

1 FLORIDA GAMING CONTROL COMMISSION

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9 PUBLIC MEETING/WORKSHOP HEARING

10

Thursday, March 6, 2025

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9:30 a.m.

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Reported by: Tia Pierre

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Job No.: 387732

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1 ATTENDANCE

2 COMMISSIONERS:

3 JULIE A BROWN, VICE CHAIR

4 CHARLES DRAGO, COMMISSIONER

5 JOHN D'AQUILA, COMMISSIONER

6 TINA REPP, COMMISSIONER

7

COMMISSION STAFF:

8

ROSS MARSHMAN, ACTING EXECUTIVE DIRECTOR

9

ELINA VALENTINE, GENERAL COUNSEL

10

MARC TAUPIER, DEPUTY GENERAL COUNSEL

11

EMILY ALVARADO, DEPUTY CHIEF ATTORNEY

12

RENEE HAWKINS, CHIEF ATTORNEY

13

JUSTIN HUNDERSMARCK, SENIOR ATTORNEY

14

SHIREEN ANBARDAN, SENIOR ATTORNEY

15

JOE DILLMORE, DIRECTOR OF PARI-MUTUEL WAGERING

16

TRACY SWAIN, CHIEF OF REVENUE AND AUDITING

17

BRANDY HUMPHRIES, ADMINISTRATIVE ASSISTANT

18

DIXIE PARKER, GENERAL OPERATIONS MANAGER I

19

GARY SNUDER, CHIEF OF LAW ENFORCEMENT

20

WITNESSES:

21 T.J. MORTON, COUNSEL FOR RALLY ACQUISITION

22 GARY RUTLEDGE, COUSEL FOR TAMPA BAY DOWNS

23 EVAN VOLLERTHUM, APPLICANT

24

25

1 P R O C E E D I N G S

2 (9:30 a.m.)

3 VICE CHAIR BROWN: Good morning and welcome to  
4 the Florida Gaming and Control Commission's March 6th  
5 meeting today. Please stand for the Pledge of  
6 Allegiance. We'll be led by Commissioner D'Aquila.

7 (Pledge of Allegiance recited.)

8 VICE CHAIR BROWN: Thank you and welcome all. We  
9 have a pretty hefty agenda here today with a attorney-  
10 client meeting at the end after the public comments.  
11 But we're going to jump right into the approval of the  
12 meeting minutes of January 7th, 2025. Can I get a  
13 motion to approve?

14 COMMISSIONER REPP: Motion to approve.

15 VICE CHAIR BROWN: Can I get a second?

16 COMMISSIONER DRAGO: Second.

17 VICE CHAIR BROWN: All those in favor say Aye.

18 (Chorus of Ayes.)

19 VICE CHAIR BROWN: And my understanding is 2.1  
20 <sup>is</sup> being withdrawn, correct?

21 MR. MARSHMAN: Good morning. Yes, we ask to  
22 table that at this time.

23 VICE CHAIR BROWN: Certainly. And all statutory  
24 provisions will be met by having it tabled?

25 MR. MARSHMAN: Yes, ma'am.

1           VICE CHAIR BROWN: Thank you. All right. We're  
2 moving into 3.1. Discussion of change of ownership.  
3 Director Marshman.

4           MR. MARSHMAN: Good morning again. I'm over  
5 here. Item 3.1 is for the Commission's approval in  
6 the acquisition of St. Petersburg Kennel Club Inc. and  
7 its corresponding permit and gaming license. So we  
8 have a memo that outlines the transaction as it has  
9 been presented to the Commission and staff.

10           Staff has reviewed the materials going back to  
11 May of 2024. And we have been working with attorneys  
12 representing both sides of the deal, frankly, to make  
13 sure that this transaction was presented to you all  
14 with the most information that we were legally allowed  
15 to ask. And the applicant, the purchasers, everyone  
16 involved has been open with us getting you all the  
17 information to review.

18           So if I may, I'd like to provide just a broad-  
19 level overview of the acquisition of the permit  
20 holders, St. Petersburg Kennel Club Inc. I'm  
21 available to answer any other questions, but so also  
22 is an attorney representing the purchasers. He will  
23 also be available to answer questions that you may  
24 have about any individual asset or person involved  
25 materially.

1 VICE CHAIR BROWN: Thank you.

2 MR. MARSHMAN: So at a higher level, there is a  
3 corporation called Rally Development that has a  
4 wholly-owned subsidiary Rally Acquisition. And then  
5 there is St. Pete Kennel Club Inc. St. Pete Kennel  
6 Club Inc. is the current permit holder for the card  
7 room and the pari-mutuel license.

8 The wholly-owned subsidiary Rally Acquisition  
9 will be merging into St. Pete Kennel Club Inc. And  
10 the surviving corporation after this merger is  
11 complete will be St. Pete Kennel Club Inc.

12 So before the transaction, right now as it  
13 stands, that owner of the permit is St. Pete Kennel  
14 Club Inc. After this transaction goes through, if  
15 approved by the Commission as described, St. Pete  
16 Kennel Club Inc. will continue to possess. What will  
17 change however is the board of directors and the owner  
18 of St. Pete Kennel Club Inc.

19 As described in the memo and in the materials you  
20 have access to, you will see that the privately held  
21 corporation will be exchanging its stock from its  
22 current holders to the new holders.

23 And those individuals that I mentioned, the  
24 people that will be supplanting the existing board for  
25 St. Pete Kennel Club and the new owners of St. Pete

1 Kennel Club, they have all submitted individual  
2 license applications as required by Florida law and  
3 Florida Rule. They have been background checked and  
4 there were no issues that we flagged for any of those  
5 purchase stores or owners or the new board.

6 In addition, there's another individual who's  
7 identified as not yet being over the threshold for  
8 being either an ultimate equitable owner or board  
9 member, but he may have the option in future to join  
10 in on that enterprise. That being said, he's already  
11 submitted a license application. He's already gone  
12 through the background check. And again, staff did  
13 not see any flags there either.

14 So if the Commission approves the acquisition of  
15 the permit, staff is requesting that the Commission  
16 issue a conditional final order today and give the  
17 parties 30 days to close the transaction as described.  
18 But also as a requirement for the conditional final  
19 order, the Commission should consider requiring the  
20 parties to present sufficient evidence that the deal  
21 that has been described so far actually took place as  
22 described.

23 Because it wouldn't make sense for us to approve  
24 an acquisition plan and a stock exchange and then have  
25 the plan go completely differently. We would not have

1 approved that, and as regulators, I don't think we  
2 want to be in a position to bless something that we  
3 haven't reviewed as much as we have a previous plan.  
4 So with that I'm available for any other questions you  
5 may have about some of the more specifics.

6 I know we discussed this individually and  
7 separately yesterday at length. And again, just as a  
8 reminder, an attorney for some of the purchasers is  
9 present as well.

10 VICE CHAIR BROWN: Thank you, Mr. Marshman.  
11 Commissioners, are there any questions for Marshman?

12 COMMISSIONER DRAGO: Just a comment and a  
13 question, I guess. My understanding from reviewing  
14 all this material, and I appreciate the due diligence  
15 done by the staff and everybody has been very thorough  
16 in checking everything, background checks, making sure  
17 everything is complete and according to state statute.

18 And just to verify, there are no outstanding  
19 deficiencies in any of the application process at this  
20 point, is there?

21 MR. MARSHMAN: Yes, sir. That's correct. We  
22 initially issued a deficiency letter in June of 2024.  
23 The applicant responded in December of 2024 in an  
24 attempt to correct those deficiencies. We  
25 corresponded with them again in either late January or

1 early February. They provided us with additional  
2 information after that, which is all included in the  
3 materials that you've been reviewing. So there are no  
4 outstanding deficiencies at this time.

5 COMMISSIONER DRAGO: Thank you.

6 VICE CHAIR BROWN: Commissioners, any other  
7 questions for Mr. Marshman? Commissioner D'Aquila.

8 COMMISSIONER D'AQUILA: Mr. Marshman, one of the  
9 requirements is to provide stable working capital to  
10 assess, for obvious reasons, that they have the  
11 sufficient capital to run this. I looked at these  
12 cash flows provided here in the materials, and the  
13 equity section of the balance sheet is missing.

14 While I understand they did type in at the bottom  
15 the definition of working capital, I would like to see  
16 what the equity section looks like as in any  
17 leveraging that equity in any way impacts the working  
18 capital. Is there another way to resubmit that  
19 schedule by printing the entire balance sheet of the  
20 working capital required for that versus just leaving  
21 that section of the balance sheet out?

22 MR. MARSHMAN: We could ask the applicant to  
23 provide that information to the extent possible. But  
24 my understanding going over the materials is that the  
25 wholly-owned subsidiary right now as we stand, has no



1 assets, has no liabilities. It will only be triggered  
2 during the closing process where certain individuals  
3 will be putting funds into that wholly-owned  
4 subsidiary in addition to proceeds from a land sale  
5 that will then fund this transaction in total.

6 So we have a similar question as you,  
7 Commissioner D'Aquila, in this process; is where is  
8 the money coming from and when will it actually be  
9 exchanging hands? And based on the documents that we  
10 reviewed and conversations I had with the purchasers's  
11 counsel, the description I've provided now is the way  
12 this deal has been structured.

13 So we can force/ask purchasers to provide as much  
14 of a detailed accounting as we can and have the  
15 applicant submit the statement of assets and  
16 liabilities. That's something that's provided in the  
17 statute. And again the difficulty with doing that is  
18 just that currently as it stands, there are no assets,  
19 there are no liabilities for the specific applicant,  
20 and for the specific purchasers. That wholly-owned  
21 subsidiary, this balance sheet is zero.

22 COMMISSIONER D'AQUILA: Exhibit C that's  
23 submitted as part of the agreement has an evaluation  
24 there. You were talking about two different entities.  
25 Can you bring up Exhibit C, Ms. Parker?

1 MS. PARKER: Yes, sir.

2 COMMISSIONER D'AQUILA: Is it a projection is  
3 what you're saying?

4 MR. MARSHMAN: I apologize Commissioner. Do you  
5 have the page number on the materials that I can  
6 review?

7 VICE CHAIR BROWN: Okay. Obviously there's a lot  
8 of voluminous material in here, so --

9 COMMISSIONER D'AQUILA: Yeah.

10 VICE CHAIR BROWN: -- a moment.

11 COMMISSIONER D'AQUILA: That's Derby Lane?

12 VICE CHAIR BROWN: It's actually located on  
13 Exhibit B of the first transaction document. There's  
14 no page number on it, but the title of that page says  
15 Derby Lane right at --

16 COMMISSIONER D'AQUILA: Derby Lane?

17 VICE CHAIR BROWN: Yeah.

18 COMMISSIONER D'AQUILA: That's the one.

19 MR. MARSHMAN: This sheet, now that I understand  
20 what you're talking about, so I apologize for the  
21 confusion. This is for the existing permit holder and  
22 the existing corporation that is operating that permit  
23 holder. So that is the seller's financial information  
24 as far as we've interpreted that.

25 COMMISSIONER D'AQUILA: Okay. Thank you for the

1 clarification. So therefore all of that will become  
2 irrelevant upon this merger or this acquisition and  
3 the only capital in here will be -- all of the capital  
4 in essence will be coming from individuals of a  
5 relatively small amount and the private, for lack of a  
6 better term, financing mortgage that's being provided.

7 MR. MARSHMAN: That's correct.

8 COMMISSIONER D'AQUILA: This is why it's not  
9 there. Understood. My question has been answered.  
10 Thank you. You can make that request.

11 VICE CHAIR BROWN: Thank you. Commissioners, any  
12 other questions of staff before we let the attorney  
13 representing the acquiring parties? Okay. If I could  
14 ask Mr. Morton?

15 MR. MARSHMAN: Yes.

16 MR. MORTON: Yes. Good morning.

17 VICE CHAIR BROWN: Good morning.

18 MR. MORTON: T.J. Morton on behalf of Rally  
19 Acquisition, for the record.

20 VICE CHAIR BROWN: Thank you. I have just a few  
21 questions for you. I appreciate you appearing here  
22 and providing all of the information that our staff  
23 has requested as well and being very cooperative and  
24 trying to provide as much transparency that is not  
25 only allowed by statute, but even more so.

1           To that extent, Mr. Lockwood's May 13th, 2024  
2   letter stated that the acquiring parties have not  
3   finalized the post-merger ownership and management  
4   structure as of that date, but you submitted the  
5   required documents that were known to date. Will the  
6   new St. Pete Kennel Club also provide us with any  
7   changes if they are made post closing?

8           MR. MORTON: Absolutely. Are you referring to  
9   any post-closing changes of ownership or management?

10          VICE CHAIR BROWN: Yes.

11          MR. MORTON: Absolutely. We'll do whatever is  
12   required by law and submit that prior to any changes.

13          VICE CHAIR BROWN: Thank you. And organization  
14   structures.

15          MR. MORTON: Yeah. Absolutely.

16          VICE CHAIR BROWN: And then the December 23rd  
17   letter that Mr. Lockwood sent states that company will  
18   provide a copy of the lease once it's finalized.  
19   That's one thing that still, that's Exhibit B of  
20   course, that's still not included in the materials.

21          MR. MORTON: That's correct. At closing there'll  
22   be a variety of documents that are finalized and  
23   executed and we'll provide a package of that so that  
24   you can confirm that what is in fact executed lines up  
25   with what was provided. And we will provide the lease

1 as well.

2 VICE CHAIR BROWN: That's what I thought. It  
3 said that you will provide all the fully executed  
4 copies.

5 MR. MORTON: Sure.

6 VICE CHAIR BROWN: Thank you. And just for  
7 information. For individuals who are listed as the  
8 ultimate equitable owners, I know Mr. Fields  
9 holds a gaming license in Massachusetts. I guess he  
10 has ample experience. Do the others have latter  
11 gaming history or experience?

12 MR. MORTON: So they don't. They're basically  
13 just investors. But the management team and the major  
14 structure is going to remain in place for the  
15 immediate future. They're going to come in -- the  
16 plan is (coughs) -- excuse me. The plan is to take a  
17 look at the facility, the property, invest money, and  
18 revitalize the current group.

19 VICE CHAIR BROWN: And you lead me to my next  
20 point about the business plan that was submitted. It  
21 talked about short term and then long term plans and  
22 stating options for potential redevelopment which is  
23 definitely needed on that prime piece of land on Gandy  
24 Boulevard. Can you share any ideas that you've  
25 explored thus far?

1           MR. MORTON: So I think they're looking at kind  
2 of a six-month period where they just take accounting  
3 of the facility as is and then they're going to look  
4 at potential future plans. I don't think we have  
5 anything we can share right now.

6           VICE CHAIR BROWN: I think it's going to be a  
7 major tremendous component to the area. Any type of  
8 revitalization that is prime for that area.

9           MR. MORTON: Absolutely. Thank you.

10          VICE CHAIR BROWN: Thank you. Commissioners, any  
11 questions?

12          COMMISSIONER D'AQUILA: Not from me.

13          VICE CHAIR BROWN: Thank you.

14          MR. MORTON: Thank you.

15          VICE CHAIR BROWN: Okay. Commissioners, we are  
16 ready for discussion or motion on the item before us.

17          COMMISSIONER DRAGO: I just want to clarify that  
18 the motion, thank you, which would include a  
19 conditional motion, a conditional agreement, can you  
20 list, Mr. Marshman, the different particulars of those  
21 conditions that we would be establishing here in this  
22 motion?

23                I know it is regarding the closing aspect of the  
24 whole deal, but is there steps, is there parts of that  
25 that we need to clarify in this meeting and in this

1 motion to be sure that we all understand what it is  
2 that we're approving or denying?

3 MR. MARSHMAN: I think that the language in the  
4 staff's recommendation is broad enough to capture all  
5 of the materials that you would want to see and staff  
6 would want to review for you to make sure that all the  
7 materials we've seen so far have been carried out as  
8 such as they've been described.

9 So for instance, we have in our recommended  
10 language on the memo, we are asking for all documents  
11 evidencing the closing of the merger within five days  
12 of the closing and just providing all of the  
13 documents. So everything that we've seen so far that  
14 may be not signed, we would expect that to be signed.  
15 And again, all documents, I think, is the term that we  
16 would want to use if we were issuing a conditional  
17 final order approving this transaction today.

18 COMMISSIONER DRAGO: And did I just hear you say  
19 within five days?

20 MR. MARSHMAN: Five days of closing.

21 COMMISSIONER DRAGO: Right.

22 MR. MARSHMAN: I think the recommendation also is  
23 for the parties to have 30 days after the issuance of  
24 the conditional final order to close and then within  
25 five days of the closing, provide that information to

1 the Commission; the evidence that the closing took  
2 place as described.

3 COMMISSIONER DRAGO: So all information is  
4 required to be in within five days after closing?

5 MR. MARSHMAN: Yes, sir.

6 COMMISSIONER DRAGO: Everything should be done?

7 MR. MARSHMAN: Yes, sir.

8 COMMISSIONER DRAGO: Thank you.

9 VICE CHAIR BROWN: Commissioner D'Aquila?

10 COMMISSIONER D'AQUILA: If it is not done, what  
11 is the action?

12 MR. MARSHMAN: That would be up for the  
13 Commission to decide. It would be whether or not the  
14 Commission believe that any violation of the terms and  
15 conditional final order were substantial enough to  
16 warrant a denial of the approval.

17 VICE CHAIR BROWN: And the 30 days, has that been  
18 represented by the parties? Is that broad enough?  
19 Because closing, a lot of different moving parts can  
20 happen, especially with a complex transaction of this  
21 nature. If it moves past 30 days, what would happen?

22 MR. MARSHMAN: So two things. I think the first  
23 answer is yes. 30 days is sufficient time. I think  
24 if the closing was longer than 30 days or took longer  
25 than 30 days, again, it would be back before you-all



1 to approve or not approve of the transaction. It's a  
2 conditional final order. That doesn't mean that it's  
3 a final order denying it. It's just, "Hey, if you can  
4 come back to us with sufficient proof that everything  
5 you presented with us so far has been carried out,  
6 then we intend to grant it."

7 So the applicants, the purchasers, the sellers,  
8 they would have a chance, I think, to come and present  
9 the deal to you if it does not occur within the time  
10 frame we prescribe or if there are changes to the  
11 underlying deal. I think the parties have their own  
12 reasons for wanting to conclude this transaction with  
13 some expediency. So I don't think that we will have a  
14 transaction that's being closed in greater than 30  
15 days.

16 Looking at previous examples of acquisitions, I  
17 think if there is a lag, it would be in getting copies  
18 of all the materials to us within five days. I think  
19 that would be where we would see perhaps a day delay.  
20 And I don't know if that would be something the staff  
21 would recommend to you all as a substantial violation  
22 in terms of the conditional order if that were to  
23 occur.

24 COMMISSIONER D'AQUILA: Thank you.

25 VICE CHAIR BROWN: All right. Commissioners, any

1 other questions before we are ready for a motion on  
2 this item?

3 COMMISSIONER DRAGO: I'd like to make a motion to  
4 approve the recommendation by staff. Should I read  
5 this one in, do you think, or?

6 COMMISSIONER REPP: Please.

7 COMMISSIONER DRAGO: I'm sorry?

8 COMMISSIONER REPP: I would prefer to have it  
9 into the record. That would be great.

10 COMMISSIONER DRAGO: Okay. So I'll read the  
11 motion. Enter a final order approving the change in  
12 ownership of 100 percent of St. Petersburg Kennel Club  
13 Inc. as a result of the merger of Rally Acquisition  
14 Company, a wholly-owned subsidiary of Rally  
15 Development, LLC with it into the St. Petersburg  
16 Kennel Club Inc.

17 The final order should be conditional upon the  
18 closing of the merger as set forth in the agreement  
19 and planned merger within 30 days of the issuance of  
20 the final order; and two, the acquiring parties  
21 notifying the Commission and providing all documents  
22 evidencing the closing of the merger within five days  
23 of such closing period.

24 VICE CHAIR BROWN: Thank you. Can we get a  
25 second?

1 COMMISSIONER D'AQUILA: I will second that  
2 motion.

3 VICE CHAIR BROWN: Any discussion on the item?  
4 All those in favor say aye.

5 (Chorus of Ayes.)

6 VICE CHAIR BROWN: Thank you. Passed  
7 unanimously. We are moving on to discussion of  
8 default final orders 4.1 through 4.7. And, Ms.  
9 Alvarado, if we could take up 4.4 and 4.5 together.

10 MR. HUNDERSMARCK: Sorry. I'm presenting this.

11 VICE CHAIR BROWN: Oh.

12 MR. HUNDERSMARCK: Good morning.

13 VICE CHAIR BROWN: Good morning.

14 MR. HUNDERSMARCK: Justin Hundersmarck, for the  
15 record. So item 4.1 is Simon James Gann, case number  
16 2023-045737. In your case materials, you have the one  
17 count Administrative Complaint alleging respondent was  
18 excluded from casino at Dania Beach on August 8th,  
19 2023 for his history of scamming and victimizing  
20 people throughout multiple states, including at least  
21 some scams that he perpetrated at Florida casinos.

22 He is therefore subject to exclusion from all  
23 pari-mutuel facilities and all facilities of a slot  
24 machine licensee pursuant to Section 550.0251  
25 Subsection 6 and 551.112 Florida Statutes. You've

1 also been provided the USPS certified mail tracking  
2 number and USPS delivery confirmation showing delivery  
3 to the respondent. Respondent failed to respond.

4 Therefore, the Division would ask the Commission  
5 to enter an order finding that respondent was properly  
6 served with the administered complaint, that  
7 respondent failed to respond within 21 days, therefore  
8 waiving his right to a hearing.

9 And that the factual allegations in the  
10 administered complaint are accepted as the findings of  
11 fact in this case, and concluding that respondent  
12 shall be added to the permanent exclusion list for all  
13 pari-mutuel facilities and all facilities of a slot  
14 machine licensee.

15 VICE CHAIR BROWN: Thank you. Commissioners, any  
16 questions on this item? Can we get a motion to enter  
17 a final order permanently excluding the respondent?

18 COMMISSIONER REPP: I'll make that motion.

19 VICE CHAIR BROWN: Is there second?

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

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

22 (Chorus of Ayes.)

23 VICE CHAIR BROWN: And we are moving on to 4.2.

24 MR. HUNDERSMARCK: Item 4.2 is James Barr. Case  
25 number 2024-000489. In your case materials, you have

1 the one count district complaint alleging respondent  
2 was excluded from Harrah's Pompano Beach on January  
3 4th, 2024 for cheating by swapping cards with another  
4 player multiple times during poker. He is therefore  
5 subject to exclusion from all pari-mutuel facilities  
6 and all facilities of a slot machine licensee pursuant  
7 to Sections 550.0251 Subsection 6 and 551.112 Florida  
8 statutes.

9       You've also been provided the USPS certified mail  
10 tracking number and USPS delivery confirmation showing  
11 delivery to the respondent. Respondent failed to  
12 respond. Therefore, the Division would ask permission  
13 to enter an order finding that respondent was properly  
14 served and that they failed to respond within 21 days,  
15 therefore waiving their right to hearing.

16       And that the factual allegations for the  
17 Administrative Complaint are accepted as findings of  
18 fact in this case. And concluding that respondent  
19 shall be added to the permanent exclusion lists for  
20 all pari-mutuel facilities and all facilities of a  
21 slot machine licensee.

22       VICE CHAIR BROWN: Thank you. And just a  
23 question on that. In the exhibit it says that  
24 colluded partner, Ms. Jackson, was also to be  
25 considered on the statewide exclusion, right? Have

1     you taken that item up?

2             MR. HUNDERSMARCK:   Yeah, I believe that was  
3     August of 2024.

4             VICE CHAIR BROWN:   Do you know why the lag in  
5     this one coming before us?

6             MR. HUNDERSMARCK:   I think just difficulties in  
7     serving them.

8             VICE CHAIR BROWN:   Okay.   Thank you.  
9     Commissioners, any questions?  Do we have a motion to  
10    approve the staff recommendation?

11            COMMISSIONER D'AQUILA:  I make a motion to approve  
12    the staff recommendation as stated.

13            VICE CHAIR BROWN:   Thank you.  Can I get a  
14    second?

15            COMMISSIONER REPP:   I second.

16            VICE CHAIR BROWN:   All those in favor say aye.  
17            (Chorus of Ayes.)

18            VICE CHAIR BROWN:   All right.  We're moving on to  
19    4.3.

20            MR. HUNDERSMARCK:   So 4.3 we'd like to defer due  
21    to additional information that's come up.

22            VICE CHAIR BROWN:   Okay.

23            MR. HUNDERSMARCK:   4.4 --

24            VICE CHAIR BROWN:   And 4.5.

25            MR. HUNDERSMARCK:   Yes.  Okay.  So Ray Rodriguez

1 and Jose Sade, case numbers 2024-015284 and 2024-  
2 016234. In your case materials, you have the three  
3 count Administrative Complaint alleging that these  
4 respondents were -- there were two separate  
5 Administrative Complaints alleging respondent was  
6 excluded from a casino at Dania Beach Casino Miami and  
7 Magic City Casino.

8 And the reason is that they were colluding as a  
9 group that marked cards. Ray Rodriguez was one of the  
10 bettors. Jose Sade was, I believe, marking the cards.  
11 So they are therefore subject to exclusion from all  
12 pari-mutuel facilities and all facilities of a slot  
13 machine licensee pursuant to sections 550.0251  
14 Subsection 6 and 551.112 Florida Statutes.

15 You've been provided the USPS certified mail  
16 tracking number and USPS delivery confirmations  
17 showing delivery to both respondents. Both  
18 respondents failed to respond.

19 The Division would ask the Commission to enter an  
20 order finding that these respondents were properly  
21 served with the Administrative Complaint. That these  
22 respondents failed to respond within 21 days,  
23 therefore waiving their right to a hearing. And that  
24 the factual allegations of the Administrative  
25 Complaint are accepted as findings of fact in this

1 case.

2 And also concluding that respondents shall be  
3 added to the permanent exclusion list for all pari-  
4 mutuel facilities and all facilities of a slot machine  
5 licensee.

6 VICE CHAIR BROWN: Thank you. And this collusion  
7 occurred during a designated player game and was  
8 actually brought to the attention by the entity,  
9 correct? Isn't that how it was discovered?

10 MR. HUNDERSMARCK: Yeah.

11 VICE CHAIR BROWN: And there was a third  
12 individual that has not been able to have been tracked  
13 down that was involved in the collision? They call  
14 him Psycho Buddy (phonetic).

15 MR. HUNDERSMARCK: Yes, we don't have that case  
16 ready for you today.

17 VICE CHAIR BROWN: Okay.

18 MS. ALVARADO: Emily Alvarado, for the record.  
19 We do have a case open against Psycho Buddy. I don't  
20 think we've achieved service yet on that case, so  
21 that's not ready to be presented here.

22 VICE CHAIR BROWN: Okay. Thank you.  
23 Commissioners, any questions? If not, can we get a  
24 motion to approve the staff recommendation on items  
25 4.4 and 4.5?



1 COMMISSIONER DRAGO: So moved.

2 VICE CHAIR BROWN: Can I get a second?

3 COMMISSIONER D'AQUILA: I second.

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

5 (Chorus of Ayes.)

6 VICE CHAIR BROWN: We are moving on to 4.6.

7 MR. HUNDERSMARCK: Item 4.6 is Crystal Sarahai  
8 Velazquez. In your case materials, you have the two  
9 count Administrative Complaint alleging respondent  
10 took money from her tip box prior to turning in her  
11 tips at Hialeah Park casino. She is therefore subject  
12 to exclusion from all pari-mutuel facilities and all  
13 facilities of a slot machine licensee pursuant to  
14 Sections 550.0251 Subsection 6 and 551.112 Florida  
15 Statutes.

16 Respondent's actions also violated rule 75-11.005  
17 Subsection 4 and subject her to suspension or  
18 revocation of her occupational license under  
19 849.086(14)(a). You've also been provided the  
20 tracking showing delivery to the respondent.  
21 Respondent failed to respond.

22 Therefore, the Division would ask the Commission  
23 to enter an order finding that respondent was properly  
24 served with the Administrative Complaint. They failed  
25 to respond within 21 days, waiving their right to a

1 hearing.

2 That the factual allegations in the  
3 Administrative Complaint are accepted as findings of  
4 fact in this case and including that respondent shall  
5 be added to the permanent exclusion list of all pari-  
6 mutuel facilities and all facilities of a slot machine  
7 licensee. And that respondent's Slots/Cardroom/Pari-  
8 Mutuel Wagering Combination Occupational License be  
9 revoked.

10 VICE CHAIR BROWN: Thank you. So staff is  
11 recommending revocation versus suspension?

12 MR. HUNDERSMARCK: Yes.

13 VICE CHAIR BROWN: Thank you. Commissioners, any  
14 questions on this item? Can we get a motion to  
15 approve the staff recommendation?

16 COMMISSIONER REPP: I'll make that motion.

17 VICE CHAIR BROWN: Can I get a second?

18 COMMISSIONER D'AQUILA: I'll second the motion.

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

20 (Chorus of Ayes.)

21 VICE CHAIR BROWN: And lastly, 4.7.

22 MR. HUNDERSMARCK: Item 4.7 is Otha Denard  
23 Peterson, case number 2024-071924. In your case  
24 materials, you have the one count Administrative  
25 Complaint alleging respondent was excluded from Big

1 Easy Casino on November 19th, 2024 due to punching  
2 someone. He is therefore subject to exclusion from  
3 all pari-mutuel facilities and all facilities of a  
4 slot machine licensee pursuant to Sections 550.0251  
5 Subsection 6 and 551.112 Florida Statutes.

6 You've been provided the mail track showing  
7 delivery to the respondent. Respondent failed to  
8 respond. Therefore, the Division would ask permission  
9 to enter an order finding that respondent was properly  
10 served, that they failed to respond, waiving their  
11 right to a hearing.

12 That the factual allegations from the  
13 Administrative Complaint are accepted as the findings  
14 of fact in this case. And concluding that respondent  
15 shall be added to the permanent exclusion list for all  
16 pari-mutuel facilities and all facilities of a slot  
17 machine licensee.

18 VICE CHAIR BROWN: Thank you. Any questions?  
19 Can we get a motion to approve a final order  
20 permanently excluding the respondent?

21 COMMISSIONER DRAGO: So moved.

22 COMMISSIONER D'AQUILA: I second.

23 VICE CHAIR BROWN: All those in favor say aye.  
24 (Chorus of Ayes.)

25 VICE CHAIR BROWN: Thank you. We are going to

1 move into the discussion of consent orders 5.1 through  
2 5.3 starting with 5.1.

3 MR. HUNDERSMARCK: Item 5.1 is FGCC v. South  
4 Marion Real Estate Holdings, LLC doing business as  
5 Oxford Downs, case number 2024-005438. Respondent  
6 seeks the adoption of the proposed settlement and  
7 consent order to resolve this case. And it was  
8 basically a violation of the procedures for handling  
9 damaged cards and also leaving a podium unlocked and  
10 had chips that were not in play.

11 And pursuant to the terms of the proposed order,  
12 the respondent will agree to pay an administrative  
13 fine in the amount of \$500. And I believe we have a  
14 statement from the attorney.

15 VICE CHAIR BROWN: Oh, okay. I did not have a  
16 public comment for a speaker card, but --

17 MR. HUNDERSMARCK: Or at least he's here.

18 VICE CHAIR BROWN: Okay. Commissioners, would  
19 you like to hear from the attorney representing the  
20 South Marion?

21 COMMISSIONER DRAGO: Sure. If he would like to,  
22 sure.

23 VICE CHAIR BROWN: Okay. And he's back.

24 MR. MORTON: Good morning.

25 VICE CHAIR BROWN: Morning.

1           MR. MORTON: T.J. Morton on behalf of South  
2   Marion Real Estate Holdings. The issue in this  
3   particular case arose after a fight broke out on the  
4   poker room floor. And so the floor supervisor, who  
5   was at the podium where the chips were blocked, rushed  
6   away from the podium to assist with handling the  
7   altercation and failing to lock up the chips in the  
8   process. So that's what resulted in the unlocked  
9   podium.

10           The issue with the marked card, I haven't quite  
11   figured out what caused that. But he did mark the  
12   time on the envelope as 8:30 p.m. which is the same  
13   time that the fight broke out. So I think maybe when  
14   he came back to the podium, he got confused and wasn't  
15   sure which envelope he should have marked the correct  
16   time on.

17           We haven't been able to figure that out for sure.  
18   That's my speculation based off the time he put on the  
19   envelope. And I think the card was removed earlier in  
20   the day, if I'm not mistaken. And he put 8:30 p.m.  
21   which is basically when the altercation occurred. So  
22   that's the best we can figure out with respect to that  
23   issue.

24           VICE CHAIR BROWN: Thank you. That provides some  
25   context. I appreciate. Commissioners any questions?

1 Can we get the motion on this item as recommended,  
2 which is to approve the settlement consent order?

3 COMMISSIONER REPP: I'll make a motion to approve  
4 settlement consent order.

5 VICE CHAIR BROWN: Can I get a second?

6 COMMISSIONER D'AQUILA: I will second that  
7 motion.

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

9 (Chorus of Ayes.)

10 VICE CHAIR BROWN: We are moving on to 5.2.

11 MR. HUNDERSMARCK: Item 5.2 is FGCC v. Washington  
12 County Kennel Club Incorporated, case number 2024-  
13 035654. Respondent seeks the adoption of the proposed  
14 settlement and consent order to resolve this case. It  
15 was basically not keeping electronic surveillance  
16 records for at least 14 days. There are two prior  
17 Administrative Complaints alleging violations of this  
18 rule.

19 Pursuant to the terms of the proposed order, the  
20 respondent will be issued a written warning which may  
21 be considered in operation of any future disciplinary  
22 proceedings against respondent. The attorney  
23 representing them is also here.

24 VICE CHAIR BROWN: Thank you. Mr. Rutledge, is  
25 that correct? Commissioners, do you have any

1 questions of Mr. Rutledge? Okay. Well, if there are  
2 no questions on this item, then we can go ahead and  
3 get a motion to approve the settlement and consent  
4 order.

5 COMMISSIONER DRAGO: So moved.

6 VICE CHAIR BROWN: Is there a second?

7 COMMISSIONER D'AQUILA: I second that.

8 VICE CHAIR BROWN: All those in favor say aye.  
9 (Chorus of Ayes.)

10 VICE CHAIR BROWN: And our last Consent order is  
11 5.3.

12 MR. HUNDERSMARCK: Item 5.3 is FGCC v. German  
13 Ernesto Bonesi, case number 2024-067393. Respondent  
14 seeks the adoption of the proposed settlement and  
15 consent order to resolve this case.

16 Pursuant to the terms of the proposed order,  
17 Respondent will agree that Commission is revoking  
18 Respondent's license and declaring respondent  
19 ineligible for licensure under Chapters 550, 551 and  
20 Section 849.086 Florida Statutes for a period of five  
21 years from the date the final order is filed by the  
22 clerk of the Commission.

23 And basically the reason for the Administrative  
24 Complaint was failing to provide written notification  
25 to petitioner within five days of Respondent's

1 November 15th arrest, 2024, for grand theft greater  
2 than \$100,000 and organized scheme to defraud over  
3 \$50,000.

4 VICE CHAIR BROWN: Mr. Hundersmarck, I just have  
5 a question or issue with the ineligibility for five  
6 years. This was the CFO, correct?

7 MR. HUNDERSMARCK: That's correct.

8 VICE CHAIR BROWN: And he is being charged with  
9 grand theft and an embezzlement scam.

10 MR. HUNDERSMARCK: That's correct. For \$759,000.

11 VICE CHAIR BROWN: I think as a CFO who has a  
12 fiduciary duty to its employer as well as to the  
13 patrons, I don't think we should be in a position to  
14 even give him ineligibility for five years. I think  
15 pending the case, I think we should consider  
16 completely revoking him.

17 MS. VALENTINE: Thank you vice Chair. Just to  
18 clarify, under the consent order, his license will be  
19 revoked. The period of ineligibility means that he's  
20 not even eligible to apply for a license. Once that  
21 period lapses, even if he applies, that does not mean  
22 that the Commission has to give him a license. His  
23 revocation is still on file.

24 His disqualifying offenses that led to the  
25 revocation are still on file, so his application could



1 be revoked. However, if you would like to suggest a  
2 counteroffer for a longer period of barring him from  
3 even applying, that can also certainly happen. I just  
4 wanted to clarify.

5 VICE CHAIR BROWN: Thank you. I appreciate that,  
6 Valentine.

7 COMMISSIONER D'AQUILA: Ms. Valentine, my  
8 question is where did the five-year point in time come  
9 from? And as a follow up to Commissioner Brown's  
10 question, are we limited there by statute or?

11 MS. VALENTINE: No. This is a consent order. So  
12 you're not limited by statute. You can counteroffer  
13 with a longer time period.

14 COMMISSIONER D'AQUILA: I concur with  
15 Commissioner Brown. The chief financial officer was a  
16 significant responsibility. This individual was also  
17 preparing reports for taxation, employment, banking,  
18 etc. And I'm going to recommend that considering --

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

21 COMMISSIONER REPP: My question also -- no matter  
22 how long it is, and I have no problem with the 10  
23 years -- is it implied in the statute or -- I'm just  
24 not comfortable the way it states that he'll be  
25 ineligible for licensure. If we put in this

1 "ineligible to apply," I don't want it to be implied  
2 that after this period of time passes, he somehow  
3 becomes eligible for something.

4 VICE CHAIR BROWN: That was kind of my thinking,  
5 the way it was stated here.

6 MS. VALENTINE: Yes, absolutely. That language  
7 can change. Thank you Commissioner.

8 VICE CHAIR BROWN: All right. Commissioners, any  
9 other comments or questions on this? I guess the  
10 appropriate action would be not to approve the  
11 recommended or the consent order, correct?

12 MS. VALENTINE: Yes, that's correct. And if you  
13 could also authorize the Commission to continue  
14 settlement negotiations to negotiate for that  
15 additional ineligibility time period and to report the  
16 revocation for this.

17 VICE CHAIR BROWN: Okay. Can we get a motion? I  
18 guess we would need a motion to that effect.

19 MS. VALENTINE: To reject the consent order or to  
20 reject the settlement offer and then authorize  
21 Commission staff to continue negotiations.

22 VICE CHAIR BROWN: Thank you. All right.  
23 Commissioner D'Aquila, are you making that motion?

24 COMMISSIONER D'AQUILA: I will make that motion  
25 as you have stated, to not accept the consent order as

1 presented and to continue negotiations at this  
2 instance.

3 VICE CHAIR BROWN: And I believe Commissioner  
4 Repp wants to second that.

5 COMMISSIONER REPP: I will second it.

6 VICE CHAIR BROWN: All those in favor say aye.  
7 (Chorus of Ayes.)

8 VICE CHAIR BROWN: Thank you. All right. We are  
9 moving on to the discussion of recommended orders 6.1  
10 through 6.3.

11 MR. HUNDERSMARCK: Item 6.1 is Maynor F.  
12 Calderon, case number 2024-015483. The Division seeks  
13 the permanent exclusion of Maynor Calderon from all  
14 pari-mutuel facilities in the State of Florida. The  
15 respondent was served with an Administrative Complaint  
16 and he requested an informal hearing. It was held on  
17 January 9th, 2025. On February 26th, 2025, the  
18 hearing officer recommended permanent exclusion.

19 The Division recommends the Commission adopt the  
20 hearing officer's recommended order and permanently  
21 exclude respondent from all pari-mutuel facilities in  
22 the State of Florida.

23 VICE CHAIR BROWN: Thank you. If there are no  
24 questions on this item. Can I get a motion to adopt  
25 the hearing officer's recommended order and enter a

1 final order permanently?

2 COMMISSIONER REPP: Motion to adapt.

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

4 COMMISSIONER DRAGO: I second.

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

6 (Chorus of Ayes.)

7 VICE CHAIR BROWN: Item 6.2.

8 MR. HUNDERSMARCK: Item 6.2 is Mekhi Dâ€™Avonne  
9 Allen, case number 2024-032319. The Division seeks a  
10 revocation of respondent's card room employee  
11 occupational license and Slot Machine/Cardroom/Pari-  
12 Mutuel Combination Occupational License, and the  
13 permanent exclusion of respondent from all pari-mutuel  
14 and slot machine facilities in the State of Florida.

15 Respondent requested an informal hearing which  
16 was held on January 9th, 2025. On February 26th,  
17 2025, the hearing officer issued an order recommending  
18 revocation of respondent's licenses and exclusion from  
19 all pari-mutuel and slot machine facilities in the  
20 State of Florida.

21 The Division recommends the Commission adopt the  
22 hearing officer's recommended order and revoke  
23 respondent's card room employee occupational license  
24 and Slot Machine/Cardroom/Pari-Mutuel Combination  
25 Occupational License, as well as to permanently

1     exclude respondent from all pari-mutuel and slot  
2     machine facilities in the State of Florida.

3             VICE CHAIR BROWN: Thank you, Mr. Hundersmarck.  
4     Commissioner, are there any questions on this item?

5             COMMISSIONER DRAGO: No.

6             VICE CHAIR BROWN: Okay. Can we get a motion to  
7     adopt the staff recommendation?

8             COMMISSIONER DRAGO: So moved.

9             VICE CHAIR BROWN: Can we get a second?

10            COMMISSIONER D'AQUILA: Second.

11            VICE CHAIR BROWN: All those in favor say aye.  
12            (Chorus of Ayes.)

13            VICE CHAIR BROWN: And we're on to 6.3.

14            MR. HUNDERSMARCK: Item 6.3 is Elizabeth  
15     Rodriguez, case number 2024-038843. The Division  
16     seeks the permanent exclusion of Elizabeth Rodriguez,  
17     respondent, from all pari-mutuel facilities in the  
18     State of Florida. The respondent was served with the  
19     Administrative Complaint and requested an informal  
20     hearing which was held on January 9th, 2025.

21            On February 26th, 2025, the hearing officer  
22     recommended exclusion. The Division recommends the  
23     Commission adopt the hearing officer's recommended  
24     order and permanently exclude respondent from all  
25     pari-mutuel facilities in the State of Florida.

1           VICE CHAIR BROWN: Thank you. A little unusual.  
2           Commissioners, can we get a motion to adopt the staff  
3           recommendation on this item? If there are no  
4           questions.

5           COMMISSIONER REPP: I'll make it.

6           VICE CHAIR BROWN: Can we get a second?

7           COMMISSIONER DRAGO: Second.

8           VICE CHAIR BROWN: All those in favor say aye.  
9           (Chorus of Ayes.)

10          VICE CHAIR BROWN: Thank you. And we're going  
11          into discussion of requests for review 7.1 through  
12          7.10.

13          MS. ALVARADO: Good morning. Emily Alvarado, for  
14          the record. 7.1 is 2024-059593, Ellen McVay. Here  
15          the applicant applied for a PMW General Individual  
16          Occupational License. Upon review of the application,  
17          it was discovered that she had five disqualifying  
18          offenses of criminal conspiracy to manufacture a  
19          controlled substance, maintaining drug premises,  
20          possession of drug paraphernalia from 2005, and  
21          possession of drug paraphernalia and possession of a  
22          controlled substance from 2019.

23          She did disclose. She did write yes on her  
24          application if she had any disqualifying offenses.  
25          She's applying to be a groom or a hot walker. A

1 waiver interview was conducted and is documented in  
2 the meeting materials. Here the Commission can decide  
3 to grant the waiver or issue a letter of license  
4 denial in this case.

5 VICE CHAIR BROWN: Thank you. Commissioners, are  
6 there any thoughts on this item? Given the position  
7 that she's applying for and the nature of the crimes,  
8 it would be inappropriate to grant her a waiver. My  
9 opinion. Commissioner Repp.

10 COMMISSIONER REPP: Yeah. I'm going to agree and  
11 support the statute. You need to show that the  
12 applicant has established that he or she is of good  
13 moral character, and if he or she has been  
14 rehabilitated for the crime that she was convicted of.  
15 It's not related to pari-mutuel wagering and it's not  
16 a capital offense. I will agree, Vice Chair, that I  
17 am not inclined to grant a waiver in this matter.

18 VICE CHAIR BROWN: Commissioners, any  
19 thoughts? If not, can we get a motion to issue a  
20 notice of letter of denial.

21 MS. ALVARADO: Letter of license denial.

22 VICE CHAIR BROWN: That's what I said.

23 COMMISSIONER REPP: I'll make that motion.

24 VICE CHAIR BROWN: Is there a second?

25 COMMISSIONER DRAGO: Second.

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

2 (Chorus of Ayes.)

3 VICE CHAIR BROWN: All right. Item 7.2.

4 MS. ALVARADO: 7.2 is 2024-063694, Herdford

5 Berroteran. Here the applicant applied for a PMW

6 General Individual Occupational License. Upon review

7 of the application, it was discovered that he had two

8 disqualifying offenses of false imprisonment from 2023

9 and aggregated battery with a deadly weapon from 2024.

10 He still owes the full balance of the fees and

11 court costs for both cases. He did answer yes on his

12 original application and is applying to be a hot

13 walker. Investigation had seemed to find that there

14 was some issues with immigration. We don't have any

15 documentation on the disposition of those cases.

16 They did indicate that he may be unauthorized to

17 work in the United States. But he did provide a

18 Social Security number on both applications. Here the

19 Commission can decide to grant the waiver or issue a

20 letter of license denial.

21 VICE CHAIR BROWN: Okay. Commissioners?

22 Commissioner D'Aquila?

23 COMMISSIONER D'AQUILA: No question.

24 VICE CHAIR BROWN: Can we get a motion to issue a

25 letter of license denial?



1 COMMISSIONER D'AQUILA: I'll make a motion to  
2 issue a letter of license denial.

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

4 COMMISSIONER DRAGO: Second.

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

6 (Chorus of Ayes.)

7 VICE CHAIR BROWN: Okay. Moving on to 7.3.

8 MS. ALVARADO: 7.3 is 2024-064984, James Mecha.  
9 Here the applicant applied for a PMW Professional  
10 Individual Occupational License. Upon review of the  
11 application, it was discovered that they had a  
12 disqualifying offense of theft by deception between  
13 \$100,000 to \$500,000 from 2018. He has paid all the  
14 fines and restitution. The applicant did answer yes  
15 on their original application and they are applied to  
16 be a horse owner.

17 They were licensed in Illinois, Indiana, and  
18 Kentucky until 2024. And there was no rulings, ARCI  
19 rulings, that we could find. There was a waiver  
20 interview that was conducted and it is documented in  
21 the meeting materials. And here the commission can  
22 decide to grant the waiver or issue a letter of  
23 license denial.

24 VICE CHAIR BROWN: Thank you. Commissioners, any  
25 thoughts on this item?

1 COMMISSIONER DRAGO: The offense is from 2018,  
2 correct?

3 MS. ALVARADO: Yes.

4 COMMISSIONER DRAGO: I don't think it's a  
5 sufficient period of time to recognize rehabilitation  
6 in this particular case based on the time of the last  
7 occurrence.

8 VICE CHAIR BROWN: Thank you. I would tend to  
9 agree with that, Commissioner Drago, irrespective of  
10 the fact that he's held licenses in other states.  
11 Those were prior it actually looks like. Regardless,  
12 I don't think the State of Florida should issue the  
13 license at this time. Any thoughts? If not, can we  
14 get a motion to issue a letter of license denial?

15 COMMISSIONER DRAGO: I'll move.

16 VICE CHAIR BROWN: Is there a second?

17 COMMISSIONER D'AQUILA: I second that motion.

18 VICE CHAIR BROWN: All those in favor say aye.  
19 (Chorus of Ayes.)

20 VICE CHAIR BROWN: All right. 7.4.

21 MS. ALVARADO: 7.4 is 2024-067755, Cory Ferguson.  
22 Here the applicant applied for a Slot  
23 Machine/Cardroom/Pari-Mutuel Individual Combination  
24 Occupational License. Upon review of the application,  
25 it was discovered that he had two disqualifying

1     misdemeanors of two counts of passing worthless  
2     checks.

3             He has completed his probation. That's from  
4     1998, those convictions, and he completed his  
5     probation in 1999. The applicant is seeking a waiver  
6     of this offense. And the waiver interview was  
7     conducted and is documented in meeting materials.  
8     Here the Commission can decide to grant the waiver or  
9     issue a letter of license denial.

10            VICE CHAIR BROWN: Thank you for clarification.  
11     Probation, of course, was terminated and all court  
12     cases and costs have been paid.

13            MS. ALVARADO: Yes.

14            VICE CHAIR BROWN: And this individual is  
15     applying for food service industry?

16            MS. ALVARADO: Yes.

17            VICE CHAIR BROWN: Commissioners, do you have any  
18     questions for staff or discussion?

19            COMMISSIONER REPP: Since the offense, has there  
20     been any other offenses since?

21            MS. ALVARADO: Not any disqualifying offenses.  
22     There were various traffic violations and then a DUI  
23     in 2023 that he's on monthly payments right now to pay  
24     off the court cost.

25            COMMISSIONER DRAGO: I'm sorry. Did you say

1 2023?

2 MS. ALVARADO: Yes.

3 COMMISSIONER DRAGO: For traffic?

4 MS. ALVARADO: No, that was a DUI in 2023.

5 COMMISSIONER DRAGO: Oh, it was a DUI.

6 MS. ALVARADO: The traffic there that was from  
7 like 2020. And prior to that there's various traffic  
8 violations.

9 VICE CHAIR BROWN: Misdemeanor DUI?

10 MS. ALVARADO: Yes.

11 COMMISSIONER DRAGO: And there are several DUIs,  
12 right?

13 MS. ALVARADO: I believe there's just one.

14 COMMISSIONER DRAGO: I thought I had --

15 MS. ALVARADO: Let me check. 2017.

16 COMMISSIONER DRAGO: 2017 as well, I guess. No,  
17 I have 2022 that this is the last one.

18 MS. ALVARADO: I'm sorry. Yes, there is. So  
19 there's a 2017 and it was convicted in 2023 and may  
20 have happened in 2022. But the conviction was 2023.

21 COMMISSIONER DRAGO: And there's a few  
22 misdemeanor arrests. They go back further from what  
23 I've got here.

24 MS. ALVARADO: Yes. Well, the misdemeanor, like  
25 the ones he had listed on his application, those

1 weren't actually ever convicted. The only convictions  
2 he has are the DUIs and then traffic violations.

3 COMMISSIONER DRAGO: In addition to the worthless  
4 checks.

5 MS. ALVARADO: Right. Of course, which is a  
6 disqualifying offense here.

7 COMMISSIONER DRAGO: Right.

8 VICE CHAIR BROWN: Commissioners, would you like  
9 to take more time on this item, or are you prepared to  
10 make a motion? I see you Commissioner D'Aquila.

11 COMMISSIONER DRAGO: What was the position  
12 that they're applying for again? The position.

13 COMMISSIONER DRAGO: It's food service.

14 VICE CHAIR BROWN: Food service.

15 MS. ALVARADO: Oh, yes. Food service. Yes.

16 COMMISSIONER D'AQUILA: I think where I'm  
17 wrestling with this is the frequency over a long  
18 period of time. Both misdemeanor, multiple  
19 misdemeanor actions, and working in a regulatory  
20 environment. That's where I'm having a difficult  
21 time.

22 VICE CHAIR BROWN: Any other thoughts?

23 COMMISSIONER DRAGO: Well, we're looking for  
24 evidence that the individual is showing signs of  
25 rehabilitation over that period of time and I'm not

1     sure that I see that in my opinion, based on the  
2     history.

3             So I know it can be difficult. One, as we  
4     struggle all the time with protecting the people of  
5     the State of Florida, as well as making sure that we  
6     do everything to keep opportunities for work for  
7     people. But I'm struggling with the fact that I don't  
8     see a level of rehabilitation that would make me want  
9     to grant a waiver.

10            VICE CHAIR BROWN: And I think the underlying  
11     disqualifying offense is always difficult to approve.  
12     If it was one and only, and the time period has lapsed  
13     almost 25 years plus without any other offenses, it  
14     would be one thing. But I tend to agree with  
15     Commissioner Drago, given the totality of offenses.  
16     So with that, if there are no comments or questions,  
17     can we please get a motion to issue a letter of  
18     license denial?

19            COMMISSIONER D'AQUILA: I will make a motion to  
20     issue a letter of license denial.

21            VICE CHAIR BROWN: Is there a second?

22            COMMISSIONER DRAGO: I second.

23            VICE CHAIR BROWN: All those in favor say aye.  
24     (Chorus of Ayes.)

25            VICE CHAIR BROWN: Okay. We are moving on to

1 7.5.

2 MS. ALVARADO: 7.5 is 2024-069998, Freddie  
3 Hughes. The applicant here applied for a PMW General  
4 Individual Occupational License. Upon review of the  
5 application, it was discovered that he had a  
6 disqualifying discipline with the Commission, which  
7 was a rule violation that led to a violation of a  
8 consent order in revocation of his PMW General  
9 Individual Occupational License in 2018.

10 He did respond "yes" on his application to  
11 convictions and did list all those convictions that he  
12 had in the past. He's applying to be a groom. A  
13 waiver interview was conducted and is documented in  
14 the meeting materials.

15 He did have a few licenses. One, a Delaware  
16 license for a few months in 2019. He had some sort of  
17 license in Kentucky, but we weren't able to pull much  
18 information on that. And it does look like he is not  
19 in good standing in New York currently. The  
20 commission can decide to grant this waiver or issue a  
21 letter of license denial in this case.

22 VICE CHAIR BROWN: Thank you. Commissioners, I  
23 don't have any questions. Commissioner Repp?

24 COMMISSIONER REPP: No, I just wanted to verify.  
25 So his license was revoked in New York and is

1 currently not in good standing?

2 MS. ALVARADO: Yes.

3 COMMISSIONER REPP: Thank you.

4 VICE CHAIR BROWN: If there are no questions, we  
5 are ripe for a motion to issue a letter of license  
6 denial.

7 COMMISSIONER REPP: I'll make that motion.

8 VICE CHAIR BROWN: Is there a second?

9 COMMISSIONER D'AQUILA: I second that motion.

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

11 (Chorus of Ayes.)

12 VICE CHAIR BROWN: We are moving on to 7.6.

13 MS. ALVARADO: 7.6 is 2024-071372, Summer  
14 Needels. The applicant here applied for a PMW General  
15 Individual Occupational License. Upon review of the  
16 application, it was discovered that she had a  
17 disqualifying offense of possession of a controlled  
18 substance from 2009. She has completed her probation  
19 and paid all fines.

20 She did answer "yes" on her original application,  
21 and is applying to be a cocktail waitress at Melbourne  
22 Greyhound Park. She did complete a waiver interview  
23 and that is documented in the meeting materials. Here  
24 the Commission can decide to grant the waiver and  
25 issue the license or issue a letter of license denial



1 in this case.

2 VICE CHAIR BROWN: Thank you. And the offense  
3 was in 2008?

4 MS. ALVARADO: Yes. Convicted in 2009.

5 VICE CHAIR BROWN: Thank you. Commissioners, any  
6 questions? And this applicant is applying to be a  
7 cocktail server?

8 MS. ALVARADO: Cocktail waitress, yes.

9 VICE CHAIR BROWN: Waitress. Commissioner, Repp?

10 COMMISSIONER REPP: Yeah. I think considerable  
11 time has passed, and I don't see any other contact  
12 with law enforcement. Once again, I do appreciate  
13 your candor in admitting on the application as you are  
14 supposed to that you have prior convictions and  
15 arrests. I am inclined to approve allowing her to  
16 have this waiver.

17 VICE CHAIR BROWN: Thank you. I would agree as  
18 well. Commissioner D'Aquila?

19 COMMISSIONER D'AQUILA: I agree with the  
20 commissioner.

21 VICE CHAIR BROWN: Okay. Commissioner Repp, can  
22 you make a motion?

23 COMMISSIONER REPP: I will make a motion.

24 VICE CHAIR BROWN: To approve the waiver.

25 COMMISSIONER REPP: To approve the waiver.

1 VICE CHAIR BROWN: Can I get a second?

2 COMMISSIONER DRAGO: Second.

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

4 (Chorus of Ayes.)

5 VICE CHAIR BROWN: Thank you. And we are on the  
6 7.7.

7 MS. ALVARADO: 7.7 is 2024-072045, Samantha  
8 Brown. Here the applicant is applying for a Slot  
9 Machine/Cardroom/Pari-Mutuel Individual Combinational  
10 Occupational License. Upon review of the application,  
11 it was discovered that she had a disqualifying offense  
12 of petty theft from 2016. I believe my memo may have  
13 said two counts. It was just one. That was an error  
14 in my memo.

15 So the applicant seeks a waiver of this  
16 misdemeanor offense. She's applying to be a cashier  
17 at Big Easy Casino. She did originally answer "no" on  
18 her application. She has a payment plan right now  
19 where she has to pay \$35 a month. It should be  
20 completed by September 22nd, 2025. Here the  
21 commission can decide to grant the waiver in this case  
22 or issue a letter of license denial.

23 VICE CHAIR BROWN: Thank you. And again, you  
24 said that she's applying to be a cashier?

25 MS. ALVARADO: Yes.

1           VICE CHAIR BROWN: And the disqualifying offense  
2 is petty theft?

3           MS. ALVARADO: Yes.

4           VICE CHAIR BROWN: All right. Commissioners, any  
5 questions on this?

6           COMMISSIONER DRAGO: I just have one question, I  
7 guess, about these are court costs that she's paying  
8 off. Is that right?

9           MS. ALVARADO: Yes.

10          COMMISSIONER DRAGO: From that conviction?

11          MS. ALVARADO: Yes.

12          COMMISSIONER DRAGO: 2015 or '16, I guess,  
13 conviction.

14          MS. ALVARADO: '16 conviction. Yes.

15          COMMISSIONER DRAGO: All right. Do we have any  
16 information why they're not paid off yet?

17          MS. ALVARADO: No. I have some notes from the  
18 investigators that she was required to pay \$240 in  
19 court costs. The records that we have shows that  
20 there's now an outstanding balance of \$318 because of  
21 nonpayment. And then she entered into a payment plan  
22 with them which started in December of 2024.

23          MR. TAUPIER: Marc Taupier for the record. Just  
24 to give a little bit of context as to the outstanding  
25 amount. She was placed on probation with community

1 service hours. She opted to convert those community  
2 service hours into court costs and then failed to pay.  
3 So she did not do her community service hours, then  
4 failed to pay the fine for that. Thank you.

5 VICE CHAIR BROWN: Commissioner Drago?

6 COMMISSIONER DRAGO: So I mean in my opinion  
7 that's a critical aspect of this, is showing signs of  
8 rehabilitation by at least completing the  
9 responsibilities the court has required of them. So I  
10 would be inclined not to grant the waiver until maybe  
11 at a later time where costs get paid off and she  
12 becomes in good standing with the court.

13 VICE CHAIR BROWN: Commissioner D'Aquila?

14 COMMISSIONER D'AQUILA: And again, she's applying  
15 to be a cashier.

16 MS. ALVARADO: Yes.

17 COMMISSIONER D'AQUILA: Handling money at a  
18 casino.

19 MS. ALVARADO: Right.

20 COMMISSIONER D'AQUILA: So no.

21 VICE CHAIR BROWN: Those are kind of my thoughts  
22 as well about the actual job that she's applying for,  
23 dealing with money and she has to get off of court  
24 costs and the crime. Commissioners, if there are no  
25 other comments or thoughts, we are ripe for a motion

1 to issue a letter of license denial.

2 COMMISSIONER DRAGO: I will make that motion.

3 VICE CHAIR BROWN: Is there a second?

4 COMMISSIONER REPP: Second.

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

6 (Chorus of Ayes.)

7 VICE CHAIR BROWN: We are moving on to 7.8.

8 MS. ALVARADO: 7.8 is 2025-000360, Justin

9 Sherman. Here the applicant is applying for a PMW  
10 Professional Individual Occupational License. And  
11 upon review of the application, it was discovered that  
12 he was convicted of three counts of delivery or  
13 manufacturer of a controlled substance in 2005.

14 He has completed his probation and paid his court  
15 costs and fines. The applicant originally answered  
16 "yes" on his application. He's applying for a horse  
17 trainer license. The waiver interview was conducted  
18 and documented in the meeting materials. And the  
19 commission here can decide to grant the waiver or  
20 issue a letter of license denial in this case.

21 VICE CHAIR BROWN: Thank you, Ms. Alvarado. And  
22 he currently holds active licenses in Kentucky and  
23 Pennsylvania and has never been suspended or revoked  
24 in those states?

25 MS. ALVARADO: Not to our knowledge, yes.

1 VICE CHAIR BROWN: All right.

2 MS. ALVARADO: Yes, he licensed and no  
3 disciplinary.

4 VICE CHAIR BROWN: He doesn't have any other  
5 crimes I can see other than that one?

6 MS. ALVARADO: Yes, I think that's correct.

7 VICE CHAIR BROWN: And again, all his fines have  
8 been paid and his probation has been met?

9 MS. ALVARADO: Yes.

10 VICE CHAIR BROWN: Okay. Thank you for the  
11 clarification. Commissioners, any thoughts or  
12 questions?

13 COMMISSIONER DRAGO: It's been 20 years since  
14 this conviction for possession of controlled  
15 substance. I don't see anything else in his record  
16 that we're aware of at this point that would indicate  
17 that he has not rehabilitated himself. So I'm  
18 inclined to grant the waiver.

19 VICE CHAIR BROWN: Is that a motion?

20 COMMISSIONER DRAGO: I will make that motion to  
21 grant the waiver, yes.

22 VICE CHAIR BROWN: Thank you. Can I get a  
23 second?

24 COMMISSIONER REPP: Second.

25 VICE CHAIR BROWN: Any discussion? All those in

1 favor say aye.

2 (Chorus of Ayes.)

3 VICE CHAIR BROWN: Thank you. The motion passes  
4 unanimously. We are Moving on to 7.9.

5 MS. ALVARADO: 7.9 is 2025-000606, Zachary  
6 Grindstaff. Here the applicant applied for a pari-  
7 mutuel wagering General Individual Occupational  
8 License. Upon review of the application, it was  
9 discovered that he had a disqualifying offense which  
10 was possession with the intent to sell marijuana from  
11 2008. He did answer "yes" on his application. He's  
12 applying for a maintenance position at Daytona Beach.

13 The waiver interview was conducted and is  
14 documented in the meeting materials. He did violate  
15 his probation. The probation was revoked and he was  
16 sentenced to eight months in jail which included a  
17 drug treatment program. He was released in 2009.  
18 Here the Commission can grant the waiver or issue a  
19 letter of license denial.

20 VICE CHAIR BROWN: Thank you. Are there still  
21 court fees left over from 2008?

22 MS. ALVARADO: One second. I don't think so.

23 VICE CHAIR BROWN: I know it was substantial,  
24 33,000.

25 MS. ALVARADO: I don't think there is. Let me

1 check. I wasn't provided any documentation showing  
2 whether there is still the fees. I think based on  
3 this document, it shows that there is \$0 left. But I  
4 cannot 100 percent confirm that.

5 VICE CHAIR BROWN: Okay. Commissioners, any  
6 questions? Do you have any thoughts on this item?  
7 Commissioner D'Aquila?

8 COMMISSIONER D'AQUILA: Yeah. The investigative  
9 findings show that all fines have been paid.

10 VICE CHAIR BROWN: Thank you. Commissioners, are  
11 you inclined to grant this waiver? Thank you.  
12 Commissioner Repp?

13 COMMISSIONER REPP: I would be inclined to grant  
14 the waiver. It seems to be everything has been paid  
15 off. Probation fees. He did state that he has  
16 completed a drug program, obtained GED, has been  
17 living here in Florida for 18 months, at the time, and  
18 has not had any further interactions with the law and  
19 is a trained employee for this particular position.  
20 And I think he deserves the chance.

21 VICE CHAIR BROWN: I think I would tend to agree  
22 with you on that. Commissioners, any other thoughts?  
23 Can we get a motion to approve the waiver?

24 COMMISSIONER REPP: I will make a motion to  
25 approve the waiver?



1 VICE CHAIR BROWN: Can I get a second?

2 COMMISSIONER D'AQUILA: I will second that  
3 motion.

4 VICE CHAIR BROWN: All those in favor say aye.  
5 (Chorus of Ayes.)

6 VICE CHAIR BROWN: All right. Motion passes  
7 unanimously. 7.10 please. And we have a speaker on  
8 this as well.

9 MS. ALVARADO: Okay. 7.10 is 2025-002667. Evan  
10 Vollerthum. Here the applicant has applied for a  
11 Provisional Wagering Professional Individual  
12 Occupational License. Upon review of the application,  
13 it was discovered that he had a disqualifying offense  
14 of attempted commercial sexual exploitation of child  
15 from 2019. He has successfully completed his  
16 probation and all his fines have been paid.

17 The applicant answered "yes" on the original  
18 application, and is applying to be a jockey agent. A  
19 waiver interview was conducted and is documented in  
20 the meeting materials. Here the Commission can decide  
21 to grant the waiver or issue a letter of license  
22 denial.

23 VICE CHAIR BROWN: Thank you. Mister?

24 MR. VOLLERTHUM: Vollerthum.

25 VICE CHAIR BROWN: Vollerthum. Thank you for

1 appearing here today. You have the mic.

2 MR. VOLLERTHUM: Thank you.

3 VICE CHAIR BROWN: Can you state your name for  
4 the record?

5 MR. VOLLERTHUM: Thank you. Vice Chair Brown,  
6 Commissioner Drago, Commissioner D'Aquila,  
7 Commissioner Repp. Good morning.

8 COMMISSIONER DRAGO: Good morning.

9 COMMISSIONER D'AQUILA: Good morning.

10 MR. VOLLERTHUM: I humbly address the Florida  
11 Gaming Control Commission today and ask for your  
12 consideration in granting my waiver request for a  
13 gaming license. Obtaining a gaming license is one of  
14 the final steps needed to fulfill my career goal of  
15 becoming a jockey agent in the State of Florida.

16 I view this opportunity as a blessing and a  
17 privilege not to be taken for granted. I make it a  
18 daily priority to be positive, act with kindness,  
19 share wisdom, and be respectful to the people I  
20 interact with life. I hope to be judged on the  
21 quality of my character highlighted in my file by the  
22 words of my mentors and peers who know me best.

23 Learning from my mistakes, growing closer to my  
24 faith, and taking life one day at a time is how I have  
25 rehabilitated to become stronger as a person. I have

1   gotten myself back on a winning streak in life. Today  
2   is another win for me being here and having this  
3   opportunity. I pledge to truthfully answer any  
4   questions or concerns you may have regarding my  
5   request. Thank you very much for your time and  
6   consideration in my waiver request today.

7           VICE CHAIR BROWN: Thank you, Mr. Vollerthum.  
8   And thank you for coming to speak to us today.  
9   Commissioners, do you have any questions to the  
10   applicant here?

11           COMMISSIONER DRAGO: If I could, please, can you  
12   tell me what you do now for a living?

13           MR. VOLLERTHUM: I'm a caddie.

14           COMMISSIONER DRAGO: Okay.

15           MR. VOLLERTHUM: I've gotten back into the  
16   caddie, Old Memorial Golf Club in Tampa. They gave me  
17   the opportunity to come back into the industry, and  
18   then a few years later, the PGA Tour reinstated me to  
19   come back and caddie on a tour, which I did  
20   successfully and was lucky enough to win three more  
21   times on a tour. Now, I've settled down in Tarpon  
22   Springs, Florida, and I've grown close to the horse  
23   racing industry, and it's become my passion.

24           COMMISSIONER DRAGO: What did you have to do to  
25   get reinstated with the PGA?

1           MR. VOLLERTHUM: I wrote a detailed letter after  
2 I completed my probation, and they asked me to wait an  
3 extra year to show good standing. And I wrote them  
4 another detailed letter. And after they confirmed  
5 with their council, they gave me an acceptance letter  
6 to come back.

7           COMMISSIONER DRAGO: Thank you.

8           VICE CHAIR BROWN: Thank you. Commissioners, any  
9 other questions of the applicant? Thank you. I know  
10 there's some big golfing fans over here, so thank you  
11 for the service that you do for the golfing community.  
12 Thank you.

13           Commissioners, looking at the applicant's record  
14 here, all of the information, I cannot find any other  
15 evidence of disqualifying offense. And given the  
16 nature of the actual position that he's applying for  
17 license, I think there is some rehabilitation efforts  
18 that have been made here. And looking at his working  
19 background as well, I think we should just be open to  
20 considering this application. Commissioners? Go for  
21 it.

22           COMMISSIONER REPP: How long have you resided in  
23 the State of Florida?

24           VICE CHAIR BROWN: Can you please come back to  
25 the mic?

1           MR. VOLLERTHUM: I originally moved to Naples,  
2 Florida on October 31st, 2017. And now I'm in the  
3 Tampa Bay region of Tarpon Springs, Florida since  
4 February of 2020.

5           VICE CHAIR BROWN: Sir, I appreciate your  
6 explanation of the underlying events. I mean, the  
7 charge itself is quite grave and serious. So the  
8 explanation during your waiver interview put some  
9 context in it. You have not been -- you have not been  
10 arrested for any other crime?

11          MR. VOLLERTHUM: Correct.

12          VICE CHAIR BROWN: Before and after?

13          MR. VOLLERTHUM: Excuse me?

14          VICE CHAIR BROWN: Before and after the offense.

15          MR. VOLLERTHUM: I did have a DUI in around 2010  
16 that had reached court judgment, and I don't believe  
17 it's on my record anymore. But if I'm being honest,  
18 that was something that occurred.

19          VICE CHAIR BROWN: Thank you. Commissioners?

20          COMMISSIONER DRAGO: And are you still registered  
21 as a sex offender?

22          MR. VOLLERTHUM: Currently, yes.

23          COMMISSIONER DRAGO: You still are?

24          MR. VOLLERTHUM: Currently, yes.

25          VICE CHAIR BROWN: Thank you. Ms. Alvarado, I

1 have a question for you. Who conducted the waiver  
2 interview? Oh, thank you, sir. You can sit down.

3 MS. ALVARADO: I believe it was conducted by our  
4 investigator LeeAnn Rounds.

5 VICE CHAIR BROWN: I mean the explanations  
6 provided in the waiver interview would put some  
7 clarity into the underlying facts that came to the --  
8 but then again he was convicted in Kansas. Under  
9 Florida law, how long is he required to be registered  
10 as a sex offender? That's my question.

11 MR. TAUPIER: Based off of my recollection, I  
12 don't believe that there is a time period where he  
13 will not have to be registered.

14 VICE CHAIR BROWN: We have not been faced with a  
15 charge like this for any applicants in my  
16 recollection, correct?

17 MR. TAUPIER: Not that I can recall.

18 COMMISSIONER DRAGO: I just have a difficult time  
19 granting the waiver on this case. And I certainly do  
20 appreciate, sir, that you came up here, are fighting  
21 for your job, and fighting for this position. But I  
22 have a difficult time getting past the offense in  
23 considering the people of the State of Florida and our  
24 duty to protect them at all costs. So I'm ready to  
25 make a motion unless anybody has anything.

1           VICE CHAIR BROWN: Thank you. Commissioners,  
2   thank you for considering this item. And again, given  
3   the grave and serious charge it is to have here. But  
4   if there are no questions or comments, Commissioner  
5   Drago you have the floor.

6           COMMISSIONER DRAGO: I make a motion to issue a  
7   letter of license denial.

8           VICE CHAIR BROWN: Can I get a second? It will  
9   fail if there is no second.

10          COMMISSIONER REPP: I am going to second it for  
11   now. I do have some concerns on -- I just have  
12   reservations concerning the particular kind of crime  
13   in question and I think we're having a hard time  
14   trying to decide what we want to do with this. I  
15   don't know. If we want more time on this or --

16          VICE CHAIR BROWN: Is there an option statutorily  
17   to table this for another month?

18          MS. ALVARADO: Yes, we can do that. I would  
19   appreciate taking --

20          VICE CHAIR BROWN: Commissioner D'Aquila.

21          COMMISSIONER D'AQUILA: Yeah. I would like to  
22   look at this more deeply. And for the reason that  
23   it's I think the first time this commission has been  
24   faced with a situation like this and we can get more  
25   time. I think it will be helpful.

1           VICE CHAIR BROWN: Commissioner Drago, the motion  
2     has been seconded, but would you like to retract the  
3     motion at this time allowing some more time?

4           COMMISSIONER DRAGO: Yes. I'm certainly going to  
5     do that. My question will be, is there going to be  
6     more information provided? Is there more information  
7     available?

8           MS. ALVARADO: Is there something specific  
9     that you'd like me to have our team look into?

10          COMMISSIONER DRAGO: Well, I think that's what --  
11     I think that's what I'm trying to get at; is if we  
12     have any requests for something specific that we can  
13     do it now so that we can have that --

14          MS. ALVARADO: Yes.

15          COMMISSIONER DRAGO: -- next month.

16          VICE CHAIR BROWN: I would certainly like to hear  
17     more from the interviewer during the waiver interview  
18     other than what's provided in the report for  
19     clarifying the facts. Also I don't know if I see the  
20     police record in here.

21          MS. ALVARADO: Correct.

22          VICE CHAIR BROWN: So I'd like to see the police  
23     record with the report, and I think that would provide  
24     more context to the nature of the crime.

25          MS. ALVARADO: I can certainly look for that and



1 ask the investigator about the interview.

2 VICE CHAIR BROWN: Okay. Thank you. Okay. So  
3 we're going to table this. The motion has been  
4 withdrawn and we are going to go ahead and move on to  
5 license denials.

6 MS. ALVARADO: 8.1 is 2024-071349, Robert  
7 Mitchell. Here the applicant is applying for a pari-  
8 mutuel wagering -- I'm sorry. A slot  
9 Machine/Cardroom/Pari-Mutuel Combination Occupational  
10 License. Upon review of the application, it was  
11 discovered that he had a disqualifying felony of  
12 carrying a concealed weapon out of Miami-Dade county  
13 from 2018.

14 This was presented at the last commission meeting  
15 and I was asked to find the arrest report and see if  
16 we can get in contact with him to get more  
17 information. Our operations team did try to contact  
18 him on multiple occasions and he did not respond to  
19 them.

20 We were able to find the arrest report which was  
21 included in the meeting materials and has a little bit  
22 more information of where the gun was found, which was  
23 inside a vehicle. It was fully loaded. It has a  
24 little bit more information in there. Here the  
25 Commission would ask that the -- or the Division would

1 ask the Commission to authorize us to issue a letter  
2 of license denial in this case.

3 VICE CHAIR BROWN: Okay. And this is the one  
4 that we wanted more information on the background of  
5 the timing of such?

6 MS. ALVARADO: Right.

7 VICE CHAIR BROWN: Commissioners, any comments on  
8 this after looking at the additional information that  
9 was included? I believe that was the only charge?

10 MS. ALVARADO: Yes.

11 VICE CHAIR BROWN: I think, if I recall, we had  
12 reservations of the concealed weapon.

13 COMMISSIONER DRAGO: Yeah, we were, or at least I  
14 was curious about what the weapon was at the time, but  
15 we've clarified that it was a firearm now.

16 MS. ALVARADO: Right.

17 COMMISSIONER DRAGO: So that's some new  
18 information we didn't have last time.

19 MS. ALVARADO: I will also say that he did answer  
20 "no" on his original application. I know there was  
21 some hesitation on that last time, but we were not  
22 able to contact him to ask why he didn't disclose it  
23 on the first application.

24 VICE CHAIR BROWN: And he's applying to be a  
25 security officer?

1 MS. ALVARADO: Yes.

2 COMMISSIONER DRAGO: And do we know if he's got a  
3 security officer license now in the State of Florida?

4 MS. ALVARADO: We were not able to contact him to  
5 verify. We were able to do an online search and  
6 someone with his name has an active license until  
7 2026, but I can't verify if it's him or someone with  
8 the same name. We could call it first, but there is a  
9 license for someone with his name.

10 VICE CHAIR BROWN: So since that 2016 crime, this  
11 individual hasn't been arrested for any other crimes?

12 MS. ALVARADO: No. Not that I have knowledge of.

13 VICE CHAIR BROWN: Or that our database has  
14 recorded.

15 MS. ALVARADO: Right.

16 VICE CHAIR BROWN: So our options here are to  
17 either issue a letter of license denial or grant a  
18 license?

19 MS. ALVARADO: Right.

20 VICE CHAIR BROWN: Okay. Commissioner Repp?

21 COMMISSIONER REPP: Yes. Ms. Alvarado, is the  
22 issue here like he's not returning phone calls or we  
23 just can't find him.

24 MS. ALVARADO: I believe we have a phone number.  
25 He has to provide us with a phone number. The

1 operations team has called, left voice and mails with  
2 him. He has not called back, so we have not been able  
3 to get in contact with him. I don't know if he maybe  
4 put the wrong phone number, but they're leaving  
5 voicemails on the number that he provided to us, so.

6 COMMISSIONER REPP: So we don't have a good  
7 contact for him?

8 MS. ALVARADO: Or he's just not responding to the  
9 calls.

10 COMMISSIONER REPP: Or he's not just -- yeah.

11 MS. ALVARADO: Right.

12 COMMISSIONER REPP: Got it. I would be inclined  
13 to authorize you issue the letter of denial in this  
14 case for the application.

15 VICE CHAIR BROWN: Commissioner D'Aquila?

16 COMMISSIONER D'AQUILA: I agree with Commissioner  
17 Repp. If he's not interested in pursuing this, he's  
18 certainly not helping us in this matter. So I agree.

19 VICE CHAIR BROWN: We have two phone numbers just  
20 according to his application too. All right.  
21 Commissioner Repp, you go ahead and make a motion.

22 COMMISSIONER REPP: I'll make the motion to  
23 authorize the issuance of the letter of denial.

24 VICE CHAIR BROWN: Commissioner D'Aquila?

25 COMMISSIONER D'AQUILA: I will second that

1 motion.

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

4 (Chorus of Ayes.)

5 VICE CHAIR BROWN: Okay. Thank you, Ms.  
6 Alvarado. We're moving on to discussion of final  
7 orders; 9.1 tot 9.3.

8 MS. ALVARADO: 9.1 is 2024-047393, Mikhael Scott  
9 Bailey. In this case, you're provided with a one  
10 count Administrative Complaint alleging that the  
11 respondent was observed participating as a designated  
12 player while on duty at Orange City Racing. He is,  
13 therefore, subject to a fine of up to \$1,000 and/or  
14 suspension or application of his card room employee  
15 occupational license.

16 He responded to the complaint with an Election of  
17 Rights form marking "Option 3," stating that he did  
18 not dispute the allegations contained within the  
19 Administrative Complaint and waived his right to any  
20 form of hearing and requested the Commission enter a  
21 final order imposing a fine or penalty.

22 Here the Division asks that the Commission enter  
23 an order imposing a fine up to \$1,000 and/or  
24 suspending or revoking the respondent's card room  
25 employee occupational license.

1           VICE CHAIR BROWN: So it's consideration of all  
2 of the above?

3           MS. ALVARADO: Yes. I believe Director Dillmore  
4 is here if you have any questions about why we decided  
5 to do that, but.

6           VICE CHAIR BROWN: Who? Director Dillmore.

7           MR. DILLMORE: Hey, good morning. Joe Dillmore,  
8 for the record. So I believe this is the first time  
9 we've had a violation like this since the Commission,  
10 honestly. Even when the Division was part of DBPR.

11           So in this case, we have a rule that says  
12 employees can't participate in the card room where  
13 they're occupied as an employee. And that's even off  
14 the clock. In this case, the individual or the  
15 supervisor, from my reading of this, sat down while on  
16 duty, acted as a designated player playing with chips  
17 of the designated player, not his own.

18           So for that matter, we thought the Commission  
19 would want to take a look at this as far as all the  
20 options. And like I said, we think it might be more  
21 egregious and we don't have anything base it off of  
22 either. So keep those things in mind.

23           And I know the card room suspended the individual  
24 immediately. The investigative report doesn't say for  
25 how long or if that person is still employed. So with

1 all that, I don't think we're on a time clock here.

2 So if it's something you would like us look into,  
3 we'll take more time to consider this because it's  
4 new. That's also a possibility.

5 VICE CHAIR BROWN: Thank you, Director Dillmore.  
6 This provides more information. Commissioner  
7 D'Aquila.

8 COMMISSIONER D'AQUILA: How long has he worked in  
9 the gaming industry?

10 MS. ALVARADO: One second. I don't believe it's  
11 specified here.

12 COMMISSIONER D'AQUILA: Clarify he was a  
13 supervisor.

14 MS. ALVARADO: A floor supervisor, yes.

15 COMMISSIONER D'AQUILA: All right. So floor  
16 supervisor. He has training and has worked in this  
17 field for quite some time.

18 MS. ALVARADO: I would assume so.

19 COMMISSIONER D'AQUILA: Okay. And this is not an  
20 obscure rule.

21 VICE CHAIR BROWN: Miss -- I mean, Director  
22 Dillmore.

23 COMMISSIONER D'AQUILA: Director Dillmore this is  
24 not an obscure rule that a supervisor should not be  
25 playing as a designated player?

1           MR. DILLMORE: Definitely as a rule, I would  
2 believe that most operators would be aware of this  
3 rule. I mean, I think at one time even one of the  
4 card rooms attempted to file a waiver to this rule to  
5 allow their operators to participate off the clock.  
6 And I think that was challenged in court and it was  
7 unsuccessful. So it is a valid rule, I believe, a  
8 standard operator should be aware of.

9           COMMISSIONER D'AQUILA: Right.

10          VICE CHAIR BROWN: It looks like he's been floor  
11 manager since 2022. He has a three-year license. I  
12 think it is an egregious action given the nature of  
13 his position. He should know or he should have known  
14 that would be inappropriate. Particularly also using  
15 designated players's tips or other people's tips.  
16 Yeah. Commissioner Repp?

17          COMMISSIONER REPP: I will agree with both the  
18 Vice Chair and Commissioner D'Aquila. Not only is he  
19 in management, but also in a position I would assume  
20 to train others. So that is also worth the penalty.

21          VICE CHAIR BROWN: And the question is whether  
22 the fine and the revocation of the fine and  
23 suspension.

24          COMMISSIONER DRAGO: I'm sorry. I certainly  
25 believe that it warrants a fine and in my opinion



1 suspension. I don't know that it warrants a death  
2 sentence, but I think it's certainly egregious enough  
3 that it would warrant discipline. That it would  
4 certainly send a message to everybody that this is not  
5 going to be tolerated. This is a serious offense.

6 So I would think we certainly would want to  
7 impose a fine, whatever that might be. And I think  
8 the suspension is a really critical part of that  
9 discipline because it's something that all the  
10 coworkers will know about and certainly the  
11 subordinates that work underneath that person.

12 So I think in like any discipline, the purpose of  
13 it is deter further crime like that by setting an  
14 example of some type of -- to everybody involved, so.  
15 But I don't think it -- in my opinion, I don't think  
16 it warrants a revocation. That's pretty extreme I  
17 think.

18 VICE CHAIR BROWN: Commissioner D'Aquila?

19 COMMISSIONER D'AQUILA: What would a typical  
20 suspension be? I know we haven't had this recently,  
21 but.

22 MS. ALVARADO: It's up to you what you guys would  
23 like to do in this case. Like Director Dillmore said,  
24 we have not had this before. So I'm not sure what a  
25 typical suspension for this type of violation would

1 be. I would have no idea how to answer that because  
2 we haven't had it beforehand.

3 VICE CHAIR BROWN: And this happened a year ago.  
4 It's delayed.

5 COMMISSIONER D'AQUILA: I'm going to suggest for  
6 purposes of getting the conversation started here, a  
7 90-day suspension.

8 VICE CHAIR BROWN: Commissioner Drago?

9 COMMISSIONER DRAGO: My suggestion would be a  
10 \$500 fine, just again for discussion.

11 COMMISSIONER D'AQUILA: Including the fine.

12 COMMISSIONER DRAGO: And I would say a two-week  
13 suspension. But I think we're all kind of heading in  
14 the same direction. Just I think if we could just  
15 narrow that down to be more specific, we'd be there.

16 VICE CHAIR BROWN: Okay. Do we know how long  
17 this individual was suspended by --

18 MS. ALVARADO: No, our records don't say anything  
19 about the length he was suspended by the facility.

20 VICE CHAIR BROWN: Okay. So we have a couple of  
21 -- we have lots of options here. Commissioner?

22 COMMISSIONER D'AQUILA: Well, I would not want us  
23 to have a shorter suspension than the facility.

24 VICE CHAIR BROWN: Correct.

25 COMMISSIONER D'AQUILA: I view that as being a

1 vital piece of information. I don't want it to be  
2 construed that the commission takes these matters  
3 lighter than the facilities themselves. If anything,  
4 I would have less of a problem if it were the  
5 opposite. That's why I was going with the 90 days.

6 So I'm also fine with the \$1,000 fine because of  
7 the severity of the message it sends that something is  
8 serious. So I'm going to change my original  
9 recommendation for purposes of getting the  
10 conversation started to a \$1,000 fine and 30 days  
11 suspension.

12 VICE CHAIR BROWN: Okay.

13 COMMISSIONER DRAGO: And what was the end?

14 VICE CHAIR BROWN: 30.

15 COMMISSIONER D'AQUILA: 30 days.

16 VICE CHAIR BROWN: Do we know if this individual  
17 profited off of the play?

18 MS. ALVARADO: No, I don't think I -- I don't  
19 believe so, but that's not very clear in the report.

20 VICE CHAIR BROWN: Director Marshman.

21 MR. MARSHMAN: If I may, just as the Commission  
22 is considering this, I just want to remind anyone  
23 listening that the whole conceit of playing cards in a  
24 licensed card room in this state is that the house is  
25 not backing any of the games. The employees that are

1 at a poker table of a facility is the dealer and the  
2 floor manager, like this individual.

3 The whole mousetrap works because the house is  
4 not backing or banking any of the games. Then you  
5 have designated player games where, again, the house  
6 is not banking the game. They are taking the rake.  
7 They have the dealer. Things that we all know. But  
8 that designated player is the bank.

9 It would be a problem if the floor manager sat  
10 down at a regular poker table and started playing, as  
11 Director Dillmore has already described. In this  
12 case, a supervisor who has to train other employees at  
13 a card room sat down, not at a regular poker table,  
14 but as a designated player poker table, going further  
15 into the mousetrap.

16 And they didn't just sit down as a player. They  
17 sat down as the designated player, the bank. So if I,  
18 as a player, knew who the floor supervisor was and I  
19 walked into DP area of this and I saw him sitting down  
20 with chips in front of him, I would have a lot of  
21 questions. Am I playing the house? Am I playing him?  
22 What is going on here?

23 So this is not a -- in my opinion, this is not an  
24 insignificant breach of the entire arrangement in  
25 Chapter 849. It is a breach of the larger principle.

1 And it's a breach specifically of the whole conceit of  
2 the designated player game.

3 And this is not an employee of a card room. This  
4 is the supervisor of the floor who is responsible for  
5 training other employees what you can and cannot do in  
6 a card room. So this should be considered, I think,  
7 by the Commission as you consider the sanction for  
8 this individual. Thank you.

9 VICE CHAIR BROWN: Thank you, Director Marshman.  
10 Well, we do have a lot more information that we would  
11 like, it sounds like. Commissioner Repp.

12 COMMISSIONER REPP: As I said and it has been  
13 stated that he's also responsible for training people  
14 and that people look up to him. And again I find this  
15 egregious. I would fine \$1,000 fine and the 90 days.

16 VICE CHAIR BROWN: Commissioner Drago.

17 COMMISSIONER DRAGO: Just to clarify too, for the  
18 sake of discussion, this person has no prior  
19 violations at all?

20 MS. ALVARADO: No, none that are documented with  
21 us.

22 COMMISSIONER DRAGO: Okay. Thank you.

23 VICE CHAIR BROWN: The only reservation I have  
24 about the 90 days is I would like to know how long, I  
25 think it was West Volusia, right? It was Orange City,

1 right?

2 MS. ALVARADO: Orange City. Yes

3 VICE CHAIR BROWN: Yeah. I would like to know  
4 what did they find and how long was their suspension  
5 and if they have any other violations internally.

6 MS. ALVARADO: Okay. Of course, we can table it  
7 for the next week. And I will try to ask the  
8 investigators to go and figure out that information  
9 for us, if you prefer doing that instead of issuing a  
10 final order today.

11 VICE CHAIR BROWN: Commissioner?

12 COMMISSIONER D'AQUILA: So then we're going to  
13 have more time?

14 VICE CHAIR BROWN: Yes.

15 COMMISSIONER D'AQUILA: Okay. Because I was just  
16 going to add I think the point being made, the  
17 integrity of our game industry here in the state being  
18 attacked by this person's actions. So whatever we  
19 come to, I think we should also consider any  
20 additional behavior on his part will be a ground for  
21 revocation. This is a serious offense.

22 VICE CHAIR BROWN: Thank you. And I think just  
23 having it more thoughtful, for us having more  
24 information to be more thoughtful given this unique  
25 situation, we'll have the additional time. So we'll

1 just differ till the next meeting.

2 MS. ALVARADO: Awesome.

3 VICE CHAIR BROWN: Okay. Thank you. We're going  
4 to move on to 9.2.

5 MS. ALVARADO: 9.2 is 2024-059498, German Bonesi.  
6 In this case you were provided with a one count  
7 Administrative Complaint alleging that the respondent  
8 was excluded from a casino at Dania Beach on November  
9 21st, 2024. He is therefore subject to exclusion from  
10 all pari-mutuel and all facilities of slot machine  
11 licensee pursuant to Sections 550.0251(6) and 551.112  
12 Florida Statutes.

13 The respondent responded to the complaint with an  
14 election of the rights form marking "Option 3." He  
15 did not dispute the allegations contained in the  
16 Administrative Complaint and waived his right to a  
17 hearing and requested that the Commission enter a  
18 final order in this case.

19 Therefore, the Division will recommend that the  
20 Commission enter an order adding respondent to the  
21 permanent exclusion list for all pari-mutuel and slot  
22 machine facilities.

23 VICE CHAIR BROWN: Thank you. And this we  
24 already took this individual up. He was the CFO under  
25 5.3. This should be fairly quick. Commissioners, any

1 questions? Can we get a motion for a final order  
2 permanently excluding the respondent?

3 COMMISSIONER DRAGO: So moved.

4 VICE CHAIR BROWN: Is there a second?

5 COMMISSIONER D'AQUILA: Second.

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

7 (Chorus of Ayes.)

8 VICE CHAIR BROWN: And we are on to 9.3.

9 MS. ALVARADO: 9.3 is 2024-069879, Christopher  
10 Duncan. In this case you are provided with a one  
11 count Administrative Complaint seeking suspension of  
12 respondent to pari-mutuel wagering General Individual  
13 Occupational License due to an outstanding debt  
14 related to horse racing pursuant to 550.105(7).

15 The respondent responded to the complaint with an  
16 Election of Rights form marking "Option 3." He did  
17 not dispute the allegations contained within the  
18 Administrative Complaint and has waived his right to  
19 any form of a hearing and requested that the  
20 Commission enter a final order in this case.

21 Therefore, the Division recommends that the  
22 Commission enter an order suspending his license until  
23 such time that the Commission receives confirmation  
24 that payment has been satisfied.

25 VICE CHAIR BROWN: Thank you. Commissioners, if



1     there are any questions on this, we may get a motion  
2     for final orders suspending the licensee, respondent,  
3     until proof of payment.

4             COMMISSIONER REPP: I'll make that motion.

5             VICE CHAIR BROWN: Is there a second?

6             COMMISSIONER D'AQUILA: I will second that  
7     motion.

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

9             (Chorus of Ayes.)

10            VICE CHAIR BROWN: Thank you Ms. Alvarado. All  
11     right. We're going into the executive director's  
12     update.

13            MR. MARSHMAN: Thank you. It's shorter today. I  
14     think just some scheduling of some meetings and then  
15     some recognition of some exemplary employees. So our  
16     next meeting, just for those in attendance and may be  
17     interested, will be April 10th. And I believe we will  
18     be in this room here again.

19            The main meeting is scheduled for May 13th. That  
20     will be in Fort Lauderdale. The arrangements for that  
21     are pretty much through. Staff will be getting the  
22     link to register at the same venue that we had last  
23     year, which is the Marriott in Fort Lauderdale  
24     airport. So we will have the Commission meeting there  
25     on that date. And we're also finalizing the notice of

1 development -- or strike that. The workshop notice  
2 for that same day in the afternoon for the cashless  
3 rulemaking as well.

4 So that will be there in case people would like  
5 to travel for that. We have not yet scheduled our  
6 June or July meetings. And Ms. Parker has provided me  
7 with excellent notes, as always, about what rooms are  
8 available and what is not. In June, the PSC room,  
9 this room, appears to be available on June 5th and  
10 June 12th, if that is something you'd like to  
11 consider. And I also have dates in July if you'd like  
12 to go ahead and consider that.

13 VICE CHAIR BROWN: Certainly. Commissioners, how  
14 does your June 12th look?

15 COMMISSIONER REPP: June 12th is fine with me.

16 VICE CHAIR BROWN: Commissioner Drago.

17 COMMISSIONER DRAGO: 12th is fine. Yes.

18 VICE CHAIR BROWN: How does June 12th look?

19 MR. MARSHMAN: I think that can work. We work  
20 for you. So if that's the date you would like, that's  
21 fine. We do have a license renewal that's coming up  
22 right around this time. So that may necessitate a  
23 special meeting perhaps on Zoom or Teams, just to make  
24 sure that one license is able to move through  
25 smoothly. So as long as the commissioners are able to

1 hop on a Teams call one day, I think that that would  
2 be fine. We'll make it work.

3 COMMISSIONER REPP: Is the first week of June  
4 out?

5 VICE CHAIR BROWN: Yes, it is out. I'm looking  
6 and I -- yes. It is very out.

7 COMMISSIONER REPP: Okay.

8 VICE CHAIR BROWN: How about earlier in the week,  
9 June 10th?

10 MR. DILLMORE: By my record, it's showing a  
11 subsequent application that expires on June 10th.

12 VICE CHAIR BROWN: Okay. So we would have to do  
13 it before that.

14 MR. DILLMORE: Ideally, unless you want to do the  
15 special meeting as Director Marshall mentioned.

16 VICE CHAIR BROWN: Okay.

17 COMMISSIONER DRAGO: I think a special meeting on  
18 Teams works for me.

19 VICE CHAIR BROWN: Yeah. Me too.

20 COMMISSIONER DRAGO: That would be fine.

21 VICE CHAIR BROWN: Yeah. So June 12th it is.  
22 Thank you. Do you guys want to go into July?

23 MR. MARSHMAN: Sure. So for July, the PSC room  
24 appears to be available on July 2nd, July 3rd, and  
25 July 10th.

1 COMMISSIONER DRAGO: I would suggest we stay away  
2 from --

3 VICE CHAIR BROWN: Yes.

4 COMMISSIONER DRAGO: -- 4th of July week.

5 VICE CHAIR BROWN: That sounds like a great  
6 suggestion.

7 COMMISSIONER DRAGO: -- if we can.

8 VICE CHAIR BROWN: July 10th?

9 MR. MARSHMAN: Lightning has struck twice and  
10 there's a slot machine license that is up for renewal  
11 on July 9th.

12 VICE CHAIR BROWN: July 8th?

13 COMMISSIONER D'AQUILA: How about earlier that  
14 week such as Tuesday the 8th?

15 VICE CHAIR BROWN: I think that sounds good.

16 MR. MARSHMAN: I think we can make that  
17 available. Just certain rooms may or may not be  
18 available at that time, but we will find space to make  
19 that work.

20 VICE CHAIR BROWN: Wonderful. Does that work for  
21 everyone?

22 COMMISSIONER D'AQUILA: Does having it on a  
23 Tuesday make a difference versus Wednesday because the  
24 license expires on the 9th?

25 MR. MARSHMAN: Yes, sir. I think before or on

1 July 9th at the latest if you'd like to just have one  
2 done that month. Perhaps that Tuesday the 8th or at  
3 the latest Wednesday the 9th.

4 COMMISSIONER D'AQUILA: Let's go with the 8th.

5 VICE CHAIR BROWN: We'll go with the 8th.

6 MR. MARSHMAN: Thank you.

7 VICE CHAIR BROWN: Okay. Great. Do you guys  
8 want to do August as well --

9 COMMISSIONER DRAGO: Sure.

10 VICE CHAIR BROWN: -- so we knock out the whole  
11 summer there?

12 COMMISSIONER DRAGO: I think it would be a good  
13 idea.

14 VICE CHAIR BROWN: Right.

15 MR. MARSHMAN: All right. For August, my notes  
16 are that the rooms appear to be available for August  
17 6th or August 7th. But there's also the smaller room  
18 across the hall that has much more availability that  
19 month.

20 VICE CHAIR BROWN: That works for August. Both  
21 of those dates are okay.

22 MR. MARSHMAN: And Mr. Dillmore, when is the next  
23 slot machine license up for?

24 MR. DILLMORE: We're hitting on the head here.  
25 August 6th looks like a renewal date --

1 MR. MARSHMAN: Perfect.

2 MR. DILLMORE: -- for another slot machine  
3 license renewal.

4 VICE CHAIR BROWN: Does August 6th work for you  
5 all?

6 COMMISSIONER D'AQUILA: Yes.

7 COMMISSIONER DRAGO: Yes.

8 COMMISSIONER REPP: Yes.

9 VICE CHAIR BROWN: Yes. Okay.

10 MR. MARSHMAN: We'll make it happen.

11 VICE CHAIR BROWN: Thank you. Thank you,  
12 Director Marshman.

13 MR. MARSHMAN: All right. And with scheduling  
14 done, I would like to just recognize some of the  
15 employees for this month. So first off, we have from  
16 the Division of administration we have Shane Phillips.  
17 He's the general services purchasing manager and the  
18 administration's employee of the month for March.

19 As manager of FGCC's procurement contracts, Shane  
20 demonstrates an exceptional work ethic and commitment  
21 contributes greatly to FGCC's success. His approach  
22 to work is marked by a high level of integrity and  
23 responsibility. He consistently meets deadlines and  
24 delivers high quality results.

25 Shane's professional demeanor and positive

1 attitude make him a valuable asset to the Commission.  
2 I have worked with Shane for years. He was an  
3 employee of Division of pari-mutuel wagering before he  
4 transferred over to the Commission. And he is an  
5 excellent asset for the commission. I believe he's  
6 here today.

7 VICE CHAIR BROWN: Yes. Shane, can you please  
8 stand up?

9 COMMISSIONER DRAGO: Where are you, Shane?

10 VICE CHAIR BROWN: Yes.

11 (Applause.)

12 MR. PHILLIPS: Thank you.

13 VICE CHAIR BROWN: That's an emphatic clap.

14 MR. MARSHMAN: Next up, from the Division of  
15 information technology, we have Ginny Morris. Ginny  
16 is information technology's employee of the month.  
17 Her position is chief technology officer. Ginny  
18 consistently demonstrates outstanding leadership and  
19 commitment to enhancing processes and providing good  
20 customer service to which I can personally attest.

21 Ginny always goes the extra mile to resolve  
22 issues promptly and effectively. She is reliable and  
23 happily takes on additional tasks to ensure the team's  
24 success. As you may be aware, our chief information  
25 officer retired and Ginny, for now, has taken on a lot

1 of that work and there has not been an interruption in  
2 the service that we've been receiving. And I think  
3 the team is really happy to have Ginny still be a part  
4 of the commission and so are we.

5 As a leader, she demonstrates excellent work  
6 values and fosters a collaborative and supportive  
7 environment where knowledge is shared and growth is  
8 encouraged. And I don't believe Ms. Morris is  
9 present, but she was here --

10 VICE CHAIR BROWN: She's here.

11 MR. MARSHMAN: Is she now?

12 VICE CHAIR BROWN: She's here. I see her.

13 MR. MARSHMAN: Where is she?

14 (Applause.)

15 MR. MARSHMAN: That's excellent. I'm glad she's  
16 here. Next is gaming enforcement. And on behalf of  
17 the DGE team, Special Agent Bobby Fiumefreddo  
18 (phonetic) has been selected as the employee of the  
19 month for February 2025. Special Agent Fiumefreddo  
20 has proven to be a vital asset to the operations team  
21 in the South Florida region.

22 Over the past several months, Bobby has served as  
23 the lead or co-case agent on several high profile  
24 investigations including Operation Fool's Treasure  
25 which resulted in the seizure of over 1,070 slot



1 machines, the closure of three casino-style, illegal  
2 arcades, and the seizure of a distributor's warehouse.  
3 And the distributor itself was illegal.

4 Agent Fiumefreddo's diligence, investigative  
5 expertise, and attention to detail are consistently  
6 evident in his work product. Bobby is a dedicated  
7 team player and is currently serving as the acting  
8 supervisor for the South Region while the special  
9 agent supervisor is on medical leave there.

10 He also serves as the lead field training agent  
11 for new agents and is widely recognized as a mentor  
12 and leader by his peers within the FGCC, as well as by  
13 personnel from our external law enforcement partners.

14 (Applause)

15 MR. MARSHMAN: Next is from the Commission and  
16 OGC side of the house. And that's Ms. Kimberly  
17 Johnson. Kim is our government operations consultant  
18 who handles inquiries and reports that come into the  
19 FGCC. What that really means is that when someone  
20 calls and tries to talk to someone at the Commission  
21 or is complaining about someone or wants information,  
22 Kim is the front line who picks up the phone.

23 She's the one that is following the person that  
24 wants more information or wants help to someone in the  
25 Commission that needs it. So she has to understand

1 everything that goes on in our operations. She has to  
2 understand all the different divisions.

3 She has to know all the personnel, and she  
4 maintains accurate records of the hundreds of calls,  
5 complaints, and tips that come in every month. And  
6 she does an excellent job doing that.

7 She has been in her current position since June  
8 of 2024, and has taken on the position with enthusiasm  
9 and, like I said, educated herself on all areas within  
10 the agency. She responds promptly and courteously to  
11 public inquiries and reports that come into our office  
12 via various communication channels.

13 She maintains the website, portal, Smartsheet,  
14 gathering pertinent information to determine  
15 appropriate division assignments, and have issues  
16 handled in a timely manner and she provides empathy  
17 and effective communication. She has been a great  
18 addition to our section. Congratulations to Kim.

19 (Applause.)

20 VICE CHAIR BROWN: Thank you.

21 MR. MARSHMAN: Two more and then I was going to  
22 ask Chief Snyder to provide a law enforcement update  
23 as well to the Commission. But first we have Ms.  
24 Holly Chaires from the Division of pari-mutuel  
25 wagering. Holly is an operations review specialist in

1 Tallahassee Operations Unit.

2 As a team lead, Holly is responsible for guiding  
3 and training members of the licensing team. She  
4 conducts second-level reviews of applications being  
5 processed by new staff and handles the final review of  
6 all slot-related applications.

7 Last year the Division processed or the  
8 Commission rather processed 14,000 applications. And  
9 without people like Holly, that would not get done.  
10 She processes licensing applications received from the  
11 National Racing Compact.

12 She thrives in busy licensing environment, which  
13 I just said, delivering positive guidance to both  
14 staff and the general public. Praises of her calm and  
15 helpful demeanor are regularly received from both her  
16 coworkers and our applicants. Holly consistently  
17 provides a level of service commitment which exceeds  
18 expectations. So congratulations to Holly.

19 (Applause.)

20 MR. MARSHMAN: The last employee that we'd like  
21 to acknowledge this month is Chuck Taylor. And Chuck  
22 is an investigator in the Central Region. But that is  
23 misleading because he also covers the Northern Region  
24 as well. Director Dillmore Joe says he will put  
25 100,000 miles on a car in a month and I can believe

1 it.

2 He always is eager to assist his coworkers to  
3 take on any assignment with a positive attitude. He's  
4 highly respected by his peers as well as the  
5 facilities he serves.

6 Chuck has been covering the Northern Region  
7 facilities for an extended period of time due to  
8 difficulty filling the vacancy, while managing his  
9 assigned area also in the Central Region. This effort  
10 requires a significant increase in his normal travel  
11 distances from around Central Florida, all the way to  
12 Pensacola, Florida.

13 His reliability, professionalism, and willingness  
14 to cover the additional territory has made the FGCC  
15 able to carry out its regulatory mission in the  
16 Northern Region. So congratulations to Chuck.

17 VICE CHAIR BROWN: Thank you, Chuck.

18 (Applause.)

19 MR. MARSHMAN: And with that I would like to pass  
20 it to Chief Snyder.

21 VICE CHAIR BROWN: Chief Snyder, welcome.

22 MR. SNYDER: Good morning.

23 VICE CHAIR BROWN: Morning.

24 COMMISSIONER DRAGO: Morning.

25 MR. SNYDER: For record, Gary Snyder, chief of

1 law enforcement, Gaming Enforcement Division. So we  
2 had a pretty busy month for February and I want to  
3 share some of the highlights of that.

4 VICE CHAIR BROWN: Thank you.

5 MR. SNYDER: So during the month, the gaming  
6 enforcement side of the house operations conducted 85  
7 hands-on investigations and that would be amongst all  
8 three regions. We seized 437 slot machines. We  
9 closed 11 illegal casinos. We arrested 10 individuals  
10 with a total of 41 different charges of those 10  
11 individuals. We seized five firearms, and we seized  
12 \$113,602.

13 Additionally, we've worked closely with our legal  
14 team to build our partnerships with our external  
15 agencies and we're having new partners every month.  
16 And we're executing these MOUs with these agencies  
17 pretty rapidly actually.

18 So as you know, that is paramount to our success.  
19 Quick warehouse summary of where we're at since that's  
20 always a hot topic. So lease space in DGE is 35,442  
21 square feet. The available space that we have is  
22 7,250, which is about 20 percent of what we have  
23 leased.

24 For illegal gambling courts, using our complaint  
25 portals, we've had a total of 219 complaints which

1 includes 219 citizen complaints. Now, that doesn't  
2 include some law enforcement complaints that we've had  
3 previous months that we're working those cases as  
4 well.

5 From Chief Linton's side of the house, the  
6 intelligence and analytical unit has conducted 18  
7 subject backgrounds and that would be including new  
8 personnel backgrounds and also target subjects of  
9 criminal activity. They conducted six business  
10 backgrounds. They've attended nine multi-agency  
11 intelligence meetings. They've analyzed one record as  
12 far as business records. Analytical assistance to  
13 other agencies: three.

14 Additionally, the team from Chief Linton's side  
15 has actually accompanied our agents on active  
16 investigations in the state. So during February they  
17 assisted our agents on two on-site operations where  
18 they assisted with evidence collection, cataloging,  
19 and so forth. They also assisted with 11 joint  
20 operations where they weren't on scene.

21 VICE CHAIR BROWN: Just to stop you. I mean,  
22 these numbers are really just going to continue to  
23 just grow and mind blowing. This particular month has  
24 just been huge with a gamut of different operations  
25 and great media coverage. And I just commend you and

1 your team. And commissioners, I know you-all have  
2 similar thoughts too. But I just wanted to stop you  
3 and thank you for everything you're doing.

4 MR. SNYDER: I appreciate that.

5 VICE CHAIR BROWN: Busy month.

6 MR. SNYDER: It's a team effort, trust me. Just  
7 a quick brief on our personnel and where we are as far  
8 as vacancies. We've posted a position in South  
9 Florida for an agent, which was posted on February  
10 27th and closes on the 13th of this month. We also  
11 posted a supervisory agent for the North Florida  
12 Region. That was posted on March 4th and closed on  
13 the 18th.

14 We made a selection of our administrative  
15 assistant for the Central Region and she is currently  
16 in background. We're in the process of interviewing  
17 two cyber analysts here in the north. The candidates  
18 have been invited for interviews and are undergoing  
19 that now.

20 We're also conducting interviews for a North  
21 Florida law enforcement agent here in Tallahassee  
22 also. And those invitees have already been selected  
23 and we will be interviewing the second week of March.  
24 That's all I have. I'll take any questions that you  
25 have.

1 VICE CHAIR BROWN: Thank you Chief.

2 Commissioners, any questions or comments?

3 Commissioner Repp.

4 COMMISSIONER REPP: Good morning.

5 MR. SNYDER: Morning.

6 COMMISSIONER REPP: You mentioned that there were  
7 41 different charges?

8 MR. SNYDER: Yes, ma'am.

9 COMMISSIONER REPP: As an example, could you tell  
10 us what are some of the more serious charges that we  
11 were able to get filed on these cases?

12 MR. SNYDER: As you know, there's multiple  
13 charges that are available to us to utilize by statute  
14 in these raids. So we would have operating an illegal  
15 gaming establishment. We have possession of slot  
16 machines, we have transportation of slot machines,  
17 illegal slot machines. I mean, there's a host of what  
18 we have.

19 Typically, each month when we're doing these  
20 illegal casinos, it's going to be a multitude of  
21 charges of the operating gaming houses and actually  
22 going after the owners of these establishments even if  
23 they're not on property.

24 COMMISSIONER REPP: And then if we had gun  
25 charges, have we had any felon in possession or other



1 serious gun charges?

2 MR. SNYDER: Most of these weapons were found  
3 subsequent to a search warrant, so they weren't  
4 actually being used in the commission of a crime. But  
5 they were at the location and they didn't have any --  
6 weren't being held by any individual. They were just  
7 on premise.

8 COMMISSIONER REPP: Okay. Great. Thank you.  
9 And thank you for your great work last month. We  
10 appreciate it.

11 VICE CHAIR BROWN: Thank you. Commissioner  
12 Drago.

13 COMMISSIONER DRAGO: Yeah. I have a comment too.  
14 I'm impressed with the way you guys have really  
15 developed a rapport with law enforcement agencies  
16 throughout the state and it just keeps growing. Every  
17 time we hear you guys talk about it, there's more  
18 people involved, more agencies involved, or areas that  
19 were never involved before the Commission got  
20 involved. So I'm very impressed with that. It keeps  
21 growing.

22 I think you mentioned it and we've all mentioned  
23 it several times before. The success is going to be  
24 based on the relationships we have throughout the  
25 state with state and federal agencies. And especially

1 today, I think it'll be even more so. So I thank you  
2 guys for that. That's not always easy to pound  
3 ground, and get out there and get other agencies  
4 involved.

5 And there's always the parochialism with law  
6 enforcement and sometimes it's hard to break through  
7 that, but you guys are doing it. So I commend you for  
8 that and appreciate that very much. And the press  
9 we're getting from it with you guys, and Katie's help  
10 of making sure it's out there is certainly a big part  
11 of it.

12 The more we talk about it, the more news we get  
13 about it, the more people become aware of what you're  
14 doing, and you can develop those relationships. So I  
15 encourage you continue that aspect of it and continue  
16 to grow within and hopefully develop more and more  
17 relationships as we go along. Be more and more  
18 successful as a law enforcement group as opposed to  
19 any one agency, so thank you. Thank you for all the  
20 work you're doing.

21 MR. SNYDER: Yes, sir. Thank you.

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

24 COMMISSIONER D'AQUILA: I just want to extend on  
25 that and state that the amount of patience,

1 professionalism, looking at the time you put to  
2 investigate and implement Operation Fish & Chips in my  
3 home city of Jacksonville and what I heard in the  
4 community there, it's incredible work.

5 And I think that persistence, and we talk about  
6 these numbers each month, when I hear that many  
7 investigations going on, it truly is amazing to think  
8 how much work is going on today that we may not hear  
9 about until a year from now or longer in some of these  
10 cases. So thank you for your dedication and your  
11 whole team. I mean, I can only imagine the amount of  
12 hours work that goes into these cases.

13 MR. SNYDER: Thank you, sir.

14 COMMISSIONER D'AQUILA: Thank you.

15 VICE CHAIR BROWN: Thank you. With that, I  
16 appreciate your time.

17 MR. SNYDER: All right. Thank you.

18 COMMISSIONER DRAGO: Thank you Chief.

19 VICE CHAIR BROWN: Thank you. We are going to  
20 move on to public comments. We have one comment card.  
21 But certainly that doesn't restrict anybody in the  
22 audience that would like to come up. Mr. Gary  
23 Rutledge. Good morning.

24 MR. RUTLEDGE: Good morning.

25 COMMISSIONER DRAGO: Morning.

1           MR. RUTLEDGE: Madam Vice Chair, Commissioners,  
2 my principal reason that I wanted to speak are just  
3 two brief comments. Thank you on behalf of St. Peter  
4 Kennel Club for the action you took earlier in the  
5 meeting. And I know these issues will be coming back  
6 to you after they close the transaction or at least to  
7 your staff. So thank you for that.

8           And secondly, I too want to applaud the last  
9 presenter. I was in the parking lot coming into the  
10 Commission meeting this morning and had two different  
11 articles that were sent to me just today about the  
12 action. One of them was in Sarasota. And those  
13 comments are both on behalf of my clients within the  
14 regulated industries and personally to see this  
15 action. And I want to applaud them, but you have  
16 already for what they're doing.

17           The principal purpose that I came today to  
18 discuss with you is involving the attorney-client  
19 session that you're going to be having after the  
20 conclusion of the public meeting. I'm here today on  
21 behalf of Tampa Bay Downs, the horse track in Tampa.

22           Additionally, I'm here on behalf of the Tampa  
23 Greyhound Track. It doesn't go by Tampa Greyhound  
24 Track now, because they don't have greyhound racing at  
25 that facility. As well as St. Petersburg Kennel Club,

1 Derby Lane, all who are going to be impacted by your  
2 discussions later today.

3 A brief history. It's quite complex. I'll try  
4 to be succinct and either during my comments or at the  
5 conclusion, I would invite any questions that you may  
6 have concerning the matters that I'm going to discuss.  
7 Intertrack wagering, as you know, which is the conduct  
8 of betting on horse races and other pari-mutuel  
9 activities between facilities both in state and out of  
10 state, has occurred for many years in Florida.

11 For many, many years, in order to conduct  
12 intertrack wagering on horse racing, the Division,  
13 your predecessor, required that racing be conducted  
14 during that period of time that intertrack wagering  
15 was to be conducted. There were various  
16 interpretations over many, many years as to what that  
17 meant. How many days a week they had to conduct live  
18 racing, how many weeks, how many months, etc.

19 They landed on a decision, the most recent  
20 decision. This was not by statute or rule, I might  
21 add. Was that it would commence on the first day  
22 within the calendar year of your -- or not calendar  
23 year. The state fiscal year, that you conducted  
24 racing, and conclude on the last day.

25 In order to conduct intertrack wagering on a

1 year-round basis, Tampa Bay Downs operated racing days  
2 on July 1st each year and concluded with a race day of  
3 June 30th.

4       However, no live racing whatsoever was conducted  
5 between the July 1st day until the November dates when  
6 their season is really run, as you know, between  
7 November and May. Then they went dark in May again  
8 through June. So these two outlier days where races  
9 were conducted were a great imposition to the track.  
10 For their employees to get horses there, to the stay,  
11 as you stay employees there.

12       So these two outlier days caused them that much.  
13 But it was important enough for them to deduct those  
14 days in order to be able to have their intertrack  
15 wagering on a year-round basis.

16       Fortunately, the legislature saw fit in the last  
17 few years to amend the statute to make it clear that  
18 those dates didn't need to be conducted for live  
19 racing in order to conduct intertrack wagering. Those  
20 changes led to, fortunately, your approval of the  
21 deletion of the July 1st day last year and the June  
22 30th day coming up this year.

23       Simultaneous with both legislative changes, as a  
24 result of decoupling, among other reasons, the process  
25 changed. As you know, greyhound racing was decoupled

1 by constitutional amendment several years ago.  
2 Subsequently, when some of these other changes were  
3 made a few years ago, decoupling was afforded on a  
4 discretionary basis by the permit holders for Jai Alai  
5 partners and Quarter Horse racing.

6 Once those changes were made, licenses  
7 subsequently were issued indicating the racing season  
8 being, for all permit holders including horse racing  
9 permit owners, would be July 1st through June 30th  
10 because not only are their card rooms open, but pari-  
11 mutuel wagering activity is taking place.

12 Subsequently, after the decision was made to  
13 amend the dates, we were advised that the tax rates  
14 that were applicable for intertrack wagering would be  
15 increased and increased significantly for some of the  
16 permit holders.

17 VICE CHAIR BROWN: Mr. Rutledge, if I may --

18 MR. RUTLEDGE: Yeah, yeah. Please.

19 VICE CHAIR BROWN: -- just interrupt you for a  
20 sec. I know commissioners have been briefed by staff  
21 on a lot the facts here.

22 MR. RUTLEDGE: Okay.

23 VICE CHAIR BROWN: I'm certain that they have by  
24 our staff. So if you could, because we've been pretty  
25 lenient with the time, if you could pinpoint exactly

1 what you'd like to address.

2 MR. RUTLEDGE: Okay.

3 VICE CHAIR BROWN: Thank you.

4 MR. RUTLEDGE: I conclude with what's going to be  
5 before you.

6 VICE CHAIR BROWN: Okay.

7 MR. RUTLEDGE: And I apologize. I wanted to  
8 assume nothing in terms of the history of this and  
9 will respond to any questions. The bottom line, Madam  
10 Vice Chair, is there are two unrelated, but everything  
11 is related, issues before you.

12 One is we were awarded taxes and arrears that  
13 were paid, we believe, erroneously in the amount of  
14 \$370,000 plus. After that matter was litigated  
15 successfully for Tampa Bay Downs, the Commission  
16 advised the staff that monies were not available to  
17 pay that \$370,000 in total, which they can explain to  
18 you if they haven't already.

19 And that in fact we would not be entitled to the  
20 full \$370,000, but rather well less than half of that  
21 amount, approximately 140 something thousand dollars.  
22 We have not agreed to that. Tampa Bay Downs has not  
23 agreed to that. We respect their position. That's  
24 still pending for the Division of Administrative  
25 Hearings.



1           Second issue, not directly related, but again  
2   everything is related because the client is trying to  
3   make business decisions, has to do with the issue of  
4   what do we do with this higher tax rate? Because the  
5   tax rates for many, many years have all been imposed  
6   at the same level. This would be a new higher tax  
7   rate imposed for the period of time they're not  
8   conducting live racing.

9           And that happened summer of this past year. And  
10   just to put in context, and I apologize Madam Vice  
11   Chair, those tax rates in some instances were  
12   increased by 10 times. A 0.5 tax on greyhound  
13   intertrack wagering went to 5.5 percent.

14           And the clients that I mentioned at the outset  
15   that I was also here for, Derby Lane and Tampa  
16   Greyhound Track, but take Derby Lane, they have no say  
17   in that. They're strictly subjected to these tax  
18   rates based on the dates that Tampa Bay Downs chooses  
19   to race. They have no say in it and they've never  
20   paid these higher tax rates on these days.

21           So they're affected, and that's why I mentioned  
22   that at the outset. We Tampa Bay Downs are willing to  
23   accept the 140 odd thousand dollars in lieu of the  
24   \$370,000 payments mentioned, but we also would like  
25   the Commission for the first time, because this issue

1 has not been before you, to revisit this recent  
2 interpretation that the higher tax rates would apply  
3 in our case. Thanks.

4 VICE CHAIR BROWN: Thank you.

5 MR. RUTLEDGE: And I apologize for exceeding my  
6 time and giving a history lesson too.

7 VICE CHAIR BROWN: I appreciate the history  
8 lesson and I had it though. But I thank you for  
9 providing what it is you're asking for us during our  
10 attorney-client meeting. Commissioners, are there any  
11 questions for Mr. Rutledge?

12 COMMISSIONER DRAGO: At this point, no.

13 VICE CHAIR BROWN: Thank you.

14 COMMISSIONER DRAGO: Thank you.

15 MR. RUTLEDGE: Thank you.

16 COMMISSIONER D'AQUILA: Thank you.

17 VICE CHAIR BROWN: Is there anybody else in the  
18 public that would like to address the Commission?  
19 Seeing none, I have to read my -- oh, Ms. Valentine.

20 MS. VALENTINE: I have to say my part of the  
21 script first.

22 VICE CHAIR BROWN: Thank you.

23 MS. VALENTINE: For agenda item 12, the Office of  
24 the General Counsel requests the Commissioners to  
25 close the meeting so that we may seek advice from the

1 Commissioners in a closed meeting concerning  
2 litigation styled Tampa Bay Downs Inc. v. Florida  
3 Gaming and Control Commission. DOAH case number 22-  
4 001127.

5 This advice relates to litigation strategy and  
6 settlement negotiations and may therefore be discussed  
7 in private pursuant to Section 16.716 and 286.011(8)  
8 Florida Statute.

9 VICE CHAIR BROWN: Thank you, Ms. Valentine. And  
10 before the public leaves, I'd like to state some of  
11 this for the record as well. In connection with the  
12 performance of our regulatory duties it's necessary  
13 for the Commission to hear information that is exempt  
14 or confidential.

15 Specifically, the Commission's council will be  
16 discussing litigation strategy and settlement  
17 negotiations with the Commissioners related to  
18 litigation styled Tampa Bay Downs Inc. v. Florida  
19 Gaming Control Commission, FGCC. Case number 22-  
20 001127.

21 The closed meeting is scheduled for approximately  
22 45 minutes. Those in attendance will be and are Vice  
23 Chair Julie Brown, Commissioner Drago, Commissioner  
24 Tina Repp, Commissioner John D'Aquila, Acting  
25 Executive Director Ross Marshman, Division Director

1 Joe Dillmore, Chief of Revenue and Auditing Tracy  
2 Swain, General Counsel Elina Valentine, Deputy General  
3 Counsel Marc Taupier, Chief Attorney Emily Alvarado,  
4 Chief Attorney Renee Hawkins, and Senior Attorneys  
5 Justin Hundersmarck and Shireen Anbardan, Brandy  
6 Humphries, Dixie Parker, and a court reporter whose  
7 name is --

8 THE REPORTER: Tia Pierre.

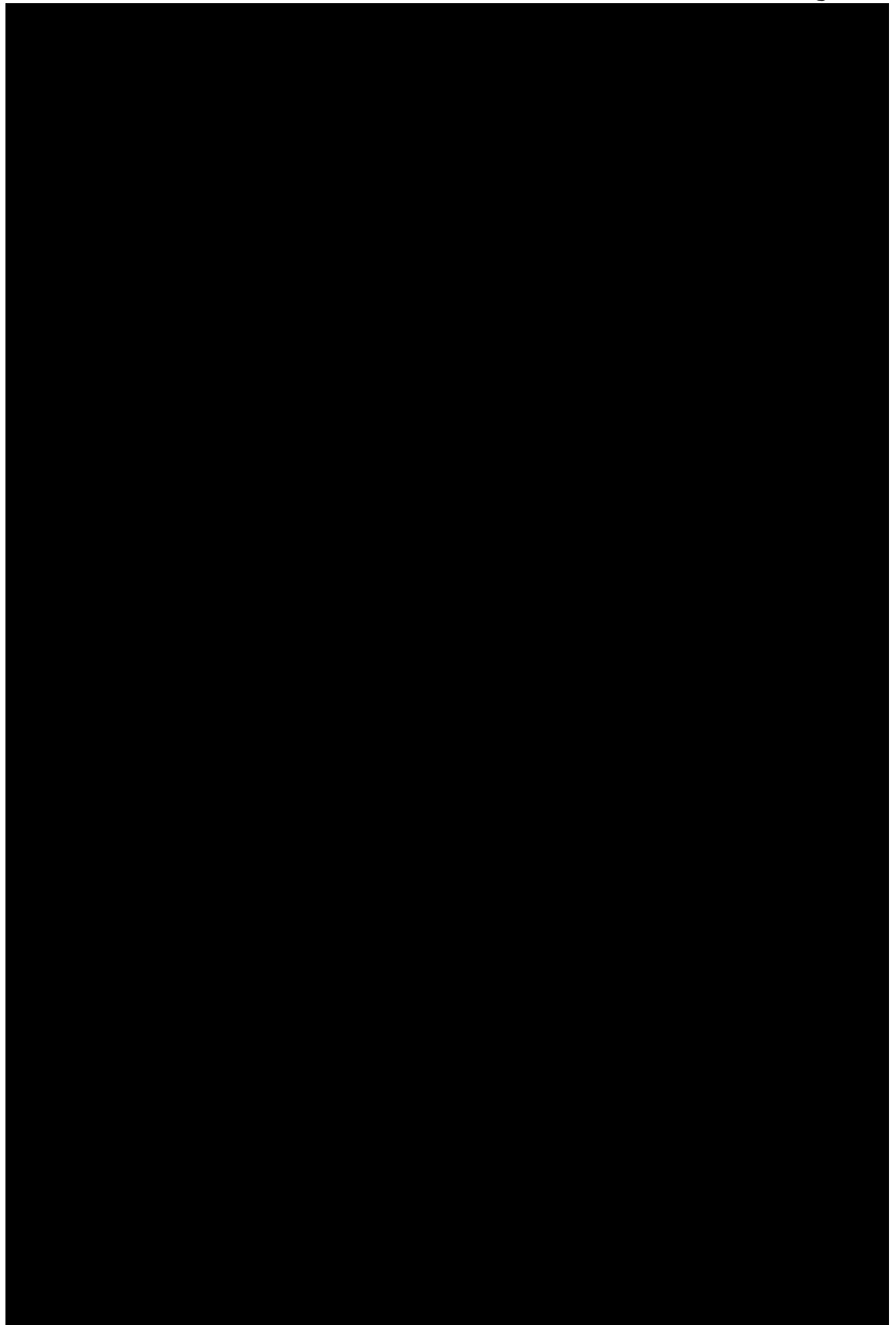
9 VICE CHAIR BROWN: There. And in accordance with  
10 Sections 16.716 and 286.011, Section 8, subsection C,  
11 Florida Statutes, the closed meeting including the  
12 necessity for closure and the specific reasons for  
13 such necessity will be recorded by our court reporter.

14 No portion of the post meeting will be off the  
15 record. The court reporter's notes will be fully  
16 transcribed and filed with the clerk of the  
17 Commission. The transcript will be made public on  
18 conclusion of the litigation. And for the record, the  
19 time is now 11:37 a.m. I'm going to ask the Florida  
20 Channel to discontinue the live feed for the next 45  
21 minutes that the Commission may conduct the closed  
22 meeting. And with that, thank you all.

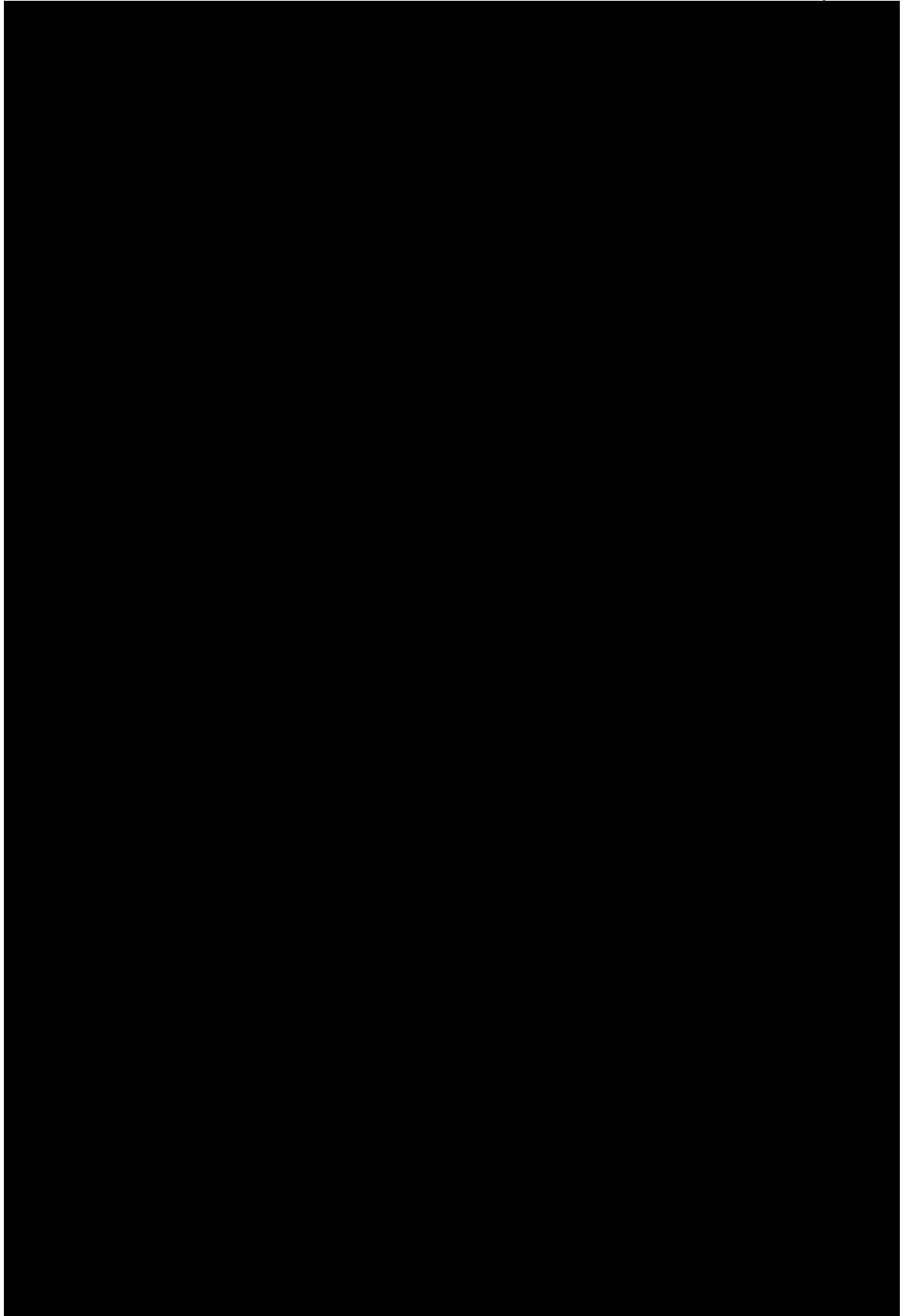
23 (Confidential attorney-client meeting  
24 began.)

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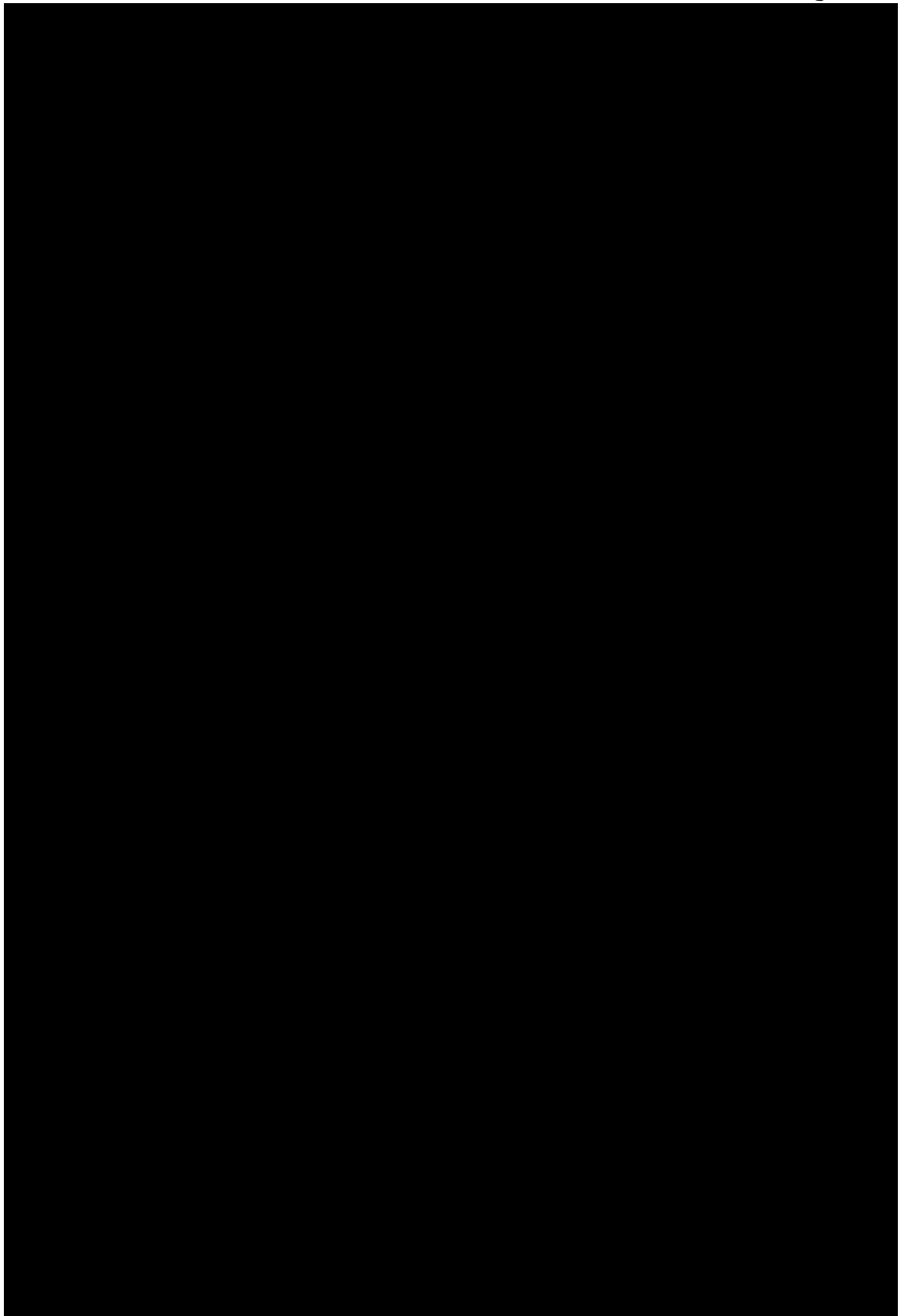
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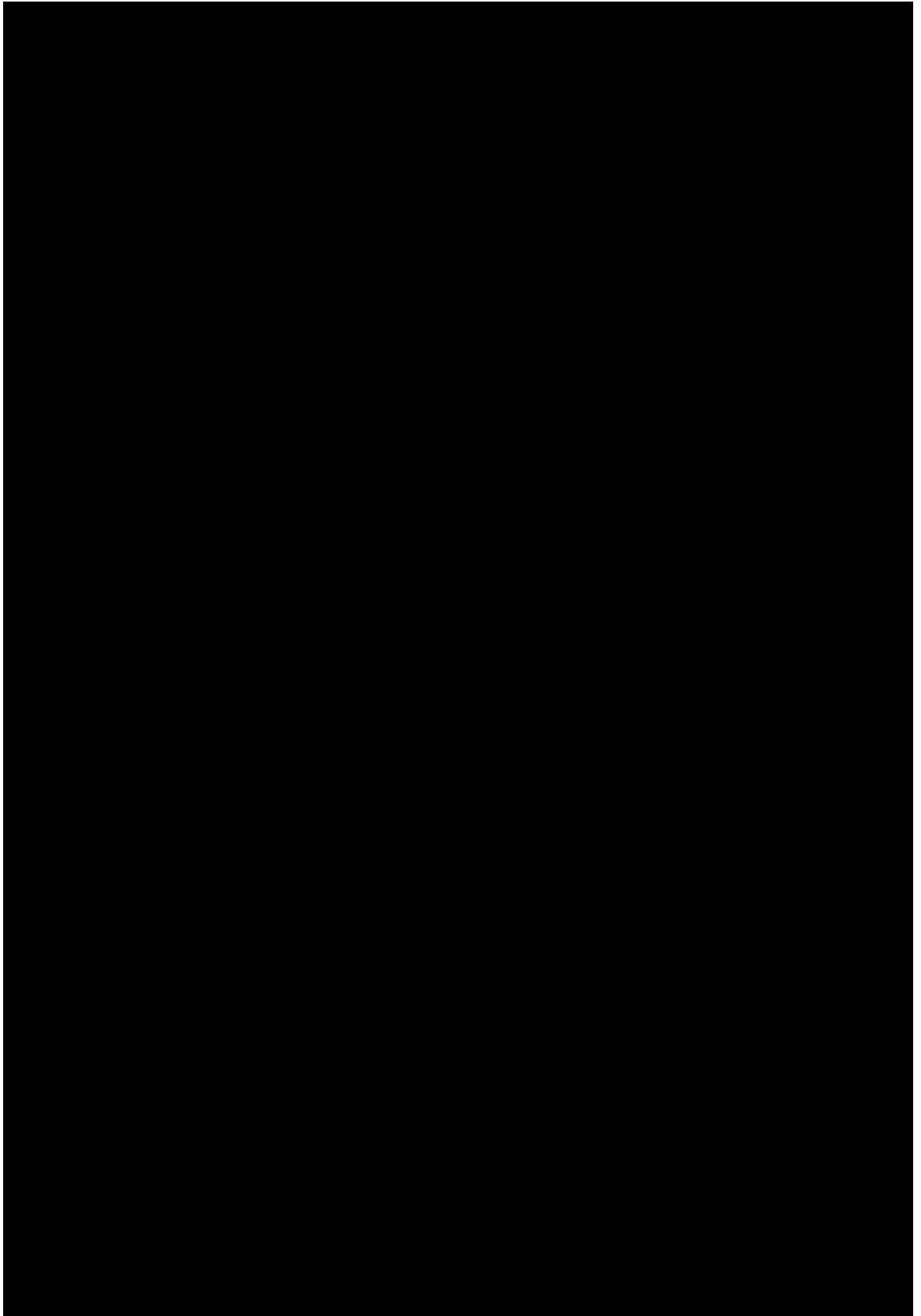
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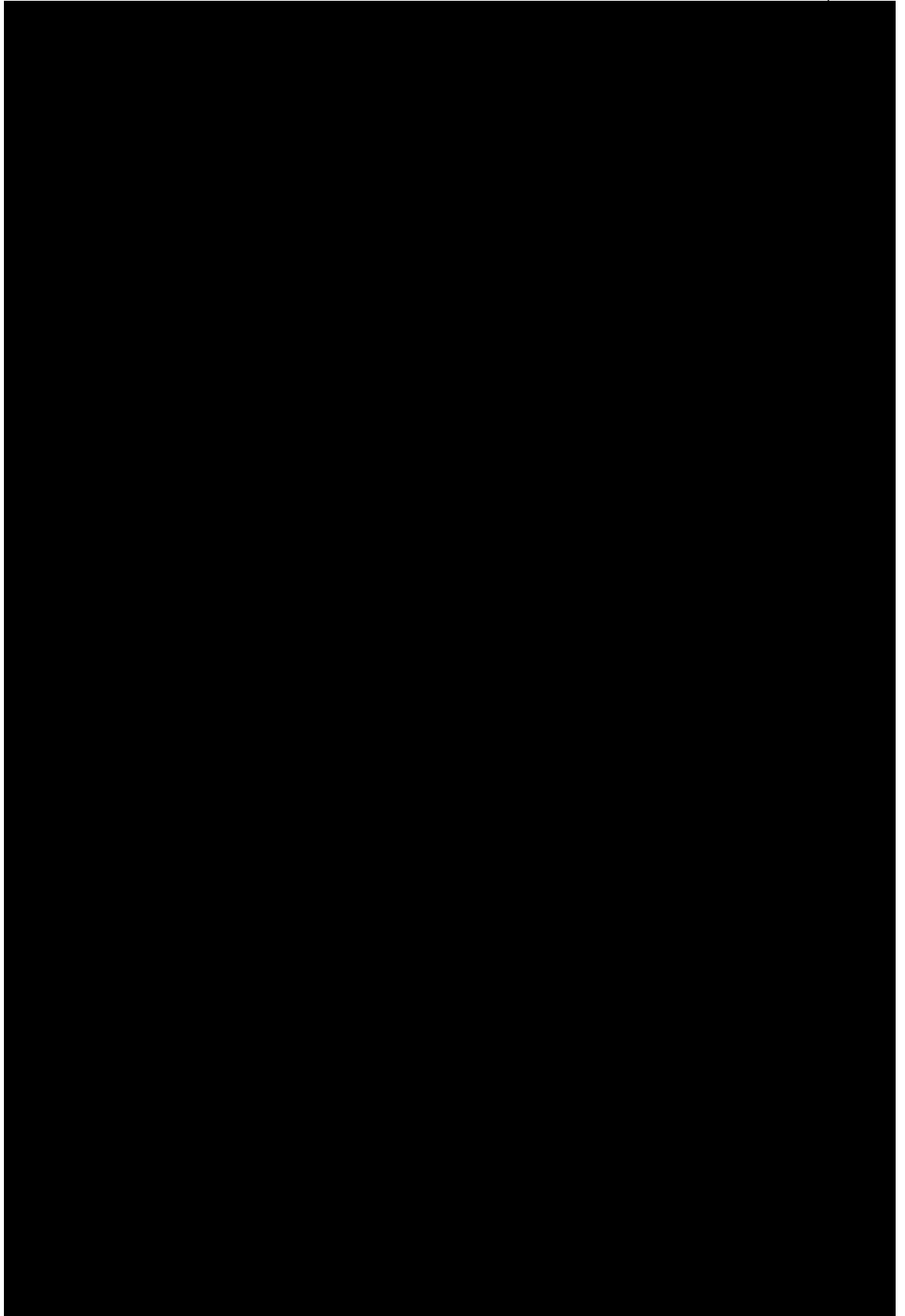


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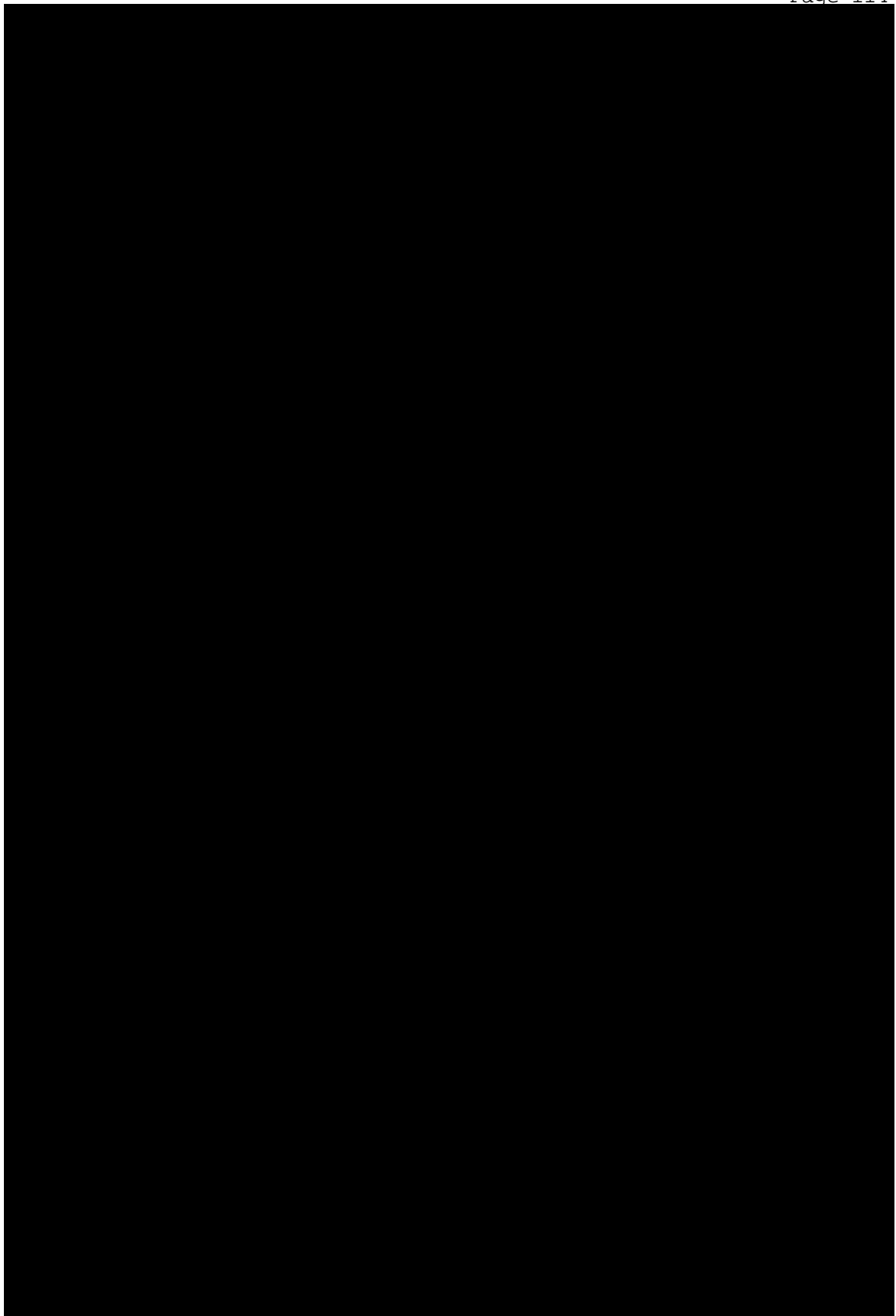




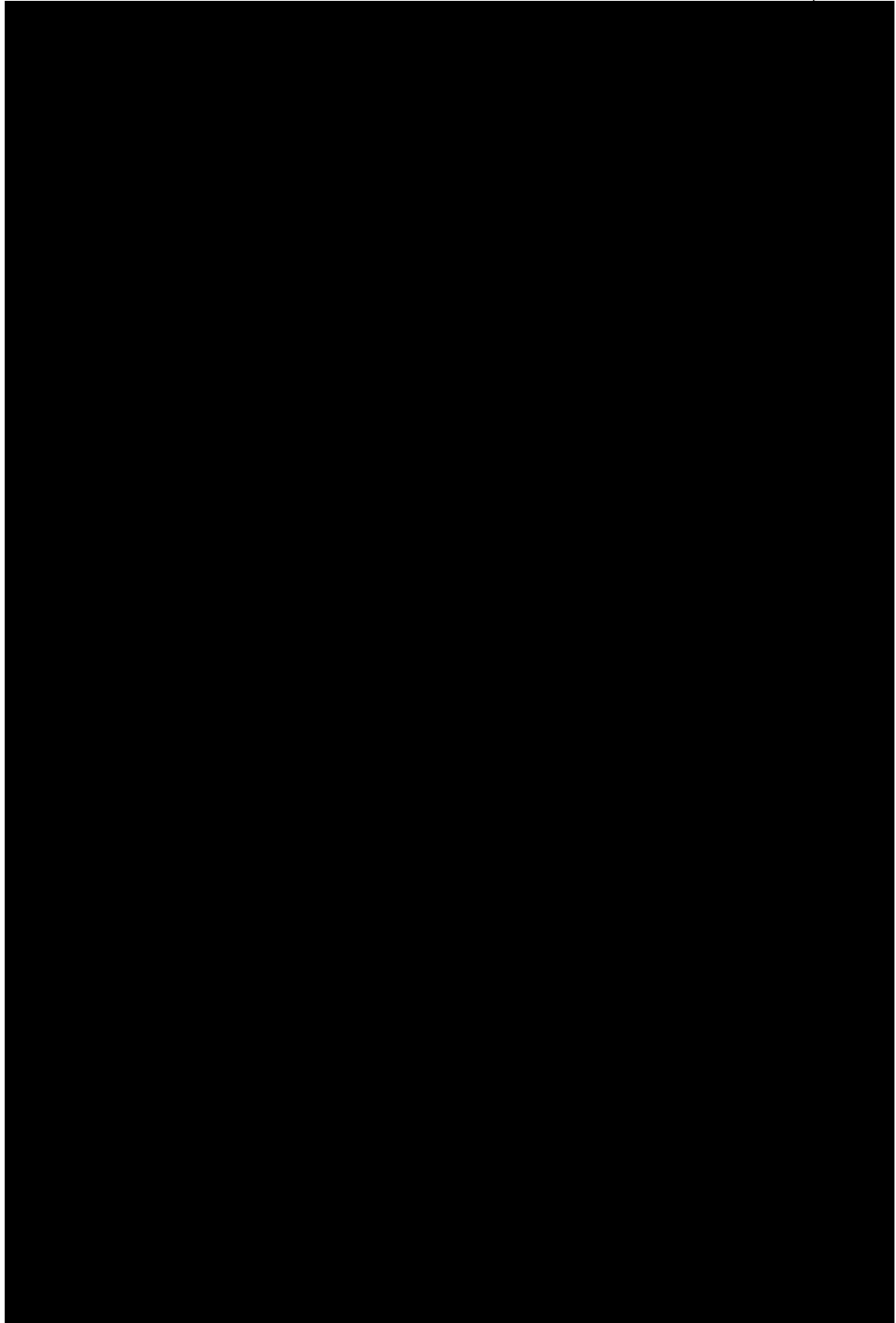
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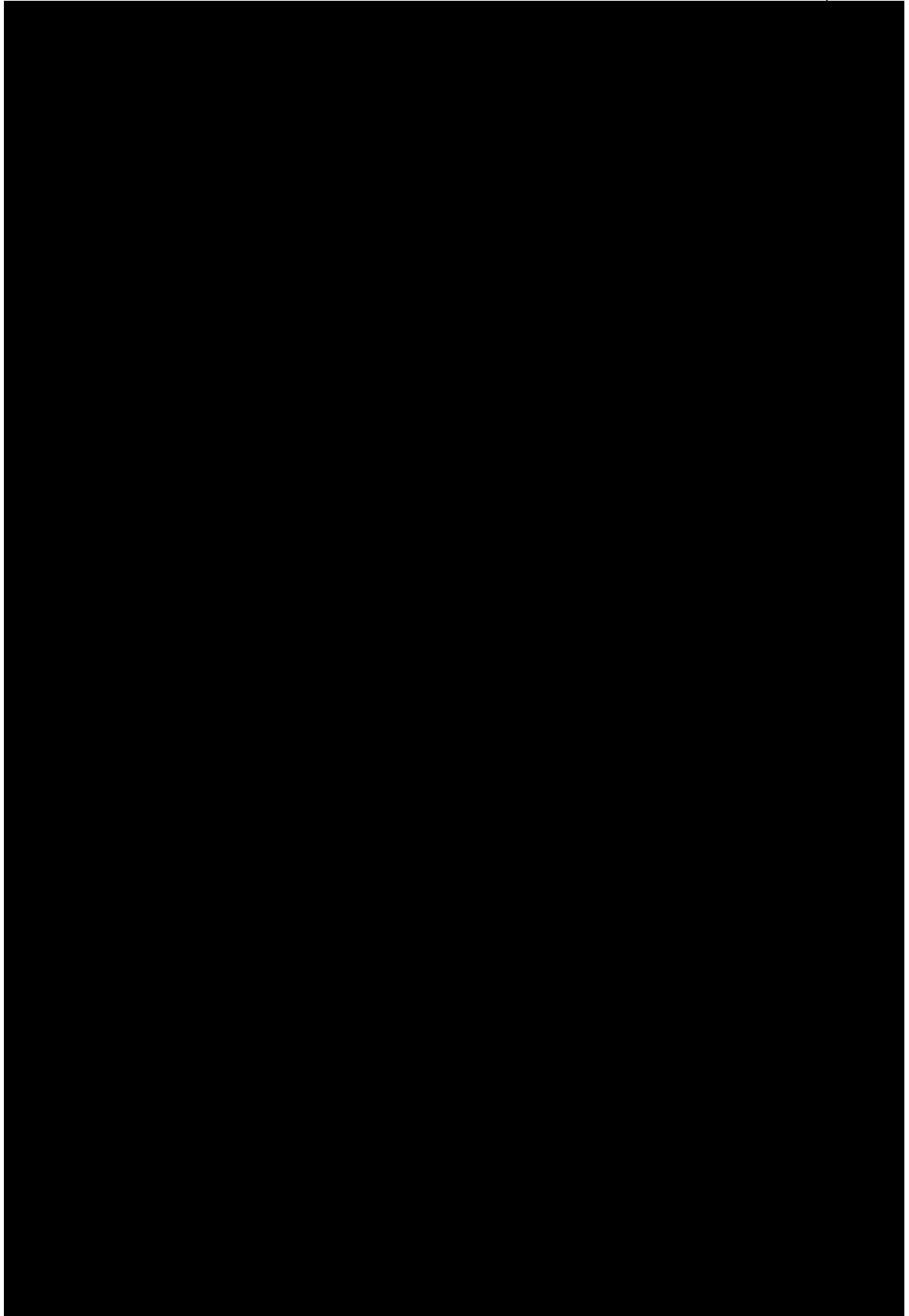
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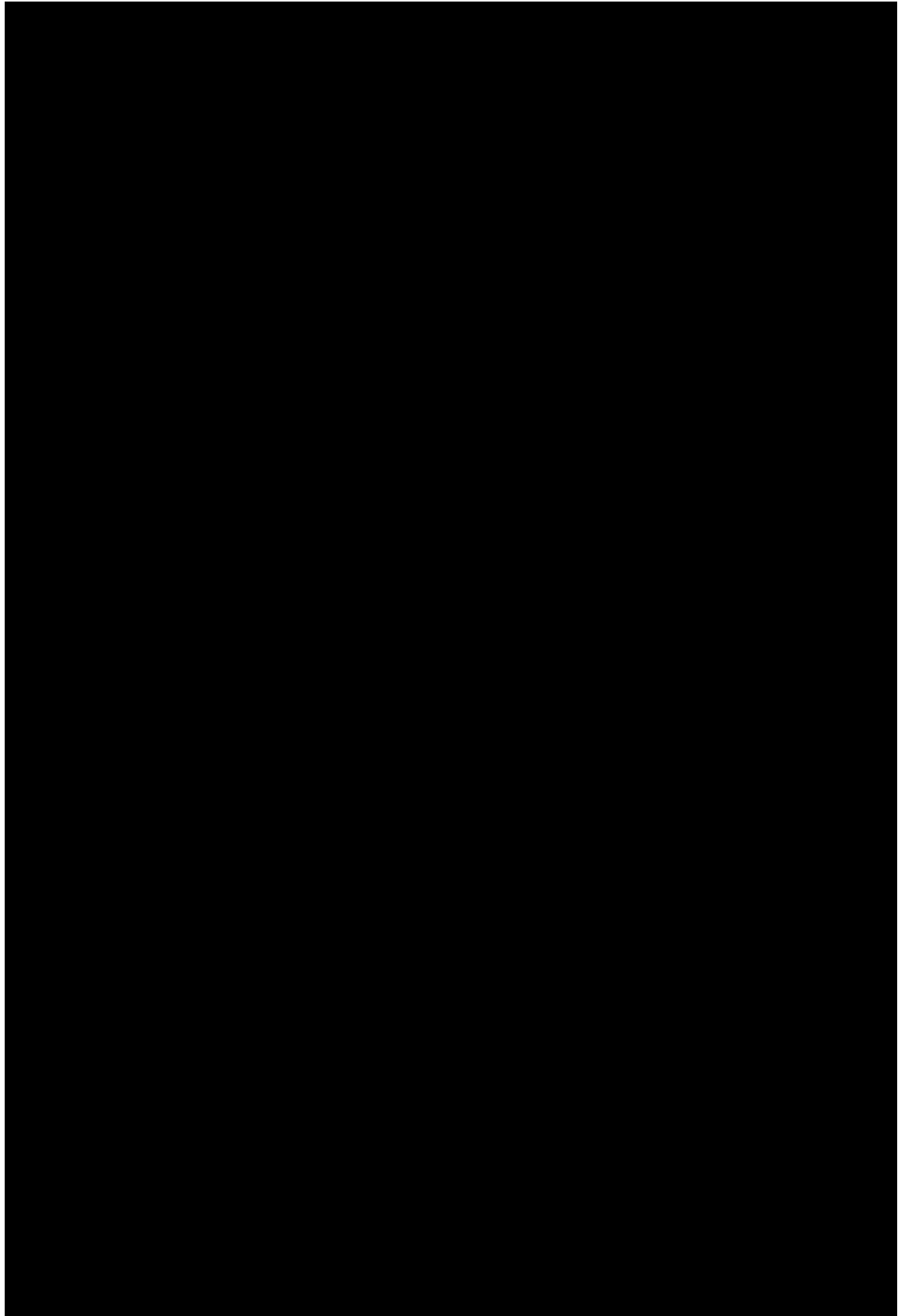
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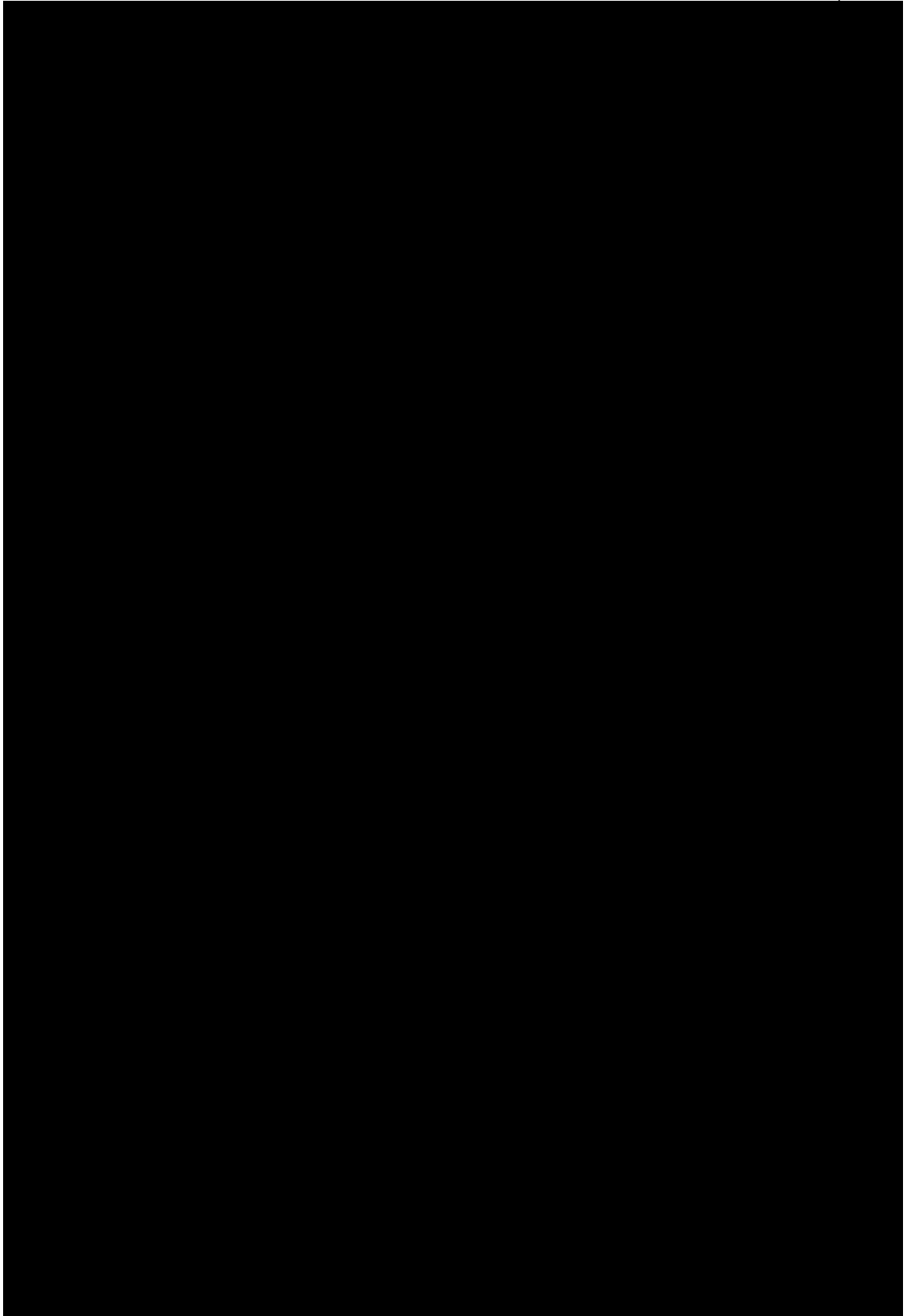
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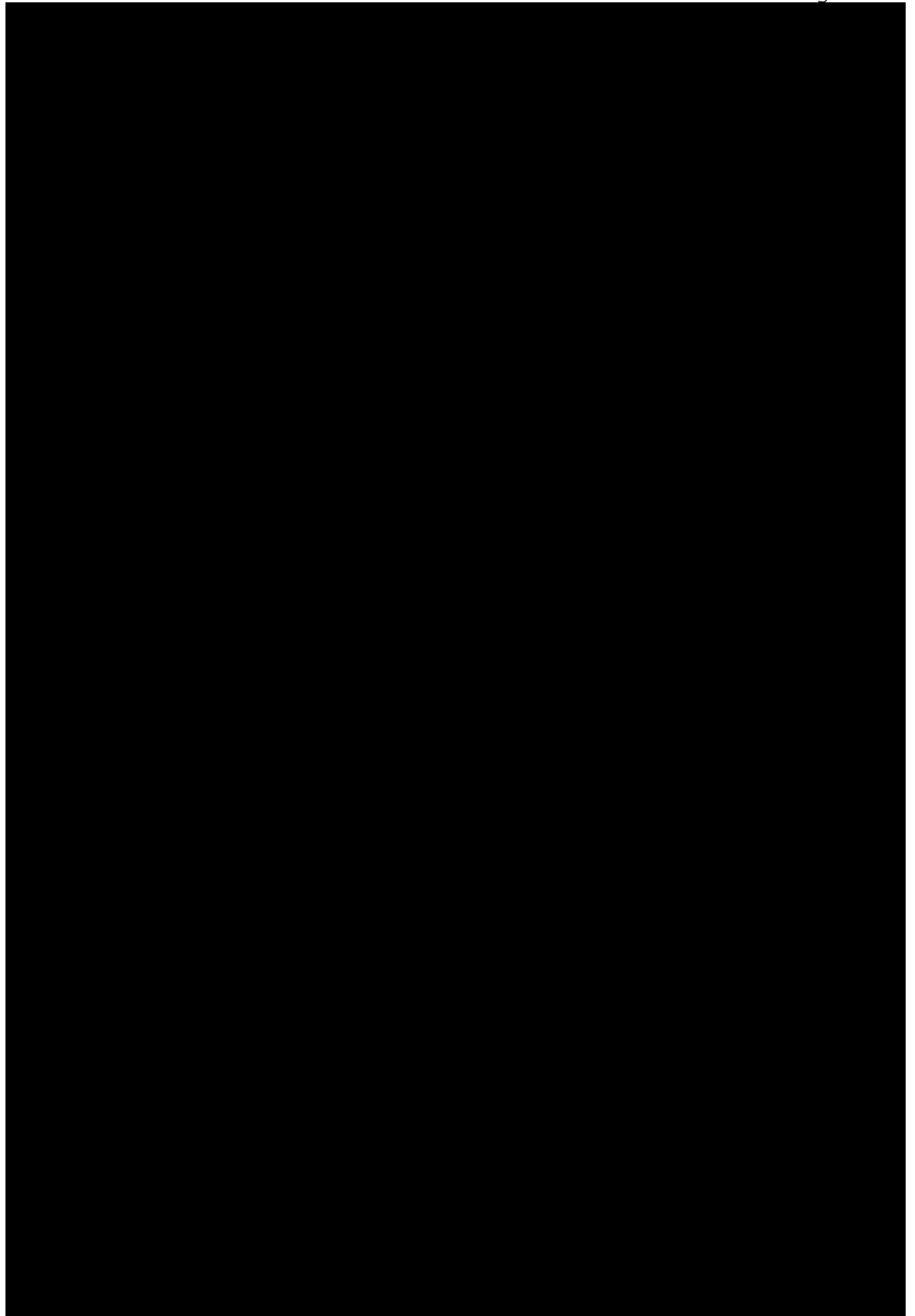
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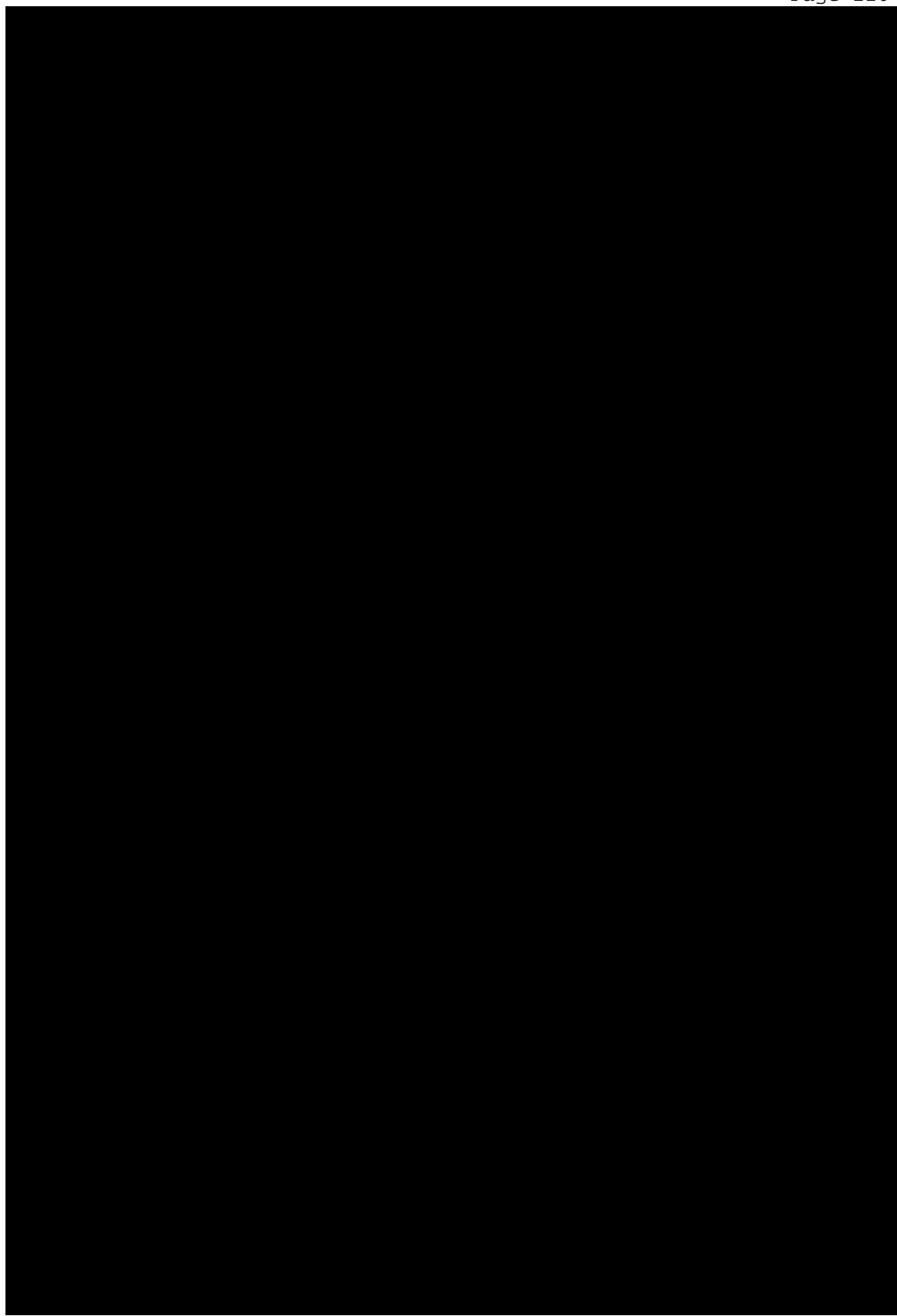
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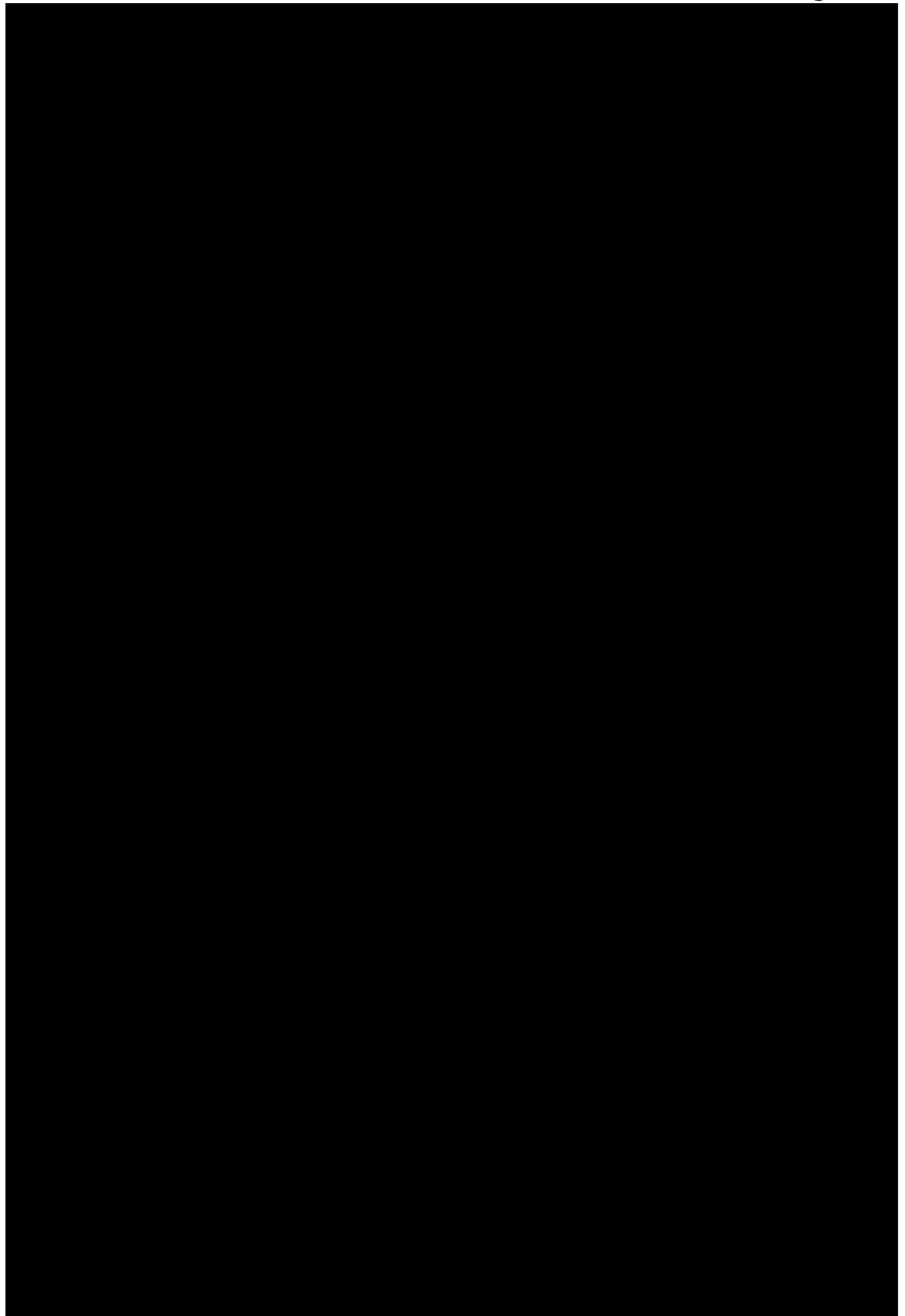


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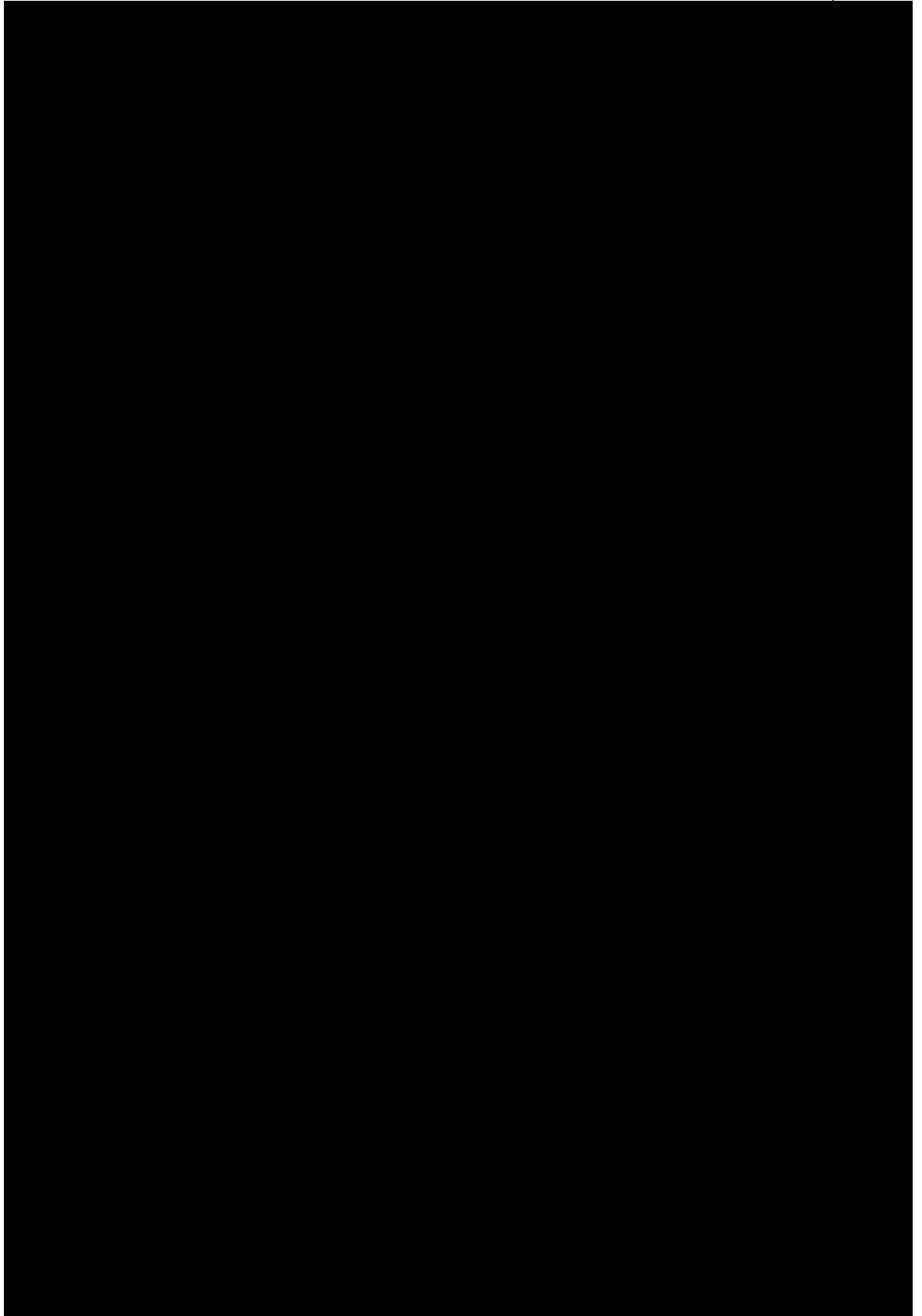




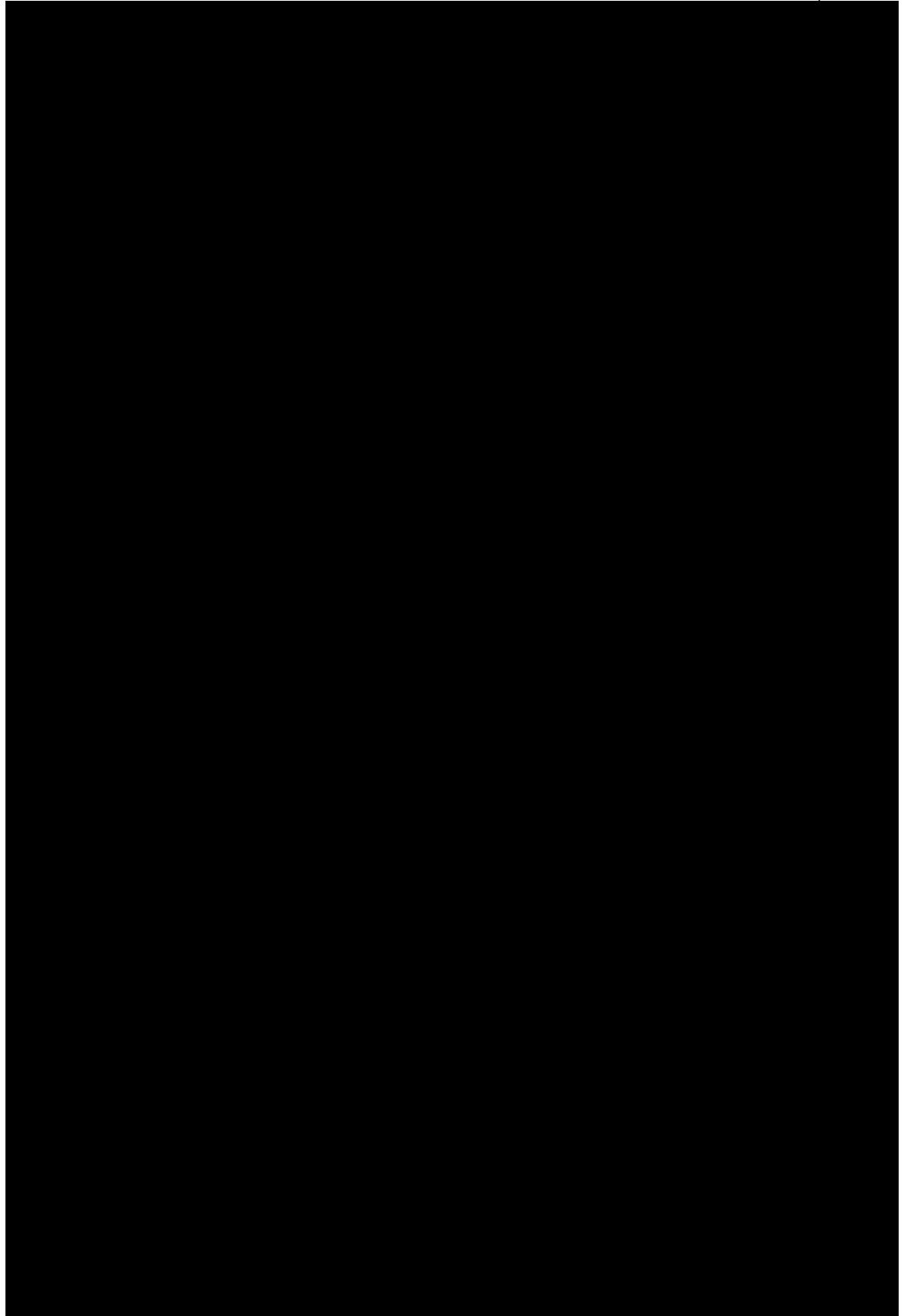
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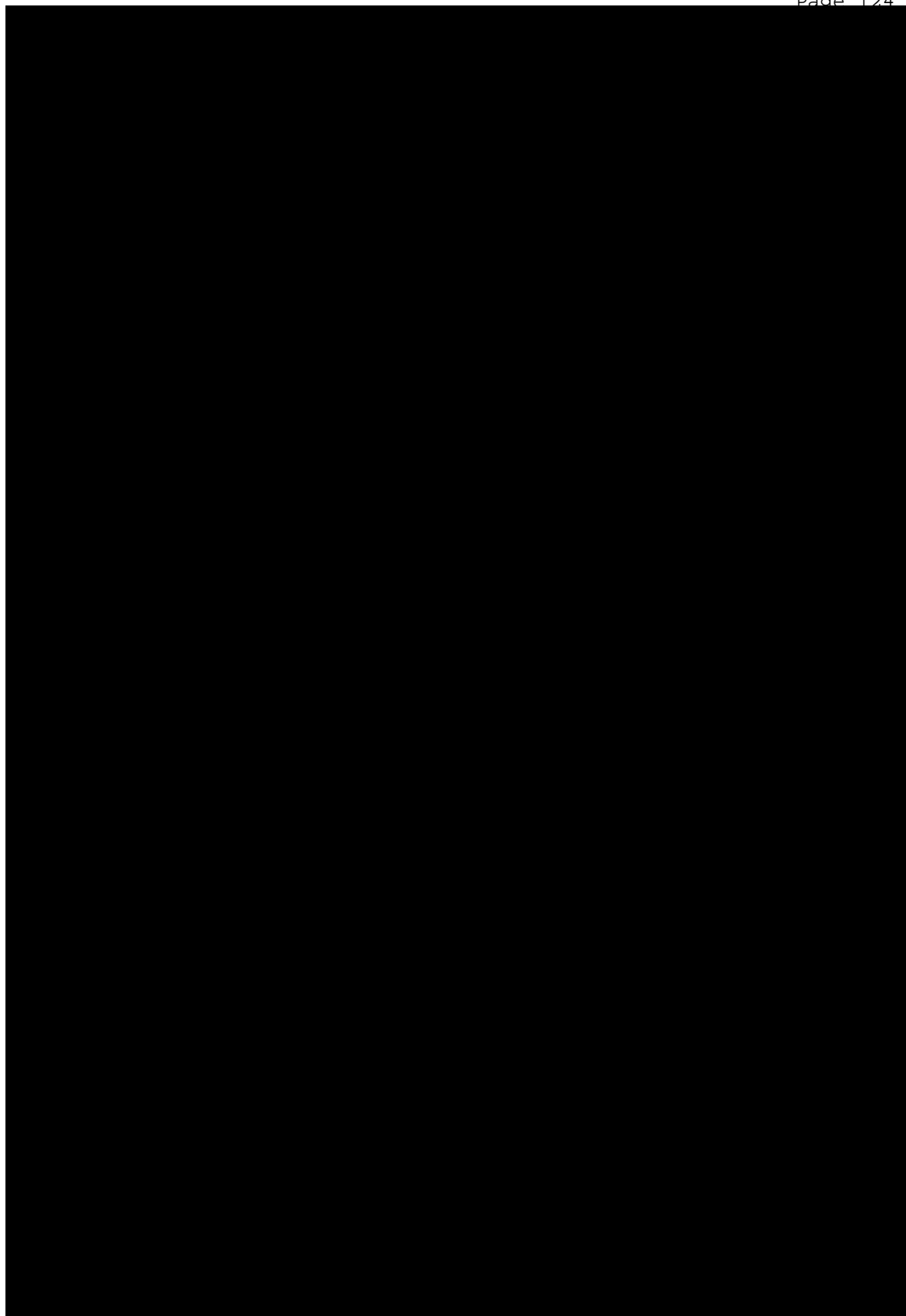
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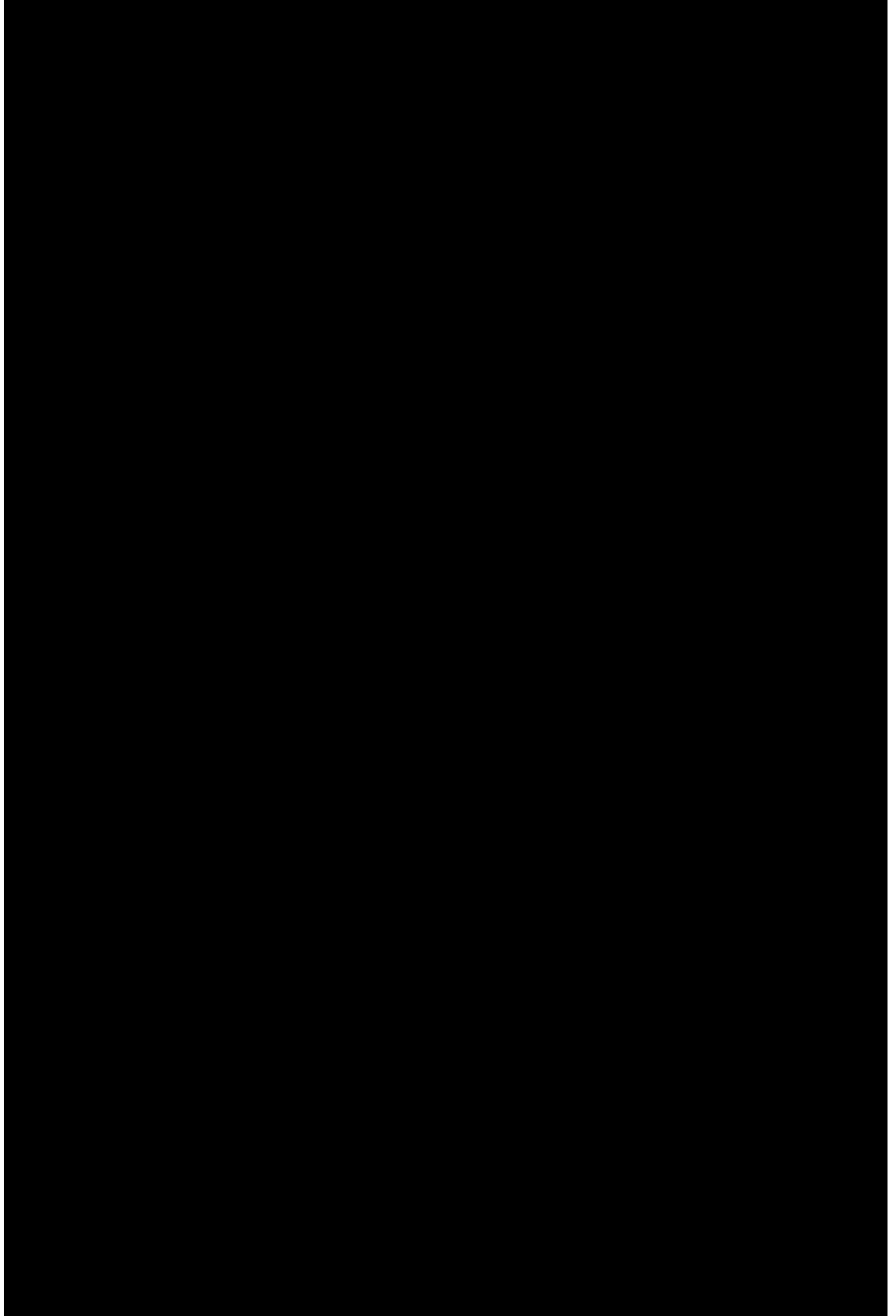
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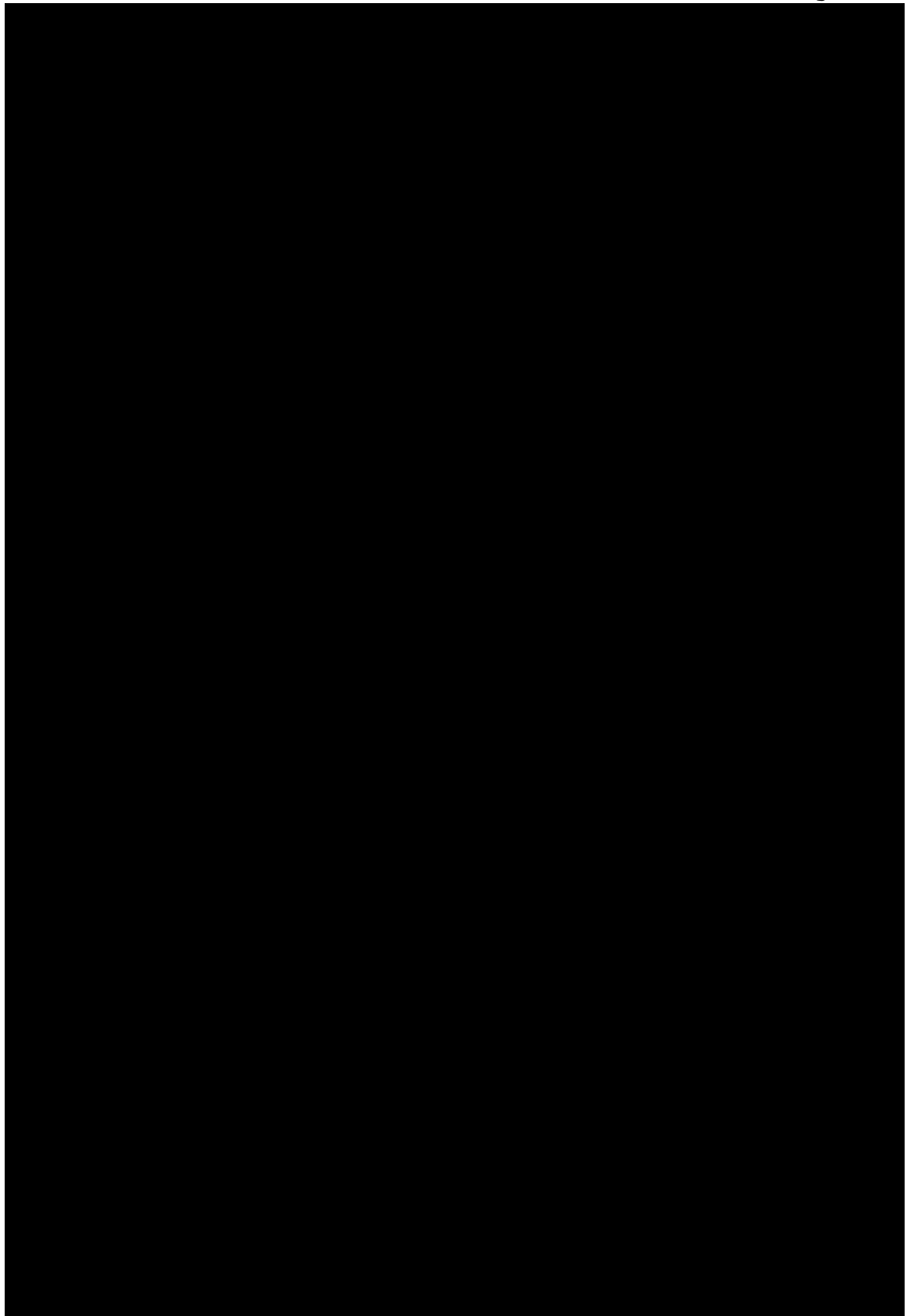
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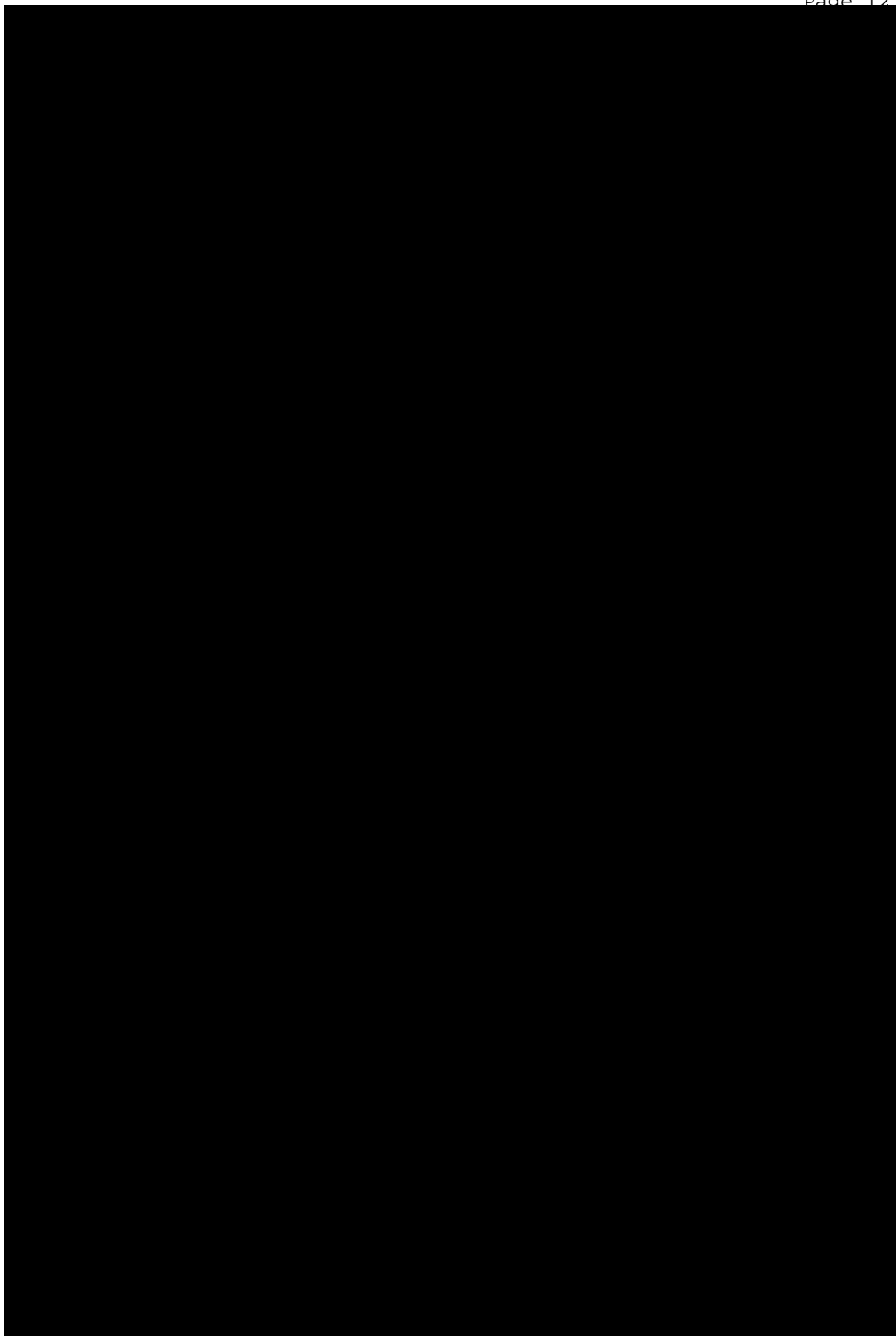
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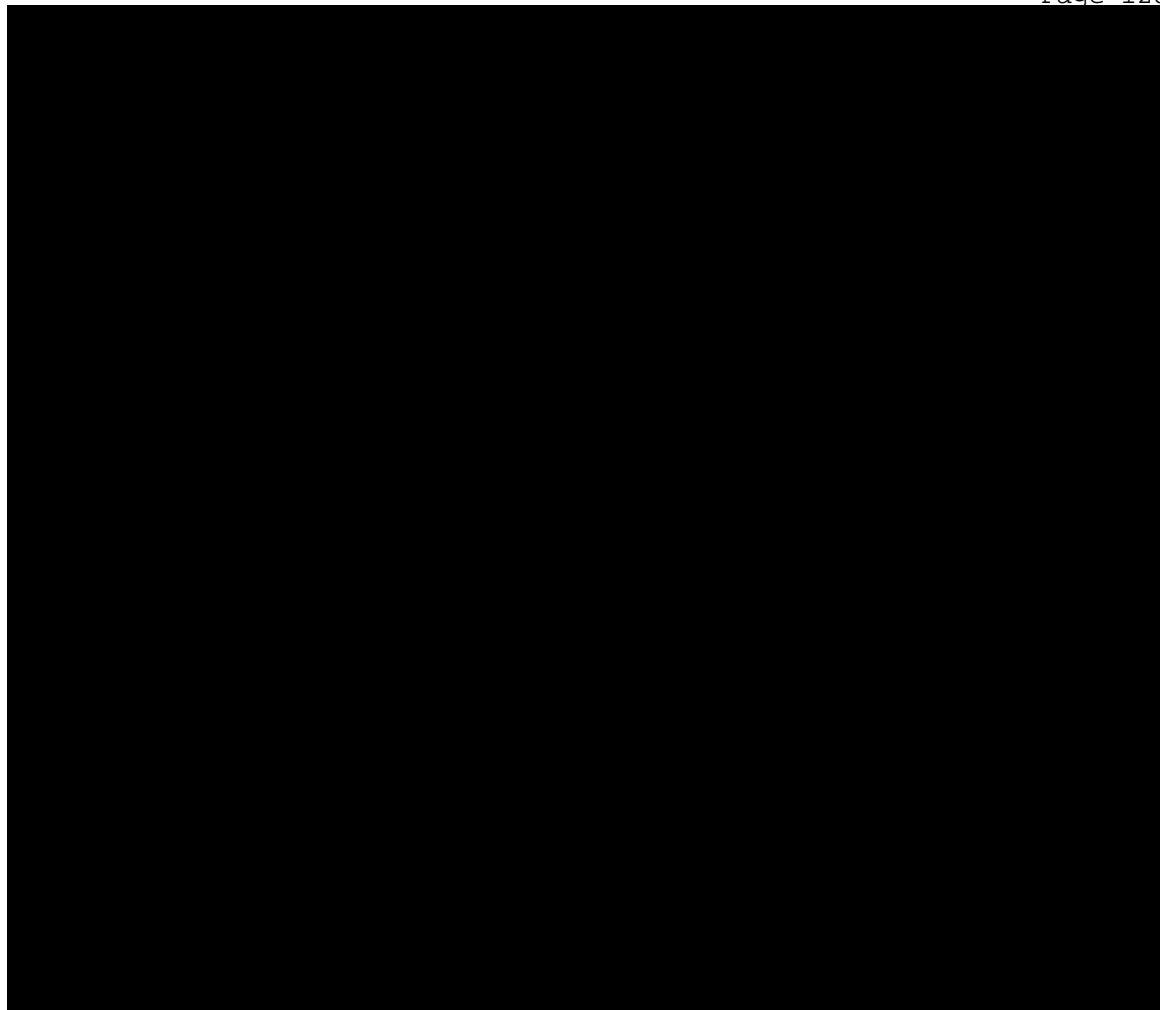
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(Confidential attorney-client meeting was concluded.)

VICE CHAIR BROWN: Good afternoon. Today is March 6th. The time is now 12:23. The closed attorney meeting has now been terminated and the public meeting is hereby reopened. Ms. Valentine.

MS. VALENTINE: Thank you. OGC requests direction or a vote from the Commissioners on item 12.1, the settlement proposal provided by Tampa Bay Downs.



1           VICE CHAIR BROWN: Okay. Commissioners, we can  
2     entertain a motion however you see fit. Commissioner  
3     D'Aquila?

4           COMMISSIONER D'AQUILA: I would like Counsel to  
5     restate the motion again. Could you just repeat what  
6     you just said, please?

7           MS. VALENTINE: I am requesting a motion on  
8     whether the Commission approves and/or rejects the  
9     settlement proposal provided by Tampa Bay Downs Inc.  
10    in agenda item 12.1.

11          COMMISSIONER D'AQUILA: Thank you.

12          VICE CHAIR BROWN: So we have before us a  
13    settlement proposal on some various issues. It's in  
14    the materials that you have. So Commissioner Drago?

15          COMMISSIONER DRAGO: I'd like to make a motion to  
16    approve the proposal by Tampa Bay Downs.

17          MR. MARSHMAN: In whole or in part? Because I  
18    believe what I heard was that we were, as a group,  
19    more interested in pursuing the first part of their  
20    proposal and then waiting on the legislature to see if  
21    certain changes were made on the back end.

22          COMMISSIONER DRAGO: Yes, you are correct. So  
23    approval to the proposal by Tampa Bay Downs in part to  
24    include the settlement amount and wait on the second  
25    part.

1           VICE CHAIR BROWN: More specifically, the  
2       settlement amount being \$142,668.13, right?

3           COMMISSIONER DRAGO: Yes, thank you.

4           COMMISSIONER D'AQUILA: I concur with that.

5           MS. VALENTINE: And just as a clarification, by  
6       the second part you are referring to Tampa Bay Downs's  
7       request that, "The Commission immediately rescinds its  
8       recent interpretation," and I'm just quoting from the  
9       settlement proposal, "regarding the application of the  
10      higher ITW tax rate?"

11          COMMISSIONER D'AQUILA: The Commission is not  
12      accepting. It refuses to acknowledge that and is only  
13      offering the settlement of the dollar amount that Vice  
14      Chair Brown stated in full.

15          VICE CHAIR BROWN: Is that correct motion maker?

16          COMMISSIONER DRAGO: Yes, that's correct. Thank  
17      you Commissioner D'Aquila.

18          VICE CHAIR BROWN: I'm in agreement with the with  
19      comments here as well. I think that the case right  
20      now that has been filed regarding interpretation of  
21      application of the higher ITW tax rate, I think we  
22      have 60 days in that case. I'd like to have that time  
23      and I don't accept rescinding our interpretation as I  
24      don't deem it being recent. I just wanted those  
25      comments on the record. Any discussion? All those in

1 favor to say aye.

2 (Chorus of Ayes.)

3 VICE CHAIR BROWN: Passes unanimously. Are there  
4 any other matters to address here? Commissioners, do  
5 you have any other matters?

6 COMMISSIONER DRAGO: Not for now.

7 VICE CHAIR BROWN: Okay. This agenda is now  
8 closed. And adjourned. Thank you.

9 (Meeting adjourned at 12:30 p.m.)

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CERTIFICATE OF DIGITAL REPORTER

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I, TIA PIERRE, a Digital Reporter, do hereby  
certify:

That the foregoing proceeding hereinbefore set  
forth was accurately captured with annotations by me  
during the proceeding.

I further certify that I am not related to any of  
the parties to this action by blood or marriage, and  
that I am in no way interested in the outcome of this  
matter.

IN WITNESS THEREOF, I have hereunto set my hand  
this 6th day of March, 2025.

*Tia Pierre*

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Tia Pierre  
Digital Reporter

CERTIFICATE OF TRANSCRIPTIONIST

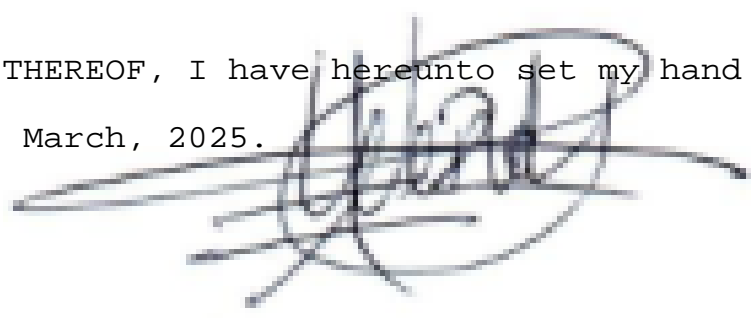
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I, GEOFFREY NJAGI, Legal Transcriptionist, do  
hereby certify:

That the foregoing is a complete and true  
transcription of the original digital audio recording  
of the testimony and proceedings captured in the  
above-entitled matter. As the transcriptionist, I  
have reviewed and transcribed the entirety of the  
original digital audio recording of the proceeding to  
ensure a verbatim record to the best of my ability.

I further certify that I am neither attorney for  
nor a relative or employee of any of the parties to  
the action; further, that I am not a relative or  
employee of any attorney employed by the parties  
hereto, nor financially or otherwise interested in the  
outcome of this matter.

IN WITNESS THEREOF, I have hereunto set my hand  
this 28th day of March, 2025.



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Geoffrey Njagi