhibit #2).**

On May 18, 2023, this Investigator returned to Magic City Casino and met with Director of Surveillance Octavio Jacques. During my meeting with Jacques, I viewed video footage of the incident in the Surveillance Room and documented the incident times based on my own observations. I also was provided a flash drive containing the same video footage of the incident.

On May 19, 2023, the flash drive was shipped to the Florida Gaming Control Commission (FGCC) office in Tallahassee for scanning prior to use in any local computer station as per current FGCC information technology policy **(EXHIBIT 3).**

On June 5, 2023, the scanned flash drive was received from Tallahassee. A review of the surveillance video footage by Investigative Supervisor Julio Minaya and I revealed the following:

The video surveillance footage itself is not time-stamped. Therefore, this Investigator can only describe the action on the table based on points along the run-time (in seconds) of the video. The entire video footage from start to finish is 1 minute and 25 seconds in length.

- At two seconds into the video, the action at table #24 (a table game known as Ultimate Texas Hold'em) can be seen underway with **VEGA** sitting to the left of the Dealer in seat #7. The dealer has already turned over his cards and **VEGA** can be seen having in place the following bets; a $5.00 red chip on the Play circle, $5.00 red chip in the Ante circle, $5.00 red chip in the Blind circle, $5.00 red chip in the Trips Square circle and a $5.00 red chip in the Ultimate Pairs Bonus bet circle.

- Three seconds into the video the Dealer can be seen turning over the cards belonging to the player in seat #2, at the same time, **VEGA** can be seen conspicuously hiding additional chips in the palm of his right hand. He then reaches over to the Trips Square bet, and adds to ("caps") his bet by placing a $5.00 red chip on top of his original red $5.00 chip that he had originally placed on the table.

- Nine seconds into the video, the Dealer can now be seen turning over the seat #4 cards. He then proceeds to pay the player in seat #4. After additional table action has taken place, now at thirty-six seconds into the video footage, the Dealer is observed turning over **VEGA's** cards. He's then observed removing the added $5.00 red chip that **VEGA** used to cap his original bet. **VEGA** takes the chip and places it on top of a stack of chips that are in front of him. The Dealer then pays **VEGA** and **VEGA** then places a red $5.00 chip and requesting change and is given five $1.00 white chips totaling $5.00. **VEGA** then tips the Dealer with a $1.00 white chip.

As previously mentioned above, the video also shows **VEGA** being approached by Security Team Leader Ortega with the police and being escorted to the Security Vestibule where he was presented with the Trespass Form.

Conclusion: It appears that by his actions, **VEGA** violated Rule 75-11.005(4)(a)(b)(c).

Status: Case Closed by Investigations and forwarded to Legal for review.

CONTINUATION

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3. Copy of Property Receipt……1-1

Julio Minaya

From: Yadelin Crespo <ycrespo@magiccitycasino.com>
Sent: Friday, May 5, 2023 10:52 PM
To: Tyrell Smith; Raul Suau; Julio Minaya
Cc: Victor Suarez; Ileana Zamora
Subject: MCC Weekly Exclusions 5/4/23
Attachments: MCC Weekly Exclusions 2023-05-04.xlsx

Good Evening,

Attached please find MCC's weekly exclusions for this week.

*State Exclusion website checked today 5/5/23 – MCC Master Exclusion List up to date

Thank you,

Yadelin Crespo
Director of Compliance
Magic City Casino
305.631.4536 (direct line)
ycrespo@magiccitycasino.com
magiccitycasino.com

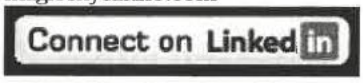


EXHIBIT #/
PAGE #/

Date	Last Name	First Name	DOB	Gender	Race	Address	City	State	Zip
4/28/2023	[redacted]								
4/28/2023	Vega	Ledier A	[redacted]	Male	Hispanic	6125 W 20TH AVE. APT 109	Miami	FL	33012
4/29/2023	[redacted]								
4/29/2023									
4/30/2023									
5/2/2023									
5/2/2023									
5/2/2023									
5/3/2023									
5/3/2023									

EXHIBIT # 1
PAGE # 2

Height	Weight	Hair Color	Eye Color	Build	Length	Incident Type	Report#
[redacted]							
5'8	181		Brown	Normal	Permanent	Capping bets	IN20230001959
[redacted]							

EXHIBIT # 1
PAGE # 3

Julio Minaya

From: Darryl Stroud
Sent: Thursday, May 25, 2023 11:09 AM
To: Julio Minaya; Darryl Stroud
Subject: 052523_Exclusion Case_Vega Ledier
Attachments: IN20230001959.pdf; Ledier A. Vega.jpg; Ledier Color ID.jpg; Mr. Vega Trespass Warning Form.pdf; 042823_Magic City_Vega L_Capping Case.docx

From: Yadelin Crespo <ycrespo@magiccitycasino.com>
Sent: Friday, May 12, 2023 2:53 PM
To: Tyrell Smith <Tyrell.Smith@flgaming.gov>
Cc: Darryl Stroud <Darryl.Stroud@flgaming.gov>
Subject: RE: MCC Weekly Exclusions 5/4/23

Happy Friday!

Requested info attached, 4 attachments.

And will do.

Have a great weekend!

Yadelin Crespo
Magic City Casino
(305)631-4536
ycrespo@magiccitycasino.com

From: Tyrell Smith <Tyrell.Smith@flgaming.gov>
Sent: Thursday, May 11, 2023 2:47 PM
To: Yadelin Crespo <ycrespo@magiccitycasino.com>
Cc: Darryl Stroud <Darryl.Stroud@flgaming.gov>
Subject: RE: MCC Weekly Exclusions 5/4/23

Good Afternoon Yadelin, I hope all is well!

Can you please provide a copy of the incident report and trespass warning form for incident #IN20230001959.

Ledier A. Vega – Permanently Excluded for capping bets on April 28, 2023.

Can you also include Investigator Darry Stroud on future emails for the weekly exclusions.
darryl.stroud@flgaming .gov

Thank you.

EXHIBIT #2
PAGE # 1

FLORIDA GAMING CONTROL COMMISSION

Tyrell D. Smith
Investigation Specialist II
Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
Office of Investigations
954-202-6806 Office 954-202-3900 FAX

The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. LARGER VIEW

From: Yadelin Crespo <ycrespo@magiccitycasino.com>
Sent: Friday, May 5, 2023 10:52 PM
To: Tyrell Smith <Tyrell.Smith@flgaming.gov>; Raul Suau <Raul.Suau@flgaming.gov>; Julio Minaya <Julio.Minaya@flgaming.gov>
Cc: Victor Suarez <vsuarez@magiccitycasino.com>; Ileana Zamora <izamora@magiccitycasino.com>
Subject: MCC Weekly Exclusions 5/4/23

Good Evening,

Attached please find MCC's weekly exclusions for this week.

*State Exclusion website checked today 5/5/23 – MCC Master Exclusion List up to date

Thank you,

Yadelin Crespo
Director of Compliance
Magic City Casino
305.631.4536 (direct line)
ycrespo@magiccitycasino.com
magiccitycasino.com

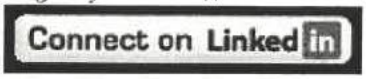


EXHIBIT #2
PAGE #2

Incident File Full Report

iTrak Incident Reporting and Risk Management System Version 2020.1.0.05202

Incident Number: IN20230001959
Date/Time Occurred: 4/28/2023 9:02:51 PM
Day of Week: Friday

Printed By: jsanchez

Printed On: 5/11/2023 at 3:58:27 PM

EXHIBIT # 2
PAGE # 3

Incident File Full Report

Incident File #IN20230001959

Record Creation Details

Department: Security

Date/Time Occurred: 4/28/2023 9:02:51 PM
Day of Week Occurred: Friday
Date/Time Created: 4/28/2023 9:30:39 PM
Date/Time Closed:
Closed By:

Location of Incident:

Property: Magic City Casino
Location: Poker Room
Sublocation:

Details of Incident:

Daily Log #: DL20230014271
Incident Type: Capping bets
Specific: Permanent Exclusion
Risk Classification:
Incident Status: Open
Custom 3:
Custom 4:

Synopsis: On Friday April 28, 2023, at approximately 9:11 P.M Security Team Leader was walking near Stairwell 8 when Poker Supervisor approached Security Team Leader and advised him of an unknown male patron who was Capping Bets in the Poker Room. Security Team Leader Responded to the Location. Upon Arrival at the Poker Room Poker Supervisor Advised Security Team Leader that the unknown male patron was located at Table 24 Seat 2. Security Team Leader alongside MPD approached the unknown male patron and escorted him to the Security Vestibule. Upon Arrival at the Security Vestibule Security Team Leader alongside MPD advised the unknown male patron of the Casino Rules and Regulations regarding Capping Bets. the unknown male patron refused to sign the Trespass Warning Form and left property shortly afterwards. the unknown male patron is excluded permanently.

Checklist:

Narrative: On Friday April 28, 2023, at approximately 9:11 P.M Security Team Leader Bryan Ortega was walking near Stairwell 8 when Poker Supervisor Kim Jenkins (2604) approached S.T.L Ortega and advised him of an unknown male patron later identified as Ledier A Vega who was Capping Bets in the Poker Room. S.T.L Ortega Responded to the Location. Upon Arrival at the Poker Room P.S Jenkins Advised S.T.L Ortega that Mr. Vega was located at Table 24 Seat 2. S.T.L Ortega alongside MPD approached Mr. Vega and escorted him to the Security Vestibule. Upon Arrival at the Security Vestibule S.T.L Ortega alongside MPD advised Mr. Vega of the Casino Rules and Regulations regarding Capping Bets. Mr. Vega refused to sign the Trespass Warning Form and left property shortly afterwards. Mr. Vega is excluded permanently.

Reporting Party:

Supervisor:

EXHIBIT #2
PAGE #4

Upon video review, at approximately 8:21 P.M Mr. Vega puts extra chips after the Dealer looks away to the other patrons Cards. It appears Mr. Vega adds extra chips after the winning hand was showed.

Executive Brief:

Participants Involved:

Personnel

Full Name:	Jenkins, Kim	Property:	Magic City Casino
Role:	Poker Supervisor	Department:	Poker
Date Of Birth:			

Full Name:	ORTEGA, BRYAN	Property:	Magic City Casino
Role:	Security Team Leader	Department:	Security
Date Of Birth:			

Subject

Full Name:	Vega, Ledier A	Company:	
Role:	Patron		
Date Of Birth:	[redacted]		
Address:	6125 W 20TH AVE. APT 109, Miami, FL, 33012, USA		
Contact Info:			

Ban/Watch Details

Full Name	Ban/Watch	Start Date	End Date
Vega, Ledier A	Ban	4/28/2023	Permanent

Type Of Ban:	Permanent	**Notes:**	
Reason For Ban:	Capping Bets		
Identification:	Driver's License		

List of Attached Records:

Record Type	Summary	Attached By	Date Attached
iDispatch	Dispatch#: DS20230002992 - Daily Log#: DL20230014271 - Call Time: 28/04/2023 21:02:51 - Dispatch Code: APPROACHING PATRON - Dispatch Subcode: - Dispatch Level: - Dispatch Emergency Type: - Property: Magic City Casino - Location: Poker Room - Dispatch Status: Cleared	bortega	4/28/2023

Reporting Party:

Supervisor:

Incident File Full Report

Incident File #IN20230001959

Incident File	Incident#: IN20150006225 - Daily Log#: DL20150074137 - Occurred Time: 18/10/2015 05:13:25 - Type: Self-Exclusion - Specific: 2 Years - Property: Magic City Casino - Location: Office - Sublocation: Security Office	bortega	4/28/2023
Incident File	Incident#: IN20200003083 - Daily Log#: DL20200021197 - Occurred Time: 16/10/2020 23:27:20 - Type: Disorderly Conduct - Specific: Towards Staff - Category: - Property: Magic City Casino - Location: Poker Room -	bortega	4/28/2023

Reporting Party:

Supervisor:

Printed: 5/11/2023 3:58:27 PM

Media Title

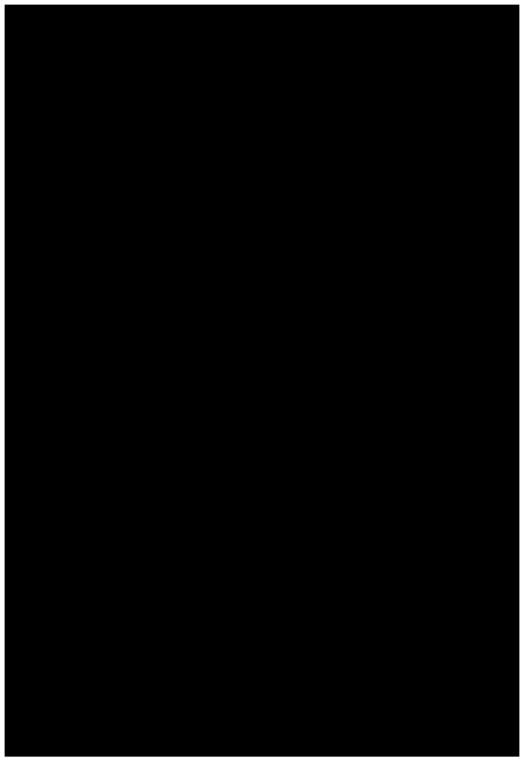
Original Filename
Ledier A Vega.jpg

Date Attached
4/28/2023 10:11:51 PM

Attached By
bortega

Type
JPG

Size
1575234



Media Title

Original Filename
Mr. Vega Trespass Warning Form.pdf

Date Attached
4/28/2023 10:11:51 PM

Attached By
bortega

Type
PDF

Size
64525

EXHIBIT # 2
PAGE # 7

Media Title

Original Filename
Mr. Vega ID.jpg

Date Attached
4/28/2023 10:11:51 PM

Attached By
bortega

Type
JPG

Size
1011882

[redacted]

EXHIBIT # 2
PAGE # 8

MAGIC CITY
CASINO

TRESPASS WARNING

NAME / LAST NAME: Ledier A Vega

DRIVER LICENSE #: [redacted] D.O.B. [redacted]

ADDRESS: 2305 E 4 AVE # 201 CITY: Hialeah ST: FL ZIP: 33013

RACE: Hispanic SEX: M HEIGHT: 5'8 WEIGHT: 180 HAIR: Brown EYES: Brown

REASON FOR TRESPASSING: calling Bets

The above-named person was advised to stay off MAGIC CITY CASINO property for a period of:

☐ 24 Hrs ☐ 3 Days ☐ 7 Days ☐ 30 Days ☐ 3 Months ☐ 6 Months ☐ 1 Year ☐ 2 Year ☑ Permanent

This warning was given on 4/28/23 at 9:11 PM hours.

If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes. Additionally, MAGIC CITY CASINO may permanently withhold any winnings from the above-named person that were won during the stated period of time.

SUBJECT'S SIGNATURE: Refused to Sign

CASE #: N/A ARRESTED: ☐ YES ☑ NO

SECURITY AGENT: 4058 DATE:

POLICE OFFICER / WITNESS: 28649

☑ Warned by MPD referenced trespass after warning ☑ Subject refused to sign this trespass warning

EXHIBIT # 2
PAGE # 9

State of Florida
Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering
Investigations Section

PROPERTY RECEIPT

Complaint # 2023-02-8678 Date 5/18/23 Lab # _____

Item No.	Quantity	Description
1	1	DVD-CMJ 2301955 (1 JUMP DRIVE) EVIDENCE VIDEO

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

Signature – Impounding Investigator

RETURNED PROPERTY RECEIPT

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature Date

Received by: _____ Date: _____
Received by: _____ Date: _____
Received by: _____ Date: _____

Copies for: File, Transmittal, Laboratory, Property Receipt

Form DBPR 11-75 (Revised 01/04)

EXHIBIT #3
Page 1

Closed: 07/14/23
57 days

FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update | Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **nmelvai**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	**1098 - Unlicensed Complaints**			Status	**90 Closed**	Status Date	**07/11/2023**
Complaint #	**2023028678**	Case Type	**CMP - Complaint**	Disposition		Disposition Date	
Docket#		Respondent	**VEGA, LEDLER A**	Responsible	**bjones - JONES, BRADFORD**		**Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**INTN - Internal**	Security Level	**1**
Form	**INTR - Internal**	Priority	
Class'n	**V-C - Cardroom Violations**	Complexity	**R - Regular**
Security	**STND - Standard**	Incident	**04/28/2023**
Region	**SR - Southern Region**	Received	**05/18/2023**
Reference	**550.0251**		
Entered	**05/18/2023**	Entered By	**nmelvai**

Summary: **155-- Magic City Casino-- (550.0251)-- On May 12, 2023, at approximately 1:00 P.M., myself and Investigator T. Smith requested the updated exclusion list from surveillance room personnel. After reviewing the exclusion list, we learned that on April 28, 2023, a patron by the name of Ledler Vega had been permanently excluded by the facility for cheating (Capping his Bets) during a live Poker game. The undersigned investigator also obtained a copy of the Magic City Incident Report # IN20230001959 which documented Vega's actions. Video footage to follow.**

Updated **07/14/2023 09:03:10** By **nmelvai**

☐ Parties ☑ Activities
☑ Allegations ☐ Discipline
☐ Violations ☐ Compliance
☐ Related ☑ Disposition
☐ Inspection
☐ Costs
☐ Time Tracking Auto Assign
☐ Attachments History
☐ Work Notes Print Report

57 Days

Change | Save | OK | Cancel | Back

Get Adobe Reader.

FLORIDA GAMING CONTROL COMMISSION

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of Complaint:	Case Number:
PMW	**SOUTHERN**	**May 25, 2023**	**2023 02 8678**

Respondent:	Complainant:
VEGA, LEDIER A. **6125 W. 20th AVE, Apt 109** **MIAMI, FLORIDA 33178**	**DIVISION OF PARI-MUTUEL WAGERING** **1400 COMMERCIAL BLVD.., SUITE 165** **FT/ LAUDERDALE, FL 33309** **(954) 202-3900**

License # and Type:	Profession:	Report Date:
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Period of Investigation:	Type of Report:
May 11, 2023 through May 25, 2023	**Final**

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Investigator / Date May 25, 2023	Investigator Supervisor / Date
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Chief of Investigations / Date

Bradford D. Jones / July 11, 2023

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- Three seconds into the video the Dealer can be seen turning over the cards belonging to the player in seat #2, at the same time, **VEGA** can be seen conspicuously hiding additional chips in the palm of his right hand. He then reaches over to the Trips Square bet, and adds to ("caps") his bet by placing a $5.00 red chip on top of his original red $5.00 chip that he had originally placed on the table.

- Nine seconds into the video, the Dealer can now be seen turning over the seat #4 cards. He then proceeds to pay the player in seat #4. After additional table action has taken place, now at thirty-six seconds into the video footage, the Dealer is observed turning over **VEGA's** cards. He's then observed removing the added $5.00 red chip that **VEGA** used to cap his original bet. **VEGA** takes the chip and places it on top of a stack of chips that are in front of him. The Dealer then pays **VEGA** and **VEGA** then places a red $5.00 chip and requesting change and is given five $1.00 white chips totaling $5.00. **VEGA** then tips the Dealer with a $1.00 white chip.

As previously mentioned above, the video also shows **VEGA** being approached by Security Team Leader Ortega with the police and being escorted to the Security Vestibule where he was presented with the Trespass Form.

Conclusion: It appears that by his actions, **VEGA** violated Rule 75-11.005(4)(a)(b)(c).

Status: Case Closed by Investigations and forwarded to Legal for review.

CONTINUATION

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II. INVESTIGATIVE REPORT..……..2

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2. E-mail & Copy of Incident Report # IN20230001959 & Exclusion……1-9
3. Copy of Property Receipt……1-1

Julio Minaya

From: Yadelin Crespo <ycrespo@magiccitycasino.com>
Sent: Friday, May 5, 2023 10:52 PM
To: Tyrell Smith; Raul Suau; Julio Minaya
Cc: Victor Suarez; Ileana Zamora
Subject: MCC Weekly Exclusions 5/4/23
Attachments: MCC Weekly Exclusions 2023-05-04.xlsx

Good Evening,

Attached please find MCC's weekly exclusions for this week.

*State Exclusion website checked today 5/5/23 – MCC Master Exclusion List up to date

Thank you,

Yadelin Crespo
Director of Compliance
Magic City Casino
305.631.4536 (direct line)
ycrespo@magiccitycasino.com
magiccitycasino.com

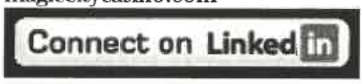


EXHIBIT #/
PAGE #/

Date	Last Name	First Name	DOB	Gender	Race	Address	City	State	Zip
[redacted]									
4/28/2023	Vega	Ledier A	[redacted]	Male	Hispanic	6125 W 20TH AVE. APT 109	Miami	FL	33012

EXHIBIT # 1
PAGE # 2

Height	Weight	Hair Color	Eye Color	Build	Length	Incident Type	Report#
[redacted]							[redacted]
5'8	181		Brown	Normal	Permanent	Capping bets	IN20230001959
[redacted]							

EXHIBIT # 1
PAGE # 3

Julio Minaya

From: Darryl Stroud
Sent: Thursday, May 25, 2023 11:09 AM
To: Julio Minaya; Darryl Stroud
Subject: 052523_Exclusion Case_Vega Ledier
Attachments: IN20230001959.pdf; Ledier A. Vega.jpg; Ledier Color ID.jpg; Mr. Vega Trespass Warning Form.pdf; 042823_Magic City_Vega L_Capping Case.docx

From: Yadelin Crespo <ycrespo@magiccitycasino.com>
Sent: Friday, May 12, 2023 2:53 PM
To: Tyrell Smith <Tyrell.Smith@flgaming.gov>
Cc: Darryl Stroud <Darryl.Stroud@flgaming.gov>
Subject: RE: MCC Weekly Exclusions 5/4/23

Happy Friday!

Requested info attached, 4 attachments.

And will do.

Have a great weekend!

Yadelin Crespo
Magic City Casino
(305)631-4536
ycrespo@magiccitycasino.com

From: Tyrell Smith <Tyrell.Smith@flgaming.gov>
Sent: Thursday, May 11, 2023 2:47 PM
To: Yadelin Crespo <ycrespo@magiccitycasino.com>
Cc: Darryl Stroud <Darryl.Stroud@flgaming.gov>
Subject: RE: MCC Weekly Exclusions 5/4/23

Good Afternoon Yadelin, I hope all is well!

Can you please provide a copy of the incident report and trespass warning form for incident #IN20230001959.

Ledier A. Vega – Permanently Excluded for capping bets on April 28, 2023.

Can you also include Investigator Darry Stroud on future emails for the weekly exclusions.
darryl.stroud@flgaming .gov

Thank you.

EXHIBIT #2
PAGE # 1

Tyrell D. Smith
Investigation Specialist II
Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
Office of Investigations
954-202-6806 Office 954-202-3900 FAX

The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. LARGER VIEW

From: Yadelin Crespo <ycrespo@magiccitycasino.com>
Sent: Friday, May 5, 2023 10:52 PM
To: Tyrell Smith <Tyrell.Smith@flgaming.gov>; Raul Suau <Raul.Suau@flgaming.gov>; Julio Minaya <Julio.Minaya@flgaming.gov>
Cc: Victor Suarez <vsuarez@magiccitycasino.com>; Ileana Zamora <izamora@magiccitycasino.com>
Subject: MCC Weekly Exclusions 5/4/23

Good Evening,

Attached please find MCC's weekly exclusions for this week.

*State Exclusion website checked today 5/5/23 – MCC Master Exclusion List up to date

Thank you,

Yadelin Crespo
Director of Compliance
Magic City Casino
305.631.4536 (direct line)
ycrespo@magiccitycasino.com
magiccitycasino.com

Connect on LinkedIn

EXHIBIT #2
PAGE #2

Incident File Full Report

iTrak Incident Reporting and Risk Management System Version 2020.1.0.05202

Incident Number: IN20230001959
Date/Time Occurred: 4/28/2023 9:02:51 PM
Day of Week: Friday

Printed By: jsanchez

Printed On: 5/11/2023 at 3:58:27 PM

EXHIBIT #2
PAGE #3

Incident File Full Report

Incident File #IN20230001959

Record Creation Details

Date/Time Occurred: 4/28/2023 9:02:51 PM
Department: Security
Day of Week Occurred: Friday
Date/Time Created: 4/28/2023 9:30:39 PM
Date/Time Closed:
Closed By:

Location of Incident:

Property: Magic City Casino
Location: Poker Room
Sublocation:

Details of Incident:

Daily Log #: DL20230014271
Incident Type: Capping bets
Specific: Permanent Exclusion
Risk Classification:
Incident Status: Open
Custom 3:
Custom 4:

Synopsis: On Friday April 28, 2023, at approximately 9:11 P.M Security Team Leader was walking near Stairwell 8 when Poker Supervisor approached Security Team Leader and advised him of an unknown male patron who was Capping Bets in the Poker Room. Security Team Leader Responded to the Location. Upon Arrival at the Poker Room Poker Supervisor Advised Security Team Leader that the unknown male patron was located at Table 24 Seat 2. Security Team Leader alongside MPD approached the unknown male patron and escorted him to the Security Vestibule. Upon Arrival at the Security Vestibule Security Team Leader alongside MPD advised the unknown male patron of the Casino Rules and Regulations regarding Capping Bets. the unknown male patron refused to sign the Trespass Warning Form and left property shortly afterwards. the unknown male patron is excluded permanently.

Checklist:

Narrative: On Friday April 28, 2023, at approximately 9:11 P.M Security Team Leader Bryan Ortega was walking near Stairwell 8 when Poker Supervisor Kim Jenkins (2604) approached S.T.L Ortega and advised him of an unknown male patron later identified as Ledier A Vega who was Capping Bets in the Poker Room. S.T.L Ortega Responded to the Location. Upon Arrival at the Poker Room P.S Jenkins Advised S.T.L Ortega that Mr. Vega was located at Table 24 Seat 2. S.T.L Ortega alongside MPD approached Mr. Vega and escorted him to the Security Vestibule. Upon Arrival at the Security Vestibule S.T.L Ortega alongside MPD advised Mr. Vega of the Casino Rules and Regulations regarding Capping Bets. Mr. Vega refused to sign the Trespass Warning Form and left property shortly afterwards. Mr. Vega is excluded permanently.

Reporting Party:

Supervisor:

EXHIBIT #2
PAGE #4

Upon video review, at approximately 8:21 P.M Mr. Vega puts extra chips after the Dealer looks away to the other patrons Cards. It appears Mr. Vega adds extra chips after the winning hand was showed.

Executive Brief:

Participants Involved:

Personnel

Full Name:	Jenkins, Kim	Property:	Magic City Casino
Role:	Poker Supervisor	Department:	Poker
Date Of Birth:			

Full Name:	ORTEGA, BRYAN	Property:	Magic City Casino
Role:	Security Team Leader	Department:	Security
Date Of Birth:			

Subject

Full Name:	Vega, Ledier A	Company:	
Role:	Patron		
Date Of Birth:	[redacted]		
Address:	6125 W 20TH AVE. APT 109, Miami, FL, 33012, USA		
Contact Info:			

Ban/Watch Details

Full Name	Ban/Watch	Start Date	End Date
Vega, Ledier A	Ban	4/28/2023	Permanent

Type Of Ban: Permanent **Notes:**

Reason For Ban: Capping Bets

Identification: Driver's License

List of Attached Records:

Record Type	Summary	Attached By	Date Attached
iDispatch	Dispatch#: DS20230002992 - Daily Log#: DL20230014271 - Call Time: 28/04/2023 21:02:51 - Dispatch Code: APPROACHING PATRON - Dispatch Subcode: - Dispatch Level: - Dispatch Emergency Type: - Property: Magic City Casino - Location: Poker Room - Dispatch Status: Cleared	bortega	4/28/2023

Reporting Party:

Supervisor:

EXHIBIT #2
PAGE #5

Incident File Full Report

Incident File #IN20230001959

Incident File	Incident#: IN20150006225 - Daily Log#: DL20150074137 - Occurred Time: 18/10/2015 05:13:25 - Type: Self-Exclusion - Specific: 2 Years - Property: Magic City Casino - Location: Office - Sublocation: Security Office	bortega	4/28/2023
Incident File	Incident#: IN20200003083 - Daily Log#: DL20200021197 - Occurred Time: 16/10/2020 23:27:20 - Type: Disorderly Conduct - Specific: Towards Staff - Category: - Property: Magic City Casino - Location: Poker Room -	bortega	4/28/2023

Reporting Party:

Supervisor:

Printed: 5/11/2023 3:58:27 PM

Media Title

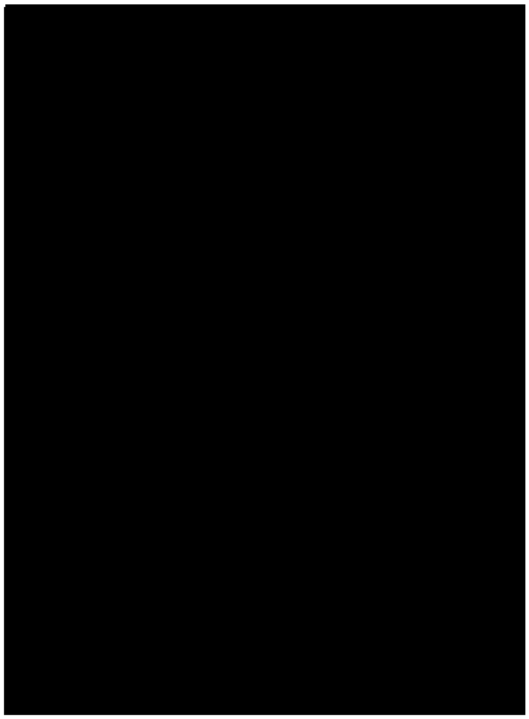
Original Filename
Ledier A Vega.jpg

Date Attached
4/28/2023 10:11:51 PM

Attached By
bortega

Type
JPG

Size
1575234



Media Title

Original Filename
Mr. Vega Trespass Warning Form.pdf

Date Attached
4/28/2023 10:11:51 PM

Attached By
bortega

Type
PDF

Size
64525

EXHIBIT # 2
PAGE # 7

Media Title

Original Filename
Mr. Vega ID.jpg

Date Attached
4/28/2023 10:11:51 PM

Attached By
bortega

Type
JPG

Size
1011882

EXHIBIT # 2
PAGE # 8

MAGIC CITY
CASINO

TRESPASS WARNING

NAME / LAST NAME: Ledier A Vega

DRIVER LICENSE # [redacted] D.O.B. [redacted]

ADDRESS: 2305 E 4 AVE # 201 CITY: Hialeah ST: FL ZIP: 33013

RACE: Hispanic SEX: M HEIGHT: 5'8 WEIGHT: 180 HAIR: Brown EYES: Brown

REASON FOR TRESPASSING: Calling Bets

The above-named person was advised to stay off MAGIC CITY CASINO property for a period of:

☐ 24 Hrs ☐ 3 Days ☐ 7 Days ☐ 30 Days ☐ 3 Months ☐ 6 Months ☐ 1 Year ☐ 2 Year ☑ Permanent

This warning was given on 4/28/23 at 9:11 PM hours.

If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes. Additionally, MAGIC CITY CASINO may permanently withhold any winnings from the above-named person that were won during the stated period of time.

SUBJECT'S SIGNATURE: Refused to Sign

CASE #: N/A ARRESTED: ☐ YES ☑ NO

SECURITY AGENT: 4058 DATE:

POLICE OFFICER / WITNESS: 28649

☑ Warned by MPD referenced trespass after warning ☑ Subject refused to sign this trespass warning

EXHIBIT # 2
PAGE # 9

State of Florida
Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering
Investigations Section

PROPERTY RECEIPT

Complaint # 2023-02-8678 Date 5/18/23 Lab # _____

Item No.	Quantity	Description
1	1	DVD-CMJ 2301955 (1 JUMP DRIVE) EVIDENCE VIDEO

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

Signature – Impounding Investigator

RETURNED PROPERTY RECEIPT

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature Date

Received by: _____ Date: _____
Received by: _____ Date: _____
Received by: _____ Date: _____

Copies for: File, Transmittal, Laboratory, Property Receipt

Form DBPR 11-75 (Revised 01/04)

EXHIBIT #3
Page 1

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Joseph Klein, Senior Attorney
Re: FGCC v. Zachary Lee Curgil
Case Number 2023-028906; Default Final Order
Date: April 9, 2024

Executive Summary

The Division of Pari-Mutuel Wagering (the "Division") served the Respondent, Zachary Lee Curgil ("Respondent"), with an administrative complaint seeking to exclude him from all pari-mutuel and slot facilities in the state of Florida. Respondent failed to timely respond to the administrative complaint and thereby waived his right to request a hearing contesting this matter. The Division therefore requests that the Florida Gaming Control Commission enter a final order permanently excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

Background

On May 2, 2023, Respondent was a patron of 831 Federal Highway Acquisition LLC d/b/a The Big Easy Casino ("The Big Easy Casino").[1] Subsequently, Respondent was ejected and permanently excluded from the facility.[2] The reason for the ejection is included as Exhibit 1 of the Administrative Complaint.

Based on Respondent's ejection from The Big Easy Casino, the Division filed an administrative complaint on July 12, 2023, seeking his exclusion from all pari-mutuel and slot machine facilities in the state of Florida.

The Division attempted to serve Respondent with the administrative complaint by Certified Mail on July 12, 2023, and August 7, 2023, but was unsuccessful. On October 3, 2023, the Division attempted to serve Respondent by hand-delivery but was also unsuccessful. The Division then requested that a notice be placed in the Sun

[1] The Big Easy Casino is operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.

[2] Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

Sentinel, which was published February 22, 2024, February 29, 2024, March 7, 2024, and March 14, 2024.[3]

Respondent failed to respond to the notice in a timely manner, which would have been required no later than March 21, 2024.

Analysis

Florida law allows for the exclusion of Respondent from all pari-mutuel and slot machine facilities in the state.

Section 550.0251(6), Florida Statutes, provides that "[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state." Further, Section 551.112 provides that "[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state."

Therefore, Respondent's ejection from The Big Easy Casino – which is both a pari-mutuel facility and slot machine licensee in this state – subjects him to exclusion from all pari-mutuel and slot machine facilities in this state.

Moreover, Respondent failed to file a timely response to the publication notice and has thus waived his right to request a hearing on the matter.

Staff Recommendation: The Division recommends that the Florida Gaming Control Commission enter a final order permanently excluding the Respondent, Zachary Lee Curgil, from all pari-mutuel and slot machine facilities in the state of Florida.

[3] Section 120.60(5), Florida Statutes, provides, "when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee's last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county."

NOTICE OF ACTION

BEFORE THE DIVISION OF PARI-MUTUEL WAGERING

IN RE: Sections 550.0251(6), and 551.112, Florida Statutes.
ZACHARY LEE CURGIL
18229 NW 40th Court
Miami Gardens, Florida 33055

CASE NO.: 2023-028906

LICENSE NO.: N/A

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 4070 Esplanade Way, Tallahassee, FL 32399, (850) 794-8072.

If no contact has been made by you concerning the above by Thursday, March 21, 2024, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257- 6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.

SUN-SENTINEL

Sold To:
Florida Gaming Control Commission - CU80176232
4070 Esplanade Way, Suite 250
Tallahassee,FL 32399

Bill To:
Florida Gaming Control Commission - CU80176232
4070 Esplanade Way, Suite 250
Tallahassee,FL 32399

Published Daily
Fort Lauderdale, Broward County, Florida
Boca Raton, Palm Beach County, Florida
Miami, Miami-Dade County, Florida

State Of Florida
County Of Orange

Before the undersigned authority personally appeared
Rose Williams, who on oath says that he or she is a duly authorized representative of the SUN- SENTINEL, a DAILY newspaper published in BROWARD/PALM BEACH/MIAMI-DADE County, Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of 11745-Other Legal Notices ,
Was published in said newspaper by print in the issues of, and by publication on the newspaper's website, if authorized on Feb 22, 2024; Feb 29, 2024; Mar 07, 2024; Mar 14, 2024
Self Service Multi-Product Purchase
Affiant further says that the newspaper complies with all legal requirements for publication in Chapter 50, Florida Statutes.

Rose Williams

Signature of Affiant

Sworn to and subscribed before me this: March 15, 2024.

LeAnne Rollins

Signature of Notary Public

LEANNE ROLLINS
Notary Public - State of Florida
Commission # GG 982233
My Comm. Expires Apr 27, 2024
Bonded through National Notary Assn.

Name of Notary, Typed, Printed, or Stamped
Personally Known (X) or Produced Identification ( )

Affidavit Delivery Method: E-Mail
Affidavit Email Address: Ebonie.Lanier@flgaming.gov
7587643

NOTICE OF ACTION
BEFORE THE DIVISION OF PARI-MUTU-EL WAGERING

IN RE: Sections 550.0251(6), and 551.112, Florida Statutes.
ZACHARY LEE CURGIL
18229 NW 40th Court
Miami Gardens, Florida 33055
CASE NO.: 2023-028906
LICENSE NO.: N/A
The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 4070 Esplanade Way, Tallahassee, FL 32399, (850) 794-8072. If no contact has been made by you concerning the above by Thursday, March 21, 2024, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257- 6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

2/22/2024, 2/29/2024, 3/7/2024, 3/14/2024 7587643

Order # - 7587643

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-028906

ZACHARY LEE CURGIL,

Respondent.
_____/

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Zachary Lee Curgil ("Respondent"), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.

2. At all times material hereto, Respondent's address was reported as 18229 Northwest 40th Court, Miami Gardens, Florida 33055.

3. At all times material hereto, The Big Easy Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.

4. On or about May 2, 2023 Respondent was a patron of The Big Easy Casino.

5. On or about May 3, 2023, Respondent was permanently excluded from The Big Easy Casino.

6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

7. Section 550.0251(6), Florida Statutes, provides in relevant part:

> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

> In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida under sections 550.0251(6) and 551.112, Florida Statutes based on his ejection from The Big Easy Casino on or about May 2, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any

facility of a slot machine licensee in the State of Florida, along with any other remedy provided by chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-028906 is signed this 7th day of July 2023.

/s/Emily A. Alvarado

Emily A. Alvarado
Deputy Chief Attorney
Florida Bar Number: 1025200
Florida Gaming Control Commission
Office of the General Counsel
Division of Pari-Mutuel Wagering
4070 Esplanade Way Ste. 250
Tallahassee, Florida 32399
Telephone: (850) 794-8066
Facsimile: (850) 921-1311
Primary: Emily.Alvarado@flgaming.gov
Secondary: Ebonie.Lanier@flgaming.gov

NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

Closed:07/05/2023
47 Days

Lic Type	**1098 - Unlicensed Complaints**			Status	**90 Closed**	Status Date	**07/03/2023**
Complaint #	**2023028906**	Case Type	**CMP - Complaint**	Disposition		Disposition Date	
Docket#		Respondent	**CURGIL, ZACHARY LEE**	Responsible	**bjones - JONES, BRADFORD**		**Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**INTN - Internal**	Security Level	**1**
Form	**INTR - Internal**	Priority	
Class'n	**UNLI - Unlicensed Activity Investigations**	Complexity	**R - Regular**
Security	**STND - Standard**	Incident	**05/18/2023**
Region	**SR - Southern Region**	Received	**05/19/2023**
Reference	**61D-11.005(4)**		
Entered	**05/19/2023**	Entered By	**nmelvai**
Summary	**144-- Big Easy Casino-- (61D-11.005(4) -- CURGIL was caught in the act of substituting a card during a high stakes game of "BIG O." The swap attempt if not noticed would have created a winning hand in place of a losing hand. To verify the nefarious action the game had to be halted and surveillance review of the hand revealed the swap. The BIG EASY CASINO has lifetime excluded CURGIL.**		
Updated	**07/05/2023 12:52:53**	By	**nmelvai**

Parties | Activities | Allegations | Discipline | Violations | Compliance | Related | Disposition | Inspection | Costs | Time Tracking | Auto Assign | Attachments | History | Work Notes | Print Report

47 Days | Change | Save | OK | Cancel | Back

Get Adobe Reader

FLORIDA GAMING CONTROL COMMISSION

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of Complaint:	Case Number:
PMW	**SOUTHERN**	**May 19, 2023**	**2023 02 8906**

Respondent:	Complainant:
CURGIL, ZACHARY LEE **18229 NE 40TH STREET** **MIAMI GARDENS, FLORIDA 33058**	**DIVISION OF PARI-MUTUEL WAGERING** **OFFICE OF INVESTIGATIONS** **1400 W. COMMERCIAL BLVD. SUITE 165** **FT. LAUDERDALE, FLORIDA 33309** **TEL. - 954-202-3900**

License # and Type:	**Profession**:	**Report Date**:
N/A - 1098	Poker Patron	May 23, 2023

Period of Investigation:	Type of Report:
May 18, 2023 through May 23, 2023	**FINAL**

Alleged Violation: 75-11.005(4) No person shall, either directly or indirectly:
(a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.
(b) Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator.
(c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.

F.S.S. 550.0251 Powers and duties of the Florida Gaming Control Commission — The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:
(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

Synopsis: **CURGIL** was caught in the act of substituting a card during a high stakes game of “BIG O.” The swap attempt if not noticed, would have created a winning hand in place of a losing hand. To verify the nefarious action the game had to be halted and a subsequent surveillance review of the hand revealed the swap. The Big Easy Casino has lifetime excluded **CURGIL**.

Related Case(s):

	Investigator Supervisor / Date
William Smith 05/23/2023	Julio Minaya / May 26, 2023

Chief of Investigations / Date

Bradford D. Jones / July 3, 2023

On May 2, 2023, an incident of cheating took place at The Big Easy Casino. The matter was addressed in an e-mail from Floor Supervisor Tristin Nims to Poker Director David Litvin **(EXHIBIT #1).** On May 23, 2023, notification of the incident to the Florida Gaming Control Commission (FGCC) ensued, and I began an investigation into this matter. The investigation included discussion and interview with Poker Management, Surveillance Management, examination of documentation, and review of Surveillance footage **(EXHIBIT #2).**

As per the Big Easy Surveillance Report, poker player Zachary Lee **CURGIL** confessed to switching cards while speaking with Poker Shift Manager Tristen Nims (**EXHIBIT #3).** Review of the Surveillance footage confirmed **CURGIL's** actions. However, given the unusual unique activity of the incident an explanation is required.

The particular hand in question and the nefarious deed were very complex due to the table's action. I raise this point as to reveal how such an action on the part of **CURGIL** could occur and almost go unnoticed.

The game being played was OMAHA-5, sometimes referred to as "The Big O". Although there are variations to the game, the hand in question was OMAHA-5 High Hand only (meaning the High Hand wins). There are other versions of this game such as High Hand and Lo Hand Split or High Hand with a Lo Hand takes all. This game was being played exclusive to the High Hand.

To better assist the reader, understand how the game is played and the table's action, I will explain below the foundation and how **CURGIL's** actions would have affected the outcome of the game had he not been caught switching the cards. In this version, each player receives five (5) Personal Cards. Additionally, five (5) Community Cards are dealt in a manner similar to Texas Hold'em. That is there is a three card "flop", a one card "turn" and a final "river card". Each action has an associated round of wagering.

In OMAHA-5, Players are required to use two (2) of their Personal Cards and three (3) Community Cards to make their best hand. With a total of ten (10) cards available, a player needs to calculate their best Five Card Poker hand using two (2) Personal Cards and three (3) Community Cards. The Dealer, who is the ultimate arbiter, must look at all players hands and ultimately validate the winner. The complexity of ten (10) cards combined with eight Players at a table creates the potential for the misreading of hands by players and Dealers alike. When a Dealer has to look at multiple hands, his or her attention is potentially focused on a particular player momentarily while their eyes are off the other Players.

Adding to the complexity of the hand was the fact that there were five Players involved at the end of the round of wagering, with multiple "All In" players and four (4) Pots. The action was well over $1,000.00.

After all wagering had ceased and it was time to declare a winner, all players revealed their hands. Important analysis reduced focus to the following individuals: the player in seat #2, the player in seat #7, and **CURGIL** in seat #8.

Review of surveillance video footage revealed that the player in seat #2, and the player in seat #7 both had Straights that are Jack High. In this instance they both have the same hand and would have to split the Pots. However, I also noticed that the player in seat #7 turned his cards over and pushed a pair of sevens (7's) forward. By separating the 7's from his other three cards, this implies that he does not know he has a Jack High Straight winning hand.

At this time **CURGIL** who is in seat #8, takes one of the seat #7's cards, which are loose, face-up and separated from seat #7's other two cards, and swaps it with a Queen. **CURGIL** then folds his hand. **CURGIL** took his Queen and moves it to become a seat #7 Personal Card, thus giving seat #7 a Queen High Straight, a hand with a winning value of the pots.

The switch goes unnoticed by the Dealer and the Dealer believes seat #7 to be the winner. The Dealer begins pushing chips to the Player at seat #7. It's at this time that the Player in seat #2 speaks up and states "the Queen was not there." Review of video footage confirmed that **CURGIL** had switched the cards **(EXHIBIT #3).**

Initially it was thought there was collusion between **CURGIL** and the Player in seat #7. However, my findings concluded that there was no evidence of both players colluding with each other. Upon further examination Poker Management concurred with my analysis. Nims in his report stated "I can't tell if seat #7 is aware and plays a part in switching." In review of the recorded action, seat #7 had separated his personal cards into two groups; a group of two 7's which he pushes forward and three other cards separated on his left. Pushing the two 7's forward implies that seat #7 is unaware that he has a Jack High Straight winning hand. This action infers he is looking for a possible full-house; he has three 7's. The complexity of using ten cards to make a hand, coupled with five Players in the hand and a main pot with three side pots created a complex scenario easily fomenting confusion and misreading.

The initial communication to Security to lifetime exclude seat #7 [redacted] was corrected by only issuing a Lifetime exclusion to **CURGIL (EXHIBIT #1 Page #3).** It appears **CURGIL** did something reflexively and impulsive. He admits to his action but a motivation was never revealed as when confronted he promptly left the casino.

Conclusion: **CURGIL** violated rule 75-11.005(4)(a)(b)(c) and was given a lifetime exclusion from The Big Easy Casino **(EXHIBIT #4).**

Case Status: Case closed by Investigations and forwarded to Legal for review.

CONTINUATION

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4. Copy of Facility Exclusion List……. 1-1

William Smith

From: Tammy McArthur <tammym@thebigeasycasino.com>
Sent: Tuesday, May 23, 2023 11:20 AM
To: William Smith
Subject: FW: lifetime exclusion for cheating

THE BIG EASY CASINO

Tammy McArthur - Security Director
831 North Federal Highway, Hallandale Beach, FL 33009
tammym@thebigeasycasino.com | 954-924-3284
TheBigEasyCasino.com

From: David Litvin <dlitvin@thebigeasycasino.com>
Sent: Tuesday, May 9, 2023 12:29:57 PM
To: Jane Cassidy <jcassidy@thebigeasycasino.com>; Tammy McArthur <tammym@thebigeasycasino.com>; Bradley Dunlap <bdunlap@thebigeasycasino.com>; Gavin Williams <gwilliams@thebigeasycasino.com>; Jason Miller <jmiller@thebigeasycasino.com>
Cc: Shift Managers <ShiftManagers@thebigeasycasino.com>
Subject: lifetime exclusion for cheating

Guests [redacted] and *Zachary Curgil* #447745 are to be issued a lifetime exclusion for cheating.

They are seen switching cards during a showdown 5/2/23 in an attempt to claim a very large pot.

Please see original incident report from shift manager Tristan Nims below. Please note his comments about [redacted] This is a separate issue but there have numerous complaints about Alik from guests and staff. We may soon to request an exclusion for him. I will speak to him and make him a are that he is on thin ice:

AROUND 110 TO 120 AM ON TABLE 4 SEAT 8,7,2 ARE AT SHOWDOWN SEAT 2 AND 7 SHOW THEIR CARDS WHILE SEAT 8 IS STILL HOLDING HIS HAND,
HE EVENTUALLY LAYS DOWN HIS HAND AND AS THE DEALER IS ABOUT TO CHOP THE POT BETWEEN SEAT 2 AND 7, SEAT 8 CHANGES A QUEEN WITH ANOTHER CARD IN SEAT 7 HAND GIVING HIM A BIGGER STRAIGHT TO WIN EVERYTHING.

EXHIBIT # 1
PAGE # 1

SEAT 7 IS ALL EXCITED THINKING HE HAS WON EVERYTHING BUT SEAT 2 CALLS THE FLOOR WANTING TO PROTEST THE HAND AND CHECK THE CAMERAS, AS SOON AS THIS IS SAID SEAT 8 LINGERS AROUND BUT EVENTUALLY CONFESSES THAT HE SWITCHED THE CARDS AND BEFORE I CAN GO TO THE CAMERAS TO CHECK EVERYTHING HE WALKS OUT.

I CHECKED THE CAMERAS AND IT WAS SEAT 8 WHO SWITCHED THE CARDS BUT I CAN'T TELL IF SEAT 7 IS AWARE AND PLAYS A PART IN SWITCHING THE CARDS BUT WITHOUT SEAT 2 BRINGING IT INTO QUESTION SEAT 7 WOULD HAVE TAKEN ALL THE MONEY WITHOUT HEISTATION.

[redacted]

SEAT 8 #447745 ZACHARY CURGIL

IT SEEMS LIKE EVERYTIME HE IS HERE [redacted] IS CREATING SOME TYPE OF ISSUE FOR THE POKER ROOM WHETHER ITS DISRUPTING THE GAME, GETTING INTO IT WITH PLAYERS AND DEALERS, PLAYING MUSIC LOUDLY ON THE TABLE OR TAKING PICTURES AND VIDEOS HE IS JUST A CONSTANT HEADACHE WHENEVER IN THE ROOM HE WAS BANNED BEFORE, I THINK HE SHOULD BE BANNED AGAIN PLAYERS LEAVE WHEN HE COMES TO THE TABLE AND DEALERS CANT FOCUS ON THE GAME.

THE BIG EASY CASINO

David Litvin - Poker Room Director
831 North Federal Highway, Hallandale Beach, FL 33009
dlitvin@thebigeasycasino.com | 954-924-3129
TheBigEasyCasino.com

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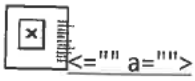

EXHIBIT # 1
PAGE # 2

William Smith

From: Tammy McArthur <tammym@thebigeasycasino.com>
Sent: Tuesday, May 23, 2023 11:24 AM
To: William Smith
Subject: FW: lifetime exclusion for cheating

From: Carlos Ulloa <culloa@thebigeasycasino.com>
Sent: Thursday, May 18, 2023 1:50 PM
To: David Litvin <dlitvin@thebigeasycasino.com>; Tristen Nims <TNims@thebigeasycasino.com>; Jane Cassidy <jcassidy@thebigeasycasino.com>; Tammy McArthur <tammym@thebigeasycasino.com>; Bradley Dunlap <bdunlap@thebigeasycasino.com>; Gavin Williams <gwilliams@thebigeasycasino.com>; Jason Miller <jmiller@thebigeasycasino.com>
Cc: Shift Managers <ShiftManagers@thebigeasycasino.com>
Subject: RE: lifetime exclusion for cheating

Guest in seat 7, [redacted] will NOT be issued a lifetime exclusion as it has been determined he did not have knowledge or partake in the card switching.

Guest in seat 8, Zachary Curgil #447745 will be issued a lifetime exclusion for switching cards.

THE BIG EASY CASINO

Carlos Ulloa - Floor Representative
831 North Federal Highway, Hallandale Beach, FL 33009
culloa@thebigeasycasino.com | 954-924-3407
TheBigEasyCasino.com

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EXHIBIT # 1
PAGE # 3

State of Florida
Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering
Investigations Section

PROPERTY RECEIPT

Complaint # 2023 02 8906 Date 5-23-23 Lab # _____

Item No.	Quantity	Description
1	1	Thumb Drive Video
		Zachary Lee Curgil
		Card Swap Cheat

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

Signature – Impounding Investigator

RETURNED PROPERTY RECEIPT

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature _____ Date _____

Received by: _____ Date: _____
Received by: _____ Date: _____
Received by: _____ Date: _____

Copies for: File, Transmittal, Laboratory, Property Receipt

Form DBPR 11-75 (Revised 01/04)

EXHIBIT # 2
PAGE # 1

BIG EASY CASINO

Surveillance Department
Property/Chain of Custody Receipt

Incident Report # (if applicable)	Date/Time of occurrence	Type of Incident
SUR-23-0679	May 3rd, 2023 @ 0100HRS	CHEATING

Surveillance Supervisor Name That Was on Duty: JOANNE FERGUSON

Item #	Quantity	Description
N/A	1	USB Drive with video coverage of the card game where guest placed a card from his hand into another guest hand during showdown
N/A	1	A Copy of Surveillance Incident Report

I hereby acknowledge that the above list represents all property taken from my possession.	I hereby acknowledge that the above list represents all property received by me into the surveillance department.
Supervisor Name Gavin Williams	Supervisor Name
Supervisor Signature	Supervisor Signature

Received by:	Reason:	Date/Time Received:
	Player Cheating	5/23/23 11:45

EXHIBIT #
PAGE #

THE BIG EASY CASINO

The Big Easy Casino
831 N Federal Hwy, Hallandale Beach, FL 33009
www.thebigeasycasino.com

SUR-23-0679 - Incident - Other - Start Time 05/10/2023 02:15

Author: Joanne Ferguson
Report Number: SUR-23-0679
Start Time: 05/10/2023 02:15
End Time: 05/10/2023 03:45
Report Group: Surveillance Reports
Report Type: Incident - Other
Note: Guest at Table #4, seat #8 took a card from his hand and placed in seat #7 hand during showdown
Reported: 05/03/2023 01:12
Occurred: 05/03/2023 01:07
General Location: 1st Floor
Secondary Location: Gaming Floor
Specific Location: Poker Room

Narrative: On Wednesday, March 3, 2023, at approximately 01:12, Poker Shift Manager Tristen Nims contacted the Surveillance Department in reference to reviewing footage of a dispute between guests at Table 4 seat #7 [redacted] by Bravo Genesis), seat #8 (later identified as Zachary Curgil by Bravo Genesis) and seat #2 (later identified as Carlos Rubiano by Bravo Genesis).

Footage was reviewed and the following was observed;

At approximately 01:00, Poker Dealer Hung Le can be seen at Poker Table #4, dealing a hand, which had a total of eight (8) players at the beginning. At approximately 01:06, at showdown only five (5) players remained, with a total of pot (4) pots. The Pot sizes were:

- Pot #1 - $436 (Players in seat #1, #2, #3, #7 and #8)
- Pot #2 - $2,660 (Players in seat #2, #3, #7 and #8)
- Pot #3 - $2,403 (Players in seat #2, #3, and #7)
- Pot #4 - $370 (Players in seat #2, and #3)

The community cards were 9 of Diamond, 4 of Diamond, 7 of Hearts, 10 of Spades, and 8 of Hearts. Pot #4 for $370 was awarded to seat #2, due to him having a better hand than seat #3. During this time, seat #7 (Rodriquez) can be seen with the following cards on the table: 8 of Spades, 7 of Hearts, 5 of Hearts, 7 of Diamond and Jack of Spades, while seat #8 (Curgil) had the following cards on the table: Queen of Spades, Ace of Hearts, 6 of Clubs, 2 of Spades, and 2 of Hearts.

At approximately 01:07, during Hung Le appeared to be determining the winner of the remaining three (3) pots, the guest in seat #8 (Curgil) can be seen moving the Queen of Spades from his cards, he had on the table and places it with seat #7 ([redacted] cards, then takes a 8 of Spades from seat #7 cards and placed it with his cards, while the dealer was stacking the chips from Pot #3. Shortly after, seat #7 ([redacted] can be seen picking up the Queen of Spades and the 7 of Spades and appeared to say something, at which time, Hung Le says something to seat #2 and seat #3.

At approximately 01:08, Hung Le began awarding the remaining three (3) pots to seat #7 ([redacted], at which time, seat #2 ([redacted]) can be seen speaking to Poker Shift Manager Tristen Nims, who was standing by Poker Table #3, then seat #8 (Curgil) appears to say something to Hung Le and the others at the Table about the hand. Curgil then briefly said something to Nims and then walks away. At approximately 01:11, Hung Le redistributed the pot splitting it between Rodriquez and Rubiano due to them both having the same equivalent hand.

All applicable coverage related to above incident was archived. It should be noted that during the review Nims stated Curgil admitted to switching the cards but he wanted to know if Rodriquez was aware of he switch. Nims did not returned to Table #4 after the review was completed.

EXHIBIT # 3
PAGE # 1

Employee

Name: Tristen Nims

Department: Card Room

Position: Poker Shift Manager/Floor Rep.

Employee Num: 911

Patron

Name: Zachary Lee Curgil

Alias:

Height: 5'07" Inches

DOB [redacted]

Street Address: 18229 NW 40TH CT MIAMI GARDENS FL 33055

Players Club #: 447745

[redacted]

Patron

Name: [redacted]

Height:

Street Address:

Players Club #:

Patron

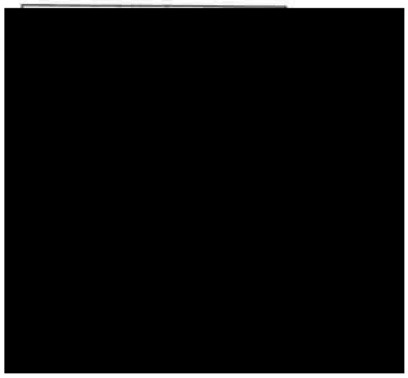
Name: [redacted]

Alias:

DOB:

Players Club #:

EXHIBIT # 3
PAGE # 1



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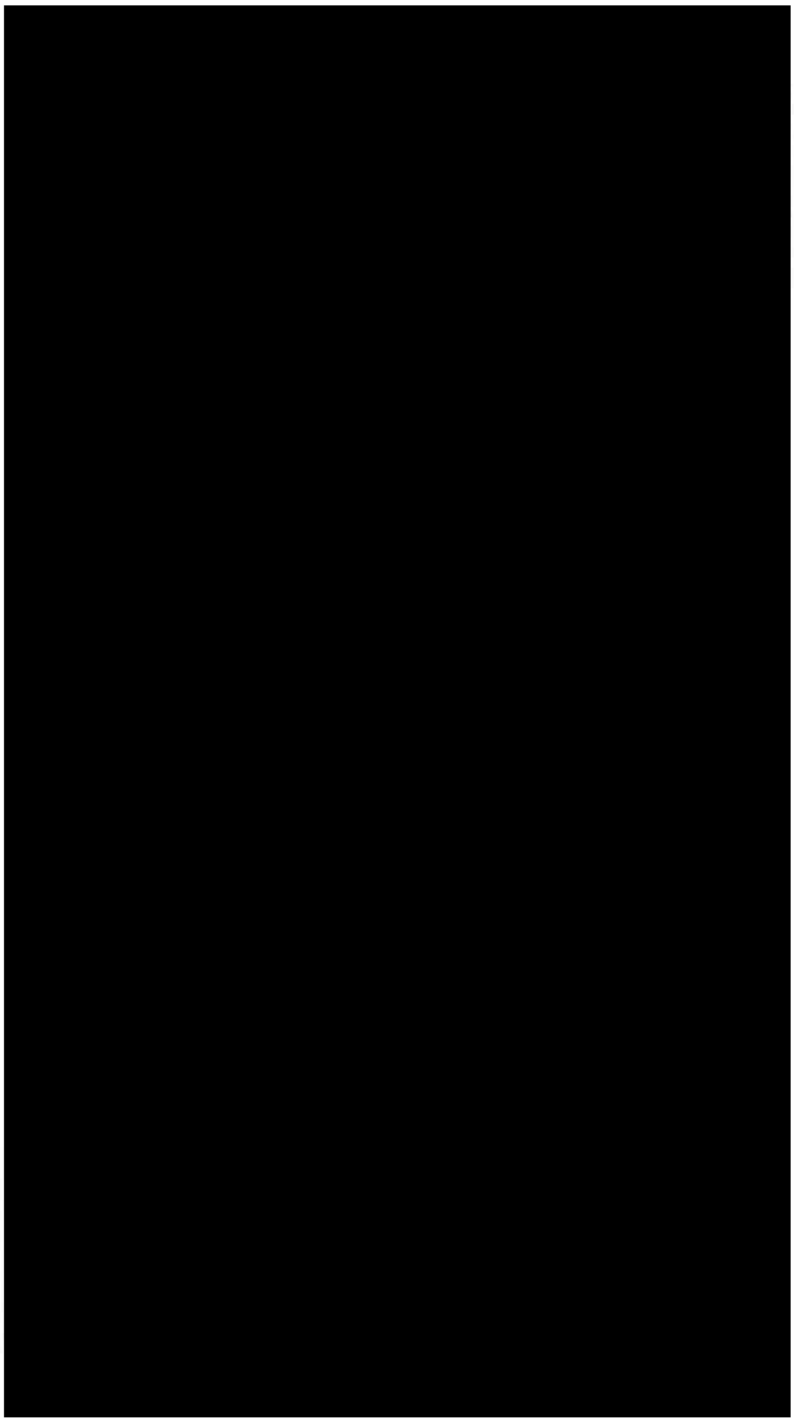

EXHIBIT # 3
PAGE # 4

William Smith

From: Tammy McArthur <tammym@thebigeasycasino.com>
Sent: Tuesday, May 23, 2023 11:45 AM
To: William Smith

EXHIBIT # 4
PAGE # 1

Closed:07/05/2023
47 Days

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **nmelvai**

Lic Type	**1098 - Unlicensed Complaints**			Status	**90 Closed**	Status Date	**07/03/2023**
Complaint #	**2023028906**	Case Type	**CMP - Complaint**	Disposition		Disposition Date	
Docket#		Respondent	**CURGIL, ZACHARY LEE**	Responsible	**bjones - JONES, BRADFORD**		**Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**INTN - Internal**	Security Level	**1**
Form	**INTR - Internal**	Priority	
Class'n	**UNLI - Unlicensed Activity Investigations**	Complexity	**R - Regular**
Security	**STND - Standard**	Incident	**05/18/2023**
Region	**SR - Southern Region**	Received	**05/19/2023**
Reference	**61D-11.005(4)**		
Entered	**05/19/2023**	Entered By	**nmelvai**
Summary	**144-- Big Easy Casino-- (61D-11.005(4) -- CURGIL was caught in the act of substituting a card during a high stakes game of "BIG O." The swap attempt if not noticed would have created a winning hand in place of a losing hand. To verify the nefarious action the game had to be halted and surveillance review of the hand revealed the swap. The BIG EASY CASINO has lifetime excluded CURGIL.**		
Updated	**07/05/2023 12:52:53**	By	**nmelvai**

☐ Parties ☑ Activities
☑ Allegations ☐ Discipline
☐ Violations ☐ Compliance
☐ Related ☑ Disposition
☐ Inspection
☐ Costs
☐ Time Tracking Auto Assign
☐ Attachments History
☐ Work Notes Print Report

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FLORIDA GAMING CONTROL COMMISSION

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of Complaint:	Case Number:
PMW	**SOUTHERN**	**May 19, 2023**	**2023 02 8906**

Respondent:	Complainant:
CURGIL, ZACHARY LEE **18229 NE 40TH STREET** **MIAMI GARDENS, FLORIDA 33058**	**DIVISION OF PARI-MUTUEL WAGERING** **OFFICE OF INVESTIGATIONS** **1400 W. COMMERCIAL BLVD. SUITE 165** **FT. LAUDERDALE, FLORIDA 33309** **TEL. - 954-202-3900**

License # and Type:	**Profession**:	**Report Date**:
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May 18, 2023 through May 23, 2023	**FINAL**

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Chief of Investigations / Date

Bradford D. Jones / July 3, 2023

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Review of surveillance video footage revealed that the player in seat #2, and the player in seat #7 both had Straights that are Jack High. In this instance they both have the same hand and would have to split the Pots. However, I also noticed that the player in seat #7 turned his cards over and pushed a pair of sevens (7's) forward. By separating the 7's from his other three cards, this implies that he does not know he has a Jack High Straight winning hand.

At this time **CURGIL** who is in seat #8, takes one of the seat #7's cards, which are loose, face-up and separated from seat #7's other two cards, and swaps it with a Queen. **CURGIL** then folds his hand. **CURGIL** took his Queen and moves it to become a seat #7 Personal Card, thus giving seat #7 a Queen High Straight, a hand with a winning value of the pots.

The switch goes unnoticed by the Dealer and the Dealer believes seat #7 to be the winner. The Dealer begins pushing chips to the Player at seat #7. It's at this time that the Player in seat #2 speaks up and states "the Queen was not there." Review of video footage confirmed that **CURGIL** had switched the cards **(EXHIBIT #3).**

Initially it was thought there was collusion between **CURGIL** and the Player in seat #7. However, my findings concluded that there was no evidence of both players colluding with each other. Upon further examination Poker Management concurred with my analysis. Nims in his report stated "I can't tell if seat #7 is aware and plays a part in switching." In review of the recorded action, seat #7 had separated his personal cards into two groups; a group of two 7's which he pushes forward and three other cards separated on his left. Pushing the two 7's forward implies that seat #7 is unaware that he has a Jack High Straight winning hand. This action infers he is looking for a possible full-house; he has three 7's. The complexity of using ten cards to make a hand, coupled with five Players in the hand and a main pot with three side pots created a complex scenario easily fomenting confusion and misreading.

The initial communication to Security to lifetime exclude seat #7 [redacted] was corrected by only issuing a Lifetime exclusion to **CURGIL (EXHIBIT #1 Page #3).** It appears **CURGIL** did something reflexively and impulsive. He admits to his action but a motivation was never revealed as when confronted he promptly left the casino.

Conclusion: **CURGIL** violated rule 75-11.005(4)(a)(b)(c) and was given a lifetime exclusion from The Big Easy Casino **(EXHIBIT #4).**

Case Status: Case closed by Investigations and forwarded to Legal for review.

CONTINUATION

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William Smith

From: Tammy McArthur <tammym@thebigeasycasino.com>
Sent: Tuesday, May 23, 2023 11:20 AM
To: William Smith
Subject: FW: lifetime exclusion for cheating

THE BIG EASY CASINO

Tammy McArthur - Security Director
831 North Federal Highway, Hallandale Beach, FL 33009
tammym@thebigeasycasino.com | 954-924-3284
TheBigEasyCasino.com

From: David Litvin <dlitvin@thebigeasycasino.com>
Sent: Tuesday, May 9, 2023 12:29:57 PM
To: Jane Cassidy <jcassidy@thebigeasycasino.com>; Tammy McArthur <tammym@thebigeasycasino.com>; Bradley Dunlap <bdunlap@thebigeasycasino.com>; Gavin Williams <gwilliams@thebigeasycasino.com>; Jason Miller <jmiller@thebigeasycasino.com>
Cc: Shift Managers <ShiftManagers@thebigeasycasino.com>
Subject: lifetime exclusion for cheating

Guests [redacted] and *Zachary Curgil* #447745 are to be issued a lifetime exclusion for cheating.

They are seen switching cards during a showdown 5/2/23 in an attempt to claim a very large pot.

Please see original incident report from shift manager Tristan Nims below. Please note his comments about [redacted] This is a separate issue but there have numerous complaints about Alik from guests and staff. We may soon to request an exclusion for him. I will speak to him and make him a are that he is on thin ice:

AROUND 110 TO 120 AM ON TABLE 4 SEAT 8,7,2 ARE AT SHOWDOWN SEAT 2 AND 7 SHOW THEIR CARDS WHILE SEAT 8 IS STILL HOLDING HIS HAND,
HE EVENTUALLY LAYS DOWN HIS HAND AND AS THE DEALER IS ABOUT TO CHOP THE POT BETWEEN SEAT 2 AND 7, SEAT 8 CHANGES A QUEEN WITH ANOTHER CARD IN SEAT 7 HAND GIVING HIM A BIGGER STRAIGHT TO WIN EVERYTHING.

EXHIBIT # 1
PAGE # 1

SEAT 7 IS ALL EXCITED THINKING HE HAS WON EVERYTHING BUT SEAT 2 CALLS THE FLOOR WANTING TO PROTEST THE HAND AND CHECK THE CAMERAS, AS SOON AS THIS IS SAID SEAT 8 LINGERS AROUND BUT EVENTUALLY CONFESSES THAT HE SWITCHED THE CARDS AND BEFORE I CAN GO TO THE CAMERAS TO CHECK EVERYTHING HE WALKS OUT.

I CHECKED THE CAMERAS AND IT WAS SEAT 8 WHO SWITCHED THE CARDS BUT I CAN'T TELL IF SEAT 7 IS AWARE AND PLAYS A PART IN SWITCHING THE CARDS BUT WITHOUT SEAT 2 BRINGING IT INTO QUESTION SEAT 7 WOULD HAVE TAKEN ALL THE MONEY WITHOUT HESITATION

SEAT 2 [redacted]
SEAT 7 [redacted]
SEAT 8 #447745 ZACHARY CURGIL

IT SEEMS LIKE EVERYTIME HE IS HERE [redacted] IS CREATING SOME TYPE OF ISSUE FOR THE POKER ROOM WHETHER ITS DISRUPTING THE GAME, GETTING INTO IT WITH PLAYERS AND DEALERS, PLAYING MUSIC LOUDLY ON THE TABLE OR TAKING PICTURES AND VIDEOS HE IS JUST A CONSTANT HEADACHE WHENEVER IN THE ROOM HE WAS BANNED BEFORE, I THINK HE SHOULD BE BANNED AGAIN PLAYERS LEAVE WHEN HE COMES TO THE TABLE AND DEALERS CANT FOCUS ON THE GAME.

THE BIG EASY CASINO

David Litvin - Poker Room Director
831 North Federal Highway, Hallandale Beach, FL 33009
dlitvin@thebigeasycasino.com | 954-924-3129
TheBigEasyCasino.com

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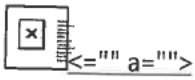

EXHIBIT # 1
PAGE # 2

William Smith

From: Tammy McArthur <tammym@thebigeasycasino.com>
Sent: Tuesday, May 23, 2023 11:24 AM
To: William Smith
Subject: FW: lifetime exclusion for cheating

From: Carlos Ulloa <culloa@thebigeasycasino.com>
Sent: Thursday, May 18, 2023 1:50 PM
To: David Litvin <dlitvin@thebigeasycasino.com>; Tristen Nims <TNims@thebigeasycasino.com>; Jane Cassidy <jcassidy@thebigeasycasino.com>; Tammy McArthur <tammym@thebigeasycasino.com>; Bradley Dunlap <bdunlap@thebigeasycasino.com>; Gavin Williams <gwilliams@thebigeasycasino.com>; Jason Miller <jmiller@thebigeasycasino.com>
Cc: Shift Managers <ShiftManagers@thebigeasycasino.com>
Subject: RE: lifetime exclusion for cheating

Guest in seat 7, [redacted] will NOT be issued a lifetime exclusion as it has been determined he did not have knowledge or partake in the card switching.

Guest in seat 8, Zachary Curgil #447745 will be issued a lifetime exclusion for switching cards.

THE BIG EASY CASINO

Carlos Ulloa - Floor Representative
831 North Federal Highway, Hallandale Beach, FL 33009
culloa@thebigeasycasino.com | 954-924-3407
TheBigEasyCasino.com

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<=”” a=””>

EXHIBIT # 1
PAGE # 3

State of Florida
Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering
Investigations Section

PROPERTY RECEIPT

Complaint # 2023 02 8906 Date 5-23-23 Lab # _____

Item No.	Quantity	Description
1	1	Thumb Drive Video
		Zachary Lee Curgil
		Card Swap Cheat

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

Signature – Impounding Investigator

RETURNED PROPERTY RECEIPT

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature _____ Date _____

Received by: _____ Date: _____
Received by: _____ Date: _____
Received by: _____ Date: _____

Copies for: File, Transmittal, Laboratory, Property Receipt

Form DBPR 11-75 (Revised 01/04)

EXHIBIT # 2
PAGE # 1

BIG EASY CASINO

Surveillance Department
Property/Chain of Custody Receipt

Incident Report # (if applicable)	Date/Time of occurrence	Type of Incident
SUR-23-0679	May 3rd, 2023 @ 0100HRS	CHEATING

Surveillance Supervisor Name That Was on Duty: JOANNE FERGUSON

Item #	Quantity	Description
N/A	1	USB Drive with video coverage of the card game where guest placed a card from his hand into another guest hand during showdown
N/A	1	A Copy of Surveillance Incident Report

I hereby acknowledge that the above list represents all property taken from my possession.	I hereby acknowledge that the above list represents all property received by me into the surveillance department.
Supervisor Name Gavin Williams	Supervisor Name
Supervisor Signature	Supervisor Signature

Received by:	Reason:	Date/Time Received:
	Player Cheating	5/23/23 11:45

EXHIBIT #
PAGE #

THE BIG EASY CASINO

The Big Easy Casino
831 N Federal Hwy, Hallandale Beach, FL 33009
www.thebigeasycasino.com

SUR-23-0679 - Incident - Other - Start Time 05/10/2023 02:15

Author: Joanne Ferguson
Report Number: SUR-23-0679
Start Time: 05/10/2023 02:15
End Time: 05/10/2023 03:45
Report Group: Surveillance Reports
Report Type: Incident - Other
Note: Guest at Table #4, seat #8 took a card from his hand and placed in seat #7 hand during showdown
Reported: 05/03/2023 01:12
Occurred: 05/03/2023 01:07
General Location: 1st Floor
Secondary Location: Gaming Floor
Specific Location: Poker Room

Narrative: On Wednesday, March 3, 2023, at approximately 01:12, Poker Shift Manager Tristen Nims contacted the Surveillance Department in reference to reviewing footage of a dispute between guests at Table 4 seat #7 (later identified as [redacted] by Bravo Genesis), seat #8 (later identified as Zachary Curgil by Bravo Genesis) and seat #2 (later identified as [redacted] by Bravo Genesis).

Footage was reviewed and the following was observed;

At approximately 01:00, Poker Dealer Hung Le can be seen at Poker Table #4, dealing a hand, which had a total of eight (8) players at the beginning. At approximately 01:06, at showdown only five (5) players remained, with a total of pot (4) pots. The Pot sizes were:

- Pot #1 - $436 (Players in seat #1, #2, #3, #7 and #8)
- Pot #2 - $2,660 (Players in seat #2, #3, #7 and #8)
- Pot #3 - $2,403 (Players in seat #2, #3, and #7)
- Pot #4 - $370 (Players in seat #2, and #3)

The community cards were 9 of Diamond, 4 of Diamond, 7 of Hearts, 10 of Spades, and 8 of Hearts. Pot #4 for $370 was awarded to seat #2, due to him having a better hand than seat #3. During this time, seat #7 ([redacted] can be seen with the following cards on the table: 8 of Spades, 7 of Hearts, 5 of Hearts, 7 of Diamond and Jack of Spades, while seat #8 (Curgil) had the following cards on the table: Queen of Spades, Ace of Hearts, 6 of Clubs, 2 of Spades, and 2 of Hearts.

At approximately 01:07, during Hung Le appeared to be determining the winner of the remaining three (3) pots, the guest in seat #8 (Curgil) can be seen moving the Queen of Spades from his cards, he had on the table and places it with seat #7 ([redacted] cards, then takes a 8 of Spades from seat #7 cards and placed it with his cards, while the dealer was stacking the chips from Pot #3. Shortly after, seat #7 ([redacted] can be seen picking up the Queen of Spades and the 7 of Spades and appeared to say something, at which time, Hung Le says something to seat #2 and seat #3.

At approximately 01:08, Hung Le began awarding the remaining three (3) pots to seat #7 ([redacted], at which time, seat #2 ([redacted]) can be seen speaking to Poker Shift Manager Tristen Nims, who was standing by Poker Table #3, then seat #8 (Curgil) appears to say something to Hung Le and the others at the Table about the hand. Curgil then briefly said something to Nims and then walks away. At approximately 01:11, Hung Le redistributed the pot splitting it between Rodriquez and Rubiano due to them both having the same equivalent hand.

All applicable coverage related to above incident was archived. It should be noted that during the review Nims stated Curgil admitted to switching the cards but he wanted to know if Rodriquez was aware of he switch. Nims did not returned to Table #4 after the review was completed.

EXHIBIT # 3
PAGE # 1

Employee

Name: Tristen Nims

Department: Card Room

Position: Poker Shift Manager/Floor Rep.

Employee Num: 911

Patron

Name: Zachary Lee Curgil

Alias:

Height: 5'07" Inches

DOB: [redacted]

Street Address: 18229 NW 40TH CT MIAMI GARDENS FL 33055

Players Club #: 447745

[redacted]

Patron

Name: [redacted]

Height:

Street Address:

Players Club #:

Patron

Name: [redacted]

Alias:

DOB:

Players Club #:

EXHIBIT # 5
PAGE # 1

EXHIBIT # 3
PAGE # 3

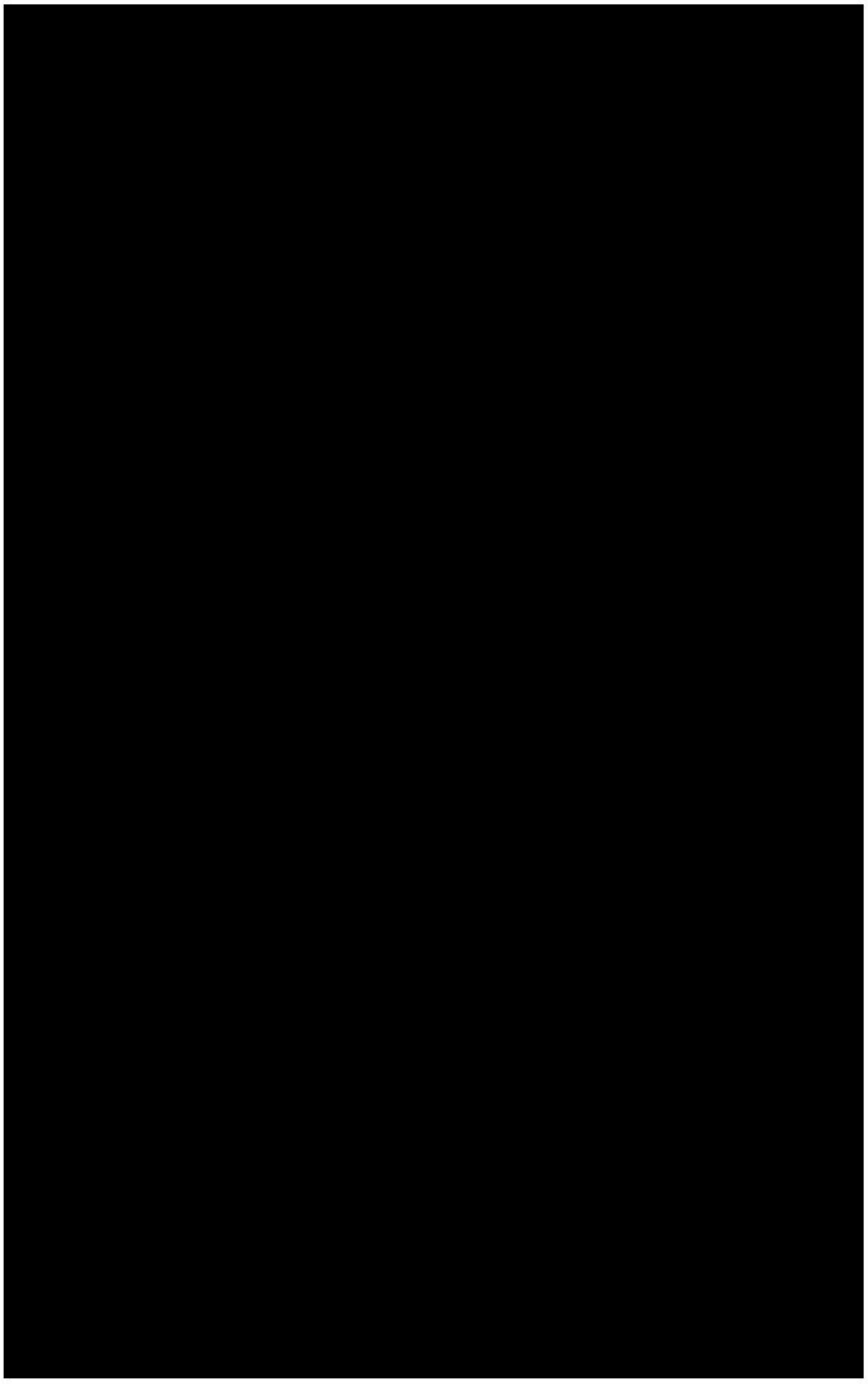

EXHIBIT # 3
PAGE # 4

William Smith

From: Tammy McArthur <tammym@thebigeasycasino.com>
Sent: Tuesday, May 23, 2023 11:45 AM
To: William Smith

[redacted]

94	Curgil, Zachary L.	B/M	[redacted]	18229 NW 40th CT, Miami Gardens, Fl. 33055
95				

... | Self Exclusions | **Lifetime Exclusions** | Sheet1 | Mardi Gras 10 | FGCC-Exclusion | Statew ...

EXHIBIT # 4
PAGE # 1

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Joseph Klein, Senior Attorney
Re: FGCC v. Alexis Navarro
Case Number 2023-032587; Default Final Order
Date: April 19, 2024

Executive Summary

The Division of Pari-Mutuel Wagering ("Division") seeks to suspend the Pari-Mutuel Wagering Professional Individual Occupational License held by the respondent, Alexis Navarro ("Respondent"). Respondent failed to timely respond to the Division's administrative complaint, thereby waiving his right to request a hearing contesting the matter.

The Division recommends that the Florida Gaming Control Commission enter a final order suspending Respondent's Pari-Mutuel Wagering Professional Individual Occupational License.

Background

On April 11, 2023, a default final judgment of $5,854.35 for unpaid financial obligations was entered against Respondent in the County Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, in case number COCE22078807. Respondent's unpaid financial obligations are related to racing conducted at a pari-mutuel facility in the state of Florida – specifically, the horse training services provided to Respondent at that facility.

Consequently, on July 7, 2023, the Division filed an administrative complaint seeking the suspension of Respondent's Pari-Mutuel Wagering Professional Individual Occupational License.

Respondent confirmed that he was served with the administrative complaint on March 10, 2024. The election of rights form notified Respondent that he had 21 days to file a written response in order to preserve his right to request a hearing on the matter. Respondent failed to respond in a timely manner, which would have been no later than March 31, 2024.

Analysis

Section 550.105(7), Florida Statutes, provides that:

> [t]he Commission may deny, revoke, or suspend any occupational license if the applicant therefor or holder thereof accumulates unpaid obligations or defaults in obligations, or issues drafts or checks that are dishonored or for which payment is refused without reasonable cause, if such unpaid obligations, defaults, or dishonored or refused drafts or checks directly relate to the sport of jai alai or racing being conducted at a pari-mutuel facility within this state.

Respondent defaulted on a financial obligation directly relating to the sport of racing being conducted at a pari-mutuel facility within this state. His license is therefore subject to suspension or revocation.

Moreover, Respondent failed to file a timely response to Division's administrative complaint and has thus waived his right to request a hearing on the matter.

Staff Recommendation: The Division recommends that the Florida Gaming Control Commission enter a final order suspending the Pari-Mutuel Wagering Professional Individual Occupational License held by the Respondent, Alexis Navarro, until such time as the Commission receives confirmation that payment has been satisfied.

Ebonie Lanier

To: Alexis Navarro
Subject: RE: Last Attempt - FGCC - NAVARRO - Case No. 2023032587

GOOGLE TRANSLATED THE EMAIL RECEIVED FROM MR. NAVARRO:

And he loves to deal with the Puerto Rican people, because they love to work with dirty money and fraud. That's why he helps them claim horses in GP to take to PR. And you guys don't do anything, I think.

On Sun, Mar 10, 2024 3:40 PM, Alexis Navarro alexisfino67@gmail.com wrote:
The same Trainer Jorge Delgado was my Trainer some time ago and I study with that garbage of José Angelo in Venezuela and I have dedicated myself to what he has dedicated himself to since he was young and Jorge is very serious in his work and honest, he does not work with drug traffickers. And he told me that they wanted to remove me from his block as a landlord because I was a federal investigator, but there is already a lot of evidence, it took a long time to do it against me, soon There are surprises. Thank you 👍

On Sun, Mar 10, 2024 3:31pm, Alexis Navarro alexisfino67@gmail.com wrote:
Best regards! I've already received them. Thank you. I don't want to know anything about that pig Trainer Jose F D Angelo, an ungrateful and a traveste of life, from his country he has been cheating and using illegal substances with horses and has an owner who is a close friend of his who is a drug trafficker in Venezuela and Miami who races the horses in the name of the Trainer's stable, Pro Racing to launder all money, but already my relatives federal agents are in charge of that, since those who work and In the urine laboratories they have bought them with money so as not to detect the illegal substances. I don't want them to send me anything like that. I work with clean money and I'm very responsible. Bye

Wkdqnv/"
- Ebonie Lanier

From: Alexis Navarro <alexisfino67@gmail.com>
Sent: Sunday, March 10, 2024 3:44 PM
To: Ebonie Lanier <Ebonie.Lanier@flgaming.gov>
Subject: Re: Last Attempt - FGCC - NAVARRO - Case No. 2023032587

> You don't often get email from alexisfino67@gmail.com. Learn why this is important

Y le encanta bregar con la raz amia boricua, pq ellos les encanta trabajar con dinero sucio y fraudes. Por eso los ayuda a reclamar caballos hay en GP para que se los lleven para PR. Y ustedes no hacen nada creo.

El dom, 10 de mar de 2024, 3:40 p. m., Alexis Navarro <alexisfino67@gmail.com> escribió:

> El mismo Trainer Jorge Delgado fue Trainer mio hace un tiempo atrás y estudio con esa basura de José Angelo en Venezuela y me cinto lo que se a dedicado desde joven y Jorge es muy serio en su trabajo y honrado, no trabaja con narcotraficantes. Y me contó que me querían sacar de su cuadra como propietario pq yo era un investigador federal, pero ya hay mucha evidencia, tardo mucho en hacerlo contra mi, pronto hay sorpresas. Gracias 👍
>
> El dom, 10 de mar de 2024, 3:31 p. m., Alexis Navarro <alexisfino67@gmail.com> escribió:
>
> > Saludos! Ya los recibí. Gracias. No quiero saber nada de ese puerco Trainer Jose F D Angelo , un mal agradecido y un tranposo de la vida , desde su país viene haciendo trampas y usando sustancias inlegales con los caballo y tiene un

dueño amigo íntimo de él que es un narcotraficante de drogas en Venezuela y Miami que corre los caballos a nombre del establo del Trainer, Pro Racing para lavar dinero todos, pero ya mis familiares agentes federales están a cargo de eso , ya que los que trabajan en los laboratorios de las orinas ellos los tienen comprados con dinero para no detectar la sustancias inlegales. No quiero que me envíen nada de ese tipo. Yo trabajo con dinero limpio y soy muy responsable. Bye

El vie, 8 de mar de 2024, 3:53 p. m., Ebonie Lanier <Ebonie.Lanier@flgaming.gov> escribió:

> Dear Mr. Navarro,
>
> We regret to inform you that our agency has been unable to deliver the attached Administrative Complaint to the address you provided (HC1 Box 67829, Las Piedras, PR 00771). We have also made several attempts to contact you by phone and email, but have not received any response yet.
>
> Therefore, we will have to proceed with the next option of service which is to publish the notice in the newspaper. However, if you have received the complaint and would like to confirm via email, please respond by 5:00 pm (EST) on March 12, 2024. If we do not receive a response by that time, we will proceed with publishing the case in the local newspaper.
>
> Thank you for your attention to this matter.
>
> Sincerely,
>
> *-Ebonie Lanier*
>
> **Ebonie Lanier**
>
> D gp lqlvwudwlyh'D vvlvwdqw'LLL
>
> R iilfh'ri'Wkh'U hqhudo'Frxqvho
>
> R iilfh=44;83,":<70;3:5"
>
> Id{=44;83,'869C;:3<

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The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from

state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications

may be subject to public disclosure. LARGER VIEW

From: Ebonie Lanier
Sent: Wednesday, December 20, 2023 2:36 PM
To: alexisfino67@gmail.com
Subject: FGCC - NAVARRO - Case No. 2023032587

Good afternoon Mr./Ms. Alexis Navarro,

We are reaching out to confirm the receipt of the attached Administrative Complaint that was mailed out in September 2023.

I have attached a copy of the document to this email, just in case you haven't received it by mail.

Please respond confirming receipt of the attached documents.

Thanks,

-Ebonie Lanier

Ebonie Lanier

D gp lqlvwudwlyh'D vvlvwdqw'LLL

R iilfh'ri'Wkh'Uhqhuddc'Frxqvho

R iilfh=4;83,":<70;3:5"

Id{=4;83,'869C;:3<

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you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. LARGER VIEW

Re: Case Number 2023-032587

Melinda Bristow <Melinda.Bristow@flgaming.gov>
Fri 9/29/2023 8:09 AM

To:Alexis Navarro <alexisfino67@gmail.com>

Thank you very much for your response and for the additional information. This will be noted in the case file and presented to the attorney here.

Have a blessed day! 🙂

From: Alexis Navarro <alexisfino67@gmail.com>
Sent: Thursday, September 28, 2023 5:38 PM
To: Melinda Bristow <Melinda.Bristow@flgaming.gov>
Subject: Re: Case Number 2023-032587

Good afternoon, God bless you. Received, when it reaches my hands, my lawyer will gladly take care of that thief who wants to abuse me to obtain dirty money, the FBI is investigating that Trainer Jose D Angelo for using illegal substances on horses and having horse owners who wash The money and the horses that run in the name of Pro Racing belong to their friend who is a drug trafficker from Venezuela, the oldest of those Venezuelans dealing with dirty money, but they are close to falling, I am an owner who works with law and order and I struggle with clean money. Thank God. There will be many surprises, and that Jose D Angelo wanted to remove me from his stable as the owner because he knows that we are investigating it and Trainer Jorge Delgado told me personally, who is very serious and decent, and serious and decent people told him this as well. But that pig Jose D Angelo will have his day to face federal justice. Thank you.

El jue, 28 de sept de 2023, 4:17 p. m., Melinda Bristow <Melinda.Bristow@flgaming.gov> escribió:

> Good afternoon,
>
> Please see the attached Administrative Complaint and the related documents in regards to your Financial Responsibility case. You will also have copies mailed to you via U.S. mail.
>
> If you have any questions, please feel free to contact us.
>
> Thank you,
>
> Melinda (Mindy) Bristow
> **Florida Gaming Control Commission**
> **4070 Esplanade Way**
> **Tallahassee, FL 32399**
> **(850-794-8071)**
> **Melinda.Bristow@flgaming.gov**

Re: Owner Horses.

Alexis Navarro <alexisfino67@gmail.com>
Mon 10/2/2023 12:09 PM
To:Melinda Bristow <Melinda.Bristow@flgaming.gov>

Hi. Good afternoon

HC 1 Box 67829
Las Piedras PR 00771

El lun, 2 de oct de 2023, 12:01 p. m., Melinda Bristow <Melinda.Bristow@flgaming.gov> escribió:

> You are very welcome.
>
> Just so we are sure, what is your correct mailing address in which you receive mail?
>
> ---
>
> **From:** Alexis Navarro <alexisfino67@gmail.com>
> **Sent:** Friday, September 29, 2023 3:07 PM
> **To:** Melinda Bristow <Melinda.Bristow@flgaming.gov>
> **Subject:** Owner Horses.
>
> Ok. Thank you very much for your attention and may God bless you. Nice weekend

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v. FGCC Case No.: 2023-032587

ALEXIS NAVARRO,

Respondent.
_____/

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Alexis Navarro ("Respondent"), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.

2. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, number 10632982-1021, issued by Petitioner.

3. On or about April 11, 2023, a default judgment of $5,854.35 was entered against Respondent for unpaid financial obligations regarding horse training services rendered in the County Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, in case number COCE22078807.

4. These unpaid financial obligations relate to racing conducted at a pari-mutuel facility in the State of Florida.

5. Pursuant to section 550.105(7), Florida Statutes:

> The division may deny, revoke, or suspend any occupational license if the applicant therefor or holder thereof accumulates unpaid obligations or defaults in obligations, or issues drafts or checks that are dishonored or for which payment is refused without reasonable cause, if such unpaid obligations, defaults, or dishonored or refused drafts or checks directly relate to the sport of jai alai or racing being conducted at a pari-mutuel facility within this state.

6. Based on the foregoing, Respondent violated section 550.105(7), Florida Statutes, by accumulating unpaid obligations or defaults in obligations that directly related to racing conducted at a pari-mutuel facility in the State of Florida.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties the Commission is authorized to impose pursuant to chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-032587 is signed this 6th day of July, 2023.

/s/Emily A. Alvarado

Emily A. Alvarado
Deputy Chief Attorney
Florida Bar Number: 1025200
Florida Gaming Control Commission
Office of the General Counsel
Division of Pari-Mutuel Wagering
4070 Esplanade Way Ste. 250
Tallahassee, Florida 32399
Telephone: (850) 794-8066
Facsimile: (850) 921-1311
Primary: Emily.Alvarado@flgaming.gov
Secondary: Ebonie.Lanier@flgaming.gov

NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

Lic Type	**1021 - Pari-Mutuel Wagering Individual Occupational**			Status	**90 Closed**	Status Date	**06/28/2023**
Complaint #	**2023032587**	Case Type	**CMP - Complaint**	Disposition		Disposition Date	
Docket#		Respondent	**NAVARRO, ALEXIS**	Responsible	**bjones - JONES, BRADFORD**		**Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**INTN - Internal**	Security Level	**1**
Form	**INTR - Internal**	Priority	
Class'n	**IV-A - Financial Responsibility**	Complexity	**R - Regular**
Security	**STND - Standard**	Incident	**04/11/2023**
Region	**SR - Southern Region**	Received	**06/08/2023**
Reference	**550.105**		
Entered	**06/08/2023**	Entered By	**icampbell**
Summary	**321 - Gulfstream Park Racing Association, Inc. - 550.105 (Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines: On April 11, 2023, a copy of a Default Final Judgment, Case #COCE-22-078807 was received via e-mail from Attorney Mark Gunderson. Per said Default Final Judgment filed on April 11, 2023, in the County Court For the 17th Judicial Circuit in and For Broward County, FL, in Division 56 ProRacing Stables LLC., shall recover from Alexis Navarro the sum of $4,307.87 in principle, filing fees of $320.85, process server fees of $25.63, and attorney fees in the amount of $1,200.00, totaling $5,854.35, which shall bear interest at the rate of 6.58% per year.**		
Updated	**06/28/2023 14:13:53**	By	**nmelvai**

Parties | Activities | Allegations | Discipline | Violations | Compliance | Related | Disposition | Inspection | Costs | Time Tracking | Auto Assign | Attachments | History | Work Notes | Print Report

Change | Save | OK | Cancel | Back

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FLORIDA GAMING CONTROL COMMISSION

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of Complaint:	Case Number:
PMW	**SOUTHERN**	**June 8, 2023**	**2023 03 2587**

Respondent:	Complainant:
NAVARRO, ALEXIS **H C 1 BOX 67829** **LAS PIEDRAS, PA. 00771** **(787) 923-5206** Alexisfino67@gmail.com	**DIVISION OF PARI-MUTUEL WAGERING** **OFFICE OF INVESTIGATIONS** **1400 W. COMMERCIAL BLVD. SUITE 165** **FT. LAUDERDALE, FLORIDA 33309** **TEL. - 954-202-3900**

License # and Type:	Profession:	Report Date:
10632982 - 1021	**Individual Animal Owner**	**June 8, 2023**

Period of Investigation:	Type of Report:
June 8, 2023 through June 8, 2023	**Final**

Alleged Violation: F.S.S. 550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines. –
(7) "The commission may deny, revoke, or suspend any occupational license if the applicant therefor or holder thereof accumulates unpaid obligations or defaults in obligations, or issues drafts or checks that are dishonored or for which payment is refused without reasonable cause, if such unpaid obligations, defaults, or dishonored or refused drafts or checks directly relate to the sport of jai alai or racing being conducted at a pari-mutuel facility within this state."

Synopsis: On June 8, 2023, a copy of a Default Final Judgment against Alexis **NAVARRO**, in favor of ProRacing Stables LLC., Case No. COCE-22-078807, Division 56 In the County Court of the 17th Judicial Circuit In and For Broward County, Florida, ordered on April 11, 2023, was received via e-mail from Attorney Mark Gunderson.

Per said judgment, ProRacing Stables LLC., shall recover from **NAVARRO** the sum of $4,307.87 in principle, filing fees of $320.85, process server fees of $25.63 and attorney fees in the amount of $1,200.00, totaling $5,854.35, which shall bear interest at the rate of 6.58% per year **(EXHIBIT #1).**

Related Case(s):

Investigator / Date	Investigator Supervisor / Date
	Julio Minaya / June 8, 2023

Chief of Investigations / Date

Bradford D. Jones / June 28, 2023

CONTINUATION

A check of DBPR Versa records reflect that Alexis **NAVARRO** obtained a 3 year Florida PMW Occupational license as an Individual Animal Owner on November 9, 2021. This license expires on June 30, 2024. A copy of his licensing information is attached as **EXHIBIT #2**.

In the letter from Gunderson dated June 7, 2023, he states that the original amount of $5,854.35, is for horse training services provided by his client at a Florida Pari-Mutuel facility where **NAVARRO** stables his horses. Gunderson also provided copies of the Original Complaint and invoices related to his case. These documents are attached as **EXHIBITS #1 and 3.**

On June 8, 2023, an Enforcement Alert was placed on **NAVARRO's** license record in VERSA to reflect this unsatisfied Financial Obligation. A copy of the License Action Request Form and VERSA alert is attached as **EXHIBIT #4**.

Conclusion: NAVARRO is in violation of F.S.S. 550.105(7) for failing to satisfy the aforementioned Final Judgment.

Status: Case is closed by Investigations and forwarded to Legal for review.

CONTINUATION

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3. Original Court Complaint & Invoices…….. 1-5
4. License Action Alert…….. 1-3

Law Office of
Mark Gunderson, PL
Attorney ♦ CPA

2510 SW 18 Street ♦ Fort Lauderdale, Florida 33312
phone: (954) 288-1001 ♦ fax: (954) 791-6154 ♦ e-mail: mgunderson@mindspring.com

DIVISION OF PARI-MUTUEL WAGERING COMPLAINT – ALEXIS NAVARRO

June 7, 2023

Via Certified Mail – 7022 1670 0002 2970 9426
Via email - Donna.Fleming@myfloridalicense.com

Division of Pari-Mutuel Wagering
DBPR 0070 – Uniform Complaint Form
2601 Blairstone Rd.
Tallahassee, Florida 32399

Via email - **Julio.Minaya@myfloridalicense.com**

Julio Minaya, Investigation Supervisor
Division of Pari-Mutuel Wagering
1400 West Commercial Boulevard, Suite 165
Fort Lauderdale, FL 33065

Re: ProRacing Stable LLC v Alexis Navarro
17th Judicial Circuit - State of Florida – COCE 22078807 Division 56 - $5,854.35

Gentlemen:

On April 11, 2023, my client, Pro Racing Stable LLC obtained judgment[1] against Alexis Navarro, a licensee, concerning horse training services which my client provided at a Florida pari-mutuel facility where Mr. Navarro stables his horses. Since obtaining that judgment, Mr. Navarro has failed to satisfy his obligation.

Florida statutes states: "the division [pari-mutuel wagering] may deny, revoke, or suspend any occupational license if the applicant therefor or holder thereof accumulates unpaid obligations or defaults in obligations...if such unpaid obligations...directly relate to the sport of ... racing being conducted at a pari-mutuel facility within this state." 550.105(7) Fla. Stat.

Mr. Navarro holds a Pari-Mutuel Wagering Individual Occupational license issued by the State of Florida, as does my client. Mr. Navarro has accumulated unpaid obligations and has defaulted on an obligation that directly related to the sport of racing conducted at a pari-mutuel facility.

Accordingly, **my client requests that Mr. Navarro's horse racing license be suspended or revoked**, in accordance with the procedures found at Fla. Admin. Code R. 61D-3.001.

Thank you for your attention to this matter.

/s/ Mark Gunderson, Esq.

Cc. Client
Alexis Navarro, 1830 NW 29th Ave., Ocala, FL 34475; alexisfino67@gmail.com

[1] Judgment attached.

EXHIBIT #/
PAGE #/

IN THE COUNTY COURT OF THE 17TH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO. **COCE22078807** DIVISION: **56** JUDGE: **Benson, Betsy (56)**

ProRacing Stable LLC

Plaintiff(s) / Petitioner(s)

v.

Alexis Navarro

Defendant(s) / Respondent(s)

_____/

DEFAULT FINAL JUDGMENT

This action was heard upon Plaintiff's Motion for Default and Final Judgment by Default and

IT IS ADJUDGED that Defendant, ALEXIS NAVARRO dba RUMBA CALIENTE is in default for failing to attend the pre-trial hearing set by this Court on April 11, 2023. Plaintiff, PRORACING STABLE LLC, 2301 Laguna Circle Apt 1401, North Miami Beach, FL 33181, shall recover from Defendant, ALEXIS NAVARRO dba RUMBA CALIENTE, H C 1 Box 67829 Las Piedras, Puerto Rico 00771, the sum of $4,307.87 in principal, filing fees of $320.85, process server fees of $25.63 and attorney fees in the amount of $1,200.00, making **a total of $5,854.35**, which shall bear interest at the rate of 6.58% per year, for which let execution issue forthwith.

IT IS FURTHER ORDERED AND ADJUDGED that the Defendant shall complete Florida Small Claims Rules Form 7.343 (Fact Information Sheet) and return it to the Plaintiff's attorney within 45 days from the date of this Final Judgment, unless the Final Judgment is satisfied or a motion for new trial or notice of appeal is filed. **The Defendant should NOT file the completed form 7.343 with the court.**

Jurisdiction of this case is retained to enter further orders that are proper to compel the Defendant(s) to complete form 7.343 and return it to the Plaintiff's attorney.

EXHIBIT #1
PAGE #2

DONE AND ORDERED in Chambers at Broward County, Florida on 11th day of April, 2023.

COCE22078807 04-11-2023 4:33 PM

COCE22078807 04-11-2023 4:33 PM
Hon. Betsy Benson
COUNTY COURT JUDGE
Electronically Signed by Betsy Benson

Copies Furnished To:
Alexis Navarro , E-mail : alexisfino67@gmail.com
Mark Gunderson , E-mail : mgunderson@mindspring.com

EXHIBIT # 1
PAGE # 3

DBPR 0070 – Uniform Complaint Form

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION

Please submit to the appropriate address on Page 4.

Any investigation or administrative proceeding brought by the Department against the subject of your complaint will rely upon the information you provide to the Department. All allegations and supporting documentation MUST be provided to the Department at this time.

COMPLAINANT INFORMATION				
Last Name	First	Middle	Title	Suffix
Your Company/Occupation PRORACING STABLE LLC				
MAILING ADDRESS				
Street Address or P.O. Box 2301 LAGUNA CIRCLE #1401				
City N. MIAMI BEACH		State FL	Zip Code (+4 optional) 33181	
County (if Florida address) BROWARD		Country		
CONTACT INFORMATION				
Primary Phone Number 954-288-1001		Alternate Phone Number		
Primary E-Mail Address MGUNDERSON@MINDSPRING.COM				
Unlicensed Activity Complaint? Yes ☐	No X	Unknown ☐		
COMPLAINT DESCRIPTION				
SEE ATTACHED LETTER				

Attach additional sheets as necessary.

EXHIBIT # 1
PAGE # 4

PRIVATE ATTORNEY FOR COMPLAINANT (IF APPLICABLE)				
Last Name GUNDERSON, MARK, ESQ	First	Middle	Title	Suffix
ADDRESS				
Street Address or P.O. Box				
2510 SW 18 STREET				
City FORT LAUDERDALE		State FL	Zip Code (+4 optional) 33312	
County (if Florida address) BROWARD		Country		
CONTACT INFORMATION				
Primary Phone Number 954-288-1001		Alternate Phone Number		

SUBJECT OF COMPLAINT				
Last Name NAVARRO, ALEXIS	First	Middle	Title	Suffix
License Number (if known) 10632982				
Company/Occupation HORSE OWNER				
MAILING ADDRESS				
Street Address or P.O. Box				
1830 NW 29TH AVE				
City OCALA		State FL	Zip Code (+4 optional) 34475	
County (if Florida address)		Country		
CONTACT INFORMATION				
Primary Phone Number 787-923-5206	Primary E-Mail Address alexisfino67@gmai.com			
RESIDENCE ADDRESS (IF DIFFERENT THAN MAILING ADDRESS)				
Street Address				
City		State	Zip Code (+4 optional)	
County (if Florida address)		Country		

PRIVATE ATTORNEY FOR SUBJECT OF COMPLAINT (IF APPLICABLE)				
Last Name NONE	First	Middle	Title	Suffix
ADDRESS				
Street Address or P.O. Box				
City		State	Zip Code (+4 optional)	
County (if Florida address)		Country		
CONTACT INFORMATION				
Primary Phone Number		Alternate Phone Number		

EXHIBIT # 1
PAGE # 5

WITNESS (IF APPLICABLE)				
Last Name JOSE D'ANGELO	First	Middle	Title	Suffix
ADDRESS				
Street Address or P.O. Box 2301 LAGUNA CIRCLE #1401				
City N. MIAMI BEACH		State FL	Zip Code (+4 optional) 33181	
County (if Florida address) BROWARD		Country		
CONTACT INFORMATION				
Primary Phone Number 786-569-3722		Alternate Phone Number		

WITNESS (IF APPLICABLE)				
Last Name	First	Middle	Title	Suffix
ADDRESS				
Street Address or P.O. Box				
City		State	Zip Code (+4 optional)	
County (if Florida address)		Country		
CONTACT INFORMATION				
Primary Phone Number		Alternate Phone Number		

I affirm that I have provided the above information completely and truthfully to the best of my knowledge.

Complainant Sign Here: BY: /S/ MARK GUNDERSON, ESQ. Date: 6/07/2023

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **jminaya**

VR Home > License Search > **License Home**

Licensee | History | Notes | Notes History | Back

License

Fed Tax # [redacted] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2024**

File # **61691** Name **NAVARRO, ALEXIS** Extended To

License # **10632982** Rank **PIND - Professional Individual Occupational** Renewed On

Entity # **10632982** Lic Status **Current**

Address

Street # Street **H C 1 BOX 67829**

Line 2

Line 3

City **LAS PIEDRAS** State **PR** Zip **00771**

Routing

Other

1st License Date **11/09/2021** Rank Date **11/09/2021** Certificate #

Method **I-S-1024** Status Date **11/09/2021** Certificate Date

Fee Exempt **No** Birth Date [redacted] Renewal Sent

Select

Action

Modifiers

Type	Modifier	Effective Date	Additional Info
C	IOWN - Individual Animal Owner	12/03/2014	
I	TBRD - Thoroughbred	12/03/2014	
L	321 - Gulfstream Park	11/03/2021	
Y	3YR - 3 Year License	12/03/2014	

Alt Keys

BEST LIC NBR **10632982**

Get Adobe Reader.

EXHIBIT #2
PAGE # 1

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **jminaya**

Lic Type **1021 - PMW Professional Individual Occupational** Entity # **10632982**

Fed Tax # [redacted] Fed Tax Type **SSN #** Name **NAVARRO, ALEXIS**

Last Name **NAVARRO** First **ALEXIS** Middle

Title Suffix Qualifier

Gender **M** Race **4 - Hispanic**

Driver License # Birth Date [redacted]

Mailing Address ☑ Private Address ☐ Preferred Name ☑

Street # Street **H C 1 BOX 67829**

Line 2

Line 3

City **LAS PIEDRAS** County **Out of State**

Zip **00771** State **Puerto Rico** Country **United States**

Routing

Phone # **787 923 5206** Ext E-Mail **alexisfino67@gmail.com**

Insp Region Receive Email ☐

Updated **11/03/2021 16:13:28** By **cgaitan**

Notes | Notes History | Fix | Change | Save | OK | Cancel | Back

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EXHIBIT # 2
PAGE # 2

Filing # 163753659 E-Filed 12/28/2022 01:28:55 PM

IN THE COUNTY COURT FOR THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

PRORACING STABLE LLC
Plaintiff,
vs

SMALL CLAIMS DIVISION
COCE-22-078807

ALEXIS NAVARRO dba RUMBA CALIENTE
Defendant.
_____/

COMPLAINT

Plaintiff, PRORACING STABLE LLC ("Plaintiff"), sues defendant, ALEXIS NAVARRO dba RUMBA CALIENTE, ("Defendant") and alleges,

1. This is an action on an open account.

2. This Court has subject matter jurisdiction over this dispute because this complaint seeks damages of $8,000.00 or less exclusive of interest, attorneys' fees, and costs. §34.01(2) Fla. Stat.

3. Venue is proper in the 17th Judicial Circuit, in that Plaintiff's cause of action arose in Broward County Florida. §47.011 Fla. Stat.

4. Plaintiff is a resident of Broward County and otherwise *sui juris.*

5. The Court has jurisdiction over the Defendant in that Plaintiff's cause of action against Defendant arises from Defendant operating, conducting, engaging in, or carrying on a business or business venture in this state, breaching a contract in this state by failing to perform acts required by the contract to be performed in this state, and/or Defendants' substantial and not isolated activity within this state. §48.193 Fla. Stat.

6. Service is alternatively made (if applicable) via substituted service on the Secretary for the State of Florida in accordance with §48.161 Fla. Stat. or §48.181 Fla. Stat. in that Defendant(s) were residents of this state and subsequently became nonresident(s) of this state or have concealed there whereabouts.

7. **Defendant owe Plaintiff $4,307.87** that is due with interest since October 31, 2022, based on an agreement for goods and services that were sold and delivered at an agreed upon price, **directly related to horse racing being conducted at a pari-mutuel facility**. See Exhibit A.

8. Plaintiff is entitled to prevailing party attorney fees pursuant to agreement between the parties.

WHEREFORE, Plaintiff demands judgment for damages, attorney fees and costs against Defendant.

MARK GUNDERSON, P.L.
Attorney for Plaintiff
2510 SW 18 Street
Fort Lauderdale Florida 33312
(954) 288-1001; (954) 791-6154 Fax
mgunderson@mindspring.com
/s/ Mark Gunderson FBN: 0842141

EXHIBIT #3
PAGE #1

Law Office of
Mark Gunderson, PL
Attorney ♦ CPA

2510 SW 18 Street ♦ Fort Lauderdale, Florida 33312
phone: (954) 288-1001 ♦ fax: (954) 791-6154 ♦ e-mail: mgunderson@mindspring.com

FINAL DEMAND BEFORE LITIGATION

Via US Mail and Certified Mail 7020 3160 0001 2756 3261

December 7, 2022

Alexis Navarro
Dba Rumba Caliente
H C 1 Box 67829
Las Piedras, Puerto Rico 00771

Re: Outstanding Account Balance - $4,304.87 (attached)

Mr. Navarro,

I represent Jose D'Angelo and ProRacing Stable LLC. My client provided you with thoroughbred horse training services for which payment has not been received.

My client has turned this account over to my office for collection.

If you require additional time for payment or if you are disputing this debt please call my office at the number shown in the caption to discuss or arrange for a date that my client may expect payment.

If it is necessary to file a court action to collect the balance my client will seek, attorney fees, court costs and other costs incident to collection, along with pre and post judgment interest.

Please arrange for payment within the next 10 days or A COURT ACTION WILL BE FILED WITHOUT ADDITIONAL NOTICE.

If you have questions, please call.

/s/ Mark Gunderson, Esq.

Cc. Client

EXHIBIT #3
PAGE #2

ProRacing Stable LLC
Bank Chase Account # 511056779 Aba# 267084131
2301 Laguna Circle Apt.1401
North Miami Beach, FL 33181
Phone: 786-569-3722 EMAIL: jf_dangelop@hotmail.com www.dangelosracing.com

Billing Date 2022-10-03

INVOICE: 322634

Bill To:
Rumba Caliente
Alexis Navarro

Tora Lora Lora					
Date	**Item**	**Notes**	**Quantity at %**	**Each**	**Total Charge**
10/2/2022	**Medical / Supplements: JC's X Tie Up Paste**		1 at 50.00%	$11.00	$5.50
10/2/2022	**Race Day Expenses / Labor: Pony Race**		1 at 50.00%	$50.00	$25.00
10/3/2022	**Day Charge at Palm Meadows Training Center $70.00 Day Rate x 50.00%**	Days from 10/01/2022 to 10/03/2022	3 at 50.00%	$70.00	$105.00
				Tora Lora Lora Total:	**$135.50**

Invoice Notes

Summary

Previous Balance:	**$6,669.37**
Recent Payments:	
10/03/2022:	($2,500.00)
Total Recent:	**($2,500.00)**
Outstanding Balance:	**$4,169.37**
This Invoice:	**$135.50**
Total Due:	**$4,304.87**

EXHIBIT #3
PAGE #3

ProRacing Stable LLC
Bank Chase Account # 511056779 Aba# 267084131
2301 Laguna Circle Apt.1401
North Miami Beach, FL 33181
Phone: 786-569-3722 EMAIL: jf_dangelop@hotmail.com www.dangelosracing.com

Billing Date 09/30/2022

INVOICE: 321403

Bill To:
Rumba Caliente
Alexis Navarro

Fillmore East

Date	Item	Notes	Quantity at %	Each	Total Charge
9/1/2022	**Medical / Therapies: MagnaWave**		3 at 66.67%	$65.00	$130.01
9/1/2022	**Workers Compesation / Workers Compesation: Workers Compesation**		1 at 66.67%	$50.00	$33.34
9/19/2022	**Medical / Preventive: Dentistry**		1 at 66.67%	$100.00	$66.67
9/21/2022	**Medical / Supplements: BodyBuilder/Lixotonic/Vitamins**		1 at 66.67%	$200.00	$133.34
9/21/2022	**Medical / Supplements: JC's X Tie Up Paste**		1 at 66.67%	$11.00	$7.33
9/21/2022	**Medical / Preventive: Acepromazine/Dantrolene**		1 at 66.67%	$21.00	$14.00
9/21/2022	**Medical / Preventive: Sulcrafate**		1 at 66.67%	$21.00	$14.00
9/21/2022	**Race Day Expenses / Labor: Pony Race**		1 at 66.67%	$50.00	$33.34
9/30/2022	**Day Charge at Monmouth $80.00 Day Rate x 66.67%**	Days from 09/01/2022 to 09/21/2022	21 at 66.67%	$80.00	$1,120.06
				Fillmore East Total:	**$1,552.09**

Tora Lora Lora

Date	Item	Notes	Quantity at %	Each	Total Charge
9/1/2022	**Medical / Therapies: Laser**		4 at 50.00%	$35.00	$70.00
9/30/2022	**Blacksmith / Shoes: 4 New**		1 at 50.00%	$185.00	$92.50
9/30/2022	**Medical / Supplements: BodyBuilder/Lixotonic/Vitamins**		1 at 50.00%	$300.00	$150.00
9/30/2022	**Medical / Preventive: Sulcrafate**		1 at 50.00%	$31.00	$15.50
9/30/2022	**Medical / Preventive: Acepromazine/Dantrolene**		1 at 50.00%	$35.00	$17.50
9/30/2022	**Workers Compesation / Workers Compesation: Workers Compesation**		1 at 50.00%	$50.00	$25.00
9/30/2022	**Medical / Preventive: Dentistry**		1 at 50.00%	$100.00	$50.00
9/30/2022	**Day Charge at Palm Meadows Training Center $70.00 Day Rate x 50.00%**	Days from 09/01/2022 to 09/30/2022	30 at 50.00%	$70.00	$1,050.00
				Tora Lora Lora Total:	**$1,470.50**

EXHIBIT # 3
PAGE # 4

ProRacing Stable LLC
Bank Chase Account # 511056779 Aba# 267084131
2301 Laguna Circle Apt.1401
North Miami Beach, FL 33181
Phone: 786-569-3722 EMAIL: jf_dangelop@hotmail.com www.dangelosracing.com

Billing Date 09/30/2022

Invoice Notes

Summary

Previous Balance:	**$7,788.36**
Recent Payments:	
09/09/2022:	($4,141.58)
Total Recent:	**($4,141.58)**
Outstanding Balance:	**$3,646.78**
This Invoice:	**$3,022.59**
Total Due:	**$6,669.37**

EXHIBIT #3
PAGE #5

FLORIDA GAMING CONTROL COMMISSION

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

DIVISION OF PARI-MUTUEL WAGERING
LICENSE ACTION REQUEST FORM

To: Licensing Administrator

From: Investigator Minaya

Date: June 8, 2023

X	PLEASE **ADD ALERT**: Contact Investigations Prior to Licensing
	PLEASE **REMOVE** ALERT FROM LICENSE RECORD

License number and type: 10632982 - 1021

Last Name: NAVARRO First Name: ALEXIS

DOB: [redacted] SS#: [redacted]

Reason for Addition/Removal of Alert: **DO NOT LICENSE!** Unsatisfied Default Final Judgment pending against Alexis Navarro, in favor of ProRacing Stables LLC., Case # COCE-22-078807, Division 56, in the Circuit Court of the 17th Judicial Court in Broward County, Florida, in the amount of $5,854.35 plus 6.58% interest per year.

Responsible Party: Inv. Sup Minaya Case Number: 2023 03 2587

Approved by:_____ Date _____

Added/Removed by:_____ Date June 8, 2023

Revised 12/08

EXHIBIT # 4
PAGE # 1

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **jminaya**

Fed Tax # [redacted]	Lic Type	**1021 - PMW Professional Individual Occupational**	Expires On	**06/30/2024**
File # **61691**	Name	**NAVARRO, ALEXIS**	Extended To	
License # **10632982**	Rank	**PIND - Professional Individual Occupational**	Renewed On	
Entity # **10632982**	Lic Status	**Current**		

Description	Effective	Notes
Enforcement Alert	06/08/2023	

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EXHIBIT # 4
PAGE # 2

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **jminaya**

Search Criteria | Results | Detail

Modifier Type	**A - Alert**
Modifier	**ENFO - Enforcemt Alert**
Effective	**06/08/2023**
Expires	**-**
Additional Info :	
Prompt	
Value	
Notes	**DO NOT LICENSE! Unsatisfied Default Final Judgment pending against Alexis Navarro, in favor of ProRacing Stables LLC., Case # COCE-22-078807, Division 56, in the Circuit Court of the 17th Judicial Court in Broward County, Florida, in the amount of $5,854.35 plus 6.58% interest per year.**
Updated	**06/08/2023 12:10:48**
By	**jminaya**

Notes History | Change | Delete | Save | Cancel | < | >

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EXHIBIT # 4
PAGE # 3

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Joseph Klein, Senior Attorney
Re: FGCC v. Arabel Herrera Quesada
Case Number 2023-037871; Default Final Order
Date: April 9, 2024

Executive Summary

The Division of Pari-Mutuel Wagering (the "Division") served the Respondent, Arabel Herrera Quesada ("Respondent"), with an administrative complaint seeking to exclude him from all pari-mutuel and slot facilities in the state of Florida. Respondent failed to timely respond to the administrative complaint and thereby waived his right to request a hearing contesting this matter. The Division requests that the Florida Gaming Control Commission enter a final order permanently excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

Background

On July 20, 2022, Respondent visited Casino Miami LLC d/b/a Casino Miami ("Casino Miami")[1] as a patron. Subsequently, Respondent was ejected from the facility.[2] The reason for the ejection is included as Exhibit 1 of the Administrative Complaint.

Based on Respondent's ejection from Casino Miami, the Division filed an administrative complaint on September 22, 2023, seeking his exclusion from all pari-mutuel and slot machine facilities in the state of Florida.

The Division attempted to serve Respondent with the administrative complaint by Certified Mail on September 22, 2023, and October 11, 2023, but was unsuccessful. On November 27, 2023, the Division attempted to serve Respondent by hand-delivery but was also unsuccessful. The Division then requested that a notice be

[1] Casino Miami is operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the state of Florida.

[2] Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

placed in the Sun Sentinel, which was published February 22, 2024, February 29, 2024, March 7, 2024, and March 14, 2024.[3]

Respondent failed to respond to the notice in a timely manner, which would have been required no later than March 21, 2024.

Analysis

Florida law allows for the exclusion of Respondent from all pari-mutuel and slot machine facilities in the state.

Section 550.0251(6), Florida Statutes, provides that "[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state." Further, Section 551.112 provides that "[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state."

Therefore, Respondent's ejection from Casino Miami – which is both a pari-mutuel facility and slot machine licensee in this state – subjects him to exclusion from all pari-mutuel and slot machine facilities in this state.

Moreover, Respondent failed to file a timely response to the publication notice and has thus waived his right to request a hearing on the matter.

Staff Recommendation: The Division recommends that the Florida Gaming Control Commission enter a final order permanently excluding the Respondent, Arabel Herrera Quesada, from all pari-mutuel and slot machine facilities in the state of Florida.

[3] Section 120.60(5), Florida Statutes, provides, "when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee's last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county."

SUN-SENTINEL

Sold To:
Florida Gaming Control Commission - CU80176232
4070 Esplanade Way, Suite 250
Tallahassee,FL 32399

Bill To:
Florida Gaming Control Commission - CU80176232
4070 Esplanade Way, Suite 250
Tallahassee,FL 32399

Published Daily
Fort Lauderdale, Broward County, Florida
Boca Raton, Palm Beach County, Florida
Miami, Miami-Dade County, Florida

State Of Florida
County Of Orange

Before the undersigned authority personally appeared
Rose Williams, who on oath says that he or she is a duly authorized representative of the SUN- SENTINEL, a DAILY newspaper published in BROWARD/PALM BEACH/MIAMI-DADE County, Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of 11745-Other Legal Notices ,
Was published in said newspaper by print in the issues of, and by publication on the newspaper's website, if authorized on Feb 22, 2024; Feb 29, 2024; Mar 07, 2024; Mar 14, 2024
Self Service Multi-Product Purchase
Affiant further says that the newspaper complies with all legal requirements for publication in Chapter 50, Florida Statutes.

Rose Williams

Signature of Affiant

Sworn to and subscribed before me this: March 15, 2024.

LeAnne Rollins

Signature of Notary Public

LEANNE ROLLINS
Notary Public - State of Florida
Commission # GG 982233
My Comm. Expires Apr 27, 2024
Bonded through National Notary Assn.

Name of Notary, Typed, Printed, or Stamped
Personally Known (X) or Produced Identification ( )

Affidavit Delivery Method: E-Mail
Affidavit Email Address: Ebonie.Lanier@flgaming.gov
7587652

NOTICE OF ACTION
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING

IN RE: Sections 550.0251(6), and 551.112, Florida Statutes.
ARABEL HERRERA QUESADA
122 Avocado Avenue
West Palm Beach, Florida 33413
CASE NO.: 2023-037871
LICENSE NO.: N/A

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 4070 Esplanade Way, Tallahassee, FL 32399, (850) 794-8072.

If no contact has been made by you concerning the above by Thursday, March 21, 2024, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257- 6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

2/22/2024, 2/29/2024, 3/7/2024, 3/14/2024 7587652

Order # - 7587652

FLORIDA GAMING CONTROL COMMISSION,

Petitioner,

v. FGCC Case No.: 2023-037871

ARABEL HERRERA QUESADA,

Respondent.
_____/

AFFIDAVIT OF SERVICE OR DILIGENT SEARCH

COMES NOW, the Affiant, an employee of the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, State of Florida, who first being duly sworn, deposes and states:

On (date) NOVEMBER 21, 2023 RAUL SUAU, Affiant made a diligent effort to locate Respondent, to serve: ☐ License Denial; ☒ Administrative Complaint and related papers; ☐ Subpoena(s); ☐ Final order; ESO and related papers; ___(other) _____.

(PLEASE CHECK APPLICABLE ANSWER)

____ Affiant made personal service on Respondent, on (date), _____, at (location) _____.

_X___ Affiant was unable to make service after searching for Respondent at: (a) all addresses for Respondent shown in the F.G.C.C. investigation of the case; (b) all official addresses for Respondent shown in his/her licensing records of the Division of Pari-Mutuel Wagering; (c) any others: _____

_____
Signature of Affiant

STATE OF Florida
COUNTY OF Broward

Before me, appeared Raul Suau; X who is personally known to me or ____whose identity I proved on the basis of _____; and who acknowledges that his/her signature appears above.

Sworn to or affirmed by Affiant before me this 27th day of November 2023

_____
Notary Public

MICHELLE M. FUTRELL
Commission # HH 135946
Expires June 14, 2025
Bonded Thru Budget Notary Services

_____
Type or Print Name

9/22/2023

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-037871

ARABEL HERRERA QUESADA,

Respondent.
_____/

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Arabel Herrera Quesada ("Respondent"), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.

2. At all times material hereto, Respondent's address was reported as 122 Avocado Avenue, West Palm Beach, Florida 33413.

3. At all times material hereto, Casino Miami was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the state of Florida.

4. On or about July 20, 2022, Respondent was a patron of Casino Miami.

5. On or about July 5, 2023, Respondent was ejected and permanently excluded from Casino Miami.

6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

7. Section 550.0251(6), Florida Statutes, provides in relevant part:

> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

> In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the state of Florida under sections 550.0251(6) and 551.112, Florida Statutes based on his exclusion from Casino Miami on or about July 5, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any

facility of a slot machine licensee in the state of Florida, along with any other remedy provided by chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-037871 is signed this 14th day of September 2023.

/s/Emily A. Alvarado

Emily A. Alvarado
Deputy Chief Attorney
Florida Bar Number: 1025200
Florida Gaming Control Commission
Office of the General Counsel
Division of Pari-Mutuel Wagering
4070 Esplanade Way
Tallahassee, Florida 32399-2202
Telephone: (850) 794-8066
Facsimile: (850) 921-1311
Primary: Emily.Alvarado@flgaming.gov
Secondary: Ebonie.Lanier@flgaming.gov

NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update | Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **cstubbs1**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	**1003 - Permitholder Application for Annual Slot Machine License**	Status	**90 Closed**	Status Date	**08/31/2023**
Complaint #	**2023037871**	Case Type	**CMP - Complaint**	Disposition	Disposition Date
Docket#		Respondent	**HERRERA QUESADA, ARABEL**	Responsible	**bjones - JONES, BRADFORD** **Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**INTN - Internal**	Security Level	**1**
Form	**INTR - Internal**	Priority	
Class'n	**I-H - Violation of Wagering Prohibitions**	Complexity	**R - Regular**
Security	**STND - Standard**	Incident	**07/20/2022**
Region	**SR - Southern Region**	Received	**07/07/2023**
Reference	**551.109**		
Entered	**07/07/2023**	Entered By	**nmelvai**

☐ Parties ☑ Activities
☑ Allegations ☐ Discipline
☐ Violations ☐ Compliance
☐ Related ☑ Disposition
☐ Inspection
☐ Costs
☐ Time Tracking Auto Assign
☐ Attachments History
☐ Work Notes Print Report

Summary **273--- Casino Miami, LLC---- 551.109 Prohibited acts; penalties___ On July 20, 2022, Arabel HERRERA QUESADA visited Casino Miami and at the time of his visit, he had been excluded since August 12, 2014, by the facility for assaulting another patron resulting in his arrest by the Miami Police Department. Prior to this visit on July 20, 2022, he had been excluded four other times and arrested one other time for trespassing/violation of his exclusion. On this date July 20, 2022, HERRERA QUESADA claimed and collected two jackpots won by patron Brian Fernando Vazquez-Lagos who was permanently excluded by the Florida Gaming Control Commission in reference to PMW Case #2018 04 4706, involving the manipulation of a roulette wheel inside of Casino Miami. Upon winning the jackpots Vazquez-Lagos is seen via video footage making a phone call after which, HERRERA QUESADA immediately appears. Subsequently after July 20, 2022, HERRERA QUESADA visited the facility two additional times and each time he was removed from the facility. On October 20, 2022 Casino Miami re-instated HERRERA QUESADA. On July 5, 2023, the undersigned Investigator and Supervisor Minaya met with Casino Miami General Manger Daniel**

Licciardi in reference to HERRERA QUESADA's visits and actions while being excluded. Upon learning of HERRERA QUESADA's involvement with cashing another patrons jackpot, Mr. Licciardi Permanently excluded HERRERA QUESADA from the facility. A third jackpot was also won by Vazquez-Lagos which was not collected when the facility realized that HERRERA QUESADA was not the winner of the jackpot. He was escorted from the facility and the jackpot became "unclaimed".

Updated **09/05/2023 09:32:19** By **cstubbs1**

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FLORIDA GAMING CONTROL COMMISSION

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of Complaint:	Case Number:
PMW	**SOUTHERN**	**July 7, 2023**	**2023 03 7871**

Respondent:	Complainant:
HERRERA QUESADA, ARABEL **122 AVOCADO AVE.** **WEST PALM BEACH, FLORIDA 33413**	**DIVISION OF PARI-MUTUEL WAGERING** **OFFICE OF INVESTIGATIONS** **1400 W. COMMERCIAL BLVD. SUITE 165** **FT. LAUDERDALE, FLORIDA 33309** **TEL. - 954-202-3900**

License # and Type:	Profession:	Report Date:
N/A - 1098	**Patron**	**August 29, 2023**

Period of Investigation:	Type of Report:
July 7, 2023, through August 29, 2023	**August 29, 2023**

Alleged Violation: 550.0251 Powers and duties of the Florida Gaming Control Commission. —The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:
(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The commission may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed.
551.109 Prohibited acts; penalties.—
(3) Any person who knowingly excludes, or takes any action in an attempt to exclude, anything of value from the deposit, counting, collection, or computation of revenues from slot machine activity, or any person who by trick, sleight-of-hand performance, a fraud or fraudulent scheme, or device wins or attempts to win, for himself or herself or for another, money or property or a combination thereof or reduces or attempts to reduce a losing wager in connection with slot machine gaming commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Synopsis: On July 20, 2022, Arabel **HERRERA-QUESADA** visited Casino Miami. At the time of his visit, he had been excluded from the facility since August 12, 2014 for assaulting another patron resulting in his arrest by the Miami Police Department. Prior to the July 20, 2022, visit he had been removed the facility four other times and arrested once for trespassing based on his exclusion. On July 20, 2022, **HERRERA-QUESADA** claimed and collected two jackpots which were actually won by patron Brian Fernando Vazquez-Lagos, an individual who was also excluded from the facility and on the Statewide Exclusion List in relation to PMW Case #2018 04 4706, which involved a slot machine manipulation scheme that occurred at Casino Miami. Upon winning the jackpots Vazquez-Lagos is seen via surveillance video making a phone call after which, **HERRERA-QUESADA** immediately appears and presents himself as the winner.

After July 20, 2022, **HERRERA-QUESADA** visited the Casino Miami two additional times and each time he was removed by facility security. On October 20, 2022, Casino Miami reinstated **HERRERA-QUESADA**.

On July 5, 2023, the undersigned Investigator and Supervisor Minaya met with Casino Miami General Manger Daniel Licciardi in reference to **HERRERA-QUESADA's** visits and actions while being excluded. Upon learning of **HERRERA-QUESADA'S** involvement with cashing another patron's jackpot, Mr. Licciardi permanently excluded **HERRERA-QUESADA** from the facility.

The third jackpot won by Vazquez-Lagos was not paid out after the facility determined that **HERRERA-QUESADA** was not the true winner of the jackpot. He was escorted from the facility and the jackpot became "unclaimed".

Related Case(s): 2018 04 4706 & 2023 04 3396

Investigator / Date	Investigator Supervisor / Date
Raul Suau / August 29, 2023	Julio Minaya / August 30, 2023

Chief of Investigations / Date

Bradford D. Jones / August 31, 2023

CONTINUATION

During a facility visit of Casino Miami LLC, in late October of 2022, the undersigned Investigator while in the Surveillance Department overheard the Security Department notifying Surveillance that they had stopped a patron that was on the facility trespass list attempting to enter the Casino. When Surveillance requested the name of the individual, I learned that the individual that was being stopped was Arabel **HERRERA-QUESADA**. I recalled having received an e-mail from Casino Miami a day earlier, informing me that this same individual had been reinstated from exclusion by the facility. I immediately informed surveillance personnel that the subject had in fact been re-instated. I then requested from Casino Miami Director of Compliance, Beatriz Perez all documented incidents involving this individual. Review of this information revealed that in 2014 he had been excluded for fighting another patron inside the facility. I also learned that he had visited the facility on numerous occasions after his 2014 exclusion resulting in his arrest and or removal from the facility.

Eventually **HERRERA-QUESADA** would visit Casino Miami on July 20, 2022, while still under exclusion and assist another patron identified as Brian Vazquez-Lagos (an individual who is on the FGCC Statewide Exclusion List) cash out two of three slot jackpots. Documents obtained from the facility revealed that **HERRERA-QUESADA** was reinstated from exclusion on October 20, 2022, and then permanently excluded on July 5, 2023 **(Exhibits #1, 2 & 3).**

During my inquiry of **HERRERA-QUESADA**, I reviewed an incident that occurred at Casino Miami on July 20, 2022, between the hours of 12:00 P.M, and 1:50 P.M. The incident involved two patrons; Brian Vazquez-Lagos who in June of 2017, was permanently excluded for tampering with a Roulette Wheel Slot Machine in Casino Miami and **HERRERA-QUESADA** who was excluded by Casino Miami in 2014 for fighting another patron inside of the facility.

Video review of July 20, 2022, revealed the following:

At 11:57 A.M., on July 20, 2022, video footage captures Brian Vazquez-Lagos driving a white Mercedes Benz SUV owned by Casino Miami Slot Attendant, Maura Godinez. Vazquez-Lagos proceeds to drop off Godinez at the employee entrance rear door, which she enters. Vazquez-Lagos then parks the vehicle and enters the facility through a patron entrance door. Upon entering the facility, Vazquez Lagos walks to the Roulette Wheel Slot Machine game and begins to play. Shortly thereafter **HERRERA-QUESADA** enters the casino and joins him. Between the hours of 12:15 P.M., and 12:50 P.M., video footage captures Vazquez-Lagos winning a total of three jackpots. Immediately after winning each of the jackpots, **HERRERA-QUESADA** is observed cashing two of them. It was during the processing of the third jackpot, that Casino Miami Slot Supervisor, Jonathan Matthew denied **HERRERA-QUESADA** the jackpot payment due to him being on the facility's Trespass List **(Exhibit #5)**. Therefore, the third jackpot was listed by Slot Supervisor Matthew as an unclaimed Jackpot.

It was at this point that Vazquez-Lagos exited the casino and was captured on video surveillance sitting on the curb outside of the facility. A short time later a Security Supervisor Dontrell Allen is observed on video footage talking to him. After this encounter **HERRERA-QUESADA** joins Vazquez-Lagos outside and Vazquez-Lagos can be seen giving **HERRERA-QUESADA** a small object. **HERRERA-QUESADA** proceeds to walk through the valet parking entrance, retrieving the white Mercedes Benz SUV, and driving it across the street from the facility's valet entrance where he parks and exits the vehicle as Vazquez-Lagos enters the vehicle and drives away **(Exhibit #2).**

On August 2, 2023, Investigative Supervisor Julio Minaya and I met with Casino Miami Controller, Omar Quintana and requested all documents related to all three jackpots. Also, an official request was e-mailed to Casino Miami Director of Compliance Beatriz Perez to release said documents.

CONTINUATION

On August 3, 2023, the undersigned investigator interviewed Slot Attendant Oswin Paguada relative to this incident. Paguada had processed the first jackpot that was paid to **HERRERA-QUESADA**. Paguada was shown a photograph of Vazquez-Lagos for identification purposes; he stated that he had "seen him around." When asked if Vazquez-Lagos was in a relationship with anyone in the facility, Paguada said yes, with Slot Attendant Maura Godinez. When asked if he recalled this incident, Paguada said he did not recall much about it. When asked if he checks every jackpot winner's credential, against the facility's trespass list, prior to paying out the jackpot, Paguada said "no, because if I know them, there is no reason to check the trespass list". When asked if he checked **HERRERA-QUESADA'S** credentials Paguada said he did not remember.[1] Paguada had no further information to contribute to this interview.

I then interviewed Slot Supervisor Jonathan Matthew and showed him pictures of both Vazquez-Lagos and **HERRERA-QUESADA**. Matthew was able to identify both men but did not remember who discovered that **HERRERA-QUESADA** was excluded. When shown a copy of Surveillance Report CMJ000010972 which documents that it was he, who reported that the jackpot would not get paid, Matthew did not dispute the report. Matthew also stated that if he was the one verifying the jackpots, he would have checked the hard copy Facility Exclusion List as well as the computer database that stores such information. Matthew did not know if the previous two jackpots that were processed by Paguada and Godinez were checked against the exclusion list. Matthew had no further information to add to this interview.

I also interviewed Maura Godinez and asked her if she knew Brian Vazquez-Lagos. Godinez said yes, and that he is her former boyfriend. When asked if they were dating on July 20, 2022, (the day that Vazquez-Lagos played and won three jackpots which were claimed by **HERRERA-QUESADA)** Godinez said "no, he drove me to work but I did not expect him to enter the casino and begin to play." Godinez also denied knowing that **HERRERA-QUESADA** and Vazquez-Lagos were on the facility exclusion list because when she processed the second and third jackpots, **HERRERA-QUESADA'S** name was not flagged in the Casino Market Place (CMP) program. Godinez says that she does not remember checking the facility binder which also contains the names of those on the exclusion list to determine if **HERRERA-QUESADA** was excluded.[2] After her supervisor denied payment of the jackpot, she informed both men that they were not going to be paid at which point both men exited the facility[3]. Godinez could not provide any additional information related to this incident.

Conclusions: There is sufficient evidence to show that Casino Miami employees did not adequately use all available resources to detect/identify individuals on the facility's trespass list. This is obvious because on July 20, 2022 [Statewide Excluded] Brian Vazquez-Lagos was present in the facility gaming on the slot floor with his companion, **HERRERA-QUESADA** who although having been excluded from the facility since 2014, was not flagged in the casino database even though he appears on the facility's hardcopy trespass list. As a result, both individuals were able to engage in deceptive behavior.

Written direction to facility staff requiring that the Statewide Exclusion List and the facility exclusion list be checked prior to the payment of jackpots is not contained in the current approved facility Internal Controls. Neither is such requirement delineated within appropriate sections of the Florida Administrative Code. The designation of the July 20, 2022, withheld jackpot as "unclaimed" while somewhat incorrect, still allowed for complete facility revenue reporting.

---

*[1] This is accurate as Slot Attendant Maura Godinez was captured on surveillance video collecting **HERRERA-QUESADA'S** identification.*

[2] Besides checking the Casino Market Place (CMP) program, Slot attendants are encouraged to check the hardcopy facility exclusion list that is located by the Slot cage prior to paying out a jackpot. This procedure is not listed in the facility's Internal Control.

[3] Video review of this moment does not capture Godinez engaging both men. The person observed on video footage talking to both men is Supervisor Jonathan Matthew (Exhibit #10, Page #19).

CONTINUATION

When interviewed during this investigation Casino Miami Slot Attendant Maura Godinez acknowledged that she had been in a "boyfriend/girlfriend" relationship with an individual on the Statewide Exclusion List. That individual, Brian Vasquez-Lagos, was placed on the Statewide Exclusion List in 2019 for his involvement (along with several others) in a slot machine manipulation scheme that took place at **Casino Miami**[4]**.** At his Informal Hearing, Vasquez-Lagos testified that prior to his [facility] exclusion, he would visit Casino Miami four to five times a week and that he was "close" to many of the people at the facility. While this investigation has found no statute, rule, or facility internal control which prohibits fraternization between facility employees and excluded persons, it is reasonable to conclude that in this instance the relationship itself was contributory to subsequent events.

Status: Closed by Investigations and referred to Legal for further review.

[4] ***Case #2018-04-4706 (EXHIBIT #11)***

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FLORIDA GAMING CONTROL COMMISSION

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of Complaint:	Case Number:
PMW	**SOUTHERN**	**July 7, 2023**	**2023 03 7871**

Respondent:	Complainant:
HERRERA QUESADA, ARABEL **122 AVOCADO AVE.** **WEST PALM BEACH, FLORIDA 33413**	**DIVISION OF PARI-MUTUEL WAGERING** **OFFICE OF INVESTIGATIONS** **1400 W. COMMERCIAL BLVD. SUITE 165** **FT. LAUDERDALE, FLORIDA 33309** **TEL. - 954-202-3900**

License # and Type:	Profession:	Report Date:
N/A - 1098	**Patron**	**September 12, 2023**

Period of Investigation:	Type of Report:
July 7, 2023, through September 12, 2023	**Supplemental**

Alleged Violation: 550.0251 Powers and duties of the Florida Gaming Control Commission. —The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:
(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The commission may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed.
551.109 Prohibited acts; penalties.—
(3) Any person who knowingly excludes, or takes any action in an attempt to exclude, anything of value from the deposit, counting, collection, or computation of revenues from slot machine activity, or any person who by trick, sleight-of-hand performance, a fraud or fraudulent scheme, or device wins or attempts to win, for himself or herself or for another, money or property or a combination thereof or reduces or attempts to reduce a losing wager in connection with slot machine gaming commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Synopsis: On July 20, 2022, Arabel **HERRERA-QUESADA** visited Casino Miami. At the time of his visit, he had been excluded from the facility since August 12, 2014 for assaulting another patron resulting in his arrest by the Miami Police Department. Prior to the July 20, 2022, visit he had been removed the facility four other times and arrested once for trespassing based on his exclusion. On July 20, 2022, **HERRERA-QUESADA** claimed and collected two jackpots which were actually won by patron Brian Fernando Vazquez-Lagos, an individual who was also excluded from the facility and on the Statewide Exclusion List in relation to PMW Case #2018 04 4706, which involved a slot machine manipulation scheme that occurred at Casino Miami. Upon winning the jackpots Vazquez-Lagos is seen via surveillance video making a phone call after which, **HERRERA-QUESADA** immediately appears and presents himself as the winner.

After July 20, 2022, **HERRERA-QUESADA** visited the Casino Miami two additional times and each time he was removed by facility security. On October 20, 2022, Casino Miami reinstated **HERRERA-QUESADA**.
On July 5, 2023, the undersigned Investigator and Supervisor Minaya met with Casino Miami General Manger Daniel Licciardi in reference to **HERRERA-QUESADA's** visits and actions while being excluded. Upon learning of **HERRERA-QUESADA'S** involvement with cashing another patron's jackpot, Mr. Licciardi permanently excluded **HERRERA-QUESADA** from the facility.

The third jackpot won by Vazquez-Lagos was not paid out after the facility determined that **HERRERA-QUESADA** was not the true winner of the jackpot. He was escorted from the facility and the jackpot became "unclaimed".

Related Case(s): 2018 04 4706 & 2023 04 3396

Investigator / Date	Investigator Supervisor / Date
Raul Suau / September 12, 2023	Julio Minaya / September 12, 2023

Chief of Investigations / Date

Bradford D. Jones /

CONTINUATION

During a facility visit of Casino Miami LLC, in late October of 2022, the undersigned Investigator while in the Surveillance Department overheard the Security Department notifying Surveillance that they had stopped a patron that was on the facility trespass list attempting to enter the Casino. When Surveillance requested the name of the individual, I learned that the individual that was being stopped was Arabel **HERRERA-QUESADA**. I recalled having received an e-mail from Casino Miami a day earlier, informing me that this same individual had been reinstated from exclusion by the facility. I immediately informed surveillance personnel that the subject had in fact been re-instated. I then requested from Casino Miami Director of Compliance, Beatriz Perez all documented incidents involving this individual. Review of this information revealed that in 2014 he had been excluded for fighting another patron inside the facility. I also learned that he had visited the facility on numerous occasions after his 2014 exclusion resulting in his arrest and or removal from the facility.

Eventually **HERRERA-QUESADA** would visit Casino Miami on July 20, 2022, while still under exclusion and assist another patron identified as Brian Vazquez-Lagos (an individual who is on the FGCC Statewide Exclusion List) cash out two of three slot jackpots. Documents obtained from the facility revealed that **HERRERA-QUESADA** was reinstated from exclusion on October 20, 2022, and then permanently excluded on July 5, 2023 **(Exhibits #1, 2 & 3).**

During my inquiry of **HERRERA-QUESADA**, I reviewed an incident that occurred at Casino Miami on July 20, 2022, between the hours of 12:00 P.M, and 1:50 P.M. The incident involved two patrons; Brian Vazquez-Lagos who in June of 2017, was permanently excluded for tampering with a Roulette Wheel Slot Machine in Casino Miami and **HERRERA-QUESADA** who was excluded by Casino Miami in 2014 for fighting another patron inside of the facility.

Video review of July 20, 2022, revealed the following:

At 11:57 A.M., on July 20, 2022, video footage captures Brian Vazquez-Lagos driving a white Mercedes Benz SUV owned by Casino Miami Slot Attendant, Maura Godinez. Vazquez-Lagos proceeds to drop off Godinez at the employee entrance rear door, which she enters. Vazquez-Lagos then parks the vehicle and enters the facility through a patron entrance door. Upon entering the facility, Vazquez Lagos walks to the Roulette Wheel Slot Machine game and begins to play. Shortly thereafter **HERRERA-QUESADA** enters the casino and joins him. Between the hours of 12:15 P.M., and 12:50 P.M., video footage captures Vazquez-Lagos winning a total of three jackpots. Immediately after winning each of the jackpots, **HERRERA-QUESADA** is observed cashing two of them. It was during the processing of the third jackpot, that Casino Miami Slot Supervisor, Jonathan Matthew denied **HERRERA-QUESADA** the jackpot payment due to him being on the facility's Trespass List **(Exhibit #5)**. Therefore, the third jackpot was listed by Slot Supervisor Matthew as an unclaimed Jackpot.

It was at this point that Vazquez-Lagos exited the casino and was captured on video surveillance sitting on the curb outside of the facility. A short time later a Security Supervisor Dontrell Allen is observed on video footage talking to him. After this encounter **HERRERA-QUESADA** joins Vazquez-Lagos outside and Vazquez-Lagos can be seen giving **HERRERA-QUESADA** a small object. **HERRERA-QUESADA** proceeds to walk through the valet parking entrance, retrieving the white Mercedes Benz SUV, and driving it across the street from the facility's valet entrance where he parks and exits the vehicle as Vazquez-Lagos enters the vehicle and drives away **(Exhibit #2).**

On August 2, 2023, Investigative Supervisor Julio Minaya and I met with Casino Miami Controller, Omar Quintana and requested all documents related to all three jackpots. Also, an official request was e-mailed to Casino Miami Director of Compliance Beatriz Perez to release said documents.

CONTINUATION

On August 3, 2023, the undersigned investigator interviewed Slot Attendant Oswin Paguada relative to this incident. Paguada had processed the first jackpot that was paid to **HERRERA-QUESADA**. Paguada was shown a photograph of Vazquez-Lagos for identification purposes; he stated that he had "seen him around." When asked if Vazquez-Lagos was in a relationship with anyone in the facility, Paguada said yes, with Slot Attendant Maura Godinez. When asked if he recalled this incident, Paguada said he did not recall much about it. When asked if he checks every jackpot winner's credential, against the facility's trespass list, prior to paying out the jackpot, Paguada said "no, because if I know them, there is no reason to check the trespass list". When asked if he checked **HERRERA-QUESADA'S** credentials Paguada said he did not remember.[1] Paguada had no further information to contribute to this interview.

I then interviewed Slot Supervisor Jonathan Matthew and showed him pictures of both Vazquez-Lagos and **HERRERA-QUESADA**. Matthew was able to identify both men but did not remember who discovered that **HERRERA-QUESADA** was excluded. When shown a copy of Surveillance Report CMJ000010972 which documents that it was he, who reported that the jackpot would not get paid, Matthew did not dispute the report. Matthew also stated that if he was the one verifying the jackpots, he would have checked the hard copy Facility Exclusion List as well as the computer database that stores such information. Matthew did not know if the previous two jackpots that were processed by Paguada and Godinez were checked against the exclusion list. Matthew had no further information to add to this interview.

I also interviewed Maura Godinez and asked her if she knew Brian Vazquez-Lagos. Godinez said yes, and that he is her former boyfriend. When asked if they were dating on July 20, 2022, (the day that Vazquez-Lagos played and won three jackpots which were claimed by **HERRERA-QUESADA)** Godinez said "no, he drove me to work but I did not expect him to enter the casino and begin to play." Godinez also denied knowing that **HERRERA-QUESADA** and Vazquez-Lagos were on the facility exclusion list because when she processed the second and third jackpots, **HERRERA-QUESADA'S** name was not flagged in the Casino Market Place (CMP) program. Godinez says that she does not remember checking the facility binder which also contains the names of those on the exclusion list to determine if **HERRERA-QUESADA** was excluded.[2] After her supervisor denied payment of the jackpot, she informed both men that they were not going to be paid at which point both men exited the facility[3]. Godinez could not provide any additional information related to this incident.

Conclusions: There is sufficient evidence to show that Casino Miami employees did not adequately use all available resources to detect/identify individuals on the facility's trespass list. This is obvious because on July 20, 2022 [Statewide Excluded] Brian Vazquez-Lagos was present in the facility gaming on the slot floor with his companion, **HERRERA-QUESADA** who although having been excluded from the facility since 2014, was not flagged in the casino database even though he appears on the facility's hardcopy trespass list. As a result, both individuals were able to engage in deceptive behavior.

Written direction to facility staff requiring that the Statewide Exclusion List and the facility exclusion list be checked prior to the payment of jackpots is not contained in the current approved facility Internal Controls. Neither is such requirement delineated within appropriate sections of the Florida Administrative Code. The designation of the July 20, 2022, withheld jackpot as "unclaimed" while somewhat incorrect, still allowed for complete facility revenue reporting.

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*[1] This is accurate as Slot Attendant Maura Godinez was captured on surveillance video collecting **HERRERA-QUESADA'S** identification.*

[2] Besides checking the Casino Market Place (CMP) program, Slot attendants are encouraged to check the hardcopy facility exclusion list that is located by the Slot cage prior to paying out a jackpot. This procedure is not listed in the facility's Internal Control.

[3] Video review of this moment does not capture Godinez engaging both men. The person observed on video footage talking to both men is Supervisor Jonathan Matthew (Exhibit #10, Page #19).

CONTINUATION

When interviewed during this investigation Casino Miami Slot Attendant Maura Godinez acknowledged that she had been in a "boyfriend/girlfriend" relationship with an individual on the Statewide Exclusion List. That individual, Brian Vasquez-Lagos, was placed on the Statewide Exclusion List in 2019 for his involvement (along with several others) in a slot machine manipulation scheme that took place at **Casino Miami**[4]**.** At his Informal Hearing, Vasquez-Lagos testified that prior to his [facility] exclusion, he would visit Casino Miami four to five times a week and that he was "close" to many of the people at the facility. While this investigation has found no statute, rule, or facility internal control which prohibits fraternization between facility employees and excluded persons, it is reasonable to conclude that in this instance the relationship itself was contributory to subsequent events.

Status: Closed by Investigations and referred to Legal for further review.

[4] ***Case #2018-04-4706 (EXHIBIT #11)***

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Last Name	First Name	Middle Name	Sex	Race / Ethnicity	Description	DOB	Address	City	State	Excluded Date	Excluded Until	Report Number	Report Type	Notes
[redacted]														
Herrera	Arabel	Quesada	Male	Hispanic	200 lbs, 6'0", bald, brown eyes	[redacted]	3257 NW 9 St	Miami	Fl	8/2/2018	Permanent	CMJ-0000001696	Trespass-Permanent	Management Decision
[redacted]														

[redacted]

Vasquez Lagos	Brian	Fernando	Male	Hispanic	[redacted]	5/13/2017	Permanent	[redacted]	Trespass- Permanent	Free Play Theft

[redacted]

EXHIBIT # 5
PAGE # 2

From:	Jorge Enrique Callejas
To:	Daniella Sandoval; Jonathan Messer; Security Department; Slot Attendants Supervisors; Neal Elliott; Steven Rinaldi; Romy Hoque; Rene Guim; salford@williamhill.us; lee.jesilow@williamhill.us; tbarlow@williamhill.us; Suau, Raul; Daniel Licciardi; Gene Tellez
Subject:	Trespass Reinstatement Request-Arabel Herrera
Date:	Thursday, October 20, 2022 3:38:28 PM
Attachments:	Casino Miami Trespass List 10-20-2022.xlsx

[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.

Good afternoon, Mr. Arabel Herrera has been removed from the attached updated Trespass List.

Regards

From: Daniel Licciardi <dlicciardi@playcasinomiami.com>
Sent: Thursday, October 20, 2022 2:56 PM
To: Jorge Enrique Callejas <jcallejas@playcasinomiami.com>
Subject: RE: Trespass Reinstatement Request-Arabel Herrera

This is approved. Thank you.

From: Jorge Enrique Callejas <jcallejas@playcasinomiami.com>
Sent: Thursday, October 20, 2022 2:51 PM
To: Daniel Licciardi <dlicciardi@playcasinomiami.com>
Subject: Trespass Reinstatement Request-Arabel Herrera

Good afternoon Mr. Licciardi, attached is a Trespass asking for Reinstatement, Arabel Herrera. Please advise.

confidential and intended solely for the use of the individual or entity to
tended recipient, please e-mail the sender immediately by replying to this
puter. This e-mail is attributed to the sender and may not necessarily reflect

the view of Casino Miami, any subsidiary, parent or affiliate.

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the view of Casino Miami, any subsidiary, parent or affiliate.

Casino Miami

Surveillance Department

Casino Miami Jai-Alai - 3500 NW 37th Ave. Miami, FL 33142
(305) 633-6400 - casinomiamijaialai.com

CMJ-000010972 - Surv-Unclaimed Slot Machine Jackpot Report - Reported 07/20/2022 13:53

Author: Rafael Torres 10169408 **Report Number:** CMJ-000010972

Start Time: 07/20/2022 12:41 **End Time:** 07/21/2022 07:17

Report Group: Surveillance Reports **Report Type:** Surv-Unclaimed Slot Machine Jackpot Report

Note: Patron, (Unknown Male) -wearing a white shirt and beige pants won an unclaimed jackpot at slot machine GD-06-3359 for the amount of $2,160.00.

Location / Origin: Slot Machine Jackpot-Unclaimed **Camera:** 118,127,125

Narrative

On 07-20-2020 at 12:44 hours, Slot Attendant, Maura Godinez notified surveillance via radio of a Jackpot at slot machine GD-06-3359 for the amount of $2,160.00. At 12:55 hours, Slot Supervisor, Jonathan Matthew advised that this Jackpot would be unclaimed and abandoned. All videos were saved for future reference.

A video review revealed that at 12:41:23 hours, on camera #118, a male patron wearing a white shirt and beige pants, was observed sitting at slot machine GD-06-3359. The male patron was not identified. This jackpot was unclaimed and abandoned due to patron leaving property. All videos were saved for future reference.

UPDATE: see Surveillance Report # 10973, Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

This Report Was Written by Surveillance Operator, Rafael Torres #10169408.

This report was approved by Surveillance Director, William Hutcheson # 7874265.

Signature A **Date** **Signature B** **Date**

Casino Miami Jai-Alai - 3500 NW 37th Ave. Miami, FL 33142
(305) 633-6400 - casinomiamijaialai.com

CMJ-000010973 - Surv-Exclusion Return Report - Reported 07/20/2022 13:57

Author: Carlos Rodriguez 9792016 **Report Number:** CMJ-000010973

Start Time: 07/20/2022 13:57 **End Time:** 07/24/2022 13:29

Report Group: Surveillance Reports **Report Type:** Surv-Exclusion Return Report

Note: Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

Location / Origin: Perm-Exclusion Return **Camera:** 186,118,345

Narrative

On 07/20/2022 at 13:47 hours, Surveillance notified Security Supervisor Dontrell Allen Rashaurd via phone of a Patron, (Unknown Male) wearing a gray sweater with hood, who was currently located at the poker room entrance area. Mr. Rashaurd was advised that the patron had changed seats and claimed a jackpot for $2,160.00 that was not his. Mr. Rashaurd was further advised that another Patron (Unknown Male) wearing a white shirt and beige shorts had won the jackpot, but was not claiming it and also surveillance noticed some unusual activity between both patrons.

NOTE: See Surveillance Report # 10972, Patron, (Unknown Male) -wearing a white shirt and beige shorts won an unclaimed jackpot at slot machine GD-06-3359 for the amount of $2,160.00.

From 13:50 to 13:52 Hours on camera #198, Security Supervisor Dontrell Allen Rashaurd located the Patron (Unknown Male) wearing a gray sweater with hood at slot machine bank KF and escorted him to SOC. From 13:55 to 14:07 Hours on camera #345, the patron was observed speaking with Director of Security, Eugene Tellez, MPD Officer, Theodoro Raymond and Mr. Rashaurd. At 14:08 hours on camera #345, the patron was escorted out of the building by MPD Officer Theodoro Raymond.

Surveillance was later notified that the patron was identified as Arabel Herrera Quesada, who was already permanently excluded from the casino on 08-12-2014.

Surveillance also advised Mr. Rashaurd via phone about the Patron (Unknown Male) wearing a white shirt and beige shorts was sitting outside in front of the building. At 13:17:33 Hours, Mr. Rashaurd was observed briefly speaking to the patron. Mr. Rashaurd later advised surveillance via phone that after speaking to the patron, that he identified himself as Juan Deus.

NOTE: On 08-12-2014 see Surveillance Report #000002798 and Security Report # 000000609 Perm-Exclusion Patrons, Arabel Herrera Quesada and Yanel Ramirez, also documented in the security report was Patron, Juan A. Deus.

A video review revealed the following information:

01. SUBJECT # 01, Patron (Unknown Male) wearing a white shirt and beige shorts, appears to be - NOT CONFIRMED / Perm-Exclusion Return Patron, Brian Fernando Vasquez Lagos. Security Supervisor Dontrell Allen Rashaurd advised that after talking to the patron that he identified himself as Juan Deus.
02. SUBJECT # 02, Perm-Exclusion Return Patron, Arabel Herrera Quesada wearing a blue shirt and gray sweater with hood -confirmed at SOC as a exclusion.
03. SUBJECT # 03, a Photo of a FL Driver License # [redacted] messages.

01. At 11:57:34 Hours on Camera #554 and # 501, observed SUBJECT # 01 and Slot Attendant, Maura Godinez in a 4 Door white Mercedes Benz GLB 250 SUV driving into the valet tunnel.

02. At 11:58:32 Hours on Camera #552 and # 505, observed the white Mercedes Benz GLB 250 SUV driving to the employee parking lot and parking behind the generator. At 11:59:08 hours, Slot Attendant Maura Godinez was observed walking and entering the building through the employee entrance.

03. At 12:01:18 Hours on Camera #505, observed the white Mercedes Benz GLB 250 SUV backing up and then driving towards the valet parking lot area.

04. At 12:02:44 Hours on Camera #564, observed the white Mercedes Benz GLB 250 SUV driving into the VIP Parking Lot area and parks.

05. At 12:02:53 Hours on Camera # 564, observed SUBJECT # 01 getting out of the white Mercedes Benz GLB 250 SUV and begins to walk towards the building.

06. At 12:03:30 Hours on Camera #557 and #031, observed SUBJECT # 01 entering the building through the Poker Room Entrance Doors and walk pass Security Post C-2.

07. From 12:04:19 to 12:05:46 Hours on Camera #018 and #118, observed SUBJECT # 01 playing at roulette slot machine GD-04-3357.

08. From 12:05:50 to 12:07:39 Hours on Camera #018 and #118, observed SUBJECT # 01 playing at roulette slot machine GD-05-3358.

09. From 12:04:19 to 12:12:41 Hours on Camera #018 and #118, observed SUBJECT # 01 playing at roulette slot machine GD-04-3357.

10. At 12:08:05 Hours on Camera #018 and #118, observed SUBJECT # 01 winning a jackpot at roulette slot machine GD-05-3358 for $1,440.00. After winning the jackpot observed SUBJECT # 01 moving to slot machine GD-04-3357.

11. At 12:10:16 Hours on Camera #501 and 554, observed SUBJECT # 02, in a grey Honda Accord Sport was observed driving into the valet tunnel.

12. At 12:10:25 Hours on Camera #501 and 554, observed SUBJECT # 02 getting out of the right rear passenger side of the grey Honda Accord Sport.

13. At 12:10:36 Hours on Camera #31, observed SUBJECT # 02 entering the building through the Poker Entrance and walking past Security Post C-2.

14. From 12:10:59 to 12:11:04 Hours on Camera #18 and 118, observed SUBJECT # 02 sitting down at roulette slot machine GD-05-3358 after SUBJECT # 01 was observed winning a jackpot at slot machine GD-05-3358 for $1,440.00.

15. From 12:12:48 to 12:17:43 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at roulette slot machine GD-06-3359.

16. At 12:13:27 Hours on Camera #18 and 118, observed SUBJECT # 02 giving Slot Attendant Maura Godinez a blue -Viva Player's Club Card. Ms. Godinez then gives the player's club card to Slot Attendant Oswin Paguada.

17. At 12:13:32 Hours on Camera # 118, Slot Attendant Oswin Paguada shaking hands with SUBJECT # 01.

18. At 12:13:36 hours, on camera #18 and 118, Slot Supervisor Jonathan Matthew was observed verifying the jackpot while Slot Attendant Oswin Paguada was observed processing the jackpot.

19. At 12:13:37 Hours on Camera # 118, Slot Supervisor Jonathan Matthew shaking hands with SUBJECT # 01.

20. From 12:18:02 to 12:22:48 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at roulette slot machine GD-06-3359. NOTE: During this time the jackpot was paid out to SUBJECT # 02 at slot machine GD-05-3358.

21. At 12:18:37 Hours on camera #18 and 16, observed SUBJECT # 02 briefly leaves roulette slot machine bank GD to get a bottle of water from the Entertainment Bar.

22. At 12:21:20 hours, on camera #18 and 118, Slot Attendant Oswin Paguada was observed having SUBJECT # 02 sign a paper before paying him the jackpot amount in front of Slot Supervisor Jonathan Matthew.

23. At 12:22:09 Hours on camera #18 and 118, SUBJECT # 02 was observed putting some of the money into roulette slot machine GD-05-3358, observed SUBJECT # 01 playing the slot machine.

24. At 12:22:49 Hours on Camera #118, observed SUBJECT # 01 taking the money from the jackpot and puts it into roulette slot machine GD-06-3359. NOTE: SUBJECT #02 was observed taking a voucher out of slot machine GD-05-3358 and puts into slot machine GD-06-3359 for SUBJECT #01.

25. From 12:23:04 to 12:28:25 Hours on Camera #018 and #118, observed SUBJECT # 01 playing at roulette slot machine GD-06-3359.

26. At 12:23:01 Hours on Camera # 018 and #118, observed SUBJECT # 02 cashing out a voucher from slot machine GD-05-3358 and put the voucher into roulette slot machine GD-06-3359 while SUBJECT # 01 was observed playing the slot machine.

27. From 12:24:23 to 12:25:10 Hours on camera # 016, observed SUBJECT # 02 sitting at a table bar near the Entertainment Bar speaking to a Patron (Unknown Male).

28. At 12:25:56 Hours on Camera #031 and #557, observed SUBJECT # 02 walking out of the building through Poker Room Door Entrance / Exit and walking towards the VIP Parking Lot area.

29. From 12:26:32 to 12:28:49 Hours on Camera #564, observed SUBJECT # 02 at the VIP Parking Lot area using his cell phone. NOTE: SUBJECT # 02 is out of camera view for approximately 2 minutes.

30. At 12:28:28 Hours on Camera #018 and #118, observed SUBJECT # 01 winning a jackpot at roulette slot machine GD-06-3359 for $1,800.00. After winning the jackpot SUBJECT #01 was observed briefly walking away from roulette slot machine bank GD.

31. At 12:29:13 Hours on camera #031 and #557, observed SUBJECT # 02 walking back from the VIP Parking Lot area and re-entering the building through the Poker Room Entrance Doors entrance / exit.

32. From 12:29:44 to 12:31:49 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at roulette slot machine GD-05-3358.

33. From 12:29:52 to 12:29:55 Hours on Camera #018 and #118, observed SUBJECT # 02 sitting at roulette slot machine GD-06-3359 after SUBJECT #01 won a jackpot at slot machine GD-06-3359 for $1,800.00.

34. At 12:31:54 Hours on Camera #018, observed SUBJECT # 01 briefly walking away from roulette slot machine bank GD.

35. At 12:32:31 Hours on Camera #018 and 118, observed SUBJECT # 02 giving Slot Attendant Maura Godinez a blue-Viva Player's Club Card. Ms. Godinez then fills out paperwork to process the jackpot. After which Ms. Godinez has SUBJECT #02 sign a paper and then leaves the area.

36. From 12:32:38 to 12:34:28 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at slot machine GD-01-3354.

37. At 12:33:56 Hours on Camera #018 and 118, Slot Supervisor Jonathan Matthew was observed verifying the jackpot, resetting the jackpot screen then leaving the area.

38. From 12:34:34 to 12:38:31 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at roulette slot machine GD-05-3358.

39. From 12:39:01 to 12:39:45 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at roulette slot machine GD-02-3358.

40. At 12:39:22 Hours on Camera #018 and 118, Slot Attendant Maura Godinez was observed having SUBJECT #02 sign a paper then pays him the jackpot amount.

41. At 12:39:52 Hours on Camera #018 and 118, observed SUBJECT # 02 putting some of the money from the jackpot into roulette slot machine GD-06-3359, while SUBJECT #02 was observed playing the slot machine.

42. At 12:41:22 Hours on Camera #018 and #118, observed SUBJECT # 02 sitting at roulette slot machine GD-06-3359 after SUBJECT #01 won a jackpot at slot machine GD-06-3359 for $2,160.00.

43. At 12:41:24 Hours on Camera #118, observed SUBJECT # 01 taking the money from the jackpot earlier and put it into his pocket.

44. At 12:41:56 Hours on Camera #018, observed SUBJECT # 02 leaving roulette slot machine bank GD.

45. At 12:43:06 Hours on Camera #173, observed SUBJECT # 02 walking in slot machine zone C area, looking for a someone. SUBJECT #02 found Slot Attendant Maria Alegria and Slot Supervisor Jonathan Matthew and quickly spoke to them and then left the area.

46. At 12:43:15 Hours on Camera #018, observed SUBJECT # 01 walking away from roulette slot machine bank GD.

47. From 12:43:33 to 12:44:28 Hours on Camera #213, observed SUBJECT # 01 was in the men's restroom in slot machine zone K area.

48. At 12:43:51 Hours on Camera #018 and #118, Slot Attendant Maura Godinez was observed arriving at roulette slot machine GD-06-3359 followed by SUBJECT #02. Ms. Godinez was observed filling out paperwork as SUBJECT #02 takes out a blue-Viva Player's Club Card to give to her. Ms. Godinez does not take the player's club card and does not have SUBJECT #02 sign any papers. After briefly speaking with SUBJECT #02, Ms. Godinez walks away from the area.

49. From 12:44:42 to 12:46:56 Hours on Camera #125, observed SUBJECT # 01 playing at slot machine IH-01-1627. NOTE: During this time Slot Attendant Maura Godinez was observed briefly speaking with SUBJECT #01.

50. At 12:46:21 Hours on Camera #018, observed SUBJECT # 02 walking away from slot machine bank DG area.

51. At 12:46:29 Hours on Camera #018, observed SUBJECT # 02 at slot machine IE-05-3153.

52. At 12:47:22 Hours on Camera #018, observed SUBJECT # 02 back at slot machine bank GD area.

53. At 12:48:50 Hours on Camera #034 and #493, observed SUBJECT # 02 at Player's Club being attended to by Player's Club Representative, Claudia Tosco. Ms. Tosco was observed using the computer and a ticket was observed being printed.

54. From 12:49:11 to 12:54:01 Hours on Camera #018 and #118, observed SUBJECT # 01 playing at roulette slot machine GD-01-3354. NOTE: During this time SUBJECT #01 is spoken to by Slot Supervisor Jonathan Matthew.

55. At 12:49:29 Hours on Camera #034, observed SUBJECT # 02 putting the ticket into the promotion drum.

56. At 12:50:33: Hours on Camera #018 and 118, observed SUBJECT # 02 return to roulette slot machine bank GD and sits at roulette slot machine GD-06-3359. NOTE: During this time Slot Supervisor Jonathan Matthew was speaking SUBJECT #01.

57. From 12:54:54 to 12:55:12 Hours on Camera #213, observed SUBJECT # 01 was in the men's restroom in slot machine zone K area.

58. At 12:55 hours, Slot Supervisor, Jonathan Matthew advised via phone that this Jackpot of $2,160.00 would be unclaimed and abandoned.

59. From 12:55:34 to 13:00:00 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at roulette slot machine GD-05-3358.

60. At 13:00:42 Hours on Camera #018 and 118, observed SUBJECT # 02 walking away from roulette slot bank GD area.

61. From 13:00:53 to 13:01:06 Hours on Camera #213, observed SUBJECT # 01 was in the men's restroom in slot machine zone K area.

62. From 13:01:30 to 13:05:46 Hours on Camera #018 and 118, observed SUBJECT # 01 sitting at roulette slot machine GD-06-3359. NOTE: observed SUBJECT # 01 using his cell phone and sending text messages and receiving a photo identification SUBJECT # 03, of a male with a beard, Florida Driver's License [redacted] asking for the person address.

63. From 13:01:36 to 13:09:33 Hours on Camera #107, observed SUBJECT # 02 playing at slot machine EM-02-3268.

64. From 13:05:53 to 13:08:14 Hours on Camera #029, #030, #131, #215, observed SUBJECT # 01 walking around the Casino.

65. At 13:08:24 Hours on Camera #215 and #557, observed SUBJECT # 01 exiting out of the building walking towards Valet Parking Lot area and then briefly re-entering the casino.

66. At 13:09:22 Hours on Camera #215 and #557, observed SUBJECT # 01 exiting the building again and walking towards valet area.

67. At 13:09:42 Hours on Camera #554, observed SUBJECT # 01 walking through the valet tunnel and heading out onto NW 37th Ave.

68. From 13:09:53 to 13:10:10 Hours on camera #012, observed SUBJECT # 02 was observed at slot machine bank EI.

69. At 13:10:13 Hours on Camera #012, observed SUBJECT # 02 was observed using TRU #02.

70. From 13:10:35 to 13:32:30 Hours on Camera #985 and #988, observed SUBJECT # 01 sitting near the NW 37th ave. sidewalk area. At 13:17:33 Hours, SUBJECT #01 was briefly spoken to by Security Supervisor Dontrell Allen Rashaurd. Shortly After SUBJECT #01 was observed speaking with SUBJECT #02.

71. From 13:10:47 to 13:11:10 Hours on Camera #012, observed SUBJECT # 02 at slot machine bank EI.

72. From 13:12:01 to 13:13:59 Hours on Camera #107, observed SUBJECT # 02 playing at slot machine EM-02-3268.

73. At 13:15:25 Hours on Camera #31, observed SUBJECT # 02 briefly walking out of the building through the Poker Room Doors Entrance / Exit area and then walks back inside.

74. From 13:16:27 to 13:19:43 Hours on Camera #029, observed SUBJECT # 02 playing at slot machine KN-03-3583.

75. At 13:20:38 Hours on Camera #35, observed SUBJECT # 02 walking out of the casino through Security Post C-1.

76. From 13:21:02 to 13:21:20 Hours on Camera #035, observed SUBJECT # 02 speaking with a Patron (Unknown Male) at the Main Front Lobby area, then walking out the building through the main door entrance / exit.

77. From 13:22:35 to 13:27:36 Hours on Camera #985 and 988, observed SUBJECT # 02 outside the building sitting next to SUBBJECT #01. NOTE: observed SUBJECT # 01 giving SUBJECT #02 a set of keys.

78. At 13:32:45 Hours on Camera #564, observed SUBJECT # 02 getting into a 4 Door white Mercedes Benz GLB 250 SUV, the same vehicle that SUBJECT #01 and Slot Attendant, Maura Godinez came in. SUBJECT # 02 driving out of the VIP Parking Lot area.

79. From 13:35:09 to 13:35:11 Hours on Camera #562, the 4 Door white Mercedes Benz GLB 250 SUV stopped in front of the Pinnacle Plaza- apartment building adjacent from the casino and SUBJECT #01 was observed getting into the vehicle.

80. At 13:37:00 Hours on Camera #562, observed SUBJECT # 02 getting out of the 4 Door white Mercedes Benz GLB 250 SUV and walking back towards the building, while SUBJECT #01 was still inside.

81. At 13:37:53 Hours on Camera #562 and #037, observed SUBJECT # 02 re-entering the building while putting on a grey sweater with hood.

82. At 13:38:14 Hours on Camera #035, observed SUBJECT # 02 entering the casino through Security Post C-1.

83. At 13:42:29 Hours on Camera #562, the 4 Door white Mercedes Benz GLB 250 SUV driving away onto NW 36th street.

84. From 13:50 to 13:52 Hours on camera #198, Security Supervisor Dontrell Allen Rashaurd located SUBJECT #02 at slot machine bank KF and escorted him to SOC.

85. From 13:55 to 14:07 Hours on camera #345, observed SUBJECT #02 speaking with Director of Security, Eugene Tellez, MPD Officer, Theodoro Raymond and Mr. Rashaurd.

86. At 14:08 hours on camera #345, observed SUBJECT #02 escorted out of the building by MPD Officer Theodoro Raymond.

87. At 20:11:30 Hours on Camera #552, Slot Attendant Maura Godinez was observed exiting the building through the employee entrance.

88. At 20:12:53: Hours on Camera #564, Slot Attendant Maura Godinez was observed walking past the Valet Parking Lot.

89. At 20:13:48 Hours on Camera #554, Slot Attendant Maura Godinez was observed walking in the Valet Tunnel and heading towards NW 37th Ave.

90. At 20:14:38 Hours on Camera #988, Slot Attendant Maura Godinez was observed walking on the NW 37th Ave sidewalk heading to NW 36th Street.

UPDATE: 01. Surveillance Report # 2798, Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area on 08-12-2014.

02. Surveillance Report # 3142, Perm-Exclusion Return Patron, Arabel Herrera Quesada - was excluded on 08-12-2014 and identified at black jack slot machine area, and was escorted out and arrested by MPD Officer Robinson and Herrera on 11-04-2015.

03. Surveillance Report # 3241, Perm- Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified in the casino, and was escorted out by MPD Officer, Paralles on 01-19-2015.

04. Surveillance report # 7138, Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after observed leaning over and towards the GJ roulette slot machine wheel, and escorted out by MPD Officer, Herrera on 08-02-2018.

05. Surveillance Report # 10973, Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on

08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing white shirt and Beige shorts who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond on 07-20-2022.

This report was written by Surveillance Assistant Manager Carlos Rodriguez Lic. #9792016.

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

Signature A	**Date**	**Signature B**	**Date**

CMJ-000002798 - Surv-Permanent Casino Exclusion Report - Reported 08/12/2014 22:08

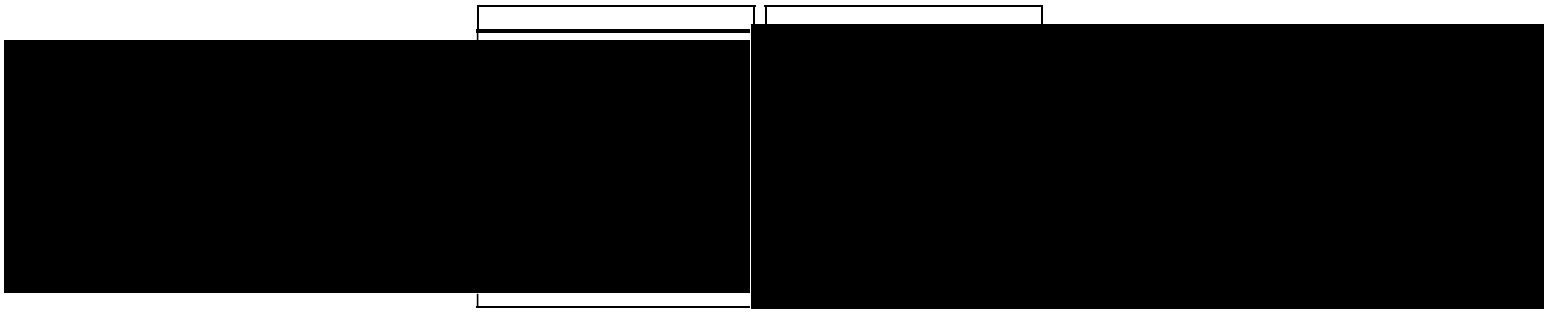
Author: Lazaro Entrena 10319154 **Report Number:** CMJ-000002798

Start Time: 08/12/2014 22:08 **End Time:** 08/13/2014 05:28

Report Group: Surveillance Reports **Report Type:** Surv-Permanent Casino Exclusion Report

Note: Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area.

Location / **Camera:**



On 08/12/2014 at 21:58:21 hours, S.O.C, Yusayma Gon
by Zone H. Security Shift Manager, Rudy Rife later identified both male patrons, Arabel Quesada, and Yanel Ramirez.

A video review revealed the following:

1. At 21:48:57 hours on camera #159, a male patron wearing a white and black sweater and jeans Mr. Quesada is observed walking towards HE bank.
2. At 21:49:03 hours on camera #159, Mr. Quesada was observed exchanging words with a male patron who is sitting at slot machine HE-02-2236 Mr. Ramirez.
3. At 21:49:11 hours on camera #159, Mr. Quesada is observed swinging at the Mr. Ramirez sitting at slot machine HE-02-2236.
4. At 21:49:12 hours on camera #159, Mr. Quesada and Mr. Ramirez are observed fighting and hitting each other.
5. At 21:49:14 hours on camera #159, Mr. Quesada falls back on slot machines HD while still fighting with Mr. Ramirez.
6. At 21:49:18 hours on camera #159, Mr. Quesada and Mr. Ramirez continue fighting and knock over the chair by HD slot machines.
7. At 21:49:20 hours on camera #159, Mr. Quesada and Mr. Ramirez continue fighting in front of smoking door H1.
8. At 21:49:24 hours on camera #159, Mr. Ramirez is holding Mr. Quesada in a head lock, while hitting Mr. Quesada on his ribs and back.
9. At 21:49:26 hours on camera #159, Mr. Quesada is holding Mr. Ramirez by the wast and right leg and trying to trip Mr. Ramirez.
10. At 21:49:29 hours on camera # 159, Mr. Quesada and Mr. Ramirez fall to the floor.
11. At 21:49:32 hours on camera #159, Mr Quesada is on top of Mr. Ramirez and is hitting Mr. Ramirez.
12. At 21:49:37 hours on camera #159, an unknown patron wearing a red shirt trys to separate Mr. Quesada and Mr. Ramirez.
13. At 21:49:43 hours on camera #159, Mr. Quesada is top of Mr. Ramirez on the floor hitting Mr. Ramirez in front of slot machines HD.
14. At 21:49:51 hours on camera # 159, Mr. Ramirez kicks Mr. Quesada off of him.
15. At 21:49:54 hours on camera #159, Mr. Ramirez begins to stand up and Mr. Quesada returns hitting Mr. Ramirez.
16. At 21:49:55 hours on camera # 159, Mr. Ramirez and Mr. Quesada continue hitting and swinging at each

other.

17. At 21:49:58 hours on camera # 159, Mr. Quesada slams Mr. Ramirez into slot machine HD-04-2392 while Mr. Ramirez is hitting Mr. Quesada.
18. At 21:50:01 hours on camera # 159, Mr. Quesada hits and pushes Mr. Ramirez to the floor.
19. At 21:50:05 hours on camera # 159, while Mr. Ramirez is on the floor Mr. Quesada continues hitting Mr. Ramirez.
20. At 21:50:07 hours on camera # 159, Mr. Quesada is on top of Mr. Ramirez hitting and punching him.
21. At 21:50:10 hours on camera # 159, Mr. Quesada falls to the floor and Mr. Ramirez jumps on Mr. QUesada.
22. At 21:50:12 hours on camera # 159, Mr. Quesada and Mr. Ramirez are wrestling on the floor.
23. At 21:20:24 hours on camera # 159, Security Office Rodson Fleurant arrives to the scene and try to separate Mr. Quesada and Mr. Ramirez while wrestling on the floor.
24. At 21:50:35 hours on camera #119, Security Officer Luis Ramirez arrives to the scene and helps office Fleurant separate MR. Quesada and Mr. Ramirez.
25. At 21:50:42 hours on camera # 119, Security Officer Fleurant helps Mr. Quesada stand up.
26. At 21:50:44 hours on camera # 119, Mr. Quesada is observed walking away from the scene and around the black jack machine.
27. At 21:50:51 hours on camera # 159, Security Officer Ramirez helps Mr. Ramirez stand up.
28. At 21:51:01 hours on camera #159, Security Manager Rudy Rife arrives to the scene and talking to Security Officer Ramirez and Mr. Ramirez.
29. At 21:51:28 hours on camera #159, Mr. Ramirez walks back to slot machine HE-02 and sits down.
30. At 21:51:34 hours on camera #159, Security Manager Rife is observed talking to Mr. Ramirez at slot machine HE-02.
31. At 21:52:11 hours on camera #159, Mr. Ramirez is observed walking behind Security Manager Rife and Security Officer Ramirez.
32. At 21:51:21 hours on camera #033, observed Mr. Quesada walking through Zone B and into Zone A.
33. At 21:51:25 hours on camera #038, Mr. Quesada is observed walking through Zone A and towards the main entrance C-1.
34. At 21:51:43 hours on camera #035, Mr. Quesada is observed walking out of C-1.
35. At 21:51:57 hours on camera #037, observed Mr. Quesada walking out of the main entrance of the casino.
36. At 21:52:02 hours on camera #562, observed Mr. Quesada walking out the casino and into 36 street.
37. At 21:52:36 hours on camera #567, observed Mr. Quesada walking to a car parked in front of Miami Jai-Alai.
38. At 21:52:55 hours on camera #567, Mr. Quesada is observed getting in a vehicle.
39. At 21:53:02 hours on camera #567, observed Mr. Quesada reverse in the vehicle and drives south on 36 street.
40. 22:35:00 hours, Security Manager Rife notified surveillance that Mr. Quesada was outside the casino by the Jai-Alai area and would like to explain his side of the fighting.
41. At 22:41:57 hours on camera #508, Mr. Quesada is observed in front of the casino walking towards Miami Police Department.
42. At 22:42:08 hours on camera #508, observed Miami Police Officer Jose Rojas speaking to Mr. Quesada.
43. At 20:46:50 hours on camera #508, observed Mr. Quesada being escorted back into the casino with Miami Police Officer Rojas.
44. At 22:49:38 hours on camera #301, Mr. Quesada is observed waiting in the police office.
45. At 23:05:26 hours on camera #301, Medic Timothy King arrives to the police office and treats Mr. Quesada for any lacerations.
46. At 23:07:31 hours on camera #301, Security Manager Rife arrives to the police office and begins speaking to Mr. Quesada.
47. At 23:21:54 hours on camera #345, Police Officer Rojas escort Mr. Quesada to the security office.
48. At 23:22:27 hours on camera #345, Mr. Quesada is placed in handcuffs by Miami Police.
49. At 23:25:04 hours on camera #345, Mr. Quesada is escorted out of the security office with Miami Police Department and in handcuffs.
50. At 23:31:24 hours on camera #505, Mr. Quesada is placed in the back of a police vehicle.
51. At 00:11:13 hours on camera #505, Police escorted Mr. Quesada off property in the back of the police vehicle.

This report was written by Surveillance Operator, Jose Lopez #10335430.

This report was approved by Surveillance Director, William Hutcheson # 7874265.

UPDATE: 08/12/2014 22:40 Hours, Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area.

01/19/2015 19:17 Hours, Perm- Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified in the casino, and was escorted out by MPD Officer, Paralles

11/04/2015 00:24 Hours, Perm-Exclusion Return Patron, Arabel Herrera Quesada – was excluded on 08-12-2014 and identified at black jack slot machine area, and was escorted out and arrested by MPD Officer Robinson and Herrera.

08/02/2018 Hours Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after observed leaning over and towards the GJ roulette slot machine wheel, and escorted out by MPD Officer, Herrera.

07/20/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

09/22/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 was escorted out by MPD Officers and SEcurity Supervisor, Dontrell Allen Rashaurd after identified at roulette slot machine FM.

10/15/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and escorted out by Security Supervisor, Dontrell Allen Rashaurd after being identified at poker table # 13

10/20/2022, See Security Report # 1696, as per Security Director, Jorge Callejas " On 10/20/2022 Mr. Herrera was reinstated to return to Casino Miami as per Mr. Licciardi. Mr. Herrera was contacted via phone of his reinstatement".

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

NOTE: On 07-19-2017 as per email from DBPR Slot Manager, Gabriel Benedik: Hello Will, I just spoke with our Investigations unit and you guys are OK to purge the videos from 2012-2015. They only ask that you keep 2016 still. Please let me know if you have any questions. Also, if you could please let us know when you have completed the purge. On 03-06-2020, this video was purged from the surveillance video storage.

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

Signature A **Date** **Signature B** **Date**

Casino Miami Jai-Alai - 3500 NW 37th Ave. Miami, FL 33142
(305) 633-6400 - casinomiamijaialai.com

CMJ-000003241 - Surv-Exclusion Return Report - Reported 01/19/2015 19:17

Author: Geoffry Geffrard 10084397
Report Number: CMJ-000003241
Start Time: 01/19/2015 19:17
End Time: 01/19/2015 19:30
Report Group: Surveillance Reports
Report Type: Surv-Exclusion Return Report
Note: Perm- Exclusion Retu identified in the casi
Location / Origin: Perm-Exclusion Retu

[redacted]

Narrative

On 01-19-15 at 19:04 hours, Surveilla
standing at the Security Office Desk that was being Permanently Excluded. The patron was identified as Arabel Herrera Queseda.

NOTE: **See surveillance report #2798** 08/12/2014 22:40 Hours, Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area.

A video review revealed :

1. At 19:07:30 hours, on camera #345, M.P.D Officer,Parrales escorted Mr.Queseda out of the employee. All videos were saved for future references.

2. A video review from 18:36:34 until 18:42:10 hours on camera #034 &351 show Mr.Queseda at the Player Club desk.Then shortly was escorted to SOC.

This report was written by Surveillance Shift Manager,Geoffry Geffrard #10084397.

This report was approved by Surveillance Director, William Hutcheson # 7874265.

UPDATE: 08/12/2014 22:40 Hours, Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area.

01/19/2015 19:17 Hours, Perm- Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified in the casino, and was escorted out by MPD Officer, Paralles

11/04/2015 00:24 Hours, Perm-Exclusion Return Patron, Arabel Herrera Quesada – was excluded on 08-12-2014 and identified at black jack slot machine area, and was escorted out and arrested by MPD Officer Robinson and Herrera.

08/02/2018 Hours Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after observed leaning over and towards the GJ roulette slot machine wheel, and escorted out by

MPD Officer, Herrera.

07/20/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

09/22/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 was escorted out by MPD Officers and SEcurity Supervisor, Dontrell Allen Rashaurd after identified at roulette slot machine FM.

10/15/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and escorted out by Security Supervisor, Dontrell Allen Rashaurd after being identified at poker table # 13

10/20/2022, See Security Report # 1696, as per Security Director, Jorge Callejas " On 10/20/2022 Mr. Herrera was reinstated to return to Casino Miami as per Mr. Licciardi. Mr. Herrera was contacted via phone of his reinstatement".

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

NOTE: On 07-19-2017 as per email from DBPR Slot Manager, Gabriel Benedik: Hello Will, I just spoke with our Investigations unit and you guys are OK to purge the videos from 2012-2015. They only ask that you keep 2016 still. Please let me know if you have any questions. Also, if you could please let us know when you have completed the purge. On 03-13-2021, this video was purged from the surveillance video storage.

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

Signature A **Date** **Signature B** **Date**

CMJ-000004312 - Surv-Exclusion Return Report - Reported 11/04/2015 02:03

Author: Melbourne Gregory 10426230 **Report Number:** CMJ-000004312

Start Time: 11/04/2015 00:24 **End Time:** 11/04/2015 04:12

Report Group: Surveillance Reports **Report Type:** Surv-Exclusion Return Report

Note: Perm-Exclusion Return Patron, Arabel Herrera Quesada was excluded on 08-12-2014 and s escorted out and arrested by MPD Officer

mera: 114,344,345,348,501,505

[redacted]

ied surveillance via radio, that MPD Officers, John Kocur and Maurice Phillips was escorting a male patron to the Security Operation Center for a Permanent Exclusion.

At 00:39 hours, Security Supervisor, Rene Cano identified the male patron via phone as, Arabel Herrera Quesada who was being arrested due to violating the terms of a permanent Exclusion". (Please see surveillance report # 3241 for details). All videos were saved for future reference.

A further video review revealed the following information:

1. At 00:21:58 hours, on camera # 114, surveillance observed MPD Officers, Robinson and Kocur approach Mr. Herrera Quesada who was wearing a white sweater, and blue jeans while he was standing at Black Jack Machine GC-01-2492, they talked briefly then proceeded to escort him to Security Operation Center.
2. From 00:26:00 to 01:25:00 hours, on camera # 348, observed Mr. Herrera Quesada sitting in the Security Operation Center. He is partially restrain by handcuffs.
3. At 01:25:04 hours, on camera # 345, surveillance observed as Mr. Herrera Quesada was escorted out the casino through the Employee Entrance by MPD Officer Maurice Robinson.
4. At 01:26:49 hours, on camera # 345, surveillance observed as MPD Officer Maurice Robinson assist Mr. Herrera Quesada to sit in the rear seat of a Patrol Vehicle.

This report was written by Surveillance Operator Melbourne Gregory # 10426230.

This report was approved by Surveillance Director, William Hutcheson # 7874265.

UPDATE: 08/12/2014 22:40 Hours, Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area.

01/19/2015 19:17 Hours, Perm- Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified in the casino, and was escorted out by MPD Officer, Paralles

11/04/2015 00:24 Hours, Perm-Exclusion Return Patron, Arabel Herrera Quesada – was excluded on 08-12-2014 and identified at black jack slot machine area, and was escorted out and arrested by MPD Officer Robinson and Herrera.

08/02/2018 Hours Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after observed leaning over and towards the GJ roulette slot machine wheel, and escorted out by MPD Officer, Herrera.

07/20/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

09/22/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 was escorted out by MPD Officers and SEcurity Supervisor, Dontrell Allen Rashaurd after identified at roulette slot machine FM.

10/15/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and escorted out by Security Supervisor, Dontrell Allen Rashaurd after being identified at poker table # 13

10/20/2022, See Security Report # 1696, as per Security Director, Jorge Callejas " On 10/20/2022 Mr. Herrera was reinstated to return to Casino Miami as per Mr. Licciardi. Mr. Herrera was contacted via phone of his reinstatement".

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

Signature A **Date** **Signature B** **Date**

Casino Miami Jai-Alai - 3500 NW 37th Ave. Miami, FL 33142
(305) 633-6400 - casinomiamijaialai.com

CMJ-000007138 - Surv-Exclusion Return Report - Reported 08/02/2018 20:36

Author: Geoffry Geffrard 10084397 **Report Number:** CMJ-000007138

Start Time: 08/02/2018 20:36 **End Time:** 08/02/2018 22:04

Report Group: Surveillance Reports **Report Type:** Surv-Exclusion Return Report

Note: Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after observed leaning over and towards the GJ roulette slot machine wheel, and escorted out by MPD Officer, Josue Herrera.

Location / Origin: Perm-Exclusion Return **Camera:** 345,118,131

[redacted]

Narrative

On 08-02-2018 at 19:54 hours via radio Security Supervisor, Darryl William advised of a male Patron was identified as Arabel Herrera Quesada and also that he would be permanently excluded for leaning over toward the roulette wheel.

At 20:01:50 hours, camera #345, MPD Officer, Jose Herrera escorted the patron off property through the employee entrance . All videos were saved for future reference.

A video review revealed the following information:

1. At 19:51:12 hours on camera #118 Mr. Herrera Quesada was observed standing near the GJ-Bank.
2. At 19:51:12 hours on camera #118 Mr. Herrera Quesada was observed leaning over GJ-Bank.
3. At 19:52:49 hours on camera #118 Mr. Herrera Quesada was observed leaning over GJ-Bank again.
4. At 19:52:51 hours on camera #118 Mr. Herrera Quesada was observed speaking to MPD Officer,Josh while playing a slot machine.
5. At 19:53:51 hours on camera #118 Mr. Herrera Quesada was observed leaning over GJ-Bank again.
6. At 19:53:47 hours on camera #118 MPD Officer, Josue Herrera was observed arriving to the area and escorted him to S.O.C.
7. At 20:01:50 hours on camera #345 Mr. Herrera Quesada was observed exiting through the employee entrance.

This Report was written by Surveillance Shift Manager, Geoffry Geffrard #10084397.

This report was approved by Surveillance Director, William Hutcheson # 7874265.

UPDATE: 08/12/2014 22:40 Hours, Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area.

01/19/2015 19:17 Hours, Perm- Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified in the casino, and was escorted out by MPD Officer, Paralles

11/04/2015 00:24 Hours, Perm-Exclusion Return Patron, Arabel Herrera Quesada – was excluded on 08-12-2014 and identified at black jack slot machine area, and was escorted out and arrested by MPD Officer Robinson and Herrera.

08/02/2018 Hours Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after observed leaning over and towards the GJ roulette slot machine wheel, and escorted out by MPD Officer, Herrera.

07/20/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

09/22/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 was escorted out by MPD Officers and SEcurity Supervisor, Dontrell Allen Rashaurd after identified at roulette slot machine FM.

10/15/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and escorted out by Security Supervisor, Dontrell Allen Rashaurd after being identified at poker table # 13

10/20/2022, See Security Report # 1696, as per Security Director, Jorge Callejas " On 10/20/2022 Mr. Herrera was reinstated to return to Casino Miami as per Mr. Licciardi. Mr. Herrera was contacted via phone of his reinstatement".

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

Signature A **Date** **Signature B** **Date**

CMJ-000002604 - Patron - Trespass Permanent - Reported 07/05/2023 16:13

Author: Jorge Callejas 13298951
Report Number: CMJ-000002604
Start Time: 07/05/2023 16:13
End Time: 07/05/2023 16:30
Report Group: Exclusion Reports
Report Type: Patron - Trespass Permanent
Note: Trespassed
Location / Origin: Administrator
Linked Reports: **CMJ-000001696**

Person

Name: Arabel Herrera Quesada
Alias:
Race: Hispanic
Gender: Male
Eye color: Brown
Hair color: Black
Height: 6'00" Inches
Weight: 185 Pounds
DOB: [redacted]
Keywords: Permanent Exclusion
Drivers Lic#: [redacted]
Comments: Arabel Quesada Herrera
122 Avocado Ave
West Palm Beach, FL 33413
[redacted]
PC#44485
Ph# N/A

[redacted]

Narrativ

On 7/5/20 ther
patron's Jackpot money.

Signature A **Date**

Signature B **Date**

Casino MiAMi Seq: 227942 No. 000792

UNCLAIMED JACKPOT RECEIPT

Date 7/20/22 Amount $2160.00

Asset No. 3359 Location No. GD06

Name ABANDONED JP Time

Street Address

City, State, Zip Code

☐ No Identification ☐ Expired ID ☐ Self Exclusion

☒ Other ☐ Unclaimed ☐ Banned

Guest Signature X

Slot Supervisor Signature 106330

Cage Representative Signature 106330

WHITE-Accounting YELLOW-Cage PINK-Guest

Jackpot must be claimed within 180 days.

CMJ-007

Casino MiAMi

JACKPOT REQUEST

Date 7/20/22 Time 17:39

Asset # 3359 Location # GD06

Credits Played Roulette Lines Played 227942

Winning Combo Sequence

JP Amount 2160.00

Minus Taxes < >

Total Payment to Guest

Guest Name

Social Security # ABANDONED

Guest Signature X

Slot Attendant Signature

Verifier Signature 106330

WHITE–Cashier YELLOW–Guest CMJ-027 (Rev 10/14)

SHIFT: Swing

SLOT: 3359

Stand: GD06

TOTAL NET AMT: $2,160.00

AMOUNT IN WRITING

: Two Thousand One Hundred Sixty

Dollars and No Cents

DENOM: 0.01

WINNING COMBO: ROULETTE

CASH AMOUNT: $2,160.00

Unclaimed Abandoned

TAX AMT: <>

NET PAY:

PROCESS EMP ID: 02216

PROCESS EMP NAME: Maura Bodiner

SLOT ATTN:

CASHIER:

VERIFIER: 106330

SUPERVISOR:

MANAGER:

SECURITY:

WINNER:

GAMING DAY: 07/20/2022

EXHIBIT # 6
PAGE # 1

No.: 1 3232 7/20/2022 12:18 PM ☐ CORRECTED (if checked) ROULETTE 10188501950

PAYER'S name, street address, city or town, province or state, country, and ZIP or foreign postal code	1 Reportable Winnings	2 Date Won	OMB No 1545-0238
Casino Miami Jai-Alai 3500 NW 37th Avenue Miami FL 33142	$1,440.00	7/20/2022	**2022** **Form W-2G** **Certain Gambling Winnings**
	3 Type of Wager CAGE / $0.00	4 Federal Income Tax Withheld **$0.00**	
	5 Transaction 227937	6 Race CCAGE	
	7 Winnings from Identical Wagers	8 Cashier 2203	
PAYER'S Federal identification number [redacted] PAYER'S Telephone number [redacted]	9 Winner's Taxpayer Identification No. [redacted]	10 Window CCAGE	This information is being furnished to the internal Revenue Service
WINNERS name 44485 **ARABEL HERRERA QUESADA**	11 First I.D. [redacted]	12 Second I.D. -	
Street address, (including apt. no.) 3257 NW 9TH ST	13 State/Payer's State Identification No. 0	14 State Winnings $1,440.00	**Copy B** **Report this income on your federal tax return. If this form show federal income tax withheld in box 4, attach this copy to your return.**
City or town, province or state, country, and ZIP or foreign postal code Miami FL 33125	15 State Income Tax Withheld $0.00	16 Local Winnings $1,440.00	
	17 Local Income Tax Withheld $0.00	18 Name Of Locality	

Under penalties of perjury, I declare that, to the best of my knowledge and belief, the Name, Address, and Taxpayer Identification Number that I have furnished correctly identifies me as the recipient of this payment and any payments from identical wagers, and that no other person is entitled to any part of these payments.

Signature ▸ Date ▸ 07/20/22

Casino MIAMI

JACKPOT REQUEST

Date 7/20/22 Time 12:06

Asset # 3358 Location # GD05

Credits Played 1 Lines Played 1

Winning Combo Roulette Sequence 227937

JP Amount $1440.00

Minus Taxes

Total Payment to Guest $1440.00 44485

Guest Name Arabel Herrera

Social Security # [redacted]

Guest Signature

Slot Attendant Signature 1004165529

Verifier Signature 1005330

WHITE–Cashier YELLOW–Guest CMJ-027 (Rev 10/14)

Stand: GD05

TOTAL NET AMT: $1,440.00
AMOUNT IN WRITING
: One Thousand Four Hundred Forty
Dollars and No Cents

DENOM: 0.01
WINNING COMBO: ROULETTE
CASH AMOUNT: $1,440.00

TAX AMT:<_____>

NET PAY:_____
PROCESS EMP ID: 02203
PROCESS EMP NAME: Oswin Paguada

SLOT ATTN: 1004165529

CASHIER: [signature]

VERIFIER: 1005330

SUPERVISOR: _____

MANAGER: _____

SECURITY: _____

WINNER: [signature]

GAMING DAY: 07/20/2022
PRINTED DATE: 07/20/2022 12:15:11 EDT

SEQUENCE NO: J227937

EXHIBIT # 7
PAGE # 1

No.: 1 3232 7/20/2022 12:37 PM ☐ CORRECTED (if checked) bns 10188502012

PAYER'S name, street address, city or town, province or state, country, and ZIP or foreign postal code	1 Reportable Winnings	2 Date Won	OMB No 1545-0238
Casino Miami Jai-Alai 3500 NW 37th Avenue Miami FL 33142	$1,800.00	7/20/2022	**2022**
	3 Type of Wager CAGE / $0.00	4 Federal Income Tax Withheld $0.00	**Form W-2G**
	5 Transaction 227940	6 Race ccage	**Certain Gambling Winnings**
PAYER'S Federal identification number [redacted] PAYER'S Telephone number	7 Winnings from Identical Wagers	8 Cashier 2216	
	9 Winner's Taxpayer Identification No. [redacted]	10 Window CCAGE	This information is being furnished to the internal Revenue Service
WINNERS name 44485 **ARABEL HERRERA QUESADA**	11 First I.D. [redacted]	12 Second I.D. -	
Street address, (including apt. no.) 3257 NW 9TH ST	13 State/Payer's State Identification No. 0	14 State Winnings $1,800.00	**Copy B** **Report this income on your federal tax return. If this form show federal income tax withheld in box 4, attach this copy to your return.**
City or town, province or state, country, and ZIP or foreign postal code Miami FL 33125	15 State Income Tax Withheld $0.00	16 Local Winnings $1,800.00	
	17 Local Income Tax Withheld $0.00	18 Name Of Locality	

Under penalties of perjury, I declare that, to the best of my knowledge and belief, the Name, Address, and Taxpayer Identification Number that I have furnished correctly identifies me as the recipient of this payment and any payments from identical wagers, and that no other person is entitled to any part of these payments.

Signature ► [signature] Date ► 7/20/22

Casino MIAMI

JACKPOT REQUEST

Date 7/20/22 Time 12:26

Asset # 3359 Location # 6006

Credits Played [illegible] Lines Played 227940

Winning Combo BJ Sequence

JP Amount 1800.00

Minus Taxes <1800.00>

Total Payment to Guest 1800.00

Guest Name Arabel Herrera Quesada 44485

Social Security # [redacted]

Guest Signature [signature]

Slot Attendant Signature [signature] 9800216

Verifier Signature [signature] 1005380

WHITE–Cashier YELLOW–Guest CMJ-027 (Rev 10/14)

TRANSACTION DATE: 07/20/2022 12:12
6:46 EDT

SHIFT: Swing
SLOT: 3359
Stand: 6006

TOTAL NET AMT: $1,800.00
AMOUNT IN WRITING
: One Thousand Eight Hundred Doll
ars and No Cents

DENOM: 0.01
WINNING COMBO: roulette
CASH AMOUNT: $1,800.00

TAX AMT:<_____>

NET PAY:_____
PROCESS EMP ID: 02216
PROCESS EMP NAME: Maura Godinez

SLOT ATTN: [signature] 9800216
CASHIER: [signature]
VERIFIER: 1005380
SUPERVISOR:_____
MANAGER:_____
SECURITY:_____
WINNER:_____

GAMING DAY: 07/20/2022
PRINTED DATE: 07/20/2022 12:33:18
EDT

SEQUENCE NO: J227940

EXHIBIT # 7
PAGE # 2

Filed Date	Case #	Name	Date of Birth
11/26/2019	[redacted]		
3/15/2017			
12/9/2021			
12/26/2018			
6/4/2021			
12/29/2021			
8/30/2019			
6/14/2017			
7/9/2009			
6/24/2020			
7/15/2020			
10/18/2021			
11/10/2016			
10/10/2011			
3/8/2019			
6/24/2020			
7/12/2019			
3/28/2019			
7/30/2021			
1/29/2019			
4/18/2019			
12/17/2010			
6/21/2017			
4/14/2017			
2/3/2022			
6/19/2008			
8/21/2020			
6/19/2008			
6/24/2020			
2/24/2021			
12/1/2021			
11/10/2016			
8/5/2014			
4/16/2008			
8/16/2018			
11/5/2019			
5/29/2019			
7/31/2019			

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PAGE # 1

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3/29/2021	
4/4/2019	

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7/23/2021	
11/8/2019	
6/29/2020	
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1/31/2022	
4/1/2014	
11/26/2019	
7/23/2021	
1/31/2018	

1/28/2015	[redacted]
3/28/2019	
12/7/2017	
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2/3/2022	
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3/28/2019	
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9/3/2021	
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12/5/2018	
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9/4/2020	
11/16/2020	
2/16/2010	
11/1/2012	
12/19/2008	
8/30/2019	
11/1/2012	
6/29/2020	
12/23/2015	
8/28/2015	

7/31/2019	2018-044706	Vasquez-Lagos, Brian Fernando	[redacted]
7/3/2019	[redacted]		
1/25/2018			
1/31/2022			
1/12/2022			
9/30/2010			
8/8/2017			
2/3/2022			
8/10/2021			
3/18/2020			
4/18/2019			

Last Updated:
02/11/2022

* Permanent Exclusion from The Isle Casino Pompano Park.

** Exclusion Period:
06/24/2020 –
06/24/2022

Status at time of Exclusion	
Patron	x
Patron	
Occupational Licensee	
Patron	x
Slot Combo Licensee	
Patron	
Patron	
Occupational Licensee	
Occupational Licensee	
Patron	
Slot Combo Licensee	x
Slot Combo Licensee	x
Patron	
Occupational Licensee	
Patron	x
Patron	x
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Occupational Licensee	
Occupational Licensee	
Patron	
Patron	
Occupational Licensee	
Occupational Licensee	x
Occupational Licensee	
Patron	
Slot Combo Professional	
Patron	
Patron	
Patron	x
Occupational Licensee	
Occupational Licensee	
Slot Combo Professional	
Occupational Licensee	
Slot Combo Professional	x
Patron	
Patron	
Slot Combo Professional	x

Patron	
Patron	X
Patron	
Patron	
Patron	
Slot Combo Licensee	
Occupational Licensee	
Occupational Licensee	
Patron	X
Patron	X
Occupational Licensee	
Patron	X
Occupational Licensee	
Occupational Licensee	
Slot Combo Licensee	X
Slot Combo Professional	
Patron	
Patron	
Patron	X
Occupational Licensee	
Slot Combo Licensee	
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Occupational Licensee	
Patron	X
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Occupational Licensee	
Patron	X
Occupational Licensee	
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Occupational Licensee	
Slot Combo Licensee	
Slot Combo Licensee	X
Slot Combo Professional	
Patron	
Occupational Licensee	
Occupational Licensee	

EXHIBIT # 8
PAGE # 8

Patron	
Patron	
Patron	x
Patron	
Patron	x
Occupational Licensee	
Patron	
Patron	
Slot Combo Professional	x
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Occupational Licensee	
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Slot Combo General	x
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Occupational Licensee	
Patron	

EXHIBIT # 8
PAGE # 9

Occupational Licensee	
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Slot Professional	
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Occupational Licensee	
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Occupational Licensee	
Patron	
Slot Combo General	x
Occupational Licensee	x

Patron	
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Slot Machine Professional	
Occupational Licensee	
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Occupational Licensee	
	X
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Patron	X
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Patron	X
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Slot Combo Licensee	
Occupational Licensee	
Patron	

Patron	x
	x
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Occupational Licensee	
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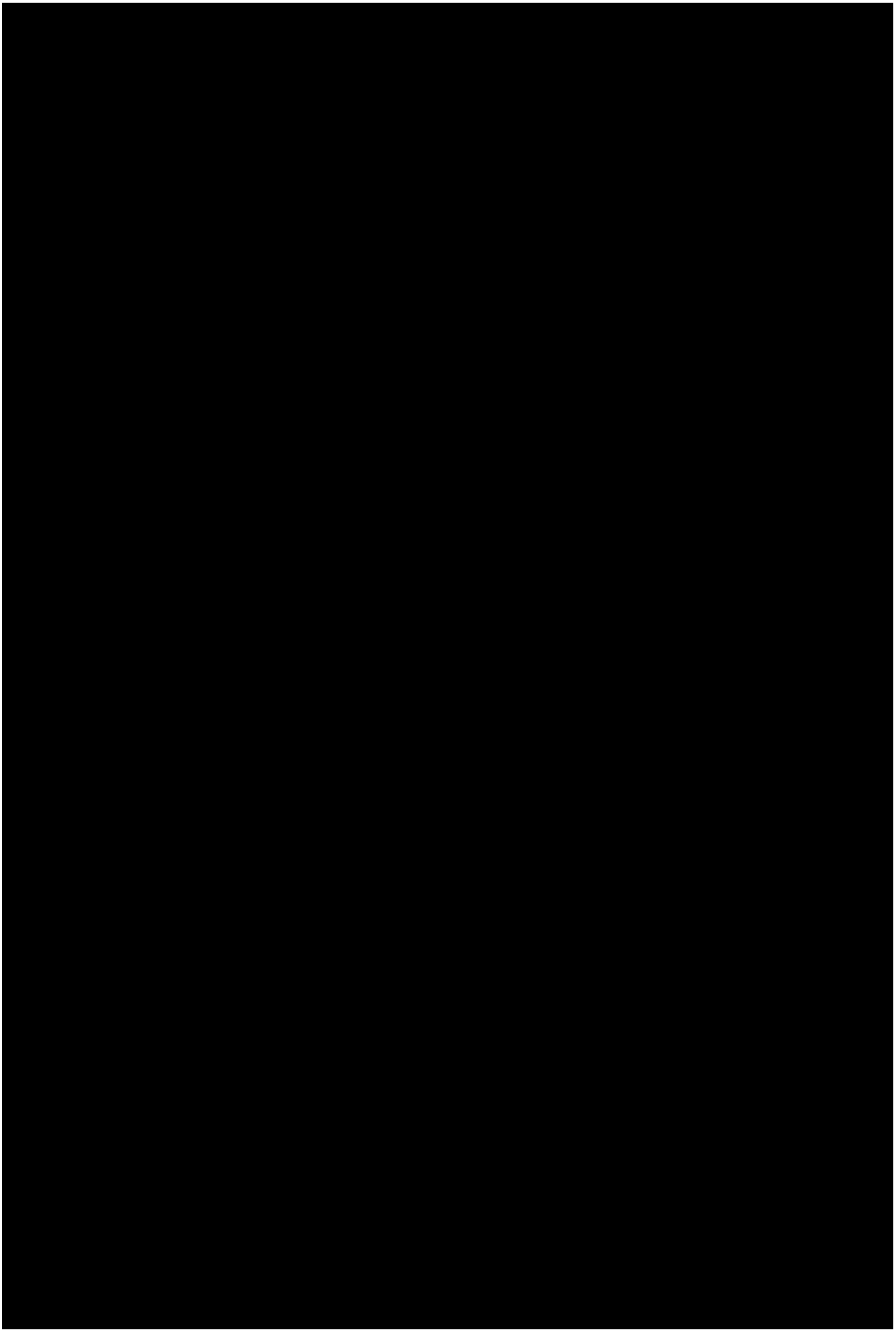
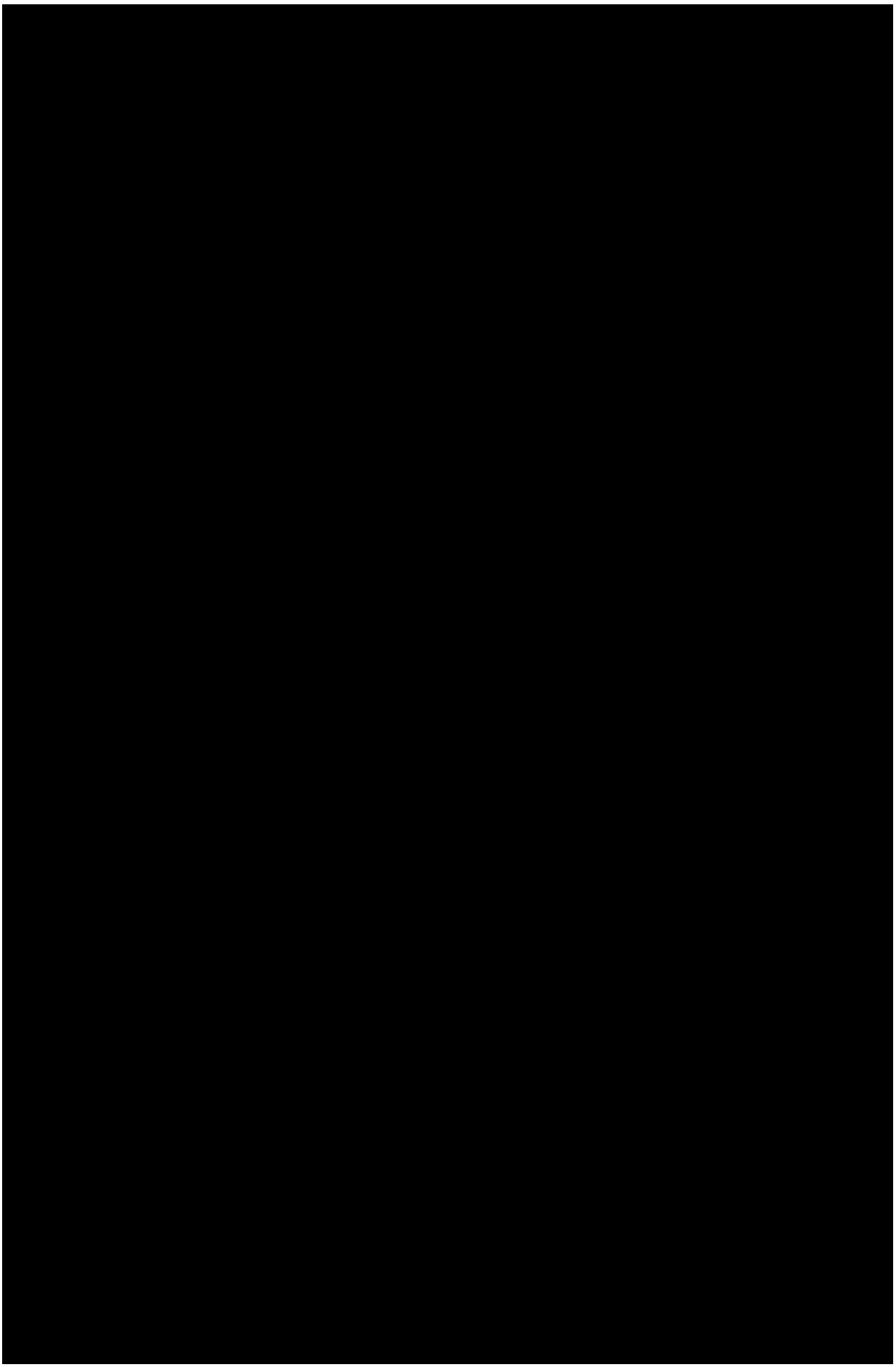
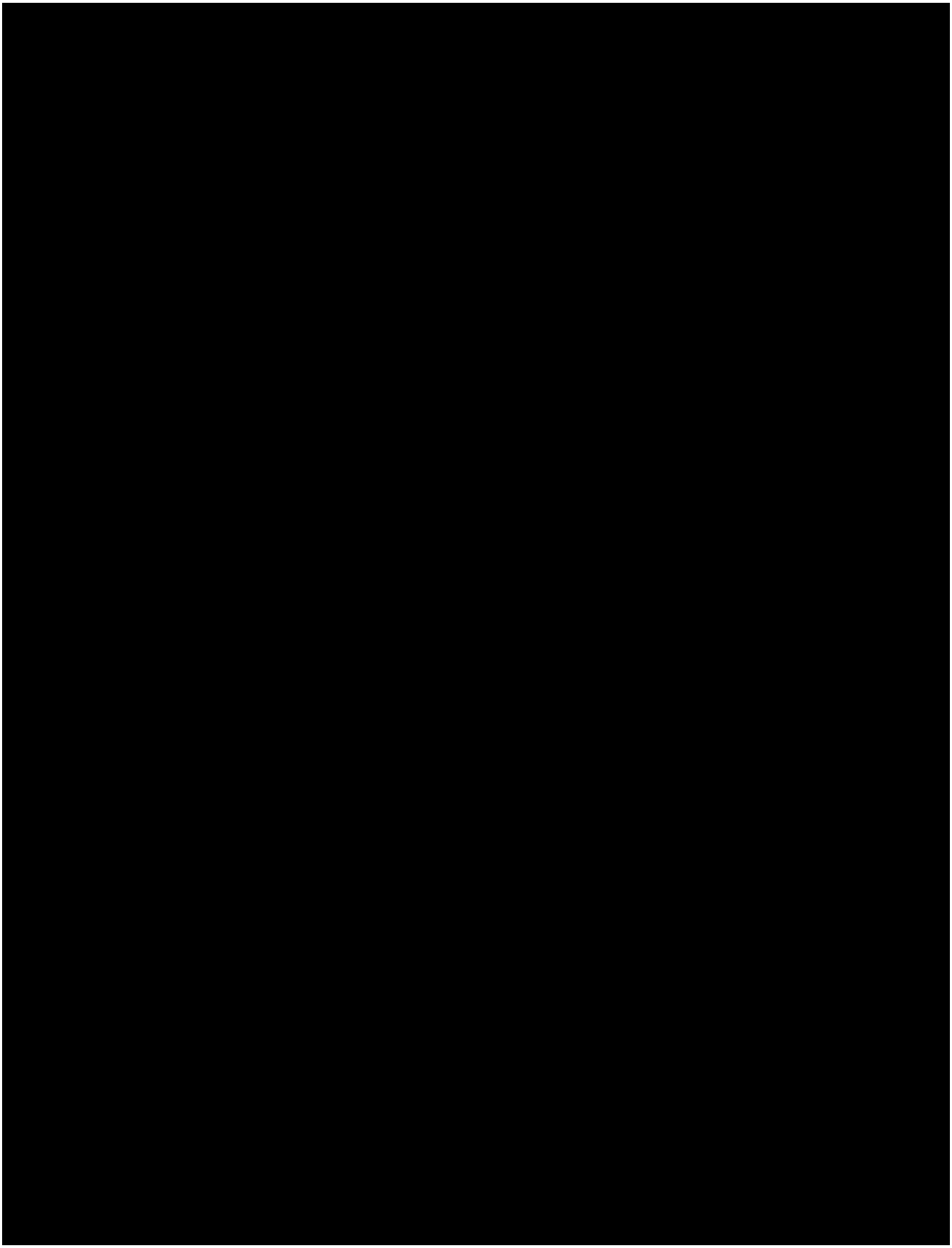
Occupational Licensee	
Patron	
Patron	
Slot Combo Professional	







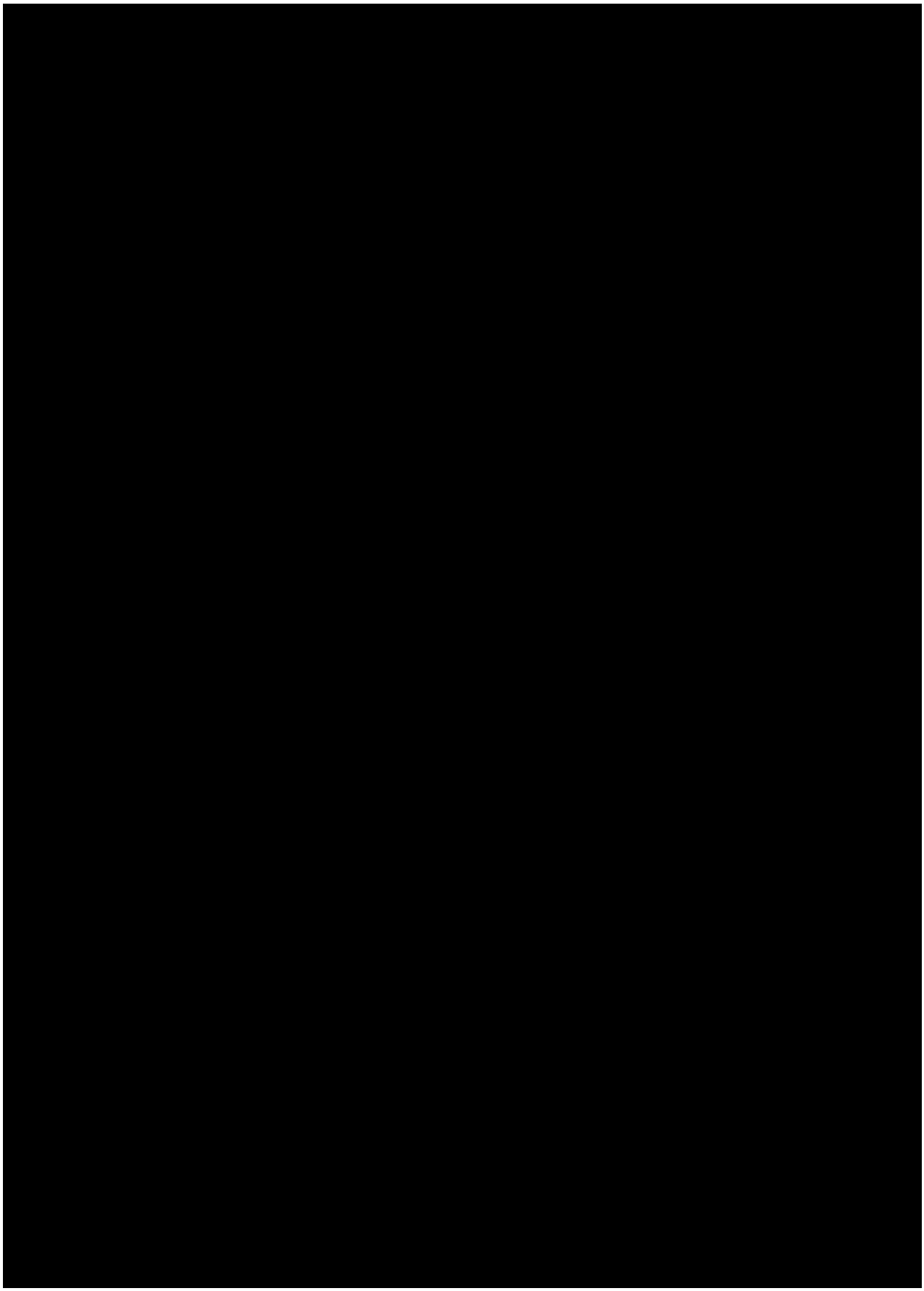
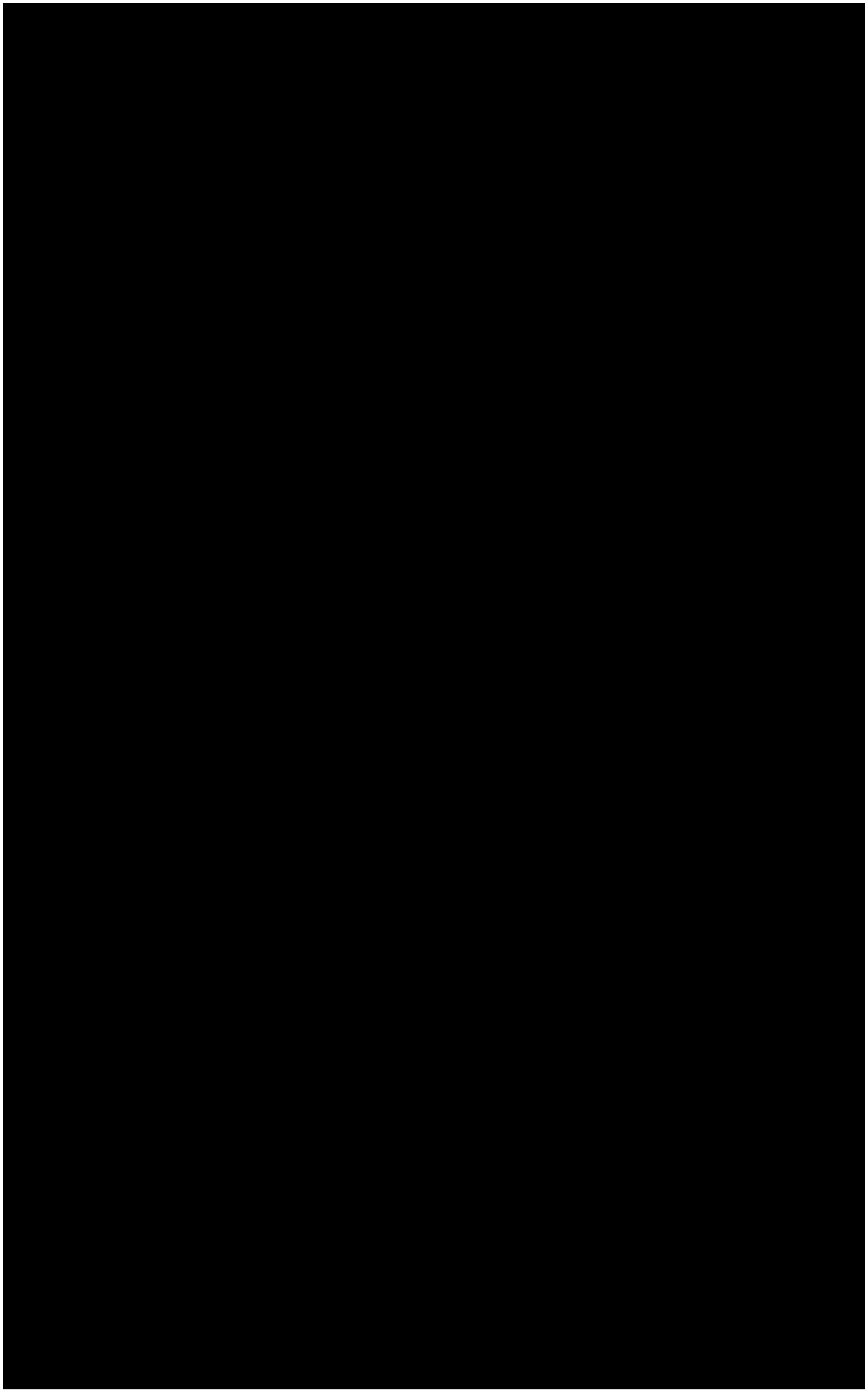
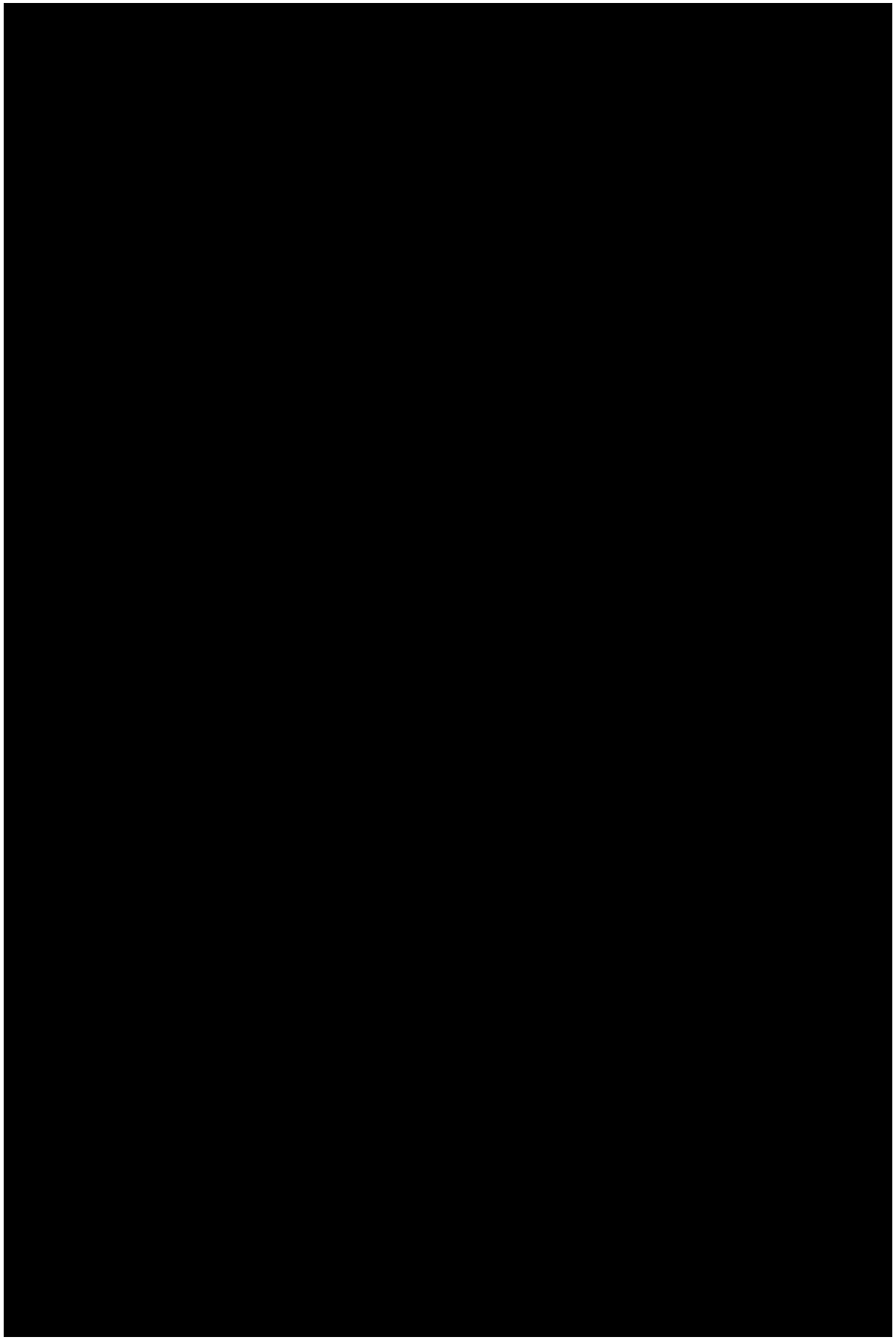
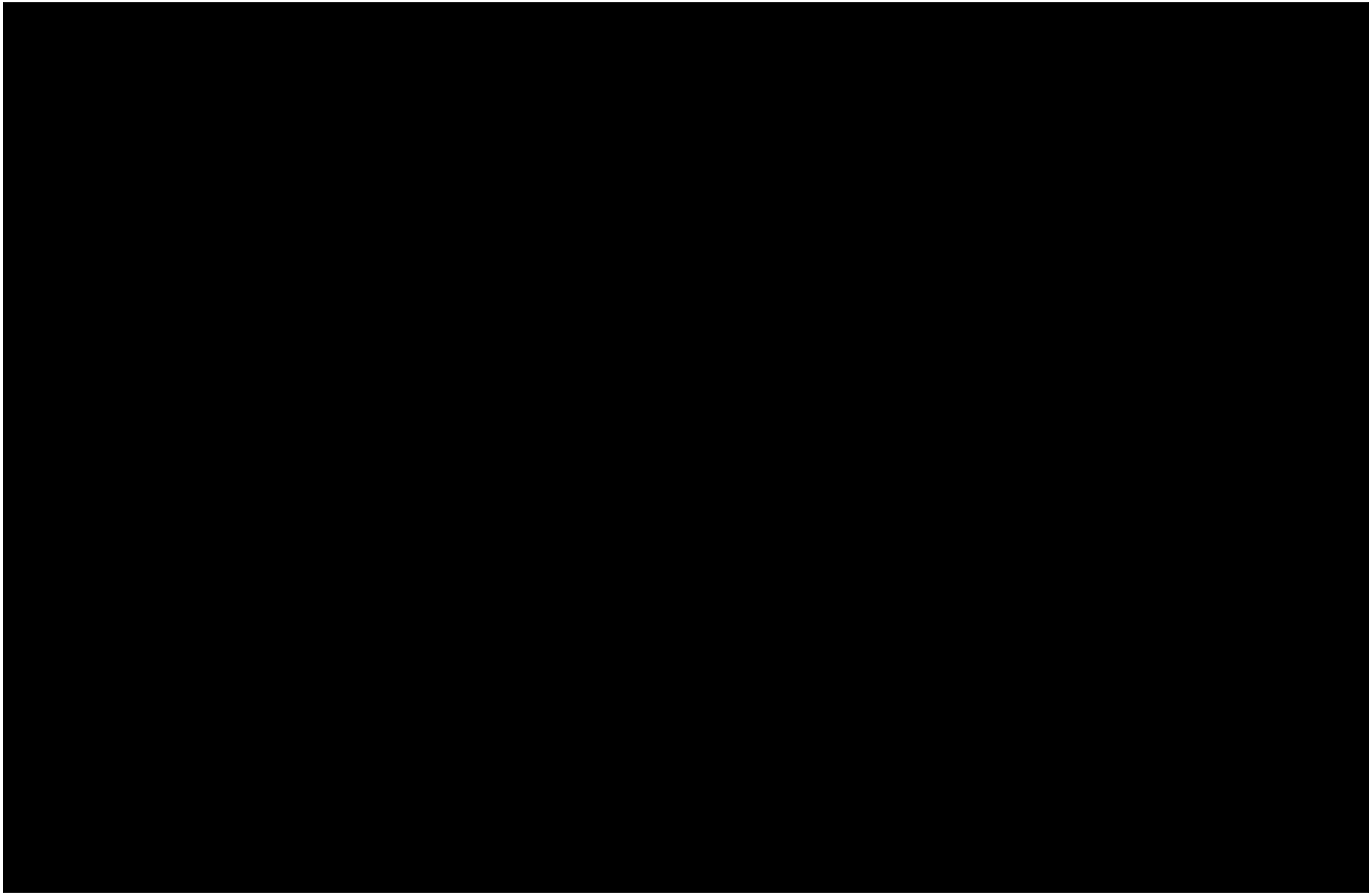


EXHIBIT # 9
PAGE # 6







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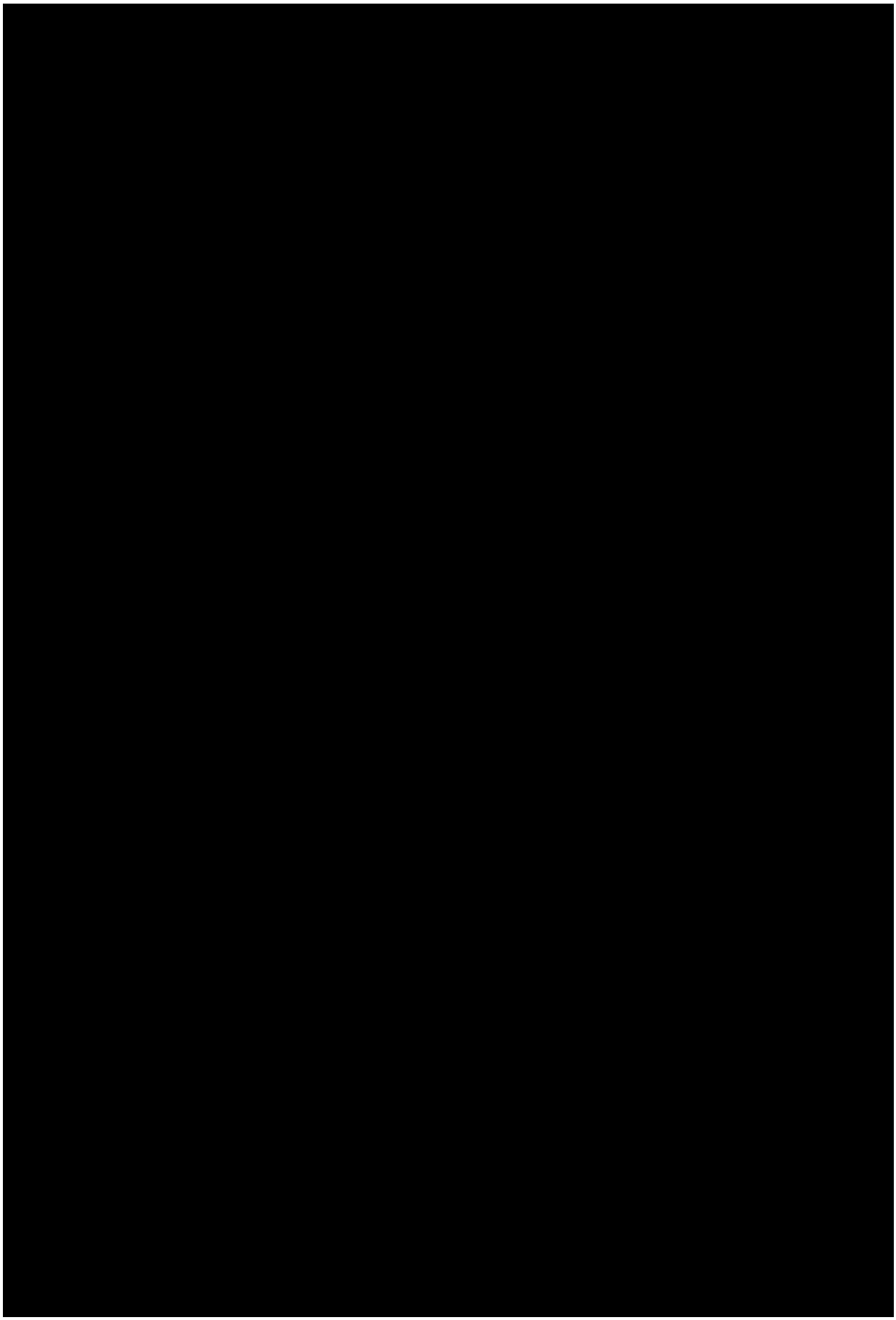

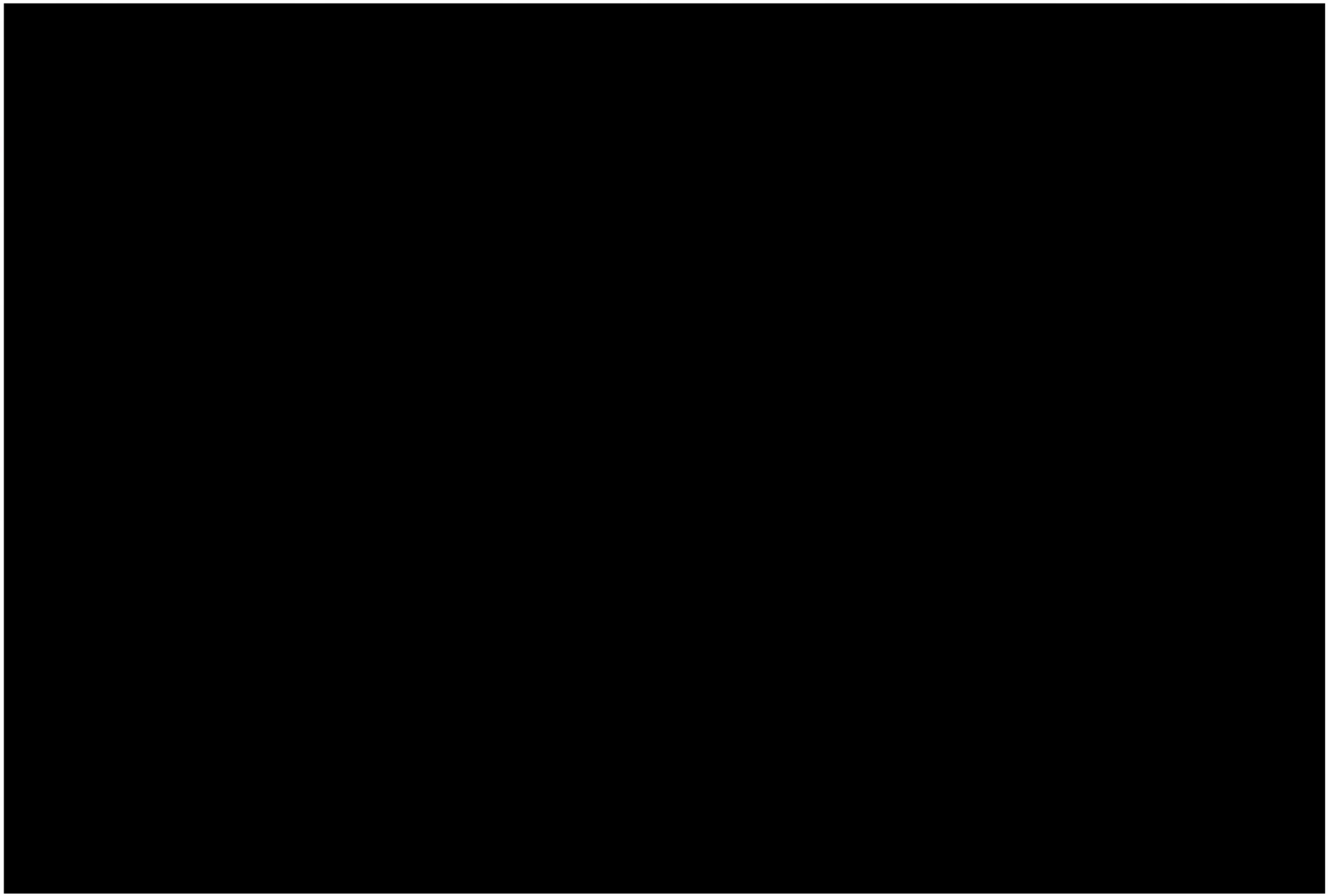

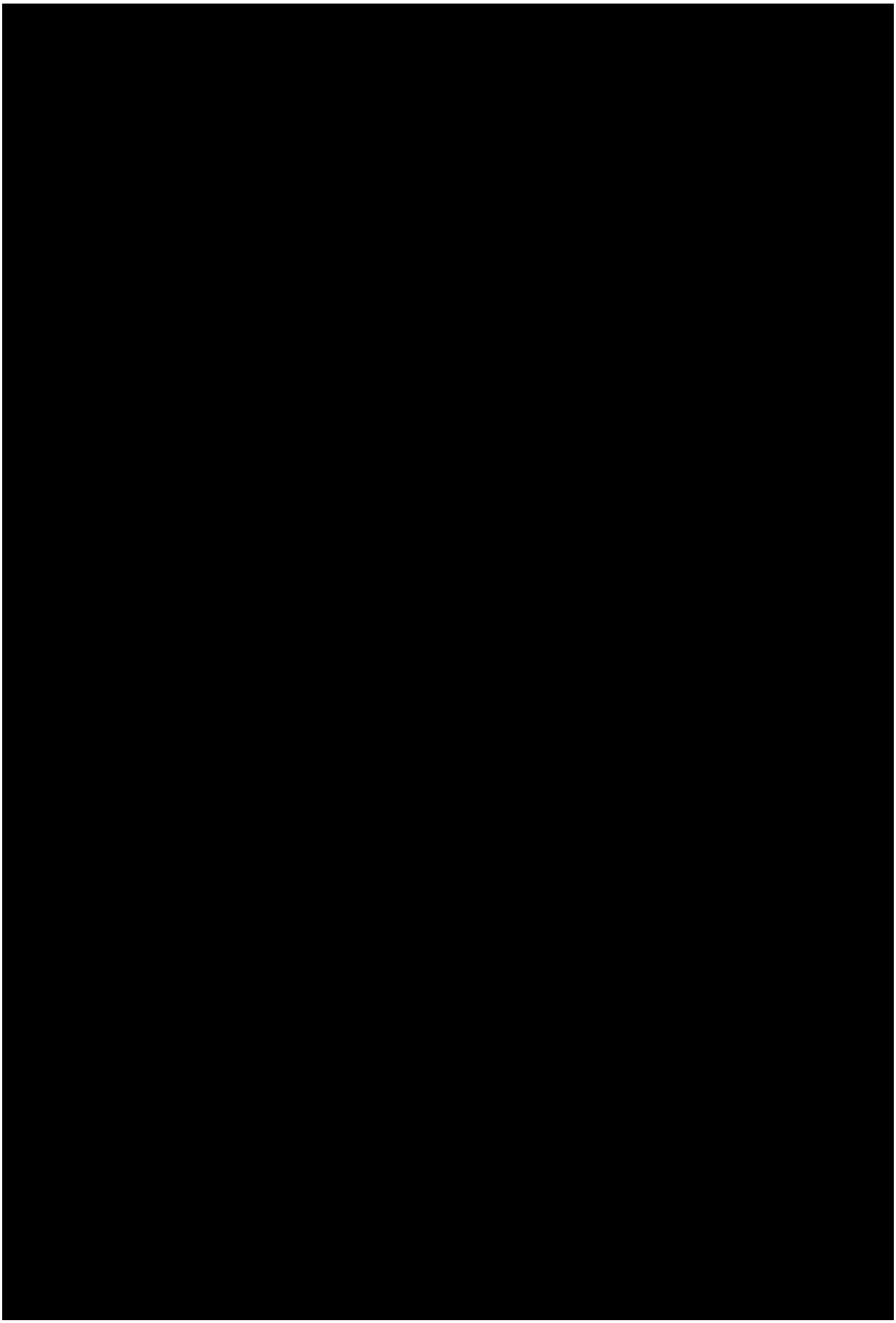

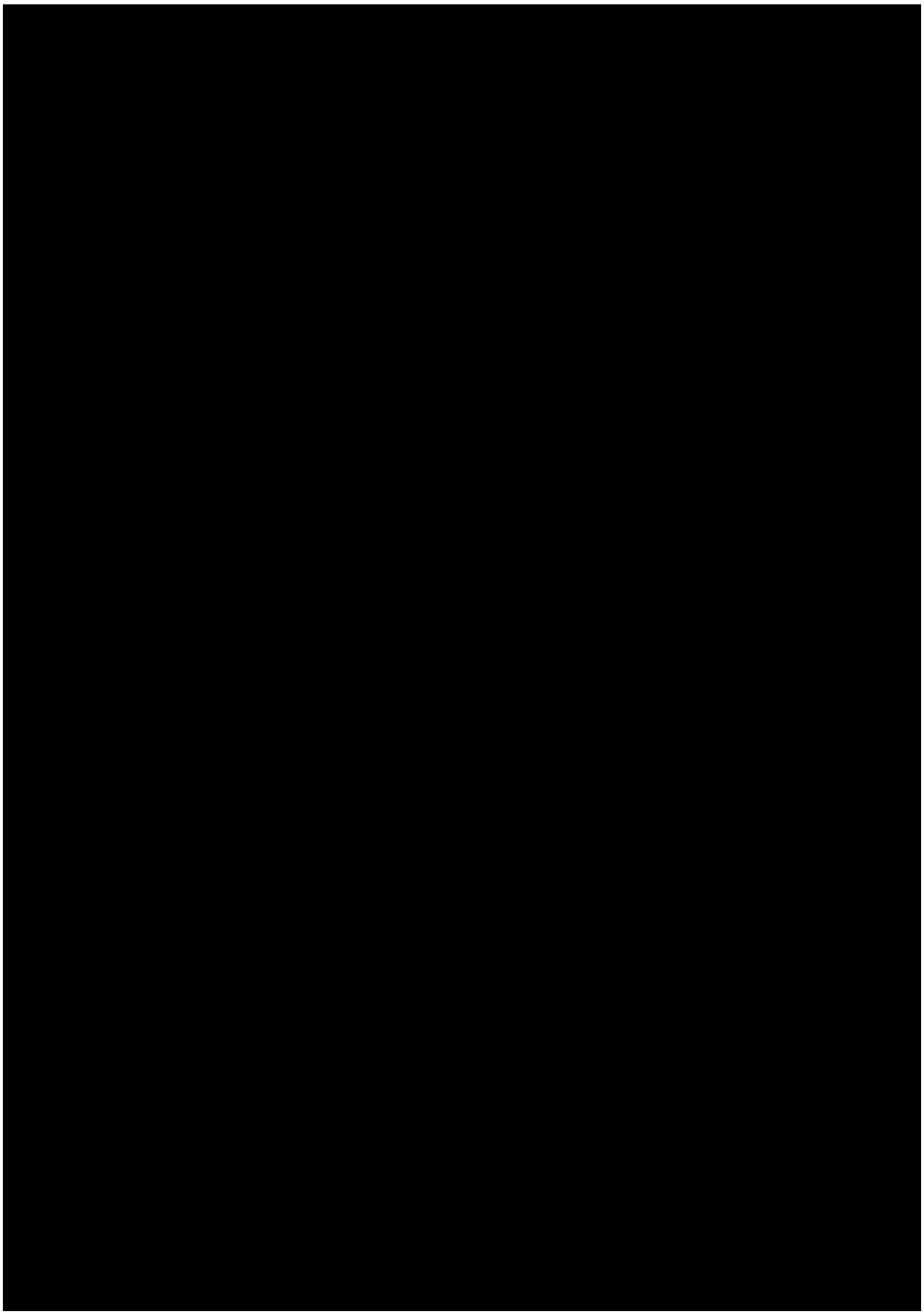

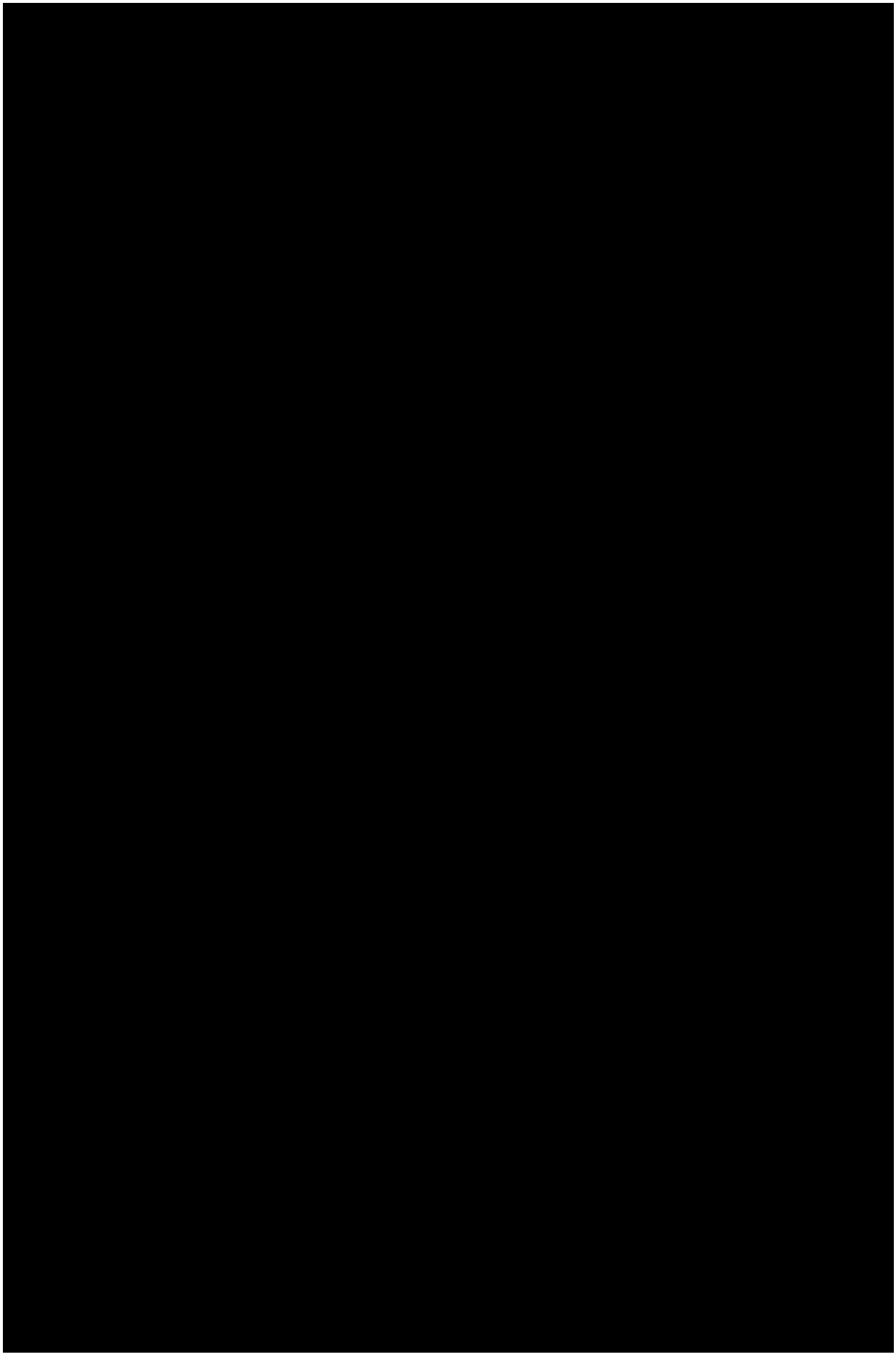

[redacted]

44	000597612	Carlos Rodriguez 9792016	Surv-Exclusion Return Report	CMJ-000010973	13:57:00	13:29:00

07/20/2022 - **Location / Origin:** Perm-Exclusion Return - **Camera:** 186,118,345 - Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

[redacted]

2	000597606	Rafael Torres 10169408	Slot Machine Jackpot 1200 - 4999 Log		14:00	13:36:58

EXHIBIT # 10
PAGE # 1

[redacted]

at slot machine GD-08-3396 for the amount of $1,500.00.

9	000597610	Rafael Torres 10169408	Surv-Unclaimed Slot Machine Jackpot Report	CMJ-000010972 12:41:00	07:17:00

07/20/2022 - **Location / Origin:** Slot Machine Jackpot-Unclaimed - **Camera:** 118,127,125 - Patron, (Unknown Male) -wearing a white shirt and beige pants won an unclaimed jackpot at slot machine GD-06-3359 for the amount of $2,160.00.

5	000597603	Rafael Torres 10169408	Slot Machine Jackpot 1200 - 4999 Log	12:41:00	07:17:00

07/20/2022 - **Location / Origin:** Slot Machine Bank GD - **Camera:** 118,127 - Slot Attendant, Maura Godinez notified surveillance via radio of a jackpot at slot machine GD-06-3359 for the amount of $2,160.00. Slot Supervisor, Jonathan Matthew advised that this Jackpot would be unclaimed and abandoned.

[redacted]

2	000597601	Rafael Torres 10169408	Slot Machine Jackpot 1200 - 4999 Log	12:28:00	12:40:01

07/20/2022 - **Location / Origin:** Slot Machine Bank GD - **Camera:** 118 - Slot Attendant, Maura Godinez notified surveillance via radio of a jackpot at slot machine GD-06-3359 for the amount of $1,800.00.

[redacted]

2	000597597	Rafael Torres 10169408	Slot Machine Jackpot 1200 - 4999 Log	12:13:00	12:40:00

07/20/2022 - **Location / Origin:** Slot Machine Bank GD - **Camera:** 118 - Slot Attendant, Oswin Paguada notified surveillance via radio of a jackpot at slot machine GD-05-3358 for the amount of $1,440.00.

[redacted]

Florida dbpr Department of Business & Professional Regulation

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Halsey Beshears, Secretary

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of Complaint:	Case Number:
PMW	**SOUTHERN**	**August 23, 2018**	**2018 04 4706**

Respondent:	Complainant:
VASQUEZ, BRIAN [redacted]	**DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMECIAL BLVD STE. 165 FT. LAUDERDALE, FL**

License # and Type:	Profession:	Report Date:
	PATRON	**September 11, 2019**

Period of Investigation:	Type of Report:
August 23, 2018 through September 11, 2019	**Supplemental**

Alleged Violation: 550.0251. The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation.—The division shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:

(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The division may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permit holder to exclude absolutely a patron in this state.

Synopsis: CasinoMiamiJaiAlai Director of Compliance and Human Resources Beatriz Perez notified the division of an incident involving a group of individuals who on June 10, 2017, had defrauded the facility by manipulating the results of a roulette video game. These individuals then attempted to cash a jackpot voucher later that same day but were detained and turned over to police. The owner of the cash voucher was arrested by Miami Police and charged with Grand theft. He along with several other individuals were permanently excluded from the facility.

Related Case: **2018 03 3810**

Investigator / Date	Investigator Supervisor / Date
Raul Suau September 11, 2019	Julio Minaya / September 11, 2019

Chief of Investigations / Date

Steven E. Kogan /

This case is predicated upon an email notification dated June 12, 2017, in which CasinoMiamiJaiAlai's Director of Human Resources and State Compliance Beatriz Perez, informed Chief of Slots Casey Smith and Investigative Supervisor Julio Minaya that a group of individuals were observed by surveillance shaking and tampering with a Roulette Slot Wheel game causing revenue loss. It's reported that one of the individual identified as Erick Vasquez was arrested as a result.

This incident was investigated by CasinoMiamiJaiAlai Vice President of Finance and Administration Greg Khachatrian. While reviewing two reports identified as The Standard Transaction Report and The Ticket Issued vs Ticket Out Expense Report, Khachatrian was able to identify that on June 11, 2017 between the hours of 2:00 A.M. and 8:09 A.M. numerous large tickets were printed from various electronic table games. The machines in question were identified as; 2871, 2516, 2517, 2518, 2519. He immediately notified Director of State Compliance Beatriz Perez and requested a review of surveillance footage of the above machines in order to determine if there was any suspicious activity or pattern of play.

During the course of reviewing the surveillance footage, surveillance noticed that the same group of patrons that were observed printing the large tickets from the above listed gaming machines, were the same patrons that were observed playing, shaking and tampering with Roulette Slot Wheel in Roulette Slot Machine Bank GK. They were eventually identified as Silvio Alfredo Sanchez Veliz, Erick Vasquez, Alfredo Lustre and two others who were not identified.

Later that same day, June 11, 2017, at approximately 7:00 P.M., two individuals identified as Fernando Enriquez and Leudy Matos Azahares entered CasinoMiamiJaiAlai to cash a $3,500.00 voucher for a friend whom they identified as Erick Vasquez. Vasquez was not present when they attempted to cash the voucher. The two individuals were detained by Francisco Rodriguez, the on duty Security Supervisor and Sgt. Curtis Hoosier of the Miami Police Department who was working an off duty detail at the time. The two were taken to the Security Operations Center (SOC) and called Erick Vasquez so he would come to the casino in reference to the voucher being cashed.

Vasquez arrived at 7:40:22 P.M. and was taken to the SOC where he remained until Sgt. Hoosier reviewed the video. Once Sgt. Hoosier finished viewing the footage, Vasquez was arrested and taken into custody by Officer Constant Rosemont of the Miami Police Department and escorted out of the facility.

On June 22, 2017, I visited CasinoMiamiJaiAlai for the purpose of conducting interviews. I interviewed Security Supervisor Francisco Rodriguez who was on duty on June 11, 2017.

Rodriguez stated that on the date in question, he received a telephone call from Romy Hoque, the Director of Security, about an individual that was trying to cash a voucher that was not his. The individual, later identified as Fernando Enriquez, was standing by the Cashiers cage. Sgt. Curtis Hoosier of the Miami Police Department also arrived. Together, they escorted Enriquez and a second individual, later identified as Leudy Matos Azahares to the (SOC). Enriquez stated that he was cashing the voucher for a friend who was not on the premises. Enriquez called the owner of the voucher, Erick Vasquez.

CONTINUATION

Vasquez agreed to meet Enriquez, and arrived approximately 45 minutes later and was taken to the SOC. Vasquez was eventually taken into custody by Miami Police Sgt. Curtis Hoosier.

A Versa check was conducted on Francisco Rodriguez. He applied for and received a Slot Combo Professional license on June 28, 2016. His license expires on June 30, 2019.

I also interviewed Miami Police Sgt. Hoosier. Hoosier stated that he was requested at the Main Cage in reference to an individual trying to cash a voucher that was not his. Sgt. Hoosier stated that after escorting both Enriquez and Matos Azahares to the SOC, he proceeded to the surveillance room in order to review footage from earlier that same day when surveillance captured numerous patrons, one being Vasquez, who was playing while the Roulette Slot Wheel Machine was being shaken and tampered with. After viewing the surveillance footage, he detained Erick Vasquez who was later placed under arrest. Sgt. Hoosier then released Fernando Enriquez and Matos Azahares who were then permanently excluded from the casino and escorted out.

Miami Police Department Case #.1706110001305 was assigned to this incident. [1]

On June 23, 2017, I requested video of the incident as well as copies of all supporting documents related to this incident.

During the course of this investigation, I requested surveillance to research video footage to determine if any employees may have been involved in this scheme to defraud CasinoMiamiJaiAlai. This inquiry did not provide any proof of employee involvement.

A review of the surveillance video identified the following individuals as participating in the fraudulent scheme either by playing or assisting the others.

- Silvio Sanchez Veliz, Erick Vasquez, Fernando Enriquez, Alfredo Lustre, Adel Acosta, Yunior Lopez De La Cruz, Brian **VAZQUEZ** Lagos, Unidentified male and Unidentified Blonde female.

Video review identified the previously named individuals as having participated in the incident. The following was observed during video review:

- Silvio Sanchez Veliz is observed entering the facility on June 10, 2017 at 8:24:14 P.M., he remained around the GK, GJ, GI slot machine banks. He was observed on video shaking the Roulette Wheel Slot Machine located at Slot Machine bank GK a total of fourteen (14) times between the hours of 4:36:03 A.M. and 7:42:55 A.M. on June 11, 2017.

[1] Attempt to determine if case will be enhanced with additional arrest by the Miami Police Department were met with negative results.

- On June 11, 2017, at 4:36:03 A.M., Sanchez Veliz is observed shanking the machine while Erick Vasquez, Brian **VAZQUEZ** Lagos, unidentified blond female and unidentified male continued to play the Roulette Wheel Slot Machine GK. Also present was Alfredo Lustre who did not play at this time but was observed collecting winning cash vouchers from the above mentioned subjects and cashing them. Lustre was observed playing a total of eight (8) times on the same machine while it was being shaken.
- On June 11, 2017, at approximately 4:55 A.M., Sanchez Veliz, Brian **VAZQUEZ** Lagos and the unidentified blonde female went to the main cage in order for each to cash vouchers. Sanchez Veliz cashed out a voucher for $3,082.00, Brian **VAZQUEZ** cashed out a voucher for $1,900.00 and the unidentified blonde female cashed a voucher for approximately $1,260.00.[2]
- Sanchez Veliz is observed cashing out a total of three (3) cash vouchers at the main cage, window 1 with Cage Supervisor Alain Dubernard for a total of $ 10,242.00. In addition Sanchez Veliz cashed additional vouchers at Ticket Redemption Units TRU # 3 & TRU # 4.
- Sanchez Veliz is also seen inserting what appears to be a cash voucher into BlackJack Slot machine GC. He immediately prints the voucher and goes to cash out at TRU # 4. This occurred after the first incident of his manipulating the Roulette Slot Wheel Machine GK at 4:36:03 A.M.
- At 6:54:24 A.M., Adel Acosta is observed on video alerting the above subjects that casino employees (Drop Team) are approaching at which time Sanchez Veliz stops shaking the machine.
- Erick Vasquez was present during nine (9) of the games the Roulette Slot Wheel Machine was manipulated.
- Brian **VAZQUEZ** Lagos was present during four (4) of the incidents where the Machine was manipulated.
- Yunior Lopez De La Cruz was present during thirteen (13) of the incidents that the machine was manipulated.
- The unidentified blonde female was present during four (4) of the incidents during which the machine was manipulated.
- The unidentified male dressed in black was present eleven (11) times while the machine was being manipulated.
- During the incident's entirety, the participants all appear to be friends, interacting accordingly. They helped each other with the games, in setting their bets as well as giving each other money to play as well as vouchers to be cashed.
- Sanchez Veliz on more than one occasion would print a voucher from the GK bank, enter the voucher into another slot machine and then print it out again.

[2] The players cashed out totals were as follows: Alfredo Lustre (2 vouchers) one at the main cage and one on Ticket Redemption Unit # 2 for a total of $3,840.00. Brian **VAZQUEZ** Lagos cashed out one voucher for a total of $1,900.00; Silvio Sanchez Veliz (3) for a total of $10,242.00; Adel Acosta cashed out two vouchers for $3,700.00 and $1,653.00 at the main cage. He cashed out others at TRU1 through 4 for an unknown amount, acting as a courier for the other players; Yunior Lopez De La Cruz cashed one voucher at the main cage for $3,080.00 as well as an unknown number of vouchers at TRU # 1; the unidentified blonde female cashed one voucher at the main cage for $1,260.00; unidentified male dressed in black cashed out a voucher for $3,067.00 at the main cage. There were other vouchers cashed by the main players but because the cashier leaned over the money as he counted it, it was not possible to determine with certainty the exact amount the vouchers were for.

EXHIBIT #11
PAGE #4

CONTINUATION

- Sanchez Veliz played on more than one terminal at a time on several occasions at the GK slot bank. He entered numerous selections before the play started. He would then go between terminals GK-06 and GK-07 and shake the roulette wheel in an attempt to manipulate the results once the ball was spinning.

After reviewing a total of 4 surveillance DVD, Flash Drives, it was determined that surveillance did not provide sufficient footage that would have assisted in this investigation.

While investigating case # 2017-02-2916 involving CasinoMiamiJaiAlai, I discovered that Leudy Matos Azahares had been excluded from Hialeah Park on September 9, 2016 for using other patron's player's club cards, and claiming other players Jackpots. Erick Vasquez was also excluded from Hialeah Park Casino on August 4, 2015 for cheating while playing a Roulette Wheel game.

As a result of this incident the following persons were permanently excluded from CasinoMiamiJaiAlai: Silvio Sanchez Veliz, Adel Acosta, Erick Vasquez, Brian **VAZQUEZ** Lagos, Alfredo Luster, Fernando Enriquez and Leudy Matos Azahares.

On December 5, 2017, Silvio Sanchez Veliz and several previously unidentified associates visited Calder Casino and proceeded to shake one of the roulette wheel slot machine banks in an effort to manipulate the results. They are identified as Milco Marrero and Daniel Albanese. As a result of the Calder Casino investigation carried under case # 2018-00-0479, two additional associates were also identified in the CasinoMiamiJaiAlai investigation as Victoria Sera-Sarmiento, previously identified as the unknown blonde female and Rolando Aballi previously identified as the white male. Rolando Aballi and Sera-Sarmiento both played multiple games on the same roulette wheel slot machine terminal that Sanchez Veliz shook.[3]

The information was forwarded to casino management via Director of State Compliance Beatriz Perez. Sera-Sarmiento was excluded by the facility. Rolando Aballi has not been excluded.[4]

Refer to PMW case # 2018-03-3810 for chronological order of all exhibits related to this case. **(Exhibit # 1)**

Case closed by Investigations and forwarded to Legal for further review and possible statewide exclusion from all Pari-Mutuel Facilities.

On September 17, 2018, an Administrative Complaint was signed by Deputy Chief Attorney Charles Dewrell and Chief Attorney Louis Trombetta. The Administrative Complaint requests that **VAZQUEZ** be permanently excluded from all licensed pari-mutuel and slot machine facilities in the State of Florida. The order was filed on September 17, 2018, by Deputy Agency Clerk Evette. **(Exhibit # 3)**

---

[3] Sera-Sarmiento and Rolando Aballi were identified during the course of an investigation into another incident involving Silvio Sanchez Veliz shaking a roulette wheel slot machine, this time at Calder Casino. Aballi was playing on the same terminal/slot machine as Sera-Sarmiento when the slot machine was shaken.

[4] Another facility, Calder Casino, was also victimized by Silvio Sanchez Veliz and others. This case is still under investigation and was documented under case number 2018 00 0479. A copy will be forwarded upon completion.

EXHIBIT #11
PAGE #5

CONTINUATION

On July 30, 2019, a Final order was issued and signed by Pari-Mutuel Wagering Director Louis Trombetta. The Final Order permanently excluded **VAZQUEZ** from all pari-mutuel facilities in the State of Florida. The order was filed by Deputy Agency Clerk Brandon Nichols on July 31, 2019. **(Exhibit # 4)**

EXHIBIT #11
PAGE #6

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I. INVESTIGATIVE REPORT COVERSHEET 1

II. INVESTIGATIVE REPORT 2

III. EXHIBITS

1. Copy of Case 2018-03-3810 1-7
2. Exclusion Report 1-2
3. Copy of Administrative Complaint 1-5
4. Copy of Final Order 1-3

FILED
Department of Business and Professional Regulation
Senior Deputy Agency Clerk
CLERK Brandon Nichols
Date 7/31/2019
File # 2019-06696

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v. DBPR CASE NO.: 2018-044706

BRIAN FERNANDO VASQUEZ-LAGOS,

Respondent.
_____/

FINAL ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Division"), hereby enters this Final Order for the above styled matter. On July 9, 2019, Alison Parker, Hearing Officer for the Department, issued the Recommended Order in this matter. That Recommended Order is attached to the Final Order and incorporated herein by reference.

FINDINGS OF FACT

The Findings of Fact contained in the Recommended Order are hereby adopted as the Findings of Fact of the Division.

CONCLUSIONS OF LAW

The Conclusions of Law contained in the Recommended Order are hereby adopted as the Conclusions of Law of the Division.

EXHIBIT #4
PAGE #1

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law adopted from the Recommended Order of the Department's Informal Hearing, IT IS HEREBY ORDERED that:

1) Respondent is **PERMANENTLY EXCLUDED** from all pari-mutuel wagering facilities in the State of Florida.

2) This Final Order shall become effective on the date of filing with the Agency Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 30 day of July, 2019, in Tallahassee, Florida.

LOUIS TROMBETTA, DIRECTOR
Division of Pari-Mutuel Wagering
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399-1035

EXHIBIT # 4
PAGE # 2

EXHIBIT #11
PAGE #9

CERTIFICATE OF SERVICE

I HEREBY CERTIFY this 31st day of July 2019, that a true and correct copy of the foregoing Final Order has been provided by regular U.S. mail to:

Brian Fernando Vasquez-Lagos
[redacted]

Brandon M. Nichols

AGENCY CLERK'S OFFICE
Department of Business and Professional Regulation

NOTICE OF RIGHT TO APPEAL UNLESS WAIVED

A party who is adversely affected by this Final Oder is entitled to judicial review pursuant to section 120.68, Florida Statutes. Review Proceedings are governed by Rules 9.110 and 9:190, Florida Rules of Appellate Procedure. Such proceedings are commenced by filing one copy of a Notice of Appeal with the Department of Business and Professional Regulation, Attn: Ronda L. Bryan, Agency Clerk, 2601 Blair Stone Road, Tallahassee, Florida 32399 (agc.filing@myfloridalicense.com) and a second copy, accompanied by filing fees prescribed by law, with the District Court of Appeal, First District, or with the District Court of Appeal in the Florida Appellate District where the Party Resides. The Notice of Appeal must be filed within thirty (30) Days of Rendition of the Order to be reviewed.

EXHIBIT # 4
PAGE #3

FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update | Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **cstubbs1**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	**1003 - Permitholder Application for Annual Slot Machine License**			Status	**90 Closed**	Status Date	**08/31/2023**
Complaint #	**2023037871**	Case Type	**CMP - Complaint**	Disposition		Disposition Date	
Docket#		Respondent	**HERRERA QUESADA, ARABEL**	Responsible	**bjones - JONES, BRADFORD**		**Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**INTN - Internal**	Security Level	**1**
Form	**INTR - Internal**	Priority	
Class'n	**I-H - Violation of Wagering Prohibitions**	Complexity	**R - Regular**
Security	**STND - Standard**	Incident	**07/20/2022**
Region	**SR - Southern Region**	Received	**07/07/2023**
Reference	**551.109**		
Entered	**07/07/2023**	Entered By	**nmelvai**

☐ Parties ☑ Activities
☑ Allegations ☐ Discipline
☐ Violations ☐ Compliance
☐ Related ☑ Disposition
☐ Inspection
☐ Costs
☐ Time Tracking Auto Assign
☐ Attachments History
☐ Work Notes Print Report

Summary **273--- Casino Miami, LLC---- 551.109 Prohibited acts; penalties___ On July 20, 2022, Arabel HERRERA QUESADA visited Casino Miami and at the time of his visit, he had been excluded since August 12, 2014, by the facility for assaulting another patron resulting in his arrest by the Miami Police Department. Prior to this visit on July 20, 2022, he had been excluded four other times and arrested one other time for trespassing/violation of his exclusion. On this date July 20, 2022, HERRERA QUESADA claimed and collected two jackpots won by patron Brian Fernando Vazquez-Lagos who was permanently excluded by the Florida Gaming Control Commission in reference to PMW Case #2018 04 4706, involving the manipulation of a roulette wheel inside of Casino Miami. Upon winning the jackpots Vazquez-Lagos is seen via video footage making a phone call after which, HERRERA QUESADA immediately appears. Subsequently after July 20, 2022, HERRERA QUESADA visited the facility two additional times and each time he was removed from the facility. On October 20, 2022 Casino Miami re-instated HERRERA QUESADA. On July 5, 2023, the undersigned Investigator and Supervisor Minaya met with Casino Miami General Manger Daniel**

Licciardi in reference to HERRERA QUESADA's visits and actions while being excluded. Upon learning of HERRERA QUESADA's involvement with cashing another patrons jackpot, Mr. Licciardi Permanently excluded HERRERA QUESADA from the facility. A third jackpot was also won by Vazquez-Lagos which was not collected when the facility realized that HERRERA QUESADA was not the winner of the jackpot. He was escorted from the facility and the jackpot became "unclaimed".

Updated **09/05/2023 09:32:19** By **cstubbs1**

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FLORIDA GAMING CONTROL COMMISSION

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of Complaint:	Case Number:
PMW	**SOUTHERN**	**July 7, 2023**	**2023 03 7871**

Respondent:	Complainant:
HERRERA QUESADA, ARABEL **122 AVOCADO AVE.** **WEST PALM BEACH, FLORIDA 33413**	**DIVISION OF PARI-MUTUEL WAGERING** **OFFICE OF INVESTIGATIONS** **1400 W. COMMERCIAL BLVD. SUITE 165** **FT. LAUDERDALE, FLORIDA 33309** **TEL. - 954-202-3900**

License # and Type:	Profession:	Report Date:
N/A - 1098	**Patron**	**August 29, 2023**

Period of Investigation:	Type of Report:
July 7, 2023, through August 29, 2023	**August 29, 2023**

Alleged Violation: 550.0251 Powers and duties of the Florida Gaming Control Commission. —The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:
(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The commission may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed.

551.109 Prohibited acts; penalties.—
(3) Any person who knowingly excludes, or takes any action in an attempt to exclude, anything of value from the deposit, counting, collection, or computation of revenues from slot machine activity, or any person who by trick, sleight-of-hand performance, a fraud or fraudulent scheme, or device wins or attempts to win, for himself or herself or for another, money or property or a combination thereof or reduces or attempts to reduce a losing wager in connection with slot machine gaming commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Synopsis: On July 20, 2022, Arabel **HERRERA-QUESADA** visited Casino Miami. At the time of his visit, he had been excluded from the facility since August 12, 2014 for assaulting another patron resulting in his arrest by the Miami Police Department. Prior to the July 20, 2022, visit he had been removed the facility four other times and arrested once for trespassing based on his exclusion. On July 20, 2022, **HERRERA-QUESADA** claimed and collected two jackpots which were actually won by patron Brian Fernando Vazquez-Lagos, an individual who was also excluded from the facility and on the Statewide Exclusion List in relation to PMW Case #2018 04 4706, which involved a slot machine manipulation scheme that occurred at Casino Miami. Upon winning the jackpots Vazquez-Lagos is seen via surveillance video making a phone call after which, **HERRERA-QUESADA** immediately appears and presents himself as the winner.

After July 20, 2022, **HERRERA-QUESADA** visited the Casino Miami two additional times and each time he was removed by facility security. On October 20, 2022, Casino Miami reinstated **HERRERA-QUESADA**.

On July 5, 2023, the undersigned Investigator and Supervisor Minaya met with Casino Miami General Manger Daniel Licciardi in reference to **HERRERA-QUESADA's** visits and actions while being excluded. Upon learning of **HERRERA-QUESADA'S** involvement with cashing another patron's jackpot, Mr. Licciardi permanently excluded **HERRERA-QUESADA** from the facility.

The third jackpot won by Vazquez-Lagos was not paid out after the facility determined that **HERRERA-QUESADA** was not the true winner of the jackpot. He was escorted from the facility and the jackpot became "unclaimed".

Related Case(s): 2018 04 4706 & 2023 04 3396

Investigator / Date	Investigator Supervisor / Date
Raul Suau / August 29, 2023	Julio Minaya / August 30, 2023

Chief of Investigations / Date

Bradford D. Jones / August 31, 2023

CONTINUATION

During a facility visit of Casino Miami LLC, in late October of 2022, the undersigned Investigator while in the Surveillance Department overheard the Security Department notifying Surveillance that they had stopped a patron that was on the facility trespass list attempting to enter the Casino. When Surveillance requested the name of the individual, I learned that the individual that was being stopped was Arabel **HERRERA-QUESADA**. I recalled having received an e-mail from Casino Miami a day earlier, informing me that this same individual had been reinstated from exclusion by the facility. I immediately informed surveillance personnel that the subject had in fact been re-instated. I then requested from Casino Miami Director of Compliance, Beatriz Perez all documented incidents involving this individual. Review of this information revealed that in 2014 he had been excluded for fighting another patron inside the facility. I also learned that he had visited the facility on numerous occasions after his 2014 exclusion resulting in his arrest and or removal from the facility.

Eventually **HERRERA-QUESADA** would visit Casino Miami on July 20, 2022, while still under exclusion and assist another patron identified as Brian Vazquez-Lagos (an individual who is on the FGCC Statewide Exclusion List) cash out two of three slot jackpots. Documents obtained from the facility revealed that **HERRERA-QUESADA** was reinstated from exclusion on October 20, 2022, and then permanently excluded on July 5, 2023 **(Exhibits #1, 2 & 3).**

During my inquiry of **HERRERA-QUESADA**, I reviewed an incident that occurred at Casino Miami on July 20, 2022, between the hours of 12:00 P.M, and 1:50 P.M. The incident involved two patrons; Brian Vazquez-Lagos who in June of 2017, was permanently excluded for tampering with a Roulette Wheel Slot Machine in Casino Miami and **HERRERA-QUESADA** who was excluded by Casino Miami in 2014 for fighting another patron inside of the facility.

Video review of July 20, 2022, revealed the following:

At 11:57 A.M., on July 20, 2022, video footage captures Brian Vazquez-Lagos driving a white Mercedes Benz SUV owned by Casino Miami Slot Attendant, Maura Godinez. Vazquez-Lagos proceeds to drop off Godinez at the employee entrance rear door, which she enters. Vazquez-Lagos then parks the vehicle and enters the facility through a patron entrance door. Upon entering the facility, Vazquez Lagos walks to the Roulette Wheel Slot Machine game and begins to play. Shortly thereafter **HERRERA-QUESADA** enters the casino and joins him. Between the hours of 12:15 P.M., and 12:50 P.M., video footage captures Vazquez-Lagos winning a total of three jackpots. Immediately after winning each of the jackpots, **HERRERA-QUESADA** is observed cashing two of them. It was during the processing of the third jackpot, that Casino Miami Slot Supervisor, Jonathan Matthew denied **HERRERA-QUESADA** the jackpot payment due to him being on the facility's Trespass List **(Exhibit #5)**. Therefore, the third jackpot was listed by Slot Supervisor Matthew as an unclaimed Jackpot.

It was at this point that Vazquez-Lagos exited the casino and was captured on video surveillance sitting on the curb outside of the facility. A short time later a Security Supervisor Dontrell Allen is observed on video footage talking to him. After this encounter **HERRERA-QUESADA** joins Vazquez-Lagos outside and Vazquez-Lagos can be seen giving **HERRERA-QUESADA** a small object. **HERRERA-QUESADA** proceeds to walk through the valet parking entrance, retrieving the white Mercedes Benz SUV, and driving it across the street from the facility's valet entrance where he parks and exits the vehicle as Vazquez-Lagos enters the vehicle and drives away **(Exhibit #2).**

On August 2, 2023, Investigative Supervisor Julio Minaya and I met with Casino Miami Controller, Omar Quintana and requested all documents related to all three jackpots. Also, an official request was e-mailed to Casino Miami Director of Compliance Beatriz Perez to release said documents.

CONTINUATION

On August 3, 2023, the undersigned investigator interviewed Slot Attendant Oswin Paguada relative to this incident. Paguada had processed the first jackpot that was paid to **HERRERA-QUESADA**. Paguada was shown a photograph of Vazquez-Lagos for identification purposes; he stated that he had "seen him around." When asked if Vazquez-Lagos was in a relationship with anyone in the facility, Paguada said yes, with Slot Attendant Maura Godinez. When asked if he recalled this incident, Paguada said he did not recall much about it. When asked if he checks every jackpot winner's credential, against the facility's trespass list, prior to paying out the jackpot, Paguada said "no, because if I know them, there is no reason to check the trespass list". When asked if he checked **HERRERA-QUESADA'S** credentials Paguada said he did not remember.[1] Paguada had no further information to contribute to this interview.

I then interviewed Slot Supervisor Jonathan Matthew and showed him pictures of both Vazquez-Lagos and **HERRERA-QUESADA.** Matthew was able to identify both men but did not remember who discovered that **HERRERA-QUESADA** was excluded. When shown a copy of Surveillance Report CMJ000010972 which documents that it was he, who reported that the jackpot would not get paid, Matthew did not dispute the report. Matthew also stated that if he was the one verifying the jackpots, he would have checked the hard copy Facility Exclusion List as well as the computer database that stores such information. Matthew did not know if the previous two jackpots that were processed by Paguada and Godinez were checked against the exclusion list. Matthew had no further information to add to this interview.

I also interviewed Maura Godinez and asked her if she knew Brian Vazquez-Lagos. Godinez said yes, and that he is her former boyfriend. When asked if they were dating on July 20, 2022, (the day that Vazquez-Lagos played and won three jackpots which were claimed by **HERRERA-QUESADA)** Godinez said "no, he drove me to work but I did not expect him to enter the casino and begin to play." Godinez also denied knowing that **HERRERA-QUESADA** and Vazquez-Lagos were on the facility exclusion list because when she processed the second and third jackpots, **HERRERA-QUESADA'S** name was not flagged in the Casino Market Place (CMP) program. Godinez says that she does not remember checking the facility binder which also contains the names of those on the exclusion list to determine if **HERRERA-QUESADA** was excluded.[2] After her supervisor denied payment of the jackpot, she informed both men that they were not going to be paid at which point both men exited the facility[3]**.** Godinez could not provide any additional information related to this incident.

Conclusions: There is sufficient evidence to show that Casino Miami employees did not adequately use all available resources to detect/identify individuals on the facility's trespass list. This is obvious because on July 20, 2022 [Statewide Excluded] Brian Vazquez-Lagos was present in the facility gaming on the slot floor with his companion, **HERRERA-QUESADA** who although having been excluded from the facility since 2014, was not flagged in the casino database even though he appears on the facility's hardcopy trespass list. As a result, both individuals were able to engage in deceptive behavior.

Written direction to facility staff requiring that the Statewide Exclusion List and the facility exclusion list be checked prior to the payment of jackpots is not contained in the current approved facility Internal Controls. Neither is such requirement delineated within appropriate sections of the Florida Administrative Code. The designation of the July 20, 2022, withheld jackpot as "unclaimed" while somewhat incorrect, still allowed for complete facility revenue reporting.

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*[1] This is accurate as Slot Attendant Maura Godinez was captured on surveillance video collecting **HERRERA-QUESADA'S** identification.*
[2] Besides checking the Casino Market Place (CMP) program, Slot attendants are encouraged to check the hardcopy facility exclusion list that is located by the Slot cage prior to paying out a jackpot. This procedure is not listed in the facility's Internal Control.
[3] Video review of this moment does not capture Godinez engaging both men. The person observed on video footage talking to both men is Supervisor Jonathan Matthew (Exhibit #10, Page #19).

CONTINUATION

When interviewed during this investigation Casino Miami Slot Attendant Maura Godinez acknowledged that she had been in a "boyfriend/girlfriend" relationship with an individual on the Statewide Exclusion List. That individual, Brian Vasquez-Lagos, was placed on the Statewide Exclusion List in 2019 for his involvement (along with several others) in a slot machine manipulation scheme that took place at **Casino Miami**[4]**.** At his Informal Hearing, Vasquez-Lagos testified that prior to his [facility] exclusion, he would visit Casino Miami four to five times a week and that he was "close" to many of the people at the facility. While this investigation has found no statute, rule, or facility internal control which prohibits fraternization between facility employees and excluded persons, it is reasonable to conclude that in this instance the relationship itself was contributory to subsequent events.

Status: Closed by Investigations and referred to Legal for further review.

[4] *Case #2018-04-4706 (EXHIBIT #11)*

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FLORIDA GAMING CONTROL COMMISSION

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

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PMW	**SOUTHERN**	**July 7, 2023**	**2023 03 7871**

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License # and Type:	Profession:	Report Date:
N/A - 1098	**Patron**	**September 12, 2023**

Period of Investigation:	Type of Report:
July 7, 2023, through September 12, 2023	**Supplemental**

Alleged Violation: 550.0251 Powers and duties of the Florida Gaming Control Commission. —The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:
(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The commission may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed.
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Related Case(s): 2018 04 4706 & 2023 04 3396

Investigator / Date	Investigator Supervisor / Date
Raul Suau / September 12, 2023	Julio Minaya / September 12, 2023

Chief of Investigations / Date

Bradford D. Jones /

CONTINUATION

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[4] *Case #2018-04-4706 (EXHIBIT #11)*

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Last Name	First Name	Middle Name	Sex	Race / Ethnicity	Description	DOB	Address	City	State	Excluded Date	Excluded Until	Report Number	Report Type	Notes
[redacted]														
Herrera	Arabel	Quesada	Male	Hispanic	200 lbs, 6'0", bald, brown eyes	[redacted]	3257 NW 9 St	Miami	Fl	8/2/2018	Permanent	CMJ-0000001696	Trespass-Permanent	Management Decision
[redacted]														

[redacted]

Vasquez Lagos	Brian	Fernando	Male	Hispanic	[redacted]	5/11/2017	Permanent	[redacted]	Trespass- Permanent	Free Play Theft

[redacted]

EXHIBIT # 5
PAGE # 2

From: Jorge Enrique Callejas
To: Daniella Sandoval; Jonathan Messer; Security Department; Slot Attendants Supervisors; Neal Elliott; Steven Rinaldi; Romy Hogue; Rene Guim; salford@williamhill.us; lee.jesilow@williamhill.us; tbarlow@williamhill.us; Suau, Raul; Daniel Licciardi; Gene Tellez
Subject: Trespass Reinstatement Request-Arabel Herrera
Date: Thursday, October 20, 2022 3:38:28 PM
Attachments: Casino Miami Trespass List 10-20-2022.xlsx

[NOTICE] **This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.**

Good afternoon, Mr. Arabel Herrera has been removed from the attached updated Trespass List.

Regards

From: Daniel Licciardi <dlicciardi@playcasinomiami.com>
Sent: Thursday, October 20, 2022 2:56 PM
To: Jorge Enrique Callejas <jcallejas@playcasinomiami.com>
Subject: RE: Trespass Reinstatement Request-Arabel Herrera

This is approved. Thank you.

From: Jorge Enrique Callejas <jcallejas@playcasinomiami.com>
Sent: Thursday, October 20, 2022 2:51 PM
To: Daniel Licciardi <dlicciardi@playcasinomiami.com>
Subject: Trespass Reinstatement Request-Arabel Herrera

Good afternoon Mr. Licciardi, attached is a Trespass asking for Reinstatement, Arabel Herrera. Please advise.

confidential and intended solely for the use of the individual or entity to
tended recipient, please e-mail the sender immediately by replying to this
puter. This e-mail is attributed to the sender and may not necessarily reflect

the view of Casino Miami, any subsidiary, parent or affiliate.

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Casino MiAMi

Surveillance Department

Casino Miami Jai-Alai - 3500 NW 37th Ave. Miami, FL 33142
(305) 633-6400 - casinomiamijaialai.com

CMJ-000010972 - Surv-Unclaimed Slot Machine Jackpot Report - Reported 07/20/2022 13:53

Author: Rafael Torres 10169408 **Report Number:** CMJ-000010972

Start Time: 07/20/2022 12:41 **End Time:** 07/21/2022 07:17

Report Group: Surveillance Reports **Report Type:** Surv-Unclaimed Slot Machine Jackpot Report

Note: Patron, (Unknown Male) -wearing a white shirt and beige pants won an unclaimed jackpot at slot machine GD-06-3359 for the amount of $2,160.00.

Location / Origin: Slot Machine Jackpot-Unclaimed **Camera:** 118,127,125

Narrative

On 07-20-2020 at 12:44 hours, Slot Attendant, Maura Godinez notified surveillance via radio of a Jackpot at slot machine GD-06-3359 for the amount of $2,160.00. At 12:55 hours, Slot Supervisor, Jonathan Matthew advised that this Jackpot would be unclaimed and abandoned. All videos were saved for future reference.

A video review revealed that at 12:41:23 hours, on camera #118, a male patron wearing a white shirt and beige pants, was observed sitting at slot machine GD-06-3359. The male patron was not identified. This jackpot was unclaimed and abandoned due to patron leaving property. All videos were saved for future reference.

UPDATE: see Surveillance Report # 10973, Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

This Report Was Written by Surveillance Operator, Rafael Torres #10169408.

This report was approved by Surveillance Director, William Hutcheson # 7874265.

Signature A **Date** **Signature B** **Date**

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CMJ-000010973 - Surv-Exclusion Return Report - Reported 07/20/2022 13:57

Author: Carlos Rodriguez 9792016 **Report Number:** CMJ-000010973

Start Time: 07/20/2022 13:57 **End Time:** 07/24/2022 13:29

Report Group: Surveillance Reports **Report Type:** Surv-Exclusion Return Report

Note: Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

Location / Origin: Perm-Exclusion Return **Camera:** 186,118,345

Narrative

On 07/20/2022 at 13:47 hours, Surveillance notified Security Supervisor Dontrell Allen Rashaurd via phone of a Patron, (Unknown Male) wearing a gray sweater with hood, who was currently located at the poker room entrance area. Mr. Rashaurd was advised that the patron had changed seats and claimed a jackpot for $2,160.00 that was not his. Mr. Rashaurd was further advised that another Patron (Unknown Male) wearing a white shirt and beige shorts had won the jackpot, but was not claiming it and also surveillance noticed some unusual activity between both patrons.

NOTE: See Surveillance Report # 10972, Patron, (Unknown Male) -wearing a white shirt and beige shorts won an unclaimed jackpot at slot machine GD-06-3359 for the amount of $2,160.00.

From 13:50 to 13:52 Hours on camera #198, Security Supervisor Dontrell Allen Rashaurd located the Patron (Unknown Male) wearing a gray sweater with hood at slot machine bank KF and escorted him to SOC. From 13:55 to 14:07 Hours on camera #345, the patron was observed speaking with Director of Security, Eugene Tellez, MPD Officer, Theodoro Raymond and Mr. Rashaurd. At 14:08 hours on camera #345, the patron was escorted out of the building by MPD Officer Theodoro Raymond.

Surveillance was later notified that the patron was identified as Arabel Herrera Quesada, who was already permanently excluded from the casino on 08-12-2014.

Surveillance also advised Mr. Rashaurd via phone about the Patron (Unknown Male) wearing a white shirt and beige shorts was sitting outside in front of the building. At 13:17:33 Hours, Mr. Rashaurd was observed briefly speaking to the patron. Mr. Rashaurd later advised surveillance via phone that after speaking to the patron, that he identified himself as Juan Deus.

NOTE: On 08-12-2014 see Surveillance Report #000002798 and Security Report # 000000609 Perm-Exclusion Patrons, Arabel Herrera Quesada and Yanel Ramirez, also documented in the security report was Patron, Juan A. Deus.

A video review revealed the following information:

01. SUBJECT # 01, Patron (Unknown Male) wearing a white shirt and beige shorts, appears to be - NOT CONFIRMED / Perm-Exclusion Return Patron, Brian Fernando Vasquez Lagos. Security Supervisor Dontrell Allen Rashaurd advised that after talking to the patron that he identified himself as Juan Deus.
02. SUBJECT # 02, Perm-Exclusion Return Patron, Arabel Herrera Quesada wearing a blue shirt and gray sweater with hood -confirmed at SOC as a exclusion.
03. SUBJECT # 03, a Photo of a FL Driver License # [redacted] messages.

01. At 11:57:34 Hours on Camera #554 and # 501, observed SUBJECT # 01 and Slot Attendant, Maura Godinez in a 4 Door white Mercedes Benz GLB 250 SUV driving into the valet tunnel.

02. At 11:58:32 Hours on Camera #552 and # 505, observed the white Mercedes Benz GLB 250 SUV driving to the employee parking lot and parking behind the generator. At 11:59:08 hours, Slot Attendant Maura Godinez was observed walking and entering the building through the employee entrance.

03. At 12:01:18 Hours on Camera #505, observed the white Mercedes Benz GLB 250 SUV backing up and then driving towards the valet parking lot area.

04. At 12:02:44 Hours on Camera #564, observed the white Mercedes Benz GLB 250 SUV driving into the VIP Parking Lot area and parks.

05. At 12:02:53 Hours on Camera # 564, observed SUBJECT # 01 getting out of the white Mercedes Benz GLB 250 SUV and begins to walk towards the building.

06. At 12:03:30 Hours on Camera #557 and #031, observed SUBJECT # 01 entering the building through the Poker Room Entrance Doors and walk pass Security Post C-2.

07. From 12:04:19 to 12:05:46 Hours on Camera #018 and #118, observed SUBJECT # 01 playing at roulette slot machine GD-04-3357.

08. From 12:05:50 to 12:07:39 Hours on Camera #018 and #118, observed SUBJECT # 01 playing at roulette slot machine GD-05-3358.

09. From 12:04:19 to 12:12:41 Hours on Camera #018 and #118, observed SUBJECT # 01 playing at roulette slot machine GD-04-3357.

10. At 12:08:05 Hours on Camera #018 and #118, observed SUBJECT # 01 winning a jackpot at roulette slot machine GD-05-3358 for $1,440.00. After winning the jackpot observed SUBJECT # 01 moving to slot machine GD-04-3357.

11. At 12:10:16 Hours on Camera #501 and 554, observed SUBJECT # 02, in a grey Honda Accord Sport was observed driving into the valet tunnel.

12. At 12:10:25 Hours on Camera #501 and 554, observed SUBJECT # 02 getting out of the right rear passenger side of the grey Honda Accord Sport.

13. At 12:10:36 Hours on Camera #31, observed SUBJECT # 02 entering the building through the Poker Entrance and walking past Security Post C-2.

14. From 12:10:59 to 12:11:04 Hours on Camera #18 and 118, observed SUBJECT # 02 sitting down at roulette slot machine GD-05-3358 after SUBJECT # 01 was observed winning a jackpot at slot machine GD-05-3358 for $1,440.00.

15. From 12:12:48 to 12:17:43 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at roulette slot machine GD-06-3359.

16. At 12:13:27 Hours on Camera #18 and 118, observed SUBJECT # 02 giving Slot Attendant Maura Godinez a blue -Viva Player's Club Card. Ms. Godinez then gives the player's club card to Slot Attendant Oswin Paguada.

17. At 12:13:32 Hours on Camera # 118, Slot Attendant Oswin Paguada shaking hands with SUBJECT # 01.

18. At 12:13:36 hours, on camera #18 and 118, Slot Supervisor Jonathan Matthew was observed verifying the jackpot while Slot Attendant Oswin Paguada was observed processing the jackpot.

19. At 12:13:37 Hours on Camera # 118, Slot Supervisor Jonathan Matthew shaking hands with SUBJECT # 01.

20. From 12:18:02 to 12:22:48 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at roulette slot machine GD-06-3359. NOTE: During this time the jackpot was paid out to SUBJECT # 02 at slot machine GD-05-3358.

21. At 12:18:37 Hours on camera #18 and 16, observed SUBJECT # 02 briefly leaves roulette slot machine bank GD to get a bottle of water from the Entertainment Bar.

22. At 12:21:20 hours, on camera #18 and 118, Slot Attendant Oswin Paguada was observed having SUBJECT # 02 sign a paper before paying him the jackpot amount in front of Slot Supervisor Jonathan Matthew.

23. At 12:22:09 Hours on camera #18 and 118, SUBJECT # 02 was observed putting some of the money into roulette slot machine GD-05-3358, observed SUBJECT # 01 playing the slot machine.

24. At 12:22:49 Hours on Camera #118, observed SUBJECT # 01 taking the money from the jackpot and puts it into roulette slot machine GD-06-3359. NOTE: SUBJECT #02 was observed taking a voucher out of slot machine GD-05-3358 and puts into slot machine GD-06-3359 for SUBJECT #01.

25. From 12:23:04 to 12:28:25 Hours on Camera #018 and #118, observed SUBJECT # 01 playing at roulette slot machine GD-06-3359.

26. At 12:23:01 Hours on Camera # 018 and #118, observed SUBJECT # 02 cashing out a voucher from slot machine GD-05-3358 and put the voucher into roulette slot machine GD-06-3359 while SUBJECT # 01 was observed playing the slot machine.

27. From 12:24:23 to 12:25:10 Hours on camera # 016, observed SUBJECT # 02 sitting at a table bar near the Entertainment Bar speaking to a Patron (Unknown Male).

28. At 12:25:56 Hours on Camera #031 and #557, observed SUBJECT # 02 walking out of the building through Poker Room Door Entrance / Exit and walking towards the VIP Parking Lot area.

29. From 12:26:32 to 12:28:49 Hours on Camera #564, observed SUBJECT # 02 at the VIP Parking Lot area using his cell phone. NOTE: SUBJECT # 02 is out of camera view for approximately 2 minutes.

30. At 12:28:28 Hours on Camera #018 and #118, observed SUBJECT # 01 winning a jackpot at roulette slot machine GD-06-3359 for $1,800.00. After winning the jackpot SUBJECT #01 was observed briefly walking away from roulette slot machine bank GD.

31. At 12:29:13 Hours on camera #031 and #557, observed SUBJECT # 02 walking back from the VIP Parking Lot area and re-entering the building through the Poker Room Entrance Doors entrance / exit.

32. From 12:29:44 to 12:31:49 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at roulette slot machine GD-05-3358.

33. From 12:29:52 to 12:29:55 Hours on Camera #018 and #118, observed SUBJECT # 02 sitting at roulette slot machine GD-06-3359 after SUBJECT #01 won a jackpot at slot machine GD-06-3359 for $1,800.00.

34. At 12:31:54 Hours on Camera #018, observed SUBJECT # 01 briefly walking away from roulette slot machine bank GD.

35. At 12:32:31 Hours on Camera #018 and 118, observed SUBJECT # 02 giving Slot Attendant Maura Godinez a blue-Viva Player's Club Card. Ms. Godinez then fills out paperwork to process the jackpot. After which Ms. Godinez has SUBJECT #02 sign a paper and then leaves the area.

36. From 12:32:38 to 12:34:28 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at slot machine GD-01-3354.

37. At 12:33:56 Hours on Camera #018 and 118, Slot Supervisor Jonathan Matthew was observed verifying the jackpot, resetting the jackpot screen then leaving the area.

38. From 12:34:34 to 12:38:31 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at roulette slot machine GD-05-3358.

39. From 12:39:01 to 12:39:45 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at roulette slot machine GD-02-3358.

40. At 12:39:22 Hours on Camera #018 and 118, Slot Attendant Maura Godinez was observed having SUBJECT #02 sign a paper then pays him the jackpot amount.

41. At 12:39:52 Hours on Camera #018 and 118, observed SUBJECT # 02 putting some of the money from the jackpot into roulette slot machine GD-06-3359, while SUBJECT #02 was observed playing the slot machine.

42. At 12:41:22 Hours on Camera #018 and #118, observed SUBJECT # 02 sitting at roulette slot machine GD-06-3359 after SUBJECT #01 won a jackpot at slot machine GD-06-3359 for $2,160.00.

43. At 12:41:24 Hours on Camera #118, observed SUBJECT # 01 taking the money from the jackpot earlier and put it into his pocket.

44. At 12:41:56 Hours on Camera #018, observed SUBJECT # 02 leaving roulette slot machine bank GD.

45. At 12:43:06 Hours on Camera #173, observed SUBJECT # 02 walking in slot machine zone C area, looking for a someone. SUBJECT #02 found Slot Attendant Maria Alegria and Slot Supervisor Jonathan Matthew and quickly spoke to them and then left the area.

46. At 12:43:15 Hours on Camera #018, observed SUBJECT # 01 walking away from roulette slot machine bank GD.

47. From 12:43:33 to 12:44:28 Hours on Camera #213, observed SUBJECT # 01 was in the men's restroom in slot machine zone K area.

48. At 12:43:51 Hours on Camera #018 and #118, Slot Attendant Maura Godinez was observed arriving at roulette slot machine GD-06-3359 followed by SUBJECT #02. Ms. Godinez was observed filling out paperwork as SUBJECT #02 takes out a blue-Viva Player's Club Card to give to her. Ms. Godinez does not take the player's club card and does not have SUBJECT #02 sign any papers. After briefly speaking with SUBJECT #02, Ms. Godinez walks away from the area.

49. From 12:44:42 to 12:46:56 Hours on Camera #125, observed SUBJECT # 01 playing at slot machine IH-01-1627. NOTE: During this time Slot Attendant Maura Godinez was observed briefly speaking with SUBJECT #01.

50. At 12:46:21 Hours on Camera #018, observed SUBJECT # 02 walking away from slot machine bank DG area.

51. At 12:46:29 Hours on Camera #018, observed SUBJECT # 02 at slot machine IE-05-3153.

52. At 12:47:22 Hours on Camera #018, observed SUBJECT # 02 back at slot machine bank GD area.

53. At 12:48:50 Hours on Camera #034 and #493, observed SUBJECT # 02 at Player's Club being attended to by Player's Club Representative, Claudia Tosco. Ms. Tosco was observed using the computer and a ticket was observed being printed.

54. From 12:49:11 to 12:54:01 Hours on Camera #018 and #118, observed SUBJECT # 01 playing at roulette slot machine GD-01-3354. NOTE: During this time SUBJECT #01 is spoken to by Slot Supervisor Jonathan Matthew.

55. At 12:49:29 Hours on Camera #034, observed SUBJECT # 02 putting the ticket into the promotion drum.

56. At 12:50:33: Hours on Camera #018 and 118, observed SUBJECT # 02 return to roulette slot machine bank GD and sits at roulette slot machine GD-06-3359. NOTE: During this time Slot Supervisor Jonathan Matthew was speaking SUBJECT #01.

57. From 12:54:54 to 12:55:12 Hours on Camera #213, observed SUBJECT # 01 was in the men's restroom in slot machine zone K area.

58. At 12:55 hours, Slot Supervisor, Jonathan Matthew advised via phone that this Jackpot of $2,160.00 would be unclaimed and abandoned.

59. From 12:55:34 to 13:00:00 Hours on Camera #018 and #118, observed SUBJECT # 01 sitting at roulette slot machine GD-05-3358.

60. At 13:00:42 Hours on Camera #018 and 118, observed SUBJECT # 02 walking away from roulette slot bank GD area.

61. From 13:00:53 to 13:01:06 Hours on Camera #213, observed SUBJECT # 01 was in the men's restroom in slot machine zone K area.

62. From 13:01:30 to 13:05:46 Hours on Camera #018 and 118, observed SUBJECT # 01 sitting at roulette slot machine GD-06-3359. NOTE: observed SUBJECT # 01 using his cell phone and sending text messages and receiving a photo identification SUBJECT # 03, of a male with a beard, Florida Driver's License [redacted] asking for the person address.

63. From 13:01:36 to 13:09:33 Hours on Camera #107, observed SUBJECT # 02 playing at slot machine EM-02-3268.

64. From 13:05:53 to 13:08:14 Hours on Camera #029, #030, #131, #215, observed SUBJECT # 01 walking around the Casino.

65. At 13:08:24 Hours on Camera #215 and #557, observed SUBJECT # 01 exiting out of the building walking towards Valet Parking Lot area and then briefly re-entering the casino.

66. At 13:09:22 Hours on Camera #215 and #557, observed SUBJECT # 01 exiting the building again and walking towards valet area.

67. At 13:09:42 Hours on Camera #554, observed SUBJECT # 01 walking through the valet tunnel and heading out onto NW 37th Ave.

68. From 13:09:53 to 13:10:10 Hours on camera #012, observed SUBJECT # 02 was observed at slot machine bank EI.

69. At 13:10:13 Hours on Camera #012, observed SUBJECT # 02 was observed using TRU #02.

70. From 13:10:35 to 13:32:30 Hours on Camera #985 and #988, observed SUBJECT # 01 sitting near the NW 37th ave. sidewalk area. At 13:17:33 Hours, SUBJECT #01 was briefly spoken to by Security Supervisor Dontrell Allen Rashaurd. Shortly After SUBJECT #01 was observed speaking with SUBJECT #02.

71. From 13:10:47 to 13:11:10 Hours on Camera #012, observed SUBJECT # 02 at slot machine bank EI.

72. From 13:12:01 to 13:13:59 Hours on Camera #107, observed SUBJECT # 02 playing at slot machine EM-02-3268.

73. At 13:15:25 Hours on Camera #31, observed SUBJECT # 02 briefly walking out of the building through the Poker Room Doors Entrance / Exit area and then walks back inside.

74. From 13:16:27 to 13:19:43 Hours on Camera #029, observed SUBJECT # 02 playing at slot machine KN-03-3583.

75. At 13:20:38 Hours on Camera #35, observed SUBJECT # 02 walking out of the casino through Security Post C-1.

76. From 13:21:02 to 13:21:20 Hours on Camera #035, observed SUBJECT # 02 speaking with a Patron (Unknown Male) at the Main Front Lobby area, then walking out the building through the main door entrance / exit.

77. From 13:22:35 to 13:27:36 Hours on Camera #985 and 988, observed SUBJECT # 02 outside the building sitting next to SUBBJECT #01. NOTE: observed SUBJECT # 01 giving SUBJECT #02 a set of keys.

78. At 13:32:45 Hours on Camera #564, observed SUBJECT # 02 getting into a 4 Door white Mercedes Benz GLB 250 SUV, the same vehicle that SUBJECT #01 and Slot Attendant, Maura Godinez came in. SUBJECT # 02 driving out of the VIP Parking Lot area.

79. From 13:35:09 to 13:35:11 Hours on Camera #562, the 4 Door white Mercedes Benz GLB 250 SUV stopped in front of the Pinnacle Plaza- apartment building adjacent from the casino and SUBJECT #01 was observed getting into the vehicle.

80. At 13:37:00 Hours on Camera #562, observed SUBJECT # 02 getting out of the 4 Door white Mercedes Benz GLB 250 SUV and walking back towards the building, while SUBJECT #01 was still inside.

81. At 13:37:53 Hours on Camera #562 and #037, observed SUBJECT # 02 re-entering the building while putting on a grey sweater with hood.

82. At 13:38:14 Hours on Camera #035, observed SUBJECT # 02 entering the casino through Security Post C-1.

83. At 13:42:29 Hours on Camera #562, the 4 Door white Mercedes Benz GLB 250 SUV driving away onto NW 36th street.

84. From 13:50 to 13:52 Hours on camera #198, Security Supervisor Dontrell Allen Rashaurd located SUBJECT #02 at slot machine bank KF and escorted him to SOC.

85. From 13:55 to 14:07 Hours on camera #345, observed SUBJECT #02 speaking with Director of Security, Eugene Tellez, MPD Officer, Theodoro Raymond and Mr. Rashaurd.

86. At 14:08 hours on camera #345, observed SUBJECT #02 escorted out of the building by MPD Officer Theodoro Raymond.

87. At 20:11:30 Hours on Camera #552, Slot Attendant Maura Godinez was observed exiting the building through the employee entrance.

88. At 20:12:53: Hours on Camera #564, Slot Attendant Maura Godinez was observed walking past the Valet Parking Lot.

89. At 20:13:48 Hours on Camera #554, Slot Attendant Maura Godinez was observed walking in the Valet Tunnel and heading towards NW 37th Ave.

90. At 20:14:38 Hours on Camera #988, Slot Attendant Maura Godinez was observed walking on the NW 37th Ave sidewalk heading to NW 36th Street.

UPDATE: 01. Surveillance Report # 2798, Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area on 08-12-2014.

02. Surveillance Report # 3142, Perm-Exclusion Return Patron, Arabel Herrera Quesada - was excluded on 08-12-2014 and identified at black jack slot machine area, and was escorted out and arrested by MPD Officer Robinson and Herrera on 11-04-2015.

03. Surveillance Report # 3241, Perm- Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified in the casino, and was escorted out by MPD Officer, Paralles on 01-19-2015.

04. Surveillance report # 7138, Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after observed leaning over and towards the GJ roulette slot machine wheel, and escorted out by MPD Officer, Herrera on 08-02-2018.

05. Surveillance Report # 10973, Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on

08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing white shirt and Beige shorts who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond on 07-20-2022.

This report was written by Surveillance Assistant Manager Carlos Rodriguez Lic. #9792016.

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

Signature A	Date	Signature B	Date

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CMJ-000002798 - Surv-Permanent Casino Exclusion Report - Reported 08/12/2014 22:08

Author: Lazaro Entrena 10319154 **Report Number:** CMJ-000002798

Start Time: 08/12/2014 22:08 **End Time:** 08/13/2014 05:28

Report Group: Surveillance Reports **Report Type:** Surv-Permanent Casino Exclusion Report

Note: Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area.

Location / **Camera:** 567,562,508,505,348,345,301,159,119,038,037,35,33

[redacted]

On 08/12/2014 at 21:58:21 hours, S.O.C, Yusayma Gonzalez notified Surveillance that there was a disturbance by Zone H. Security Shift Manager, Rudy Rife later identified both male patrons, Arabel Quesada, and Yanel Ramirez.

A video review revealed the following:

1. At 21:48:57 hours on camera #159, a male patron wearing a white and black sweater and jeans Mr. Quesada is observed walking towards HE bank.
2. At 21:49:03 hours on camera #159, Mr. Quesada was observed exchanging words with a male patron who is sitting at slot machine HE-02-2236 Mr. Ramirez.
3. At 21:49:11 hours on camera #159, Mr. Quesada is observed swinging at the Mr. Ramirez sitting at slot machine HE-02-2236.
4. At 21:49:12 hours on camera #159, Mr. Quesada and Mr. Ramirez are observed fighting and hitting each other.
5. At 21:49:14 hours on camera #159, Mr. Quesada falls back on slot machines HD while still fighting with Mr. Ramirez.
6. At 21:49:18 hours on camera #159, Mr. Quesada and Mr. Ramirez continue fighting and knock over the chair by HD slot machines.
7. At 21:49:20 hours on camera #159, Mr. Quesada and Mr. Ramirez continue fighting in front of smoking door H1.
8. At 21:49:24 hours on camera #159, Mr. Ramirez is holding Mr. Quesada in a head lock, while hitting Mr. Quesada on his ribs and back.
9. At 21:49:26 hours on camera #159, Mr. Quesada is holding Mr. Ramirez by the wast and right leg and trying to trip Mr. Ramirez.
10. At 21:49:29 hours on camera # 159, Mr. Quesada and Mr. Ramirez fall to the floor.
11. At 21:49:32 hours on camera #159, Mr Quesada is on top of Mr. Ramirez and is hitting Mr. Ramirez.
12. At 21:49:37 hours on camera #159, an unknown patron wearing a red shirt trys to separate Mr. Quesada and Mr. Ramirez.
13. At 21:49:43 hours on camera #159, Mr. Quesada is top of Mr. Ramirez on the floor hitting Mr. Ramirez in front of slot machines HD.
14. At 21:49:51 hours on camera # 159, Mr. Ramirez kicks Mr. Quesada off of him.
15. At 21:49:54 hours on camera #159, Mr. Ramirez begins to stand up and Mr. Quesada returns hitting Mr. Ramirez.
16. At 21:49:55 hours on camera # 159, Mr. Ramirez and Mr. Quesada continue hitting and swinging at each

other.

17. At 21:49:58 hours on camera # 159, Mr. Quesada slams Mr. Ramirez into slot machine HD-04-2392 while Mr. Ramirez is hitting Mr. Quesada.
18. At 21:50:01 hours on camera # 159, Mr. Quesada hits and pushes Mr. Ramirez to the floor.
19. At 21:50:05 hours on camera # 159, while Mr. Ramirez is on the floor Mr. Quesada continues hitting Mr. Ramirez.
20. At 21:50:07 hours on camera # 159, Mr. Quesada is on top of Mr. Ramirez hitting and punching him.
21. At 21:50:10 hours on camera # 159, Mr. Quesada falls to the floor and Mr. Ramirez jumps on Mr. QUesada.
22. At 21:50:12 hours on camera # 159, Mr. Quesada and Mr. Ramirez are wrestling on the floor.
23. At 21:20:24 hours on camera # 159, Security Office Rodson Fleurant arrives to the scene and try to separate Mr. Quesada and Mr. Ramirez while wrestling on the floor.
24. At 21:50:35 hours on camera #119, Security Officer Luis Ramirez arrives to the scene and helps office Fleurant separate MR. Quesada and Mr. Ramirez.
25. At 21:50:42 hours on camera # 119, Security Officer Fleurant helps Mr. Quesada stand up.
26. At 21:50:44 hours on camera # 119, Mr. Quesada is observed walking away from the scene and around the black jack machine.
27. At 21:50:51 hours on camera # 159, Security Officer Ramirez helps Mr. Ramirez stand up.
28. At 21:51:01 hours on camera #159, Security Manager Rudy Rife arrives to the scene and talking to Security Officer Ramirez and Mr. Ramirez.
29. At 21:51:28 hours on camera #159, Mr. Ramirez walks back to slot machine HE-02 and sits down.
30. At 21:51:34 hours on camera #159, Security Manager Rife is observed talking to Mr. Ramirez at slot machine HE-02.
31. At 21:52:11 hours on camera #159, Mr. Ramirez is observed walking behind Security Manager Rife and Security Officer Ramirez.
32. At 21:51:21 hours on camera #033, observed Mr. Quesada walking through Zone B and into Zone A.
33. At 21:51:25 hours on camera #038, Mr. Quesada is observed walking through Zone A and towards the main entrance C-1.
34. At 21:51:43 hours on camera #035, Mr. Quesada is observed walking out of C-1.
35. At 21:51:57 hours on camera #037, observed Mr. Quesada walking out of the main entrance of the casino.
36. At 21:52:02 hours on camera #562, observed Mr. Quesada walking out the casino and into 36 street.
37. At 21:52:36 hours on camera #567, observed Mr. Quesada walking to a car parked in front of Miami Jai-Alai.
38. At 21:52:55 hours on camera #567, Mr. Quesada is observed getting in a vehicle.
39. At 21:53:02 hours on camera #567, observed Mr. Quesada reverse in the vehicle and drives south on 36 street.
40. 22:35:00 hours, Security Manager Rife notified surveillance that Mr. Quesada was outside the casino by the Jai-Alai area and would like to explain his side of the fighting.
41. At 22:41:57 hours on camera #508, Mr. Quesada is observed in front of the casino walking towards Miami Police Department.
42. At 22:42:08 hours on camera #508, observed Miami Police Officer Jose Rojas speaking to Mr. Quesada.
43. At 20:46:50 hours on camera #508, observed Mr. Quesada being escorted back into the casino with Miami Police Officer Rojas.
44. At 22:49:38 hours on camera #301, Mr. Quesada is observed waiting in the police office.
45. At 23:05:26 hours on camera #301, Medic Timothy King arrives to the police office and treats Mr. Quesada for any lacerations.
46. At 23:07:31 hours on camera #301, Security Manager Rife arrives to the police office and begins speaking to Mr. Quesada.
47. At 23:21:54 hours on camera #345, Police Officer Rojas escort Mr. Quesada to the security office.
48. At 23:22:27 hours on camera #345, Mr. Quesada is placed in handcuffs by Miami Police.
49. At 23:25:04 hours on camera #345, Mr. Quesada is escorted out of the security office with Miami Police Department and in handcuffs.
50. At 23:31:24 hours on camera #505, Mr. Quesada is placed in the back of a police vehicle.
51. At 00:11:13 hours on camera #505, Police escorted Mr. Quesada off property in the back of the police vehicle.

This report was written by Surveillance Operator, Jose Lopez #10335430.

This report was approved by Surveillance Director, William Hutcheson # 7874265.

UPDATE: 08/12/2014 22:40 Hours, Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area.

01/19/2015 19:17 Hours, Perm- Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified in the casino, and was escorted out by MPD Officer, Paralles

11/04/2015 00:24 Hours, Perm-Exclusion Return Patron, Arabel Herrera Quesada – was excluded on 08-12-2014 and identified at black jack slot machine area, and was escorted out and arrested by MPD Officer Robinson and Herrera.

08/02/2018 Hours Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after observed leaning over and towards the GJ roulette slot machine wheel, and escorted out by MPD Officer, Herrera.

07/20/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

09/22/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 was escorted out by MPD Officers and SEcurity Supervisor, Dontrell Allen Rashaurd after identified at roulette slot machine FM.

10/15/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and escorted out by Security Supervisor, Dontrell Allen Rashaurd after being identified at poker table # 13

10/20/2022, See Security Report # 1696, as per Security Director, Jorge Callejas " On 10/20/2022 Mr. Herrera was reinstated to return to Casino Miami as per Mr. Licciardi. Mr. Herrera was contacted via phone of his reinstatement".

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

NOTE: On 07-19-2017 as per email from DBPR Slot Manager, Gabriel Benedik: Hello Will, I just spoke with our Investigations unit and you guys are OK to purge the videos from 2012-2015. They only ask that you keep 2016 still. Please let me know if you have any questions. Also, if you could please let us know when you have completed the purge. On 03-06-2020, this video was purged from the surveillance video storage.

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

Signature A **Date** **Signature B** **Date**

Casino Miami Jai-Alai - 3500 NW 37th Ave. Miami, FL 33142
(305) 633-6400 - casinomiamijaialai.com

CMJ-000003241 - Surv-Exclusion Return Report - Reported 01/19/2015 19:17

Author: Geoffry Geffrard 10084397 **Report Number:** CMJ-000003241

Start Time: 01/19/2015 19:17 **End Time:** 01/19/2015 19:30

Report Group: Surveillance Reports **Report Type:** Surv-Exclusion Return Report

Note: Perm- Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified in the casino, and was escorted out by MPD Officer, Paralles

Location / Origin: Perm-Exclusion Return **Camera:** 345,351,031

Narrative

On 01-19-15 at 19:04 hours, Surveillance observed a male patron wearing a dark sweater and blue jean standing at the Security Office Desk that was being Permanently Excluded. The patron was identified as Arabel Herrera Queseda.

NOTE: **See surveillance report #2798** 08/12/2014 22:40 Hours, Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area.

A video review revealed :

1. At 19:07:30 hours, on camera #345, M.P.D Officer,Parrales escorted Mr.Queseda out of the employee. All videos were saved for future references.

2. A video review from 18:36:34 until 18:42:10 hours on camera #034 &351 show Mr.Queseda at the Player Club desk.Then shortly was escorted to SOC.

This report was written by Surveillance Shift Manager,Geoffry Geffrard #10084397.

This report was approved by Surveillance Director, William Hutcheson # 7874265.

UPDATE: 08/12/2014 22:40 Hours, Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area.

01/19/2015 19:17 Hours, Perm- Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified in the casino, and was escorted out by MPD Officer, Paralles

11/04/2015 00:24 Hours, Perm-Exclusion Return Patron, Arabel Herrera Quesada – was excluded on 08-12-2014 and identified at black jack slot machine area, and was escorted out and arrested by MPD Officer Robinson and Herrera.

08/02/2018 Hours Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after observed leaning over and towards the GJ roulette slot machine wheel, and escorted out by

MPD Officer, Herrera.

07/20/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

09/22/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 was escorted out by MPD Officers and SEcurity Supervisor, Dontrell Allen Rashaurd after identified at roulette slot machine FM.

10/15/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and escorted out by Security Supervisor, Dontrell Allen Rashaurd after being identified at poker table # 13

10/20/2022, See Security Report # 1696, as per Security Director, Jorge Callejas " On 10/20/2022 Mr. Herrera was reinstated to return to Casino Miami as per Mr. Licciardi. Mr. Herrera was contacted via phone of his reinstatement".

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

NOTE: On 07-19-2017 as per email from DBPR Slot Manager, Gabriel Benedik: Hello Will, I just spoke with our Investigations unit and you guys are OK to purge the videos from 2012-2015. They only ask that you keep 2016 still. Please let me know if you have any questions. Also, if you could please let us know when you have completed the purge. On 03-13-2021, this video was purged from the surveillance video storage.

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

Signature A **Date** **Signature B** **Date**

Casino Miami Jai-Alai - 3500 NW 37th Ave. Miami, FL 33142
(305) 633-6400 - casinomiamijaialai.com

CMJ-000004312 - Surv-Exclusion Return Report - Reported 11/04/2015 02:03

Author: Melbourne Gregory 10426230 **Report Number:** CMJ-000004312

Start Time: 11/04/2015 00:24 **End Time:** 11/04/2015 04:12

Report Group: Surveillance Reports **Report Type:** Surv-Exclusion Return Report

Note: Perm-Exclusion Return Patron, Arabel Herrera Quesada was excluded on 08-12-2014 and identified at black jack slot machine area, and was escorted out and arrested by MPD Officer Robinson and Herrera.

Location / Origin: Perm-Exclusion Return **Camera:** 114,344,345,348,501,505

Narrative

On 11/04/15 at 00:24 hours, Security Supervisor, Rene Cano, notified surveillance via radio, that MPD Officers, John Kocur and Maurice Phillips was escorting a male patron to the Security Operation Center for a Permanent Exclusion.

At 00:39 hours, Security Supervisor, Rene Cano identified the male patron via phone as, Arabel Herrera Quesada who was being arrested due to violating the terms of a permanent Exclusion". (Please see surveillance report # 3241 for details). All videos were saved for future reference.

A further video review revealed the following information:

1. At 00:21:58 hours, on camera # 114, surveillance observed MPD Officers, Robinson and Kocur approach Mr. Herrera Quesada who was wearing a white sweater, and blue jeans while he was standing at Black Jack Machine GC-01-2492, they talked briefly then proceeded to escort him to Security Operation Center.
2. From 00:26:00 to 01:25:00 hours, on camera # 348, observed Mr. Herrera Quesada sitting in the Security Operation Center. He is partially restrain by handcuffs.
3. At 01:25:04 hours, on camera # 345, surveillance observed as Mr. Herrera Quesada was escorted out the casino through the Employee Entrance by MPD Officer Maurice Robinson.
4. At 01:26:49 hours, on camera # 345, surveillance observed as MPD Officer Maurice Robinson assist Mr. Herrera Quesada to sit in the rear seat of a Patrol Vehicle.

This report was written by Surveillance Operator Melbourne Gregory # 10426230.

This report was approved by Surveillance Director, William Hutcheson # 7874265.

UPDATE: 08/12/2014 22:40 Hours, Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area.

01/19/2015 19:17 Hours, Perm- Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified in the casino, and was escorted out by MPD Officer, Paralles

11/04/2015 00:24 Hours, Perm-Exclusion Return Patron, Arabel Herrera Quesada – was excluded on 08-12-2014 and identified at black jack slot machine area, and was escorted out and arrested by MPD Officer Robinson and Herrera.

08/02/2018 Hours Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after observed leaning over and towards the GJ roulette slot machine wheel, and escorted out by MPD Officer, Herrera.

07/20/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

09/22/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 was escorted out by MPD Officers and SEcurity Supervisor, Dontrell Allen Rashaurd after identified at roulette slot machine FM.

10/15/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and escorted out by Security Supervisor, Dontrell Allen Rashaurd after being identified at poker table # 13

10/20/2022, See Security Report # 1696, as per Security Director, Jorge Callejas " On 10/20/2022 Mr. Herrera was reinstated to return to Casino Miami as per Mr. Licciardi. Mr. Herrera was contacted via phone of his reinstatement".

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

Signature A **Date** **Signature B** **Date**

Surveillance Department

Casino Miami Jai-Alai - 3500 NW 37th Ave. Miami, FL 33142
(305) 633-6400 - casinomiamijialai.com

CMJ-000007138 - Surv-Exclusion Return Report - Reported 08/02/2018 20:36

Author: Geoffry Geffrard 10084397 **Report Number:** CMJ-000007138

Start Time: 08/02/2018 20:36 **End Time:** 08/02/2018 22:04

Report Group: Surveillance Reports **Report Type:** Surv-Exclusion Return Report

Note: Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after observed leaning over and towards the GJ roulette slot machine wheel, and escorted out by MPD Officer, Josue Herrera.

Location / Origin: Perm-Exclusion Return **Camera:** 345,118,131

[redacted]

Narrative

On 08-02-2018 at 19:54 hours via radio Security Supervisor, Darryl William advised of a male Patron was identified as Arabel Herrera Quesada and also that he would be permanently excluded for leaning over toward the roulette wheel.

At 20:01:50 hours, camera #345, MPD Officer, Jose Herrera escorted the patron off property through the employee entrance . All videos were saved for future reference.

A video review revealed the following information:

1. At 19:51:12 hours on camera #118 Mr. Herrera Quesada was observed standing near the GJ-Bank.
2. At 19:51:12 hours on camera #118 Mr. Herrera Quesada was observed leaning over GJ-Bank.
3. At 19:52:49 hours on camera #118 Mr. Herrera Quesada was observed leaning over GJ-Bank again.
4. At 19:52:51 hours on camera #118 Mr. Herrera Quesada was observed speaking to MPD Officer,Josh while playing a slot machine.
5. At 19:53:51 hours on camera #118 Mr. Herrera Quesada was observed leaning over GJ-Bank again.
6. At 19:53:47 hours on camera #118 MPD Officer, Josue Herrera was observed arriving to the area and escorted him to S.O.C.
7. At 20:01:50 hours on camera #345 Mr. Herrera Quesada was observed exiting through the employee entrance.

This Report was written by Surveillance Shift Manager, Geoffry Geffrard #10084397.

This report was approved by Surveillance Director, William Hutcheson # 7874265.

UPDATE: 08/12/2014 22:40 Hours, Perm-Exclusion Patron, Arabel Herrera Quesada -was escorted out and arrested by MPD Officer, Rojas for hitting Patron, Yanel Ramirez in face at the black jack slot machine area.

01/19/2015 19:17 Hours, Perm- Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified in the casino, and was escorted out by MPD Officer, Paralles

11/04/2015 00:24 Hours, Perm-Exclusion Return Patron, Arabel Herrera Quesada – was excluded on 08-12-2014 and identified at black jack slot machine area, and was escorted out and arrested by MPD Officer Robinson and Herrera.

08/02/2018 Hours Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after observed leaning over and towards the GJ roulette slot machine wheel, and escorted out by MPD Officer, Herrera.

07/20/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

09/22/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 was escorted out by MPD Officers and SEcurity Supervisor, Dontrell Allen Rashaurd after identified at roulette slot machine FM.

10/15/2022 Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and escorted out by Security Supervisor, Dontrell Allen Rashaurd after being identified at poker table # 13

10/20/2022, See Security Report # 1696, as per Security Director, Jorge Callejas " On 10/20/2022 Mr. Herrera was reinstated to return to Casino Miami as per Mr. Licciardi. Mr. Herrera was contacted via phone of his reinstatement".

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

Signature A **Date** **Signature B** **Date**

Security Department

Casino Miami Jai-Alai - 3500 NW 37th Ave. Miami, FL 33142
(305) 633-6400 - casinomiamijaialai.com

CMJ-000002604 - Patron - Trespass Permanent - Reported 07/05/2023 16:13

Author: Jorge Callejas 13298951
Report Number: CMJ-000002604
Start Time: 07/05/2023 16:13
End Time: 07/05/2023 16:30
Report Group: Exclusion Reports
Report Type: Patron - Trespass Permanent
Note: Trespassed
Location / Origin: Administrator
Linked Reports: **CMJ-000001696**

Person

Name: Arabel Herrera Quesada
Alias:
Race: Hispanic
Gender: Male
Eye color: Brown
Hair color: Black
Height: 6'00" Inches
Weight: 185 Pounds
DOB: [redacted]
Keywords: Permanent Exclusion
Drivers Lic#: [redacted]
Comments: Arabel Quesada Herrera
122 Avocado Ave
West Palm Beach, FL 33413
[redacted]
Ht:6'0
Wt:185lbs
Hr: black
Eyes: Brown
[redacted]

Narrative

On 7/5/2023 Mr. Quesada was Trespassed from Casino Miamias per management due to collecting another patron's Jackpot money.

Signature A **Date** **Signature B** **Date**

EXHIBIT # 4
PAGE # 1

Casino MiAMi Seq: 227942 No 000792

UNCLAIMED JACKPOT RECEIPT

Date 7/20/22 Amount $2160.00

Asset No. 3359 Location No. GD06

Name ABANDONED JP Time

Street Address

City, State, Zip Code

☐ No Identification ☐ Expired ID ☐ Self Exclusion

☒ Other ☐ Unclaimed ☐ Banned

Guest Signature X

Slot Supervisor Signature 106330

Cage Representative Signature 20000

WHITE-Accounting YELLOW-Cage PINK-Guest

Jackpot must be claimed within 180 days.

CMJ-007

Casino MIAMI **JACKPOT REQUEST**

Date 7/20/22 Time 17:39

Asset # 3359 Location # GD06

Credits Played Roulette Lines Played 227942

Winning Combo Sequence

JP Amount 2160.00

Minus Taxes < >

Total Payment to Guest

Guest Name

Social Security # ABANDONED

Guest Signature X

Slot Attendant Signature 69806276

Verifier Signature 106330

WHITE–Cashier YELLOW–Guest CMJ-027 (Rev 10/14)

SHIFT: Swing
SLOT: 3359
Stand: GD06

TOTAL NET AMT: $2,160.00
AMOUNT IN WRITTEN
: Two Thousand One Hundred Sixty
Dollars and No Cents

DENOM: 0.01
WINNING COMBO: ROULETTE
CASH AMOUNT: $2,160.00

Unclaimed Abandoned

TAX AMT: <_____>

NET PAY: _____
PROCESS EMP ID: 02216
PROCESS EMP NAME: Maura Godinez

SLOT ATTN: 69806276
CASHIER: 20000
VERIFIER: 106330
SUPERVISOR: _____
MANAGER: _____
SECURITY: _____
WINNER: _____

GAMING DAY: 07/20/2022

EXHIBIT # 6
PAGE # 1

No.: 1 3232 7/20/2022 12:18 PM ☐ CORRECTED (if checked) ROULETTE 10188501950

PAYER'S name, street address, city or town, province or state, country, and ZIP or foreign postal code	1 Reportable Winnings	2 Date Won	OMB No 1545-0238
Casino Miami Jai-Alai 3500 NW 37th Avenue Miami FL 33142	$1,440.00	7/20/2022	**2022**
	3 Type of Wager CAGE / $0.00	4 Federal Income Tax Withheld **$0.00**	**Form W-2G**
	5 Transaction 227937	6 Race CCAGE	**Certain Gambling Winnings**
	7 Winnings from Identical Wagers	8 Cashier 2203	
PAYER'S Federal identification number [redacted] PAYER'S Telephone number [redacted]	9 Winner's Taxpayer Identification No. [redacted]	10 Window CCAGE	This information is being furnished to the internal Revenue Service
WINNERS name 44485 **ARABEL HERRERA QUESADA**	11 First I.D. [redacted]	12 Second I.D. -	
Street address, (including apt. no.) 3257 NW 9TH ST	13 State/Payer's State Identification No. 0	14 State Winnings $1,440.00	**Copy B** **Report this income on your federal tax return. If this form show federal income tax withheld in box 4, attach this copy to your return.**
City or town, province or state, country, and ZIP or foreign postal code Miami FL 33125	15 State Income Tax Withheld $0.00	16 Local Winnings $1,440.00	
	17 Local Income Tax Withheld $0.00	18 Name Of Locality	

Under penalties of perjury, I declare that, to the best of my knowledge and belief, the Name, Address, and Taxpayer Identification Number that I have furnished correctly identifies me as the recipient of this payment and any payments from identical wagers, and that no other person is entitled to any part of these payments.

Signature ▸ [signature] Date ▸ 07/20/22

Casino MIAMI

JACKPOT REQUEST

Date 7/20/22 Time 12:06

Asset # 3358 Location # GD05

Credits Played 1 Lines Played 1

Winning Combo Roulette Sequence 227937

JP Amount $1440.00

Minus Taxes

Total Payment to Guest $1440.00 44485

Guest Name Arabel Herrera

Social Security # [redacted]

Guest Signature [signature]

Slot Attendant Signature [signature] 01004529

Verifier Signature [signature] 1003330

WHITE–Cashier YELLOW–Guest CMJ-027 (Rev 10/14)

Stand: GD05

TOTAL NET AMT: $1,440.00
AMOUNT IN WRITING
: One Thousand Four Hundred Forty
Dollars and No Cents

DENOM: 0.01
WINNING COMBO: ROULETTE
CASH AMOUNT: $1,440.00

TAX AMT:<_____>

NET PAY:_____
PROCESS EMP ID: 02203
PROCESS EMP NAME: Oswin Paguada

SLOT ATTN: [signature] 01004529

CASHIER: [signature]

VERIFIER: [signature] 1003330

SUPERVISOR: _____

MANAGER: _____

SECURITY: _____

WINNER: [signature]

GAMING DAY: 07/20/2022
PRINTED DATE: 07/20/2022 12:15:11 EDT

SEQUENCE NO: J227937

EXHIBIT # 7
PAGE # 1

No.: 1 3232 7/20/2022 12:37 PM ☐ CORRECTED (if checked) bns

10188502012

PAYER'S name, street address, city or town, province or state, country, and ZIP or foreign postal code	1 Reportable Winnings	2 Date Won	OMB No 1545-0238
Casino Miami Jai-Alai 3500 NW 37th Avenue Miami FL 33142	$1,800.00	7/20/2022	**2022**
	3 Type of Wager CAGE / $0.00	4 Federal Income Tax Withheld $0.00	**Form W-2G**
	5 Transaction 227940	6 Race ccage	**Certain Gambling Winnings**
PAYER'S Federal identification number [redacted] PAYER'S Telephone number	7 Winnings from Identical Wagers	8 Cashier 2216	
	9 Winner's Taxpayer Identification No. [redacted]	10 Window CCAGE	This information is being furnished to the internal Revenue Service
WINNERS name 44485 **ARABEL HERRERA QUESADA**	11 First I.D. [redacted]	12 Second I.D. -	
Street address, (including apt. no.) 3257 NW 9TH ST	13 State/Payer's State Identification No. 0	14 State Winnings $1,800.00	**Copy B** **Report this income on your federal tax return. If this form show federal income tax withheld in box 4, attach this copy to your return.**
City or town, province or state, country, and ZIP or foreign postal code Miami FL 33125	15 State Income Tax Withheld $0.00	16 Local Winnings $1,800.00	
	17 Local Income Tax Withheld $0.00	18 Name Of Locality	

Under penalties of perjury, I declare that, to the best of my knowledge and belief, the Name, Address, and Taxpayer Identification Number that I have furnished correctly identifies me as the recipient of this payment and any payments from identical wagers, and that no other person is entitled to any part of these payments.

Signature ► Date ► 7/20/22

Casino MIAMI

JACKPOT REQUEST

Date	7/20/22	Time	12:26
Asset #	3359	Location #	GD06
Credits Played		Lines Played	227940
Winning Combo	BJ	Sequence	
JP Amount	1800.00		
Minus Taxes			
Total Payment to Guest	1800.00		44485
Guest Name	Arabel Herrera Quesada		
Social Security #	[redacted]		
Guest Signature			
Slot Attendant Signature	9800216		
Verifier Signature	1005380		

WHITE–Cashier YELLOW–Guest CMJ-027 (Rev 10/14)

TRANSACTION DATE: 07/20/2022 12:12
6:46 EDT

SHIFT: Swing
SLOT: 3359
Stand: GD06

TOTAL NET AMT: $1,800.00
AMOUNT IN WRITING
: One Thousand Eight Hundred Doll
ars and No Cents

DENOM: 0.01
WINNING COMBO: roulette
CASH AMOUNT: $1,800.00

TAX AMT:<_____>

NET PAY: _____
PROCESS EMP ID: 02216
PROCESS EMP NAME: Maura Godinez

SLOT ATTN: 9800216
CASHIER: Maura Godinez
VERIFIER: 1005380
SUPERVISOR: _____
MANAGER: _____
SECURITY: _____
WINNER: _____

GAMING DAY: 07/20/2022
PRINTED DATE: 07/20/2022 12:33:18
EDT

SEQUENCE NO: J227940

EXHIBIT # 7
PAGE # 2

Filed Date	Case #	Name	Date of Birth
11/26/2019	[redacted]		
3/15/2017			
12/9/2021			
12/26/2018			
6/4/2021			
12/29/2021			
8/30/2019			
6/14/2017			
7/9/2009			
6/24/2020			
7/15/2020			
10/18/2021			
11/10/2016			
10/10/2011			
3/8/2019			
6/24/2020			
7/12/2019			
3/28/2019			
7/30/2021			
1/29/2019			
4/18/2019			
12/17/2010			
6/21/2017			
4/14/2017			
2/3/2022			
6/19/2008			
8/21/2020			
6/19/2008			
6/24/2020			
2/24/2021			
12/1/2021			
11/10/2016			
8/5/2014			
4/16/2008			
8/16/2018			
11/5/2019			
5/29/2019			
7/31/2019			

EXHIBIT # 8
PAGE # 1

2/12/2014	[redacted]
2/12/2021	
11/10/2020	
12/19/2008	
10/15/2021	
9/3/2021	
8/16/2018	
6/24/2020	
5/2/2019	
9/17/2021	
1/17/2019	
6/29/2020	
6/21/2019	
6/21/2019	
6/26/2020	
4/4/2019	
2/23/2011	
11/30/2016	
12/5/2018	
8/14/2014	
4/16/2021	
2/23/2015	
3/11/2009	
8/13/2015	
11/30/2009	
1/12/2022	
3/17/2017	
3/28/2019	
8/26/2019	
5/18/2017	
11/20/2015	
8/21/2014	
3/8/2019	
3/17/2016	
1/31/2022	
7/15/2020	
3/28/2019	
8/30/2021	
1/20/2010	
3/8/2018	

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PAGE # 2

2/19/2016	[redacted]
8/18/2021	
11/23/2021	
6/24/2020	
6/21/2019	
8/24/2021	
1/31/2018	
1/28/2015	
3/8/2019	
2/7/2019	
11/8/2019	
11/29/2016	
3/28/2019	
5/29/2019	
7/23/2021	
4/29/2021	
6/24/2020	
5/23/2017	
3/20/2019	
11/16/2020	
3/20/2019	
10/15/2021	
10/14/2019	
3/28/2019	
7/27/2017	
10/14/2019	
5/2/2019	
2/8/2022	
8/4/2011	
11/26/2019	
7/8/2016	
11/5/2019	
8/24/2021	
11/29/2017	
10/15/2021	
5/31/2013	
3/29/2021	
4/4/2019	

11/10/2020	[redacted]
10/21/2015	
11/10/2016	
1/23/2019	
7/27/2017	
1/31/2022	
11/26/2019	
1/12/2022	
3/28/2019	
2/8/2022	
5/2/2011	
10/15/2021	
7/10/2015	
9/26/2018	
11/16/2020	
10/11/2017	
8/13/2021	
2/16/2017	
3/28/2019	
2/3/2022	
7/30/2020	
1/16/2020	
10/28/2014	
10/28/2014	
1/31/2020	
8/12/2009	
10/14/2019	
5/25/2021	
5/25/2021	
12/11/2020	
7/23/2021	
11/8/2019	
6/29/2020	
8/16/2019	
1/31/2022	
4/1/2014	
11/26/2019	
7/23/2021	
1/31/2018	

1/28/2015	[redacted]
3/28/2019	
12/7/2017	
6/7/2019	
2/3/2022	
11/10/2016	
4/18/2019	
4/29/2019	
4/29/2019	
4/29/2019	
7/15/2020	
3/28/2019	
1/15/2009	
7/16/2010	
3/21/2018	
4/4/2019	
1/25/2018	
3/17/2017	
10/5/2009	
10/14/2019	
10/14/2019	
1/10/2020	
9/3/2021	
6/29/2021	
12/18/2007	
12/5/2018	
4/25/2018	
11/26/2019	
9/4/2020	
11/16/2020	
2/16/2010	
11/1/2012	
12/19/2008	
8/30/2019	
11/1/2012	
6/29/2020	
12/23/2015	
8/28/2015	

7/31/2019	2018-044706	Vasquez-Lagos, Brian Fernando	[redacted]
7/3/2019	[redacted]		
1/25/2018			
1/31/2022			
1/12/2022			
9/30/2010			
8/8/2017			
2/3/2022			
8/10/2021			
3/18/2020			
4/18/2019			

Last Updated:
02/11/2022

* Permanent Exclusion from The Isle Casino Pompano Park.

** Exclusion Period:
06/24/2020 –
06/24/2022

Status at time of Exclusion	
Patron	x
Patron	
Occupational Licensee	
Patron	x
Slot Combo Licensee	
Patron	
Patron	
Occupational Licensee	
Occupational Licensee	
Patron	
Slot Combo Licensee	x
Slot Combo Licensee	x
Patron	
Occupational Licensee	
Patron	x
Patron	x
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Occupational Licensee	
Occupational Licensee	
Patron	
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Occupational Licensee	
Occupational Licensee	x
Occupational Licensee	
Patron	
Slot Combo Professional	
Patron	
Patron	
Patron	x
Occupational Licensee	
Occupational Licensee	
Slot Combo Professional	
Occupational Licensee	
Slot Combo Professional	x
Patron	
Patron	
Slot Combo Professional	x

Patron	
Patron	X
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Patron	
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Slot Combo Licensee	
Occupational Licensee	
Occupational Licensee	
Patron	X
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Patron	X
Occupational Licensee	
Occupational Licensee	
Slot Combo Licensee	X
Slot Combo Professional	
Patron	
Patron	
Patron	X
Occupational Licensee	
Slot Combo Licensee	
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Patron	X
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Occupational Licensee	
Patron	X
Occupational Licensee	
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Patron	
Occupational Licensee	
Slot Combo Licensee	
Slot Combo Licensee	X
Slot Combo Professional	
Patron	
Occupational Licensee	
Occupational Licensee	

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PAGE # 8

Patron	
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Patron	X
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Patron	X
Occupational Licensee	
Patron	
Patron	
Slot Combo Professional	X
Patron	
Occupational Licensee	
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Occupational Licensee	
Patron	X
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Occupational Licensee	
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Occupational Licensee	
Patron	X
Occupational Licensee	
Occupational Licensee	
Occupational Licensee	
Slot Combo General	X
Patron	
Patron	
Occupational Licensee	
Patron	

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PAGE # 9

Occupational Licensee	
Occupational Licensee	
Occupational Licensee	
Patron	
Occupational Licensee	x
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Occupational Licensee	
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Patron	x
Occupational Licensee	
Occupational Licensee	
Patron	
Patron	
Occupational Licensee	
Slot Professional	
Patron	
Patron	
Patron	
Patron	
Occupational Licensee	
Patron	
Patron	x
Patron	x
Patron	
Patron	x
Patron	
Patron	
Patron	
Patron	
Occupational Licensee	
Patron	
Slot Combo General	x
Occupational Licensee	x

Patron	
Patron	
Slot Machine Professional	
Occupational Licensee	
Patron	
Patron	
Occupational Licensee	
	X
Patron	X
Patron	X
Slot Combo Licensee	X
Patron	X
Patron	
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Occupational Licensee	
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Occupational Licensee	
Patron	X
Patron	X
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Patron	X
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Occupational Licensee	
Patron	X
Occupational Licensee	
Slot Combo Licensee	
Occupational Licensee	
Patron	

Patron	x
	x
Patron	
Patron	
Slot Combo Licensee	
Occupational Licensee	
Patron	
Occupational Licensee	
Patron	
Patron	
Slot Combo Professional	

[redacted]

44 **000597612 Carlos Rodriguez 9792016 Surv-Exclusion Return Report CMJ-000010973 13:57:00 13:29:00**

07/20/2022 - **Location / Origin:** Perm-Exclusion Return - **Camera:** 186,118,345 - Perm-Exclusion Return Patron, Arabel Herrera Quesada -was excluded on 08-12-2014 and identified after claiming a jackpot for $2,160.00 on 07-20-2022 at Slot Machine GD-06-3359 that he did not win or play at , but belonged to Patron (Unknown Male) -wearing a white shirt shirt and beige shorts, who later abandon the jackpot. Mr. Quesada was escorted out by MPD Officer Theodoro Raymond. A further video review revealed that Mr. Quesada was paid for (2) slot machine jackpots that he did not win another Patron (Unknown Male) wearing white shirt and beige shorts had won them, (1st) at 12:08 Hours at slot machine GD-05-3358 for $1,440.00 and the (2nd) at 12:28 Hours at slot machine GD-06-3359 for $1,800.00

[redacted]

2 **000597606 Rafael Torres 10169408 Slot Machine Jackpot 1200 - 4999 Log** 14:00 **13:36:58**

EXHIBIT # 10

PAGE # 1

[redacted]

at slot machine GD-08-3396 for the amount of $1,500.00.

9	000597610	Rafael Torres 10169408	Surv-Unclaimed Slot Machine Jackpot Report	CMJ-000010972	12:41:00 07:17:00

07/20/2022 - **Location / Origin:** Slot Machine Jackpot-Unclaimed - **Camera:** 118,127,125 - Patron, (Unknown Male) -wearing a white shirt and beige pants won an unclaimed jackpot at slot machine GD-06-3359 for the amount of $2,160.00.

5	000597603	Rafael Torres 10169408	Slot Machine Jackpot 1200 - 4999 Log	12:41:00 07:17:00

07/20/2022 - **Location / Origin:** Slot Machine Bank GD - **Camera:** 118,127 - Slot Attendant, Maura Godinez notified surveillance via radio of a jackpot at slot machine GD-06-3359 for the amount of $2,160.00. Slot Supervisor, Jonathan Matthew advised that this Jackpot would be unclaimed and abandoned.

[redacted]

2	000597601	Rafael Torres 10169408	Slot Machine Jackpot 1200 - 4999 Log	12:28:00 12:40:01

07/20/2022 - **Location / Origin:** Slot Machine Bank GD - **Camera:** 118 - Slot Attendant, Maura Godinez notified surveillance via radio of a jackpot at slot machine GD-06-3359 for the amount of $1,800.00.

[redacted]

2	000597597	Rafael Torres 10169408	Slot Machine Jackpot 1200 - 4999 Log	12:13:00 12:40:00

07/20/2022 - **Location / Origin:** Slot Machine Bank GD - **Camera:** 118 - Slot Attendant, Oswin Paguada notified surveillance via radio of a jackpot at slot machine GD-05-3358 for the amount of $1,440.00.

[redacted]

Florida dbpr Department of Business & Professional Regulation

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Halsey Beshears, Secretary

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of Complaint:	Case Number:
PMW	**SOUTHERN**	**August 23, 2018**	**2018 04 4706**

Respondent:	Complainant:
VASQUEZ, BRIAN [redacted]	**DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMECIAL BLVD STE. 165 FT. LAUDERDALE, FL**

License # and Type:	Profession:	Report Date:
	PATRON	**September 11, 2019**

Period of Investigation:	Type of Report:
August 23, 2018 through September 11, 2019	**Supplemental**

Alleged Violation: 550.0251. The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation.—The division shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:

(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The division may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permit holder to exclude absolutely a patron in this state.

Synopsis: CasinoMiamiJaiAlai Director of Compliance and Human Resources Beatriz Perez notified the division of an incident involving a group of individuals who on June 10, 2017, had defrauded the facility by manipulating the results of a roulette video game. These individuals then attempted to cash a jackpot voucher later that same day but were detained and turned over to police. The owner of the cash voucher was arrested by Miami Police and charged with Grand theft. He along with several other individuals were permanently excluded from the facility..

Related Case: **2018 03 3810**

Investigator / Date	Investigator Supervisor / Date
Raul Suau September 11, 2019	Julio Minaya / September 11, 2019

Chief of Investigations / Date

Steven E. Kogan /

This case is predicated upon an email notification dated June 12, 2017, in which CasinoMiamiJaiAlai's Director of Human Resources and State Compliance Beatriz Perez, informed Chief of Slots Casey Smith and Investigative Supervisor Julio Minaya that a group of individuals were observed by surveillance shaking and tampering with a Roulette Slot Wheel game causing revenue loss. It's reported that one of the individual identified as Erick Vasquez was arrested as a result.

This incident was investigated by CasinoMiamiJaiAlai Vice President of Finance and Administration Greg Khachatrian. While reviewing two reports identified as The Standard Transaction Report and The Ticket Issued vs Ticket Out Expense Report, Khachatrian was able to identify that on June 11, 2017 between the hours of 2:00 A.M. and 8:09 A.M. numerous large tickets were printed from various electronic table games. The machines in question were identified as; 2871, 2516, 2517, 2518, 2519. He immediately notified Director of State Compliance Beatriz Perez and requested a review of surveillance footage of the above machines in order to determine if there was any suspicious activity or pattern of play.

During the course of reviewing the surveillance footage, surveillance noticed that the same group of patrons that were observed printing the large tickets from the above listed gaming machines, were the same patrons that were observed playing, shaking and tampering with Roulette Slot Wheel in Roulette Slot Machine Bank GK. They were eventually identified as Silvio Alfredo Sanchez Veliz, Erick Vasquez, Alfredo Lustre and two others who were not identified.

Later that same day, June 11, 2017, at approximately 7:00 P.M., two individuals identified as Fernando Enriquez and Leudy Matos Azahares entered CasinoMiamiJaiAlai to cash a $3,500.00 voucher for a friend whom they identified as Erick Vasquez. Vasquez was not present when they attempted to cash the voucher. The two individuals were detained by Francisco Rodriguez, the on duty Security Supervisor and Sgt. Curtis Hoosier of the Miami Police Department who was working an off duty detail at the time. The two were taken to the Security Operations Center (SOC) and called Erick Vasquez so he would come to the casino in reference to the voucher being cashed.

Vasquez arrived at 7:40:22 P.M. and was taken to the SOC where he remained until Sgt. Hoosier reviewed the video. Once Sgt. Hoosier finished viewing the footage, Vasquez was arrested and taken into custody by Officer Constant Rosemont of the Miami Police Department and escorted out of the facility.

On June 22, 2017, I visited CasinoMiamiJaiAlai for the purpose of conducting interviews. I interviewed Security Supervisor Francisco Rodriguez who was on duty on June 11, 2017.

Rodriguez stated that on the date in question, he received a telephone call from Romy Hoque, the Director of Security, about an individual that was trying to cash a voucher that was not his. The individual, later identified as Fernando Enriquez, was standing by the Cashiers cage. Sgt. Curtis Hoosier of the Miami Police Department also arrived. Together, they escorted Enriquez and a second individual, later identified as Leudy Matos Azahares to the (SOC). Enriquez stated that he was cashing the voucher for a friend who was not on the premises. Enriquez called the owner of the voucher, Erick Vasquez.

CONTINUATION

Vasquez agreed to meet Enriquez, and arrived approximately 45 minutes later and was taken to the SOC. Vasquez was eventually taken into custody by Miami Police Sgt. Curtis Hoosier.

A Versa check was conducted on Francisco Rodriguez. He applied for and received a Slot Combo Professional license on June 28, 2016. His license expires on June 30, 2019.

I also interviewed Miami Police Sgt. Hoosier. Hoosier stated that he was requested at the Main Cage in reference to an individual trying to cash a voucher that was not his. Sgt. Hoosier stated that after escorting both Enriquez and Matos Azahares to the SOC, he proceeded to the surveillance room in order to review footage from earlier that same day when surveillance captured numerous patrons, one being Vasquez, who was playing while the Roulette Slot Wheel Machine was being shaken and tampered with. After viewing the surveillance footage, he detained Erick Vasquez who was later placed under arrest. Sgt. Hoosier then released Fernando Enriquez and Matos Azahares who were then permanently excluded from the casino and escorted out.

Miami Police Department Case #.1706110001305 was assigned to this incident. [1]

On June 23, 2017, I requested video of the incident as well as copies of all supporting documents related to this incident.

During the course of this investigation, I requested surveillance to research video footage to determine if any employees may have been involved in this scheme to defraud CasinoMiamiJaiAlai. This inquiry did not provide any proof of employee involvement.

A review of the surveillance video identified the following individuals as participating in the fraudulent scheme either by playing or assisting the others.

- Silvio Sanchez Veliz, Erick Vasquez, Fernando Enriquez, Alfredo Lustre, Adel Acosta, Yunior Lopez De La Cruz, Brian **VAZQUEZ** Lagos, Unidentified male and Unidentified Blonde female.

Video review identified the previously named individuals as having participated in the incident. The following was observed during video review:

- Silvio Sanchez Veliz is observed entering the facility on June 10, 2017 at 8:24:14 P.M., he remained around the GK, GJ, GI slot machine banks. He was observed on video shaking the Roulette Wheel Slot Machine located at Slot Machine bank GK a total of fourteen (14) times between the hours of 4:36:03 A.M. and 7:42:55 A.M. on June 11, 2017.

[1] Attempt to determine if case will be enhanced with additional arrest by the Miami Police Department were met with negative results.

EXHIBIT #11
PAGE #3

- On June 11, 2017, at 4:36:03 A.M., Sanchez Veliz is observed shanking the machine while Erick Vasquez, Brian **VAZQUEZ** Lagos, unidentified blond female and unidentified male continued to play the Roulette Wheel Slot Machine GK. Also present was Alfredo Lustre who did not play at this time but was observed collecting winning cash vouchers from the above mentioned subjects and cashing them. Lustre was observed playing a total of eight (8) times on the same machine while it was being shaken.
- On June 11, 2017, at approximately 4:55 A.M., Sanchez Veliz, Brian **VAZQUEZ** Lagos and the unidentified blonde female went to the main cage in order for each to cash vouchers. Sanchez Veliz cashed out a voucher for $3,082.00, Brian **VAZQUEZ** cashed out a voucher for $1,900.00 and the unidentified blonde female cashed a voucher for approximately $1,260.00.[2]
- Sanchez Veliz is observed cashing out a total of three (3) cash vouchers at the main cage, window 1 with Cage Supervisor Alain Dubernard for a total of $ 10,242.00. In addition Sanchez Veliz cashed additional vouchers at Ticket Redemption Units TRU # 3 & TRU # 4.
- Sanchez Veliz is also seen inserting what appears to be a cash voucher into BlackJack Slot machine GC. He immediately prints the voucher and goes to cash out at TRU # 4. This occurred after the first incident of his manipulating the Roulette Slot Wheel Machine GK at 4:36:03 A.M.
- At 6:54:24 A.M., Adel Acosta is observed on video alerting the above subjects that casino employees (Drop Team) are approaching at which time Sanchez Veliz stops shaking the machine.
- Erick Vasquez was present during nine (9) of the games the Roulette Slot Wheel Machine was manipulated.
- Brian **VAZQUEZ** Lagos was present during four (4) of the incidents where the Machine was manipulated.
- Yunior Lopez De La Cruz was present during thirteen (13) of the incidents that the machine was manipulated.
- The unidentified blonde female was present during four (4) of the incidents during which the machine was manipulated.
- The unidentified male dressed in black was present eleven (11) times while the machine was being manipulated.
- During the incident's entirety, the participants all appear to be friends, interacting accordingly. They helped each other with the games, in setting their bets as well as giving each other money to play as well as vouchers to be cashed.
- Sanchez Veliz on more than one occasion would print a voucher from the GK bank, enter the voucher into another slot machine and then print it out again.

[2] The players cashed out totals were as follows: Alfredo Lustre (2 vouchers) one at the main cage and one on Ticket Redemption Unit # 2 for a total of $3,840.00. Brian **VAZQUEZ** Lagos cashed out one voucher for a total of $1,900.00; Silvio Sanchez Veliz (3) for a total of $10,242.00; Adel Acosta cashed out two vouchers for $3,700.00 and $1,653.00 at the main cage. He cashed out others at TRU1 through 4 for an unknown amount, acting as a courier for the other players; Yunior Lopez De La Cruz cashed one voucher at the main cage for $3,080.00 as well as an unknown number of vouchers at TRU # 1; the unidentified blonde female cashed one voucher at the main cage for $1,260.00; unidentified male dressed in black cashed out a voucher for $3,067.00 at the main cage. There were other vouchers cashed by the main players but because the cashier leaned over the money as he counted it, it was not possible to determine with certainty the exact amount the vouchers were for.

- Sanchez Veliz played on more than one terminal at a time on several occasions at the GK slot bank. He entered numerous selections before the play started. He would then go between terminals GK-06 and GK-07 and shake the roulette wheel in an attempt to manipulate the results once the ball was spinning.

After reviewing a total of 4 surveillance DVD, Flash Drives, it was determined that surveillance did not provide sufficient footage that would have assisted in this investigation.

While investigating case # 2017-02-2916 involving CasinoMiamiJaiAlai, I discovered that Leudy Matos Azahares had been excluded from Hialeah Park on September 9, 2016 for using other patron's player's club cards, and claiming other players Jackpots. Erick Vasquez was also excluded from Hialeah Park Casino on August 4, 2015 for cheating while playing a Roulette Wheel game.

As a result of this incident the following persons were permanently excluded from CasinoMiamiJaiAlai: Silvio Sanchez Veliz, Adel Acosta, Erick Vasquez, Brian **VAZQUEZ** Lagos, Alfredo Luster, Fernando Enriquez and Leudy Matos Azahares.

On December 5, 2017, Silvio Sanchez Veliz and several previously unidentified associates visited Calder Casino and proceeded to shake one of the roulette wheel slot machine banks in an effort to manipulate the results. They are identified as Milco Marrero and Daniel Albanese. As a result of the Calder Casino investigation carried under case # 2018-00-0479, two additional associates were also identified in the CasinoMiamiJaiAlai investigation as Victoria Sera-Sarmiento, previously identified as the unknown blonde female and Rolando Aballi previously identified as the white male. Rolando Aballi and Sera-Sarmiento both played multiple games on the same roulette wheel slot machine terminal that Sanchez Veliz shook.[3]

The information was forwarded to casino management via Director of State Compliance Beatriz Perez. Sera-Sarmiento was excluded by the facility. Rolando Aballi has not been excluded. [4]

Refer to PMW case # 2018-03-3810 for chronological order of all exhibits related to this case. **(Exhibit # 1)**

Case closed by Investigations and forwarded to Legal for further review and possible statewide exclusion from all Pari-Mutuel Facilities.

On September 17, 2018, an Administrative Complaint was signed by Deputy Chief Attorney Charles Dewrell and Chief Attorney Louis Trombetta. The Administrative Complaint requests that **VAZQUEZ** be permanently excluded from all licensed pari-mutuel and slot machine facilities in the State of Florida. The order was filed on September 17, 2018, by Deputy Agency Clerk Evette. **(Exhibit # 3)**

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[3] Sera-Sarmiento and Rolando Aballi were identified during the course of an investigation into another incident involving Silvio Sanchez Veliz shaking a roulette wheel slot machine, this time at Calder Casino. Aballi was playing on the same terminal/slot machine as Sera-Sarmiento when the slot machine was shaken.

[4] Another facility, Calder Casino, was also victimized by Silvio Sanchez Veliz and others. This case is still under investigation and was documented under case number 2018 00 0479. A copy will be forwarded upon completion.

CONTINUATION

On July 30, 2019, a Final order was issued and signed by Pari-Mutuel Wagering Director Louis Trombetta. The Final Order permanently excluded **VAZQUEZ** from all pari-mutuel facilities in the State of Florida. The order was filed by Deputy Agency Clerk Brandon Nichols on July 31, 2019. **(Exhibit # 4)**

EXHIBIT #1
PAGE #6

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I. INVESTIGATIVE REPORT COVERSHEET 1

II. INVESTIGATIVE REPORT 2

III. EXHIBITS

1. Copy of Case 2018-03-3810 1-7
2. Exclusion Report 1-2
3. Copy of Administrative Complaint 1-5
4. Copy of Final Order 1-3

FILED
Department of Business and Professional Regulation
Senior Deputy Agency Clerk
CLERK Brandon Nichols
Date 7/31/2019
File # 2019-06696

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v. DBPR CASE NO.: 2018-044706

BRIAN FERNANDO VASQUEZ-LAGOS,

Respondent.
_____/

FINAL ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Division"), hereby enters this Final Order for the above styled matter. On July 9, 2019, Alison Parker, Hearing Officer for the Department, issued the Recommended Order in this matter. That Recommended Order is attached to the Final Order and incorporated herein by reference.

FINDINGS OF FACT

The Findings of Fact contained in the Recommended Order are hereby adopted as the Findings of Fact of the Division.

CONCLUSIONS OF LAW

The Conclusions of Law contained in the Recommended Order are hereby adopted as the Conclusions of Law of the Division.

EXHIBIT #4
PAGE #1

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law adopted from the Recommended Order of the Department's Informal Hearing, IT IS HEREBY ORDERED that:

1) Respondent is **PERMANENTLY EXCLUDED** from all pari-mutuel wagering facilities in the State of Florida.
2) This Final Order shall become effective on the date of filing with the Agency Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 30 day of July, 2019, in Tallahassee, Florida.

LOUIS TROMBETTA, DIRECTOR
Division of Pari-Mutuel Wagering
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399-1035

EXHIBIT # 4
PAGE # 2

CERTIFICATE OF SERVICE

I HEREBY CERTIFY this 31st day of July 2019, that a true and correct copy of the foregoing Final Order has been provided by regular U.S. mail to:

Brian Fernando Vasquez-Lagos

[redacted]

Brandon M. Nichols

AGENCY CLERK'S OFFICE
Department of Business and Professional Regulation

NOTICE OF RIGHT TO APPEAL UNLESS WAIVED

A party who is adversely affected by this Final Oder is entitled to judicial review pursuant to section 120.68, Florida Statutes. Review Proceedings are governed by Rules 9.110 and 9:190, Florida Rules of Appellate Procedure. Such proceedings are commenced by filing one copy of a Notice of Appeal with the Department of Business and Professional Regulation, Attn: Ronda L. Bryan, Agency Clerk, 2601 Blair Stone Road, Tallahassee, Florida 32399 (agc.filing@myfloridalicense.com) and a second copy, accompanied by filing fees prescribed by law, with the District Court of Appeal, First District, or with the District Court of Appeal in the Florida Appellate District where the Party Resides. The Notice of Appeal must be filed within thirty (30) Days of Rendition of the Order to be reviewed.

EXHIBIT # 4
PAGE #3

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Joseph Klein, Senior Attorney
Re: FGCC v. Raymond Thomas Hughes Jr.
Case Number 2023-043622; Default Final Order
Date: April 9, 2024

Executive Summary

The Division of Pari-Mutuel Wagering (the "Division") served the Respondent, Raymond Thomas Hughes Jr. ("Respondent"), with an administrative complaint seeking to exclude him from all pari-mutuel and slot facilities in the state of Florida. Respondent failed to timely respond to the administrative complaint and thereby waived his right to request a hearing contesting this matter. The Division therefore requests that the Florida Gaming Control Commission enter a final order permanently excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

Background

On July 29, 2023, Respondent was a patron at Calder Race Course, Inc. d/b/a Calder Casino ("Calder Casino").[1] Subsequently, Respondent was ejected and permanently excluded from the facility.[2] The reason for the ejection is included as Exhibit 1 of the Administrative Complaint.

Based on Respondent's ejection from Calder Casino, the Division filed an administrative complaint on September 19, 2023, seeking his exclusion from all pari-mutuel and slot machine facilities in the state of Florida.

The Division attempted to serve the administrative complaint on Respondent by Certified Mail on September 19, 2023, October 13, 2023, and October 19, 2023, but was unsuccessful. Attempted service on Respondent by Certified Mail at an alternate address on November 2, 2023, was also unsuccessful. The Division then

[1] Calder Casino is operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.

[2] Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

requested that a notice be placed in the Sun Sentinel, which was published February 20, 2024, February 27, 2024, March 5, 2024, and March 12, 2024.[3]

Respondent failed to respond to the notice in a timely manner, which would have been required no later than March 19, 2024.

Analysis

Florida law allows for the exclusion of Respondent from all pari-mutuel and slot machine facilities in the state.

Section 550.0251(6), Florida Statutes, provides that "[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state." Further, Section 551.112 provides that "[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state."

Therefore, Respondent's ejection from Calder Casino – which is both a pari-mutuel facility and slot machine licensee in this state – subjects him to exclusion from all pari-mutuel and slot machine facilities in this state.

Moreover, Respondent failed to file a timely response to the publication notice and has thus waived his right to request a hearing on the matter.

Staff Recommendation: The Division recommends that the Florida Gaming Control Commission enter a final order permanently excluding the Respondent, Raymond Thomas Hughes Jr., from all pari-mutuel and slot machine facilities in the state of Florida.

[3] Section 120.60(5), Florida Statutes, provides, "when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee's last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county."

SUN-SENTINEL

Sold To:
Florida Gaming Control Commission - CU80176232
4070 Esplanade Way, Suite 250
Tallahassee,FL 32399

Bill To:
Florida Gaming Control Commission - CU80176232
4070 Esplanade Way, Suite 250
Tallahassee,FL 32399

Published Daily
Fort Lauderdale, Broward County, Florida
Boca Raton, Palm Beach County, Florida
Miami, Miami-Dade County, Florida

State Of Florida
County Of Orange

Before the undersigned authority personally appeared
Rose Williams, who on oath says that he or she is a duly authorized representative of the SUN- SENTINEL, a DAILY newspaper published in BROWARD/PALM BEACH/MIAMI-DADE County, Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of 11745-Other Legal Notices ,
Was published in said newspaper by print in the issues of, and by publication on the newspaper's website, if authorized on Feb 27, 2024; Mar 05, 2024; Mar 12, 2024; Mar 19, 2024
Self Service Multi-Product Purchase
Affiant further says that the newspaper complies with all legal requirements for publication in Chapter 50, Florida Statutes.

Signature of Affiant

Sworn to and subscribed before me this: March 20, 2024.

Signature of Notary Public

Name of Notary, Typed, Printed, or Stamped
Personally Known (X) or Produced Identification ( )

Affidavit Delivery Method: E-Mail
Affidavit Email Address: Ebonie.Lanier@flgaming.gov
7587690

SUN-SENTINEL

NOTICE OF ACTION
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING

IN RE: Sections 550.0251(6), and 551.112, Florida Statutes.
RAYMOND THOMAS HUGHES, JR.
18600 Northwest 5th Avenue
Miami Gardens, Florida 33169
CASE NO.: 2023-043622
LICENSE NO.: N/A

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 4070 Esplanade Way, Tallahassee, FL 32399, (850) 794-8072. If no contact has been made by you concerning the above by Wednesday, March 19, 2024, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action. In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257- 6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

2/27/2024, 3/5/2024, 3/12/2024, 3/19/2024 7587690

Order # - 7587690

FILED
FLORIDA GAMING CONTROL COMMISSION
Date: 9/19/2023
File Number:
BY: MELBA L. APELLANIZ
CLERK OF THE COMMISSION

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-043622

RAYMOND THOMAS HUGHES JR.,

Respondent.
_____/

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Raymond Thomas Hughes Jr. ("Respondent"), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.

2. At all times material hereto, Respondent's address was reported as 18600 Northwest 5th Avenue, Miami Gardens, Florida 33169.

3. At all times material hereto, Calder Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the state of Florida.

4. On or about July 29, 2023, Respondent was a patron and was ejected from Calder Casino.

5. On or about August 1, 2023, Respondent was permanently excluded from Calder Casino.

6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

7. Section 550.0251(6), Florida Statutes, provides in relevant part:

> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

> In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the state of Florida under sections 550.0251(6) and 551.112, Florida Statutes based on his ejection from Calder Casino on or about July 29, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the state of Florida, along with any other remedy provided by chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-043622 is signed this 11th day of September 2023.

/s/Emily A. Alvarado

Emily A. Alvarado
Deputy Chief Attorney
Florida Bar Number: 1025200
Florida Gaming Control Commission
Office of the General Counsel
Division of Pari-Mutuel Wagering
4070 Esplanade Way
Tallahassee, Florida 32399-2202
Telephone: (850) 794-8066
Facsimile: (850) 921-1311
Primary: Emily.Alvarado@flgaming.gov
Secondary: Ebonie.Lanier@flgaming.gov

NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update | Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **cstubbs1**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	**1098 - Unlicensed Complaints**			Status	**90 Closed**	Status Date	**09/07/2023**
Complaint #	**2023043622**	Case Type	**CMP - Complaint**	Disposition		Disposition Date	
Docket#		Respondent	**HUGHES JR, RAYMOND THOMAS**	Responsible	**bjones - JONES, BRADFORD**		**Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**INTN - Internal**	Security Level	**1**
Form	**INTR - Internal**	Priority	
Class'n	**V-C - Cardroom Violations**	Complexity	**R - Regular**
Security	**STND - Standard**	Incident	**07/29/2023**
Region	**SR - Southern Region**	Received	**08/03/2023**
Reference	**61D-11.005**		
Entered	**08/03/2023**	Entered By	**nmelvai**

Summary: **285----Calder Race Course, Inc. (Calder Casino)--[{61D-11.005 Prohibitions}]----On August 1, 2023, this Investigator was informed by Calder Casino Director of Compliance Iliana Velazquez via e-mail of a cheating incident that occurred in the cardroom on July 29, 2023, at approximately 3:24 A.M. Velazquez's e-mail stated that cardroom Patron Raymond Hughes was observed cheating during a live poker game. Hughes was observed adding an additional chip which is known as (Capping) to the table after looking at his cards, in order to get a larger payout out on the winning hand. A copy of the Security and Surveillance Report was obtained from Velazquez. Video footage of the incident was also obtained from Surveillance Manager Leonides Martinez.**

Updated **09/08/2023 08:31:31** By **cstubbs1**

☐ Parties ☑ Activities
☑ Allegations ☐ Discipline
☐ Violations ☐ Compliance
☐ Related ☑ Disposition
☐ Inspection
☐ Costs
☐ Time Tracking Auto Assign
☐ Attachments History
☐ Work Notes Print Report

Change | Save | OK | Cancel | Back

Get Adobe Reader.

Tyrell Smith

From: Iliana Velazquez <Iliana.Velazquez@caldercasino.com>
Sent: Tuesday, August 1, 2023 2:35 PM
To: Tyrell Smith
Cc: Richard Sukhu; Iliana Velazquez
Subject: Lifetime Ban Request for State Exclusion List- Raymond Hughes Jr.
Attachments: 07.29.2023 Card Room Cheating.pdf; SEC 22016 2023-07-29 Criminal_Cheating.pdf; 07.29.23 Tresspass.jpeg; R. Hughes Letter.pdf

Importance: High

Hi Tyrell,

Calder Casino is recommending to have cardroom Ex-Patron Raymond Hughes Jr be added to the State Lifetime Ban List.

This patron was caught cheating "capping the bet/post betting" while gaming at our facility. Attached you'll find supporting documentation from our security and surveillance team outlining his actions.
Mr. Hughes has been issued an indefinite ban from our facility and was escorted out right away, in which Miami Gardens Police assisted.

Footage is ready to be picked up with surveillance at your earliest convenience, and I also attached the letter that was mailed out to the patron indicating that his property privileges have been revoked (letter was sent out this afternoon 8/1/23).

Please let me know if you need anything additional from us.

Thank you,

[redacted]

CALDER CASINO
BIGGER. BETTER. CALDER.

EXHIBIT # – /
PAGE # – /

ILIANA VELAZQUEZ
Director of Compliance
21001 NW 27th Avenue I Miami Gardens, FL 33056
Office: (305) 625-1311 ext: 5690
Iliana.Velazquez@CalderCasino.com

This Churchill Downs Incorporated communication (including any attachments) is for the use of the intended recipient(s) only and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation.

EXHIBIT # -1
PAGE # 2

IM - Incident Detail Report

INC-22017 SURV 22017 | 2023-07-29 | Criminal / Cheating |

Calder Casino
21001 NW 27th Avenue.
Miami Gardens, Florida United States
33056

Incident Details Report

Incident Name	SURV 22017 | 2023-07-29 | Criminal / Cheating |
Incident Type	Criminal / Cheating
Reported Date	July 29, 2023 4:22 am

EXHIBIT # - 2
PAGE # - 1

(1. a.) INCIDENT SUMMARY

Primary Incident Type	Incident Severity	Net Loss
Criminal / Cheating	Low	0

Description
Created on: 07292023 Observation: Origin of Call: On July 29, 2023, at approximately 03:18 hours, Card Room Supervisor Kristopher Richard requested to review footage of guest Raymond Hughes who was suspected of cheating at Table #2 Seat #2.

Location

Observed Date/Time	**Incident Reported DateTime** July 29, 2023 4:22 am	**Incident Start DateTime** July 29, 2023 3:24 am	**Incident End DateTime** July 29, 2023 3:35 am
Reported By	**Responding Person(s)**	**Incident Owner** Humberto Machin	**Incident Supervisor** Jerome Davis, Ashley Kalisch, Humberto Machin, Leonides Martinez, Favio Munoz, Sierra Spencer, Michael Urena
Incident Flags	**Fiscal Year**	**Additional Responses** Police Contacted	**Police File Number** 2023-012413
Flag Notes	**Additional Incident Types**		

EXHIBIT # - 2
PAGE # - 2

(1. b.) INCIDENT ANNEXURES - INVOLVEMENTS & RELATED DATA

INVOLVED LOCATIONS

Reported Location

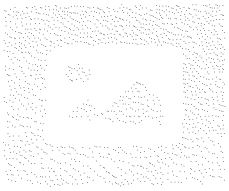
INVOLVED PERSONS

Reporting Party

Involved Person Name
Reporting Party: Jose Santiago

Involvement Flags

Added to Incident
July 29, 2023



First Name
Jose

Gender

Email 1

Last Name
Santiago

Date of Birth

Phone Number 1

EXHIBIT # -2
PAGE # -3

PSV Notes
PSV Migration Notes
Additional Information:
Person Features:

Person Identifications:

Person Phone Numbers:

Person Addresses:

Person Email Addresses:

Person Trespasses:

Person Flags:

Flag Notes:
Height: inches
Weight: lbs
Hair Color:
Eye Color:
Marital Status:
Person Title:
Designation:
OrgRollup:
Employee Number:
Gender:
Birthdate:
Employee:
Lat/Long: (0.00000000000000,0.00000000000000)
Access Level: 2
Org Links:

Vehicle Links:

Person Links:

Archived: False
Owner Workgroup: Surveillance

Reporting Party

Involved Person Name	Involvement Flags	Added to Incident
Reporting Party: Kristopher G Richard		July 29, 2023

First Name	Gender	Email 1
Kristopher		
Last Name	**Date of Birth**	**Phone Number 1**
Richard		

EXHIBIT # -2
PAGE # -4

PSV Notes
PSV Migration Notes
Additional Information:
Person Features:

Person Identifications:

Person Phone Numbers:

Person Addresses:

Person Email Addresses:

Person Trespasses:

Person Flags:

Flag Notes:
Height: inches
Weight: lbs
Hair Color:
Eye Color:
Marital Status:
Person Title:
Designation:
OrgRollup:
Employee Number:
Gender:
Birthdate:
Employee:
Lat/Long: (0.00000000000000,0.00000000000000)
Access Level: 2
Org Links:

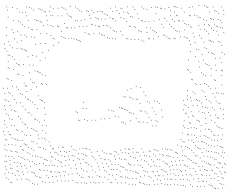
Vehicle Links:

Person Links:

Archived: False
Owner Workgroup: Surveillance

Reporting Party

Involved Person Name	Involvement Flags	Added to Incident
Reporting Party: Vladimir Morency		July 29, 2023



First Name	Gender	Email 1
Vladimir		
Last Name	**Date of Birth**	**Phone Number 1**
Morency		

EXHIBIT # - 2
PAGE # - 5

PSV Notes
PSV Migration Notes
Additional Information:
Person Features:

Person Identifications:

Person Phone Numbers:

Person Addresses:

Person Email Addresses:

Person Trespasses:

Person Flags:

Flag Notes:
Height: inches
Weight: lbs
Hair Color:
Eye Color:
Marital Status:
Person Title:
Designation:
OrgRollup:
Employee Number:
Gender:
Birthdate:
Employee:
Lat/Long: (0.00000000000000,0.00000000000000)
Access Level: 5
Org Links:

Vehicle Links:

Person Links:

Archived: False
Owner Workgroup: Surveillance

Suspect

Involved Person Name	Involvement Flags	Added to Incident
Suspect: Raymond Hughes		July 29, 2023

First Name	Gender	Email 1
Raymond		

Last Name	Date of Birth	Phone Number 1
Hughes		

EXHIBIT # -2
PAGE # - 6

INVOLVED ITEMS

NARRATIVES

Original Narrative

Person
Raymond Hughes

Date & Time
July 29, 2023 4:22 am

Narrative Owner
Humberto Machin

Narrative
Origin of Call: On July 29, 2023, at approximately 03:18 hours, Card Room Supervisor Kristopher Richard requested to review footage of guest Raymond Hughes who was suspected of cheating at Table #2 Seat #2.

Video Coverage: Upon review, at approximately 03:13 hours, guest Raymond Hughes [redacted] is observed being handed his cards. After looking at his cards, Mr. Raymond looked at the hand he was dealt and is then observed proceeding to illegally add a bet to his play which resulted in him winning $150.

Upon further review, at approximately 02:53 hours, guest Raymond Hughes is observed being handed his cards. After looking at his cards, Mr. Raymond looked at the hand he was dealt and is then observed proceeding to illegally add a bet to his play which resulted in him winning $30.

After conducting a review with Card Room Supervisor Kristopher Richard, and confirming Mr. Raymond's cheating 2 times, at 03:24 hours along with Security Shift Supervisor Vladimir Morency approached Mr. Raymond Hughes at Table #2 asked to cash out after paying back the $185 that was due to him capping his bet. At approximately 03:25 hours, Security Shift Manager Jose Santigo then escorted Mr. Hughes out through the North entrance.

Information Supplied:

According to Card Room Supervisor Kristopher Richard, Mr. Hughes had been paid out a total of $185.00 for two hand he had capped and paid back the full amount of $185 once he was confronted by him and Security Shift Supervisor Vladimir Morency. Security Shift Manager Jose Santiago had advised he was given a indefinite trespass by Miami Gardens Officer Bernard from property creating case # 2023-012413.

Person's Involved:

EXHIBIT # 2
PAGE # 3

Reporting Party - Card Room Supervisor Kristopher Richard

Security Shift Supervisor Vladimir Morancy, Security Shift Manager Jose Santiago

Suspect - Raymond Hughes

Attached Narrative

EXHIBIT # -2
PAGE # -8

ATTACHMENTS

Attachment 12527 - Picture

Picture

(2. a.) INVESTIGATION SUMMARY

Outcome Overview

What happened?

How did it happen?

Why did it happen?

What needs to be corrected?

Contributing Factors

Incident Corrective Actions

Closed Date/Time
July 29, 2023 4:47 am

Investigation Start Date

Investigation Close Date

Expiry Date

Reported to Police
Yes

Reported to Supervisor
Yes

Requires Investigation
No

Investigator

Investigation Cost
$0.00

Investigation Time Spent (Hours)
0

(2. b.) INVESTIGATION ANNEXURES - INVESTIGATION DETAILS

EXHIBIT # -2
PAGE # -9

CONTRIBUTING FACTORS

CORRECTIVE ACTIONS

INTERVIEWS

EVIDENCE

LOGS

Total Investigation time spent (Hours)	Total Investigation Cost
0	$0.00

ATTACHMENTS (INVESTIGATION & OUTCOME)

IM - Incident Detail Report

INC-22016 **SEC 22016 | 2023-07-29 | Criminal / Cheating |**

Calder Casino
21001 NW 27th Avenue.
Miami Gardens, Florida United States
33056

Incident Details Report

Incident Name	SEC 22016 | 2023-07-29 | Criminal / Cheating |
Incident Type	Criminal / Cheating
Reported Date	July 29, 2023 4:19 am

EXHIBIT # - 3
PAGE # — 1

(1. a.) INCIDENT SUMMARY

Primary Incident Type
Criminal / Cheating

Incident Severity
Low

Net Loss
0

Description
Created on: 07292023 Observation: Security Shift Manager Jose Santiago was notified of a guest cheating inside the Cardroom. Upon arrival Security Shift Supervisor Vladimir Morency approached suspect now known as Raymond Hughes who was caught "Capping a Bet" on table 2 inside the Cardroom. Mr. Hughes admitted cheating and payed back the $180 he won. Ms. Hughes refused to give ID to S/S Morency ,which then lead to S/S Morency calling Miami Gardens for assistance. Officer Bernard took over the scene and issued Ms. Hughes an official trespass from property. Case number 2023-012413

Location

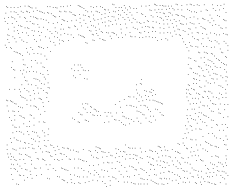
Observed Date/Time	**Incident Reported DateTime** July 29, 2023 4:19 am	**Incident Start DateTime** July 29, 2023 3:30 am	**Incident End DateTime** July 29, 2023 3:45 am
Reported By	**Responding Person(s)**	**Incident Owner** Jose Santiago	**Incident Supervisor** Jerome Davis, Ashley Kalisch, Jean Lara, Humberto Machin, Leonides Martinez, Favio Munoz, Michael Urena
Incident Flags	**Fiscal Year**	**Additional Responses**	**Police File Number**
Flag Notes Miami Gardens Case number 2023-012413	**Additional Incident Types**		

EXHIBIT # - 3
PAGE # - 2

(1. b.) INCIDENT ANNEXURES - INVOLVEMENTS & RELATED DATA

INVOLVED LOCATIONS

Reported Location



Location Name
Casino/Front of House/ Zone 1 -

Location

Location Type

Property Name
Casino/Front of House/ Zone 1

Asset Status
External

Owner/Lessor

Organization

Policies

INVOLVED PERSONS

INVOLVED ITEMS

NARRATIVES

Original Narrative

Person

Date & Time
July 29, 2023 4:31 am

Narrative Owner
Jose Santiago

Narrative
Origin of Call: On July 29, 2023 at approximately 0330 hours, Security Shift Manager Jose Santiago was notified of a guest cheating inside the Cardroom.

Interview: Cardroom Supervisor Kristopher Cage Richard advised S/S Morency of a guest who was cheating on table two by capping his bet. C/S Richard stated he review the surveillance coverage and confirmed the $180 capping bet.

EXHIBIT # - 3
PAGE # - 3

Interview II: Upon arrival Security Shift Supervisor Vladimir Morency approached suspect now known as Raymond Hughes who was caught "Capping a Bet" on table 2 inside the Cardroom. Mr. Hughes admitted cheating and payed back the $180 he won. Ms. Hughes refused to give ID to S/S Morency, which then lead to S/S Morency calling Miami Gardens for assistance.

Action Taken: Surveillance was notified and maintained coverage for the remainder of the incident. Officer Bernard took over the scene and issued Ms. Hughes an official trespass from property. Case number 2023-012413. Surveillance coverage of the incident may be available upon request.

Attachments: One photo of Mr. Hughes

Attached Narrative

EXHIBIT #-3
PAGE # - 4

ATTACHMENTS

Attachment 12528 - Picture

Picture

(2. a.) INVESTIGATION SUMMARY

Outcome Overview

What happened?

How did it happen?

Why did it happen?

What needs to be corrected?

Contributing Factors

Incident Corrective Actions

Closed Date/Time

Investigation Start Date

Investigation Close Date

Expiry Date

Reported to Police
Yes

Reported to Supervisor
Yes

Requires Investigation
No

Investigator
Melissa Brooks, Dameion Capdeville, Jason Duncan, Roy McCloud, Jason Milam, Vladimir Morency

Investigation Cost
$0.00

Investigation Time Spent (Hours)
0

EXHIBIT # 3
PAGE # - 5

(2. b.) INVESTIGATION ANNEXURES - INVESTIGATION DETAILS

CONTRIBUTING FACTORS

CORRECTIVE ACTIONS

INTERVIEWS

EVIDENCE

LOGS

Total Investigation time spent (Hours)	Total Investigation Cost
0	$0.00

ATTACHMENTS (INVESTIGATION & OUTCOME)

CALDER CASINO

BIGGER. BETTER. CALDER.

August 1st, 2023

Raymond Hughes
18600 NW 5th Avenue
Miami Gardens, FL 33169

Dear Mr. Hughes

Due to conduct that is not acceptable at Calder Casino, you are not permitted to attend or be present on our facilities.

Effective August 1st, 2023 all of your gaming, wagering, and visitation privileges will be revoked.

Should you have any questions in regards to this notice, please feel free to contact me at (305) 625-1311, extension 1107.

Respectfully,

JC Lara

Senior Director of Safety and Security

EXHIBIT # - 4
PAGE # - 1

Miami Gardens Police Department
18611 NW 27TH AVE | MIAMI GARDENS, FL 33056 | P: 305.474.6473

Case # 2023-012413 - Offense / Incident Report

REPORT DATE / TIME	EVENT START DATE / TIME - EVENT END DATE / TIME	PRIMARY REPORTER
Jul 29, 2023 03:42	Jul 29, 2023 03:42 - 03:42	RYAN BERNARD #369

NARRATIVE

On Saturday, July 29, 2023, at 0333 hours, while working a detail located at CALDER RACE COURSE, 21001 NW 27TH AVE, MIAMI GARDENS, FL 33056 I responded to a call reference to trespass.

the manager at Calder Casino said that RAYMOND THOMAS HUGHES Jr was caught cheating while playing cards and the manager wanted RAYMOND THOMAS HUGHES Jr trespassed. RAYMOND THOMAS HUGHES Jr was advised of the trespass and left the establishment without incident after clearing an NCIC/FCIC records check.

RAYMOND THOMAS HUGHES Jr was identified by his Florida driver's License.

A case number was issued.

No further information.

REPORTING PARTY-1

REPORTING PARTY-1 (ORGANIZATION)
R-1 Calder Casino

ORGANIZATION TYPE	ORGANIZATION INDUSTRY
Business	Gambling/casinos

MAILING ADDRESS
CALDER RACE COURSE, 21001 NW 27TH AVE, MIAMI GARDENS, FL 33056

INCIDENT INFO

INCIDENT TYPE
INFORMATION

OFFENSE LOCATION

LOCATION NAME / STREET ADDRESS/LOCATION NAME / APT, UNIT, STE / DESCRIPTION
CALDER RACE COURSE, 21001 NW 27TH AVE

CITY	STATE	ZIP	COUNTRY CODE
MIAMI GARDENS	FL	33056	US

LOCATION CATEGORY	BEAT / SUBDIVISION 2 / SUBDIVISION 4 / SUBDIVISION 5	PUBLIC / PRIVATE
Other	31	Private

SUBJECT-1

SUBJECT-1 NAME (LAST, FIRST MIDDLE)	DOB / ESTIMATED AGE RANGE
SB-1 HUGHES, RAYMOND THOMAS Jr	[redacted]

SEX	RACE / ETHNICITY	PHONE NUMBER
Male	Black / Unknown	(305) 319-1103 (primary, Mobile Phone), (305) 879-7674 (Work)

HOME ADDRESS
18600 NW 5TH AVE, MIAMI, FLORIDA 33169

RELATIONSHIPS ADDENDUM

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
RYAN BERNARD #369 Aug 1, 2023 00:57 (e-signature)	HUBERT PIERRE #207 Aug 1, 2023 04:14 (e-signature)
PRINT NAME	PRINT NAME
RYAN BERNARD #369	HUBERT PIERRE #207

EXHIBIT # -5
PAGE # - 1

NAME	RELATIONSHIP	SUBJECT
RAYMOND THOMAS HUGHES Jr	RELATIONSHIP TO ORGANIZATION UNKNOWN	Calder Casino

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
RYAN BERNARD #369 Aug 1, 2023 00:57 (e-signature)	HUBERT PIERRE #207 Aug 1, 2023 04:14 (e-signature)
PRINT NAME	PRINT NAME
RYAN BERNARD #369	HUBERT PIERRE #207

Case # 2023-012413 - Field Contact Report

REPORT DATE / TIME	EVENT START DATE / TIME - EVENT END DATE / TIME	PRIMARY REPORTER
Jul 29, 2023 03:57	Jul 29, 2023 03:42 - 03:42	RYAN BERNARD #369

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REPORTING PARTY-1 (ORGANIZATION)
R-1 Calder Casino

ORGANIZATION TYPE	ORGANIZATION INDUSTRY
Business	Gambling/casinos

MAILING ADDRESS
CALDER RACE COURSE, 21001 NW 27TH AVE, MIAMI GARDENS, FL 33056

FIELD CONTACT #230729025

TYPE OF CONTACT	PRIMARY REASON FOR CONTACT / STOP
Pedestrian Stop	Call For Service

REASONABLE SUSPICION / PROBABLE CAUSE FACTOR(S)
Call For Service

DISPOSITION FOR CONTACT / STOP

- ☐ Other Warning Issued
- ■ Trespass Warning Issued
- ☐ Released to Guardian
- ☐ Gang Intelligence
- ☐ Traffic Citation
- ☐ Other
- ☐ Search Conducted
- ☐ Verbal Warning
- ☐ Associate Arrested
- ☐ Vehicle Impounded
- ☐ No Action

SUBJECT-1

SUBJECT-1 NAME (LAST, FIRST MIDDLE)	DOB / ESTIMATED AGE RANGE
SB-1 HUGHES, RAYMOND THOMAS Jr	[redacted]

SEX	RACE / ETHNICITY	PHONE NUMBER
Male	Black / Unknown	(305) 319-1103 (primary, Mobile Phone), (305) 879-7674 (Work)

HOME ADDRESS
18600 NW 5TH AVE, MIAMI GARDENS, FLORIDA 33169-

SUBJECT TYPE	WAS A FRISK INVOLVED
Trespass Warning	☐ YES ■ NO

WAS THIS PERSON PATTED DOWN AND/OR SEARCHED AS A RESULT OF THE STOP (PRIOR TO ARREST)?
No

FIELD CONTACT LOCATION

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
RYAN BERNARD #369 Aug 1, 2023 00:56 (e-signature)	HUBERT PIERRE #207 Aug 1, 2023 04:14 (e-signature)
PRINT NAME	PRINT NAME
RYAN BERNARD #369	HUBERT PIERRE #207

LOCATION NAME / STREET ADDRESS/LOCATION NAME / APT, UNIT, STE / DESCRIPTION			
CALDER RACE COURSE, 21001 NW 27TH AVE			
CITY	STATE	ZIP	COUNTRY CODE
MIAMI GARDENS	FL	33056	US
LOCATION CATEGORY	BEAT / SUBDIVISION 2 / SUBDIVISION 4 / SUBDIVISION 5		PUBLIC / PRIVATE
Other	31		Private

RELATIONSHIPS ADDENDUM

NAME	RELATIONSHIP	SUBJECT
RAYMOND THOMAS HUGHES Jr	RELATIONSHIP TO ORGANIZATION UNKNOWN	Calder Casino

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PRINT NAME	PRINT NAME
RYAN BERNARD #369	HUBERT PIERRE #207

Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
Office of Investigations

PROPERTY RECEIPT

Complaint # 2023-04-3622 Date 8/3/23 Lab # _____

Item No.	Quantity	Description
1	1	DVD CONTAINING VIDEO FOOTAGE OF CHEATING INCIDENT ON 7-29-23
		LAST ITEM

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

Signature – Impounding Investigator

RETURNED PROPERTY RECEIPT

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature Date

Received by: _____ Date: _____
Received by: _____ Date: _____
Received by: _____ Date: _____

Copies for: File, Transmittal, Laboratory, Property Receipt

Form FGCC 11-75 (Revised 07/22)

EXHIBIT # 6
PAGE # 1

FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update | Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **cstubbs1**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	**1098 - Unlicensed Complaints**			Status	**90 Closed**	Status Date	**09/07/2023**
Complaint #	**2023043622**	Case Type	**CMP - Complaint**	Disposition		Disposition Date	
Docket#		Respondent	**HUGHES JR, RAYMOND THOMAS**	Responsible	**bjones - JONES, BRADFORD**		**Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**INTN - Internal**	Security Level	**1**
Form	**INTR - Internal**	Priority	
Class'n	**V-C - Cardroom Violations**	Complexity	**R - Regular**
Security	**STND - Standard**	Incident	**07/29/2023**
Region	**SR - Southern Region**	Received	**08/03/2023**
Reference	**61D-11.005**		
Entered	**08/03/2023**	Entered By	**nmelvai**
Summary	**285----Calder Race Course, Inc. (Calder Casino)--[{61D-11.005 Prohibitions}]----On August 1, 2023, this Investigator was informed by Calder Casino Director of Compliance Iliana Velazquez via e-mail of a cheating incident that occurred in the cardroom on July 29, 2023, at approximately 3:24 A.M. Velazquez's e-mail stated that cardroom Patron Raymond Hughes was observed cheating during a live poker game. Hughes was observed adding an additional chip which is known as (Capping) to the table after looking at his cards, in order to get a larger payout out on the winning hand. A copy of the Security and Surveillance Report was obtained from Velazquez. Video footage of the incident was also obtained from Surveillance Manager Leonides Martinez.**		
Updated	**09/08/2023 08:31:31**	By	**cstubbs1**

☐ Parties ☑ Activities

☑ Allegations ☐ Discipline

☐ Violations ☐ Compliance

☐ Related ☑ Disposition

☐ Inspection

☐ Costs

☐ Time Tracking Auto Assign

☐ Attachments History

☐ Work Notes Print Report

Change | Save | OK | Cancel | Back

Get Adobe Reader.

Tyrell Smith

From: Iliana Velazquez <Iliana.Velazquez@caldercasino.com>
Sent: Tuesday, August 1, 2023 2:35 PM
To: Tyrell Smith
Cc: Richard Sukhu; Iliana Velazquez
Subject: Lifetime Ban Request for State Exclusion List- Raymond Hughes Jr.
Attachments: 07.29.2023 Card Room Cheating.pdf; SEC 22016 2023-07-29 Criminal_Cheating.pdf; 07.29.23 Tresspass.jpeg; R. Hughes Letter.pdf

Importance: High

Hi Tyrell,

Calder Casino is recommending to have cardroom Ex-Patron Raymond Hughes Jr be added to the State Lifetime Ban List.

This patron was caught cheating "capping the bet/post betting" while gaming at our facility. Attached you'll find supporting documentation from our security and surveillance team outlining his actions.
Mr. Hughes has been issued an indefinite ban from our facility and was escorted out right away, in which Miami Gardens Police assisted.

Footage is ready to be picked up with surveillance at your earliest convenience, and I also attached the letter that was mailed out to the patron indicating that his property privileges have been revoked (letter was sent out this afternoon 8/1/23).

Please let me know if you need anything additional from us.

Thank you,

[redacted]

CALDER CASINO
BIGGER. BETTER. CALDER.

EXHIBIT # – /
PAGE # – /

ILIANA VELAZQUEZ
Director of Compliance
21001 NW 27th Avenue I Miami Gardens, FL 33056
Office: (305) 625-1311 ext: 5690
Iliana.Velazquez@CalderCasino.com

This Churchill Downs Incorporated communication (including any attachments) is for the use of the intended recipient(s) only and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation.

EXHIBIT # -1
PAGE # 2

IM - Incident Detail Report

INC-22017 SURV 22017 | 2023-07-29 | Criminal / Cheating |

Calder Casino
21001 NW 27th Avenue.
Miami Gardens, Florida United States
33056

Incident Details Report

Incident Name	SURV 22017 | 2023-07-29 | Criminal / Cheating |
Incident Type	Criminal / Cheating
Reported Date	July 29, 2023 4:22 am

EXHIBIT # -2
PAGE # - 1

(1. a.) INCIDENT SUMMARY

Primary Incident Type
Criminal / Cheating

Incident Severity
Low

Net Loss
0

Description
Created on: 07292023 Observation: Origin of Call: On July 29, 2023, at approximately 03:18 hours, Card Room Supervisor Kristopher Richard requested to review footage of guest Raymond Hughes who was suspected of cheating at Table #2 Seat #2.

Location

Observed Date/Time	**Incident Reported DateTime** July 29, 2023 4:22 am	**Incident Start DateTime** July 29, 2023 3:24 am	**Incident End DateTime** July 29, 2023 3:35 am
Reported By	**Responding Person(s)**	**Incident Owner** Humberto Machin	**Incident Supervisor** Jerome Davis, Ashley Kalisch, Humberto Machin, Leonides Martinez, Favio Munoz, Sierra Spencer, Michael Urena
Incident Flags	**Fiscal Year**	**Additional Responses** Police Contacted	**Police File Number** 2023-012413
Flag Notes	**Additional Incident Types**		

EXHIBIT # - 2
PAGE # - 2

(1. b.) INCIDENT ANNEXURES - INVOLVEMENTS & RELATED DATA

INVOLVED LOCATIONS

Reported Location

INVOLVED PERSONS

Reporting Party

Involved Person Name
Reporting Party: Jose Santiago

Involvement Flags

Added to Incident
July 29, 2023

First Name
Jose

Last Name
Santiago

Gender

Date of Birth

Email 1

Phone Number 1

EXHIBIT # -2
PAGE # -3

PSV Notes
PSV Migration Notes
Additional Information:
Person Features:

Person Identifications:

Person Phone Numbers:

Person Addresses:

Person Email Addresses:

Person Trespasses:

Person Flags:

Flag Notes:
Height: inches
Weight: lbs
Hair Color:
Eye Color:
Marital Status:
Person Title:
Designation:
OrgRollup:
Employee Number:
Gender:
Birthdate:
Employee:
Lat/Long: (0.00000000000000,0.00000000000000)
Access Level: 2
Org Links:

Vehicle Links:

Person Links:

Archived: False
Owner Workgroup: Surveillance

Reporting Party

Involved Person Name	Involvement Flags	Added to Incident
Reporting Party: Kristopher G Richard		July 29, 2023

First Name	Gender	Email 1
Kristopher		
Last Name	**Date of Birth**	**Phone Number 1**
Richard		

EXHIBIT # -2
PAGE # -4

PSV Notes
PSV Migration Notes
Additional Information:
Person Features:

Person Identifications:

Person Phone Numbers:

Person Addresses:

Person Email Addresses:

Person Trespasses:

Person Flags:

Flag Notes:
Height: inches
Weight: lbs
Hair Color:
Eye Color:
Marital Status:
Person Title:
Designation:
OrgRollup:
Employee Number:
Gender:
Birthdate:
Employee:
Lat/Long: (0.00000000000000,0.00000000000000)
Access Level: 2
Org Links:

Vehicle Links:

Person Links:

Archived: False
Owner Workgroup: Surveillance

Reporting Party

Involved Person Name	Involvement Flags	Added to Incident
Reporting Party: Vladimir Morency		July 29, 2023

First Name	Gender	Email 1
Vladimir		
Last Name	**Date of Birth**	**Phone Number 1**
Morency		

EXHIBIT # 2
PAGE # 5

PSV Notes
PSV Migration Notes
Additional Information:
Person Features:

Person Identifications:

Person Phone Numbers:

Person Addresses:

Person Email Addresses:

Person Trespasses:

Person Flags:

Flag Notes:
Height: inches
Weight: lbs
Hair Color:
Eye Color:
Marital Status:
Person Title:
Designation:
OrgRollup:
Employee Number:
Gender:
Birthdate:
Employee:
Lat/Long: (0.00000000000000,0.00000000000000)
Access Level: 5
Org Links:

Vehicle Links:

Person Links:

Archived: False
Owner Workgroup: Surveillance

Suspect

Involved Person Name	Involvement Flags	Added to Incident
Suspect: Raymond Hughes		July 29, 2023

First Name	Gender	Email 1
Raymond		
Last Name	**Date of Birth**	**Phone Number 1**
Hughes		

EXHIBIT # -2
PAGE # - 6

INVOLVED ITEMS

NARRATIVES

Original Narrative

Person
Raymond Hughes

Date & Time
July 29, 2023 4:22 am

Narrative Owner
Humberto Machin

Narrative

Origin of Call: On July 29, 2023, at approximately 03:18 hours, Card Room Supervisor Kristopher Richard requested to review footage of guest Raymond Hughes who was suspected of cheating at Table #2 Seat #2.

Video Coverage: Upon review, at approximately 03:13 hours, guest Raymond Hughes [redacted] is observed being handed his cards. After looking at his cards, Mr. Raymond looked at the hand he was dealt and is then observed proceeding to illegally add a bet to his play which resulted in him winning $150.

Upon further review, at approximately 02:53 hours, guest Raymond Hughes is observed being handed his cards. After looking at his cards, Mr. Raymond looked at the hand he was dealt and is then observed proceeding to illegally add a bet to his play which resulted in him winning $30.

After conducting a review with Card Room Supervisor Kristopher Richard, and confirming Mr. Raymond's cheating 2 times, at 03:24 hours along with Security Shift Supervisor Vladimir Morency approached Mr. Raymond Hughes at Table #2 asked to cash out after paying back the $185 that was due to him capping his bet. At approximately 03:25 hours, Security Shift Manager Jose Santigo then escorted Mr. Hughes out through the North entrance.

Information Supplied:

According to Card Room Supervisor Kristopher Richard, Mr. Hughes had been paid out a total of $185.00 for two hand he had capped and paid back the full amount of $185 once he was confronted by him and Security Shift Supervisor Vladimir Morency. Security Shift Manager Jose Santiago had advised he was given a indefinite trespass by Miami Gardens Officer Bernard from property creating case # 2023-012413.

Person's Involved:

EXHIBIT # 2
PAGE # 3

Reporting Party - Card Room Supervisor Kristopher Richard

Security Shift Supervisor Vladimir Morancy, Security Shift Manager Jose Santiago

Suspect - Raymond Hughes

Attached Narrative

EXHIBIT # -2
PAGE # -8

ATTACHMENTS

Attachment 12527 - Picture

Picture

(2. a.) INVESTIGATION SUMMARY

Outcome Overview

What happened?

How did it happen?

Why did it happen?

What needs to be corrected?

Contributing Factors

Incident Corrective Actions

Closed Date/Time
July 29, 2023 4:47 am

Investigation Start Date

Investigation Close Date

Expiry Date

Reported to Police
Yes

Reported to Supervisor
Yes

Requires Investigation
No

Investigator

Investigation Cost
$0.00

Investigation Time Spent (Hours)
0

(2. b.) INVESTIGATION ANNEXURES - INVESTIGATION DETAILS

EXHIBIT # -2
PAGE # -9

CONTRIBUTING FACTORS

CORRECTIVE ACTIONS

INTERVIEWS

EVIDENCE

LOGS

Total Investigation time spent (Hours)	Total Investigation Cost
0	$0.00

ATTACHMENTS (INVESTIGATION & OUTCOME)

EXHIBIT # 2
PAGE # – 10

IM - Incident Detail Report

INC-22016 SEC 22016 | 2023-07-29 | Criminal / Cheating |

Calder Casino
21001 NW 27th Avenue.
Miami Gardens, Florida United States
33056

Incident Details Report

Incident Name	SEC 22016 | 2023-07-29 | Criminal / Cheating |
Incident Type	Criminal / Cheating
Reported Date	July 29, 2023 4:19 am

EXHIBIT # - 3
PAGE # — 1

(1. a.) INCIDENT SUMMARY

Primary Incident Type
Criminal / Cheating

Incident Severity
Low

Net Loss
0

Description
Created on: 07292023 Observation: Security Shift Manager Jose Santiago was notified of a guest cheating inside the Cardroom. Upon arrival Security Shift Supervisor Vladimir Morency approached suspect now known as Raymond Hughes who was caught "Capping a Bet" on table 2 inside the Cardroom. Mr. Hughes admitted cheating and payed back the $180 he won. Ms. Hughes refused to give ID to S/S Morency ,which then lead to S/S Morency calling Miami Gardens for assistance. Officer Bernard took over the scene and issued Ms. Hughes an official trespass from property. Case number 2023-012413

Location

Observed Date/Time

Incident Reported DateTime
July 29, 2023 4:19 am

Incident Start DateTime
July 29, 2023 3:30 am

Incident End DateTime
July 29, 2023 3:45 am

Reported By

Responding Person(s)

Incident Owner
Jose Santiago

Incident Supervisor
Jerome Davis, Ashley Kalisch, Jean Lara, Humberto Machin, Leonides Martinez, Favio Munoz, Michael Urena

Incident Flags

Fiscal Year

Additional Responses

Police File Number

Flag Notes
Miami Gardens Case number 2023-012413

Additional Incident Types

EXHIBIT # - 3
PAGE # - 2

(1. b.) INCIDENT ANNEXURES - INVOLVEMENTS & RELATED DATA

INVOLVED LOCATIONS

Reported Location

Location Name
Casino/Front of House/ Zone 1 -

Location

Location Type

Property Name
Casino/Front of House/ Zone 1

Asset Status
External

Owner/Lessor

Organization

Policies

INVOLVED PERSONS

INVOLVED ITEMS

NARRATIVES

Original Narrative

Person

Date & Time
July 29, 2023 4:31 am

Narrative Owner
Jose Santiago

Narrative
Origin of Call: On July 29, 2023 at approximately 0330 hours, Security Shift Manager Jose Santiago was notified of a guest cheating inside the Cardroom.

Interview: Cardroom Supervisor Kristopher Cage Richard advised S/S Morency of a guest who was cheating on table two by capping his bet. C/S Richard stated he review the surveillance coverage and confirmed the $180 capping bet.

EXHIBIT # - 3
PAGE # - 3

Interview II: Upon arrival Security Shift Supervisor Vladimir Morency approached suspect now known as Raymond Hughes who was caught "Capping a Bet" on table 2 inside the Cardroom. Mr. Hughes admitted cheating and payed back the $180 he won. Ms. Hughes refused to give ID to S/S Morency, which then lead to S/S Morency calling Miami Gardens for assistance.

Action Taken: Surveillance was notified and maintained coverage for the remainder of the incident. Officer Bernard took over the scene and issued Ms. Hughes an official trespass from property. Case number 2023-012413. Surveillance coverage of the incident may be available upon request.

Attachments: One photo of Mr. Hughes

Attached Narrative

EXHIBIT #~3
PAGE # ~ 4

ATTACHMENTS

Attachment 12528 - Picture

Picture

(2. a.) INVESTIGATION SUMMARY

Outcome Overview

What happened?

How did it happen?

Why did it happen?

What needs to be corrected?

Contributing Factors

Incident Corrective Actions

Closed Date/Time	Investigation Start Date	Investigation Close Date	Expiry Date
Reported to Police Yes	Reported to Supervisor Yes	Requires Investigation No	Investigator Melissa Brooks, Dameion Capdeville, Jason Duncan, Roy McCloud, Jason Milam, Vladimir Morency
		Investigation Cost $0.00	Investigation Time Spent (Hours) 0

EXHIBIT # 3
PAGE # - 5

(2. b.) INVESTIGATION ANNEXURES - INVESTIGATION DETAILS

CONTRIBUTING FACTORS

CORRECTIVE ACTIONS

INTERVIEWS

EVIDENCE

LOGS

Total Investigation time spent (Hours)	Total Investigation Cost
0	$0.00

ATTACHMENTS (INVESTIGATION & OUTCOME)

CALDER CASINO

BIGGER. BETTER. CALDER.

August 1st, 2023

Raymond Hughes
18600 NW 5th Avenue
Miami Gardens, FL 33169

Dear Mr. Hughes

Due to conduct that is not acceptable at Calder Casino, you are not permitted to attend or be present on our facilities.

Effective August 1st, 2023 all of your gaming, wagering, and visitation privileges will be revoked.

Should you have any questions in regards to this notice, please feel free to contact me at (305) 625-1311, extension 1107.

Respectfully,

JC Lara

Senior Director of Safety and Security

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PAGE # - 1

Miami Gardens Police Department
18611 NW 27TH AVE | MIAMI GARDENS, FL 33056 | P: 305.474.6473

Case # 2023-012413 - Offense / Incident Report

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A case number was issued.

No further information.

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REPORTING PARTY-1 (ORGANIZATION)
R-1 Calder Casino

ORGANIZATION TYPE	ORGANIZATION INDUSTRY
Business	Gambling/casinos

MAILING ADDRESS
CALDER RACE COURSE, 21001 NW 27TH AVE, MIAMI GARDENS, FL 33056

INCIDENT INFO

INCIDENT TYPE
INFORMATION

OFFENSE LOCATION

LOCATION NAME / STREET ADDRESS/LOCATION NAME / APT, UNIT, STE / DESCRIPTION
CALDER RACE COURSE, 21001 NW 27TH AVE

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SEX	RACE / ETHNICITY	PHONE NUMBER
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18600 NW 5TH AVE, MIAMI, FLORIDA 33169

RELATIONSHIPS ADDENDUM

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RYAN BERNARD #369 Aug 1, 2023 00:57 (e-signature)	HUBERT PIERRE #207 Aug 1, 2023 04:14 (e-signature)
PRINT NAME	PRINT NAME
RYAN BERNARD #369	HUBERT PIERRE #207

EXHIBIT # -5
PAGE # - 1

NAME	RELATIONSHIP	SUBJECT
RAYMOND THOMAS HUGHES Jr	RELATIONSHIP TO ORGANIZATION UNKNOWN	Calder Casino

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
RYAN BERNARD #369 Aug 1, 2023 00:57 (e-signature)	HUBERT PIERRE #207 Aug 1, 2023 04:14 (e-signature)
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REPORTING PARTY-1

REPORTING PARTY-1 (ORGANIZATION)
R-1 Calder Casino

ORGANIZATION TYPE	ORGANIZATION INDUSTRY
Business	Gambling/casinos

MAILING ADDRESS
CALDER RACE COURSE, 21001 NW 27TH AVE, MIAMI GARDENS, FL 33056

FIELD CONTACT #230729025

TYPE OF CONTACT	PRIMARY REASON FOR CONTACT / STOP
Pedestrian Stop	Call For Service

REASONABLE SUSPICION / PROBABLE CAUSE FACTOR(S)
Call For Service

DISPOSITION FOR CONTACT / STOP

- ☐ Other Warning Issued
- ■ Trespass Warning Issued
- ☐ Released to Guardian
- ☐ Gang Intelligence
- ☐ Traffic Citation
- ☐ Other
- ☐ Search Conducted
- ☐ Verbal Warning
- ☐ Associate Arrested
- ☐ Vehicle Impounded
- ☐ No Action

SUBJECT-1

SUBJECT-1 NAME (LAST, FIRST MIDDLE)	DOB / ESTIMATED AGE RANGE
SB-1 HUGHES, RAYMOND THOMAS Jr	[redacted]

SEX	RACE / ETHNICITY	PHONE NUMBER
Male	Black / Unknown	(305) 319-1103 (primary, Mobile Phone), (305) 879-7674 (Work)

HOME ADDRESS
18600 NW 5TH AVE, MIAMI GARDENS, FLORIDA 33169-

SUBJECT TYPE	WAS A FRISK INVOLVED
Trespass Warning	☐ YES ■ NO

WAS THIS PERSON PATTED DOWN AND/OR SEARCHED AS A RESULT OF THE STOP (PRIOR TO ARREST)?
No

FIELD CONTACT LOCATION

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
RYAN BERNARD #369 Aug 1, 2023 00:56 (e-signature)	HUBERT PIERRE #207 Aug 1, 2023 04:14 (e-signature)
PRINT NAME	PRINT NAME
RYAN BERNARD #369	HUBERT PIERRE #207

LOCATION NAME / STREET ADDRESS/LOCATION NAME / APT, UNIT, STE / DESCRIPTION			
CALDER RACE COURSE, 21001 NW 27TH AVE			
CITY	STATE	ZIP	COUNTRY CODE
MIAMI GARDENS	FL	33056	US
LOCATION CATEGORY	BEAT / SUBDIVISION 2 / SUBDIVISION 4 / SUBDIVISION 5		PUBLIC / PRIVATE
Other	31		Private

RELATIONSHIPS ADDENDUM

NAME	RELATIONSHIP	SUBJECT
RAYMOND THOMAS HUGHES Jr	RELATIONSHIP TO ORGANIZATION UNKNOWN	Calder Casino

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
RYAN BERNARD #369 Aug 1, 2023 00:56 (e-signature)	HUBERT PIERRE #207 Aug 1, 2023 04:14 (e-signature)
PRINT NAME	PRINT NAME
RYAN BERNARD #369	HUBERT PIERRE #207

Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
Office of Investigations

PROPERTY RECEIPT

Complaint # 2023-04-3622 Date 8/3/23 Lab # _____

Item No.	Quantity	Description
1	1	DVD CONTAINING VIDEO FOOTAGE OF CHEATING INCIDENT ON 7-29-23
		LAST ITEM

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

Signature – Impounding Investigator

RETURNED PROPERTY RECEIPT

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature Date

Received by: _____ Date: _____
Received by: _____ Date: _____
Received by: _____ Date: _____

Copies for: File, Transmittal, Laboratory, Property Receipt

Form FGCC 11-75 (Revised 07/22)

EXHIBIT # 6
PAGE # 1

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Joseph Klein, Senior Attorney
Re: FGCC v. Christian Santiago Reyes
Case Number 2023-048247; Default Final Order
Date: April 23, 2024

Executive Summary

The Division of Pari-Mutuel Wagering ("Division") seeks the revocation of the Pari-Mutuel Professional Individual Occupational License held by the respondent, Christian Santiago Reyes ("Respondent"). The Division served Respondent with a two-count administrative complaint, alleging that he had (i) been convicted of a felony, and (ii) failed to timely inform the Commission of the conviction. In addition, Respondent failed to respond to the publication notice in a timely manner, thereby waiving his right to request a hearing contesting this matter.

The Division recommends that the Florida Gaming Control Commission enter a final order revoking Respondent's Pari-Mutuel Wagering Professional Individual Occupational License.

Background

On June 30, 2022, Respondent was issued a Pari-Mutuel Wagering Professional Individual Occupational License, number 8474496, which expires June 30, 2024. On April 18, 2023, Respondent was convicted of Battery by a Detained Person, a felony offense, in the Circuit Court of the Fifth Judicial Circuit in and for Sumter County, Florida, case number 2022-CF-001404. Respondent did not inform the Commission of the felony conviction within 48 hours.

Based on the foregoing, the Division filed an administrative complaint on October 13, 2023, seeking the suspension or revocation of Respondent's Pari-Mutuel Wagering Professional Individual Occupational License.

The Division was unsuccessful in its two attempts to serve the administrative complaint on Respondent by Certified Mail on October 17, 2023, and October 30, 2023. On December 14, 2023, and December 21, 2023, the Division attempted to serve Respondent by hand-delivery but was also unsuccessful. The Division then requested that a notice be placed in the Business Observer, which was published

March 8, 2024, March 15, 2024, March 22, 2024, and March 29, 2024. Respondent failed to respond to the notice in a timely manner, which would have been no later than April 5, 2024.

Analysis

Section 550.105(5)(b), Florida Statutes, provides:

> The commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the commission governing the conduct of persons connected with racetracks and frontons. In addition, the commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Section 550.105(10)(d), Florida Statutes, provides that each licensee shall inform the Commission within 48 hours "if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication."

Respondent was convicted of a felony, and he failed to inform the Commission of his conviction within 48 hours of his conviction. Respondent's license is therefore subject to suspension or revocation. Moreover, Respondent failed to file a timely response to Division's administrative complaint and has thus waived his right to request a hearing contesting this matter.

Staff Recommendation: The Division recommends that the Florida Gaming Control Commission enter a final order revoking Pari-Mutuel Professional Individual Occupational License number 8474496 held by the respondent, Christian Santiago Reyes.

Serial Number
24-00360K

Business Observer

Published Weekly
Lakeland, Polk County, Florida

COUNTY OF POLK

2023-048247

STATE OF FLORIDA

Before the undersigned authority personally appeared Holly Botkin who on oath says that he/she is Publisher's Representative of the Business Observer a weekly newspaper published at Lakeland, Polk County, Florida; that the attached copy of advertisement,

being a Notice of Action

in the matter of Administrative Complaint against Christian Santiago Reyes

in the Court, was published in said newspaper by print in the

issues of 3/8/2024, 3/15/2024, 3/22/2024, 3/29/2024

Affiant further says that the Business Observer complies with all legal requirements for publication in chapter 50, Florida Statutes.

*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.

NOTICE OF ACTION
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING
IN RE: Sections 550.105(5)(b), and 550.105(10)(d) Florida Statutes.
CHRISTIAN SANTIAGO REYES
2727 Massee Drive
Davenport, Florida 33837
CASE NO.: 2023-048247
LICENSE NO.: 8474496
The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 4070 Esplanade Way, Suite 250, Tallahassee, FL 32399, (850) 794-8072.

If no contact has been made by you concerning the above by Thursday, April 5, 2024, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257- 6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.
March 8, 15, 22, 29, 2024

24-00360K

Holly Botkin

Sworn to and subscribed, and personally appeared by physical presence before me,

29th day of March, 2024 A.D.

by Holly Botkin who is personally known to me.

Notary Public, State of Florida
(SEAL)

Donna Condon
Comm.#HH015747
Expires: June 29, 2024
Bonded Thru Aaron Notary

FLORIDA GAMING CONTROL COMMISSION,

Petitioner,

v. FGCC Case No.: 2023-048247

CHRISTIAN SANTIAGO REYES,

Respondent.
_____/

AFFIDAVIT OF SERVICE OR DILIGENT SEARCH

COMES NOW, the Affiant, an employee of the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, State of Florida, who first being duly sworn, deposes and states:

On (date) DEC 14 + 21, 2023, Affiant made a diligent effort to locate Respondent, to serve: ☐ License Denial; ☒ Administrative Complaint and related papers; ☐ Subpoena(s); ☐ Final order; ESO and related papers; ___(other) _____.

(PLEASE CHECK APPLICABLE ANSWER)

____ Affiant made personal service on Respondent, on (date), _____, at (location) _____.

X Affiant was unable to make service after searching for Respondent at: (a) all addresses for Respondent shown in the F.G.C.C. investigation of the case; (b) all official addresses for Respondent shown in his/her licensing records of the Division of Pari-Mutuel Wagering; (c) any others: _____

C. [redacted]
Signature of Affiant

STATE OF Florida
COUNTY OF Orange

Before me, appeared Clarence Derek Washington; ___ who is personally known to me or ✓ whose identity I proved on the basis of FDL [redacted]; and who acknowledges that his/her signature appears above.

Sworn to or affirmed by Affiant before me this 17th day of January 2024.

Lori L. Crawford
Notary Public

Lori L. Crawford
Type or Print Name

LORI L. CRAWFORD
Commission # HH 462451
Expires November 7, 2027

FILED
FLORIDA GAMING CONTROL COMMISSION
Date: **10/13/2023**
File Number:
BY: MELBA L. APELLANIZ
CLERK OF THE COMMISSION

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-048247

CHRISTIAN SANTIAGO REYES,

Respondent.
_____/

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Christian Santiago Reyes ("Respondent"), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.

2. At all times material hereto, Respondent held a Pari-Mutuel Professional Individual Occupational License, number 8474496, issued pursuant to section 550.105(2)(a) Florida Statutes.

3. On or about April 18, 2023, Respondent entered a plea of nolo contendere and was convicted of Battery by a Detained Person, a felony, in the Circuit Court of the Fifth Judicial Circuit in and for Sumter County, Florida, in case number 2022-CF-001404.

COUNT I

4. Petitioner realleges and adopts paragraphs numbered one through three as if set forth fully herein.

5. Pursuant to section 550.105(5)(b), Florida Statutes:

> The commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the commission governing the conduct of persons connected with racetracks and frontons. In addition, the commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

6. Section 550.105(5)(d), Florida Statutes, provides the term "convicted" means "having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere."

7. Based on the foregoing, Respondent violated section 550.105(5)(b), Florida Statutes, by entering a plea of nolo contendere and being convicted of Battery by a Detained Person, a felony, in Sumter County, Florida on April 18, 2023 and is therefore subject to suspension or revocation of his occupational license.

COUNT II

8. Petitioner realleges and adopts paragraphs numbered one through three as if set forth fully herein.

9. Respondent failed to notify Petitioner within 48 hours of his April 18, 2023 conviction for Battery by a Detained Person in Sumter County, Florida.

10. Pursuant to section 550.105(10)(d), Florida Statutes, each licensee shall inform the Commission, within 48 hours, "if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication."

11. Based on the foregoing, Respondent violated section 550.105(10)(d), Florida Statutes, by failing to inform the Division of his April 18, 2023 conviction for a disqualifying offense within 48 hours.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order revoking or suspending Respondent's Occupational License, along with any other remedy provided by section 550.105(5), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-048247 is signed this 11th day of October 2023.

/s/Emily A. Alvarado

Emily A. Alvarado
Deputy Chief Attorney
Florida Bar Number: 1025200
Florida Gaming Control Commission
Office of the General Counsel
Division of Pari-Mutuel Wagering
4070 Esplanade Way, Suite 250
Tallahassee, Florida 32399-2202
Telephone: (850) 794-8066
Facsimile: (850) 536-8709
Primary: Emily.Alvarado@flagaming.gov
Secondary: Ebonie.Lanier@flgaming.gov

NOTICE OF RIGHTS

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update | Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **cstubbs1**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	**1021 - Pari-Mutuel Wagering Individual Occupational**			Status	**90 Closed**	Status Date	**09/11/2023**
Complaint #	**2023048247**	Case Type	**CMP - Complaint**	Disposition		Disposition Date	
Docket#		Respondent	**SANTIAGO REYES, CHRISTIAN**	Responsible	**bjones - JONES, BRADFORD**		**Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**INTN - Internal**	Security Level	**1**
Form	**INTR - Internal**	Priority	
Class'n	**CHIS - Criminal History**	Complexity	**R - Regular**
Security	**STND - Standard**	Incident	**04/18/2023**
Region	**SR - Southern Region**	Received	**08/24/2023**
Reference	**550.105**		
Entered	**08/25/2023**	Entered By	**nmelvai**
Summary	**321----Gulfstream Park Racing Association, INC.---[{ 550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines}]---- Licensee Christian SANTIGO REYES, a Jockey at Gulfstream Park, and who holds a PMW Professional Individual Occupational License, (Lic# 8474496 / 1021), was convicted on April 18, 2023, for Battery by a Detained Person (Felony 3rd Degree) and failed to notify the Division of his conviction as required by Florida Statutes and Rule noted above. In addition, the Division received notification that SANTIGO REYES had been arrested on June 12, 2023, and charged with Possession of Cocaine (Felony 3rd Degree) by the Orlando Police Department. Case is pending.**		
Updated	**09/13/2023 08:20:50**	By	**cstubbs1**

☐ Parties ☑ Activities

☑ Allegations ☐ Discipline

☐ Violations ☐ Compliance

☐ Related ☑ Disposition

☐ Inspection

☐ Costs

☐ Time Tracking Auto Assign

☐ Attachments History

☐ Work Notes Print Report

Change | Save | OK | Cancel | Back

Get Adobe Reader.

Florida Gaming Control Commission
Division of Pari-Mutuel Wagering

PMW Occupational License Applicant Hit Routing Slip

RE: **SANTIAGO REYES, CHRISTIAN** **LICENSE NO:** **8474496**
(LICENSEE NAME)

APPLICANT HIT RECEIVED: 06/12/2023
(DATE)

Jonathan Dye	**321 - Gulfstream Park.**	**Jockey**
Applicant Hit ORS	**Facility (d/b/a name)**	**Occupation/Job Title**

Pursuant to Section 550.105(5)(a) The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Licensing Section Review
Did the applicant self-report this conviction? ☐ Yes ☒ No
Conviction
☒ Felony
☐ Misdemeanor – Gambling Related/Bookmaking
☐ Animal Cruelty
Is the applicant currently under suspension, has unpaid fines, or has been refused a license by any racing jurisdiction? Yes ☐ No ☒
☐ Cardroom Licenses, Professions 1012, 1031 and 1032 (Fraud, Larceny, Theft, etc.)
☐ Other:
Comments: **11/30/2022- Sumter County, Florida (Case #: 602022CF001404CFAXMX)** **Charge 1-** BATTERY BY PERSON DETAINED IN PRISON OR JAIL FACILITY (F)– Adjudicated Guilty **06/12/2023- Orange County, Florida (Case #: 482023CF007815000AOX)** **Charge 1-** POSSESSION OF COCAINE (F)– Pending
☐ Referred to Investigations Initials: Date:

License Administrator Review:	☐ **No Referral Required**	☑ **Forward to Investigations**	**Initials:**

Revised 08/10/2016

Arrest Report

SUMTER COUNTY SO
7361 POWELL RD. WILDWOOD FL 34785

2022CF1404

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
11/28/2022 04:06 PM	SCSOARR105677	SCSO22OFF006540 / SCSO22CAD114477	HAYES, CLINTON

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0600000	11/28/2022 14:57:41 -	WITHIN JURISDICTION

OBTS Number	Other Number	Clearance
6002028256	22.3397	

Location of Occurrence

County	Location Type	Location Description
SUMTER	JAIL FACILITY	SUMTER COUNTY JAIL

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
219	E ANDERSON AVE		BUSHNELL	FL	33513

Suspect

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
CHRISTIAN		SANTIAGO		H	MALE	503	126	BLK	GRN

MNI #	SSN	Date of Birth	Age	ID Type	Drivers License or other ID	State	OCA / Agency ID
SCSO22MNI025816	[redacted]	[redacted]	33		[redacted]	FL	

Place of Birth:	NEWARK DE UNITED STATES

Address
* RESIDENCE / 2727 MASSEE RD , DAVENPORT, FL 33837 /

Charge :

Counts	Charge	Bond Amount	
1	784.082.3	$2000.00	☐ No Bond

Charge Degree	Charge Level
T	FELONY

General Offense Code	Arrest Offense Code
COMPLETED	BATTERY

Charge Description
BATTERY BY PERSON DETAINED IN PRISON OR JAIL FACILITY

FILED IN THE OFFICE OF THE CLERK OF CIRCUIT COURT SUMTER COUNTY, FLA.
2022 NOV 30 PM 1:04
GLORIA R. HAYWARD
CLERK OF CIRCUIT COURT
BY: D.C.

Bond Set by Court

Bond Amount	
	☐ No Bond

Bond Type(s)

Probable Cause

[redacted]

ORIGINAL

EXHIBIT #2
PAGE 1/19

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
11/28/2022 04:06 PM	SCSOARR105677	SCSO22OFF006540 / SCSO22CAD114477	HAYES, CLINTON

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0600000	11/28/2022 14:57:41 -	WITHIN JURISDICTION

OBTS Number	Other Number	Clearance

[redacted]

ORIGINAL

EXHIBIT #2
PAGE 2/19

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
11/28/2022 04:06 PM	SCSOARR105677	SCSO22OFF006540 / SCSO22CAD114477	HAYES, CLINTON

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0600000	11/28/2022 14:57:41 -	WITHIN JURISDICTION

OBTS Number	Other Number	Clearance

[redacted]

Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone

Booking Facility Location	Booking Number

Booking Comments

Court

Court County	Court Location

Court	Court Phone	Court Appereance Date / Time	Court Fine

Comments

Warrant Service Other Agency

Service Date/Time	Case Number	Warrant Number
11/28/2022 14:57:00	SCSO22OFF006540	

Location Type	Location Description
JAIL FACILITY	SUMTER COUNTY DETENTION CENTER

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
219	E ANDERSON AVE		SUMTER	BUSHNELL	FL	33513

Officer Name / Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
HAYES, CLINTON SERGEANT 60132	PRIMARY / REPORTING OFFICER	SUMTER COUNTY SO SCSO\JAIL
MCCARTHY, PATRICIA CIVILIAN 60662	OTHER	SUMTER COUNTY SO SCSO\RECORDS

EXHIBIT #2
PAGE 3/19

ORIGINAL

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
11/28/2022 04:06 PM	SCSOARR105677	SCSO22OFF006540 / SCSO22CAD114477	HAYES, CLINTON

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0600000	11/28/2022 14:57:41 -	WITHIN JURISDICTION

OBTS Number	Other Number	Clearance

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name	Office Rank	Officer ID No
HAYES, CLINTON	SERGEANT	60132

Officer Agency
SUMTER COUNTY SO

Officer Signature: Clinton Hayes

Sworn and subscribed before me, the undersigned authority
This the 28 day of November, 2022
DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT

J Waterman

○ No Bill / Petition ○ Issue Warrant ○ Prosecution Approved

Signature of Assistant State Attorney Date

EXHIBIT #2
PAGE 4/19

ORIGINAL

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR SUMTER COUNTY

STATE OF FLORIDA CASE NO 2022-CF-001404-A

vs.

CHRISTIAN SANTIAGO (A) W/M, [redacted]

INFORMATION

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA:

WILLIAM M GLADSON, State Attorney for the Fifth Judicial Circuit of the State of Florida, in and for Sumter County prosecuting for the State of Florida, by and through the undersigned Assistant State Attorney, in the said County, under oath, information makes that, in the County of Sumter, and the State of Florida:

COUNT I: BATTERY BY A DETAINED PERSON (F3)
784.082(3) and 784.03

CHRISTIAN SANTIAGO on or about November 28, 2022, did, while lawfully detained in a prison, jail or other detention facility, to-wit: Sumter County Detention Center aka Sumter County Jail, commit battery upon THOMAS JOSEPH SLIKE by intentionally touching or striking THOMAS JOSEPH SLIKE against his will, or by intentionally causing bodily harm, in violation of Florida Statutes 784.082(3) and 784.03

STATE OF FLORIDA, COUNTY OF SUMTER

Personally appeared before me, WILLIAM M GLADSON, State Attorney for the Fifth Judicial Circuit, State of Florida, in and for Sumter County, or his duly designated Assistant State Attorney, who first being sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which if true, would constitute the offense therein charged. Prosecution instituted in good faith and subscribed under oath, certifying he or she has received testimony under oath from the material witness or witnesses of the offense.

WILLIAM M GLADSON
State Attorney

MATTHEW BRYAN
Assistant State Attorney
Fifth Judicial Circuit of Florida
Florida Bar No. 1023236

Sworn to and subscribed before me this 4th day of December, 2022.

Affiant Personally Known to Notary Public

MARIA A. LARRIS
Commission # HH 224448
Expires February 25, 2026

FCIC REFERENCE NUMBERS:
1) BATTERY BY A DETAINED PERSON 1319

Complaint/Arrest

Affidavit Continuation

Court Case No. 2022 CF 1404

Agency Case No. SCSO22OFF006540

Defendant Name: Last SANTIAGO, First CHRISTIAN Middle

Date of Birth [redacted]

FIRST APPEARANCE FINDINGS & ORDERS

Based upon the foregoing Affidavit and/or Sworn Testimony of DEPUTY HAYES, CLINTON the undersigned finds and determines:

☑ As to charges(s) A that there was at the time of arrest and is probable cause to believe the defendant has committed the offense with which he/she is accused and it is hereby Ordered and Adjudged that defendant is to be detained or post bond as otherwise affixed pending further proceedings.

☐ As to charges(s) _____ that there is a lack of evidence that the defendant committed the offense with which he/she is accused, and it is hereby Ordered and Adjudged that the Sheriff or Chief of Police having custody is directed to forthwith release defendant from custody on defendant's own recognizance, subject to defendant appearing at all subsequent court proceedings upon proper notice.

☐ As to charges(s) _____ that it is hereby Ordered and Adjudged the matter of probable cause is hereby continued until the next First Appearance Hearing after date hereof, at which Hearing the Arresting Agency shall present any further proof of probable cause that it may possess.

RELEASE ORDER:

The above named Defendant was brought before the undersigned on this date at 12 o'clock, ____M. for a first appearance hearing and the undersigned thereupon informed him/her of the charge against him/her and provided him/her with a copy thereof and also adequately advised him/her that (1) he/she was not required to say anything and that anything he/she did say might be used against him/her (2) if he/she was financially unable to afford an attorney that the Court would appoint one to represent him/her, and (3) he/she had the right to communicate with his/her attorney, his/her family, or his/her friends, and if necessary reasonable means would be provided to enable him/her to do so; and the undersigned having considered all available relevant factors necessary to determine whether bail is necessary to assure Defendant's future appearance, and found that same is _____ necessary, it is upon consideration thereof ORDERED AND ADJUDGED that the Defendant

☐ Be released on his/her own recognizance upon the condition that he/she appear as agreed below.

☑ Be admitted to bail in the amount of $ SEE as to charge A, $ _____ as to charge B, $ _____ as to charge C, $ _____ as to charge D, and $ _____ as to charge E, upon the condition that he/she appear as agreed below.

NO contact w. VICTIM

DETERMINATION OF SOLVENCY

( ) The undersigned determines that the Defendant is solvent, is not indigent within the meaning of Rule 3.1 11 (b) (4) FRCP and is not entitled to the services of the Office of the Public Defender.

ORDER OF INDIGENCY AND APPOINTMENT OF PUBLIC DEFENDER

✓ The above named Defendant appearing in Open Court, and the said Defendant having filed in this Court his Affidavit of Indigency; and testimony having been taken before this Court, and the Court being otherwise fully advised in the premises, It is thereupon:

ORDERED AND ADJUDGED as follows:

1. That the Defendant be, and he/she is hereby declared to be Indigent within the meaning of Rule 3. 1 11 (b) (4) of the Florida Rules of Criminal Procedure; and

2. That the office of the Public Defender for the Fifth Judicial Circuit in and for _____ County, Florida or _____ a private counsel, is hereby appointed to represent said Defendant in the above styled cause and in any other controversy pending between the State of Florida and the said Defendant.

DONE AND ORDERED this 29th day of November '20 22, at Sumter **County, Florida**

_____
JUDGE

DEFENDANT'S OATHS & AGREEMENTS

OATH OF INDIGENCY

The above named Defendant personally appeared before me and, being duly sworn, states:

(1) I am the Defendant above named and desire the assistance of counsel in these proceedings.

(2) I represent to the court, under penalty of perjury, that I am without money or means with which to employ a lawyer I have no assets which could be converted to cash, mortgaged or pledged to raise sufficient funds to employ a lawyer.

(3) Pursuant to Section 27.56, Florida Statutes, I understand that in the event I am found guilty of a criminal act, I may be civilly liable for Court costs and a reasonable attorney's fee incurred in my defense. I further understand that I shall have the opportunity to be heard and offer objections to the determination of the value of the services of the Public Defender or appointed private counsel, and costs, at the time of the final disposition of my case.

REFUSAL OF APPOINTMENT OF COUNSEL

( ) I hereby represent to the County that I do not desire the services of the Office of the Public Defender and that I will employ private counsel.

AGREEMENT TO APPEAR

I hereby acknowledge receipt of a copy of the above and I agree and promise to appear in Courtroom _____ of the _____ County Courthouse, in _____ Florida, on the _____ day of _____ 20____ at _____ o'clock, ____M, and at such other times as the Court may order, and also agree to notify the Clerk of the Court, in writing, of my new address should I move from the address below.

DATED _____ '20____

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ **DAY OF** _____ '20____

_____
Deputy Clerk/judge

_____
Defendant

2727 Massee Rd, Ravenford FL 33837
Address

EXHIBIT #2
PAGE 7/19

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT,
OF THE STATE OF FLORIDA, IN AND FOR SUMTER COUNTY

STATE OF FLORIDA CASE NO. 2022-CF-001404-A

VS

CHRISTIAN SANTIAGO
_____/

WAIVER OF RIGHTS AND PLEA AGREEMENT

I, CHRISTIAN SANTIAGO, the above-named Defendant in the criminal action(s) declare that:

If I have any questions before or during the plea, I can talk privately with my lawyer and if my lawyer cannot answer my questions, I can talk with the judge.

I am aware of and fully understand that charge(s) listed below have been filed against me in the above-styled case(s). I understand that the maximum sentence of each charge is as follows:

BATTERY BY A DETAINED PERSON - 5 Years Fine $5,000 (784.082(3) and 784.03)

I also understand that a plea of guilty admits the truth of a charge, a plea of not guilty denies a charge and a plea of nolo contendere (no contest) neither admits nor denies a charge but is made in my own best interest and enables the judge to sentence me the same as if I pled guilty.

Pursuant to plea negotiations entered into between the State Attorney's Office, my attorney and/or myself, I wish to enter a plea of guilty/nolo contendere (no contest) to

(X) - Charges as Filed

The sentencing scoresheet prepared in my case has been fully explained to me and if I still have any questions, I can ask the judge about them at the time I enter this plea. I understand that if I am being sentenced as a habitual offender or prison releasee reoffender the sentencing scoresheet does not apply to my case.

I understand and agree that I will be sentenced only upon the following terms and conditions:

Adjudication of Guilt
~~County Jail - 200 days~~ TIME SERVED MB
~~Credit Time Served (____ days) - As Stipulated to By The State Attorney, The Defendant, And The Defendant's Attorney~~
Fine ($200.00) MB
~~No contact with victim while in custody - THOMAS JOSEPH SLIKE~~
Sample of DNA for FDLE database
Mandatory Court Costs
$150.00 TO THE STATE ATTORNEYS OFFICE FOR COST OF PROSECUTION.

Filed in open court this Translated interpreted by Jorge Colón
of _____ 20__
By _____ D.C.

Filed in open court this 18th day
of April 2023
By _____ D.C.

By placing my initials beside the following paragraphs, I state that I understand the content of each item, either by having read each item or by having each item read and/or explained to me; and that each item so initialed is true and correct as it applies to me:

CS. I am 34 years of age and I have completed 12 years of formal education.

N/A I can read, write and understand the English language and I have no difficulty reading and understanding this document.

CS. I am not currently under the influence of drugs or alcohol.

CS. I have never been found to be insane or incompetent, nor have I ever been a patient at any hospital for mental illness.

CS. I have discussed with my attorney the facts of this case(s) and the defense(s) that might be available. I am satisfied that my attorney has represented me to the best of his/her ability and has done all that can be expected of him/her.

CS. I have discussed and reviewed with my attorney the discovery disclosed by the state, including the listing or description of all items of physical evidence. My attorney has reviewed and explained the nature of the evidence against me disclosed by the state's discovery exhibit and all addendums to the state's discovery exhibit.

CS. I am not aware of any physical evidence disclosed by the state for which DNA testing may exonerate me.

CS. I have not been promised any reward nor has it been suggested that I will be rewarded in any manner, or that I will be given any leniency, other than the terms set forth in this document, in return for my entering this plea. No person has used any threats, force, pressure or intimidation to induce me to make this plea. No promises concerning gain time or potential release dates have been made to me.

CS. I fully realize that by entering this plea, I am waiving any right to a trial by a jury or by the judge, I am waiving my right to confront and cross-examine my accusers, I am waiving my right to remain silent or to testify in my own behalf, I am waiving my right to subpoena witnesses and have them testify for me, and I am waiving my right to require the state to prove the truth of the charge(s), including each element thereof, beyond and to the exclusion of every reasonable doubt before I can be found guilty.

CS. I understand that by entering this plea, I may subject myself to involuntary civil commitment as a sexually violent predator, if I am sentenced to incarceration in the Department of Corrections or the county jail, and if this offense is found to be a sexually motivated offense or if I have been previously convicted of a sexually motivated offense. I further understand that the possibility of civil commitment as a sexually violent predator will remain if I become incarcerated in the future.

EXHIBIT #2
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CS

I understand that if I am not a United States citizen, this plea, regardless of whether adjudication of guilt has been withheld, may change my immigration status, including deportation or removal from the United States. I understand that I may consult with counsel if I need additional information concerning the potential deportation consequences of this plea.

CS

I understand the judge will impose mandatory court costs, surcharges and fees and may impose fines and other discretionary charges. If I am sentenced to probation and/or community control, I will be required to pay costs of supervision. If I have been represented by the public defender system, I will be required to pay a reasonable fee for those legal services. I represent that I have the ability to pay all of these obligations during terms of probation and/or community control.

CS

I understand that I have a right to request a hearing where the prosecution and my court appointment attorney would submit evidence of costs they incurred and I may contest the amount of the costs of prosecution and/or the cost ordered for the services of the public defender or other court appointed attorney (if represented by Court appointed counsel). I agree these costs are reasonable and waive my right to a hearing.

CS

I understand that by entering this plea, I waive my right to direct appeal of any matters relating to judgment, including the issue of guilt or innocence. I understand that an appeal, based solely on the length of a legal sentence, will not be successful. I understand I retain my right to challenge an illegal sentence.

CS

I understand that this plea agreement is void if withdrawn by the state prior to being accepted by the judge.

CHRISTIAN SANTIAGO
DEFENDANT

4-18-23
DATE

I am attorney for the defendant in this case(s). I have read and fully explained this document to the defendant. I have also read and fully explained the Information as well as the Sentencing Scoresheet to the defendant. He has acknowledged to me that he fully understands the content of both documents. I have explained the maximum penalty as to each count pled to by the defendant and I consider him competent to understand the charge(s) against him and the effect his of waiver of rights and plea agreement. I have explained to him his right of appeal and the difference between direct appeal and collateral attack.

I am not aware of any physical evidence disclosed by the state for which DNA testing may exonerate the defendant.

EXHIBIT #2
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Jorge Luis Colon
ATTORNEY FOR DEFENDANT

4-14-23
DATE

On behalf of the State of Florida, I agree to the terms and conditions of this document and ask the court to accept and enforce the same.

I am not aware of any physical evidence in this case for which DNA testing may exonerate the defendant.

MATTHEW BRYAN
ASSISTANT STATE ATTORNEY

4/18/23
DATE

I have determined that the defendant entered into this waiver of rights and plea agreement freely and voluntarily and that there is sufficient factual basis. Therefore, I approve this document and accept the defendant's plea.

David B. Ebbey
~~MARY P HATCHER~~
~~CIRCUIT JUDGE~~
Senior judge

4-18-2023
DATE

EXHIBIT #2
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Gloria R. Hayward, Sumter County Clerk of Court
Inst: 202360017390 Date: 05/03/2023 Time: 1:02PM
Page 1 of 8 B: 4460 P: 635 By: ML

In the Circuit Court, **FIFTH** Judicial Circuit, in and for **SUMTER** County, Florida

_ Probation Violator
_ Community Control Violator
_ Retrial
_ Resentence

Division: **CIRCUIT CRIMINAL**
Case Number: **2022CF001404**

State of Florida
v.
CHRISTIAN SANTIAGO
Defendant

JUDGMENT

The defendant, **CHRISTIAN SANTIAGO**, being personally before this court represented by **JORGE COLON, ESQ**, the attorney of record, and the state represented by **MATTHEW BRYAN, ASA**, and having

_ Been tried and found guilty by jury/by court of the following crime(s)
_ Entered a plea of guilty to the following crime(s)
X Entered a plea of nolo contendere to the following crime(s)

Count	Crime	Offense Statute Numbers	Degree Of Crime	Case Number	OBTS Number
I.	**BATTERY BY A DETAINED PERSON**	**784.082(3)**	**3°F**	**22CF1404**	**6002028256**
		784.03			

X and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED THAT the defendant is hereby ADJUDICATED GUILTY of the above crime(s).

_ and being a qualified offender pursuant to section 943.325, Florida Statutes, the defendant shall be required to submit DNA samples as required by law.

_ And good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILTY BE WITHHELD.

DONE AND ORDERED in open court at BUSHNELL, SUMTER County, Florida, this 18TH day of APRIL, 2023.

David B. Eddy
Judge

EXHIBIT #2
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In the Circuit Court, **FIFTH** Judicial Circuit, in and for **SUMTER** County, Florida

State of Florida — Division: **CIRCUIT CRIMINAL**

v. — Case Number: **2022CF001404**

CHRISTIAN SANTIAGO

Defendant

CHARGES/COSTS/FEES

The defendant is hereby ordered to pay the following sums if checked:

- X $50.00 pursuant to section 938.03, Florida Statutes (Crimes Compensation Trust Fund).
- X $3.00 as a court cost pursuant to section 938.01, Florida Statutes (Criminal Justice Trust Fund).
- X $2.00 as a court cost pursuant to section 938.15, Florida Statutes (Criminal Justice Education by Municipalities and Counties) Sumter County Ordinance 82-12.
- _ A fine in the sum of $_____ pursuant to section 775.0835, Florida Statutes. (This provision refers to the optional fine for the Crimes Compensation Trust fund and is not applicable unless checked and completed. Fines imposed as a part of a sentence to section 775.083, Florida Statutes are to be recorded on the sentence page(s).)
- X A sum of $150.00 pursuant to section 938.27(8), Florida Statutes (Costs of Prosecution).
- _ A sum of $_____ pursuant to section 938.29, Florida Statutes (Public Defender/Appointed Counsel Fees).
- _ Restitution in accordance with attached order.
- X $201.00 pursuant to section 938.08, Florida Statutes (Funding Programs in Domestic Violence).
- _ A sum of $_____ for the cost of collecting the DNA sample required by section 943.325, Florida Statutes.
- X $50.00 pursuant to section 775.083(2), Florida Statutes (Crime Prevention) - each felony count.
- _ $20.00 pursuant to section 775.083(2), Florida Statutes (Crime Prevention) - each misdemeanor count.
- X A sum of $225.00 pursuant to section 938.05(1)(a), Florida Statutes (Additional Court Costs).
- X $65.00 pursuant to section 939.185(1)(a), Florida Statutes and Sumter County Ordinance 2004-18 (BOCC Additional Costs) – each count
- X $3.00 pursuant to section 938.19, Florida Statutes and Sumter County Ordinance 2008-11 (Teen Court) – each count
- X $50.00 pursuant to section 27.52, Florida Statutes (Public Defender Application Fee).
- _ $30.00 pursuant to section 318.18(13)(a), Florida Statutes and Sumter County Ordinance 2009-18 (Court Facilities)
- _ $3.00 pursuant to section 318.18(17), Florida Statutes (State Radio System Surcharge)
- X $151.00 pursuant to section 938.085, Florida Statutes (Rape Crisis Trust Fund)
- _ $151.00 pursuant to section 938.10, Florida Statutes (Crimes Against Minors)
- _ $100.00 pursuant to section 938.055, Florida Statutes (FDLE Operating Trust Fund)
- _ $5.00 pursuant to section 316.192(4), Florida Statutes (Emergency Medical Services)
- _ $135.00 pursuant to section 938.07, Florida Statutes (DUI Assessment)
- _ $15.00 pursuant to section 938.13, Florida Statutes and Sumter County Ordinance 98-3
- _ $65.00 pursuant to section 318.18(20), Florida Statutes (DOH Administrative Trust Fund)
- _ $_____ pursuant to section 938.27(1), Florida Statutes (Cost of Investigation).

EXHIBIT #2
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- _ $1001.00 surcharge for Fraudulently Using Personal Identification Information pursuant to section 817.568(12)(a)(b)(c), Florida Statutes.
- _ $5000.00 sucharge for Commit Prostitution pursuant to section 796.07(6), Florida Statutes.
- _ $50.00 a day Cost of Incarceration pursuant to section 960.293(2), Florida Statutes – Lien of Record
- _ Other: _____

DONE AND ORDERED in open court at BUSHNELL, SUMTER County, Florida, this 18TH day of APRIL, 2023.

David B. Eddy
Judge

EXHIBIT #2
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Defendant: **CHRISTIAN SANTIAGO** Case Number: **2022CF001404** OBTS Number: **6002028256**

SENTENCE

(As to Count **I.**)

The defendant, being personally before this court, accompanied by the defendant's attorney of record, **JORGE COLON, ESQ**, and having been adjudicated herein, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

(check one if applicable)

_ and the Court having on _____ (date) deferred imposition of sentence until this date.

_ and the Court having previously entered a judgment in this case on _____ (date) now resentences the defendant.

_ and the Court having placed the defendant on probation/community control and having subsequently revoked the defendant's probation/community control.

It is The Sentence of The Court That:

X The defendant pay a fine of **$200.00**, pursuant to section 775.083, Florida Statutes, plus **$10.00** as the 5% surcharge required by section 960.25, Florida Statutes; plus **$20.00** pursuant to section 938.06 Florida Statutes.

_ The defendant is hereby committed to the custody of the Department of Corrections.

X The defendant is hereby committed to the custody of the Sheriff of **SUMTER** County, Florida.

_ The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

To Be Imprisoned (check one; unmarked sections are inapplicable):

_ For a term of natural life.

X For a term of **182 (ONE HUNDRED EIGHTY-TWO) DAYS.**

_ Said SENTENCE SUSPENDED for a period of _____ subject to conditions set forth in this order.

If "split" sentence, complete the appropriate paragraph.

_ For a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.

_ However, after serving a period of _____ imprisonment in ____, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

EXHIBIT #2
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Defendant: **CHRISTIAN SANTIAGO** Case Number: **2022CF001404**

SPECIAL PROVISIONS

(As to Count **I.**)

By appropriate notation, the following provisions apply to the sentence imposed:

Mandatory/Minimum Provisions

Firearm	–	It is further ordered that the 3-year minimum imprisonment provisions of section 775.087 (2), Florida Statutes is hereby imposed for the sentence specified in this count.
Drug Trafficking	–	It is further ordered that the _____ year mandatory minimum imprisonment provision of section 893.135(1), Florida Statutes is hereby imposed for the sentence specified in this count.
Controlled Substance Within 1,000 Feet of School	–	It is further ordered that the 3-year minimum imprisonment provisions of section 893.13 (1) (c) 1, Florida Statutes is hereby imposed for the sentence specified in this count.
Habitual Felony Offender	–	The defendant is adjudicated a habitual felony offender and has been sentenced to an extended term in accordance with the provisions of section 775.084 (4) (a), Florida Statutes. The requisite findings by the court are set forth in a separate order or stated on the record in open court.
Habitual Violent Felony Offender	–	The defendant is adjudicated a habitual violent felony offender and has been sentenced to an extended term in accordance with the provisions of section 775.084 (4) (b), Florida Statutes. A minimum of _____ year(s) must be served prior to release. The requisite findings of the court are set forth in a separate order or stated on the record in open court.
Law Enforcement Protection Act	–	It is further ordered that the defendant shall serve a minimum of _____ year(s) before release in accordance with section 775.0823, Florida Statutes. (Offenses committed before 1/1/1994.)
Capital Offense	–	It is further ordered that the defendant shall serve no less than 25 years in accordance with the provisions of section 775.082 (1), Florida Statutes. (Offenses committed before 10/1/1995.)
Short-Barreled Rifle, Shotgun, Machine Gun	–	It is further ordered that the 5-year minimum provisions of section 790.221(2), Florida Statutes are hereby imposed for the sentence specified in this count. (Offenses committed before 1/1/1994.)
Continuing Criminal Enterprise	–	It is further ordered that the 25-year minimum sentence provisions of section 893.20, Florida Statutes are hereby imposed for the sentence specified in this count. (Offenses committed before 1/1/1994.)
Taking a Law Enforcement Officer's Firearm	–	It is further ordered that the 3-year mandatory minimum imprisonment provision of section 775.0875 (1), Florida Statutes is hereby imposed for the sentence specified in this court. (Offenses committed before 1/1/1994.)

EXHIBIT #2
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Defendant: **CHRISTIAN SANTIAGO** Case Number: **2022CF001404**

SPECIAL PROVISIONS

Sexual Offender/Sexual Predator Determinations:

Sexual Predator	–	The defendant is adjudicated a sexual predator as set forth in section 775.21, Florida Statutes.
Sexual Offender	–	The defendant meets the criteria for a sexual offender as set forth in section 943.0435(1)(a)1al, b.,c., or d., Florida Statutes.
Age of Victim		The victim was _years of age at the time of the offense.
Age of Defendant		The defendant was _ years of age at the time of the offense.
Relationship to Victim		The defendant is not the victim's parent or guardian.
Sexual Activity	–	The offense _ did _ did not involve sexual activity.
Use of Force or Coercion		The sexual activity described herein _ did _ did not involve the use of force or coercion.
Use of Force or Coercion/Unclothed Genital [F.S.800.04(5)]		The molestation _ did _ did not involve unclothed genital or genital area. The molestation _ did _ did not involve the use of force or coercion.

Other Provisions:

Criminal Gang Activity	–	The felony conviction is for an offense that was found, pursuant to section 874.04, Florida Statutes to have been committed for the purpose of benefiting, promoting, or furthering the interest of a criminal gang.
Retention of Jurisdiction	–	The court retains jurisdiction over the defendant pursuant to section 947.16 (4), Florida Statutes (1983).
Jail Credit	X	It is further ordered that the defendant shall be allowed a total of 182 day(s) as credit for time incarcerated before imposition of this sentence.

CREDIT FOR TIME SERVED IN RESENTENCING AFTER VIOLATION OF PROBATION OR COMMUNITY CONTROL

–	It is further ordered that the defendant be allowed _____ days time served between date of arrest as a violator following release from prison to the date of resentencing. The Department of Corrections shall apply original jail time credit and shall compute and apply credit for time served only pursuant to section 921.0017, Florida Statutes on case/count _____. (Offenses committed on or after January 1, 1994.)
–	It is further ordered that the defendant be allowed _____ days time served between date of arrest as a violator following release from prison to the date of resentencing. The Department of Corrections shall apply original jail time credit and shall compute and apply credit for time served and unforfeited gain time previously awarded on case/count _____. (Offenses committed before October 1, 1989.)
–	It is further ordered that the defendant be allowed _____ days time served between date of arrest as a violator following release from prison to the date of resentencing. The Department of Corrections shall apply original jail time credit and shall compute and apply credit for time served on case/count _____. (Offenses committed between October 1, 1989 and December 31, 1993.)

_ The Court deems the unforfeited gain time previously awarded on the above case/count forfeited under section 948.06(7), Florida Statutes.

_ The Court allows unforfeited gain time previously awarded on the above case/count. (Gain time may be subject to forfeiture by the Department of Corrections under section 944.28(1), Florida Statutes.)

Consecutive/ Concurrent As to Other Counts

_ It is further ordered that the sentence imposed for _____ shall run (check one):
_____ Consecutive to _____ Concurrent
with the sentence set forth in _____ of this case.

Consecutive/ Concurrent As to Other Convictions

_ It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run (check one):
_____ Consecutive to _____ Concurrent with (check one) the following:

_____ Any active sentence being served.
_____ Specific sentences: _____

In the event the above sentence is to the Department of Corrections, the Sheriff of SUMTER County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing notice of appeal within 30 days from this date with the clerk of this court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the state on showing of indigency.

In imposing the above sentence, the court further orders: _____

DONE AND ORDERED in open court at BUSHNELL, SUMTER County, Florida, this 18TH day of APRIL, 2023.

David B. Eddy
Judge

EXHIBIT #2
PAGE 19/19

Licensee | History | Notes | Notes History | Back

License

Fed Tax # [redacted] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2024**

File # **51984** Name **SANTIAGO REYES, CHRISTIAN** Extended To

License # **8474496** Rank **PIND - Professional Individual Occupational** Renewed On

Entity # **8474496** Lic Status **Current**

Address

Street # **2727** Street **MASSEE DR.**

Line 2

Line 3

City **DAVENPORT** State **FL** Zip **33837**

Routing

Other

1st License Date **06/30/2022** Rank Date **06/30/2022** Certificate #

Method **I-S-1020** Status Date **06/30/2022** Certificate Date

Fee Exempt **No** Birth Date [redacted] Renewal Sent

Select

Action

Modifiers

Type	Modifier	Effective Date	Additional Info
A	ENFO - Enforcement Alert	10/26/2022	APPLICANT HIT
C	JCKY - Jockey	03/22/2009	
I	TBRD - Thoroughbred	11/12/2015	
L	321 - Gulfstream Park	07/01/2022	
Y	3YR - 3 Year License	03/22/2009	

Alt Keys

BEST LIC NBR **8474496**

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EXIBIT #3
PAGE 1/3

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **dwashingto**

Fed Tax # [redacted]		Lic Type	**1021 - PMW Professional Individual Occupational**	Expires On	**06/30/2024**
File #	**51984**	Name	**SANTIAGO REYES, CHRISTIAN**	Extended To	
License #	**8474496**	Rank	**PIND - Professional Individual Occupational**	Renewed On	
Entity #	**8474496**	Lic Status	**Current**		

Description	Effective	Notes
Enforcement Alert	10/26/2022	☑

OK

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EXIBIT #3
PAGE 2/3

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **dwashingto**

Modifier Type	**A - Alert**
Modifier	**ENFO - Enforcemt Alert**
Effective	**10/26/2022**
Expires	**-**
Additional Info :	
Prompt	
Value	**APPLICANT HIT**
Notes	**Applicant must submit form PMW-3120 and provide court disposition records for the 10/19/2022 offense in Sumter County, Florida. And provide court disposition records for the 05/11/2023, 06/09/2023 and 6/12/2023 offense in Orlando, Florida.**
Updated	**08/10/2023 11:53:42**
By	**jdye1**

Notes History | Change | Delete | Save | Cancel | < | >

Add | Back

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EXIBIT #3
PAGE 3/3

Arrest Report

2022CT1992

SUMTER COUNTY SO
7361 POWELL RD. WILDWOOD FL 34785

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
10/19/2022 04:17 AM	SCSOARR106127	SCSO22OFF005748 / SCSO22CAD100410	ABBOTT, MICHAEL

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0600000	10/19/2022 03:27:01 - 10/19/2022 04:46:00	WITHIN JURISDICTION

OBTS Number	Other Number	Clearance
6002027919	22.3397	

Location of Occurrence

County	Location Type	Location Description
SUMTER	BUSINESS	TA TRUCK STOP

Street Number	Street	Apt/Lot/Bldg	City	State	Zip Code
556	E SR 44		WILDWOOD	FL	34785

Suspect

First Name	Middle Name	Last Name	Suffix	Race	Sex	Height	Weight	Hair	Eyes
CHRISTIAN		SANTIAGO		H	MALE	503	0		

MNI #	SSN	Date of Birth	Age	ID Type	Drivers License or other ID	State	OCA / Agency ID
SCSO22MNI025816	[redacted]	[redacted]	33		[redacted]	FL	

Place of Birth:	DE UNITED STATES

Address
* RESIDENCE / 2727 MASSEE RD , DAVENPORT, FL 33837 / 626-593-3839

Charge :

Counts	Charge	Bond Amount	
1	322.34.2a	$500.00	☐ No Bond

Charge Degree	Charge Level
S	MISDEMEANOR

General Offense Code	Arrest Offense Code
COMPLETED	MOVING TRAFFIC VIOL

Charge Description
DRIV WHILE LIC SUSPEND REVOCATION EQUIV STATUS

FILED IN THE OFFICE OF CLERK OF CIRCUIT COURT SUMTER COUNTY, FLA
2022 OCT 20 PM 12:34
GLORIA R. HAYWARD CLERK OF CIRCUIT COURT
BY _____ D.C.

Bond Set by Court

Bond Amount	
	☐ No Bond

Bond Type(s)

Probable Cause

The defendant (Christian Santiago) did violate the following:

F.S.S. 322.34(2)(a) Knowingly Operating a Motor Vehicle Without a Valid Driver's License 1st Offense, by driving a gold Chevrolet Malibu, while knowingly possessing a suspended Florida driver's license, within Sumter County, to wit;

ORIGINAL

EXHIBIT #4
PAGE #1

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
10/19/2022 04:17 AM	SCSOARR106127	SCSO22OFF005748 / SCSO22CAD100410	ABBOTT, MICHAEL

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0600000	10/19/2022 03:27:01 - 10/19/2022 04:46:00	WITHIN JURISDICTION

OBTS Number	Other Number	Clearance

On October 19th, 2022, at approximately 3:25 a.m., I observed a gold in color Chevrolet Malibu, bearing a Virginia temporary tag, [redacted] traveling west bound on State Road 44, Wildwood, within Sumter County. While traveling on State Road 44, the vehicle did not have his headlights activated.

I conducted a traffic stop and made contact with the driver, explained the reason for my traffic stop and requested his driver's license. The defendant than provided me with his Florida identification card. I asked for the defendant's Florida driver's license an additional time which he advised, he was in the process of trying to get his license reinstated. I conducted an FCIC/NCIC query of the defendant's identification card, which revealed the following suspension to his Florida driver's license:

08/23/2022 suspended indefinitely, failed to appear on a traffic summons case number AG6O2TE
09/19/2022 suspended indefinitely, failed to appear on a traffic summons case number AG8NIBE
09/19/2022 suspended indefinitely, failed to appear on a traffic summons case number AG8NICE
10/18/2022 suspended indefinitely, criminal and failed to appear, case number AG8NIDE
07/27/2022 financial responsibility, non-judgement suspension, case number 838507439
08/16/2022 financial responsibility, non-judgement suspension, case number 938818623

A DAVID check was conducted of the defendant's Florida driver's license which revealed he has no prior guilty convictions at this time.

It should be noted the defendant also possesses a Miami Dade County bench warrant reference no valid driver's license. This warrant not served as it is not extraditable.

The defendant was subsequently placed under arrest on the offenses of DWLSR with Knowledge, First Offense, FSS 322.34(2)(a), secured in handcuffs (double locked) and placed within the patrol car. The defendant was later transported to the Sumter County Detention Center without incident.

The defendant was given a $500.00 bond in accordance with the current bond schedule. The defendant was issued a UTC (AGDGITE) for operating a motor vehicle with a suspended driver's license.

Jail Booking Facility

Booking Date/Time	Booking County	Booking Facility	Booking Facility Phone
	SUMTER	SUMTER COUNTY DETENTION CENTER	(352) 569-1700

Booking Facility Location	Booking Number
219 EAST ANDERSON AVE. BUSHNELL, FLORIDA 33513-6149	

Booking Comments

Court

Court County	Court Location
SUMTER	215 EAST MCCOLLUM AVENUE BUSHNELL, FLORIDA 33513

ORIGINAL

EXHIBIT #4
PAGE #2

Report Date / Time	Report Number	Case Number/Cad Number	Reporting Officer Name
10/19/2022 04:17 AM	SCSOARR106127	SCSO22OFF005748 / SCSO22CAD100410	ABBOTT, MICHAEL

Originating Agency ORI	Occur Date Time Range	Jurisdiction
FL0600000	10/19/2022 03:27:01 - 10/19/2022 04:46:00	WITHIN JURISDICTION

OBTS Number	Other Number	Clearance

Court	Court Phone	Court Appereance Date / Time	Court Fine
SUMTER COUNTY COURT	(352) 569-6600		

Comments

Warrant Service Other Agency

Service Date/Time	Case Number	Warrant Number
10/19/2022 04:22:55	SCSO22OFF005748	

Location Type	Location Description
BUSINESS	TA TRUCK STOP

Street Number	Street	Apt/Lot/Bldg	County	City	State	Zip Code
556	E SR 44		SUMTER	WILDWOOD	FL	34785

Officer Name / Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
ABBOTT, MICHAEL DEPUTY 60470	REPORTING OFFICER	SUMTER COUNTY SO SCSO\PATROL
THOMPSON, LARRY SERGEANT 60258	APPROVING SUPERVISOR	SUMTER COUNTY SO SCSO\PATROL

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

Reporting Officer

Officer Name	Office Rank	Officer ID No
ABBOTT, MICHAEL	DEPUTY	60470

Officer Agency: SUMTER COUNTY SO

Officer Signature: 60470

Sworn and subscribed before me, the undersigned authority
This the 19 day of October, 2022
DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT

610

○ No Bill / Petition ○ Issue Warrant ○ Prosecution Approved

Signature of Assistant State Attorney Date

ORIGINAL

EXHIBIT #4
PAGE #3

Complaint/Arrest | Court Case No. 2022CT1992 | Agency Case No. SCSO22OFF005748

Affidavit Continuation

Defendant Name: Last SANTIAGO, First CHRISTIAN Middle | Date of Birth [redacted]

FIRST APPEARANCE FINDINGS & ORDERS

Based upon the foregoing Affidavit and/or Sworn Testimony of DEPUTY ABBOTT, MICHAEL the undersigned finds and determines:

☑ As to charges(s) A that there was at the time of arrest and is probable cause to believe the defendant has committed the offense with which he/she is accused and it is hereby Ordered and Adjudged that defendant is to be detained or post bond as otherwise affixed pending further proceedings.

☐ As to charges(s) _____ that there is a lack of evidence that the defendant committed the offense with which he/she is accused, and it is hereby Ordered and Adjudged that the Sheriff or Chief of Police having custody is directed to forthwith release defendant from custody on defendant's own recognizance, subject to defendant appearing at all subsequent court proceedings upon proper notice.

☐ As to charges(s) _____ that it is hereby Ordered and Adjudged the matter of probable cause is hereby continued until the next First Appearance Hearing after date hereof, at which Hearing the Arresting Agency shall present any further proof of probable cause that it may possess.

RELEASE ORDER:

The above named Defendant was brought before the undersigned on this date at 12 o'clock: ____M. for a first appearance hearing and the undersigned thereupon informed him/her of the charge against him/her and provided him/her with a copy thereof and also adequately advised him/her that (1) he/she was not required to say anything and that anything he/she did say might be used against him/her (2) if he/she was financially unable to afford an attorney that the Court would appoint one to represent him/her, and (3) he/she had the right to communicate with his/her attorney, his/her family, or his/her friends, and if necessary reasonable means would be provided to enable him/her to do so; and the undersigned having considered all available relevant factors necessary to determine whether bail is necessary to assure Defendant's future appearance, and found that same is _____ necessary, it is upon consideration thereof ORDERED AND ADJUDGED that the Defendant

☐ Be released on his/her own recognizance upon the condition that he/she appear as agreed below.

☑ Be admitted to bail in the amount of $ 2,000 as to charge A, $ _____ as to charge B, $ _____ as to charge C, $ _____ as to charge D, and $ _____ as to charge E, upon the condition that he/she appear as agreed below.

Do not drive w/o DL

DETERMINATION OF SOLVENCY

( ) The undersigned determines that the Defendant is solvent, is not indigent within the meaning of Rule 3.1 11 (b) (4) FRCP and is not entitled to the services of the Office of the Public Defender.

ORDER OF INDIGENCY AND APPOINTMENT OF PUBLIC DEFENDER

The above named Defendant appearing in Open Court, and the said Defendant having filed in this Court his Affidavit of Indigency; and testimony having been taken before this Court, and the Court being otherwise fully advised in the premises, It is thereupon:

ORDERED AND ADJUDGED as follows:

1. That the Defendant be, and he/she is hereby declared to be Indigent within the meaning of Rule 3. 1 11 (b) (4) of the Florida Rules of Criminal Procedure; and
2. That the office of the Public Defender for the Fifth Judicial Circuit in and for _____ County, Florida or _____ a private counsel, is hereby appointed to represent said Defendant in the above styled cause and in any other controversy pending between the State of Florida and the said Defendant.

DONE AND ORDERED this 19th **day of** October **'20** 22 **, at** Sumter **County, Florida**

_____
JUDGE

recall hrtg

DEFENDANT'S OATHS & AGREEMENTS

OATH OF INDIGENCY

The above named Defendant personally appeared before me and, being duly sworn, states:

(1) I am the Defendant above named and desire the assistance of counsel in these proceedings.

(2) I represent to the court, under penalty of perjury, that I am without money or means with which to employ a lawyer I have no assets which could be converted to cash, mortgaged or pledged to raise sufficient funds to employ a lawyer.

(3) Pursuant to Section 27.56, Florida Statutes, I understand that in the event I am found guilty of a criminal act, I may be civilly liable for Court costs and a reasonable attorney's fee incurred in my defense. I further understand that I shall have the opportunity to be heard and offer objections to the determination of the value of the services of the Public Defender or appointed private counsel, and costs, at the time of the final disposition of my case.

REFUSAL OF APPOINTMENT OF COUNSEL

( ) I hereby represent to the County that I do not desire the services of the Office of the Public Defender and that I will employ private counsel.

AGREEMENT TO APPEAR

I hereby acknowledge receipt of a copy of the above and I agree and promise to appear in Courtroom _____ of the _____ County Courthouse, in _____ Florida, on the _____ day of _____ 20____ at _____ o'clock, _____ M. and at such other times as the Court may order, and also agree to notify the Clerk of the Court, in writing, of my new address should I move from the address below.

DATED- _____ '20____

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ **DAY OF** _____ **'20**____

_____
Deputy Clerk/judge

_____
Defendant

HC1 4482 Vega Baja
Comerio, PR 00782
Address

EXHIBIT #4
PAGE #4

FLORIDA GAMING CONTROL COMMISSION

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: **PMW**	Region: **Southern**	Date of Complaint: **August 24, 2023**	Case Number: **2023 04 8247**

Respondent:	Complainant:
SANTIAGO REYES, CHRISTIAN **2727 MASSEE DRIVE** **DAVENPORT, FLORIDA 33837**	**DIVISION OF PARI-MUTUEL WAGERING** **OFFICE OF INVESTIGATIONS** **1400 WEST COMMERCIAL BOULEVARD, SUITE 165** **FT. LAUDERDALE, FLORIDA 33309**

License # and Type:	Profession:	Report Date:
8474496 - 1021	**JOCKEY**	**September 11, 2023**

Period of Investigation:	Type of Report:
AUGUST 24, 2023 – September 11, 2023	**FINAL**

Alleged Violation: 550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines: (5)(b) The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the division governing the conduct of persons connected with racetracks and frontons. In addition, the division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

(d) For purposes of this subsection, the term “convicted” means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

(10)(d) Under penalty of perjury, each person who is licensed or who is fingerprinted as required by this section must agree to inform the division within 48 hours if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

Synopsis: Licensee Christian **SANTIAGO REYES**, a Jockey at Gulfstream Park (GSP), and who holds a PMW Professional Individual Occupational License, (Lic# 8474496 / 1021), was convicted on April 18, 2023, for Battery by a Detained Person (Felony 3rd Degree) and failed to notify the Division of his conviction as required by Florida Statutes and Rule noted above. In addition, the Division received notification that **SANTIAGO REYES** had been arrested on June 12, 2023, and charged with Possession of Cocaine (Felony 3rd Degree) by the Orlando Police Department; that case is pending.

Related Case:

Investigator Supervisor / Date	Chief of Investigations / Date
/s/ C. Derek Washington C. Derek Washington / September 11, 2023	Bradford D. Jones / September 12, 2023

CONTINUATION

On June 12, 2023, the Division received an Applicant Hit notification from the Florida Department of Law Enforcement (FDLE). The report indicated that on June 12, 2023, **SANTIAGO-REYES** was arrested by the Orlando Police Department and charged with Possession of Cocaine (3rd Degree Felony). This case is still pending **(Exhibit #1)**.

Upon further investigation, information obtained from the Florida Comprehensive Case Information System (CCIS) for Sumter County, Florida, revealed that Mr. **SANTIAGO-REYES,** while incarcerated for another offense[1], was arrested on November 28, 2022, and charged with Battery by Person Detained in Prison or Jail Facility (3rd Degree Felony). On April 18, 2023, **SANTIAGO-REYES** pled Nolo Contendere to the charge and was adjudicated guilty. He was sentenced to 182 days in jail and ordered to $1,180.00 in Court costs and Fines **(Exhibit #2)**.

Mr. **SANTIAGO-REYES** received his PMW Professional Individual Occupational license on June 30, 2022, to work as a Jockey at Gulfstream Park. He is currently licensed until June 30, 2024. On October 26, 2022, PMW Operations Review Specialist Jonathan Dye placed an Enforcement Alert on **SANTIAGO-REYES**' PMW license record regarding the above offenses and other arrests (**Exhibit #3)**.

SANTIAGO-REYES is in violation of Florida Statutes 550.105(5)(b)(d) & (10)(d) due to his felony conviction and failure to notify the Division of his felony conviction.

Status: Closed by Investigations and forwarded to Legal for review.

[1] ***On October 19, 2022 SANTIAGO-REYES was arrested by the Sumpter County Sheriff's Office for Knowingly Driving with a Suspended/Revoked Driver's License and related outstanding warrants. He was in the custody of the Sumpter County Jail for this offence when the Battery occurred (EXHIBIT #4).***

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FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

License Search | Entity Search | Modify License Standing | Maintain License CE Control

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **cstubbs1**

VR Home > Complaint Search > Maintain Complaint > **Display Alerts**

Fed Tax #	[redacted]	Lic Type	**1021 - PMW Professional Individual Occupational**	Expires On	**06/30/2024**
File #	**51984**	Name	**SANTIAGO REYES, CHRISTIAN**	Extended To	
License #	**8474496**	Rank	**PIND - Professional Individual Occupational**	Renewed On	
Entity #	**8474496**	Lic Status	**Current**		

Description	Effective	Notes
Enforcement Alert	10/26/2022	☑

OK

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FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

License Search | Entity Search | Modify License Standing | Maintain License CE Control

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **cstubbs1**

VR Home > Complaint Search > Maintain Complaint > **License Home**

Licensee
History
Notes
Notes History
Back

License

Fed Tax # [redacted] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2024**

File # **51984** Name **SANTIAGO REYES, CHRISTIAN** Extended To

License # **8474496** Rank **PIND - Professional Individual Occupational** Renewed On

Entity # **8474496** Lic Status **Current**

Address

Street # **2727** Street **MASSEE DR.**

Line 2

Line 3

City **DAVENPORT** State **FL** Zip **33837**

Routing

Other

1st License Date **06/30/2022** Rank Date **06/30/2022** Certificate #

Method **I-S-1020** Status Date **06/30/2022** Certificate Date

Fee Exempt **No** Birth Date [redacted] Renewal Sent

Select

Action

Modifiers

Type	Modifier	Effective Date	Additional Info
A	ENFO - Enforcement Alert	10/26/2022	APPLICANT HIT
C	JCKY - Jockey	03/22/2009	
I	TBRD - Thoroughbred	11/12/2015	
L	321 - Gulfstream Park	07/01/2022	
Y	3YR - 3 Year License	03/22/2009	

Alt Keys

BEST LIC NBR **8474496**

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4. Discussion of license denials

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Joseph Klein, Senior Attorney
Re: Michael J. Newnum; Case Number 2024-009404
Date: April 16, 2024

Executive Summary

The Division of Pari-Mutuel Wagering (the "Division") seeks to deny the application of Michael J. Newnum (the "Applicant") for a Cardroom Employee Occupational License (the "Application"). The Applicant submitted a completed application for a Cardroom Employee Occupational License on November 17, 2023. Upon review of the application, it appears Applicant has been convicted of a second-degree misdemeanor offense for Receiving Stolen Property. The Executive Director of the Commission reviewed the file along with the waiver interview notes and declined to waive the statutory restrictions excluding offenders. Therefore, the Division recommends that the Florida Gaming Control Commission authorize the issuance of a Letter of License Denial.

Pertinent Facts

On October 3, 2023, the Applicant submitted an application for a Pari-Mutual Cardroom Employee Occupational License to the Division. On October 10, 2023, the Division issued a deficiency letter to the Applicant, requesting that he amend the Application to disclose information relating to arrests in the state of Missouri.

The Applicant submitted an amended application on November 17, 2023, and a request for waiver of the restrictions excluding offenders with disqualifying offenses on February 12, 2024.

Upon review of the completed Application, it appears that on October 12, 2018, the Applicant was convicted of Receiving Stolen Property, a misdemeanor offense in the State of Missouri. This misdemeanor conviction is a disqualifying offense pursuant to section 849.086(6)(g), Florida Statutes.

On February 15, 2024, a Division investigator conducted a waiver interview of the Applicant. The Division investigator documented the waiver interview in a report submitted to the Executive Director of the Commission for consideration. On March

26, 2024, the Executive Director, having reviewed the waiver report and all relevant information and documents, declined to waive the restrictions excluding offenders.

Relevant Law

Section 550.105(5)(c), Florida Statutes, provides in pertinent part that:

> The commission may deny, declare ineligible, or revoke any occupational license if the applicant for such license has been convicted of a felony or misdemeanor in this state, in any other state, or under the laws of the United States, if such felony or misdemeanor is related to gambling or bookmaking, as contemplated in s. 849.25, or involves cruelty to animals. If the applicant establishes that she or he is of good moral character, that she or he has been rehabilitated, and that the crime she or he was convicted of is not related to pari-mutuel wagering and is not a capital offense, the restrictions excluding offenders may be waived by the director of the commission.

Section 849.086(6)(g), Florida Statutes, provides that:

> [t]he commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.

Section 849.086(6)(f), Florida Statutes, provides that the "provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses."

Section 550.105(5)(d), Florida Statutes, provides that:

> …the term "convicted" means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere. However, the term "conviction" shall not be applied to a crime committed prior to the effective date of this subsection in a manner that would invalidate any occupational license issued prior to the effective date of this subsection or subsequent renewal for any person holding such a license.

Staff Recommendation: The Florida Gaming Control Commission may deny the Application or declare the Applicant ineligible for a Cardroom Employee Occupational License upon a finding of a disqualifying offense pursuant to section 849.086(6)(g), Florida Statutes. Accordingly, the Division of Pari-Mutuel Wagering recommends that the Florida Gaming Control Commission authorize the issuance of a Letter of License Denial to Michael J. Newnum in this matter.

ROUTING SLIP
REQUEST FOR WAIVER

RE: NEWNUM, MICHAEL J. – 13767548
(APPLICANT'S NAME – LICENSE #)

Case No: 2024 00 9404

1012 – Cage Cashier
Occupation Code and Job Title

950 – Ocala Breeder Sales (Ocala Bets)
Facility (d/b/a name)

90-DAY RESPONSE DEADLINE: MAY 16, 2024
(DATE)

Investigations Section: Reviewed by Bradford D. Jones 3/18/2024
(Initial & Date)

The attached "Request for Waiver" file has been reviewed for completeness and accuracy and has been forwarded to the Licensing Section.

Licensing Section: Reviewed by: DD 03/20/2024
(Initial & Date) _____ (Initial & Date)

Is the applicant currently under suspension, has unpaid fines, or has been refused a license by any gaming or racing jurisdiction?

[ ] Yes or [✓] No If yes, in what jurisdiction? _____

Executive Director: 3/26/24
(Initial & Date)

[ ] Prepare Waiver or [✓] Prepare File for Commission Review

Comments: _____

Investigative Findings:

November 14, 2016 Independence Police Department, MO. – Receiving Stolen Property – Misdemeanor – Pled Guilty – Convicted on October 12, 2018 – Sentenced to 180 days in Jail (Suspended), and 2 years' Probation supervised. - Early termination of probation on October 31, 2019.

*Please attach Routing Slip to front of case file

Florida Gaming Control Commission

Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 754.288.1055 • Fax: 754.315.8380

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

WAIVER INVESTIGATIVE REPORT

Office:	Region:	Date of Complaint:	Case Number:
PMW	**CENTRAL**	**FEBRUARY 15, 2024**	**2024 00 9404**

Respondent:	Complainant:
NEWNUM, MICHAEL J. **18545 NW 45TH AVE. RD. SITE #74A** **CITRA, FLORIDA 32113** **TEL# (816)874-9201**	**DIVISION OF PARI-MUTUEL WAGERING** **OFFICE OF INVESTIGATIONS** **1400 WEST COMMERCIAL BOULEVARD, SUITE 165** **FT. LAUDERDALE, FLORIDA 33309**

License # / Type:	Profession:	Report Date:
13767548 / 1012	**CAGE CASHIER**	**MARCH 5, 2024**

Period of Investigation:	Type of Report:
FEBRUARY 16, 2024 - MARCH 5, 2024	**FINAL**

This investigation is based upon submission on **MICHAEL J. NEWNUM'S** State of Florida Cardroom Employee License Application dated October 3, 2023, and Waiver Request Form dated February 12, 2024 **(EXHIBIT #1).**

On October 3, 2023, **NEWNUM** applied for a Pari-Mutual Cardroom Employee License (1012) to work as a "Cage Cashier" at Ocala Bets. On his first application, he answered "No" to the question, "Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you?" **(EXHIBIT #1)**

Upon receipt of **NEWNUM's** FDLE Criminal History Report, PMW Licensing sent him a Deficiency Letter on October 10, 2023, requesting that he list and provide court dispositions for the following arrests: **(EXHIBIT #4)**

- Clay County, Missouri arrest(s)-- 2/20/2008
- Jackson County, Missouri arrest(s) -- 01/25/2005

On November 17,2023, **NEWNUM** submitted an amended application, disclosing a misdemeanor conviction in 2008 for Possession of Paraphenalia and a 2019, misdemeanor conviction for Receiving Stolen Property both of which occurred in the state of Missouri (**EXHIBIT #1**).

Related Case:

Investigations Specialist II / Date	Approved by Investigator Supervisor / Date
/s/ Randa Samson Randa Samson / March 5,2024	/s/ C. Derek Washington C. Derek Washington / March 14, 2024

Chief of Investigations / Date

Bradford D. Jones / March 18, 2024

CONTINUATION

CRIMINAL HISTORY

Arrest 1	
Date of Arrest: 10/14/2016	**Arresting Agency:** Independence Police Department, MO.

OFFENSE					
	Charge(s):	**CLASSIFICATION**	**PLEA**	**DISPOSITION**	**CONVICTION DATE**
1	Receiving Stolen Property	Misdemeanor	Guilty	Convicted	10/12/2018
2					
3					
4					

SENTENCE
180 days in Jail (Suspended Execution of Sentence), and 2 years' probation supervised.

Additional Information: Early Termination of probation 10/31/2019.

Arrest 2	
Date of Arrest:	**Arresting Agency:**

OFFENSE					
	Charge(s):	**CLASSIFICATION**	**PLEA**	**DISPOSITION**	**CONVICTION DATE**
1					
2					
3					
4					

SENTENCE

Additional Information:

CONTINUATION

CRIMINAL HISTORY

Arrest 3					
Date of Arrest:	**Arresting Agency:**				
OFFENSE					
	Charge(s):	**CLASSIFICATION**	**PLEA**	**DISPOSITION**	**CONVICTION DATE**
1					
2					
3					
4					

SENTENCE

Additional Information:

Arrest 4					
Date of Arrest:	**Arresting Agency:**				
OFFENSE					
	Charge(s):	**CLASSIFICATION**	**PLEA**	**DISPOSITION**	**CONVICTION DATE**
1					
2					
3					
4					

SENTENCE

Additional Information:

CONTINUATION

ADDITIONAL LICENSES

	YES	NO
Has the Applicant ever possessed a Florida Pari-Mutuel Occupational License?		X
Does the Applicant possess an Occupational License from other jurisdictions?		X

1. License Type:			
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdiction:

	YES	NO
Has License ever been suspended or revoked?		
Was any derogatory information received?		
Additional Comments:		

2. License Type:			
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdiction:

	YES	NO
Has License ever been suspended or revoked?		
Was any derogatory information received?		
Additional Comments:		

3. License Type:			
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdiction:

	YES	NO
Has License ever been suspended or revoked?		
Was any derogatory information received?		
Additional Comments:		

4. License Type:			
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdiction:

	YES	NO
Has License ever been suspended or revoked?		
Was any derogatory information received?		
Additional Comments:		

CONTINUATION

WAIVER INTERVIEW

	YES	NO
Was a Waiver Interview Conducted?	X	

Date of Interview:	Location of Interview:
February 15, 2024	Ocala Bets

	YES	NO
Was the applicant cooperative?	X	

Additional Comments:

SUMMARY OF INTERVIEW:

During the interview, **NEWNUM** explained that his conviction in 2016 for Receiving Stolen Property was due to an incident at Walmart. He was waiting near the exit doors with a 74" T.V. while his wife was paying for it. However, the security staff thought he was attempting to steal the T.V. without leaving the store, so they arrested him. **NEWNUM** stated that he was unaware of how the court system worked and wanted to put the matter behind him. Therefore, he accepted the plea deal and paid his fines, thinking that the incident was no longer on his record after completing his probation.

When asked why he did not mention all his offenses on his initial application, he said he misread the question and thought the case was no longer on his record.

NEWNUM also mentioned that he currently lives with his girlfriend in Citra, Florida and has been working in the glass business for over thirty (30) years. He is now looking for a less physically demanding job because he is "getting older and starting to feel it." **NEWNUM** also assured that he had not been in any legal trouble since the incident at Walmart in 2016.

CONCLUSION:

A check of the Association of Racing Commissioners International (ARCI) database showed no rulings against **NEWNUM. (EXHIBIT #4)**

Case Status: Investigations case closed, and forwarded to Licensing.

CONTINUATION

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EXHIBIT #1
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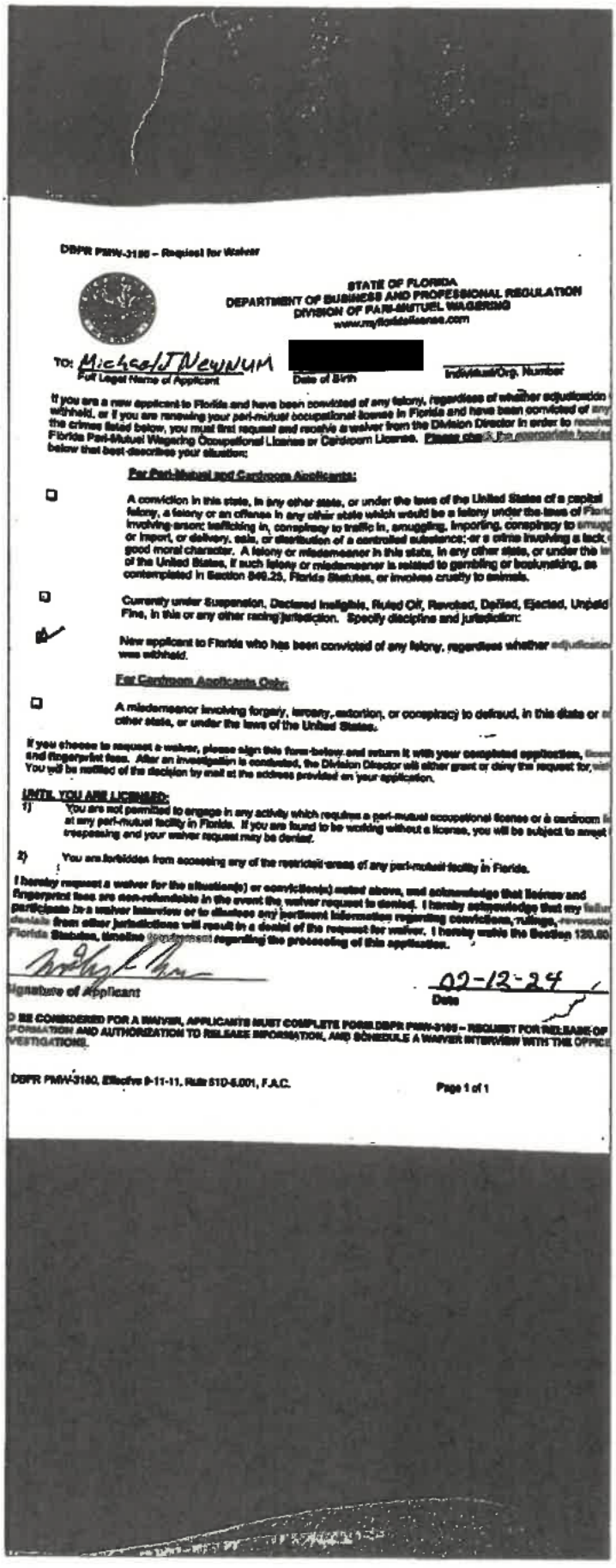

DBPR PMW-3180 – Request for Waiver

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING
www.myfloridalicense.com

TO: Michael J Newnum [redacted] _____
Full Legal Name of Applicant Date of Birth Individual/Org. Number

If you are a new applicant to Florida and have been convicted of any felony, regardless of whether adjudication was withheld, or if you are renewing your pari-mutuel occupational license in Florida and have been convicted of any of the crimes listed below, you must first request and receive a waiver from the Division Director in order to receive a Florida Pari-Mutuel Wagering Occupational License or Cardroom License. Please check the appropriate box(es) below that best describes your situation:

For Pari-Mutuel and Cardroom Applicants:

☐ A conviction in this state, in any other state, or under the laws of the United States of a capital felony, a felony or an offense in any other state which would be a felony under the laws of Florida involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character. A felony or misdemeanor in this state, in any other state, or under the laws of the United States, if such felony or misdemeanor is related to gambling or bookmaking, as contemplated in Section 849.25, Florida Statutes, or involves cruelty to animals.

☐ Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Defied, Ejected, Unpaid Fine, in this or any other racing jurisdiction. Specify discipline and jurisdiction:

☑ New applicant to Florida who has been convicted of any felony, regardless whether adjudication was withheld.

For Cardroom Applicants Only:

☐ A misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, in this state or in any other state, or under the laws of the United States.

If you choose to request a waiver, please sign this form below and return it with your completed application, license and fingerprint fees. After an investigation is conducted, the Division Director will either grant or deny the request for waiver. You will be notified of the decision by mail at the address provided on your application.

UNTIL YOU ARE LICENSED:

1) You are not permitted to engage in any activity which requires a pari-mutuel occupational license or a cardroom license at any pari-mutuel facility in Florida. If you are found to be working without a license, you will be subject to arrest for trespassing and your waiver request may be denied.

2) You are forbidden from accessing any of the restricted areas of any pari-mutuel facility in Florida.

I hereby request a waiver for the situation(s) or conviction(s) noted above, and acknowledge that license and fingerprint fees are non-refundable in the event the waiver request is denied. I hereby acknowledge that my failure to participate in a waiver interview or to disclose any pertinent information regarding convictions, rulings, revocations or denials from other jurisdictions will result in a denial of the request for waiver. I hereby waive the Section 120.60, Florida Statutes, timeline requirement regarding the processing of this application.

Signature of Applicant

02-12-24
Date

TO BE CONSIDERED FOR A WAIVER, APPLICANTS MUST COMPLETE FORM DBPR PMW-3160 – REQUEST FOR RELEASE OF INFORMATION AND AUTHORIZATION TO RELEASE INFORMATION, AND SCHEDULE A WAIVER INTERVIEW WITH THE OFFICE OF INVESTIGATIONS.

DBPR PMW-3180, Effective 9-11-11, Rule 61D-6.001, F.A.C.

Page 1 of 1

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FLORIDA GAMING CONTROL COMMISSION

EXHIBIT #1
PAGE 2/6

2023 OCT -9 PM 2:59

FLORIDA GAMING CONTROL COMMISSION

Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering
DBPR PMW-3120 – Individual Occupational License Application

Instructions: Please review this application thoroughly and complete all sections that pertain to you and are not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION

Social Security Number	Birth Date (MM/DD/YYYY)	Gender
[redacted]	[redacted]	☑ Male ☐ Female

Last Name	First	Middle	Suffix
Newnum	Michael	J.	

Have you used, been known as, or called by another name (example – maiden name, pseudonym, nickname) or alias other than the name used on the application? ☐ Yes ☑ No

If yes, list the name or names used: _____

Race/Ethnicity (optional)
☐ Black or African American ☐ Asian or Pacific Islander ☐ Native American or Alaskan Native
☑ White or Caucasian ☐ Hispanic/Latino ☐ Other

Current Mailing Address	Email Address (optional)		
18545 NW 45th Ave Rd Site#74A	[redacted]		
City	**State**	**Zip Code (+4 optional)**	**Country, if other than USA**
Citra	Fl	32113	

Primary Phone Number	Secondary/Cell Phone Number (optional)
[redacted]	

Current Street Address			
18545 NW 45th Ave Rd Site #74A			
City	**State**	**Zip Code (+4 optional)**	**Country, if other than USA**
Citra	Fl	32113	

Type of Occupational License applying for:
☐ Pari-Mutuel General Individual ☐ Pari-Mutuel Professional Individual
☑ Cardroom Employee

Occupation: Cage Cashier

Facility where employed and/or doing business: OcalaBets

Does your position require access to the Cardroom? ☑ Yes ☐ No

Is this your first time applying for a racing/gaming license in Florida? ☑ Yes ☐ No

Are you a Supervisor, Manager, or Shareholder of a business with a pari-mutuel permit? ☐ Yes ☑ No

Do you own or lease animals intended for racing in Florida? ☑ No ☐ Yes, complete the following:

Stable Name, Kennel Name, or Business Name _____

Trainer Name (horse or greyhound racing only) _____

TO BE COMPLETED BY DOCTORS, VETERINARIANS, NURSES, PARAMEDICS, AND EMTS ONLY

Type of professional license (attach a copy of Florida professional license):	Florida License Number

FOR DIVISION USE ONLY

License Code 1012 License # 13767548 File # 15002 App # 73867

Association Code 950 Date Received 10/5/2123 Entered By CW License Year 23/24

License Fee 100 - FP Date 10/4/2023 FP Fee 37.25 Total Fee 137.25

Off Temp Waiver Requested ARCI ✓ Enforcement ✓ Minor

EXHIBIT #1
PAGE 3/6

2023 OCT -9 PM 2:59

FLORIDA GAMING

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☑ No	Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?
☐ Yes ☑ No	Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE

☐ Yes ☑ No	Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.
☐ Yes ☑ No	Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to $1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

Signature of Applicant

10/03/2023
Date

EXHIBIT #1
PAGE 4/6

FLORIDA GAMING CONTROL COMMISSION

FLORIDA GAMING CONTROL COMMISSION

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☑ No — Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

☑ Yes ☐ No — Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE
10/31/2019		MO	Receiving Stolen Property	Misdemeanor	1yr. prob
3/21/2008		MO	Possession of Paraphernalia	Misdemeanor	1yr. probation

☐ Yes ☑ No — Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

☐ Yes ☑ No — Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

Please see attached documents, I thought these were completely resolved and not on my record.

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to $1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

Signature of Applicant

Date 10/03/2023

EXHIBIT #1
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License

Fed Tax # [redacted] Lic Type **1012 - Cardroom Employee Occupational** Expires On **01/03/2024**

File # **15002** Name **Newnum, Michael J** Extended To

License # **13767548** Rank **CEMP - Cardroom Employee Occupational** Renewed On

Entity # **13767548** Lic Status **Closed Upgrade**

Licensee | History | Notes | Notes History | Back

Address

Street # **18545** Street **NW 45TH AVE ROAD SITE 74A**

Line 2

Line 3

City **CITRA** State **FL** Zip **32113**

Routing

Other

1st License Date **10/05/2023** Rank Date **10/05/2023** Certificate #

Method **I-S-1018** Status Date **10/10/2023** Certificate Date

Fee Exempt **No** Birth Date [redacted] Renewal Sent

Select

Action

Modifiers

Type	Modifier	Effective Date	Additional Info
C	CASH - Cashier	10/05/2023	
I	TBRD - Thoroughbred	10/05/2023	
L	950 - Ocala Breeders	10/05/2023	
Y	3YR - 3 Year License	10/05/2023	

Alt Keys

BEST LIC NBR **13767548**

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EXHIBIT #1
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FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

License Search | Entity Search | Modify License Standing | Maintain License CE Control

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **ddonaldson**
03/20/2024

VR Home > Complaint Search > Maintain Complaint > **License Home**

License

Fed Tax # [redacted] Lic Type **1012 - Cardroom Employee Occupational** Expires On **01/03/2024**

File # **15002** Name **Newnum, Michael J** Extended To

License # **13767548** Rank **CEMP - Cardroom Employee Occupational** Renewed On

Entity # **13767548** Lic Status **Closed Upgrade**

Licensee | History | Notes | Notes History | Back

Address

Street # **18545** Street **NW 45TH AVE ROAD SITE 74A**

Line 2

Line 3

City **CITRA** State **FL** Zip **32113**

Routing

Other

1st License Date **10/05/2023** Rank Date **10/05/2023** Certificate #

Method **I-S-1018** Status Date **10/10/2023** Certificate Date

Fee Exempt **No** Birth Date [redacted] Renewal Sent

Select

Action

Modifiers

Type	Modifier	Effective Date	Additional Info
C	CASH - Cashier	10/05/2023	
I	TBRD - Thoroughbred	10/05/2023	
L	950 - Ocala Breeders	10/05/2023	
Y	3YR - 3 Year License	10/05/2023	

Alt Keys

BEST LIC NBR **13767548**

*New applicant,
-no previous license,
-temp issued 10/05/23.

*No ARCI findings.

*No CCIS findings.

*No additional enforcement cases.

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Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering

Licensing Administrator Review – PMW Occupational License

RE: NEWNUM, MICHAEL J- 13767548 **Case No:** 2024 00 9404
(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	10/5/2023
COMPLETE APPLICATION RECEIVED:	11/17/2023
90-DAY DEADLINE:	**2/15/2024**

Tori Lanier	**950- Ocala Bets**	**Cage Cashier**
Application Processor	**Facility (d/b/a name)**	**Occupation/Job Title**

Pursuant to Section 550.105(5)(a): The division may deny a license of any person who has been refused a license by any other state racing commission or racing authority; under suspension or has unpaid fines in another jurisdiction. The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Licensing Administrator Review

Conviction

Did the application accurately reflect the Criminal History Record? ☐ Yes ☒ No

- ☐ Felony: 1 Count(s)
- ☒ Misdemeanor – Industry Related/Gambling Related/Bookmaking
- ☐ Animal Cruelty
- ☑ Forgery, Larceny Extortion, Conspiracy to Defraud (Cardroom Professions Only)

Comments:

Arrest Date	Location	Charge	Level	Court Case #	Disposition
10/14/2016	Clay County, MO	Receiving Stolen Property	M	1616-CR-04879-01	Adjudication Withheld

Disposition Unknown

- ☐ Felony Arrest(s) :
- ☐ Misdemeanor Arrest – Industry Related/Gambling Related/Bookmaking
- ☐ Animal Cruelty

Comments:

Arrest Date	Location	Charge	Level	Court Case #	Disposition

Enforcement/Jurisdiction Offenses

☐ Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction.

Comments:

Related Licenses

Check VR License Relations to Determine if Applicant is Related to a Business.

Is the individual applicant related to a business? Yes ☐ No ☒ **If yes, complete sections below.**

Business License Number:	Business Name:

Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes ☐ No ☐

Date Deficiency Letter Issued:	Initials:

Comments:

Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number: [redacted]
Date of Birth:
First Name:
Middle Name:
Last Name: Newnum
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State

DD 03/20/2024

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IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

STATE OF MISSOURI,

Plaintiff,

vs.

MICHAEL J. NEWNUM,

Defendant.

CASE NO. 1616-CR04879-01

DIVISION 17

FILED
DIVISION 17
OCT 31 2019
CIRCUIT COURT JACKSON COUNTY, MO
BY SPECIAL ADMINISTRATIVE ASSISTANT

ORDER OF DISCHARGE FROM PROBATION

Now, on this 31st day of October, 2019, it appearing from the record in this cause that on October 12, 2018, the defendant was found and adjudged guilty of Receiving Stolen Property, and that the Court thereafter sentenced the defendant and committed her to the custody of the Missouri Division of Adult Institutions, but suspended the execution of such sentence and placed the defendant on probation; and it now being shown to the Court that the defendant has performed the term of probation in a satisfactory manner;

IT IS THEREFORE ORDERED that defendant be and is hereby discharged from probation and from the jurisdiction of this Court.

10/31/19
Date

CORY LEE ATKINS, Judge

I hereby certify that a copy of the foregoing was duly emailed this 31st day of October, 2019, to

Tim Yasso, APA (jyasso@jacksongov.org)
tmaxwell@midwestadp.net
Criminal Records

Karen Lee Rigney, JAA / krigney@courts.mo.gov

Electronically Filed - Independence Criminal/Traffic - October 11, 2018 - 09:03 AM

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FLORIDA GAMING CONTROL COMMISSION

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

POLICE NO. : 16-078328
PROSECUTOR NO. : 095435661
OCN : AN014509

STATE OF MISSOURI, **PLAINTIFF.**

vs.

MICHAEL J. NEWNUM
1310 S. Farview
Independence, MO - 64056
DOB: [redacted]
Race/Sex: W/M
S.S.N.: [redacted]
DEFENDANT.

CASE NO. 1616-CR04879
DIVISION 17

AMENDED INFORMATION

In the Circuit Court of Jackson County, Missouri, at Independence, Term, 2018. In Division Number ____ thereof, designated by the rules of said Court as Criminal Division____.

Count I. Receiving Stolen Property (570.080-003Y200928990)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 570.080, RSMo, committed the **class A misdemeanor of receiving stolen property**, punishable upon conviction under Sections 558.011 and 560.016, RSMo, in that on or about October 14, 2016, in the county of Jackson, State of Missouri, the defendant, with the purpose to deprive the owner of Vizio television, retained such property, knowing or believing that it had been stolen.

The range of punishment for a class A misdemeanor is imprisonment in the county jail or other authorized penal institution for a term not to exceed one (1) year; by a fine not to exceed one thousand dollars ($1,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime up to a maximum of twenty thousand dollars ($20,000)

Electronically Filed - Independence Criminal/Traffic - October 11, 2018 - 09:03 AM

State vs. Michael J. Newnum , Case No. 1616-CR04879

JEAN PETERS BAKER
Prosecuting Attorney
Jackson County, Missouri
by.

/s/ J. Timothy Yasso
J. Timothy Yasso (#59342)
Assistant Prosecuting Attorney
321 W. Lexington
Independence, MO 64050
(816) 881-4588
jyasso@jacksongov.org

WITNESSES:

1. David A. Akers, Wal-Mart, 4000 S. Bolger, Independence, MO 64055
2. PO Jeffery Edwards, 223 N. Memorial Drive, Independence, MO 64050
3. DET Steven Schmidli, 223 N. Memorial Drive, Independence, MO 64050
4. Wal-Mart, 4000 S. Bolger, Independence, MO 64055

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FLORIDA GAMING
CONTROL COMMISSION

IN THE CIRCUIT COURT
OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

STATE OF MISSOURI	)	
	)	
Plaintiff	)	**Division No. 17**
	)	
vs.	)	**Case No. 1616-CR04879-01**
	)	
Michael J. Newnum	)	
Defendant.	)	

ORDER

Upon review of the State of Missouri's Motion for Leave to File Amended Information, the Court hereby grants the State leave to file an amended information.

10/16/18
DATE

JUDGE

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FLORIDA GAMING CONTROL COMMISSION

Electronically Filed - Independence Criminal/Traffic - October 11, 2018 - 09:03 AM

IN THE CIRCUIT COURT
OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

STATE OF MISSOURI	)	
	)	
Plaintiff	)	**Division No. 17**
	)	
vs.	)	**Case No. 1616-CR04879-01**
	)	
Michael J. Newnum	)	
Defendant.	)	

MOTION FOR LEAVE TO FILE AN AMENDED INFORMATION

COMES NOW J. Timothy Yasso, Assistant Prosecuting Attorney, and respectfully requests leave of Court to file the attached Amended Information.

Respectfully submitted,
JEAN PETERS BAKER
Prosecuting Attorney
Jackson County, Missouri

by, ./s/ J. Timothy Yasso
J. Timothy Yasso (#59342)
Assistant Prosecuting Attorney
321 W. Lexington
Independence, Missouri 64050
(816) 881-4588
jyasso@jacksongov.org

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2023 NOV 17 AM 9:06
FLORIDA GAMING
CONTROL COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was transmitted electronically through the Missouri e-Filing System on 10/11/2018 to all attorneys of record.

/s/ J. Timothy Yasso
J. Timothy Yasso (#59342)

onically Filed - Independence CriminalTraffic - July 10, 2018 - 11:37 AM

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

STATE OF MISSOURI,	)	
PLAINTIFF,	)	
vs.	)	
	)	
MICHAEL J. NEWNUM	)	**CASE NO. 1616-CR04879-01**
	)	**DIVISION 33**
	)	
DEFENDANT.	)	

STATE'S ANSWER TO DEFENDANT'S REQUEST FOR DISCLOSURE PURSUANT TO RULES 25.03(b) AND 25.07

COMES NOW, the State of Missouri, by and through Assistant Prosecuting Attorney J. Timothy Yasso, who, pursuant to Rules 25.03(b) and 25.07, and as answer to defendant's Request for Discovery, makes the following disclosure:

1. The Office of the Jackson County Prosecuting Attorney has an "open file" policy. Unless otherwise agreed to by the parties or ordered by the Court, all material and information in the possession of the Jackson County Prosecuting Attorney's Office that is properly discoverable under Rule 25.03(b) and which has not been previously disclosed to counsel for the defendant, may be inspected, obtained, tested, copied, or photographed by counsel for the defendant within 10 days of the filing of a written request for discovery by the defendant, during regular business hours (8:30 a.m. to 5:00 p.m.) and thereafter upon request at the Jackson County Prosecuting Attorney's Office, 415 East 12th Street, 11th Floor, Kansas City, Missouri 64106 or 308 W. Kansas, Independence, Missouri 64050, depending on the venue of the case.

2. The cost of duplicating discovery materials will be assessed at a charge of five dollars ($5.00) per disc for non-indigent defendants. Defendants represented by the Public Defender will need to provide replacement discs.

RECEIVED
2023 NOV 17 AM 9:08
FLORIDA GAMING CONTROL COMMISSION

/s/ J. Timothy Yasso
J. Timothy Yasso (#59342)
Assistant Prosecuting Attorney
321 W. Lexington
Independence, MO 64050
(816) 881-4588
jyasso@jacksongov.org

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was transmitted electronically through the Missouri e-Filing System on 7/10/2018 to all attorneys of record.

/s/ J. Timothy Yasso
J. Timothy Yasso (#59342)
Assistant Prosecuting Attorney

Electronically Filed - Independence Criminal/Traffic - July 10, 2018 - 11:37 AM

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

STATE OF MISSOURI,	)	
PLAINTIFF,	)	
vs.	)	
	)	
MICHAEL J. NEWNUM	)	**CASE NO. 1616-CR04879-01**
	)	**DIVISION 33**
	)	
DEFENDANT.	)	

REQUEST FOR DISCOVERY

COMES NOW, The State of Missouri, by and through J. Timothy Yasso, who, pursuant to Rule 25.05, requests the defendant disclose to the State all of the following material and information within the possession or control of defendant and his counsel:

1) Any reports or statements of experts made in connection with the above-captioned case, including results of physical or mental examinations and of scientific tests, experiments, or comparisons, which the defense intends to introduce into evidence at a hearing or trial;

2) The names and last known addresses of persons, other than the defendant, whom the defendant intends to call as witnesses at any hearing or trial, together with their written or recorded statements, and existing memoranda reporting or summarizing part or all of their oral statements;

3) Those parts of any books, papers, documents, photographs, video, electronic communications, electronic data, or objects, except such as contain statements of the Defendant, which the defendant intends to introduce into evidence at hearing or trial;

4) Any intent by the defendant to rely on the defense of mental disease or defect excluding responsibility, or to claim that defendant has a mental disease or defect negating a culpable mental state;

5) In the above-captioned cause the State charges the defendant committed the crime(s) set forth in the Information or Indictment herein and states that the said crime(s) occurred on:

Count 1: October 14, 2016 at 4000 S. Bolger, Independence, MO

and requests that, if the defendant intends to rely on defense of alibi, the defendant disclose such intent and set forth therewith specific information as to the place at which the defendant claims to have been at the time of the alleged offense(s), and, as particularly as is known, the names and addresses of the witnesses by whom the defendant proposes to establish such alibi.

WHEREFORE, the State of Missouri requests the Defendant disclose the foregoing requested information to the State pursuant to Rule 25.05.

/s/ J. Timothy Yasso
J. Timothy Yasso (#59342)
Assistant Prosecuting Attorney
321 W. Lexington
Independence, MO 64050
(816) 881-4588
jyasso@jacksongov.org

RECEIVED
2018 NOV 17 AM 9:06
FLORIDA GAMING CONTROL COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was transmitted electronically through the Missouri e-Filing System on 7/10/2018 to all attorneys of record.

/s/ J. Timothy Yasso
J. Timothy Yasso (#59342)

EXHIBIT #2
PAGE 10/10

State of Florida

Department of Business and Professional Regulation

Chronology Report

Case #: 2024009404 **Incident date:** 10/23/2023 **Status:** 106 - Sent to Directors office

Lic Type: 1012 **Disposition:**

Case Type: Complaint

Responsible: ltrombetta - TROMBETTA, LOUIS

Complainant: DIVISION OF PARI-MUTUEL WAGERING

1400 W COMMERCIAL BLVD, STE 165, FORT LAUDERDALE, FL 33309

Respondent: NEWNUM, MICHAEL J

18545 NW 45TH AVE ROAD SITE 74A, CITRA, FL 32113

Summary: 950 - Ocala Breeders' Sales

Chronology:

Effective Date	Type	Lic Type	Code	Description	Responsible Party	Respondent
02/15/2024	A	79	440	Incoming Correspondence	cstubbs1	NEWNUM, MICHAEL J
03/05/2024	A	79	CL62	Review File		NEWNUM, MICHAEL J
02/27/2024	A	79	430	In Person	rsamson	NEWNUM, MICHAEL J
02/27/2024	A	10	50	Interview Respondent	rsamson	NEWNUM, MICHAEL J
02/26/2024	A	79	435	Telephone	rsamson	NEWNUM, MICHAEL J
02/22/2024	A	79	RG09	Review Case File	rsamson	NEWNUM, MICHAEL J

DD

State of Florida

Department of Business and Professional Regulation

Chronology Report

Chronology:

Effective Date	Type	Lic Type	Code	Description	Responsible Party	Respondent
02/21/2024	A	79	CL62	Review File	rsamson	NEWNUM, MICHAEL J
02/19/2024	A	79	CL62	Review File	rsamson	NEWNUM, MICHAEL J
02/19/2024	A	79	435	Telephone	rsamson	NEWNUM, MICHAEL J
02/16/2024	A	10	15	Assigned to Investigator	rsamson	NEWNUM, MICHAEL J
03/18/2024	R		bjones	JONES, BRADFORD	bjones	
03/19/2024	R		ddonaldson	DONALDSON, DAVID	cstubbs1	
03/20/2024	R		ltrombetta	TROMBETTA, LOUIS	ddonaldson	
02/16/2024	R		rsamson	SAMSON, RANDA	cstubbs1	
02/15/2024	S	1012	10	Initial Review	cstubbs1	
03/19/2024	S	1012	104	Sent to Licensing Section	cstubbs1	
02/16/2024	S	1012	20	Under Investigation	cstubbs1	
03/20/2024	S	1012	106	Sent to Directors office	ddonaldson	
03/18/2024	S	1012	90	Closed	cstubbs1	
03/18/2024	S	1012	165	Supervisor Review	bjones	

Allegation:

Code	Description
WAVR	Waiver of Crim. Conv. or Other Offenses

DD

State of Florida
Department of Business and Professional Regulation
Chronology Report

Violation:	Code	Description	Respondent
	WAVR	61D-5.006	NEWNUM, MICHAEL J

DD

Lic Type	**1012 - Cardroom Employee Occupational**			Status	**104 Sent to Licensing Section**	Status Date	**03/19/2024**
Complaint #	**2024009404**	Case Type	**CMP - Complaint**	Disposition		Disposition Date	
Docket#		Respondent	**NEWNUM, MICHAEL J**	Responsible	**ddonaldson - DONALDSON, DAVID**		**Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**LIC - Licensee**	Security Level	**1**	☐ Parties	☑ Activities
Form	**WALK - Walk-in**	Priority	**1**	☑ Allegations	☐ Discipline
Class'n	**IIIB - Waivers**	Complexity	**R - Regular**	☑ Violations	☐ Compliance
Security	**STND - Standard**	Incident	**10/23/2023**	☐ Related	☑ Disposition
Region	**CR - Central Region**	Received	**02/15/2024**	☐ Inspection	
Reference				☐ Costs	
Entered	**02/15/2024**	Entered By	**cstubbs1**	☐ Time Tracking	Auto Assign
Summary	**950 - Ocala Breeders' Sales**			☐ Attachments	History
Updated	**03/19/2024 14:17:17**	By	**cstubbs1**	☐ Work Notes	Print Report

Change | Save | OK | Cancel | Back

Get Adobe Reader.

LICENSES

RCI

Licensee Search

Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number: [redacted]
Date of Birth:
First Name: Michael
Middle Name:
Last Name: Newnum
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State

EXHIBIT #4
PAGE 1/4

FLORIDA
GAMING CONTROL
COMMISSION

JULIE I. BROWN, COMMISSIONER
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER

October 10, 2023

Mr. Michael J Newnum
18545 Northwest 45th Ave Road Site 74A
Citra, Florida 32113

RE: Application No. 73899, Entity 13767548
1012 - Cardroom Employee Occupational

Dear Mr. Newnum:

Your application for an occupational license with the Office of Operations has been received. The item(s) checked below are either missing or require correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 3 of the application. If you have ever been convicted of or had adjudication withheld for any crime or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section and provide court disposition records. Please initial and date any changes made to your application.

  You must list the information on your application and provide the court disposition records for the following charges:
  - Clay County, MO – 02/10/2008
  - Jackson County, MO – 10/14/2016

- Note: If you cannot obtain the requested court disposition records, please submit a certified statement from the Clerk of Court for the relevant jurisdiction stating the status of records or that the records are not available. All aliases must be listed, if applicable.

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 02/07/2024, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming

Control Commission Rule. Please note that your Temporary License will expire on: 01/03/2024.

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided above, attention Office of Operations.** If you have any questions, please call 850.488.3211.

Additionally, if needed, any individual or business applicant may request a waiver of disqualifying factors in an application that would otherwise be grounds for denial. DBPR PMW 3180 - Request for Waiver and DBPR PMW-3195 - Request for Release of Information and Authorization to Release Information (forms enclosed). The Division will process a request for waiver upon receipt of a complete application.

Thank you,

TL
Operations Analyst II

EXHIBIT #4
PAGE 4/4

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Joseph Klein, Senior Attorney
Re: Yosandris Roque De Escobar; Case No. 2024-010428
Date: April 16, 2024

Executive Summary

The Division of Pari-Mutuel Wagering (the "Division") seeks to deny the application of Yosandris Roque De Escobar (the "Applicant") for a Slot Machine/Cardroom/Pari-Mutuel Individual Combination Occupational License (the "Application"). The Applicant submitted a completed application for a Slot Machine/Cardroom/Pari-Mutuel Individual Combination Occupational License on February 15, 2024. Upon review of the application, it appears Applicant has been convicted of a felony offense in Colorado. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Letter of License Denial.

Pertinent Facts

On January 12, 2024, the Division received an application from the Applicant for a Slot Machine/Cardroom/Pari-Mutuel Individual Combination Occupational License. On January 25, 2024, the Division issued a deficiency letter to the Applicant, requesting that he disclose information relating to a 2015 arrest in Colorado, including the associated court disposition records and a copy of the arrest report.

The Applicant submitted a completed Application on February 15, 2024.

Upon review of the completed application, it appears that on or about November 29, 2016, the Applicant was convicted in the U.S. District Court for the District of Colorado of Possession with Intent to Distribute, and Distribution of, Marijuana; a federal felony offense.

The Applicant did not apply for a waiver from the statutory restrictions excluding applicants with disqualifying offenses from slot machine, cardroom, and pari-mutuel licensure. Furthermore, section 551.107(6), Florida Statutes, does not authorize the Executive Director to waive the statutory restrictions excluding applicants with disqualifying offenses for slot machine licensure.

This felony conviction is a disqualifying offense pursuant to sections 550.105(5)(b),

551.107(6)(a), and 849.086(6)(g), Florida Statutes.

Relevant Law

Section 550.105(5)(b), Florida Statutes, provides, in pertinent part that:

> . . . the commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Section 551.107(6)(a), Florida Statutes, provides in pertinent part that:

> ". . .the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense."

Section 849.086(6)(f), Florida Statutes, provides that the "provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses."

Section 849.086(6)(g), Florida Statutes, provides that:

> [t]he commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.

Section 550.105(5)(d), Florida Statutes, provides that:

> …the term "convicted" means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere. However, the term "conviction" shall not be applied to a crime committed prior to the effective date of this subsection in a manner that would invalidate any occupational license issued prior to the effective date of this subsection or subsequent renewal for any person holding such a license.

Staff Recommendation: The Florida Gaming Control Commission may deny the Application or declare the Applicant ineligible for a Slot Machine/Cardroom/Pari-Mutuel Individual Combination License upon a finding of a disqualifying offense pursuant to sections 550.105, 551.107, and 849.086(6)(g). Accordingly, the Division of Pari-Mutuel Wagering recommends that the Florida Gaming Control Commission authorize the issuance of a Letter of License Denial to Yosandris Roque De Escobar in this matter.

Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering

Licensing Administrator Review – Slot Machine Occupational License

RE: **ROQUE DE ESCOBAR, YOSANDRIS- 13868851** **Case No:** **2024010428**
(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	1/12/2024
COMPLETE APPLICATION RECEIVED:	2/15/2024
90-DAY DEADLINE:	**5/15/2024**

Cleari Maglioni	**544- Hialeah Park Casino**	**POKER DEALER**
Application Processor	**Facility (d/b/a name)**	**Occupation/Job Title**

Pursuant to Section 551.107(6)(c) Conviction is defined as being found guilty, with or without adjudication of guilt, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere. Any misdemeanor conviction to include fraud and theft which are defined for purposes of slot machine gaming licensure as involving dishonesty, misrepresentation, deceit, and lack of truthful conduct in transaction with another.

Licensing Section Review

Did the application accurately reflect the Criminal History Record? ☐ Yes ☒ No

Conviction

- ☒ Felony: 1 Count(s)
- ☐ Misdemeanor – Gambling Related/Bookmaking
- ☐ Two or more misdemeanor convictions that involve theft, fraud, or burglary
- ☐ Forgery, Larceny, Theft, Extortion, Conspiracy to Defraud (Slot Combo Professions Only)

Comments:

Arrest Date	Location	Charge	Level	Disposition
09/01/2015	El Paso County, Colorado	Marijuana sell distribute or dispense	F	Adj. Withheld

Disposition Unknown

- ☐ Felony Arrest(s) :
- ☐ Misdemeanor Arrest – Gambling Related/Bookmaking
- ☐ Two or more misdemeanor arrests/counts that involve theft, fraud, or burglary

Comments:

Arrest Date	Location	Charge	Level	Disposition

Enforcement/Jurisdiction Offenses

- ☐ Currently under Suspension, Declared Ineligible, Revoked, Denied, Ejected, Unpaid Fine, in this or any other state gaming commission, governmental department, agency, or other authority exercising regulatory jurisdiction over the gaming of another state or jurisdiction.

Comments:

Related Licenses

Check VR License Relations to Determine if Applicant is Related to a Business

Is the individual applicant related to a business? Yes ☐ No ☒ **If yes, complete sections below.**

Business License Number:	Business Name:

Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes ☐ No ☐

Date Deficiency Letter Issued:	Initials:

Comments:

Licensing Administrator Review

Disposition Confirmation

Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering
DBPR PMW-3410 – Slot Machine Individual Occupational License Application

Instructions: Please review this application thoroughly and complete all sections not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION

Social Security Number	Birth Date (MM/DD/YYYY)	Gender
[redacted]	[redacted]	☒ Male ☐ Female

Last Name	First	Middle	Suffix
Roque De Escobar	Yosandris		

Have you used, been known as, or called by another name (example – maiden name, pseudonym, nickname) or alias other than the name used on the application? ☐ Yes ☒ No

If yes, list the name or names used: N/A

Race/Ethnicity (check only one):
☐ Black or African American ☐ Asian or Pacific Islander ☐ Native American or Alaskan Native
☐ White or Caucasian ☒ Hispanic/Latino ☐ Other

Are you a United States citizen? ☐ Yes ☒ No
If no, provide the name of the country of which you are a citizen: CUBA

Current Mailing Address			Email Address (optional)
880 SW 129 PL, APT 206			yosandrisroque@gmail.com
City	**State**	**Zip Code (+4 optional)**	**Country**
Miami	FL	33184	USA
Primary Phone Number			**Secondary/Cell Phone Number (optional)**
786-901-1733			

Current Street Address			
880 SW 129 PL, APT 206			
City	**State**	**Zip Code (+4 optional)**	**Country**
Miami	FL	33184	USA

Type of Slot Machine Occupational License applying for:
☐ General Individual ☐ Professional Individual
☒ Slot Machine/Cardroom/PMW Combination
Job title(s)*: POKER DEALER

*Applicants for a Combo license should disclose all job titles

Is this your first time applying for a racing/gaming license in Florida?
☒ Yes ☐ No

Facility where employed and/or doing business:
Hialeah Park Casino

Employer name:
South Florida Racing Association

FOR DIVISION USE ONLY

License Code 1055 License # 13868851 File # 12321 App # 43342
Association Code 544 Date Received 1-12-24 Entered By E. Guerra License Year 23-26
License Fee 100 FP Date 1-12-24 FP Fee 0 Total Fee 100
Waiver Requested (Combo Only) JAN 12 2024 ARCI ✓ Enforcement ✓

EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes
☒ No

Have you previously worked for a gaming-related employer?
If yes, you must list below all gaming-related employment history in the past ten years.

Name of Employer	Address	Start Date (Month/ Year) - End Date (Month/ Year)	Title/Position Held & Supervisor Name	Reason for Leaving
N/A				

PREVIOUS LICENSING HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes
☒ No

Have you ever been licensed in any other racing or gaming jurisdiction? If yes, you must list all current and previous licenses and provide the details in the section below.

State(s) or Jurisdiction(s) Where Licensed	Date of Expiration	Is this license currently suspended or subject to fines or other discipline? Explain why.
N/A		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No

☐ Yes
☒ No

Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

If you answered yes to the question above, provide details here:

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☒ No	Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, or filing false reports to government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?
☒ Yes ☐ No	Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the section provided below.

Date of Disposition	County	State	Offense	Misdemeanor or Felony?	Sentence
11-29-2016	Cañon city	colorado	Marihuana Posses	Felony	time served

☐ Yes ☒ No	Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?
☐ Yes ☒ No	Do you currently own or have a financial interest in a Florida licensed slot machine facility or in any business owned by a Florida licensed slot machine facility?

ADDITIONAL INFORMATION

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging the FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to $1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

AUTHORIZATION FOR RELEASE OF INFORMATION:

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation or the Florida Department of Law Enforcement.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

Yosandris Roque De Escobar
Print Legal Name (First Middle Last)

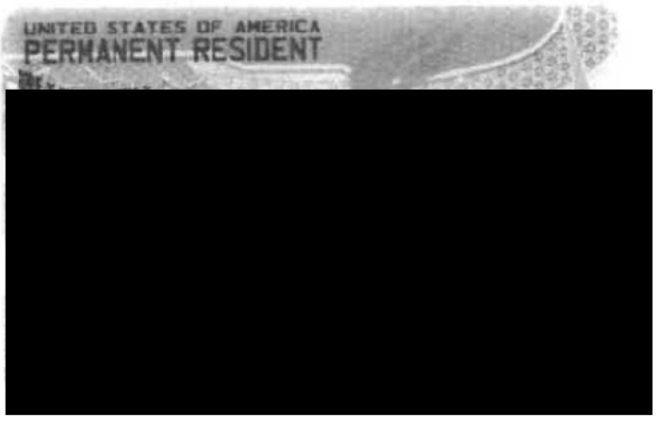
[redacted]

[redacted]

South Florida Racing Association
Name of Employer

Signature of Applicant

01-12-2024
Date


UNITED STATES OF AMERICA
PERMANENT RESIDENT

LICENSES

RCI

Licensee Search

Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number: [redacted]
Date of Birth:
First Name:
Middle Name:
Last Name: Roque De Escobar
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State

Licensees Rulings Horse Tracking Bulletin Board Preferences Log Off

No results

Could for

Escobar

Roque

FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update | Public Case Info

Domain 10 - Division of Pari-Mutuel Wagering Logged in as: eguerra

VR Home > **Complaint Search**

Search Criteria | Results

Case Type	Complaint #	Status	Reference	Incident	Respondent	Complainant	Lic Type	Public Case	View	Process
No items found.										

Total: 0

Print Back

Get Adobe Reader.

No results found
For Roque De Escobar

OAO 245B (Rev. 11/14 D/CO) Judgment in a Criminal Case
Sheet 1

UNITED STATES DISTRICT COURT

District of COLORADO

UNITED STATES OF AMERICA
V.

YOSANDRIS ROGUE DE ESCOBAR

JUDGMENT IN A CRIMINAL CASE

Case Number: 15-cr-00317-CMA-02

USM Number: 41399-013

Nelson A. Rodriguez-Varela
Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to Count 3 of the Indictment

☐ pleaded nolo contendere to Count(s) _____ which was accepted by the Court.

☐ was found guilty on Count(s) _____ after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
21 U.S.C. §§ 841(a)(1), (b)(1)(D), and 18 U.S.C. § 2	Knowingly and Intentionally Distribute and Possess With the Intent to Distribute Less Than 50 Kilograms of a Mixture or Substance Containing a Detectable Amount of Marihuana, a Schedule I Controlled Substance, and Did Knowingly and Intentionally Aid, Abet, Counsel, Command, Induce or Procure the Same	09/01/15	3

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on Count(s) _____

☒ The Superseding Indictment ☒ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

November 29, 2016
Date of Imposition of Judgment

Christine M. Arguello
Signature of Judge

Christine M. Arguello, U.S. District Judge
Name and Title of Judge

12/1/2016
Date

DEFENDANT: YOSANDRIS ROGUE DE ESCOBAR
CASE NUMBER: 15-cr-00317-CMA-02

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: time served.

☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 12 p.m. on _____.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

_____
UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: YOSANDRIS ROGUE DE ESCOBAR
CASE NUMBER: 15-cr-00317-CMA-02

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: three (3) years.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)

☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4) the defendant shall support his or her dependents and meet other family responsibilities;
5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician. Except as authorized by court order, the defendant shall not possess, use or sell marijuana or any marijuana derivative (including THC) in any form (including edibles) or for any purpose (including medical purposes). Without the prior permission of the probation officer, the defendant shall not enter any marijuana dispensary or grow facility;
8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement; and
14) the defendant shall provide access to any requested financial information.

DEFENDANT: YOSANDRIS ROGUE DE ESCOBAR
CASE NUMBER: 15-cr-00317-CMA-02

SPECIAL CONDITIONS OF SUPERVISION

1. The defendant shall participate in a cognitive behavioral treatment (CBT) program as directed by the probation officer until such time as the defendant is released from the program by the probation officer. The defendant shall pay the cost of treatment as directed by the probation officer.

2. The defendant shall participate in a program of testing and treatment for drug and alcohol abuse, as directed by the probation officer. until such time as he's released from the program by the probation officer. The defendant shall abstain, however. from the use of alcohol and all intoxicants during the entire term of supervision. and he'll pay for the cost of treatment as directed by the probation officer.

DEFENDANT: YOSANDRIS ROGUE DE ESCOBAR
CASE NUMBER: 15-cr-00317-CMA-02

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	Assessment	Fine	Restitution
TOTALS	$ 100.00	$ 0.00	$ 0.00

☐ The determination of restitution is deferred until_____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

Name of Payee	Total Loss*	Restitution Ordered	Priority or Percentage

TOTALS	$ 0.00	$ 0.00

☐ Restitution amount ordered pursuant to plea agreement $ _____

☐ The defendant must pay interest on restitution and a fine of more than $2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The Court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: YOSANDRIS ROGUE DE ESCOBAR
CASE NUMBER: 15-cr-00317-CMA-02

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

A ☐ Lump sum payment of $_____ due immediately, balance due

☐ not later than _____, or
☐ in accordance ☐ C. ☐ D. ☐ E, or ☐ F below; or

B ☒ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or

C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of $_____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or

D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of $_____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or

E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The Court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or

F ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the Court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the Court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

☐ The defendant shall pay the cost of prosecution. The

☐ defendant shall pay the following Court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and Court costs.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello

Criminal Case No. 15-cr-00317-CMA-02

UNITED STATES OF AMERICA,

Plaintiff,

v.

2. YOSANDRIS ROGUE DE ESCOBAR,

Defendant.

ORDER TERMINATING SUPERVISED RELEASE PRIOR TO ORIGINAL EXPIRATION DATE

On July 13, 2018, Defendant De Escobar filed an Unopposed Motion for Early-Termination of Supervised Release (Doc. #870). This Motion is not opposed by the Probation Officer David Stwarka or Assistant United States Attorney Zachary Phillips. Accordingly, it is

ORDERED that Defendant Yosandris Rogue De Escobar be DISCHARGED from supervised release and that the proceedings in this case be terminated as to Defendant De Escobar.

DATED: July 16, 2018

BY THE COURT:

Christine M. Arguello

CHRISTINE M. ARGUELLO
United States District Judge

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

January 25, 2024

Mr. Yosandris Roque De Escobar
880 South West 129 Place, Apt 206
Miami, Florida 33184

RE: Application No. 43342, Entity 13868851
1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Dear Mr. Roque De Escobar:

Your application for an occupational license with the Office of Operations has been received. The item(s) checked below are either missing or require correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 3 of 3 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section, and provide court disposition records and arrest reports. Please initial and date any changes made to your application.

  You must provide arrest reports for the following charge:
  - El Paso, Colorado Arrest(s) – 09/01/2015

  Note: If you cannot obtain the requested court disposition records, please submit a certified statement from the Clerk of Court for the relevant jurisdiction stating the status of records or that the records are not available. All aliases must be listed, if applicable.

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 05/24/2024, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided below, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

CM
Operations Analyst II

DIVISION OF PARI-MUTUEL WAGERING
4070 ESPLANADE WAY, SUITE 250
TALLAHASSEE, FLORIDA 32399
FLGAMING.GOV

UNITED STATES DISTRICT COURT

for the

District of Colorado

UNITED STATES OF AMERICA,

v.

1. YOSANDRIS ROGUE DE ESCOBAR,
2. ADALBERTO FERNANDEZ-LINARES,
3. MIGUEL MORENO,
4. LILIA GOMEZ,
5. VICTOR GARCIA,
6. FELIX BARBARO DONATES-BLANCO,
7. JORGE GARCIA-CABELLO,
8. JESUS FERNANDEZ-DIAZ,
9. VICTOR GONZALEZ-GONZALEZ,
10. LUIS ARAGON,
11. JORGE RODRIGUEZ-LEIVA,
12. ALIANET GARCIA-ROMERO,
13. WILFREDO FIGUEROA DIAZ, and
14. HECTOR ROQUE DE ESCOBAR,

Defendant(s)

Case No. 15-mj-01146-KLM

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CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief:

On or about the date(s) of _____, in the county of _____ in the _____ District of Colorado, the defendant (s) violated:

Code Section	*Offense Description*
Title 21, United States Code, Section 841(a)(1)	Possession with Intent to Distribute and Distribution of a Controlled Substance

This criminal complaint is based on these facts:

See Affidavit attached hereto and herein incorporated by reference.

X Continued on attached sheet.

s/Patrick Slattery
Complainant's signature

Patrick Slattery, TFO, DEA
Printed name and title

Sworn to before me and: ☐ signed in my presence.
☒ submitted, attested to, and acknowledged by reliable electronic means.

Date: 02 Sep 2015

Judge's signature

City and state: Denver, Colorado

Kristen L. Mix
United States Magistrate Judge
Printed name and title

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CORRECTIONAL COMPLEX

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Case Number: ____-____-____-____

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

INTRODUCTION

1. Your affiant, Task Force Officer (TFO) Patrick Slattery, Drug Enforcement Administration, Colorado Springs, Colorado being duly sworn, states as follows: Your affiant is an "investigative or law enforcement officer" within the meaning of Title 21, United States Code 878, and Section 2510 (7) of Title 18, United States Code, and is authorized by law to conduct investigations and make arrests for offenses in Title 18, United States Code, Section 2516 and for Controlled Substance Act offenses.

2. This affidavit is submitted in support of an application for a Criminal Complaint and Arrest Warrant for Yosandris Rogue De Escobar, [redacted] Adalberto Fernandez-Linares, [redacted]; Miguel Moreno, [redacted] Lilia Gomez, [redacted] Victor Garcia [redacted] Felix Barbaro Donates-Blanco [redacted] Jorge Garcia-Cabello [redacted]; Jesus Fernandez-Diaz, [redacted] Victor Gonzalez-Gonzalez, [redacted]; Luis Aragon, [redacted]; Jorge Rodriguez-Leiva, [redacted] Alianet Garcia-Romero, [redacted] Wilfredo Figueroa Diaz, [redacted]; and Hector Rogue De Escobar [redacted] for violation of Title 21, United States Code, Section 841(a)(1), Possession with Intent to Distribute and Distribution of a Controlled Substance.

3. Your affiant is employed by the Florence, Colorado Police Department as a police officer and has been for approximately eight years. During that time, your affiant has been

assigned to the Patrol Division as a Patrol Officer and to Combined Investigative Response Team. Since February 2014, your affiant has been assigned to the Southern Colorado Drug Task Force (SCDTF) as a Deputized Task Force Officer (TFO) with the Drug Enforcement Administration (DEA). Your affiant has authored several affidavits requesting court authorization to search residences, vehicles, storage units, computers, and cellular telephones. Your affiant has also authored affidavits requesting court authorization to apply GPS tracking devices upon vehicles. Your affiant has been involved in numerous drug trafficking investigations and has participated in wiretap investigations in the past. In addition, your Affiant's training and experience as a Task Force Officer/Narcotics Investigator includes, but is not limited to: conducting surveillance, interviewing witnesses, writing affidavits for and executing search warrants, and utilizing the assistance of undercover agents and informants. Your Affiant has participated in investigations of illegal drug related cases through controlled purchases of illegal drugs, surveillance of suspected illegal drug sale operations and analysis of illegal drug related intelligence reports. Your Affiant is familiar with many commonly abused illegal drugs, including cocaine, heroin, LSD, marijuana, ecstasy, and methamphetamine. Your Affiant has been involved in discussions and interviews with individuals who are involved in the aspects of cultivation, sales, packaging, transferring, manufacturing, and the use of drugs. Your Affiant is also familiar with the appearance, common methods of use, manufacturing, distribution, packaging, and concealing of these drugs, as well as slang terms frequently used to refer to these drugs and things closely related to their use and sale.

4. Your affiant has personally participated in the investigation, and makes this Affidavit based on your affiant's personal participation in this investigation and based on reports made to your affiant by other DEA Agents and/or law enforcement authorities.

FACTS AND BACKGROUND OF THE INVESTIGATION

5. The investigation concerning the above listed defendants is part of an on-going investigation by the Colorado Springs DEA since May of 2014. As a result of that on-going investigation, on August 31, 2015, the Honorable Magistrate Judge Kristen L. Mix authorized search warrants for the following locations:

a. 6008 County Rd 28, Cotopaxi, County of Fremont, State of Colorado; 15-sw-05687-KLM
b. 425 Thunderbird Drive, Cotopaxi, County of Fremont, State of Colorado; 15-sw-05683-KLM
c. 1417 Texas Creek Lane, Cotopaxi, County of Fremont, State of Colorado; 15-sw-05686-KLM
d. 379 Harmon Drive, Cotopaxi, County of Fremont, State of Colorado; 15-sw-05682-KLM
e. 1151 County Rd 27a, Cotopaxi, County of Fremont, State of Colorado; 15-sw-05685-KLM
f. 630 Piper Circle, Westcliffe, County of Fremont, State of Colorado; 15-sw-05684-KLM
g. 207 Little Bear Drive, Westcliffe, County of Fremont, State of Colorado; 15-sw-05681-KLM
h. 1089 County Rd 310, Westcliffe, County of Fremont, State of Colorado; 15-sw-05680-KLM

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DISTRICT OF COLORADO

6. On September 1, 2015, law enforcement executed and served the search warrants as directed.

6008 County Rd 28, Cotopaxi, County of Fremont, State of Colorado

7. During the course of the investigation, 6008 County Rd 28, Cotopaxi, County of Fremont, State of Colorado, was identified as an address frequented by suspected members of the drug organization. Investigation led to the discovery that the utilities at 6008 County Rd 28, Cotopaxi, County of Fremont, State of Colorado were listed to Juan Perez. Additionally, Rozsa Hajdu was known to make payments to this account as well. Rozsa Hajdu is believed to be the wife of Juan Perez.

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8. Upon execution of the search warrant, 5 separate grow areas were located on the property which contained 95 total plants. Victor Gonzalez-Gonzalez, [redacted], was contacted outside the residence and stated to law enforcement that he was "taking care of the property" while the owners of the property were away on vacation. The 5 separate grows were located near the residence in separate buildings and were obviously maintained and receiving proper treatment to keep the marijuana plants alive. Further, the marijuana plants and grows were of such significance that the strong odor of marijuana was obvious and readily detectable outside the residence and the grow buildings.

425 Thunderbird Drive, Cotopaxi, County of Fremont, State of Colorado

9. A subject of this investigation, Hector Escobar, was known to frequent this address and also gave it as his home address. On June 12, 2015, this residence suffered significant damage a result of a fire. Victor Garcia was present at the residence when the fire took place and is the registered owner of the residence and property. Upon execution of the search warrant a total of 137 marijuana plants were recovered from two separate sheds on the property. Victor Garcia was found sleeping in a trailer that was located on the property near the two marijuana grows. Further, the marijuana plants and grows were of such significance that the strong odor of marijuana was obvious and readily detectable outside the residence, the trailer, and the grow buildings.

1417 Texas Creek Lane, Cotopaxi, County of Fremont, State of Colorado

10. During the course of this investigation, a vehicle which was observed delivering 4 separate packages of marijuana to UPS stores in Colorado with the packages being mailed to Florida was observed at this location in the hours before the packages were mailed.

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11. Upon execution of the search warrant, 5 separate people were contacted at the residence. Also discovered on the property was a garage that was divided into two parts. Each part of the garage contained 40 large marijuana plants (80 total mature marijuana plants). The two marijuana grows were of such significance that the strong odor of marijuana was obvious and readily detectable outside the residence and the grow buildings.

12. The following were the parties contacted at the residence and gave the following statements after being advised of their *Miranda* rights and agreeing to speak to law enforcement:

a. Lilia Gomez, [redacted] who was living in one of the bedrooms with her husband Jorge Garcia-Cabello, [redacted] Lilia Gomez told law enforcement that she was aware of the marijuana grows but that she did not know who the plants belonged to or who took care of them. Further, Lilia Gomez advised she had been living in the residence since March of 2015 and was unemployed.

b. Jorge Garcia-Cabello stated the marijuana grows belonged to him and Hector Roque De Escobar. He said that he and Hector Rogue De Escobar were the only people who cared for the plants and that the other occupants did not participate. Jorge Garcia-Cabello said there were approximately 60-70 marijuana plants and that they would be ready to harvest in 1.5 to 2 months. He estimated that their electric bill was approximately $3,000 a month and that he did not have a job. Jorge Garcia-Cabello said he has lived in the residence for approximately six months.

c. Alianet Garcia-Romero, [redacted] is the adult daughter of Jorge Garcia-Cabello and Lilia Gomez. Alianet Garcia-Romero was determined to be living in a third bedroom of the residence claimed to have no knowledge of the marijuana grow.

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Ms. Garcia-Romero stated she had been living at the residence for approximately 6 months.

d. Hector Rogue De Escobar, [redacted] was found to have been living in a bedroom of the residence. Hector Rogue De Escobar admitted that the marijuana grows belonged to him and Jorge GARCIA-CABELLO. He said that he and Jorge Rogue De Escobar were the only people who cared for the plants and that the other occupants did not participate. He said the ladies were only there to cook for the family. He estimated that there were 70-75 marijuana plants and they would be ready to harvest in two months. Hector Rogue De Escobar said he worked occasionally remodeling houses in Miami, Florida. He said he earned $1,800 - $3,000 per month and that his electric bill was $1,000 to $2,000 per month. He said he has lived in the residence for approximately seven months.

e. Another adult male party was located at the residence. This person was determined to be visiting the residence and merely sleeping on the couch. Due to the limited information available to law enforcement regarding this individual and his lack of connection to the residence, this individual was released and allowed to leave without being taken into custody.

379 Harmon Drive, Cotopaxi, County of Fremont, State of Colorado

13. Upon execution of the search warrant, Felix Barbaro Donates-Blanco, [redacted] was contacted. Donates-Blanco was the only individual present during the time of the search warrant. Donates-Blanco was called out of the residence during the search warrant by the US Marshals. Once Donates-Blanco was outside and arrested, agents entered a green shed, later determined as the grow-house (3 separate rooms with approximately 146 total marijuana

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CONTROL COMMISSION

plants) on the property of 379 Harmon Drive. Donates-Blanco was sleeping in a makeshift bedroom at the grow house, located next to the only door to enter and exit 379 Harmon Drive. In the bedroom of the grow-house was a shotgun at the foot of the bed where Donates-Blanco was sleeping. Donates-Blanco stated that he had a Colorado license in order to grow the marijuana in that grow-house.

1151 County Rd 27a, Cotopaxi, County of Fremont, State of Colorado

14. This address was identified when a vehicle containing a court authorized tracking device was found to frequent this address. Upon execution of the search warrant, wanted party Yosandris Rogue De Escobar [redacted] case number 15-cr-00317-CMA, was located at the property. Yosandris Rogue De Escobar was asleep in bed at the time he was contacted. In the room he was asleep two firearms were located within close access. Also recovered from the room was an envelope that was marked "21000" and there were 21 rubber banded bundles of money. Further, three large zip lock bags containing marijuana were recovered from the bedroom.

15. Also located at the property at the time of the search warrant was Adalberto Fernandez-Linares, [redacted] Adalberto Fernandez-Linares stated he had been at the location for approximately 1 month. Further, he stated he tended to the grow and made edibles. He stated there were two grows with 23 plants in each (46 total). At the time he was contacted, he was in bed in the main residence but had close access to a Ruger 10/22 rifle. Additionally, 19 zip lock bags with marijuana were discovered in his room. Lastly, his room contained several of the food sealer contraband.

16. Additionally, Wilfredo Figueroa Diaz [redacted] was contacted at the residence and he stated he had been at the location for 2-3 days. Mr. Figueroa Diaz stated he arrived in

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Denver approximately 3-4 days prior. He was visiting his two friends. He stated he had been in the US for approximately 1 year. Mr. Figueroa Diaz didn't claim to assist with the grow. He stated he was supposed to return to Miami on Thursday, but hadn't purchased his return ticket yet. Agents determined Mr. Figueroa Diaz had the largest room in the house. At the time he was contacted, he was in bed in the main residence and had close access to a Remington model 512 rifle. During the search of the residence, 31 zip lock bags of marijuana were discovered in his room.

17. Further, 102 marijuana plants were found to be growing on the property. There were two main grows that each contained 23 plants (46 total mature marijuana plants) as well as separate grows which consisted of female plants and baby plants. These grows were found in two separate buildings on the property. The marijuana grows were of such significance that the strong odor of marijuana was obvious and readily detectable outside the residence and the grow buildings.

630 Piper Circle, Westcliffe, County of Fremont, State of Colorado

18. During the course of this investigation, law enforcement was advised that a party (identified as Griesys Leon and Rafael Hernandez) from Florida was looking at the property at 630 Piper Circle, Westcliffe, Colorado. Your Affiant was advised that the party from Florida (Griesys Leon and Rafael Hernandez) was willing to pay higher rent for the property than was initially advertised. This activity was suspicious and because of that was brought to your Affiant's attention.

19. Upon execution of the search warrant, Investigators contacted the sole occupant of the residence, Jorge Luis Rodriguez Leiva, [redacted] at the front door. Rodriguez identified

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himself with a Cuban and Spanish passport and informed a Custer County Sheriff's Deputy that he was just visiting the residence and had been there for approximately 10-11 days.

20. During a search of the residence, investigators recovered 43 suspected marijuana plants from three separate grow rooms in the basement of the residence. Investigators also recovered two vacuum sealed packages that each contained two one gallon Hefty ziploc baggies containing suspected marijuana. The first ziploc baggie had the numbers "316 g" written on it. The second ziploc baggie had the numbers "356 g" written on it. The third ziploc baggie had the numbers "290 g" written on it. The fourth ziploc baggie appeared to have the numbers "287 g" written on it. According to the handwritten numbers on all four baggies, the combined total of all four baggies equal approximately 1,249 grams of suspected marijuana. The packaging of the suspected marijuana is consistent with the distribution of marijuana.

207 Little Bear Drive, Westcliffe, County of Fremont, State of Colorado

21. Upon execution of the search warrant at 207 Little Bear Drive, Westcliffe, Colorado Warrant it was discovered the trailer on the property was unoccupied. The Pole Barn located next to trailer had a small bedroom equipped with a bunk bed. Jesus FERNANDEZ-DIAZ, [redacted] was contacted in the bedroom. The Pole Barn also contained three grow rooms. 35 plants recovered from one room, 35 plants from another room and three trays with a total of 134 plants from another room. Also recovered from bedroom was paperwork with light cycle, water temperature and humidity information for the grow.

1089 County Rd 310, Westcliffe, County of Fremont, State of Colorado

22. Upon execution of the search warrant at this location, Miguel Moreno, [redacted] was located inside the building, that was detached from the residence, were a large grow was located during the search warrant. Miguel had a "make shift" bedroom in the grow area

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CLERK

with a bed and clothing. During the search warrant Miguel opened the door to the grow shed and closed the door once he saw the SWAT team outside the home. The door had to be breached by the SWAT team and Miguel was placed into custody.

23. Also contacted during the search warrant was Luis Aragon [redacted] Mr. Aragon was located inside the residence during the search warrant at the residence. When Mr. Aragon was questioned about where he lives, Mr. Aragon stated he lived at the 1089 County 310 address. Located in the basement of the home was a smaller marijuana grow. A total of 195 marijuana plants were located in the two separate grow areas.

24. A total of 1002 marijuana plants were recovered as a result of the eight search warrants. DEA chemists from the Western Region Laboratory were on scene for the eight search warrants and conducted presumptive testing of a sampling of marijuana from each location and presumptively identified the plants as marijuana. Additionally, a sampling of marijuana from each location was collected for further testing by the DEA laboratory.

Conclusion:

Based on the above facts set forth, your affiant believes there is probable cause that Yosandris Rogue De Escobar, [redacted] Adalberto Fernandez-Linares, [redacted] Miguel Moreno [redacted] Lilia Gomez, [redacted] Victor Garcia, [redacted] Felix Barbaro Donates-Blanco, [redacted] Jorge Garcia-Cabello, [redacted] Jesus Fernandez-Diaz, [redacted] Victor Gonzalez-Gonzalez, [redacted] Luis Aragon, [redacted] Jorge Rodriguez-Leiva, [redacted] Alianet Garcia-Romero, [redacted] Wilfredo Figueroa Diaz, [redacted] and Hector Rogue De Escobar, [redacted] committed a violation of Title 21, United States Code, Section 841(a)(1), Possession with Intent to Distribute and Distribution of a Controlled Substance.

I, Patrick Slattery, Task Force Officer (TFO) with the Drug Enforcement Administration, being duly sworn according to law, hereby state that the facts stated in the foregoing affidavit are true and correct to the best of my knowledge, information and belief.

Dated the 2nd day of September, 2015, at Denver, Colorado.

s/Patrick Slattery
PATRICK SLATTERY
TASK FORCE OFFICER
DRUG ENFORCEMENT ADMINSTRATION

Submitted, attested to, and acknowledged by reliable electronic means on September 2, 2015.

BY THE COURT:

KRISTEN L. MIX
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

2024 FEB 15 PM 2:18

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Joseph Klein, Senior Attorney
Re: Michael May; Case No. 2024-012011
Date: April 16, 2024

Executive Summary

The Division of Pari-Mutuel Wagering (the "Division") seeks to deny the application of Michael May (the "Applicant") for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License (the "Application"). The Applicant submitted a completed application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on February 23, 2023. Upon review of the application, it appears Applicant has been convicted of a felony offense in Florida. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Letter of License Denial.

Pertinent Facts

On January 16, 2024, the Division received an online application from the Applicant for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License.

On January 18, 2024, the Division issued a deficiency letter to the Applicant, requesting that he disclose information relating to a 1999 arrest in Broward County, Florida, including the associated court disposition records and a copy of the arrest report.

On January 29, 2024, the Division issued a second deficiency letter to the Applicant, again requesting that he disclose information relating to the aforementioned arrest, including the associated court disposition records and a copy of the arrest report.

On February 15, the Division issued a third deficiency letter notifying the Applicant that the requested court disposition records had been received, but a copy of the arrest report was still outstanding.

The Applicant submitted a completed Application on February 23, 2023.

Upon review of the completed application, it appears that on or about December 7, 1999, the Applicant was convicted in Broward County of Aggravated Battery on a Pregnant Woman, a second-degree felony offense in the state of Florida.

The Applicant did not apply for a waiver from the statutory restrictions excluding applicants with disqualifying offenses from slot machine, cardroom, and pari-mutuel licensure. Furthermore, section 551.107(6), Florida Statutes, does not authorize the Executive Director to waive the statutory restrictions excluding applicants with disqualifying offenses for slot machine licensure.

Relevant Law

This felony conviction is a disqualifying offense pursuant to sections 550.105(5)(b), 551.107(6)(a), and 849.086(6)(g), Florida Statutes.

Section 550.105(5)(b), Florida Statutes, provides, in pertinent part that:

> . . . the commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Section 551.107(6)(a), Florida Statutes, provides in pertinent part that:

> ". . .the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense."

Section 849.086(6)(f), Florida Statutes, provides that the "provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses."

Section 849.086(6)(g), Florida Statutes, provides that:

> [t]he commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.

Section 550.105(5)(d), Florida Statutes, provides that:

> …the term "convicted" means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere. However, the term "conviction" shall not be applied to a crime committed prior to the effective date of this subsection in a manner that would invalidate any occupational license issued prior to the effective date of this subsection or subsequent renewal for any person holding such a license.

Staff Recommendation: The Florida Gaming Control Commission may deny the Application or declare the Applicant ineligible for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License upon a finding of a disqualifying offense pursuant to sections 550.105, 551.107, and 849.086(6)(g). Accordingly, the Division of Pari-Mutuel Wagering recommends that the Florida Gaming Control Commission authorize the issuance of a Letter of License Denial to Michael May in this matter.

Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering

Licensing Administrator Review – Slot Machine Occupational License

RE: MAY, MICHAEL- 8925985 **Case No:** 2024012011
(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	1/16/2024
COMPLETE APPLICATION RECEIVED:	2/23/2024
90-DAY DEADLINE:	**5/23/2024**

Cleari Maglioni	**430- Pompano Park**	**Food Service Employee**
Application Processor	**Facility (d/b/a name)**	**Occupation/Job Title**

Pursuant to Section 551.107(6)(c) Conviction is defined as being found guilty, with or without adjudication of guilt, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere. Any misdemeanor conviction to include fraud and theft which are defined for purposes of slot machine gaming licensure as involving dishonesty, misrepresentation, deceit, and lack of truthful conduct in transaction with another.

Licensing Section Review

Did the application accurately reflect the Criminal History Record? ☐ Yes ☒ No

Conviction

- ☒ Felony: 1 Count(s)
- ☐ Misdemeanor – Gambling Related/Bookmaking
- ☐ Two or more misdemeanor convictions that involve theft, fraud, or burglary
- ☐ Forgery, Larceny, Theft, Extortion, Conspiracy to Defraud (Slot Combo Professions Only)

Comments:

Arrest Date	Location	Charge	Level	Disposition
11/15/1999	Broward County, Florida	Aggrav Battery	F	Adj. Withheld

Disposition Unknown

- ☐ Felony Arrest(s) :
- ☐ Misdemeanor Arrest – Gambling Related/Bookmaking
- ☐ Two or more misdemeanor arrests/counts that involve theft, fraud, or burglary

Comments:

Arrest Date	Location	Charge	Level	Disposition

Enforcement/Jurisdiction Offenses

- ☐ Currently under Suspension, Declared Ineligible, Revoked, Denied, Ejected, Unpaid Fine, in this or any other state gaming commission, governmental department, agency, or other authority exercising regulatory jurisdiction over the gaming of another state or jurisdiction.

Comments:

Related Licenses

Check VR License Relations to Determine if Applicant is Related to a Business

Is the individual applicant related to a business? Yes ☐ No ☒ **If yes, complete sections below.**

Business License Number:	Business Name:
Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes ☐ No ☐	
Date Deficiency Letter Issued:	Initials:

Comments:

Licensing Administrator Review

Disposition Confirmation

Disqualifying Convictions/Arrests Confirmed? Yes ☑ No ☐ ☐ **Approval**

DBPR On-Line Services

If you need to mail additional information to DBPR please include this coversheet.

License Type: **Slot/Cardroom/Pari-Mutuel Indiv Combo**

Application Type: **Slot Machine/Cardroom/PMW Combination Occupational License**

File Number: **12330**

Application Number: **43357**

License Number:

Application Date: **01/16/2024 (mm/dd/yyyy)**

Last Name: **May**

First Name: **Michael**

Middle Name:

Mail To:
DBPR - Division of Pari-Mutuel Wagering
Licensing Section
2601 Blair Stone Road
Tallahassee, FL 32399-1037

If you have any questions please call our Customer Contact Center at 850-487-1395.

State of Florida
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, FL 32399

Application Summary

Thank you for submitting an online application. We will evaluate the application to determine if you meet the eligibility requirements for the license. Initial review of your application can take up to 14 days and up to 30 days during peak licensing times. You will be notified in writing if we need any additional information or documentation. Your application will be considered complete only upon the department's receipt of all requested information, including validation of payment from your financial institution.

Profession

License Type:	**Slot/Cardroom/Pari-Mutuel Indiv Combo**
Application Number:	**43357**
Application Type:	**Slot Machine/Cardroom/PMW Combination Occupational License**
Application Date:	**01/16/2024 (mm/dd/yyyy)**
License Number:	
File Number:	**12330**

Personal Detail

First Name:	**Michael**
Last Name:	**May**
Birthdate:	[redacted] **(mm/dd/yyyy)**
Gender:	**Male**

Addresses

Main Address:	**1260 NE 24TH STREET** **APT 1111** **WILTON MANORS, FL** **33305** **US**
Phone Number:	[redacted]
E-mail Address:	[redacted]

License Attributes Selected

Occupation	**Food Service Employee**
Temporary	**Yes**
Livescan Fingerprint Fee Exemption	**Livescan Fingerprint Fee Exemption**

Livescan Information Facility

Pari-Mutuel Facility Where Employed and/or Doing Business With:	**Pompano Park**

Prior Name Question

Have you used, been known as, or called by another name (example - maiden name, pseudonym, nickname) or alias other than the one you provided for this application?	**No**

Citizenship

Are you a United States citizen?	**Yes**

Prior License

Is this your first time applying for a racing/gaming license in Florida?	**Yes**

Current Employer

Current Employer Name:	**Global Filmz**

Employment History

Have you previously worked for a gaming-related employer?	**No**

Jurisdiction

Have you ever been licensed in any other racing or gaming jurisdiction?	**No**

Discipline

Have you ever had a racing or gaming license revoked or denied in this or any other state or country?	**No**

Criminal History Background Questions

Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?	**No**
Have you ever been convicted of or had adjudication of guilt withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you?	**No**

Financial Interest

Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?	**No**
Do you currently own or have a financial interest in a Florida licensed Slot Machine Facility or in any business owned by a Florida licensed Slot Machine Facility?	**No**

Attachments

May Auth.pdf

May Passport.pdf

Fees	
Fingerprint	**$37.25**
LiveScanReduce	**$-37.25**
License Fee	**$100.00**
Total Amount Due:	**$100.00**

By submission of this application you affirmed the following: I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this written declaration has the same legal effect as an oath or affirmation. Under penalties of perjury, I declare that I have read the foregoing application and the facts stated in it are true. I understand that falsification of any material information on this application may result in criminal penalty or administrative action, including a fine, suspension or revocation of the license. I understand that an electronic affirmation shall have the same force and effect as a written signature.

LICENSEES

Licensee Search

Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number [redacted]
Date of Birth:
First Name:
Middle Name:
Last Name: MAY
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State

FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update | Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **ccastro**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	**1012 - Cardroom Employee Occupational**			Status	**90 Closed**	Status Date	**07/21/2004**
Complaint #	**2004024902**	Case Type	**CMP - Complaint**	Disposition	**100 No Action Taken**	Disposition Date	**04/28/2004**
Docket#		Respondent	**MAY, MICHAEL M**	Responsible	**dneira - NEIRA, DIANA**		**Public Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**LIC - Licensee**	Security Level	**1**
Form	**WALK - Walk-in**	Priority	**2**
Class'n	**IIIB - Waivers**	Complexity	**R - Regular**
Security	**STND - Standard**	Incident	**04/21/2004**
Region	**SR - Southern Region**	Received	**04/27/2004**
Reference			
Entered	**04/27/2004**	Entered By	
Summary	**325-Calder Race Course Resp. Lic. # 7119420 Inv. Diana Neira Waiver; waiver not needed as per Southern Regional Manager John H. Karr. Letter sent to respondent on 4/28/2004.**		
Updated	**07/29/2004 12:15:02**	By	**brosario**

☐ Parties ☑ Activities

☐ Allegations ☐ Discipline

☐ Violations ☐ Compliance

☐ Related ☑ Disposition

☐ Inspection

☐ Costs

☐ Time Tracking Auto Assign

☐ Attachments History

☐ Work Notes Print Report

Change | Save | OK | Cancel | Back

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BRENDA D. FORMAN
CLERK OF THE COURTS
browardclerk.org ■ BROWARD COUNTY, FLORIDA

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JAN 29 2024

Menu

Is your court hearing being held via Zoom? Learn more about Remote Court Hearings by Zoom (/GeneralInformation/Miscellaneous#RemoteHearingsbyZoom)

Case Detail - Public

Print

State of Florida Vs. May, Michael

Broward County Case Number: 99017152CF10A
State Reporting Number: 061999CF017152A88810
Court Type: Felony
Case Type: Felony
Filing Date: 09/24/1999
Case Status: Disposed - Probation
Court Location: Central Courthouse
Judge ID / Name: Bailey - FH, Tim
Magistrate Id / Name: N/A
BCCN: 0234557

– Party(ies) Total: 4

– Collection(s)

Total: 1

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
06/27/2011	1		$300.00	$302.00	$302.00	$0.00	06/27/2011	$2.00		$0.00

– Event(s) & Document(s)

Total: 9

Date	Description	Additional Text	View / Pages
12/07/1999	Broward County Supervision	Count(s) <i001b>	
		Amount $35.00	
12/07/1999	Arraignment Held	Ct Rept H Lichtenberg	
12/07/1999	File Acknowledgement -Waiver Of Rights		
12/07/1999	File Order Of Probation		
12/07/1999	File Sentencing Guidelines		
11/19/1999	Court Date Notice	To Deft And Bond Company	
11/16/1999	Hrg Held / Magistrate Findings/Order - Probable Cause Found		
11/15/1999	Capias Served	Count(s) <d001b>	
09/22/1999	File State Not In Custody - Information	Count(s) <d001b>	

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JAN 29 2024

– Hearing(s)

Total: 0

There is no Disposition information available for this case.

– Related Case(s)

Total: 0

There is no related case information available for this case.

Brenda D. Forman

– Bond(s)

Total: 1

Posted Date	Charge(s)	Detail	Status
11/17/1999	1	Bond# 00209177 (InActive) Bond Type: Surety Bond Bond Company: Tony's Affordable Bail Bonds Insurance Company: Accredited Surety and Casualty Company, Inc Bond Amount: $5000.00 Surety Comment: InsCo: CHIC-CONTINENTAL HERITAGE INS	11/17/1999 POSTED 12/07/1999 DISCHARGED

– Arrest(s)

Total: 1

Arrest Date	Charge	Arrest Number	Detail
11/15/1999	1	BS99029617	**Arrest** Name At Arrest: May, Michael Offense: Aggravated Battery / Pregn Degree: (F2) Bond Amount: $5000.00 Bond Type: Not Applicable Statute: 784.045(1)(b) OBTS Number: 0012403026

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JAN 29 2024

– Disposition(s)

Total: 1

Offense Date	Charge	Disposition(s)
06/28/1999	1	**Plea(s)** **12/07/1999 Plea** Arraignment / Nolo Contendere **Disposition(s)** **12/07/1999 Disposition** Adjudication Withheld **Sentence(s)** **12/07/1999 Sentence (Judicial Officer(s): Cold, Marc H)** Comment (Docketrac Sentence Record Note: Cos $20 Per Month) Comment (Total Amount Imposed $300.00) State Probation (2 Year(s) 0 Month(s) 0 Day(s), Start Date: 12/07/1999, End Date: 12/07/2001) Provisions: Provisions (Waive Assessment) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	**May, Michael**	361 NE 41 St Oakland Park, FL 33332	

Gender: Male
Race: Black
Complexion: Light
Height: 5'8"
Weight: 155
Eye: Brown
Hair: Black
DOB: [redacted]
Birth City: Chicago
Birth State: IL

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JAN 29 2024

Bond Company	**Tony's Affordable Bail Bonds**
Bond Insurance Company	**Continental Heritage Insurance**
State	**State of Florida**

– Charge(s)

Total: 1

Offense Date	Charge	Degree	Detail
08/28/1999	1	(F2)	**Aggravated Battery / Pregnant** **Date Filed** 08/28/1999 Current Statute: (F2)784.045(1)(b) Filing Type: SAO Information- Not In Custody Filing Agency: Broward Sheriff Office/Oakland Park Original Statute: (F2)784.045(1)(b)-Aggravated Battery / Pregnant

– Warrant(s)

Total: 1

Issue Date	Charge(s)	Detail	Status
09/22/1999	1	**Warrant# 99017152CF10A990922CNIC990924 (InActive)** Type: Capias- Not In Custody Bond Amount: $5000.00 Bond Type: Set By Judge Date Served: 11/15/1999 Hold Without Bail Bond: No	11/15/1999 Capias Served 09/22/1999 Active *(Comment: NIC **)*

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

January 29, 2024

Mr. Michael May
1260 North East 24th Street Apt 1111
Wilton Manors, Florida 33305

RE: Application No. 43357, Entity 8925985
1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Dear Mr. May:

We have received the additional information you submitted, however, we are still unable to complete the processing of your application. The item(s) checked below is either missing or requires correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 3 of 3 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section, and provide court disposition records and arrest reports. Please initial and date any changes made to your application.

  You must list the information on your application, **and** provide arrest report for the following charge:
  - Broward County, Florida Arrest – 11/15/1999.

  Note: If you cannot obtain the requested court disposition records, please submit a certified statement from the Clerk of Court for the relevant jurisdiction stating the status of records or that the records are not available. All aliases must be listed, if applicable.

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 05/17/2024, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided below, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

CM
Operations Analyst II

DIVISION OF PARI-MUTUEL WAGERING
4070 ESPLANADE WAY, SUITE 250
TALLAHASSEE, FLORIDA 32399
FLGAMING.GOV

2024 FEB -5 PM 12: 04

FLORIDA GAMING
CONTROL COMMISSION

Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering
DBPR PMW-3410 – Slot Machine Individual Occupational License Application

Instructions: Please review this application thoroughly and complete all sections not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION

Social Security Number	Birth Date (MM/DD/YYYY)	Gender
[redacted]	[redacted]	☒ Male ☐ Female

Last Name	First	Middle	Suffix
MAY	MICHAEL	VASHARN	

Have you used, been known as, or called by another name (example – maiden name, pseudonym, nickname) or alias other than the name used on the application? ☐ Yes ☒ No

If yes, list the name or names used: _____

Race/Ethnicity (check only one):
☒ Black or African American
☐ White or Caucasian
☐ Asian or Pacific Islander
☐ Hispanic/Latino
☐ Native American or Alaskan Native
☐ Other

Are you a United States citizen? ☒ Yes ☐ No
If no, provide the name of the country of which you are a citizen: _____

Current Mailing Address	Email Address (optional)
1260 NE 24TH ST APT # 1111	

City	State	Zip Code (+4 optional)	Country
WILTON MANORS	FL	33305	U.S.A

Primary Phone Number	Secondary/Cell Phone Number (optional)
[redacted]	

Current Street Address: 1260 NE 24TH ST APT # 1111

City	State	Zip Code (+4 optional)	Country
WILTON MANORS	FL	33305	U.S.A

Type of Slot Machine Occupational License applying for:
☐ General Individual ☐ Professional Individual
☐ Slot Machine/Cardroom/PMW Combination

Job title(s)*: _____

*Applicants for a Combo license should disclose all job titles

Is this your first time applying for a racing/gaming license in Florida?
☒ Yes ☐ No

Facility where employed and/or doing business:

Employer name:

FOR DIVISION USE ONLY

License Code _____ **License #** _____ **File #** _____ **App #** _____

Association Code _____ **Date Received** _____ **Entered By** _____ **License Year** _____

License Fee _____ **FP Date** _____ **FP Fee** _____ **Total Fee** _____

Waiver Requested (Combo Only) **ARCI** **Enforcement**

2024 FEB -5 PM 12: 04

FLORIDA GAMING
CONTROL COMMISSION

EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes
☒ No

Have you previously worked for a gaming-related employer?
If yes, you must list below all gaming-related employment history in the past ten years.

Name of Employer	Address	Start Date (Month/ Year) - End Date (Month/ Year)	Title/Position Held & Supervisor Name	Reason for Leaving

PREVIOUS LICENSING HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes
☒ No

Have you ever been licensed in any other racing or gaming jurisdiction? If yes, you must list all current and previous licenses and provide the details in the section below.

State(s) or Jurisdiction(s) Where Licensed	Date of Expiration	Is this license currently suspended or subject to fines or other discipline? Explain why.
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No

☐ Yes
☒ No

Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

If you answered yes to the question above, provide details here:

2024 FEB -5 PM 12:04

FLORIDA GAMING

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☒ No	Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, or filing false reports to government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?
☒ Yes ☐ No	Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the section provided below.

Date of Disposition	County	State	Offense	Misdemeanor or Felony?	Sentence
12/07/1999	BROWARD	FL	AGGRAVATED BATTERY	FELONY	2 YRS PROBATION

1/30/2024

☐ Yes ☒ No	Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?
☐ Yes ☒ No	Do you currently own or have a financial interest in a Florida licensed slot machine facility or in any business owned by a Florida licensed slot machine facility?

ADDITIONAL INFORMATION

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging the FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to $1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

AUTHORIZATION FOR RELEASE OF INFORMATION:

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation or the Florida Department of Law Enforcement.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

MICHAEL VA SHAWN MAY	[redacted]
Print Legal Name (First Middle Last)	Birth Date (MM/DD/YYYY)
[redacted]	PPI, Inc
Social Security Number	Name of Employer
[signature]	1/16/24
Signature of Applicant	Date

RECEIVED
2024 FEB -5 PM 12:04
FLORIDA GAMING CONTROL COMMISSION

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging the FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to $1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

AUTHORIZATION FOR RELEASE OF INFORMATION:

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation or the Florida Department of Law Enforcement.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

MICHAEL VASHARN MAY
Print Legal Name (First Middle Last)

[redacted]
Birth Date (MM/DD/YYYY)

[redacted]
Social Security Number

HARRAH'S POMPANO BEACH
Name of Employer

Signature of Applicant

1/28/2024
Date

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

January 18, 2024

RECEIVED
2024 FEB -5 PM 12:04
FLORIDA GAMING
CONTROL COMMISSION

Mr. Michael May
1260 North East 24th Street
Apt 1111
Wilton Manors, Florida 33305

RE: Application No. 43357, Entity 8925985
1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Dear Mr. May:

Your application for an occupational license with the Office of Operations has been received. The item(s) checked below are either missing or require correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 3 of 3 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section, and provide court disposition records and arrest reports. Please initial and date any changes made to your application.

  You must list the information on your application, **and** provide both court disposition records and arrest reports for the following charges:
  - Broward County, Florida Arrest – 11/15/1999.

  Note: If you cannot obtain the requested court disposition records, please submit a certified statement from the Clerk of Court for the relevant jurisdiction stating the status of records or that the records are not available. All aliases must be listed, if applicable.

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 05/17/2024, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

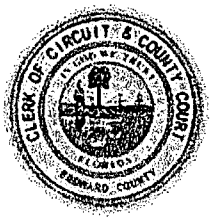
Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided below, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

CM
Operations Analyst II

RECEIVED
2024 FEB -5 PM 12:04
FLORIDA GAMING
CONTROL COMMISSION

DIVISION OF PARI-MUTUEL WAGERING
4070 ESPLANADE WAY, SUITE 250
TALLAHASSEE, FLORIDA 32399
FLGAMING.GOV



BRENDA D. FORMAN
CLERK OF THE COURTS
browardclerk.org ■ BROWARD COUNTY, FLORIDA

Menu

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Case Detail - Public

Print

State of Florida Vs. May, Michael

Broward County Case Number: 99017152CF10A
State Reporting Number: 061999CF017152A88810
Court Type: Felony
Case Type: Felony
Filing Date: 09/24/1999
Case Status: Disposed - Probation
Court Location: Central Courthouse
Judge ID / Name: Bailey - FH, Tim
Magistrate Id / Name: N/A
BCCN: 0234557

- Party(ies) Total: 4

RECEIVED
2024 FEB -5 PM 12: 05
FLORIDA GAMING
CONTROL COMMISSION

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	**May, Michael** **Gender:** Male **Race:** Black **Complexion:** Light **Height:** 5'8" **Weight:** 155 **Eye:** Brown **Hair:** Black **DOB:** [redacted] **Birth City:** Chicago **Birth State:** IL	361 NE 41 St Oakland Park, FL 33332	
Bond Company	**Tony's Affordable Bail Bonds**		
Bond Insurance Company	**Continental Heritage Insurance**		
State	**State of Florida**		

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2024 FEB -5 PM 12:05
FLORIDA GAMING
CONTROL COMMISSION

- Charge(s)

Total: 1

Offense Date	Charge	Degree	Detail
08/28/1999	1	(F2)	**Aggravated Battery / Pregnant** Date Filed: 08/28/1999 Current Statute: (F2)784.045(1)(b) Filing Type: SAO Information- Not In Custody Filing Agency: Broward Sheriff Office/Oakland Park Original Statute: (F2)784.045(1)(b)-Aggravated Battery / Pregnant

- Warrant(s)

Total: 1

Issue Date	Charge(s)	Detail	Status
09/22/1999	1	**Warrant# 99017152CF10A990922CNIC990924 (InActive)** Type: Capias - Not In Custody Bond Amount: $5000.00 Bond Type: Set By Judge Date Served: 11/15/1999 Hold Without Bail Bond: No	11/15/1999 Capias Served 09/22/1999 Active *(Comment: NIC **)*

Bond(s)

Total: 1

Posted Date	Charge(s)	Detail	Status
11/17/1999	1	**Bond# 00209177** **(InActive)** Bond Type: Surety Bond Bond Company: Tony's Affordable Bail Bonds Insurance Company: Accredited Surety and Casualty Company, Inc. Bond Amount: $5000.00 Surety Comment: InsCo: CHIC-CONTINENTAL HERITAGE INS	11/17/1999 POSTED 12/07/1999 DISCHARGED

Arrest(s)

Total: 1

Arrest Date	Charge	Arrest Number	Detail
11/15/1999	1	BS99029617	**Arrest** Name At Arrest: May, Michael Offense: Aggravated Battery / Pregnant Degree: (F2) Bond Amount: $5000.00 Bond Type: Not Applicable Statute: 784.045(1)(b) OBTS Number: 0012403026

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2024 FEB -5 PM 12:05
FLORIDA GAMING CONTROL COMMISSION

Disposition(s)

Total: 1

Offense Date	Charge	Disposition(s)
08/28/1999	1	**Plea(s)** **12/07/1999 Plea** Arraignment / Nolo Contendere **Disposition(s)** **12/07/1999 Disposition** Adjudication Withheld **Sentence(s)** **12/07/1999 Sentence** (Judicial Officer(s): Gold, Marc H) Comment (Docketrac Sentence Record Note: Cos $20 Per Month) Comment (Total Amount Imposed $300.00) State Probation (2 Year(s) 0 Month(s) 0 Day(s), Start Date: 12/07/1999, End Date: 12/07/2001) Provisions: Provisions (Waive Assessment) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)

Collection(s)

Total: 1

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
06/27/2011	1		$300.00	$302.00	$302.00	$0.00	06/27/2011	$2.00	-	$0.00

Event(s) & Document(s)

Total: 9

Date	Description	Additional Text	View / Pages
12/07/1999	**Broward County Supervision**	Count(s):<I001I> Amount: $35.00	
12/07/1999	**Arraignment Held**	Ct Rept H.Lichtenberg	
12/07/1999	**File Acknowledgement -Waiver Of Rights**		
12/07/1999	**File Order Of Probation**		
12/07/1999	**File Sentencing Guidelines**		
11/19/1999	**Court Date Notice**	To Deft And Bond Company	
11/16/1999	**Hrg Held / Magistrate Findings/Order - Probable Cause Found**		
11/15/1999	**Capias Served**	Count(s):<I001I>	
09/22/1999	**File State Not In Custody - Information**	Count(s):<I001I>	

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FLORIDA GAMING CONTROL COMMISSION

Hearing(s)

Total: 0

There is no Disposition information available for this case.

Related Case(s)

Total: 0

There is no related case information available for this case.

Brenda D. Forman

Clerk of Court

Broward County
17th Judicial Circuit

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FLORIDA GAMING CONTROL COMMISSION

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GLOSSARY OF TERMS (HTTPS://WWW.BROWARDCLERK.ORG//WEB2/CASESEARCHECA/GLOSSARY/) >

Main Courthouse Location

201 SE 6th Street

Fort Lauderdale
Florida, US 33301
Phone: (954) 831-6565

PUBLIC RECORDS CUSTODIAN (/GENERALINFORMATION/MISCELLANEOUS#PUBLICRECORDSCUSTODIAN) > *PURSUANT TO 119.12(2), F.S.*

PUBLIC ACCESS TO JUDICIAL RECORDS (/GENERALINFORMATION/MISCELLANEOUS#JUDICIALRECORDRULE) > *PURSUANT TO RULE 2.420*

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public rec request, do not send electronic mail to this entity.
Instead, contact this office by phone or in writing.

M. MAY
1260 NE 24TH ST APT #1111
WILTON MANORS FL 33305

*ATTENTION OFFICE OF OPERATIONS *

DIVISON OF PARI-MUTUEL WAGERING
4070 ESPLANADE WAY, SUITE 250
TALLAHASSEE, FLORIDA 32399

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2024 FEB -5 PM 12:04
FLORIDA GAMING CONTROL COMMISSION

B239987033 0001

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

January 29, 2024

Mr. Michael May
1260 North East 24th Street Apt 1111
Wilton Manors, Florida 33305

RECEIVED
2024 FEB 14 PM 1:46
FLORIDA GAMING CONTROL COMMISSION

RE: Application No. 43357, Entity 8925985
1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Dear Mr. May:

We have received the additional information you submitted, however, we are still unable to complete the processing of your application. The item(s) checked below is either missing or requires correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 3 of 3 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section, and provide court disposition records and arrest reports. Please initial and date any changes made to your application.

  You must list the information on your application, **and** provide arrest report for the following charge:
  - Broward County, Florida Arrest – 11/15/1999.

  Note: If you cannot obtain the requested court disposition records, please submit a certified statement from the Clerk of Court for the relevant jurisdiction stating the status of records or that the records are not available. All aliases must be listed, if applicable.

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 05/17/2024, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

DIVISION OF PARI-MUTUEL WAGERING
4070 ESPLANADE WAY, SUITE 250
TALLAHASSEE, FLORIDA 32399
FLGAMING.GOV

CM

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided below, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

CM
Operations Analyst II

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FLORIDA GAMING
CONTROL COMMISSION

Arrest Date	Charge	Arrest Number	Detail
11/15/1999	1	BS99029617	**Arrest** Name At Arrest: May, Michael Offense: Aggravated Battery / Pregnant Degree: (F2) Bond Amount: $5000.00 Bond Type: Not Applicable Statute: 784.045(1)(b) OBTS Number: 0012403026

- Disposition(s)

Total: 1

Offense Date	Charge	Disposition(s)
08/28/1999	1	**Plea(s)** **12/07/1999 Plea** Arraignment / Nolo Contendere **Disposition(s)** **12/07/1999 Disposition** Adjudication Withheld **Sentence(s)** **12/07/1999 Sentence** (Judicial Officer(s): Gold, Marc H) Comment (Docketrac Sentence Record Note: Cos $20 Per Month) Comment (Total Amount Imposed $300.00) State Probation (2 Year(s) 0 Month(s) 0 Day(s), Start Date: 12/07/1999, End Date: 12/07/2001) Provisions: Provisions (Waive Assessment) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)

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FLORIDA GAMING CONTROL COMMISSION

- Collection(s)

Total: 1

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
06/27/2011	1		$300.00	$302.00	$302.00	$0.00	06/27/2011	$2.00	-	$0.00

- Event(s) & Document(s)

Total: 9

Offense Date	Charge	Degree	Detail
08/28/1999	1	(F2)	**Aggravated Battery / Pregnant** Date Filed: 08/28/1999 Current Statute: (F2)784.045(1)(b) Filing Type: SAO Information- Not In Custody Filing Agency: Broward Sheriff Office/Oakland Park Original Statute: (F2)784.045(1)(b)-Aggravated Battery / Pregnant

- Warrant(s)

Total: 1

Issue Date	Charge(s)	Detail	Status
09/22/1999	1	**Warrant# 99017152CF10A990922CNIC990924 (InActive)** Type: Capias - Not In Custody Bond Amount: $5000.00 Bond Type: Set By Judge Date Served: 11/15/1999 Hold Without Bail Bond: No	11/15/1999 Capias Served 09/22/1999 Active *(Comment: NIC **)*

- Bond(s)

Total: 1

Posted Date	Charge(s)	Detail	Status
11/17/1999	1	**Bond# 00209177 (InActive)** Bond Type: Surety Bond Bond Company: Tony's Affordable Bail Bonds Insurance Company: Accredited Surety and Casualty Company, Inc. Bond Amount: $5000.00 Surety Comment: InsCo: CHIC-CONTINENTAL HERITAGE INS	11/17/1999 POSTED 12/07/1999 DISCHARGED

- Arrest(s)

Total: 1

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2024 FEB 14 PM 1:46
FLORIDA GAMING CONTROL COMMISSION

Date	Description	Additional Text	View / Pages
12/07/1999	**Broward County Supervision**	Count(s):<I001I> Amount: $35.00	
12/07/1999	**Arraignment Held**	Ct Rept H.Lichtenberg	
12/07/1999	**File Acknowledgement -Waiver Of Rights**		
12/07/1999	**File Order Of Probation**		
12/07/1999	**File Sentencing Guidelines**		
11/19/1999	**Court Date Notice**	To Deft And Bond Company	
11/16/1999	**Hrg Held / Magistrate Findings/Order - Probable Cause Found**		
11/15/1999	**Capias Served**	Count(s):<I001I>	
09/22/1999	**File State Not In Custody - Information**	Count(s):<I001I>	

- Hearing(s)

Total: 0

There is no Disposition information available for this case.

- Related Case(s)

Total: 0

There is no related case information available for this case.

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2024 FEB 14 PM 1:46
FLORIDA GAMING
CONTROL COMMISSION

State of Florida Vs. May, Michael

Broward County Case Number: 99017152CF10A
State Reporting Number: 061999CF017152A88810
Court Type: Felony
Case Type: Felony
Filing Date: 09/24/1999
Case Status: Disposed - Probation
Court Location: Central Courthouse
Judge ID / Name: Bailey - FH, Tim`
Magistrate Id / Name: N/A
BCCN: 0234557

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2024 FEB 14 PM 1:46
FLORIDA GAMING CONTROL COMMISSION

- Party(ies)

Total: 4

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	**May, Michael** **Gender:** Male **Race:** Black **Complexion:** Light **Height:** 5'8" **Weight:** 155 **Eye:** Brown **Hair:** Black **DOB:** [redacted] **Birth City:** Chicago **Birth State:** IL	361 NE 41 St Oakland Park, FL 33332	
Bond Company	**Tony's Affordable Bail Bonds**		
Bond Insurance Company	**Continental Heritage Insurance**		
State	**State of Florida**		

- Charge(s)

Total: 1

SIGN & DATE

#8925985 Michael [redacted] 1/5/2024

2024 FEB 14 PM 1:46

FLORIDA GAMING CONTROL COMMISSION

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☒ No	Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, or filing false reports to government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?
☒ Yes ☐ No	Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the section provided below.

Date of Disposition	County	State	Offense	Misdemeanor or Felony?	Sentence
12/07/99	BROWARD	FL	AGGRAVATED BATTERY	FELONY	2 YRS PROBATION

☐ Yes ☒ No	Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?
☐ Yes ☒ No	Do you currently own or have a financial interest in a Florida licensed slot machine facility or in any business owned by a Florida licensed slot machine facility?

ADDITIONAL INFORMATION

12/07/1999 ADJUDICATION WITHHELD

PLEASE CALL ME IF I AM NOT PROVIDING PROPER DOCUMENTATIONS

[redacted] CELL #

M. MAY
1260 NE 24TH ST APT #1111
WILTON MANORS FL 33305

MIAMI FL 330

DIVISION OF PARI-MUTUEL WAGERING
4070 ESPLANADE WAY, SUITE 250
TALLAHASSEE, FLORIDA 32399

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2024 FEB 14 PM 1:46
FLORIDA GAMING
CONTROL COMMISSION

32399-703370

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

February 15, 2024

2024 FEB 23 AM 11:24

Mr. Michael May
1260 North East 24th Street Apt 1111
Wilton Manors, Florida 33305

RE: Application No. 43357, Entity 8925985
1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Dear Mr. May:

We have received the additional information you submitted; however, we are still unable to complete the processing of your application. The item(s) checked below is either missing or requires correction before the processing of your application can be completed:

- You must provide arrest report for the following charge:
  - Broward County, Florida Arrest – 11/15/1999.

  Note- Documents that was submitted are court disposition they are not arrest report.

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 05/17/2024, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided below, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

CM
Operations Analyst II

Broward County Sheriff's Office

Booking Report

CIS #	**509929617**	BCCN #	**234557**		Booking Sheet Control Date and Time
OBTS	12403026	Print Clearance	11/16/99 00:00:00	Prints Yes	
Arrest #	BS 9929617	Offense Report #			Agency BROWARD SHERIFF'S OFFICE

Last Name First Middle **MAY, MICHAEL**

SSN # [redacted] Social Security

Race	Sex	Height	Weight	Eyes	Hair	Comp.	Age Admitted	DOB	Place of Birth	State	FDLE
B	M	508	155	BRO	BLK	LGT	22	[redacted]	CHICAGO	ILLINOIS	0

Permanent Address 361 NE 41 ST OAKLAND PARK FL 33332

Months of Residence 180

Arrest Date 11/15/99 10:30:00 Place of Arrest 361 NE 41 ST Arresting Officer 4656 DALE

Inmate Logged Date 11/15/99 16:55:28 Inmate Log Type FULL INTAKE Place Admitted MAIN

Intake Comments 29/54 7834,WC 199921176

Alias Last name, First, Middle, DOB

Scars,Marks,Tattoos

Tattoos Abdomen

Release Date/Time 11/18/99 02:52:15 Release Reason SURETY BOND Release Authorized By SKAR

Charge No.	Charge Initiation Date	Statute	Warrant/Capias	Level	M.C	B. Type	Bond Amount
1	11/15/99 20:08	CAP-FEL	99017152CF10A	XF	Y	BOND	$5,000.00

Charges CAPIAS - FEL **Comments** AGG BATTERY PREGANT FEMALE

Booking Off. ID bs04030 **County** **Judge** GOLD

* End of Report *

2024 FEB 23 AM 11:24

Redaction Date: 2/21/2024 2:26:32 PM

Redaction Log

Total Number of Redactions in Document: 1

Redaction Reasons by Page

Page	Reason	Description	Occurrences
1	Social Security	Social Security Numbers - §119.071(5)(a)	1

2024 FEB 23 AM 11:24

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Joseph Klein, Senior Attorney
Re: Trisha Hockman; Case No. 2024-012247
Date: April 16, 2024

Executive Summary

The Division of Pari-Mutuel Wagering (the "Division") seeks to deny the application of Trisha Hockman (the "Applicant") for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License (the "Application"). The Applicant submitted a completed application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on February 26, 2024. Upon review of the application, it appears Applicant has been convicted of a felony offense in Indiana. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Letter of License Denial.

Pertinent Facts

On October 4, 2023, the Division received an online application from the Applicant for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. The Division issued a deficiency letter to the Applicant on October 5, 2023, requesting that she disclose information relating to a 2010 arrest in Indiana, including the associated court disposition records and a copy of the arrest report.

On February 7, 2024, the Division received an updated application which included the Applicant's prior criminal history. The Division issued a deficiency letter on February 9, 2024, again requesting that she disclose information relating to a 2010 arrest in Indiana, including the associated court disposition records and a copy of the arrest report.

The Applicant submitted a completed Application on February 26, 2024.

Upon review of the Application, it appears that on or about March 9, 2011, the Applicant was convicted in Hancock County, Indiana of Possession of a Controlled Substance, a felony offense.

The Applicant did not apply for a waiver from the statutory restrictions excluding applicants with disqualifying offenses from slot machine, cardroom, and pari-mutuel licensure. Furthermore, section 551.107(6), Florida Statutes, does not

authorize the Executive Director to waive the statutory restrictions excluding applicants with disqualifying offenses for slot machine licensure.

This felony conviction is a disqualifying offense pursuant to sections 550.105(5)(b), 551.107(6)(a), and 849.086(6)(g), Florida Statutes.

Relevant Law

Section 550.105(5)(b), Florida Statutes, provides, in pertinent part that:

> . . . the commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Section 551.107(6)(a), Florida Statutes, provides in pertinent part that:

> ". . .the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense."

Section 849.086(6)(f), Florida Statutes, provides that the "provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses."

Section 849.086(6)(g), Florida Statutes, provides that:

> [t]he commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any

> other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.

Section 550.105(5)(d), Florida Statutes, provides that:

> …the term "convicted" means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere. However, the term "conviction" shall not be applied to a crime committed prior to the effective date of this subsection in a manner that would invalidate any occupational license issued prior to the effective date of this subsection or subsequent renewal for any person holding such a license.

Staff Recommendation: The Florida Gaming Control Commission may deny the Application or declare the Applicant ineligible for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License upon a finding of a disqualifying offense pursuant to sections 550.105, 551.107, and 849.086(6)(g), Florida Statutes. Accordingly, the Division of Pari-Mutuel Wagering recommends that the Florida Gaming Control Commission authorize the issuance of a Letter of License Denial to Trisha Hockman in this matter.

Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering

Licensing Administrator Review – Slot Occupational License

RE: HOCKMAN, TRISHA - 13765216 **Case No: 2024012247**
(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	10/4/2023
COMPLETE APPLICATION RECEIVED:	2/26/2024
90-DAY DEADLINE:	**5/26/2024**

Amy Hall	430 – Pompano Park	1055 – Food Service
Application Processor	**Facility (d/b/a name)**	**Occupation/Job Title**

Pursuant to Section 550.105(5)(a): The division may deny a license of any person who has been refused a license by any other state racing commission or racing authority; under suspension or has unpaid fines in another jurisdiction. The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Licensing Administrator Review

Conviction

Did the application accurately reflect the Criminal History Record? ☐ Yes ☒ No

- ☒ Felony: 1 Count(s)
- ☐ Misdemeanor – Industry Related/Gambling Related/Bookmaking
- ☐ Animal Cruelty
- ☐ Forgery, Larceny, Extortion, Conspiracy to Defraud (Cardroom Professions Only)

Comments:

Arrest Date	Location	Charge	Level	Court Case #	Disposition
09/03/2010	Hancock County, Indiana	Possession of a Controlled Substance	F	30D02-1009-FD-001138	Guilty

Disposition Unknown

- ☐ Felony Arrest(s) :
- ☐ Misdemeanor Arrest – Industry Related/Gambling Related/Bookmaking
- ☐ Animal Cruelty

Comments:

Enforcement/Jurisdiction Offenses

☐ Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction.

Comments:

Related Licenses

Check VR License Relations to Determine if Applicant is Related to a Business.

Is the individual applicant related to a business? Yes ☐ No ☒ **If yes, complete sections below.**

Business License Number:	Business Name:
Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes ☐ No ☐	
Date Deficiency Letter Issued:	Initials:

Comments:

Licensing Administrator Review

Disposition Confirmation

Disqualifying Convictions/Arrests Confirmed? Yes ☐ No ☐ ☐ **Approval**

Forward to ☐ **Investigations** ☐ **Legal** ☐ **Director** Initials:

Comments:

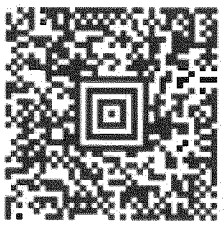
DBPR On-Line Services

If you need to mail additional information to DBPR please include this coversheet.

License Type:	**Slot/Cardroom/Pari-Mutuel Indiv Combo**
Application Type:	**Slot Machine/Cardroom/PMW Combination Occupational License**
File Number:	**12086**
Application Number:	**42789**
License Number:	
Application Date:	**10/04/2023 (mm/dd/yyyy)**
Last Name:	**Hockman**
First Name:	**Trisha**
Middle Name:	

Mail To:
DBPR - Division of Pari-Mutuel Wagering
Licensing Section
2601 Blair Stone Road
Tallahassee, FL 32399-1037

If you have any questions please call our Customer Contact Center at 850-487-1395.



State of Florida
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, FL 32399

Application Summary

Thank you for submitting an online application. We will evaluate the application to determine if you meet the eligibility requirements for the license. Initial review of your application can take up to 14 days and up to 30 days during peak licensing times. You will be notified in writing if we need any additional information or documentation. Your application will be considered complete only upon the department's receipt of all requested information, including validation of payment from your financial institution.

Profession

License Type:	**Slot/Cardroom/Pari-Mutuel Indiv Combo**
Application Number:	**42789**
Application Type:	**Slot Machine/Cardroom/PMW Combination Occupational License**
Application Date:	**10/04/2023 (mm/dd/yyyy)**
License Number:	
File Number:	**12086**

Personal Detail

First Name:	**Trisha**
Last Name:	**Hockman**
Birthdate:	[redacted]
Gender:	**Female**

Addresses

Current Mailing Address:	**315 N STATE ROAD 7 APT 2204** **PLANTATION, FL** **33317** **US**
Phone Number:	
Extension:	
E-mail Address:	

License Attributes Selected

Occupation	**Food Service**
Temporary	**Yes**
Livescan Fingerprint Fee Exemption	**Livescan Fingerprint Fee Exemption**

Livescan Information

Enter Transaction Control Number (TCN): **70CA0300000004123**

Facility

Pari-Mutuel Facility Where Employed and/or Doing Business With: **Pompano Park**

Prior Name Question

Have you used, been known as, or called by another name (example - maiden name, pseudonym, nickname) or alias other than the one you provided for this application?	**No**

Citizenship

Are you a United States citizen?	**Yes**

Prior License

Is this your first time applying for a racing/gaming license in Florida?	**Yes**

Current Employer

Current Employer Name:	**Harrah's Casino Pompano Park**

Employment History

Have you previously worked for a gaming-related employer?	**No**

Jurisdiction

Have you ever been licensed in any other racing or gaming jurisdiction?	**No**

Discipline

Have you ever had a racing or gaming license revoked or denied in this or any other state or country?	**No**

Criminal History Background Questions

Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?	**No**
Have you ever been convicted of or had adjudication of guilt withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you?	**No**

Financial Interest

Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?	**No**
Do you currently own or have a financial interest in a Florida licensed Slot Machine Facility or in any business owned by a Florida licensed Slot Machine Facility?	**No**

Attachments

th id.pdf

Fees

Fingerprint	**$37.25**
LiveScanReduce	**$-37.25**
License Fee	**$100.00**
Total Amount Due:	**$100.00**

By submission of this application you affirmed the following: I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this written declaration has the same legal effect as an oath or affirmation. Under penalties of perjury, I declare that I have read the foregoing application and the facts stated in it are true. I understand that falsification of any material information on this application may result in criminal penalty or administrative action, including a fine, suspension or revocation of the license. I understand that an electronic affirmation shall have the same force and effect as a written signature.

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging the FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to $1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

AUTHORIZATION FOR RELEASE OF INFORMATION:

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation or the Florida Department of Law Enforcement.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

Trisha Leigh Hockman
Print Legal Name (First Middle Last)

[redacted]
Birth Date (MM/DD/YYYY)

[redacted]
Social Security Number

PPI INC
Name of Employer

Trisha Hockman
Signature of Applicant

10/31/23
Date

FLORIDA
GAMING CONTROL
COMMISSION

JULIE I. BROWN, COMMISSIONER
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER

October 5, 2023

Ms. Trisha Hockman
315 North State Road 7, Apt. 2204
Plantation, Florida 33317

RE: Application No. 42793, Entity 13765216
1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Dear Ms. Hockman:

Your application for an occupational license with the Office of Operations has been received. The item(s) checked below are either missing or require correction before the processing of your application can be completed:

- Application is incomplete: Please complete the attached PMW-3410 – Slot Machine Individual Occupational License Application form. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section and provide court disposition records.

  You must list the information on your application **and** provide court disposition records for the following charges:

  - Hancock County, Indiana Arrest(s) – 09/03/2010

  Note: If you cannot obtain the requested court disposition records, please submit a certified statement from the Clerk of Court for the relevant jurisdiction stating the status of records or that the records are not available. All aliases must be listed, if applicable.

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 02/03/2024, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

OFFICE OF OPERATIONS
4070 Esplanade Way, Suite 250
TALLAHASSEE, FLORIDA 32399

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided above, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

AH
Operations Analyst II

2024 FEB -7 PM 4:28

FLORIDA GAMING
CONTROL COMMISSION

Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering
DBPR PMW-3410 – Slot Machine Individual Occupational License Application

Instructions: Please review this application thoroughly and complete all sections not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION

[redacted]

Gender ☐ Male ☑ Female

Last Name	First	Middle	Suffix
Hockman	Trisha	Leigh	

Have you used, been known as, or called by another name (example – maiden name, pseudonym, nickname) or alias other than the name used on the application? ☐ Yes ☑ No

If yes, list the name or names used: _____

Race/Ethnicity (check only one):
☐ Black or African American ☐ Asian or Pacific Islander ☐ Native American or Alaskan Native
☑ White or Caucasian ☐ Hispanic/Latino ☐ Other

Are you a United States citizen? ☑ Yes ☐ No
If no, provide the name of the country of which you are a citizen: _____

Current Mailing Address			Email Address (optional)
315 N State Road 7 Apt 2204			Hockman79@gmail.com
City	**State**	**Zip Code (+4 optional)**	**Country**
Plantation	FL	33317	USA
Primary Phone Number			**Secondary/Cell Phone Number (optional)**
317 937 8665			
Current Street Address			
315 N State Road 7 Apt 2204			
City	**State**	**Zip Code (+4 optional)**	**Country**
Plantation	FL	33317	USA

Type of Slot Machine Occupational License applying for:
☐ General Individual ☐ Professional Individual
☑ Slot Machine/Cardroom/PMW Combination

Job title(s)*: Bartender

*Applicants for a Combo license should disclose all job titles

Is this your first time applying for a racing/gaming license in Florida? ☑ Yes ☐ No

Facility where employed and/or doing business: Harrahs Pompano Beach

Employer name:

FOR DIVISION USE ONLY

License Code _____ License # _____ File # _____ App # _____

Association Code _____ Date Received _____ Entered By _____ License Year _____

License Fee _____ FP Date _____ FP Fee _____ Total Fee _____

Waiver Requested (Combo Only) ARCI Enforcement

2024 FEB -7 PM 4:28

FLORIDA GAMING

EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☑ No — Have you previously worked for a gaming-related employer? If yes, you must list below all gaming-related employment history in the past ten years.

Name of Employer	Address	Start Date (Month/ Year) - End Date (Month/ Year)	Title/Position Held & Supervisor Name	Reason for Leaving

PREVIOUS LICENSING HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☑ No — Have you ever been licensed in any other racing or gaming jurisdiction? If yes, you must list all current and previous licenses and provide the details in the section below.

State(s) or Jurisdiction(s) Where Licensed	Date of Expiration	Is this license currently suspended or subject to fines or other discipline? Explain why.
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No
		☐ Yes ☐ No

☐ Yes ☑ No — Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

If you answered yes to the question above, provide details here:

2024 FEB -7 PM 4:28
FLORIDA GAMING CONTROL COMMISSION

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☑ No	Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, or filing false reports to government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?
☑ Yes ☐ No	Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the section provided below.

Date of Disposition	County	State	Offense	Misdemeanor or Felony?	Sentence

☐ Yes ☑ No	Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?
☐ Yes ☑ No	Do you currently own or have a financial interest in a Florida licensed slot machine facility or in any business owned by a Florida licensed slot machine facility?

ADDITIONAL INFORMATION

2024 FEB -7 PM 4:28

FLORIDA

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging the FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to $1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

AUTHORIZATION FOR RELEASE OF INFORMATION:

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation or the Florida Department of Law Enforcement.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

Trisna Hockman
Print Legal Name (First Middle Last)

[redacted]
Birth Date (MM/DD/YYYY)

[redacted]
Social Security Number

Harrahs Pompano Beach
Name of Employer

Trisha Hockman
Signature of Applicant

10/27/23
Date

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

February 9, 2024

RECEIVED
2024 FEB 26 AM 10:52
FLORIDA GAMING CONTROL COMMISSION

Ms. Trisha Hockman
315 Noth State Road 7, Apt. 2204
Plantation, Florida 33317

RE: Application No. 42793, Entity 13765216
1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Dear Ms. Hockman:

We have received the additional information you submitted, however, we are still unable to complete the processing of your application. The item(s) checked below is either missing or requires correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 4 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section. Please complete all sections of page 4 of the application. **Please initial and date any changes made to your application.**

  You must list the information on your application for the following charges:
  - Hancock County, Indiana Arrest(s) – 09/03/2010

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 03/05/2024, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

AH

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided above, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

AH
Operations Analyst II

RECEIVED
2024 FEB 26 AM 10:52
FLORIDA GAMING
CONTROL COMMISSION

2024 FEB 26 AM 10:52

FLORIDA GAMING CONTROL COMMISSION

SIGN & DATE

TH 2/15 2/15 TH

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☑ No	Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, or filing false reports to government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?
☑ Yes ☐ No	Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the section provided below.

Date of Disposition	County	State	Offense	Misdemeanor or Felony?	Sentence
3/9/11	Hancock	IN	OWI	misd	365 days Prob
3/9/11	Hancock	IN	Possession of a controlled sub	felony	365 day Prob

☐ Yes ☑ No	Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?
☐ Yes ☑ No	Do you currently own or have a financial interest in a Florida licensed slot machine facility or in any business owned by a Florida licensed slot machine facility?

ADDITIONAL INFORMATION

Tisha Dockner 2/15/24

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **ahall5**

VR Home > **Complaint Search**

Search Criteria | Results

Case Type	Complaint #	Status	Reference	Incident	Respondent	Complainant	Lic Type	Public Case	View	Process
No items found.										

Total: 0

Print Back

Get Adobe Reader.

Licenses

Licensee Search

Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number:
Date of Birth:
First Name: TRISHA
Middle Name:
Last Name: HOCKMAN
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State

CHRONOLOGICAL CASE SUMMARY

CASE SUMMARY

CASE NO. 30D02-1009-FD-001138

State Vs. Trisha L. Hockman

(317.937.8665
LM... 2:10pm
10/23/2023

Location:	Hancock Superior Court 2
Judicial Officer:	Marshall, Dan E
Filed on:	09/07/2010
Additional Citation Numbers:	157742
	157743
	157744
Legacy System Number:	D210FD01138

CASE INFORMATION

Offense	Statute	Deg	Date
1. POSSESSION OF A CONTROLLED SUBSTANCE- Possession Of A Schedule I, Ii, Iii Or Iv Controlled Substanc Arrest: 09/07/2010	35-48-4-7(a)	FD	09/03/2010
2. OPERATING A VEHICLE WHILE INTOXICATED- First Offense But Where A Person Was Endangered Arrest: 09/07/2010	9-30-5-2(a)	MA	09/03/2010
3. OPERATING A VEHICLE WITH AN ACE OF .15 Arrest: 09/07/2010	9-30-5-1(b)	MA	09/03/2010
4. SPEEDING Arrest: 09/07/2010	9-21-5-2	IFC	09/03/2010
5. FAILURE TO DIM HEADLIGHTS Arrest: 09/07/2010	9-21-8-51	IFB	09/03/2010
6. DRIVING LEFT OF CENTER Arrest: 09/07/2010	9-21-8-4	IFC	09/03/2010

Case Type: FD - Class D Felony

Case Status: 03/09/2011 Decided

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FLORIDA GAMING CONTROL COMMISSION

Statistical Closures
03/09/2011 Guilty Plea or Admission

Bonds
Hancock Cash Bond #303457 $895.00
3/10/2011 Released
9/15/2010 Cash Bond Received by Clerk
Counts: 1, 2, 3, 4, 5, 6

DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	30D02-1009-FD-001138
Court	Hancock Superior Court 2
Date Assigned	09/07/2010
Judicial Officer	Marshall, Dan E

PARTY INFORMATION

State Plaintiff — **State of Indiana**

Attorneys
Chandler, Thomas Grey Augustine
** *Confidential Phone* **
Madison County Prosecutor's Office
Box 26
Anderson, IN 46016
mcprosecutor@madisoncounty.in.gov

Defendant — **Hockman, Trisha L**
13880 E. 116Th Street

Sorrell, Randall V
Retained

thockman79@gmail

2024 FEB -7 PM 4:27
FLORIDA GAMING
CONTROL COMMISSION

CHRONOLOGICAL CASE SUMMARY

CASE SUMMARY

CASE NO. 30D02-1009-FD-001138

Fishers, IN 46037
White Female
DOB: 05/22/1979 Age: 31

866-381-8760(F)
317-485-6411(W)
Randall V Sorrell
C/O SORRELL & HAMILTON
1 South Main Street
Fortville, IN 46040
randy@fortvillelaw.com

DATE	EVENTS & ORDERS OF THE COURT	INDEX
09/07/2010	Converted Event *STATE FILES PROBABLE CAUSE AFFIDAVIT AND CHARGING INFORMATION(S). LLP (RJO? N) | JTS Minute Entry Date: 2010-09-07*	
09/07/2010	Converted Event *PROBABLE CAUSE FOUND. DEFENDANT APPEARS. INITIAL HELD. NOT GUILTY PLEA ENTERED. CAUSE SET FOR PRETRIAL CONFERENCE ON OCTOBER 22, 2010 AT 9:00A.M. CASH BOND SET IN THE AMOUNT OF $900.00. LF (RJO? N) | JTS Minute Entry Date: 2010-09-07*	
09/09/2010	Converted Event *T. GREY CHANDLER FILES APPEARANCE ON BEHALF OF STATE OF INDIANA. DE (RJO? N) | JTS Minute Entry Date: 2010-09-08*	
10/22/2010	Converted Event *PARTIES APPEAR. PRETRIAL CONFERENCE HELD. CAUSE RESET FOR PRETRIAL CONFERENCE ON DECEMBER 7, 2010 AT 9:00 A.M. JS (RJO? N) | JTS Minute Entry Date: 2010-10-22*	
10/22/2010	Converted Event *Calendar :PRE TRIAL CONFERENCE*	
12/07/2010	Converted Event *PARTIES APPEAR. PRETRIAL CONFERENCE HELD. CAUSE RESET FOR PRETRIAL CONFERENCE ON JANUARY 21, 2011 AT 9:00 A.M. KP (RJO? N) | JTS Minute Entry Date: 2010-12-07*	
12/07/2010	Converted Event *Calendar :PRE TRIAL CONFERENCE*	
01/21/2011	Converted Event *PARTIES APPEAR. PRETRIAL CONFERENCE HELD. CAUSE RESET FOR PRETRIAL CONFERENCE ON MARCH 9, 2011 AT 9:00 A.M. JS (RJO? N) | JTS Minute Entry Date: 2011-01-21*	
01/21/2011	Converted Event *Calendar :PRE TRIAL CONFERENCE*	
02/23/2011	Converted Event *RANDALL V. SORRELL FILES APPEARANCE ON BEHALF OF THE DEFENDANT. DE (RJO? N) | JTS Minute Entry Date: 2011-02-23*	
03/09/2011	Converted Event *GUILTY PLEA AND SENTENCING HEARING HELD. DEFENDANT SENTENCED PURSUANT TO THE TERMS OF THE PLEA AGREEMENT FILED IN THIS CAUSE. FINES AND COSTS IN THE SUM OF $764.50 PLUS REIMBURSEMENT TO THE PROSECUTOR'S OFFICE FOR BLOOD DRA IV IN THE SUM OF $87.75. CLERK IS TO APPLY CASH BOND. BALANCE TO DEFENDANT. PSI WAIVED. (R. SCOTT SIRK, COURT COMMISSIONER) KP (DISPOSED: GP) (RJO? Y) | JTS Minute Entry Date: 2011-03-09*	
03/09/2011	Converted Event *Calendar :PRE TRIAL CONFERENCE*	

CHRONOLOGICAL CASE SUMMARY

CASE SUMMARY

CASE NO. 30D02-1009-FD-001138

03/09/2011	**Judgment** *Conversion* 1. POSSESSION OF A CONTROLLED SUBSTANCE- Possession Of A Schedule I, Ii, Iii Or Iv Controlled Substanc Conversion Unknown
03/09/2011	**Judgment** *Conversion* 2. OPERATING A VEHICLE WHILE INTOXICATED- First Offense But Where A Person Was Endangered Conversion Unknown
03/09/2011	**Judgment** *Conversion* 3. OPERATING A VEHICLE WITH AN ACE OF .15 Conversion Unknown
03/09/2011	**Judgment** *Conversion* 4. SPEEDING Conversion Unknown
03/09/2011	**Judgment** *Conversion* 5. FAILURE TO DIM HEADLIGHTS Conversion Unknown
03/09/2011	**Judgment** *Conversion* 6. DRIVING LEFT OF CENTER Conversion Unknown
03/10/2011	**Converted Event** *CLERK RELASES CASH BOND AS FOLLOWS: 764.50 TO FINES AND COST, 87.75 TO PROSECUTOR'S REIMBURSEMENT FUND FOR BLOOD DRAW WITH THE BALANCE OF 42.75 TO THE DEFENDANT AT 13880 E 116TH ST, FISHER, IN 46037. MM (RJO? N)* *JTS Minute Entry Date: 2011-03-10*

DATE	FINANCIAL INFORMATION	
	Defendant Hockman, Trisha L	
	Total Charges	**769.50**
	Total Payments and Credits	**769.50**
	Balance Due as of 10/20/2023	**0.00**
	Defendant Hockman, Trisha L	
	Cash Bond Account Balance as of 10/20/2023	**0.00**

FLORIDA GAMING CONTROL COMMISSION
RECEIVED
2024 FEB -7 PM 4:28

STATE OF INDIANA
COUNTY OF HANCOCK

IN THE HANCOCK SUPERIOR COURT 2

FILED
IN HANCOCK SUPERIOR COURT No. 2
MAR 09 2011
Marcia R Moore CLERK

STATE OF INDIANA
v.

Trisha L Hockman CAUSE #30D02- 1009-FD-1138

PLEA AGREEMENT AND SENTENCING ORDER

Comes now the State of Indiana, by its Deputy Prosecuting Attorney, and the Defendant in person (and by counsel) and hereby enter into the following plea agreement:

1. The Defendant will plead guilty to Possession of Controlled Substance, a FELONY.
2. The State will dismiss all remaining counts under this cause number.
3. TERMS AND CONDITIONS

Count II: OWI, a class (D Felony) (A Misd) (B Misd) (C Misd):
Total days 365 Days Executed _____ Days Suspended 365 Days Credit _____
Placement for executed time shall be ☑ HCJ, ☐ no work release ☐ no objection to work release
☐ open ☐ Department of Corrections ☐ Community Corrections _____.
Defendant shall receive credit for any time served prior to sentencing on this cause only.
Defendant shall be placed on probation for 365 days.
Probation shall be ☑ ADA Probation ☐ Formal Probation ☐ Informal Probation
The defendant shall receive all of the terms and conditions of probation at the initial probation appointment. Defendant's probation begins at the time of sentencing and includes all standard terms and conditions of probation including: committing no further criminal offenses, consume no alcoholic beverages, no illegal use or possession of controlled substances, must notify Court and probation of address changes, submit to random drug and alcohol screens, and appear for all probation appointments.

~~Terms of probation beyond the standard terms include:~~
☐ _____ days of Community Corrections: recommendation ☐ Home Det ☐ Day Rep
☐ Community Service _____ hrs. ☑ NASA victim impact panel
☐ No Contact with Victim ☐ Domestic Violence ☐ Anger Management Counseling
☐ Money Management Class ☐ Restitution to _____ for $_____.
☑ Reimbursement to Prosecutor for blood draw $ 87.25 payable through clerk's office.
Drivers License suspension for 90 days. ☑ Retroactive suspension
Other _____.
☑ Defendant may petition for Alternate Misdemeanor Sentencing upon successful completion of probation.
Fine and cost in the amount of $ 764.50, Defendant's cash bond, if any, applied to fines and costs.

Count I: Possession of Controlled Substance, a class (D Felony) (A Misd) (B Misd) (C Misd):
Total days 365 Days Executed _____ Days Suspended 365 Days Credit _____
☑ Concurrent with previous count ☐ Consecutive with previous count
Defendant shall be placed on probation for 365 days ADR Driver's License suspension for 180 days w/ no objection to conditional lic
Other terms and conditions: _____.

4. ~~The State reserves the right to revoke this agreement prior to sentencing~~ if the Defendant commits a new offense or misrepresents his/her criminal history at the time of sentencing.

Deputy Prosecuting Attorney | Randall Darnell, Defendant's Attorney | Trisha L Hockman, Defendant | March 9, 2011, Date

I hereby certify that the requirements of IC35-35-3 concerning victim notification have been complied with; and, in the case of a felony, that the victim approves of this agreement.

This Agreement is hereby approved and Defendant is ordered sentenced pursuant to its terms.

3/9/11

Judge, Hancock Superior Court II

5. Discussion of rulemaking

Bookmark for Memo and Supporting Documents

6. Executive Director update

8. Attorney-client session

Meeting materials redacted pursuant to Sections 16.716 and 286.011(8), Florida Statutes

9. Discussion of consent orders

MEMORANDUM

To: The Florida Gaming Control Commission
From: Office of the General Counsel
Re: FGCC v. Marcus Jon Vitali
Case No. 2022-029982; Proposed Settlement
Date: April 22, 2024

Executive Summary

Marcus Jon Vitali ("Respondent") seeks to resolve case no. 2022-029982 via settlement in lieu of further litigation of the Commission's Administrative Complaint seeking permanent exclusion of Respondent at all pari-mutuel and slot machine facilities. Pursuant to the terms of the proposed settlement, the Commission would agree to withdraw the administrative complaint issued against Respondent and refrain from using the facts of the administrative complaint in future licensure actions. Respondent would agree to refrain from visiting or gaining access to the backside of Gulfstream Park Racing Association d/b/a Gulfstream Park Racing and Casino ("Gulfstream Park"), unless permitted by the facility to enter a horse into a race to be held at the facility.[1]

Background and Procedural History

On November 14, 2023, an administrative complaint was filed against Respondent seeking permanent exclusion from all pari-mutuel facilities and all facilities of a slot machine licensee in the state of Florida due to the stop orders that were issued by Gulfstream Park on August 23, 2016, and July 25, 2019, and confirmation of his current exclusion by Gulfstream Park's Director of Security.

On December 11, 2023, Respondent requested a hearing. This case was referred to the Division of Administrative Hearings on December 22, 2023. On February 6, 2024, the Commission filed a Motion to Relinquish Jurisdiction due to Respondent's failure to allege a material fact in dispute. On February 28, 2024, this motion was denied.

Analysis

[1] Respondent was issued a Pari-Mutuel Wagering Professional Individual License on June 24, 2022.

Section 550.0251(6), Florida Statutes, provides that "[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state." Further, Section 551.112 provides that "[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state." Gulfstream Park is both a pari-mutuel facility and a facility of a slot machine licensee.

Under section 120.57(4), Florida Statutes, the Commission may resolve matters such as this case informally through a negotiated settlement. As part of settlement negotiations, Respondent is requesting the Commission to consider and agree to the proposed terms set forth in the Stipulation and Consent Order, whereby the Commission would agree to withdraw the administrative complaint issued against Respondent and refrain from using the facts of the administrative complaint in future licensure actions, while Respondent would agree to refrain from visiting or gaining access to the backside of Gulfstream Park unless permitted by the facility.

MEMORANDUM

To: The Florida Gaming Control Commission
From: Office of the General Counsel
Through: Joseph Klein, Senior Attorney
Re: Kirk M. Ziadie v. FGCC
Case Number 2023-057292; Consent Order
Date: April 22, 2024

Executive Summary

Kirk M. Ziadie ("Petitioner") seeks to resolve Kirk M. Ziadie v. FGCC, case no. 2023-057292, via settlement in lieu of further litigation of the Commission's intent to deny Petitioner's application for licensure based prior violations of chapter 550, Florida Statutes. Pursuant to the terms of the proposed settlement, Petitioner would withdraw his application for a Pari-Mutuel Wagering Professional Individual Occupational License without prejudice and the Commission would agree to withdraw its Letter of License Denial.

Background and Procedural History

On August 18, 2023, Petitioner submitted an application for a Pari-Mutuel Wagering Professional Individual Occupational License to the Division. On November 13, 2023, the Commission notified Petitioner of its intent to deny his application based on Petitioner prior violations of chapter 550, Florida Statutes. On or about November 29, 2023, Petitioner filed with the Commission a request for formal administrative hearing at the Division of Administrative Hearings, alleging disputed issues of material fact. Petitioner subsequently requested settlement of this matter pursuant to the terms of a consent order (the "Stipulation and Consent Order"). At this time, the matter has not been referred to the Division of Administrative Hearings to be set for trial.

Analysis

Section 550.105(5)(b), Florida Statutes, provides in pertinent part that:

> The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the division governing the conduct of persons connected with racetracks and frontons.

Under section 120.57(4), Florida Statutes, the Commission may resolve matters such as this case informally through a negotiated settlement. As part of settlement negotiations, Petitioner is requesting the Commission to consider and agree to the proposed terms set forth in the Stipulation and Consent Order whereby, in lieu of further litigation, the Petitioner agrees to withdraw his application for a Pari-Mutuel Wagering Professional Individual Occupational License, without prejudice, and the Commission would agree to withdraw its Letter of License Denial.

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

KIRK M. ZIADIE,

Petitioner,

v.

Case No.: 2023-057292

FLORIDA GAMING CONTROL COMMISSION, DIVISION OF PARI-MUTUEL WAGERING,

Respondent.
_____/

STIPULATION AND CONSENT ORDER

WHEREAS, on November 13, 2023, the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (the "Commission") notified Kirk M. Ziadie ("Petitioner") of its intent to deny Petitioner's application for a Pari-mutuel Wagering Professional Individual Occupational License (the "Letter of License Denial");

WHEREAS, in support of the issuance of the Letter of License Denial, the Commission cited to forty-nine violations of chapter 550, Florida Statutes, each of which is considered a disqualifying offense under section 550.105(5)(b), Florida Statutes; and

WHEREAS, in lieu of further litigation, the Commission and Petitioner (individually, "Party" and collectively, the "Parties") wish to enter into a stipulation and consent order in resolution of Kirk M. Ziadie v. Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, case number 2023-057292 (the "Stipulation and Consent Order").

STIPULATION

NOW THEREFORE, in consideration of the mutual promises and recitals herein, the Parties hereby agree and stipulate to the following:

1. The Commission has jurisdiction over this matter and Petitioner.

2. The Commission is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

3. Each of the Parties has entered into the terms of this Stipulation and Consent Order voluntarily. Petitioner is aware that he is entitled to the advice of counsel and has either sought the advice of counsel or, by execution of this Stipulation and Consent Order, is knowingly waiving the right to have the advice of counsel. Petitioner acknowledges that the Commission has not made any promise, nor has it in any other way encouraged Petitioner to enter into this Stipulation and Consent Order without the advice of counsel.

4. This Stipulation and Consent Order is enforceable under section 120.69 and chapter 550, Florida Statutes, as final agency action.

5. Each Party must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Commission in this action.

6. The Parties acknowledge and agree that this Stipulation and Consent Order constitutes the final order in this case; additionally, the Parties agree to waive any further review whether such review be judicial or administrative.

7. The Parties understand that this Stipulation and Consent Order will in no way preclude future proceedings by the Commission against Petitioner for any future act(s) or omission(s) constituting either a violation of Florida law or the Florida Administrative Code.

8. **WITHDRAWAL OF APPLICATION**: Petitioner agrees to withdraw his application for a Pari-Mutuel Wagering Professional Individual Occupational License without prejudice. The Division agrees to withdraw the Letter of License Denial.

9. Petitioner's license application shall be deemed withdrawn as of the date this Stipulation and Consent Order is filed with the Agency Clerk. The Letter of Denial filed in this case shall be deemed withdrawn as of the date this Stipulation and Consent Order is filed with the Agency Clerk.

10. Petitioner must mail the executed Stipulation and Consent Order to: **The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 4070 Esplanade Way, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.**

11. The Parties acknowledge and agree that this Stipulation and Consent Order is subject to the approval of the Commission. The Stipulation and Consent Order will have no force or effect unless and until the Commission files a Final Order adopting this Stipulation and Consent Order. Should this Stipulation and Consent Order be rejected, no statement made in furtherance thereof by Petitioner may be used as direct evidence against Petitioner in any proceeding.

12. Upon the Commission's adoption of this Stipulation and Consent Order, Petitioner expressly waives all further procedural steps, including all rights to seek judicial review of this Stipulation and Consent Order, and waives the right to seek attorneys' fees or costs from the Commission in connection with these proceedings.

13. This Stipulation and Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed herein. In this regard, Petitioner authorizes the Commission to review and examine all materials concerning Petitioner, prior to or in conjunction with consideration of this Stipulation and Consent Order. Should the Commission not accept this Stipulation and Consent Order, it is agreed that presentation to and consideration of this Stipulation and Consent Order and other documents and matters by the

Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

14. This Stipulation and Consent Order may be signed in counterparts, and copies shall be treated as original.

15. The Parties agree that this serves as notice that the signed Stipulation and Consent Order will be placed on the next available Commission meeting. If Petitioner would like to attend, Petitioner is responsible for checking the Florida Gaming Control Commission website at https://flgaming.gov/ for the meeting materials, agenda, and contact information.

16. Petitioner authorizes the Commission to correct any typographical errors or make any non-material changes to this Stipulation and Consent Order after it is signed.

[Signature pages to follow]

Petitioner, KIRK M. ZIADIE, requests that the Commission enter a Final Order approving and incorporating this Stipulation and Consent Order in resolution of this matter.

Signed this 27th day of March, 2024.

KIRK M. ZIADIE
Petitioner

STATE OF Florida

COUNTY OF Martin

The foregoing instrument was acknowledged before me, by means of ☑ physical presence or ☐ online notarization, this 27th day of March, 2024, by Kirk M. Ziadie, who is personally known to me or who produced the following as identification: FL DL

Notary Public

My commission expires:

LAURA K. MUNSON
MY COMMISSION # HH 099723
EXPIRES: April 30, 2025

This Stipulation and Consent Order for the Florida Gaming Control Commission Case Number 2023-057292 is APPROVED for legal sufficiency this 4 day of April, 2024.

Elina Valentine
Deputy General Counsel
The Florida Gaming Control Commission

Gmail

Anthony Mattera <antmattera@gmail.com>

Fw: Kirk M. Ziadie v. FGCC, Case No. 2023-057292

Mollica <jdmol@aol.com>
Reply-To: jdmol@aol.com
To: Anthony Mattera <antmattera@gmail.com>

Sun, Feb 11, 2024 at 11:32 AM

From Florida counsel
Call me tomorrow Monday
Thanks
Drew

Andrew J. Mollica, Esq.
1205 Franklin Ave Suite 16LL
Garden City, New York 11530
516 528-1311 Cell
516 280-3182 Office
Licensed to Practice New York and New Jersey

----- Forwarded Message -----
From: Elina Valentine <elina.valentine@flgaming.gov>
To: jdmol@aol.com <jdmol@aol.com>
Cc: Emily Alvarado <emily.alvarado@flgaming.gov>
Sent: Sunday, February 11, 2024 at 11:18:12 AM EST
Subject: RE: Kirk M. Ziadie v. FGCC, Case No. 2023-057292

Good afternoon, Drew,

Yes, your assumptions are correct. Pursuant to the Consent Order, the application is withdrawn without prejudice. With respect to inquiries by other jurisdictions, the Commission will respond by stating that Mr. Ziadie paid the fine and served his suspension and that there is no application pending in Florida, assuming, of course, that there is no subsequent change to any of the involved facts (i.e., should Mr. Ziadie apply in Florida again, such that an application is pending at the time of the inquiry, the Commission would not be able to represent that there is no application pending in Florida).

Elina

[Quoted text hidden]

Kirt Ziadie
10565 Six Shooting Crossing
Palm City, FL 34990

The Florida Gaming Control Commission, Division of Pari-Mutuel
Attention: Donna Flemming
4070 Esplanade Way
Tallahassee, Florida 32399

RECEIVED
2024 APR -3 AM 11:00
FLORIDA GAMING
CONTROL COMMISSION

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

FILED
FLORIDA GAMING CONTROL COMMISSION
Date: **11/13/2023**
File Number: _____
BY: MELBA L. APELLANIZ
CLERK OF THE COMMISSION

November 3, 2023

Mr. Kirk M. Ziadie
3701 Southwest 141 Ave
Miramar, Florida 33027

Letter of License Denial

Dear Mr. Ziadie:

This Letter of License Denial ("Denial") serves to inform you that your application for a Pari-Mutuel Professional Individual Occupational License is denied in accordance with the provisions of chapter 550, Florida Statutes, and the rules promulgated thereunder. The denial of your application for a Pari-Mutuel Professional Individual Occupational License is based on your violations of the provisions of chapter 550, Florida Statutes, and/or the rules promulgated thereunder governing the conduct of persons connected with racetracks and frontons.

Section 550.105(5)(b), Florida Statutes, provides, in pertinent part, that:

> The commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the commission governing the conduct of persons connected with racetracks and frontons.

By Final Orders issued by the Department of Business and Professional Regulation and Orders issued by track stewards no longer subject to appeal, you have been found in violation of chapter 550, Florida Statutes, and/or rules of the Commission governing the conduct of persons connected with racetracks and frontons forty-nine times. Each violation that forms the basis of this Denial is described in *Exhibit 1* attached hereto and made a part hereof.

You are advised you may not work in any position requiring licensure or be within a restricted area at a pari-mutuel facility without an appropriate valid occupational license.

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

Pursuant to sections 120.569 and 120.57, Florida Statutes, you may request a hearing to challenge the Commission's decision within twenty-one (21) days of receipt of this Denial, as set forth in chapter 28-106, Florida Administrative Code, and the attached Notice of Rights.

If you do not request a hearing within twenty-one (21) days of your receipt of this Denial, this Denial will become the Agency's Final Order. If this Denial becomes a Final Order, you will have 30 days to file for an appeal pursuant to section 120.68, Florida Statutes.

Sincerely,

Melba Apellaniz
Clerk of the Commission

Attachments: Exhibit 1
Notice of Rights

CERTIFICATE OF SERVICE

I hereby certify this 13TH day of NOVEMBER, 2023, that a true copy of the foregoing has been furnished by certified U.S. mail to:

Mr. Kirk Ziadie
3701 Southwest 141 Ave
Miramar, Florida 33027

CLERK OF THE COMMISSION
Florida Gaming Control Commission

Case No. 2023-057292

9589 0710 5270 0225 7360 26

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For delivery information, visit our website at *www.usps.com®*.
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Certified Mail Fee
$
Extra Services & Fees *(check box, add fee as appropriate)*
☐ Return Receipt (hardcopy) $
☐ Return Receipt (electronic) $
☐ Certified Mail Rest
☐ Adult Signature Re
☐ Adult Signature Re
Postage
$
Total Postage and
$
Sent To
Street and Apt. No.,
City, State, ZIP+4®
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

11/13/23

Kirk M. Ziadie
3701 Southwest 141 Avenue
Miramar, Florida 33027
NOID-2023057292–PMW

NOTICE OF RIGHTS

This is an action that may affect your substantial interests. Mediation of this administrative dispute is not available. However, pursuant to sections 120.569 and 120.57, Florida Statutes, you may request a hearing on this matter, provided a written request is filed with the agency. The request must comply with the requirements of rules 28-106.111, and 28-106.201 or 28-106.301, Florida Administrative Code. The written request must be received by the Division within 21 days of your receipt of this notice.

If the Division determines there are disputed issues of material fact, the case will be forwarded to the Division of Administrative Hearings for a formal hearing. If there are no disputed issues of material fact, the Division will schedule an informal hearing. You will be notified of the date, time and place of the hearing. In either case, you have the burden of establishing entitlement to the license.

In a formal hearing, you have the right to appear in person on your own behalf, to be represented by an attorney, to bring witnesses and present evidence, to cross-examine any witnesses produced against you by the State, and to have subpoenas issued on your behalf.

In an informal hearing, you have the right to appear in person on your own behalf, to be represented by an attorney, and to submit whatever information you desire to show entitlement to the license.

If a hearing pursuant to sections 120.569 and 120.57, Florida Statutes, is not requested within 21 days, the foregoing Letter of License Denial will become a Final Order. Any party adversely affected by this Final Order has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original Notice of Appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399 (Email: Clerk@flgaming.gov), and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Florida District Court of Appeal. The Notice of Appeal must be filed (received) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the Clerk.

In all the above proceedings, practice is governed by chapter 120, Florida Statutes, and rule 28-106, Florida Administrative Code.

Exhibit 1

	Final Order Issued in Case Number:	Date of Final Order	Applicant found in Violation of Florida Section/Florida Administrative Code:	Violation Type	Violation Date
1	2004028212	5/30/2004	Section 550.2415, Rule 61D-6.011.	Permitted substance, but over threshold.	5/2/2004
2	2005022931	4/22/2005	Rule 61D-2.012	Failure to have foal certificate	4/22/2005
3	2005030701	7/24/2005	Section 550.2415(1)(a).	Prohibited substance.	5/8/2005
4	2004057550	11/17/2005	Section 550.2415(1)(a), Rule 61D-6.001.	Prohibited substance.	10/14/2004
5	2004060610	11/17/2005	Section 550.2415(1)(a), Rule 61D-6.001.	Prohibited substance.	12/3/2004
6	2005064692	12/22/2005	Rule 61D-6.008(2).	Permitted substance, but over threshold.	12/2/2005
7	2006006002	1/23/2006	Rule 61D-2.012	Late Scratch/No Tattoo	1/1/2006
8	2006005999	1/23/2006	Rule 61D-2.012	Late Scratch/No Foal Certificate	1/12/2006
9	2006005191	3/2/2006	Section 550.2415(1)(a).	Prohibited substance.	1/15/2006
10	2006006449	3/2/2006	Section 550.2415(1), Rule 61D-6.008	Permitted substance, but over threshold.	1/19/2006
11	2006007718	3/2/2006	Section 550.2415(1).	Permitted substance, but over threshold.	1/30/2006
12	2006022184	3/21/2006	Rule 61D-2.012	Late Scratch/No Foal Certificate	3/9/2006
13	2006019839	4/26/2006	Rule 61D-6.008(2)(b).	Permitted substance, but over threshold.	3/18/2006
14	2006060434	11/19/2006	Rule 61D-6.008(2)(c).	Permitted substance, but over threshold.	10/15/2006
15	2007008307	3/3/2007	Section 550.2415(1).	Prohibited substance.	1/6/2007
16	2007023290	3/24/2007	Rule 61D-6.009(8)	Expired Coggins test.	3/11/2007
17	2006067518	3/28/2007	Rule 61D-6.008(2)(c).	Permitted substance, but over threshold.	11/26/2006
18	2007068121	1/25/2008	Rule 61D-6.008(2)(b).	Permitted substance, but over threshold.	12/2/2007
19	2008004547	1/25/2008	Rule 61D-6.008(2).	Permitted substance, but over threshold.	12/2/2007
20	2008005198	1/25/2008	Rule 61D-6.008(2).	Permitted substance, but over threshold.	1/5/2008
21	2008037738	11/22/2008	Rule 61D-6.008(2)(c)(3).	Permitted substance, but over threshold.	6/14/2008
22	2008037729	11/22/2008	Rule 61D-6.008(2)(c)(3).	Permitted substance, but over threshold.	6/14/2008

Exhibit 1

	Final Order Issued in Case Number:	Date of Final Order	Applicant found in Violation of Florida Section/Florida Administrative Code:	Violation Type	Violation Date
23	2008039364	11/22/2008	Rule 61D-13.008(2)(a)(2).	Permitted substance, but over threshold.	6/27/2008
24	2008054126	11/22/2008	Rule 61D-13.008(2)(a)(2).	Permitted substance, but over threshold.	9/11/2008
25	2007062696	11/23/2008	Section 550.2415(1)(a).	Prohibited substance.	10/25/2007
26	2009003113	2/3/2009	Rule 61D-6.008(3)(c).	Late scratch.	1/18/2009
27	2009022107	5/2/2009	Rule 61D-6.011(2)(c).	Prohibited substance.	3/25/2009
28	2007025004	6/18/2009	Section 550.2415(1)(a), Rule 61D-6.011(2).	Prohibited substance.	3/19/2007
29	2009029506	11/12/2009	Rule 61D-6.008(2)(a)(2).	Permitted substance, but over threshold.	5/14/2009
30	2008059733	11/15/2009	Section 550.2415(1)(a).	Prohibited substance.	9/20/2008
31	2009048213	9/30/2010	Section 550.2415(1(a), Rule 61D-6.011(2).	Prohibited substance.	3/31/2009
32	2012033990	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	7/4/2012
33	2012040949	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	8/17/2012
34	2012041931	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	8/30/2012
35	2012041948	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	9/14/2012
36	2012043730	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	9/27/2012
37	2013016106	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	3/13/2013
38	2013023790	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	4/26/2013
39	2013023875	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	5/10/2013
40	2013025104	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	5/24/2013
41	2013025126	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	5/26/2013
42	2013026525	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	6/8/2013
43	2013026031	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	6/9/2013
44	2013029114	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	6/25/2013

Exhibit 1

	Final Order Issued in Case Number:	Date of Final Order	Applicant found in Violation of Florida Section/Florida Administrative Code:	Violation Type	Violation Date
45	2013030616	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	7/1/2013
46	2013032774	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	7/19/2013
47	2013034195	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	8/3/2013
48	2013043815	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	10/12/2013
49	2013047021	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	10/27/2013

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Enter tracking or barcode numbers

Ebonie Lanier

From: Emily Alvarado
Sent: Wednesday, December 20, 2023 4:59 PM
To: Ebonie Lanier
Subject: FW: K. Ziadie Motion

Upload this and make note on onbase.

Florida Gaming Control Commission
flgaming.gov

Emily A. Alvarado
Deputy Chief Attorney
Office of the General Counsel
850.794.8066 Office 850.964.1710 Cell
850.536.8709 Fax

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From: Emily Alvarado
Sent: Wednesday, December 20, 2023 4:58 PM
To: 'jdmol@aol.com' <jdmol@aol.com>
Subject: RE: K. Ziadie Motion

Mr. Mollica,

Per our conversation a few minutes ago, I would like to confirm that your client is now requesting an informal hearing pursuant to 120.57(2), Florida Statutes and would like to continue settlement negotiations with the Commission in the meantime. Please respond to this email in order to move forward with this request.

Thank you,

Florida Gaming Control Commission
flgaming.gov

Emily A. Alvarado
Deputy Chief Attorney
Office of the General Counsel
850.794.8066 Office 850.964.1710 Cell
850.536.8709 Fax

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From: Emily Alvarado
Sent: Wednesday, December 20, 2023 4:48 PM

To: jdmol@aol.com
Subject: RE: K. Ziadie Motion

Good Afternoon Mr. Mollica,

As a reminder, we will need to refer this case to the Division of Administrative Hearings by tomorrow December 21, 2023, unless we hear from you indicating otherwise. As discussed, we will also be filing a Motion to Relinquish Jurisdiction for your failure to dispute an issue of material fact along with this referral. If you do not respond prior to tomorrow at 3 PM, I will indicate that you oppose this motion to relinquish based upon our prior conversations. If you would like to discuss further tomorrow, please let me know.

Thank you,

Florida Gaming Control Commission
flgaming.gov

Emily A. Alvarado
Deputy Chief Attorney
Office of the General Counsel
850.794.8066 Office 850.964.1710 Cell
850.536.8709 Fax

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From: Emily Alvarado <Emily.Alvarado@flgaming.gov>
Sent: Thursday, December 14, 2023 12:32 PM
To: jdmol@aol.com
Subject: Re: K. Ziadie Motion

Yes, that would be great. I will speak to you Monday. Have a great weekend.

Get Outlook for iOS

From: Mollica <jdmol@aol.com>
Sent: Thursday, December 14, 2023 12:31:03 PM
To: Emily Alvarado <Emily.Alvarado@flgaming.gov>
Subject: Re: K. Ziadie Motion

yes perfect I call you?

Andrew J. Mollica, Esq.
1205 Franklin Ave Suite 16LL
Garden City, New York 11530
516 528-1311 Cell
516 280-3182 Office
Licensed to Practice New York and New Jersey

> On Thursday, December 14, 2023 at 12:29:45 PM EST, Emily Alvarado <emily.alvarado@flgaming.gov> wrote:
>
> Good Afternoon,

Are you available for a call on Monday around 2:30?

Thank you,

Emily Alvarado

From: Mollica <jdmol@aol.com>
Sent: Thursday, December 14, 2023 11:17:07 AM
To: Emily Alvarado <Emily.Alvarado@flgaming.gov>
Subject: Re: K. Ziadie Motion

> You don't often get email from jdmol@aol.com. Learn why this is important

Ms. Alvarado,
Just to follow up I have spoken to my client as his qualified representative,
1. I would like to speak to you regarding this matter in depth on Monday December 18 upon your schedule.
2. As it relates to any transfer our position is well detailed in the petition for hearing, there are issues of law, regarding the plain language of the term suspension and double jeopardy and res judicata.
3. In short our position is clear Mr. Ziadie did his time and paid his fine, pursuant to an order and terms decided upon this Commission
4. The Commission had every opportunity to revoke, not suspend him the Commission chose to suspend him, to now deny him a license citing all the prior violations under which he was already sanctioned/suspended is double jeopardy
5. I believe a formal hearing before an ALJ is the proper forum to hear these legal arguments, hence a discussion is in order to see if we might work this out.
6. Also settlement is an option we would like to explore for judicial economy and to preserve resources for all parties.
7. Please advise a good time Monday for a call
Thank you in advance
/s/
Andrew J. Mollica
as Qualified Representative

Andrew J. Mollica, Esq.
1205 Franklin Ave Suite 16LL
Garden City, New York 11530
516 528-1311 Cell
516 280-3182 Office
Licensed to Practice New York and New Jersey

> On Wednesday, December 13, 2023 at 04:55:03 PM EST, Emily Alvarado <emily.alvarado@flgaming.gov> wrote:
>
> Thank you Mr. Mollica. I will make note that you would like us to wait until next Thursday December 21st to refer this to the Division of Administrative Hearings. I will be out of the office tomorrow and Friday, but I will be able to check emails. If you give me a call I will make sure to get back to you Monday morning.

Florida Gaming Control Commission
flgaming.gov

Emily A. Alvarado

Deputy Chief Attorney

Office of the General Counsel

850.794.8066 Office 850.964.1710 Cell

850.536.8709 Fax

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From: Mollica <jdmol@aol.com>
Sent: Wednesday, December 13, 2023 4:46 PM
To: Emily Alvarado <Emily.Alvarado@flgaming.gov>
Subject: Re: K. Ziadie Motion

You don't often get email fromjdmol@aol.com.Learn why this is important

Ms. Alvarado,
Pleasure to speaking to you and your supervisor, as per our conversation I waive the 14 day rule and respectfully request at least a seven day extension of time to discuss this with my client.
I hope to call you back or e mail before the end of the week.
Thank you in advance for your attention and courtesy,
/s/
Andrew J. Mollica
Qualified Representative
Andrew J. Mollica, Esq.
1205 Franklin Ave Suite 16LL
Garden City, New York 11530
516 528-1311 Cell
516 280-3182 Office
Licensed to Practice New York and New Jersey

On Wednesday, December 13, 2023 at 04:19:08 PM EST, Emily Alvarado <emily.alvarado@flgaming.gov> wrote:

Good Afternoon Mr. Mollica,

I will be referring this case to the Division of Administrative Hearings tomorrow December 14, 2023. I will also be filing a motion to relinquish this case back to the Commission due to the fact that the Petition does not contain an issue of material fact. I am required to confer with you regarding this motion and state in the motion whether you object. Please let me know tomorrow by noon if you object to this motion.

Thank you,

Emily A. Alvarado

Deputy Chief Attorney

Office of the General Counsel

850.794.8066 Office 850.964.1710 Cell

850.536.8709 Fax

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FILED
FLORIDA GAMING CONTROL COMMISSION
Date: **11/29/2023**
File Number: _____
BY: MELBA L. APELLANIZ
CLERK OF THE COMMISSION

STATE OF FLORIDA
DIVISION OF ADMINSTRATIVE HEARINGS

KIRK M. ZIADIE,

Petitioner,

v.

FLORIDA GAMING CONTROL COMMISSION,

Respondent.

_____/

PETITION FOR FORMAL ADMINISTRATIVE HEARING CHALLENGING THE DENIAL OF PETITIONER'S APPLICATION FOR A PARI-MUTUEL PROFESSIONAL INDIVIDUAL OCCUPATIONAL LICENSE

I, Kirk M. Ziadie, the Petitioner, in accordance with Sections 120.569 and 120.57 of the Florida Statutes and Rule 28-106.201[1] of the Florida Administrative Code, hereby petition for/request a formal, evidentiary, administrative hearing to challenge the Florida Gaming Control Commission's (the "**Commission**"), wrongful denial of my application for a Pari-Mutuel Professional Individual Occupational License (the "**License**") by Letter of License Denial, dated November 3, 2023, that was filed with Commission's Clerk on November 13, 2023 ("**Letter Denial**"),[2] and I hereby state as follows:

THE AFFECTED AGENCY

1. As required by Florida Administrative Code 28-106.201(2)(a), I am stating that the agency's name, address, and file or identification number are as follows:

- **Agency:** Florida Gaming Control Commission
- **Address:** 4070 Esplanade Way, Suite 250, Tallahassee, FL 32399
- **Case No.:** 2023-057292

[1] I am requesting a formal hearing pursuant to Florida Statute 120.57(1), as I am disputing issues of material fact (and law).
[2] I have attached an accurate and true copy of the Letter Denial to this Petition, "**Exhibit A**."

PETITIONER

2. As required by Florida Administrative Code 28-106.201(2)(b), I, the Petitioner, state that my name, address, email, and telephone number are as follows:

- **Name:** Kirk M. Ziadie
- **Address:** 3710 Southwest 141 Avenue, Miramar Florida, 33027
- **Telephone:** 954-678-8705
- **Email**: kirkziadieracing@aol.com

HOW THE PETITIONER RECEIVED NOTICE OF THE AGENCY DECISION

3. As required by Florida Administrative Code 28-106.201(2)(c), I, the Petitioner, state that I received written notice of the Commission's decision via the Letter Denial, which was served upon me via certified mail on November 13, 2023. (Exhibit A, p. 2 Certified Mail Receipt).

4. The Letter Denial was received by me at my home address, 3710 Southwest 141 Avenue, Miramar Florida, 33027, on November 13, 2023.

EXPLANATION OF SUBSTANTIAL INTERESTS AFFECTED

5. As required by Florida Administrative Code 28-106.201(2)(b), I state that on May 30, 2023, I the Petitioner, (re)applied for the License. A copy of the application is attached to this Petition as "**Exhibit B,**" the "**Application**")

6. The Commission, via its Letter Denial, denied my Application for a License, to participate in the thoroughbred horse industry in the State of Florida, referring to Florida Statute 550.105(5)(b).

7. Florida Statutes 120.569 and 120.57, and Florida Administrative Code 28-106.111 state that a substantially affected person may seek an administrative hearing by filing a timely request for a hearing within 21 days of the written proposed decision.

8. It is my understanding that Florida Statute 120.569, applies "in all proceedings in which the substantial interests of a party are determined by an agency."

9. It is my understanding that Florida Statute 120.52(13)(a), defines a "party" as "Specifically named persons whose substantial interests are being determined in the proceeding."

10. I, Kirk M. Ziadie, am a "party," as I am the specifically named person whose substantial interests were determined by the Commission when it denied my application.

11. Clearly, the Commission's Letter Denial affects my substantial interests as the License applicant, including my ability to obtain the License and therefore my ability to earn a living in the thoroughbred industry in the State of Florida and throughout the United States by virtue of interstate reciprocity.

12. Further, I will be adversely affected if the Letter Denial becomes final because I have trained horses since I was 14 years old and I have not effectively pursued any other fruitful profession since that time.

13. Additionally, the Denial of my License would prevent me from gainful employment in Florida and perhaps in other jurisdictions of the United States.

14. Based on these facts, I clearly have a substantial interest in this matter.

STATEMENT OF DISPUTED FACTS AND CONCLUSIONS OF LAW

15. As required by Florida Administrative Code § 28-106.201(2)(d), I, Petitioner dispute the following issues of material fact and conclusions of law.

16. I, the Petitioner, dispute that my Application for the License should be denied.

17. Based on the Letter Denial, the Commission is treating me as if my License had been revoked. I, the Petitioner, dispute that my license has been or should be revoked by the Commission.

18. The Commission and the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (the "**Division**"), were aware of the prior charges (and the alleged severity) that were lodged by the Division against me and for which I received a six-year suspension and an $18,000 fine. I dispute that any additional denial, suspension, fines, or revocation of my License is warranted under these facts and circumstances.

19. Knowing of the prior charges listed in the Letter Denial (Exhibit A's Exhibit 1 thereto), the Division issued a suspension, which is temporary. If the Commission was going to deny my current Application based on these charges, the Division should have issued a revocation when it imposed a sanction upon me, however, the record is clear they did not.

20. The Commission is wrongfully placing me in a situation which is the equivalent of "double jeopardy," based on my prior suspension and the discipline metered out through the same Commission and/or Division.

21. I have served my suspension, paid a substantial civil penalty/fine, and dispute I should be currently denied a License based solely on the prior, resolved charges.

22. I dispute the Commission and the Divisions definition of suspension.

23. The Commission did not review any written evidence or allow me to demonstrate my current ability to manage, train and/or care for thoroughbred horses. I have served my time, paid my fines, and have rehabilitated my life.

24. Therefore, I dispute the fact that I am not rehabilitated, capable of managing and/or working with thoroughbred horses and I state that the Commission wrongfully concluded that I was not capable of managing any thoroughbred horses in any capacity, which is the equivalent of revoking my previously held pari-mutuel wagering occupational license, number

701515-0121, that was issued by the Division.

25. The Commission did not take into account mitigating factors that were addressed in connection with the hearing on my prior charges, which demonstrate that the Commission should have granted my current Application for the License, including that the "horses [I took care of] were in excellent condition and that [I] provided them with clean surroundings, quality feed, and excellent care."

26. Therefore, I factually and legally dispute the Commission's conclusion of fact and law that the charges demonstrate that I did not have the best interests of the animals under my care in mind and/or that this demonstrated a pattern of neglect or mistreatment of the animals under my care, such that my License application should be denied.

27. I also dispute the Commissions application of Florida Statute 550.105(5)(b) to me. As the prior suspension of my license was penal in nature, the Letter Denial and denial of my application in a summary fashion was the equivalent of "double jeopardy."

28. The Commission imposed a penalty on me based upon my prior charges, so disproportionate to the offense, that the penalty shocks the conscious and violates a fundamental sense of fairness. I dispute that such a penalty is warranted in this case.

29. I factually and legally dispute that Florida Statute 550.105(5)(b) calls for my License denial because it separately discussed the kinds of acts which require a denial based on past acts, including felony charges and prior license revocations, which are not applicable to me.

STATEMENT OF ULTIME FACTS, INCLUDING FACTS WARRANTING REVERSAL
HOW THE ALLEGED FACTS RELATE TO THE SPECIFIC RULES

30. As required by Florida Administrative Code § 28-106.201(2)(e), I, the Petitioner state that these are the ultimate facts, including specific facts that warrant reversal of the Commission's proposed denial of my License application.

31. Ever since I, the Petitioner, was the age of 14, I have worked with thoroughbred horses. I consider these animals to be the love of my life. The care and training of horses is my lifeblood.

32. After being trained by my father, I obtained a pari-mutuel wagering occupational license, number 701515-0121, issued by the Florida Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering.

33. On September 10, 2014, the Division served me with a Second Amended Administrative Complaint. The complaint alleged that Respondent was the trainer of record of thoroughbred horses that raced at Florida racetracks with restricted drugs on dates from July 4, 2012, through September 27, 2012, charging six counts of violation of statutes and rules governing pari-mutuel racing. (Transcript from Recommended Order, dated December 15, 2015, "**Exhibit C**," p. 2).

34. On March 17, 2015, the Division served me with a First Amended Administrative Complaint alleging in 16 additional counts, alleging I was the trainer of record of horses racing with restricted drugs in races that took place from March 13, 2013, through December 7, 2014 (Exhibit C, p. 3).

35. I disputed the charges under case, 14-4716PL ("**Ziadie I**") and Case No. 15-2326PL ("**Ziadie II**"), which were consolidated, and upon which hearings were held. (Exhibit C, page 2-3).

36. The administrative law judge ("**ALJ**") found that the Division proved by clear and convincing evidence that I violated section 550.2415(1)(a), on five occasions from July 4 to September 27, 2012, in Ziadie I. (Exhibit C, p. 52, paragraph 135).

37. The ALJ found that the Division also proved by clear and convincing evidence that I violated section 550.2415(1)(a), on 13 occasions from March 13 to October 27, 2013, as alleged in Ziadie II. (Exhibit C, p. 52, paragraph 135).

38. The ALJ also found that Petitioner had:

> **been involved with racing his entire life and has been a trainer for a substantial number of years. It was uncontroverted that his horses were in excellent condition and that he provided them with clean surroundings, quality feed, and excellent care.**

(Exhibit C, p. 54, paragraph 142).

39. The ALJ also found "significant mitigating factor arises from the two changes in the level at which the laboratory reported the presence of clenbuterol identified in a serum specimen, made without notice to the horsemen." (Exhibit C, p. 54, paragraph 143).

40. Further, the ALJ found that "while Respondent's violations are predicated upon the subsequent confirmations in urine**, had the change in serum reporting level been announced to the horsemen, there may well have been no confirmation in serum for any of the horses in Ziadie I, or for the first five races in Ziadie II."** (Exhibit C, p. 55, paragraph 144).

41. And while, the ALJ found that beginning on May 29, 2013, that I was on notice of the testing level change and that Mr. Stirling had recommended a 14-day withdrawal time for at least the six races occurring from June 25 through October 27, 2013, and that no mitigation for the testing level change is appropriate as to these violations, on December 15, 2015, the ALJ recommended, and the Division implemented:

> final order finding Mr. Kirk M. Ziadie guilty of 18 counts of violating section 550.2415(1)(a), Florida Statutes, and Florida Administrative Code Rule 61D-6.002(1); imposing an

> administrative fine of $18,000; and suspending his license for six years.

(Exhibit C, p. 56).

42. I, the Petitioner, have paid my fines and served my six-year suspension.

43. On May 30, 2023, after serving my suspension and paying all fines I re-applied for my license as it presumably expired during the six-year suspension. (Exhibit B).

44. By Letter Denial, dated November 3, 2023, and filed with Commission's Clerk on November 13, 2023 ("**Letter Denial**") the Commission issued a proposed denial of my License application. (Exhibit A).

45. The Division was aware of the nature of the prior charges and aware of the findings at the hearings. Yet, the Division adopted the recommended penalty of the ALJ and decided to suspend my license for six-years and affirmatively decided not to revoke my license. The Commission was also aware of the alleged severity of the charges that were adjudicated and have been resolved.

46. It is clear from the prior ALJ findings that I deeply care for the animals in my custody. I have rehabilitated my life, and I am able to properly care for animals in my custody.

47. The Commission did not take or ask for any evidence and assumed that I was not rehabilitated and/or able to manage and care for horses.

48. The Commission did not review the prior hearing transcripts to assess mitigating factors in the charges and whether those charges justified a denial of the current Application which under these circumstances amounts to revocation of my License.

49. The Commission is treating me as if my License was revoked when it was suspended and thereby subjecting me to the equivalent of double jeopardy. If the Commission or Division wanted to revoke my license they should have done so, but they did not.

50. These ultimate facts apply to Commission's application of Florida Statute 550.105(5)(b) because that statute does not call for a summary denial of my License Application, based on these facts, and based on these facts the Commission's denial was arbitrary, capricious, not based on substantial evidence, and was an abuse of administrative discretion and constitutes an unfair penalty as further explained in the next section.

STATEMENT OF THE SPECIFIC RULES OR STATUTES THAT REQUIRE REVERSAL OF THE AGENCY'S PROPOSED ACTION, INCLUDING AN EXPLANATION OF HOW THE ALLEGED FACTS RELATE TO THE SPECIFIC RULES OR STATUTES

51. As required by Florida Administrative Code 28-106.201(2)(f), I, the Petitioner states the following are the rules that require reversal of the Commission's denial of my application.

52. I, the Petitioner, previously held a pari-mutuel wagering occupational license, number 701515-0121, issued by the Division.

53. I have an interest in that license sufficient to invoke due process protections, and the magnitude of my interest in avoiding the equivalent of a revocation is substantial. *Barry v. Barchi*, 443 U.S. 55, 56 (1979).

54. A proceeding to suspend, revoke, or impose other discipline upon a license is penal in nature. *State ex rel. Vining v. Fla. Real Estate Comm'n*, 281 So. 2d 487, 491 (Fla. 1973).

55. The Commission's proposed denial of my License application is arbitrary, capricious, an abuse of administrative discretion, and is not based on substantial evidence.

56. "A capricious action is one which is taken without thought or reason or irrationally. An arbitrary decision is one not supported by facts or logic, or despotic." *Agrico Chemical Company v. State of Florida Dep't of Eniv. Reg.*, 365 So.2d 759, 736 (1978).

57. The Commission is treating me as if my license has been revoked. However, my

license was only suspended, and I have served my time and paid my fines.

58. In the absence of statutory definition, words of common usage are construed in their plain and ordinary sense. *State v. Hagan,* 387 So.2d 943 (Fla. 1980). "If necessary, the plain and ordinary meaning of the word can be ascertained by reference to a dictionary." *Green v. State,* 604 So.2d 471, 473 (Fla. 1992).

59. I did not find a definition of "suspension" in the Rules, but the plain dictionary meaning of suspension is the "act of suspending" which is the state or period of being suspended: such as "a ***temporary*** removal (as from office or privileges)," a "temporary withholding (as of belief or decision):" and/or a "temporary abrogation of a law or rule." https://www.merriam-webster.com/dictionary/suspension

60. The Commission and the Division were aware of the prior charges against me. They were aware that I had be suspended, that I have paid my fines, and that I have done my suspension time. Under the plain meaning of the word suspension, I should not be summarily denied a license indefinitely (i.e., revoked, declared ineligible), which is what happened in this case.

61. The Commission's decision to deny my License application was capricious because it was taken without thought, reason and was irrational. The Commission did not review mitigating factors that were present in the prior hearing that resulted in my suspension, nor did it consider the full language of the statutes or the definition of a suspension. (Exhibit C, pages 52,54-55).

62. The Commission automatically assumed based on the overage charges (which have been resolved), and not the actual punishment or mitigating factors, that I was not able to manage animals and/or that I was not rehabilitated, and that I should not be granted the License.

63. The Commission's denial was an arbitrary decision because it was not supported by facts or logic, and it was despotic. The Commission's denial assumed based on the nature of the prior charges without any factual support, without considering mitigating factors, without considering the definition of a suspension, that my reapplication for the License should be denied.

64. Although the Commission heard about the nature of the charges, it did not review any evidence related to the charges, including mitigating factors, and it did not consider that I had paid my fines, and served my time. Therefore, the decision was not supported by substantial evidence and was an abuse of discretion. The prior charges themselves without a proper review is the equivalent of no evidence at all.

65. The very statute that the Commission cites for denying my application (Florida Statute 550.105(5)(b)), demonstrates that a suspension and revocation are two different things and should be treated differently. For example, the statute states:

> b) The commission may deny, ***suspend, revoke,*** or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the commission governing the conduct of persons connected with racetracks and frontons. In addition, the commission may deny, ***suspend, revoke***, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, ***or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering***

66. The statute clearly draws a distinction between suspension and revocation. Additionally, the statute contains additional language making it clear that the first portion of the

statute deals with denials, ***suspensions, revocations and*** ineligibility based on current charges or pending issues. The additional language states that in "addition, the commission may deny, ***suspend, revoke***, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering. Florida Statute 550.105(5)(b).

67. Based on 550.105(5)(b), the type of prior acts that would justify a summary denial of the application include felony convictions and/or revocations in this state (Florida) or another state -- which is not the case here. If this was not the case, there would be no need to have the additional language which discusses felonies and revocations in this State or other states.

68. Even Florida Statute 120.569(2)(g), states that evidence of similar fact evidence of other violations, wrongs, or acts is "inadmissible when the evidence is relevant solely to prove bad character or propensity." In the absence of any real evidence, the Commission used my prior charges to assume bad character and propensity to act badly – which is unfounded.

69. As such, the Commission's denial of my application is incorrect, erroneous, arbitrary, and capricious, contains a misinterpretation of the statutes and the law, is not based on substantial evidence and subjects me to the equivalent of double jeopardy in a penal context and deprives me of a license, to which I held, but presumably expired during the suspension.

70. Additionally, Florida Statute states that "(e) If an occupational license will expire

by division rule during the period of a suspension the division intends to impose, or if a license would have expired but for pending administrative charges and the occupational licensee is found to be in violation of any of the charges, the license may be revoked and a time period of license ineligibility may be declared." Florida Statute 550.105(5)(e).

71. Again, neither the Commission nor the Division declared a revocation or a period of ineligibility during or after my suspension.

72. In the alternative, the Commission's application of Florida Statute 550.105 as applied to me, the Petitioner is unconstitutional because it serves as a revocation of my license without due process, in that while my License was suspended, I have a vested right in having the license back after the suspension.

73. In sum, given that I was only suspended, paid my fines, have not been convicted of a felony, have not been subject to a revocation, or declared ineligible, the Commission's decision to deny my application is arbitrary, capricious, not based on substantial evidence and constitutes an abuse of administrative discretion with a penalty that shocks the conscious.

STATEMENT OF RELIEF SOUGHT

74. As required by Florida Administrative Code 28-106.201(2)(g), I, the Petitioner states that I am seeking the following relief: that the proposed Denial of my License Application by the Commission be overturned, that the Letter Denial not become final, and that as a result of the hearing that the Commission be directed to issue me my License and that I be considered a licensee in good standing.

WHEREFORE, Petitioner respectfully requests that the Division of Administrative Hearings:

a) Initiate a formal, evidentiary hearing and assign this matter to an Administrative Law Judge for a hearing,

b) Conduct a formal hearing on this Petition pursuant to Sections 120.569 and 120.57 of the Florida Statutes and Rule 28-106.201,

c) Issue a final order (a) finding the proposed Letter Denial of Petitioner's License Application is arbitrary, capricious, not based on substantial evidence and/or an abuse of administrative discretion, and constitutes an impermissible penalty, (b) declaring that he proposed Letter Denial is to be reversed and shall not become final, and (c) directing the Commission to issue Petitioner the License sought in the Application,

d) Award the Petitioner its costs and representatives fees incurred in this action, and,

e) Provide the Petitioner such other relief the Administrative Law Judge deems appropriate.

Respectfully submitted this 28 day of November 2023.

11-28-23

Kirk M. Ziadie, Petitioner
3710 Southwest 141 Avenue,
Miramar Florida, 33027
954-678-8705
kirkziadieracing@aol.com

EXHIBIT A

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

FILED
FLORIDA GAMING CONTROL COMMISSION
Date: 11/13/2023
File Number:
BY: MELBA L. APELLANIZ
CLERK OF THE COMMISSION

November 3, 2023

Mr. Kirk M. Ziadie
3701 Southwest 141 Ave
Miramar, Florida 33027

Letter of License Denial

Dear Mr. Ziadie:

This Letter of License Denial ("Denial") serves to inform you that your application for a Pari-Mutuel Professional Individual Occupational License is denied in accordance with the provisions of chapter 550, Florida Statutes, and the rules promulgated thereunder. The denial of your application for a Pari-Mutuel Professional Individual Occupational License is based on your violations of the provisions of chapter 550, Florida Statutes, and/or the rules promulgated thereunder governing the conduct of persons connected with racetracks and frontons.

Section 550.105(5)(b), Florida Statutes, provides, in pertinent part, that:

> The commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the commission governing the conduct of persons connected with racetracks and frontons.

By Final Orders issued by the Department of Business and Professional Regulation and Orders issued by track stewards no longer subject to appeal, you have been found in violation of chapter 550, Florida Statutes, and/or rules of the Commission governing the conduct of persons connected with racetracks and frontons forty-nine times. Each violation that forms the basis of this Denial is described in *Exhibit 1* attached hereto and made a part hereof.

You are advised you may not work in any position requiring licensure or be within a restricted area at a pari-mutuel facility without an appropriate valid occupational license.

4070 ESPLANADE WAY, SUITE 250
TALLAHASSEE, FLORIDA 32399

Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

Pursuant to sections 120.569 and 120.57, Florida Statutes, you may request a hearing to challenge the Commission's decision within twenty-one (21) days of receipt of this Denial, as set forth in chapter 28-106, Florida Administrative Code, and the attached Notice of Rights.

If you do not request a hearing within twenty-one (21) days of your receipt of this Denial, this Denial will become the Agency's Finall Order. If this Denial becomes a Final Order, you will have 30 days to file for an appeal pursuant to section 120.68, Florida Statutes.

Sincerely,

Melba Apellaniz
Clerk of the Commission

Attachments: Exhibit 1
Notice of Rights

CERTIFICATE OF SERVICE

I hereby certify this 13th day of NOVEMBER, 2023, that a true copy of the foregoing has been furnished by certified U.S. mail to:

Mr. Kirk Ziadie
3701 Southwest 141 Ave
Miramar, Florida 33027

CLERK OF THE COMMISSION
Florida Gaming Control Commission

Case No. 2023-057292

4070 ESPLANADE
TALLAHASSEE, FL

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only
For delivery information, visit our website at www.usps.com®
OFFICIAL USE
11/13/23

9589 0710 5270 0225 7360 26

Kirk M. Ziadie
3701 Southwest 141 Avenue
Miramar, Florida 33027
NOID-2023057292–PMW

NOTICE OF RIGHTS

This is an action that may affect your substantial interests. Mediation of this administrative dispute is not available. However, pursuant to sections 120.569 and 120.57, Florida Statutes, you may request a hearing on this matter, provided a written request is filed with the agency. The request must comply with the requirements of rules 28-106.111, and 28-106.201 or 28-106.301, Florida Administrative Code. The written request must be received by the Division within 21 days of your receipt of this notice.

If the Division determines there are disputed issues of material fact, the case will be forwarded to the Division of Administrative Hearings for a formal hearing. If there are no disputed issues of material fact, the Division will schedule an informal hearing. You will be notified of the date, time and place of the hearing. In either case, you have the burden of establishing entitlement to the license.

In a formal hearing, you have the right to appear in person on your own behalf, to be represented by an attorney, to bring witnesses and present evidence, to cross-examine any witnesses produced against you by the State, and to have subpoenas issued on your behalf.

In an informal hearing, you have the right to appear in person on your own behalf, to be represented by an attorney, and to submit whatever information you desire to show entitlement to the license.

If a hearing pursuant to sections 120.569 and 120.57, Florida Statutes, is not requested within 21 days, the foregoing Letter of License Denial will become a Final Order. Any party adversely affected by this Final Order has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original Notice of Appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399 (Email: Clerk@flgaming.gov), and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Florida District Court of Appeal. The Notice of Appeal must be filed (received) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the Clerk.

In all the above proceedings, practice is governed by chapter 120, Florida Statutes, and rule 28-106, Florida Administrative Code.

Exhibit 1

	Final Order Issued in Case Number:	Date of Final Order	Applicant found in Violation of Florida Section/Florida Administrative Code:	Violation Type	Violation Date
1	2004028212	5/30/2004	Section 550.2415, Rule 61D-6.011.	Permitted substance, but over threshold.	5/2/2004
2	2005022931	4/22/2005	Rule 61D-2.012	Failure to have foal certificate	4/22/2005
3	2005030701	7/24/2005	Section 550.2415(1)(a).	Prohibited substance.	5/8/2005
4	2004057550	11/17/2005	Section 550.2415(1)(a), Rule 61D-6.001.	Prohibited substance.	10/14/2004
5	2004060610	11/17/2005	Section 550.2415(1)(a), Rule 61D-6.001.	Prohibited substance.	12/3/2004
6	2005064692	12/22/2005	Rule 61D-6.008(2).	Permitted substance, but over threshold.	12/2/2005
7	2006006002	1/23/2006	Rule 61D-2.012	Late Scratch/No Tattoo	1/1/2006
8	2006005999	1/23/2006	Rule 61D-2.012	Late Scratch/No Foal Certificate	1/12/2006
9	2006005191	3/2/2006	Section 550.2415(1)(a).	Prohibited substance.	1/15/2006
10	2006006449	3/2/2006	Section 550.2415(1), Rule 61D-6.008	Permitted substance, but over threshold.	1/19/2006
11	2006007718	3/2/2006	Section 550.2415(1).	Permitted substance, but over threshold.	1/30/2006
12	2006022184	3/21/2006	Rule 61D-2.012	Late Scratch/No Foal Certificate	3/9/2006
13	2006019839	4/26/2006	Rule 61D-6.008(2)(b).	Permitted substance, but over threshold.	3/18/2006
14	2006060434	11/19/2006	Rule 61D-6.008(2)(c).	Permitted substance, but over threshold.	10/15/2006
15	2007008307	3/3/2007	Section 550.2415(1).	Prohibited substance.	1/6/2007
16	2007023290	3/24/2007	Rule 61D-6.009(8)	Expired Coggins test.	3/11/2007
17	2006067518	3/28/2007	Rule 61D-6.008(2)(c).	Permitted substance, but over threshold.	11/26/2006
18	2007068121	1/25/2008	Rule 61D-6.008(2)(b).	Permitted substance, but over threshold.	12/2/2007
19	2008004547	1/25/2008	Rule 61D-6.008(2).	Permitted substance, but over threshold.	12/2/2007
20	2008005198	1/25/2008	Rule 61D-6.008(2).	Permitted substance, but over threshold.	1/5/2008
21	2008037738	11/22/2008	Rule 61D-6.008(2)(c)(3).	Permitted substance, but over threshold.	6/14/2008
22	2008037729	11/22/2008	Rule 61D-6.008(2)(c)(3).	Permitted substance, but over threshold.	6/14/2008

Exhibit 1

	Final Order Issued in Case Number:	Date of Final Order	Applicant found in Violation of Florida Section/Florida Administrative Code:	Violation Type	Violation Date
23	2008039364	11/22/2008	Rule 61D-13.008(2)(a)(2).	Permitted substance, but over threshold.	6/27/2008
24	2008054126	11/22/2008	Rule 61D-13.008(2)(a)(2).	Permitted substance, but over threshold.	9/11/2008
25	2007062696	11/23/2008	Section 550.2415(1)(a).	Prohibited substance.	10/25/2007
26	2009003113	2/3/2009	Rule 61D-6.008(3)(c).	Late scratch.	1/18/2009
27	2009022107	5/2/2009	Rule 61D-6.011(2)(c).	Prohibited substance.	3/25/2009
28	2007025004	6/18/2009	Section 550.2415(1)(a), Rule 61D-6.011(2).	Prohibited substance.	3/19/2007
29	2009029506	11/12/2009	Rule 61D-6.008(2)(a)(2).	Permitted substance, but over threshold.	5/14/2009
30	2008059733	11/15/2009	Section 550.2415(1)(a).	Prohibited substance.	9/20/2008
31	2009048213	9/30/2010	Section 550.2415(1[a], Rule 61D-6.011(2).	Prohibited substance.	3/31/2009
32	2012033990	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	7/4/2012
33	2012040949	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	8/17/2012
34	2012041931	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	8/30/2012
35	2012041948	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	9/14/2012
36	2012043730	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	9/27/2012
37	2013016106	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	3/13/2013
38	2013023790	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	4/26/2013
39	2013023875	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	5/10/2013
40	2013025104	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	5/24/2013
41	2013025126	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	5/26/2013
42	2013026525	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	6/8/2013
43	2013026031	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	6/9/2013
44	2013029114	1/11/2016	Section 550.2415(1)(a)	Permitted substance, but over threshold.	6/25/2013

EXHIBIT B

1020 OPEN

Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering
DBPR PMW-3120 – Individual Occupational License Application

Instructions: Please review this application thoroughly and complete all sections that pertain to you and are not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION

Social Security Number	Birth Date (MM/DD/YYYY)	Gender
[redacted]	[redacted]	☑ Male ☐ Female

Last Name	First	Middle	Suffix
ZIADIE	KIRK	MAURICE	MR.

Have you used, been known as, or called by another name (example – maiden name, pseudonym, nickname) or alias other than the name used on the application? ☐ Yes ☑ No

If yes, list the name or names used: _____

Race/Ethnicity (optional)
☐ Black or African American ☐ Asian or Pacific Islander ☐ Native American or Alaskan Native
☑ White or Caucasian ☐ Hispanic/Latino ☑ Other JAMAICAN

Current Mailing Address	Email Address (optional)
[redacted]	[redacted]

City	State	Zip Code (+4 optional)	Country, if other than USA
Miramar	Fla.	33027	

Primary Phone Number	Secondary/Cell Phone Number (optional)
[redacted]	

Current Street Address: GAME

City	State	Zip Code (+4 optional)	Country, if other than USA

RECEIVED 2023 JUN -5 PM 2:51 FLORIDA GAMING CONTROL COMMISSION

Type of Occupational License applying for:
☐ Pari-Mutuel General Individual ☑ Pari-Mutuel Professional Individual
☐ Cardroom Employee

Occupation: TRAINER

Facility where employed and/or doing business: NELSON JONES TRAINING CENTER

Does your position require access to the Cardroom? ☐ Yes ☑ No

Is this your first time applying for a racing/gaming license in Florida? ☐ Yes ☑ No

Are you a Supervisor, Manager, or Shareholder of a business with a pari-mutuel permit? ☐ Yes ☑ No

Do you own or lease animals intended for racing in Florida? ☑ No ☐ Yes, complete the following:

Stable Name, Kennel Name, or Business Name _____

Trainer Name (horse or greyhound racing only) _____

TO BE COMPLETED BY DOCTORS, VETERINARIANS, NURSES, PARAMEDICS, AND EMTS ONLY

Type of professional license (attach a copy of Florida professional license):	Florida License Number

FOR DIVISION USE ONLY

License Code 1021 License # 701515 File # 9832 (9832) App # 246204

Association Code 950 Date Received 5/31/2023 Entered By DM License Year 25

License Fee 80 FP Date 5/30/2023 FP Fee 37.25 Total Fee 117.25

Off Temp Waiver Requested ARCI ✓ Enforcement ✓ Minor

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☑ No	Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?
☐ Yes ☑ No	Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE

RECEIVED
2023 JUN -5 PM 2:25
FLORIDA GAMING CONTROL COMMISSION

☑ Yes ☐ No	Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.
☐ Yes ☑ No	Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

SUSPENSION IN FLA / POSITIVE TEST

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to $1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

Signature of Applicant

Date 5/30/23

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING
www.myfloridalicense.com

APPLICATION CHECKLIST – IMPORTANT – Submit all items on the checklist below to ensure faster processing.

ALL License Applicants Must Submit:

- [X] Completed Form DBPR PMW-3120 – Print clearly and complete all sections that are not optional in black or blue ink.
- [ ] Additional Pages – If necessary to respond to any application questions.
- [ ] Supporting Legal Documentation – If necessary to respond to background information questions in application.
- [X] Three (3) Year Licensing Fee – Make checks or money orders payable to DBPR.
  - [ ] Pari-Mutuel General Occupational License - $15.00* * does not include fingerprint fee
  - [X] Pari-Mutuel Professional Occupational License - $80.00*
  - [ ] Cardroom Employee Occupational License - $100.00*
- [ ] Fingerprints – Choose One Option:
  - [ ] Electronic Fingerprints: Electronic fingerprints must be submitted to the Division through a law enforcement agency or an FDLE approved Livescan Service Provider. Submit electronic fingerprints with the following ORI number: FL920630Z.

    IMPORTANT: Electronic fingerprint processing fees must be paid directly to the law enforcement agency or FDLE approved Livescan Service Provider.
  - [X] Fingerprint Card: Fingerprint cards (FD-258) can be mailed to applicants upon request by contacting the Division at the address or phone number below. Completed fingerprint cards must be mailed to the Division with your application.

    IMPORTANT: Fingerprint card processing fees must be paid to the Division. Please see http://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx for the current fee amount.
  - [ ] Fingerprint Resubmission for Renewal and Upgrade Applicants: Applicants timely renewing or upgrading a license need only provide the Division a fingerprint resubmission processing fee. Visit our website or contact us for the current fee amount.

    IMPORTANT: Timely submission of renewals must occur within one year of the expiration of applicant's license.

RECEIVED
2023 JUN -8 PM 2:51
FLORIDA GAMING CONTROL COMMISSION

Please mail your completed application, documentation and required fee(s) to:
Department of Business and Professional Regulation
Pari-Mutuel Wagering; Licensing Section
2601 Blair Stone Road, Tallahassee, Florida 32399-1037
Phone: 850.487.1395

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING
www.myfloridalicense.com

PERSONAL INFORMATION

Social Security Number/Federal Employer ID Number [redacted]

IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION

Last Name	First	Middle	Title	Suffix
ZIADIE	KIRK	M		

Birth Date (MM/DD/YYYY) [redacted]

IF BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION

Representative's Name Last	First	Middle	Title	Suffix

Permitholder Name

Official Capacity

ATTEST STATEMENT

I, KIRK ZIADIE, do hereby instruct all law enforcement
(name of applicant/representative)
or criminal justice agencies, present and former employers or institutions with whom I or my businesses have a present or past business relationship, as well as all present or past social associates to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Additionally, I do release such individuals or entities from any and all liability due to the release of information requested.

(If individual applicant - legal name and any nickname or alias in parentheses)

Applicant/Representative Signature: [signature] Date: 7/19/23

NOTARIZATION

The foregoing application was sworn to and subscribed before me this 19TH Day of JULY 20 23.

by KIRK ZIADIE, [signature]
Type or print name of applicant Signature of applicant

who is personally known to me or who has produced the following as identification.

Driver's License
Type of identification

LAURA K. MUNSON
MY COMMISSION # HH 099723
EXPIRES: April 30, 2025

[signature]
Signature of person taking acknowledgement
Notary Seal
(Rubber Stamp and Expiration)

SIGN & DATE

YES

KZ 7/19/23

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☑ No — Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

☒ Yes ☐ No — Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE
11/22/2006	BROWARD	FL	BATTERY	MISDEMEANOR	PROBATION

RECEIVED
2023 JUN -5 PM 1:45
FLORIDA GAMING CONTROL COMMISSION

☑ Yes ☐ No — Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

☐ Yes ☑ No — Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

SUSPENSION IN FLA / POSITIVE TEST

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

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Signature of Applicant

Date 5/30/23

EXHIBIT C

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
DIVISION OF PARI-MUTUEL
WAGERING,

Petitioner,

vs. Case No. 14-4716PL

KIRK M. ZIADIE,

Respondent.
_____/

DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION,
DIVISION OF PARI-MUTUEL
WAGERING,

Petitioner,

vs. Case No. 15-2326PL

KIRK ZIADIE,

Respondent.
_____/

RECOMMENDED ORDER

These consolidated cases came before Administrative Law Judge F. Scott Boyd in Fort Lauderdale, Florida, on August 25 through 27, 2015; by video teleconference at sites in Lauderdale Lakes and Tallahassee, Florida, on September 1, 2015; and again in Ft. Lauderdale, Florida, on September 23 and 24, 2015.

APPEARANCES

For Petitioner: Richard McNelis, Esquire
Caitlin R. Mawn, Esquire
Department of Business and
Professional Regulation
Division of Pari-Mutuel Wagering
1940 North Monroe Street, Suite 40
Tallahassee, Florida 32399

For Respondent: Bradford J. Beilly, Esquire
John Daniel Strohsahl, Esquire
Bradford and Strohsahl, P.A.
1144 Southeast Third Avenue
Fort Lauderdale, Florida 33316

STATEMENT OF THE ISSUES

Whether Respondent raced an animal with a drug in violation of section 550.2415(1)(a), Florida Statutes (2012),[1/] as alleged in the Administrative Complaints, and, if so, what sanction is appropriate.

PRELIMINARY STATEMENT

Petitioner, Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner" or "Division"), served a Second Amended Administrative Complaint on Respondent, Mr. Kirk Ziadie, on September 10, 2014. The complaint alleged that Respondent was the trainer of record of thoroughbred horses that raced at Florida racetracks with restricted drugs on dates from July 4, 2012, through September 27, 2012, charging six counts of violation of statutes and rules governing pari-mutuel racing. Respondent disputed material facts alleged in the complaint and timely requested an

administrative hearing. The case was forwarded to the Division of Administrative Hearings ("DOAH") for assignment of an administrative law judge on October 10, 2014, and was assigned DOAH Case No. 14-4716PL ("Ziadie I").

On March 17, 2015, Petitioner served Respondent with a First Amended Administrative Complaint alleging in 16 additional counts that he was the trainer of record of horses racing with restricted drugs in races that took place from March 13, 2013, through December 7, 2014. Respondent again disputed material facts alleged in the complaint and timely requested an administrative hearing. The case was forwarded to DOAH and was assigned Case No. 15-2326PL ("Ziadie II").

The final hearing in Ziadie I began on August 25 through 27, 2015, and continued on September 1, 2015. The question arose during hearing as to whether it might be efficient to consolidate the two cases. Neither party offering any reason why this should not be done, and no prejudice to either party being found, an Order of Consolidation was issued on September 2, 2015. The Order provided that the testimony and evidence admitted up to that point in the hearing would be considered just as if it had been admitted after consolidation. The hearing resumed in the consolidated cases on September 23 and 24, 2015.

The parties stipulated to certain facts, which were accepted at hearing and are included among those set forth below. Petitioner presented the testimony of Ms. Margaret Wilding, associate director of the University of Florida Racing Laboratory; Dr. William Watson, D.V.M., the veterinarian manager at the Division; Mr. Ivan Urrutia, formerly a chief veterinary assistant at the Division; Ms. Jill Blackman, the Division's chief operations officer; Mr. Patrick Russell, a chemist at the University of Florida Racing Laboratory; Mr. Terry Mills, an analytical chemist and accreditation manager for American National Standards Institute-American Society for Quality National Accreditation Board; and Dr. Cynthia Cole, a veterinary pharmacologist and director of research and development at Mars Veterinary.

Respondent objected at hearing to the introduction of Petitioner's Exhibits P-7, P-8, and P-17 through P-20, which were test results and supporting documents from the laboratory, on the grounds that the samples were obtained and tested contrary to the procedures of the governing rule and pursuant to a manual that constituted an unadopted rule. Ruling on the objection was reserved. After careful consideration, the objection to admissibility of these exhibits is overruled, as under the statute "any evidence" that is relevant is admissible. All of Petitioner's exhibits, P-1 through P-21, are therefore

admitted. However, based upon provisions in chapters 120 and 550, Florida Statutes, Exhibits P-7, P-17, and P-18, relating to the serum specimens, were not used to prove the presence of restricted drugs, as discussed in detail below.

Respondent presented the testimony of Mr. Theodore Mizarak, a licensed horseman in Florida, Indiana, Ohio, and Kentucky; Mr. Kent Stirling, executive director of the Florida Horsemen's Benevolent and Protective Association; Mr. Kevin Scheen, state steward manager at the Division; Dr. Steven Barker, a chemist and professor at the School of Veterinary Medicine at Louisiana State University; Mr. Peter Lawson, a management and strategy consultant and thoroughbred horse owner; Mr. Bradford Beilly, counsel for Respondent; and Respondent. Respondent offered 27 exhibits, R-1 through R-27, all of which were admitted.

The seven-volume Transcript of the hearing was filed at DOAH on October 30 and November 4, 2015. Petitioner's Proposed Recommended Order was timely filed. Respondent's proposed recommended order was received about 5:05 p.m. on the filing deadline, November 19, 2015, and under the rule, was filed as of 8:00 a.m. the following day. No prejudice was found and both proposed recommended orders were carefully considered in the preparation of this Recommended Order.

On November 25, 2015, Respondent Ziadie's Motion to Strike Portion of Petitioner's Proposed Recommended Order or Otherwise

Bring to the Attention of the Court an Inaccuracy in a Finding of Fact Contained in Petitioner's Proposed Recommended Order was filed. Petitioner's Response in Opposition to Respondent's Motion to Strike Portion of Petitioner's Proposed Recommended Order was filed on December 1, 2015. Respondent's motion is denied. While Petitioner's citation to Florida Administrative Code Rule 28-106.217 is inapposite, as it pertains to exceptions filed with an agency after a recommended order is issued, Petitioner's basic position that Respondent's opportunity to challenge any findings and conclusions comes after the recommended order is issued is correct. Neither point raised by Respondent warrants departure from that general procedure. The points are disputable based upon the record, and neither is critical to the issues as they were resolved in this Recommended Order.

FINDINGS OF FACT

1. The Division is the state agency charged with regulating pari-mutuel wagering in the state of Florida, pursuant to chapter 550, Florida Statutes (2015).

2. At all times material, Mr. Ziadie held a pari-mutuel wagering occupational license, number 701515-0121, issued by the Division.

3. At all times material, Mr. Ziadie was subject to chapter 550 and the implementing rules in Florida Administrative Code Chapter 61D-6.[2/]

4. Under section 550.2415(1)(a), an animal may not be raced with any drug. It is a violation for any person to administer a drug to an animal which results in a positive test in samples taken from the animal after the race.

5. Under section 550.2415(1)(c), "[t]he finding of a prohibited substance in a race-day specimen constitutes prima facie evidence that the substance was administered and was carried in the body of the animal while participating in the race."

6. Under rule 61D-6.002(1), "[t]he trainer of record shall be responsible for and be the absolute insurer of the condition of the . . . horses he/she enters to race."

7. As reflected in Division records kept in accordance with the 2010 Equine Detention Barn Procedures Manual ("the Manual"), which was in effect at all relevant times, Mr. Ziadie was the trainer of record of the thoroughbred horses from which samples were obtained in Ziadie I and Ziadie II.

8. Mr. Ziadie is substantially affected by the Division's intended action.

9. The equine detention barn is the site at each licensed racetrack in Florida where employees of the Division collect

urine and blood samples from racehorses. It includes a fenced-in and secured area that generally has at least six stalls, as well as an area for walking the horses after a race.

10. After a horse has been selected for sample collection (usually the top two or three finishers and sometimes a "special" that has been added at the request of the stewards), a Division employee tags the horse and accompanies it back to the detention barn. Along the way, a Division veterinary assistant assigned to the horse assumes custody and escorts the horse. At the barn, the horse is positively identified by means of a tattoo on the underside of its lip. The horse is walked to cool it down and sometimes bathed, and then taken into a stall for sample collection. Following their respective races, Mr. Ziadie's horses were immediately taken in this fashion to the detention barn for the taking of urine and blood samples.

11. The Division publishes the Manual under the direction of Ms. Blackman as the chief of operations. The Manual is used at all horse racing facilities in the state of Florida and was last updated on June 25, 2010.

12. The Manual provides that veterinary assistants, chief veterinary assistants, detention barn security guards, and detention barn supervisors "study, become completely familiar with, and put into practice" the procedures outlined in the Manual. It describes seven steps in chain-of-custody

procedures, three of which are "collecting the specimen, sealing the specimen, and completing the required forms," and describes detailed procedures in this "strict sequence of events that must be followed."

13. As the Manual makes clear, Division employees at the detention barns in the state of Florida are all required to follow the procedures outlined in the Manual "each and every time" they work with samples. They do not have discretion not to follow its requirements.

14. Mr. Stirling credibly testified that in his capacity as executive director of the Florida Horseman's Benevolent and Protective Association, a position he has held for 20 years, he was an advocate for the horsemen. He attended all of the workshops for rules relating to medication overages as one of his primary duties. The centrifuging process, extraction of the serum, and sealing of the serum specimen as described in detail in the Manual were never discussed at a rulemaking hearing. These procedures are not a part of rule 61D-6.005, adopted in 2001. As he testified, Mr. Stirling was not even aware of these procedures until a month or two before the final hearing in these cases. The Manual has not been adopted under the procedures of section 120.54.

15. At the time of these races, rule 61D-6.005, effective November 19, 2001,[3/] governed the procedures for the taking of

urine and blood samples from the horses. Subsection (3) provided in part:

> The specimen shall be sealed in its container, assigned an official sample number which is affixed to the specimen container, and the correspondingly numbered information portion of the sample tag shall be detached and signed by the owner, trainer, groom, or the authorized person as a witness to the taking and sealing of the specimen.

16. Subsection 4.5 of the Manual describes the sample tag in greater detail:

> RL 172-03 is a self-adhesive sequentially numbered bar-coded, three part form (blood label, urine label and card) provided by the University of Florida Racing Laboratory that is used to catalog specimens by assigning them "Specimen Numbers." As specimens are collected, information regarding the animal from which the sample was collected is written on the bottom of this form. The top two portions of the form (Blood, Urine) are completed with the Track Number and Collection Date. The applicable top portions of the form are then separated and applied to the urine specimen cup and/or evergreen blood tube. The bottom portion, or Specimen Card, is completed and appropriately signed and is sent to the Tallahassee Office of Operations to be filed.

17. The sample tag thus consists of three portions: the numbered portion designated for the blood specimen ("blood label"), the numbered portion designated for the urine specimen ("urine label"), and the numbered portion containing additional information about the animal and trainer that is to be signed by

the witness ("card"). In the sampling procedures followed in these cases, the blood label was not affixed to the collection tube. The blood label, from which the card portion was "detached," was affixed to the evergreen blood tube. This was consistent with the governing rule, as well as the Manual. The evergreen tube is the specimen container for the serum.

18. The sampling procedures followed with respect to the serum and urine samples taken in Ziadie I and Ziadie II were in compliance with the procedures set forth in the Manual.

19. As stated in subsection 4.4 of the Manual, "[s]ealing the sample ensures the specimen does not spill during shipment to the laboratory and assures all parties that the sample has not been tampered with." The same purposes are served by sealing the serum specimen.

20. After the blood samples were taken by the veterinarian, they were not "sealed" in the collection tubes. The fact that the collection tubes are air tight prior to and after the taking of the blood and initially contain a partial vacuum to facilitate collection, does not constitute "sealing" of the specimen in its container for purposes of the rule. As Dr. Watson testified:

> Q: Okay. Are these 15 milliliter tubes sealed?
>
> A: Well, they're sealed in that there's a vacuum in there and in order to draw the

> blood efficiently, that vacuum has to be there. If that seal is broken then it would not work. But, as far as sealing for legal purposes, they're not sealed at that time. There's a process that it has to go through in order to extract the serum.

The three collection tubes are not the specimen container, but the last three digits of the number from the blood label affixed to the specimen container were written on each blood collection tube with a black "Sharpie" type marking pen to ensure control of the sample.

21. The Manual prescribes detailed procedures for spinning the blood collected from the race horses in a centrifuge to extract the serum.

22. After the blood was centrifuged, and the serum was poured into the evergreen tube, the serum was sealed with evidence tape, as described in the Manual, and the chief veterinary assistant put his initials over the seal. This constituted "sealing" of the specimen in its container. Subsection 4.6 of the Manual provides:

> Serum is poured into applicable (numbered) "evergreen" tubes. Each "evergreen" tube is immediately properly sealed with evidence tape.

23. Rule 61D-6.005 does not make any reference to spinning the blood in the centrifuge to extract serum, the pouring of serum into an evergreen tube, the sealing of the evergreen tube with evidence tape, or the freezing of the specimen. The Manual

establishes additional policies and procedures not contained in the rule.

24. The serum must be separated from the blood because whole blood cannot be frozen without damage that would affect its usefulness in laboratory testing. Centrifuging facilitates the separation of the serum from the whole blood. The transfer of the separated serum from the glass collection tubes to the plastic evergreen tube is then done for two reasons. First, the plug that helps separate the serum can allow the blood cells to seep around and return to the serum, where they can release hemoglobin and iron, which can distort laboratory analysis. Second, using the plastic evergreen tube saves shipping weight and reduces the incidence of breakage during shipping.

25. The centrifuged collection tubes are stored in a locked refrigerator. The opening of the centrifuged collection tubes and the pouring of the serum into correspondingly numbered evergreen specimen containers is carefully performed by Division employees with the intent to avoid contamination. The sealed evergreen specimen containers then remain in a locked freezer until they are shipped to the laboratory. The evidence was clear and convincing that the serum specimens in these consolidated cases were derived from the blood sample tubes bearing the same last three numbers as the tag which was

prepared when the blood was taken. The serum specimens came from Mr. Ziadie's horses.

26. Dr. Barker testified that the "free pour" of the serum was the point at which the specimen was most vulnerable, and that contamination or tampering was possible. He stated he would have preferred more supervision, witnessing, and documentation as to who was doing what, at what time. Dr. Cole concurred that there is always a possibility of contamination when a sample is transferred from one container to another. However, the free pour method used to transfer the serum from the collection tubes into the evergreen specimen container is one of the better approaches, as opposed to using a pipette or other method that would put something into the sample. Contamination from the free pour of the serum is unlikely. There was no evidence introduced to suggest that misidentification, tampering, or contamination of the specimens was likely or probable.

27. The state veterinarian who took the blood sample from each horse signed PMW Form 504, a Daily Record of Sample Collection, indicating that this had been done. After centrifuging the whole blood in the collection tubes, at the end of the day the state veterinarian usually leaves the collection tubes with the chief veterinary assistant, who pours the separated serum from each collection tube into the

correspondingly numbered evergreen container and seals it. Sometimes, the state veterinarian stays to observe the transfer of the serum to the evergreen specimen container.

28. No document is signed to note the time that the state veterinarian leaves the samples at the detention barn or the time that the chief veterinary assistant opens the collection tubes and transfers the serum. Custody of the samples remains with Division personnel throughout this process. No transfer of custody takes place until the specimen containers are shipped to the laboratory.

29. In each instance of sampling in these cases, the owner's witness signed the card portion of the sample tag (Form RL 172-03) after the taking of the urine and blood samples.

30. In each instance of sampling in these cases, the owner's witness signed the card portion of the sample tag after the sealing of the urine specimen in its container, but before the sealing of the serum specimen in its container, the evergreen tube.

31. In each instance of sampling in these cases, the owner's witness did not observe the extraction of the serum or the sealing of the serum specimen in its container with the evidence tape. The witnesses could have remained to watch those procedures had they requested to do so. Subsection 4.6 of the Manual states, "the owner, trainer of record or designated

authorized witness may leave with the released animal or may elect to witness the conclusion of the collected blood specimen processing and sealing cycle." According to Division policy, two signs are posted in the detention barns to advise owners' witnesses that they may remain to witness the centrifuge process and sealing of the sample. Specific testimony that a sign was in place at the exact times sample collection took place in each of these races, or the exact location that it was posted, was lacking. However, there was more general testimony from Dr. Watson that signs have been posted ever since he has been employed.

32. Dr. Watson credibly testified that, during the five years he has been working at the tracks, no owner's representative has ever stayed to watch the centrifuging of the samples or the sealing of the serum specimen container. The pouring of the collection tubes into the specimen container takes place at the end of the racing day, after all of the horses have departed from the detention barn. It would be very inconvenient for an owner's witness to remain until the serum specimens were sealed.

33. The procedures that were followed--set forth in the Manual--which allowed the owner's witness to sign the sample tag after witnessing the taking of the blood but before the sealing of the specimen, were not in compliance with rule 61D-6.005(3),

quoted above, which required the owner's representative to sign as a witness to both the taking and sealing of the specimen. Even had it been clearly shown that signs advising the owners' representatives that they were allowed to stay and witness the sealing of the specimen container were prominently displayed on every occasion on which the samples were taken, this would not bring the procedure being followed into compliance with rule 61D-6.005(3). The requirement that the authorized representative must witness not only the taking, but also the sealing of specimens, is a provision directly related to maintaining integrity in the sample collection process. Such deliberate disregard of the plain language of the rule directly affects the fairness of the entire blood sampling procedure.

34. The urine and serum samples in these cases were properly delivered to the University of Florida racing laboratory and the integrity of the samples was intact.

35. The laboratory conducts an initial screening of each urine sample in a process of elimination to weed out negative samples that do not contain any suspected drugs. This screening looks at a large number of samples and screens them broadly. The suspicious samples are then subjected to confirmation testing, in either serum or urine, testing a fewer number of samples and targeting for detection of specific drugs.

36. The Association of Racing Commissioners International create Uniform Classification Guidelines for Foreign Substances. Classes range from class I drugs, which have no therapeutic value and are most likely to affect the outcome of a race, to class V drugs, which have the most therapeutic value and the least potential to affect the outcome of a race. Class III, IV, and V drugs all have some therapeutic value.

37. Clenbuterol is a bronchodilator, a drug which may be prescribed for horses for therapeutic purposes. If a horse had blood or sand in his lungs after a race, he might be placed on clenbuterol for five to eight days, twice a day, and the medication would clean the lungs out completely. Clenbuterol also has the capacity to be a repartitioning (conversion of fat into muscle) agent. It is not as effective as an anabolic steroid, but it does have the capacity for building muscle. Rule 61D-6.008 does not permit any clenbuterol in the body of a racing animal on race day. Clenbuterol is a Class III drug under the Uniform Classification Guidelines for Foreign Substances.

38. Phenylbutazone is a nonsteroidal anti-inflammatory drug effective in treating fever, pain, and inflammation. It was credibly described as having effects similar to aspirin. Rule 61D-6.008(2)(a)2. provided in part that, "[p]henylbutzone may be administered to a horse providing . . . the post-race

serum sample of such horse contains a concentration less than 2 micrograms (mcg) of Phenylbutazone or its metabolites per milliliter (ml) of serum." Phenylbutazone is a class IV drug under the Uniform Classification Guidelines for Foreign Substances.

39. The laboratory routinely receives only the information on the urine and blood labels with the specimens and does not know the identity of the horse or trainer. Samples tested in the laboratory are assigned an "LIMS" number internal to the laboratory and do not contain any information that would identify the horse or trainer. The technicians who actually conduct the tests are not informed of the name of the horse or trainer involved. Once the Division is advised by a laboratory report that a sample has "tested positive" for a particular substance, the Division matches the laboratory report to the sample tag, which has been kept under lock and key, to determine the identity of the horse and trainer. The stewards and trainer are then notified.

40. After the trainer is notified of positive results, he has the opportunity to request a split sample. In this procedure, a portion of the specimen is shipped from the University of Florida laboratory to an outside laboratory for independent analysis.

41. There is a minimum amount of a drug that can be detected scientifically with a reliable concentration range. As the scientific capability to detect a drug improves, this testing level can be lowered by a laboratory. The instrumentation can almost always detect the presence of the drug below the reliable concentration range that establishes the testing level.

42. As Ms. Wilding testified, a "withdrawal time" is the time interval prior to sample collection at which the last administration of a drug can take place to allow the drug to be cleared from the horse's system so that no "positive" would be reported in that sample based upon the test detection level or reporting point for that particular drug.

43. Mr. Stirling testified that based upon informal conversations with Dr. Tebbet, Dr. Cole, and Dr. Sams, former directors of the laboratory, he had disseminated information to horsemen for years that a five-day withdrawal time would be appropriate for clenbuterol.

44. From July 1, 2010, until June 30, 2011, there were four clenbuterol positives from horse race tracks in Florida.

45. From July 1, 2011, until June 30, 2012, there were 13 clenbuterol positives from horse race tracks in Florida. During this same fiscal year, the laboratory also found the presence of clenbuterol in 193 additional samples, but did not

deem them "positives." In these samples, the laboratory detected clenbuterol in a concentration of less than 25 picograms per milliliter.

46. Dr. Barker credibly testified that the fact that 193 findings of clenbuterol at less than 25 picograms per milliliter were not called "positives" indicated that either the laboratory or the Division had some form of confirmation level established.

47. As Ms. Wilding testified, changes to the protocol as to the amount of a drug that must be present in a sample before that sample will be called "positive" are made through revisions to the laboratory's standard operating procedures (SOPs).

48. Ms. Blackman testified that she had conversations with Ms. Wilding at the laboratory "sometime in, maybe, the summer of 2012" about the ability of the laboratory to calibrate their instruments to detect clenbuterol at the lowest level, based upon Ms. Blackman's understanding that clenbuterol was being abused, in that it was being prescribed not just for its bronchodilator effect, but also for its anabolic effects.

49. SOP DCN: R1.07.04.05.04-07, entitled "Extraction of Clenbuterol from Horse Serum or Plasma and Identification by Liquid Chromatography-Tandem Mass Spectrometry," effective April 27, 2012, established the low end of the calibration curve at 10 picograms per milliliter. The amount of the lower

positive control was 25 picograms per milliliter. The SOP provided: "If the mean concentration of clenbuterol in the test sample is less than the lower end of the calibration curve, it will not be reported."

50. From July 1 until December 31, 2012, there were nine clenbuterol positives from horse race tracks in Florida. The first Florida positive called by the laboratory for a thoroughbred race horse whose post-race serum sample contained a level of clenbuterol less than 25 picograms per milliliter of serum was for the first race in Ziadie I, on July 4, 2012, which was reported as a positive with a level of 18 picograms per milliliter. Testing also confirmed in serum the presence of phenylbutazone in that first sample, in the amount of 2.3 micrograms per milliliter, an amount in excess of the 2 micrograms per milliliter which is permitted. The laboratory results were sent to the Division by letter dated August 6, 2012.

51. The initial confirmation of the phenylbutazone overage and clenbuterol positive from the race of July 4, 2012, was originally sent to the stewards to resolve but was later taken from the stewards and turned into an administrative complaint.

52. On August 9, 2012, a long article appeared in the Miami New Times entitled "Cheaters Prosper at Calder Park." The article described a racing industry tainted by drug violations

and criticized the Division for lax regulations and poor enforcement. The article identified Mr. Ziadie by name, giving a short biography and saying there were signs of "systematic rulebreaking" over his long racing career.

53. Ms. Blackman saw the article. She also forwarded an e-mail attaching the article to Ms. Wilding at the laboratory.

54. Clenbuterol was confirmed in serum taken after the other four races of the Ziadie I complaint, held on August 17, August 30, September 14, and September 27, 2012. The concentration of clenbuterol in those samples ranged from 10 to 21 picograms per milliliter. The results from the laboratory were provided to the Division on September 25, October 1 (two races), and October 16, 2012. At Mr. Ziadie's request, the samples were split, and an independent laboratory confirmed the presence of clenbuterol in each sample.

55. In late December 2012, the Division gave the laboratory authority to begin conducting confirmation testing for clenbuterol in urine rather than in serum. In the beginning of 2013, the laboratory changed to a 140 picogram per milliliter confirmation level for clenbuterol in urine. The Division did not give notification to the horsemen or veterinarians of these changes.

56. From January 1, 2013, until June 30, 2013, there were 154 clenbuterol positives from the horse race tracks in Florida.

57. Dr. Barker testified:

> So you would be able to see clenbuterol in urine for a much longer period of time. And, of course, that's also why ARCI now has a urine threshold instead of a plasma threshold because the idea was to push it out as far as they could and still be able to call it. They couldn't do that sufficiently in blood, they felt, so they converted it to a urine threshold. So if you go from a plasma threshold to a urine threshold, particularly the--if it's a threshold that ARCI has recommended, you know, ARCI threshold is 140 picograms per ml in urine, and that's based on using the lowest dose and a 14-day withdrawal.
>
> Well, if you had been using the lowest dose and had been following a five-day withdrawal, you would come up positive. If you had been using the lowest dose and had been following a ten-day withdrawal, you're going to come up positive. And so if people, trainers and veterinarians, were not being informed of a change in how the laboratory was testing and interpreting data, and basically was working from a position that required a longer withdrawal time and the horsemen didn't know that, well, you're going to--you should get all kinds of positives.

Dr. Barker's explanation of the consequences of changing from a serum confirmation to a urine confirmation for clenbuterol is credited. His testimony also at least partially explains why there is not a clear correlation between the concentrations of clenbuterol detected in serum with the concentrations detected in urine from samples taken at the same time. The amounts of clenbuterol and the times it was administered to the horse

remain unknown variables, and clenbuterol is detectable for a longer period of time in urine. Differences might also be explained by the amount of water the horse drank, or other factors.

58. On or about February 8, 2013, following the great increase in the number of positive calls for clenbuterol, Mr. Stirling posted a notice regarding withdrawal times at the tracks and published it in the "overnights" that went to trainers. The notice stated:

> According to the Department [sic] of Pari Mutuel Wagering the withdrawal time for clenbuterol is the same as it was previously (5 days) at the proper dosage.
>
> If you had a recent positive for clenbuterol and used the old/new withdrawal time there should be no administrative action taken against you.

59. At either the end of February or the beginning of March of 2013, the Division requested the laboratory to return to clenbuterol confirmation screening in serum, rather than urine.

60. SOP DCN: R1.07.04.05.04-09, entitled "Extraction of Clenbuterol from Horse Serum or Plasma and Identification by Liquid Chromatography-Tandem Mass Spectrometry," effective March 7, 2013, established the low end of the calibration curve at 5 picograms per milliliter. The low end of the calibration curve reflects the lower limit of detection at which the SOP can

detect a drug with a reliable concentration range. The amount of the lower positive control was set at 15 picograms per milliliter. The SOP provided: "If the mean concentration of clenbuterol in the test sample is less than the lower end of the calibration curve, it will not be reported."

61. Clenbuterol was confirmed in serum in confirmation testing of 13 of the Ziadie II samples, taken after races from March 13, 2013, through October 27, 2013, ranging in concentration from 5 to 14 picograms per milliliter. These samples were also split, and an independent laboratory confirmed the presence of clenbuterol in each sample.

62. Testing also confirmed in serum the presence of phenylbutazone in the sample taken from the race on January 19, 2014, in Ziadie II, in the amount of 2.3 micrograms per milliliter, plus or minus .3 micrograms.

63. The Division did not give notification to the horsemen of any changes in the testing level at which the laboratory would report that a sample had tested positive for clenbuterol. Ms. Blackman testified that clenbuterol is not permitted at any level on race day, and it is the trainers' responsibility, in conjunction with their veterinarians, to decide whether to administer a particular medication at all. She testified that she did not think it was in the best interest of the horses or

the Division to make announcements every time they are able to detect a new drug or an existing drug at a lower level.

64. In contrast, she noted, when the amount of phenylbutazone permitted in a horse on race day was lowered from 5 mg to 2 mg, this was announced to the horsemen through the public rulemaking process. An advance notice of about six months allowed trainers to work out adjustments with veterinarians so there would not be a huge number of phenylbutazone positives when the new rule became effective. Since phenylbutazone is a "threshold" drug permitted on race day at no greater than prescribed amounts, Ms. Blackman testified that it was reasonable to give horsemen notice of this change.

65. Dr. Cole testified that she had a different view about changes to testing levels of drugs such as clenbuterol that were completely prohibited on race day when she was the director of the lab, saying she believed it was "prudent and fair" to notify the horsemen of changes in advance:

> Often when we're changing levels or sensitivity for medication type—drugs that have legitimate use in a horse, we would try to have a conversation with the horsemen to let them know that change was coming so that they could comply. Generally it's going to be an increase in the withdrawal time that they're going to be needed.

66. On March 20, 2013, Mr. Stirling sent an e-mail to Ms. Blackman stating that he was beginning to get low-level

positives for clenbuterol again, giving an example of 6 picograms per milliliter. He stated he thought the testing medium had been changed back to blood to return to a five-day withdrawal time and asked how the Division planned to handle the low-level clenbuterols from December. In e-mail correspondence continuing through April and May of 2013, Mr. Stirling continued to question the Division about the withdrawal time and to urge a 25 picogram per milliliter testing level. Ms. Blackman advised that the laboratory was re-confirming in serum the clenbuterol positives that had been confirmed in urine. She noted that a 10 picogram per milliliter reporting point for testing in serum had been established prior to the change in the medium for confirmation and noted there was no "threshold" for clenbuterol in Florida. On May 24, 2013, Ms. Blackman advised Mr. Stirling that clenbuterol positives confirmed in serum at 5 picograms per milliliter or a greater concentration would be prosecuted.

67. On or about May 29, 2013, Mr. Stirling issued a memorandum to Florida horsemen advising that the Division was continuing to call clenbuterol positives at levels detected below 25 picograms per milliliter and suggesting that they should no longer rely on a five-day withdrawal time. The memorandum suggested that a 14-day withdrawal time "should be more than safe" for avoiding a clenbuterol positive.

68. Mr. Ziadie admitted he did not change his practice of utilizing a five-day withdrawal time in response:

> I was still stuck on the five days, your honor. I was stubborn. I know I did wrong. I know that there was a rumor and I know there was a brochure going around 14 days. but I was trying to do the best for my horses. I thought that it was the medication that they needed at the time when we were racing and I take blame for being stubborn and making a mistake, but I did keep it at 5 days.

69. SOP DCN: R1.07.04.05.11-06, entitled "Extraction of Clenbuterol from Horse or Dog Urine and Identification by Liquid Chromatography-Tandem Mass Spectrometry," effective October 9, 2014, established the low end of the calibration curve at 50 picograms per milliliter and the high end of the calibration curve at 2000 picograms per milliliter. The amount set for both positive controls was 140 picograms per milliliter. The SOP provided:

> Report the calculated concentration of clenbuterol in the suspect sample as the average of its duplicates if its calculated value lies within the range of the calibration curve. If the calculated concentration of clenbuterol in the test sample is outside the range of the calibration curve, it will be reported as either greater than, or less than the limits of the calibration curve.

70. Based on the serum test results, the Second Amended Complaint in Ziadie I was served on Mr. Ziadie on or about September 8, 2014.

71. The First Amended Complaint in Ziadie II was served on Mr. Ziadie on or about March 16, 2015.

72. Other trainers whose horses tested positive for clenbuterol did not have administrative complaints filed against them. The Division, instead, settled their cases with fines. Almost all of these trainers had few prior violations, however. There was credible testimony that the Division had offered to settle charges against one other trainer who had numerous prior violations with the imposition of fines and a short suspension, but there was no evidence that a settlement had been reached. It was also noted at hearing that this trainer's recent violations were in close proximity, which suggested that he might not have been informed of the violations in one case before the samples were taken in the next. The Division noted that this could be a mitigating factor, because a trainer would not reasonably have had an opportunity to adjust his medication levels in response to the earlier violations.

73. Ms. Wilding testified that, in early 2015, she was asked by the Division to re-confirm the 2012 positive serum confirmations from Ziadie I using the urine samples taken immediately after those races. The urine samples had been used for initial screening in 2012, but had not been used for confirmation at that time. The urine samples had been stored in

a minus 30-degree freezer since the initial screening in 2012 had determined them suspicious for clenbuterol.

74. On March 18, 2015, Ms. Wilding sent an e-mail to her immediate subordinates, the supervisors of the laboratory's four main divisions, advising that "PMW Legal is asking us to analyze the five urine samples in the first Ziadie case for clenbuterol." Her e-mail listed the sample numbers for the five urine samples and directed that they be rescreened for clenbuterol and then tested for confirmation.

75. The 2012 urine samples were rescreened for clenbuterol in 2015, and, as Ms. Wilding testified, the results were in "good agreement" with the screening results from 2012. This indicated that the presence of clenbuterol remained relatively stable over that period of time.

76. Although the laboratory supervisors knew the trainer associated with the samples, as Ms. Wilding and Mr. Russell testified, samples tested in the laboratory do not contain identification of the horse or trainer and are only marked with a "LIMS" number internal to the lab. The technicians who actually performed these tests were not informed of the name of the horse or trainer involved.

77. Clenbuterol was confirmed in the urine in the 2015 tests in each of the five samples from Ziadie I, ranging in concentration from 1.8 nanograms per milliliter to 1.3 nanograms

per milliliter. The samples were also split, and an independent laboratory confirmed the presence of clenbuterol in each urine sample. There was no significant degradation of the urine samples over the three-year period. The results were scientifically sound.

78. In early May 2015, again at the Division's request, the laboratory began confirmation testing for clenbuterol in urine samples from the Ziadie II races. These urine samples were not rescreened because, as Ms. Wilding had earlier determined from the Ziadie I urine samples, the stability of clenbuterol in urine stored in a minus 30-degree freezer for several years was "excellent." The senior staff members were again likely told about the identity of the trainer. Again, samples tested in the laboratory do not contain identification of the horse or trainer and are only marked with a "LIMS" number internal to the lab. The technicians who actually performed the confirmation testing were not informed of the name of the horse or trainer involved. The samples confirmed positive for clenbuterol at concentrations, in picograms per milliliter, of 973, 551, 390, 212, 718, 450, 236, 740, 698, 225, 435, 197, and 435, all amounts with a measurement of uncertainty at plus or minus 30 picograms. Again, these results were scientifically sound.

79. The serum specimens were routinely collected without the owners' representatives witnessing the sealing of the specimens and were not collected pursuant to the requirements of chapter 61D-6. The systematic and regular violation of this important requirement constituted a significant procedural error that affected the fairness of the blood sampling procedure.

80. Subsection 4.6 of the Manual is an unadopted rule.

81. The only evidence of the presence of phenylbutazone in any of Mr. Ziadie's horses was from serum obtained pursuant to the unadopted procedures of subsection 4.6 of the Manual and in a manner contrary to the Division's own rule. The Division failed to prove that Mr. Ziadie's horses carried a prohibited level of phenylbutazone in their bodies on race day.

82. The urine test results proved that Mr. Ziadie's horses in these consolidated cases had clenbuterol in their bodies on race day.

83. Mr. Lawson testified that as a licensed horse owner in the United States, South Africa, and Jamaica, he has had an opportunity to observe the different ways that trainers care for their thoroughbred horses. He testified that Mr. Ziadie's stalls were always clean, the handling of the feed was always done in a very systemized and structured way, and the best feed available was used, even though it had to be imported and was much more expensive.

84. He testified that Mr. Ziadie's horses were always well groomed, they always looked very healthy, their coats were very shiny, their feet were carefully inspected, and they were happy horses. He testified that Mr. Ziadie looked after the specific needs of each horse, rather than treating them all the same, and spent a lot of time personally inspecting them. He noted that Mr. Ziadie didn't race his horses as often as other trainers.

85. Mr. Lawson's testimony was bolstered by the stipulated testimony of Dr. Al Smollen, a veterinarian for the tracks, and the testimony about the excellent condition of Mr. Ziadie's horses, the cleanliness of their surroundings, the quality of the feed, and the care given to the horses is credited.

86. The Division presented clear evidence that Mr. Ziadie has had 14 prior violations of section 550.2415, Florida Statutes. The Division case number, date of offense, name of restricted drug, classification, and disposition are as follows:

CASE NUMBER	DATE	DRUGS	CLASS	DISPOSITION
2004028212	5/02/2004	flunixin	IV	$100 fine
2004057550	10/14/2004	glycopyrrolate	III	$500 fine, 15 days susp
2004060610	12/03/2004	glycopyrrolate	III	$500 fine
2005030701	5/08/2005	clenbuterol	III	$300 fine
2005064692	12/02/2005	phenylbutazone	IV	$250 fine
2006005191	1/15/2006	dimethyl sulfoxide	V	$100 fine

CASE NUMBER	DATE	DRUGS	CLASS	DISPOSITION
2006006449	1/19/2006	dimethyl sulfoxide phenylbutazone	V	$1,000 fine
2006007718	1/30/2006	dimethyl sulfoxide	V	$250 fine
2006019839	3/18/2006	phenylbutazone/ oxypenbutazone	IV	$500 fine
2006060434	10/15/2006	phenylbutazone	IV	$1,000 fine
2006067518	11/26/2006	phenylbutazone	IV	$1,000 fine 7 days susp
2007008307	1/06/2007	clenbuterol	III	$250 fine
2007025004	3/19/2007	acepromazine	III	$1,000 fine 60 days susp
2009048213	3/31/2009	boldenone	IV	$250 fine

CONCLUSIONS OF LAW

87. The Division of Administrative Hearings has jurisdiction over the parties and the subject matter of this proceeding pursuant to sections 120.569 and 120.57(1), Florida Statutes (2015).

88. The substantial interests of Respondent are being determined by Petitioner, and Respondent has standing in this proceeding.

89. A proceeding to suspend, revoke, or impose other discipline upon a license is penal in nature. State ex rel. Vining v. Fla. Real Estate Comm'n, 281 So. 2d 487, 491 (Fla. 1973). Petitioner must therefore prove the charges against Respondent by clear and convincing evidence. Fox v. Dep't of Health, 994 So. 2d 416, 418 (Fla. 1st DCA 2008)(citing Dep't of

Banking & Fin. v. Osborne Stern & Co., 670 So. 2d 932 (Fla. 1996)).

90. The clear and convincing standard of proof has been described by the Florida Supreme Court:

> Clear and convincing evidence requires that the evidence must be found to be credible; the facts to which the witnesses testify must be distinctly remembered; the testimony must be precise and explicit and the witnesses must be lacking in confusion as to the facts in issue. The evidence must be of such weight that it produces in the mind of the trier of fact a firm belief or conviction, without hesitancy, as to the truth of the allegations sought to be established.

In re Davey, 645 So. 2d 398, 404 (Fla. 1994)(quoting Slomowitz v. Walker, 429 So. 2d 797, 800 (Fla. 4th DCA 1983)).

91. Section 550.2415(1)(a) provided in part:

> The racing of any animal with any drug, medication, stimulant, depressant, hypnotic, local anesthetic, or drug-masking agent is prohibited. It is a violation of this section for any person to administer or cause to be administered any drug, medication, stimulant, depressant, hypnotic, narcotic, local anesthetic, or drug-masking agent to an animal which will result in a positive test for such substance based on samples taken from the racing animal immediately prior to or immediately after the racing of the animal.

92. Section 550.2415(1)(c), providing that the finding of a prohibited substance in a race day sample is prima facie evidence of a violation, does not distinguish between blood or urine specimens.

93. Section 550.0251(3) required Petitioner to adopt reasonable rules for the control, supervision, and direction of all applicants, permittees, and licensees, and for the holding, conducting, and operating of all racetracks, race meets, and races held in this state.

94. The statute also provided that, when a race horse has been impermissibly medicated or drugged, action may be taken "against an occupational licensee responsible pursuant to rule of the division" for the horse's condition. § 550.2415(2), Fla. Stat.

95. Consistent with the above statutes, Petitioner adopted rule 61D-6.002, the "absolute insurer rule," making trainers strictly responsible.

96. Petitioner was specifically directed by section 550.2415(7)(c) to adopt rules setting conditions for the use of phenylbutazone. The statute went on to expressly prohibit its administration within 24 hours prior to the officially scheduled post time of a race.

97. Petitioner adopted rule 61D-6.008(2)(a)2., which provided in part that, "[p]henylbutzone may be administered to a horse providing . . . the post-race serum sample of such horse contains a concentration less than 2 micrograms (mcg) of Phenylbutazone or its metabolites per milliliter (ml) of serum."

Change of Testing Levels

98. Respondent argues that Petitioner changed a de facto testing level set for clenbuterol and subsequently unfairly charged Respondent with violations based upon the presence of small amounts of clenbuterol that previously would not have been considered "positives."

99. The evidence showed that testing protocols have been periodically adjusted to establish the minimum amount of a drug that will be reported as positive. While legal authority for a testing level was not clear, the evidence did convincingly show that, as a practical matter, there was in fact a testing level in place, below which a "positive" for clenbuterol was not reported, and that this level changed. However, as Petitioner argued, it was equally clear that no amount of clenbuterol was permitted in a horse on race day. The evidence regarding testing levels did not provide a legal defense to the counts charged.

Chain-of-Custody

100. Respondent argues that Petitioner failed to show that the serum samples that were tested came from Respondent's horses because the chain-of-custody from the whole blood samples was broken. However, the testimony regarding the procedures that were followed in taking blood samples, centrifuging them, and pouring the extracted serum from the numbered blood collection

tubes into the correspondingly numbered specimen container was clear and convincing, and showed continuity and control of the samples. While Dr. Barker testified that contamination or tampering was possible, he never concluded that either of these things was likely or probable. The mere possibility of tampering or contamination is not sufficient to require proof of a strict chain-of-custody, there must be a probability. Hildwin v. State, 141 So. 3d 1178, 1187 (Fla. 2014); Armstrong v. State, 73 So. 3d 155, 171 (Fla. 2011); Murray v. State, 838 So. 2d 1073, 1082-83 (Fla. 2002).

Selective Prosecution

101. Respondent argues that Petitioner has not settled the charges against him through the payment of small fines, as it has done with other trainers, but instead has sought to revoke his license. He argues that this constitutes selective and discriminatory prosecution because Petitioner was motivated to take action against him following a news article published on August 9, 2012, that referred to Respondent and cast Petitioner in an unfavorable light.

102. "Selective prosecution," in violation of principles of equal protection, would require a finding not only that Respondent was "singled out" for different and less favorable treatment by Petitioner, but also that this action was based on some unjustified standard such as race, religion, or other

arbitrary classification. State v. A.R.S., 684 So. 2d 1383, 1384 (Fla. 1st DCA 1996). Even had it been shown, which it was not, that Petitioner's action was prompted by the newspaper article, Respondent did not put on persuasive evidence that he was treated differently than other similarly-situated trainers. Almost all trainers who received fines had few prior violations, unlike Respondent. There was credible testimony that Petitioner had offered to settle charges against one other trainer who had numerous prior violations with the imposition of fines and a short suspension, but there was no evidence that any settlement had been reached. Further, differences were pointed out as to the close proximity of the violations in that case, which has sometimes been considered a mitigating circumstance. Respondent failed to show that the treatment of any other trainer was inconsistent with Petitioner's broad authority to prosecute or settle cases or that Petitioner's failure to come to any particular agreement with Respondent was predicated upon discriminatory animus.

Violation of Rule 61D-6.005

103. Respondent maintains that Petitioner did not follow the procedures set forth in chapter 61D-6 for collecting, sealing, and testing the blood samples, as required by rule 61D-6.005(8). Any suggestion that the taking of the blood sample in a partial vacuum tube constituted the "sealing" of the specimen

required by the rule has been rejected. The rule refers to the sealing of the specimen in its container, which has the "blood label" affixed. The evidence clearly showed that the sampling procedures followed here, as set forth in the Manual, had the witness sign the card after the sealing of the urine specimen, but before the sealing of the serum specimen.

104. A procedural error in agency action is not necessarily fatal to agency action unless the "fairness of the proceedings or the correctness of the action" may have been impaired. § 120.68(7)(c), Fla. Stat. (2015). Cases consider errors made before, as well as during, quasi-judicial proceedings. Putnam Cnty. Envtl. Council v. St. Johns River Water Mgmt. Dist., 136 So. 3d 766, 768 (Fla. 1st DCA 2014)(action by secretary rather than the Florida Land and Water Adjudicatory Commission in determining whether a request for review met statutory jurisdictional grounds affected the correctness of the action and so was not harmless error); Matar v. Fla. Int'l Univ., 944 So. 2d 1153, 1158 (Fla. 3d DCA 2006)(university's failure to strictly comply with its rule requiring that student be given a specific waiver form was harmless error where university substantially complied by advising the student of his rights).

105. It is beyond question that Petitioner must exercise broad powers to regulate and control the unique challenges of

legalized pari-mutuel racing activities. The courts have long and consistently held that Petitioner has authority to adopt necessary rules, including the "absolute insurer" rule, 61D-6.002:

> The trainer of record shall be responsible for and be the absolute insurer of the condition of the horses or racing greyhounds, he/she enters to race. Trainers, kennel owners and operators are presumed to know the rules of the division.

Hennessey v. Dep't of Bus. & Prof'l Reg., 818 So. 2d 697 (Fla. 1st DCA 2002); Solimena v. State, 402 So. 2d 1240 (Fla. 3d DCA 1981); State ex rel. Mason v. Rose, 122 Fla. 413 So. 347 (1936).

106. However, attendant with the broad power to adopt rules heavily regulating races and imposing such strict accountability is the necessary obligation on Petitioner to precisely and fairly abide by those same rules.

107. Petitioner's argument that it cannot "force" the authorized representative to witness the sealing of the specimen is unpersuasive. The rule clearly states that "the sample tag shall be detached and signed by the owner, trainer, groom, or the authorized person as a witness to the taking and sealing of the specimen." A witness's refusal to do so would be one thing, but here the procedure routinely followed--as established in great detail by the Manual--secures the signature of the witness long before the serum is even extracted.

108. Rule 61D-6.005(8) provided:

> The division may proceed when other evidence exists that an illegal or impermissible legend or proprietary drug, medication, or medicinal compound (natural or synthetic) may have been administered to a racing animal. Otherwise, no action shall be taken unless and until the laboratory under contract with the division has properly identified the legend or proprietary drug, medication, or medicinal compound (natural or synthetic) in a sample or specimen collected pursuant to this chapter.

109. The blood samples were not collected pursuant to the requirements of chapter 61D-6. Under all of the circumstances of these cases, it is not difficult to conclude that the systematic and regular violation of the rule's requirement that the authorized representative witness the sealing of the serum sample constituted a significant procedural error that affected the fairness of the proceeding.

110. With respect to the blood samples, Petitioner failed to identify restricted drugs in specimens collected in the manner required by its rules.

Unadopted Rule

111. Respondent contends that the results of the laboratory tests may not be used as the basis for discipline of his license because they were obtained pursuant to the Manual procedures, and the Manual is an unadopted rule.[4/]

112. Section 120.52(20) provides that an unadopted rule is an agency statement that meets the definition of the term "rule," but that has not been adopted pursuant to the requirements of section 120.54.

113. Section 120.52(16), in relevant part, defines the term "rule" as follows:

> "Rule" means each agency statement of general applicability that implements, interprets, or prescribes law or policy or describes the procedure or practice requirements of an agency and includes any form which imposes any requirement or solicits any information not specifically required by statute or by an existing rule.

114. The courts have considered several elements of this statutory definition in determining whether a statement constitutes an unadopted rule. Perhaps the most fundamental element is that it must be an "agency" statement, that is, an expression of policy by the agency. First, it must be a statement of the agency as an institution, not merely the position of a single employee. It must be properly attributable to the agency head or some duly-authorized delegate. Dep't of High. Saf. & Motor Veh. v. Schluter, 705 So. 2d 81, 87 (Fla. 1st DCA 1997)(Benton, J., concurring and dissenting). Second, to be a statement attributable to the agency, it must go beyond the mere reiteration or restatement of policy already established by a properly adopted rule or by the implemented statute.

St. Francis Hosp., Inc. v. Dep't of HRS, 553 So. 2d 1351 (Fla. 1st DCA 1989).

115. While rare, courts have recognized that de facto policy established by procedures may constitute an unadopted rule. See Dep't of Bus. & Prof'l Reg. v. Harden, 10 So. 3d 647, 649 (Fla. 1st DCA 2009)(committee procedure by which license applications were reviewed was unadopted rule); Dep't of Rev. v. Vanjaria Enters., Inc., 675 So. 2d 252, 254 (Fla. 5th DCA 1996) (assessment procedure to determine tax exemption contained in training manual was unadopted rule).

116. While subsections 4.3 through 4.5 of the Manual[5/] provide detail on collecting the urine specimen, filling out the required forms, and sealing the container in the presence of the witness, this detail is essentially technical or administrative in nature. The general policy of taking blood and urine samples for testing to determine possible violations of section 550.2415, as well as the witnessing requirement, is established by the statute or by properly adopted rules. As these Manual subsections simply provide minor administrative details necessary to execute policy already established elsewhere, it was not shown that these subsections were "agency statements" so as to constitute unadopted rules.

117. However, the same cannot be said with respect to subsection 4.6, with regard to collection and sealing of the

blood sample. As noted earlier, the rule explicitly requires that the owner's representative witness the sealing of both samples, and says nothing of procedures to extract serum from the blood. Because the witnessing of the sealing of the serum sample is not merely a matter of technical implementation, the Manual's restructuring of this important rule requirement constitutes an important policy change that does constitute an "agency statement."

118. The requirement that a statement be generally applicable involves the field of operation of the statement. Dep't of Com. v. Matthews Corp., 358 So. 2d 256 (Fla. 1st DCA 1978)(wage rates applicable to public works contracts held not to be rules because they applied only to the construction of a particular public building and did not establish wages elsewhere in the state into the future). The Manual applies to every state-licensed horseracing facility in the state of Florida.

119. The concept of general applicability also involves the force and effect of the statement itself. An agency statement that requires compliance, creates or adversely affects rights, or otherwise has the direct and consistent effect of law is a rule. State Bd. of Admin. v. Huberty, 46 So. 3d 1144, 1147 (Fla. 1st DCA 2010). Subsection 4.6 of the Manual directly affects the rights of a trainer charged with racing thoroughbred horses that are impermissibly medicated or drugged, especially

given that the statutory presumption, in conjunction with the "absolute insurer" rule, instills the test results with such a significant, virtually determinative, effect. Subsection 4.6 of the Manual directly affects rights and has the effect of law.

120. An agency statement must also be consistently applicable. In Schluter, supra at 81, 82, the court found three of the challenged policies not to be generally applicable because an employee's supervisor was not required to apply them, and therefore they could not be considered to have the "consistent effect of law." See also Coventry First, LLC v. Off. of Ins. Reg., 38 So. 3d 200, 205 (Fla. 1st DCA 2010) (examination manual provided to examiners of the Office of Insurance Regulation not generally applicable because examiners had discretion not to follow it). The Manual by its own terms requires compliance by Petitioner's employees. The procedures set out in the Manual are generally applicable.

121. The Manual has not been adopted under the rulemaking process set forth in section 120.54.

122. Subsection 4.6 of the Manual is an agency statement of general applicability that describes the procedure requirements of Petitioner and constitutes an unadopted rule.

123. Section 120.57(1)(e)1., Florida Statutes (2015), provides:

> An agency or an administrative law judge may not base agency action that determines the substantial interests of a party on an unadopted rule. The administrative law judge shall determine whether an agency statement constitutes an unadopted rule. This subparagraph does not preclude application of adopted rules and applicable provisions of law to the facts.

124. In Vanjaria Enterprises, supra, at 252, the Department of Revenue assessed tax based on a square footage comparison pursuant to a procedure set forth in its sales and use tax training manual. The court rejected the Department of Revenue's argument that the audit calculation formula merely represented a direct application of the statute and concluded that the training manual constituted an unadopted rule, stating at page 255:

> Furthermore, the tax assessment procedure creates DOR's entitlement to taxes while adversely affecting property owners. The Training Manual was created to be used as the sole guide for auditors in their assessment of multiple-use properties. In determining exempt versus nonexempt uses of multiple-use properties, DOR's auditors strictly comply with the procedure set forth in the Training Manual for all audits performed. Moreover, DOR auditors are not afforded any discretion to take action outside the scope of the Training Manual.

Finding the tax assessment procedure to be an unadopted rule, the court affirmed the decision below that the training manual procedure was void and could not be applied to increase appellee's tax liability.

125. The public in general, and trainers in particular, in light of their "absolute liability," have a right to be fully advised of all of the basic procedures that are to be followed, and through the rulemaking process, even participate in their formulation. Given the critical procedures involved, it is remarkable that Petitioner has not incorporated the Manual by reference into its governing rule. Discipline of Respondent's license may not be based upon test results of serum obtained pursuant to the unadopted procedures of subsection 4.6 of the Manual and contrary to Petitioner's adopted rule.

Anonymity Rule

126. Petitioner did not rely solely on the results of the serum tests, however. It also presented evidence of test results from urine samples taken from the horses on race day.

127. While initially Respondent challenged the scientific validity of the 2015 re-testing of the 2012 urine samples, he abandoned that claim in his proposed recommended order. In any event, while Ms. Wilding testified that multiple "freeze and thaw cycles" may cause degradation of samples, the evidence clearly showed that there was no significant degradation of the urine samples here resulting from the passage of time. The results from the urine confirmations were scientifically sound.

128. Respondent argues that the urine test results may not be used because Petitioner violated the "anonymity requirement" set forth in rule 61D-6.005(6):

> All specimens taken by or under direction of the division veterinarian or other authorized representative of the division shall be delivered to the laboratory under contract with the division for official analysis. Each specimen shall be marked by number and date and also bear any information essential for its proper analysis; however, the identity of the racing animal from which the specimen was taken or the identity of its owner, trainer, jockey, stable, or kennel shall not be revealed to the laboratory staff until official analysis of the specimen is complete.

129. The evidence showed that when the initial urine and serum samples were sent to the laboratory in 2012 and 2013, the usual procedures were followed and anonymity was preserved. Respondent argues that when confirmation in urine was requested by Petitioner in 2015, however, the rule was violated.

130. It is undisputed that Ms. Wilding and her immediate subordinates, the supervisors of the laboratory's four main divisions, were aware that five urine samples from the Ziadie I case were to be re-screened for clenbuterol and then tested for confirmation. It was not a "blind sample" test, as is called for by the rule. While some adjustments, such as the selection of tests able to detect clenbuterol for re-screening and confirmation, were required, it was not shown that this

re-testing could not have been done in a way that did not reveal the horse or trainer involved. Petitioner's argument that, if anonymity was preserved in 2012 and 2013, when the specimens were originally tested, it was no longer required in 2015, is rejected as contrary to the spirit of the rule.

131. However, Ms. Wilding and Mr. Russell testified that when the laboratory is processing samples, they are marked only with an internal laboratory number, not the name of the horse or trainer. The laboratory technicians who actually performed the tests were not told the name of the horse or trainer. The purpose of the rule--to avoid the identity of the trainer from affecting test results--was not compromised.

132. The fact that the 2015 urine results confirmed the 2012 screening results for these same samples, which were conducted with complete anonymity, also provides support for the conclusion that the test results were valid and not fabricated based upon knowledge of the trainer. There was excellent agreement of the concentration of clenbuterol in the two different screenings, showing that the presence of clenbuterol in the samples remained relatively stable. The results were also subsequently confirmed by an outside laboratory.

133. Allowing the identity of the trainer to be known by the top echelon of laboratory personnel was a violation of the rule, but it did not affect the fairness of the proceedings or

the correctness of the results. Under all of the circumstances, this failure to strictly follow the rule was harmless error.

134. Although Petitioner is unable to rely on the blood serum test results derived from procedures that were not adopted by rule, Petitioner had independent evidence that the horses had clenbuterol in their bodies on their respective race days, in the form of the test results from these urine samples.[6/]

135. Petitioner proved by clear and convincing evidence that Respondent violated section 550.2415(1)(a), on five occasions from July 4 to September 27, 2012, as alleged in the Second Amended Administrative Complaint in Ziadie I.

136. Petitioner proved by clear and convincing evidence that Respondent violated section 550.2415(1)(a), on 13 occasions from March 13 to October 27, 2013, as alleged in the First Amended Administrative Complaint in Ziadie II.

137. Petitioner's only evidence of the presence of phenylbutazone in any of Respondent's horses was from serum obtained pursuant to the unadopted procedures of subsection 4.6 of the Manual and contrary to Petitioner's rule. Provisions of chapters 120 and 550 prohibit its use. Petitioner failed to prove the presence of phenylbutazone as alleged in Ziadie I or Ziadie II by clear and convincing evidence.

Penalty

138. Florida Administrative Code Rule 61D-6.011(2)(c) provides that for a Class III impermissible substance under the incorporated Uniform Classification Guidelines for Foreign Substances, the penalty schedule shall be:

> First violation--$300 to $500 fine;
>
> Second violation within 12 months of a previous violation--$500 to $750 fine and suspension of license up to 30 days, or revocation of license;
>
> Third violation within 24 months of a second violation, or a fourth or any subsequent violation without regard to the time past (sic) since the third violation--$750 to $1,000 fine and suspension of license up to 180 days, or revocation of license.

139. Rule 61D-2.021, entitled Aggravating and Mitigating Circumstances, provides:

> Circumstances which may be considered for the purposes of mitigation or aggravation of any penalty shall include, but are not limited to, the following:
>
> (1) The impact of the offense to the integrity of the pari-mutuel industry.
>
> (2) The danger to the public and/or racing animals.
>
> (3) The number of repetitions of offenses.
>
> (4) The number of complaints filed against the licensee or permitholder, which have resulted in prior discipline.
>
> (5) The length of time the licensee or permitholder has practiced.

(6) The deterrent effect of the penalty imposed.

(7) Any efforts at rehabilitation.

(8) Any other mitigating or aggravating circumstances.

140. The number of repetitions of offenses was significant and indicates a pattern or practice rather than an occasional oversight. Repeated drug offenses have a direct impact on the integrity of the pari-mutuel industry. Clenbuterol, while a drug with therapeutic value, also has adverse effects, and excessive use presents a danger to racing thoroughbreds.

141. Evidence of 14 prior complaints resulting in discipline was also introduced, another aggravating factor.

142. On the other hand, Respondent has been involved with racing his entire life and has been a trainer for a substantial number of years. It was uncontroverted that his horses were in excellent condition and that he provided them with clean surroundings, quality feed, and excellent care.

143. Another significant mitigating factor arises from the two changes in the level at which the laboratory reported the presence of clenbuterol identified in a serum specimen, made without notice to the horsemen. Petitioner's position that there is no legal threshold in Florida for clenbuterol on race day, and that Petitioner has no authority to set withdrawal times, is accepted. As noted above, Respondent's argument that

Petitioner's failure to publicize the change in reporting level was rejected as a defense to the charges. However, Petitioner must realistically acknowledge that, in practice, the level at which clenbuterol positives are declared establishes a de facto "threshold." Clenbuterol is a legal drug with therapeutic value, and the fact that veterinarians and trainers trying to follow the rules in good faith could suddenly be found in violation following an unannounced change in the level at which positive test results are reported is a substantial mitigating factor. Petitioner can set the testing level as low as can be scientifically justified, but as both Dr. Cole and Dr. Barker testified, it would be prudent and fair to notify horsemen of changes in the testing level as long as the drug concerned has therapeutic value and is only prohibited on race day.

144. While Respondent's violations are predicated upon the subsequent confirmations in urine, had the change in serum reporting level been announced to the horsemen, there may well have been no confirmation in serum for any of the horses in Ziadie I, or for the first five races in Ziadie II; so, no urine testing would have even been ordered. On the other hand, Respondent was fully on notice beginning May 29, 2013, that the testing level had been changed and that Mr. Stirling had recommended a 14-day withdrawal time for at least the six races occurring from June 25 through October 27, 2013. No mitigation

for the testing level change is appropriate as to these violations.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is RECOMMENDED:

That the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, enter a final order finding Mr. Kirk M. Ziadie guilty of 18 counts of violating section 550.2415(1)(a), Florida Statutes, and Florida Administrative Code Rule 61D-6.002(1); imposing an administrative fine of $18,000; and suspending his license for six years.

DONE AND ENTERED this 15th day of December, 2015, in Tallahassee, Leon County, Florida.

F. SCOTT BOYD
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 15th day of December, 2015.

ENDNOTES

[1/] Except as otherwise indicated, statutory references in this Recommended Order are to the 2012 Florida Statutes, which text remained unchanged throughout the time the alleged violations occurred.

[2/] Except as otherwise indicated, references to Florida Administrative Code rules are to those in effect at the time the alleged violations occurred, from July 4, 2012, until December 7, 2014.

[3/] Rule 61D-6.005 was amended effective June 15, 2015. The amended rule is not applicable to this proceeding.

[4/] No petition under section 120.56(4) was filed, and the arguments in Petitioner's Proposed Recommended Order appropriate to such a rule challenge proceeding are instead considered under section 120.57(1)(e), to the extent applicable.

[5/] It is not entirely clear from Respondent's proposed recommended order whether he contends that the Manual provisions relating to urine collection and sealing constitute an unadopted rule. In several places, he refers only to the blood sampling procedures. In one place, however, he refers to the urine procedures; so, this contention is addressed briefly.

[6/] Section 550.2415(16) provides that the testing medium for phenylbutazone in horses shall be serum; so, Petitioner failed to prove that testing revealed an overage of that drug as charged in the administrative complaints.

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NOTICE OF RIGHT TO SUBMIT EXCEPTIONS

All parties have the right to submit written exceptions within 15 days from the date of this Recommended Order. Any exceptions to this Recommended Order should be filed with the agency that will issue the Final Order in this case.

Randall Kitchens

From: Glenda Ricks
Sent: Wednesday, October 11, 2023 2:44 PM
To: Randall Kitchens
Subject: FW: Kirk Ziadie Stop Order
Attachments: ZIADIE, KIRK.docx

Please include the email and attached document in the application file.

FLORIDA GAMING CONTROL COMMISSION

Glenda Ricks, Chief of Operations

Florida Gaming Control Commission
Division of Pari-Mutuel Wagering, Office of Operations
4070 Esplanade Way, Suite 250, Tallahassee, FL 32399

Main Line: 850.794.8130 Direct Line: 850.794.8126

Preserve and protect the integrity of gaming activities through fair regulation, licensing, effective criminal investigation, and enforcement.

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The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. LARGER VIEW

From: Kevin Scheen <Kevin.Scheen@flgaming.gov>
Sent: Wednesday, October 11, 2023 12:02 PM
To: Glenda Ricks <Glenda.Ricks@flgaming.gov>
Subject: FW: Kirk Ziadie Stop Order

Hi Glenda,
As per our phone conversation this morning, please see attached.
Let me know if you need anything else on this.
Thanks

FLORIDA GAMING CONTROL COMMISSION

Kevin Scheen – State Steward
Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
Office of Operations
Office: 954 457 6130 Cell: 754 234 1133

From: Rodriguez, Jorge <Jorge.Rodriguez@1st.com>
Sent: Wednesday, October 11, 2023 11:09 AM
To: Kevin Scheen <Kevin.Scheen@flgaming.gov>
Subject: FW: Kirk Ziadie Stop Order

Good morning sir,

As discussed, please see the attached STOP Order for the individual in question.

Have a great one,

Doogie

1/ST

JORGE "DOOGIE" RODRIGUEZ
DIRECTOR OF SECURITY
SOUTHEAST REGION

GULFSTREAM PARK RACING &
CASINO / PALM MEADOWS
901 S FEDERAL HWY
HALLANDALE BEACH, FL 33009

P /954.457.6972
C /954.848.7780

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STOP ORDER

TO: GULFSTREAM PARK
GULFSTREAM PARK WEST
PALM MEADOWS T. C.
R.T.T.C.

FROM: RODERICK BALDWIN
SECURITY MANAGER

DATE: 9/22/16

RE: STOP ORDER

NAME: KIRK ZIADIE

AGE: 48 Y/O

SEX: M

RACE:

HEIGHT: UNK

WEIGHT: UNK

EYES: BRN

HAIR: BLK

OCCUPATION: TRAINER

REASON: EFFECTIVE IMMEDIATELY TRAINER KIRK ZIADIE IS NOT ALLOWED ON ANY GSP OR GSPW PROPERTY. IF SEEN CONTACT INMEDIATE SUPERVISOR.

IF THE ABOVE MENTIONED PERSON TRIES TO GAIN ACCESS TO THE PREMISES, NOTIFY THE SECURITY OFFICE.

Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering

Licensing Administrator Review – PMW Occupational License

RE: **ZIADIE, KIRK M – 701515** **Case No:** **2023057292**
(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	5/31/2023
COMPLETE APPLICATION RECEIVED:	8/18/2023
90-DAY DEADLINE:	**11/16/2023**

Randall Kitchens	**950 - Ocala**	**1021 - Trainer**
Application Processor	**Facility (d/b/a name)**	**Occupation/Job Title**

Pursuant to Section 550.105(5)(a): The division may deny a license of any person who has been refused a license by any other state racing commission or racing authority; under suspension or has unpaid fines in another jurisdiction. The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Licensing Administrator Review

Conviction

Did the application accurately reflect the Criminal History Record? ☐ Yes ☒ No

- ☐ Felony : Count(s)
- ☐ Misdemeanor – Industry Related/Gambling Related/Bookmaking
- ☐ Animal Cruelty
- ☐ Forgery, Larceny Extortion, Conspiracy to Defraud (Cardroom Professions Only)

Disposition Unknown

- ☐ Felony Arrest(s) : Count(s)
- ☐ Misdemeanor Arrest – Industry Related/Gambling Related/Bookmaking
- ☐ Animal Cruelty

Enforcement/Jurisdiction Offenses

☐ Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction.

Comments:

Applicant with extensive ruling history in Florida. Facility - 950 - Ocala.

Related Licenses

Check VR License Relations to Determine if Applicant is Related to a Business.

Is the individual applicant related to a business? Yes ☐ No ☒ **If yes, complete sections below.**

Business License Number:	Business Name:
Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes ☐ No ☐	
Date Deficiency Letter Issued:	Initials:

Licensing Administrator Review

Disposition Confirmation

Disqualifying Convictions/Arrests Confirmed? Yes ☐ No ☐ ☐ **Approval**

Forward to ☐ **Investigations** ☑ **Legal** ☐ **Director** Initials: 10/11/23

Comments:

FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update
Mass Status Update | Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **rkitchens**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	**1021 - Pari-Mutuel Wagering Individual Occupational**		Status **10 Initial Review**	Status Date	**10/11/2023**
Complaint #	**2023057292**	Case Type **CMP - Complaint**	Disposition	Disposition Date	
Docket#		Respondent **ZIADIE, KIRK M**	Responsible **gricks - RICKS, GLENDA**		**Private Case**

Complaint | Respondent | Complainant | Addt'l Info

Source	**INTN - Internal**	Security Level	**1**	Parties	Activities
Form	**INTR - Internal**	Priority		Allegations	Discipline
Class'n	**OTHR - Other**	Complexity	**R - Regular**	Violations	Compliance
Security	**STND - Standard**	Incident	**08/18/2023**	Related	Disposition
Region	**SR - Southern Region**	Received	**08/18/2023**	Inspection	
Reference				Costs	
Entered	**10/11/2023**	Entered By	**rkitchens**	Time Tracking	Auto Assign
Summary	**Applicant with extensive ruling history and suspension in Florida. Facility - 950 - Ocala.**			Attachments	History
Updated	**10/11/2023 14:39:32**	By	**rkitchens**	Work Notes	Print Report

Change | Save | OK | Cancel | Back

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APPLICANT
* See Privacy Act Notice on Back

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TYPE OR PRINT ALL INFORMATION IN BLACK

FBI LEAVE BLANK

FD-258 (Rev. 5-15-17) 1110-0046

LAST NAME NAM: ZIADIE
FIRST NAME: KIRK
MIDDLE NAME: MAURICE

SIGNATURE OF PERSON FINGERPRINTED

ALIASES AKA

O
R

[redacted]

RESIDENCE OF PERSON FINGERPRINTED
3701 SW 141 AVE
MIRAMAR FLA 33027

DATE 5/30/23

SIGNATURE OF OFFICIAL TAKING FINGERPRINTS
L. Major 6740

YOUR NO. OCA

EMPLOYER AND ADDRESS

UNIVERSAL CONTROL NO. UCN

ARMED FORCES NO. MNU

REASON FINGERPRINTED

SOCIAL SECURITY NO. SOC
[redacted]

MISCELLANEOUS NO. MNU

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CLASS P

REF.

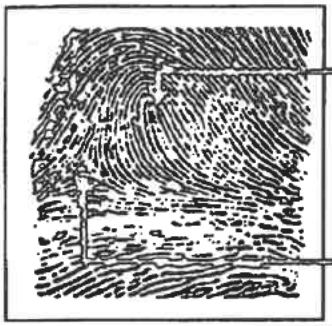
112 6-6-23 HL

[redacted]

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
CJIS DIVISION/CLARKSBURG, WV 26306

1110-0046

1. LOOP



THE LINES BETWEEN CENTER OF LOOP AND DELTA MUST SHOW

2. WHORL

THESE LINES RUNNING BETWEEN DELTAS MUST BE CLEAR

3. ARCH

ARCHES HAVE NO DELTAS

FD-258 (REV. 5-15-17)

GPO U.S. GOVERNMENT PUBLISHING OFFICE: 07/29/2020 11:52:04

APPLICANT

MARION COUNTY SHERIFF'S OFFICE
P.O. BOX 1987
OCALA, FL 34478

RECEIVED
2020 JUN -8 AM 8:20
SHERIFF'S OFFICE
MARION COUNTY, FLORIDA

THIS CARD FOR USE BY:

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2. OFFICIALS OF STATE AND LOCAL GOVERNMENTS FOR PURPOSES OF EMPLOYMENT, LICENSING, AND PERMITS, AS AUTHORIZED BY STATE STATUTES AND APPROVED BY THE ATTORNEY GENERAL OF THE UNITED STATES. LOCAL AND COUNTY ORDINANCES, UNLESS SPECIFICALLY BASED ON APPLICABLE STATE STATUTES DO NOT SATISFY THIS REQUIREMENT.*
3. U.S. GOVERNMENT AGENCIES AND OTHER ENTITIES REQUIRED BY FEDERAL LAW.**
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Ensure all information is typed or legibly printed using blue or black ink.
Enter data within the boundaries of the designated field or block.
Complete all required fields. (If a required field is left blank, the fingerprint card may be immediately rejected without further processing.)

- The required fields for hard copy civil fingerprint cards are: ORI, Date of Birth, Place of Birth, NAM, Sex, Date fingerprinted, Reason Fingerprinted, and proper completion of fingerprint impression boxes.

Do not use highlighters on fingerprint cards.
Do not enter data or labels within 'Leave Blank' areas.
Ensure fingerprint impressions are rolled completely from nail to nail.
Ensure fingerprint impressions are in the correct sequence.
Ensure notations are made for any missing fingerprint impression (i.e. amputation).
Do not use more than two ratabs per fingerprint impression block.
Ensure no stray marks are within the fingerprint impression blocks.

Training aids can be ordered online via the Internet by accessing the FBI's website at: fbi.gov, click on 'Fingerprints', then click on 'Ordering Fingerprint Cards & Training Aids'. Direct questions to the Biometric Services Section's Customer Service Group at (304) 625-5590 or by e-mail at <identity@fbi.gov>.

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PRIVACY ACT STATEMENT

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub.L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprints repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

PAPERWORK REDUCTION ACT NOTICE

According to the Paperwork Reduction Act of 1995, no persons are required to provide the information requested unless a valid OMB control number is displayed. The valid OMB control number for this information collected is 1110-0046. The time required to complete this information collected is estimated to be 10 minutes, including time reviewing instructions, gathering, completing, reviewing and submitting the information collection. If you have any comments concerning the accuracy of this time estimate or suggestions for reducing this burden, please send to: Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Washington, DC 20530.

INSTRUCTIONS:

* 1. PRINTS MUST GENERALLY BE CHECKED THROUGH THE APPROPRIATE STATE IDENTIFICATION BUREAU, AND ONLY THOSE FINGERPRINTS FOR WHICH NO DISQUALIFYING RECORD HAS BEEN FOUND LOCALLY SHOULD BE SUBMITTED FOR FBI SEARCH.

2. IDENTITY OF PRIVATE CONTRACTORS SHOULD BE SHOWN IN SPACE "EMPLOYER AND ADDRESS". THE CONTRIBUTOR IS THE NAME OF THE AGENCY SUBMITTING THE FINGERPRINT CARD TO THE FBI. UNIVERSAL CONTROL NUMBER, IF KNOWN, SHOULD ALWAYS BE FURNISHED IN THE APPROPRIATE SPACE.

** 3. MISCELLANEOUS NO. - RECORD: OTHER ARMED FORCES NO. PASSPORT NO. (FP), ALIEN REGISTRATION NO. (AR), PORT SECURITY CARD NO. (PS), SELECTIVE SERVICE NO. (SS) VETERANS' ADMINISTRATION CLAIM NO. (VA).

1020 OPEN

Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering
DBPR PMW-3120 – Individual Occupational License Application

Instructions: Please review this application thoroughly and complete all sections that pertain to you and are not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION

Social Security Number	Birth Date (MM/DD/YYYY)	Gender
[redacted]	[redacted]	☑ Male ☐ Female

Last Name	First	Middle	Suffix
ZIADIE	KIRK	MAURICE	MR.

Have you used, been known as, or called by another name (example – maiden name, pseudonym, nickname) or alias other than the name used on the application? ☐ Yes ☑ No

If yes, list the name or names used: _____

Race/Ethnicity (optional)
☐ Black or African American ☐ Asian or Pacific Islander ☐ Native American or Alaskan Native
☑ White or Caucasian ☐ Hispanic/Latino ☑ Other JAMAICAN

Current Mailing Address	Email Address (optional)
3701 SW 141 AVE	[redacted]

City	State	Zip Code (+4 optional)	Country, if other than USA
Miramar	Fla.	33027	

Primary Phone Number	Secondary/Cell Phone Number (optional)
[redacted]	

Current Street Address
GAME

City	State	Zip Code (+4 optional)	Country, if other than USA

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Type of Occupational License applying for:
☐ Pari-Mutuel General Individual ☑ Pari-Mutuel Professional Individual
☐ Cardroom Employee
Occupation: TRAINER

Facility where employed and/or doing business:
NELSON JONES TRAINING CENTER

Does your position require access to the Cardroom?
☐ Yes ☑ No

Is this your first time applying for a racing/gaming license in Florida?
☐ Yes ☑ No

Are you a Supervisor, Manager, or Shareholder of a business with a pari-mutuel permit? ☐ Yes ☑ No

Do you own or lease animals intended for racing in Florida? ☑ No ☐ Yes, complete the following:
Stable Name, Kennel Name, or Business Name _____
Trainer Name (horse or greyhound racing only) _____

TO BE COMPLETED BY DOCTORS, VETERINARIANS, NURSES, PARAMEDICS, AND EMTS ONLY

Type of professional license (attach a copy of Florida professional license):	Florida License Number

FOR DIVISION USE ONLY

License Code 1021 License # 701515 File # 9832 (9032) App # 246204
Association Code 950 Date Received 5/31/2023 Entered By DM License Year 25
License Fee 80 FP Date 5/30/2023 FP Fee 37.25 Total Fee 117.25
Off Temp Waiver Requested ARCI ✓ Enforcement ✓ Minor

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING
www.myfloridalicense.com

APPLICATION CHECKLIST – IMPORTANT – Submit all items on the checklist below to ensure faster processing.

ALL License Applicants Must Submit:

- [X] Completed Form DBPR PMW-3120 – Print clearly and complete all sections that are not optional in black or blue ink.
- [ ] Additional Pages – If necessary to respond to any application questions.
- [ ] Supporting Legal Documentation – If necessary to respond to background information questions in application.
- [X] Three (3) Year Licensing Fee – Make checks or money orders payable to DBPR.
  - [ ] Pari-Mutuel General Occupational License - $15.00* * does not include fingerprint fee
  - [X] Pari-Mutuel Professional Occupational License - $80.00*
  - [ ] Cardroom Employee Occupational License - $100.00*
- [ ] Fingerprints – Choose One Option:
  - [ ] Electronic Fingerprints: Electronic fingerprints must be submitted to the Division through a law enforcement agency or an FDLE approved Livescan Service Provider. Submit electronic fingerprints with the following ORI number: FL920630Z.

    IMPORTANT: Electronic fingerprint processing fees must be paid directly to the law enforcement agency or FDLE approved Livescan Service Provider.
  - [X] Fingerprint Card: Fingerprint cards (FD-258) can be mailed to applicants upon request by contacting the Division at the address or phone number below. Completed fingerprint cards must be mailed to the Division with your application.

    IMPORTANT: Fingerprint card processing fees must be paid to the Division. Please see http://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx for the current fee amount.
  - [ ] Fingerprint Resubmission for Renewal and Upgrade Applicants: Applicants timely renewing or upgrading a license need only provide the Division a fingerprint resubmission processing fee. Visit our website or contact us for the current fee amount.

    IMPORTANT: Timely submission of renewals must occur within one year of the expiration of applicant's license.

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Please mail your completed application, documentation and required fee(s) to:
Department of Business and Professional Regulation
Pari-Mutuel Wagering, Licensing Section
2601 Blair Stone Road, Tallahassee, Florida 32399-1037
Phone: 850.487.1395

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☑ No	Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?
☐ Yes ☐ No	Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE

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☑ Yes ☐ No	Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.
☐ Yes ☑ No	Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

SUSPENSION IN FLA / POSITIVE TEST

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to $1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

Signature of Applicant

Date 5/30/23

Licenses

RCI

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Licensee Search

Licensee:Kirk Maurice Ziadie

Reports on Kirk Maurice Ziadie

Comprehensive Ruling Report

Drug Ruling Report (Last 5 Years)

Comprehensive Licensee Report

Identification Information

Add a New Identification Record

Date of Birth	Federal ID/SSN	Country	Sex
[redacted]	[redacted]	USA	M
		USA	Unknown

Name Information

Add a New Name Record

Name Type	Prefix	First Name	Middle Name	Last Name	Suffix
Current Legal Name		Kirk	Maurice	Ziadie	
Previous Legal		KIRK	MAURICE	ZAIDIE	
Other		Kirk	M	Ziadie	

Address Information

Address Type	Street Address	City	State	Zip Code
Mailing	3701 SW 141 AVE	MIRAMAR	FL	33027

Phone Information

Phone Number Type	Phone Number
Business	[redacted]
Home	
Mobile	

License Information

Add a New License Record

License Number	License Type	Issued Date	Expiration Date	Licensing Commission
648182	Trainer	3/18/2016	12/31/2016	Kentucky Racing Commission
701515	Trainer	1/12/2016	6/30/2018	Florida Division of Pari-Mutuel Wagering LAST (EXP)
456988	Trainer	9/15/2014	12/31/2014	Kentucky Racing Commission
701515	Trainer	6/30/2012	6/30/2015	Florida Division of Pari-Mutuel Wagering
	Trainer	8/19/2011	6/30/2012	Florida Division of Pari-Mutuel Wagering

	Trainer	3/3/2011	6/30/2011	Florida Division of Pari-Mutuel Wagering
11648	Trainer	1/13/2010	12/31/2010	Maryland Racing Commission
88641	Trainer	11/20/2008	12/31/2008	Maryland Racing Commission
5249230	Trainer	6/1/2008	12/31/2008	New Jersey Racing Commission
72809	Trainer	5/19/2008	12/30/2010	Delaware Thoroughbred Racing Commission
701515	Trainer	6/30/2007	6/30/2010	Florida Division of Pari-Mutuel Wagering
252291	Trainer	9/29/2005	12/31/2005	Indiana Racing Commission
*N*1740780	Trainer	6/24/2005	6/30/2006	Virginia Racing Commission
25080	Trainer	6/24/2005	6/30/2006	Virginia Racing Commission
08227492	Trainer	6/1/2005	8/30/2008	Pennsylvania Horse Racing Commission
*N*1726229	Trainer	5/14/2005	12/31/2005	New Jersey Racing Commission
*N*1704898	Trainer	4/13/2005	12/31/2005	Arkansas Racing Commission
701515	Trainer	7/2/2004	6/30/2007	Florida Division of Pari-Mutuel Wagering
107988	Trainer	12/4/2002	12/31/2003	Texas Racing Commission
701515	Trainer	12/11/2001	6/30/2004	Florida Division of Pari-Mutuel Wagering
*N*1034732	Trainer	12/11/2001	6/30/2004	Florida Division of Pari-Mutuel Wagering
96-1081-0701515	Owner	6/14/1996	6/30/1999	Florida Division of Pari-Mutuel Wagering
	Trainer	6/14/1996	6/30/1999	Florida Division of Pari-Mutuel Wagering
*N*880920	Owner	10/28/1994	6/30/1997	Florida Division of Pari-Mutuel Wagering
943330	Assistant Trainer	7/26/1994	12/31/1994	Birmingham Racing Commission
93-1081-0701515	Owner	7/4/1993	6/30/1996	Florida Division of Pari-Mutuel Wagering
	Unknown	7/4/1993	6/30/1996	Florida Division of Pari-Mutuel Wagering
*N*880919	Owner	7/4/1993	6/30/1996	Florida Division of Pari-Mutuel Wagering
91-3049-0701515	Unknown	6/13/1991	6/30/1992	Florida Division of Pari-Mutuel Wagering
90-3050-0701515	Unknown	7/21/1990	6/30/1993	Florida Division of Pari-Mutuel Wagering

Fingerprint Information

Add a New Fingerprint Record

Processing Commission	Date Taken	Status	Notes	RCI Card Submitted Date
Florida Division of Pari-Mutuel Wagering	7/4/1993	Unknown		
Virginia Racing Commission	6/24/2005	No		

Ruling Number	Ruling Type	Ruling Date	Fine	Fine Paid?	Suspension Start	Suspension End
11-011	Reinstatement to Good Standing in State	2/10/2011	0	N/A MARYLAND		2/10/2011
11-006MD	Failure to Pay Fine or Fees	1/28/2011	0	N/A	1/28/2011	2/10/2011
10-180MD	General/Miscellaneous Rulings	11/16/2010	200	N/A NO WORKMENS COMP		
10-013MD	Race Office/Track Rule Violation	1/22/2010	200	Yes		
415097	Unknown	3/31/2009	250	N/A	9/30/2010	9/30/2010 BOLDENONE
426000	Unknown	3/25/2009	500	N/A	5/2/2009	
421937 ✓	Medication/Drug Violation - Animal	9/11/2008	1000	N/A	11/14/2008	11/28/2008 BUTE CALDER
08082 ✓	Medication/Drug Violation - Animal	8/20/2008	200	Yes		DMSO/CANTERBURY
70-2008 DE	General/Miscellaneous Rulings	8/6/2008	500	N/A ENTITLED HORSE 2DEL PK that was on VETS LIST AT SIGA		
408414	Medication/Drug Violation - Animal	6/27/2008	1000	N/A	11/22/2008	
408219	Unknown	6/14/2008	1000	N/A	11/14/2008	11/28/2008
408209	Medication/Drug Violation - Animal	6/14/2008	1000	N/A	11/14/2008	11/28/2008 Oxyphenbutazone
2008010	Failure to Report or Appear ✓	6/12/2008	500	No		
2008010	General/Miscellaneous Rulings	6/12/2008	500	N/A no license/WC accessible Scratch - COLONIAL		3rd offense in cal. year
23-2008	Failure to Complete License Procedure	6/3/2008	500	Yes		
405268 2008004736	Medication/Drug Violation - Animal	1/5/2008	500	N/A	1/26/2008	

401327 2008004547	Medication/Drug Violation - Animal	12/2/2007	250	N/A	1/25/2008	
401327 2007 06 8121	Medication/Drug Violation - Animal	12/2/2007	250	N/A	1/25/2008	
195855	Unknown	10/25/2007	300	N/A	11/14/2008	11/28/2008
320000964	Race Office/Track Rule Violation	3/11/2007	250	N/A	3/24/2007	
191546 320000949	Medication/Drug Violation - Animal	1/6/2007	250	N/A	3/3/2007	
185092 320000916	Medication/Drug Violation - Animal	3/18/2006	500	N/A	4/22/2006	
320000908	Race Office/Track Rule Violation	3/9/2006	250	N/A	3/19/2006	
184323 320000896	Medication/Drug Violation - Animal	1/30/2006	250	N/A	3/2/2006	
183107 320000897	Medication/Drug Violation - Animal	1/19/2006	1000	N/A	3/2/2006	
183059 320000895	Medication/Drug Violation - Animal	1/15/2006	100	N/A	3/2/2006	
320000869	Unknown	1/12/2006	250	N/A	1/23/2006	
320000870	Unknown	1/1/2006	250	N/A	1/23/2006	
96	Race Office/Track Rule Violation	7/7/2005	100	N/A		
05MON76	Race Office/Track Rule Violation	6/23/2005	100	N/A		
173147 325000843	Medication/Drug Violation - Animal	5/8/2005	300	N/A	7/24/2005	
320000840	Race Office/Track Rule Violation	4/22/2005	100	N/A	4/17/2005	
932228	Medication/Drug Violation - Animal	5/2/2004	100	N/A	5/30/2004	

Applicable Reports

Comprehensive Ruling Report
Comprehensive Licensee Report

Comprehensive Licensee Report

ARCI Licensee: **Kirk Maurice Ziadie**

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CONTROL COMMISSION

Identification Information

DOB: [redacted]
Country: **USA**
Sex: **M**

DOB: [redacted]
Country: **USA**
Sex: **Unknown**

Licensee's Names

Current Legal Name: **Kirk Maurice Ziadie**
Previous Legal: **KIRK MAURICE ZAIDIE**
Other: **Kirk M Ziadie**

Licensee's Addresses

Mailing: **3701 SW 141 AVE**
MIRAMAR, Florida 33027

Licensee's Phone Numbers

Business:
Home:
Mobile:
[redacted]

Fingerprint History

Date Taken: **6/24/2005** Commission: **Virginia Racing Commission** Status: **No**

Date Taken: **7/4/1993** Commission: **Florida Division of Pari-Mutuel Wagering** Status: **Unknown**

License History

License Number: **648182**
License Type: **Trainer**
Commission: **Kentucky Racing Commission**
State/Province: **Kentucky**
Issue Date: **3/18/2016**
Expire Date: **12/31/2016**
Division: **Horse**
Breed: **Thoroughbred**

License Number:	701515	License Type:	Trainer
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	1/12/2016	Expire Date:	6/30/2018
Division:	Horse	Breed:	Unknown

License Number:	456988	License Type:	Trainer
Commission:	Kentucky Racing Commission	State/Province:	Kentucky
Issue Date:	9/15/2014	Expire Date:	12/31/2014
Division:	Horse	Breed:	Thoroughbred

License Number:	701515	License Type:	Trainer
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	6/30/2012	Expire Date:	6/30/2015
Division:	Horse	Breed:	Unknown

License Number:	701515	License Type:	Trainer
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	8/19/2011	Expire Date:	6/30/2012
Division:	Horse	Breed:	Unknown

License Number:	701515	License Type:	Trainer
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	3/3/2011	Expire Date:	6/30/2011
Division:	Horse	Breed:	Unknown

License Number:	11648	License Type:	Trainer
Commission:	Maryland Racing Commission	State/Province:	Maryland
Issue Date:	1/13/2010	Expire Date:	12/31/2010
Division:	Horse	Breed:	Thoroughbred

License Number:	88641	License Type:	Trainer
Commission:	Maryland Racing Commission	State/Province:	Maryland
Issue Date:	11/20/2008	Expire Date:	12/31/2008
Division:	Horse	Breed:	Thoroughbred

License Number:	5249230	License Type:	Trainer
Commission:	New Jersey Racing Commission	State/Province:	New Jersey
Issue Date:	6/1/2008	Expire Date:	12/31/2008
Division:	Horse	Breed:	Thoroughbred

License Number:	72809	License Type:	Trainer
Commission:	Delaware Thoroughbred Racing Commission	State/Province:	Delaware
Issue Date:	5/19/2008	Expire Date:	12/30/2010
Division:	Horse	Breed:	Thoroughbred

License Number:	701515	License Type:	Trainer
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	6/30/2007	Expire Date:	6/30/2010
Division:	Horse	Breed:	Unknown

License Number:	252291	License Type:	Trainer
Commission:	Indiana Racing Commission	State/Province:	Indiana
Issue Date:	9/29/2005	Expire Date:	12/31/2005
Division:	Horse	Breed:	Unknown

License Number:	*N*1740780	License Type:	Trainer
Commission:	Virginia Racing Commission	State/Province:	Virginia
Issue Date:	6/24/2005	Expire Date:	6/30/2006
Division:	Horse	Breed:	Thoroughbred

License Number:	25030	License Type:	Trainer
Commission:	Virginia Racing Commission	State/Province:	Virginia
Issue Date:	6/24/2005	Expire Date:	6/30/2006

Division:	Horse	Breed:	Thoroughbred
License Number:	08227492	License Type:	Trainer
Commission:	Pennsylvania Horse Racing Commission	State/Province:	Pennsylvania
Issue Date:	6/1/2005	Expire Date:	8/30/2008
Division:	Horse	Breed:	Thoroughbred
License Number:	*N*1726229	License Type:	Trainer
Commission:	New Jersey Racing Commission	State/Province:	New Jersey
Issue Date:	5/14/2005	Expire Date:	12/31/2005
Division:	Horse	Breed:	Thoroughbred
License Number:	*N*1704898	License Type:	Trainer
Commission:	Arkansas Racing Commission	State/Province:	Arkansas
Issue Date:	4/13/2005	Expire Date:	12/31/2005
Division:	Horse	Breed:	Thoroughbred
License Number:	701515	License Type:	Trainer
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	7/2/2004	Expire Date:	6/30/2007
Division:	Horse	Breed:	Unknown
License Number:	107988	License Type:	Trainer
Commission:	Texas Racing Commission	State/Province:	Texas
Issue Date:	12/4/2002	Expire Date:	12/31/2003
Division:	Horse	Breed:	Unknown
License Number:	701515	License Type:	Trainer
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	12/11/2001	Expire Date:	6/30/2004
Division:	Horse	Breed:	Unknown

License Number:	*N*1034732	License Type:	Trainer
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	12/11/2001	Expire Date:	6/30/2004
Division:	Horse	Breed:	Thoroughbred

License Number:	96-1081-0701515	License Type:	Owner
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	6/14/1996	Expire Date:	6/30/1999
Division:	Horse	Breed:	Thoroughbred

License Number:	96-1081-0701515	License Type:	Trainer
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	6/14/1996	Expire Date:	6/30/1999
Division:	Horse	Breed:	Thoroughbred

License Number:	*N*880920	License Type:	Owner
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	10/28/1994	Expire Date:	6/30/1997
Division:	Horse	Breed:	Thoroughbred

License Number:	943330	License Type:	Assistant Trainer
Commission:	Birmingham Racing Commission	State/Province:	Alabama
Issue Date:	7/26/1994	Expire Date:	12/31/1994
Division:	Horse	Breed:	Thoroughbred

License Number:	93-1081-0701515	License Type:	Owner
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	7/4/1993	Expire Date:	6/30/1996
Division:	Horse	Breed:	Thoroughbred

License Number:	93-1081-0701515	License Type:	Unknown
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	7/4/1993	Expire Date:	6/30/1996
Division:	Horse	Breed:	Thoroughbred

License Number:	*N*880919	License Type:	Owner
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	7/4/1993	Expire Date:	6/30/1996
Division:	Horse	Breed:	Thoroughbred

License Number:	91-3049-0701515	License Type:	Unknown
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	6/13/1991	Expire Date:	6/30/1992
Division:	Unknown	Breed:	Unknown

License Number:	90-3050-0701515	License Type:	Unknown
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	7/21/1990	Expire Date:	6/30/1993
Division:	Unknown	Breed:	Unknown

Ruling History

Ruling Number:	11-011	Ruling Date:	2/10/2011
Ruling Type:	Reinstatement to Good Standing in State		
Fine Amount:	$ 0	Fine Paid:	N/A
Suspension Start:		Suspension End:	2/10/2011
Ruling Text:	In the matter of trainer Kirk M. Ziadie, 3701 S.W. 141st Avenue, Miramar, FL 33027, subject of Stewards' Ruling #11-006 dated January 28, 2011. Kirk Ziadie, having paid the two hundred dollars ($200.00) fine imposed upon him on November 16, 2010 (Ruling #10-180), is hereby reinstated to good standing. BY ORDER OF THE STEWARDS		

Ruling Number:	11-006MD	Ruling Date:	1/28/2011
Ruling Type:	Failure to Pay Fine or Fees		
Fine Amount:	$ 0	Fine Paid:	N/A
Suspension Start:	1/28/2011	Suspension End:	2/10/2011
Ruling Text:	Trainer Kirk M. Ziadie, 1155 N. University Drive, Suite 301, Pembroke Pines, FL 33024, having failed to pay a two hundred dollars ($200.00) fine imposed upon him on November 16, 2010 (Ruling #10-180), is hereby suspended pending payment of the fine. [COMAR 09.10.04.05, §B.] While suspended, Kirk Ziadie is denied the privileges of all the grounds under the jurisdiction of the Maryland Racing Commission. [COMAR 09.10.01.45, 'Y(1)(a).] BY ORDER OF THE STEWARDS		

Ruling Number:	10-180MD	Ruling Date:	11/16/2010
Ruling Type:	General/Miscellaneous Rulings		
Fine Amount:	$ 200	Fine Paid:	N/A
Suspension Start:		Suspension End:	
Ruling Text:	Trainer Kirk M. Ziadie is fined two hundred dollars ($200.00) for causing a late scratch of his entry, "Blazing Rate" out of the second race on October 28, 2010, by failing to have Workers' Compensation Insurance coverage at the time of the race. [Violation under COMAR 09.10.04.19.] BY ORDER OF THE STEWARDS		

Ruling Number:	10-013MD	Ruling Date:	1/22/2010
Ruling Type:	Race Office/Track Rule Violation		
Fine Amount:	$ 200	Fine Paid:	Yes
Suspension Start:		Suspension End:	
Ruling Text:	Trainer Kirk M. Ziadie, 1155 N. University Drive, Suite 301, Pembroke Pines, FL 33024, is fined $200.00 for failure to have the foal certificate on file with the Horse Identifier for his entry, "D'artagnans'spirit ", in the fifth race at Laurel Park on January 21, 2010, causing a late scratch and a refund of bets placed on the horse. [COMAR 09.10.01.20, §A(1).] BY ORDER OF THE STEWARDS		

Ruling Number:	415097	Ruling Date:	3/31/2009
Ruling Type:	Unknown		
Fine Amount:	$ 250	Fine Paid:	N/A
Suspension Start:	9/30/2010	Suspension End:	9/30/2010
Ruling Text:	10-21-10 - Fine $250 paid by Ralph Ziadie with check #1458. 9-30-10 Final Order Issued: Fined $250 Unpaid 9-17-10 Final Order sent to agency clerk 9-9-10 - FO to Director- egb 6-16-10- PRO to Petitioner and inth officer 3-24-10- No EOR rec'd by legal. Motion for F/O being drafted. 2-3-10 - AC served by joseph Poag to Kirk Ziadie. 320-Tampa Bay Downs, Inc. Horse: FORTUNATE TRAIL Drug: Boldenone (Greater than 40 nanograms per milliliter) Sample # 415097 Lab # A296926-HU Investigative Report sent to Legal on 09/15/2009. 2/3/2010 AC hand served to respondent by Chief Investigator Joseph Poag, Maryland Racing Commission.		

Ruling Number:	426000	Ruling Date:	3/25/2009
Ruling Type:	Unknown		
Fine Amount:	$ 500	Fine Paid:	N/A
Suspension Start:	5/2/2009	Suspension End:	
Ruling Text:	320-Tampa Bay Downs, Inc. Horse: MIKE'S CLASSIC Drug: Clenbuterol (In Urine 4.5 ng/mL - In Serum 250 pg/mL) Sample # 426000 Lab # A294065-HB and A294065-HU		

Ruling Number:	421937	Ruling Date:	9/11/2008
Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 1000	Fine Paid:	N/A
Suspension Start:	11/14/2008	Suspension End:	11/28/2008
Ruling Text:	325-Calder Race Course Horse: R SALTY VET Drug: Phenylbutazone Sample # 421937 Lab # A236124-HB HEARING DATE 11/14/2008 FINED $1000.00 AND OCCUPATIONAL LICENSE SUSPENDED FOR 15 DAYS: 12/2 through and including 12/16/2008. FINE PAID: CHECK #81889 from Florida Horsemen's Bookkeeper Corporation for $4300 which pays the fines issued in rulings on the following cases:2007062696, 2008054126, 2008039364, 2008037738, and 2008037729		

Ruling Number:	08082	Ruling Date:	8/20/2008
Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 200	Fine Paid:	Yes
Suspension Start:		Suspension End:	
Ruling Text:	Trainer Kirk M Ziadie, having responded is hereby assessed a civil penalty of $200 for a medication violation "Dimethylsulfoxide" (DMSO) found in the sample E77027 taken from the horse "Fireonthewire" following the fifth race at Canterbury Park on August 2, 2008. MS 240.24 MRC Rule 7890.0100 Subp. 13C; 7890.0110 Subp. 1.		

Ruling Number:	70-2008 DE	Ruling Date:	8/6/2008
Ruling Type:	General/Miscellaneous Rulings		
Fine Amount:	$ 500	Fine Paid:	N/A
Suspension Start:		Suspension End:	
Ruling Text:	70-2008 Trainer Kirk Ziadie, DOb [redacted] having waived his right to a hearing, is fined the sum of five hundred ($500.00) dollars for entering the horse "STEELIX", which was on the Vets List at Saratoga, necessitating a scratch from the eighth race at Delaware Park on Sunday, July 27, 2008. Refer to D.T.R.C Rules 3.4; and 10.8.1.2. Fine to be paid within 48 hours. Ruling 70-2008		

Ruling Number:	408414	Ruling Date:	6/27/2008
Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 1000	Fine Paid:	N/A
Suspension Start:	11/22/2008	Suspension End:	
Ruling Text:	325-Calder Race Course Horse: CALL ME PETE Drug: Phenylbutazone Sample # 408414 Lab # A219726-HB HEARING DATE 11/14/2008 FINED $1000.00 AND OCCUPATIONAL LICENSE SUSPENDED FOR 7 DAYS : 11/25, 11/26, 11/27, 11/28, 11/29, 11/30, and 12/01/2008 FINE PAID: CHECK #81889 from Florida Horsemen's Bookkeeper Corporation for $4300 which pays the fines issued in rulings on the following cases:2007062696, 2008054126, 2008039364, 2008037738, and 2008037729		

Ruling Number:	408209	Ruling Date:	6/14/2008
Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 1000	Fine Paid:	N/A
Suspension Start:	11/14/2008	Suspension End:	11/28/2008
Ruling Text:	325-Calder Race Course Horse: CENZONTLE Drug: Oxyphenbutazone Sample # 408209 Lab # A217496-HB HEARING DATE 11/14/08 FINED $1000 3rd offense within calendar year FINE PAID: CHECK #81889 from Florida Horsemen's Bookkeeper Corporation for $4300 which pays the fines issued in rulings on the following cases:2007062696, 2008054126, 2008039364, 2008037738, and 2008037729		

Ruling Number:	408219	Ruling Date:	6/14/2008
Ruling Type:	Unknown		
Fine Amount:	$ 1000	Fine Paid:	N/A
Suspension Start:	11/14/2008	Suspension End:	11/28/2008
Ruling Text:	325-Calder Race Course Horse: ROMAGNOLA Drug: Oxyphenbtazone Sample # 408219 Lab # A217503-HB HEARING DATE 11/14/2008 FINED $1000.00 FINE PAID: CHECK #81889 from Florida Horsemen's Bookkeeper Corporation for $4300 which pays the fines issued in rulings on the following cases:2007062696, 2008054126, 2008039364, 2008037738, and 2008037729		

Ruling Number:	2008010	Ruling Date:	6/12/2008
Ruling Type:	Failure to Report or Appear		
Fine Amount:	$ 500	Fine Paid:	No
Suspension Start:		Suspension End:	
Ruling Text:	Having waived his right to legal counsel and a hearing is hereby assessed a fine of $500 for scratching the horse, "BROAD SWORD" from the Seventh race on Tueaday, June 10, 2008 without an excuse satisfactory to the Stewards (the horwe ran on June 8, 2008 at Delaware Park). Fine to be paid within 72 hours.		

Ruling Number:	2008010	Ruling Date:	6/12/2008

Ruling Type:	General/Miscellaneous Rulings		
Fine Amount:	$ 500	Fine Paid:	N/A
Suspension Start:		Suspension End:	
Ruling Text:	Having waived his right to legal counsel and a hearing is hereby assessed a fine of $500 for scratching the horse, "BROAD SWORD" from the Seventh race on Tueaday, June 10, 2008 without an excuse satisfactory to the Stewards (the horwe ran on June 8, 2008 at Delaware Park). Fine to be paid within 72 hours.		
Ruling Number:	23-2008	Ruling Date:	6/3/2008
Ruling Type:	Failure to Complete License Procedure		
Fine Amount:	$ 500	Fine Paid:	Yes
Suspension Start:		Suspension End:	
Ruling Text:	23-2008 TRAINER KIRK ZIADIE, DOB [redacted], HAVING WAIVED HIS RIGHT TO A HEARING, IS FINED THE SUM OF FIVE HUNDRED ($500.00) DOLLARS FOR FAILING TO SECURE A CURRENT LICENSE AND FAILING TO HAVE WORKMEN'S COMPENSATION ON FILE WITH THE DELAWARE THOROUGHBRED RACING COMMISSION LICENSING OFFICE, NECESSITATING A SCRATCH ON THE HORSE "NAV QUATORZE" IN THE FOURTH RACE ON SATURDAY, MAY 17, 2008. REFER TO D.R.C RULES 7.1.1, 7.3.3, AND 3.4. FINE TO BE PAID WITHIN 48 HOURS. RULING 23-2008		
Ruling Number:	405268 2008004736	Ruling Date:	1/5/2008
Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 500	Fine Paid:	N/A
Suspension Start:	1/26/2008	Suspension End:	
Ruling Text:	321-Gulfstream Park Horse: FOREIGN RUCKUS Drug: Phenylbutazone Sample # 405268 Lab # A174623-HB Ruling #2008004736 Fine $500.00 Paid 1/27/08 Check #2325 (Total payment $750.00 for Case / Ruling # #2008 00 5198 [Ruling #2008004736], Fine $500.00 and 2007 06 8121 [Ruling #2008004547], Fine $250.00)		
Ruling Number:	401327 2007 06 8121	Ruling Date:	12/2/2007

Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 250	Fine Paid:	N/A
Suspension Start:	1/25/2008	Suspension End:	
Ruling Text:	Bute Overage 323-Tropical At Calder Race Course Sample 401327 Lab# A168394-HU Fine $250 Trainer Kirk Ziaidie, Ruling #2007 06 8121		

Ruling Number:	401327 2008004547	Ruling Date:	12/2/2007
Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 250	Fine Paid:	N/A
Suspension Start:	1/25/2008	Suspension End:	
Ruling Text:	323-Tropical Park, Inc Horse: REGAL GLORY Drug: Phenylbutazone Sample # 401327 Lab # A168394-HB Ruling #2008004547 Fine $250.00 Paid 1/27/08 Check #2325 (Total payment $750.00 for Case / Ruling # #2008 00 5198 [Ruling #2008004736], Fine $500.00 and 2007 06 8121 [Ruling #2008004547], Fine $250.00)		

Ruling Number:	195855	Ruling Date:	10/25/2007
Ruling Type:	Unknown		
Fine Amount:	$ 300	Fine Paid:	N/A
Suspension Start:	11/14/2008	Suspension End:	11/28/2008
Ruling Text:	323-Tropical Park, Inc @ 325-Calder Race Course Horse: HOLIDAY MOMENT Drug: Clenbuterol Sample # 195855 Lab # A15973-HU Report of Positive Results delivered to the Board of Stewards for possible administrative action on November 16, 2007. HEARING HELD 11/14/08 DID NOT DISPUTE LABORATORY FINDINGS WILL COMPLY WITH THE DECISION OF THE BOARD OF STEWARDS. FINED $300.00 1/20/09 Fine remains unpaid. FINE PAID: CHECK #81889 from Florida Horsemen's Bookkeeper Corporation for $4300 which pays the fines issued in rulings on the following cases:2007062696, 2008054126, 2008039364, 2008037738, and 2008037729		

Ruling Number:	320000964	Ruling Date:	3/11/2007
Ruling Type:	Race Office/Track Rule Violation		

Fine Amount:	$ 250	Fine Paid:	N/A
Suspension Start:	3/24/2007	Suspension End:	
Ruling Text:	320-Tampa Bay Downs Expired coggins at race time JS Ruling #320-000964 Fine $250.00 Paid on 04/13/07 Ck # 094554		
Ruling Number:	191546 320000949	Ruling Date:	1/6/2007
Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 250	Fine Paid:	N/A
Suspension Start:	3/3/2007	Suspension End:	
Ruling Text:	320-Tampa Bay Downs Horse: STEELIX Drug: Clenbuterol Sample #191546 Lab #A094103-HU Ruling No. 320-000949 dated 3/3/07. Fine $250.00. Fine paid 3/13/07 with ck#1441.		
Ruling Number:	185092 320000916	Ruling Date:	3/18/2006
Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 500	Fine Paid:	N/A
Suspension Start:	4/22/2006	Suspension End:	
Ruling Text:	320-Tampa Bay Downs Horse: RED HEAD CHAMP Drug: Phenylbutazone / Oxyphenbutazone Sample #185092 Lab #A028872-HB Ruling No. 320.000916 dated 4/26/06. Fine $500.00. Fine paid 5/6/06 with check number 232.		
Ruling Number:	320000908	Ruling Date:	3/9/2006
Ruling Type:	Race Office/Track Rule Violation		
Fine Amount:	$ 250	Fine Paid:	N/A
Suspension Start:	3/19/2006	Suspension End:	
Ruling Text:	320-Tampa Bay Downs Late Scratch: (No Offical Foal Certificate) JS Ruling #320-000908 Fine $250.00 Paid 4/1/06, Ck #060931		
Ruling Number:	184323 320000896	Ruling Date:	1/30/2006

Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 250	Fine Paid:	N/A
Suspension Start:	3/2/2006	Suspension End:	
Ruling Text:	320-Tampa Bay Downs Horse: KING DREAMER Drug: Dimethyl Sulfoxide Sample #184323 Lab #A015171-HU JS Ruling #320-000896 dated 3/2/06 - Fine $250.00 Paid 3/3/06, Ck #3303.		

Ruling Number:	183107 320000897	Ruling Date:	1/19/2006
Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 1000	Fine Paid:	N/A
Suspension Start:	3/2/2006	Suspension End:	
Ruling Text:	320-Tampa Bay Downs Horse: VIRGO VIXEN Drug: Dimethyl Sulfoxide / Phenylbutazone >8 Sample #183107 Lab #A013322-HB JS Ruling #320-000897 dated 3/2/06. Fine $1,000.00. Fine Paid 3/3/06 with Ck #3303.		

Ruling Number:	183059 320000895	Ruling Date:	1/15/2006
Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 100	Fine Paid:	N/A
Suspension Start:	3/2/2006	Suspension End:	
Ruling Text:	320-Tampa Bay Downs Horse: KING DREAMER Drug: Dimethyl Sulfoxide Sample #183059 Lab #A011618-HU JS Ruling #320-000895 dated 3/2/06. Fine $100.00. Fine Paid 3/3/06 with Ck #3303.		

Ruling Number:	320000869	Ruling Date:	1/12/2006
Ruling Type:	Unknown		
Fine Amount:	$ 250	Fine Paid:	N/A
Suspension Start:	1/23/2006	Suspension End:	
Ruling Text:	320-Tampa Bay Downs Late Stratch JS Ruling #320-000869 Fine $250.00 Paid 2/3/06 Ck #087268		

Ruling Number:	320000870	Ruling Date:	1/1/2006
Ruling Type:	Unknown		
Fine Amount:	$ 250	Fine Paid:	N/A
Suspension Start:	1/23/2006	Suspension End:	
Ruling Text:	320-Tampa Bay Downs Late Scratch JS Ruling #320-000870 dated 1/23/06. Fine $250.00 Paid 2/3/06 Ck #087268.		

Ruling Number:	96	Ruling Date:	7/7/2005
Ruling Type:	Race Office/Track Rule Violation		
Fine Amount:	$ 100	Fine Paid:	N/A
Suspension Start:		Suspension End:	
Ruling Text:	FAILED TO HAVE FOAL PAPERS ON FILE.		

Ruling Number:	05MON76	Ruling Date:	6/23/2005
Ruling Type:	Race Office/Track Rule Violation		
Fine Amount:	$ 100	Fine Paid:	N/A
Suspension Start:		Suspension End:	
Ruling Text:	FAILED TO HAVE FOAL PAPERS ON FILE.		

Ruling Number:	173147 325000843	Ruling Date:	5/8/2005
Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 300	Fine Paid:	N/A
Suspension Start:	7/24/2005	Suspension End:	
Ruling Text:	320-Tampa Bay Downs (Raced in Tampa Bay Downs but Stables Horses @ 325-Calder Race Course) Inv Dennis Badillo Horse: DON AGUSTIN Drug: Clenbuterol Cl 3 Sample 173147 Lab #25859M JS Ruling #325-000843 Fine $300.00 Paid 8/23/05, Ck #32157		

Ruling Number:	320000840	Ruling Date:	4/22/2005
Ruling Type:	Race Office/Track Rule Violation		
Fine Amount:	$ 100	Fine Paid:	N/A
Suspension Start:	4/17/2005	Suspension End:	
Ruling Text:	320-Tampa Bay Downs No Foal Certificate At Race Time JS Ruling #320-000840 Fine $100.00. Fine paid 4/17/05.		

Ruling Number:	932228	Ruling Date:	5/2/2004
Ruling Type:	Medication/Drug Violation - Animal		
Fine Amount:	$ 100	Fine Paid:	N/A
Suspension Start:	5/30/2004	Suspension End:	
Ruling Text:	320-Tampa Bay Downs Resp Lic #701515 Inv Nicolas Miyar Horse: BRUSHED WITH GLORY Drug: Flunixin Sample #932228 Lab #73783L Ruling #325-000676 issued by Board of Stewards at Calder Race Course on May 30, 2004; respondent fined $100.00. Fine paid June 1, 2004 by Ck. #104.		

Department of Business & Professional Regulation

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Enforcement Search Listing

Rec Lic Type	Number	Entered	Source	Status	Incident	Disp	Respondent Name	Lic Type	File No	Lic No	Public Case
1021	2007030323	07/28/2008	LAB	90	04/27/2007	100	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2007025004	02/04/2010	LAB	90	03/19/2007	45	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2007023290	04/30/2007	INTN	90	03/11/2007	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2007008307	03/29/2007	LAB	90	01/06/2007	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2006067518	04/23/2007	LAB	90	11/26/2006	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2006060434	01/25/2007	LAB	90	10/15/2006	90	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2006019639	05/19/2006	LAB	90	03/18/2006	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2006022184	05/19/2006	INTN	90	03/09/2006	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2006007718	03/16/2006	LAB	90	01/30/2006	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2006006449	03/16/2006	LAB	90	01/19/2006	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2006005191	03/16/2006	LAB	90	01/15/2006	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2006005999	03/16/2006	INTN	90	01/12/2006	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2006006002	03/16/2006	INTN	90	01/01/2006	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2005064692	02/03/2006	LAB	90	12/02/2005	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2005030701	09/06/2005	LAB	90	05/08/2005	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2005022931	05/11/2005	INTN	90	04/22/2005	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2004060610	02/01/2006	LAB	90	12/03/2004	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2004057550	02/01/2006	LAB	90	10/14/2004	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2004028212	06/04/2004	LAB	90	05/02/2004	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2009039658	03/02/2010	ANON	90		100	ZIADIE, KIRK M	1021	9832	701515	CC

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Rec Lic Type	Number	Entered	Source	Status	Incident	Disp	Respondent Name	Lic Type	File No	Lic No	Public Case
1021	2009026161	05/18/2009	LAB	90	01/21/2009	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2009003113	01/20/2010	INTN	90	01/18/2009	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2009019767	04/15/2009	LAB	90	01/18/2009	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2009019763	04/15/2009	LAB	90	01/17/2009	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2009019761	04/15/2009	LAB	90	01/16/2009	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2009017788	04/03/2009	LAB	90	01/11/2009	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2009017781	04/03/2009	LAB	90	01/10/2009	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2009017784	04/03/2009	LAB	90	01/10/2009	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2009017786	04/03/2009	LAB	90	01/10/2009	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2009017783	04/03/2009	LAB	90	01/09/2009	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2008059733	10/31/2008	LAB	90	09/20/2008	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2008054126	07/30/2009	LAB	90	09/11/2008	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2008039364	07/30/2009	LAB	90	06/27/2008	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2008037729	07/01/2008	LAB	90	06/14/2008	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2008037738	07/30/2009	LAB	90	06/14/2008	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2008005198	02/20/2008	LAB	90	01/05/2008	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2007068121	02/27/2008	LAB	90	12/02/2007	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2008004547	02/27/2008	LAB	90	12/02/2007	90	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2007062696	11/09/2009	LAB	90	10/25/2007	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2007048948	09/25/2007	LIC	90	06/30/2007	100	ZIADIE, KIRK M	1021	9832	701515	CC

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Rec Lic Type	Number	Entered	Source	Status	Incident	Disp	Respondent Name	Lic Type	File No	Lic No	Public Case
1021	2013023790	06/13/2017	LAB	90	04/26/2013	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2013016106	06/13/2017	LAB	90	03/13/2013	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2013004831	10/11/2013	LAB	90	01/06/2013	55	ZIADIE, KIRK M	1021	9832	701515	CASC
1021	2013005018	08/20/2013	LAB	90	01/06/2013	100	ZIADIE, KIRK M	1021	9832	701515	PCF
1021	2012043730	06/13/2017	LAB	90	09/27/2012	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2012044104	02/03/2015	LAB	90	09/22/2012	55	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2012041948	06/13/2017	LAB	90	09/14/2012	324	ZIADIE, KIRK M	1021	9832	701515	PCF
1021	2012041931	06/13/2017	LAB	90	08/30/2012	324	ZIADIE, KIRK M	1021	9832	701515	PCF
1021	2012040949	06/09/2017	LAB	90	08/17/2012	324	ZIADIE, KIRK M	1021	9832	701515	PCF
1021	2012033990	06/09/2017	LAB	90	07/04/2012	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2012026684	06/12/2012	LAB	90	05/18/2012	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2012024018	05/23/2012	LAB	90	04/29/2012	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2012021061	05/02/2012	LAB	90	04/14/2012	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2012011360	03/13/2012	LAB	90	02/09/2012	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2009029506	06/03/2009	LAB	90	05/14/2009	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2009048213	10/05/2010	LAB	90	03/31/2009	60	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2009031718	06/12/2009	LAB	90	03/29/2009	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2009022107	05/19/2009	LAB	90	03/25/2009	90	ZIADIE, KIRK M	1021	9832	701515	JSR
1021	2009031768	06/12/2009	LAB	90	03/21/2009	70	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2009019770	04/15/2009	LAB	90	01/29/2009	70	ZIADIE, KIRK M	1021	9832	701515	CC

dbpr Florida Department of Business & Professional Regulation

State of Florida
Department of Business and Professional Regulation
Enforcement Search Listing

Rec Lic Type	Number	Entered	Source	Status	Incident	Disp	Respondent Name	Lic Type	File No	Lic No	Public Case
1021	2015037730	01/12/2016	INTN	90	05/29/2015	60	ZIADIE, KIRK M	1021	9832	701515	APDN
1021	2015022708	02/23/2017	LAB	90	05/09/2015	323	ZIADIE, KIRK M	1021	9832	701515	CASC
1021	2015020548	12/29/2016	LAB	90	04/24/2015	323	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2015009229	12/29/2016	LAB	90	02/06/2015	323	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2014052733	06/14/2017	LAB	90	12/07/2014	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2014039033	06/14/2017	LAB	90	09/05/2014	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2014006345	06/14/2017	LAB	90	01/19/2014	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2013047021	06/14/2017	LAB	90	10/27/2013	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2013043815	06/14/2017	LAB	90	10/12/2013	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2013034195	06/14/2017	LAB	90	08/03/2013	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2013032774	06/14/2017	LAB	90	07/19/2013	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2013028055	08/27/2013	INTN	90	07/06/2013	100	ZIADIE, KIRK M	1021	9832	701515	CASC
1021	2013031214	11/18/2013	LAB	90	07/06/2013	100	ZIADIE, KIRK M	1021	9832	701515	CC
1021	2013030616	06/14/2017	LAB	90	07/01/2013	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2013029114	06/14/2017	LAB	90	06/25/2013	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2013026031	06/14/2017	LAB	90	06/09/2013	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2013026525	06/14/2017	LAB	90	06/08/2013	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2013025126	06/14/2017	LAB	90	05/26/2013	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2013025104	06/14/2017	LAB	90	05/24/2013	324	ZIADIE, KIRK M	1021	9832	701515	ADMC
1021	2013023875	06/13/2017	LAB	90	05/10/2013	324	ZIADIE, KIRK M	1021	9832	701515	ADMC

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Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update | Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **gricks**

VR Home > **Complaint Search**

Search Criteria | Results

Case Type	Complaint #	Status	Reference	Incident	Respondent	Complainant	Lic Type	Public Case	View	Process
Complaint	2015037730	Closed		05/29/2015	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	APDN		
Complaint	2015022708	Closed	031421	05/09/2015	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CASC		
Complaint	2015020548	Closed	028949	04/24/2015	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2015009229	Closed	798044	02/06/2015	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2014052733	Closed	028332	12/07/2014	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2014039033	Closed	799956	09/05/2014	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2014006345	Closed	795544	01/19/2014	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013047021	Closed	787233	10/27/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013043815	Closed	787098	10/12/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013034195	Closed	791655	08/03/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013032774	Closed	790510	07/19/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013028055	Closed	61D-6.003(2)	07/06/2013	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	CASC		
Complaint	2013031214	Closed	788437	07/06/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2013030616	Closed	791530	07/01/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013029114	Closed	791513	06/25/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013026031	Closed	786600	06/09/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013026525	Closed	786584	06/08/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA	1021	FINL		

						RACING LABORATORY				
Complaint	2013025126	Closed	786920	05/26/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013025104	Closed	786847	05/24/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013023875	Closed	786406	05/10/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013023790	Closed	786695	04/26/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013016106	Closed	785589	03/13/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013004831	Closed	781978	01/06/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CASC		
Complaint	2013005018	Closed	781969	01/06/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	PCF		
Complaint	2012043730	Closed	780373	09/27/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2012044104	Closed	780308	09/22/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2012041948	Closed	780135	09/14/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2012041931	Closed	779862	08/30/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2012040949	Closed	779722	08/17/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2012033990	Closed	777376	07/04/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2012026684	Closed	550790	05/18/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2012024018	Closed	550528	04/29/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2012021061	Closed	550266	04/14/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2012011360	Closed	548600	02/09/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009029506	Closed	418346	05/14/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LAB	1021	JSR		
Complaint	2009048213	Closed	415097	03/31/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LAB	1021	ADMC		
Complaint	2009031718	Closed		03/29/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009022107	Closed	426000	03/25/2009	ZIADIE, KIRK M		1021	JSR		

						UNIVERSITY OF FLORIDA RACING LAB				
Complaint	2009031768	Closed		03/21/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009019770	Closed		01/29/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009026161	Closed		01/21/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009003113	Closed		01/18/2009	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	JSR		
Complaint	2009019767	Closed		01/18/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009019763	Closed		01/17/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009019761	Closed		01/16/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009017788	Closed		01/11/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009017781	Closed		01/10/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009017784	Closed		01/10/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009017786	Closed		01/10/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009017783	Closed		01/09/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2008059733	Closed	422342	09/20/2008	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2008054126	Closed	421937	09/11/2008	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2008039364	Closed	408414	06/27/2008	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2008037729	Closed	408209	06/14/2008	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2008037738	Closed	408219	06/14/2008	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2008004736	Entry Error		01/05/2008	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021			
Complaint	2008005198	Closed	405268 2008004736	01/05/2008	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2007068121	Closed	401327 2008004547	12/02/2007	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		

Complaint	2008004547	Closed	401327 2007 06 8121	12/02/2007	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2007062696	Closed	195855	10/25/2007	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2007048948	Closed		06/30/2007	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	CC		
Complaint	2007030323	Closed	194410	04/27/2007	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2007025004	Closed	193728	03/19/2007	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2007023290	Closed	320000964	03/11/2007	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	JSR		
Complaint	2007008307	Closed	191546 320000949	01/06/2007	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2006067518	Closed	188427 323000649	11/26/2006	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2006060434	Closed	187661 325000939	10/15/2006	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2006019839	Closed	185092 320000916	03/18/2006	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2006022184	Closed	320000908	03/09/2006	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	JSR		
Complaint	2006007718	Closed	184323 320000896	01/30/2006	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2006006449	Closed	183107 320000897	01/19/2006	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2006005191	Closed	183059 320000895	01/15/2006	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2006005999	Closed	320000869	01/12/2006	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	JSR		
Complaint	2006006002	Closed	320000870	01/01/2006	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	JSR		
Complaint	2005064692	Closed	179373 323000607	12/02/2005	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2005030701	Closed	173147 325000843	05/08/2005	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2005022931	Closed	320000840	04/22/2005	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	JSR		
Complaint	2004060610	Closed	089809 323000578	12/03/2004	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2004057550	Closed	088845	10/14/2004	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2004028212	Closed	932228	05/02/2004	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		

Complaint	2009039658	Closed			ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	CC		

Total: 81

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FLORIDA
GAMING CONTROL
COMMISSION

JULIE I. BROWN, COMMISSIONER
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER

June 16, 2023

RECEIVED
2023 AUG -3 PM 3:47
FLORIDA GAMING CONTROL COMMISSION

Mr. Kirk M Ziadie
3701 Southwest 141 Ave.
Miramar, Florida 33027

RE: Application No. 246204, Entity 701515
1021 - PMW Professional Individual Occupational

Dear Mr. Ziadie:

Your application for an occupational license with the Office of Operations has been received. The item(s) checked below are either missing or require correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 3 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section and provide court disposition records. Please initial and date any changes made to your application.

  You must list the information on your application for the following charges:
  - Broward County, Florida Arrest(s) – 11/22/2006

- Other: You must provide a letter of good standing from the Maryland Racing Commission, Minnesota Racing Commission, Delaware Racing Commission, Virginia Racing Commission, and New Jersey Racing Commission.

- PMW-3195 - Request for Release of Information and Authorization to Release Information (form enclosed).

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 09/30/2023, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal

applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided above, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

Randall Kitchens
Operations Analyst II

Cynthia Ritter

From: Stephen Pagano <Stephen.Pagano@njoag.gov>
Sent: Thursday, August 3, 2023 12:17 PM
To: PMW-Operations
Cc: atmracingllc@gmail.com
Subject: Kirk Zaidie
Attachments: -Type File Name-Zaidie.pdf

You don't often get email from stephen.pagano@njoag.gov. Learn why this is important

Attached please find copy of letter in reference to Kirk Zaidie.
Thank you,
Stephen Pagano
CONFIDENTIALITY NOTICE The information contained in this communication from the Office of the New Jersey Attorney General is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this e-mail, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the Office of the Attorney General at (609) 292-4925 to arrange for the return of this information.

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF NEW JERSEY RACING COMMISSION
PO Box 088
TRENTON, NJ 08625-0088

MATTHEW J. PLATKIN
Attorney General

MICHAEL J. ARNONE, D.D.S.
LAWRENCE DEMARZO
FRANCIS X. KEEGAN, JR.
CHARLES E. TOMARO
GLEN VETRANO
Commissioners

JUDITH A. NASON
Executive Director

August 3, 2023

To whom it may concern:

Kirk Ziadie has no outstanding fines in the state of New Jersey and is welcome to apply for licensing with the state of New Jersey Racing Commission.

Mr. Ziadie, was last licensed in New Jersey in 2008 as a trainer.

Stephen Pagano
State Steward
New Jersey Racing Commission

RECEIVED
2023 AUG -3 PM 2:58
FLORIDA GAMING
CONTROL COMMISSION

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NEW JERSEY
RACING COMMISSION

Cynthia Ritter

From: Anthony Mattera <atmracingllc@gmail.com>
Sent: Thursday, August 3, 2023 11:49 AM
To: PMW-Operations
Subject: Fwd: Kirk Zaidie

Last letter.. NJ.. Thanks again for everything

Anthony Mattera and Kirk Ziadie

Begin forwarded message:

> **From:** Stephen Pagano <spag527@yahoo.com>
> **Date:** August 3, 2023 at 11:43:07 AM EDT
> **To:** atmracingllc@gmail.com
> **Subject: Kirk Zaidie**

State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF NEW JERSEY RACING COMMISSION
PO Box 088
TRENTON, NJ 08625-0088

PHILIP D. MURPHY
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August 3, 2023

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Stephen Pagano
State Steward
New Jersey Racing Commission

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NEW JERSEY RACING COMMISSION

FLORIDA
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JULIE I. BROWN, COMMISSIONER
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER

June 16, 2023

RECEIVED
2023 JUL 21 PM 3:25
FLORIDA GAMING
CONTROL COMMISSION

Mr. Kirk M Ziadie
3701 Southwest 141 Ave.
Miramar, Florida 33027

RE: Application No. 246204, Entity 701515
1021 - PMW Professional Individual Occupational

Dear Mr. Ziadie:

Your application for an occupational license with the Office of Operations has been received. The item(s) checked below are either missing or require correction before the processing of your application can be completed:

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  - Broward County, Florida Arrest(s) – 11/22/2006

- Other: You must provide a letter of good standing from the Maryland Racing Commission, Minnesota Racing Commission, Delaware Racing Commission, Virginia Racing Commission, and New Jersey Racing Commission.

No Minnesota NJ

- PMW-3195 - Request for Release of Information and Authorization to Release Information (form enclosed).

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 09/30/2023, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal

applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided above, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

Randall Kitchens
Operations Analyst II

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CONTROL COMMISSION

SIGN + DATE

YES

KZ 7/19/23

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☑ No — Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

☑ Yes ☐ No — Have you ever been convicted of or had adjudication withheld for any crime, or pled [illegible] criminal charges against you? If yes, the court disposition records for all convictions MUST be submitted with your application and you must list the details in the chart provided below.

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE
11/22/2006	BROWARD	FL	BATTERY	MISDEMEANOR	PROBATION

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☑ Yes ☐ No — Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If Yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

☐ Yes ☑ No — Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

SUSPENSION IN FLA / POSITIVE TEST

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654, and Sections 409.2577, 409.2598, and 888.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notification. I [illegible] that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or request of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 888.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to $1,000, denial, suspension, or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

Signature of Applicant — Date: 5/30/23

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STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING
www.myfloridalicense.com

PERSONAL INFO

Social Security Number/Federal Employer ID Number [redacted]

IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION

Last Name	First	Middle	Title	Suffix
ZIADIE	KIRK	H		

Birth Date (MM/DD/YYYY) [redacted]

IF BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION

Representative's Name Last	First	Middle	Title	Suffix

Permitholder Name

Official Capacity

ATTEST STATEMENT

I, KIRK ZIADIE, do hereby instruct all law enforcement
(name of applicant/representative)
or criminal justice agencies, present and former employers or institutions with whom I or my businesses have a present or past business relationship, as well as all present or past social associates to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Additionally, I do release such individuals or entities from any and all liability due to the release of information requested.

(If individual applicant - legal name and any nickname or alias in parentheses)

Applicant/Representative Signature: [signature] Date: 7/19/23

NOTARIZATION

The foregoing application was sworn to and subscribed before me this 19th Day of JULY 20 23.

by KIRK ZIADIE [signature]
Type or print name of applicant Signature of applicant

who is personally known to me or who has produced the following as identification:

DRIVER LICENSE [signature]
Type of Identification Signature of person taking acknowledgement

LAURA K. MUNSON
MY COMMISSION # HH 099723
EXPIRES: April 30, 2025

Notary Seal
(Rubber Stamp and Expiration)

Gmail

Anthony Mattera <atmracingllc@gmail.com>

Letter of Good Standing

Cheryl Kauffman -LABOR- <cheryl.kauffman@maryland.gov>
To: Anthony Mattera <atmracingllc@gmail.com>, dlopimarylandracingcommission-labor@maryland.gov

Hi Anthony,
Kirk Zigdis is in Good Standing.
If you need any further information , please call the Maryland Racing Commission licensing office at (410) 296-9683.

Thank you,
Cheryl Kauffman
[Quoted text hidden]

Maryland
DEPARTMENT OF LABOR

Cheryl Kauffman
Maryland Racing Commission
Maryland Department of Labor
300 E. Towsontown Blvd.
Towson, Maryland 21286
Cheryl.Kauffman@Maryland.gov
410-296-9683 (O)
410-296-9687 (F)
Website | Facebook | Twitter

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Click here to complete a three question customer experience survey

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Gmail

Anthony Mattera <atmracingllc@gmail.com>

Kirk Ziadie Letter of Good Standing

Davis, Rhonda (VRC) <Rhonda.Davis@vrc.virginia.gov> Tue, Jul 11, 2023 at 3:14 PM
To: Anthony Mattera <atmracingllc@gmail.com>, "kirkziadieracing@aol.com" <kirkziadieracing@aol.com>

I sent an email directly to the Florida Gaming Control Commission.

Thanks,

Rhonda Davis
Pari-mutuels & Licensing
Virginia Racing Commission
5707 Huntsman Road
Suite 201-B
Richmond, VA 23250
Office (804) 966-7415
Cell (804) 461-0740

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From: Anthony Mattera <atmracingllc@gmail.com>
Sent: Tuesday, July 11, 2023 2:49 PM
To: kirkziadieracing@aol.com <kirkziadieracing@aol.com>
Cc: Davis, Rhonda (VRC) <Rhonda.Davis@vrc.virginia.gov>
Subject: Kirk Ziadie Letter of Good Standing

[Quoted text hidden]

entities who are the addressees. If you are not an intended recipient of this e-mail, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the Office of the Attorney General at (609) 292-4925 to arrange for the return of this information.

Anthony Mattera <atmracingllc@gmail.com> Wed, Jul 12, 2023 at 11:31 AM
To: Sharon Jemas <Sharon.Jemas@njoag.gov>

Awesome, could you please send an email to me or to PMW-Operations@flgaming.gov stating that Kirk Ziadie has no pending fines or suspensions in the State of NJ.

Thanks again, I'll swing by friday to introduce myself lol
[Quoted text hidden]

Sharon Jemas <Sharon.Jemas@njoag.gov> Wed, Jul 12, 2023 at 12:11 PM
To: Anthony Mattera <atmracingllc@gmail.com>

Anthony,

We will give them a call and follow up with the Stewards.

-Sharon

[Quoted text hidden]
[Quoted text hidden]

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Jonathan Dye

From:	Anthony Mattera <atmracingllc@gmail.com>
Sent:	Wednesday, July 19, 2023 3:01 PM
To:	PMW-Operations
Cc:	Kirkziadieracing
Subject:	Kirk Ziadie Finished Application and Letters of Good Standing
Attachments:	FL Release Form.png; FL application KZ.png; Delaware.png; Maryland.png; Minnesota.png; Virginia.png; New Jersey.png

You don't often get email from atmracingllc@gmail.com. Learn why this is important

Good afternoon,

First and foremost Kirk and I would like to thank everyone at the PMW Office for their kindness and thoughtfulness throughout our interactions, everyone in the office has been super supportive and generous with their time and we thank you.

Kirk and I have reached out to all the states that were in question and he is in good standing in all states with no fines or suspensions pending. Most states' latest interactions with Kirk were over 15 years ago. The only fine and suspension pending was in Florida which he has served his time and paid his fine. I have attached the corrected application as well as interactions with other states. Some states informed us they would be sending the letter of good standing directly and hopefully they have been received. God willing this fulfills his requirements and Kirk can work on restoring his name and career.

Thanks so much,

Anthony Mattera and Kirk Ziadie

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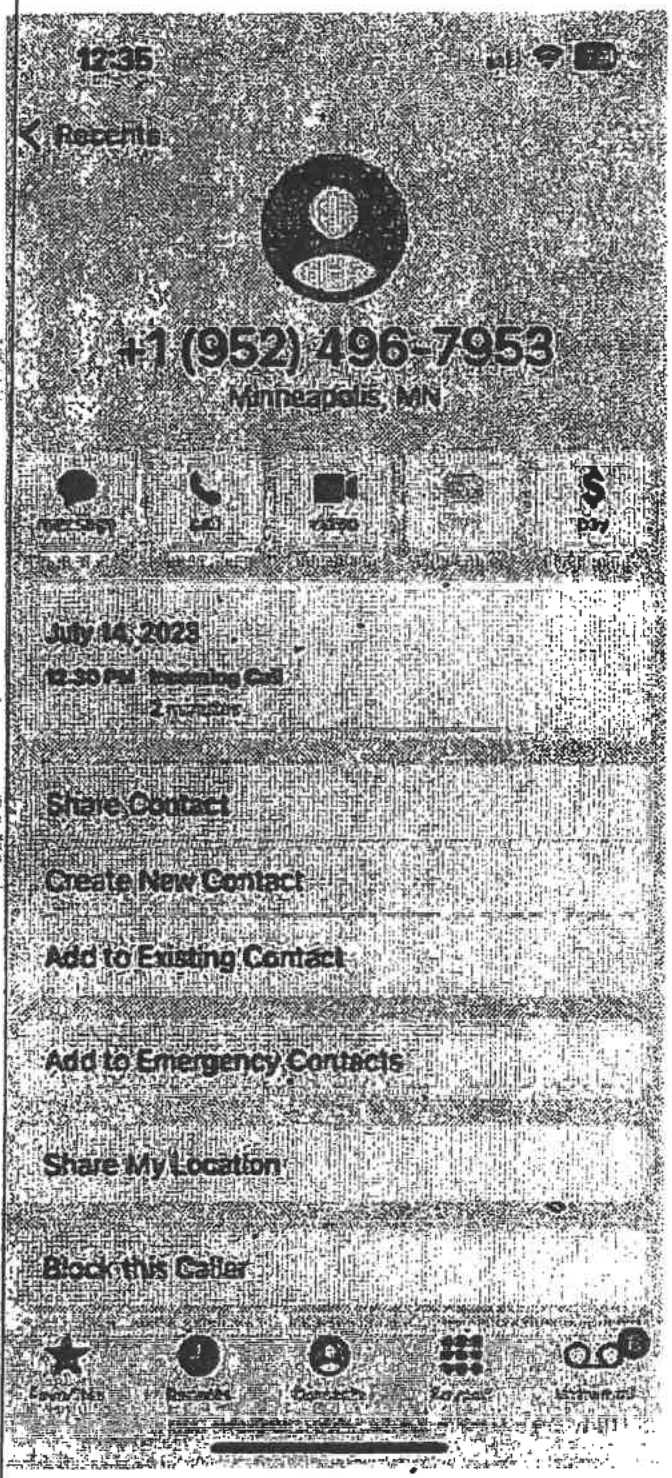

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Gmail

Anthony Mattera <atmracingllc@gmail.com>

FW:

1 message

Corrigan, Sean (MRC) <Sean.Corrigan@state.mn.us> Sun, Jul 23, 2023 at 4:43 PM
To: "atmracingllc@gmail.com" <atmracingllc@gmail.com>
Cc: "Cummins, Nick (MRC)" <nick.cummins@state.mn.us>

From: Corrigan, Sean (MRC)
Sent: Saturday, July 22, 2023 9:40 AM
To: atmracing@gmail.com
Subject:

Regarding your inquiry into Mr. K. Ziadie.

Mr. Ziadie shows no history of being licensed in Minnesota by the Minnesota racing Commission and Mr. Ziadie is eligible to apply for a license through the Minnesota Racing Commission.

Thank you

Sean Corrigan

Investigator

Minnesota Racing Commission

1100 Canterbury Road, Suite 100

Shakopee, MN 55379

O: 952-496-7950 Ext. 5

F: 952-496-7954

https://mn.gov/mrc/

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2023 JUL 24 AM 10:01
FLORIDA GAMING
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Jonathan Dye

From: Anthony Mattera <atmracingllc@gmail.com>
Sent: Monday, July 24, 2023 9:22 AM
To: PMW-Operations
Cc: Kirkziadieracing
Subject: Kirk Ziadie Minnesota NJ attached
Attachments: Minn.png; New Jersey.png

You don't often get email from atmracingllc@gmail.com. Learn why this is important

Hey guys, I attached the correspondence with Minnesota and NJ. NJ has stated, they've also sent and contacted you guys directly and have no records of him for over 15 years. All states have now given Mr. Ziadie the all clear and he is excited for his future! He will make yas proud we promise lol. If you have any questions please call me at 609-418-3883 or Kirk directly at 954-678-9705.

Thanks again,
Anthony and Kirk

FLORIDA
GAMING CONTROL
COMMISSION

JULIE I. BROWN, COMMISSIONER
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER

CR

June 16, 2023

Mr. Kirk M Ziadie
3701 Southwest 141 Ave.
Miramar, Florida 33027

RECEIVED
JUL 10 2023

RE: Application No. 246204, Entity 701515
1021 - PMW Professional Individual Occupational

Dear Mr. Ziadie:

Your application for an occupational license with the Office of Operations has been received. The item(s) checked below are either missing or require correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 3 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section and provide court disposition records. Please initial and date any changes made to your application.

  You must list the information on your application for the following charges:
  - Broward County, Florida Arrest(s) – 11/22/2006

- Other: You must provide a letter of good standing from the Maryland Racing Commission, Minnesota Racing Commission, Delaware Racing Commission, Virginia Racing Commission, and New Jersey Racing Commission.

- PMW-3195 - Request for Release of Information and Authorization to Release Information (form enclosed).

2 emails attached

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 09/30/2023, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal

applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided above, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

Randall Kitchens
Operations Analyst II

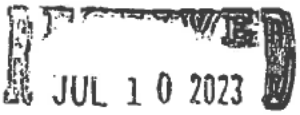
Cynthia Ritter

From: Anthony Mattera <atmracingllc@gmail.com>
Sent: Monday, July 10, 2023 10:53 AM
To: PMW-Operations
Subject: Fwd: Letter of Good Standing

You don't often get email from atmracingllc@gmail.com. Learn why this is important

Letter of Good standing, Maryland

Thanks so much,
Anthony and Kirk



---------- Forwarded message ---------
From: **Cheryl Kauffman -LABOR-** <cheryl.kauffman@maryland.gov>
Date: Fri, Jul 7, 2023 at 10:58 AM
Subject: Re: Letter of Good Standing
To: Anthony Mattera <atmracingllc@gmail.com>, <dlopImarylandracingcommission-labor@maryland.gov>

Hi Anthony,
Kirk Ziadie is in Good Standing,
If you need any further information , please call the Maryland Racing Commission licensing office at (410) 296-9683,

Thank you,
Cheryl Kauffman

On Fri, Jul 7, 2023 at 10:31 AM Anthony Mattera <atmracingllc@gmail.com> wrote:
Please call 609-418-3883 if you have any questions

Thanks again

On Thu, Jul 6, 2023 at 4:02 PM Anthony Mattera <atmracingllc@gmail.com> wrote:
To whom it may concern,

Hi, I am requesting a letter of good standing for Kirk Ziadie who last raced on June 28, 2015. The state of Florida has requested we reach out to other states to ensure he has no fines or suspensions. It's been a long frustrating road and we appreciate any help or guidance you can provide.

Thanks so much,
Anthony Mattera for Kirk Ziadie

Cheryl Kauffman
Maryland Racing Commission
Maryland Department of Labor
300 E. Towsontown Blvd.
Towson, Maryland 21286
Cheryl.Kauffman@Maryland.gov
410-296-9683 (O)
410-296-9687 (F)
Website | Facebook | Twitter

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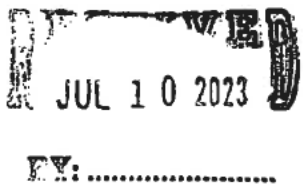
Cynthia Ritter

From: Anthony Mattera <antmattera@gmail.com>
Sent: Monday, July 10, 2023 11:21 AM
To: PMW-Operations
Subject: Fwd: Fw: To sara crane

You don't often get email from antmattera@gmail.com. Learn why this is important

Letter of good standing Delaware

-------- Forwarded message ---------
From: **Kirkziadieracing** <kirkziadieracing@aol.com>
Date: Mon, Jul 10, 2023 at 11:12 AM
Subject: Fw: To sara crane
To: Anthony Mattera <antmattera@gmail.com>



Sent from the all new AOL app for iOS

Begin forwarded message:

On Monday, July 10, 2023, 11:01 AM, Crane, Sarah A (DDA) <Sarah.Crane@delaware.gov> wrote:

Mr. Ziadie,

A records search indicates you have not held a license to participate Thoroughbred Racing in the State of Delaware since 2010 and there is no current action against you in the state of Delaware.

Sarah Crane

Sarah Crane - Executive Director

Delaware Thoroughbred Racing Commission

Office – 302.993.8970

The contents herein may be privileged and confidential. If you are not the intended recipient, any use, disclosure or copying of this material is unauthorized. If you are neither the intended recipient nor the agent responsible for delivering the message to the intended recipient, you are requested to delete the message from your system and notify us immediately by phone or email

From: Kirkziadieracing <kirkziadieracing@aol.com>
Sent: Friday, July 7, 2023 3:27 PM
To: Crane, Sarah A (DDA) <Sarah.Crane@delaware.gov>
Subject: To sara crane

Hi sara my name is kirk ziadie and the state of florida needs clearance that im in good standings in delaware and im not suspended or revoked in this state .. Please if u can help me that would be appreciated thank u . You can reach me at 954 678 8705 if any questions

Sent from the all new AOL app for iOS

FLORIDA
GAMING CONTROL
COMMISSION

JULIE I. BROWN, COMMISSIONER
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER

RECEIVED
By Randall Kitchens at 3:58 pm, Jul 11, 2023

July 11, 2023

Virginia Racing Commission
5707 Huntsman Road, Suite 201-B
Richmond, Virginia 23250

GAMING LICENSE INFORMATION REQUEST

The Florida Division of Pari-Mutuel Wagering has received a license application from the individual listed below and is currently conducting a background investigation. The individual has indicated on their application that they are currently licensed and in good standing in your jurisdiction. Please examine your files for any disciplinary proceedings/actions, restrictions, revocations or non-renewal concerning his/her license.

Please answer the following questions and return this form to our office via fax at **850.410.5350** or e-mail to Randall.Kitchens@myfloridalicense.com.

Individual Name: Kirk Ziadie

Tax ID [redacted]

Type of License: Trainer

Is this individual currently licensed?: [ ] YES [x] NO

Is this individual's license in good standing?: [ ] YES [x] NO

If no, please explain: Expired in 2006

Has this individual had any disciplinary proceedings/actions, restrictions, revocations or non-renewal concerning his/her license? [ ] YES [x] NO

If yes, please explain:

Name of Certifier: Rhonda Davis **Date:** 7/11/2023

Your assistance is appreciated. Thank you.

Florida Division of Pari-Mutuel Wagering
Attn: Randall Kitchens
Office of Operations
Licensing Section

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2023 JUL 21 PM 3:25
FLORIDA GAMING CONTROL COMMISSION

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING
www.myfloridalicense.com

PERSONAL INFORMATION

Social Security Number/Federal Employer ID Number [redacted]

IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION

Last Name	First	Middle	Title	Suffix
ZIADIE	KIRK	M		

Birth Date (MM/DD/YYYY) [redacted]

IF BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION

Representative's Name Last	First	Middle	Title	Suffix

Permitholder Name

Official Capacity

ATTEST STATEMENT

I, KIRK ZIADIE, do hereby instruct all law enforcement
(name of applicant/representative)
or criminal justice agencies, present and former employers or institutions with whom I or my businesses have a present or past business relationship, as well as all present or past social associates to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Additionally, I do release such individuals or entities from any and all liability due to the release of information requested.

(If individual applicant - legal name and any nickname or alias in parentheses)

Applicant/Representative Signature: [signature] Date: 7/19/23

NOTARIZATION

The foregoing application was sworn to and subscribed before me this 19th Day of JULY 20 23.

by KIRK ZIADIE [signature]
Type or print name of applicant Signature of applicant

who is personally known to me or who has produced the following as identification:

DRIVER LICENSE [signature]
Type of identification Signature of person taking acknowledgement

LAURA K. MUNSON
MY COMMISSION # HH 099723
EXPIRES: April 30, 2025

Notary Seal
(Rubber Stamp and Expiration)

Randall Kitchens

From: Glenda Ricks
Sent: Wednesday, October 11, 2023 2:44 PM
To: Randall Kitchens
Subject: FW: Kirk Ziadie Stop Order
Attachments: ZIADIE, KIRK.docx

Please include the email and attached document in the application file.

FLORIDA GAMING CONTROL COMMISSION

Glenda Ricks, Chief of Operations

Florida Gaming Control Commission
Division of Pari-Mutuel Wagering, Office of Operations
4070 Esplanade Way, Suite 250, Tallahassee, FL 32399

Main Line: 850.794.8130 Direct Line: 850.794.8126

Preserve and protect the integrity of gaming activities through fair regulation, licensing, effective criminal investigation, and enforcement.

The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. LARGER VIEW

From: Kevin Scheen <Kevin.Scheen@flgaming.gov>
Sent: Wednesday, October 11, 2023 12:02 PM
To: Glenda Ricks <Glenda.Ricks@flgaming.gov>
Subject: FW: Kirk Ziadie Stop Order

Hi Glenda,
As per our phone conversation this morning, please see attached.
Let me know if you need anything else on this.
Thanks

FLORIDA GAMING CONTROL COMMISSION

Kevin Scheen – State Steward
Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
Office of Operations
Office: 954 457 6130 Cell: 754 234 1133

From: Rodriguez, Jorge <Jorge.Rodriguez@1st.com>
Sent: Wednesday, October 11, 2023 11:09 AM
To: Kevin Scheen <Kevin.Scheen@flgaming.gov>
Subject: FW: Kirk Ziadie Stop Order

Good morning sir,

As discussed, please see the attached STOP Order for the individual in question.

Have a great one,

Doogie

1/ST

JORGE "DOOGIE" RODRIGUEZ
DIRECTOR OF SECURITY
SOUTHEAST REGION

GULFSTREAM PARK RACING &
CASINO / PALM MEADOWS
901 S FEDERAL HWY
HALLANDALE BEACH, FL 33009

P /954.457.6972
C /954.848.7780

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STOP ORDER

TO: GULFSTREAM PARK
GULFSTREAM PARK WEST
PALM MEADOWS T. C.
R.T.T.C.

FROM: RODERICK BALDWIN
SECURITY MANAGER

DATE: 9/22/16

RE: **STOP ORDER**

NAME: **KIRK ZIADIE**

AGE: 48 Y/O

SEX: **M**

RACE:

HEIGHT: UNK

WEIGHT: UNK

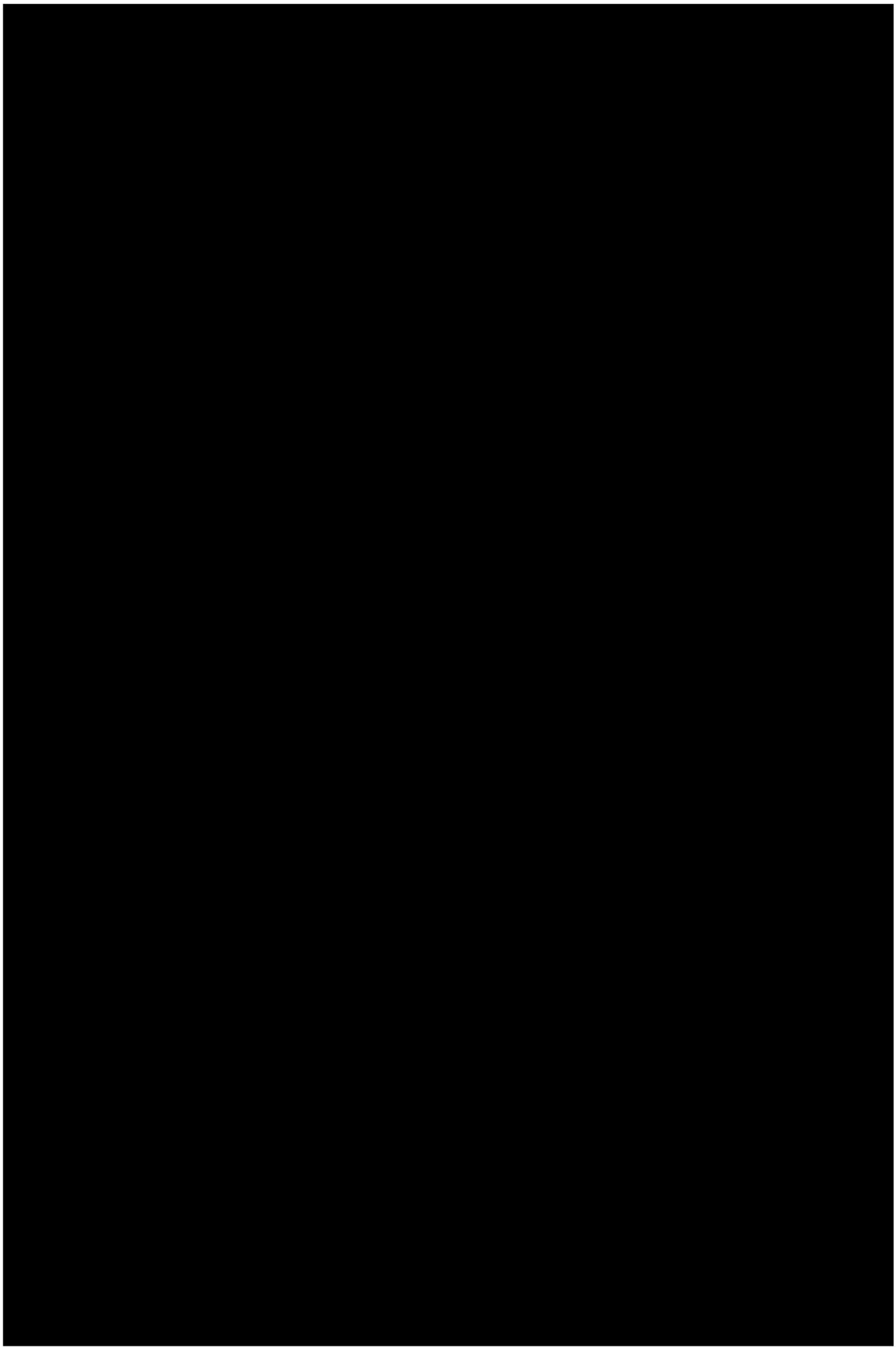
EYES: **BRN**

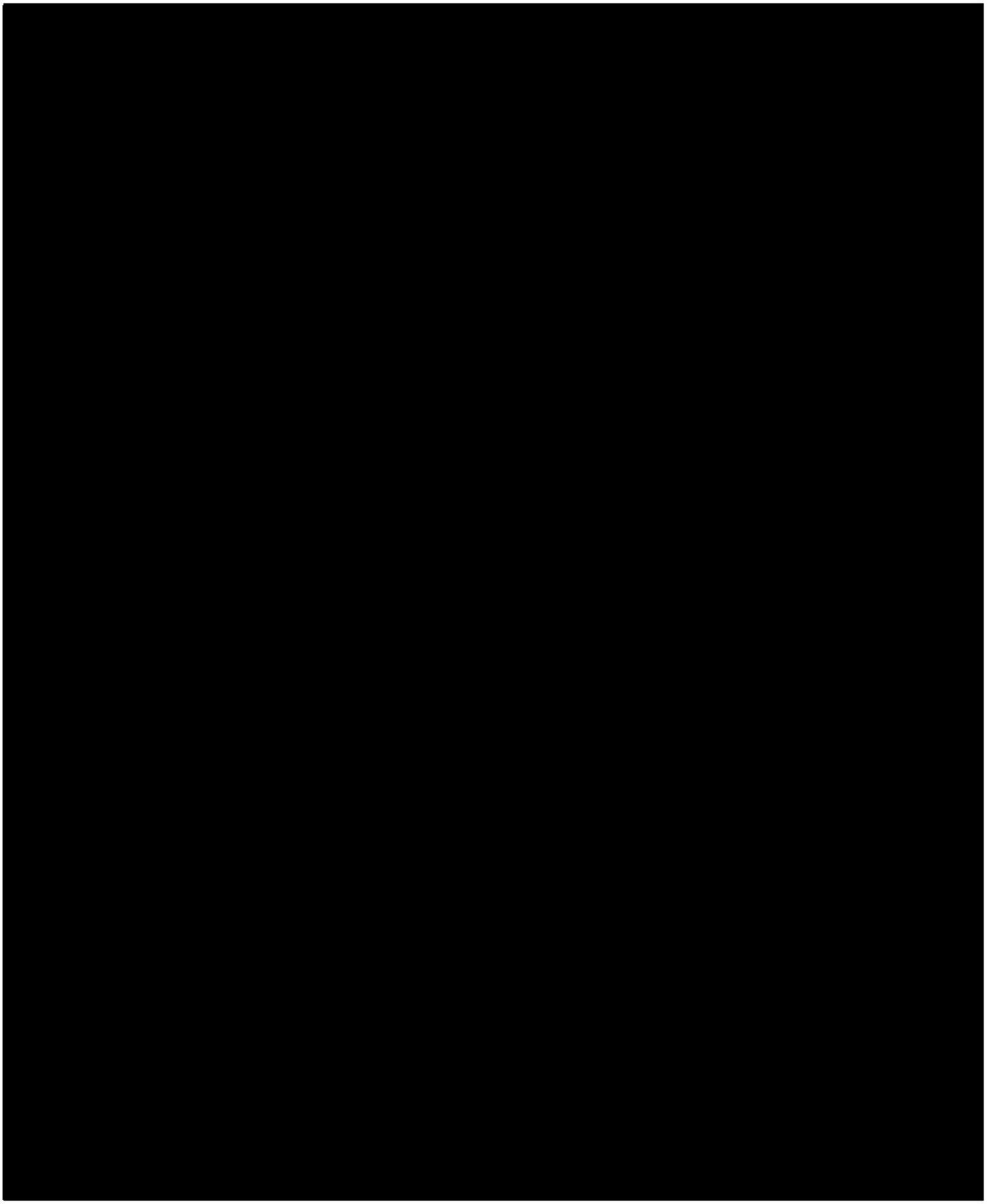
HAIR: **BLK**

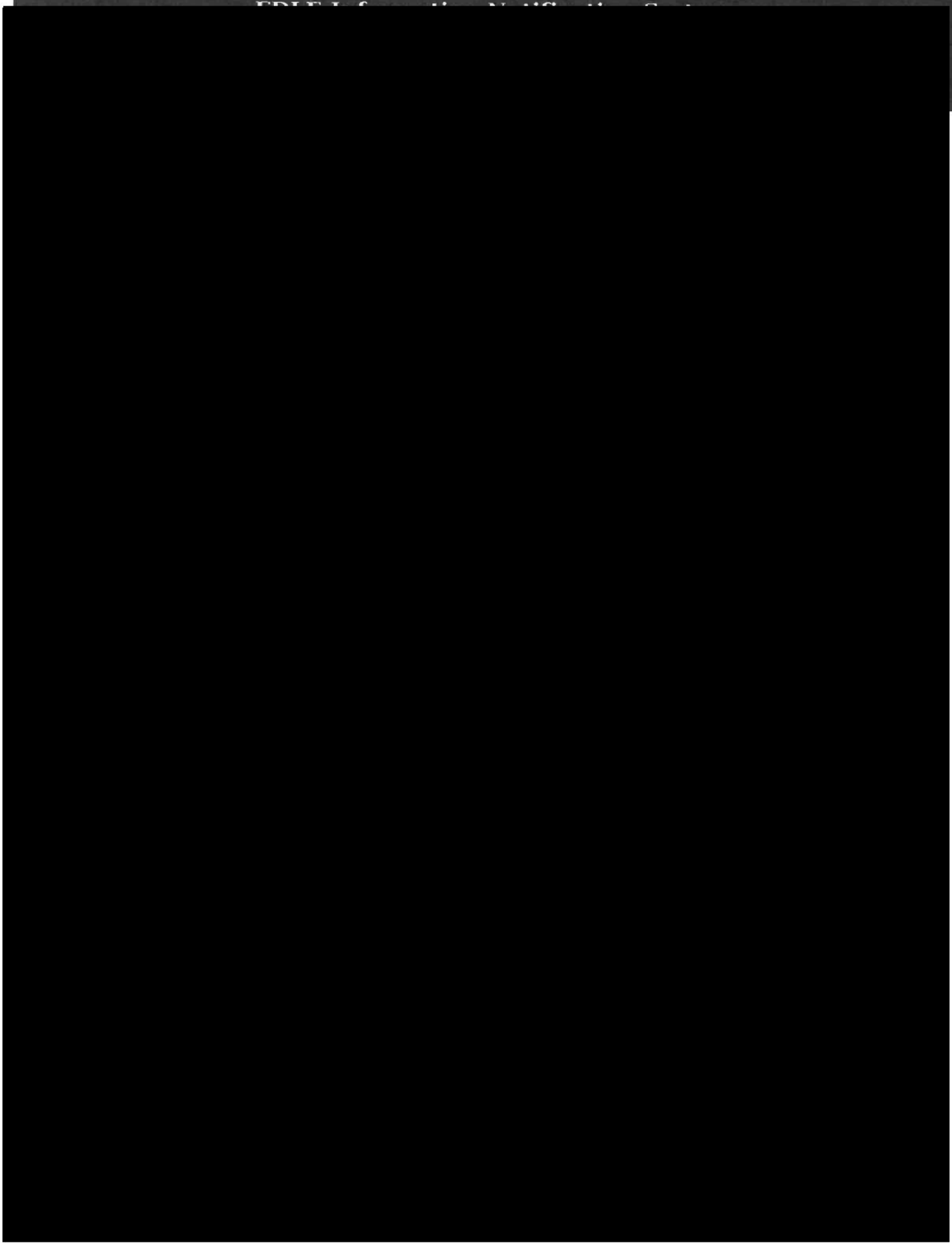
OCCUPATION: TRAINER

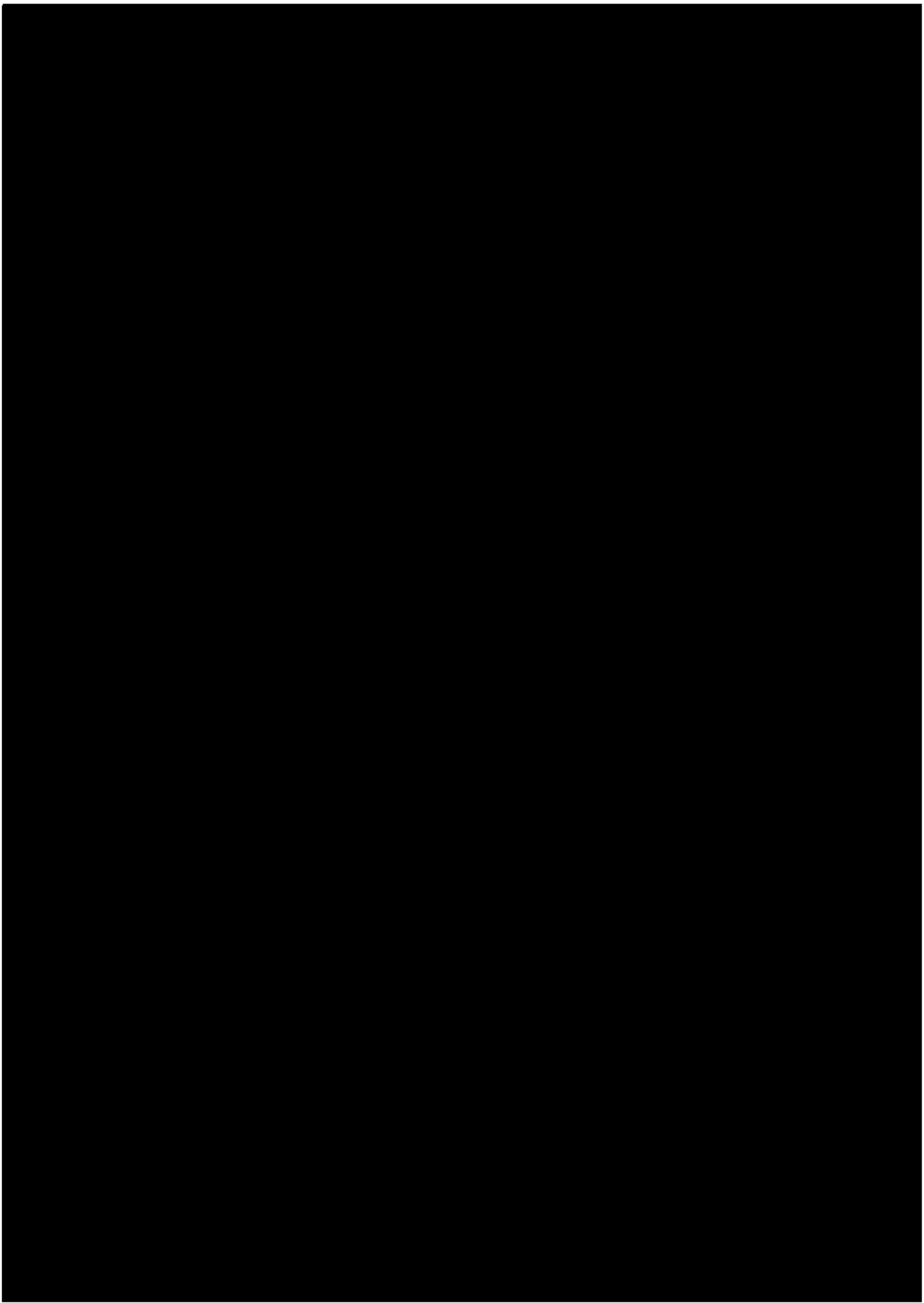
REASON: EFFECTIVE IMMEDIATELY TRAINER KIRK ZIADIE IS NOT ALLOWED ON ANY GSP OR GSPW PROPERTY. IF SEEN CONTACT INMEDIATE SUPERVISOR.

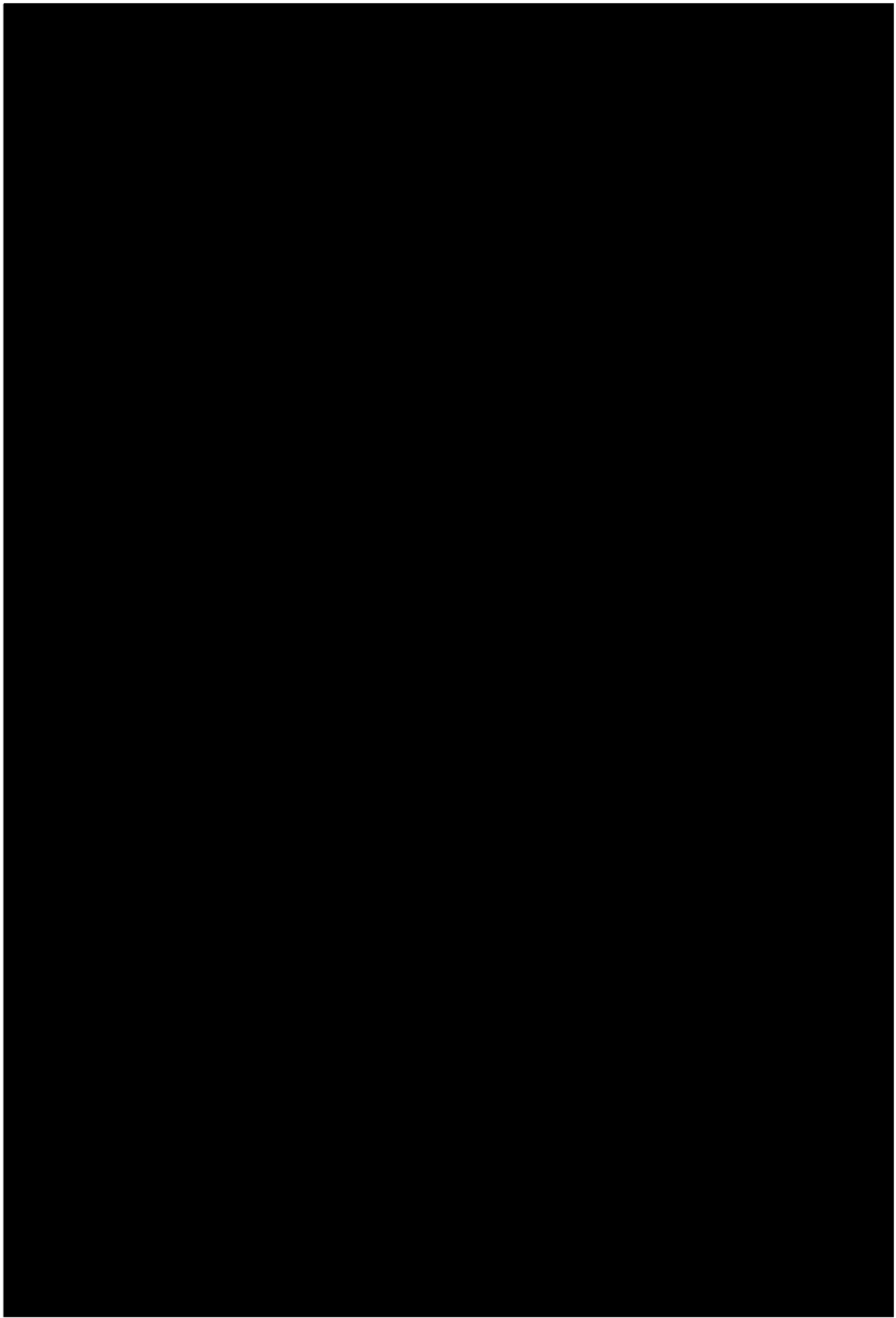
IF THE ABOVE MENTIONED PERSON TRIES TO GAIN ACCESS TO THE PREMISES, NOTIFY THE SECURITY OFFICE.

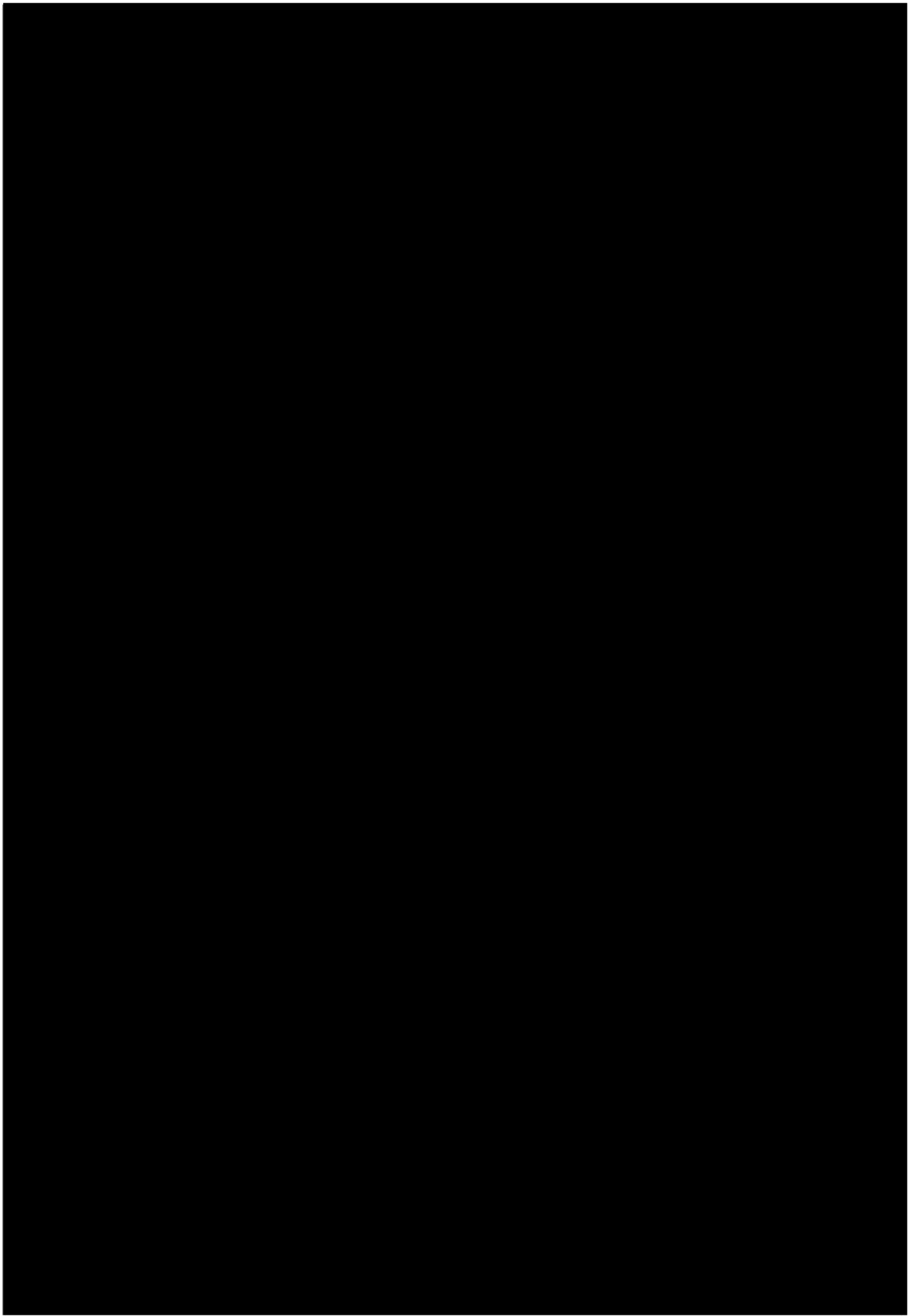


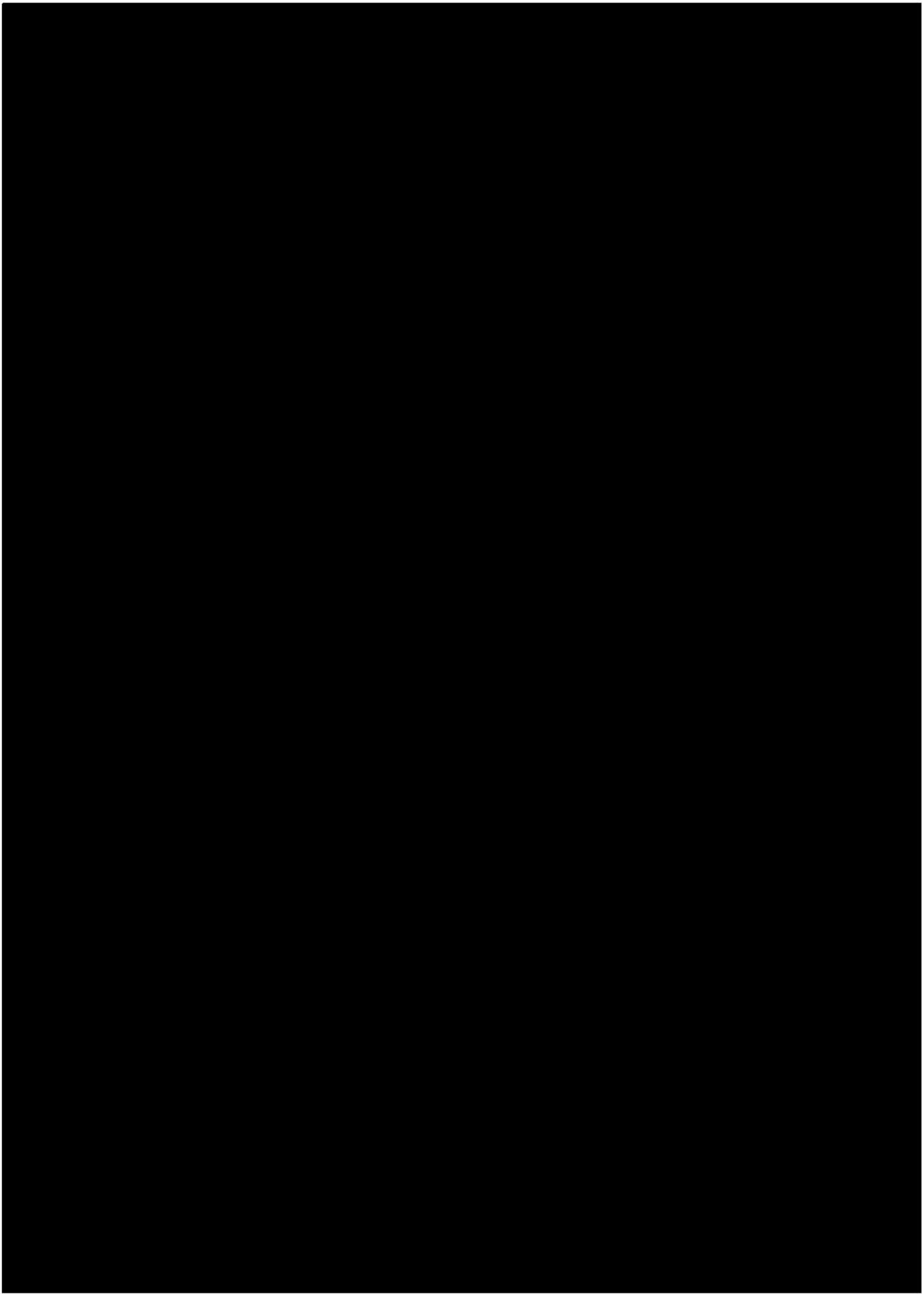












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Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update | Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **gricks**

VR Home > **Complaint Search**

Search Criteria | Results

Case Type	Complaint #	Status	Reference	Incident	Respondent	Complainant	Lic Type	Public Case	View	Process
Complaint	2015037730	Closed		05/29/2015	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	APDN		
Complaint	2015022708	Closed	031421	05/09/2015	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CASC		
Complaint	2015020548	Closed	028949	04/24/2015	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2015009229	Closed	798044	02/06/2015	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2014052733	Closed	028332	12/07/2014	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2014039033	Closed	799956	09/05/2014	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2014006345	Closed	795544	01/19/2014	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013047021	Closed	787233	10/27/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013043815	Closed	787098	10/12/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013034195	Closed	791655	08/03/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013032774	Closed	790510	07/19/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013028055	Closed	61D-6.003(2)	07/06/2013	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	CASC		
Complaint	2013031214	Closed	788437	07/06/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2013030616	Closed	791530	07/01/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013029114	Closed	791513	06/25/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013026031	Closed	786600	06/09/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013026525	Closed	786584	06/08/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA	1021	FINL		

						RACING LABORATORY				
Complaint	2013025126	Closed	786920	05/26/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013025104	Closed	786847	05/24/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013023875	Closed	786406	05/10/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013023790	Closed	788695	04/26/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013016106	Closed	785589	03/13/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2013004831	Closed	781978	01/06/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CASC		
Complaint	2013005018	Closed	781969	01/06/2013	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	PCF		
Complaint	2012043730	Closed	780373	09/27/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2012044104	Closed	780308	09/22/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2012041948	Closed	780135	09/14/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
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Complaint	2012040949	Closed	779722	08/17/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2012033990	Closed	777376	07/04/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	FINL		
Complaint	2012026684	Closed	550790	05/18/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2012024018	Closed	550528	04/29/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2012021061	Closed	550266	04/14/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2012011360	Closed	548600	02/09/2012	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009029506	Closed	418346	05/14/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LAB	1021	JSR		
Complaint	2009048213	Closed	415097	03/31/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LAB	1021	ADMC		
Complaint	2009031718	Closed		03/29/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009022107	Closed	426000	03/25/2009	ZIADIE, KIRK M		1021	JSR		

						UNIVERSITY OF FLORIDA RACING LAB				
Complaint	2009031768	Closed		03/21/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2009019770	Closed		01/29/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
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Complaint	2009003113	Closed		01/18/2009	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	JSR		
Complaint	2009019767	Closed		01/18/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
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Complaint	2009019761	Closed		01/16/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
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Complaint	2009017781	Closed		01/10/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
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Complaint	2009017786	Closed		01/10/2009	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
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Complaint	2008059733	Closed	422342	09/20/2008	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
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Complaint	2007062696	Closed	195855	10/25/2007	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
Complaint	2007048948	Closed		06/30/2007	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	CC		
Complaint	2007030323	Closed	194410	04/27/2007	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
Complaint	2007025004	Closed	193728	03/19/2007	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	CC		
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Complaint	2005064692	Closed	179373 323000607	12/02/2005	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		
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Complaint	2005022931	Closed	320000840	04/22/2005	ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	JSR		
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Complaint	2004028212	Closed	932228	05/02/2004	ZIADIE, KIRK M	UNIVERSITY OF FLORIDA RACING LABORATORY	1021	JSR		

Complaint	2009039658	Closed			ZIADIE, KIRK M	DIVISION OF PARI-MUTUEL WAGERING	1021	CC		

Total: 81

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DBPR PMW-3195 – Request for Release of Information and Authorization to Release Information

RECEIVED
2023 JUL 21 PM 3:25
FLORIDA GAMING CONTROL COMMISSION

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING
www.myfloridalicense.com

PERSONAL INFORMATION

Social Security Number/Federal Employer ID Numbe [redacted]

IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION

Last Name	First	Middle	Title	Suffix
ZIADIE	KIRK	H		

Birth Date (MM/DD/YY [redacted]

IF BUSINESS, COMPLETE THE FOLLOWING SECTION

Representative's Name Last	First	Middle	Title	Suffix

Permitholder Name

Official Capacity

ATTEST STATEMENT

I, KIRK ZIADIE, do hereby instruct all law enforcement
(name of applicant/representative)
or criminal justice agencies, present and former employers or institutions with whom I or my businesses have a present or past business relationship, as well as all present or past social associates to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Additionally, I do release such individuals or entities from any and all liability due to the release of information requested.

(If individual applicant - legal name and any nickname or alias in parentheses)

Applicant/Representative Signature: _____ Date: 7/19/23

NOTARIZATION

The foregoing application was sworn to and subscribed before me this 19th Day of JULY 20 23.

by KIRK ZIADIE
Type or print name of applicant

_____
Signature of applicant

who is personally known to me or who has produced the following as identification:

DRIVER LICENSE
Type of Identification

_____
Signature of person taking acknowledgement
Notary Seal
(Rubber Stamp and Expiration)

LAURA K. MUNSON
MY COMMISSION # HH 099723
EXPIRES: April 30, 2025

FLORIDA
GAMING CONTROL
COMMISSION

JULIE I. BROWN, COMMISSIONER
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER

June 16, 2023

RECEIVED
2023 AUG -3 PM 3:47
FLORIDA GAMING CONTROL COMMISSION

Mr. Kirk M Ziadie
3701 Southwest 141 Ave.
Miramar, Florida 33027

RE: Application No. 246204, Entity 701515
1021 - PMW Professional Individual Occupational

Dear Mr. Ziadie:

Your application for an occupational license with the Office of Operations has been received. The item(s) checked below are either missing or require correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 3 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section and provide court disposition records. Please initial and date any changes made to your application.

  You must list the information on your application for the following charges:
  - Broward County, Florida Arrest(s) – 11/22/2006

- Other: You must provide a letter of good standing from the Maryland Racing Commission, Minnesota Racing Commission, Delaware Racing Commission, Virginia Racing Commission, and New Jersey Racing Commission.

- PMW-3195 - Request for Release of Information and Authorization to Release Information (form enclosed).

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 09/30/2023, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal

applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided above, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

Randall Kitchens
Operations Analyst II

Cynthia Ritter

From: Stephen Pagano <Stephen.Pagano@njoag.gov>
Sent: Thursday, August 3, 2023 12:17 PM
To: PMW-Operations
Cc: atmracingllc@gmail.com
Subject: Kirk Zaidie
Attachments: -Type File Name-Zaidie.pdf

You don't often get email from stephen.pagano@njoag.gov. Learn why this is important

Attached please find copy of letter in reference to Kirk Zaidie.
Thank you,
Stephen Pagano
CONFIDENTIALITY NOTICE The information contained in this communication from the Office of the New Jersey Attorney General is privileged and confidential and is intended for the sole use of the persons or entities who are the addressees. If you are not an intended recipient of this e-mail, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the Office of the Attorney General at (609) 292-4925 to arrange for the return of this information.

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF NEW JERSEY RACING COMMISSION
PO BOX 088
TRENTON, NJ 08625-0088

MATTHEW J. PLATKIN
Attorney General

MICHAEL J. ARNONE, D.D.S.
LAWRENCE DEMARZO
FRANCIS X. KEEGAN, JR.
CHARLES E. TOMARO
GLEN VETRANO
Commissioners

JUDITH A. NASON
Executive Director

August 3, 2023

To whom it may concern:

Kirk Ziadie has no outstanding fines in the state of New Jersey and is welcome to apply for licensing with the state of New Jersey Racing Commission.

Mr. Ziadie, was last licensed in New Jersey in 2008 as a trainer.

Stephen Pagano
State Steward
New Jersey Racing Commission

RECEIVED
2023 AUG -3 PM 2:58
FLORIDA GAMING
CONTROL COMMISSION

Cynthia Ritter

From: Anthony Mattera <atmracingllc@gmail.com>
Sent: Thursday, August 3, 2023 11:49 AM
To: PMW-Operations
Subject: Fwd: Kirk Zaidie

Last letter.. NJ.. Thanks again for everything

Anthony Mattera and Kirk Ziadie

Begin forwarded message:

> **From:** Stephen Pagano <spag527@yahoo.com>
> **Date:** August 3, 2023 at 11:43:07 AM EDT
> **To:** atmracingllc@gmail.com
> **Subject: Kirk Zaidie**

State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF NEW JERSEY RACING COMMISSION
PO Box 088
TRENTON, NJ 08625-0088

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

MATTHEW J. PLATKIN
Attorney General

MICHAEL J. ARNONE, D.D.S.
LAWRENCE DEMARZO
FRANCIS X. KEEGAN, JR.
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JUDITH A. NASON
Executive Director

August 3, 2023

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Stephen Pagano
State Steward
New Jersey Racing Commission

RECEIVED
2023 AUG -3 PM 2:58
FLORIDA GAMING CONTROL COMMISSION

FLORIDA
GAMING CONTROL
COMMISSION

JULIE I. BROWN, COMMISSIONER
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER

June 16, 2023

RECEIVED
2023 JUL 21 PM 3:25
FLORIDA GAMING
CONTROL COMMISSION

Mr. Kirk M Ziadie
3701 Southwest 141 Ave.
Miramar, Florida 33027

RE: Application No. 246204, Entity 701515
1021 - PMW Professional Individual Occupational

Dear Mr. Ziadie:

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  - Broward County, Florida Arrest(s) – 11/22/2006

- Other: You must provide a letter of good standing from the Maryland Racing Commission, Minnesota Racing Commission, Delaware Racing Commission, Virginia Racing Commission, and New Jersey Racing Commission.

No Minnesota or NJ

- PMW-3195 - Request for Release of Information and Authorization to Release Information (form enclosed).

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If you fail to provide the Florida Gaming Control Commission with a complete application by 09/30/2023, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal

applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided above, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

Randall Kitchens
Operations Analyst II

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SIGN DATE

YES

KZ 7/19/23

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

☐ Yes ☒ No	Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?
☐ Yes ☒ No	Have you ever been convicted of or had adjudication withheld for any crime, or pled [illegible] criminal charges against you? If yes, the court disposition records for all convictions must be submitted with your application and you must list the details in the chart provided below.

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE
11/22/2006	BROWARD	FL	BATTERY	MISDEMEANOR	PROBATION

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☒ Yes ☐ No	Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If Yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.
☐ Yes ☒ No	Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

SUSPENSION IN FLA / POSITIVE TEST

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary, unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow student screening of applicants and licensees by a Title IV-D child support agency to ensure compliance with child support obligations. Social Security numbers could also be recorded on all occupational license applications and are used for license identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of processing and retrieving Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notification and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that submission of any information on this application may result in administrative action, including fines up to $1,000, denial, suspension, or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

Signature of Applicant

5/30/23
Date

DBPR PMW-0120, Effective September 2020, Rule 61D-6.001, F.A.C.

Page 2 of 3

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FLORIDA GAMING CONTROL COMMISSION

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING
www.myfloridalicense.com

PERSONAL INFORMATION

Social Security Number/Federal Employer ID Number: [redacted]

IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION

Last Name	First	Middle	Title	Suffix
ZIADIE	KIRK	M		

Birth Date (MM/DD/YY[redacted]

IF BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION

Representative's Name Last	First	Middle	Title	Suffix

Permitholder Name

Official Capacity

ATTEST STATEMENT

I, KIRK ZIADIE, do hereby instruct all law enforcement
(name of applicant/representative)
or criminal justice agencies, present and former employers or institutions with whom I or my businesses have a present or past business relationship, as well as all present or past social associates to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Additionally, I do release such individuals or entities from any and all liability due to the release of information requested.

(If individual applicant - legal name and any nicknames or alias in parentheses)

Applicant/Representative Signature: _____ Date: 7/19/23

NOTARIZATION

The foregoing application was sworn to and subscribed before me this 19th Day of JULY 20 23.

by KIRK ZIADIE _____
Type or print name of applicant Signature of applicant

who is personally known to me or who has produced the following as identification:

Driver License
Type of Identification

LAURA K. MUNSON
MY COMMISSION # HH 099723
EXPIRES: April 30, 2025

Signature of person taking acknowledgement
Notary Seal
(Rubber Stamp and Expiration)

Gmail

Anthony Mattera <atmracingllc@gmail.com>

Letter of Good Standing

Cheryl Kauffman -LABOR- <cheryl.kauffman@maryland.gov>
To: Anthony Mattera <atmracingllc@gmail.com>, dlopimarylendracingcommission-labor@maryland.gov

Hi Anthony,
Kirk Ziadie is in Good Standing.
If you need any further information , please call the Maryland Racing Commission licensing office at (410) 296-9683,

Thank you,
Cheryl Kauffman
[Quoted text hidden]

Cheryl Kauffman
Maryland Racing Commission
Maryland Department of Labor
300 E. Towsontown Blvd.
Towson, Maryland 21286
Cheryl.Kauffman@Maryland.gov
410-296-9683 (O)
410-296-9687 (F)
Website | Facebook | Twitter

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Click here to complete a three question customer experience survey

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Gmail

Anthony Mattera <atmracingllc@gmail.com>

Kirk Ziadie Letter of Good Standing

Davis, Rhonda (VRC) <Rhonda.Davis@vrc.virginia.gov> Tue, Jul 11, 2023 at 3:14 PM
To: Anthony Mattera <atmracingllc@gmail.com>, "kirkziadieracing@aol.com" <kirkziadieracing@aol.com>

I sent an email directly to the Florida Gaming Control Commission.

Thanks,

Rhonda Davis
Pari-mutuels & Licensing
Virginia Racing Commission
5707 Huntsman Road
Suite 201-B
Richmond, VA 23250
Office (804) 966-7415
Cell (804) 461-0740

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2023 JUL 21 PM 3:25
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From: Anthony Mattera <atmracingllc@gmail.com>
Sent: Tuesday, July 11, 2023 2:49 PM
To: kirkziadieracing@aol.com <kirkziadieracing@aol.com>
Cc: Davis, Rhonda (VRC) <Rhonda.Davis@vrc.virginia.gov>
Subject: Kirk Ziadie Letter of Good Standing

[Quoted text hidden]

entities who are the addressees. If you are not an intended recipient of this e-mail, the dissemination, distribution, copying or use of the information it contains is strictly prohibited. If you have received this communication in error, please immediately contact the Office of the Attorney General at (609) 292-4925 to arrange for the return of this information.

Anthony Mattera <atmracingllc@gmail.com> Wed, Jul 12, 2023 at 11:31 AM
To: Sharon Jemas <Sharon.Jemas@njoag.gov>

Awesome, could you please send an email to me or to PMW-Operations@flgaming.gov stating that Kirk Ziadie has no pending fines or suspensions in the State of NJ.

Thanks again, I'll swing by friday to introduce myself lol
[Quoted text hidden]

Sharon Jemas <Sharon.Jemas@njoag.gov> Wed, Jul 12, 2023 at 12:11 PM
To: Anthony Mattera <atmracingllc@gmail.com>

Anthony,

We will give them a call and follow up with the Stewards.

-Sharon

[Quoted text hidden]
[Quoted text hidden]

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Jonathan Dye

From: Anthony Mattera <atmracingllc@gmail.com>
Sent: Wednesday, July 19, 2023 3:01 PM
To: PMW-Operations
Cc: Kirkziadieracing
Subject: Kirk Ziadie Finished Application and Letters of Good Standing
Attachments: FL Release Form.png; FL application KZ.png; Delaware.png; Maryland.png; Minnesota.png; Virginia.png; New Jersey.png

You don't often get email from atmracingllc@gmail.com. Learn why this is important

Good afternoon,

First and foremost Kirk and I would like to thank everyone at the PMW Office for their kindness and thoughtfulness throughout our interactions, everyone in the office has been super supportive and generous with their time and we thank you.

Kirk and I have reached out to all the states that were in question and he is in good standing in all states with no fines or suspensions pending. Most states' latest interactions with Kirk were over 15 years ago. The only fine and suspension pending was in Florida which he has served his time and paid his fine. I have attached the corrected application as well as interactions with other states. Some states informed us they would be sending the letter of good standing directly and hopefully they have been received. God willing this fulfills his requirements and Kirk can work on restoring his name and career.

Thanks so much,

Anthony Mattera and Kirk Ziadie

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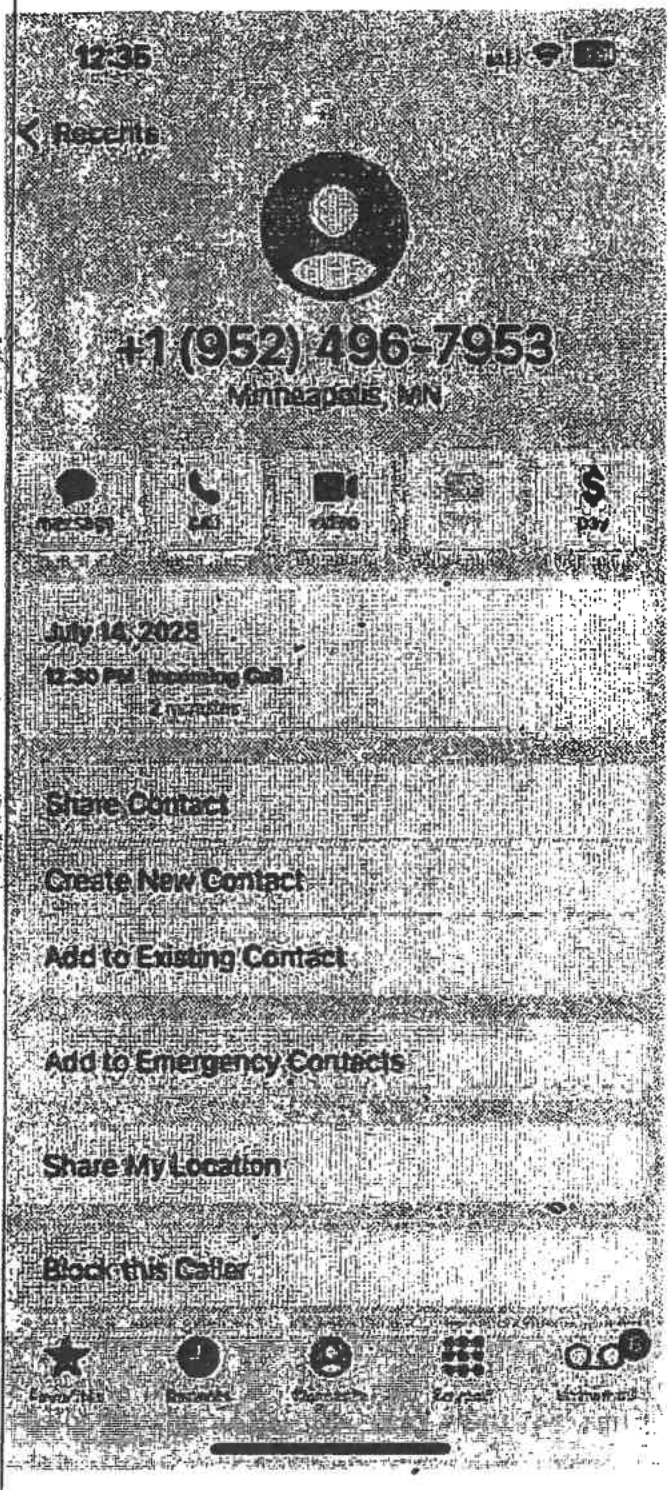

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Gmail

Anthony Mattera <atmracingllc@gmail.com>

FW:

1 message

Corrigan, Sean (MRC) <Sean.Corrigan@state.mn.us> Sun, Jul 23, 2023 at 4:43 PM
To: "atmracingllc@gmail.com" <atmracingllc@gmail.com>
Cc: "Cummins, Nick (MRC)" <nick.cummins@state.mn.us>

From: Corrigan, Sean (MRC)
Sent: Saturday, July 22, 2023 9:40 AM
To: atmracing@gmail.com
Subject:

Regarding your inquiry into Mr. K. Ziadie.

Mr. Ziadie shows no history of being licensed in Minnesota by the Minnesota racing Commission and Mr. Ziadie is eligible to apply for a license through the Minnesota Racing Commission.

Thank you

Sean Corrigan

Investigator

Minnesota Racing Commission

1100 Canterbury Road, Suite 100

Shakopee, MN 55379

O: 952-496-7950 Ext. 5

F: 952-496-7954

https://mn.gov/mrc/

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2023 JUL 24 AM 10:01
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Jonathan Dye

From: Anthony Mattera <atmracingllc@gmail.com>
Sent: Monday, July 24, 2023 9:22 AM
To: PMW-Operations
Cc: Kirkziadieracing
Subject: Kirk Ziadie Minnesota NJ attached
Attachments: Minn.png; New Jersey.png

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Hey guys, I attached the correspondence with Minnesota and NJ. NJ has stated, they've also sent and contacted you guys directly and have no records of him for over 15 years. All states have now given Mr. Ziadie the all clear and he is excited for his future! He will make yas proud we promise lol. If you have any questions please call me at 609-418-3883 or Kirk directly at 954-678-9705.

Thanks again,
Anthony and Kirk

Cynthia Ritter

From: Anthony Mattera <antmattera@gmail.com>
Sent: Wednesday, July 12, 2023 10:54 AM
To: PMW-Operations
Cc: Kirkziadieracing
Subject: Re: To sara crane

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Awesome thanks so much, we should be getting the other confirmations of good standing, within the day or two and will send back the correct forms.

Thanks so much for your help and consideration,

Anthony Mattera for Kirk Ziadie

> On Jul 12, 2023, at 10:41 AM, PMW-Operations <PMW-Operations@flgaming.gov> wrote:
>
> Thank you, Mr. Mattera. Both emails will be provided to the analyst reviewing the application.
>
> **Thank you,**

The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. LARGER VIEW

From: Anthony Mattera <antmattera@gmail.com>
Sent: Monday, July 10, 2023 11:21 AM
To: PMW-Operations <PMW-Operations@flgaming.gov>
Subject: Fwd: Fw: To sara crane

You don't often get email from antmattera@gmail.com. Learn why this is important

Letter of good standing Delaware

---------- Forwarded message ---------
From: **Kirkziadieracing** <kirkziadieracing@aol.com>
Date: Mon, Jul 10, 2023 at 11:12 AM
Subject: Fw: To sara crane
To: Anthony Mattera <antmattera@gmail.com>

Sent from the all new AOL app for iOS

Begin forwarded message:

On Monday, July 10, 2023, 11:01 AM, Crane, Sarah A (DDA) <Sarah.Crane@delaware.gov> wrote:

Mr. Ziadie,

A records search indicates you have not held a license to participate Thoroughbred Racing in the State of Delaware since 2010 and there is no current action against you in the state of Delaware.

Sarah Crane

Sarah Crane - Executive Director

Delaware Thoroughbred Racing Commission

Office – 302.993.8970

The contents herein may be privileged and confidential. If you are not the intended recipient, any use, disclosure or copying of this material is unauthorized. If you are neither the intended recipient nor the agent responsible for delivering the message to the intended recipient, you are requested to delete the message from your system and notify us immediately by phone or email

From: Kirkziadieracing <kirkziadieracing@aol.com>
Sent: Friday, July 7, 2023 3:27 PM
To: Crane, Sarah A (DDA) <Sarah.Crane@delaware.gov>
Subject: To sara crane

Hi sara my name is kirk ziadie and the state of florida needs clearance that im in good standings in delaware and im not suspended or revoked in this state .. Please if u can help me that would be appreciated thank u . You can reach me at 954 678 8705 if any questions

Sent from the all new AOL app for iOS

FLORIDA
GAMING CONTROL
COMMISSION

JULIE I. BROWN, COMMISSIONER
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER

RECEIVED
By Randall Kitchens at 3:58 pm, Jul 11, 2023

July 11, 2023

Virginia Racing Commission
5707 Huntsman Road, Suite 201-B
Richmond, Virginia 23250

GAMING LICENSE INFORMATION REQUEST

The Florida Division of Pari-Mutuel Wagering has received a license application from the individual listed below and is currently conducting a background investigation. The individual has indicated on their application that they are currently licensed and in good standing in your jurisdiction. Please examine your files for any disciplinary proceedings/actions, restrictions, revocations or non-renewal concerning his/her license.

Please answer the following questions and return this form to our office via fax at **850.410.5350** or e-mail to Randall.Kitchens@myfloridalicense.com.

Individual Name: Kirk Ziadie

Tax ID: [redacted]

Type of License: Trainer

Is this individual currently licensed?: [ ] YES [x] NO

Is this individual's license in good standing?: [ ] YES [x] NO

If no, please explain: Expired in 2006

Has this individual had any disciplinary proceedings/actions, restrictions, revocations or non-renewal concerning his/her license? [ ] YES [x] NO

If yes, please explain:

Name of Certifier: Rhonda Davis **Date:** 7/11/2023

Your assistance is appreciated. Thank you.

Florida Division of Pari-Mutuel Wagering
Attn: Randall Kitchens
Office of Operations
Licensing Section

FLORIDA
GAMING CONTROL
COMMISSION

JULIE I. BROWN, COMMISSIONER
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER

CR

June 16, 2023

Mr. Kirk M Ziadie
3701 Southwest 141 Ave.
Miramar, Florida 33027

FILED
JUL 10 2023

RE: Application No. 246204, Entity 701515
1021 - PMW Professional Individual Occupational

Dear Mr. Ziadie:

Your application for an occupational license with the Office of Operations has been received. The item(s) checked below are either missing or require correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 3 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section and provide court disposition records. Please initial and date any changes made to your application.

  You must list the information on your application for the following charges:
  - Broward County, Florida Arrest(s) – 11/22/2006

- Other: You must provide a letter of good standing from the Maryland Racing Commission, Minnesota Racing Commission, Delaware Racing Commission, Virginia Racing Commission, and New Jersey Racing Commission.

- PMW-3195 - Request for Release of Information and Authorization to Release Information (form enclosed).

2 emails attached

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 09/30/2023, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal

applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided above, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

Randall Kitchens
Operations Analyst II

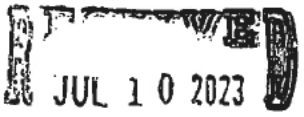
Cynthia Ritter

From: Anthony Mattera <atmracingllc@gmail.com>
Sent: Monday, July 10, 2023 10:53 AM
To: PMW-Operations
Subject: Fwd: Letter of Good Standing

You don't often get email from atmracingllc@gmail.com. Learn why this is important

Letter of Good standing, Maryland

Thanks so much,
Anthony and Kirk



-------- Forwarded message --------
From: **Cheryl Kauffman -LABOR-** <cheryl.kauffman@maryland.gov>
Date: Fri, Jul 7, 2023 at 10:58 AM
Subject: Re: Letter of Good Standing
To: Anthony Mattera <atmracingllc@gmail.com>, <dlopImarylandracingcommission-labor@maryland.gov>

Hi Anthony,
Kirk Ziadie is in Good Standing,
If you need any further information , please call the Maryland Racing Commission licensing office at (410) 296-9683,

Thank you,
Cheryl Kauffman

On Fri, Jul 7, 2023 at 10:31 AM Anthony Mattera <atmracingllc@gmail.com> wrote:
Please call 609-418-3883 if you have any questions

Thanks again

On Thu, Jul 6, 2023 at 4:02 PM Anthony Mattera <atmracingllc@gmail.com> wrote:
To whom it may concern,

Hi, I am requesting a letter of good standing for Kirk Ziadie who last raced on June 28, 2015. The state of Florida has requested we reach out to other states to ensure he has no fines or suspensions. It's been a long frustrating road and we appreciate any help or guidance you can provide.

Thanks so much,
Anthony Mattera for Kirk Ziadie

Cheryl Kauffman
Maryland Racing Commission
Maryland Department of Labor
300 E. Towsontown Blvd.
Towson, Maryland 21286
Cheryl.Kauffman@Maryland.gov
410-296-9683 (O)
410-296-9687 (F)
Website | Facebook | Twitter

Click here to complete a three question customer experience survey

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Cynthia Ritter

From: Anthony Mattera <antmattera@gmail.com>
Sent: Monday, July 10, 2023 11:21 AM
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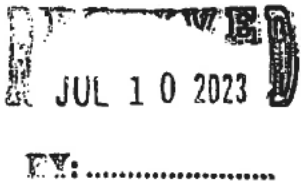
You don't often get email from antmattera@gmail.com. Learn why this is important

Letter of good standing Delaware

---------- Forwarded message ---------
From: **Kirkziadieracing** <kirkziadieracing@aol.com>
Date: Mon, Jul 10, 2023 at 11:12 AM
Subject: Fw: To sara crane
To: Anthony Mattera <antmattera@gmail.com>



Sent from the all new AOL app for iOS

Begin forwarded message:

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Sarah Crane

Sarah Crane - Executive Director

Delaware Thoroughbred Racing Commission

Office – 302.993.8970

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To: Crane, Sarah A (DDA) <Sarah.Crane@delaware.gov>
Subject: To sara crane

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Sent from the all new AOL app for iOS

10. Discussion of cashless wagering rulemaking