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Meeting Agenda  
Thursday – January 5, 2023  
9:30 AM  
Cabinet Meeting Room, The Capitol, Lower Level  
Tallahassee, Florida

1. Approval of meeting minutes
  - 1.1. Meeting minutes for July 27, 2022
  - 1.2. Meeting minutes for August 4, 2022
  - 1.3. Meeting minutes for September 1, 2022
2. Discussion of amended application for cardroom license
  - 2.1. 2022-058588 Fronton Holdings, LLC
  - 2.2. 2022-060760 Bestbet Jacksonville, Inc.
3. Discussion of renewal application for slot machine license
  - 3.1. 2022-056404 PPI, Inc.
4. Discussion of license denials
  - 4.1. 2022-056726 Brandon, Lillie Marsha
  - 4.2. 2022-057534 Pina, Christopher Michael
  - 4.3. 2022-058961 Farber, Michael
  - 4.4. 2022-059000 Thomas, Lanisha Shantrel
  - 4.5. 2022-059718 McLeary, Rosanna Curita
5. Executive Director update
6. Public comment

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START OF THE MEETING



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# 1. Approval of Meeting Minutes

Florida Gaming Control Commission

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Public Meeting

July 27, 2022

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**PHIPPS REPORTING**

*Raising the Bar!*

FLORIDA GAMING CONTROL COMMISSION

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TRANSCRIPT OF PUBLIC MEETING PROCEEDINGS

DATE TAKEN: Wednesday, July 27, 2022  
TIME: 9:31 a.m. to 12:57 p.m.  
PLACE: The Florida State Capitol  
Cabinet Meeting Room  
400 South Monroe Street, PL-01  
Tallahassee, Florida 32399  
BEFORE: Chairman John MacIver  
Vice Chair Mike Yaworski  
Commissioner Julie Brown  
Commissioner Charles Drago  
Commissioner John D'Aquila

This cause came on to be heard at the time and place aforesaid, when and where the following proceedings were reported via telephone by:

JANE FAUROT  
Registered Professional Reporter

JOB NO.: 263391

1 APPEARANCES:

2 Commission Members:

3 Chairman John MacIver  
4 Vice Chair Mike Yaworski  
5 Commissioner Julie Brown  
6 Commissioner Charles Drago  
7 Commissioner John D'Aquila

8

9 Candidates and Speakers:

10 Louis Trombetta, Executive Director, FGCC  
11 Vincent Acevez  
12 Timothy Cannon  
13 Michael Drake  
14 Carl Herold  
15 Joseph Kozlina

16

17

Others present:

18

19 Elizabeth Stinson, Esquire, FGCC  
20 Various Members of the Public  
21 The Florida Channel

22

23

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1 Proceedings began at 9:31 a.m.:

2 CHAIRMAN MacIVER: Good morning, everyone,  
3 and welcome to the July 27th regular meeting of  
4 the Florida Gaming Control Commission.

5 Commissioner Brown, would you mind leading  
6 us in the pledge?

7 COMMISSIONER BROWN: Certainly.

8 ATTENDEES: I pledge allegiance to the  
9 flag of the United States of America and to the  
10 Republic for which it stands, one nation under  
11 God, indivisible, with liberty and justice for  
12 all.

13 CHAIRMAN MacIVER: All right. So, just to  
14 give a quick run-through, of course, we're  
15 going to run through the approval of the  
16 minutes from the last regularly scheduled  
17 meeting.

18 The minutes for our interim meeting at the  
19 beginning of July have not been finalized yet,  
20 so we'll do those at our next regularly  
21 scheduled meeting, which is coming up real fast  
22 next week so that we can get back on a normal  
23 schedule for everybody that we can kind of rely  
24 on in normal timing for.

25 We do have a discussion of a cardroom

1 amendment application and then we're going to  
2 move on to what is going to be the bulk of  
3 today's meeting, which will be our interviews  
4 for our director of gaming enforcement.

5 With that, I'll move on to the meeting  
6 minutes from June 8th. Do I have a motion to  
7 accept those minutes?

8 UNIDENTIFIED COMMISSIONER: Move it.

9 CHAIRMAN MacIVER: Do I have a second?

10 COMMISSIONER D'AQUILA: Second.

11 CHAIRMAN MacIVER: Any opposition? Show  
12 the minutes adopted.

13 Mr. Trombetta, are you prepared to present  
14 for the discussion of TBDM Entertainment's  
15 amended application?

16 MR. TROMBETTA: Yes, Chair. Thank you.

17 CHAIRMAN MacIVER: And if I could,  
18 members, a large part of this presentation will  
19 be actually to just walk us through what an  
20 amended license application is and then why we  
21 do it. My understanding is this is pretty  
22 close to a ministerial duty for this type of  
23 application. Not quite. There is a  
24 discretionary act of the board, of course, but  
25 it's not the high profile controversial stuff

1 that we might deal with from time to time.

2 MR. TROMBETTA: Yes, sir. As you  
3 mentioned, one of the Greyhound permit holders  
4 has applied to the division to amend a cardroom  
5 license. The meeting materials include a memo  
6 that provides a little more information, but  
7 just for purposes of a summary, cardrooms,  
8 licensed cardrooms receive a license with their  
9 annual operating license. That identifies the  
10 number of tables that they're allowed to  
11 operate.

12 What you have in front of you is a request  
13 to add three tables. Any amendment like this  
14 has to go and be approved by the Commission,  
15 and that's why it's on your agenda.

16 So from the background side there's a  
17 table fee associated with each table, so in an  
18 amendment like this the applicant will have to  
19 provide a check for the additional amount  
20 associated with the number of tables they want  
21 to add. They've done that.

22 And then the division makes sure that the  
23 paperwork is in order and that we do an  
24 inspection on the cardroom side to make sure  
25 that surveillance coverage is correct, and that



1 all the rules that are required to be met have  
2 been met.

3 So, as provided in the memo, the  
4 recommendation from myself is to approve this  
5 application amendment for Lucky's cardroom.

6 CHAIRMAN MacIVER: I have an initial  
7 question, I mean, at a very, very basic level.  
8 An amendment of this nature does not have any  
9 negative impact on the health, safety, or  
10 welfare of the people of the State of Florida,  
11 correct?

12 MR. TROMBETTA: No, Chair, it doesn't.

13 CHAIRMAN MacIVER: And then I guess the  
14 second question is, is you've mentioned the  
15 fee, so this is a revenue generator for the  
16 State of Florida in the amount of approximately  
17 how much?

18 MR. TROMBETTA: So, by statute there's  
19 \$1,000 for every table fee, so the same is true  
20 for an amendment like this. So at the start of  
21 the year the cardrooms all submit an  
22 application on the number of tables they want  
23 to provide. It ranges a lot based on  
24 facilities. Some have 80, some have 20, 15,  
25 ten. Again, this is going from 14 to 17, so

1 it's a \$3,000 additional payment.

2 CHAIRMAN MacIVER: Commissioners, any  
3 other questions? Do I have a motion to accept  
4 the application -- to approve the application I  
5 should say?

6 COMMISSIONER BROWN: Yes, Mr. Chairman.  
7 We move to approve -- I move to approve the  
8 application as presented by Mr. Trombetta.

9 CHAIRMAN MacIVER: And do I have a second?

10 COMMISSIONER D'AQUILA: Second.

11 CHAIRMAN MacIVER: Any opposition? Show  
12 the motion carries and that the license is  
13 approved. Thank you.

14 Now, as I said, we'll move on to the --  
15 the bulk of the meeting for today will be the  
16 interviews for our director of gaming  
17 enforcement. The process we'll go through  
18 today is we'll call each applicant up, I'm  
19 going to ask you to give a three- to  
20 five-minute presentation about yourself. I  
21 understand three of our applicants are going to  
22 be appearing virtually. I don't get in the  
23 weeds about the background of that, so I'm  
24 confident that our technology is all set up to  
25 make that happen for us when we're ready.

1           So, again, there'll be a three- to  
2   five-minute presentation by the applicant, and  
3   then I'm going to open it up for probably about  
4   15 to 20 minutes' worth of questions by the  
5   commissioners. After each applicant has been  
6   interviewed, we'll have discussion by the  
7   commissioners, and then we will likely open it  
8   up for a vote at that point, depending on how  
9   the interviews go.

10           So, with that, I'd like to call our first  
11   applicant. Can we get Mr. Acevez?

12           MR. ACEVEZ: Good morning, everyone.

13           CHAIRMAN MacIVER: Good morning,  
14   Mr. Acevez. So I hope that you were able to  
15   hear sort of the direction we're taking. The  
16   first step would be if you'd like to give an  
17   opening statement. Take about three to five  
18   minutes to introduce us to yourself and your  
19   interest in the position.

20           MR. ACEVEZ: Yes, sounds good. How's my  
21   volume? Are you guys hearing me okay?

22           CHAIRMAN MacIVER: Outstanding.

23           MR. ACEVEZ: Okay. Excellent.

24           So, good morning again, everyone. My name  
25   is Vincent Acevez. I am a 25-year law

1 enforcement veteran. I'm from Chicago, and I  
2 worked the majority of my career in a suburb  
3 that borders, directly borders the west side of  
4 Chicago. A very active, very diverse suburban  
5 community, and I enjoyed every minute of my law  
6 enforcement career.

7 I worked the majority of my career in  
8 investigative capacities as an investigator  
9 investigating gang and narcotic crimes, complex  
10 crimes, and I was eventually promoted to a  
11 leadership position. When I took a promotional  
12 exam I was promoted to sergeant, and I worked  
13 for a brief period in patrol as a sergeant, and  
14 then I was placed back in the investigative  
15 unit, leading a platoon investigating complex  
16 gang and narcotics crimes. I did that for  
17 about three years.

18 I was then promoted again to commander,  
19 where I assumed command of that gang and  
20 narcotics investigative unit, and did that for  
21 about six years.

22 Shortly after that, I was promoted to  
23 deputy chief of our police department.

24 And just for some context, I believe at  
25 this time we're either the third or the fourth

1 largest police department in the State of  
2 Illinois, and when I was promoted to deputy  
3 chief, I assumed command of the patrol  
4 division. The patrol division is all uniformed  
5 officers and the largest division within the  
6 police department, so I was responsible for  
7 close to -- somewhere around 200, maybe a  
8 little bit more if you include non-sworn  
9 personnel.

10 So, it was an interesting job. I learned  
11 a lot, and I enjoyed every minute of my  
12 leadership career as well.

13 At some point, I was in a position to be  
14 able to retire from the police department and  
15 seek out a new career, and that was something  
16 that I had always discussed with my wife and my  
17 family, something that I wanted to do. So that  
18 opportunity presented itself, I resigned, or I  
19 retired from the police department, and I was  
20 hired by the Illinois Department of  
21 Transportation to work in their bureau of  
22 investigation and compliance.

23 I was being fast-tracked to a leadership  
24 position within that organization when a  
25 colleague of mine reached out to me. His name

1 is Dr. Stan Fields. He's the president of  
2 Morton College. He asked me to come and be his  
3 chief of police.

4 And I had known Stan for a long time. I  
5 agreed to do so with one caveat. I let him  
6 know that my wife and I were discussing moving  
7 out of state. Stan was okay with that, so we  
8 agreed that in January of 2022 we would sit  
9 down and kind of reevaluate where we were.

10 I was the chief of police at Morton  
11 College for about six months. I learned a lot,  
12 it was a great job, but at the end of that  
13 six months my wife and I were pretty set on  
14 looking for opportunities in other states, so I  
15 sat down with Dr. Fields. I let him know. He  
16 understood. I resigned my position from Morton  
17 College as the chief of police at the end of  
18 January of this year because I didn't think it  
19 would be fair to the university if I was  
20 seeking employment elsewhere while employed  
21 there.

22 Initially, I wasn't sure where we wanted  
23 to move, so I applied for a position in another  
24 state adjacent to Illinois. I was offered a  
25 position as chief of police in that state, but

1 my wife was not comfortable with that position  
2 and certain aspects of it. And unfortunately  
3 it was a great organization but I had to  
4 decline the position.

5 My wife and I sat down and we narrowed our  
6 focus and we decided that our target was  
7 Florida for many reasons. We love Florida.  
8 We've been there many, many times. My dad  
9 lives in Florida. He lives in Tampa with his  
10 wife and we have other family out there as  
11 well.

12 So I've been looking in earnest now in  
13 Florida for the last couple months. I took a  
14 few months off just to clear my head. Working  
15 in law enforcement can certainly take its toll  
16 on you emotionally and physically, and having a  
17 few months off really put things in perspective  
18 for me, so I'm appreciative of the couple  
19 months that I've had off.

20 But I saw this position become available,  
21 I applied for it, and I'm grateful to be here  
22 at this part of the process.

23 So I don't presume to be better than any  
24 of the other candidates, but I can only tell  
25 you why I would be a great fit for this

1 position.

2 Number one, I can do the job. I have 25  
3 years of law enforcement experience working in  
4 an active urban community. I've investigated a  
5 wide variety of crimes, successfully led  
6 diverse groups of people, and utilized  
7 collaborations with other organizations as  
8 force multipliers.

9 My track record of success in each step of  
10 my leadership journey speaks for itself.  
11 Whether I was leading teams of 20, units of 40,  
12 divisions of 200, or an entire organization,  
13 I've been successful in my role as leader, and  
14 I've empowered those around me to succeed.

15 Secondly, I'm relatable. I'm a servant  
16 leader and I treat everyone with dignity and  
17 respect. My job is to build my team, provide  
18 value, and give them space to grow while  
19 holding them accountable. I'm not afraid to  
20 admit when I don't know the answer or when I  
21 make a mistake. I'm constantly working on my  
22 communication skills, especially being a good  
23 listener.

24 I have a sense of humor that puts people  
25 at ease. I think that this humble approach to



1 leadership makes me relatable and allows me to  
2 gain others' trust. This is what has enabled  
3 me to explain the vision and rally people  
4 towards our goal.

5 Thirdly, I trust people and I don't  
6 micromanage. If I hire someone to do a job, I  
7 let them do it. I believe that micromanaging  
8 destroys good employees and organizations.  
9 Conversely, I think that giving people the  
10 latitude and the freedom to do their jobs, make  
11 decisions, and make aggressive or proactive  
12 mistakes empowers employees. When people feel  
13 safe, trusted, and part of the process they  
14 invest in the organization, they share their  
15 great ideas, and they work well as a team.

16 That type of environment builds leaders,  
17 it ensures continuity of leadership and command  
18 within organizations, which is critically  
19 important in law enforcement.

20 And lastly, I'm one of the most determined  
21 people that you'll ever meet. I get things  
22 done. Sometimes when the odds were seemingly  
23 insurmountable, I figured out how to get things  
24 done. My inner drive, professional networks,  
25 and ability to collaborate have been

1 instrumental in my ability to complete  
2 difficult projects. My bosses have always  
3 trusted me and I've never disappointed them.

4 Thank you.

5 CHAIRMAN MacIVER: Thank you, Mr. Acevez.

6 I had initially planned to go commissioner  
7 by commissioner so everybody had the  
8 opportunity to delve in as much as they want,  
9 and I will do that if it's the Commission's  
10 preference. I was kind of leaning at this  
11 point towards just opening it to a forum for  
12 all of you so that you would be able to play  
13 off each others' questions if that works  
14 easier. Again, I'll stay with commissioner by  
15 commissioner if anyone has that preference.

16 All right. Well, then I would start off  
17 with the vice chair and let you start the  
18 questioning and everybody else jump in where  
19 you feel appropriate.

20 VICE CHAIRMAN YAWORSKI: Mr. Acevez, I  
21 have one question that's been on my mind for a  
22 bit as we've gone through this process, which  
23 is centered around candidates that are based in  
24 Florida and have experience in Florida versus  
25 candidates that are from out of state and how

1 that might -- how someone who is coming into  
2 the state would immediately kind of understand  
3 how the state works, have relationships with  
4 current longstanding Florida law enforcement  
5 personnel and other agencies or cities or  
6 counties.

7 I was just wondering -- I know we actually  
8 talked about this the other day, but if you  
9 could kind of go into a bit more about how you  
10 as a potential -- potential law enforcement  
11 would go about building those relationships in  
12 a rapid and effective manner.

13 MR. ACEVEZ: Sure. And I think that  
14 the -- I'm getting feedback on my end. I'm  
15 going to stand by for a second.

16 How am I coming through now?

17 COMMISSIONER D'AQUILA: Clear.

18 MR. ACEVEZ: Okay. So I think  
19 collaborations are important. As I mentioned  
20 in my opening remarks, I think that  
21 collaborations are force multipliers. I think  
22 in any organization and any profession one of  
23 the first complaints of leaders is lack of  
24 resources. It's our job as leaders to figure  
25 out ways to overcome that lack of resources,

1 figure out ways to overcome obstacles, and I've  
2 always believed that forming relationships and  
3 nurturing collaborations between other  
4 organizations, especially in law enforcement,  
5 is vital to an organization's success.

6 And, you know, your question about me  
7 being a candidate from another state, it's  
8 certainly a valid question, but I don't think  
9 that the fact -- I don't think that  
10 collaborations, relationships, the ability to  
11 follow through and the ability to gain people's  
12 trust, I don't think that that's something  
13 that's specific to a candidate from Florida  
14 necessarily. I think that good employees or  
15 good leaders, you can find them in every state.

16 And I think something else that would be  
17 beneficial from the standpoint of some  
18 conversations that I've already had during some  
19 of my initial interviews, you know, when you're  
20 talking about gaming, local jurisdictions,  
21 something that I've heard a couple times  
22 already is, you know, sometimes there's a  
23 tendency for local jurisdictions to maybe not  
24 be as aggressive in investigating certain  
25 things that might happen. If you have someone

1 that is not from the area that doesn't  
2 necessarily have an interest or have those 20-,  
3 30-year relationships, I think it's a lot  
4 easier for that person to be objective in  
5 conducting those investigations.

6 VICE CHAIRMAN YAWORSKI: Thank you.  
7 That's it for now.

8 COMMISSIONER DRAGO: Mr. Acevez, I have a  
9 couple questions, if I could. I'm kind of  
10 going to follow up with what Commissioner  
11 Yaworski was talking about. Can you tell us  
12 what you've done to prepare for this position  
13 in Florida, specifically in Florida? What have  
14 you done to prepare for this position? Can you  
15 tell us that?

16 MR. ACEVEZ: So, beyond the job  
17 description -- we're getting feedback again.

18 COMMISSIONER DRAGO: We can hear you good.  
19 You're fine.

20 THE STENOGRAPHER: This is the court  
21 reporter. I'm getting feedback also.

22 CHAIRMAN MacIVER: I think if we kill our  
23 mics between questions that might help a  
24 little.

25 MR. ACEVEZ: Okay. So, in addition to

1 obviously reading the job description, I've  
2 reviewed the statutes, I've reviewed the  
3 website, I have consulted with colleagues that  
4 I have who work in gaming in Illinois, in  
5 Indiana, and California. I've tried to do some  
6 research on finding gaming commissions that  
7 have something similar to what you guys are  
8 trying to set up in Florida, and one of the  
9 things I've discovered is that what you guys  
10 are trying to do is pretty unique. But that's  
11 essentially what I've done up to this point.

12         Additionally, I want to mention one other  
13 thing. I've examined the Commission for  
14 Florida Law Enforcement Accreditation, which I  
15 think is going to be a big part of what you  
16 guys are trying to do here, and I think that  
17 that's an organization that should be involved  
18 from the get-go in terms of how you guys are  
19 creating this new branch of the gaming  
20 department.

21         So, I'm sure you guys are familiar with  
22 that organization. They're responsible for  
23 overseeing the accreditation process for law  
24 enforcement organizations in the State of  
25 Illinois, and, you know, what they do is they

1 ensure that organizations are in compliance  
2 with what their standards are, and that's  
3 important to organizations. It legitimizes  
4 organizations, it puts organizations in a  
5 position where they're adhering to best  
6 practices, and certainly having an organization  
7 like that involved from the initial stages of  
8 creating a law enforcement organization is  
9 something that I think is critically important.

10 COMMISSIONER DRAGO: Okay. You kind of  
11 led right into my follow-up question to that,  
12 but have you ever been involved in the  
13 accreditation process in any of the agencies  
14 you were with?

15 MR. ACEVEZ: Yes. When I left the police  
16 department I was with for 23 years, that was  
17 something we were working on, and I was leading  
18 the committee on that. We had not yet achieved  
19 the accreditation that we were seeking, but we  
20 began working towards it. And, you know, part  
21 of that process is obviously, you know, looking  
22 at where we were as an organization, looking at  
23 all of our policies, and then establishing time  
24 for representatives of that organization to  
25 come in and essentially embed themselves with

1 us and then produce a report.

2 And then once that report was produced, we  
3 had to make the changes that were recommended  
4 in the report in order to achieve that  
5 accreditation status that we were seeking. I  
6 was not there for the end of that process, but  
7 I was there for the beginning of it, and that's  
8 my level of familiarity with it.

9 COMMISSIONER DRAGO: Okay. Thank you.  
10 That's all I have for now.

11 COMMISSIONER BROWN: Thank you. And I'm  
12 happy to go after Commissioner Drago. I wanted  
13 him to go first as the experienced law  
14 enforcement officer here on the bench, so I  
15 appreciate the questions you asked,  
16 Commissioner.

17 My question is more focused on management,  
18 and it looks like you have a great deal of  
19 public safety experience, some management --  
20 several management experiences focusing on gang  
21 crime, but really I want to talk about how you  
22 would go about building a team across the State  
23 of Florida, since it is a very entrepreneurial  
24 role that you would be assuming here, creating  
25 a brand-new agency.



1           MR. ACEVEZ: So, I want to clarify. Are  
2 you asking me a question specific to my  
3 leadership or what -- some things that I think  
4 are important initially in developing a team,  
5 like structurally? I'm a little bit unclear on  
6 your question if you could clear it up for me.

7           COMMISSIONER BROWN: Yes. All the above,  
8 quite frankly. How you would go about from day  
9 one assembling a team in the State of Florida  
10 across the state.

11          MR. ACEVEZ: Okay. Understood. So I  
12 think that it's important to speak to my  
13 leadership style, which I briefly touched on in  
14 my initial remarks. I'm a big proponent of  
15 servant leadership, and I know that's a phrase  
16 that gets tossed around a lot, and it means a  
17 lot of different things to a lot of different  
18 people. But essentially what it means to me is  
19 that, like I said earlier, I treat everyone  
20 with dignity and respect, and so that's one of  
21 the ways that I gain people's trust.

22          I do my best to mentor people and help  
23 them become the best versions of themselves  
24 professionally and personally. You know,  
25 there's a lot of things I do that I'm

1 intentional about to do that, but, you know,  
2 doing those things helps build trust, and  
3 that's critically important in leadership and I  
4 think especially in law enforcement.

5 Now, speaking to the kind of nuts and  
6 bolts of creating a team, whether it's a small  
7 team, a large team, an entire organization,  
8 I've always used this approach in any new role  
9 that I've come into. I've gone in and I've  
10 made observation -- made observations. I've  
11 learned operations. Most importantly, I've met  
12 with stakeholders. You have to meet with all  
13 the different stakeholders that are involved  
14 and you have to solicit as much feedback as you  
15 can from the people that are involved.

16 You have to review policies, existing  
17 policies and procedures. You have to determine  
18 what you need to do and what you'd like to do  
19 and then take that information and synthesize  
20 it and create a strategic plan. Obviously this  
21 is a little bit different because there are  
22 some things that would need to be created at  
23 the onset. A mission statement. I'm sure that  
24 there are policies that are probably in place  
25 that this new organization could probably

1 adopt, but there are probably a lot of other  
2 policies that are going to need to be created.

3 But I think that some of the things are  
4 critical that I mentioned. You know, meeting  
5 with stakeholders, meeting with members of the  
6 board, meeting with the attorneys that are  
7 involved, meeting with other law enforcement  
8 agencies that have been, you know, doing some  
9 of the investigations of crimes that have been  
10 occurring, and just taking all that information  
11 and doing what I said, synthesizing it and then  
12 creating your plan.

13 Now, as far as specifically attracting  
14 candidates, it seemed like that that's kind of  
15 one of the questions you were asking, I think  
16 that this job within law enforcement, there's  
17 great selling points and, you know, some of  
18 this is based on conversations I've had with  
19 gaming agents or gaming investigators in other  
20 states that I've known throughout my career  
21 that I've spoken with recently.

22 The variety of investigations that you get  
23 to do as a law enforcement investigator in  
24 gaming is pretty diverse. The diverse group of  
25 employees, contractors, and customers that you

1 get to work with, that's a selling point as  
2 well. The work is rewarding. It's gratifying.  
3 You get to start an investigation from the  
4 ground level and work your way up and see it  
5 through and present it to whomever it needs to  
6 be presented to for final approval. But, you  
7 know, those are the things that investigators  
8 cherish doing.

9           And then lastly, but I don't think it's  
10 the least important here, I think that this  
11 role for an investigator is different from  
12 typical law enforcement responsibilities, and I  
13 think that that's a pretty strong selling  
14 point. There are a lot of people leaving law  
15 enforcement now for a number of reasons. You  
16 see a lot of negative things on the news. A  
17 lot of people are leaving law enforcement in  
18 the Chicago area because we just don't feel  
19 supported. We feel burned out and just don't  
20 feel safe in our roles, and I think that this  
21 role is a little different from your typical  
22 law enforcement role where it's not the same  
23 responsibilities. It's just a different type  
24 of work.

25           Certainly a lot of responsibility, a lot

1 of cases, and people do need to be accountable.  
2 But it's not the same type of trauma on top of  
3 trauma on top of trauma that you would see as a  
4 typical police officer. So I think that those  
5 are all selling points that could be taken  
6 advantage of in terms of attracting candidates.

7 And then as far as what I would do if I  
8 were to come into this position, one of the  
9 first things that I would have to do is I would  
10 have to take a look at the other candidates who  
11 are interviewing for this position to see if  
12 any of them would fit within any of the  
13 leadership roles that we have in this  
14 organization, because I'm sure that you have a  
15 lot of good people that you're interviewing  
16 today that have a lot of great experience.

17 So those are some of the things that I  
18 think are important to do initially.

19 COMMISSIONER BROWN: Thank you,  
20 Mr. Chairman, and thank you, Mr. Acevez. I  
21 agree with your last comment. We do have a  
22 great group of candidates.

23 And just one question that I want to ask  
24 in a very succinct way of the candidates. The  
25 position here is one above reproach, one that

1 it's very important to have impartiality, of  
2 course. Do you happen to have any connection  
3 or prior business dealings with any of the --  
4 anyone in the gaming industry in the State of  
5 Florida?

6 MR. ACEVEZ: No.

7 COMMISSIONER BROWN: Thank you.

8 COMMISSIONER D'AQUILA: Mr. Acevez, to  
9 elaborate a little bit further on Commissioner  
10 Brown's question, can you list for me the  
11 attributes of what make a good investigator in  
12 gaming, and specifically might you contrast  
13 your extensive experience in gang crime  
14 investigators there, what are those attributes  
15 you would be looking for that would set the  
16 tone for this new agency? And I'm specifically  
17 referring to the individuals that you would be  
18 involved in recruiting and so forth.

19 MR. ACEVEZ: Yes. And I just want to  
20 clarify as I'm leading into my answer. You  
21 know, when you're talking about investigations  
22 of gang crime, that's a pretty broad range of  
23 crimes. I mean, that's pretty much everything.  
24 So there are a lot of gangs in the Chicago  
25 area, and unfortunately they create or they

1 commit pretty much every crime that's in our  
2 statutes.

3 So, you know, my point is that my  
4 background is in investigating crimes.  
5 Although gang crime seem likes a pretty  
6 specific term, it's really not. It's actually  
7 really broad, and I've investigated a variety  
8 of crimes.

9 But what I think is important in an  
10 investigator, especially in gaming, especially  
11 in a smaller organization beyond the typical  
12 things you would need, beyond the people that  
13 have experience, people who are  
14 self-sufficient, people who are intelligent,  
15 people who will take that extra step to get the  
16 job done. All those things are great, you  
17 know. Obviously you need ethical people,  
18 right? But I think that something that's  
19 really important is people who are emotionally  
20 intelligent, and this is why I'm saying this  
21 and this is why I'm emphasizing this point.

22 I've led entire organizations. I've led  
23 groups of people that were 200 or more, and  
24 I've led smaller teams as well, and what I've  
25 noticed is that, especially on smaller teams,

1 when people are considerate, when people take  
2 care of each other that helps in building a  
3 team atmosphere. It helps people feel safe.  
4 When people feel safe and when they feel that  
5 they can trust the people that they work with,  
6 I think that's one of the things that drives  
7 organizations.

8 So all the things I mentioned, yeah, you  
9 definitely need those in investigators, right?  
10 But you need emotional intelligence as well. I  
11 think that's important, because I'm sure many  
12 of you have been part of teams where you had  
13 one person who just kind of -- their attitude,  
14 their lack of desire or maybe their cynicism,  
15 you know, that can destroy a team. And when  
16 you're talking about smaller teams, smaller  
17 organizations, that stuff is really important.

18 COMMISSIONER D'AQUILA: Thank you.

19 CHAIRMAN MacIVER: So, Mr. Acevez, I'm  
20 going to put you in the unfortunate position of  
21 taking everything you've already said to us and  
22 succinctly take about 30 seconds, summarize us  
23 and give us your elevator pitch. Why you?

24 MR. ACEVEZ: Again, you know, I've been in  
25 law enforcement for 25 years, and I've loved



1 every minute of it. I had wanted to be in law  
2 enforcement since I was a little kid. And I'm  
3 fortunate. I've had a great career. I've  
4 learned a lot. I've made a good living and  
5 I've made some really wonderful relationships.  
6 I met my wife in my job.

7 As I said earlier, I can do the job. I  
8 wouldn't be here having this conversation with  
9 all of you right now unless my background and  
10 my experience has indicated that. I think that  
11 this is about asking me questions to determine  
12 if I'm the person you're looking for, if you  
13 think that you can work with me, and I  
14 definitely can.

15 I'm relatable. I'm a down-to-earth  
16 person. I take care of my people and I have a  
17 sense of humor. And a sense of humor is  
18 important in a work setting because it puts  
19 people at ease. I trust people. I don't  
20 micromanage. That's really important.

21 And I'm saying this for the second time  
22 because when you do that it helps build your  
23 organization long term. When you're developing  
24 leadership, when you're trusting people, when  
25 they feel part of the process, that helps build

1 future leaders. That's what helps build great  
2 organizations.

3 And lastly, I'm one of the most determined  
4 people that you'll probably ever meet. You  
5 know, as leaders, you know, we're all -- a lot  
6 of us are Type A personalities, but, you know,  
7 I've always figured out ways to overcome  
8 obstacles. I've always leveraged  
9 collaborations to get the job done. And, you  
10 know, those collaborations are not easily  
11 earned. You have to earn people's trust. You  
12 have to answer your phone at 2:00 in the  
13 morning. People have to know that you're going  
14 to follow through, and when you do those things  
15 people trust you, they'll collaborate with you,  
16 and those are things that benefit the  
17 organization.

18 So that's why I think I would be great for  
19 this position.

20 CHAIRMAN MacIVER: All right. Thank you,  
21 Mr. Acevez.

22 Commissioners, if nobody has any  
23 objection, as we prepare for the next  
24 interview, I was going to let us have a  
25 five-minute break if anybody needs it.

1           So, Mr. Cannon, you're up next. If you  
2           want to take your time coming up to the podium,  
3           going over your materials, and getting yourself  
4           ready and putting your game face on, take your  
5           time. We'll get started in about five minutes.

6           (Recess taken from 10:06 a.m. to  
7           10:11 a.m.)

8           CHAIRMAN MacIVER: Mr. Cannon, again,  
9           three to five minutes, introduce yourself, tell  
10          us what interests you about the job, and the  
11          floor is yours.

12          MR. CANNON: Yes, sir. Can you hear me  
13          okay? I did hand out -- or actually Dixie just  
14          did it for me, but I did give you a document  
15          that I prepared. I would be more than happy to  
16          entertain any of your questions afterwards or  
17          whatever, but I had kind of laid out a  
18          three-step phase-in plan for the creation of  
19          the division, as well as some information on  
20          the back as far as costs and those kind of  
21          things.

22          So, first off, let me just let you know  
23          that I am honored and humbled to be here, and I  
24          appreciate the consideration for this position.  
25          And congratulations to each and every one of

1 you for being appointed to this position. And,  
2 Chief, thank you for your long-tenured law  
3 enforcement service. You certainly have a name  
4 that everybody knows, so we appreciate that.

5 Let me just tell you a little about  
6 myself. I have 37 years of diverse law  
7 enforcement experience, both at the state and  
8 local level. When I was a young toddler my  
9 parents -- I was born upstate New York and my  
10 parents moved to Florida. My daddy got tired  
11 of the snow, so I was raised in central  
12 Florida. I graduated from high school there,  
13 and I started a career with the Orange County  
14 Sheriff's Office in 1984, where I spent a  
15 little over 25 years.

16 During my time at the sheriff's office, I  
17 worked in criminal investigations as a  
18 detective. I worked in criminal investigations  
19 as a supervisor. I was in kind of a high  
20 profile area when I was down there, so part of  
21 the area that I worked is International Drive,  
22 Disney, the whole Lake Buena Vista area. So as  
23 you can imagine there's a lot of public  
24 concerns about safety in those areas in there,  
25 so that's where I spent most of my

1 investigative experience as a supervisor.

2 I was promoted rather quickly during my  
3 career. I was promoted to captain. So  
4 sergeant, lieutenant, and captain, testing  
5 through those ranks. I served in homeland  
6 security as the director of homeland security  
7 and emergency management for the Orange County  
8 Sheriff's Office. I was in there for about  
9 five years. I was also the coordinator for the  
10 Florida Sheriffs' Statewide Task Force.

11 And we talk about the importance of  
12 networking in these positions, so basically my  
13 responsibility was to coordinate the Sheriffs'  
14 Statewide Task Force for emergency deployments,  
15 whether they be manmade or civil disturbance.  
16 So in that role I worked closely with the 67  
17 sheriffs and the police agencies throughout the  
18 state.

19 After I left homeland security, we had a  
20 new sheriff come in and he liked to rotate  
21 folks around, so I was assigned to our aviation  
22 section. I was the director of flight  
23 operations for the Orange County Sheriff's  
24 Office, where I had a \$10 million budget, and I  
25 retired from that position from the sheriff's

1 office.

2 I had an opportunity to go to the Florida  
3 Sheriffs Association as the assistant executive  
4 director, so I came to Tallahassee. I was  
5 going to live in Tallahassee, and I moved up  
6 here where I spent a few years at the sheriffs'  
7 association as the assistant director before  
8 being recruited to go to the Florida Department  
9 of Law Enforcement as a special agent inspector  
10 over their aviation unit and their statewide  
11 mutual aid.

12 I attended the special agent academy at  
13 FDLE. I received the commissioner's award of  
14 excellence. I spent a few years at FDLE, and  
15 then I was actually recruited -- it's nice when  
16 you retire from some places because people  
17 recruit you to go other places, so I got  
18 recruited to go to the Department of Financial  
19 Services and came in as a major, was eventually  
20 promoted to lieutenant colonel or assistant  
21 director, where I oversaw 235 sworn FTEs  
22 throughout the state.

23 And I was the -- basically, the  
24 coordinator and leader of the merge where we  
25 merged together the division of insurance fraud

1 and the bureau of fire and arson into a new law  
2 enforcement agency, which involved merging of  
3 policies, merging of a lot of issues,  
4 equipment, and the like, and then also getting  
5 us reaccredited, because we had to -- even  
6 though every agency was accredited, we had to  
7 be reaccredited as a new agency.

8 So after I completed my assignment at the  
9 Department of Financial Services for five years  
10 there, I joined the Florida Lottery. I'm  
11 currently the supervisor over statewide  
12 criminal investigations, compliance, and  
13 integrity with the Florida Lottery.

14 I have a master's degree in public  
15 administration. I have a bachelor's degree in  
16 criminal justice. I am a -- I have a graduate  
17 certificate in emergency management. I also  
18 had the opportunity to attend the FBI National  
19 Academy, if you're familiar with that, which is  
20 pretty prestigious. You have to be selected by  
21 your agency head. My sheriff sent me in 2008.  
22 One percent of all law enforcement ever have  
23 the opportunity to attend that.

24 So, after attending that and building that  
25 worldwide network of over 17,000 members, I was

1 the president of the Florida chapter for the  
2 FBI association. I'm currently -- was elected  
3 in 2021 and I'm on the executive national board  
4 of the FBI National Academy Associates and the  
5 section three rep. So I'm responsible for the  
6 southeast United States that's coordinating for  
7 the association of 13 chapters and 11 states.

8 I'm a certified general law enforcement  
9 instructor for CJSCC, I'm a firearms  
10 instructor, I'm an armorer, I'm a trained  
11 accreditation assessor, and I've also attended  
12 and completed the unit accreditation new  
13 managers class.

14 So you asked me why I want this position.  
15 So I feel like I've built a pretty good  
16 foundation of 37 years of networking and  
17 policing, both at the state and local level.  
18 I've had the opportunity to experience both. I  
19 have a knowledge of traditional and  
20 nontraditional policing, my nontraditional  
21 policing being at the Department of Financial  
22 Services as well as at the Florida Lottery,  
23 which I thoroughly enjoy my job at the Lottery.  
24 This is not an issue of me trying to leave.  
25 It's just a great opportunity and I think I've



1 prepared myself. And a lot of what I see at  
2 the Lottery is directly related to what this  
3 legislation is intended to fix and correct.

4 I have a huge network statewide and  
5 nationally. I've reached out to the director  
6 of the Mississippi gaming commission. He's an  
7 FBI grad. I've already had conversations with  
8 Director Davenport about some of the lessons  
9 learned from what they've done in Mississippi.  
10 I have the ability to collaborate and create  
11 partnerships. I'm strongly skilled in  
12 logistics and organized.

13 I feel my biggest strength is I'm a good  
14 communicator. My wife teases me all the time,  
15 because I can be in a Home Depot or a Publix  
16 and I'll just start talking to a total  
17 stranger. And she's like, how do you do that?  
18 And I'm like, I don't know, it just happened.  
19 I try to help people. I see them looking for  
20 something and I'm like, can I help you?

21 So, real quick, just to keep you on your  
22 time schedule. So, interesting. Why do I want  
23 this position? I can tell you that I prepared  
24 myself for this. I've always had the -- my  
25 goal in life was always to put myself in a

1 position where I could head an agency, a law  
2 enforcement agency as a chief or a sheriff or  
3 whatever.

4 And, as the other candidate mentioned,  
5 policing has changed. So this is an  
6 opportunity to be able to take something and  
7 create it from the ground up, something that's  
8 special, something that's unique, something for  
9 Florida. Make a model agency that other states  
10 can look at us, because other states look at  
11 the Florida Lottery now and look at us as a  
12 model organization, and I have that vision for  
13 the Division of Gaming Enforcement.

14 So I think it's a very noble opportunity.  
15 I will tell you that in my time in the Lottery  
16 I have special agents that report directly to  
17 me spread out throughout the state. I deal  
18 with them every day. We do compliance  
19 operations, which are undercover investigations  
20 at retailers.

21 There are 13,500 retailers in Florida. We  
22 do retail inspections. We're tasked with doing  
23 inspections of all those retailers at least one  
24 contract cycle, so I have agents call and say,  
25 hey, boss, I've got this illegal gaming machine

1 in this store. And it's been frustrating  
2 because we try to find somebody to enforce it.  
3 We don't have the authority under Chapter 24 to  
4 enforce it, so we look for agencies to enforce  
5 it.

6 And that's not to disparage any local  
7 agencies or sheriff's offices, but, you know,  
8 we call on them and they're like, we don't  
9 really enforce it. You know, call -- they give  
10 you another alphabet agency to call, and you  
11 call them and they don't enforce it, and you  
12 kind of go through the whole gamut and then  
13 they say, call code enforcement. And you call  
14 code enforcement and nobody calls you back.

15 So there's certainly a need for this  
16 division. And when I say it's a noble  
17 position, I feel like there's an opportunity  
18 for our visitors and citizens to be victimized.  
19 Gray market gambling, illegal gambling. I've  
20 had agents to go into stores, we do a  
21 compliance operation, we make an arrest, and  
22 then the nice thing about Chapter 24 is it's  
23 similar to Chapter 16, you don't need court  
24 orders and those kind of things. Anything  
25 related to Lottery we can do. The same with

1 the gaming statute.

2 We look at the facility. We go in the  
3 back room and we find a mini-casino in the back  
4 of the convenience store, and I know what  
5 happens is these are what we refer to as  
6 (inaudible) machines as opposed to (inaudible),  
7 so really the odds of winning are not very  
8 good, and a lot of these folks that come and  
9 play these are people that probably don't have  
10 a lot and they're trying to hit something big,  
11 they're trying to change their life, they're  
12 trying, you know, to make a life for  
13 themselves.

14 We just arrested -- excuse me. We just  
15 arrested a young lady on a case, and when we  
16 interviewed her she said, hey, look, you know  
17 what, I hate my life. I live in an apartment.  
18 I don't have anything. I have an old car. I  
19 just tried to -- she was stealing tickets  
20 basically. She said, I was just trying to hit  
21 something big. I want to change my life.

22 So I think people go in there, just like  
23 they go to these -- get involved in these gray  
24 market games. They go in there with the  
25 intention of, I'm going change my life. The

1 odds of them winning anything are probably not  
2 very good because it's not regulated. A lot of  
3 it is just, you know, basically people trying  
4 to victimize other folks and scamming them. I  
5 don't think it really helps, and then it just  
6 affects their family and what they're doing.

7 So to me this is a noble opportunity to  
8 come in and try to make an impact. And I know  
9 the Chairman had mentioned in one of the  
10 previous meetings that what we do matters for  
11 Florida, and I think is certainly an  
12 opportunity to do something that matters to  
13 Florida that I'm passionate about. If we can  
14 try to prevent people from being victimized by  
15 illegal gambling it's certainly something I  
16 want to be part of.

17 I think that's pretty much all I have for  
18 you. I have other information I would be more  
19 than happy to share with you. I understand  
20 some of this stuff I would love to share with  
21 you, but this is a public forum and there may  
22 be some things from an investigative standpoint  
23 or those kind of things that maybe we probably  
24 should not necessarily talk about strategies,  
25 so --

1           CHAIRMAN MacIVER: Before I move on to  
2     questioning, I'm assuming that these lights are  
3     the Florida Channel's lights. Can we get that  
4     one moved, because if I try and look an  
5     applicant in the face, I can't read anything on  
6     the paper afterwards. They're aimed a little  
7     bit too directly right at us.

8           And while that's happening, I'll go ahead.  
9     Mr. Vice Chairman, would you like to start us  
10    off?

11           VICE CHAIRMAN YAWORSKI: First of all,  
12    thank you, Chair, for highlighting the lighting  
13    issue. It is something.

14           Just a quick question. We heard a lot of  
15    what I thought were important points from the  
16    last candidate related to both culture of an  
17    organization and leadership style. This is a  
18    new entity and it's impressed upon me with  
19    every new person that we're hiring in this  
20    organization that the tone they set may be the  
21    culture that permeates the building for  
22    decades, and culture is somewhat easy to  
23    establish but very hard to change.

24           I'd love to hear a little bit more about  
25    your leadership style in both how you manage

1 and also how you cultivate and hopefully grow  
2 people into leaders that will successfully run  
3 the organization.

4 MR. CANNON: Excellent question, Mr. Vice  
5 Chair. So I can tell you that I've kind of  
6 prided myself over my career to try to mentor  
7 folks, so, you know, obviously selecting the  
8 right candidates are important. I do the  
9 hiring of the agents, the special agents of the  
10 Lottery. I mean, I don't make the ultimate  
11 decision, my director does, but I'm involved in  
12 the process of doing the posting and the  
13 questions and the advertisements and the  
14 qualifying questions on the interviews and  
15 those things. So, you know, finding the right  
16 people obviously is key, and for people to be  
17 there for the right reason.

18 My style is that I believe -- and I know  
19 this sounds kind of corny, but, you know, lead  
20 by example, walk the walk. I mean, I try to  
21 treat -- I always try to treat everybody with  
22 respect and dignity and my philosophy has  
23 always been treat the people the way that I  
24 want to be treated.

25 I think if you were to ask any of the

1 folks that are the direct FTEs that report to  
2 me now -- and I'm not trying to -- it's not  
3 about me, but on a regular basis they tell me  
4 that, you know, when I thank them for the work  
5 that they're doing and the job they're doing,  
6 they're like, hey, thanks for what you do.  
7 Thanks for being a good boss. Or, you know,  
8 I've been doing this for 25 years and, you  
9 know, you're a good boss for us.

10 So, I used to teach situational leadership  
11 for the FBI. One of the things I didn't  
12 mention, I was accepted as a leadership fellow  
13 for the FBI, so I was on a one-year fellowship  
14 for the bureau. I was at the training academy  
15 at Quantico resident for six months teaching at  
16 the academy and then I did regional command  
17 colleges throughout Texas and Niagara Falls in  
18 New York, and then they actually sent me to the  
19 International Law Enforcement in Budapest,  
20 Hungary, where I taught law enforcement  
21 officers from Europe.

22 And so I'm a firm believer in situational  
23 leadership. It's kind of like if you have  
24 children you know what it's like to raise them.  
25 Some require more attention than others. Some



1 people you just tell them, hey, go take out the  
2 garbage, and they take it out. The other one  
3 you have to get the garbage and hand it to them  
4 and follow them out the door.

5 So, you know, I like to empower people. I  
6 think it's about being courageous and making a  
7 difference, trying to make a difference and  
8 trying to get them to know that it's okay to  
9 take risks, it's okay to make a mistake.  
10 There's a difference between mistakes of the  
11 head and mistakes of the heart, but try to get  
12 people to buy in and be part of the team and  
13 treat them the way I want to be treated.

14 COMMISSIONER DRAGO: Hello, Mr. Cannon.  
15 How are you?

16 MR. CANNON: Good, Chief.

17 COMMISSIONER DRAGO: You mentioned about  
18 being involved in the accreditation process.

19 MR. CANNON: Yes, sir.

20 COMMISSIONER DRAGO: Were you personally  
21 involved with the accreditation process or was  
22 it just done in your agency, or what experience  
23 can you share with us as it relates to the  
24 accreditation process?

25 MR. CANNON: Sure. So when I was at the

1 Orange County Sheriff's Office, I was involved  
2 in the process of the units that I ran during  
3 like a reaccreditation process, so I was  
4 involved in that portion of the preparation of  
5 the unit and the interviews and the things that  
6 go along with it. Ensuring that we had all of  
7 our proofs, all the things that we needed in  
8 place and documents in place for the  
9 reaccreditation for the assessors and  
10 accreditation folks at the sheriff's office.  
11 So I was involved in it at that level.

12 And then when I was at the Department of  
13 Financial Services I actually oversaw -- I  
14 mean, I had help, you know, I had other folks.  
15 I had a major in there, but we actually went  
16 through and ensured that we were meeting all  
17 the standards that were set forth by the  
18 reaccreditation, to make sure that we had all  
19 the necessary proofs and, you know,  
20 participating in setting it up.

21 As a matter of fact, we have assessors at  
22 the Lottery today. I mean, yesterday I was  
23 involved in that yesterday with interviews and  
24 with helping them and with our team there,  
25 making sure that we have all of our documents

1 and policies, our proofs, our interviews, our  
2 equipment and so forth.

3 So, yes, sir, I have.

4 COMMISSIONER DRAGO: Do you think  
5 accreditation is a good course to go, or --

6 MR. CANNON: Oh, yeah, absolutely. I  
7 mean, it's kind of a -- it's a seal of  
8 approval, it's a gold seal of approval, and I  
9 think it's certainly -- and it also shows the  
10 public that you are an agency that meets  
11 standards and you have things in place to --

12 CHAIRMAN MacIVER: Sorry. I hate to  
13 interrupt the questioning.

14 Gentlemen, I moved the light for a reason.  
15 Our ability to conduct the meeting is more  
16 important than your ability to light it.

17 MR. CANNON: Do you want me to stand over  
18 there? Would that make it easier if I stood  
19 there?

20 CHAIRMAN MacIVER: Actually, that probably  
21 would be a little bit --

22 MR. CANNON: Oh, we won't be able to hear  
23 the mic, though. Sorry.

24 Anyway, is it okay, Mr. Chairman, to  
25 continue?

1           COMMISSIONER DRAGO: What do you think is  
2 a major obstacle for a law enforcement agency  
3 today? If you had to pick one thing that was  
4 the biggest obstacle in running a law  
5 enforcement agency, what would you say that  
6 would be?

7           MR. CANNON: So, if I had to pick one  
8 thing, recruitment and retention. I know that  
9 I have a position posted right now in West Palm  
10 for a special agent for the Lottery, and even  
11 with the new initiative by Governor DeSantis  
12 for raising the state salaries for law  
13 enforcement to 50,000, that's -- and that's  
14 something else that I'd love to talk about, the  
15 CAD. But at that rate -- and the Florida  
16 Lottery does an internal CAD -- trying to find  
17 somebody to come to work in this profession for  
18 \$51,000 a year especially in south Florida is  
19 really hard. We have -- you know, I've had the  
20 advertisement out for like ten days, and I  
21 think I have 14 applicants and only three or  
22 four at this point have screened in, that have  
23 met the qualifying questions.

24           So, it's not just the Lottery, though. I  
25 hear it all over. I see it. I mean, I go to

1 conferences for the FBI stuff and we have  
2 people come in and talk and speak and lecture,  
3 and recruiting and retention is a huge issue.

4 And I think that's why this is kind of  
5 unique in the sense that -- like the other  
6 candidate had said, it's a little different  
7 than your traditional policing. As you well  
8 know from being in this business, you know,  
9 some people get tired of working midnight,  
10 shagging calls, dealing with drunks and  
11 domestic violence.

12 And then retaining people. And that's  
13 something I look for. So when I was at DFS,  
14 the Department of Financial Services, we  
15 brought people in, we'd hire them, because I  
16 always try to do five years of law enforcement  
17 experience and at least two years investigative  
18 experience, because you want them to get that  
19 out of their system, that whole, hey, I've got  
20 a gun and a badge. And we don't have police  
21 subpoena authority, so we don't work traffic,  
22 we don't do any of that stuff. You want to try  
23 to find somebody that's tenured, that's kind of  
24 been there, done that, and then once you get  
25 them to where they're trained and they have

1 that institutional knowledge and they know the  
2 job, then they jump to another agency.

3 And so you don't want to become a training  
4 ground. You want to try to get somebody that  
5 you know is going to be there, and  
6 unfortunately it's hard to retain people.

7 That's why what the Governor is doing here as  
8 far as pay and stuff for law enforcement I  
9 think is key.

10 COMMISSIONER DRAGO: Do you have any  
11 strategies for hiring people, for getting  
12 people to come to this agency, any ideas on how  
13 we -- as you say, there's a lot of competition  
14 out there, too, for the qualified candidates in  
15 law enforcement. How would you get them to our  
16 agency?

17 MR. CANNON: I think you're okay on the  
18 north side of the state in doing the hiring and  
19 it's somewhat okay in the center part of the  
20 state. When you get toward the south part of  
21 the state it becomes more of a challenge  
22 because of what the pay is down there. And one  
23 of the first things they ask you is, you know,  
24 hey, does this have the \$4,999.98 CAD that goes  
25 along with the pay?

1           You know, so I think that's going to be  
2   important for this agency at some point,  
3   whether it be through an LBR -- I mean, I  
4   actually went through the budget, the  
5   \$3.3 million that was funded for the 20  
6   positions in the division for the 2022-2023  
7   budget with 1.3 million of that going toward  
8   salary and benefits for the 20 FTEs, and I kind  
9   of worked out the numbers in my head based on  
10  what the base range is for those salaries, so  
11  you're getting about 20 to 24 percent benefits,  
12  so we're right at that number in the budget. I  
13  think something down the road in the senate is  
14  ensuring that you have that cost of living CAD  
15  in south Florida.

16           As far as the other strategy is if you  
17  could find somebody that's further on in their  
18  career, maybe somebody that's already put  
19  25 years or 20 years in that's still young and  
20  that still wants to work. Insurance benefits  
21  are key for people, as you know that now. We  
22  have great benefits at the Lottery and that  
23  attracts people to us as well.

24           So you want to find somebody -- I don't  
25  want somebody that's retired, right? I don't

1 want somebody that's going to come in and -- I  
2 would say pick up a newspaper, but they don't  
3 even make those anymore I don't think. But I  
4 don't want somebody that's going to come in the  
5 office, sit down and prop up their feet and  
6 read the paper.

7 I want somebody who's maybe retired but  
8 wants to work, that still has the drive and the  
9 desire and wants to be part of something  
10 special and still work. And those are the  
11 folks that are mature, they're kind of  
12 established, you know their values when you  
13 talk to them and when you interview them. And  
14 those are the kind of people that have the  
15 right common sense about them for this type of  
16 a job. You know, this is not a job where  
17 you're going to run and start throwing people  
18 on the ground and handcuffing them and so on  
19 and so forth, but if you have to you have to.

20 So I think that's key. And they're less  
21 likely to jump ship and go somewhere else,  
22 because they're like, hey, I've found a home.  
23 I have a good agency. I have a good boss,  
24 bosses, and I like it here and I want to stay,  
25 so --



1 COMMISSIONER DRAGO: Thank you.

2 COMMISSIONER BROWN: Mr. Cannon, thank you  
3 so much. Your background really jumped out at  
4 me, and your resumé, and a variety of reasons,  
5 including your crisis management during  
6 Hurricane Katrina and your FBI. So I was very  
7 impressed and then what you said really  
8 resonated here about this being a noble  
9 position, a noble opportunity.

10 Looking at your implementation plan, it's  
11 very thoughtful, and I just perused it briefly,  
12 but something that also jumped out at me was  
13 the public awareness and marketing, which we've  
14 mentioned at a prior meeting how important it  
15 is for this gaming commission to have that  
16 approach, and that law enforcement is a  
17 critical component.

18 Can you elaborate more on public  
19 awareness, marketing, and strategic  
20 partnerships based on your relationships in the  
21 state?

22 MR. CANNON: Sure, absolutely. That's a  
23 great question.

24 So, the way I envision this is -- and keep  
25 in mind this is like a 120 plan. It may be a

1 little conservative, it may not be  
2 conservative, I don't know, pushing forward  
3 with it, but certainly once you have the basic  
4 stuff of creating this agency, you know, the  
5 CJIS OR, I've actually already spoken to FDLE  
6 and the gentlemen over there that I've worked  
7 with before about getting what we need in order  
8 to establish this organization, but I think  
9 we've got to get in early for the marketing.

10 So you want to make sure we market it in  
11 the sense that we got to get out to law  
12 enforcement. We have to -- now, it's one thing  
13 to go to the Florida Sheriffs Association  
14 conference and for me or Director Trombetta to  
15 stand there and talk about what the gaming  
16 commission does, but it's another thing to give  
17 that information to filter down from the  
18 sheriffs and the chiefs to the folks on the  
19 street. So I think it's key to hit -- you want  
20 to hit at the high level, but you also need to  
21 hit at the level where you're talking to the  
22 folks, the commander, or the CID.

23 So when they -- when people start getting  
24 these calls, because I think it's really key  
25 for, you know, you have a tip line, you have

1 online reporting, you've got to get on those  
2 and take them right away. We've got to teach  
3 people that there is a way to report this.

4 That if you see something --

5 I mean, I stopped at a convenience store  
6 coming up 27 the other day from Sarasota, I  
7 went in and there were some machines in there  
8 by the lottery play station, and I asked the  
9 guy, I'm like, hey, so what are these machines,  
10 you know? And he was like -- I said, are these  
11 like gambling machines, you put money in them?  
12 Yeah. I said, so do you win money? And he  
13 kind of looked at me and he's like, no, no, you  
14 can buy groceries. And I'm like, okay.

15 So, I mean, it's out there, but most  
16 people don't know how to -- what to do when  
17 they see it.

18 So for law enforcement I think it's going  
19 to be huge to market to the Police Chiefs  
20 Association, Florida Sheriffs Association, get  
21 down to the lower levels to, you know, my  
22 contacts with the FBI association in Florida,  
23 but then also public service announcements,  
24 those kind of things to get out to the public.

25 And, you know, there's great opportunities

1 where there's regulated gambling in Florida. I  
2 mean, we have it here. We have it in Hard  
3 Rock, we have it in Miami for folks to go if  
4 that's what they choose to do.

5 Ideally in an ideal world you want to tell  
6 everybody. You want to let people know, and  
7 especially those law enforcement people,  
8 because I have a feeling that these machines,  
9 these gambling rooms, there's charging  
10 stations, cellphone charging stations that are  
11 not really cellphone charging stations. You  
12 can walk up there, there's pads of paper and  
13 pencils and you can plug your phone in like  
14 you're charging and you can book your bet for  
15 online sports betting for games and stuff that  
16 are occurring out of our country.

17 People need to know what they're looking  
18 for and get educated on it and then how to  
19 report it and then it's going to be incumbent  
20 on us to make sure that we do go in and make a  
21 difference and do something about it.

22 COMMISSIONER BROWN: I could not agree  
23 more, and you're obviously really familiar with  
24 the gray market area in your role at the  
25 Lottery, so that's very beneficial to this

1 endeavor here.

2 And you have an extensive criminal  
3 investigatory experience. Can you walk us  
4 through the different approach of  
5 administrative investigation versus a criminal  
6 investigation and how you would pursue both of  
7 those?

8 MR. CANNON: Sure. So I can speak for one  
9 thing that we do now through my current  
10 assignment. We have the criminal side of what  
11 we do for integrity and compliance  
12 investigations. We also have the  
13 administrative side as far as determination if  
14 someone is a retailer. There are 13,500  
15 approximate retailers in Florida and that  
16 fluctuates every day. It's not a right, it's a  
17 privilege, so there's a process to go through  
18 for those folks when they do violate their  
19 contract.

20 So, anything that would be contractual, I  
21 know there's an administrative process to go  
22 through. We write up a case report, we submit  
23 it to retail or contracting, they go through  
24 the process. They make a determination that  
25 they're going to terminate the retailer, we go

1 in and we pick up the equipment, so on and so  
2 forth.

3 In this instance there's really nothing  
4 that's -- there's no way -- there's nothing to  
5 regulate the gray market. That's why we're  
6 here in this room. So it would be a process of  
7 contraband as established under Chapter 16 and  
8 all the various -- the five other statutes that  
9 encompass Chapter 16, including Chapter 24, to  
10 go through those and look at what is considered  
11 contraband by statute. If it's contraband then  
12 obviously that's why we have attorneys. That's  
13 what they like to do. So we work closely with  
14 the attorney on the legal side of it to do the  
15 civil forfeiture of seizing of assets or  
16 whatever.

17 And then of course if we're working a  
18 criminal case, you know, we look at our RICO  
19 stuff, our Florida RICO or at RICO and look at  
20 like seizing assets and freezing things before  
21 they have a chance to dispose of them and prior  
22 to the outcome of the prosecution.

23 We just worked a pretty big case. It's  
24 still under -- so it's still in the court, but,  
25 I mean, just giving an example, a lady walked

1 in with a \$1,000 ticket to a convenience store  
2 and said, hey, I won \$1,000. Can you cash it  
3 for me? And, you know, at this point -- this  
4 is the education part of it, the retailer said,  
5 well, you have to take it to a district office.  
6 He's like, I'll give you \$800 for it.

7 So she sold it to him for 800, which it  
8 does happen. It's called ticket brokering,  
9 especially in south Florida. We get a lot of  
10 them in the Keys because people come in off the  
11 cruise ships and they're not going to drive to  
12 the Miami office to cash it.

13 Anyway, it turns out it was a  
14 million-dollar ticket. So we did a -- so we  
15 worked with the state attorney, we tried to get  
16 a statewide prosecutor, we worked with the  
17 state attorney and we did a conspiracy charge  
18 and we have five defendants that have been  
19 issued warrants. The five defendants have been  
20 arrested, so the case is pending.

21 But the nice outcome from the story is she  
22 did get paid her proceeds less her taxes and  
23 she took a one-time payment, plus she had to  
24 keep the \$800 that she got from the retailer,  
25 and he was terminated.

1           COMMISSIONER BROWN: That's a great story.  
2 Thank you. Just to follow up on something that  
3 you raised with regards to the gray market  
4 area, do you have an opinion, if they have a  
5 different license, let's say an alcohol,  
6 beverage, and tobacco license, do you have any  
7 thoughts about whether that should be  
8 implicated if they were found guilty of a  
9 crime?

10           MR. CANNON: I think absolutely it should  
11 be. Absolutely.

12           COMMISSIONER BROWN: Thank you. And then  
13 a question that I'm asking all the candidates.  
14 Do you have any connection -- again, the  
15 impartiality is so critical in this role -- any  
16 prior business dealings with anyone in -- apart  
17 from Lottery -- in the gaming industry  
18 throughout the State of Florida?

19           MR. CANNON: No, ma'am.

20           COMMISSIONER BROWN: Thank you. Thank you  
21 for your presentation.

22           MR. CANNON: Thank you for your service.

23           COMMISSIONER D'AQUILA: Mr. Cannon, if I  
24 may. You gave a lot of thought into this plan.  
25 You obviously have great experience. A



1 hypothetical. You're in charge of this new  
2 agency in the state for the first time. Just  
3 like any entrepreneur, new business owner, what  
4 keeps you up at night now with this rolling all  
5 of this out and where do you believe in your  
6 experience this agency might be vulnerable or  
7 might fail?

8 I know there's an old saying, right, we  
9 learn more from our failures than our  
10 successes, but what would keep you up at night  
11 and where do you think the great challenges  
12 are?

13 MR. CANNON: So I think -- I know, because  
14 it kept me up last night, too. So just so you  
15 know I didn't get much sleep last night because  
16 I was coming today. But, you know, to make  
17 sure we can make it work, to see some  
18 successes, right? So you want to establish and  
19 see these benchmarks. I would love to be able  
20 to drive down the road and pull into a  
21 convenience store or go somewhere and not walk  
22 in and see what's going on right now. I mean,  
23 the success of making it work. Nobody wants to  
24 fail. I've never wanted to fail. Nobody does.  
25 I've never wanted to fail at anything I did.

1           So priding myself on making a difference  
2   and going in there and trying to do it, I think  
3   those are the things that would keep me up at  
4   night. And truly what I said, and this is  
5   not -- you know, this is not just a line of  
6   compassion.

7           I mean, I see that -- because I see people  
8   play games that, you know, probably should be  
9   spending money on other things. I mean, that's  
10   the reality of it. And so it kind of -- it  
11   bothers me to see that, and so knowing that  
12   we're limiting that and making a difference to  
13   try to keep people from doing that, at least in  
14   an area where they know they're being scammed  
15   and there's no regulation I think is going to  
16   be key for making this work and being  
17   successful.

18           And those are the things that I think we'd  
19   probably just want to be able to say, hey, look  
20   what we accomplished, and just look back at it  
21   and say, you know, these are -- this was our  
22   intent, this was our direction.

23           And also, learning from other agencies. I  
24   mean, like I said, I took it upon myself to  
25   reach out. And it's convenient because, being

1 a member of the FBI NA, we have the network. I  
2 can go on into the database directory. I just  
3 put in gaming and it showed me everybody. And  
4 the chief knows -- anybody that's a NA grad  
5 that's active, it shows what agents are theirs.

6 So I literally picked up the phone and  
7 said, hey, is this Dan? Yes, it is. Hey, this  
8 is Tim Cannon and I was in the 234 session.  
9 And he said, oh, hey, how's it going? This is  
10 kind of like a code word, because that's my  
11 session number. And I'm like, hey, you don't  
12 know me, but I'm calling you because I'm moving  
13 to Florida and I have some questions about  
14 gaming. And he's the director of gaming in  
15 Mississippi law enforcement.

16 And he told me, he was, like, hey, one of  
17 the things that we have is we have -- our law  
18 was established in 1997, but we've never really  
19 made any modifications. I hope he doesn't mind  
20 me saying this. We never really went back and  
21 made any changes to the law. There were never  
22 any adjustments to the legislature based on how  
23 the industry changed and the enforcement side  
24 of it, so they're kind of working on  
25 legislation from 1997 in 2022.

1           So I think key, whether I get this  
2   position or not, something to look at down the  
3   road is as the dynamics of this changes,  
4   because, as you know, once somebody figures out  
5   a way to commit something and you stop it, then  
6   they're going to figure out another way to do  
7   it. So the dynamics of how this changes is to  
8   be fluid enough to recognize it and change the  
9   legislation to match what the issue is at hand  
10   so we can continue to be successful to  
11   ultimately hit that point.

12           COMMISSIONER D'AQUILA: Thank you.

13           MR. CANNON: You're welcome, sir.

14           CHAIRMAN MacIVER: Any follow-up,  
15   Commissioners?

16           Mr. Cannon, again, I put you in the unfair  
17   position of take everything you just told us  
18   and cram it down into 30 seconds and give us  
19   your elevator pitch.

20           MR. CANNON: Well, I'm hoping I'm staying  
21   on my timeline. So I will just tell you this.  
22   It's an honor for me to be here. It's an honor  
23   for me to present before you. And, like I  
24   said, what you're doing is noble.

25           I would love the opportunity. I'm a hard

1 worker. I'm the guy that's in the office at  
2 seven o'clock at night just to make sure things  
3 are right and things get done. I have a lot of  
4 experience. I have a lot of life experience.  
5 I have tons of contacts throughout the State of  
6 Florida, actually nationally. I think that if  
7 you're looking for somebody to come in and hit  
8 the ground running, I'm already certified.

9 I have the support of my director at the  
10 Lottery. He and I have known each other for  
11 30 years, and I know we have good partnership.  
12 I know we need to maintain and keep the  
13 separate legislation, you know, keep our roles  
14 separate, but I think there's a lot of  
15 collaboration there. There's a force  
16 multiplier for things that we can do or things  
17 that come in, so having that ability to relate  
18 to the relationships I have with the Lottery  
19 now with the relationships that I have, I just  
20 think that I could deliver a product for you  
21 that you would be very pleased with and we  
22 would continue to move forward and be  
23 successful.

24 CHAIRMAN MacIVER: Thank you very much,  
25 Mr. Cannon.

1 MR. CANNON: Thank you, Mr. Chairman.

2 Thank you, Commissioners.

3 CHAIRMAN MacIVER: I believe we have

4 Mr. Drake next. Is he on the line?

5 MR. DRAKE: I am, sir.

6 CHAIRMAN MacIVER: Good morning,

7 Mr. Drake. I don't know how much of the

8 Commission meeting you've been able to see so

9 far, but the process we're taking is each

10 applicant is being given three to five minutes

11 to sort of just give us an overview of who they

12 are and why they are interested in this job,

13 and then from there we'll move into questions

14 from our commissioners. So the floor is yours,

15 sir.

16 MR. DRAKE: Thank you very much. I was

17 born and raised in the Hudson Valley.

18 I have feedback. I'm sorry. That's

19 better. Sorry about that.

20 So I was born and raised in the Hudson

21 Valley of New York, which is I was born

22 directly between New York City and Albany along

23 the Hudson River. I was born and raised in a

24 small town. Very agricultural. A lot of apple

25 farms and dairy cows and horse farms. And I

1 grew up and stayed most of my life there. I  
2 moved briefly about -- you know, I live  
3 probably 20 minutes west of there now, but  
4 still in the Hudson Valley in Gardiner, New  
5 York.

6 My mom and dad were blue collar workers.  
7 My mom was, you know, a teacher's aide at the  
8 local school district. My father was an auto  
9 parts dealer for a while and then he joined IBM  
10 in the clean room on the assembly line. And I  
11 had a brother and sister and we worked hard for  
12 everything we got.

13 I always wanted to be a police officer. I  
14 knew that since I was age five. My  
15 grandmother, who was an Italian immigrant back  
16 in the early 1900s, she was all the time asking  
17 me, Michael, what do you want to do when you  
18 grow up? At five years old I told her I wanted  
19 to be the pope or a police officer. By the age  
20 of seven pope was out, so it was full steam  
21 ahead to being a police officer.

22 I was lucky to know that that was kind of  
23 always in my blood, so I, you know, had great  
24 family support. I ended up meeting my wife  
25 after college, but we went to high school and

1 grammar school together. We've known each  
2 other since we were in kindergarten, but we  
3 started dating after college and planning our  
4 life together.

5 We have two sons that are going to be 19  
6 and 21. They're both in college now. One is  
7 at SUNY Geneseo out west in New York on a  
8 chemistry scholarship. He wants to go to law  
9 school down in Florida. And my younger guy is  
10 a computer science major at Marist College,  
11 which is a private university in the Hudson  
12 Valley.

13 So with that about my family and how that  
14 affects me, it has allowed me to then get my  
15 bachelor's degree in criminal justice from  
16 Marist College on an academic scholarship, but  
17 I was working three jobs while I did it to put  
18 myself through, so you learn a lot from that.

19 And then, you know, going through that, I  
20 was a police dispatcher while going to college  
21 on midnights, so I have about 30 years of law  
22 enforcement experience with that because I did  
23 that for about three years through college. I  
24 graduated from Marist with my criminal justice  
25 degree, and then the way it works in New York



1 is I was sponsored by my hometown to go to the  
2 municipal academy, which I was and I did. I  
3 graduated and then took the civil service  
4 exams.

5 While waiting to be a police officer, I  
6 actually got a job as a chemist for about a  
7 year because that was my general study in  
8 college because I was good at it and I liked  
9 it. I knew I never wanted to do it, but it  
10 could pay my bills back, and then I was lucky  
11 enough -- I took a tri-county exam, three  
12 counties. About 30,000 people took the exam.  
13 I scored 100 on it, and the entire county  
14 was -- in the entire three counties I was  
15 number one.

16 Then I was selected by the Village of  
17 Monticello police department to be a local  
18 officer. And so at a young early 20s age, you  
19 know, foreign to the community, they made me an  
20 undercover officer right away, and I did that  
21 for the first few months, doing gambling,  
22 prostitution, all kinds of fun things. You  
23 know, drugs and different -- you know, frauds  
24 and larcenies.

25 Once my identity was blown, then they put

1 me in uniform and put me out on the street  
2 where I learned a lot of how to be a police  
3 officer.

4 And I was lucky enough to then be accepted  
5 into the New York state police academy in 1996,  
6 where I attended. It's a residential academy  
7 that's six months long from October to April,  
8 '96 to '97, where there were 121 recruits from  
9 all over the state. And again, I excelled,  
10 worked extremely hard, and was the  
11 valedictorian in my class. I finished number  
12 one and was granted the award at our graduation  
13 and was able to address our graduating class.

14 From there I became a trooper out on the  
15 road. I worked for six years as a road patrol  
16 trooper. New York's a little different than  
17 most states. We are a full-service municipal  
18 agency, so we do the barking dog complaints,  
19 civil disturbance, neighbor disputes all the  
20 way up to the homicide. I did that for  
21 six years in a very rural area of New York  
22 where I worked with one other trooper for  
23 six towns that didn't have a police department  
24 to be dealt with, and that really built the  
25 foundation of what type of law enforcement

1 officer I became later on in my career.

2 I became a sergeant and transferred  
3 upstate. Worked up there for six months  
4 supervising about 50 troopers up near the  
5 Canadian border, and then I was appointed  
6 investigator and returned back to the Hudson  
7 Valley and worked in Newburgh, New York. It's  
8 a very, very violent poor urban area, and I did  
9 that for eight years.

10 And while I was doing that, I got married,  
11 had two kids, built a house, and was going back  
12 for my master's degree in public administration  
13 while my wife, who's a registered nurse, was  
14 working, and we kind of built through our  
15 family. Got my master's degree and then I  
16 studied for the lieutenant exam.

17 In the New York State Police, when you  
18 finish -- about 300 people take the  
19 lieutenant's exam statewide. If you're in the  
20 top eight you get to choose to get your  
21 master's degree or go to the FBI National  
22 Academy. I wanted both, so I put myself  
23 through the master's program, then studied for  
24 lieutenant. So I got my master's and then I  
25 scored number one overall in the state.

1           And when I scored number one, they sent me  
2   to the FBI National Academy, and I went there  
3   in the 245th session with 249 other people from  
4   around the country as we heard before from the  
5   previous candidate, and then I just hit the  
6   ground running as a lieutenant.

7           After I did eight years of all types of  
8   investigations myself, between backgrounds all  
9   the way up to Title III, RICO, homicide, any  
10  kind of investigation working with all the  
11  federal partners. As a lieutenant I was a  
12  commander. I first was in charge of the  
13  governor's protection unit when Governor  
14  Paterson was our governor. I was attached to  
15  him 24/7 for a few months. That was kind of  
16  burning me out, so I requested a transfer and  
17  was granted one and I became what they call an  
18  (inaudible).

19           I was in the New York City drug  
20  enforcement task force for three years, where I  
21  oversaw multiple groups doing mostly  
22  international smuggling, drugs, narcotics,  
23  weapons, guns, money laundering, gambling, you  
24  name it, all internationally from the Middle  
25  East through to South America, Russia, all the

1 way back through Europe and back into the  
2 United States domestically.

3 I left there. I had become a detective  
4 lieutenant in the field and ran a detective  
5 squad of about a hundred, and we did mostly  
6 crimes between rape, robbery, homicide, and  
7 larceny. I did that for a number of years and  
8 I was promoted to captain.

9 I had a uniform command of about 200. Did  
10 that for a few years and then I became a bureau  
11 commander, a bureau captain, and I oversaw five  
12 counties, 250 detectives, all sorts of task  
13 forces, between gambling, drugs, human  
14 smuggling, and then the normal, you know,  
15 detective work for about a million people.  
16 That's the population.

17 Then I was lucky enough to get appointed  
18 to major, and I've risen through that rank as a  
19 troop commander. I oversaw four counties  
20 between Albany and Westchester, and it's about  
21 a 1.4 million population, and I'm -- the  
22 personnel that I was in charge of was 500.  
23 Then we did everything again. I did the  
24 uniform and the bureau side of it. All types  
25 of task force. Oversaw a bunch of different

1 things. And now I've been, you know, put in  
2 different places and positions by division  
3 because of my broad scope.

4 I was also the director of our fusion  
5 center as a captain, so I did the  
6 counterterrorism and criminal intel for two  
7 years as a captain. So then what I did is they  
8 moved me into professional standards, so I did  
9 drug testing, audits, accreditation,  
10 self-assessments, quality control, critical  
11 incidences, internal investigation, policy,  
12 body camera. I can go on and on. Reshaped  
13 different policies.

14 And then I was selected to now be in the  
15 field command position, which is operational,  
16 and the governor wants to either absorb or do  
17 away with the New York State Park Police, which  
18 was a separate entity, so I have operational  
19 control right now of the 200 or so park police  
20 officers throughout the 62 counties in the  
21 state in the 180 state parks that we oversee.

22 And with that, I do a lot of soccer  
23 playing and coaching, which kind of plays into  
24 being a team player and learning some  
25 management and leadership styles, and actually

1 coached at the university and the  
2 semiprofessional level.

3           Why I'm interested and why I'm the right  
4 candidate is, you know, my career has basically  
5 come to this point where I'm 48 years old, I've  
6 got about 30 years in law enforcement, I've  
7 done so many variety of things. As the other  
8 candidate said, my wife and I planned a lot of  
9 this, and now it's time for us -- and I hate  
10 use the word "retiring," but her being a  
11 registered nurse and me being a police officer,  
12 this is our -- my dream was always going to  
13 Florida.

14           That was our plan and we're at that point  
15 now, so when this position came up, you know  
16 when it's right it's right for you and your  
17 family. My kids are in college, they're  
18 self-sufficient. My wife and I, her being a  
19 nurse, can easily move down to Florida and  
20 assimilate. We have friends that live in and  
21 throughout Florida and family.

22           And, you know, why, it's just that I have  
23 such an affinity for this job, and as you  
24 said -- one of the commissioners said, you  
25 learn more from your failures than your

1 successes, that's true, and I'm up to the point  
2 now where I'm not -- I'm not a know-it-all, I'm  
3 not perfect in everything, but I am extremely  
4 determined, extremely experienced, and have a  
5 wide experience at the state and local level  
6 and even federal level of the different things  
7 that fit into what you're looking for, and I've  
8 been an executive officer, commander for over  
9 12 years.

10 So, with everything tied together, I know  
11 I won't be perfect for you, but I won't quit.  
12 I'm very determined, very hard-working, very  
13 easygoing. And again, make mistakes, but learn  
14 from them and push forward and know that I  
15 answer to you folks who answer to the  
16 Governor's Office and how that works and the  
17 interactions at that level because I've been  
18 doing it for over 26 years at the state police.

19 CHAIRMAN MacIVER: Thank you, Mr. Drake.

20 Mr. Vice Chair, would you like to lead in?

21 VICE CHAIRMAN YAWORSKI: Yes.

22 Mr. Drake, in a similar manner to the  
23 question I asked the last out-of-state  
24 candidate we had, I think it's important that  
25 anyone who comes into the state from out of



1 state has a strategy in mind to enter into  
2 relationships and begin to understand how the  
3 Florida law enforcement mechanism works. What  
4 would be your strategy for doing so, having  
5 come from New York?

6 MR. DRAKE: Yeah. I mean, you know, it is  
7 an obstacle. As the previous candidate to me,  
8 very, very influential in Florida, very well  
9 connected, knows the laws already. It can be  
10 good or bad depending on how you're looking at  
11 it. I think I come with a clean perspective.  
12 I don't have those prejudices or preconceived  
13 notions of folks. I am highly energetic.

14 He said he was at Lowe's or Home Depot and  
15 he -- I'm the same type of person and you'll  
16 find most police executives or leaders of law  
17 enforcement officers love engaging people,  
18 because we love to talk. We're human. We have  
19 that dignity and respect for everybody.

20 So, for me, I am an outgoing, energetic  
21 person. Very tolerant. Can agree to disagree  
22 politely. I don't get upset or emotional very  
23 often. Never interject it into my profession.  
24 And how you overcome it is you've got to be  
25 open to get to meet people. It's a whirlwind,

1 but it's a 365. It's 24/7. It's not a job --  
2 as he said, you're not going to sit at your  
3 desk, feet up, hey, I got this job, this is  
4 wonderful. You know, I sort through some  
5 emails, I talk to the commissioners, and -- you  
6 know, and everything is great.

7 No, you're out there. You're out there  
8 building. If it's going to be successful you  
9 are into it all the way. And how you overcome  
10 it is by meetings, going to meetings, meeting  
11 the right stakeholders, going off of the  
12 Commission's lead and the Governor's  
13 directives, and then it's grassroots. Getting  
14 out to those bigger areas where some of this --  
15 you know, where we talked about some crime  
16 around gambling is, and some of the educational  
17 pieces you talked about.

18 But is it going to be an obstacle?  
19 Absolutely, but as most of the people on the  
20 Commission, y'all are from New York, or a lot  
21 of you are, and you integrated perfectly when  
22 you got down there. I think three of the five  
23 of you at least.

24 You know, it's one of those things, you  
25 bring it with you. You find out real quickly,

1 most of all of us are Americans, human beings,  
2 and we agree on a lot more than we disagree  
3 despite what your legacy media is telling  
4 people and different elected officials.

5         You just get in the game. You go down  
6 there. They meet who you are. They know who  
7 Robin is, my wife, my kids, and then you start  
8 breaking down those barriers, and we all start  
9 realizing that we're headed in the same  
10 direction. Maybe not on the right path, not on  
11 the same path, but most of us are parallel, you  
12 know, and we just need to intersect a little,  
13 get a little closer. And by doing that you  
14 just get out, you engage, be energetic, you do  
15 a lot of listening and learning and watching  
16 and trusting and then building the right team  
17 members.

18         Putting the people in place throughout  
19 your entire state, which is similar to the  
20 geography, not demographics or politicalness of  
21 New York, but Buffalo to Long Island is a  
22 seven-, eight-hour drive, so it's a huge state,  
23 but you get out there. You build people  
24 regionally who know the folks in that area.  
25 The sheriffs, the local police officers, the

1 community members, the elected officials, the  
2 appointed officials, and you build off that.

3 You don't need to meet all the millions of  
4 people that live in Florida, you just need to  
5 have the right team members, the right fit or  
6 the right feet on the block as you're driving  
7 it or directing it to get the job done. And  
8 you need to identify those folks and then work  
9 through them with them to get the successful  
10 mission accomplished.

11 VICE CHAIRMAN YAWORSKI: Thank you. No  
12 further questions.

13 COMMISSIONER DRAGO: Mr. Drake, can you  
14 tell us how you prepared for this position in  
15 Florida?

16 MR. DRAKE: Yeah. So when you start --  
17 sorry. It's already reverberating again.  
18 Sorry about that.

19 So the first thing, like the gentleman  
20 said, you identify where you want to be. I  
21 think the guy from Illinois had said we  
22 eventually -- we knew, my wife and I know we  
23 want to be in Florida. So you start looking  
24 and handpicking jobs that you think is right  
25 for you. So you crawl over everything, and

1 this one stood right out to me. It's a state  
2 agency. It's new. It, you know, has a lot of  
3 potential and it's in my wheelhouse. It's  
4 investigations, it's statewide, it's dealing  
5 with the higher level folks and the lower level  
6 folks. So that was the first thing.

7 So, yeah, you read through the brochure,  
8 the announcement, and then the first thing --  
9 you go to the website and see how it was  
10 formed, how it was appointed, who's on the  
11 Commission. Because, let's face it, I work  
12 for, yes, the State of Florida, but more  
13 directly to you folks. So I deal with the, you  
14 know, three commissioners, the vice chair, the  
15 executive director.

16 I did my homework. I want to know who you  
17 folks are, so I know that Mr. Yaworski went to  
18 Florida and then to law school in Alabama, has  
19 worked in Georgia and Florida. And Ms. Brown  
20 is mostly a Floridian, where she's done most of  
21 her career and her education, what she's done.  
22 Why? It's not to spy on them or surveil them.  
23 You might feel a little uncomfortable but it's  
24 one of those things of who am I going to be  
25 working for. Can I work for these folks?

1           Mr. D'Aquila, you know, is from New York.  
2           He's from the Binghamton area, went to  
3           university there and has now migrated, so I can  
4           get from him, hey, how did you get in, how did  
5           you fit in and figure things out?

6           You know, Mr. Drago is New York and  
7           Florida. Again, great law enforcement career  
8           when you look across his biography.

9           And then the executive director,  
10          Mr. Trombetta, is also from SUNY Brockport  
11          where my son goes to SUNY Geneseo.

12          So you make those connections immediately,  
13          and then, look, he went to law school in  
14          Florida where my son wants to go.

15          So when you do your homework, it's not  
16          just the job description and can you do it.  
17          Listen, people that you're going to interview  
18          today and you're going to hear from are going  
19          to have very similar, you know, educational  
20          experience, skills, characteristics, but when  
21          you look at can I make a connection with the  
22          folks that I'm going to be working for, I'm not  
23          looking for a stepping stone, I'm not looking  
24          to jump around. When I make my next move, I  
25          want to be in a position that I'm going to take

1 for the next ten to 15 years.

2 I want something that I'm not just going  
3 to start, but that I'm going to get through it,  
4 build it, that culture, that foundation with  
5 you folks through the Governor's Office towards  
6 success, making mistakes along the way, but  
7 getting us through to see that success.

8 And then I started looking. What do the  
9 laws look like? You know, you have a RICO act.  
10 You know, the Racketeer Influenced and Corrupt  
11 Organizations Act. In New York it's Article  
12 460. In Florida it's maybe Chapter 895. And,  
13 you know, what federal agencies.

14 So I looked through the different -- the  
15 meetings and the agendas that you folks have  
16 put out and watched different videos. So am I  
17 an expert like the previous candidate?  
18 Absolutely not. He already works for the  
19 Lottery. He's got a lot of experience. He's  
20 got a lot of connections.

21 Mostly what I've done is reached out to  
22 folks that are doing it in various other  
23 states. We have a special investigations unit  
24 in New York. My office is right down from the  
25 major that oversees it. I've had people that

1 have worked in it. I've had some dealings with  
2 them. What did they do in these types of  
3 things?

4 So, putting that all together, I'm not  
5 going to proclaim that I'm an expert in this,  
6 but my preparation has been can I do this as a  
7 job, which I know I can. Can I work for the  
8 folks that are currently in these positions as  
9 commissioners? You know, is it something that  
10 I can, you know, take their -- okay, what are  
11 we going to do, and then also the Governor's  
12 Office edicts. Put it all together, learn the  
13 laws, build your team, and move forward.

14 COMMISSIONER DRAGO: (No sound.)

15 I'm sorry. I probably just said all that  
16 for nothing.

17 MR. DRAKE: My apologies.

18 COMMISSIONER DRAGO: No, no, no, it's not  
19 your fault. I didn't turn on my button again.  
20 I have a problem turning on and off my button.

21 You had mentioned that you'd worked some  
22 RICO cases during your career. What kind of  
23 cases were they? What kind of RICO cases were  
24 they?

25 MR. DRAKE: Yeah. So, some of the -- most



1 of the RICO ones that I was involved in was as  
2 a supervisor, so there's a few different ones.  
3 I oversaw the Safe Street Task Force in the  
4 Hudson Valley out of Goshen with the FBI  
5 office, and they worked two different type of  
6 RICO cases where I had folks that were involved  
7 in those as a senior investigator, which is  
8 like a detective sergeant, and an investigator  
9 on different angles of -- you know, one was a  
10 counterfeit money operation where they were  
11 running them out of -- actually it was the  
12 Binghamton, Albany, New York City triangle. So  
13 they were doing counterfeit bills. They were  
14 doing -- they were also doing card reader scams  
15 at the gas pump. It was an international group  
16 from Albania. So I worked that one  
17 specifically and oversaw it.

18 And then also in the drug enforcement task  
19 force. That's where I did most of the RICO in  
20 that three and a half years that I spent with  
21 the DEA, New York City police department, and  
22 New York City police working in that triangle.

23 I oversaw, you know, as their (inaudible),  
24 as their commander, these two direct groups.  
25 One of them was a money laundering operation,

1 and how they do these things, so there were  
2 multiple RICO cases they were doing at once.  
3 Most of it was coming out of Mexico through the  
4 border through tractor-trailers, where they  
5 were moving pallets of cash.

6 They were doing other things as well, but  
7 a lot of money laundering coming through. How  
8 it's split up from the tractor-trailers and how  
9 these criminal enterprises were operating out  
10 of the country and then bi-coastal and then  
11 getting the money specifically washed into the  
12 American -- you know, our economy and how it  
13 was being broken up and brought in through oil  
14 tankers and how it got here.

15 I mean, there were other drugs attached to  
16 that case as well, but, I mean, these are  
17 lengthy investigations. Title IIIs, wiretaps,  
18 surveillance, photos, as you folks know. You  
19 know, undercover operatives, informants that  
20 all tie in together, and it's a slow move  
21 through the process working with the AUSA's  
22 office, building cases where you do these  
23 indictments and you snag some of these  
24 shipments and some of these money launderers  
25 and see where the operations -- and they move

1       them quite often.

2                You really have to have the right people,  
3       the right investigators, the right team, that  
4       flexibility, high energy, high speed, low drag.  
5       Those are the -- the more recent ones that I've  
6       overseen were more of the money laundering  
7       criminal enterprise outside and inside the  
8       country, either counterfeiting or washing money  
9       through our economy.

10               COMMISSIONER DRAGO: Understood. Great.  
11       Thank you very much.

12               MR. DRAKE: Yes, sir.

13               COMMISSIONER BROWN: Thank you, Mr. Drake,  
14       for calling in and/or giving us an overview of  
15       your background. Very expansive and you  
16       highlighted some details that I did not know,  
17       including some of the really impressive  
18       accomplishments over your career. So I'm very  
19       excited to meet you. I could feel your energy  
20       as you spoke, too, so I could appreciate that,  
21       definitely.

22               Not coming -- not being in the State of  
23       Florida, and as we have or I've acknowledged,  
24       and I know several commissioners have, that  
25       training and outreach are so critical to this

1 particular position, who will you rely on, not  
2 just in building your team, but in also  
3 providing outreach on the statewide level and  
4 really on the local level?

5 MR. DRAKE: Yeah. I mean, so those are  
6 those types of relationships that you have to  
7 start reaching out to right away and  
8 identifying through you folks and other law  
9 enforcement officers at that state and local  
10 level that have been identified, that know  
11 these things and, again, by getting down there  
12 and introducing yourself.

13 Again, it takes a little bit of catch-up  
14 time where the previous candidate probably has  
15 these identified. He worked with or worked for  
16 or, you know, has known these folks; that's  
17 where I would play that catch-up. But how you  
18 do it is you have to identify them quickly, and  
19 how you go about that is by trusting the folks  
20 when you get down there of who I'm answering  
21 to, so the Commission, the Governor's Office.

22 The folks immediately around me, all  
23 right, let's look at the data, let's see where  
24 everything is, and then let's reach out to the  
25 folks we need to at the federal, state, and

1 local levels, because that's where your success  
2 comes from. It's not building your internal  
3 team, but the folks around you that you're  
4 going to depend on at the state police level,  
5 at a state level.

6 When you start doing these things, if you  
7 exclude it's to your detriment. Whether it's  
8 the community, but here it's other  
9 organizations, other police agencies and law  
10 enforcement. You have folks on the Commission  
11 that already have that knowledge, so go to them  
12 and get it. So some are more law-driven legal,  
13 you have police. That's why the Commission is  
14 diverse. When we talk of diversity people  
15 always think of tint of skin. I look at it as  
16 where is your background and your perspective,  
17 which is why I did my homework on you folks.

18 Where do I go for what reason because I  
19 see what your background and what you're not  
20 good at, but what you have in your career  
21 regulatory-wise. That's a pointer that can say  
22 what do you think, and then coming in with the  
23 knowledge of I see hot spots in this area.  
24 Your crime analysis centers, your fusion  
25 center, your intel that you've already gleaned

1 and you already have that's privy is pointing  
2 us in these directions of hot spots. Where can  
3 we get that local help.

4 So when you do your qualitative analysis,  
5 when you look at data, when you talk to  
6 analysts and non-sworn staff and you folks, you  
7 get the idea of where you need to hit first.  
8 Is it going to be Orlando, Miami, Tallahassee,  
9 you know, or is it the smaller regions? Do you  
10 go to Destin or, you know, some of these other  
11 smaller areas? That's where you're going to  
12 have to start building those relationships,  
13 because without them, whether or not you have a  
14 20-person team throughout the state, that's  
15 great, but you're going to need help from  
16 local, state, and federal partners.

17 Having some of those already in place,  
18 like the gentleman before through the FBI  
19 National Academy, I have several connections in  
20 the State of Florida and at the federal level  
21 in the State of Florida, and my work with the  
22 DEA. A lot of those folks have now moved on  
23 and become their own group supervisors in and  
24 around the State of Florida that I've kept  
25 contact with.

1           So you've just got to make sure you  
2 network, get the right information and compile  
3 it. That's a heavy lift, but it's nothing that  
4 can't be overcome. It's all about  
5 determination and work ethic and energy and  
6 wanting to not fail, knowing you're going to  
7 make mistakes, but that determination of not  
8 wanting to fail and going out there and  
9 identifying those folks through people that  
10 have already built those relationships or have  
11 those ideas, or, you know, pointers where they  
12 can say, this is kind of where we're looking.  
13 You don't have to give me an exact name or an  
14 official, just point me in a certain direction  
15 and I'll do all of the rest of the work to get  
16 people in that area to jump on board and be  
17 able to help to make this -- you know, to get  
18 us off the ground, build a team, and then go  
19 forward towards success.

20           COMMISSIONER BROWN: Thank you. And just  
21 lastly, do you have any connections or prior  
22 business dealings with anyone in the gaming  
23 industry in the State of Florida?

24           MR. DRAKE: I do not, ma'am.

25           COMMISSIONER BROWN: Thank you. Thank you

1 so much, Mr. Drake.

2 MR. DRAKE: Thank you.

3 COMMISSIONER D'AQUILA: Hello, Mr. Drake.

4 MR. DRAKE: Yes, sir.

5 COMMISSIONER D'AQUILA: Question. What  
6 are the attributes of a good gaming  
7 investigator in your opinion, taking into  
8 consideration your experience as an  
9 investigator detective in other areas, of  
10 course?

11 MR. DRAKE: Yeah. So, those attributes,  
12 you know, that I would be looking for first and  
13 foremost is, are they a team player, can they  
14 get along with other people, can they  
15 professionally and confidently agree to  
16 disagree on things and not let it affect their  
17 work?

18 So, first and foremost to me is how well  
19 they work with others. Because, let's face it,  
20 when you have this -- you know, I don't mean a  
21 few people spread out amongst the state, you're  
22 going to need building a relationship, and that  
23 comes from teamwork.

24 And this is where I draw more from -- and  
25 not more, but equally with my soccer days.



1 I've been doing soccer for 45 years now,  
2 playing and coaching and failing at both and  
3 succeeding at both. If you have that weak link  
4 out of 11 on the team, out of 18 on the bench,  
5 you know, it really draws.

6 And when you go smaller, and if you have  
7 people that can't play well in the sandbox, are  
8 not, you know, polished, and I don't mean that  
9 they have to say the right things, but to be  
10 able to, you know, take in and tolerant of  
11 other people's perspectives. And let's face  
12 it, law enforcement is like skinning a cat.  
13 You can do it a million different ways. Let's  
14 just figure out which is the most efficient and  
15 effective for what we're trying to do.

16 So that to me is the teamwork piece. Now,  
17 with that comes the ability to have the  
18 persistence and dedication to do  
19 investigations. That undefeated attitude. You  
20 don't want to have somebody that's defeated or  
21 gives up easily. They're relentless, but  
22 they're steady as she goes. They can pile  
23 through things.

24 And I will say, there are different  
25 characteristics you want also. You want people

1 that can be analytical. You want people that  
2 can be gumshoe. So diversification in what  
3 you're looking at as well. Can they multitask?  
4 Can -- do they get easily distracted? Maybe  
5 weed that out of it, but let's look at the  
6 other stuff.

7 So I think the attributes you're looking  
8 for is, you know, when the other candidate  
9 talked about, you know, high intelligence and  
10 that kind of -- you know, I agree with him, but  
11 you're not looking educational training. Those  
12 are things that can be given to them or maybe  
13 learned or maybe they have them. It's  
14 important, but intelligence-wise of being in  
15 the business. Do they know how to conduct  
16 investigations, where to start, where to end  
17 it? If they don't you can get them that  
18 training, but when you have a small team like  
19 this you want folks that can come in and be  
20 very flexible, work well with others, be  
21 extremely determined, and then, you know, just  
22 be relentless, diversified in their  
23 perspective, the ability to agree to disagree,  
24 and the ability to multitask, and to be able to  
25 run -- in their mind to be able to do different

1 things and work with others to get the job  
2 done. Those are really the important  
3 characteristics.

4 The other part of it is the culture, the  
5 leadership is that you can, you know, basically  
6 persuade, we say, but inspire to commit to the  
7 cause is really what I look at when I talk  
8 about persuading.

9 COMMISSIONER D'AQUILA: If I could ask  
10 just one quick question. Earlier you mentioned  
11 international dealings and so forth. What  
12 other states outside of New York have you  
13 worked with in the past in your investigations?

14 MR. DRAKE: Yeah. So, we worked -- and  
15 again, at the local level of an investigator  
16 where I sit in the Hudson Valley it actually is  
17 work as a trooper and an investigator. So that  
18 spans about 15 or 16 years. I've worked with  
19 Pennsylvania, Ohio, Vermont, New Hampshire,  
20 Massachusetts. Mostly your northeast -- you  
21 know, Connecticut, New Jersey. Because the  
22 criminals don't know anything and we're so  
23 close to each border, I can get to all those  
24 states in 45 minutes, with the exception of  
25 maybe Ohio.

1 I've worked with them on a lot of  
2 different things. On small operations, the  
3 people stealing cars where they've come in  
4 through Connecticut, they hit car dealerships,  
5 we get them, they get them, and we compare  
6 data, and that intelligence-led policing has  
7 the ability now to put the pieces together if  
8 you know where to go to your fusion centers,  
9 your crime analysis, the reaching out to other  
10 departments. So, earlier in my career that's  
11 what I would say most of my groundwork as an  
12 investigator.

13 As an administrator, as a commander, I  
14 mean, I dealt with almost every state at one  
15 point or another, but most specifically are the  
16 ones where these interstates are running  
17 through. So Texas, Florida, you know, we  
18 reached out to, but a lot of Midwestern states,  
19 California, Illinois. You know, where these  
20 warehouses have become more importantly, those  
21 are the different states that I've worked with.

22 And then when I was deployed -- I guess  
23 picked in the governor's office in 2015 to lead  
24 up the prison break in Clinton Correctional  
25 Facility, where two murderers escaped in

1 Dannemora, New York, I was selected by the  
2 governor to run the criminal investigation into  
3 that. We didn't know exactly where they were  
4 and we were afraid they might have hopped a  
5 freight train, so I was on the phone  
6 consistently with every state that Amtrak ran  
7 through out of New York, which is about the  
8 other 49. But I was constantly on making  
9 connections to commanders in different areas  
10 where these train stops were to make sure that  
11 the police officers were out there winging  
12 through, looking at cameras and making sure we  
13 didn't miss them. So just a couple of various  
14 different things.

15 COMMISSIONER D'AQUILA: Thank you.

16 CHAIRMAN MacIVER: Any commissioner have a  
17 follow-up?

18 All right. Mr. Drake, again, as with  
19 everyone else, I now put you in the unfortunate  
20 position of taking everything you've already  
21 said and summarizing it for us in a 30-second  
22 elevator pitch, why should we pick you.

23 MR. DRAKE: Thank you. So, first and  
24 foremost, I'm honored to be here to be selected  
25 for this great position as a candidate for this

1 noble cause. I'm really indebted to you.

2 What I would say my last elevator pitch is  
3 the one thing I could pull out of my career  
4 that sums up everything of who Mike Drake is at  
5 48 years old today is the fact that I was  
6 handpicked by the governor in 2017 in September  
7 to head up the deployment to Puerto Rico in  
8 light of Hurricane Maria. And I was selected  
9 amongst 6,000 people. And when you go down to  
10 captains and majors there's probably like a  
11 hundred of us in the agency of 6,000.

12 And I was selected by Governor Cuomo, and  
13 I wasn't given much. It was an EMAC request to  
14 answer to go down and lead a battalion of 50 to  
15 a hundred sergeants and troopers to do whatever  
16 it took in Puerto Rico to make sure law  
17 enforcement, you know, was sustained and there  
18 wasn't chaos to break out -- broke out, and  
19 that civility, you know, kind of succeeded.  
20 That was our mission.

21 They didn't give us anything else. I put  
22 a team together real quick, within 12 hours,  
23 and got on the ground in Puerto Rico the minute  
24 the hurricane had blown out and went out to  
25 sea. And did an advance team to find out what

1 we needed. An intel-led -- and again, picking  
2 the right people for that so to build that  
3 foundation of success.

4 They did their job. I was allowed to then  
5 pick my team, again, like this very similar,  
6 building from the ground up with less time. I  
7 had 12 hours to get the advance and another 24  
8 hours to get us down, boots on the ground. So  
9 dealing with Delta Airlines corporate execs to  
10 get us flights there that weren't flying into  
11 San Juan and then picking your team members  
12 throughout the state of the 62 counties and the  
13 6,000 people that I had at my disposal, putting  
14 the military, the Spanish-speaking, the  
15 medical, the patrol, the detectives, all the  
16 people together to make it a success. And then  
17 getting dropped down there with no mission  
18 other than we were the first law enforcement  
19 agency there, and I was there for nine weeks.

20 To learn the government, to get embedded  
21 with the folks, to find out what we can and  
22 can't do, and I was brought up to speed real  
23 quick because I was the first one sworn in when  
24 I got down there as a police officer. So,  
25 again, almost like this.

1           Bringing me in from the outside. Not  
2 knowing a lot other than what I researched in  
3 48 hours and dropping me in there and saying,  
4 okay, be successful. I spent nine weeks down  
5 there. We had -- you know, we saw multiple  
6 gang shootings. I mean, we did police work in  
7 all of the provinces in Puerto Rico, which is a  
8 very, very rural, poor country. And as the  
9 governor put it, very socialist, almost  
10 communist government, which, again, I thought  
11 it was one of our territories which followed  
12 our Constitution, but apparently they kind of  
13 do is what I was told by the governor.

14           Putting together critical incident plans  
15 if we got involved in an officer-involved  
16 shooting. Putting policy and procedure  
17 together for the nine weeks we were down there.

18           The mission, where we were going to stay,  
19 the vehicles, because we had none. My team,  
20 the team I put together and was able to select  
21 the commanders, the sergeants, it was a success  
22 because we didn't have one injury, one  
23 complaint, we had no adverse effects. We had  
24 all positives and we got on that flight home  
25 and landed.



1           It was the -- not only the proudest moment  
2   of my career, but not because of what I did,  
3   but because of what they did. And the people  
4   that I was able to choose and select to put on  
5   the team to be successful in an unknown  
6   territory where we had never been before as an  
7   agency. So that I think summarizes who I am  
8   and what I can accomplish.

9           CHAIRMAN MacIVER: Thank you very much,  
10  sir.

11           Commissioners, before we move on to  
12  Mr. Herold, I think it might be a good time for  
13  another five- to ten-minute break.

14           (Recess taken from 11:18 a.m. to  
15  11:26 a.m.)

16           CHAIRMAN MacIVER: Mr. Herold, I think  
17  you're next on the agenda. As before, and I  
18  realize that I'm being repetitive and you've  
19  probably heard it already, but just to be fair,  
20  three to five minutes for an introduction.  
21  Tell us about yourself and your interest in the  
22  job and we'll move on to commissioner  
23  questions.

24           MR. HEROLD: Thank you for having me. I'm  
25  honored to be here. I appreciate the

1 opportunity to share a little bit about myself.  
2 Let's start off with -- I want to tell you  
3 something about me personally. I'm married.  
4 I've been married for 35 years. I'm fortunate  
5 to have a wonderful wife who will tolerate me  
6 for that long, and I have three wonderful kids  
7 and seven beautiful grandchildren, and my  
8 grandkids are what I live for.

9 But, anyway, the first thing that I would  
10 share with you is that I've been in state law  
11 enforcement here in Florida for 42 years, next  
12 month I'll start my 43rd year, and it all  
13 started many years ago when I applied to come  
14 on to the highway patrol. And the highway  
15 patrol was, you know, my dream job. Public  
16 service is in my blood. My dad was a captain  
17 with the Tallahassee Fire Department, and so I  
18 grew up with the interest in public service.  
19 And, like any son, I didn't want to do what my  
20 dad was doing, I wanted to do something  
21 different, so I decided I wanted to get in law  
22 enforcement and was fortunate enough to come on  
23 to the highway patrol.

24 But it was a different time back then.  
25 You know, I'm an older guy and we thought of

1 things differently, and all I thought about,  
2 you know, as far as coming on to the highway  
3 patrol, was about public service. You know,  
4 how could I help individuals, help folks, make  
5 an impact that would better the community and  
6 those kind of things like that. And that's why  
7 I came on the highway patrol those many years  
8 ago.

9 As a young trooper, I did all the things  
10 that young troopers do. I thought every  
11 problem was like a speeding car and every  
12 solution was like a ticket, and so I wrote a  
13 lot of tickets. But I fell into investigating  
14 and I found out that I really enjoyed  
15 investigating, and the only type of  
16 investigating at the time was the type of  
17 investigating car crashes. And I found out I  
18 had a capacity for that and an interest and a  
19 drive for it, and I was promoted to a traffic  
20 homicide investigator, and then I began doing  
21 these very complex crash investigations for the  
22 state.

23 And as you can tell, I also have a gift  
24 for gab. You know, I'm not afraid to speak,  
25 and so suddenly they said, well, you have this

1 capacity for investigating and finding the  
2 correct answers, and you have, you know, this  
3 ability to speak, why don't you be one of our  
4 instructors. And I became an instructor for  
5 the highway patrol, and I've done that now for  
6 the better part of 37 years as being an  
7 instructor in law enforcement topics.

8 I started with the highway patrol, taught  
9 crash investigations to new recruits and  
10 traffic homicide investigators, and I still  
11 teach now. I teach in the evenings at the  
12 local law enforcement academy to basic recruits  
13 and to supervisors that are newly promoted into  
14 the supervisory position.

15 And I think that's important. I think  
16 that giving back to these young folks and these  
17 young officers that are starting their careers  
18 is incredibly important, and that maybe I have  
19 something that's useful and helpful to share.

20 So, I did my time at the highway patrol.  
21 It was wonderful. It's kind of crazy. I still  
22 dream about the highway patrol. I've been gone  
23 for eight years. I don't understand that. My  
24 wife laughs at me about it. I still dream  
25 about the patrol, but I can never get back on

1 work because I can't find my socks or something  
2 like that. It's just a crazy thing.

3 So, after 33 and a half years, I retired  
4 from the patrol, but during that time I was  
5 over the traffic homicide unit. I was the  
6 statewide coordinator. I had 250 investigators  
7 that worked underneath me. And part of my  
8 duties were to create policy and procedure  
9 relative to the investigation of crash -- these  
10 complex crash investigations. The other part  
11 was to try and find and identify emerging  
12 technologies for these investigators, because  
13 there's always a better way to do things, and  
14 so I was involved in doing those kinds of  
15 things like that.

16 Then I became the coordinator for the  
17 Florida Highway Patrol's statewide auxiliary  
18 program, which is a bunch of folks that  
19 volunteer for the agency to help the highway  
20 patrol in certain situations like mass  
21 disasters or hurricanes and those kind of  
22 things like that.

23 I was over that unit, which was 450  
24 people, so that helped me understand the  
25 complexities of having people all across the

1 state and being able to manage them  
2 effectively. So that was important.

3 Ultimately, with the patrol I was also  
4 involved in the forfeiture and seizure program  
5 with vehicles that were being seized and drugs  
6 and contraband and those kind of things like  
7 that, and I was involved in that.

8 Then, at the end of my career, I was a  
9 subdistrict commander. I commanded a bunch of  
10 troopers and some office personnel and did  
11 that.

12 Once I retired, I didn't really retire. I  
13 knew I wasn't going to not work. My wife makes  
14 fun of me because I was retired for about a  
15 week and a half.

16 I got a phone call the week that I retired  
17 from an engineering firm here in Tallahassee,  
18 and they said, hey, we understand that you've  
19 retired and we'd like to hire you for your  
20 crash investigation skills and -- because I had  
21 been qualified as an expert in state and  
22 federal court in crash investigations. So I  
23 went to the engineering firm on a Tuesday and  
24 walked in, and they said, hey, can you start  
25 tomorrow? And I was like, well, okay, sure.

1           And I went to my truck and got ready to  
2     leave, and the boss ran out and said, do you  
3     think maybe you could just go to lunch and come  
4     back and start after lunch? And I was like,  
5     okay.

6           So I was not retired for very long. And I  
7     worked in crash investigation with an  
8     engineering firm for about a year and a half  
9     before I decided to return to state employment  
10    and came to the Lottery, and I worked in the  
11    security section, which is the law enforcement  
12    unit, for three years all the way up to deputy  
13    director, and as the deputy director I was over  
14    management of investigators, our crime lab, our  
15    forensics lab, security there at the building,  
16    and some of those other areas related to that  
17    in dealing with investigations.

18           From that, I was asked to take the  
19    position as the director of claims processing,  
20    and I've been in claims processing now for  
21    about three years. And ultimately what that is  
22    is I create policy and procedure for our nine  
23    district offices, how to pay -- how to pay  
24    prizes throughout the state, and then every big  
25    prize that comes through I have to review it

1 and sign off on it.

2 That's a little bit about me. My  
3 experiences are -- and I provided this to you  
4 and some of the things that you can see is I  
5 never was in law enforcement for the accolades,  
6 I was always there because I thought I was  
7 going to try to do a public service, and my  
8 goal has always been to elevate the folks that  
9 are around me and do good for the public.

10 Because of all the things that I've done,  
11 you know, I've managed people in multi-location  
12 areas across the state, and when you've got a  
13 diverse group and they're spread out across the  
14 state. I've done that a couple times. When  
15 the Florida Lottery was accredited, I was there  
16 and I was a partner in getting this  
17 accreditation up and getting the Florida  
18 Lottery law enforcement unit accredited.

19 I have a lot of experience in writing  
20 policy and procedure related to law  
21 enforcement. In my many years in both the  
22 highway patrol and with the Lottery, you know,  
23 I've built teams to function and reach the  
24 goals that we have relative to, you know, the  
25 authority that we have, and so I've always



1 prided myself on building good teams that are  
2 self-sufficient and understand what the goal is  
3 and can accomplish those goals with very little  
4 input and have the capacity for independent  
5 thought.

6 And then, you know, I did many complex  
7 investigations and oversaw complex  
8 investigations, whether they be related to  
9 crash investigations or at Lottery, and we've  
10 had many of them, Tim just highlighted a few of  
11 them, but leave it to say that we've had some  
12 of them, and, you know, I can share those with  
13 you, but I don't how much I could share, and so  
14 I will veer away from that.

15 And then the interagency cooperation. My  
16 whole career has been interagency cooperation.  
17 With the highway patrol you don't do anything  
18 without partnering with other law enforcement  
19 agencies or the state attorney's office or even  
20 troopers in other areas, whether it be to  
21 emergency management responses in some area.

22 You know, when the ValuJet crash happened,  
23 I spent 30 days in the Florida Everglades  
24 managing a unit out there. The Miami-Dade  
25 folks were trying recover all the individuals

1 that were killed in that crash, so I have a  
2 great deal of experience in interagency  
3 cooperation as well.

4 And I know you're going to ask some  
5 questions at the end, so I'm going to save my  
6 three-minute blurb for the end. But that's my  
7 experience, and I feel like, you know, why  
8 would this job be -- why would I be qualified  
9 for this job, and I think that, quite frankly,  
10 this is a new job, it requires a lot of diverse  
11 tasks to be done, you know, whether it be  
12 hitting up officers, the accreditation, whether  
13 it be -- I'm trying to remember what I wrote in  
14 here, but all the things that need -- that you  
15 need the ability to -- public speaking and  
16 collaboration with, you know, partners.

17 One of the things I found at the Lottery  
18 was that the state attorneys didn't know what  
19 we did, didn't understand lottery law, and it  
20 required that we had to go and, you know, share  
21 with the state attorneys what the law was and  
22 how we had come to these conclusions. And I  
23 think that, you know, the ability for somebody  
24 to go out there and speak in terms that are  
25 plain and understandable and share with these

1 state attorneys and these other law enforcement  
2 agencies are incredibly important. And then my  
3 accreditation experience and policy creation.

4 So I think that all those kind of diverse  
5 parts need somebody that has a diverse  
6 background, and I've had that.

7 CHAIRMAN MacIVER: Mr. Vice Chairman?

8 VICE CHAIRMAN YAWORSKI: Thank you, Chair,  
9 and thank you, Mr. Herold, for being here  
10 today. A couple of things as I've heard you  
11 speak today crossed my mind, and one of the  
12 things is I wonder if you could -- obviously  
13 this space is very complicated and will require  
14 complex investigations. I'm wondering if you  
15 could take your experience you've had in the  
16 past when you investigated, maybe unpack a  
17 little for us what's involved in a complex  
18 vehicle homicide issue, for example, and kind  
19 of tell us about the complexity of that and how  
20 you broke those incidents down and came to some  
21 sort of determination.

22 MR. HEROLD: Well, with any  
23 investigation -- you know, crash investigation  
24 is nothing more than another type of  
25 investigation. I will say the difference is

1 that you need to know physics, and whenever I  
2 taught these traffic homicide investigators,  
3 teaching them physics was the single most  
4 important thing that we taught.

5 So you have to understand vehicle dynamics  
6 and those kind of things like that, and you  
7 have to have some ability to do math because  
8 there's some math involved, and that always  
9 scared these officers. Nobody wanted to do  
10 math. As soon as you told them to pull out  
11 their calculator they were quite frightened.

12 But you have to understand the dynamics of  
13 what happened before, where these people were  
14 coming from, what type of condition that they  
15 are in, whether they're inebriated or  
16 distracted or tired or whatever they are, their  
17 position, and then the aftermath of what  
18 happened.

19 And then the same thing occurs with these  
20 criminal investigations. You have to  
21 understand how those dots connect to each  
22 other. One of the ones that I was involved in  
23 at Lottery involved an actual business that was  
24 out of the country that was contacting Lottery  
25 retailers and trying to get them to sell

1 tickets for them. They were taking orders from  
2 around the world and then selling them through  
3 our retailers, and that was kind of complex  
4 because you had to track down where the  
5 retailer was, where the connection was, and  
6 then you had to backtrack, and it took a lot of  
7 work in that particular incident.

8 VICE CHAIRMAN YAWORSKI: One more. So it  
9 seems to me in the work where the legislature  
10 has tasked us with doing it is probably  
11 relatively easy for a gaming commission officer  
12 to stop one, for example, gray market  
13 operation, or one facility. It's remarkably  
14 more complicated to move into and shut down a  
15 network of operators. But I guess is it --  
16 there seems to be -- at the same time there  
17 seems to be these universal concepts around  
18 investigation, where you take disparate pieces  
19 and put them together and tie them all  
20 together. In going through that and looking at  
21 your experience, could you relate those  
22 together a bit of what -- your past experience  
23 and present experience?

24 MR. HEROLD: Well, whenever you do those  
25 kind of things you have to figure out the

1 background. You have to find the motive for  
2 why these individuals are taking these actions.  
3 You have to figure out what their mindset is,  
4 why they were attempting to break the law in  
5 whatever way it is, and then you have to match  
6 that against what the requirements of law and  
7 the statutory elements of law violation are.  
8 And then you have to put those all together and  
9 create a case that's a viable case, one that's  
10 not just a case that can be prosecuted, but one  
11 that can be actually won, so to speak.

12 VICE CHAIRMAN YAWORSKI: And then one more  
13 question. And this is just related to your  
14 experience in leadership and management. I'm  
15 personally honing in on a certain type of  
16 leadership that I think would be most  
17 effective. Could you just describe -- you  
18 mentioned earlier that you think teaching is  
19 important to you and a key. Is there anything  
20 related to how you would take that experience  
21 and that desire and bring it to this  
22 organization?

23 MR. HEROLD: Well, my management style is  
24 one of -- and somebody said it earlier, but  
25 servant leadership where you try to prop up the

1 folks that are around you, and I believe  
2 vehemently that my goal -- or I'm not doing my  
3 job if I'm not doing everything to make the  
4 folks that work underneath me the most  
5 productive that they can be and, you know,  
6 fulfill the dreams that they have.

7 I will say that, you know, one of my  
8 strongest features is -- in my mind maybe and  
9 others would argue, but my humility, in that  
10 I'm not -- I'm not about, you know, trying to  
11 be something that, you know, awards and those  
12 kind of things like that. My greatest reward  
13 is when people are successful and people do the  
14 best that they can, and that's my management  
15 style.

16 I believe that a team is the ultimate  
17 goal, a cohesive team that doesn't rely upon  
18 me. If I build a team that simply is a  
19 function of myself and I leave or something  
20 happens to me and the team falls apart, that's  
21 not really a team. My ultimate goal is to  
22 build a team that can function and identify the  
23 goals that we have or that the agency has and  
24 can find their way toward that goal without  
25 necessarily me being at every point of

1 decisions and make that better -- make sure  
2 that they're following what we need.

3 VICE CHAIRMAN YAWORSKI: Okay. Nothing  
4 further right now.

5 COMMISSIONER DRAGO: Mr. Herold, excuse  
6 me, I think you mentioned that you had been  
7 involved in investigations or cases where you  
8 utilized the Contraband Forfeiture Act. Can  
9 you give us a little background on that and  
10 what kind of cases those were or how you became  
11 involved with the forfeiture -- Contraband  
12 Forfeiture Act?

13 MR. HEROLD: Well, in those cases that  
14 was -- well, we did some at Lottery where  
15 whenever I was in the law enforcement side of  
16 it we did those where we would go out and do  
17 compliance checks, which are the inspections  
18 and testing of the retailer to make sure that  
19 they're doing all the things that they were  
20 contractually bound to do.

21 But then we would -- and during that  
22 inspection we would oftentimes find illegal or  
23 illicit gambling operations going on behind the  
24 scene, and we would seize gambling material,  
25 computers, play slips, those kind of things



1 like that. And then, once we did that, we  
2 would take those and put them in evidence, and  
3 then once the case was disposed of we would  
4 move to have those forfeited to the agency.

5 With the highway patrol we did much the  
6 same thing. It involved vehicles, it involved  
7 contraband in vehicles, like stolen credit  
8 cards or blank credit cards, handguns or other  
9 weapons. It involved vehicles oftentimes. And  
10 my work in the highway patrol was that I  
11 processed those and forwarded the reports over  
12 to our legal section for them to take whatever  
13 action to go ahead and seize that contraband.

14 COMMISSIONER DRAGO: Can you tell me what  
15 you view as the greatest obstacle for a law  
16 enforcement agency today?

17 MR. HEROLD: The greatest obstacle really  
18 in my mind is the rebuilding of trust, the  
19 trust that the citizenry has for law  
20 enforcement. Every agency is going to have its  
21 own individualized need, but I think in a broad  
22 stroke the trust and the support of the  
23 community, because without the trust of the  
24 public and community support for whatever we're  
25 doing as law enforcement officers we are not

1 ever going to be able to overcome anything  
2 else.

3 And right now there's a breach of trust,  
4 and it is -- law enforcement is in a -- in my  
5 mind and I'm certainly not an expert, but I can  
6 see it from my perspective in law enforcement  
7 is at a pivotal moment in our careers and  
8 there's going to be some change at some point.  
9 We don't know exactly what it's going to be.  
10 But the rebuilding of trust with our -- with  
11 our communities and the rebuilding of trust  
12 with our citizenry is absolutely essential to  
13 overcome whatever the next obstacle is going to  
14 be.

15 COMMISSIONER DRAGO: That kind of moves  
16 into my next question, I guess, which is going  
17 to be hiring and retention of law enforcement  
18 officers. Have you got a strategy or a plan or  
19 a way that you're going to attract law  
20 enforcement officers to this agency and how you  
21 might be able to keep them?

22 MR. HEROLD: Well, the hard fact about  
23 that is that keeping a law enforcement officer  
24 is incredibly difficult, because they are often  
25 very career-minded and they're going to move on

1 to something else. My perspective is a little  
2 bit different than what you heard earlier, and  
3 I believe that for success for the Gaming  
4 Commission is not to -- is to hire new  
5 investigators, new officers that are relatively  
6 young in their career, because they have  
7 oftentimes the hunger and the passion to do  
8 something new.

9 And you can hire somebody that's got more  
10 time on, they're not going to stay much longer  
11 than the new individuals are, and you get --  
12 from that you get the opportunity to build your  
13 character within the law enforcement community  
14 by saying, hey, we're a building block. You  
15 know, this particular -- you know, the Gaming  
16 Commission is that nursery for viable law  
17 enforcement officers down the road. And that's  
18 my perspective.

19 I would target newer, younger  
20 investigators, because they have a hunger for  
21 it, and recognize that they're going to stay  
22 for two or three years and they're going to  
23 move on and you're going to hire more. And  
24 then what you become in the law enforcement  
25 community is you become that nursery, that

1 growing ground where good investigators can be  
2 found, and once you've created that culture of  
3 having a growth environment and an ethical  
4 environment, then people are attracted to it.

5 COMMISSIONER DRAGO: In your time with  
6 FHP, and obviously you've worked in different  
7 areas of the state, and I would imagine you had  
8 an opportunity or had to, in the course of your  
9 job, to work with local agencies in those  
10 areas. How did you develop and maintain a  
11 rapport with those agencies and maintain that  
12 working relationship?

13 MR. HEROLD: Well, it's much like  
14 relationships in any regard, in that you have  
15 to come to it with a level of mutual respect  
16 and sharing of responsibilities and  
17 truthfulness. Cops are pretty quick to realize  
18 when somebody's not truthful, you know, but  
19 when you come into this relationship and you  
20 offer to collaborate with another law  
21 enforcement agency or particularly another  
22 officer, if you come in with, you know,  
23 respect, mutual respect, a single united goal  
24 that you're going to share and try to overcome,  
25 and then you come and you're truthful to them,

1 that's how you build relationships. And that's  
2 how you do it in law enforcement and that's how  
3 you do it in probably every other relationship.

4 COMMISSIONER DRAGO: Thank you.

5 MR. BROWN: Mr. Herold, thank you. And I  
6 do commend you on preparing the proposed action  
7 plan. It does provide a sense of your vision  
8 of what you foresee over the next 90, 120 days.

9 And the Secretary of the Lottery has to be  
10 commended, because both you and Mr. Cannon  
11 provided these materials. So I appreciate them  
12 very much.

13 So, you definitely have a passion for the  
14 Highway Patrol it sounds like. It's palpable,  
15 definitely. Can you explain why you are  
16 interested in this particular position and how  
17 you can take that passion from the Highway  
18 Patrol that you have to the Gaming Commission?

19 MR. HEROLD: Well, thank you for  
20 recognizing my passion for the Highway Patrol.  
21 It was more than half of my adult life, but I  
22 have that passion for everything. I have that  
23 same exact passion for what I do at the  
24 Lottery. I don't approach anything without  
25 passion and drive. And I'll give you a perfect

1 example. You know, it's no secret. I'm 63  
2 years old. I'm an old guy.

3 COMMISSIONER BROWN: That's not old.

4 MR. HEROLD: Well, when you consider Elvis  
5 died at 42, I think that, yeah --

6 COMMISSIONER BROWN: Different lifestyles.

7 MR. HEROLD: But the passion is there. I  
8 believe that everything I do is passionate, and  
9 the example is, is that when I came on the  
10 Highway Patrol many, many years ago, I had a  
11 two-year degree and that was sufficient.

12 And I recognized after I retired -- and I  
13 had always wanted to go back to school. I went  
14 back to school and I got my four-year undergrad  
15 degree, I finished it last May, and I started  
16 my master's program last semester. I'm in my  
17 second semester.

18 And that's because I am a firm believer  
19 that as long as you're able you should be  
20 contributing, you should be learning. I have a  
21 passion for always trying to make myself  
22 better, and that's one of the things that I  
23 would bring to this job if given that  
24 opportunity is that you would never have to  
25 worry that Carl didn't come to work with a

1 passion for the job to try and get it done and  
2 then at the same time give everything that I  
3 have, my whole self to it.

4 COMMISSIONER BROWN: And I haven't had a  
5 chance to really dive into your action plan,  
6 but I want to get an understanding of what you  
7 see the first 90 days. We know right now that  
8 victims are being -- there's illegal gaming  
9 happening throughout the state today, as we  
10 know it, and with that acknowledgment, also  
11 knowing that you have to build a team pretty  
12 swiftly, what do you see in the next few months  
13 as you build up this entrepreneurial division  
14 of the gaming agency?

15 MR. HEROLD: Well, and my plan talks about  
16 what I believe is my three steps in building a  
17 successful law enforcement unit, and that is to  
18 inform, educate, and then enforce. And I think  
19 that, at the onset, informing the public about  
20 what we want to do, what the mission is, but  
21 also what is not allowed so that they  
22 understand, because I think that there's a  
23 great deal of confusion, at least in the  
24 generalized public, about what is allowed and  
25 what's not allowed.

1           And so we start informing them. Then, as  
2 we build out the team, the team begins to go on  
3 these visits to cardrooms and those areas like  
4 that and begin to educate through compliance  
5 visits and those types of things. And then  
6 ultimately we get to the point where we begin  
7 enforcement.

8           And it's a continuing cycle. You're  
9 always informing, you're always educating, and  
10 then you should be out there, enforcement. If  
11 you're seen simply as an enforcement arm, I  
12 think that you lose a great deal of credibility  
13 from the standpoint of being able to get the  
14 message across and get the mission of the  
15 Commission out there.

16           And there was actually a second part to  
17 that, which was, you know, how do we -- how do  
18 we do that as far as trying to build out the  
19 team. I think that there's got to be some  
20 public avenue where we actually let the public  
21 know what we're doing, whether -- and they can  
22 report violations, whether it be through online  
23 reporting and, you know, hotlines, those kind  
24 of things like that.

25           But also we're going to have to really



1 build those relationships with law enforcement  
2 agencies out there, because they see those  
3 types of things, they just are not aware of how  
4 to handle them or they have other things that  
5 are bubbling higher up into their workload, and  
6 illicit gambling is, you know, not a priority  
7 in all the other things that they're trying to  
8 do.

9 So we need to provide those agencies an  
10 opportunity to know that we're there and that  
11 we have the ability to handle those matters.  
12 And that would probably be 80 percent of the  
13 reporting.

14 COMMISSIONER BROWN: Thank you. And I  
15 know you have extensive criminal investigatory  
16 experience from your days at the Highway  
17 Patrol. Can you walk us through the difference  
18 between how you would approach a criminal  
19 investigation versus an administrative  
20 investigation?

21 MR. HEROLD: Well, the criminal  
22 investigation is is you've got to, you know,  
23 determine the elements of the crime and then  
24 you have to work at finding those elements to  
25 determine if a criminal violation has actually

1 occurred. That involves -- could involve  
2 in-person investigation, it could involve, you  
3 know, computer investigation, those kind of  
4 things like that. It involves maybe public  
5 reporting or confidential informants, those  
6 types of things like that.

7 On the regulatory side, the regulatory  
8 side is, you know, one where you can  
9 oftentimes -- and I assume that this will be  
10 the same way with the Gaming Commission, is  
11 that those cardrooms you can go in, or some of  
12 these places and you can do an inspection, and  
13 then you can take some administrative action.  
14 It doesn't necessarily require probable cause  
15 or any of those types of things to get in  
16 there, because for the most part the  
17 arrangement is that you can inspect the  
18 grounds.

19 COMMISSIONER BROWN: And subpoena power,  
20 too.

21 MR. HEROLD: And subpoena power,  
22 absolutely.

23 COMMISSIONER BROWN: Thank you. And then  
24 lastly, any connection -- just, again, the  
25 impartiality of this position is so critical.

1 MR. HEROLD: Absolutely.

2 COMMISSIONER BROWN: Do you have any  
3 connections or prior involvement with anyone in  
4 the gaming industry in Florida?

5 MR. HEROLD: No.

6 COMMISSIONER BROWN: Thank you.

7 COMMISSIONER D'AQUILA: Mr. Herold, you've  
8 obviously put a lot of time looking into this.  
9 What are your reservations about it? What  
10 keeps you up at night? What do you think the  
11 greatest challenges will be for both this  
12 position and the agency in general from your  
13 perspective with all the experience you have?

14 MR. HEROLD: Well, the things that keep me  
15 up at night. I don't have any reservations  
16 about being successful. I think we're going to  
17 be successful. I think that the success is  
18 guaranteed. It's what things we might have to  
19 do to modify how we -- the things that keep me  
20 up is what are the techniques, what are the  
21 avenues of investigative techniques, the  
22 pathways that we're going to have to modify to  
23 make it as successful as we can, because  
24 there's little doubt in my mind that the first  
25 shot out the chute is not going to be an

1 all-encompassing and a total package as far as  
2 how we're going to manage the gaming  
3 enforcement.

4 You know, the thing that keeps me up is  
5 will we be quick enough to make those  
6 modifications, smart enough to recognize those  
7 modifications, and make the changes to make us  
8 as successful as we can. I don't have any  
9 doubt we're going to be successful. I'm not  
10 going to allow it. You know, that's just the  
11 way I am. We're going to be successful.

12 And with the guidance of the Commission  
13 about what's important, I think that's  
14 incredibly helpful. You know, I appreciate  
15 every one of you. Mr. Trombetta, he's going  
16 to -- you know, if I were to get this position  
17 he would be giving me my daily marching orders,  
18 but, you know, I would certainly take all the  
19 input I could from each of you.

20 CHAIRMAN MacIVER: All right, Mr. Herold.  
21 You know where we're going.

22 MR. HEROLD: All right. So, in my  
23 three-minute elevator speech I would say that,  
24 you know, this is an incredibly important job  
25 for the State of Florida. You know, we have

1 people that want to gamble and we have a  
2 responsibility to make sure that it's as fair  
3 and impartial and within the rules that we can.

4 And I think that as far as the gaming  
5 enforcement, this is a fledgling operation,  
6 fledgling unit, and whereas with typically  
7 established law enforcement units you already  
8 have people that are in one particular unit, a  
9 specialty to one unit, accreditation  
10 specialities, investigation, those kind of --  
11 accreditation, evidence, and all those kind of  
12 things like that, but at the beginning you  
13 don't have that resource. You need somebody  
14 that has a little bit of everything in their  
15 background to help guide that as it gets  
16 started.

17 And while, you know, I'm not an expert in  
18 any one of those fields, I have done every one  
19 of them. I have been involved in it. I  
20 recognize how to get those -- build that team  
21 out.

22 And so basically what I would say is for a  
23 diverse type of work that needs to be done in  
24 this it takes a diverse type of guy, and my  
25 background has got it in just about every

1 arena. The collaboration with other agencies,  
2 the recognition of needing to do the type of --  
3 well, you're going to have to train new  
4 investigators, and, you know, I've got the  
5 training background. That's part of it.

6 Public speaking, I would imagine that  
7 there's going to be a great deal of public  
8 speaking involved in this, and my years of  
9 instruction and going out and speaking to  
10 groups, I think that that's also a benefit  
11 because that is how the message is sent out to  
12 the public and to other law enforcement  
13 agencies and state attorneys.

14 So my message is is that I think that  
15 there are a lot of diverse parts to this job  
16 and I have that diverse background that could  
17 satisfy all of those parts.

18 CHAIRMAN MacIVER: I was turning it off  
19 instead of on. Thank you, Mr. Herold.

20 MR. HEROLD: Thank you.

21 CHAIRMAN MacIVER: Commissioners, we have  
22 just now passed noon, so I'm going to put the  
23 ball in your court. With one more interview to  
24 do, discussion of the applicants, and then the  
25 final matters on the agenda, I think we have at

1 least another hour, an hour and fifteen  
2 minutes. And I am willing to power through if  
3 you all want to.

4 COMMISSIONER BROWN: Me too.

5 CHAIRMAN MacIVER: Done.

6 Mr. Kozlina, I believe you're next on the  
7 agenda. Are you on the line?

8 MR. KOZLINA: Yes, I am.

9 CHAIRMAN MacIVER: All right. Again, I'm  
10 not sure how much of the Commission meeting  
11 you've been able to hear prior to now, but  
12 we're starting out each applicant with an  
13 opportunity for a three- to five-minute opening  
14 statement to just tell us about yourself and  
15 your interest in the position, and then we're  
16 going to move directly into questioning by the  
17 commissioners.

18 So, with that, please tell us about  
19 yourself. The floor is yours.

20 MR. KOZLINA: Okay. I attended the  
21 University of Pittsburgh where I received a  
22 bachelor of science degree in political  
23 science. I graduated with a 3.12 grade point  
24 average.

25 And while I was there, I was a member of

1 the Pitt men's swim team. During my four years  
2 there, we're a member -- Pitt is now in the ACC  
3 conference, but we were in the Big East  
4 conference, and we were Big East champions in  
5 swimming four years in a row. I won many  
6 awards, individual Big East championship awards  
7 in swimming events, and right after I graduated  
8 I competed in the 1992 Olympic trials for  
9 swimming. I didn't make the Olympic team, but  
10 I gave it a shot. And after graduating from  
11 Pitt, I went to the University of Indiana,  
12 University (inaudible), where I received a  
13 master of arts degree in criminology. My grade  
14 point average there was roughly 3.5.

15 Immediately after graduating grad school,  
16 I got hired by the county of Beaver as a  
17 juvenile probation officer. A great job. I  
18 actually learned a lot on that job as far as  
19 how to listen to people and how to deal with  
20 people. I was basically supervising juveniles,  
21 18 and younger, make sure they were following  
22 by their conditions and not getting into any  
23 more trouble. I would go visit them at their  
24 house, visit them at schools, and we'd go into  
25 communities just make sure they were doing



1     okay. I really learned a lot about  
2     interviewing and listening to people in that  
3     job.

4             After doing that for approximately three  
5     and a half years, I got hired by the  
6     Pennsylvania office of attorney general. I was  
7     hired as a narcotics agent. I worked under the  
8     bureau of criminal investigations and drug  
9     control. I conducted all kind of  
10    investigations. I started very small learning  
11    the job and getting used to the job doing  
12    simple street level cases, and then working up  
13    to complex, more organized drug trafficking and  
14    crime cases.

15            The highlight of my career when I was an  
16    agent was there was a police officer who was  
17    shot in the line of duty. We helped  
18    apprehend -- we had a lot of ties and a lot of  
19    information, a lot of intel. As a narcotics  
20    agent, you know, you're always developing  
21    intel, you're debriefing informants, conducting  
22    surveillance. So we had a lot of intel on the  
23    alleged shooter and we actually helped capture  
24    him.

25            And myself, I was the lead investigator

1 into his drug trafficking group. He was a  
2 member of a drug trafficking group. And we  
3 ended up going on state wiretaps where I would  
4 be a the lead agent, and we arrested the leader  
5 of that organization who had ties to Phoenix,  
6 Arizona, and also Sacramento, California, and  
7 back into Pennsylvania.

8 And at the end we ended up arresting 28  
9 individuals and charged them with everything,  
10 with drug trafficking crimes, money laundering  
11 crimes. We had a thing called corrupt  
12 organizations, criminal conspiracy in  
13 Pennsylvania, which were felonies. So that was  
14 the highlight of my career as a narcotics  
15 agent.

16 Afterwards, I was promoted to a  
17 supervisory narcotics agent, and while I was  
18 there I supervised six agents in the state that  
19 were in my region, and approximately a hundred  
20 local law enforcement municipal officers were  
21 under my command also as far as narcotics  
22 investigations.

23 I basically provided leadership and  
24 foresight to help them with their cases.  
25 Probably the highlight of my career when I was

1 a supervisory narcotics agent was a case that  
2 we did -- a lot of successful cases, but one  
3 where we spent about a thousand dollars to buy  
4 a pound of marijuana and ended up seizing  
5 \$3.2 million in cash from the group. It was  
6 over two million off the leader and roughly a  
7 million from the associates.

8 And I eventually got promoted to regional  
9 director, where I oversaw 14 state agents and  
10 roughly around 200, 250 local municipal task  
11 force officers.

12 That was more of a management role. I did  
13 everything from reviewing investigative  
14 reports, approving and looking at criminal  
15 complaints and search warrants. I conducted  
16 evidence audits of our evidence room, safety  
17 inspections of the equipment and building. I  
18 performed monthly audits of our checking  
19 accounts. Monitored the spending of agents,  
20 how much they were spending on cases, and, you  
21 know, determined what resources needed to go  
22 where.

23 I performed biannual inspections and I  
24 also did evaluations of agents. And when there  
25 was a large scale group going on as far as

1     arresting, I was the command of that.

2             And then eventually I got promoted to the  
3     assistant deputy chief of the bureau of  
4     narcotics for the Pennsylvania office of the  
5     attorney general. I was in charge of not only  
6     the narcotics unit but also task force units.  
7     We had a drug diversion unit which did the  
8     pharmaceutical stuff, and I was also in charge  
9     of the strategic response team. Part of my  
10    responsibility there was setting up policies  
11    and procedures, issued disciplinary actions  
12    that occurred.

13            I retired from the state in April of 2020,  
14    and I'm currently employed at McKesson  
15    Corporation. My current role is regulatory  
16    affairs manager. Basically, what McKesson is  
17    is they're a large wholesale distributor of  
18    medical equipment, but they also distribute  
19    controlled and non-controlled substances.

20            So my title and what I do is kind of like  
21    a watchdog, since McKesson supplies controlled  
22    substances to small pharmacies, bigger chain  
23    pharmacies, such as your CVS, Walgreens, and  
24    stuff like that. We also supply hospitals and  
25    VA clinics. So I ensure that, you know, our

1 McKesson customers are being prescribed their  
2 medications for legitimate medical purposes.  
3 You know, making sure everything is on the up  
4 and up.

5 I analyze budgets and data. I study the  
6 business model. I interview managers. I  
7 interview the employees there, and I basically  
8 compile what is called a due diligence report.

9 And a little bit else about my career. I  
10 was a teacher at a community college in Beaver  
11 County. I taught a criminal investigations  
12 course for undergrad and also a drugs in  
13 society course. I stopped teaching at the  
14 community college in 2016. I am currently  
15 teaching at Waynesburg University part-time a  
16 masters level course, a drug investigations  
17 course.

18 As far as why, you know, why I did this  
19 and why I'm seeking this, I feel I have, you  
20 know, 26 years in law enforcement. I feel I  
21 have developed the relevant skills and  
22 credentials that would make me, you know, an  
23 asset to your team. I worked under seven  
24 different attorney generals throughout my 22  
25 career years. We had some attorney generals

1 that ran for governor that won, others that got  
2 in trouble and had to resign, so between the  
3 interim AGs and then attorney generals that  
4 were elected there were seven different  
5 attorney generals throughout my career.

6 With that they brought change and I had to  
7 adapt. They brought in new attorneys, new  
8 administration staff, so you were always  
9 looking ahead. They always had new ideas and  
10 policies, you know, so I learned a little about  
11 good policies and bad policies.

12 Towards the end of my career as I advanced  
13 I started to have an impact, you know, as far  
14 as on the investigative role, to determine the  
15 focus, tempo, and direction of our agents. So  
16 I feel that's why -- and throughout my career  
17 I've always interacted. I've heard a lot. I  
18 just heard the last two individuals. I didn't  
19 hear the first couple people speaking, but I  
20 heard a lot about networking.

21 Throughout my career I've developed a  
22 relationship with local municipalities, other  
23 state agencies, other state branches of  
24 Pennsylvania, such as the state police, federal  
25 agencies, worked with DEA, FBI, Homeland.

1           And also I have a skill set -- we were  
2 cross-trained at the attorney general's office,  
3 so our office, the narcotics office, was also  
4 in the office with the organized crime unit,  
5 and I was -- briefly in my younger stage of my  
6 career I was attached to the organized crime  
7 unit, which we did a lot of gaming cases,  
8 gambling cases, illegal slot machines, poker  
9 machines, sports betting. So I do have history  
10 and investigative experience in gaming itself.

11           CHAIRMAN MacIVER: Thank you, Mr. Kozlina.  
12           Mr. Vice Chairman, would you like to lead  
13 in?

14           VICE CHAIRMAN YAWORSKI: Yes, thank you.  
15 I'm struggling to think of a new way to ask  
16 this question that I asked of all the  
17 out-of-state people, and I think each version  
18 gets worse.

19           So I don't know if you've heard me, I  
20 think you just said you saw the last two, but  
21 generally speaking -- and I think you partially  
22 addressed this question earlier, but what do  
23 you think -- what would be your strategy for  
24 coming into a new state and kind of interacting  
25 with other law enforcement entities and other

1 stakeholders to get a footprint into Florida  
2 rapidly?

3 MR. KOZLINA: Yeah. Nothing drastic.  
4 Nothing drastic right away. I would basically  
5 learn how to -- the lay of the land down there.  
6 I understand there's five board members, five  
7 commissioners, so I'd be meeting with each one  
8 individually to discuss things in hand. Meet  
9 with attorneys, meet with people down there,  
10 and basically just learn and listen.

11 You know, don't do anything drastic.  
12 Don't come in with these preconceived ideas of  
13 I'm going to do this and do that, because  
14 you're basically coming in and you're not  
15 knowing. I would just start from scratch.

16 And I'm comfortable doing it. As I said  
17 earlier, I worked under seven different  
18 administrations in my 22-year career, and  
19 everybody had their own policies and agendas,  
20 so I'm able to adapt. I do have that. I pick  
21 up things quickly.

22 So coming in, yes, from another state is a  
23 disadvantage, but getting to learn people and  
24 meet people and just branching out there. When  
25 I was a state agent early on my career, I would



1 go to these local police departments. We  
2 weren't working -- one of our counties included  
3 Allegheny County, which is the City of  
4 Pittsburgh, and nobody was working in our  
5 office with the City of Pittsburgh, which I  
6 found very odd. And I met with commanders of  
7 the City of Pittsburgh, and basically got them  
8 to join our task force.

9 And so that's what I would do. Just  
10 nothing crazy, nothing drastic. I would meet  
11 individuals, explain who I am, explain a little  
12 bit about my background, and go out and  
13 explore.

14 CHAIRMAN MacIVER: Commissioner Drago?

15 COMMISSIONER DRAGO: Mr. Kozlina, can you  
16 tell me what you've done to prepare for this  
17 position in Florida?

18 MR. KOZLINA: As far as preparing, I  
19 learned a little about what goes on down there.  
20 I understand about Greyhound racing, that it  
21 was banned in I believe 2020. I understand  
22 that there is -- you have the race tracks, the  
23 tribal casinos are down there, the casino  
24 gambling.

25 I understand that this Commission is newly

1 formed. It used to be, as far as everything as  
2 far as the gambling unit used to be under I  
3 believe the Florida Board of Business and  
4 Professional Regulation, and so I learned a  
5 little bit about it online just looking and  
6 researching that, and just seeing if I was able  
7 to accomplish it and able to -- you know, would  
8 it be too much to take, coming in new, or not.

9 And so I feel my career and what I've done  
10 in the past I would be a good fit as far as  
11 this newly formed Commission and its newly  
12 formed board and this newly formed director  
13 position.

14 COMMISSIONER DRAGO: Okay. Can you tell  
15 me, have you been involved in the accreditation  
16 process at all in your agency? Was your agency  
17 accredited and were you involved in that at  
18 all?

19 MR. KOZLINA: Yes. The Pennsylvania  
20 office of the attorney general, actually  
21 halfway through my career we started the  
22 accreditation process, and although I wasn't  
23 physically responsible for getting us  
24 accredited, I did help in preparing. At the  
25 time I was the regional director, and so I had

1 to prepare documents, documentation, to get  
2 everything to make sure everything was in line.  
3 So I am familiar about the process of  
4 accreditation, but I wasn't the one physically  
5 doing it.

6 I helped get documentation to cover to  
7 show that we were doing everything  
8 appropriately and correctly and the related  
9 reports I helped collect and get it to our  
10 Harrisburg people who were putting it together.

11 So I do understand a little bit about  
12 accreditation, we did go through it, but I did  
13 not do it firsthand. I only helped in  
14 providing documents toward our accreditation.

15 COMMISSIONER DRAGO: I see. Okay. And  
16 tell me what in your view would be the biggest  
17 obstacle for a law enforcement agency in  
18 Florida.

19 MR. KOZLINA: The biggest obstacle is  
20 really when something fails it has to do with a  
21 lack of communication, nobody getting out  
22 there. Again, I talk about networking and not  
23 understanding the goal and the role of this  
24 newly formed unit.

25 So, as far as communication, obviously

1 getting out there and networking, putting boots  
2 to the ground, going out and meeting people,  
3 explain what's going on. What I've seen over  
4 my career when stuff goes bad or stuff fails  
5 it's nobody knows what's going on. Well, why  
6 don't they know what's going on? It's because  
7 nobody's reaching out to one another, nobody's  
8 communicating.

9 So, you know, communicating with each  
10 (inaudible), communicating with the attorneys  
11 who are in charge. Going out there and getting  
12 a good support staff under you.

13 So that's the biggest thing I've seen  
14 through my law enforcement career is when stuff  
15 goes bad it's because one side doesn't know  
16 what the other side's doing. People weren't  
17 talking or people weren't sharing information.  
18 So you've got to get out there and get some  
19 exposure and, you know, really put boots to the  
20 ground, so to speak.

21 COMMISSIONER DRAGO: I hear you. Can you  
22 give me some ideas of strategies you might have  
23 for bringing qualified law enforcement  
24 candidates to this agency? Do you have any  
25 ideas or strategies for hiring law enforcement

1 people? I know it's a difficult time in some  
2 areas.

3 MR. KOZLINA: Yeah.

4 COMMISSIONER DRAGO: Have you got any  
5 strategies or ideas?

6 MR. KOZLINA: Yeah. I've hired people.  
7 I've hired actually agents and then I hired  
8 supervisors. When I got promoted I started  
9 hiring supervisory narcotic agents. So I have  
10 a lot of experience in doing interviews.

11 What I look for is character. That's the  
12 biggest thing for me is somebody's character.  
13 You know, going in there we had a lot of --  
14 because it was a state job, so we had a lot of  
15 local guys that retired and wanted -- or the  
16 fed guys that had put in 20-some years and they  
17 wanted to come and collect second pensions, and  
18 they weren't barnburners. They were just  
19 almost collecting a paycheck. And, you know, I  
20 said, when I get an opportunity and when I get  
21 promoted I'm really going to go after and meet  
22 energetic people that want to be here and want  
23 to be involved and not just getting a paycheck  
24 every two weeks.

25 So one of the things I look at is the

1 face-to-face communication with the individual.  
2 You know, everybody says, oh, look at this guy,  
3 look at this guy's resumé. You know, people's  
4 resumé's can be great, but what has he done  
5 during that time? You know, you can put a lot  
6 of things down on paper, but have you actually  
7 physically went out there and done the job?

8 So what I would do is interview people  
9 that are young and energetic. And there's been  
10 some good old retirees that we actually hired  
11 that are good old school investigators that put  
12 their time and put the energy in, so I'm not  
13 biased against retirees or anything like that.  
14 But, you know, you've got to really look at the  
15 individuals, who wants to succeed and develop  
16 them and give them a chance to get better.

17 You know, there's individuals that I hired  
18 as a regular agent that went on and become  
19 supervisors, I think either six or seven people  
20 that I hired that got promoted over the course  
21 of when I was there. So, you know, I think I  
22 have a knack for finding people, and so you've  
23 just got to go out there and it's going to take  
24 some time. You know, you're going to have to  
25 do a lot of interviews and meet the right

1 people.

2 But you just can't hire somebody. You've  
3 got to look at somebody's character. That's  
4 the big thing I look for. You can teach people  
5 the job, but you can't teach character.

6 COMMISSIONER DRAGO: Okay. Thank you very  
7 much.

8 COMMISSIONER BROWN: Mr. Kozlina, thank  
9 you for being with us today. The most pressing  
10 question I have is, what race did you swim at  
11 UPitt?

12 MR. KOZLINA: I was actually a sprinter.  
13 I was the 50 freestyle. That's what I went to  
14 Olympic trials for, but I swam the 100  
15 butterfly, 100 freestyle, 200 freestyle, and  
16 then the relay events.

17 COMMISSIONER BROWN: Very impressive.

18 MR. KOZLINA: I didn't like the  
19 distance --

20 COMMISSIONER BROWN: I was --

21 MR. KOZLINA: -- was too hard.

22 COMMISSIONER BROWN: It's hard. I'm  
23 familiar with some swimmers over the years. So  
24 I'm very impressed with that.

25 McKesson is a great corporation. Your

1 background is very illustrious in the narcotics  
2 industry. Why are you interested in this job?

3 MR. KOZLINA: It's a challenge. I spoke  
4 to one of the commissioners earlier, and  
5 McKesson is a great company. They treat me  
6 well. I work from home, making good money  
7 here. You know, the job is very crucial, you  
8 know, since we are a wholesale distributor of  
9 controlled substances, so my job is actually  
10 important.

11 But, you know, there's more to life. I'm  
12 always a people person. I always wanted to be  
13 out there and a go-getter. I can easily  
14 collect a second paycheck and just sit in my  
15 basement and work here for another ten or 12  
16 years or however long, but I don't feel  
17 fulfilled.

18 You know, law enforcement was -- it was  
19 always something I loved doing. You know, I  
20 feel I got out kind of young. You know, I  
21 reached retirement age and this McKesson job  
22 fell into my lap, you know, and I miss it. I  
23 miss law enforcement. You know, I miss being  
24 out there. I miss interacting with people.

25 I still talk to -- I get calls. I've been



1 retired two and a half years and still get  
2 calls, you know, from agents that I've hired,  
3 just asking advice on cases and things that I  
4 did in the past.

5 So, to answer your question, it's the  
6 willingness to learn a new culture and get back  
7 out there. You know, that's the main reason  
8 why I'm putting myself out there.

9 COMMISSIONER BROWN: I can appreciate  
10 that. Public service is so important.

11 And how would you go about with the --  
12 you've touched on it briefly, but training and  
13 outreach in a different state, but how would  
14 you go about learning the laws of Florida and  
15 then training and meeting with stakeholders and  
16 such?

17 MR. KOZLINA: Yeah. As far as -- can you  
18 hear me? Hello?

19 COMMISSIONER BROWN: Yes.

20 MR. KOZLINA: Okay. Sorry about that. I  
21 dropped my earpiece.

22 As far as training and learning the  
23 position, when I took this role as a narcotics  
24 agent, you know, I had a good upbringing. I  
25 was never around drugs, never really hung out

1 with anybody who did drugs. The first time I  
2 saw crack cocaine was somebody put it in my  
3 hand and I was doing an undercover buy. So I  
4 had to learn.

5 A lot of guys that I came on with -- our  
6 academy had I believe 39 agents and most of  
7 them came from -- there was a big hiring of  
8 Philadelphia PD or a local municipality. I  
9 didn't have that type of background. I came  
10 from more of the probation almost a counseling  
11 type of background. So I was at a  
12 disadvantage, and I quickly, you know, just  
13 studied, learned, learned the responsibilities.  
14 I studied the crimes code act, it's title  
15 section 18, as far as for drug investigations,  
16 for any corrupt organization, money laundering  
17 charges, statutes that go hand in hand with  
18 that. So I just learned. You know, took the  
19 time and physically learned.

20 So, again, you know, the situations we  
21 have up here, the statutes and the sections and  
22 the crimes codes sections are different from  
23 down there, but it's just getting refreshed  
24 and, you know, getting to learn, which should  
25 not take long. I'm a pretty quick learner as

1 far as that.

2 COMMISSIONER BROWN: Thank you so much.

3 Lastly, do you have any connections or  
4 prior business dealings with anyone in the  
5 gaming industry in Florida?

6 MR. KOZLINA: No, I do not.

7 COMMISSIONER BROWN: Thank you so much.

8 COMMISSIONER D'AQUILA: Mr. Kozlina,  
9 question. And quite a change here. You're  
10 going from the state attorney general's office,  
11 McKesson, a very large organization, to a new  
12 organization. You would be the first.

13 I appreciate your comment about learning  
14 and listening, and I agree. Could you  
15 elaborate on timing and how you set benchmarks  
16 and how you build things and what you  
17 anticipate that being? Because I think in the  
18 last two interviews you may have overheard  
19 we've got a challenge going on right now. We  
20 know as we sit here today there is illegal  
21 gambling going on in our state and our state  
22 is, depending on who you ask, maybe perhaps in  
23 the top five in the volume of gambling going on  
24 in the country.

25 So the question -- let me go back -- is

1 talk to me about timing to you and how you  
2 personally set benchmarks as a leader in this  
3 position and specifically a new gaming  
4 commission in a state as large as Florida.

5 MR. KOZLINA: Yeah. I do have a little bit  
6 of experience. Again, as I said, when I got  
7 promoted to the assistant deputy chief I formed  
8 a strategic response team. Prior to that, we  
9 had a -- what was called a global impact unit,  
10 and they would -- it was formed of 20 agents  
11 and they would go into quality of life or high  
12 crime areas and help local law enforcement by  
13 saturating the area and arresting drug dealers.  
14 Simple street level type cases.

15 And what I saw is -- they were there for  
16 six months and they would leave. And we would  
17 get a call maybe two or three months after they  
18 left from either the chief of police, local  
19 state reps, politicians would call us all the  
20 time and say, hey, you know, you've got to come  
21 back. Well, no, because they're detached for  
22 another six months over here.

23 So what I recommended is we form -- I  
24 said, this is not effective, this is not a good  
25 strategy. It's good in principle in that it

1 alleviates a short-term problem, but, you know,  
2 when they go the problems return.

3       So what I recommended is breaking it up  
4 into -- we had eight subfield offices across  
5 the state, and what I recommended is breaking  
6 it up into smaller groups, stay there in their  
7 region for the whole time, and they can do  
8 the -- you know, we can have guys working on  
9 the longer term bigger issues, the corrupt  
10 organization cases, the large scale gang cases,  
11 but we can also do the quality of life issues  
12 and get to the short time stuff.

13       So we hurried up and what I did is expand  
14 the mobile impact unit of 20 agents and we  
15 ended up hiring an additional ten agents and  
16 put four in each region. So, again, when I saw  
17 it wasn't effective or working, we changed it  
18 and changed it quickly.

19       As far as the gambling, yeah, I think  
20 there's probably poker machines and the illegal  
21 gambling machines in bars, restaurants, and  
22 whatnot as far as shops down there. So it's  
23 just getting a little bit of the lay of the  
24 land and learning it quickly. Affiliating  
25 myself with not only the Commission, but with

1 the attorneys and get a team together and start  
2 moving and start looking into it as soon as  
3 possible.

4 Like I said, I pick things up pretty  
5 quick. I'm not one to just sit around. And  
6 again, the reason for accepting this job or  
7 applying for this job is I could just sit in my  
8 basement and just type reports all day.

9 So, you know, I don't -- as far as time  
10 period, you know, as soon as I get down I'm  
11 going to be willing and ready to go. It's not  
12 going to take, you know, a long time to learn  
13 this, because I've been an investigator for  
14 over 20-something years. So, you know, it's  
15 just hitting the ground running and making sure  
16 that what we're doing is okay at first, and,  
17 again, we might have to change depending on how  
18 things go. You've always got to learn to  
19 adjust. That's one thing that I learned in the  
20 drug game, things change. Trends change.

21 So you've got to be able to adjust on the  
22 fly and catch up. It's like a cat and mouse  
23 game. Once we learn patterns, it would seem  
24 like the drug traffickers would change. So we  
25 would have to relearn what they're doing now.

1           So, again, my goal is to get down there,  
2   learn quickly, take everything in, and get a  
3   good team assembled and start running and  
4   getting out there.

5           COMMISSIONER D'AQUILA: Thank you.

6           CHAIRMAN MacIVER: All right.

7   Mr. Kozlina, we are finalizing all of our line  
8   of questioning with allowing you an opportunity  
9   to take everything you've already said and  
10   compact it into a 30 second elevator pitch and  
11   let us know why we should hire you.

12          MR. KOZLINA: Okay. Again, I've  
13   physically done this job. I started from  
14   scratch. I've started from the bottom all the  
15   way up to the top, where I was the lead  
16   investigator for the bureau of narcotics and  
17   criminal investigations for the state. I  
18   learned what it takes to be successful. You  
19   know, a lot of people could say that, you know,  
20   they had a lot of time, but what did you do  
21   during that time? I'll do that for you.

22          I can honestly say I was not only  
23   productive as an agent, but also as a leader  
24   and administrator in my office. And I've put  
25   the time in, showed drive and compassion and

1 commitment. I take pride in who I am and what  
2 I do. And if I was to work with you I would  
3 actually, you know, it would be great. It  
4 would be awesome. You know, I've actually done  
5 the work and not just sitting around taking  
6 credit for things.

7 And lastly, I just want to say that, you  
8 know, I focus on teamwork and accountability,  
9 because everybody has a role, everybody has to  
10 be accountable, and just blend together and do  
11 the job.

12 CHAIRMAN MacIVER: Thank you very much.

13 Commissioners, that's all of our  
14 interviews. Given our applications and what  
15 we've heard today, I'm going to go ahead and  
16 just open up the floor for open discussion  
17 amongst us of what we think as far as what  
18 we've heard and who we might want to move  
19 forward on as our selection.

20 When I open the floor to everybody, I  
21 would like to start, of course, with Mr. Vice  
22 Chairman. You can start us off, and then take  
23 criticism from everybody for what you say.

24 VICE CHAIRMAN YAWORSKI: Thank you kindly,  
25 Mr. Chair.



1           You know, we have had -- these series of  
2 interviews have been fantastic candidates. I  
3 want to give praise to Lou for the  
4 recommendations he put forward. I think it's a  
5 solid mix. I think you see some -- although  
6 I'll defer to Commissioner Drago, but my sense  
7 is we have a -- a set of very qualified  
8 individuals from the law enforcement side of  
9 things.

10           I think, as I've hinted and mentioned  
11 throughout this, what I've been really trying  
12 to hone in on and hear from candidates is both  
13 their leadership style and carrying that  
14 forward type of culture that they would bring  
15 to this new commission. The reality is the  
16 legislature has given us this job, or rather  
17 the legislature created this job and the  
18 Governor has decided that we're going to do it,  
19 so we need to be thoughtful in our  
20 decision-making process.

21           Culture in a state agency in my experience  
22 is generally kind of where the attitudes of  
23 senior leadership and the attitudes of your  
24 mainline employees come together, and the way  
25 those interactions take place kind of creates

1 an overarching attitude that permeates the  
2 building.

3 And so thinking about what we would want  
4 to see --

5 (Telephonic interruption.)

6 VICE CHAIRMAN YAWORSKI: Hello? That was  
7 weird.

8 Thinking about what we would want to see  
9 in this case, and leaders come in all different  
10 shapes and sizes. Some are -- some take the  
11 bull by the horns and are out in front of  
12 everything, some focus on empowering their  
13 people underneath them and growing leaders and  
14 trusting that they're going to do great work,  
15 and others do all sorts of things. There's no  
16 one type of good leadership. There's a million  
17 books about it, if anyone's curious.

18 But in this case where my head has been  
19 has been -- and this is keeping in mind with  
20 what -- Director Trombetta has mentioned it and  
21 some of the staff we've already hired has  
22 mentioned it, is everybody that works for the  
23 Commission right now is having to do the tasks  
24 that a typical senior manager does, all the way  
25 down to whether an administrative assistant or

1 staff assistant or an OPS employee does on a  
2 regular basis. They've got to be ready,  
3 willing, and able to do it all for the moment.  
4 And that will be the case for some time. And  
5 personally daily I'm thankful for the fact that  
6 we have folks that are doing that.

7 So I'll refrain from -- so that I'm not  
8 attacked, as the Chair mentioned, from putting  
9 forward -- I do have -- I have two names in my  
10 head. I have one person who resides in the  
11 state and then actually surprising to me is one  
12 who would come in from out of state that are  
13 kind of circling at the top end of my list.  
14 And one I think is ahead of the other.

15 But I do think that humility is a key  
16 factor in all this for us right now in this  
17 time. I think that someone who is willing to  
18 and kind of exhibits in their character a  
19 willingness to roll up their sleeves and get to  
20 work is important for where we are. I think  
21 that the attitude that will come from that is  
22 also key. So with that I'll just throw it back  
23 over to the Chair for anyone else.

24 CHAIRMAN MacIVER: The floor is open for  
25 anyone who wants to discuss.

1           COMMISSIONER BROWN: Before I defer to  
2 Commissioner Drago, because I too am curious  
3 about his thoughts with his expertise, and not  
4 being a law enforcement officer, but being a  
5 public servant, being an attorney, I have maybe  
6 a different perspective, and the approach was  
7 really what I'm looking for is someone to hit  
8 the ground running.

9           Given all of what Vice Chair Yaworski just  
10 said, that you'll be wearing the day-to-day  
11 hats of someone OPS as well as someone of  
12 senior management, so that was the first thing.

13           Not to discredit anybody from out of  
14 state, because their backgrounds are absolutely  
15 incredible, there are several that we really --  
16 I mean, from Illinois, from New York, from  
17 Pennsylvania, they're all incredible, but  
18 really hit the ground running is something that  
19 I'm looking for.

20           Culture is great, so I agree with that.  
21 Impartiality is at the top of my list. It's  
22 making sure that this position has integrity,  
23 so that's something that I'm looking for.

24           Commitment, enthusiasm and energy, and  
25 innovation is so important. Finding the

1 emerging technology that is going to continue  
2 to evolve and to embrace it as well.

3 So I have two names as well. Both of them  
4 are in the State of Florida, but I will wait to  
5 hear Commissioner Drago's thoughts.

6 COMMISSIONER DRAGO: Thank you. From a  
7 police perspective, I don't think there's any  
8 doubt that we've got excellent candidates with  
9 a great deal of experience in all areas that  
10 we're looking for. That's management,  
11 investigations, experience in various aspects  
12 of their law enforcement agencies, including  
13 accreditation, which to me is an important and  
14 complex issue to deal with if you've never  
15 dealt with it before.

16 Hiring, writing policies, all the kinds of  
17 things that this director is going to have to  
18 do, and there won't be a lot of time to learn  
19 it, especially in the beginning. There's not  
20 going to be -- there's not going to be enough  
21 time for anybody to train them. They're going  
22 to have to rely a lot on their experience, so  
23 that's why I personally looked and take heavy  
24 consideration for the experience of the  
25 candidates and what they've done and whether or

1 not they can step into this role basically as  
2 a -- in the beginning as a one-man law  
3 enforcement unit.

4 And I've been around and part of agencies  
5 that -- police departments that started from  
6 the ground up, and it's a difficult, long  
7 process. And I think that all the candidates  
8 show the experience and training to be able to  
9 do that.

10 But I think one benefit, of course, of  
11 being a Florida law enforcement officer is that  
12 they can move beyond that first learning curve  
13 of understanding Florida law, Florida  
14 procedures, Florida training, everything to do  
15 with a Florida law enforcement officer as it  
16 may differ from other state agencies, and they  
17 can start delving right into the meat and  
18 potatoes of setting up this division.

19 So, I think from -- as I said, from my  
20 perspective everybody in the Commission can sit  
21 back and feel confident, I think, that these  
22 are experienced law enforcement officers. All  
23 of them managers, street level officers,  
24 mid-managers, the things that we need they've  
25 gone through, they've gone though it all. So I

1 think we can be satisfied that whomever we pick  
2 is going to have that law enforcement  
3 background.

4 And then we move on to what other -- what  
5 other attributes do the applicants have that  
6 will be important for us as the Commission for  
7 the people of the State of Florida to get their  
8 bang for the buck, so to speak, as soon as  
9 possible, for Director Trombetta to be able to  
10 rely on as quickly as possible to start running  
11 the law enforcement side of this.

12 So I won't make any recommendations at  
13 this point yet. I also have -- I also have  
14 candidates in mind and that I'll be glad to  
15 share as we get to that phase, I guess, of  
16 this. But I thank all the candidates very much  
17 for being interested in this position, and  
18 those out of staters or whomever of those who  
19 doesn't get it, will hopefully find their way  
20 to Florida, because we can use good law  
21 enforcement people in this state. So that's  
22 all I have at this point.

23 COMMISSIONER D'AQUILA: It's always a  
24 challenge going last. All the good stuff is  
25 taken. So I'm just going to go with what I

1 thought were some of the things I learned or  
2 heard that I thought were really important, and  
3 I tend to represent more of the business side,  
4 being a serial entrepreneur and business owner.

5 But the shortage of talent is a real  
6 crisis. There's not a single business owner I  
7 talked to today or an agency head that says  
8 it's easy to find good people. I think a  
9 leader in this position needs to be someone  
10 personable that can attract others, because  
11 there is only so much they're going to be able  
12 to do. They're putting together the team  
13 that's actually going to do it, so that was  
14 something I valued very highly.

15 A commitment to dealing with the ills that  
16 we face is what is a good business, a business  
17 that needs to have its integrity maintained and  
18 we need to award, and I looked at those that  
19 understood the difference between an  
20 administrative and a criminal investigation and  
21 respect that.

22 On one hand we want to make this a very  
23 safe state for gambling, and, yes, we do want  
24 to punish those that do not abide by the rules,  
25 but we also want to handle gingerly those that



1 are really trying, and as a business owner,  
2 I've always appreciated working with regulators  
3 that understand that.

4 And then lastly, I think, because of the  
5 timeliness here, what really jumped out at me  
6 at times was those that understood the power,  
7 how much public relations, marketing,  
8 advertising, whatever you want to call it, we  
9 live in an era where people rely on what they  
10 read, whether it be in social media or  
11 newspapers. But what are the vehicles, how do  
12 you reach them.

13 You know, when I was growing up there were  
14 three or four TV channels and maybe two  
15 newspapers. Today I think there are hundreds  
16 of sources and you've got to -- and it requires  
17 some creativity, but a real appreciation, you  
18 know, for reaching out there.

19 So I took all those into consideration and  
20 I'm not ashamed to say I've narrowed it down to  
21 two candidates which I think embody all of  
22 that.

23 CHAIRMAN MacIVER: So I wanted to touch on  
24 a couple of things here, and the first thing is  
25 I want to address all of the applicants, even

1 the ones who aren't here today, and more  
2 importantly maybe their families, because I  
3 know what a stressful process this is while  
4 you're waiting for it to happen.

5 In one of my prior positions I spent a lot  
6 of time interviewing candidates for judicial  
7 positions and vetting them. And inevitably,  
8 after a governor would make an appointment, a  
9 lot of those judicial candidates would then ask  
10 the question, well, what did I do wrong or what  
11 should I have done different, or, you know, how  
12 did I not get it.

13 And the universal answer to that question  
14 was all that happened was and usually by a  
15 hair's breadth another highly qualified  
16 applicant just barely managed to squeak you  
17 out. And I think everyone on this list, even  
18 those who were not selected as the most  
19 competitive applicants to be interviewed today,  
20 everyone on this list should know that they are  
21 in that position. To a person every person I  
22 talked to would have done I'm sure an  
23 outstanding job with this position, and every  
24 single one of those people not only should be  
25 proud, but should not spend a lot of time

1 reading the tea leaves about how it wasn't  
2 them.

3 I want to address just briefly the line of  
4 questioning. We've heard a lot from the vice  
5 chair, mostly because he had asked the  
6 questions first, but the idea of in-state  
7 people versus out-of-state people. Candidly,  
8 being an in-state person is an advantage. We  
9 are building this plane as we're flying it. We  
10 need to hit the ground running. We need to be  
11 able to have this agency up and start chasing  
12 bad guys quickly because our legislature has  
13 charged us to do that and until we have a  
14 system in place to do that we're not meeting  
15 our statutory charge yet.

16 And, being in Florida means you've dealt  
17 with the agencies who sometimes can be an  
18 obstacle to moving quickly. Just knowing who  
19 those people are from the get-go is an  
20 advantage. It's not a threshold requirement  
21 being from Florida, which is why you saw three  
22 applicants today on the list who we identified  
23 as being most the competitive applicants who  
24 weren't from the State of Florida.

25 So we have the interview process and this

1 is the opportunity for every applicant to come  
2 in and try and hit a home run and knock it out  
3 of the park and show why they overcome anything  
4 where they may not be the top candidate.

5 As far as qualifications go, it's a myriad  
6 of qualifications, many of them intangible. If  
7 we were -- if we were talking about who had the  
8 most passion and energy and best interview for  
9 the job it could easily be a different person  
10 than whoever we ultimately select today.

11 Frankly, I think Mr. Drake probably came  
12 out ahead of that. His energy for the position  
13 is palpable. If it's simply credentials and  
14 preparation for the position, Mr. Cannon, I  
15 think that you clearly are head and shoulders.  
16 If we were to talk about things that were  
17 mentioned during the interview, I focused a lot  
18 of my attention when Mr. Kozlina started  
19 talking about character.

20 I'll tell you one of my role models in law  
21 enforcement is the current director of the law  
22 enforcement academy here at Pat Thomas. And,  
23 quite frankly, gentlemen, if he had applied for  
24 this job in my mind it would have disqualified  
25 the rest of you. And the reason for that is a

1 focus that I have seen -- he was one of my  
2 instructors at the academy -- is the focus that  
3 I have seen on character, but combining that  
4 focus on character with infusing it into the  
5 new recruits that are being taught and trying  
6 to build a law enforcement community that has  
7 that foundation of character.

8         And that kind of leads into what I think  
9 the vice chairman was talking about with the  
10 culture of our agency. We need to be an  
11 objective-driven law enforcement agency,  
12 because we have to do what the legislature  
13 tells us to do, and in doing that I think the  
14 focus and the culture of our new law  
15 enforcement division needs to be highly focused  
16 on integrity and character, and the one  
17 candidate that I heard who really did focus on  
18 the idea of getting newer law enforcement  
19 officers and trying to push them in that  
20 direction and help them build that foundation  
21 for an agency that hopefully will survive the  
22 personalities on this Commission was  
23 Mr. Herold.

24         So, in a total combination of  
25 qualifications, while certainly there are

1 better candidates in some factors and less  
2 factors, I think steady across the board  
3 combined with that focus on culture and who I  
4 think will be focused on that culture, I think  
5 that to my mind Mr. Herold would be our  
6 selection today.

7 I will either allow more discussion if  
8 that is the desire of the board, or I will  
9 accept a motion if that name was on everybody  
10 else's list.

11 Then let's go ahead and take the voice  
12 vote. Mr. Vice Chairman.

13 VICE CHAIRMAN YAWORSKI: (Inaudible.)

14 CHAIRMAN MacIVER: Commissioner Brown?

15 COMMISSIONER BROWN: Yes, although I do  
16 want to make a comment after about Mr. Cannon.

17 CHAIRMAN MacIVER: Of course.

18 Mr. Drago?

19 COMMISSIONER DRAGO: Yes.

20 CHAIRMAN MacIVER: I'm sorry.

21 Commissioner Drago.

22 COMMISSIONER DRAGO: Yes.

23 CHAIRMAN MacIVER: Commissioner D'Aquila?

24 COMMISSIONER D'AQUILA: Yes.

25 CHAIRMAN MacIVER: And the Chair is a -- I

1 made the motion and I am a yes. So the motion  
2 carries. Congratulations, Mr. Herold, you are  
3 the Commission selection for the director of  
4 gaming enforcement.

5 And, yes, I would like Commissioner Brown  
6 and any other commissioner who wishes to make  
7 any other comments, please.

8 COMMISSIONER BROWN: Thank you.

9 Mr. Chairman, you made some eloquent  
10 remarks about all of the candidates, as all of  
11 you did, quite frankly, and I do -- one of the  
12 candidates mentioned that it would be great to  
13 recruit having the candidates that did not get  
14 selected, having them be -- if they were  
15 interested in this position in the division. I  
16 mean, they're -- we would be grateful to have  
17 them be part of the team under Mr. Herold's  
18 leadership.

19 But, Mr. Cannon, I wanted to highlight you  
20 particularly. Your background is just  
21 incredible. Your presentation was incredible  
22 as well. You should be commended and we would  
23 be lucky also to have you at the Gaming  
24 Commission. But I just really wanted to thank  
25 you for your participation here and your

1 attention to detail that you gave researching  
2 the agency and its background.

3 But again, Mr. Herold, congratulations.  
4 I'm looking forward to your leadership and  
5 bringing a team in and cultivating that culture  
6 as well. Thank you.

7 CHAIRMAN MacIVER: Commissioners?

8 COMMISSIONER DRAGO: I would like to echo  
9 Commissioner Brown congratulating Mr. Herold,  
10 first of all, on the position. Also  
11 congratulating, again, all of the candidates,  
12 and also comment on Mr. Cannon. His background  
13 is excellent. His history is excellent. Thank  
14 you so much for applying and considering us.  
15 We would do great with you. You have a great  
16 mixture and diverse background that would be  
17 very helpful to this agency at any time.

18 And I, again, thank the other candidates  
19 from out of state, and thank you, and I think  
20 the in-state people had that little edge  
21 because they are in-state people. And thank  
22 you, everyone, for participating.

23 CHAIRMAN MacIVER: Mr. Vice Chair,  
24 Commissioner D'Aquila, any comments?

25 COMMISSIONER D'AQUILA: I just want to say



1 we're thankful to all of the candidates, and I  
2 think it's with law enforcement folks like  
3 yourself, it's one of the reasons we have such  
4 a great state. So thank you so much for all  
5 your service and for taking the time today.

6 VICE CHAIRMAN YAWORSKI: I'll just be real  
7 quick if it's all right. I would just  
8 congratulate Mr. Herold. I think he will -- I  
9 think he is an excellent pick and I think he  
10 does speak to the -- in all frankness, that was  
11 my -- that was my number one pick at the end of  
12 this session today.

13 But I also want to mention other people,  
14 and Mr. Cannon has been mentioned. I'd also  
15 mention in my view Mr. Acevez, who I thought  
16 also was out of state, but I think he -- in my  
17 mind he was -- he would have been my second  
18 choice because of the -- really, the underlying  
19 sense of servant leadership that you heard  
20 throughout his words and how he cultivated and  
21 would have cultivated, I think, the agency. So  
22 I just wanted to put that out there.

23 But all candidates, we thank you for your  
24 time. I know I do. I think it's not the  
25 easiest thing to make a decision to switch

1 jobs, not the easiest thing to apply, and  
2 certainly not the easiest thing to go through  
3 an interview on live TV for the 30 people that  
4 are watching and the 15 people in the room.  
5 It's not the easiest thing, so thank you for  
6 participating in everything today. Appreciate  
7 it.

8 CHAIRMAN MacIVER: And then lastly, I will  
9 also just say, amongst all of those factors  
10 that we do consider, one of the ones that  
11 sometimes we may pretend it doesn't come into  
12 play but it absolutely does and it does make  
13 the decision today that much harder and so much  
14 more difficult in delineating out, is  
15 Mr. Cannon is actually a personal friend of  
16 mine as well, and overcoming that friendship  
17 was a difficult factor as well.

18 We may not acknowledge it as a factor, but  
19 it certainly, certainly is. So it was, again,  
20 gentlemen, hair's breadth of factors make these  
21 decisions, and I really appreciate all of the  
22 work that everybody has put in today.

23 Mr. Trombetta, I believe the next item on  
24 the agenda is updates from the executive  
25 director.

1           MR. TROMBETTA: (Inaudible. No audio via  
2 telephone connection or on the Florida Channel  
3 video.)

4           COMMISSIONER BROWN: I was just going to  
5 say congratulations. I think that's a great  
6 first step to outreach as well. And I know  
7 that there was an article in the paper on that  
8 subject, and I think it was mentioned at one of  
9 the meetings that we just had, so being  
10 present, I think, is good and responsible and I  
11 would love to tune in.

12          CHAIRMAN MacIVER: Also thank you to our  
13 general counsel who I know has had to pore over  
14 this issue and do a lot of the legwork in  
15 reaching out to the city commission ahead of  
16 time to get this happening, ultimately, I think  
17 to make sure that the Commission is guided and  
18 not creating a moral hazard where they're  
19 encouraging activity that may be illegal.

20          MR. TROMBETTA: Thank you.

21          CHAIRMAN MacIVER: Thank you,  
22 Mr. Trombetta.

23           The other matters on the list,  
24 Commissioners, anything that we need for the  
25 good of the order to be mentioned today? If

1 not, we're going to see each other real soon.

2 And with that, I will open it up for any public  
3 comment.

4 Seeing none, the meeting is adjourned.

5 Thank you.

6 (Proceedings concluded at 12:57 p.m.)

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I, JANE FAUROT, RPR, certify that I was authorized to and did stenographically report the foregoing proceedings, and that the transcript is a true and complete record of my stenographic notes.

Dated this 18th day of August, 2022.



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JANE FAUROT, RPR

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Florida Gaming Control Commission

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DBPR Florida Gaming Control Commission

August 04, 2022

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**PHIPPS REPORTING**  
*Raising the Bar!*





1 Proceedings began via telephone at 9:34 a.m.

2 CHAIRMAN MacIVER: Good morning, everyone, and  
3 welcome to the August 4 regular meeting of the  
4 Florida Gaming Control Commission.

5 Let's start off by giving a warm welcome, and  
6 forgive me if I don't get the nomenclature or  
7 protocol perfect, but I understand this is Troop 23  
8 from the Boy Scouts who are going to lead us in our  
9 Pledge of Allegiance.

10 (Pledge of Allegiance)

11 CHAIRMAN MacIVER: Thank you all so very much.  
12 It makes our -- it makes our day a little bit  
13 warmer to be able to have y'all come here and do  
14 that and take some time out of your day to lead us  
15 in the Pledge. We really appreciate having you  
16 here today. Thank you.

17 With that, folks, I guess we will jump into  
18 the business of the commission. We have a not  
19 terribly long agenda for today. I will say I was  
20 advised as far as approving the meeting minutes  
21 from our last meeting and our last interim meeting.  
22 We do not have the minutes ready for review and  
23 adoption yet, so we'll add that to the next agenda.  
24 And we move right into the discussion of actual  
25 business of the commission.

1 Mr. Trombetta or Mr. -- okay. Good.

2 MR. TROMBETTA: Thank you, Chair. Good  
3 morning. So I guess if you'd like, I can run  
4 through the first item.

5 CHAIRMAN MacIVER: The first item appears to  
6 be Dania Entertainment Center, application for  
7 amendment to the cardroom license.

8 MR. TROMBETTA: Yes. So this is an  
9 application for a cardroom license amendment to add  
10 one table to their existing license. They provided  
11 all necessary documentation and made payment for  
12 the additional table and the recommendation is that  
13 the amendment be approved.

14 CHAIRMAN MacIVER: Any discussion?

15 COMMISSIONER BROWN: I would move approval of  
16 the item as presented by Mr. Trombetta.

17 CHAIRMAN MacIVER: Do we have a second?

18 (Second made)

19 CHAIRMAN MacIVER: Any opposition?

20 Seeing none, show the application approved.

21 Item Number 2, West Flagler Associates'  
22 application for a slot machine license.

23 MR. TROMBETTA: Thank you, Mr. Chair. So this  
24 is an application for a renewal of a slot machine  
25 license. Slot machine licenses are issued -- they

1 are renewed annually based on the date the initial  
2 slot machine was granted. They come up  
3 sporadically through the year. This is the first  
4 one the Gaming Commission has had, just a little  
5 bit of background on that.

6 Similar to the cardroom amendment, there are  
7 various statutory and rule requirements that must  
8 be satisfied with the renewal. My staff has  
9 received all of the necessary forms. The applicant  
10 has made payment as requested, and the  
11 recommendation is that the slot machine license be  
12 renewed.

13 CHAIRMAN MacIVER: Is there any discussion?

14 I will just make one short comment, and this  
15 would apply to all of these license applications.

16 For the public that's watching, it probably  
17 seems like we jump through these pretty quickly and  
18 that there's not much consideration. We of course  
19 have read the applications ahead of time and what  
20 we are considering when we approve these is, one,  
21 have they met the statutory requirements, and, two,  
22 is there any concern that there would be an affect  
23 on the health, safety, welfare of the people of  
24 Florida when we issue or don't issue these.

25 So that's -- that's what's being taken into

1 consideration, what is being summarily sort of  
2 briefed to us at the meeting and what we end up  
3 voting on.

4 Did we have a motion yet or -- okay. Is there  
5 a motion?

6 (Motion made)

7 CHAIRMAN MacIVER: Second?

8 (Second made)

9 CHAIRMAN MacIVER: Any opposition?

10 Show the slot machine license approved.

11 Item Number 3, RB Jai Alai, LLC application  
12 for amendment to a Jai Alai license.

13 MR. TROMBETTA: Thank you, Mr. Chair. I'm  
14 going to provide sort of the factual background on  
15 this one and then I'm going to hand it over to  
16 Mr. Marshman to provide some legal analysis.

17 RB Jai Alai is a Jai Alai permit holder that  
18 has applied to amend their scheduled performances.  
19 Performances are part of the annual operating  
20 license application. So when a permit holder  
21 submits an annual operating license and -- they  
22 have a window between December and January, they  
23 have to include the dates at which they're going to  
24 perform. This is an application to go from zero  
25 dates to 40 performances.

1           With that, I'm going to turn it over to  
2 Mr. Marshman, the general counsel.

3           MR. MARSHMAN: Good morning. For the record,  
4 this is Ross Marshman appearing.

5           As Mr. Trombetta indicated, the license holder  
6 has to apply between December and January for the  
7 following year's performance dates. Performance is  
8 an umbrella term that's used in Chapter 550 that is  
9 designed to capture all of the pari-mutuel  
10 activity, be it live races or games.

11           When a license holder applies to amend its  
12 schedule, the statute at issue, 550.01215(3) uses  
13 the more specific terms, races or games, and the  
14 commission has the authority to approve minor  
15 changes to the schedule of live races. The statute  
16 is not the same with games.

17           Later on that same subsection of the statute  
18 distinguishes between live races and games by  
19 indicating that if another license holder or permit  
20 holder within 50 miles of the applicant trying to  
21 amend his schedule that runs races or games try --  
22 has an objection, then the applicant's application  
23 should be denied or at least that should be  
24 something the commission should consider.

25           So for those reasons based on the plain

1 language of Section 550.01215(3), it is my opinion  
2 that the commission has the authority to approve  
3 minor changes to a schedule of races, but it does  
4 not have the authority to approve minor changes to  
5 a schedule of games.

6 CHAIRMAN MacIVER: Commissioners, so this  
7 particular issue, if you'll indulge me for just a  
8 moment, I kind of view our commission a little bit  
9 bifurcated between our new law enforcement function  
10 and our regulatory function.

11 As a principal, I generally think that the  
12 people in the state who are trying to follow the  
13 rules and are trying to do it right deserve as much  
14 help and assistance as possible from us on the  
15 regulatory side of things. This is one of those  
16 cases.

17 However, in interpreting what the statute is  
18 telling us to do, I don't think our desired policy  
19 outcome can be a guide in how we interpret what  
20 that statute says. As Mr. Marshman said, the plain  
21 language of the statute says races. A Jai Alai  
22 event is not a race, and that means that according  
23 to the statute, we don't have the authority to  
24 approve this.

25 And if we did approve it without that

1 authority, we would be authorizing what is then  
2 illegal gambling. Gambling is as a -- as a  
3 baseline not legal in Florida, except in the very  
4 narrow circumstances where we under our authority  
5 have licensed and regulated it. If we give  
6 approval outside of our authority, we've basically  
7 told someone that they can commit illegal activity.

8 Now, if we look at the statute, does our  
9 gut-check say they probably met race as an event  
10 and they probably meant to include it, yeah, I  
11 think probably so, but we're not allowed to  
12 second-guess the legislature and do that.

13 So this is one of those instances where I  
14 think the law dictates an outcome that at least I  
15 would not prefer. If I had my druthers, today we  
16 would be approving this application. They're going  
17 from zero events to 40 events at a licensed  
18 facility that is highly regulated, but they have to  
19 do that during the time of year that the law  
20 dictates they have to do that.

21 So thank you for your indulgence. That's sort  
22 of just the way I look at this one. I think it's a  
23 bad outcome, but it's a bad outcome that we are  
24 forced to make because of the authority we have.

25 Any further discussion?



1           COMMISSIONER BROWN: I agree with you  
2 wholeheartedly and I struggled with this as well,  
3 because I would love to assist this particular  
4 event here. Jai Alai is one of those sports that  
5 you'd like to continue to see thriving in the  
6 state. And this particular permit holder is one of  
7 the only ones that is applying for this.

8           So I just wanted to ask Mr. Marshman, what is  
9 the recourse that this permit holder has with a  
10 denial?

11           MR. MARSHMAN: So I would advise that the  
12 commission authorize the director and staff to  
13 issue a notice of intent to deny. Once the notice  
14 of intent to deny is served on the applicant,  
15 they'll have 21 days to contest the commission's  
16 decision.

17           They can elect a formal hearing which will be  
18 resolved at the Division of Administrative  
19 Hearings. If there are genuine disputes of  
20 material fact, there could be an informal hearing  
21 if the issues only involve interpretations of the  
22 law or they may elect not to contest the  
23 commission's decision at all.

24           COMMISSIONER BROWN: And have we heard from  
25 the permit holder at all other than what is

1 provided in -- before us?

2 MR. MARSHMAN: If we have, I think  
3 Mr. Trombetta would be best to speak about that.

4 MR. TROMBETTA: After receiving the  
5 application, we did reach out and speak to people  
6 at RB Jai Alai and kind of provide an overview of  
7 what the process could potentially be. So they're  
8 aware there's a meeting today. They're aware that  
9 they -- that this was going to be before the  
10 commission and there were potential issues.

11 COMMISSIONER BROWN: Mr. Trombetta, how many  
12 permit holders currently are actively having Jai  
13 Alai performances in the state?

14 MR. TROMBETTA: I apologize. I don't have the  
15 exact number, but one of the amendments to the  
16 recent bills allowed Jai Alai to be coupled, so  
17 there's far fewer than there were. I think there  
18 might be four or five active. Jai Alai permit  
19 holders active being ones that have chosen to run  
20 or conduct to conduct live performances like games.

21 COMMISSIONER BROWN: Thank you.

22 CHAIRMAN MacIVER: Further discussion or  
23 questions?

24 Is there a motion to allow the director and  
25 staff to issue a notice of intent to deny?

1 I'll make the motion. Is there a second?

2 (Second made)

3 CHAIRMAN MacIVER: Any objection? Show that  
4 the motion carries.

5 Mr. Trombetta, please issue a notice of intent  
6 to deny.

7 Item Number 4 is the legal case of  
8 Ivan Francisco Arias Garcia (ph).

9 MS. ALVARDO: Good morning. My name is  
10 Emily Alvardo. I'm the deputy chief attorney for  
11 the Florida Gaming Control Commission, Office of  
12 General Counsel.

13 I'm actually here to present two cases. It's  
14 Ivan Francisco Arias Garcia, which is Case Number  
15 2022-0007927 and Natalie Shaw (ph), 2022-012184,  
16 and they're both legally the same. The cases are  
17 obviously different factually. You've been  
18 provided all the case materials beforehand.

19 I'm prepared to do them together, but if you'd  
20 like me to do them separate, that's up to you guys.

21 CHAIRMAN MacIVER: Let's touch on the first  
22 one. I might have just a short comment about the  
23 second one.

24 MS. ALVARDO: The first one in your case  
25 packet, there's a filed administrative complaint.

1 It alleges that they were excluded from a  
2 pari-mutuel and slot -- slot machine facility. In  
3 that particular case, they were excluded on  
4 April 22nd at Magic City Casino.

5 They were excluded for capping a bet. That is  
6 not included in the administrative complaint. They  
7 were served by USPS certified mail. You can also  
8 see that there the tracking number as well as the  
9 green card that was received that they received  
10 this. They did not respond within 21 days, which  
11 is required.

12 They're required to respond within 21 days.  
13 If they don't respond within 21 days, they waive  
14 their right to a hearing. So in that particular  
15 case, I would ask that the commission enter an  
16 order finding that they were properly served, that  
17 they waived their days -- they waived their right  
18 to a hearing, because they did not respond within  
19 21 days. And that the factual allegations in the  
20 administrative complaint are accepted as the  
21 findings of fact in this case, and also concluding  
22 that the subject be permanently excluded from all  
23 pari-mutuels and slot machine facilities within the  
24 state of Florida.

25 CHAIRMAN MacIVER: So I -- I know just

1       anecdotally that service of process in  
2       administrative cases by mail is okay, but do you  
3       have just a cite of authority just so we can cross  
4       that T and dot that I?

5           MS. ALVARDO:   Sure.   So Section 120.569  
6       requires that an agency send notice to an  
7       individual when their substantial interests are  
8       being affected.  There's nowhere specifically in  
9       120 for this type of case that requires USPS  
10      certified mail or specific type of service, it just  
11      requires that we give notice.

12           CHAIRMAN MacIVER:  Any discussion, members?

13           COMMISSIONER D'AQUILA:  Just real quick.  For  
14      the -- for the record, can you describe what  
15      capping the bet means?

16           MS. ALVARDO:  Sure.  It's a form of cheating  
17      that occurs when a player in a cardroom alters  
18      their bet after they know the end results of the  
19      round.

20           CHAIRMAN MacIVER:  Any debate?  Do I have a  
21      motion to approve the request to add Mr. Garcia to  
22      the statewide prohibited list.

23           (Motion made)

24           CHAIRMAN MacIVER:  A second?

25           (Second made)

1 CHAIRMAN MacIVER: Any opposition?

2 Seeing none, show that carries.

3 Legal case against Ms. Natalie Shaw.

4 MS. ALVARDO: That is Case Number 2022-012184.

5 This case similar to the last, she was a patron at  
6 Calder Casino. The administrative complaint  
7 alleges that she was excluded from -- from the  
8 casino. It is a pari-mutuel slot machine facility.

9 We served her with the administrative  
10 complaint stating that she is subject to exclusion  
11 under 550.0251(6) and 551.112 Florida statutes.

12 She was served via USPS certified mail and she  
13 waived her right to a hearing, because she did not  
14 respond within 21 days. So similar to the last,  
15 we'd ask that you make a finding that the  
16 respondents were properly served with the  
17 administrative complaint and she failed to respond  
18 within 21 days, therefore waiving her right to a  
19 hearing; that the factual allegations in the  
20 administrative complaint are accepted as the  
21 finding of facts in both cases; and that she's  
22 subject to exclusion from all pari-mutuels and slot  
23 machine facilities.

24 CHAIRMAN MacIVER: Commissioners, in this  
25 case, much like the last case where we have a

1 complaint, proper service, and a failure to respond  
2 to it, we are given with what we could refer to as  
3 the easy button. They've -- they've waived their  
4 right to contest the complaint, so we can hit the  
5 easy button, say done, legal did their job, and we  
6 approve it.

7 In this instance we have that scenario -- the  
8 complaint in this case basically says that she was  
9 excluded from a facility and for that, it triggers  
10 our ability to add them to the statewide prohibited  
11 list. If we hit the easy button in a case like  
12 this, then what we've done is delegated not our  
13 discretion, but our responsibility to look behind  
14 the facts to see if by depriving of this person of  
15 the liberty in other facilities, we would be  
16 protecting the health, safety, and welfare of the  
17 people of the Florida, including the health,  
18 safety, and welfare of the complainant.

19 And for that one, this one gave me a little  
20 bit of pause. The -- the charge for the reason she  
21 was pushed out of Calder was enough that I think it  
22 should give us all pause. She left a child in a  
23 vehicle while she went inside to gamble and was  
24 charged with child neglect.

25 Now, on one end of the spectrum that could be

1 someone who is addicted to gaming who we should be  
2 helping by not allowing them into facilities who is  
3 leaving a small child in danger. On the other end  
4 of the spectrum, the charge of child neglect has a  
5 prudent person element to it. Is it a closer call  
6 if this is a minor under the age of 18 who mom  
7 said, hey, just stay in the car for a little bit,  
8 watch your iPad, I'll be back out in a few minutes  
9 and then I'm going to take you to your, you know,  
10 sleepover or something like that, it might be a  
11 little bit of a closer call.

12 So I had asked staff to take a look a little  
13 bit closer behind the facts and I want to thank  
14 them for the -- the extra look that they did. In  
15 this instance, yes, it was a younger child.

16 The mother was on the gaming floor for about  
17 45 minutes. Ostensibly would have been there  
18 longer if she hadn't come out to see what the  
19 police lights were going on in the parking lot for.  
20 So it does seem like this is the type of case where  
21 since we have the ability to exercise the  
22 discretion, it seems also warranted that we should  
23 exercise that discretion and keep someone who has  
24 all indicia of a gambling problem from  
25 participating in that regulated activity in our



1 state.

2 Any further discussion, I'm happy to  
3 entertain.

4 COMMISSIONER DRAGO: Yes, just a few things.  
5 I think I want us to be cautious in terms of how we  
6 make our decisions as it relates to these types of  
7 offenses and exclusions and have to spend time -- a  
8 lot of effort trying to dig down into the specifics  
9 of the violation in each case and make a  
10 determination as to whether or not they should be  
11 excluded.

12 I'm very interested in ensuring that we're  
13 consistent in however we do this that I -- when we  
14 make exclusions as a commission, that we're being  
15 consistent in the way that we do it and the way we  
16 dig through the investigation and so forth and make  
17 a determination as to what we believe is serious  
18 enough to be excluded or not serious enough to be  
19 excluded.

20 It gets really difficult when you start  
21 getting into that and making a determination  
22 specifically. Or if we just have a system whereby  
23 if the casino excludes them, we exclude them from  
24 everywhere. That would be easier for us for sure  
25 and we'd certainly be consistent that way.

1           So I just want us to think about how we want  
2   to do this, because we'll obviously be getting more  
3   of these throughout the year. And whether or not  
4   we want to be consistent by saying these are our  
5   rules, basically if they're excluded from a casino  
6   they will be excluded from all of them or we're  
7   going to take case by case by case and make our own  
8   decisions as to whether or not this particular  
9   violation is serious enough or if this particular  
10  violation is serious enough.

11           So I just think -- and I know we all are, but  
12  I just want to make the public aware that we're  
13  going to seriously consider the consistency here  
14  and not just be all over the place in terms of how  
15  we make these decisions I hope.

16           I also want to say I appreciate the  
17  investigations that were done on these. I thought  
18  they were very thorough, I thought they were very  
19  complete. They had the information that I needed  
20  if I was -- in terms of trying to make a decision  
21  as to a particular case. So the investigations  
22  were good and valid for our intentions.

23           However we decide we want to go forward with  
24  this, at least we have this process established as  
25  to how we're going to -- how we're going to do it.

1 Thank you, Mr. Chairman.

2 COMMISSIONER BROWN: I appreciate the  
3 sentiment too. Personally I like to look at each  
4 case by case rather than just agreeing to put an  
5 individual on a complete ban statewide.

6 So this particular case, though, is -- is  
7 problematic and onerous and on so many levels, not  
8 just the child neglect, but that the -- the fact  
9 that the individual felt compelled to go in and  
10 participate in gambling knowingly when she had a  
11 very significant young, young minor in the car  
12 alone.

13 Other than putting the individual on a  
14 statewide ban list, do we have authority to compel  
15 the individual to undergo counseling for compulsive  
16 gambling or what are our options other than as  
17 presented?

18 MS. ALVARDO: So because they're not a  
19 licensee, the only thing we really can do is put  
20 them on the exclusion list. I know there was a  
21 criminal case opened as well. I'm not sure the end  
22 result of the criminal case, but on our end the  
23 permanent exclusion list would be most that we can  
24 do.

25 COMMISSIONER BROWN: Thank you. If there are

1 no other comments, Mr. Chairman, I would move to  
2 put this individual on the do not -- final order  
3 permitting -- excluding Natalie Shaw from all  
4 pari-mutuel slot machines in the state.

5 CHAIRMAN MacIVER: Do I have a second?

6 Any debate? Any objection?

7 Seeing none, the motion carries.

8 Item Number 4, Mr. Trombetta is a discussion  
9 of default final orders.

10 MR. TROMBETTA: Sorry, Mr. Chair, I believe  
11 that might include the two that were just  
12 discussed.

13 CHAIRMAN MacIVER: Understood. That was  
14 referencing what we just did. Sorry. Then Item  
15 Number 5, updates from the executive director.  
16 That's you.

17 MR. TROMBETTA: Yes. And I do have a few.  
18 Thank you, Mr. Chair.

19 So I'd like to start sort of the hiring.  
20 Since our last sort of regularly scheduled business  
21 meeting, we've been able to get several people in.  
22 Most of the hiring is focused on filling out some  
23 of the support areas, so our division of admin and  
24 our division of IT, but I'll start first on  
25 following up on what you guys did last -- last week

1 at the hearing.

2 So the -- Mr. Herrell (ph), the selected  
3 candidate for the director of law enforcement has  
4 accepted the offer letter. His first day will be  
5 August 16, so looking forward to making that  
6 happen. We've met. I think you guys made a good  
7 pick and I'm looking forward to working with  
8 Mr. Harold.

9 On our admin side, our division of admin,  
10 we've hired four positions. We've hired -- and  
11 we're starting sort of at the higher levels and  
12 working down.

13 So we've hired a chief of finance and  
14 accounting, a chief of purchasing and contracts, a  
15 budget manager, and we've hired someone under the  
16 purchasing contracts side to kind of manage the --  
17 manage the contracts.

18 So we have four hires on the admin side to  
19 help Lisa, the director, and she has been working  
20 extremely hard the last few weeks, few months to  
21 kind of make the transition (inaudible). Really  
22 everybody in PMW and our team has been doing a  
23 fantastic job this last month.

24 The General Counsel's Office, we were  
25 successful to bring three people over that were

1 with the DBPR. So as of July 1st, the essentially  
2 OGC/PMW team. So in DBPR there's a group of  
3 attorneys and administrative assistants that assist  
4 the PMW. We've brought all them on board, so they  
5 help Ross out in the General Counsel's Office.

6 Additionally on the IT side, we've hired  
7 three -- three positions. We've hired a help desk  
8 manager, a CTO that's kind of focused on  
9 application management, and we're in the process of  
10 hiring a project manager who will start August 16  
11 as well as Carl (ph). And those are sort of the  
12 updates on hiring.

13 Any questions on sort of hiring or how things  
14 have been going on that end?

15 Moving on, on Tuesday of this week, the  
16 general counsel, myself went to Jacksonville to the  
17 Jacksonville City Land Use and Zoning Committee  
18 meeting to voice our opposition to the ordinance  
19 that has been proposed.

20 This follows a letter that was submitted to  
21 them that provided a little bit more of the details  
22 of why we're opposing this ordinance. Essentially  
23 the ordinance it appears could potentially legalize  
24 activity that otherwise would be illegal in terms  
25 of slot machine gaming.

1 I think our -- the message was we're here to  
2 help. Gaming Commission exists. We are here to  
3 help, not just the city of Jacksonville, but anyone  
4 in the state that's kind of going through a similar  
5 kind of trouble with some of these devices.

6 And I'm looking forward to kind of working  
7 with Carl, working with you to kind of help build  
8 out the law enforcement side and really kind of  
9 work with local municipalities and law enforcement  
10 organizations to help respond to some of the issues  
11 that are facing the state.

12 Additionally, we've -- I just want to make  
13 sure everybody's aware, we have a complaint section  
14 on our website now. So the public -- anybody that  
15 wants to can file a complaint with us. There's a  
16 button right on our website when they -- it brings  
17 up a form. They fill out the form. They can do it  
18 anonymously if they want. It's now going to a  
19 database and we're going to be making our way  
20 through that.

21 We already received a complaint that I think  
22 Mr. Marshman (inaudible) discuss it a little bit.

23 MR. MARSHMAN: Before I discuss the individual  
24 complaint, I would be remiss if I didn't thank our  
25 CIO, Susan Whitmire, for her work putting together

1 this form, but also the Department of Business and  
2 Professional Regulations IT team as well for  
3 helping us modify our website but also modifying  
4 their website, the former home for the Division of  
5 Pari-Mutuel Wagering. Both of them were very  
6 helpful in getting this live. And as Director  
7 Trombetta has already indicated, we have gotten  
8 some complaints.

9 Recently an individual reached out to us about  
10 the town of White Springs, Florida. I have not  
11 heard of this, but is in Hamilton County just on  
12 the border with Columbia County. And apparently  
13 they were considering and eventually passed a town  
14 ordinance that may have authorized something  
15 similar to what the city of Jacksonville is  
16 considering authorizing now.

17 I believe the parlance in White Springs was an  
18 internet cafe. And I think that those in the  
19 industry and Director Trombetta know that those are  
20 kind of code words for what may be illegal  
21 activity.

22 So once that complaint was received earlier  
23 this week, I reached out first to the town's Clerk  
24 to get copies of the ordinance and I started  
25 reaching out to other stakeholders in the area,



1 both in law enforcement and the State Attorney's  
2 Office. So in the coming week, I will have more  
3 contact with them and be able to provide you with  
4 an update at our next meeting.

5 But, of course, if you have any questions now,  
6 I'm available to answer as much as I know now.

7 CHAIRMAN MacIVER: Just one small thing, the  
8 complaint when we use the term form, we are using  
9 that colloquially, not in the Florida  
10 Administrative Procedures Act since if someone  
11 wants to file a complaint by the commission, we of  
12 course can receive those by telephone, by email, by  
13 any normal means you would communicate with a state  
14 agency.

15 However, if you use the colloquial form that  
16 is provided, then it's much easier for us to  
17 process the complaint that someone is making and  
18 the results will be much more efficient. If it  
19 were a form in the APA sense, we would be adopting  
20 that going through all of that rigmarole, but we  
21 are not.

22 Secondly -- no, I'll save it for later.

23 Anything further?

24 VICE CHAIR YAWORSKY: Just real quick.

25 Mr. Trombetta or Mr. Marshman, one thing that was

1 mentioned I just want to make sure there's clarity  
2 on this topic.

3 I think the word was -- otherwise would  
4 illegal, but I think the -- I think the -- is it  
5 correct to say that the correct way to phrase what  
6 would happen if a local jurisdiction enabled some  
7 sort of ordinance that legalized these activities,  
8 the regardless of state law, would -- would  
9 generally speaking prevail on that space and the  
10 Gaming Commission would with full force and effect  
11 pursue such activity.

12 MR. MARSHMAN: That's correct, Vice Chair.  
13 The powers of the municipality are limited in that  
14 they cannot legalize what is otherwise made illegal  
15 by Florida law or particular the Florida  
16 Constitution.

17 COMMISSIONER BROWN: I have a question for  
18 Mr. Trombetta. With Mr. Harold starting in  
19 mid-August and not knowing if we're going to have a  
20 meeting before that time and we don't have a  
21 communications hire yet, but I assume we're going  
22 -- that's in the hopper soon, would it be something  
23 that this commission would entertain having  
24 Mr. Harold send a letter to all of the  
25 municipalities and counties around the state just

1 letting them know that the Gaming Commission  
2 exists, that there is this -- they can contact us,  
3 they can file a complaint online, and here are the  
4 ways -- because we are a new state agency, so many  
5 cities and counties don't even know about us.

6 Is that something that this commission and  
7 also, Mr. Trombetta, you would be -- you would be  
8 amenable to?

9 MR. TROMBETTA: Mr. Chair, if you guys  
10 authorize it, we can -- I think we can make that  
11 happen.

12 CHAIRMAN MacIVER: From my part I think it's a  
13 good idea. I think that we do need to get the word  
14 out to the municipalities so that they know we  
15 exist as a resource.

16 The thing that I had said I was going to save  
17 for later, but I think I will address at this point  
18 is as those complaints come in, they can certainly  
19 trigger our regulatory investigative activities  
20 immediately.

21 As we have in coyet (ph) law enforcement  
22 section, I think, Mr. Marshman, do a little bit of  
23 research into what an active criminal investigation  
24 entails. We're going to need to kind of -- if  
25 we're not -- if we're not sending those out to

1 another law enforcement agency to look into and if  
2 the other law enforcement agencies have the  
3 capacity or will to do that, we probably wouldn't  
4 exist at this point.

5 So more likely, we're going to have to keep  
6 those in the hopper waiting until we have the  
7 resources to be able to criminally investigate  
8 them.

9 While we do that, that criminal investigation  
10 information needs to be kept confidential. So  
11 please take a double look at what it means to be an  
12 active investigation for the purpose of public  
13 records.

14 MR. TROMBETTA: Thank you, Mr. Chair. Just a  
15 little bit more information on it. So the -- the  
16 complaint is not limited to criminal activity, so  
17 to support -- to what you just said, if there's any  
18 issues anywhere in the state, we -- there's a  
19 drop-down box that we can identify if it's at a  
20 licensed pari-mutuel cardroom, if it's off -- off a  
21 licensed pari-mutuel cardroom, if it's another, if  
22 somebody doesn't even know.

23 So really we've tried to make it as -- as easy  
24 as possible for someone to file a complaint. And  
25 additionally like you said, the phone line is

1 always open to that. There's more than just this  
2 way for people to file and contact us.

3 CHAIRMAN MacIVER: But it will be much better  
4 if they go through the form.

5 MR. TROMBETTA: Yes, sir.

6 CHAIRMAN MacIVER: Any further discussion  
7 else, Commissioners?

8 VICE CHAIR YAWORSKY: I would just follow up  
9 on what commissioner just said earlier. I think  
10 that is a good idea. I would be very amenable to  
11 it if there was.

12 COMMISSIONER DRAGO: I agree and I was just  
13 going to ask if we could come to a consensus, so  
14 however we want to do it -- do it so that we can  
15 ask Director Trombetta to go ahead and do that. I  
16 think it's a great idea.

17 I think reaching out to law enforcement  
18 agencies throughout the state is going to be a big  
19 part of what Mr. Harold needs to do, especially in  
20 the beginning to build that contact. So if we  
21 could come to a consensus (inaudible) -- to do that  
22 I think would be appropriate.

23 CHAIRMAN MacIVER: Mr. D'Aquila, I --

24 COMMISSIONER D'AQUILA: Yeah, I have a  
25 question, Mr. Trombetta. Is there somewhere nearby

1 where the complaint is filed or some ease for the  
2 public or the naive person or town or governance on  
3 just what is gambling and what is not gambling,  
4 specifically as it pertains to, you know, these  
5 electronic games of chance and so forth?

6 There is -- you know, what is a fund -- a game  
7 versus what is gambling in electronic format and so  
8 forth and is such written in layman's terms  
9 anywhere that can be referenced easily for those  
10 that are perhaps walking a fine line, so to  
11 speak -- to speak figuratively?

12 MR. TROMBETTA: I guess the -- the answer is  
13 the layman's term is what's throwing me off.  
14 Essentially I think part of the -- not getting into  
15 some of the legal merits of the argument.

16 One, this is a problem not unique to Florida.  
17 It's a -- it's a problem across the country. The  
18 president of the American Gaming Association has  
19 sent a letter in April to the Attorney General of  
20 the United States asking for help in this area.

21 However, in Florida, as Mr. Marshman already  
22 said, I think the way the law works is that  
23 gambling in general is prohibited. What gambling  
24 is, I'd suggest if -- if they kind (inaudible)  
25 municipality that they kind of try to use their

1 staff attorneys, but -- but we -- not aware of  
2 anywhere that the Gaming Commission at least has.  
3 There's nothing like that on our website that says  
4 -- that tries to break it down.

5 COMMISSIONER D'AQUILA: Is there any --  
6 putting our website aside and our agency aside, is  
7 there anything out there for the public? It would  
8 seem as though this is going to be a chronic  
9 problem and there's -- and there's some confusion  
10 out there.

11 MR. TROMBETTA: Potentially, but I would  
12 suggest the problem is exacerbated by a few things  
13 and I think the legislature, the governor I think  
14 creating this body is going to help address the  
15 problem.

16 CHAIRMAN MacIVER: If I may add to that, and,  
17 Commissioner Brown, I did see you have a comment,  
18 but if I may add to that.

19 There's also the -- the fact that gambling in  
20 itself exists as a highly regulated field. And if  
21 you're going to tip your toe into that pool, it's  
22 probably incumbent upon you to talk to your own  
23 attorney and figure out what you can and can't do.

24 Commissioner Brown.

25 COMMISSIONER BROWN: I was going to say I'm

1 inclined to make a motion to the same effect of  
2 what we're talking about, specifically just to the  
3 municipalities and the counties and then maybe have  
4 Mr. Harold reach -- at a later -- once he gets  
5 acclimated have him also, you know, reach out  
6 directly to law enforcement around the state.

7 So this would just be directed specifically to  
8 the municipals in the counties if you all are so  
9 inclined as well.

10 My motion would be to have Mr. Trombetta and  
11 Mr. Marshman work with our chair in preparing a  
12 letter to go out to the counties informing them of  
13 who we are, what we are, and all of our contact  
14 information.

15 CHAIRMAN MacIVER: Do I hear any opposition?  
16 Seeing none, show that motion carry.

17 Mr. Trombetta, let's put together a letter  
18 and -- and let our local sheriffs and -- and  
19 municipal police departments know here we are.

20 I'm sorry. I assume when you said  
21 municipalities, you meant municipal law enforcement  
22 and not city councils, but I could have  
23 misinterpreted that.

24 COMMISSIONER BROWN: Again, I'll let  
25 Mr. Harold reach out at a later date, but I --



1 whatever you want.

2 CHAIRMAN MacIVER: Clarifying the motion that  
3 just passed, we're talking about reaching out to  
4 county government and city government?

5 COMMISSIONER BROWN: That's right.

6 CHAIRMAN MacIVER: Perfect.

7 COMMISSIONER BROWN: For now.

8 CHAIRMAN MacIVER: Mr. Trombetta, anything  
9 else?

10 MR. TROMBETTA: Thank you, Mr. Chair, no.  
11 Those are -- those are my updates, and I don't have  
12 anything on the next item as well.

13 CHAIRMAN MacIVER: But also the other item,  
14 Item Number 6, other matters, Commissioners, is  
15 there anything else that you all have for the good  
16 (inaudible) or that you want to bring to the  
17 attention of the commission, anything burning in  
18 your minds that we need to be addressing  
19 immediately?

20 COMMISSIONER BROWN: I wanted to ask  
21 Mr. Trombetta kind of like -- I know the hiring,  
22 and I appreciate the updates, just the priorities  
23 of the next hires that we're going to have.

24 I know at the end of the year we have to  
25 provide a report to the legislature, the governor

1 on legislative recommendations, so obviously  
2 legislative issues and we have an LBR that's going  
3 to be coming up and due and then of course  
4 communications at that poll is pretty important  
5 too, and then just an update on the org chart and  
6 where we are on that.

7 MR. TROMBETTA: Sure. So as you mentioned,  
8 the big targets coming up from us from -- from kind  
9 of the operational side is getting ready for the  
10 LBR, for the legislative recommendations, and then  
11 annual report in December.

12 So we are working to fill out staff to help  
13 support the new areas to -- to make that, to  
14 make -- to accomplish the goals needed to -- to hit  
15 those targets.

16 We have positions out. We're in the process  
17 of trying to hire an HR chief to help assist in HR,  
18 then we're going to fill out the HR side to make --  
19 right now Lisa is essentially doing almost  
20 everything in admin. So she I know would be very  
21 appreciative when that happens.

22 We additionally are trying to fill out the  
23 General Counsel's Office to add some attorneys to  
24 help with rule-making with some of the admin side,  
25 some of the criminal side that's going to be coming

1 up.

2 Mr. Harold has an idea on what he'd like to  
3 do. I want to help him try to get some help right  
4 away as well. And then on the IT side, we are  
5 trying to get people in to help separate from DBPR  
6 so we can get our own network up, so that requires  
7 a network infrastructure person, a network security  
8 person. I'm missing a few. We have -- we have  
9 several ads out right now and we're hoping to get  
10 some good candidates in.

11 CHAIRMAN MacIVER: Sort of joining in on that  
12 and focusing specifically on the law enforcement  
13 side, on that subpart of our agency that we are  
14 building from scratch, if during our next regularly  
15 scheduled meeting under the executive director  
16 updates if you could include specifically an update  
17 on the time line we would have for hiring our law  
18 enforcement officers.

19 There are some delays that go into building a  
20 law enforcement agency, the background checks you  
21 have to do for good moral character, the new  
22 employee orientation high liability training before  
23 they're actually out on the street doing their job,  
24 and just having some target dates set to those  
25 goalposts would be very helpful for us.

1 MR. TROMBETTA: Yes, sir. Yes, Mr. Chair.

2 CHAIRMAN MacIVER: Any other discussion or  
3 questions?

4 All right. Item Number 7, public comment, any  
5 comment from the public for the commission?

6 Mr. Dunbar.

7 MR. DUNBAR: Thank you, Mr. Chair, and I don't  
8 mean to extend the meeting, but to  
9 Commissioner D'Aquila's question, there actually is  
10 some pretty simple information that's out there,  
11 and this is for your benefit as well as the general  
12 public.

13 Florida laws are actually -- they're old, but  
14 they're fairly easy to categorize game, right. We  
15 unlike a lot of other states have specific statutes  
16 that say games of chance are prohibited, lotteries  
17 are prohibited, games of skill are prohibited,  
18 pari-mutuel wagering can only occur this way.

19 And what happens in gray market land is they  
20 try to obscure some of these things and one of --  
21 what I would encourage you to do is go through 849  
22 and -- and you might be able to very simply lay  
23 that out so that you can say, oh, well, so and so  
24 says it's a game of skill, therefore it is okay.  
25 Well, that might work in North Carolina. That

1 doesn't work in Florida, because we have 849.14  
2 which prohibits any type of wagering or holding  
3 of -- of consideration involving a game of skill,  
4 so it really didn't matter that the slot machine  
5 may have a skill-based element.

6 When the internet cafe scandal of 2014-ish  
7 happened, we lost a lieutenant governor. We  
8 rewrote our statutes, and even further updated the  
9 slot machine statute to have this omnibus catch-all  
10 so that any machine-based game that has skill or  
11 chance is prohibited and is -- the exclusive  
12 purview of this body if it's going to be legalized.

13 So from a Gaming 101, we -- Florida actually  
14 has the ability to lay out in very simple sentences  
15 when we interact with local law enforcement. It  
16 really doesn't matter, because our laws again, even  
17 though they're old, are -- are very comprehensive  
18 in what it prohibits.

19 And the other thing I would encourage you to  
20 look at and staff is from 1930s through today, the  
21 Attorney General was very active in interpreting  
22 these statutes when they first went on the books.  
23 And some of them are easy to find, some of them are  
24 not. There's a volume of about this thick of  
25 Attorney General opinions that further interpret

1 what's a lottery, what is consideration for the  
2 purpose of the lottery, and things like that.

3 So you -- you could assemble it pretty easily,  
4 but I will tell you as you go back and you interact  
5 with law enforcement, as commissioners, I can  
6 pretty much tell you any gaming of any kind in  
7 which consideration is exchanged between parties on  
8 a game of chance or game of skill is your purview  
9 and is -- is prohibited under the Constitution,  
10 under the statutes only to the extent (inaudible)  
11 by the legislature. So however that helps you, I  
12 wanted to give you that benefit for the record.

13 CHAIRMAN MacIVER: That's very helpful. Thank  
14 you.

15 VICE CHAIR YAWORSKY: Mr. Chair, could I just  
16 -- I know we haven't established or even determined  
17 if we need them, but speaker cards for example, but  
18 if there is a member of the public speaking, I do  
19 think it would be helpful for the purposes of the  
20 record to -- for them to indicate if they're -- if  
21 they're representing or compensated by any party.

22 CHAIRMAN MacIVER: Noted, and we'll take -- we  
23 will hammer out a procedure for the next meeting.

24 MR. DUNBAR: I apologize. For the record, I'm  
25 Mark Dunbar and I'm not here representing anybody.

1 I'm here -- you'll find that I'm a bit a  
2 (inaudible) gaming as everybody knows (laughter) at  
3 the law school, so I plan to be interacting with  
4 you quite a bit as you all come up to speed. So  
5 I'm not here on behalf of anybody, I'm just here on  
6 behalf of myself.

7 CHAIRMAN MacIVER: Any other public comment  
8 today? Seeing none, do I have a motion to adjourn  
9 the meeting?

10 (Second made)

11 CHAIRMAN MacIVER: I see no objection. Show  
12 the meeting adjourned.

13 (Proceedings concluded at 10:19 a.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA  
COUNTY OF WAKULLA

I, JUDY LYNN MARTIN, do hereby certify that I was authorized to and did stenographically report the foregoing telephonic proceedings and that the transcript, pages 1 through 39, is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 22nd day of August, 2021.

*Judy Lynn Martin*

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JUDY LYNN MARTIN



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Florida Gaming Control Commission

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September 01, 2022

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FLORIDA DEPARTMENT OF BUSINESS & PROFESSIONAL  
REGULATIONS

FLORIDA GAMING CONTROL COMMISSION PUBLIC HEARING  
FIRST GENERAL BUSINESS MEETING

VOLUME 1 (Pages 1 - 157)

DATE TAKEN: Thursday, September 1st, 2022  
TIME: 9:30 a.m. - 12:24 p.m.  
PLACE: W.V. Knott Building at  
The Capitol Complex, Room 412,  
Tallahassee, Florida 32399  
And Teleconference  
And Live Broadcast  
Stenographer appeared remotely via  
Live Broadcast

Stenographically Reported By:  
Brandy Duxbury, Stenographer

Job No. : 269967

1 APPEARANCES:

2 On behalf of Florida Department of Business &  
3 Professional Regulations:

4 FLORIDA DEPARTMENT OF BUSINESS & PROFESSIONAL  
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21 EMILY A. ALVARADO, ESQ.  
22 ROSS MARSHMAN, ESQ.

23 BOARD MEMBERS:

24 Chairman John MacIver  
25 Vice-Chair Michael Yaworsky  
26 Commissioner Julie Brown  
27 Commissioner John D'Aquila  
28 Commissioner Chuck Drago  
29 Executive Director Louis Trombetta

30 Also Present:

31 John Zachem, Public Comment Speaker  
32 Jorge Gazale (phonetic), Public Comment Speaker  
33 John Lockwood, Public Comment Speaker

34

35

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1 Proceedings began at 9:30 a.m.:

2 MR. MACIVER: Good morning,  
3 Commissioners. Thank you and welcome,  
4 everybody, to the September 1st general  
5 business meeting, the Florida Gaming Control  
6 Commission. I still have to look when I try  
7 to remember what our full name is.

8 Lou just reminded me, just as a  
9 matter of housekeeping for anybody, if  
10 there's a specific agenda item that you wish  
11 to make comment on, please see Ms. Stinson  
12 and fill out a speaker card, so that I know  
13 to recognize you during that particular  
14 agenda item, and I don't pause for all of  
15 the other 50 agenda items for which no one  
16 actually desires to speak.

17 With that, Lou, we don't have a  
18 guest leader for the pledge this time  
19 around, do we?

20 MR. TROMBETTA: No, we don't.

21 MR. MACIVER: Okay, okay.

22 Ms. Brown, would you like to lead  
23 us?

24 MS. BROWN: I'd be honored.

25 MR. MACIVER: Thank you.



1 MS. BROWN: Please rise.

2 (Whereupon, everyone stood for the Pledge of  
3 Allegiance.)

4 MR. MACIVER: I really, really,  
5 really hope the Florida channel is catching  
6 the fish tank behind us. That's all anybody  
7 is going to watch for the next hour or two.

8 Commissioners, the first item on  
9 the agenda, of course, is approval of  
10 meeting minutes. This will go back to the  
11 July 6th, 2022 meeting. I don't know about  
12 you all, but when I went through and  
13 reviewed my meeting packet for today, I was  
14 foolish enough to go in order and reviewed  
15 all of those minutes before I got to any of  
16 these substantive things that were down  
17 below it, and completely drained my brain of  
18 any power and having to go into a second  
19 session to review the rest of our meeting  
20 materials, but the meeting minutes looked in  
21 order to me.

22 Is there any discussion? Without  
23 objection, show those on adopted. Seeing  
24 none, they're adopted.

25 Commissioners, I think that we can

1 combine 2.1 and 2.2, if there's no  
2 objection.

3           The applications for the  
4 pari-mutuel operating licenses to make those  
5 amendments. I did want to suggest that as  
6 we move forward as a commission throughout  
7 the course of the next year or so, we'll  
8 probably be doing things like looking at  
9 our policies, looking at our rules, and  
10 doing everything within our power to try and  
11 streamline our processes, eliminate red tape  
12 where it's not necessary. And these  
13 applications, or the depth of inquiry that  
14 goes into these amended applications, I  
15 think is probably a vestige for a time when  
16 making these amendments had a much more  
17 significant impact upon the general revenue.

18           With that, not being a significant  
19 -- isn't anymore -- it -- as significant  
20 anymore, I think that's one area that we may  
21 be looking at in the future as maybe  
22 lessening the burdens upon the industry  
23 people who are making these requests.  
24 Certainly, we still need to be informed, we  
25 still need to approve, but having a --

1 essentially, a sworn affidavit and a  
2 multi-page application that someone has to  
3 go through and have prepared, it seems to  
4 just be, from a cost benefit, from the  
5 industry practitioner, to be a little bit  
6 too burdensome to me, but I just -- sorry,  
7 I'm -- thank you for indulging me on riffing  
8 for that for a second, but I think that's an  
9 area where we can probably cut a little red  
10 tape in the future.

11 Mr. Trombetta, do you want to go  
12 ahead and present Item Number 2?

13 MR. TROMBETTA: Yes, Chair. Thank  
14 you. So Item 2 -- sorry, this mic is a  
15 little too close. There we go. Item Number  
16 2 contains, as you suggested, two  
17 applications to amend racing schedules.  
18 2.1, Case Number 2022-037945, is a request  
19 from Tampa Bay Downs, which is a  
20 thoroughbred permit holder to -- they were  
21 canceling a single performance and adding  
22 another. So essentially, they're canceling  
23 one, and adding another, so the number of  
24 races will stay the same.

25 Based on -- sort of the review of

1 the statute and rules, the recommendation  
2 here is to approve the requested amendment.

3 MR. MACIVER: And there was no  
4 objection from any other entities, correct?

5 MR. TROMBETTA: Correct, yes, sir.

6 MR. MACIVER: Members, any  
7 discussion? Any debate? Do I have a  
8 motion?

9 MR. DRAGO: Motion.

10 MR. MACIVER: Second?

11 MS. BROWN: Second.

12 MR. MACIVER: Any objection?  
13 Seeing none, that motions carries. And,  
14 sorry, I said we were going to consolidate  
15 those first two, and I just ran right  
16 through them, sorry.

17 MR. TROMBETTA: A chair. Cou-  
18 sho- -- would be you like the second one?

19 MR. MACIVER: Yes.

20 MR. TROMBETTA: So Item Number 2.2  
21 is Case Number 2022-039135. This is a  
22 similar matter involving Gulfstream, which  
23 is also a thoroughbred permit holder,  
24 requesting to -- there's a little bit more  
25 -- there's more amendments on this one.

1           They are requesting to cancel all  
2 Thursday performances in September, and then  
3 there's a request to modify three charity  
4 racing days. So same similar thing where  
5 they're going to be canceling one charity  
6 day and adding another. So they're going to  
7 be canceling Saturday, September 3rd and  
8 adding December 31st. Canceling January 1st  
9 of 2023 -- sorry, January 21st of 2023, and  
10 adding February 4th of 2023, and then  
11 canceling February 25th of 2023, and adding  
12 March 4th of 2023.

13           So in terms of the charity racing  
14 days, the number of charity racing days will  
15 stay the same; they're just moving when  
16 they're actually going race. And, again,  
17 the initial request was to cancel all  
18 Thursday performances in September. They  
19 have five scheduled.

20           Based on the review of the  
21 application and the relevant statute and  
22 rule provisions, the recommendation here is  
23 to approve this request to amend their  
24 license as well.

25           MR. MACIVER: Commissioners, any

1 discussion?

2 MS. BROWN: Move to approve the  
3 staff recommendation on Gulfstream.

4 MR. D'AQUILA: Second.

5 MR. MACIVER: Any objection? Show  
6 that motion carries.

7 Let's try and consolidate all of  
8 Number 3 together. Mr. Trombetta, can you  
9 just give us the overview of what we're  
10 doing here?

11 And to my mind this is it not  
12 quite ministerial, but about as close as we  
13 get to ministerial duties, so if you can  
14 kind of just touch, for the general public,  
15 what we're doing here.

16 MR. TROMBETTA: Yes, Chair, Thank  
17 you. So just for purposes of the record,  
18 I'm just going to say the case numbers, and  
19 then I'll provide kind of an overview of  
20 what they all are.

21 So you have three Greyhound tax  
22 credit transfer requests. So Case Number  
23 2022-039514 is Tampa Greyhound, Permit  
24 Number 140, Item 3.1 on the agenda. Case  
25 Number 2022-039506 is Palm Beach, Permit

1 Number 149. And Item Number 3.3 is Case  
2 Number 2002-039077, which is a request from  
3 St. Petersburg Kennel Club, Permit Number  
4 151 paragraph.

5 All three of these permit holders  
6 are requesting to transfer Greyhound tax  
7 credits that they received under the  
8 statute. Tampa Bay -- Tampa Bay, Permit  
9 140, is requesting to transfer \$360,000  
10 worth of Greyhound tax credits. Palm Beach  
11 is requesting to transfer \$340,000 worth of  
12 Greyhound tax credits. And St. Pete Kennel  
13 Club is requesting to transfer \$360,000 of  
14 Greyhound tax credits.

15 There are no kind of exceptions to  
16 any of these requests. The factual basis is  
17 essentially the same for all of them. They  
18 have -- they're eligible to transfer these  
19 tax credits. The law, the applicable law,  
20 after review also does not seem to be an  
21 issue for any of them, so the recommendation  
22 for all three is to approve the request to  
23 transfer.

24 MR. MACIVER: Commissioners, any  
25 discussion or debate? A motion?

1 MR. D'AQUILA: Motion.

2 MR. DRAGO: Motion.

3 MR. MACIVER: Any objection? Show  
4 the motion carries to approve those three.

5 MR. TROMBETTA: Thank you, Chair.

6 MR. MACIVER: And Item Number 4.

7 We are moving on to discussion of default  
8 final orders.

9 Is that Mr. Marshman or Mr.  
10 Trombetta?

11 MR. MARSHMAN: Good morning,  
12 Mr. Chair. That will actually be other  
13 attorneys from the Office of General Counsel  
14 this morning.

15 MR. MACIVER: All righty.  
16 Mr. Taupier, do you want to lead us in?

17 MR. TAUPIER: Yes, sir. Good  
18 morning, Commission. Mar Taupier for the  
19 record.

20 The first Item Number 4.1 is FGCC  
21 v. Alexis Romero Delgado. Respective case  
22 numbers are 2022-021526, 2021-004913, and  
23 2020-053235. Those administrative  
24 complaints are all of the same violation, a  
25 violation of Section 550.105(7), which is



1 having a financial responsibility unpaid  
2 that related to peri-mutuel wagering or the  
3 industry.

4 In each case the Respondent was  
5 served with an administrative complaint, and  
6 no response was filed within 21 days.  
7 Because Respondent did not file anything  
8 within 21 days, pursuant to Florida  
9 Administrative Code Rule 28-106.114(4), "Any  
10 person who receives written notice of an  
11 agency decision and who fails to file a  
12 written request for a hearing within 21  
13 days, waives the right to a hearing on such  
14 matters."

15 So before you are three cases  
16 where I ask that you find that they were  
17 properly served and waive the right to a  
18 formal hearing under Chapter 120. The  
19 current status of this licensee is that it  
20 expired. I did provide the law where can  
21 take against a license if it were to be  
22 current at this point, and in violation you  
23 can still go back and take action. So I  
24 would ask that you revoke that license for  
25 disciplinary action, and make them

1 ineligible until those obligations are paid.

2 I will note that the obligations  
3 within three cases amounts to almost  
4 \$100,000, which is quite a lot of money that  
5 they are not paying back, so the  
6 recommendation from the Division is to do  
7 that.

8 MR. MACIVER: Was -- so there was  
9 no response filed. Was there any contact  
10 with the licensee in the form of trying to  
11 make informal settlement? Was there any  
12 response back to them at all informally, or  
13 were they just dead silent on it?

14 MR. TAUPIER: So with the  
15 Commission, they were dead silent with us.  
16 One of the parties that is owed money, he is  
17 a regular with the Florida Game and Control  
18 Commission and our cases, Brad Bailey  
19 (phonetic), and we do know that -- I believe  
20 they're trying to work something out --  
21 don't quote me on that.

22 But as far as discussions with who  
23 they needed to have a discussion with, with  
24 their license, they did not have it with us.

25 MR. MACIVER: And I don't remember

1 from my review of the packet, but these  
2 cases are all the same licensee, and we're  
3 just revoking the same license three times?

4 MR. TAUPIER: We're revoking the  
5 license --

6 MR. MACIVER: Cumulatively.

7 MR. TAUPIER: Cumulatively,  
8 correct.

9 MR. MACIVER: Commissioners,  
10 questions?

11 MS. BROWN: Thank you, and thanks  
12 to all the staff for the investigation and  
13 the time and energy that went into these  
14 cases.

15 How long do they have? Do they  
16 have a time period to pay back the  
17 obligations?

18 And also, if they -- can they make  
19 a set schedule in commitment with the Gaming  
20 Commission?

21 MR. TAUPIER: So by statute, there  
22 is no particular time to which the law  
23 requires them to pay these obligations. We  
24 have in the past with these kinds of cases  
25 gotten correspondence from the individuals

1 who are being owed the money, where they  
2 have entered into an agreement with them and  
3 have a payment plan with them, and they  
4 withdraw their complaint.

5 So at that time, we usually drop  
6 the complaint until they're not in  
7 compliance with whatever payment plan they  
8 had with the third party.

9 MS. BROWN: Okay. Thank you. I  
10 was just wondering if it was in perpetuity  
11 once the obligations are met. I mean, this  
12 could be five, six years down the road.

13 MR. TAUPIER: Correct, it could  
14 be, or never.

15 MS. BROWN: Thank you.

16 MR. MACIVER: Commissioners, any  
17 further questions? Any debate? Do I have a  
18 motion to accept the recommendation of  
19 staff?

20 MS. BROWN: Motion?

21 MR. MACIVER: And a second?

22 MR. D'AQUILA: Second.

23 MR. MACIVER: And do have any  
24 objection? Seeing none, show the motion  
25 carries, and -- and we can enter that final

1 order.

2 Item 4.2.

3 MS. ALVARADO: Good morning,  
4 Commissioners. I'm Emily Alvarado. I'm  
5 here to present Item 4.2, which is FGCC v.  
6 Todd Matthew Seglem in Case Number  
7 2022-024544. In your case materials, you  
8 were provided the administrative complaint.  
9 It was a three-count administrative  
10 complaint alleging violations of Rule  
11 61D-11.0048(a), 61D-11.0042, and  
12 61D-11.004(a). You were also provided the  
13 USPS certified tracking number, as well as  
14 the delivery confirmation. The Respondent  
15 failed to respond within 21 days pursuant to  
16 Rule 28-106.114.

17 The Division would recommend that  
18 the staff -- the Commission -- that the  
19 Respondent is subject to an administrative  
20 fine of up to \$1,000 per violation. We  
21 recommend an additional fine of \$50 for each  
22 one, so \$150 in total. The Division would  
23 ask the Commission to enter an order finding  
24 that Respondent was properly served, they  
25 waived their right to a formal hearing, and

1 that the factual allegations in the  
2 administrative complaint are accepted as the  
3 finding of facts in this case.

4 MR. MACIVER: Similarly, I'm  
5 curious about any of the discussions that  
6 were happening with the licensee prior to  
7 formal action being taken. Was there any  
8 corporation during the pendency of the  
9 process?

10 MS. ALVARADO: No, this Respondent  
11 did not communicate with us at all.

12 MR. MACIVER: Commissioners?

13 MR. DRAGO: Oops. One question as  
14 to the fines, how we come up with the  
15 number, whether or not there's a formula, or  
16 if we -- there's something ensuring that  
17 we're being consistent with it.

18 Do we look at their past history  
19 -- whether this is first, second, third  
20 violation of this type, et cetera -- how do  
21 we come up with the number, I guess, is what  
22 I'm asking?

23 MS. ALVARADO: So we do look to  
24 the disciplinary history. This specific  
25 Respondent had no disciplinary history with

1 these rules. And then obviously the  
2 severity of the rule that they're violating,  
3 we consider that as well, but there's no  
4 specific guidelines that tell us what the  
5 set fine would be for these rules.

6 MR. DRAGO: But there are attempts  
7 to be consistent, I guess, across the board?

8 MS. ALVARADO: Yes.

9 MR. DRAGO: I know there's a lot  
10 of factors that change on a case-by-case  
11 situation, but we pay mind to making sure  
12 we're consistent across the board and  
13 everybody is getting the same --

14 MS. ALVARADO: Yes, Commissioner.

15 MR. DRAGO: -- same shot?

16 MS. ALVARADO: Yes.

17 MR. DRAGO: Okay. Thank you.

18 MR. MACIVER: That's actually  
19 something that I actually wanted to touch on  
20 when we go to discuss the consent orders,  
21 but it may be appropriate to address it now,  
22 just some guidance from the Commission  
23 possible on how we approach those informal  
24 settlement negotiations.

25 And let me be clear from the

1     outset that I have the full confidence that  
2     you are approaching this in the manner that  
3     I describe and with full integrity.  When I  
4     see smaller fines, it makes me generally  
5     skeptical, though, so I wanted to just make  
6     sure that we know moving toward that as a  
7     Commission, at least my hope -- and I think  
8     the Commissioners will agree with me -- my  
9     hope would be that when we're having those  
10    formal settlement negotiations, our goal is  
11    always compliance.  It is not -- we are not  
12    a competitive prosecutorial body, for lack  
13    of a better term.  We're not putting wins in  
14    a win column when we get a settlement of a  
15    certain amount.  We're not saying we need  
16    our pound of flesh to make this go away.  
17    This is what is the amount that we need to  
18    have them pay just to ensure compliance.  
19    And if that is amounts is zero and a  
20    warning, then -- then that's okay too, but  
21    our goal should always be a good-faith basis  
22    to believe that they are going to start  
23    complying with the rule that they're  
24    violating.

25                   With that, Commissioners, any



1 further discussion? Any debate? Do I have  
2 a motion to accept the staff recommendation?

3 MR. D'AQUILA: I'll make a motion.

4 MR. MACIVER: Second.

5 MR. DRAGO: Second.

6 MR. MACIVER: And do I see any  
7 objection? Seeing none, show the motion  
8 carries. Thank you, Ms. Alvarado.

9 And moving on into our discussion  
10 of consent orders. Item Number 5 and 5.1.  
11 And I don't remember from memo to memo whose  
12 case was which, so when I get to it, just  
13 jump right in.

14 MS. ALVARADO: I'll actually be  
15 handling 5.1 through 5.8, so the whole  
16 section 5 --

17 MR. MACIVER: All right. We're on  
18 a roll here.

19 MS. ALVARADO: I'm prepared to  
20 discuss them together, but I can also go  
21 through them individually, if you prefer,  
22 whichever way.

23 MR. MACIVER: With apologies to my  
24 fellow commissioners, I think we probably do  
25 have to go through these types of things on

1 an individual basis because the  
2 determination of the propriety of what we're  
3 doing is going to vary a case-by-case basis.

4 MS. ALVARADO: Okay. So the first  
5 case, Item 5.1, is FGCC v. Ronnie Garcia, in  
6 Case Number 2022-016405. In your case  
7 materials, you were provided the  
8 administrative complaint, which showed that  
9 Respondent removed tips from a tip box prior  
10 to all his tips being counted. That's in  
11 violation of 61D-11.0045. You were also  
12 provided the settlement and consent order  
13 which was signed and notarized by the  
14 Respondent. The Respondent also sent in a  
15 money order to the Division with an  
16 administrative fine of \$200.

17 This is the Respondent's second  
18 violation in Florida. The first one was in  
19 2022 as well, in March of 2022. That one,  
20 he was given an administrative fine of 100.  
21 The division would ask that you enter an  
22 order adopting the incorporating the  
23 proposed settlement and consent order in  
24 this case.

25 MR. MACIVER: And remind me what

1 the penalty was in the consent order?

2 MS. ALVARADO: This one was \$200.

3 MR. MACIVER: Okay.

4 Commissioners, any questions?

5 MS. BROWN: I would make a motion  
6 to adopt the consent order as recommendation  
7 by the staff recommendation for Mr. Garcia.

8 MR. D'AQUILA: Second.

9 MR. MACIVER: I might -- I might  
10 have a further question before we get to  
11 that.

12 One more time, the facts of what  
13 he was accused of were --

14 MS. ALVARADO: He removed --  
15 they're required to count the tip box  
16 altogether, and he had removed his tips  
17 prior to them counting the box in total.

18 MR. MACIVER: Okay, okay. So it  
19 wasn't necessarily him -- he wasn't  
20 pocketing chips --

21 MS. ALVARADO: No.

22 MR. MACIVER: -- he was taking  
23 what was legitimately his just in an  
24 improper procedure.

25 MS. ALVARADO: Right.

1 MR. MACIVER: Any objection to the  
2 motion? Show that the motion carries.  
3 Thank you.

4 MS. ALVARADO: Items 4.2 through  
5 4.4 (sic) are legally and factually the  
6 same. Again, I can do them separately, but  
7 they are the same facts.

8 MR. MACIVER: For the record, 5.2  
9 to 5.4?

10 MS. ALVARADO: Yes. So in these  
11 cases, they are FGCC v. Courtney Warren, in  
12 Case Number 2022-01212 -- 0622, FGCC v.  
13 Richard Flores, 2022-027408, FGCC vs. Joseph  
14 Gerstel in Case Number 2022-027412.

15 In these cases the Respondents  
16 were found failing to wear their photo ID  
17 while they were working at Tampa Bay Downs.  
18 It's a violation of 61D-11.0098. You were  
19 provided the settlement and consent order,  
20 which had an administrative fine of \$50.  
21 All three of them had sent in their cashier  
22 check or money order already, so the  
23 Commission would ask that the Division adopt  
24 the settlement and consent order of these  
25 three cases.

1 MR. MACIVER: And no prior  
2 violations?

3 MS. ALVARADO: No prior  
4 violations.

5 MR. MACIVER: -- by any of these  
6 three?

7 Commissioners, any questions? Any  
8 debate? I entertain a motion.

9 MR. DRAGO: Motion to approve.

10 MR. YAWORSKY: Second.

11 MR. MACIVER: Any objection?  
12 Seeing non, show that motion will carry to  
13 approve 5.2 through 5.4.

14 MS. ALVARADO: Item 5.5 is FGCC v.  
15 TBD Entertainment, LLC, in Case Number  
16 2022-028029. In this case the Respondent  
17 failed to provide the table number on a  
18 damaged card envelope. When a damaged card  
19 is removed, they're required to stick it in  
20 an envelope and put certain information on  
21 that envelope, and they didn't put the table  
22 number on there. That's in violation of  
23 61D-11.0144(b)(2). You were also provided  
24 the settlement and consent order which had  
25 an administrative fine of \$300, as well as

1 the -- we've received the cashier's check to  
2 the Division already.

3 This is the second violation by  
4 the Respondent. Their first one was in  
5 2020, and also received a fine of \$300, so  
6 we'd ask that the Commission enter an order  
7 adopting and incorporating the settlement  
8 and consent order in this case as well.

9 MR. MACIVER: This is a curiosity  
10 question, and I'm sorry to belabor what  
11 should be an easy button, but -- so our rule  
12 exists to keep things -- to preserve  
13 integrity and whatnot. What's the -- for  
14 someone who knows gambling better than the  
15 chair does, what's -- what is the  
16 opportunity that we are trying to prohibit  
17 with this particular rule?

18 What does someone do when they're  
19 not putting that table number on there?  
20 What -- what opportunity for malfeasance  
21 exists that we're preventing?

22 MS. ALVARADO: I would assume that  
23 they -- to ensure that the whole deck of  
24 cards was also removed; that's just my  
25 assumption. I'm not 100 percent on why they

1 were required to do that.

2 MR. MACIVER: Okay.

3 MR. TROMBETTA: Thank you, Mr.  
4 Chair. If I may provide a little bit of  
5 background? So I believe this is the rule  
6 -- this was the case -- and I apologize.  
7 I'm trying to do 100 things here. This is  
8 the rule involving marking the bag after a  
9 card is removed from play? Okay, so the  
10 plan there is on -- it's inventory purposes.

11 We want to make sure that cards  
12 that are introduced to play and removed from  
13 play have not been compromised, and so when  
14 -- the process is that when a card is  
15 removed, it's placed into a bag, and it's  
16 marked so that we know sort of where it came  
17 from; and for our purposes, we can kinds of  
18 back track what happened, if anything did  
19 happen. A huge majority is a card just  
20 kind of gets broken or damaged just from  
21 normal course of play. But we have some  
22 rules in place to kind of make sure that if  
23 there was some type of wrongdoing, we can  
24 kind of backtrack and figure out what  
25 happened.

1 MR. MACIVER: Gotcha. Okay.

2 Commissioners, any other  
3 questions, or any debate?

4 MR. DRAGO: I just one question.  
5 He had a previous violation for the same  
6 violation or a different violation?

7 MS. ALVARADO: Yes, it was the --  
8 it wasn't -- the card -- the card didn't  
9 have the signature on it. It was a similar  
10 violation. They're required to have a  
11 signature and table number at the time it  
12 was taken, and this one didn't have the  
13 table number, the prior one didn't have a  
14 signature from the supervisor.

15 MR. DRAGO: Thank you.

16 MR. D'AQUILA: Question. Do we  
17 know exactly how many times this particular  
18 person had this happen? Was it just --

19 MS. ALVARADO: It's only one  
20 prior.

21 MR. D'AQUILA: It's only one  
22 prior, okay. Thank you.

23 MS. BROWN: I will move to approve  
24 the consent order for -- in 2022-028029 case  
25 number.



1 MR. YAWORSKY: Second.

2 MR. MACIVER: Any objection? Show  
3 that motion adopted.

4 MS. ALVARADO: The next item is  
5 5.6, which is FGCC v. OBS Real Estate  
6 Holdings, LLC, in Case Number 2022-028395.  
7 In this case the Respondent failed to have  
8 the complete entries on their poker room  
9 camera observation log, which is in  
10 violation of 61D-11.02517. They sent in the  
11 signed and notarized settlement and consent  
12 order, which had an administrative fine of  
13 \$250. They also sent in a money order  
14 already.

15 This Respondent had no prior  
16 violations of this. The Division would that  
17 the Commission enter an order adopting the  
18 settlement and consent order in this case.

19 MR. MACIVER: I'm sorry,  
20 Ms. Alvarado, I was looking at something  
21 when you went over the probably key part for  
22 me. What was the violation again?

23 MS. ALVARADO: They failed to have  
24 complete entries in their security log.  
25 They were missing time, signature, missing

1 information. It wasn't complete.

2 MR. MACIVER: Thank you,  
3 Commissioners?

4 MR. DRAGO: Just one question.  
5 This is not because of a malfunction of the  
6 camera or something. This is something that  
7 the staff failed to do?

8 MS. ALVARADO: Yes.

9 MR. DRAGO: Just fill out the  
10 forms, indicate times and dates. It wasn't  
11 a malfunction somebody wasn't aware of or  
12 something in the camera, correct?

13 MS. ALVARADO: No, they failed to  
14 fill out -- they actually did fill out other  
15 areas of information with the same incident  
16 that they were observing, but they didn't  
17 fill out certain parts of the form that they  
18 were required to fill out.

19 MR. DRAGO: Thank you.

20 MR. MACIVER: Any further  
21 questions? Any debate? I'll entertain a  
22 motion.

23 MR. DRAGO: Motion to approve.

24 MR. MACIVER: And a second?

25 MR. D'AQUILA: Second.

1 MR. MACIVER: Without objection,  
2 show that motions carries.

3 MS. ALVARADO: Next item is 5.7.  
4 FGCC v. TBD Entertainment, LLC, in Case  
5 Number 2022-031049. And in this case the  
6 Respondent failed to ensure that the  
7 drop-box was transported from the count room  
8 with more than one employee present, which  
9 is a violation of 61D-11.1751(e). They sent  
10 in a signed settlement and consent order  
11 with an administrative fine of \$250. They  
12 also sent in the money order. They have no  
13 prior violation of this rule. The Division  
14 would ask the Commission to adopt this  
15 settlement and consent order in this case as  
16 well.

17 MR. MACIVER: Commissioners, any  
18 questions? Any debate? And seeing none,  
19 I'll entertain a motion.

20 MR. DRAGO: Motion to approve.

21 MS. BROWN: I second.

22 MR. MACIVER: Any objections?  
23 Show the motion adopted.

24 MS. ALVARADO: The last item in  
25 Section 5 is 5.8, which is FGCC v. Juan

1 Alvarado, in Case Number 2022-034120. In  
2 this case the Respondent raced a horse at  
3 Gulfstream Park with -- it was determined to  
4 have Omeprazole Sulfate present in the  
5 system -- in his system. It's a violation  
6 of Section 550.24151(a) and  
7 61D-6.00(a)(2)(s). You were provided the  
8 settlement and consent order which had a  
9 written warning.

10 This is Respondent's first  
11 violation in Florida. This drug is a Class  
12 D drug under the ARCI guidelines, 2014  
13 guidelines that we follow. The recommended  
14 penalty for a Class D drug is a written  
15 warning for a first offense, so the Division  
16 would ask that you enter an order  
17 incorporating the settlement and consent  
18 order.

19 MR. MACIVER: Commissioners, any  
20 questions?

21 MS. BROWN: For the permit holder,  
22 what happens after the sample has been  
23 tested, and it's been found to be a  
24 violation of Class D, is there any  
25 follow-up?

1 MS. ALVARADO: For a Class D, no.  
2 Anything from a C -- an A to a C would  
3 require, likely, a first revocation, so they  
4 would be involved in that, but here there  
5 would be no involvement by the permit  
6 holder.

7 MS. BROWN: Okay. And this is the  
8 first violation?

9 MS. ALVARADO: Yes.

10 MR. MACIVER: Any further  
11 questions, or any debate? Commissioners, do  
12 I have a motion?

13 MS. BROWN: To approve the consent  
14 order of this item.

15 MR. MACIVER: And a second?

16 MR. D'AQUILA: I'll second.

17 MR. MACIVER: I see no objection.

18 Show that motion carries. Thank you,

19 Ms. Alvarado.

20 And Item number 6, a discussion of  
21 license denials, again, sort of similar to  
22 the last, I don't remember from memo to memo  
23 whose name was on each one, so just jump in  
24 when it's yours.

25 MR. TAUPIER: Marc Taupier for the

1 record. I'll be handling 6.1 through 6.10.

2 MR. MACIVER: Okay.

3 MR. TAUPIER: First one, 6.1., is  
4 Steven Selvey, Case Number 2022-024016.

5 Mr. Selvey applied to get a pari-mutuel  
6 wagering individual occupational license.  
7 Upon review of his application, it is found  
8 that he had two felony convictions from  
9 2016, which were leaving the scene of a  
10 crash involving injury and criminal  
11 mischief.

12 Mr. Selvey did apply for a waiver,  
13 but on several occasions the Division staff  
14 tried to schedule that interview with him,  
15 and no communication back from him has been  
16 made; therefore, pursuant to our rule  
17 regarding waiver, failure to participate in  
18 that interview shall result in a denial or  
19 request for the waiver.

20 Since that waiver cannot be  
21 granted, the Commission has the opportunity  
22 to either grant or deny the license. The  
23 Division recommends that the Commission  
24 authorize the issuance of a notice of intent  
25 to deny for those two criminal convictions.

1 MR. MACIVER: Now, for the sake of  
2 the general public, I'm going to try and  
3 give my very simple understanding of how our  
4 authority works in this process, and please  
5 correct me where I error.

6 When they make the application, by  
7 statute, there is a -- either felony or list  
8 of related misdemeanors which would make  
9 them potentially ineligible within our  
10 discretion. Before we exercise that  
11 discretion, that application will go to the  
12 executive director who can make a  
13 determination to make a waiver before that  
14 comes to us.

15 If there is no waiver granted,  
16 then it comes to us for an exercise of  
17 discretion where we decide whether or not  
18 the good moral character of this person  
19 warrants them actually receiving a license  
20 or not.

21 MR. TAUPIER: Correct.

22 MR. MACIVER: Okay.

23 Commissioners, questions? Any debate? Do I  
24 have a motion to accept the staff  
25 recommendation?

1 MS. BROWN: So moved.

2 MR. MACIVER: And a second?

3 MR. DRAGO: Second.

4 MR. MACIVER: And don't see any  
5 objection? Show that motion carries.

6 MR. TAUPIER: Next item, 6.2.,

7 Scott Motyk, Case Number 2022-024620.

8 Mr. Motyk did apply for a PMW occupational  
9 license. Upon review of his application,  
10 Mr. Motyk has had several felony convictions  
11 and misdemeanor disqualifying convictions.

12 There were 16 counts of burglary  
13 of a structure or conveyance. And all of  
14 these convictions ran through 2012 to 2014,  
15 just for the record. There was a burglary  
16 with armed, or became armed, with a  
17 dangerous weapon, dealing in stolen  
18 property, false verification of ownership of  
19 pawned item. Petty theft first degree, two  
20 counts of that, and petty theft second  
21 degree, there were three counts of that.

22 Mr. Motyk did apply for a waiver.  
23 The interview was conducted, and the  
24 executive director declined to waive the  
25 felony and misdemeanor disqualifying



1 convictions. Based off of the disqualifying  
2 or potential disqualifying convictions, the  
3 staff recommendation is that you authority  
4 the notice of intent to deny license based  
5 off of the 16 or so convictions from 2012 to  
6 2014.

7 MS. BROWN: How much reference  
8 letters did this individual have that --  
9 that supporting his licensure.

10 MR. TAUPIER: My recollection  
11 recalls three. After reviewing them, I will  
12 say that one of them talked about him prior  
13 to getting in trouble, so it would be the  
14 recommendation that -- that doesn't  
15 necessarily show rehabilitation or good  
16 moral character since the events to which we  
17 would potential deny happened after that  
18 knowledge.

19 And the other ones -- obviously  
20 it's up to the Commissions discretion, but  
21 within those letters, there wasn't much  
22 stating what he did after coming out of  
23 prison to show that he has been  
24 rehabilitated other than time has passed  
25 without committing another crime.

1 MS. BROWN: Thank you.

2 MR. MACIVER: Any further  
3 discussion, questions or debate?

4 MS. BROWN: I'm going to go ahead  
5 and make a motion, but I do want to just  
6 point out that I think the letters are  
7 something important that the Commission  
8 should really scrutinize, and also look at  
9 the time period for when these crimes were  
10 committed, and whether, and as the attorney  
11 pointed out, there's been some  
12 rehabilitation. So with that, I would make  
13 a motion to approve the staff recommendation  
14 on this item.

15 MR. MACIVER: And a second?

16 MR. D'AQUILA: Second.

17 MR. MACIVER: And any objections?  
18 Seeing none, show that carries.

19 MR. TAUPIER: Next item, 6.3,  
20 2022-024632. This is Freddie Hughs. This  
21 one is a bit different than the waiver.

22 Mr. Hughs does have some  
23 convictions ranging from 1975 all the way to  
24 2017. There was -- and I believe I provided  
25 it to you in your packets -- the Division of

1 Peri-Mutuel Wagering did waive the  
2 convictions and gave a conditional license  
3 to Mr. Hughs, and part of that conditional  
4 license was that he would agree to be  
5 subject to a cardroom rule where if he were  
6 to be arrested in the future, he has to  
7 report that arrest within five days to the  
8 Division.

9           Once he got that conditional  
10 license, not too long after he was  
11 arrested for DUI and possession of drug  
12 paraphernalia. Those aren't necessarily  
13 disqualifying, but they are a violation of  
14 the terms of the conditional license to  
15 which he was granted; therefore, this isn't  
16 necessarily a waiver case, or waiver of any  
17 convictions, but we are asking -- the  
18 Division of Peri-Mutuel Wagering is asking  
19 that a notice of intent be authorized to  
20 deny his application based off of violating  
21 the rule on his conditional license. And  
22 for the record, that conditional license was  
23 revoked, and that is another grounds for us  
24 to deny his current application.

25           MR. MACIVER: If I can -- again,

1 for the general public -- let me just try  
2 and make a simple restatement of what we're  
3 doing. Thank you, Commissioners, for the  
4 indulgence and correct me where I make any  
5 error on this part.

6 So a felony or the listed  
7 numerated areas of a misdemeanor --  
8 presumptively, as directed by the  
9 legislature -- is something that would make  
10 someone presumptively, arguably, not  
11 eligible for the license. That's the things  
12 that we're supposed to focus on to presume  
13 that this person is not eligible when  
14 exercising our discretion.

15 If they've committed that, that  
16 disqualifying event, then it shifts to them  
17 to show either rehabilitation or otherwise  
18 show good moral character. Where they've  
19 had a conditional license, we take it again  
20 as a presumptive of a lack of moral  
21 character that you did not abide by the  
22 conditional license. So what we're talking  
23 about here isn't so much a -- a -- older  
24 crimes that had been previously for given,  
25 but a lack of show something good moral

1 character necessary to move forward.

2 Roughly, correct?

3 MR. TAUPIER: You're in the  
4 ballpark; that's correct.

5 MR. MACIVER: Commissioners, any  
6 questions?

7 MS. BROWN: I have a question.  
8 This particular licensee, he has licenses in  
9 other states?

10 MR. TAUPIER: That, I don't  
11 believe. ARCI came back -- just one moment  
12 to indulge. I'm not seeing any license,  
13 other than Delaware, and that does know show  
14 that it's current. I know that he also had  
15 a license in Pennsylvania, which was revoked  
16 as well.

17 MS. BROWN: I guess the question  
18 really goes to once we issue a notice of  
19 intent to deny, if they have active licenses  
20 in other states, is it Florida's previous  
21 policy to notify those other states?

22 MR. TAUPIER: So the way  
23 discipline works with these kinds of  
24 licenses, with PMW licenses, not necessarily  
25 slot or card room, there is a system called

1 ARCI where everyone in the nation that has a  
2 racing commission will upload the discipline  
3 to that, and all of the commissions within  
4 in the United States can review it.

5 I'm not sure what the reciprocity  
6 agreements we have with other states are,  
7 but we may have some. And reciprocity just  
8 means that if we revoke a license, or if we  
9 deny a license, that's the same action that  
10 the other state would take, and vice versa.

11 So putting a notice of intent to  
12 deny, and then denying it after the time  
13 period has elapsed for a challenge, would  
14 result in other jurisdictions, if their laws  
15 and rules allow, to either revoke his  
16 current permit or deny any kind of  
17 application in the future from him.

18 MS. BROWN: Thank you.

19 MR. MACIVER: And correct me if  
20 I'm wrong, but the reciprocal of what  
21 Commissioner Brown just described is how  
22 this case ended up before us, correct? His  
23 revocation in Pennsylvania was reported to  
24 us, rather than him regarding it to us?

25 MR. TAUPIER: Correct.

1 MR. MACIVER: Commissioners, any

2 --

3 MR. DRAGO: Just -- just one  
4 question. So what we're looking at is  
5 basically the fact that he violated the  
6 conditions of the original temporary  
7 license, correct?

8 I mean, that's the bottom line  
9 here is that he was granted a conditional  
10 license, temporary license, based on certain  
11 conditions, and he violated at least one of  
12 those conditions; therefore, we -- we -- we  
13 vote here to deny his application?

14 MR. TAUPIER: In the simplest  
15 form; that's correct. There was an  
16 administrative complaint that was filed to  
17 address him violating that consent order  
18 which resulted in the revocation, so we're  
19 not necessarily adjudicating the case twice,  
20 but we're using would that result was in  
21 order to deny the license now.

22 MR. DRAGO: I see. Thank you.  
23 That clarifies it.

24 MR. MACIVER: And, again, in an  
25 over simplification of terms, the conditions

1 that were placed on the temporary license  
2 were, essentially, don't break the law.

3 MR. TAUPIER: Correct.

4 MR. MACIVER: Okay.

5 MS. BROWN: If you break the law.

6 MR. YAWORSKY: Yeah, just one  
7 quick -- what was it? Don't break the law,  
8 or if you break the law, report it to us. I  
9 just want to make that -- I think it was if  
10 you break the law report it to us as a  
11 condition.

12 MR. TAUPIER: Correct, so the  
13 condition that he --

14 MR. YAWORSKY: Or if you're  
15 arrested.

16 MR. TAUPIER: Correct, if he was  
17 arrested.

18 MR. YAWORSKY: Okay.

19 MR. TAUPIER: Because there's a  
20 presumption of innocence in the United  
21 States, so maybe there -- that case could be  
22 dropped, or if it's not a disqualifying  
23 offense we, might not be able to use it the  
24 future, but he was required to at least tell  
25 us he was arrested.



1 MR. YAWORSKY: So general law  
2 around this would kind of intimates that you  
3 should not break the law; and if you do, you  
4 could be subject to. But the specific  
5 escalated provision on this individuals  
6 license was if they are arrested, they have  
7 that added burden of reporting it to us,  
8 which is not necessarily on a typical  
9 licensee; is that correct?

10 MR. TAUPIER: It's typical on  
11 every card room licensee. It is an actual  
12 rule that we have that they have to follow,  
13 but not with someone who has a PMW license.

14 MR. YAWORSKY: But not in this  
15 case?

16 MR. TAUPIER: Correct.

17 MR. D'AQUILA: Okay. Thank you.  
18 So is it standard, he had five days to  
19 notify upon breaking the law or so forth,  
20 right, and that's a standard?

21 MR. TAUPIER: That's the standard.  
22 That's what the rule states.

23 MR. D'AQUILA: Okay.

24 MR. TAUPIER: That's correct. So  
25 every licensee would be subject to the same

1 timeframe.

2 MR. D'AQUILA: Okay. Thank you.

3 MS. BROWN: In the recommendation,  
4 it also suggests -- the staff is  
5 recommending that this applicant be  
6 ineligible for any license; is that correct?

7 MR. TAUPIER: The recommendation  
8 is that you can deny or declare him  
9 ineligible for any license in the future.  
10 If you want to declare him ineligible for at  
11 certain amount or fixed time of years, you  
12 can do that.

13 At this point, based off of what I  
14 have here, this would -- all of these would  
15 be disqualifying for any license we could  
16 give him. So for any license, you could do  
17 inability.

18 MR. MACIVER: But to clarify, in  
19 our order today, are we prohibiting him from  
20 applying in the future, or we just saying  
21 you can apply, but we'll probably say no  
22 again.

23 MR. TAUPIER: I believe that's up  
24 to you if you want to do that. The  
25 recommendation is to deny the license. If

1 want to impose the ineligibility as well,  
2 you can. I did not have any conversations  
3 to recommendation that, but I just wanted to  
4 put it on you guys so you're aware that you  
5 also have that opportunity to declare  
6 someone ineligible.

7 MR. MACIVER: The recommendation  
8 did not include that portion, and,  
9 Commissioners, from my part, I don't think  
10 we had should add on to the recommendation  
11 unless there's a desire to do so that  
12 someone would like to put forward.

13 MS. BROWN: No, I just -- I saw  
14 the language in there giving -- granting us  
15 the authority, and I also don't think that  
16 we should go that far, and I think we should  
17 just deny the application, yeah.

18 MR. MACIVER: Great. Any further  
19 discussion or debate? Do I have a motion?

20 MR. YAWORSKY: So moved.

21 MR. MACIVER: And do I have a  
22 second?

23 MR. D'AQUILA: Second.

24 MR. MACIVER: And without  
25 objection, show that motion carries.

1 MR. TAUPIER: Next agenda item is  
2 6.4, Alfredo Fong, Case Number 2022-028758.  
3 This individual applied for pari-mutuel  
4 wagering individual occupational license.  
5 Upon receipt of that completed  
6 application, it was found that the applicant  
7 did have potentially disqualifying felony  
8 convictions from 2013 and '14, burglary,  
9 first degree, were both of those convictions  
10 out of Georgia.

11 A waiver was conducted of  
12 Mr. Fong. He attended, and the executive  
13 director declined to waive the disqualifying  
14 offenses; therefore; it is the  
15 recommendation of the Division of  
16 Peri-Mutuel Wagering that a notice of intent  
17 to deny the issue for these felonies.

18 MR. MACIVER: Questions? Any  
19 debate? Do I have a motion?

20 MS. BROWN: Recommendation.

21 MR. MACIVER: And a second?

22 MR. D'AQUILA: Second.

23 MR. MACIVER: And any discussion  
24 -- or, I'm sorry, discussion and debate is  
25 done. Any objection? So the motion carries.

1 MR. TAUPIER: The next item is  
2 6.5, Max Bennett, Case Number 2022-029108.  
3 This individual applied for a PMW individual  
4 occupational license.

5 Upon complete of our -- or upon  
6 receipt of the completed application, it was  
7 found that in 2014, Applicant was convicted  
8 of possession of marijuana over 20 grams,  
9 altering, destroying or concealing physical  
10 evidence. In 2015, actual possession of  
11 synthetic cannabinoids. In 2015 he was  
12 convicted of a third-degree felony of child  
13 abuse.

14 Based off of those convictions, a  
15 waiver was conducted of the applicant. All  
16 of that was sent to the executive director,  
17 and the executive director declined to waive  
18 the criminal convictions; therefore, the  
19 recommendation from the Division of  
20 Peri-Mutuel Wagering is to deny or to  
21 authorize the issuance of a notice of intent  
22 to deny the license based off of those four  
23 felony convictions.

24 MR. MACIVER: Commissioners, any  
25 questions or debate? Do I have a motion to

1 accept the staff recommendation?

2 MR. DRAGO: Motion.

3 MR. YAWORSKY: Second.

4 MR. MACIVER: Show that motion  
5 carries.

6 MR. TAUPIER: Next item is 6.6,  
7 Raul Quinones, 2022-031302. This is an  
8 application for a PMW individual  
9 occupational license.

10 After a completed application was  
11 submitted and reviewed, it appears that the  
12 applicant did have felony convictions that  
13 would potentially be disqualifying. That  
14 was in 2014 in Pennsylvania. Manufacturing,  
15 delivering or possessing with intent to  
16 deliver a controlled substance. And in 2014  
17 -- this was all charged in the same case --  
18 criminal use of a communications facsimile  
19 -- or facility. Those are felonies in  
20 Pennsylvania, and would be felonies in the  
21 state of Florida. He also had a  
22 Pennsylvania horse racing license as a  
23 groom, that was also revoked in  
24 Pennsylvania. He's not currently licensed  
25 anywhere else according to our records.

1                   Based off of that information, a  
2                   waiver interview was conducted for the  
3                   criminal convictions to which the executive  
4                   director declined to waive the criminal  
5                   convictions. Based off of that, the  
6                   recommendation from the Division of  
7                   Peri-Mutuel Wagering is to authorize the  
8                   issuance of a notice of intent to deny based  
9                   off of the revocation of the groom license  
10                  in Pennsylvania and for the disqualifying  
11                  felony convictions in Pennsylvania from  
12                  2014.

13                  MR. MACIVER: Commissioners, any  
14                  questions or debate?

15                  MS. BROWN: I just want to point  
16                  out, Marc, and also just for the public,  
17                  there's a voluminous amount of information  
18                  on all of these particular applicants. The  
19                  investigation and the interviews aren't done  
20                  lightly, and what we're doing is not done  
21                  lightly. And then I want to compliment you  
22                  all also for your thorough staff  
23                  recommendation and delivering this.

24                  MR. TAUPIER: Thank you.

25                  MR. MACIVER: Further question or

1 debate? I'll entertain a motion.

2 MS. BROWN: With that, I would  
3 move to approve the staff recommendation on  
4 Mr. Quinones.

5 MR. MACIVER: And a second?

6 MR. D'AQUILA: Second.

7 MR. MACIVER: Any objection? Show  
8 that motion carries.

9 MR. TAUPIER: Next item is 6.7,  
10 Daniel Smith, Case Number 2022-031564. This  
11 individual applied for a slot machine, card  
12 room and pari-mutuel combination license.

13 After a complete application was  
14 received, it appears that this individual  
15 did have a conviction of a misdemeanor  
16 involving larceny. Specifically, in 2019 in  
17 Florida, this applicant was adjudicated  
18 guilty of a petty-theft crime.

19 An interview was conducted -- or  
20 give me one second. An interview was  
21 conducted, and the executive director  
22 declined to waive the petty-theft  
23 conviction; therefore, based off of the  
24 applicable disqualify misdemeanor offense of  
25 petty theft, which relates to larceny in the



1 State of Florida, the recommendation from  
2 the Division of Peri-Mutuel Wagering is to  
3 authorize a notice of intent to deny based  
4 off of that.

5 MR. MACIVER: I'd just like to  
6 point out I think the general parlance of  
7 when you're talking about criminal activity,  
8 people tend to look at something like petty  
9 theft and say it's at the much lower scale  
10 of the things that someone can be found  
11 guilty of. It's probably your poster child  
12 for certainly criminal, but less serious  
13 criminal activity.

14 But I want to point out that in  
15 the statute, that gives us the discretion to  
16 deny a license. It is actually one of the  
17 enumerated offenses as any misdemeanor  
18 having to do with larceny, and I think for  
19 obvious reasons. Someone who has the  
20 inclination or doesn't have the fortitude to  
21 not steal isn't someone that we can have  
22 participating in these games that rely so is  
23 much on integrity.

24 With that said, I don't think that  
25 it's always the case, and I think that

1 there's a definite distinction between this  
2 case and the next case when we get into  
3 that, but I would entertain any question or  
4 debate? And a motion?

5 MS. BROWN: Move to approve the  
6 staff recommendation in this matter.

7 MR. MACIVER: And a second?

8 MR. D'AQUILA: I'll second.

9 MR. MACIVER: Any objection? Show  
10 that motion carries.

11 MR. TAUPIER: Next agenda item is  
12 6.8, Yvette Campos, Case Number 2022-032710.  
13 Ms. Campos did apply for a card room  
14 individual occupational license. Upon  
15 review of the completed application that was  
16 submitted to the Division, it appears that  
17 applicant was conviction of petty theft in  
18 2014 in the State of Florida, adjudication  
19 was withheld.

20 A waiver interview was conducted,  
21 and the executive director declined to waive  
22 the petty theft; therefore, it is the  
23 Divisions recommendation that the Gaming  
24 Control Commission authorize a notice of  
25 intent to deny based off of the misdemeanor

1 petty theft, which is related to larceny and  
2 potentially disqualifying.

3 MR. MACIVER: Commissioners, I'm  
4 gonna -- I'm gonna share my thoughts on this  
5 particular case, and then I'm actually going  
6 to invite some discussion and debate about  
7 this to see the direction that the  
8 Commission would like to do.

9 First of all, let me point out  
10 that I do not disagree with the executive  
11 director's declination of a waiver in this  
12 case. Again, the legislature has  
13 specifically pointed out petty theft as one  
14 of those enumerated crimes that we should  
15 take seriously, and then it becomes  
16 incumbent upon the licensee to show good  
17 moral character subsequent to that  
18 violation.

19 In this case, we have a licensee  
20 -- I believe Ms. Campos is about 38 years  
21 old. At the age of 20, she had what appears  
22 to be a shoplifting violation. And to be  
23 sure, that does disqualify someone, but I  
24 don't think that that is a lifetime ban.  
25 We're talking about an 18-year-old violation

1 that was committed by someone in their  
2 youth. And the normal things that would  
3 count towards rehabilitation for those  
4 crimes -- time from the incident, things of  
5 that nature -- I think should be taken into  
6 consideration here, and it shouldn't be a  
7 lifetime ban.

8 With that said, her subsequent  
9 activity, she has a hard time drive -- not  
10 driving when she's not supposed to. There's  
11 some driving while license is suspended.  
12 Those are things not related to the game  
13 activity, but they certainly can inform us  
14 on her willingness to be a law-abiding  
15 citizen. We can also certainly take into  
16 account the pressures that exist in  
17 someone's lives, especially when it's around  
18 a crime like driving with a suspended  
19 license, and -- can -- and I think we need  
20 to take into consideration how that affects  
21 our judgment of her good moral character in  
22 relation to an 18-year-old petty-theft  
23 charge and her ability to function as an  
24 honest person in a gambling environment.

25 I, from my part, am inclined to

1 move to deny the recommendation of staff,  
2 and to go ahead and issue the license. But,  
3 again, because of that -- because of the  
4 drying record of her, and the things that  
5 that may or may not indicate, I really want  
6 the other Commissioners input here on what  
7 we think we should do.

8 MR. YAWORSKY: Could I ask a  
9 question, Chair -- staff?

10 MR. MACIVER: Yeah, of course.

11 MR. YAWORSKY: Was the -- was the  
12 individual licensee, on their application,  
13 did they disclose the prior violations of  
14 law?

15 MR. TAUPIER: I believe she put no  
16 to the question of have you ever been  
17 conviction or had adjudication withheld for  
18 a felony of a misdemeanor involving forgery,  
19 larceny, extortion, et cetera, et cetera. I  
20 will say that larceny is not necessarily an  
21 enumerated crime. It's not -- it's in the  
22 criminal jury instructions relating to petty  
23 theft.

24 So she did answer no to the  
25 specific things that we put in there. I

1 can't say whether or not she believes  
2 larceny was a petty theft, but I just wanted  
3 to make that distinction that it might not  
4 be clear to someone who's not a lawyer what  
5 that distinction may be.

6 MR. MACIVER: So there's at least  
7 indicia that she may not have been overly  
8 dishonest in her application?

9 MR. TAUPIER: Correct. And when  
10 confronted about it and asking for the  
11 information, she did provide it.

12 MR. DRAGO: Of course, we read all  
13 this, all the documents, but if someone  
14 could remind me again of the process in  
15 terms of this person and how we reached this  
16 point and what she said.

17 My understanding is she gave some  
18 information that may not be accurate in the  
19 interview, such as it occurred when she was  
20 12 years old, rather than 20 years old.  
21 There was a fine that's still outstanding, I  
22 understand. It still hasn't been paid for  
23 that. So can you remind me of those  
24 details, so that we have all that out here  
25 before we make a decision.

1           MR. TAUPIER: Sure. Based off of  
2 the interview that we had with her, it  
3 appears that this conviction stemmed from  
4 her being a customer at Burdines. She did  
5 walk out with a couple of items. She was  
6 not arrested, but did have a notice to  
7 appear to court.

8           She did all of that and was placed  
9 on probation and to pay fines. I believe  
10 that there was a capias for her arrest after  
11 that for failure to pay the fine. I will  
12 let this Commission know that a driver's  
13 license gets suspended for unpaid court  
14 costs, because I know that that is something  
15 that you're thinking about -- her license  
16 and possibly why it's expired or not valid.

17           But in her interview -- give me  
18 one moment -- she told us all of that. I'm  
19 not quite sure, 12 -- I don't know where  
20 that necessarily is. I don't see that  
21 within the summary of the interview that she  
22 said it was 12 at the time or anything like  
23 that, but she did disclose all of the  
24 information during the interview. She did  
25 submit the amended application before the

1 interview, and she did state that she was  
2 unaware of the \$300 fine being owed to the  
3 Courts. I don't have an update as to  
4 whether or not that's still paid. I don't  
5 have access to that kind of information.

6 MR. DRAGO: So is there still a  
7 capias for her at this point?

8 MR. TAUPIER: At this point there  
9 is it not. She was arrested on the capias  
10 --

11 MR. DRAGO: Oh.

12 MR. TAUPIER: -- and it was  
13 squared away.

14 What -- again, I can't say this is  
15 what happened in this case, but typically  
16 when someone violates probation on  
17 misdemeanors, they will revoke the probation  
18 and terminate it, and assess all of the  
19 costs that are still due as a lien, so I've  
20 had a lot of clients -- I used to be a  
21 public defender who thought that that meant  
22 they owed no more money. But it is still  
23 assessed as a lien, and it is still money  
24 owed to which they can still make payments  
25 to the clerk, but technically it's not a



1 condition of probation because probation is  
2 no longer there.

3 MR. DRAGO: Thank you.

4 MS. BROWN: Thank you. Does this  
5 individual -- does she -- Ms. Campos, does  
6 she have any other licenses with the state  
7 or with DBPR?

8 MR. TAUPIER: To our records, I do  
9 not see that she holds any other licenses.

10 MS. BROWN: And was this after  
11 the -- and just for the process, is the  
12 individual allowed to appear before the  
13 Commission when we deliberate over these  
14 matters? Were they given notice that these  
15 proceedings are to occur?

16 MR. TAUPIER: The individuals for  
17 these license denials were not because the  
18 final agency action would be the actual  
19 denial. A notice of intent to deny arguable  
20 is not necessarily final agency action to  
21 which notice would be necessarily required.  
22 So at this point, we're still at the point  
23 of where we want -- or where the Commission  
24 sort of want to go as far as either going  
25 forward or not going forward.

1 MS. BROWN: I mean, I'm also of a  
2 similar mind frame that a 2004 particular  
3 crime should not affect this individual's  
4 livelihood for the rest of her life, but I  
5 think there are -- you know, based on what  
6 we have here today, it's hard to go against  
7 the recommendation with all the evidence.

8 MR. YAWORSKY: I would just agree.  
9 I would just agree with that. Sorry, not  
10 disagree. I think that -- I think that with  
11 the information we have before us, I think  
12 the Commissioner has a great point about  
13 making individuals aware that they could be  
14 afforded this opportunity to present  
15 additional information on their behalf to  
16 the Commission. I think that that is  
17 something we should consider.

18 Frankly, I think maybe we need to  
19 have a Commissioner's workshop or something  
20 in the coming month or so to discuss kind of  
21 this whole process, and that's probably a  
22 discussion for another time, but the -- I  
23 might be at a point if it's -- and this  
24 would just be curiosity really. Would it be  
25 -- at this point today, I assume that we

1 could issue some sort of directive to -- and  
2 I'm not making this motion at this time.  
3 I'm just putting this out there to  
4 conditionally approve the license, as in  
5 other cases, is that an allowable -- with  
6 certain expectations, such as we already  
7 discussed with reporting an arrest  
8 immediately or something to that effect?

9 MR. TAUPIER: Absolutely. You  
10 grant any license with conditions so long as  
11 the granting of that license and the  
12 conditions imposed are at the time.

13 MR. D'AQUILA: So that would be,  
14 again, five days, and it could be for  
15 anything -- misdemeanor, felony, a license  
16 -- a driver's license not be being reviewed  
17 or anything of that sort; it would be  
18 thorough?

19 MR. TAUPIER: That's correct.

20 MR. D'AQUILA: Okay.

21 MR. TAUPIER: She is applying for  
22 a card room occupational license, so she  
23 would already be subject to that rule. If  
24 she were to be arrested, she would already  
25 have to, pursuant to the license she would

1 get, notify us within five days of any  
2 arrest.

3 MR. MACIVER: My part,  
4 Commissioners, I will say I am weary, one of  
5 conditional licensure in the first place;  
6 two, our issuance of that license with those  
7 conditions would be final agency action, and  
8 we would have to be very clear about what  
9 conditions we wanted to impose. I don't  
10 think that's something we could delegate to  
11 staff to sign on the dotted line. With  
12 their understanding of what we expected them  
13 to do, we would have to -- we'd actually  
14 have to take that action and be clear about  
15 the action we were taking.

16 On top of that, I would defer to  
17 our counsel because he deals in this area  
18 all the time, but I've been weary of other  
19 regulatory entities where I have seen  
20 conditional licenses approved, that the  
21 authority to issue that conditional license  
22 was somewhat questionable, and I'd want to  
23 make sure that all of our I's were dotted,  
24 and all of our T's were crossed before we  
25 ever went down that road.

1                   With that said, I'm not saying  
2                   that I'm -- I'm not hard-lining it. I'm  
3                   saying I think we should take those  
4                   considerations before we consider going down  
5                   that road.

6                   MR. YAWORSKY: Can I ask  
7                   Counsel -- because I think Counsel should  
8                   respond because we just took action earlier  
9                   on a conditional license and the lack of  
10                  compliance -- so are the laws that we have,  
11                  in your opinion as counsel, sound as it  
12                  relates to conditional licensing?

13                  MR. MARSHMAN: I believe you're  
14                  referring to -- if we can put that on the  
15                  record, just to make the record clear. This  
16                  was, I believe, Mr. Hughs. That was item of  
17                  6.3.

18                  So to your question, Mr. Vice  
19                  Chair, the rules are clear and the laws are  
20                  clear that in Mr. Hughs case and in any  
21                  other case where you have a conditional  
22                  license -- to the Chair's point as well --  
23                  as long as you give us specific, direct,  
24                  clear instructions on how to issues the  
25                  conditional license, that is allowed. We

1 are allowed to issue a license with  
2 conditions. And for Mr. Hughs -- as  
3 Mr. Taupier pointed out -- that wasn't so  
4 much as a waiver case as the other ones are  
5 today. It is him failing to abide by the  
6 terms of a condition license.

7 So for Mr. Hughs' action, I  
8 believe the Commission is on solid ground  
9 taking the action that it just did. And for  
10 this individual applicant in items 6.8, if  
11 you were so inclined, you could issue, or  
12 direct staff to issue, a final order with a  
13 conditional license with conditions.

14 But, again, as Mr. Taupier pointed  
15 out, some of the reporting requirements  
16 would already apply to her based on existing  
17 rule, so it would almost be a redundant  
18 condition.

19 MR. MACIVER: My electronic copy  
20 of our meeting packet has -- the battery  
21 died. I apologize. So, actually, just  
22 please remind me, when was the date of  
23 completed application?

24 MR. TAUPIER: The date of the  
25 completed application looks to be June 30th,

1 2022. And with the waiver process, everyone  
2 who elects to go through the waiver process  
3 signs a waiver of the 90-day deadline for  
4 the agency to make action on that license  
5 application.

6 MR. MACIVER: Commissioner, I'm  
7 going to make a proposal that we temporarily  
8 table this application for the next meeting  
9 so that we can maybe delve into this a  
10 little bit more, maybe have a little bit  
11 more informal contact with the applicant,  
12 give an opportunity, perhaps, to make that  
13 case for a shift of good moral character.

14 Can I have a motion to table this  
15 application?

16 MR. YAWORSKY: So moved.

17 MR. MACIVER: And a second?

18 MS. BROWN: Second.

19 MR. MACIVER: Any objection? Show  
20 this application table for the next meeting.

21 MS. BROWN: And thank you,  
22 Mr. Chair. I think that's a good  
23 suggestion. What I would like to ask legal,  
24 if they're -- before our next meeting, if  
25 you could -- just so that we could

1 understand our authority a little bit  
2 clearer when it comes to temporary licenses,  
3 if you could share with us kind of the  
4 precedential nature prior to the Games and  
5 Commissioning being informed of temporary  
6 licenses and the fact pattern of how they've  
7 been issued in the past so that we get an  
8 understanding, just several examples so that  
9 we see what type of conditions -- pardon me,  
10 conditional licenses, so we get a better,  
11 clearly understanding of our authority.

12 MR. MARSHMAN: Yes, ma'am.

13 MS. BROWN: Thank you.

14 MR. MACIVER: I believe we're Item  
15 6.9.

16 MR. TAUPIER: 6.9, Kristina --

17 MR. MACIVER: Sorry,  
18 Commissioners, was there any further  
19 discussion? Okay. Please.

20 MR. TAUPIER: Item 6.9, Kristina  
21 Vazquez, Case Number 2022-033421. This  
22 individual applied for a PMW individual  
23 occupational license. That completed  
24 application was submitted and reviewed.

25 Upon review of that application,



1 it appears that the applicant did have two  
2 felony convictions; one from 2002, marijuana  
3 possession with intent to sell; and from  
4 2000, a driving while license cancelled,  
5 suspended or revoked. A waiver interview  
6 was conduct, and that interview, as long --  
7 as well as the application packet, went to  
8 the executive director. The executive  
9 director declined to waive those felony  
10 convictions.

11 The recommendation from the  
12 Division of Peri-Mutuel wagering is to  
13 authorize a notice of intent to deny license  
14 application based off of those two felony  
15 convictions.

16 MR. MACIVER: Commissioners, any  
17 questions or debate? I'll entertain a  
18 motion.

19 MR. D'AQUILA: I make a motion.

20 MR. MACIVER: And a second?

21 MR. YAWORSKY: Second.

22 MR. MACIVER: Any objection? Show  
23 that motion carries.

24 MR. TAUPIER: Item 6.10, Marlon  
25 McKenzie, Case Number 2022-035398. This

1 applicant applied for a slot, card room and  
2 Peri-Mutuel combo license.

3           Upon review of the application  
4 that was submitted, it appears that there  
5 was a 2014 petty-theft conviction where  
6 adjudication was withheld out of Broward  
7 County. A waiver interview was scheduled.  
8 They attended, and all that information went  
9 to the executive director.

10           The executive director did not  
11 waive the petty-theft misdemeanor;  
12 therefore, the recommendation from the  
13 Division of Peri-Mutuel Wagering is that a  
14 notice of intent to deny be authorized and  
15 issued for the misdemeanor crime related to  
16 larceny.

17           MR. MACIVER: We're talking about  
18 Mr. McKenzie here, correct? Item 6.10?

19           MR. TAUPIER: I'm sorry, that was  
20 Kristina Vasquez.

21           MR. MACIVER: This was the weird  
22 one with the very, very, very delayed  
23 rearrest.

24           MR. TAUPIER: Correct. I had the  
25 wrong one.

1                   Correction, for the record, this  
2    is 6.10, Marlon McKenzie, 2022-035398. This  
3    individual did apply for a PMW individual  
4    occupational license, and that was received.

5  
6                   And upon review of that  
7    application, it appears that the applicant  
8    was convicted of possession of marijuana  
9    within intent to sell in 2002, and driving  
10   with a license cancelled, suspended or  
11   revoked, habitual traffic offender from  
12   2000. And I apologize, I just got the names  
13   mixed up.

14                  And to the point that you just  
15   made, this individual did have this pending  
16   for many, many years and admitted during the  
17   waiver interview that he absconded to  
18   Jamaica in order to pay for a private  
19   attorney. He did come back. He was  
20   arrested and did ultimately resolve this  
21   case; however, the executive director, after  
22   reviewing that interview, still declined to  
23   waive the felony convictions and therefore,  
24   the recommendation is to authorize the  
25   issuance of an intent to deny license based

1 off of those convictions.

2 MR. MACIVER: Commissioners, any  
3 questions? Any debate? I'll entertain a  
4 motion.

5 MR. DRAGO: Motion to approve.

6 MR. MACIVER: Second?

7 MR. D'AQUILA: I'll second.

8 MR. MACIVER: Without objection,  
9 show that motion carriers.

10 Commissioners, I know it seems odd  
11 in the middle of a -- the enumeration that  
12 we have of our agenda items, but I think  
13 this is actually the appropriate time for us  
14 to take a quick break. Say about ten  
15 minutes?

16 (Off the record from 10:42 a.m. until 11:02  
17 a.m.)

18 MR. MACIVER: All right, everyone.  
19 Welcome back, calling the meeting back to  
20 record. And we are moving on to Item Number  
21 6.11, Jorge Callejas.

22 MR. TAUPIER: Before we move on,  
23 Chair. It looks like I skipped over  
24 Kristina Vazquez, Item 6.9.

25 MR. MACIVER: I believe so. I

1 think -- yeah, we -- after Yvette Campos,  
2 you did one case, which I believe was  
3 Vazquez, before we went on to McKenzie.

4 MR. TAUPIER: Okay. I wanted to  
5 make sure my record is clear. So for  
6 Kristina Vazquez, just to reiterate for the  
7 record, you're authorizing the --

8 MR. MACIVER: To motion to carry  
9 to issue a notice of intent to deny the  
10 license.

11 MR. TAUPIER: Okay. Thank you.

12 MR. MACIVER: Thank you. And  
13 moving on to Item Number 6.11. We do have a  
14 speaker card, Mr. Zachem. I am going to go  
15 ahead and preface this by -- Commissioners,  
16 my intent, if this is no objection, is to  
17 temporarily postpone this case today.

18 There are some -- certainly some  
19 questions about where specifically our  
20 authority lies or doesn't lie with the  
21 ability to accept or deny this application  
22 -- again, we'll get to the debate on whether  
23 or not you all want to do that in a moment  
24 -- but Mr. Zachem, I'll go ahead and  
25 recognize your comments.

1 MR. ZACHEM: Thank you, Mr. Chair.  
2 And you might have made my comments  
3 irrelevant for today now. Thank you for  
4 saying that before I walked up.

5 MR. MACIVER: I did not mean to  
6 steal your thunder, sir.

7 MR. ZACHEM: It's still  
8 appreciated.

9 And, Commissions, I think I had a  
10 chance to introduce myself before. My name  
11 is John Zachem, and I appreciate all the  
12 work you're doing. I've sat in a similar  
13 seat before, and it's not easy all the time  
14 understanding some of the details.

15 I'm here for Mr. Callejas, and the  
16 reason I'm here is as a friend. He works  
17 at -- or I should say worked at the agency  
18 for a long, long period of time. I think  
19 you seen some of his background in his bio.  
20 He started off as an OPS employee, worked  
21 for over 25 years for the agency, and  
22 building his way up. His father worked at  
23 the agency.

24 And a big part of what I'm here  
25 for is for him to speak on his behalf and

1 just to say that he -- anything that you can  
2 do to help him out in this situation. He  
3 submitted his letter of resignation back in  
4 July. The idea behind it was, you got a  
5 gentleman that's in his early 60s. He's  
6 mostly -- he hasn't officially turned in his  
7 paperwork to retire, but he's really towards  
8 that point, and he's living in South  
9 Florida, which I'm sure many of you know is  
10 a very expensive location.

11 So now he's trying to use that  
12 subject matter that he gained that  
13 knowledge, so he can be able to work at a  
14 facility. The things that he's doing at  
15 that facility are not something that I think  
16 the original intent of the statute was to  
17 protect against text against.

18 The idea to be able to have some  
19 form of a lobbying ban or a work ban or a  
20 prohibition there generally applies to  
21 people more like this level. When you're  
22 talking about an attorney that might be  
23 representing someone before the agency, you  
24 want to create a prohibition so they're not  
25 bouncing back and forth -- a lobbyist,

1 something like that. The Commission on  
2 Ethics has spoken on that a few times too,  
3 trying to create that protection so you  
4 don't have somebody that's gaining  
5 information working for an agency, and then  
6 being able to use it when they spring back  
7 out. I served my time during the same  
8 period of time I had to do it. That's what  
9 most of the folks up here do.

10 But what you have in this  
11 situation with Mr. Callejas, he's in South  
12 Florida, and a very smart man, but probably  
13 not privy to some of the nuances and details  
14 as far as some of the prohibitions. This  
15 just started coming on, and from a broader  
16 perspective, something for your  
17 consideration, and something that I  
18 certainly wouldn't tell you how to do your  
19 job, but this creates some roadblocks in you  
20 trying to staff some of these positions.

21 If you're telling people that they  
22 can't work in the industry that they know  
23 for a full two years even after the leave  
24 the agency, even when they might retire or  
25 resign or if they've got a better



1 opportunity, from a position where they're  
2 not going to be using it for then intended  
3 purpose, that protection against lobbying or  
4 law, I think you're going to have a few  
5 challenges in filling your staff positions.

6 I know beyond what Mr. Callejas is  
7 saying, is some other people are looking at  
8 this too to say, "Well, I wasn't quite aware  
9 that that's going to be the problem." So  
10 for your future hires -- and I realize that  
11 solution might not be available to you today  
12 -- but if there's an opportunity to perhaps  
13 create a clarification or correction, either  
14 legislatively by rule making, whatever your  
15 authority might be, I think it would help a  
16 lot of your people and a lot of the  
17 industry.

18 So getting back to Jorge. He's a  
19 super guy. If you get a chance to meet him,  
20 his personality is huge. And if ever get a  
21 chance to talk to him, I'd say reserve an  
22 extra five to ten minutes, because what  
23 timeframe you thought you were going to  
24 spend with him -- when I was in PMW, I  
25 thought it was going to be about 20 minutes;

1 45 minutes later, I was told "You need to go  
2 because you got another appointment." So  
3 he's a super person. Again, he's -- I would  
4 say one question or one offering that I  
5 would make in this case is perhaps you could  
6 look to see when his position actually moved  
7 from DBPR to the Gaming Commission. I think  
8 some of those timeframes a lot of people are  
9 pointing to July 1. I don't know  
10 specifically, but I didn't see anything in  
11 the record, and I'm not going to pretend to  
12 be an expert on the record since I haven't  
13 had a chance to go that deep in it.

14 If there's a period of time where  
15 maybe his position moved a little later,  
16 maybe that law doesn't necessarily apply to  
17 him. I don't know if he was an employee of  
18 the Commission at the timeframe that he  
19 resigned or submitted his letter. There  
20 might be an opportunity there, or there  
21 could be an opportunity where you send out a  
22 notice that says, "These laws apply. You  
23 were officially a member of the Commission,  
24 so from this point forward, you know, you're  
25 bound by this," so that there's more

1 knowledge for your people out there.

2 But now that I've stepped on my  
3 own toes by actually making suggestions to  
4 you even after I said I wouldn't, Jorge is a  
5 super guy, and if you all could help, it  
6 would be very much appreciated, not just for  
7 him, but many of the people that work with  
8 him.

9 MR. MACIVER: Thank you, Mr.  
10 Zachem. Very well. Any questions? Seeing  
11 none. Thank you.

12 Commissioners, let me suggest what  
13 I'm weary about, specifically with the  
14 application. You've already read the  
15 packet, you've seen the provision in Chapter  
16 16-715, and specifically who that is  
17 addressed to.

18 It says that the employees who has  
19 worked here for two years cannot hold a  
20 license. It doesn't specifically say -- and  
21 this may be splitting hairs -- but it  
22 doesn't say that the -- that the Commission  
23 will deny the license or shall deny the  
24 license or has the discretion to deny the  
25 license, but I've seen plenty of court cases

1 before where you have that sort passive  
2 voice language, or the language speaks to  
3 someone who can't have something, and then  
4 the issuing authority is told "Well, you're  
5 the issuing authority, so who do you expect  
6 is going to do it?" So there is certainly  
7 an argument that it is -- that are we  
8 beholden to apply that provision in our  
9 licensing scheme. There's also a very  
10 strong argument though that the enforcement  
11 mechanism for that provision is the  
12 Commission on Ethics. And if we preempt  
13 their ability to exercise their discretion  
14 over that statute preemptively in our  
15 licensing approach, we may be -- we may be  
16 stepping on their toes, we may be intruding  
17 upon their purview, we may be preventing  
18 them from being able to do their job.

19 So I'm very, very weary of moving  
20 forward with a notice of intent to deny on  
21 this license, but I'm similarly weary of  
22 issuance the license. And I don't want to  
23 suggest this kicking the can down the road,  
24 but I think this license application needs  
25 some more thought and some more review

1 before we act on it, and that's why I would  
2 the Commission's indulgence to table this  
3 application for a later date.

4 I'm sorry, I had one question  
5 though. Is -- Ms. Alvarado, there is no  
6 waiver of a Deemer Provision on this  
7 particular license; is that correct?

8 MS. ALVARADO: No, there's not.

9 MR. MACIVER: And when would that  
10 provision take place?

11 MS. ALVARADO: November 13th,  
12 2022.

13 MR. MACIVER: Okay.  
14 Commissioners, any questions?

15 MR. YAWORSKY: I do. We have  
16 received no information related to any kind  
17 of -- that the Applicant has sought and an  
18 opinion from the Commission -- on the other  
19 Commission?

20 MS. ALVARADO: No, he is not.

21 MR. YAWORSKY: He is not.

22 MS. ALVARADO: I don't have  
23 knowledge that he has at this point.

24 MR. YAWORSKY: Okay. So I believe  
25 it's correct that in the past the Commission

1 of Ethics has looked at similar laws, the  
2 lobbying ban and I think the two-year ban on  
3 various other -- I think there's a broad  
4 two-year ban from employees with all kinds  
5 of state agencies to then proceed to go out  
6 and work in the industry.

7 And I think -- I can't remember if  
8 it was statutory or just an ethic's opinion  
9 that indicated that there was kind of a  
10 grandfather intent that was then --

11 MS. ALVARADO: Right, so  
12 16.7151(d) allows a commissioner or employee  
13 of the Commission to ask the Commission on  
14 Ethics for an advisory opinion on the issue.

15 MR. YAWORSKY: Okay. So that --  
16 in this case the applicant could go seek out  
17 that opinion --

18 MS. ALVARADO: Yes.

19 MR. YAWORSKY: -- in the interim.  
20 I think that -- I think that the Chair's  
21 thoughts are valid about the extent of  
22 the -- for what it's worth, the extent of  
23 our authority in this space.

24 I also think that depending on the  
25 outcome of that question -- which I would

1 really love of to hear from counsel before  
2 this is postponed, you know at the next  
3 meeting what the outcome of a legal review  
4 is on that question, but I think depending  
5 on that, it may move the applicant to maybe  
6 to seek out that opinion.

7 MR. MACIVER: If I could have one  
8 clarification -- and, Mr. Vice Chair,  
9 correct me if I'm not clarifying, but if I'm  
10 misstating -- we are not suggesting that  
11 Mr. Callejas has to go get that opinion --

12 MR. YAWORSKY: No.

13 MR. MACIVER: -- and present it to  
14 us before we will make a determination. I'm  
15 -- again, we have to go some serious  
16 consideration about where our authority  
17 lies, and I don't want to set the precedent  
18 today to say, "If you want a license and you  
19 fall in this situation, you need to bring us  
20 an ethic's opinion." Vice Commissioner  
21 Yaworsky was just pointing out a very valid  
22 point that there does seem to be an avenue  
23 that he could take, and we would certainly  
24 be interested in the avenue of that as well.

25 MR. YAWORSKY: That's correct.

1 Yeah, I think depending on the outcome of  
2 the opinion that we may gather as to where  
3 our authority stands, it may be -- it could  
4 be a potential noteworthy thing to receive  
5 an opinion. Definitely not setting any  
6 precedent. That's absolutely correct.

7 MS. BROWN: And, if I may. I  
8 think Mr. Zachem's points were very well  
9 taken, and I do think that an interpretation  
10 of this needs to be fully vetted through  
11 maybe our general counsel before we even  
12 move forward with an opinion from the  
13 Commission on Ethics, if we were to seek  
14 that course.

15 Mr. Zachem, I do have a question.  
16 Pardon me for bringing it back up, if you  
17 don't mind. I think either way, this is  
18 precedential what we do, so I think tabling  
19 this matter is very important so that we  
20 could spend a little bit more thought and  
21 time in interpreting and deciding what path  
22 we need to go.

23 Mr. Callejas, when he -- do you  
24 know if when he applied -- when he resigned,  
25 did he already have a position? Was he



1 resigning for this position?

2 MR. ZACHEM: I'm not sure if he  
3 had right away, but I do know he has  
4 accepted a position. The role that he's  
5 serving in now is in security at a facility,  
6 so it's not one that -- I think other than  
7 maybe having lunch with old friends, and  
8 then if investigators ask for a security  
9 tape, that might be the limitation of his  
10 interaction with the agency.

11 But I do know that he is trying to  
12 work at a facility right now. I believe he  
13 started employment, but I'm not sure if it's  
14 contingent upon approval of his license.  
15 That's one question I would ask of the Chair  
16 if you're tabling this. I do know that  
17 there's sometimes temporary licenses that  
18 are afforded. I don't know if that can  
19 happen during this period of time, or if he  
20 ends up being in a position where he loses  
21 his employment. Because if you say another  
22 30 days, I don't know if that's still going  
23 to be there for him -- just a consideration,  
24 sir.

25 And I know that's not the chief

1 concern. The chief concern is making sure  
2 the interpretation of law is one that's done  
3 correctly and you follow your statutory  
4 authority, but I would just add that.

5 MR. MACIVER: And without being  
6 obtuse or suggesting that none of this  
7 weighs upon me, because it does, just only  
8 that particular issue isn't before the  
9 Commission today, so I wouldn't be able to  
10 address a temporary licensure at this time.

11 MR. MARSHMAN: Mr. Callejas does  
12 have a temporary license already.

13 MR. ZACHEM: Does he? That  
14 answers that question.

15 MS. BROWN: And I just wanted to  
16 thank you for raising the comments too and  
17 presenting some -- it has given us a lot  
18 more thought, and I think that the  
19 appropriate action is for us to table it so  
20 that we can have our general counsel and his  
21 team look at this a little more thoroughly.

22 MR. DRAGO: The temporary license,  
23 so that will last long enough for us to look  
24 at this later on? In other words, it's not  
25 a 30-day license or anything like that?

1 That temporary license is in effect at this  
2 point, correct? So he's working at this  
3 point?

4 MR. MARSHMAN: I can't speak as to  
5 whether Mr. Callejas is working at the  
6 facility. However, I do know that if he  
7 submits a facially sufficient application,  
8 he entitled by law to a temporary license,  
9 so I would defer to Mr. Trombetta or  
10 Mr. Dillmore about the length of time that  
11 it typically lasts, but I know right now  
12 sitting here that he has a temporary  
13 license.

14 MR. DRAGO: Okay.

15 MR. ZACHEM: Just to briefly  
16 answer your question. He is working right  
17 now, so I knew I could supply that to be  
18 able to help out there. He does have  
19 employment. He is down in South Florida  
20 working at a facility now with a temporary  
21 license. I didn't know if he had it or not  
22 yet, so --

23 MR. DRAGO: So the timeframe isn't  
24 a big deal in terms of he's not going to be  
25 working if we don't get this answer today.

1 He's working. He can continue to work until  
2 we have an opportunity to look at this  
3 matter again next month or next meeting or  
4 whatever; is that correct?

5 MR. MACIVER: Unless his temporary  
6 license expires to prior to us  
7 addressing the issue --

8 MR. DRAGO: That's what I'm --

9 MR. MACIVER: -- which -- which I  
10 believe may very well be the case.

11 MR. DRAGO: And can anybody answer  
12 whether that's the case or not?

13 MR. MARSHMAN: Yes, I believe  
14 there is an expiration on the temporary  
15 license, somewhere between 30 and 90 days,  
16 which is something else for the Commission  
17 to consider.

18 If this applicant indicates that  
19 he is seeking a formal opinion, I'm not sure  
20 how long it takes for the Commission on  
21 Ethics to issue an opinion, so we may be  
22 speaking in a matter of months, not in 90  
23 days. So that's just something else for the  
24 Commission to consider as we bear down on  
25 the issue longer.

1 MS. BROWN: And just -- I'm happy  
2 that you raised this, and I'm happy this is  
3 before us, because I know that when the  
4 legislation was going through, a lot of it  
5 they were -- they were basing it on the  
6 Public Service Commission statute, which it  
7 does not prohibit any employee from a  
8 two-year ban from folks that appear before  
9 the Commission.

10 So it is kind of a nuance if it  
11 was based on -- if the intent was to base  
12 the statute similarly to the Public Service  
13 Commission, which does not have a two-year  
14 ban on all employees, just certain ones,  
15 then this does need to be looked at a little  
16 bit more thoroughly.

17 MR. DRAGO: Yeah, I agree. I  
18 think it's -- I think we need a little bit  
19 more time to look at this and get some more  
20 information so that we all feel comfortable,  
21 if nothing else, making a decision on this.  
22 It's too important, as they are, but this is  
23 important not only to this one individual,  
24 but hence forth when -- when hiring folks  
25 and how we're going to act from this point

1 on. So I think -- I think it would be a  
2 good move for us at this point to table this  
3 and get some more information. I've got  
4 more and more questions that have come up in  
5 my mind, and I know everybody as well,  
6 before we make this decision.

7 MR. MACIVER: Further questions or  
8 debate? I'll entertain a motion to table  
9 the issue?

10 MR. YAWORSKY: So moved.

11 MS. BROWN: Second.

12 MR. MACIVER: Without objection,  
13 show that motion carries.

14 Commissioners, we are moving on to  
15 Item Number 7, discussion of a final order  
16 pursuant to a request from respondent.

17 MR. TAUPIER: Marc Taupier, for  
18 the record. This is FGCC v. Nicolas Paul  
19 Gagne. Case Number 2022-016265.

20 This is a case where an  
21 administrative complaint was filed against  
22 Mr. Gagne. Based off of several incidents  
23 where Dania was looking at the kind of tips  
24 in the reports coming in for their dealers  
25 receiving tips. They specifically look at

1 the amount to see if there's any kind of  
2 variances that are awkward or just really  
3 out there, and they saw that Mr. Gagne's  
4 tips were excessively high compared to  
5 everyone else.

6           Upon review of that report, they  
7 went through surveillance and found that  
8 Mr. Gagne was essentially taking money from  
9 the pot and either put it into his tip jar  
10 or taking from money from the impressed tray  
11 and replacing it with money from the pot.  
12 The money in the middle, which is the pot,  
13 should be going to the player who wins the  
14 hand; therefore, cheating out the players at  
15 the table from the duly awarded amount that  
16 they should be getting. Mr. Gagne was  
17 interviewed by security at Dania. He  
18 admitted to the allegations.

19           Dania did suspend him and  
20 terminated his employment. They did a  
21 one-year exclusion against him. The  
22 administrative complaint alleges a violation  
23 against of Rule 61D-dash 11.0054, which is  
24 engaging in any act, practice or course of  
25 operation that would constitute a fraud or

1     deceit upon any participant in a game or the  
2     card room operator.

3             The administrative complaint was  
4     served on Mr. Gagne. Mr. Gagne did, within  
5     the 21 days, filed an election of rights.  
6     He selected the option to waive his right to  
7     a formal hearing under Chapter 120, and  
8     elected that the Commission enter whatever  
9     discipline that they seem fit for this case.  
10    The recommendation from the Division of  
11    Peri-Mutuel Wagering, based off of the  
12    voluminous amounts of time that this  
13    occurred, is to revoke his license.

14             MR. MACIVER: Commissioners,  
15    questions?

16             MS. BROWN: Marc, so after this is  
17    issued, say we go ahead with the staff  
18    recommendation, what -- from a procedural  
19    standpoint, what are his rights thereafter?

20             MR. TAUPIER: So if there was a  
21    final order entered, he could appeal that to  
22    DCA within 30 days of rendition of that  
23    final order, but at this time he has waived  
24    any other hearing.

25             MS. BROWN: Okay. Thank you.



1 MR. MACIVER: Any further  
2 discussion? Any debate? I'll entertain a  
3 motion to accept the staff recommendation?

4 MR. DRAGO: Motion to accept.

5 MS. BROWN: Second.

6 MR. MACIVER: Without objection,  
7 show that carries.

8 Other than public comments -- and  
9 thank you for those in audience who have  
10 been waiting so patiently for the public  
11 comment period -- but other than public  
12 comment, I believe we're at the last item on  
13 the agenda -- or this part of the agenda.

14 I apologize. I apologize to my  
15 executive director, but we are on the last  
16 portion of the licensure portion of our  
17 agenda.

18 MR. TAUPIER: The next item is  
19 Item 8. It is an amended final order. It  
20 is FGCC v. John Mungillo, Case Number  
21 2022-001846.

22 The procedural history behind this  
23 is that the individual is a horse trainer.  
24 He raced a horse at a facility, and the  
25 horses, if you place first or second or

1 third, are automatically tested for drugs.  
2 Based off the ARCI guidelines, depending on  
3 what the drug is and what the amount is,  
4 dictates sort of what the penalty is.

5 We do have a rule. The rule -- we  
6 call this a stacking violation. So when we  
7 have NSAID, non-steroidal anti-inflammatory  
8 drugs, you are allowed to have one in the  
9 horse's body, but it's to a certain level.  
10 If you have more than one, that's what we  
11 call a stacking violation; you are stacking  
12 the drugs. We do have a rule, which was  
13 provided to you in your packet that outlines  
14 what the levels and what the class penalty  
15 should be for those levels.

16 In this instance, we have Flunixin  
17 and Phenylbutazone. The levels that were  
18 detected were not levels that if we looked  
19 at ARCI, they would be a Class C violation;  
20 but because we have a rule, the Division has  
21 made these levels a violation imposing the  
22 Class C fine portion of the ARC guidelines.

23 A final order was issued for  
24 revocation of the porch -- purse, which  
25 would typically be a Class C violation, but

1 because we have the rule that says fines  
2 only, that was a mistake. So we are asking  
3 that the final order be amended to take out  
4 the portion where the purse should be  
5 returned, and to only asses the fines based  
6 off of the ARC guidelines under Class C.

7 MR. D'AQUILA: Question.

8 MR. TAUPIER: Sure.

9 MR. D'AQUILA: Both of those  
10 drugs, are they anti-inflammatories?

11 MR. TAUPIER: They both are  
12 NSAIDs, correct.

13 MR. D'AQUILA: Okay.

14 MR. MACIVER: I had a question  
15 about this, and I don't -- this is mostly a  
16 curiosity question. I don't think we need  
17 to revisit the staff recommendation on the  
18 amended final order. But what I did notice  
19 between the initial final order and the  
20 amended final order, that initially we felt  
21 the penalty would have been, I believe, the  
22 minimum fine level, plus the revocation of  
23 the purse. We're going to reissue the final  
24 order just subtracting the revocation of the  
25 purse portion, but we still feel that the

1 minimum level of the fine is what is  
2 necessary to bring compliance?

3 MR. TAUPIER: That is -- I don't  
4 want to misspeak or put anything on the  
5 record that I shouldn't, but it's not  
6 that -- we're not reevaluating what the  
7 penalties should be.

8 I believe that Mr. Ross Marshman  
9 has dealt with a case about amending final  
10 orders to where penalty really -- you're  
11 just fixing the order, and not necessarily  
12 adjusting or going above on the penalty  
13 itself.

14 MR. MACIVER: Is a revocation of a  
15 purse punitive or administrative?

16 MR. MARSHMAN: So even before we  
17 get to that, just the procedural posture  
18 that you all are in, as Mr. Taupier  
19 indicated, there's already a final order.  
20 We're not asking you to enter an amended  
21 final order.

22 People's substantial interests are  
23 being affected by this, and the other side  
24 to this case has already agreed to an  
25 amended final order revoking the purse. If

1 today, for instance, the Commission wanted  
2 to add an additional sanction, I would  
3 advise against that because that is  
4 exceeding the scope of not only what the  
5 parties have agreed, but also, that's more  
6 than correcting a scrivener's error, that's  
7 affecting substantial rights.

8           So I do think that a purse could  
9 be punitive and not necessarily  
10 administrative, just an administrative  
11 problem. So I'm not comfortable sitting  
12 here today advising that we could exceed the  
13 scope of what the staff is recommending;  
14 however, in the future we can consider,  
15 pursuant to the Commission's guidance --

16           MR. MACIVER: And that was the  
17 nature of my question. Again, I don't think  
18 we need to revisit either. I think it opens  
19 up too many cans of worms to do so; but I  
20 did notice that we were removing one  
21 sanction, and it wasn't being replaced with  
22 anything else. So as a practical effect,  
23 the reissuance of this order is lessening  
24 the penalty that is being imposed.

25           If that is reasonable to get

1 compliance, then great; if it's not, then,  
2 again, on a cost-benefit analysis, I don't  
3 think it's worth opening that can of worms  
4 in this particular case, but I was very  
5 curious.

6 Further questions?

7 MS. BROWN: I have a question  
8 about HISA really. And so with the new  
9 federal rules, is that going to change our  
10 current Florida rule?

11 MR. MARSHMAN: The short answer is  
12 yes. There are two components to the Horse  
13 Racing Integrity and Safety Act that we're  
14 going to apply to Florida. There are rules  
15 in effect now, but only for half of the  
16 program. The other half, the drug-testing  
17 program, is not yet in effect. That's going  
18 to be in effect in January in the coming  
19 year.

20 So, yes, the short answer is it  
21 will be impacted, and it will be preempted  
22 by the federal act, and it's reasonable to  
23 expect you will see less and less horse  
24 racing testing violations as the Horse  
25 Racing Integrity and Safety Authority begins

1 to fully regulate horse racing covered  
2 activities in this state.

3 MR. TROMBETTA: Chair, with your  
4 permission, I can add just a little bit more  
5 background on this. So currently we're  
6 operating -- the reason there's a  
7 recommended penalty in this situation is  
8 that by statute, the Division of Peri-Mutuel  
9 Wagering was required to adopt penalty  
10 schedules and classification for substances  
11 as provided by the Association Racings  
12 Commissioners International in a document  
13 that they circulated in 2014.

14 What's happening -- to add to  
15 Mr. Marshman's point, what's happening when  
16 that second part of HISA's program becomes  
17 effective -- which there isn't a firm date.  
18 They're sometime at the start of 2023 --  
19 there's going be federal rules for both the  
20 classification of substances and the  
21 penalties. And states are expected to then,  
22 as Mr. Ross --

23 I just called you Mr. Ross too.

24 As Mr. Marshman said, the federal  
25 rules that are going to be adopted by HISA

1 are going to preempt state law. So when  
2 that drug program does go into effect, the  
3 rules that we are currently following that  
4 apply to this case in front of you may  
5 change as the federal rules, from all the  
6 indications we're getting, are a little bit  
7 different.

8 MS. BROWN: Thank you, both of  
9 you.

10 Mr. Trombetta, so as a follow-up,  
11 once those are implemented and the -- this  
12 new regulatory body governs the safety of  
13 the horse tracks and the -- what -- what  
14 effect does that have with this rule then,  
15 and our authority then for hearing these  
16 matters?

17 MR. TROMBETTA: Well, the intent  
18 of HISA is to standardize safety and  
19 regulation of horse racing around the  
20 country.

21 The current system is that the --  
22 this is a great example -- the allowable  
23 limits and how stacking penalties are, are  
24 handled -- vary greatly from state to state,  
25 so the intent of this federal bill was to



1 kind of standardize it.

2           The -- and I'm forgetting your  
3 question now. But the point of what's going  
4 to happen here with the drugs is that -- so  
5 that a horse trainer in New York that comes  
6 to Florida will know that whatever  
7 substance -- allowable limit of a substance  
8 in New York is going to be the same as it is  
9 in Florida. And so the drug-testing program  
10 in its whole, it's a little unclear of how  
11 that's going to work out.

12           So the federal bill allows for --  
13 it actually requires HISA -- HISA is split  
14 into two committees: One is the Racetrack  
15 Safety Committee, the other one deals with  
16 drugs and the use of drugs in animals. That  
17 second committee has to enter into an  
18 agreement with a third party to come with  
19 rules and the system for how they're  
20 actually going to operate.

21           So they've identified that third  
22 party at this point, but in the coming  
23 months, we're going to get formalized rules  
24 that we adopted by the FTC, dealing both  
25 with those penalties, the classifications

1 and some of the procedures involved. Right  
2 now we have rules for our procedures. So  
3 the collection, for example, how a sample is  
4 collected and how it's sent to our lab and  
5 how it's examined, that is also going to  
6 change. And it's still a little unclear how  
7 that all is going to work out, but they are  
8 -- that third-party organization is reaching  
9 out to states currently to set up meetings  
10 and try to talk to us to start working out  
11 how that is going to work.

12 MS. BROWN: So, Mr. Trombetta,  
13 would this body then just be implementing  
14 the new proposed standardized rules, or will  
15 there be that other entity that regulates  
16 and monitors the new rules?

17 MR. TROMBETTA: So I'm going to  
18 punt a little bit. It's still sort of --  
19 it's a little unclear. There's been  
20 communication that makes it appear that  
21 adjudication of people that have violated  
22 the rules for permitted substances will be  
23 held at a -- will be handled at a federal  
24 level, not from us.

25 But there's the opportunity for

1 them to enter into contracts with states for  
2 services, and we envision that this might be  
3 one that they try to work with states to  
4 handle. So it's still a little unclear of  
5 what -- and it's not just Florida's rules.  
6 All state racing commissions are dealing  
7 with the same issue of what's going to  
8 happen, and it's still a little unclear.

9 MR. MACIVER: Commissioners, any  
10 further discussion? And I am actually  
11 forgetting where we are in the process now.  
12 We have the -- the discussion of the amended  
13 the final order before us.

14 Do I have I motion to adopt the  
15 staff recommendation?

16 MR. DRAGO: Motion to adopt.

17 MR. MACIVER: And a second?

18 MR. D'AQUILA: I'll second that.

19 MR. MACIVER: Without objection,  
20 show that carries.

21 Commissioners, if you don't mind,  
22 I'd like to jump -- and, Mr. Trombetta, I  
23 apologize -- but I'm going to jump out of  
24 order a little bit. Normally, the next  
25 matter on the agenda would be the updates

1 from the Executive Director.

2 Representative Morales, thank you  
3 so very much for being patient through the  
4 entire meeting. It was incredibly gracious  
5 of you.

6 Mr. Gazale (phonetic), I believe  
7 he wanted to make a public comment, and I'm  
8 going to go ahead and recognize you at this  
9 time.

10 MR. GAZALE: Yes, hi. My name is  
11 Jorge Gazale. I'm in the State of Florida.  
12 I'm from California. I've been here about a  
13 year and a half. And watching the gaming  
14 industry and learning about it, I wanted to  
15 know what is legal to operate in the State  
16 of Florida and what is illegal, so I can  
17 advise my friends who want to invest, or me,  
18 personally, if I want to invest in the  
19 process, you know. I just have a question  
20 about the tribes, the Indian tribes, and I  
21 know the tribes are federally related and  
22 work the state. I understand that. In  
23 California have similar -- we have a lot of  
24 casinos that are Indian operated.

25 But here, I see there's some

1 gaming -- you a commission for it. I wanted  
2 to ask what if somebody wants to open a  
3 building tomorrow, you know, start a  
4 building, what can he operate? What kind of  
5 gambling can he do? Anything can -- or race  
6 gambling. I don't know. What's the  
7 process? I just want know -- I know you  
8 have to apply for a license -- I understand  
9 that -- but what -- if I apply, what do I  
10 get?

11 I mean, what can I apply for, and  
12 what can I -- what are the -- the situation  
13 and the -- I'm just asking. I'm interested,  
14 because I'd like to get into the industry.  
15 But before I get in, I want to know the  
16 rules and regulations so I don't make  
17 mistakes unnecessary, you know? Thank you  
18 for taking the question.

19 MR. MACIVER: Understood.  
20 Understood. And, again, thank you for  
21 patiently waiting all day. I am going with  
22 some -- I'm going to, with some apology on  
23 the front end, address this. At a very,  
24 very high level, we won't be able to get to  
25 much into the details, obviously. In a

1 Commission meeting, we're not prepared to  
2 address the highly technical, what is and  
3 what isn't legal about gaming regulation in  
4 Florida; it's too broad of a subject. And  
5 quite frankly, wouldn't be in the agenda.  
6 We'd probably have to notice something in  
7 that depth.

8           At a very high level, I think that  
9 I could ask our general counsel to point you  
10 in the direction of the correct statutes to  
11 review about what industries are actually  
12 regulated and licensed versus which ones  
13 aren't allowed in Florida. So there's some  
14 constitutional provisions and some statutes  
15 that he could certainly essentially point  
16 you in the right direction to review.

17           Separate from that, I would -- if  
18 you're going to enter into this industry in  
19 Florida -- or really anywhere, I could  
20 probably make the same comment -- this  
21 industry is a little bit different than a  
22 lot of others in that gambling is at its  
23 basis prohibited in Florida, and then  
24 there's very limited exception to how you  
25 enter into that licensure scheme of course.

1 And because it is so highly regulated, I  
2 have to caution extremely. I would consult  
3 someone who is well versed in gaming law,  
4 specifically in gaming law in Florida, and  
5 having a good attorney or a good counselor  
6 that you can refer to on that subject  
7 matter.

8 Beyond that, I couldn't get into  
9 too much more detail in this sort of form,  
10 but I'll entertain any comments that the  
11 Commissioners might think could be helpful  
12 as well.

13 MS. BROWN: I would just add,  
14 thank you for coming all the way up here and  
15 being interested in the industry and sitting  
16 through a long Commission meeting, and our  
17 staff is a really -- very well versed and  
18 certainly would be happy to talk with you  
19 after this meeting. Thank you.

20 MR. MACIVER: Thank you very much.

21 Mr. Lockwood, I know you've been  
22 waiting for a very, very long time too. Why  
23 don't I go ahead and address you at this  
24 time.

25 (Microphone appears to be off.)

1 MR. LOCKWOOD: I apologize. For  
2 those that do not know me --

3 MR. MACIVER: Your voice is so  
4 much deeper and ominous now.

5 MR. LOCKWOOD: Excellent. That's  
6 exactly what I was going for.

7 So for those that don't know me, I  
8 have a practice here in Tallahassee mainly  
9 advising regulated industry clients, and a  
10 large subset of that are those within the  
11 pari-mutuel gaming industry. I represent  
12 clients throughout the State of Florida, and  
13 it's been a very rewarding experience, and  
14 certainly looking forward to working with  
15 this Commission as we kind of move this  
16 industry forward.

17 You know, one of the things I did  
18 want to talk about to the Commission -- and,  
19 unfortunately, we weren't here the last  
20 Commission meeting -- is this decision last  
21 month concerning RB Jai-Alai, and its impact  
22 on Highly licensure agreements.

23 As you recall, this involved an  
24 Orlando area permit holder, Jai-Alai  
25 specifically, who requested to go from zero



1 performances to 40 performances. It came  
2 before the Commission -- and quite frankly,  
3 when we were flipping through the meeting  
4 packet, we were initially expecting that  
5 this would be resolved on a basis that zero  
6 to 40 is not a minor amendment; it should  
7 have been summarily rejected at that point  
8 in time. However, the Commission took one  
9 step forward and denied this request on the  
10 basis that Chapter 550 does not afford  
11 Jai-Alai permit holders the right at all to  
12 amend their annual operating licenses. And,  
13 unfortunately, Jai-Alai permit holders,  
14 since at least 1992, have been afforded this  
15 right and have consistently relied upon that  
16 when they were entering into their annual  
17 applications, and so now this has changed.

18           You know, while I understand that  
19 the preferred mode of statutory construction  
20 is looking at the plain language, one thing  
21 that I would urge this Commission to be  
22 mindful of, Chapter 550 dates back 90 years.  
23 It's been amended countless times, many of  
24 those times very poorly. It's been patched  
25 together. We have countless declaratory

1 judgments, Appellate opinions, declaratory  
2 statements, agency final orders from DOAH  
3 that have basically served as exhibits of  
4 how this framework is interpreted.

5 In fact, the phraseologist that  
6 was kind of relied upon to deny the  
7 application for RB Jai-Alai had already been  
8 subject to a previous declaratory statement  
9 at the agency concerning inter-track  
10 wagering. Some of these Jai-Alai permit  
11 holders back in 2014 had grown concerned  
12 that the language or gains was omitted their  
13 ability to conduct inter-track wagering, so  
14 we came before the Division of Pari-Mutuel  
15 Wagering at that time to get a confirmation  
16 that the fact that even though this mention  
17 of racing, the intent of 550.615 was in fact  
18 that Jai-Alai permit holders as well would  
19 be able to engage in this activity.

20 It appears now, based on the  
21 decision last week, that's potentially been  
22 implicitly revoked. What this industry  
23 certainly needs is a complete rewrite of  
24 Chapter 550, and I think this industry would  
25 welcome a complete rewrite of Chapter 550.

1 Unfortunately, based on my experience and  
2 many others in this industry, that's simply  
3 not going to happen.

4           And I'm not necessarily suggesting  
5 that the agency should take this into  
6 account when it's trying to decide the  
7 outcome. What I am suggesting though is  
8 that maybe that should be taken into account  
9 when we decide the vehicle in which that  
10 outcome is going to be achieved, and that  
11 result is going to be achieved.

12           During a time in which many  
13 operators have transitioned away from live  
14 pari-mutuel events completely, Magic City  
15 Jai-Alai, one of my clients, has invested  
16 considerable sums of money to enhance and  
17 promote the support of Jai-Alai at their  
18 facility. We even had a documentary that  
19 was made on what they were doing for the  
20 Jai-Alai players at Magic City. We served  
21 as a bridge for previous players of the  
22 University of Miami to come and train and  
23 continue with their -- trying to enhance  
24 their athletic abilities, and maybe  
25 potentially go to NFL training camps and

1 things, all while getting paid to conduct  
2 Jai-Alai events to obtain health insurance,  
3 things of that nature.

4 Just this year Magic City signed a  
5 very large agreement with ESP to broadcast  
6 live Jai-Alai tournaments on TV. And that's  
7 a major event. We have players coming from  
8 all over the country. I mean, this is at a  
9 point where, you know, peri-mutuel events  
10 are declining, but this entity continues to  
11 invest money, and they're starting to see  
12 returns on that, and they're starting to see  
13 people having a reviewed interest in the  
14 sport.

15 Unfortunately, now we're in a  
16 position where, you know, this season is at  
17 danger, and that agreement is at danger.  
18 Because the fiscal year that we're in, 2022  
19 to '23, we obtained these dates last  
20 December from the state when we applied for  
21 that, and now we're locked into those dates.  
22 Whereas previously, we would have the  
23 ability to adjust the schedule. And that's  
24 very important when it comes to Jai-Alai  
25 permits, especially because the dogs, the

1 horses, things of that nature, they're hired  
2 directly on those peri-mutuel facilities in  
3 most cases. With Jai-Alai, we have players  
4 traveling in from France, Spain, Mexico, all  
5 over the world. We have issues now with  
6 ESPN potentially; you know, we may have  
7 schedule changes, things of that. Issues  
8 that before would have easily been resolved  
9 through amendments to our license,  
10 unfortunately now are not going to be able  
11 to be done through that.

12                   And so certainly going forward,  
13 once we arrive to the December 15th to  
14 January 4th licensing window, now the  
15 operators understand that for the season  
16 ahead of us, that we can accommodate for  
17 that. Unfortunately, now we're just in this  
18 position in this season where we're not  
19 really sure what's going to happen. I mean,  
20 certainly -- and we've worked with staff on  
21 this. We have scenarios in place for how we  
22 could cancel performances. The problem is  
23 re-adding those performances and bringing  
24 those back on other days.

25                   And so all I would ask is that

1 when, you know, making these decisions, you  
2 know -- certainly, that magnitude of a  
3 decision was something that was new to me  
4 see an agency do that in the context of an  
5 individual license application for one  
6 particular permit holder.

7 Absent this Commission, most of  
8 the permit holders in the State of Florida  
9 would have never known that RB Jai-Alai was  
10 actually suggesting those changes to their  
11 application, or even that they got denied  
12 that application based on that particular  
13 legal reasoning because of the area that  
14 they're in; and also, generally, those are  
15 just not public decisions that are done in  
16 that fashion.

17 So all I would ask, and just urge  
18 the Commission to caution on some of  
19 decisions. I mean, we've already seen with  
20 Mr. Callejas and the issues that he has in  
21 that. You know, there are significant  
22 ramifications that can occur for changes,  
23 especially in this particular scenario. So  
24 with that, that's all the comments I have.

25 MR. MACIVER: Very well taken,

1 Mr. Lockwood.

2 Questions or comments, members?

3 MS. BROWN: Can we just have our  
4 -- if they would like to -- our staff  
5 respond or make a comment.

6 MR. MARSHMAN: Mr. Lockwood and I  
7 had conversations about this decision, and  
8 its ramifications. I can certainly  
9 sympathize with everything that he stated  
10 from a regulated party's perspective;  
11 however, I would reiterate to the Commission  
12 what I explained last time, which is the  
13 plain language of the statute is the guiding  
14 force for the Commission. It's the way the  
15 law is written. We cannot change the way  
16 the law is written. We can only apply it  
17 the way it is.

18 And prior practice, which may not  
19 have been in line with the correct language  
20 of the statute, is not an appropriate  
21 guidepost to guide further action. I would  
22 never advise the Commission to follow what I  
23 thought or suspected to be an omission or a  
24 mistake in the drafting. I am only confined  
25 with the language of the statute, and I

1 believe that the best advice I can give you  
2 is to rely on the plain language of the  
3 statute.

4 MS. BROWN: Mr. Chair, if I may,  
5 just a follow-up.

6 And as we go through and make  
7 proposed rules or proposes changes to  
8 legislatures, as our enabling statute as  
9 directed us to do over the next year or so,  
10 would this be that type of a rule that you  
11 would suggest us to consider modifying or  
12 make up the change?

13 MR. MARSHMAN: Mr. Trombetta might  
14 be the better one for that. I'm just a  
15 lawyer.

16 MS. BROWN: Thank you.

17 MR. TROMBETTA: Yeah, I was trying  
18 to jump in.

19 MS. BROWN: Who's he?

20 MR. TROMBETTA: Well, my role -- I  
21 have a different hat now. So from the  
22 policy side, I think to your point, I think  
23 we are in the process of -- and that's part  
24 of sort of jumping to the next portion of  
25 the agenda, but there is the opportunity to



1 present legislative proposals.

2 I intend to discuss with the  
3 Commission many ideas or thoughts or what  
4 you guys would like. I think this would be  
5 an area that I think, just based on the  
6 comments from Mr. Lockwood, the industry  
7 would -- I think it would be well received  
8 in the industry, but I think any type of  
9 policy change like that, I think -- if you  
10 do have thoughts, I hope to kind of have a  
11 further discussion with you.

12 MR. MACIVER: Thank you again,  
13 Mr. Lockwood. And I think we can move on to  
14 the executive director's update.

15 MR. TROMBETTA: Thank you,  
16 Mr. Chair.

17 So I have a few things. I wanted  
18 to start with -- well, first just thanking  
19 everybody for getting this meeting together.  
20 I think as the Commission, I hope, would  
21 agree, we're evolving. I think the meetings  
22 are being ran much smoother. There's a lot  
23 of people that are working behind the scenes  
24 to get -- I think the materials for this  
25 meeting were over 1400 pages, to get them

1 together in conditions that aren't optimal  
2 right now.

3 MR. MACIVER: You didn't think our  
4 earlier meetings were smooth?

5 MR. TROMBETTA: I thought they did  
6 go pretty smooth, but they did not contain  
7 items that this one does. And I think this  
8 type of meeting is probably more of what's  
9 to come, and I think for our first attempt,  
10 so far it's gone pretty well, and I hope I  
11 don't mess it up, but really, thank you.

12 The people that you don't see in  
13 -- the people that you do -- I think, you  
14 know, Marc, Emily, Ross -- you guys, thank  
15 you very much. You've done a very good job,  
16 but there's people that you don't see too.  
17 There's a lot of people working to get  
18 things on the agenda, to get the notices  
19 done. You know, Liz has been -- Liz has  
20 been just assuming tons of duties, and  
21 really, I just wanted to start by thanking  
22 staff for helping get us here.

23 On that staff issue, we've done a  
24 lot hiring wise too. So I think in the  
25 previous meeting, I said we hired six people

1 in July. I don't have the total, but we've  
2 hired a lot more in August, and we have  
3 several more that are about to start. So  
4 we've been filling out our IT team. We've  
5 hired -- now, we have, essentially, a  
6 director of IT. We have two people under  
7 her; one is going to be on the  
8 infrastructure side, one is on the  
9 application side, and we're really working  
10 to kind of separate our network from DBPR  
11 and get our own network up and running in  
12 our new building, which I'm also going to  
13 touch on.

14 We've also been filling out our  
15 admin team. So we've been working -- we  
16 found solutions on our hiring HR side. We  
17 continue -- we've hired a budget manager  
18 that's helping us with some of the budget  
19 issues. We've hired some other positions  
20 that that are helping with purchasing, with  
21 contracts, so we're kind of slowly filling  
22 out that team.

23 Mr. Carl Herold is here in the  
24 building. He was the director of law  
25 enforcement that you guys selected. He's

1     come on board and is kind of immediately  
2     hitting the ground running in some ideas.  
3     He has applications -- or advertisements out  
4     there for two positions, and we're working  
5     on probably getting advertisement ready for  
6     another one. So we really are making some  
7     good improvements on the legal side.

8             Mr. Chair, do you have -- okay.

9             And we are hoping to continue  
10     that. Essentially, we've -- we're kind of  
11     going from the top down.

12             We've also -- we're running out of  
13     space in our current building, so I have  
14     good news in that we finalized the lease for  
15     the new Tallahassee office. The address is  
16     4070 Esplanade. This is in the Southwood  
17     office complex. We have a lease for the  
18     entire second floor. We also have a  
19     separate contract done now with DMS for  
20     construction and build-out of that space.  
21     But the plan is start moving people  
22     essentially immediately. I think Susie and  
23     some of the IT people are there right now.

24             The sort of thought process is to  
25     establish our kind on infrastructure on the

1 network side, make sure that people can do  
2 their jobs there, and then start moving some  
3 of the admin folks over to that side. The  
4 thought process is to keep PMW where they  
5 are, as they're comfortable in that  
6 building, they've been in that building, we  
7 have space for them. As we continue to hire  
8 -- we're already pretty much out of space,  
9 so we need to have the new divisions in that  
10 other space.

11 The plan for construction is sort  
12 of a lengthy one. Just the timeframe right  
13 now to get materials to get contractors  
14 done, it's going to be several months -- I'm  
15 just trying to set expectations there --  
16 before the full building is done.

17 I'd like to suggest -- and we've  
18 been working with DMS to do construction on  
19 essentially one side of the building while  
20 we operate on the other, and then kind of  
21 flip, and that way we can utilize the space  
22 and still do the construction. It does make  
23 construction a little bit longer, but it  
24 provided the immediate need for additional  
25 space so that we can continue to operate.

1                   Any questions on either of those  
2 two issues, the hiring personnel or the  
3 space?

4                   MR. DRAGO: Just a question on the  
5 space and the construction. You said the  
6 build-out would take a couple of months to  
7 complete or to start?

8                   MR. TROMBETTA: To start.

9                   MR. DRAGO: Okay.

10                  MR. TROMBETTA: Thank you.

11                  MR. DRAGO: That's what I thought  
12 you said.

13                  MR. TROMBETTA: We have -- we've  
14 been working with DMS to finalize plans with  
15 an architect. That -- we've completed the  
16 initial stage, which is essentially an  
17 overview. They kind of do -- just do the  
18 floor plan. Then right now, they then --  
19 the architects meet with engineers to work  
20 on -- sort of the stuff you don't see, the  
21 electric, the -- you know, the air  
22 conditioning, the water, so some of that.

23                  So once they can turn that back  
24 around, then we move into the construction  
25 phase. And we have -- but even that, we

1 have to get contractors that can do it.  
2 Once we have somebody, they have to order  
3 everything, get people organized and  
4 everything else. So it is going to be a  
5 lengthy time. The goal is that hopefully  
6 we'll sort of be nearing completion in July,  
7 start of the next fiscal year, but I do want  
8 to emphasize that right now it's tough.

9           There's -- you know, the supply  
10 chain issues have not been completely  
11 resolved on the construction side, and I  
12 think that in the meantime, we should be  
13 kind of operating from that space. We're  
14 going to have offices for all five of the  
15 Commissioners, for our admin team, for the  
16 IT team, for the law enforcement group, and  
17 potentially -- we're still trying to figure  
18 out OGC, the General Counsel's Office. I  
19 know there's a technical issue in that to  
20 utilize Versa, which is our software we use  
21 for our licensing database, essentially.  
22 It's just going to be a lot easier if  
23 they're in the DPR Blair Stone Building.  
24 Right now, the plan is to keep legal in that  
25 building as well.

1           Two -- yeah, two other updates.  
2       So I just wanted to follow-up on the City of  
3       Jacksonville's ordinance that could -- you  
4       know, we've kind of identified early on that  
5       this ordinance, if passed, could potentially  
6       legalize activity that would be otherwise be  
7       prohibited.

8           Just again to catch up, we  
9       submitted a letter. We then followed up and  
10      went to a subcommittee's meeting, and made  
11      public comment that the Gaming Commission  
12      existed, and that we're here to help. We've  
13      provided help that we did oppose the  
14      ordinance. On August 24th, the City Council  
15      withdrew that ordinance, so Jacksonville is  
16      no longer seeking to adopt that ordinance.

17           Any questions on that?

18           Okay. And then the -- just sort  
19      of some operational items that I have going  
20      on in the back -- and I think might be good  
21      for something that Vice Yaworsky brought up  
22      -- in terms of legislative proposals, we're  
23      also working on a legislative budget  
24      request. So by statute, the Commission has  
25      to provide a budget request. We are -- my



1 team is working on identifying issues that  
2 will go into that request. I think that if  
3 we do have a subsequent meeting sometime in  
4 mid-September to talk about some of these  
5 operational items, I think that would be a  
6 great opportunity to kind of present more  
7 details to you, get some feedback, and  
8 really kind of move forward on that.

9           The other item that I'd like to  
10 present at that meeting is -- essentially,  
11 it's part of what's called the Long-Range  
12 Performance Plans. LRPP, is the -- how it's  
13 known, which I don't like how that word  
14 sounds. But, yeah, there's a -- we have to  
15 come up with agency objectives and goals and  
16 a mission statement, so I'd like your input  
17 on that. So at the same time, I think if we  
18 do have this subsequent meeting, I would  
19 like to kind of bring that up at that  
20 meeting too.

21           I'd suggest -- other commissions  
22 do this -- they have, essentially, like  
23 operational meetings, and it's covered  
24 content that doesn't affect the substantial  
25 rights of other people immediately. So

1 you're not -- it wouldn't be license denials  
2 or consent orders. It would be operations  
3 items that we still need Commission input,  
4 and I think that -- beginning -- have a  
5 meeting in early September would be very  
6 helpful for achieving some of our goals with  
7 the upcoming legislative session.

8 Any feedback on that?

9 MR. MACIVER: Well, yes. I like  
10 the idea that we still keep our general  
11 business meeting, and if we bifurcate our  
12 general business meeting into having a  
13 portion that is affects the substantial  
14 rights of others, and then we have another  
15 portion of that meeting afterward; I think  
16 that works good. And also, of course, we do  
17 have to intersperse our meetings from time  
18 to time with issues that come because of a  
19 timely nature.

20 At some point in time,  
21 Commissioners, we may find our workload  
22 exceeds the one meeting a month, and we  
23 might have to amend our schedule for doing  
24 that, but I think we are on the right track  
25 right now for -- to continue to do a monthly

1 meeting and intersperse it with the things  
2 that come up. I think bifurcating the one  
3 general meeting a month rather than  
4 burdening folks with a separate meeting is  
5 probably the approach when it comes to the  
6 portion that wouldn't affect the substantial  
7 rights of others, but, I mean, you and I,  
8 we'll be able to sit down and work on that  
9 as we're putting together the agendas for  
10 the meetings, so.

11 MR. TROMBETTA: Yes, sir. Thank  
12 you.

13 MR. YAWORSKY: Just one question  
14 on that --

15 MR. TROMBETTA: Yes, sir.

16 MR. YAWORSKY: -- if I could.  
17 When is the LRPP due?

18 MR. TROMBETTA: So -- oh, man. I  
19 don't know the date off the top of my head.  
20 I have an October 1st deadline that I'm  
21 working with internally, but I think it  
22 might be October 14th that it has to go  
23 somewhere, so.

24 MR. YAWORSKY: Okay. And the LBR?

25 MR. TROMBETTA: LBR, same thing.

1 So there's -- we had to provide the initial  
2 -- October -- it's beginning of October as  
3 well. It might be the same day. I think  
4 it's October 14th as well.

5 MR. YAWORSKY: So I just want to  
6 make sure with respect to the Chair that --  
7 and with everyone's time -- that if there is  
8 feedback from the Commission, as it stands  
9 now in -- the meeting would be the first  
10 Thursday of October, which I believe is  
11 the --

12 MR. TROMBETTA: 6th, I think.

13 MR. YAWORSKY: That the 6th would  
14 be -- the Chair feels and the staff feel  
15 that if there is substantial feedback from  
16 the Commission as a whole, that that would  
17 be enough time between the 6th and the 15th  
18 when all these materials are due to --

19 MR. MACIVER: Probably --

20 MR. YAWORSKY: -- make those  
21 amendments.

22 MR. MACIVER: Probably not. And  
23 I'll -- and although we don't have the  
24 details of when to have a separate meeting  
25 hammered out yet, I would envision that on

1 the budget issues, we'll probably have to  
2 have a separated -- probably Zoom for  
3 everybody's convenience -- meeting between  
4 now and the next general meeting.

5 Again, we'll hammer out those  
6 details, and I won't blindside you all at  
7 the last minute.

8 MS. BROWN: Just being very  
9 familiar with the kind of process, I think  
10 having those type of internal affairs -- or  
11 non-substantive, but more administrative --  
12 since we are so administrative heavy for a  
13 while, we may really want to consider just  
14 having it knowing that we'll have it Zoom,  
15 you know, every month and have it in person  
16 every month, because it may just help as we  
17 get through next the year; things like  
18 build-out, things like workshop, discussing  
19 workshop, potential workshop, things like  
20 that. I'm completely supportive.

21 MR. YAWORSKY: And just -- if I  
22 may, just for familiarity for everyone's  
23 sake and the public's sake, the LRPP  
24 especially, is a -- this will be our first  
25 one -- it is a long-term document that

1 requires all kinds of information about what  
2 the agency is doing and what it plans to do  
3 over the course of time for, I believe, five  
4 years at least.

5 So there may be -- there's a lot  
6 to it. And especially because this is in  
7 our first one, it's kind of setting the  
8 stage for futures ones, so there may be a  
9 necessity to really dig in on this quickly,  
10 and to truly get feedback from everyone on  
11 that, in a comprehension manner, I think.

12 MR. MACIVER: Let's -- then let's  
13 continue that discussion offline. We may  
14 actually have to even set up, in addition  
15 to a Zoom meeting, to discuss approval of  
16 things, maybe we need a Commission workshop,  
17 where we sit down and pow wow about what we  
18 need to do about this.

19 Anything further?

20 MR. TROMBETTA: No, Chair. Thank  
21 you.

22 MR. MACIVER: Commissioners,  
23 questions?

24 MR. D'AQUILA: I have a question,  
25 Mr. Trombetta. How are we doing with regard

1 to our website now being live with regard to  
2 the public being able to ask questions? And  
3 can you give us an update, without specific  
4 numbers, the volume of questions and the  
5 type of questions we're answering, and how  
6 we're serving the public now that our site  
7 is live?

8 And I bring that up especially in  
9 context to the gentleman's question earlier  
10 about gaming in Florida and how we're  
11 interfacing.

12 MR. TROMBETTA: Yes, sir. So good  
13 news on that front in two ways. So first,  
14 we -- again, we are currently relying on  
15 Dukehart (phonetic) to support our IT needs.  
16 One of those needs is the updates to the  
17 website.

18 From what I understand, there was  
19 a meeting that went well yesterday, or two  
20 days ago, in which we, being the Gaming  
21 Commission, now have more autonomy on what  
22 we can put on our own Web page, and the  
23 timing of it. So good news there is that we  
24 can update our Web page more easily than we  
25 were -- would be able to a week ago. So

1 that part is good news.

2 The other good news is that we  
3 were able to get the complaint portal up.  
4 It kind of immediately -- so we're -- and on  
5 the front end for the user, they can go to  
6 our website, fgcc.fl.gov or dot com, and  
7 there's a button that says file complaint.  
8 They can do that -- they can file  
9 anonymously or they can provide, you know,  
10 their information.

11 When they do that, it goes into,  
12 essentially, a database that we created. We  
13 have over -- almost 80 items right now in  
14 that database over the past two months.  
15 Now, this does not just contain stuff that  
16 came to the website; it's also calls. The  
17 reason that -- that database is to also  
18 collect information on calls, e-mails and  
19 stuff that goes right through the portal.  
20 Stuff that goes through the portal is  
21 easiest because it goes right to the  
22 database, so.

23 We then, on the back end, right  
24 have been filtering items to staff to  
25 resolve the issues or complaints, or just



1 kind of provide answers to some of the  
2 questions. We're getting a range of stuff  
3 from -- stuff as in people, you know, giving  
4 us tips about illegal operations, to  
5 questions about licensing, to, you know,  
6 sort of questions about how does this work  
7 in Florida. We get a variety of stuff.  
8 It's all kind of going in, and we are doing  
9 a good job. Joe's team -- sorry, Joe  
10 Dillmore, the director of PMW, and Ross  
11 Marshman both have kind of taken the lead in  
12 kind of filtering and distributing  
13 responses, and then we have been successful  
14 in closing a lot of them and getting, you  
15 know, feedback to the public.

16 MR. D'AQUILA: Have there been  
17 discussions -- and I'm sure the volume will  
18 pick up with time. Have there been  
19 discussions about creating what we call  
20 FAQs, frequently asked questions, that will  
21 help deal with the sheer volume that we can  
22 expect as our Commission becomes more known  
23 and as gaming becomes more popular, and our  
24 population grows here in the State of  
25 Florida? Will -- do you envision that being

1 a possibility -- because I imagine many of  
2 these are somewhat more just informational,  
3 general --

4 MR. TROMBETTA: Yeah.

5 MR. D'AQUILA: -- without  
6 rewriting the statutes, so to speak?

7 MR. TROMBETTA: Right.

8 MR. D'AQUILA: So it needs legal  
9 review, but --

10 MR. TROMBETTA: So I can tell you  
11 -- I like the idea of coming up with FAQs.  
12 And I think if you guys give me that  
13 blessing, I think we can go down that road.  
14 It does come with it some complications from  
15 the legal side, and that we have to be very  
16 careful in what we say and what we put in  
17 there. We don't want to say something that  
18 is different from what the statute or rule  
19 says.

20 You know, but I think for some of  
21 these items -- you know, is bingo legal? We  
22 get some of these -- we could have an FAQ  
23 that just directs people to the statute in  
24 849 that talks about bingo with -- or with  
25 little explanation. I think there are ways

1 to work around this, but it's a process that  
2 is going to take a little bit of time.  
3 There has been thoughts about doing it, but  
4 --

5 MR. MACIVER: Did you all see  
6 Mr. Marshman squirm when he said little  
7 explanation.

8 MR. TROMBETTA: Yeah, and that is  
9 a problem; is that I think it would be  
10 helpful, and we're trying to figure out how  
11 to strike a balance between providing some  
12 sort of helpful resource to the public, and  
13 not putting ourselves in any type of  
14 problems legally.

15 MR. D'AQUILA: I mean, as long as  
16 we're considering, you know, serving the  
17 public with those matters that require more  
18 immediate attention and using our legal  
19 resources that we do have efficiently, if we  
20 have some vehicle for filtering that --

21 MR. TROMBETTA: Yeah.

22 MR. D'AQUILA: I think it's going  
23 to be increasingly important with time.

24 MR. TROMBETTA: And -- in a --  
25 sort of with your permission, Commissioner,

1 if I could have a month. Give me a month to  
2 try to figure it out, and next month you can  
3 put me on the spot and say, "Okay, what are  
4 we doing with FAQs?" I'd appreciate that.  
5 I will -- give me this month to kind of come  
6 up with a plan to see how we can make this  
7 work.

8 MR. D'AQUILA: If I may add one  
9 more question?

10 MR. TROMBETTA: Yes, sir.

11 MR. D'AQUILA: I think it would be  
12 helpful for the Commission also to know, as  
13 we go month by month, the breakout. It will  
14 help us channel our resources and thoughts.  
15 And where there might be issues, you know,  
16 what types of questions are they?

17 MR. TROMBETTA: The breakout of  
18 the completion.

19 MR. D'AQUILA: Yeah, are they  
20 poker rooms? Are they horse racing? Is it  
21 just general. "I want to start a business in  
22 the State of Florida." Is it -- I'm very  
23 curious as to how many people -- especially  
24 the anonymous, you know, tips and so forth.

25 And even, you know, if there is

1 geographic data, so forth, I think it would  
2 help our -- as we plan our resources going  
3 forward. You know, all things of business  
4 we do, so to speak, especially in this time  
5 of, you know, limited resources.

6 MR. TROMBETTA: Yes, sir.

7 MR. YAWORSKY: If I might, would  
8 it be possible to get a summary review, so  
9 to speak, of these decisions that are coming  
10 before the Commission? And I'm not speaking  
11 of any particular one, but just a summary  
12 report to the Commissioners on matters that  
13 are coming -- could potentially come before  
14 the Commission that affect the substantial  
15 interest of the people.

16 I think what we saw today -- I'm  
17 not -- I don't want to -- I think we saw a  
18 lot of questions not only about individual  
19 matters within a particular case, but around  
20 the Commission's process that we've  
21 inherited from PMW -- I want to say this  
22 without -- with making it clear this is not  
23 a criticism of any of the work that PMW has  
24 done or is doing now on behalf the  
25 Commission, but I think that we, as

1 Commissioners, have an obligation to make  
2 sure we understand the beginning to end of  
3 our process, how these -- how these  
4 decisions that are being made as they come  
5 to us and whether or not they come to us.

6 I think we had a discussion when  
7 we were meeting yesterday about -- and I  
8 think Commissioner Drago touched on this  
9 earlier -- Chair had some thoughts as well  
10 that I thought were well taken about making  
11 sure that there's equitable treatment and  
12 that we -- the fines are adequate. And I  
13 think the first step in that is not so much  
14 necessarily to -- this is my thought -- I  
15 don't think the first step in that is for us  
16 to immediately begin changing it. I think  
17 we need to understand fully what's going on  
18 now.

19 So would it be possible for us to  
20 get a report of sorts of a delineated list  
21 of all things that may come before the  
22 Commission and understanding of how those  
23 workflows proceed now, their de-processes,  
24 checks and balances that are in place, to  
25 ensure equitable treatment, to ensure fines

1 are not -- not inadequate or excessive, and  
2 make sure that we're kind of on the -- and,  
3 please, if you all agree, please feel free  
4 to add things to this. But I think it is  
5 important that we as a Commission understand  
6 that.

7 MR. TROMBETTA: Could I make, just  
8 for clarity purposes, and maybe a suggestion  
9 too. It might be easier too if you kind of  
10 identified a few things for us to -- like  
11 maybe we could break it up over time where  
12 we could touch on waivers, you know, some of  
13 the stuff on the agenda today, because the  
14 exhaustive list would be --

15 MR. MACIVER: Let me actually  
16 touch on this a little bit here.

17 MR. TROMBETTA: Sure.

18 MR. MACIVER: I echo the sentiment  
19 of both of my colleagues in a very general  
20 sense that I think as we grow, for us to be  
21 able to maintain the position of the buck  
22 stops here with us, and to maintain our  
23 accountability for what this Commission  
24 does, we're in time going to want to watch  
25 the information flow to us increase

1 substantially.

2           There are -- there are reports  
3 we're going to have to see -- and these are  
4 two very good examples of the breakdown of  
5 the types of complaints we're getting,  
6 definitely -- and then, yes, a report on the  
7 activities that we're taking and our ability  
8 to see that those are equitable and not  
9 capricious. Those are two very good  
10 examples, but they're reflective of a larger  
11 thing that will have to happen, that we're  
12 going to have to, as a commission, know  
13 everything the Commission is doing.

14           That is said on the backdrop of  
15 the Commission staff is still very much in  
16 COVID form. The executive suite is not  
17 entirely built-out yet. You are  
18 recognizably still understaffed until you  
19 can get fully hired up. So how we  
20 prioritize what reports are going to have to  
21 come to us is something that we're going to  
22 have to focus on in the coming weeks. What  
23 we need to prioritize your time doing and  
24 focusing on so that we're making sure we're  
25 hitting the important things, yes, is very



1 important, but it's in a longer-term goal,  
2 and a longer-term aspiration for us to be a  
3 very fully informed commission.

4 I'm thinking about our law  
5 enforcement section too, and all the  
6 activities that that's going to start taking  
7 on. We're ultimately going to have to be  
8 the buck stops here people on all that  
9 activity as well. So with one director of  
10 gaming enforcement at the moment, I don't  
11 think you can start spending your time  
12 putting out reports to us yet, but it's  
13 going to come, right? So I just wanted to  
14 touch on those things as well.

15 MR. YAWORSKY: Yeah. If I could  
16 just clarify. I wasn't seeking as much of a  
17 -- I agree -- that point is well taken. I  
18 don't want you really spending time on this  
19 as a sacrifice of other things. If you say  
20 you don't have the time to do it right now,  
21 then we'll have to figure out another  
22 mechanism.

23 I was really -- what I'm really  
24 just looking for is a summary not of what is  
25 going on currently, it's more of a summary

1 of what will potentially come our way and  
2 how that's coming our way. Not by an  
3 itemized list of what those items are and  
4 what have been, just an explainer of what is  
5 taking place and how that is going to be a  
6 generalized process document, not a --

7 MR. YAWORSKY: Just not a -- how  
8 this stuff is coming to be, what -- how the  
9 decisions are being made, not a case by  
10 case, so that we can understand -- I may not  
11 be explaining it as well as I'd like. It  
12 would be -- so that we can understand what's  
13 coming before us, and what has taken place  
14 in the -- not -- again, not particularly,  
15 but generally how this is coming to us.

16 MR. TROMBETTA: Sure. And I  
17 think, just based on the comments we heard,  
18 we absolutely can work to get something like  
19 that to you. Even like the -- one of the  
20 people that where just hired in IT is a --  
21 from what I understand, they can do exactly  
22 what we're asking for the complaints. They  
23 can create a report that will provide some  
24 type of graphical display of whatever field  
25 we want so that we can have it. So I think

1 there are some easy solutions that I think  
2 we can kind of work with you guys.

3 MR. D'AQUILA: If I may, Executive  
4 Director Trombetta. I -- one of the  
5 trend-lines I've seen having dealt with so  
6 many government agencies, both on a federal  
7 and a state level, they're almost required  
8 to use the agency's website. The sheer  
9 where information -- you know, keeping track  
10 where all these matters are and how people  
11 communicate is such an incredible expense,  
12 but the trend-line -- you mentioned earlier  
13 about, you know, phone calls or, you know,  
14 tips and so forth. To the extent that we  
15 have a modern day, new secure site, even  
16 registering everything through the site and  
17 where human hands don't touch it from a  
18 gathering and monitoring perspective is  
19 huge, both from a qualitative perspective  
20 and a cost perspective, so I would just be  
21 thinking about that.

22 I mean, I know myself. I can  
23 think of four where I can cite where I'm not  
24 even allowed to call anybody, and these are  
25 very large agencies. It must go through the

1 site. I hope sometimes what I'm saying is  
2 anonymous. But I would think about that as  
3 you're building because it has a direct  
4 implication on the budget that you're  
5 working on, and it deals -- as I see our  
6 lists go up here, it will help us in our  
7 90-day -- you know, what we strive for in  
8 meeting what the public expects of us as  
9 well; that's all.

10           And a point to reiterate earlier  
11 on the FAQs, of course, there must be the  
12 proper disclaimers, and legal must bless  
13 that. We live in a world of disclaimers.  
14 You know, most anybody in professional  
15 services has an e-mail, but if you go to  
16 print it, it's four pages, of which  
17 90 percent you never read for a reason. So  
18 just food for thought.

19           And I know you're thinking of all  
20 this, but I think about like we're --  
21 there's this little trajectory in the  
22 youthfulness of our Commission, where we're  
23 heading, and I think this will make a really  
24 -- it will really help things out months and  
25 years from now.

1 MR. TROMBETTA: Thank you.

2 MR. DRAGO: It could just -- not  
3 to beat this horse to death, but in terms of  
4 what others are speaking about. From a  
5 historical perspective, I think --  
6 personally, I feel a need to have more  
7 history, and we've talked about it before.  
8 When it comes to the fines and when it comes  
9 to those kinds of things, I just want to  
10 make sure that I feel -- personally feel  
11 comfortable that we are being fair and  
12 equitable to the folks, and have a good  
13 understanding of where this comes from.

14 In addition to that, if we're  
15 doing something different, like we did with  
16 the Jai-Alai, that's different from before,  
17 have a good understanding of why we're doing  
18 it different, and I did on this one. I mean,  
19 it was explained to me -- Mr. Marshman has  
20 explained it very well, and I understood --  
21 I understood it. But those are the kinds of  
22 things that I am personally interested in  
23 having some background, and so that I  
24 understand completely why we are doing this,  
25 and why we're doing it differently than it

1 was done before. So as we go along, I know  
2 as a case comes up, this is not how we used  
3 to do it, this is how we're doing it now. I  
4 really want to know that.

5           So I think a historical  
6 perspective, I think, if I'm hearing  
7 everybody here, we're hungry for a little  
8 bit more historical perspective on these.  
9 You folks have been doing this, and you all  
10 got it. It's all in your head. It's  
11 just -- you know, it's easy, but for us who  
12 haven't been and doing this job, it's  
13 important.

14           And it will probably be -- we talk  
15 about not having enough people right now,  
16 and we don't want to overburden you, and we  
17 don't, but I think now is the time when we  
18 need that because for a year from now, we  
19 won't need it as much because we're going to  
20 be closer -- not there, but closer to where  
21 a plane where you all are at, so that we --  
22 you don't have to explain every little thing  
23 to us in terms of history like that.

24           So I think that's -- that's what  
25 I'm looking for, keeping that in mind that

1 we need as much history as you could  
2 possibly provide. I'm not looking for more  
3 paperwork. Liz is looking at me like she  
4 wants to shoot me back there. I'm not  
5 looking for more paperwork, but, you know,  
6 some way to express that so that we feel  
7 comfortable, and we all feel comfortable  
8 about the fines and what the rulings we're  
9 making and so forth. It's all based in --  
10 it's based in history in equitable  
11 situations. Thank you.

12 MS. BROWN: Thank you. I agree  
13 with all of my colleagues, and I think that  
14 actually Commissioner D'Aquila's point is  
15 really well taken because that is the kind  
16 of information that needs to be included in  
17 the LRPP; you know, what are we generating  
18 on the website? So, I mean, that should be  
19 priority. But certainly, with these cases,  
20 as you heard with the conditional license  
21 that came up today, we all were talking  
22 about that kind of additional background.  
23 And when it comes to fines and it's not a  
24 rule, how are they set so that it is --  
25 we're consistent, and we're not excessive,

1 and I think those are like -- they're  
2 on-point things, but -- and then the  
3 summary, I guess, ultimately, I don't know  
4 how that would -- other than what we're  
5 talking about here today. But I do think  
6 Commissioner D'Aquila's points are really  
7 well taken, and I hope we can get that done  
8 next month.

9 MR. TROMBETTA: Yes. Or  
10 potentially too, I'm thinking -- just in my  
11 head just talking. I don't -- I don't want  
12 -- don't hold me to this, but something --  
13 if we do have this operational meeting  
14 before October 6th, that maybe we can start  
15 trying something in that meeting. I mean, I  
16 think -- I think there's -- just so -- we  
17 can absolutely do this. I think it's good  
18 for the Commission in general, and I'm going  
19 to do everything I can to help make that  
20 happen.

21 MR. MACIVER: All right.  
22 Commissioners, I've jumped around a bit. We  
23 are on item -- I don't know the number. We  
24 are on other matters.

25 Anything else for the good of the



1 order from the Commissioners?

2 Because today was the first day we  
3 did speaker cards -- and I want to thank the  
4 people who put those in -- but I am going  
5 to, at this meeting still, and then we'll  
6 probably go to a required speaker card  
7 meeting format at the next meeting. But  
8 because we didn't put that out there ahead  
9 of time now, I will entertain any other  
10 public comment.

11 MR. MACIVER: Sure.

12 MR. GAZALE: Well, thank you  
13 earlier for letting me speak. I just want to  
14 --

15 MR. MACIVER: And one more time,  
16 just for the record, it's Mr. Gazale?

17 MR. GAZALE: Gazale, Jorge, yes.  
18 I want to congratulate you for being the  
19 Commission seeing here taking charge. And I  
20 know one thing, the gaming industry on the  
21 planet earth is big. Humanity love to  
22 gamble, you know. And what I know, I know  
23 I've been to Vegas, Macao, Monte Carlo. You  
24 go to all these places, you see people  
25 gambling, and they go back. It's not like

1 they're forced them, no. It's a  
2 continuation. So what I believe, this --  
3 what you guys are doing is going to be big,  
4 much bigger than what you guys think. It's  
5 going to be bigger -- it's going to be -- in  
6 my opinion, it's going to be probably the  
7 biggest department in Florida, you know,  
8 because it's a human nature. If you look at  
9 a few studies in the past ten years, if you  
10 look at cryptocurrency, where people are  
11 doing -- gambling by Bitcoin and other  
12 stuff, NFTs, so it's a human nature,  
13 gambling.

14 So what I really appreciate you  
15 guys doing is trying to regulate and tell  
16 people, especially small businesses. It  
17 gives them a chance to play with the big  
18 guys, you know, give everybody equal field  
19 so we can challenge each other. Because  
20 capital is more when you give everybody a  
21 clear vision, like these are the facts about  
22 how can I apply. I cannot go -- if I cannot  
23 go hire a bunch of lawyers to start my game,  
24 what can I do start? You know, because  
25 we're not -- all have the qualifications to

1 play the game from the top.

2 So I appreciate you guys, you  
3 know, doing and taking time to answer the  
4 questions, because this is a big mission.  
5 It's a big job. You just started. You're  
6 putting your crew together, and I believe  
7 it's going to be big. And it's going to  
8 something other states will copy you guys,  
9 because, you know, you're putting new ideas  
10 and new methods for everybody. And at the  
11 end of the day, if we have rules, people  
12 should follow -- I believe in law and order.  
13 People should follow the law and order, and  
14 will just have to be given to everybody at  
15 equal level, so everybody can have a chance  
16 to play with the game.

17 And we are all Citizens of Florida  
18 and Citizens of the United States of  
19 America. So we came here, and we want to do  
20 something good. And thank you again for  
21 allowing the public, and I appreciate what I  
22 learned today. Thank you all, and  
23 congratulations again, and get on to a great  
24 mission, you know?

25 MR. MACIVER: Thank you. We

1 appreciate your time and encouragement.

2 Any further -- Mr. Zachem?

3 MR. ZACHEM: As the hour grows  
4 late, I'll try and be brief. I'm sure  
5 everyone else's stomach is growling too.

6 My name is John Zachem, as I said  
7 before, I represent the Amusement Machine  
8 Association of Florida, and we want to thank  
9 you all for the work you're putting in for  
10 the illegal slot machines that are going  
11 through the state in various areas.

12 And one of the biggest things that  
13 we want to work with you on is the  
14 consistency on how the law is enforced.  
15 You'll see different locations that I think  
16 this Commission is going to help a lot with.  
17 These locations are enforcing them some ways  
18 compared to others. I hear people say  
19 gray-market game. To me, I don't think  
20 there's any gray. It's either an illegal  
21 slot machine or it's not.

22 One of the comments I heard  
23 earlier about putting facts up, and some of  
24 the authority that the Commission has, I  
25 think it's going to help a lot with that, so

1 we'd love the opportunity to support you.  
2 I'm an attorney that works with this group,  
3 and we'd absolutely support the idea and  
4 love the idea of putting up "Here's  
5 something that you legally cannot do," and I  
6 think a lot of people will be able to fall  
7 in line. And that's also for law  
8 enforcement as well as the people that are  
9 acting in these locations. Because I've had  
10 an opportunity to sit down in four different  
11 counties, and the interpretation of what a  
12 slot opinion is and what's legal has changed  
13 from county to county to county. And the  
14 subject matter before you, and with you all  
15 conveying that message, I think it's going  
16 to help a lot.

17 We thank the director as well for  
18 speaking in Jacksonville and trying to make  
19 things clear. We've also operated as group.  
20 That we live in these communities, and so  
21 you know that the Amusement Machine  
22 Association, most of these are family-owned  
23 groups that have been in business for  
24 decades in Florida. One of my clients is  
25 second generation. The things that they do

1 are your -- not slot machines, but the pool  
2 tables, the dartboards -- I don't know if  
3 they have jukeboxes anymore. I might be  
4 dating myself -- but those types of things  
5 that you see in these locations, as well as  
6 games that you might play on the corner, the  
7 which one of these is different on these  
8 screens? Those types of things.

9 But with that, there's confusion  
10 over what can be there. And you all coming  
11 up and being able to say, "That's not  
12 supposed to be there, or this is," we've  
13 said routinely just tell us what we can and  
14 can't do, and we'd be more than happy to  
15 comply.

16 And at the same period of time --  
17 we live in these communities -- when we see  
18 a bad actor -- we've registered with Duval  
19 County and the City of Jacksonville saying,  
20 "Here's where we are. We think we're  
21 following the law. We think we're doing  
22 things appropriately. Come take a look at  
23 us." And we work with them routinely, and  
24 at the same period of time, we say, "Look at  
25 that group over there. They're not doing

1 this. And the blacked-out windows that are  
2 occurring that are over there where people  
3 are coming at different hours, you might  
4 want to take a look."

5 So we've been working with them,  
6 and we look forward to working with you all  
7 too. I won't take any more time because I'm  
8 hungry too. But anyway, we look forward to  
9 working with you all in the future. Thank  
10 you very much for your service.

11 MR. MACIVER: Thank you,  
12 Mr. Zachem. And on the subject of jukeboxes  
13 being outdated, rock and roll will never  
14 die.

15 And with that, Commissioners,  
16 unless there's any opposition, I say we are  
17 adjourned.

18 (The proceedings concluded at 12:24 p.m.)

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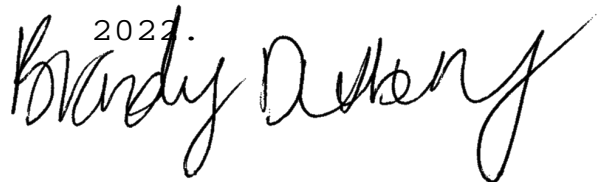
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I, Brandy Duxbury, Stenographer,  
certify that I was authorized to and did  
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stenographic notes.

Dated this 12th day of September,

2022.  


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Brandy Duxbury, Stenographer

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## 2. Discussion of amended application for cardroom license

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Re: Fronton Holdings, LLC (JLAI278)  
2022-058588 Requests to add additional Card Tables  
Date: December 9, 2022

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### Executive Summary

A cardroom operator is seeking permission to add additional card tables to its cardroom. The Commission should approve this request.

### Background

Fronton Holdings, LLC d/b/a Casino Fort Pierce (“Casino Fort Pierce”) possesses a jai alai permit. Casino Fort Pierce has been issued a pari-mutuel operating license and a cardroom license for the 2022-2023 Fiscal Year. Casino Fort Pierce is currently licensed to operate 1 card table and is requesting permission to add 19 more to its cardroom at its new location. Casino Fort Pierce has paid the \$19,000 license fee associated with the additional tables.<sup>1</sup>

### Analysis

Aside from the \$1,000-per-card-table license fee, there is no other applicable restriction<sup>2</sup> to the number of card tables that Casino Fort Pierce can add to its cardroom. Since Casino Fort Pierce has paid the additional \$19,000 license fee, Casino Fort Pierce should be authorized to add additional card tables to its cardroom.

**Recommendation:** The Florida Gaming Control Commission should approve Fronton Holdings, LLC d/b/a Casino Fort Pierce’s request to add additional card tables to its cardroom.

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<sup>1</sup> The annual cardroom license fee costs \$1,000 for each table in the cardroom. § 849.086(5)(e), Fla. Stat.

<sup>2</sup> There is no indication that PPI is seeking to change the number of card tables for the play of poker games in a designated player method. *See* §§ 849.086(7)(h)2. & 4., Fla. Stat. (restricting the number of tables for the play of poker games in a designated player manner).

## PERMITHOLDER LICENSE CHANGE REQUEST CHECKLIST

PERMITHOLDER: Fronton Holdings, Inc. FISCAL YEAR: 2022/2023

DATE RECEIVED: December 9, 2022 CASE NUMBER: 2022-058588

DATE PROCESSED: December 9, 2022

REVIEWER'S NAME: La'Keshia Jelks

change address (Relocation.)

CHANGE REQUESTED: Adding nineteen (19) tables for a total of twenty (20).

Requirement	Met? Y/N	Deficiency Sent	Resolved
Original application form DBPR PMW 3160.	Y		
Payment for additional tables	Y		
Floor Plan	Y		

CONTACT FROM OTHER FACILITIES WITHIN FIFTY (50) MILES:	CONTACTED?			OBJECTED?		
	NO	YES	DATE	NO	YES	DATE
NONE						

### PMW / CARDROOM LICENSE FORWARDED TO THE FOLLOWING FOR FINAL REVIEW:

REVENUE SECTION	<input checked="" type="checkbox"/>	REVIEWED	INITIALS: <u>ds</u>	DATE: <u>12/12/2022</u>
PERMIT ADMIN	<input checked="" type="checkbox"/>	REVIEWED	INITIALS: <u>JP</u>	DATE: <u>12-14-22</u>
OPERATIONS REVIEW SP	<input type="checkbox"/>	REVIEWED	INITIALS: _____	DATE: _____

### DISTRIBUTION OF PMW AND CARDROOM (If applicable) LICENSE(S):

#### PARI-MUTUEL LICENSE

General Manager (Original) Office of Auditing Licensing Administrator (with all paperwork) Regional Manager Director's MRS	Office of Investigations Office of Revenue & Financial Analysis Chief Inspector U of FL Laboratory Florida Greyhound Association (Greyhound Tracks Only)
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#### CARDROOM LICENSE

General Manager (Original) Office of Auditing Licensing Administrator (with all paperwork) Chief Inspector	Office of Investigations Office of Revenue & Financial Analysis Regional Manager Director's MRS
--	---



STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

License Number: CR278  
Permit Type: JLAI  
Permit County: Saint Lucie  
Amendment: A

## LICENSE TO OPERATE A CARDROOM

*For:*

**Fronton Holdings, LLC**  
D/B/A Casino Fort Pierce

Licensed to Operate, At the Pari-Mutuel Facility, Located At:

6666 South US Highway 1  
Unit 2  
Fort Pierce, FL 34952  
Saint Lucie County

Valid From: July 1, 2022  
Expires On: June 30, 2023  
Licensed to Operate: 20 Tables

Issued and dated, this \_\_\_\_\_ day of January, 2023.

By \_\_\_\_\_  
Louis Trombetta, Executive Director  
Florida Gaming Control Commission



*This license is issued in accordance with the Florida Pari-Mutuel Wagering Act, Section 849.086, Fla. Stat., and the rules promulgated thereunder. This license is to be operated at the location of a pari-mutuel permit and is subject to any and all laws of the State of Florida.*

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

License Number: 278  
Permit Type: JLAI  
Permit County: Saint Lucie  
Amendment: A

# LICENSE TO CONDUCT PARI-MUTUEL WAGERING

*For:*

**Fronton Holdings, LLC**

D/B/A Casino Fort Pierce

Licensed to Operate, At the Pari-Mutuel Facility, Located At:

6666 South US Highway 1

Unit 2

Fort Pierce, FL 34952

Saint Lucie County



Valid From: July 1, 2022

Expires On: June 30, 2023

*Permitholder does not intend to accept wagers on intertrack or simulcast events.*

Issued and dated, this \_\_\_\_\_ day of January, 2023.

By \_\_\_\_\_  
Louis Trombetta, Executive Director  
Florida Gaming Control Commission

*This license is issued in accordance with the Florida Pari-Mutuel Wagering Act and the rules promulgated thereunder. This license shall be operated at the location of a pari-mutuel permit and is subject to any and all laws of the State of Florida.*

## Jelks, La'Keshia

---

**From:** Tana Storey <tana@rutledge-ecenia.com>  
**Sent:** Friday, December 9, 2022 1:37 PM  
**To:** Jelks, La'Keshia  
**Cc:** Pouncey, Jamie; Gary Rutledge  
**Subject:** Fronton Holdings, LLC d/b/a Casino Ft. Pierce's Application to Amend its Cardroom Operating License for FY 22-23  
**Attachments:** FY 22-23 Amendment Cover Ltr. to Le'Keshia Jelks.pdf; Fronton Holdings Cardroom Amended License.pdf; Amended Floor Plan-Fronton Holdings.pdf

**[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.**

As we discussed, Casino Ft. Pierce is seeking to amend its current Cardroom Operating License to add 19 additional tables for a total of 20 tables. Please see the attached correspondence and forms for amending its cardroom license. We anticipate delivering the check to you on Monday, December 12, 2022.

If you have any questions or need additional information, please let me know.

Tana D. Storey  
Rutledge Ecenia, P.A.  
119 South Monroe Street  
Suite 202  
Tallahassee, FL 32301  
(850) 681-6788  
[tana@rutledge-ecenia.com](mailto:tana@rutledge-ecenia.com)  
[www.rutledge-ecenia.com](http://www.rutledge-ecenia.com)

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December 9, 2022

*Via Email: la'kesha.jelks@fgcc.fl.gov*

La'Kesha Jelks  
Cardroom Coordinator  
Operations Review Specialist  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL 32399-1035

Re: Fronton Holdings, LLC d/b/a Casino Ft. Pierce (Permit #278)  
Application for Amendment to Annual Cardroom License FY 2022-23

Dear Le'Kesha:

As you are aware, Fronton Holdings, LLC d/b/a Casino Ft. Pierce (Permit #278) ("Ft. Pierce") has been closed for several months. On November 3, 2022, the Florida Gaming Control Commission approved the relocation of Ft. Pierce's facility to its new location at 6666 #2 South US 1, Port St. Lucie, Florida. Ft. Pierce anticipates reopening in early January 2023.

In anticipation of its reopening, Ft. Pierce seeks to amend its cardroom license for Fiscal Year 22-23 to increase the number of tables from 1 to 20. Enclosed is a revised Form 3160 indicating the new location address and the increase in the number of tables as well as a copy of completed Form 3220. Per your request, a copy of the draft floor plan is also included which depicts the anticipated location of the new tables. A final floor plan will be provided to the Division of Pari-Mutuel Wagering during its final inspection of the new cardroom prior to opening. Under separate cover we will provide a check in the amount of \$19,000 for licensing the additional tables.

Please place Ft. Pierce's request to amend its cardroom license on the agenda for the Commission's January 5, 2023 meeting or on the agenda for any potentially intervening emergency meeting of the Commission. Contact me if you have any questions or require additional information.

Sincerely,

*Tana D. Storey*

Tana D. Storey

TDS/sc

cc: Andrew Jonas

DBPR PMW-3160 – Permitholder Application for Annual License to Operate a Cardroom



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

[www.myfloridalicense.com](http://www.myfloridalicense.com)

**INSTRUCTIONS**

This form is to be submitted in conjunction with Form DBPR PMW-3220. Form DBPR PMW-3220 must be submitted with all pertinent cardroom operation information.

**ORGANIZATION INFORMATION**

Federal Employer ID Number:	[REDACTED]
Permitholder's Legal Name:	Fronton Holdings, LLC
Doing Business As (D/B/A) Name:	Casino Fort Pierce

**MAILING ADDRESS**

Street Address or P.O. Box: 10570 S US Hwy 1		
Suite 300		
City: Port St Lucie	State: FL	Zip Code (+4 optional): 34952
County (if Florida address): St. Lucie	Country: USA	

**CONTACT INFORMATION**

Contact Name: Andrew Jonas-VP/COO	
Primary Phone Number: 609-828-6866	Primary E-Mail Address: ajonas@cardhousepsl.com

**PHYSICAL ADDRESS**

Street Address: 6666 #2 South US 1		
City: Port St. Lucie	State: FL	Zip Code (+4 optional): 34952
County: St. Lucie		

**ADDITIONAL CONTACT INFORMATION (OPTIONAL)**

Alternate Phone Number:	Fax Number:
Alternate E-Mail Address:	

CARDROOM INFORMATION	
Physical Location of Cardroom:	
	<b>6666 #2 South US 1, Port St. Lucie, Florida</b>
What is the maximum number of card tables you intend to operate during the license period?	<b>20</b>
A check or money order made payable to DBPR for the table fees (\$1,000 per table) must be submitted with this application.	
Name of cardroom manager or cardroom management company:	<b>Issac Summers</b>
Cardroom manager or cardroom management company license number:	<b>12569766</b>
Type of participation fee charged to players:	Rake - Ante <input checked="" type="checkbox"/> Seat Charge <input type="checkbox"/> Both <input type="checkbox"/>

Additional documentation requirements:

- 1) Attach a list of card games to be offered to your patrons.
- 2) As specified in s. 849.086(9), Florida Statutes, provide evidence that there is in force a surety bond in the amount of \$50,000, payable to the state, or evidence that the pari-mutuel bond has been expanded to include cardroom operations.
- 3) Attach Form DBPR PMW-3220, List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom, with whom you intend to do business.
- 4) Attach a copy of your internal controls.
- 5) If this is your initial cardroom operator license application, attach proof that the county commission in the county where you desire to conduct cardroom gaming has voted to approve such activity within the county.

ATTEST STATEMENT	
I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida.	
Signature of Applicant or Applicant's Representative	<u><i>Isaac Summers</i></u>
Date	<u>12-9-2022</u>

Fronton Holdings, LLC Verifications

<b>License</b>			
Fed Tax # [REDACTED]	Lic Type	<b>1012 - Cardroom Employee Occupational</b>	Expires On <b>06/30/2023</b>
File # <b>12401</b>	Name	<b>Summers, Issac Mohammed</b>	Extended To
License # <b>12569766</b>	Rank	<b>CEMP - Cardroom Employee Occupational</b>	Renewed On
Entity # <b>12569766</b>	Lic Status	<b>Current</b>	

<b>Address</b>			
Street # <b>5603</b>	Street	<b>HICKEY DR</b>	
Line 2			
Line 3			
City <b>FORT PIERCE</b>	State	<b>FL</b>	Zip <b>34982</b>
	Routing		

# Look Up a ZIP Code™ FAQs

<https://www.usps.com/zip-code-lookup.htm>

<https://www.usps.com/zip-code-lookup.htm>

Go to

## ZIP Code™ by Address

**You entered:**

6666 SOUTH US HIGHWAY 1  
PORT ST. LUCIE FL

If more than one address matches the information provided, try narrowing your search by entering a street address and, if applicable, a unit number. **Edit and search again.** ([zip-code-lookup.htm?byaddress](#))

6666 S US HIGHWAY 1  
PORT ST LUCIE FL **34952-1433**

CARRIER ROUTE	C064
COUNTY	SAINT LUCIE
DELIVERY POINT CODE	99
CHECK DIGIT	8
COMMERCIAL MAIL RECEIVING AGENCY	N
LAC™	-
eLOT™	0134
eLOT ASCENDING/DESCENDING INDICATOR	A
RECORD TYPE CODE	H
PMB DESIGNATOR	-
PMB NUMBER	-
DEFAULT FLAG	Y
EWS FLAG	-
DPV CONFIRMATION INDICATOR	D

6666 S US HIGHWAY 1  
PORT ST LUCIE FL **34952-1433**

6666 S US HIGHWAY 1 STE 1

Feedback





PORT ST LUCIE FL **34952-1439**

6666 S US HIGHWAY 1 STE (Range 2 - 3)  
PORT ST LUCIE FL **34952-1440**

(EVEN Range 6662 - 6690) S US HIGHWAY 1  
PORT ST LUCIE FL **34952-1422**

[Look Up Another ZIP Code™](#)

[Edit and Search Again \(/zip-code-lookup.htm?byaddress\)](/zip-code-lookup.htm?byaddress)

Feedback

↑  
Top

December 12, 2022

*Via Email: la'kesha.jelks@fgcc.fl.gov*

La'Kesha Jelks  
Cardroom Coordinator  
Operations Review Specialist  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL 32399-1035

Re: Fronton Holdings, LLC d/b/a Casino Ft. Pierce (Permit #278)  
Application for Amendment to Annual Cardroom License FY 2022-23

Dear Le'Kesha:

Enclosed is Fronton Holdings, LLC d/b/a Casino Ft. Pierce's check payable to the Florida Gaming Control Commission for \$19,000 to cover the fees associated with its application to amend its cardroom license for Fiscal year 2022-23 to add 19 additional tables.

Sincerely,  
*Tana D. Storey*  
Tana D. Storey

TDS/sc  
cc: Andrew Jonas

RECEIVED  
2022 DEC 12 AM 11:34  
FLORIDA GAMING  
CONTROL COMMISSION

Batch #: 22012135

Receipt #: 22008450

**FRONTON HOLDINGS, LLC  
DBA CASINO FORT PIERCE**

DISBURSING ACCOUNT  
1750 S. KINGS HWY.  
FORT PIERCE, FL 34945

2168

94-72/1224-NV  
2006

DATE 12-8-2022

PAY  
TO THE  
ORDER OF

Florida Gaming Control Division

\$ 19000.-

Nineteen Thousand & 00/100

DOLLARS



**BANK OF AMERICA**

ACH R/T 122400724

OS  
[Signature]

FOR





**State of Florida**  
**Department of Business and Professional Regulation**  
**Cash Listing Report**

**Client:** 100 - Division of Pari-Mutuel Wagering  
**Batch #:** 22012135  
**# Receipt:** 1

**Total \$ Entered:** \$ 19,000.00  
**Receipts Entered:** 1

**Origin:** TLH  
**Deposit #:** [REDACTED]  
**Total:** \$ 19,000.00

**Fiscal Year:** 2022  
**Deposit Date:** 2022-12-12  
**Status:** Deposited

Receipt #	DLN	Received	Disp	Pmt	Note	Unassigned	Prof	Remitted By / Beneficiary	File #	License #	Assigned
220084850		\$ 19,000.00	DEP	CHK		\$ 19,000.00					
							1002	FRONTON HOLDINGS, LLC	53	278	\$ 0.00
<b>Total:</b>			\$ 19,000.00			\$ 19,000.00					\$ 0.00

**DEPOSIT TICKET**  
 SUPERIOR PRESS (800) 990-6466



DATE 12/12/2022

CURRENCY	DOLLARS	CENTS
COIN		
LIST EACH CHECK		
1 2160	1900	00
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
TOTAL FROM OTHER SIDE OR ATTACHED LIST		

No 201

TOTAL ITEMS 1

PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED.

PLEASE ENTER TOTAL 19000 00

TOTAL DEPOSIT  
 DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL.

4554875  
 DSP 10-T-BK

STATE OF FLORIDA DEPARTMENT OF  
 FINANCIAL SERVICES #4150110  
 FGCC MAIN

\$

19 000.00

Application Home | Change Application

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: ljelks

VR Home > Application Search > Transaction Check List > Transaction Header

Fed Tax # [REDACTED]	Name <b>FRONTON HOLDINGS, LLC</b>	Lic Type <b>1002 - Cardroom License</b>	Trans Class <b>I - Initial</b>
File # <b>53</b>	Rank <b>Cardroom Operating License</b>	App # <b>2165</b>	Sec Class <b>S - Standard</b>
License # <b>278</b>	Lic Status <b>Current</b>	Status <b>Open</b>	
Entity # <b>278</b>	Expires On <b>06/30/2023</b>	Trans Code <b>1030 - Add Table to Cardroom</b>	

<p>App Date <b>12/12/2022</b> <input type="text"/></p> <p>Normal Expiration Date <b>12/13/2023</b></p> <p>Override Expiration Date <input type="text"/></p> <p>Application Disposition <input type="text"/></p> <p>1st Reminder</p> <p>2nd Reminder</p> <p>Total Fee \$ <b>19,000.00</b></p> <p>Paid \$ <b>19,000.00</b></p> <p>Released \$ <b>19,000.00</b></p> <p>Due \$ <b>0.00</b></p> <p>Notes <input type="text"/></p> <p>Set License Expiry <input type="text"/></p>	<p>Application For</p> <p>Rank <b>Cardroom Operating License</b></p> <p>Lic Status</p> <p><b>Modifiers</b></p> <p>Type <input type="text"/> Code <input type="text"/> Additional Info <input type="text"/> <input type="button" value="Add"/></p> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Additional Info</th> <th>Actions</th> </tr> </thead> <tbody> <tr> <td colspan="4">No items found.</td> </tr> </tbody> </table>	Type	Modifier	Additional Info	Actions	No items found.				<input type="button" value="Dpsit History"/> <input type="button" value="History"/> <input type="button" value="Deficiencies"/> <input type="button" value="Regenerate"/> <input type="button" value="Notes"/> <input type="button" value="Notes History"/> <input type="button" value="Cancel"/> <input type="button" value="OK"/>
Type	Modifier	Additional Info	Actions							
No items found.										
<p><input type="button" value="Checklist"/> <input type="button" value="Release"/> <input type="button" value="Transfer"/> <input type="button" value="Approve"/> <input type="button" value="Exit"/></p>										

Get Adobe Reader.

**DBPR PMW-3220 – List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom**



**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
www.myfloridalicense.com**

**INSTRUCTIONS**

This form is to be submitted to the division annually in conjunction with Form DBPR PMW-3160. List all of the Cardroom Vendors with which the Cardroom Operator will be conducting business during the next state fiscal year.

**CARDROOM OPERATOR**

Federal Employer ID Number [REDACTED]

Name: **Fronton Holdings, LLC dba Casino Fort Pierce**

**OCCUPATIONAL LICENSEES WHO PROVIDE PRODUCTS AND SERVICES TO CARDROOM**

Name	License Number	Type of Product or Service
COMMSURVIT LLC	12019223	surveillance equip ✓
Scientific Games	7805891	DP Tables ✓
AGS LLC	8281949	Shufflers ✓
Nevada Gaming Chip	12001243	Poker Chips ✓

**OCCUPATIONAL LICENSEES WHO NO LONGER PROVIDE PRODUCTS AND SERVICES TO CARDROOM**

Name	License Number	Type of Product or Service
International Sound Corp	8858117	surveillance equip

**ATTEST STATEMENT**

I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida.

Signature of Applicant or Applicant's Representative *Wendy Scott*

Date 12.9.2022

**DBPR PMW-3220 – List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom**



**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
www.myfloridalicense.com**

**INSTRUCTIONS**

This form is to be submitted to the division annually in conjunction with Form DBPR PMW-3160. List all of the Cardroom Vendors with which the Cardroom Operator will be conducting business during the next state fiscal year.

**CARDROOM OPERATOR**

Federal Employer ID Number: [REDACTED]

Name: **Fronton Holdings, LLC dba Casino Fort Pierce**

OCCUPATIONAL LICENSEES WHO PROVIDE PRODUCTS AND SERVICES TO CARDROOM		
Name	License Number	Type of Product or Service
U Wear Inc	10549151	Table Layouts ✓
OCCUPATIONAL LICENSEES WHO NO LONGER PROVIDE PRODUCTS AND SERVICES TO CARDROOM		
Name	License Number	Type of Product or Service

**ATTEST STATEMENT**

I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida.

Signature of Applicant or Applicant's Representative: *Julian Scott*

Date: 12.9.2022

Fronton Holdings, LLC Verifications

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1020 - Pari-Mutuel Business Occupational</b>	Expires On <b>06/30/2024</b>
File # <b>11746</b>	Name <b>COMMSURVIT LLC</b>	Extended To
License # <b>12019223</b>	Rank <b>PBUS - Pari-Mutuel Business Occupational</b>	Renewed On <b>06/03/2021</b>
Entity # <b>12019223</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>7777</b>	Street <b>B DAVIE RD EXT</b>	
Line 2 <b>STE 105</b>		
Line 3		
City <b>HOLLYWOOD</b>	State <b>FL</b>	Zip <b>33024</b>
Routing		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>9</b>	Name <b>SG GAMING INC</b>	Extended To
License # <b>7805891</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>06/22/2012</b>
Entity # <b>7805891</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>6601</b>	Street <b>SOUTH BERMUDA ROAD</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89119</b>
Routing		

<b>DBA Name</b>		
DBA <b>SCIENTIFIC GAMES</b>		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1058 - Slot Combo Business</b>	Expires On <b>06/30/2023</b>
File # <b>45</b>	Name <b>AGS, LLC</b>	Extended To
License # <b>8281949</b>	Rank <b>SCBL - Slot Combo Business License</b>	Renewed On <b>06/08/2020</b>
Entity # <b>8281949</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>5475</b>	Street <b>SOUTH DECATUR BLVD SUITE 100</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89118</b>
Routing		



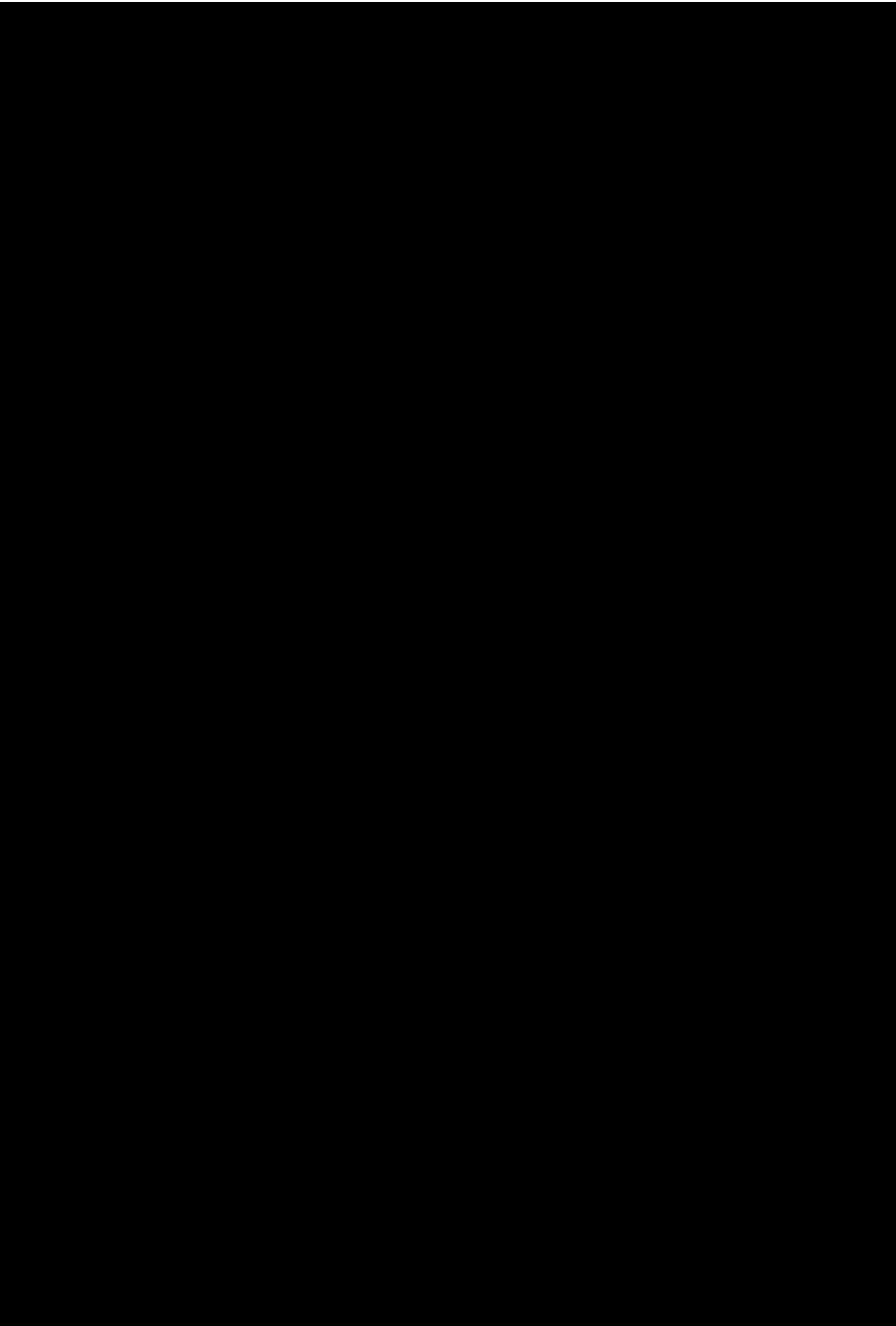
Fronton Holdings, LLC Verifications

<b>License</b>			
Fed Tax # [REDACTED]	Lic Type	<b>1010 - Cardroom Business Occupational</b>	Expires On <b>06/30/2024</b>
File # <b>205</b>	Name	<b>NEVADA GAMING CHIP</b>	Extended To
License # <b>12001243</b>	Rank	<b>CBUS - Cardroom Business Occupational</b>	Renewed On <b>12/28/2021</b>
Entity # <b>12001243</b>	Lic Status	<b>Current</b>	

<b>Address</b>			
Street # <b>1916</b>	Street	<b>EAST CHARLESTON BLVD</b>	
Line 2			
Line 3			
City <b>LAS VEGAS</b>	State	<b>NV</b>	Zip <b>89104</b>
	Routing		

<b>License</b>			
Fed Tax # [REDACTED]	Lic Type	<b>1010 - Cardroom Business Occupational</b>	Expires On <b>06/30/2023</b>
File # <b>150</b>	Name	<b>U WEAR, INC.</b>	Extended To
License # <b>10549151</b>	Rank	<b>CBUS - Cardroom Business Occupational</b>	Renewed On <b>07/29/2020</b>
Entity # <b>10549151</b>	Lic Status	<b>Current</b>	

<b>Address</b>			
Street # <b>3320</b>	Street	<b>LEONIS BOULEVARD</b>	
Line 2			
Line 3			
City <b>VERNON</b>	State	<b>CA</b>	Zip <b>90058</b>
	Routing		



## Jelks, La'Keshia

---

**From:** Tana Storey <tana@rutledge-ecenia.com>  
**Sent:** Monday, December 12, 2022 10:35 AM  
**To:** Jelks, La'Keshia  
**Subject:** Fronton Holdings Revised Cover Letter  
**Attachments:** FY 22-23 Amendment Cover Ltr. to Le'Keshia Jelks.pdf

**[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.**

As we discussed, there was an error in the cover letter I provided Friday along with Fronton Holding's application to amend its current cardroom license. I inadvertently referenced the applications for FY 2023/2024 rather than the request for amendment in reference to FY 2022/2023. For clarity, please swap this cover letter for the one I sent Friday when including the request in the Commission's packet for the meeting. Thanks!

Tana D. Storey  
Rutledge Ecenia, P.A.  
119 South Monroe Street  
Suite 202  
Tallahassee, FL 32301  
(850) 681-6788  
[tana@rutledge-ecenia.com](mailto:tana@rutledge-ecenia.com)  
[www.rutledge-ecenia.com](http://www.rutledge-ecenia.com)

Rutledge | Ecenia

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December 9, 2022

*Via Email: la'kesha.jelks@fgcc.fl.gov*

La'Kesha Jelks  
Cardroom Coordinator  
Operations Review Specialist  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL 32399-1035

Re: Fronton Holdings, LLC d/b/a Casino Ft. Pierce (Permit #278)  
Applications for Annual Operating and Cardroom Licenses FY 2023-2024

Dear Le'Kesha:

As you are aware, Fronton Holdings, LLC d/b/a Casino Ft. Pierce (Permit #278) ("Ft. Pierce") has been closed for several months. On November 3, 2022, the Florida Gaming Control Commission approved the relocation of Ft. Pierce's facility to its new location at 6666 #2 South US 1, Port St. Lucie, Florida. Ft. Pierce anticipates reopening in early January 2023.

In anticipation of its reopening, Ft. Pierce seeks to amend its cardroom license for Fiscal Year 22-23 to increase the number of tables from 1 to 20. Enclosed is a revised Form 3160 indicating the new location address and the increase in the number of tables as well as a copy of completed Form 3220. Per your request, a copy of the draft floor plan is also included which depicts the anticipated location of the new tables. A final floor plan will be provided to the Division of Pari-Mutuel Wagering during its final inspection of the new cardroom prior to opening. Under separate cover we will provide a check in the amount of \$19,000 for licensing the additional tables.

Please place Ft. Pierce's request to amend its cardroom license on the agenda for the Commission's January 5, 2023 meeting or on the agenda for any potentially intervening emergency meeting of the Commission. Contact me if you have any questions or require additional information.

Sincerely,

*Tana D. Storey*

Tana D. Storey

TDS/sc

cc: Andrew Jonas



**State of Florida**  
**Department of Business and Professional Regulation**  
**Chronology Report**

**Case #:** 2022058588      **Incident date:** 12/09/2022      **Status:** 10 - Initial Review

**Lic Type:** 1002      **Disposition:**

**Case Type:** Complaint

**Responsible:** ljelks - JELKS, LA'KESHA

**Complainant:** CASINO FORT PIERCE  
 10570 SOUTH US HIGHWAY 1, PORT ST. LUCIE, FL 34952

**Respondent:** FGCC, PARI-MUTUEL WAGERING  
 2601 BLAIR STONE ROAD, TALLAHASSEE, FL 32399

**Summary:** PERMITHOLDER: Fronton Holdings, Inc.      FISCAL YEAR: 2022/2023

DATE RECEIVED: December 9, 2022  
 DATE PROCESSED: December 9, 2022  
 REVIEWER'S NAME: La'Kesha Jelks  
 CHANGE REQUESTED: Adding nineteen (19) tables for a total of twenty (20).

<b>Chronology:</b>	<b>Effective Date</b>	<b>Type</b>	<b>Lic Type</b>	<b>Code</b>	<b>Description</b>	<b>Responsible Party</b>	<b>Respondent</b>
	12/09/2022	R		ljelks	JELKS, LA'KESHA	ljelks	
	12/09/2022	S	1002	10	Initial Review	ljelks	

**State of Florida**  
**Department of Business and Professional Regulation**  
**Chronology Report**



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Re: bestbet Jacksonville, Inc. (GHND145)  
2022-060760 Requests to add additional Card Tables  
Date: December 22, 2022

---

### Executive Summary

A cardroom operator is seeking permission to add additional card tables to its cardroom. The Commission should approve this request.

### Background

bestbet Jacksonville, Inc. d/b/a bestbet, bestbet Jacksonville, and/or Jacksonville Kennel Club (“bestbet Jacksonville”) possesses a greyhound permit. bestbet Jacksonville has been issued a pari-mutuel operating license and a cardroom license for the 2022-2023 Fiscal Year. bestbet Jacksonville is currently licensed to operate 88 card tables and is requesting permission to add 4 more to its cardroom. bestbet Jacksonville has paid the \$4,000 license fee associated with the additional tables.<sup>1</sup>

### Analysis

Aside from the \$1,000-per-card-table license fee, there is no other applicable restriction<sup>2</sup> to the number of card tables that bestbet Jacksonville can add to its cardroom. Since bestbet Jacksonville has paid the additional \$4,000 license fee, bestbet Jacksonville should be authorized to add additional card tables to its cardroom.

Recommendation: The Florida Gaming Control Commission should approve bestbet Jacksonville, Inc. d/b/a bestbet, bestbet Jacksonville, and/or Jacksonville Kennel Club’s request to add additional card tables to its cardroom.

---

<sup>1</sup> The annual cardroom license fee costs \$1,000 for each table in the cardroom. § 849.086(5)(e), Fla. Stat.

<sup>2</sup> There is no indication that permitholder is seeking to change the number of card tables for the play of poker games in a designated player method. *See* §§ 849.086(7)(h)2. & 4., Fla. Stat. (restricting the number of tables for the play of poker games in a designated player manner).



## PERMITHOLDER LICENSE CHANGE REQUEST CHECKLIST

PERMITHOLDER: bestbet Jacksonville, Inc. FISCAL YEAR: 2022/2023

DATE RECEIVED: December 22, 2022 CASE NUMBER: 2022-060760

DATE PROCESSED: December 22, 2022

REVIEWER'S NAME: La'Kesha Jelks

CHANGE REQUESTED: Adding four (4) tables for a total of 92.

Requirement	Met? Y/N	Deficiency Sent	Resolved
Original application form DBPR PMW 3160.	Y		
Payment for additional tables	Y		12/27/22
Floor Plan	Y		

CONTACT FROM OTHER FACILITIES WITHIN FIFTY (50) MILES:	CONTACTED?			OBJECTED?		
	NO	YES	DATE	NO	YES	DATE
NONE						

**PMW / CARDROOM LICENSE FORWARDED TO THE FOLLOWING FOR FINAL REVIEW:**

REVENUE SECTION	<input checked="" type="checkbox"/>	REVIEWED	INITIALS: <u>JS</u>	DATE: <u>12/28/22</u>
PERMIT ADMIN	<input checked="" type="checkbox"/>	REVIEWED	INITIALS: <u>JL</u>	DATE: <u>12/28/22</u>
OGC	<input type="checkbox"/>	REVIEWED	INITIALS: _____	DATE: _____

**DISTRIBUTION OF PMW AND CARDROOM (If applicable) LICENSE(S):**

**PARI-MUTUEL LICENSE**

General Manager (Original)	Office of Investigations
Office of Auditing	Office of Revenue & Financial Analysis
Licensing Administrator (with all paperwork)	Chief Inspector
Regional Manager	U of FL Laboratory
Director's MRS	Florida Greyhound Association (Greyhound Tracks Only)

**CARDROOM LICENSE**

General Manager (Original)	Office of Investigations
Office of Auditing	Office of Revenue & Financial Analysis
Licensing Administrator (with all paperwork)	Regional Manager
Chief Inspector	Director's MRS



RECEIVED  
2022 DEC 27 PM 3:12  
FLORIDA GAMING  
CONTROL COMMISSION

December 22, 2022

Louis Trombetta, Director  
2601 Blair Stone Road  
Tallahassee, FL 32399-1027

Re: bestbet Jacksonville, Inc.'s amended application for 2022/2023, increasing number of poker tables

Director Trombetta:

Please find enclosed bestbet Jacksonville, Inc.'s amended Application package for the 2022/2023 year. All renewal applications and documentation required to ensure bestbet Jacksonville, Inc. can increase the number of poker tables from 88 to 92 are enclosed.

Thank you for your consideration and please let me know if you have any questions or need any additional information.

Sincerely,

Matthew M. Kroetz  
V.P. of Operations

RECEIVED

2008 DEC 07 PM 3:14

DBPR PMW-3160 – Permitholder Application for Annual License to Operate a Cardroom



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

[www.myfloridalicense.com](http://www.myfloridalicense.com)

INSTRUCTIONS

This form is to be submitted in conjunction with Form DBPR PMW-3220. Form DBPR PMW-3220 must be submitted with all pertinent cardroom operation information.

ORGANIZATION INFORMATION

Federal Employer ID Number: [REDACTED]		
Permitholder's Legal Name: <b>bestbet Jacksonville, Inc.</b>		
Doing Business As (D/B/A) Name: <b>bestbet Jacksonville</b>		
<b>MAILING ADDRESS</b>		
Street Address or P.O. Box: <b>201 Monument Road</b>		
City: <b>Jacksonville</b>	State: <b>FL</b>	Zip Code (+4 optional): <b>32225</b>
County (if Florida address): <b>Duval</b>	Country: <b>USA</b>	

CONTACT INFORMATION

Contact Name: <b>Jamie Shelton</b>	
Primary Phone Number: <b>904-646-0001</b>	Primary E-Mail Address: <b>jshelton@bestbetjax.com</b>

PHYSICAL ADDRESS

Street Address: <b>201 Monument Road</b>		
City: <b>Jacksonville</b>	State: <b>FL</b>	Zip Code (+4 optional): <b>32225</b>
County: <b>Duval</b>		


ADDITIONAL CONTACT INFORMATION (OPTIONAL)

Alternate Phone Number:	Fax Number:
Alternate E-Mail Address:	

CARDROOM INFORMATION	
Physical Location of Cardroom:	First Floor
What is the maximum number of card tables you intend to operate during the license period?	92
A check or money order made payable to DBPR for the table fees (\$1,000 per table) must be submitted with this application.	
Name of cardroom manager or cardroom management company:	Deborah Giardina
Cardroom manager or cardroom management company license number:	8833667
Type of participation fee charged to players:	Rake - Ante <input type="checkbox"/> Seat Charge <input type="checkbox"/> Both <input checked="" type="checkbox"/>

Additional documentation requirements:

- 1) Attach a list of card games to be offered to your patrons.
- 2) As specified in s. 849.086(9), Florida Statutes, provide evidence that there is in force a surety bond in the amount of \$50,000, payable to the state, or evidence that the pari-mutuel bond has been expanded to include cardroom operations.
- 3) Attach Form DBPR PMW-3220, List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom, with whom you intend to do business.
- 4) Attach a copy of your internal controls.
- 5) If this is your initial cardroom operator license application, attach proof that the county commission in the county where you desire to conduct cardroom gaming has voted to approve such activity within the county.

ATTEST STATEMENT	
I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida.	
Signature of Applicant or Applicant's Representative	
Date	12/20/22

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

LIST OF CARD GAMES OFFERED BY CARDROOM OPERATOR

bestbet Orange Park  
bestbet Jacksonville  
The Poker Room at St. Johns Greyhound Park  
2022/2023 LICENSING PERIOD

Texas Hold'em  
Double Flop Texas Hold'em  
Omaha  
Omaha High  
Omaha High Low (8 or Better)  
Five Card Omaha  
Pineapple  
Crazy Pineapple  
Lazy Pineapple (Tahoe Hold'em)  
Super Lazy Pineapple (Super Hold'em)  
Lowball (California Lowball or Kansas City Lowball)  
Five Card Draw  
Seven Card Draw  
Jacks or Better  
Draw High/Low Split  
Badugi  
Baduci  
Badacey  
Five Card Stud  
Six Card Stud  
Seven Card Stud  
Seven Card Stud Low (Razz)  
Seven Card Stud High Low (8 or Better)  
H.O.R.S.E./H.E.R.O.S. (any combination)  
Seven Card Mutual  
Chinese Poker  
Three Card Poker  
Two Card Poker  
One Card Poker  
Florida Hold'em  
Pai-Gow Poker  
Fortune Pai-Gow  
Faceup Fortune Pai-Gow  
DJ Wild  
High Card Flush



**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Candy L. Browning, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 16th day of November, A.D. 2021.



**ATTEST:  
ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: *Robert D. Murray*  
Vice President

By: *Dawn E. Brown*  
Secretary

**State of Maryland  
County of Baltimore**

On this 16th day of November, A.D. 2021, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposed and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn, Notary Public  
My Commission Expires: July 9, 2023

**EXTRACT FROM BY-LAWS OF THE COMPANIES**

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

**CERTIFICATE**

I, the undersigned, Vice President, of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 16th day of November, 2021.



*Brian M. Hodges*

By: Brian M. Hodges  
Vice President

**TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:**

Zurich Surety Claims  
1299 Zurich Way  
Schaumburg, IL 60196-1056  
[www.reportsclaims@zurichna.com](mailto:www.reportsclaims@zurichna.com)  
800-626-4577



**DBPR PMW-3220 – List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom**



**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
www.myfloridalicense.com**

**INSTRUCTIONS**

This form is to be submitted to the division annually in conjunction with Form DBPR PMW-3160. List all of the Cardroom Vendors with which the Cardroom Operator will be conducting business during the next state fiscal year.

**CARDROOM OPERATOR**

Federal Employer ID Number: [REDACTED]

Name: **bestbet Jacksonville, Inc.**

<b>OCCUPATIONAL LICENSEES WHO PROVIDE PRODUCTS AND SERVICES TO CARDROOM</b>		
Name	License Number	Type of Product or Service
<b>SEE ATTACHED</b>		

<b>OCCUPATIONAL LICENSEES WHO NO LONGER PROVIDE PRODUCTS AND SERVICES TO CARDROOM</b>		
Name	License Number	Type of Product or Service

**ATTEST STATEMENT**

I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida.

Signature of Applicant or Applicant's Representative: *James Ashton*

Date: 12/20/22

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

LIST OF CARDROOM BUSINESS OCCUPATIONAL LICENSEES

bestbet Orange Park  
bestbet Jacksonville  
bestbet St. Augustine

The United States Playing Card Company  
License #1512744  
Expires: 6/30/24

Royal Gaming Products  
License #7238779  
Expires: 6/30/23

Michael Peters  
License #7525521  
Expires: 6/30/23

TDN Money Systems  
License #12664939  
Expires: 6/30/23

Amenity Pro, LLC  
License #8193027  
Expires: 6/30/24

Franklin's Consultations  
License #12762951  
Expires: 6/30/23

SG Gaming, Inc. d/b/a Scientific Games  
License #7805891  
Expires: 6/30/24

Game on Chip Company  
License #10176844  
Expires: 6/30/2023

Gaming Partners International  
License #1498877  
Expires: 6/30/23

Overlay Gaming Corporation  
d/b/a Pokeratlas  
License #11282099  
Expires: 6/30/25

Transient Path  
License #8869237  
Expires: 6/30/2025

Avalon Gaming  
License #11196683  
Expires: 6/30/2025

Halifax Security, Inc.,  
d/b/a North American  
Video  
License #8265581  
Expires: 6/30/24

City Wide Facility Solutions  
License #:10388779  
Expires: 6/30/2025

Leamark, Inc.  
License #9766943  
Expires: 6/30/23

Galaxy Gaming, Inc.  
License #11507733  
Expires: 6/30/23

Commsurvit, LLC  
License #12019223  
Expires: 6/30/24

TCS John Huxley America, Inc.  
License #8552813  
Expires: 6/30/24

**Jacksonville Greyhound Racing, Inc.**

**109424**

DATE	INVOICE NO.	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
12/22/2022	2022/2023 JAX	JAX-4 ADDTNL TABLES-LIC APP	4,000.00	0.00	4,000.00

Check: 0000109424      12/22/2022      FLORIDA GAMING CONTROL COMMISSION      **TOTAL**      4,000.00

**Jacksonville Greyhound Racing, Inc.**  
**Disbursement Account**  
 P.O. Box 351509  
 Jacksonville, FL 32235-1509  
 (904) 646-0001

**Fifth Third Bank, N.A.**  
 225 Water Street  
 Jacksonville, FL 32202

63-1305  
 631

**109424**  
 0000109424

PAY **\*FOUR THOUSAND AND XX / 100**

**DATE**  
 12/22/2022

**CHECK AMOUNT**  
 \*\*\*\*\*4,000.00\*

TO THE ORDER OF  
 FLORIDA GAMING CONTROL COMMISSION  
 2601 BLAIR STONE ROAD  
 TALLAHASSEE, FL 32399-1037

**TWO SIGNATURES REQUIRED OVER \$5,000.00**





### 3. Discussion of renewal application for slot machine license

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Re: PPI, Inc. (HNRS430)  
2022-056404 Annual Slot Machine License  
Date: December 13, 2022

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### Executive Summary

A slot machine licensee has submitted an application to renew its annual slot machine license. The Commission should approve this request.

### Background

Slot machine gaming is authorized in Miami-Dade and Broward Counties at certain pari-mutuel facilities.<sup>1</sup> One such facility is PPI, Inc. d/b/a Harrah's Pompano Beach and/or Isle Casino Racing Pompano Park ("PPI"). PPI is located in Broward County and possesses a valid harness permit. PPI was issued a pari-mutuel operating license and cardroom license for the 2022-2023 Fiscal Year.

Commission staff received PPI's application to renew its slot machine license on October 7, 2022. The application was complete as of December 13, 2022.

### Analysis

In addition to submitting a complete application, a slot machine licensee must satisfy numerous requirements to be entitled to a renewed slot machine license.<sup>2</sup> PPI has satisfied all of these requirements.

**Recommendation:** The Florida Gaming Control Commission should approve PPI, Inc. d/b/a Harrah's Pompano Beach and/or Isle Casino Racing Pompano Park's application for renewal of its slot machine license effective January 9, 2023 through January 8, 2024.

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<sup>1</sup> See generally Art. X, § 23, Fla. Const.; § 551.101, Fla. Stat.

<sup>2</sup> See, e.g., §§ 551.103(1)(f) (mandating \$2,000,000.00 surety bond for slot machine licensees); 551.106(1)(a) (requiring payment of annual nonrefundable \$2,000,000.00 license fee); 551.118 (requiring payment of annual nonrefundable regulatory fee of \$250,000.00 to fund compulsive or addictive gambling prevention program); see also Fla. Admin. Code R. 61D-14 ("Pari-Mutuel Wagering Facility Slot Machine Operations").

**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING**

**PERMITHOLDER APPLICATION FOR ANNUAL SLOT MACHINE LICENSE CHECKLIST**

APPLICATION INFORMATION				
<b>Permitholder Name:</b> Pompano Park – 430 – 1003		<b>File 5</b>		
<b>Date Received:</b> October 7, 2022		<b>Case#</b> 2022-056404		
<b>Reviewer Name:</b> La’Keshia Jelks				
SLOT MACHINE LICENSE REQUIREMENTS				
	Requirement Description		Date Deficiency Letter Sent	Date Deficiency Resolved
1	Original application form DBPR PMW 3405.	Y		
2	Original Authorization for Release of Information form DBPR PMW 3460.	Y		
3	List of all ownership interests of five percent or greater as described in Rule 61D-14.002(b)(c)(d) and (e), FAC, Form DBPR 0040.	Y		
4	A copy of the binding written agreements between the facility and respective associations as required by Section 551.104(10), Florida Statutes (thoroughbred only).	N/A		
5	Evidence of a current surety bond in the amount of \$2,000,000, payable to the Governor of the State of Florida, as specified in s. 551.103(1)(f), FS.	Y 12/07/2023	11/30/2022	12/13/2022
6	Payment of the non-refundable \$2,000,000 application fee for a Slot Machine License as required by Section 551.106(1), FS submitted via EFT. Payment of the non-refundable \$250,000 regulatory fee for the Compulsive or Addictive Gambling Prevention Program as required by Section 551.118, FS, made payable to the Division, submitted via EFT.	Y	11/30/2022	12/13/2022
7	A list of slot machine business occupational licensees (i.e. vendors, manufacturers, distributors, service companies, etc.) with whom the permitholder intends to do business.	Y		
8	Disclosure of the applicant’s internal control procedures required by Rule 61D-14.058, Florida Administrative Code.	Y	11/30/2022	12/13/2022

**90-day deadline: January 2023**

**Application approved by:**  
  
 \_\_\_\_\_  
**Permitholder Administrator**  
  
 \_\_\_\_\_  
**Second Review**

**December 14 2022**  
 \_\_\_\_\_  
**Date**  
**December 14 2022**  
 \_\_\_\_\_  
**Date**



## FLORIDA LICENSE FOR SLOT MACHINE OPERATIONS

**WHEREAS PPI, Inc.**, d/b/a Harrah's Pompano Beach and/or Isle Casino Pompano Park is the holder of a valid, active pari-mutuel permit to conduct harness racing at its facility located in Broward County, granted pursuant to Chapter 550, Florida Statutes.

**WHEREAS** Harrah's Pompano Beach is authorized to conduct Pari-Mutuel Wagering activities at its facility pursuant to the Laws of Florida, on approved dates.

**WHEREAS** the majority of voters of Broward County, Florida approved a referendum authorizing slot machines at pari-mutuel facilities within Broward County in a county-wide referendum conducted March 8, 2005.

**WHEREAS** Harrah's Pompano Beach has made application for licensure to conduct Slot Machine Gaming from January 9, 2023, through January 8, 2024, pursuant to Florida Statutes and Administrative Rules adopted pursuant thereto. It has been found that The Isle Casino and Racing at Pompano Park has fulfilled all the statutorily required conditions for licensure and is, therefore, qualified to hold a license to conduct Slot Machine Gaming as authorized under the Laws of Florida.

**WHEREAS** Harrah's Pompano Beach has furnished and shall maintain in effect during the term of this license, the appropriate bond as required under Chapter 551, Florida Statutes.

**NOW THEREFORE BE IT KNOWN** that Harrah's Pompano Beach is granted a non-transferable license, Number **SM430**, under which Harrah's Pompano Beach may, exclusively at the slot machine facility located at **PPI, Inc.**, at 1800 Southwest 3<sup>rd</sup> Street, Pompano Beach, Florida 33069, receive, possess, operate and ship approved slot machine equipment, and conduct Slot Machine Gaming.

**BY RECEIVING THIS LICENSE** Harrah's Pompano Beach agrees to, at all times during the term of this license, conduct its Slot Machine Gaming operation and maintain its Slot Machine Gaming facility in accordance with applicable Florida Statutes and Administrative Rules adopted pursuant thereto.

**LICENSURE GRANTED** this \_\_\_\_\_ of January 2023, in Tallahassee, Florida.

**FOR THE STATE OF FLORIDA**

\_\_\_\_\_  
**Louis Trombetta**  
**Florida Gaming Control Commission**



## Jelks, La'Kesha

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**From:** Jelks, La'Kesha  
**Sent:** Wednesday, November 30, 2022 12:24 PM  
**To:** 'John J. Keenan'  
**Cc:** Pouncey, Jamie  
**Subject:** PPI, Inc. d/b/a The Isle Casino and Racing at Pompano Park, Pompano Park Racing and/or Isle Casino Racing Pompano Park (HRNS430) 23/24 Slots License Renewal Application

Greetings,

The Slots Renewal Application submitted for PPI, Inc. (HRNS430) was received, however, the application remains incomplete for:

- Payment of the non-refundable \$2 million application fee and payment of the non-refundable \$250k regulatory fee for the Compulsive or Addictive Gambling Prevention Program as required by Section 551.118, FS.
- A current surety bond (bond on file expires on 12/17/2022)
- Disclosure of Internal Control Procedures (provided by Slots department)

The items listed require submission to complete the renewal application. Due to FGCC's new approval process, please have the items submitted on or before December 15, 2022. If you have any questions regarding the deficiencies, please contact me at your earliest convenience.

Best,

*La'Kesha Jelks*



La'Kesha Jelks  
Operations Review Specialist  
Florida Gaming Control Commission  
Pari-Mutuel Wagering  
Phone: (850) 717-1095

The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. [LARGER VIEW](#)

## Jelks, La'Kesha

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**From:** John J. Keenan <John.Keenan@islepompanopark.com>  
**Sent:** Friday, October 7, 2022 2:28 PM  
**To:** Jelks, La'Kesha; Pouncey, Jamie  
**Subject:** PPI, Inc. Slot License Renewal 22-23  
**Attachments:** PPI Slot License Renewal 2022-2023.pdf  
  
**Categories:** Slots License

[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.

FGCC,

Please see the attached Slot License Renewal documents for PPI, Inc.

Thank you,



**John J. Keenan** | *DIRECTOR COMPLIANCE & SAFETY*  
O 954-633-6610  
777 Isle of Capri Circle | Pompano Beach, FL 33069

[www.caesars.com](http://www.caesars.com)



10/6/2022

La'Kesha Jelks  
Operations Review Specialist  
Florida Gaming Control Commission  
Pari-Mutuel Wagering

Re: PPI, Inc. Slot License Renewal 2022-2023

Dear Ms. Jelks,

Attached you will find the 2022-2023 Slot License renewal application for PPI, Inc. Please note that in December 2022 we will be updating our d/b/a to "Harrah's Pompano Beach". Once I receive proof of the d/b/a change from my legal team I will send to you. PPI's surety bond will also be updated 12/17/2022 and I will send you a copy of the new bond at that time. The \$2,000,000 payment for slot license renewal will also be made in December 2022.

The following items will be sent to the local FGCC office for approval: Caesars Responsible Gaming Policy, Minority Vendor Policy, Internal Controls, Security Plan, Surveillance Plan, and a copy of our recent FGCC approved Slot Floor Plan.

Respectfully,



John Keenan III  
Director of Security, Safety, and Compliance

DBPR PMW-3405 – Permitholder Renewal Application for Annual Slot Machine License



STATE OF FLORIDA  
 DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 DIVISION OF PARI-MUTUEL WAGERING  
 www.myfloridalicense.com

INSTRUCTIONS		
This form is to be submitted in conjunction with Form DBPR PMW-3460, Authorization for Release of Information, and Form DBPR PMW-3190, Officers and Directors. All three forms must be submitted to the division one month prior to the expiration of the current slot machine license.		
ORGANIZATION INFORMATION		
Federal Employer ID Number: [REDACTED]		
Permitholder's Legal Name: PPI, Inc.		
Doing Business As (D/B/A) Name: Isle Casino Racing Pompano Park		
MAILING ADDRESS		
Street Address or P.O. Box: 1800 S.W. 3rd Street		
City: Pompano Beach State: FL Zip Code: 33069		
County: Broward Country: USA		
CONTACT INFORMATION		
Contact Name: John Keenan III Title: Director of Security, Safety, and Compliance		
Primary Phone Number: 954.633.6610 Primary E-Mail Address: [REDACTED]		
PHYSICAL ADDRESS		
Street Address: 1800 S.W. 3rd Street		
City: Pompano Beach State: FL Zip Code (+4 optional) 33069		
County: Broward		
ADDITIONAL CONTACT INFORMATION		
Alternate Phone Number: 954.972.2000 Fax Number: 954.633.6624		
Alternate E-Mail Address: n/a		
SLOT MACHINE AREA INFORMATION		
Short Description of Physical Location of Slot Machine Area(s):		
The slot machine gaming area is in a two story building located at 1800 S.W. 3rd Street Pompano Beach, FL 33069 / Gaming space is approximately 36,000 sq ft		
What is the number of slot machines you intend to operate during the license period? <small>Approximately 1280 unless otherwise modified upon Division approval</small>		
Name and license number of Slot Machine Operations Manager or Slot Machine Management Company: Troy Buswell Senior VP/ GM / Slot License #11419459		
Name and address of the Custodian of Records in Florida: Troy Buswell - 1800 S.W. 3rd Street, Pompano Beach, FL 33069		

PPI, Inc. Slots License Verifications

<b>License</b>			
Fed Tax # [REDACTED]	Lic Type	<b>1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Expires On <b>06/30/2024</b>
File # <b>1055</b>	Name	<b>KEENAN, JOHN JOSEPH III III</b>	Extended To
License # <b>8488632</b>	Rank	<b>SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Renewed On <b>04/23/2021</b>
Entity # <b>8488632</b>	Lic Status	<b>Current</b>	

<b>Address</b>			
Street # <b>9042</b>	Street <b>CHATSWORTH CASCADES</b>		
Line 2			
Line 3			
City <b>BOCA RATON</b>	State <b>FL</b>	Zip <b>33434</b>	
Routing			

<b>License</b>			
Fed Tax # [REDACTED]	Lic Type	<b>1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Expires On <b>06/30/2023</b>
File # <b>6170</b>	Name	<b>BUSWELL, TROY JOHN</b>	Extended To
License # <b>11419459</b>	Rank	<b>SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Renewed On <b>06/19/2020</b>
Entity # <b>11419459</b>	Lic Status	<b>Current</b>	

<b>Address</b>			
Street # <b>10930</b>	Street <b>NW 78TH PL</b>		
Line 2			
Line 3			
City <b>PARKLAND</b>	State <b>FL</b>	Zip <b>33076</b>	
Routing			

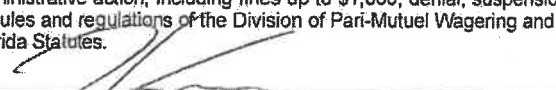
List the dates and hours of slot machine operations:	
Open Monday - Thursday 9:00am to 3:00am / Friday 9:00am to Monday Morning 3:00am and certain state recognized holidays per F.S. 110.117	
Does the applicant have any ownership interest in another Florida permit? If yes, disclose the name of the permit: <u>CLI 430</u>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Does the applicant have any ownership interest in a slot machine testing laboratory company? If yes, disclose the name of the testing laboratory:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Does the applicant have any ownership interest in a slot machine manufacturer and/or distributor? If yes, disclose the name of the slot machine manufacturer/distributor:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Has any other jurisdiction taken action regarding the applicant's gaming license? If yes, provide the name of the jurisdiction, the reason for the action, and the action taken:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

**Additional requirements to be submitted to the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, Office of Operations, 1940 North Monroe Street, Tallahassee, Florida 32399-1037:**

- 1) Submission of a list of all ownership interests of five percent or greater. If a corporation, the name of the state in which incorporated and the names and addresses of the officers, directors, and shareholders holding five percent or more equity or, if a business entity other than a corporation, the names and addresses of the principals, partners, shareholders or any other person holding five percent or more equity as described in Rule 61D-14.002(1)(d), (e) and (f), Florida Administrative Code (F.A.C.), on Form DBPR PMW-3190.
- 2) Submission of a copy of the binding written agreements between the facility and respective associations as required by Section 551.104(10), Florida Statutes.
- 3) Evidence of a current surety bond in the amount of \$2,000,000, payable to the Governor of the State of Florida, as specified in Section 551.103(1)(f), Florida Statutes.
- 4) Submission of a list of slot machine business occupational licensees (i.e., vendors, manufacturers, distributors, service companies, etc.) with whom you intend to do business.
- 5) Disclosure of any administrative, civil or criminal proceedings, and/or any judgments initiated by any governmental agency or any other state or federal agency that would affect the license status of the applicant or any affiliate of the applicant pursuant to Sections 550.054 and 550.1815, Florida Statutes.

**Additional requirements to be submitted to the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, Office of Slot Operations, North Broward Regional Service Center, 1400 West Commercial Blvd., Suite 165, Ft. Lauderdale, Florida 33309:**

- 1) Submission of the slot machine applicant's employee training plan for the Compulsive or Addictive Gambling Prevention Program.
- 2) A copy of the facility's written policy for creating opportunities to purchase from minority vendors in Florida, creating employment opportunities for minority residents in Florida, opportunities for construction services provided by minority contractors, and ensuring opportunities for employment are offered on an equal, nondiscriminatory basis.
- 3) A copy of the licensee's current internal controls.
- 4) A copy of the licensee's current Surveillance Plan and Security Plan.
- 5) A current version of the licensee's Floor Plan as described in Rule 61D-14.050, F.A.C.

ATTEST STATEMENT	
Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.	
I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as if made under oath. To the best of my knowledge, all information contained on this application is true and correct. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida, pursuant to Section 551.107, Florida Statutes.	
 Signature of Applicant or Applicant's Representative	10/6/2022 Date

**Jelks, La'Kesha**

---

**From:** John J. Keenan <John.Keenan@islepompanopark.com>  
**Sent:** Tuesday, December 6, 2022 2:05 PM  
**To:** Pouncey, Jamie; Jelks, La'Kesha  
**Subject:** FW: PPI, Inc. dba Harrah's Pompano Beach  
**Attachments:** HARRAHS POMPANO BEACH - FL - FictitiousAssumed Name Filing - 160348-11-2.pdf

[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.

Please see the attached fictitious name change for PPI, Inc. d/b/a Harrah's Pompano Beach. I am also working on the three items for the slot license renewal and will get that to you prior to 12/15.

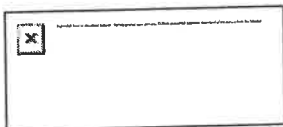
Thank you,



**John J. Keenan** | *DIRECTOR SECURITY, SAFETY, AND COMPLIANCE*  
O 954-633-6610  
1800 SW 3rd Street | Pompano Beach, FL 33069  
Caesars | Harrah's Pompano Beach  
[www.caesars.com](http://www.caesars.com)

**From:** Cara Hall <CHall1@caesars.com>  
**Sent:** Tuesday, December 6, 2022 1:10 PM  
**To:** John J. Keenan <John.Keenan@islepompanopark.com>  
**Subject:** FW: PPI, Inc. dba Harrah's Pompano Beach

Please see attached for your file.



**Cara Hall** | *Vice President and Chief Counsel - Regional Operations*  
O 504-533-6077 | M 504-313-2402  
8 Canal Street | New Orleans, LA  
Caesars Harrah's Horseshoe  
[www.caesars.com](http://www.caesars.com)

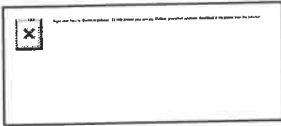
IMPORTANT NOTICE: CONFIDENTIALITY AND LEGAL PRIVILEGE This email is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended addressee, you are notified that any use, transmission, distribution, copying, or actions in reliance on this e-mail is strictly prohibited. The legal privilege and confidentiality

attached to this e-mail is not waived, lost or destroyed by reason of a mistaken delivery to you. If you have received this email in error, please notify us immediately by email or telephone and delete the original from any computer or device.

---

**From:** Jill Eaton <JEATON@Caesars.com>  
**Sent:** Tuesday, December 6, 2022 12:08 PM  
**To:** Cara Hall <CHall1@caesars.com>; Peter Larragueta <plarragueta@caesars.com>; Scott Kingham <skingham@Caesars.com>  
**Subject:** PPI, Inc. dba Harrah's Pompano Beach

See attached filing for your records. And please forward to anyone who may need a copy. Thanks.



**Jill Eaton** | *Director, Corporate Governance*  
O 702-407-6269 | M 702-245-6510 | F 702-407-6420  
1 Caesars Palace Drive | Las Vegas, NV 89109  
Caesars Enterprise Services  
[www.caesars.com](http://www.caesars.com)

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FLORIDA DEPARTMENT OF STATE  
Division of Corporations

December 5, 2022

HARRAH'S POMPANO BEACH  
1 CAESARS PALACE DRIVE  
LAS VEGAS, NV 89109

Subject: **HARRAH'S POMPANO BEACH**

REGISTRATION NUMBER: **G22000148926**

This will acknowledge the filing of the above fictitious name registration which was registered on December 5, 2022. This registration gives no rights to ownership of the name.

Each fictitious name registration must be renewed every five years between January 1 and December 31 of the expiration year to maintain registration. Three months prior to the expiration date a statement of renewal will be mailed.

If the mailing address of this business changes, please notify this office in writing, or through the link provided on our website [www.sunbiz.org](http://www.sunbiz.org) for Address & FEI/EIN Changes. Please reference the original registration number.

Should you have any questions regarding this matter you may contact our office at (850) 245-6058.

Theresa R Wilson  
Reinstatement Section  
Division of Corporations

Letter No. [REDACTED]

Account number: [REDACTED] Account charged: 50.00

[www.sunbiz.org](http://www.sunbiz.org)

Division of Corporations - P.O. BOX 6327 -Tallahassee, Florida 32314

**APPLICATION FOR REGISTRATION OF FICTITIOUS NAME**

Note: Acknowledgements/certificates will be sent to the address in Section 1 only.

Section 1

1. Harrah's Pompano Beach  
Fictitious Name to be Registered (See instructions if name includes a business entity suffix or indicator)

---

2. 1 Caesars Palace Drive  
Mailing Address of Business  
Las Vegas Nevada 89109  
City State Zip Code

3. Florida County of principal place of business: Broward  
(See instructions if more than one county)

4. FEI Number: [REDACTED]

G22000148925

This space is for office use only  
 CR4E001 (10/20)

Section 2

**A. Owner(s) of Fictitious Name If Individual(s): (Use an attachment if necessary)**

1. Last First M.I. Address City State Zip Code

2. Last First M.I. Address City State Zip Code

**B. Owner(s) of Fictitious Name If Entity: (Use an attachment if necessary)**

2. PPI, Inc. Entity Name  
1 Caesars Palace Drive Address  
Las Vegas Nevada 89109 City State Zip Code

Florida Document Number: P94000083372 FEI Number: [REDACTED]

Applied For  Not Applicable

SECRETARY OF STATE  
 ALLAHASSE  
 2022 DEC -5 AM 8:10  
 0101

Section 3

I, the undersigned, being an owner in the above fictitious name, certify that the information indicated on this form is true and accurate. In accordance with Section 865.09, F.S., I further certify that the fictitious name to be registered has been advertised at least once in a newspaper as defined in chapter 50, Florida Statutes, in the county where the principal place of business is located. I understand that the signature below shall have the same legal effect as if made under oath and I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S.

Edmund L. Quatmann Jr 11-17-2022 [REDACTED]  
Edmund L. Quatmann Jr (Nov 23, 2022 16:30 PST) Date Email Address: (to be used for future renewal notification)

Signature of Owner in Section 2 Date

Phone Number: 702-407-6269

Section 4

**FOR CANCELLATION COMPLETE SECTION 4 ONLY:  
 FOR FICTITIOUS NAME OR OWNERSHIP CHANGE COMPLETE SECTIONS 1 THROUGH 4:**

I (we), the undersigned, hereby cancel the fictitious name \_\_\_\_\_  
 which was registered on \_\_\_\_\_ and was assigned registration number \_\_\_\_\_

Signature of Owner of Registration being Cancelled Date Signature of Owner of Registration being Cancelled Date

Mark the applicable boxes  Certificate of Status- \$10  Certified Copy- \$30

**NON-REFUNDABLE PROCESSING FEE: \$50**



**STATE OF FLORIDA**  
**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**  
**DIVISION OF PARI-MUTUEL WAGERING**  
 www.myfloridalicense.com

PERSONAL INFORMATION					
Social Security Number/Federal Employer ID Number: 65-0585198					
IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION					
Last Name	First	Middle	Title	Suffix	
Birth Date (MM/DD/YYYY)					
IF BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION					
Representative's Name	Last Keenan	First John	Middle J.	Title Mr.	Suffix III
Permitholder Name PPI, Inc. d/b/a Isle Casino Racing Pompano Park					
Official Capacity Director of Security, Safety, and Compliance					
ATTEST STATEMENT					
<p>I, <u>PPI, Inc. / John Keenan</u>, do hereby instruct all law enforcement                      (name of applicant/representative)                      or criminal justice agencies, present and former employers or institutions with whom I or my businesses                      have a present or past business relationship, as well as all present or past social associates to release all                      requested information to the bearer of this release form, who is an authorized representative of the State                      of Florida, Department of Business and Professional Regulation.</p> <p>I further authorize any individual, agency, corporation, or other entity to release any and all information                      requested by the bearer of this release form with respect to myself or my business. Additionally, I do                      release such individuals or entities from any and all liability due to the release of information requested.</p> <p><u>PPI, Inc. / John Keenan</u>                      (if individual applicant - legal name and any nickname or alias in parentheses)</p> <p>Applicant/Representative Signature: <u></u> Date: <u>10/6/2022</u></p>					
NOTARIZATION					
The foregoing application was sworn to and subscribed before me this <u>6</u> Day of <u>October</u> 20 <u>22</u> , by <u>JOHN KEENAN</u> Type or print name of applicant <span style="float: right;"><u></u> Signature of applicant</span>					
who is personally known to me or who has produced the following as identification.					
Type of Identification <u></u> Signature of person taking acknowledgement Notary Seal (Rubber Stamp and Expiration)					



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
[www.myfloridalicense.com](http://www.myfloridalicense.com)

Please provide information on the partners, managers, officers, or directors for your business entity below.

ORGANIZATION NAME	
Name of Organization PPI, Inc.	Permit # 430
D/B/A or Trade Name Isle Casino Racing Pompano Park	

LIMITED LIABILITY CORPORATION QUESTIONS
If your corporation is a limited liability corporation (LLC), is the corporation member managed or manager managed? You can check your Articles of Incorporation for this information. Member Managed <input type="checkbox"/> Manager Managed <input type="checkbox"/>

Please list below all Officers, Directors, Managers, and/or Shareholders with 5 percent or more interest in the business:

Attach additional sheets as necessary.

MANAGEMENT INFORMATION				
Last Name Isle of Capri Casinos LLC	First	Middle	Title	Suffix
Office Held Sole Shareholder	License #	Percentage of Ownership 100%		
RESIDENCE ADDRESS				
Street Address or P.O. Box 100 W. Liberty Street				
City Reno		State Nevada	Zip Code (+4 optional) 89501	
County (if Florida address)		Country USA		

MANAGEMENT INFORMATION				
Last Name Reeg	First Thomas	Middle R.	Title Chief Executive Officer, Director	Suffix
Office Held Chief Executive Officer, Director	License # 11228374	Percentage of Ownership 0%		
RESIDENCE ADDRESS				
Street Address or P.O. Box 100 W. Liberty Street				
City Reno		State Nevada	Zip Code (+4 optional) 89501	
County (if Florida address)		Country USA		

PPI, Inc. Slots License Verifications

**License**

Fed Tax # [REDACTED]	Lic Type	<b>1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Expires On	<b>06/30/2025</b>
File # <b>5783</b>	Name	<b>REEG, THOMAS R</b>	Extended To	
License # <b>11228374</b>	Rank	<b>SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Renewed On	<b>05/11/2022</b>
Entity # <b>11228374</b>	Lic Status	<b>Current</b>		

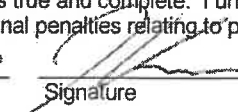

**Address**

Street # <b>51</b>	Street	<b>CHANCERY PLACE</b>			
Line 2					
Line 3					
City	<b>THE WOODLANDS</b>	State	<b>TX</b>	Zip	<b>77381</b>
	Routing				

MANAGEMENT INFORMATION				
Last Name Carano	First Anthony	Middle L.	Title President & Chief Operating Officer, Director	Suffix
Office Held President & Chief Operating Officer, Director	License # 11228384	Percentage of Ownership 0%		
RESIDENCE ADDRESS				
Street Address or P.O. Box 100 W. Liberty Street				
City Reno	State Nevada		Zip Code (+4 optional) 89501	
County (if Florida address)		Country USA		

MANAGEMENT INFORMATION				
Last Name Qualmann	First Edmund	Middle L.	Title Exec. VP, CLO & Secretary	Suffix Jr.
Office Held Executive Vice President, Chief Legal Officer & Secretary	License # 8568010	Percentage of Ownership 0%		
RESIDENCE ADDRESS				
Street Address or P.O. Box 100 W. Liberty Street				
City Reno	State Nevada		Zip Code (+4 optional) 89501	
County (if Florida address)		Country USA		

MANAGEMENT INFORMATION				
Last Name Buswell	First Troy	Middle	Title VP & General Manager	Suffix
Office Held Senior Vice President & General Manager	License # 11419459	Percentage of Ownership 0%		
RESIDENCE ADDRESS				
Street Address or P.O. Box 1800 SW 3rd Street				
City Pompano Beach	State Florida		Zip Code (+4 optional) 33069	
County (if Florida address) Broward		Country USA		

OATH			
I swear or affirm that the information provided in this application is true and complete. I understand that knowingly providing false information on this application could subject the applicant to criminal penalties relating to perjury or other offenses.			
John Keenan	Director of Security, Safety, and Compliance		10/6/2022
Name (Please Print)	Title (Please Print)	Signature	Date
State of Florida, County of Broward			
Sworn to (or affirmed) and subscribed before me this <u>6</u> day of <u>October</u> , 20 <u>22</u> .			
John Keenan, who is personally known to me or produced the following as identification:			
 <b>KAVITA NANDLAL</b> Commission # GG305170 Expires May 16, 2023 Bonded thru Budget Notary Services			
Notary Public My Commission Expires: <u>5.16.2023</u>			

PPI, Inc. Slots License Verifications

<b>License</b>			
Fed Tax # [REDACTED]	Lic Type	<b>1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Expires On <b>06/30/2025</b>
File # <b>5784</b>	Name	<b>CARANO, ANTHONY LOUIS</b>	Extended To
License # <b>11228384</b>	Rank	<b>SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Renewed On <b>05/11/2022</b>
Entity # <b>11228384</b>	Lic Status	<b>Current</b>	

<b>Address</b>			
Street # <b>4855</b>	Street <b>BUCKHAVEN ROAD</b>		
Line 2			
Line 3			
City <b>RENO</b>	State <b>NV</b>	Zip <b>89519</b>	
Routing			

<b>License</b>			
Fed Tax # [REDACTED]	Lic Type	<b>1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Expires On <b>06/30/2024</b>
File # <b>1346</b>	Name	<b>QUATMANN, EDMUND LAWRENCE JR</b>	Extended To
License # <b>8568010</b>	Rank	<b>SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Renewed On <b>10/11/2021</b>
Entity # <b>8568010</b>	Lic Status	<b>Current</b>	

<b>Address</b>			
Street # <b>65</b>	Street <b>SHARPS CIRCLE</b>		
Line 2			
Line 3			
City <b>RENO</b>	State <b>NV</b>	Zip <b>89519</b>	
Routing			

<b>License</b>			
Fed Tax # [REDACTED]	Lic Type	<b>1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Expires On <b>06/30/2023</b>
File # <b>6170</b>	Name	<b>BUSWELL, TROY JOHN</b>	Extended To
License # <b>11419459</b>	Rank	<b>SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Renewed On <b>06/19/2020</b>
Entity # <b>11419459</b>	Lic Status	<b>Current</b>	

<b>Address</b>			
Street # <b>10930</b>	Street <b>NW 78TH PL</b>		
Line 2			
Line 3			
City <b>PARKLAND</b>	State <b>FL</b>	Zip <b>33076</b>	
Routing			

RE: Ownership forms

John J. Keenan <John.Keenan@islepompanopark.com>

Tue 7/26/2022 2:00 PM

To: Lashley, Jeff <Jeff.Lashley@fgcc.fl.gov>

Cc: Ferree, Kimberly <Kimberly.Ferree@fgcc.fl.gov>

📎 1 attachments (1 MB)

FGCC Ownership Interest Form 07262022.pdf;

Jeff,

Please see the attached and signed Ownership Interest forms. There have been no changes since last year and the information is as follows:

Parent company **Caesars Entertainment** -> owns 100% of Isle of Capri Casinos LLC / Isle of Capri Casinos LLC -> owns 100% of **PPI, Inc.**

***PPI, Inc. / d/b/a Isle Casino Racing Pompano Park  
Street  
Pompano Beach, FL 33069***

Thank you,

---

From: Lashley, Jeff [mailto:Jeff.Lashley@fgcc.fl.gov]  
Sent: Tuesday, July 26, 2022 7:14 AM  
To: John J. Keenan <John.Keenan@islepompanopark.com>  
Subject: [EXTERNAL] RE: Ownership forms

**\*\*CAUTION\*\* - EXTERNAL EMAIL**  
**DO NOT** open attachments or click on links from unknown senders or unexpected emails  
The Original Sender of this email is [jeff.lashley@fgcc.fl.gov](mailto:jeff.lashley@fgcc.fl.gov).

John,

Here it is in word format, you'll just need to save to PDF after it's completed.

Thank you,

**Jeff Lashley, Tax Auditor IV**

**Florida** Gaming Control Commission , Office of Auditing  
2601 Blair Stone Road, Tallahassee, FL 32399-1037  
(850) 717-1098



---

From: John J. Keenan [mailto:John.Keenan@islepompanopark.com]  
Sent: Monday, July 25, 2022 4:52 PM



61D-4.005 Annual Notification of Permitholder Ownership Interest



STATE OF FLORIDA  
 DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 DIVISION OF PARI-MUTUEL WAGERING  
[www.myfloridalicense.com](http://www.myfloridalicense.com)

**Instructions:** This is an OPTIONAL form created for the convenience of pari-mutuel permitholders to aid in the submission of the information required by Rule 61D-4.005, Florida Administrative Code, between July 1 and July 31 of each state fiscal year. Please review this form thoroughly and complete all sections that pertain to you and are not marked optional. Print clearly in black or blue ink.

PERMITHOLDER INFORMATION			
Permitholder Name PPI, Inc.		Permit # 430	FEID# or SSN [REDACTED]
Doing Business As (D/B/A) Name (if applicable) Isle Casino Racing Pompano Park			
Select all that apply: <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Other			
Current Mailing Address 1800 SW 3 <sup>rd</sup> Street		Email Address (optional) John.Keenan@islepompanopark.com	
City Pompano Beach	State FL	Zip Code (+4 optional) 33069	Country, if other than USA
Primary Phone Number 954.972.2000		Secondary/Cell Phone Number (optional) 954.633.6610	
Current Street Address 1800 SW 3 <sup>rd</sup> Street			
City Pompano Beach	State FL	Zip Code (+4 optional) 33069	Country, if other than USA
Contact Person Name and Title John Keenan, Director of Security, Safety, & Compliance			
Contact Person Primary Phone Number 954.633.6610	Contact Person Fax Number	Contact Person Primary Email Address John.Keenan@islepompanopark.com	
Fiscal Year			
Previous Fiscal Year July 1, 2021 through June 30, 2022		Current Fiscal Year July 1, 2022 through June 30, 2023	
<p><b>ALL PERMITHOLDERS must provide a ledger that reflects transfers of five (5) percent or more of the stock or equity of any principals, partners, or shareholders for all times during the PREVIOUS fiscal year. (ATTACH ADDITIONAL PAGES AS NEEDED)</b></p>			

If a CORPORATION, provide the following information for all shareholders holding five (5) percent or more equity on July 1st of the PREVIOUS fiscal year.  
(ATTACH ADDITIONAL PAGES AS NEEDED)

NAME	ADDRESS	NUMBER OF SHARES

If a CORPORATION, provide the following information for all shareholders holding five (5) percent or more equity on June 30th of the PREVIOUS fiscal year.  
(ATTACH ADDITIONAL PAGES AS NEEDED)

NAME	ADDRESS	NUMBER OF SHARES

If a BUSINESS ENTITY other than a corporation, provide the following information for all principals, partners, or shareholders holding five (5) percent or more equity on July 1st of the PREVIOUS fiscal year.  
(ATTACH ADDITIONAL PAGES AS NEEDED)

NAME	ADDRESS	AMOUNT OF OWNERSHIP EQUITY

If a BUSINESS ENTITY other than a corporation, provide the following information for all principals, partners, or shareholders holding five (5) percent or more equity on June 30th of the PREVIOUS fiscal year.  
(ATTACH ADDITIONAL PAGES AS NEEDED)

NAME	ADDRESS	AMOUNT OF OWNERSHIP EQUITY

SIGNATURE

Signature of Authorized Representative

Date (MM/DD/YYYY)

Print Authorized Representative Name

Print Title

Federal Employer ID Number; or  
Social Security Number (Sole Proprietors Only)

Print Name of Permitholder

Please mail your completed form and any additional documentation to:  
**Department of Business and Professional Regulation**  
**Pari-Mutuel Wagering; Auditing Section**  
**2601 Blair Stone Road, Tallahassee, Florida 32399-1037**  
**Phone: 850.487.1395**

CONTINUATION  
CERTIFICATE

WESTCHESTER FIRE INSURANCE COMPANY, Surety upon

a certain Bond No. K07160513

dated effective 12/07/06  
(MONTH-DAY-YEAR)

on behalf of PPI, INC.  
(PRINCIPAL)

and in favor of STATE OF FLORIDA, DEPT OF BUSINESS REGULATION  
(OBLIGEE)

does hereby continue said bond in force for the further period

beginning on 12/07/2022  
(MONTH-DAY-YEAR)

and ending on 12/07/2023  
(MONTH-DAY-YEAR)

Amount of bond \$2,000,000 00

Description of bond Slot Machine License Bond

Premium: \$ 14,000.00

PROVIDED: That this continuation certificate does not create a new obligation and is executed upon the express condition and provision that the Surety's liability under said bond and this and all Continuation Certificates issued in connection therewith shall not be cumulative and that the said Surety's aggregate liability under said bond and this and all such Continuation Certificates on account of all defaults committed during the period (regardless of the number of years) said bond had been and shall be in force, shall not in any event exceed the amount of said bond as hereinbefore set forth.

Signed and dated on December 5, 2022  
(MONTH-DAY-YEAR)

WESTCHESTER FIRE INSURANCE COMPANY

By 

ATTORNEY-IN-FACT Meghan Hanes

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

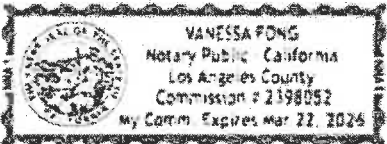
State of California

County of Los Angeles

On 12/5/22 before me, Vanessa Fong, Notary Public, personally appeared Meghan Hanes who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Vanessa Fong  
Signature of Notary Public

# CHUBB

## Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company  
Westchester Fire Insurance Company | ACE American Insurance Company

Know All by These Presents, that FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint Rosa E. Rivas of Irvine, California; Tracy Aston, Meghan Hanes, Samantha Russell, Ana Torres, Mary Y. Volmar of Los Angeles, California; Eric Allen, Celeste Austria, Donnafyn Revis, Catherine A. Rueter and William F. Ward of San Francisco, California

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY have each executed and attested these presents and affixed their corporate seals on this 12<sup>th</sup> day of July, 2022.

*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

*Stephen M. Hanes*

Stephen M. Hanes, Vice President



STATE OF NEW JERSEY  
County of Hunterdon

ss.

On this 12<sup>th</sup> day of July, 2022 before me, a Notary Public of New Jersey, personally came Dawn M. Chloros and Stephen M. Hanes, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chloros and Stephen M. Hanes, being by me duly sworn, severally and each for herself and himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and know the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies, and that their signatures as such officers were duly affixed and subscribed by like authority.

Notarial Seal



KATHERINE J. ADELAAR  
NOTARY PUBLIC OF NEW JERSEY  
No. 2316965  
Commission Expires July 10, 2024

*Katherine J. Adelaar*  
Notary Public

### CERTIFICATION

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016; WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006, and ACE AMERICAN INSURANCE COMPANY on March 20, 2009.

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment")

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person, the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Dawn M. Chloros, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

- (i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
- (ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this

12/5/22



*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT  
Telephone (908) 903-3493 Fax (908) 903-3636 e-mail: surety@chubb.com

CONTINUATION  
CERTIFICATE

WESTCHESTER FIRE INSURANCE COMPANY, Surety upon

a certain Bond No. K07160513

dated effective 12/07/06  
(MONTH-DAY-YEAR)

on behalf of PPI, INC.  
(PRINCIPAL)

and in favor of STATE OF FLORIDA, DEPT OF BUSINESS REGULATION  
(OBLIGEE)

does hereby continue said bond in force for the further period

beginning on 12/17/2021  
(MONTH-DAY-YEAR)

and ending on 12/17/2022  
(MONTH-DAY-YEAR)

Amount of bond \$2,000,000.00

Description of bond Slot Machine License Bond

Premium: \$ 14,000.00

**PROVIDED:** That this continuation certificate does not create a new obligation and is executed upon the express condition and provision that the Surety's liability under said bond and this and all Continuation Certificates issued in connection therewith shall not be cumulative and that the said Surety's aggregate liability under said bond and this and all such Continuation Certificates on account of all defaults committed during the period (regardless of the number of years) said bond had been and shall be in force, shall not in any event exceed the amount of said bond as hereinbefore set forth.

Signed and dated on October 8, 2021  
(MONTH-DAY-YEAR)

WESTCHESTER FIRE INSURANCE COMPANY

By *D. Garcia*  
ATTORNEY-IN-FACT Donna Garcia



**Power of Attorney**

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company  
Westchester Fire Insurance Company | ACE American Insurance Company

Know All by These Presents, that FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint Rosa E. Rivas of Irvine, California; Bernadette Alerman, Tracy Aston, Lisa Crail, Samantha Fazzini, Donna Garcia, Simone Gerhard, April Martinez, Edward C. Spector, Marina Tapia and KD Wapato of Los Angeles, California; Celeste Austria, Thomas Branigan, Catherine A. Rueter, Paul Rodriguez, Nathan Varnold and William F. Ward of San Francisco, California -----

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY have each executed and attested these presents and affixed their corporate seals on this 19<sup>th</sup> day of December, 2019.

*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

*Stephen M. Haney*

Stephen M. Haney, Vice President



STATE OF NEW JERSEY  
County of Hunterdon

ss.

On this 19<sup>th</sup> day of December, 2019, before me, a Notary Public of New Jersey, personally came Dawn M. Chloros and Stephen M. Haney, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chloros and Stephen M. Haney, being by me duly sworn, severally and each for herself and himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and know the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were therein affixed by authority of said Companies; and that their signatures as such officers were duly affixed and subscribed by like authority.

Notarial Seal



KATHERINE J. ADELAAR  
NOTARY PUBLIC OF NEW JERSEY  
No. 2316685  
Commission Expires July 16, 2024

*Katherine J. Adelaar*  
Notary Public

**CERTIFICATION**

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016; WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006; and ACE AMERICAN INSURANCE COMPANY on March 20, 2009:

RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested.

I, Dawn M. Chloros, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

- (i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
- (ii) the foregoing Power of Attorney is true, correct and in full force and effect.

OCT 08 2021

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this



*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:  
Telephone (800) 903-3493 Fax (908) 903-3654 e-mail: surety@pihub.com



## Jelks, La'Kesha

---

**From:** Stelter, Karen  
**Sent:** Tuesday, December 13, 2022 1:20 PM  
**To:** Jelks, La'Kesha  
**Cc:** Swain, Tracy; Pouncey, Jamie  
**Subject:** PPI, INC #430 Slot Payment  
**Attachments:** TAXPAYMENTB-20221213.log

Good afternoon,

Per the attached PPI, Inc. #430 paid there slot payment under deposit number AD00113. Please let me know if you have any questions or need any additional information.



Thank you,

**Karen L Stelter, Professional Accountant Specialist, FCCM**  
Division of Pari-Mutuel Wagering, Office of Revenue and Financial Analysis  
2601 Blair Stone Road, Tallahassee, FL 32399-1035  
850-717-1055 Office ~ 850-922-7939 FAX



**State of Florida**  
**Department of Business and Professional Regulation**  
**Cash Listing Report**

**Client:** 79 - Department of Business & Professional Regulation

**Origin:** EFT

**Fiscal Year:** 2022

**Batch #:** 22012243

**Total \$ Entered:** \$ 2,250,000.00

**Deposit #:** AD0113

**Deposit Date:** 2022-12-13

**# Receipt:** 1

**Receipts Entered:** 1

**Total:** \$ 2,250,000.00

**Status:** Deposited

Receipt #	DLN	Received	Disp	Pmt	Note	Unassigned	Prof	Remitted By / Beneficiary	File #	License #	Assigned
220085996		\$ 2,250,000.00	DEP	EFT		\$ 2,250,000.00	1003	PPI, INC.	5	430	\$ 0.00
<b>Total:</b>			\$ 2,250,000.00			\$ 2,250,000.00					\$ 0.00

Application Home | Change Application

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: ljelks

VR Home > Application Search > Transaction Check List > Transaction Header

Fed Tax # [REDACTED]	Name <b>PPI, INC.</b>	Lic Type <b>1003 - Permitholder App for Annual Slot Licens</b>	Trans Class <b>I - Initial</b>
File # <b>5</b>	Rank <b>Permit holder Appl Annual Slot Mach Lic</b>	App # <b>129</b>	Sec Class <b>S - Standard</b>
License # <b>430</b>	Lic Status <b>Current</b>	Status <b>Open</b>	
Entity # <b>430</b>	Expires On <b>01/08/2023</b>	Trans Code <b>1020 - Slot Machine License</b>	

<p>App Date: 11/30/2022 </p> <p>Normal Expiration Date: 12/01/2023</p> <p>Override Expiration Date: <input type="text"/> </p> <p>Application Disposition: <input type="text"/></p> <p>1st Reminder</p> <p>2nd Reminder</p> <p>Total Fee \$ <b>2,250,000.00</b></p> <p>Paid \$ <b>2,250,000.00</b></p> <p>Released \$ <b>2,250,000.00</b></p> <p>Due \$ <b>0.00</b></p> <p>Notes <input type="text"/></p> <p>Set License Expiry <input type="text"/></p>	<p><b>Application For</b></p> <p>Rank <b>Permit holder Appl Annual Slot Mach Lic</b></p> <p>Lic Status <b>Current</b></p> <hr/> <p><b>Modifiers</b></p> <p>Type <input type="text"/> Code <input type="text"/></p> <p>Additional Info <input type="text"/> <input type="button" value="Add"/></p> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Additional Info</th> <th>Actions</th> </tr> </thead> <tbody> <tr> <td colspan="4">No items found.</td> </tr> </tbody> </table>	Type	Modifier	Additional Info	Actions	No items found.				<p><input type="button" value="Dpsit History"/></p> <p><input type="button" value="History"/></p> <p><input type="button" value="Deficiencies"/></p> <p><input type="button" value="Regenerate"/></p> <p><input type="button" value="Notes"/></p> <p><input type="button" value="Notes History"/></p> <p><input type="button" value="Cancel"/></p> <p><input type="button" value="OK"/></p>
Type	Modifier	Additional Info	Actions							
No items found.										

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License Type	License #	Company	Status	License Expires
Slot Combo	7805891 ✓	Bally Gaming Inc/ SG Gaming ✓	Current	6/30/2024 ✓
Slot Machine	7800936 ✓	IGT/Gtech ✓	Current	6/30/2024 ✓
Slot Machine	7830421 ✓	Aristocrat Technologies, Inc ✓	Current	6/30/2024 ✓
Slot Machine	7883140 ✓	Konami Gaming, Inc./HMS ✓	Current	6/30/2024 ✓
Slot Machine	8069830 ✓	Ainsworth Game Technology, Inc. ✓	Current	6/30/2024 ✓
Slot Machine	8281949 ✓	AGS, LLC ✓	Current	6/30/2023 ✓
Slot Machine	8587586 ✓	Aruze Gaming ✓	Current	6/30/2025 ✓
Slot Machine	8801896 ✓	Incredible Technologies ✓	Current	6/30/2024 ✓
Slot Machine	9943621 ✓	Multimedia Games, Inc./GCA/Everi ✓	Current	6/30/2024 ✓
Slot Machine	8759471 ✓	Interblock ✓	Current	6/30/2025 ✓
Slot Machine	9823078 ✓	Lightning Gaming ✓	Current	6/30/2024 ✓
Slot Machine	8237912 ✓	Gaming Laboratories International, LLC ✓	Current	6/30/2023 ✓
Slot Machine	7793413 ✓	Graphic Control, LLC ✓	Current	6/30/2024 ✓
Slot Machine	8605145 ✓	Patriot Gaming ✓	Current	6/30/2025 ✓
Slot Machine	9917921 ✓	Casino Tech dba Landry Holdings, LLC ✓	Current	6/30/2024 ✓
Slot Machine	1499535 ✓	V.S.R. Lock, Inc. ✓	Current	6/30/2024 ✓
Slot Machine	7977121 ✓	JCM American Corporation ✓	Current	6/30/2024 ✓
Slot Business	9917853 ✓	Novomatic Americas ✓	Current	6/30/2024 ✓
Slot Business	7929049 ✓	AINSWORTH ✓	Current	6/30/2024 ✓
Slot Business	7830421 ✓	ARISTOCRAT ✓	Current	6/30/2024 ✓
Slot Business	11105033 ✓	BLUBERI GAMING USA ✓	Current	6/30/2025 ✓
Slot Machine	7830710 ✓	Reel Games, Inc. ✓	Current	6/30/2024 ✓
Slot Machine	11936144 ✓	Apogee Gaming USA inc ✓	Current	6/30/2024 ✓
Slot Machine	12372742 ✓	Sega Sammy Creations USA ✓	Current	6/30/2025 ✓
Slot Machine	8915860 ✓	KGM Gaming, LLC ✓	Current	6/30/2023 ✓
Slot Machine	8032829 ✓	Suzohapp Gaming Solutions ✓	Current	6/30/2025 ✓
Slot Machine	8552813 ✓	TCS John Huxley America, inc ✓	Current	6/30/2024 ✓
Slot Combo	7805891	Shuffle Master, Inc. -see Bally Gaming	Current	6/30/2024
Slot Combo	7805891	Scientific Games Racing, LLC - see Bally Gaming	Current	6/30/2024
Slot Combo	7805891	Shuffle Master, Inc. -see Bally Gaming	Current	6/30/2024
Slot Business	8010467 ✓	SPIN INC ✓	Current	6/30/2024 ✓
Slot Business	10019307 ✓	ZITRO ✓	Current	6/30/2024 ✓
Slot Business	11905567 ✓	GAMING ARTS, LLC ✓	Current	6/30/2024 ✓
Slot Business	8915860	KGM Gaming, LLC ✓	Current	6/30/2023 ✓

PPI, Inc. Slots License Verifications

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>9</b>	Name <b>SG GAMING INC</b>	Extended To
License # <b>7805891</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>06/22/2012</b>
Entity # <b>7805891</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>6601</b>	Street <b>SOUTH BERMUDA ROAD</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89119</b>
	Routing	

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>7</b>	Name <b>IGT INC</b>	Extended To
License # <b>7800936</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>06/02/2021</b>
Entity # <b>7800936</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>6355</b>	Street <b>S BUFFALO DRIVE</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89113</b>
	Routing	

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>13</b>	Name <b>ARISTOCRAT TECHNOLOGIES INC</b>	Extended To
License # <b>7830421</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>05/07/2021</b>
Entity # <b>7830421</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>10220</b>	Street <b>ARISTOCRAT WAY</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89135</b>
	Routing	

PPI, Inc. Slots License Verifications

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>30</b>	Name <b>KONAMI GAMING INC</b>	Extended To
License # <b>7883140</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>05/30/2018</b>
Entity # <b>7883140</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>585</b>	Street <b>KONAMI CIRCLE</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89119</b>
Routing		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>84</b>	Name <b>AINSWORTH GAME TECHNOLOGY INC</b>	Extended To
License # <b>8069830</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>06/25/2021</b>
Entity # <b>8069830</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>5800</b>	Street <b>RAFAEL RIVERA WAY</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89118</b>
Routing		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1058 - Slot Combo Business</b>	Expires On <b>06/30/2023</b>
File # <b>45</b>	Name <b>AGS, LLC</b>	Extended To
License # <b>8281949</b>	Rank <b>SCBL - Slot Combo Business License</b>	Renewed On <b>06/08/2020</b>
Entity # <b>8281949</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>5475</b>	Street <b>SOUTH DECATUR BLVD SUITE 100</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89118</b>
Routing		

PPI, Inc. Slots License Verifications

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2025</b>
File # <b>123</b>	Name <b>ARUZE GAMING AMERICA INC</b>	Extended To
License # <b>8587586</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>07/15/2022</b>
Entity # <b>8587586</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>6900</b>	Street <b>S. DECATUR BLVD. SUITE 100</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89118</b>
Routing		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>140</b>	Name <b>INCREDIBLE TECHNOLOGIES CASINO GAMES INC</b>	Extended To
License # <b>8801896</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>06/30/2021</b>
Entity # <b>8801896</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>200</b>	Street <b>CORPORATE WOODS PARKWAY</b>	
Line 2		
Line 3		
City <b>VERNON HILLS</b>	State <b>IL</b>	Zip <b>60061</b>
Routing		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>174</b>	Name <b>EVERI GAMES, INC.</b>	Extended To
License # <b>9943621</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>06/25/2021</b>
Entity # <b>9943621</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>7250</b>	Street <b>S TENAYA WAY, SUITE 100</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89113</b>
Routing		

PPI, Inc. Slots License Verifications

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2025</b>
File # <b>134</b>	Name <b>INTERBLOCK USA L. C.</b>	Extended To
License # <b>8759471</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>06/29/2022</b>
Entity # <b>8759471</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>1106</b>	Street <b>PALMS AIRPORT DRIVE</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89119-3730</b>
Routing		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>164</b>	Name <b>LIGHTNING SLOT MACHINES LLC</b>	Extended To
License # <b>9823078</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>06/24/2021</b>
Entity # <b>9823078</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>23</b>	Street <b>CREEK CIRCLE SUITE 400</b>	
Line 2		
Line 3		
City <b>BOOTHWYN</b>	State <b>PA</b>	Zip <b>19061</b>
Routing		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2023</b>
File # <b>99</b>	Name <b>GAMING LABORATORIES INTERNATIONAL LLC</b>	Extended To
License # <b>8237912</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>06/30/2020</b>
Entity # <b>8237912</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>600</b>	Street <b>AIRPORT ROAD</b>	
Line 2		
Line 3		
City <b>LAKEWOOD</b>	State <b>NJ</b>	Zip <b>08701</b>
Routing		



PPI, Inc. Slots License Verifications

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>1</b>	Name <b>GRAPHIC CONTROLS ACQUISITION CORP</b>	Extended To
License # <b>7793413</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>06/22/2021</b>
Entity # <b>7793413</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>400</b>	Street <b>EXCHANGE STREET</b>	
Line 2		
Line 3		
City <b>BUFFALO</b>	State <b>NY</b>	Zip <b>14204</b>
Routing		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2025</b>
File # <b>124</b>	Name <b>PATRIOT GAMING &amp; ELECTRONICS, INC.</b>	Extended To
License # <b>8605145</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>07/18/2022</b>
Entity # <b>8605145</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>217</b>	Street <b>N. LINDBERG</b>	
Line 2		
Line 3		
City <b>GRIFFITH</b>	State <b>IN</b>	Zip <b>46319</b>
Routing		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>173</b>	Name <b>LANDRY HOLDINGS, LLC</b>	Extended To
License # <b>9917921</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>04/28/2021</b>
Entity # <b>9917921</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street #	Street <b>PO BOX 2167</b>	
Line 2		
Line 3		
City <b>CYPRESS</b>	State <b>TX</b>	Zip <b>77410</b>
Routing		

## PPI, Inc. Slots License Verifications

### License

Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2024**  
File # **29** Name **VSR INDUSTRIES INC** Extended To  
License # **1499535** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **06/15/2021**  
Entity # **1499535** Lic Status **Current**

### Address

Street # **6190** Street **MT VISTA STREET**  
Line 2  
Line 3  
City **HENDERSON** State **NV** Zip **89014**  
Routing

### License

Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2024**  
File # **69** Name **JCM AMERICAN CORPORATION** Extended To  
License # **7977121** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **07/28/2021**  
Entity # **7977121** Lic Status **Current**

### Address

Street # **925** Street **PILOT ROAD**  
Line 2  
Line 3  
City **LAS VEGAS** State **NV** Zip **89119**  
Routing

### License

Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2024**  
File # **172** Name **NOVOMATIC AMERICAS SALES LLC** Extended To  
License # **9917853** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **06/30/2021**  
Entity # **9917853** Lic Status **Current**

### Address

Street # **1050** Street **EAST BUSINESS CENTER DRIVE**  
Line 2  
Line 3  
City **MOUNT PROSPECT** State **IL** Zip **60056**  
Routing

PPI, Inc. Slots License Verifications

**License**

Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2024**  
File # **57** Name **AINSWORTH GAME TECHNOLOGY LTD** Extended To  
License # **7929049** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **07/22/2021**  
Entity # **7929049** Lic Status **Current**

**Address**

Street # **10** Street **HOLKER STREET**  
Line 2  
Line 3  
City **NENINGTON NSW** State **99** Zip **2127**  
Routing

**License**

Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2024**  
File # **13** Name **ARISTOCRAT TECHNOLOGIES INC** Extended To  
License # **7830421** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **05/07/2021**  
Entity # **7830421** Lic Status **Current**

**Address**

Street # **10220** Street **ARISTOCRAT WAY**  
Line 2  
Line 3  
City **LAS VEGAS** State **NV** Zip **89135**  
Routing

**License**

Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2025**  
File # **227** Name **BLUBERI GAMING USA INC** Extended To  
License # **11105033** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **06/30/2022**  
Entity # **11105033** Lic Status **Current**

**Address**

Street # **7370** Street **DEAN MARTIN DRIVE SUITE 407**  
Line 2  
Line 3  
City **LAS VEGAS** State **NV** Zip **89139**  
Routing

PPI, Inc. Slots License Verifications

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>14</b>	Name <b>REEL GAMES INC</b>	Extended To
License # <b>7830710</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>06/15/2021</b>
Entity # <b>7830710</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>1501</b>	Street <b>NE 13TH AVENUE</b>	
Line 2		
Line 3		
City <b>FORT LAUDERDALE</b>	State <b>FL</b>	Zip <b>33304</b>
Routing		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>243</b>	Name <b>APOGEE GAMING USA INC</b>	Extended To
License # <b>11936144</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>08/19/2021</b>
Entity # <b>11936144</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>19</b>	Street <b>OCEAN VIEW ROAD</b>	
Line 2		
Line 3		
City <b>BAS CAP PELE</b>	State <b>NB</b>	Zip <b>E4N 2X5</b>
Routing		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2025</b>
File # <b>254</b>	Name <b>SEGA SAMMY CREATION USA INC</b>	Extended To
License # <b>12372742</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>06/21/2022</b>
Entity # <b>12372742</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>955</b>	Street <b>GRIER DRIVE SUITE C</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89119</b>
Routing		

PPI, Inc. Slots License Verifications

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2023</b>
File # <b>152</b>	Name <b>KGM GAMING, LLC</b>	Extended To
License # <b>8915860</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>07/31/2020</b>
Entity # <b>8915860</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>4250</b>	Street <b>WISSAHICKON AVENUE</b>	
Line 2		
Line 3		
City <b>PHILADELPHIA</b>	State <b>PA</b>	Zip <b>19129</b>
Routing		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2025</b>
File # <b>79</b>	Name <b>SUZHAPP GAMING SOLUTIONS, LLC</b>	Extended To
License # <b>8032829</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On
Entity # <b>8032829</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>1385</b>	Street <b>PAMA LANE UNIT 100</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89119</b>
Routing		

<b>License</b>		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2024</b>
File # <b>252</b>	Name <b>TCS JOHN HUXLEY AMERICA INC</b>	Extended To
License # <b>8552813</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On
Entity # <b>8552813</b>	Lic Status <b>Current</b>	

<b>Address</b>		
Street # <b>6171</b>	Street <b>MCLEOD DRIVE SUITE M</b>	
Line 2		
Line 3		
City <b>LAS VEGAS</b>	State <b>NV</b>	Zip <b>89120</b>
Routing		

PPI, Inc. Slots License Verifications

**License**

Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2024**  
File # **76** Name **SPIN INC** Extended To  
License # **8010467** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **05/25/2021**  
Entity # **8010467** Lic Status **Current**

**Address**

Street # **35** Street **SW 12TH AVE SUITE 107**  
Line 2  
Line 3  
City **DANIA BEACH** State **FL** Zip **33004**  
Routing

**License**

Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2024**  
File # **182** Name **ZITRO USA INC.** Extended To  
License # **10019307** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **07/15/2021**  
Entity # **10019307** Lic Status **Current**

**Address**

Street # **1671** Street **WEST HORIZON RIDGE PARKWAY**  
Line 2 **SUITE 220**  
Line 3  
City **HENDERSON** State **NV** Zip **89012**  
Routing

**License**

Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2024**  
File # **241** Name **GAMING ARTS, LLC** Extended To  
License # **11905567** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **06/30/2021**  
Entity # **11905567** Lic Status **Current**

**Address**

Street # **323** Street **ORVILLE WRIGHT COURT**  
Line 2  
Line 3  
City **LAS VEGAS** State **NV** Zip **89119**  
Routing

PPI, Inc. Slots License Verifications

License		
Fed Tax # [REDACTED]	Lic Type <b>1050 - Slot Machine Business</b>	Expires On <b>06/30/2023</b>
File # <b>152</b>	Name <b>KGM GAMING, LLC</b>	Extended To
License # <b>8915860</b>	Rank <b>SBUS - Slot Machine Bus Occupational License</b>	Renewed On <b>07/31/2020</b>
Entity # <b>8915860</b>	Lic Status <b>Current</b>	

Address		
Street # <b>4250</b>	Street <b>WISSAHICKON AVENUE</b>	
Line 2		
Line 3		
City <b>PHILADELPHIA</b>	State <b>PA</b>	Zip <b>19129</b>
	Routing	

## Jelks, La'Kesha

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**From:** Pouncey, Jamie  
**Sent:** Tuesday, December 13, 2022 7:48 AM  
**To:** Crafts, Bill; Jelks, La'Kesha  
**Subject:** Fwd: IC Review Memo - Harrah's Pompano Beach  
**Attachments:** image001.png; ATT00001.htm; image002.png; ATT00002.htm; License Renewal Memo-PPI, Inc., Harrah's Pompano Beach-2023-2024.pdf; ATT00003.htm; HARRAHS POMPANO BEACH - FL - FictitiousAssumed Name Filing - 160348-11-2....pdf; ATT00004.htm

Rcvd. Thank you.

Jamie Pouncey  
Program Administrator  
Pari-Mutuel Wagering

Begin forwarded message:

**From:** "Crafts, Bill" <Bill.Crafts@fgcc.fl.gov>  
**Date:** December 13, 2022 at 7:46:03 AM EST  
**To:** "Pouncey, Jamie" <Jamie.Pouncey@fgcc.fl.gov>  
**Subject:** IC Review Memo - Harrah's Pompano Beach

Good morning Jamie,

We have completed the audit for PPI, Inc., d/b/a Harrah's Pompano Beach License Renewal.

Please see attached.

I have also attached the name change info as well.

Have a great day.





**FLORIDA**  
GAMING CONTROL  
COMMISSION

JOHN MACIVER, CHAIRMAN  
MICHAEL YAWORSKY, VICE CHAIR  
JULIE I. BROWN, COMMISSIONER  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER

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**MEMORANDUM**

**TO:** Jamie Pouncey, Program Administrator  
**FROM:** Bill Crafts, Chief of Slot Operations  
**SUBJECT:** PPI, Inc., d/b/a Harrah's Pompano Beach – Annual Internal Controls Review  
**DATE:** December 13, 2022

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The office of Slot Operations has completed our annual review of the Internal Controls of PPI, Inc., d/b/a Harrah's Pompano Beach. At this time, our assessment has shown full compliance with 551, Fla. Stat. (2005) and Fla. Admin Code R. 61D-14. We strive to continuously review all our licensed facilities systems of control, and work closely with the property's management and compliance officers to ensure rigorous adherence to Florida Statute and Administrative Code. Our annual review involves a more comprehensive and robust examination of all Internal Controls as adopted by the facility.

This review was conducted by the Tax & Audit Group of the Office of Slot Operations, with their report SOIC-2023-430 being issued on December 13, 2022.

As always, should you have any questions or concerns pertaining to this matter, please do not hesitate to contact me.

Bill Crafts  
Chief of Slot Operations

OFFICE OF SLOT OPERATIONS  
1400 WEST COMMERCIAL BOULEVARD, SUITE 165  
FT. LAUDERDALE, FLORIDA 33309



**State of Florida**  
**Department of Business and Professional Regulation**  
**Chronology Report**

**Case #:** 2022056404      **Incident date:** 11/29/2022      **Status:** 10 - Initial Review

**Lic Type:** 1003      **Disposition:**

**Case Type:** Complaint

**Responsible:** ljelks - JELKS, LA'KESHA

**Complainant:** POMPANO PARK RACING  
 1800 SW THIRD STREET, POMPANO BEACH, FL 33069

**Respondent:** FGCC, PARI-MUTUEL WAGERING  
 2601 BLAIR STONE ROAD, TALLAHASSEE, FL 32399

**Summary:** Permitholder Annual Slots License Renewal application

<b>Chronology:</b>	<b>Effective Date</b>	<b>Type</b>	<b>Lic Type</b>	<b>Code</b>	<b>Description</b>	<b>Responsible Party</b>	<b>Respondent</b>
	11/29/2022	R		ljelks	JELKS, LA'KESHA	ljelks	
	11/29/2022	S	1003	10	Initial Review	ljelks	

# 4. Discussion of license denials

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Marc Taupier, Chief Attorney  
Re: Lillie Marsha Brandon - Case No. 2022-056726 – License Denial  
Date: December 28, 2022

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Lillie Marsha Brandon’s (“Applicant”) application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on November 14, 2022. Upon review of the application, it appears Applicant has been convicted of several felony crimes. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On November 14, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant was convicted of several felony crimes in the state of Florida. Specifically, the Applicant was convicted of the following:

- Aggravated Battery in 1991<sup>1</sup>; and
- Throw Deadly Missile in 1991.

Applicant did not apply for a waiver for her felony convictions, however, under section 551.107(6)(a), Florida Statutes, the legislature did not authorize the Executive Director to waive criminal convictions for slot machine licensing.

### *Relevant Law*

Section 551.107(6)(a), Florida Statutes, provides in pertinent part that:

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<sup>1</sup> Applicant failed to disclose her Aggravated Battery conviction on her application.

“. . .the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense.”

Section 849.086(6)(f), Florida Statutes, provides that the “provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses.”

Section 849.086(6)(g), Florida Statutes, provides that:

“[t]he commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.”

Section 550.105(5)(d), Florida Statutes, provides that:

“. . . the term “convicted” means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere. However, the term “conviction” shall not be applied to a crime committed prior to the effective date of this subsection in a manner that would invalidate any occupational license issued prior to the effective date of this subsection or subsequent renewal for any person holding such a license.”

Staff Recommendation: Because the Applicant's disqualifying criminal convictions cannot be waived, the Florida Gaming Control Commission may deny or declare Applicant ineligible for any license. Accordingly, the Division of Pari-Mutuel

Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

Department of Business and Professional Regulation  
 Division of Pari-Mutuel Wagering

Licensing Administrator Review – SLOT Occupational License

RE: **BRANDON, LILLIE MARSHA – 13388131**

Case No: **2022076726**

(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	11/2/2022
COMPLETE APPLICATION RECEIVED:	11/14/2022
<b>90-DAY DEADLINE:</b>	<b>2/12/2023</b>

**Randall Kitchens**

**144 – Big Easy**

**1055 – Cashier**

**Application Processor**

**Facility (d/b/a name)**

**Occupation/Job Title**

Pursuant to Section 550.105(5)(a): The division may deny a license of any person who has been refused a license by any other state racing commission or racing authority; under suspension or has unpaid fines in another jurisdiction. The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Licensing Administrator Review				
Conviction				
Did the application accurately reflect the Criminal History Record? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
<input checked="" type="checkbox"/> Felony : 2 Count(s)				
<input type="checkbox"/> Misdemeanor – Industry Related/Gambling Related/Bookmaking				
<input type="checkbox"/> Animal Cruelty				
<input type="checkbox"/> Forgery, Larceny Extortion, Conspiracy to Defraud (Cardroom Professions Only)				
<b>Comments:</b>				
Arrest Date	Location	Charge	Level	Disposition
06/26/1991	Miami Dade, Florida	Battery/Aggravated 13-1991-CF-022809-0001-XX	F	Adj Withheld
06/26/1991	Miami Dade, Florida	Deadly Missile Throw 13-1991-CF-022809-0001-XX	F	Adj Withheld

Disposition Unknown
<input type="checkbox"/> Felony Arrest(s) :
<input type="checkbox"/> Misdemeanor Arrest – Industry Related/Gambling Related/Bookmaking
<input type="checkbox"/> Animal Cruelty

Enforcement/Jurisdiction Offenses
<input type="checkbox"/> Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction.

Related Licenses	
<b>Check VR License Relations to Determine if Applicant is Related to a Business.</b>	
Is the individual applicant related to a business? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, complete sections below.	
Business License Number:	Business Name:
Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Date Deficiency Letter Issued:	Initials:

Licensing Administrator Review	
Disposition Confirmation	
Disqualifying Convictions/Arrests Confirmed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> Approval	
Forward to <input type="checkbox"/> Investigations <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Director	Initials: <u>                    </u>
<b>Comments:</b>	





VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Complaint Search    Change Recording License Type    Delete Complaint    Mass Activity Update    Mass Discipline Update  
 Mass Status Update    Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **rkitchens**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	<b>1055 - Slot Machine/Cardroom/Pari-Mutuel Individual Combination</b>	Status	<b>10 Initial Review</b>	Status Date	<b>11/30/2022</b>
Complaint #	<b>2022056726</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent <b>BRANDON, LILLIE MARSHA</b>	Responsible	<b>ddonaldson - DONALDSON, DAVID</b>	<b>Private Case</b>	

Complaint	Respondent	Complainant	Add'l Info
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Source	<b>INTN - Internal</b>	Security Level	<b>1</b>	Parties	Activities
Form	<b>INET - Internet</b>	Priority		Allegations	Discipline
Class'n	<b>CHIS - Criminal History</b>	Complexity	<b>R - Regular</b>	Violations	Compliance
Security	<b>STND - Standard</b>	Incident	<b>11/30/2022</b>	Related	Disposition
Region	<b>SR - Southern Region</b>	Received	<b>11/30/2022</b>	Inspection	
Reference				Costs	
Entered	<b>11/30/2022</b>	Entered By	<b>rkitchens</b>	Time Tracking	Auto Assign
Summary	<b>Application and rap sheet reviewed. Applicant's criminal history resulted in felony conviction(s) or an industry related offense. Facility - 144 - Big Easy.</b>			Attachments	History
Updated	<b>11/30/2022 11:10:47</b>	By	<b>rkitchens</b>	Work Notes	Print Report

Change	Save	OK	Cancel	Back
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**EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  
 No  
 Have you previously worked for a gaming-related employer?  
 If yes, you must list below all gaming-related employment history in the past ten years.

Name of Employer	Address	Start Date (Month/ Year) - End Date (Month/ Year)	Title/Position Held & Supervisor Name	Reason for Leaving

**PREVIOUS LICENSING HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  
 No  
 Have you ever been licensed in any other racing or gaming jurisdiction? If yes, you must list all current and previous licenses and provide the details in the section below.

State(s) or Jurisdiction(s) Where Licensed	Date of Expiration	Is this license currently suspended or subject to fines or other discipline? Explain why.
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

Yes  
 No  
 Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

If you answered yes to the question above, provide details here:

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Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number: [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: BRANDON
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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[License Search](#) | 
 [Entity Search](#) | 
 [Modify License Standing](#) | 
 [Maintain License CE Control](#)

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: mwarren

VR Home > License Search

Search Criteria	Results
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Lic Type	Name	Rank	Status	Fed Tax #	File #	Lic #	Expires	City	Street	Actions
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No items found.

Total: 0

[Back](#)

*No record found*

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Miami-Dade County  
Clerk of the Courts

73 W. Flagler Street  
Miami, Florida 33130

305-275-1155

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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Marc Taupier, Chief Attorney  
Re: Christopher Michael Pina - Case No. 2022-057534 – License Denial  
Date: December 27, 2022

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Christopher Michael Pina’s (“Applicant”) application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on November 21, 2022. Upon review of the application, it appears Applicant has been convicted of a felony crime. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On November 21, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant was convicted of a felony crime in the state of Florida. Specifically, the Applicant was convicted of Possession of Cocaine in 2016<sup>1</sup>.

Applicant did not apply for a waiver for his felony conviction, however, under section 551.107(6)(a), Florida Statutes, the legislature did not authorize the Executive Director to waive criminal convictions for slot machine licensing.

### *Relevant Law*

Section 551.107(6)(a), Florida Statutes, provides in pertinent part that:

“. . .the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee has been convicted in this state, in any other state, or under the

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<sup>1</sup> Applicant failed to disclose his misdemeanor Trespass conviction from 2011. Applicant failed to also disclose his felony Possession of Cocaine and misdemeanor Possession of Drug Paraphernalia convictions from 2016.

laws of the United States of a capital felony, a felony, or an offense in any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense.”

Section 849.086(6)(f), Florida Statutes, provides that the “provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses.”

Section 849.086(6)(g), Florida Statutes, provides that:

“[t]he commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.”

Section 550.105(5)(d), Florida Statutes, provides that:

“. . . the term “convicted” means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere. However, the term “conviction” shall not be applied to a crime committed prior to the effective date of this subsection in a manner that would invalidate any occupational license issued prior to the effective date of this subsection or subsequent renewal for any person holding such a license.”

Staff Recommendation: Because the Applicant's disqualifying criminal conviction cannot be waived, the Florida Gaming Control Commission may deny or declare Applicant ineligible for any license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

Department of Business and Professional Regulation  
 Division of Pari-Mutuel Wagering

Licensing Administrator Review – SLOT Occupational License

RE: **PINA, CHRISTOPHER MICHAEL –**  
**13407556**

Case No: **2022057534**

(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	11/21/2022
COMPLETE APPLICATION RECEIVED:	11/21/2022
<b>90-DAY DEADLINE:</b>	<b>2/19/2023</b>

**Randall Kitchens**

**285 - Calder**

**1055 – F&B SUPERVISOR**

**Application Processor**

**Facility (d/b/a name)**

**Occupation/Job Title**


Pursuant to Section 550.105(5)(a): The division may deny a license of any person who has been refused a license by any other state racing commission or racing authority; under suspension or has unpaid fines in another jurisdiction. The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Licensing Administrator Review				
Conviction				
Did the application accurately reflect the Criminal History Record? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
<input checked="" type="checkbox"/> Felony : 1 Count(s)				
<input type="checkbox"/> Misdemeanor – Industry Related/Gambling Related/Bookmaking				
<input type="checkbox"/> Animal Cruelty				
<input type="checkbox"/> Forgery, Larceny Extortion, Conspiracy to Defraud (Cardroom Professions Only)				
<b>Comments:</b>				
<b>Arrest Date</b>	<b>Location</b>	<b>Charge</b>	<b>Level</b>	<b>Disposition</b>
07/01/2015	Miami Dade, Florida	Cocaine Possession 132015CF0134630001XX	F3	Adj Withheld

Disposition Unknown
<input type="checkbox"/> Felony Arrest(s) :
<input type="checkbox"/> Misdemeanor Arrest – Industry Related/Gambling Related/Bookmaking
<input type="checkbox"/> Animal Cruelty

Enforcement/Jurisdiction Offenses
<input type="checkbox"/> Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction.

Related Licenses	
<b>Check VR License Relations to Determine if Applicant is Related to a Business.</b>	
Is the individual applicant related to a business? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>If yes, complete sections below.</b>	
Business License Number:	Business Name:
Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Date Deficiency Letter Issued:	Initials:

Licensing Administrator Review				
Disposition Confirmation				
Disqualifying Convictions/Arrests Confirmed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> Approval				
Forward to	<input type="checkbox"/> Investigations	<input checked="" type="checkbox"/> Legal	<input type="checkbox"/> Director	Initials: 
<b>Comments:</b>				12/6/22

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Complaint Search    Change Recording License Type    Delete Complaint    Mass Activity Update    Mass Discipline Update  
 Mass Status Update    Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **rkitchens**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	<b>1055 - Slot Machine/Cardroom/Pari-Mutuel Individual Combination</b>	Status	<b>10 Initial Review</b>	Status Date	<b>12/05/2022</b>
Complaint #	<b>2022057534</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent <b>PINA, CHRISTOPHER MICHAEL</b>	Responsible	<b>ddonaldson - DONALDSON, DAVID</b>	<b>Private Case</b>	

Complaint	Respondent	Complainant	Add'l Info
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Source	<b>INTN - Internal</b>	Security Level	<b>1</b>	<a href="#">Parties</a>	<a href="#">Activities</a>
Form	<b>INTR - Internal</b>	Priority		<a href="#">Allegations</a>	<a href="#">Discipline</a>
Class'n	<b>CHIS - Criminal History</b>	Complexity	<b>R - Regular</b>	<a href="#">Violations</a>	<a href="#">Compliance</a>
Security	<b>STND - Standard</b>	Incident	<b>12/05/2022</b>	<a href="#">Related</a>	<a href="#">Disposition</a>
Region	<b>SR - Southern Region</b>	Received	<b>12/05/2022</b>	<a href="#">Inspection</a>	
Reference				<a href="#">Costs</a>	
Entered	<b>12/05/2022</b>	Entered By	<b>rkitchens</b>	<a href="#">Time Tracking</a>	<a href="#">Auto Assign</a>
Summary	<b>Application and rap sheet reviewed. Applicant's criminal history resulted in felony conviction(s) or an industry related offense. Facility - 285 - Calder.</b>			<a href="#">Attachments</a>	<a href="#">History</a>
Updated	<b>12/05/2022 15:37:38</b>	By	<b>rkitchens</b>	<a href="#">Work Notes</a>	<a href="#">Print Report</a>

<a href="#">Change</a>	<a href="#">Save</a>	<a href="#">OK</a>	<a href="#">Cancel</a>	<a href="#">Back</a>
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**EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

- Yes  
 No

Have you previously worked for a gaming-related employer?  
 If yes, you must list below all gaming-related employment history in the past ten years.

Name of Employer	Address	Start Date (Month/ Year) - End Date (Month/ Year)	Title/Position Held & Supervisor Name	Reason for Leaving

**PREVIOUS LICENSING HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

- Yes  
 No

Have you ever been licensed in any other racing or gaming jurisdiction? If yes, you must list all current and previous licenses and provide the details in the section below.

State(s) or Jurisdiction(s) Where Licensed	Date of Expiration	Is this license currently suspended or subject to fines or other discipline? Explain why.
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

- Yes  
 No

Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

If you answered yes to the question above, provide details here:

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FILED FOR RECORD

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA		388	<b>CLOCK IN</b> 2016 FEB 01 10:22 CLERK OF COURT COUNTY OF MIAMI-DADE
<b>CRIMINAL DIVISION</b>	<b>FINDING OF GUILT AND ORDER OF WITHHOLDING ADJUDICATION/SPECIAL CONDITIONS</b>		
THE STATE OF FLORIDA	VS.	CHRISTOPHER MICHAEL PINA	
PLAINTIFF		DEFENDANT	
<b>CASE NUMBER:</b>	<b>F15013463</b>		
Christopher Pina			

IT APPEARING UNTO THE COURT that the defendant being personally before the court accompanied by his/her attorney, PETER SCHOENTHAL, PD has been found guilty of the charge of

COUNT	CRIME	DEGREE
1	COCAINE/POSSESSION	3/F
2	DRUG PARAPHERNALIA/POSSESSION W/INTENT TO USE	1/M

by the court upon the entry of a nolo contendere plea and it appearing unto the court, upon a hearing of the matter, that the defendant is not likely to engage in a criminal course of conduct and the ends of justice and welfare of society do not require that the defendant shall presently suffer the penalty imposed by law, and the Court being fully advised in the premises, it is thereupon ORDERED and ADJUDGED that an adjudication of guilt be, and the same is hereby stayed and withheld.

IT IS FURTHER ORDERED AND ADJUDGED that:

The defendant is placed on PROBATION in a separate Order entered herein.

SPECIAL CONDITIONS

- Costs
- DNA not taken
- PROBATION

IT IS ORDERED THAT the defendant be fingerprinted pursuant to Florida Statute 921.241(1).



# MIAMI-DADE COUNTY

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CLERK OF THE CIRCUIT AND COUNTY COURTS



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Randall.Kirchens@fccc

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Case Number	Filed Date	Disposition Date	County	Case Type	Status	Contested
13201SCF0134630001XX [F15013493]	07/02/2015	01/04/2016	MIAMI-DADE	FELONY	REOPENED	No

Charge Seq #	Description	Date	Phase	Trial
00001	COCAINE/POSSESSION	01/04/2016	Court:Adjudication Withheld	No Trial
00002	DRUG PARAPHERNALIA/POSSESSION W/INTENT TO USE	01/04/2016	Court:Adjudication Withheld	No Trial

Party Name	Party Type	Attorney	Bar ID
WARD, DIANE VALENTINA	JUDGE		
PUBLIC DEFENDER APPOINTMENT, A	PUBLIC DEFENDER		
JIMENEZ, ELIZABETH	STATE ATTORNEY		
PINA, CHRISTOPHER M	DEFENDANT		

**Dockets**

Page: 1

Image	Doc #	Action Date	Description	Pages
	89	10/27/2017	LETTER FROM:- SALVATION ARMY PROOF OF C.S.H.	
	88	10/08/2017	NOTICE ISSUED TO: DEFN HRG DATE 10/27/2017 REPORT	
	87	09/27/2017	REPORT RE: STATUS SET FOR 10/27/2017 AT 09:30	
	86	09/27/2017	ORDER: ALLOWING DEFENDANT TO PERFORM C.S.H. IN LIEU OF COURT COSTS	
	85	09/27/2017	MOTION TO/FOR: FOR COMMUNITY SERVICE IN LIEU OF COURT COSTS AND FEES	
	84	09/27/2017	DEFENSE ATTY PDEF-DISCHARGED/SCHOENTHAL, PETER	
	82	09/27/2017	COURT FEE CONVERTED	
	81	09/19/2017	MOTION TO CONVERT FINE TO COMMUNITY SERVICE FILED 09/27/2017 ORAL SET FOR 09/27/2017 AT 13:05 GRANTED	
	80	04/10/2017	COLLECTIONS AGENCY STATUS NEW TO LINEBARGER	
	79	01/10/2017	NOTICE OF FAIL TO PAY SENT TO DHSMV PURSUANT TO 322.245(5)A SENT DATE: 01/10/2017 CLEARANCE DATE: 09/28/2017	
	78	01/09/2017	NOTICE OF FAILURE TO PAY SENT	
	77	01/22/2016	FINDING OF GUILT/ORDER W/H ADJUDICATION & SPECIAL CONDITIONS BOOK 29945 PAGE 273	3
	75	01/05/2016	DEFENSE ATTY PDEF/COHEN, AUDRA B	
	76	01/04/2016	SCORESHEET NOT SUBMITTED IN COURT	
	74	01/04/2016	99098 RELEASED OWN RECOGNIZANCE ROR AMT/ 0 DISCHARGED 01/04/2016 POWER/	
	73	01/04/2016	99098 RELEASED OWN RECOGNIZANCE ROR AMT/ 0 DISCHARGED 01/04/2016 POWER/	
	72	01/04/2016	STAY DUE DATE CHANGED BY CLERK FINC 00/00/0000 TO 1/04/2017	
	71	01/04/2016	STAY GRANTED - DUE 01/04/2017	
	68	01/04/2016	CASE CLOSED	
	67	01/04/2016	CLOSING JUDGE WARD, DIANE	
	66	12/14/2015	NOTICE ISSUED TO: DEFN HRG DATE 01/04/2016 TRIAL	
	65	12/07/2015	NOTICE OF CHANGE OF ADDRESS	
	64	12/07/2015	E-SUBPOENA: MILANES, CAROLINE ID: 030-06270 FOR: TRIAL ON 01/04/2016 AT 09:30 ISSUED BY: CJIS SENT: 12/07/2015 RECD/NOTFD: 12/07/2015 ACKN: 12/07/2015 S	
	63	12/07/2015	E-SUBPOENA: MCLEAN, LEIGHTON ID: 001-29238 FOR: TRIAL ON 01/04/2016 AT 09:30 ISSUED BY: CJIS SENT: 12/07/2015 RECD/NOTFD: 12/07/2015 ACKN: 12/28/2015 S RECD/NOTFD: ACKN: 12/30/2015 S	
	61	10/07/2015	TRIAL UNIT ASSIGNED: FELONY DIVISION 03	
	62	10/06/2015	MEMO FROM STATE ATTORNEY / PUBLIC DEFENDER	
	60	10/05/2015	TRIAL PROS. ASSIGNED: JIMENEZ, ELIZABETH	
	59	10/02/2015	TRIAL HEARING SCHEDULED FOR 01/04/2016 AT 09:30	
	51	10/02/2015	REPORT RE: TRIAL DATE SET FOR 10/02/2015 AT 09:00	
	52	10/02/2015	REPORT RE: PLEA SET FOR 10/02/2015 AT 09:00	
	58	09/30/2015	INTAKE UNIT ASSIGNED: DRUG COURT	
	57	09/30/2015	TRIAL PROS. ASSIGNED: BAIN, AKILAH	

Image	Doc #	Action Date	Description	Pages
56	09/30/2015		MIAMI-DADE CO DRUG CRT PGM DEFN'S PROOF OF NA/AA ATTENDANCE	
55	09/30/2015		TRANSFER SECTION CHANGE FROM F051 TO F003	
50	09/30/2015		FDC DEFENDANT FAILED DIVERSION PROGRAM	
49	09/30/2015		FDC DEFENDANT IS ACTIVE IN DIVERSION PROGRAM	
48	09/30/2015		ALIAS CAPIAS ISSUED: 09/21/2015 QUASHED 09/30/2015	
47	09/24/2015		NOTICE ISSUED TO: DEFN HRG DATE 09/30/2015 MOTION	
46	09/22/2015		MOTION TO QUASH WARRANT FILED 09/30/2015 ORAL SET FOR 09/30/2015 AT 09:56 GRANTED	
45	09/21/2015		99098 RELEASED OWN RECOGNIZANCE ROR AMT/ 0 REVOKED 09/21/2015 POWER/ ROR, I-II	
44	09/21/2015		99098 RELEASED OWN RECOGNIZANCE ROR AMT/ 0 ISSUED 07/06/2015 POWER/ ROR, I-II	
43	09/21/2015		99098 RELEASED OWN RECOGNIZANCE ROR AMT/ 0 REVOKED 09/21/2015 POWER/	
42	09/03/2015		NOTICE ISSUED TO: DEFN HRG DATE 09/21/2015 REPORT	
41	09/02/2015		99098 RELEASED OWN RECOGNIZANCE ROR AMT/ 0 ISSUED 09/02/2015 POWER/	
33	09/02/2015		REPORT RE: DEFENDANT/RESPONDENT SET FOR 09/21/2015 AT 10:30	
40	09/01/2015		MIAMI-DADE CO DRUG CRT PGM DEFN'S PROOF OF NA/AA ATTENDANCE	
39	09/01/2015		REPORT RE: BY SHERIFF SET FOR 09/02/2015 AT 09:26	
38	09/01/2015		FDC DEFENDANT IS ACTIVE IN DIVERSION PROGRAM	
37	09/01/2015		NOTICE ISSUED TO: DEFN HRG DATE 09/22/2015 REPORT	
36	09/28/2015		REPORT RE: STATUS SET FOR 09/01/2015 AT 09:00	
35	08/14/2015		MIAMI-DADE CO DRUG CRT PGM DEFN'S PROOF OF NA/AA ATTENDANCE	
34	08/14/2015		COMM. SERV. LOGSHEET (15 HRS.)	
32	08/14/2015		FDC DEFENDANT IS ACTIVE IN DIVERSION PROGRAM	
31	08/03/2015		NOTICE ISSUED TO: DEFN HRG DATE 08/14/2015 REPORT	
30	07/31/2015		REPORT RE: DEFENDANT/RESPONDENT SET FOR 08/14/2015 AT 10:30	
29	07/31/2015		FDC DEFENDANT IS ACTIVE IN DIVERSION PROGRAM	
25	07/22/2015		DEFENSE ATTY PDEF/ROSENGARTEN, MICHELLE J	
24	07/22/2015		NOTICE ISSUED TO: DEFN HRG DATE 07/31/2015 REPORT	
23	07/22/2015		NOTICE ISSUED TO: DEFN HRG DATE 07/31/2015 REPORT	
28	07/21/2015		DEFERRED PROSECUTION AGREEMENT & SPEEDY TRIAL WAIVER	
27	07/21/2015		MIAMI-DADE CO DRUG CRT PGM DEFN'S PROOF OF NA/AA ATTENDANCE	
26	07/21/2015		NOTICE OF CONFIDENTIAL INFORMATION WITHIN COURT FILING	
22	07/21/2015		REPORT RE: DEFENDANT/RESPONDENT SET FOR 07/31/2015 AT 10:31	
21	07/21/2015		REPORT RE: STATUS SET FOR 07/31/2015 AT 10:31	
20	07/21/2015		FDC DEFENDANT IS ACTIVE IN DIVERSION PROGRAM	
19	07/21/2015		INFORMATION FILED	
17	07/07/2015		DEFENSE ATTY PDEF/PUBLIC DEFENDER APPOINTMENT, AS	
16	07/07/2015		NOTICE OF DEFENDANT'S RIGHT TO COUNSEL	
			DESCRIPTION ASSESSED PAID BALANCE	
			PUB DEFEND A 50.00 0.00 CONVERTED	
			CRIME STOPPE 20.00 0.00 CONVERTED	
			ADD'L FINE/F 225.00 0.00 CONVERTED	
			CRM COMP TR 50.00 0.00 CONVERTED	
			STATE LETTF 3.00 0.00 CONVERTED	
			COUNTY LETTF 2.00 0.00 CONVERTED	
			ADD'L COURT 65.00 0.00 CONVERTED	
15	07/07/2015		REPLCMNT SUR 85.00 0.00 CONVERTED	
			PROSECUTION 100.00 0.00 CONVERTED	
			COST OF DEFE 100.00 0.00 CONVERTED	
			CRIME PREV F 50.00 0.00 CONVERTED	
			TEEN COURT F 3.00 0.00 CONVERTED	
			FDLE TRUST F 100.00 0.00 CONVERTED	
			TOTAL: 853.00 0.00 0.00	
			LAST ASSESSED: 09/27/2017 LAST PAYMENT: 00/00/0000	
14	07/07/2015		NOTICE ISSUED TO: DEFN HRG DATE 07/21/2015 ARRGMT	
18	07/06/2015		AFFIDAVIT FOR INDIGENT STATUS - INDIGENT	
13	07/06/2015		99098 RELEASED OWN RECOGNIZANCE ROR AMT/ 0 ISSUED 07/06/2015 POWER/	
12	07/06/2015		AFFIDAVIT FOR INDIGENT STATUS - INDIGENT	
11	07/06/2015		DEFENSE ATTY PDEF/ROSENGARTEN, MICHELLE J	
10	07/06/2015		ARRAIGNMENT HEARING SCHEDULED FOR 07/21/2015 AT 09:00	
9	07/02/2015		INTAKE UNIT ASSIGNED: FSU - CASE SCREENING	

Image	Doc #	Action Date	Description	Pages
	8	07/02/2016	INTAKE PROS. ASSIGNED: WESSEL, THOMAS	
	7	07/02/2016	DEMAND FOR TRIAL BY JURY AND WAIVER OF PRE-TRIAL CONFERENCE	
	6	07/02/2016	NOTICE OF DISCOVERY	
	5	07/02/2016	ACKNOWLEDGMENT OF APPOINTMENT & WRITTEN PLEA OF NOT GUILTY	
	4	07/02/2016	REPORT RE: BY SHERIFF SET FOR 07/06/2015 AT 09:26	
	3	07/02/2016	FIRST APPEARANCE/BOND HEARING - A.M.	
	2	07/02/2016	ATTORNEY TYPE AT BOND HEARING PUBLIC DEFENDER	
	1	07/02/2016	TRANSFER SECTION CHANGE FROM F003 TO F051	

<b>Judge Assignment History</b>	<input type="checkbox"/>
<b>Court Events</b>	<input type="checkbox"/>
<b>Sentences</b>	<input type="checkbox"/>
<b>Financial Summary</b>	<input type="checkbox"/>
<b>Reopen History</b>	<input type="checkbox"/>

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA		388	CLOCK IN 2017-11-16 10:23
CRIMINAL DIVISION	FINDING OF GUILT AND ORDER OF WITHHOLDING ADJUDICATION/SPECIAL CONDITIONS		
THE STATE OF FLORIDA	VS.	CHRISTOPHER MICHAEL PINA	
PLAINTIFF		DEFENDANT	
CASE NUMBER:		F15013463	
Christopher Pina			

IT APPEARING UNTO THE COURT that the defendant being personally before the court accompanied by his/her attorney, PETER SCHOENTHAL, PD has been found guilty of the charge of

COUNT	CRIME	DEGREE
1	COCAINE/POSSESSION	3/F
2	DRUG PARAPHERNALIA/POSSESSION W/INTENT TO USE	1/M

by the court upon the entry of a nolo contendere plea and it appearing unto the court, upon a hearing of the matter, that the defendant is not likely to engage in a criminal course of conduct and the ends of justice and welfare of society do not require that the defendant shall presently suffer the penalty imposed by law, and the Court being fully advised in the premises, it is thereupon ORDERED and ADJUDGED that an adjudication of guilt be, and the same is hereby stayed and withheld.

IT IS FURTHER ORDERED AND ADJUDGED that:

The defendant is placed on PROBATION in a separate Order entered herein.

SPECIAL CONDITIONS

- Costs
- DNA not taken
- PROBATION

IT IS ORDERED THAT the defendant be fingerprinted pursuant to Florida Statute 921.241(1).

<b>CRIMINAL DIVISION</b>	<b>CHARGES/COSTS/FEEES</b>	<b>CASE NUMBER: F15013463</b>
<b>THE STATE OF FLORIDA</b>	<b>VS.</b>	
<b>PLAINTIFF</b>	<b>CHRISTOPHER MICHAEL PINA</b>	
	<b>DEFENDANT</b>	
Christopher Pina		

The Defendant is hereby ordered to pay the following sum indicated:

\$50.00	Pursuant to Florida Statute 938.03(4) (Crimes Compensation Trust Fund).
\$3.00	Three dollars as a court cost pursuant to Florida Statute 938.01 (1) \$3.00 (Criminal Justice Trust & Education Funds).
\$50.00	Pursuant to Florida Statute 27.52(2) (Public Defender Application Fee).
\$20.00	Pursuant to Florida Statute 938.06 (Crime Stopper's Programs).
\$3.00	Pursuant to Florida Statute 938.19 (Teen Courts).
\$50.00	Pursuant to Florida Statute 775.083(2) (Crime Prevention Programs).
\$2.00	Two dollars as a court cost pursuant to Florida Statute 938.15 \$2.00 (Criminal Justice Trust & Education Funds).
\$100.00	Pursuant to Florida Statute 938.25 (Operating Trust Fund of the Department of Law Enforcement).
\$65.00	Pursuant to Florida Statute 939.185(1)(a) (Assessment of Additional Court Costs as Adopted by Ordinance 04-116).
\$85.00	Pursuant to Florida Statute 939.185(1)(b) (Surcharge as adopted by Ordinance 05-123).
\$100.00	Cost of prosecution Florida Statute 938.27(8)
\$225.00	Additional cost fine and forfeiture Florida Statute 938.05
\$100.00	Cost of defense Florida Statute 938.29
<b>\$853.00</b>	<b>TOTAL</b>

STAY DUE DATE: 1/4/2017

DONE AND ORDERED in Open Court in Miami-Dade County, Florida this 4th day of January, 2016.

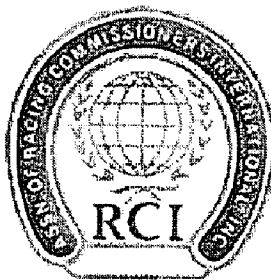
  
 \_\_\_\_\_  
 JUDGE DIANE WARD      DIV F005











Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number: [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: PINA
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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[Licensees](#) [Rulings](#) [Horse Tracking](#) [Bulletin Board](#) [Preferences](#) [Log Off](#)

No record found

No record found

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Complaint Search	Change Recording License Type	Delete Complaint	Mass Activity Update	Mass Discipline Update
Mass Status Update	Public Case Info			

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: **kcostello**


VR Home > **Complaint Search**

Search Criteria	Results
-----------------	---------

Case Type	Complaint #	Status	Reference	Incident	Respondent	Complainant	Lic Type	Public Case	View	Process
No items found.										

Total: 0

Print	Back
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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Marc Taupier, Chief Attorney  
Re: Michael E. Farber - Case No. 2022-058961 – License Denial  
Date: December 28, 2022

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Michael E. Farber’s (“Applicant”) application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on November 29, 2022. Upon review of the application, it appears Applicant has been convicted of several felony crimes. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On November 29, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant was convicted of several felony crimes in the state of Florida. Specifically, the Applicant was convicted of the following:

- Burglary of a Structure or Conveyance (10 counts) in 1998; and
- Grand Theft (2 counts) in 1998<sup>1</sup>.

Applicant did not apply for a waiver for his felony convictions, however, under section 551.107(6)(a), Florida Statutes, the legislature did not authorize the Executive Director to waive criminal convictions for slot machine licensing.

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<sup>1</sup> Applicant failed to disclose all of the convictions set forth in this memorandum on his application.

*Relevant Law*

Section 551.107(6)(a), Florida Statutes, provides in pertinent part that:

“. . .the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense.”

Section 849.086(6)(f), Florida Statutes, provides that the “provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses.”

Section 849.086(6)(g), Florida Statutes, provides that:

“[t]he commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.”

Section 550.105(5)(d), Florida Statutes, provides that:

“. . . the term “convicted” means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere. However, the term “conviction” shall not be applied to a crime committed prior to the effective date of this subsection in a manner that would invalidate any occupational license issued prior to the effective date of this subsection or subsequent renewal for any person holding such a license.”



Staff Recommendation: Because the Applicant's disqualifying criminal convictions cannot be waived, the Florida Gaming Control Commission may deny or declare Applicant ineligible for any license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

**CASE FILE ROUTING SLIP**  
**SLOT MACHINE APPLICATION**

**RE: FARBER, MICHAEL E# 13412912**  
(APPLICANT'S NAME- LICENSE #)

**Case No: 2022058961**

INITIAL APP RECEIVED:	<u>11/29/2022</u> (Date)
COMPLETE APP RECEIVED:	<u>12/9/2022</u> (Date)
<b>90-DAY DEADLINE:</b>	<b><u>3/9/2023</u></b> (Date)

**Investigations Section:**

Reviewed by Steve Kogan

N/A  
(Initial & Date)

The attached file has been reviewed for completeness and accuracy, and has been forwarded to the Licensing Section.

**Licensing Section:**

Miriam Achens  
Application Processor

910 - TLH  
Facility (d/b/a name)

CGCA - Cage Cashier / 1055  
Occupation/Job Title

Reviewed by David Donaldson

 12/13/22  
(Initial & Date)

Is the applicant currently under suspension, has unpaid fines, or has been refused a license by any gaming or racing jurisdiction?

Yes \_\_\_\_\_ No X

Is the applicant related to another application?

Yes \_\_\_\_\_ No X

Comments: Application and rap sheet reviewed. Applicant's criminal history resulted in disqualifying conviction.

**Office of Director:**

Reviewed by Director \_\_\_\_\_

\_\_\_\_\_  
(Initial & Date)

Approve Application \_\_\_\_\_

Deny Application \_\_\_\_\_

Comments: \_\_\_\_\_

\* Please attach Routing Slip to front of case file.

Licensing Administrator Review – Slot Machine Occupational License

RE: **FARBER, MICHAEL – E# 13412912**

Case No: **2022058961**

(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	11/29/2022
COMPLETE APPLICATION RECEIVED:	12/9/2022
<b>90-DAY DEADLINE:</b>	<b>3/9/2023</b>

**Miriam Achens**

Application Processor


**910 - TLH Licensing**

Facility (d/b/a name)

**CGCA - Cage Cashier / 1055**

Occupation/Job Title/Lic Type

Pursuant to Section 551.107(6)(c) Conviction is defined as being found guilty, with or without adjudication of guilt, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere. Any misdemeanor conviction to include fraud and theft which are defined for purposes of slot machine gaming licensure as involving dishonesty, misrepresentation, deceit, and lack of truthful conduct in transaction with another.

Licensing Section Review				
Did the application accurately reflect the Criminal History Record? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
<b>Conviction</b>				
<input checked="" type="checkbox"/> Felony : 12 Count(s)				
<input type="checkbox"/> Misdemeanor – Gambling Related/Bookmaking				
<input type="checkbox"/> Two or more misdemeanor convictions that involve theft, fraud, or burglary				
<input type="checkbox"/> Forgery, Larceny, Theft, Extortion, Conspiracy to Defraud (Slot Combo Professions Only)				
<b>Arrest Date</b>	<b>Location</b>	<b>Charge</b>	<b>Level</b>	<b>Disposition</b>
8/11/1998	Broward Co., FL	Case 061998CF016341A88810 -810.02(1) / Burglary struct/convey unoccup - (10 counts) -812.014(2)(C ) / Grand theft in the 3rd degree - (2 counts)	F3  F3	Adjudication Withheld  Adjudication Withheld
<b>Comments:</b>				
<b>Disposition Unknown</b>				
<input type="checkbox"/> Felony Arrest(s) :				
<input type="checkbox"/> Misdemeanor Arrest – Gambling Related/Bookmaking				
<input type="checkbox"/> Two or more misdemeanor arrests/counts that involve theft, fraud, or burglary				
<b>Comments:</b>				
<b>Enforcement/Jurisdiction Offenses</b>				
<input type="checkbox"/> Currently under Suspension, Declared Ineligible, Revoked, Denied, Ejected, Unpaid Fine, in this or any other state gaming commission, governmental department, agency, or other authority exercising regulatory jurisdiction over the gaming of another state or jurisdiction.				
<b>Comments:</b>				
<b>Related Licenses</b>				
<b>Check VR License Relations to Determine if Applicant is Related to a Business</b>				
Is the individual applicant related to a business? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>If yes, complete sections below.</b>				
Business License Number:		Business Name:		
Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes <input type="checkbox"/> No <input type="checkbox"/>				
Date Deficiency Letter Issued:		Initials:		
<b>Comments:</b>				
Licensing Administrator Review				
<b>Disposition Confirmation</b>				
Disqualifying Convictions/Arrests Confirmed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> Approval				
Forward to <input type="checkbox"/> Investigations <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Director Initials:  12/13/22				

**Comments:**

## DBPR On-Line Services

If you need to mail additional information to DBPR please include this coversheet.

License Type: **Slot/Cardroom/Pari-Mutuel Indiv Combo**

Application Type: **Slot Machine/Cardroom/PMW Combination  
Occupational License**

File Number: **10956**

Application Number: **39167**

License Number:

Application Date: **11/29/2022 (mm/dd/yyyy)**

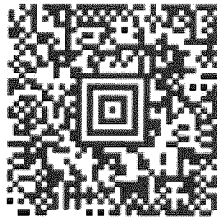
Last Name: **farber**

First Name: **michael**

Middle Name:

Mail To:  
DBPR - Division of Pari-Mutuel Wagering  
Licensing Section  
2601 Blair Stone Road  
Tallahassee, FL 32399-1037

If you have any questions please call our Customer Contact Center at 850-487-1395.





**Prior Name Question**

Have you used, been known as, or called **No** by another name (example - maiden name, pseudonym, nickname) or alias other than the one you provided for this application?

**Citizenship**

Are you a United States citizen? **Yes**

**Prior License**

Is this your first time applying for a racing/gaming license in Florida? **Yes**

**Current Employer**

Current Employer Name: **Isle pompano Park**

**Employment History**

Have you previously worked for a gaming-related employer? **Yes**

**Employment History Details 1**

Name of Employer: **hard rock hotel and casino**  
 Address: **1 seminole way**  
 Date From (mo/yr): **03/01/2021 (mm/dd/yyyy)**  
 Date To (mo/yr): **10/04/2022 (mm/dd/yyyy)**  
 Title/Position Held: **cage supervisor**  
 Supervisor Name: **vernon roper**  
 Reason for Leaving: **different opportunities**

**Employment History Details 2**

Name of Employer: **seminole casino coconut creek**  
 Address: **5550 nw 40th st**  
 Date From (mo/yr): **06/01/2011 (mm/dd/yyyy)**  
 Date To (mo/yr): **12/23/2020 (mm/dd/yyyy)**  
 Title/Position Held: **cage supervisor**  
 Supervisor Name: **kellina mooney**  
 Reason for Leaving: **covid - family**

**Employment History Details 3**

Name of Employer: **seminole classic casino**  
 Address: **hollywood florida**  
 Date From (mo/yr): **07/01/2015 (mm/dd/yyyy)**  
 Date To (mo/yr): **12/01/2015 (mm/dd/yyyy)**  
 Title/Position Held: **table games dealer**  
 Supervisor Name: **anthony amorso**  
 Reason for Leaving: **scheduling**

**Jurisdiction**

Have you ever been licensed in any other **No** racing or gaming jurisdiction?

### **Discipline**

Have you ever had a racing or gaming **No** license revoked or denied in this or any other state or country?

### **Criminal History Background Questions**

Have you ever been convicted of, or had **No** adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

Have you ever been convicted of or had **No** adjudication of guilt withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you?

### **Financial Interest**

Do you currently work for, own or have a **No** financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?

Do you currently own or have a financial **No** interest in a Florida licensed Slot Machine Facility or in any business owned by a Florida licensed Slot Machine Facility?

### **Attachments**

Farber-lic.pdf

### **Fees**

Fingerprint	<b>\$37.25</b>
LiveScanReduce	<b>\$-37.25</b>
License Fee	<b>\$100.00</b>
Total Amount Due:	<b>\$100.00</b>



By submission of this application you affirmed the following: I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this written declaration has the same legal effect as an oath or affirmation. Under penalties of perjury, I declare that I have read the foregoing application and the facts stated in it are true. I understand that falsification of any material information on this application may result in criminal penalty or administrative action, including a fine, suspension or revocation of the license. I understand that an electronic affirmation shall have the same force and effect as a written signature.



















Party Type

Party Name

Address

Attorneys / Address

★ Denotes Lead Attorney

Bond Company

B & S Bail Bonds

Bond Insurance Company

International Fidelity Insurance

State

State of Florida

- Charge(s)

Total: 12

Offense Date	Charge	Degree	Detail
08/11/1998	2	(F3)	<b>Burglary Struct/convey Unoccup</b> Date Filed: 08/11/1998 Current Statute: (F3)810.02(1) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Deerfield Beach Original Statute: (F3)810.02(1)-Burglary Struct/convey Unoccup
08/11/1998	3	(F3)	<b>Burglary Struct/convey Unoccup</b> Date Filed: 08/11/1998 Current Statute: (F3)810.02(1) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Deerfield Beach Original Statute: (F3)810.02(1)-Burglary Struct/convey Unoccup
08/11/1998	4	(F3)	<b>Burglary Struct/convey Unoccup</b> Date Filed: 08/11/1998 Current Statute: (F3)810.02(1) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Deerfield Beach Original Statute: (F3)810.02(1)-Burglary Struct/convey Unoccup
08/11/1998	5	(F3)	<b>Burglary Struct/convey Unoccup</b> Date Filed: 08/11/1998 Current Statute: (F3)810.02(1) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Deerfield Beach Original Statute: (F3)810.02(1)-Burglary Struct/convey Unoccup
08/11/1998	6	(F3)	<b>Burglary Struct/convey Unoccup</b> Date Filed: 08/11/1998 Current Statute: (F3)810.02(1) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Deerfield Beach Original Statute: (F3)810.02(1)-Burglary Struct/convey Unoccup
08/11/1998	7	(F3)	<b>Burglary Struct/convey Unoccup</b> Date Filed: 08/11/1998 Current Statute: (F3)810.02(1) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Deerfield Beach Original Statute: (F3)810.02(1)-Burglary Struct/convey Unocc.

Offense Date	Charge	Degree	Detail
08/11/1998	8	(F3)	<b>Burglary Struct/convey Unoccup</b> Date Filed: 08/11/1998 Current Statute: (F3)810.02(1) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Deerfield Beach Original Statute: (F3)810.02(1)-Burglary Struct/convey Unoccup
08/11/1998	9	(F3)	<b>Burglary Struct/convey Unoccup</b> Date Filed: 08/11/1998 Current Statute: (F3)810.02(1) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Deerfield Beach Original Statute: (F3)810.02(1)-Burglary Struct/convey Unoccup
08/11/1998	10	(F3)	<b>Burglary Struct/convey Unoccup</b> Date Filed: 08/11/1998 Current Statute: (F3)810.02(1) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Deerfield Beach Original Statute: (F3)810.02(1)-Burglary Struct/convey Unoccup
08/11/1998	11	(F3)	<b>Grand Theft in the 3rd Degree</b> Date Filed: 08/11/1998 Current Statute: (F3)812.014(2)(c ) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Deerfield Beach Original Statute: (F3)812.014(2)(c )-Grand Theft in the 3rd Degree
08/11/1998	12	(F3)	<b>Grand Theft in the 3rd Degree</b> Date Filed: 08/11/1998 Current Statute: (F3)812.014(2)(c ) Filing Type: No Information Filing Agency: Broward Sheriff Office/Deerfield Beach Original Statute: (F3)812.014(2)(c )-Grand Theft in the 3rd Degree
08/11/1998	13	(M1)	<b>Resist/Obstruct W/O Violence</b> Date Filed: 08/11/1998 Current Statute: (M1)843.02 Filing Type: No Information Filing Agency: Broward Sheriff Office/Deerfield Beach Original Statute: (M1)843.02-Resist/Obstruct W/O Violence

**- Warrant(s)** Total: 0

There is no Warrant information available for this case.

**- Bond(s)** Total: 12

Posted Date	Charge(s)	Detail	Status

Posted Date	Charge(s)	Detail	Status
08/11/1998	2	<b>Bond# 65146</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: B & S Bail Bonds Insurance Company: International Fidelity Insurance Bond Amount: \$1000.00 Surety Comment: InsCo: IFCO-INTERNATIONAL FIDELITY	08/11/1998 POSTED 05/27/1999 DISCHARGED
08/11/1998	3	<b>Bond# 65147</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: B & S Bail Bonds Insurance Company: International Fidelity Insurance Bond Amount: \$1000.00 Surety Comment: InsCo: IFCO-INTERNATIONAL FIDELITY	08/11/1998 POSTED 05/27/1999 DISCHARGED
08/11/1998	4	<b>Bond# 65148</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: B & S Bail Bonds Insurance Company: International Fidelity Insurance Bond Amount: \$1000.00 Surety Comment: InsCo: IFCO-INTERNATIONAL FIDELITY	08/11/1998 POSTED 05/27/1999 DISCHARGED
08/11/1998	5	<b>Bond# 65149</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: B & S Bail Bonds Insurance Company: International Fidelity Insurance Bond Amount: \$1000.00 Surety Comment: InsCo: IFCO-INTERNATIONAL FIDELITY	08/11/1998 POSTED 05/27/1999 DISCHARGED
08/11/1998	6	<b>Bond# 65150</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: B & S Bail Bonds Insurance Company: International Fidelity Insurance Bond Amount: \$1000.00 Surety Comment: InsCo: IFCO-INTERNATIONAL FIDELITY	08/11/1998 POSTED 05/27/1999 DISCHARGED
08/11/1998	7	<b>Bond# 65151</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: B & S Bail Bonds Insurance Company: International Fidelity Insurance Bond Amount: \$1000.00 Surety Comment: InsCo: IFCO-INTERNATIONAL FIDELITY	08/11/1998 POSTED 05/27/1999 DISCHARGED
08/11/1998	8	<b>Bond# 65143</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: B & S Bail Bonds Insurance Company: International Fidelity Insurance Bond Amount: \$1000.00 Surety Comment: InsCo: IFCO-INTERNATIONAL FIDELITY	08/11/1998 POSTED 05/27/1999 DISCHARGED

Posted Date	Charge(s)	Detail	Status
08/11/1998	9	<b>Bond# 65144</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: B & S Bail Bonds Insurance Company: International Fidelity Insurance Bond Amount: \$1000.00 Surety Comment: InsCo: IFCO-INTERNATIONAL FIDELITY	08/11/1998 POSTED 05/27/1999 DISCHARGED
08/11/1998	10	<b>Bond# 65145</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: B & S Bail Bonds Insurance Company: International Fidelity Insurance Bond Amount: \$1000.00 Surety Comment: InsCo: IFCO-INTERNATIONAL FIDELITY	08/11/1998 POSTED 05/27/1999 DISCHARGED
08/11/1998	11	<b>Bond# 65153</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: B & S Bail Bonds Insurance Company: International Fidelity Insurance Bond Amount: \$1000.00 Surety Comment: InsCo: IFCO-INTERNATIONAL FIDELITY	08/11/1998 POSTED 05/27/1999 DISCHARGED
08/11/1998	12	<b>Bond# 65152</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: B & S Bail Bonds Insurance Company: International Fidelity Insurance Bond Amount: \$1000.00 Surety Comment: InsCo: IFCO-INTERNATIONAL FIDELITY	08/11/1998 POSTED 09/17/1998 DISCHARGED
08/11/1998	13	<b>Bond# 65154</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: B & S Bail Bonds Insurance Company: International Fidelity Insurance Bond Amount: \$100.00 Surety Comment: InsCo: IFCO-INTERNATIONAL FIDELITY	08/11/1998 POSTED 09/17/1998 DISCHARGED

- Arrest(s)

Total: 14

Arrest Date	Charge	Arrest Number	Detail
08/11/1998	2	DR98001204	<b>Arrest</b> Name At Arrest: Farber, Michael Offense: Burglary Struct/convey Unoccup Degree: (F3) Bond Amount: \$1000.00 Bond Type: Surety Bond Statute: 810.02(1) OBTS Number: 0011386255

Arrest Date	Charge	Arrest Number	Detail
08/11/1998	3	DR98001204	<b>Arrest</b> Name At Arrest: Farber, Michael Offense: Burglary Struct/convey Unoccup Degree: (F3) Bond Amount: \$1000.00 Bond Type: Surety Bond Statute: 810.02(1) OBTS Number: 0011386255
08/11/1998	4	DR98001204	<b>Arrest</b> Name At Arrest: Farber, Michael Offense: Burglary Struct/convey Unoccup Degree: (F3) Bond Amount: \$1000.00 Bond Type: Surety Bond Statute: 810.02(1) OBTS Number: 0011386255
08/11/1998	5	DR98001204	<b>Arrest</b> Name At Arrest: Farber, Michael Offense: Burglary Struct/convey Unoccup Degree: (F3) Bond Amount: \$1000.00 Bond Type: Surety Bond Statute: 810.02(1) OBTS Number: 0011386255
08/11/1998	6	DR98001204	<b>Arrest</b> Name At Arrest: Farber, Michael Offense: Burglary Struct/convey Unoccup Degree: (F3) Bond Amount: \$1000.00 Bond Type: Surety Bond Statute: 810.02(1) OBTS Number: 0011386255
08/11/1998	7	DR98001204	<b>Arrest</b> Name At Arrest: Farber, Michael Offense: Burglary Struct/convey Unoccup Degree: (F3) Bond Amount: \$1000.00 Bond Type: Surety Bond Statute: 810.02(1) OBTS Number: 0011386255
08/11/1998	8	DR98001204	<b>Arrest</b> Name At Arrest: Farber, Michael Offense: Burglary Struct/convey Unoccup Degree: (F3) Bond Amount: \$1000.00 Bond Type: Surety Bond Statute: 810.02(1) OBTS Number: 0011386255

Arrest Date	Charge	Arrest Number	Detail
08/11/1998	9	DR98001204	<b>Arrest</b> Name At Arrest: Farber, Michael Offense: Burglary Struct/convey Unoccup Degree: (F3) Bond Amount: \$1000.00 Bond Type: Surety Bond Statute: 810.02(1) OBTS Number: 0011386255
08/11/1998	10	DR98001204	<b>Arrest</b> Name At Arrest: Farber, Michael Offense: Burglary Struct/convey Unoccup Degree: (F3) Bond Amount: \$1000.00 Bond Type: Surety Bond Statute: 810.02(1) OBTS Number: 0011386255
08/11/1998	11	DR98001204	<b>Arrest</b> Name At Arrest: Farber, Michael Offense: Grand Theft in the 3rd Degree Degree: (F3) Bond Amount: \$1000.00 Bond Type: Surety Bond Statute: 812.014(2)(c ) OBTS Number: 0011386255
08/11/1998	11	DR98001207	<b>Rearrest</b> Offense: Grand Theft in the 3rd Degree Degree: (F3) Bond Amount: \$1000.00 Bond Type: Not Applicable Statute: 812.014(2)(c ) OBTS Number: 0011386239 Rearrest Reason: XXXXXXXXXXXX
08/11/1998	12	DR98001204	<b>Arrest</b> Name At Arrest: Farber, Michael Offense: Grand Theft in the 3rd Degree Degree: (F3) Bond Amount: \$1000.00 Bond Type: Surety Bond Statute: 812.014(2)(c ) OBTS Number: 0011386255
08/11/1998	12	DR98001207	<b>Rearrest</b> Offense: Grand Theft in the 3rd Degree Degree: (F3) Bond Amount: \$1000.00 Bond Type: Not Applicable Statute: 812.014(2)(c ) OBTS Number: 0011386239 Rearrest Reason: XXXXXXXXXXXX

Arrest Date	Charge	Arrest Number	Detail
08/11/1998	13	DR98001204	<b>Arrest</b> Name At Arrest: Farber, Michael Offense: Resist/Obstruct W/O Violence Degree: (M1) Bond Amount: \$100.00 Bond Type: Surety Bond Statute: 843.02 OBTS Number: 0011386255

**- Disposition(s)**

**Total: 11**

Offense Date	Charge	Disposition(s)
08/11/1998	2	<b>Plea(s)</b> 05/27/1999 Amended Plea (Reason: Change of Plea.) Change of Plea-Nolo Contendere 08/19/1998 Plea Written Plea Not Guilty-Jury  <b>Disposition(s)</b> 05/27/1999 Disposition Adjudication Withheld  <b>Sentence(s)</b> 05/27/1999 Sentence (Judicial Officer(s): Gold, Marc H) Comment (Total Amount Imposed \$300.00 ) null State Probation ( 2 Year(s) 0 Month(s) 0 Day(s), Start Date: 05/27/1999, End Date: 04/14/2000 ) Restitution (\$368.00, Due: 12/31/9999 ) Provisions: Provisions ( Community Service, Reduce Cost of Supervision) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)



Offense Date	Charge	Disposition(s)
08/11/1998	3	<p><b>Plea(s)</b>  <b>05/27/1999 Amended Plea</b> (Reason: Change of Plea,)  Change of Plea-Nolo Contendere  <b>08/19/1998 Plea</b>  <i>Written Plea Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>05/27/1999 Disposition</b>  Adjudication Withheld</p> <p><b>Sentence(s)</b>  <b>05/27/1999 Sentence</b> (Judicial Officer(s): Gold, Marc H)  Comment (Total Amount Imposed \$50.00 )  null  State Probation ( 2 Year(s) 0 Month(s) 0 Day(s), Start Date: 05/27/1999, End Date: 04/14/2000 )  Sentence Status (Concurrent, Case#: 98-016341-CF10A, Counts: 002-002, Comment:  Def#:98016341CF10A Count:002)  Provisions: Provisions ( Community Service, Reduce Cost of Supervision) Special  Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>
08/11/1998	4	<p><b>Plea(s)</b>  <b>05/27/1999 Amended Plea</b> (Reason: Change of Plea,)  Change of Plea-Nolo Contendere  <b>08/19/1998 Plea</b>  <i>Written Plea Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>05/27/1999 Disposition</b>  Adjudication Withheld</p> <p><b>Sentence(s)</b>  <b>05/27/1999 Sentence</b> (Judicial Officer(s): Gold, Marc H)  Comment (Total Amount Imposed \$50.00 )  null  State Probation ( 2 Year(s) 0 Month(s) 0 Day(s), Start Date: 05/27/1999, End Date: 05/27/2001 )  Sentence Status (Concurrent, Case#: 98-016341-CF10A, Counts: 002-002, Comment:  Def#:98016341CF10A Count:002)  Provisions: Provisions ( Community Service, Reduce Cost of Supervision) Special  Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>

Offense Date	Charge	Disposition(s)
08/11/1998	5	<p><b>Plea(s)</b>  <b>05/27/1999 Amended Plea</b> (Reason: Change of Plea,) Change of Plea-Nolo Contendere  <b>08/19/1998 Plea</b>  <i>Written Plea Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>05/27/1999 Disposition</b>  Adjudication Withheld</p> <p><b>Sentence(s)</b>  <b>05/27/1999 Sentence</b> (Judicial Officer(s): Gold, Marc H)  Comment (Total Amount Imposed \$50.00 )  null  State Probation ( 2 Year(s) 0 Month(s) 0 Day(s), Start Date: 05/27/1999, End Date: 05/27/2001 )  Sentence Status (Concurrent, Case#: 98-016341-CF10A, Counts: 002-002, Comment: Def#:98016341CF10A Count:002)  Provisions: Provisions ( Community Service, Reduce Cost of Supervision) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>
08/11/1998	6	<p><b>Plea(s)</b>  <b>05/27/1999 Amended Plea</b> (Reason: Change of Plea,) Change of Plea-Nolo Contendere  <b>08/19/1998 Plea</b>  <i>Written Plea Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>05/27/1999 Disposition</b>  Adjudication Withheld</p> <p><b>Sentence(s)</b>  <b>05/27/1999 Sentence</b> (Judicial Officer(s): Gold, Marc H)  Comment (Total Amount Imposed \$50.00 )  null  State Probation ( 2 Year(s) 0 Month(s) 0 Day(s), Start Date: 05/27/1999, End Date: 05/27/2001 )  Sentence Status (Concurrent, Case#: 98-016341-CF10A, Counts: 007-007, Comment: Def#:98016341CF10A Count:007)  Provisions: Provisions ( Community Service, Reduce Cost of Supervision) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>

Offense

Date

Charge

Disposition(s)

08/11/1998

7

**Plea(s)**

**05/27/1999 Amended Plea** (Reason: Change of Plea,)  
Change of Plea-Nolo Contendere

**08/19/1998 Plea**

*Written Plea Not Guilty-Jury*

**Disposition(s)**

**05/27/1999 Disposition**

Adjudication Withheld

**Sentence(s)**

**05/27/1999 Sentence** (Judicial Officer(s): Gold, Marc H)

Comment (Total Amount Imposed \$50.00 )

null

State Probation ( 2 Year(s) 0 Month(s) 0 Day(s), Start Date: 05/27/1999, End Date: 07/07/2000 )

Sentence Status (Concurrent, Case#: 98-016341-CF10A, Counts: 002-002, Comment:

Def#:98016341CF10A Count:002)

Provisions: Provisions ( Community Service, Reduce Cost of Supervision) Special  
Provisions(Defendant Sentenced Under Sentencing Guidelines)

08/11/1998

8

**Plea(s)**

**05/27/1999 Amended Plea** (Reason: Change of Plea,)  
Change of Plea-Nolo Contendere

**08/19/1998 Plea**

*Written Plea Not Guilty-Jury*

**Disposition(s)**

**05/27/1999 Disposition**

Adjudication Withheld

**Sentence(s)**

**05/27/1999 Sentence** (Judicial Officer(s): Gold, Marc H)

Comment (Total Amount Imposed \$50.00 )

null

State Probation ( 2 Year(s) 0 Month(s) 0 Day(s), Start Date: 05/27/1999, End Date: 05/27/2001 )

Sentence Status (Concurrent, Case#: 98-016341-CF10A, Counts: 002-002, Comment:

Def#:98016341CF10A Count:002)

Provisions: Provisions ( Community Service, Reduce Cost of Supervision) Special  
Provisions(Defendant Sentenced Under Sentencing Guidelines)

Offense Date	Charge	Disposition(s)
08/11/1998	9	<p><b>Plea(s)</b>  <b>05/27/1999 Amended Plea</b> (Reason: Change of Plea.)  Change of Plea-Nolo Contendere  <b>08/19/1998 Plea</b>  <i>Written Plea Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>05/27/1999 Disposition</b>  Adjudication Withheld</p> <p><b>Sentence(s)</b>  <b>05/27/1999 Sentence</b> (Judicial Officer(s): Gold, Marc H)  Comment (Total Amount Imposed \$50.00 )  null  State Probation ( 2 Year(s) 0 Month(s) 0 Day(s), Start Date: 05/27/1999, End Date: 05/27/2001 )  Sentence Status (Concurrent, Case#: 98-016341-CF10A, Counts: 002-002, Comment: Def#:98016341CF10A Count:002)  Provisions: Provisions ( Community Service, Reduce Cost of Supervision) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>
08/11/1998	10	<p><b>Plea(s)</b>  <b>05/27/1999 Amended Plea</b> (Reason: Change of Plea.)  Change of Plea-Nolo Contendere  <b>08/19/1998 Plea</b>  <i>Written Plea Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>05/27/1999 Disposition</b>  Adjudication Withheld</p> <p><b>Sentence(s)</b>  <b>05/27/1999 Sentence</b> (Judicial Officer(s): Gold, Marc H)  Comment (Total Amount Imposed \$50.00 )  null  State Probation ( 2 Year(s) 0 Month(s) 0 Day(s), Start Date: 05/27/1999, End Date: 05/27/2001 )  Sentence Status (Concurrent, Case#: 98-016341-CF10A, Counts: 002-002, Comment: Def#:98016341CF10A Count:002)  Provisions: Provisions ( Community Service, Reduce Cost of Supervision) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>

Offense Date	Charge	Disposition(s)
08/11/1998	11	<p><b>Plea(s)</b>  <b>05/27/1999 Amended Plea</b> (Reason: Change of Plea,) Change of Plea-Nolo Contendere  <b>08/19/1998 Plea</b>  <i>Written Plea Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>05/27/1999 Disposition</b>  Adjudication Withheld</p> <p><b>Sentence(s)</b>  <b>05/27/1999 Sentence</b> (Judicial Officer(s): Gold, Marc H)  Comment (Total Amount Imposed \$50.00 )  null  State Probation ( 2 Year(s) 0 Month(s) 0 Day(s), Start Date: 05/27/1999, End Date: 05/27/2001 )  Sentence Status (Concurrent, Case#: 98-016341-CF10A, Counts: 002-002, Comment: Def#:98016341CF10A Count:002)  Provisions: Provisions ( Community Service, Reduce Cost of Supervision) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>

08/11/1998	12	<p><b>Plea(s)</b>  <b>08/19/1998 Plea</b>  <i>Written Plea Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>09/17/1998 Disposition</b>  No Information</p>
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CCIS shows  
Adj Whh  
5/7/1999

- Collection(s)

Total: 12

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
05/23/2002	2		\$300.00	\$300.00	\$300.00	\$0.00	05/23/2002	\$47.03	-	\$0.00
05/23/2003	3		\$50.00	\$50.00	\$50.00	\$0.00	08/18/2000	\$50.00	-	\$0.00
09/13/2001	4		\$50.00	\$50.00	\$50.00	\$0.00	08/18/2000	\$50.00	-	\$0.00
09/13/2001	5		\$50.00	\$50.00	\$50.00	\$0.00	08/18/2000	\$50.00	-	\$0.00
09/13/2001	6		\$50.00	\$50.00	\$50.00	\$0.00	09/18/2000	\$6.71	-	\$0.00
09/18/2000	7		\$50.00	\$50.00	\$50.00	\$0.00	09/18/2000	\$50.00	-	\$0.00
09/13/2001	8		\$50.00	\$50.00	\$50.00	\$0.00	11/28/2000	\$8.78		\$0.00

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
09/13/2001	9		\$50.00	\$50.00	\$50.00	\$0.00	01/10/2001	\$21.12	-	\$0.00
09/13/2001	10		\$50.00	\$50.00	\$50.00	\$0.00	02/02/2001	\$33.46	-	\$0.00
05/23/2002	11		\$50.00	\$50.00	\$50.00	\$0.00	05/23/2002	\$15.68	-	\$0.00

- Event(s) & Document(s)

Total: 21

Date	Description	Additional Text	View	Pages
05/27/1999	<b>File Acknowledgement -Waiver Of Rights</b>			
05/27/1999	<b>Hearing Held / Change Of Plea</b>	Cr-J Valenzuela		
05/27/1999	<b>File Order Of Probation</b>			
05/27/1999	<b>File Restitution Order</b>			
05/27/1999	<b>File Sentencing Guidelines</b>			
05/04/1999	<b>File States Supplemental Discovery</b>			
04/13/1999	<b>Hearing Held / Status Conference</b>	Ct Rept J.Valenzuela		
03/11/1999	<b>File Pre-Sentence Investigation Order</b>			
03/11/1999	<b>File Order Granting Joint Continuance</b>	Verbal		
03/11/1999	<b>Reset Jury Trial</b>	Ct Rept V.Pacifico		
01/07/1999	<b>File Order Granting Def Motion For Continuance</b>	Verbal		
01/07/1999	<b>Reset Jury Trial</b>	Ct Rept R.Adkins		
11/04/1998	<b>File States Discovery Submission</b>			
10/07/1998	<b>Arraignment Held</b>	Ct Rept M.Pullian		
10/07/1998	<b>Defendant Allowed 15 Days to File Motions</b>			
09/28/1998	<b>Court Date Notice</b>	Sent To Deft, Bondsman, Atty, Sao		
09/18/1998	<b>Multiple Companions Exist For This Case</b>			
09/17/1998	<b>Docketrac Defendant Record Note Field</b>	COMPANIONS EXIST ON THIS CASE		

Date	Description	Additional Text	View	Pages
08/19/1998	<b>File Def Not Of Intent To Participate In Discovery</b>			
08/19/1998	<b>File Defense Written Plea Of Not Guilty</b>	Notice Of Atty		
08/11/1998	<b>Bond Posted</b>	(12) B & S		

- Hearing(s)			Total: 3
Date	Description	Additional Text	
05/27/1999	<b>Hearing/Status Conference</b>	Hearing Time: 9:00 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 6900	
03/11/1999	<b>Hearing/Status Conference</b>	Hearing Time: 9:00 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 6900	
01/07/1999	<b>Hearing/Status Conference</b>	Hearing Time: 9:00 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 6900	

- Related Case(s)			Total: 3
Related Case Number	Case Type	Additional Text	
98016341CF10B	Companion Case		
98016341CF10C	Companion Case		
98016341CF10D	Companion Case		

## Brenda D. Forman

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## Main Courthouse Location

201 SE 6th Street

Fort Lauderdale

Florida, US 33301

Phone: (954) 831-6565

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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Marc Taupier, Chief Attorney  
Re: Lanisha Shantrel Thomas - Case No. 2022-059000 – License Denial  
Date: December 28, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Lanisha Shantrel Thomas' ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on November 29, 2022. Upon review of the application, it appears Applicant has been convicted of several felony crimes and a misdemeanor crime involving larceny. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On November 29, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant was convicted of several felony crimes and a misdemeanor crime involving larceny in the state of Florida. Specifically, the Applicant was convicted of the following:

- Uttering a Forged Instrument in 2014;
- Grand Theft in 2014; and
- Petit Theft in 2015<sup>1</sup>.

Applicant did not apply for a waiver for her felony convictions, however, under section 551.107(6)(a), Florida Statutes, the legislature did not authorize the Executive Director to waive criminal convictions for slot machine licensing.

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<sup>1</sup> Applicant failed to disclose all of the convictions set forth in this memorandum on her application.

*Relevant Law*

Section 551.107(6)(a), Florida Statutes, provides in pertinent part that:

“. . .the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense.”

Section 849.086(6)(f), Florida Statutes, provides that the “provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses.”

Section 849.086(6)(g), Florida Statutes, provides that:

“[t]he commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.”

Section 550.105(5)(d), Florida Statutes, provides that:

“. . . the term “convicted” means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere. However, the term “conviction” shall not be applied to a crime committed prior to the effective date of this subsection in a manner that would invalidate any

occupational license issued prior to the effective date of this subsection or subsequent renewal for any person holding such a license.”

Staff Recommendation: Because the Applicant's disqualifying criminal convictions cannot be waived, the Florida Gaming Control Commission may deny or declare Applicant ineligible for any license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.



**CASE FILE ROUTING SLIP  
SLOT MACHINE APPLICATION**

**RE:** THOMAS, LANISHA SHANTREL – E# 13412960  
(APPLICANT'S NAME– LICENSE #)

**Case No:** 2022059000

INITIAL APP RECEIVED:	<u>11/29/2022</u> (Date)
COMPLETE APP RECEIVED:	<u>11/30/2022</u> (Date)
90-DAY DEADLINE:	<u>2/28/2023</u> (Date)

**Investigations Section:**

Reviewed by Steve Kogan

N/A

(Initial & Date)

The attached file has been reviewed for completeness and accuracy, and has been forwarded to the Licensing Section.

**Licensing Section:**

Miriam Achens

Application Processor

273 - Miami Jai-Alai

Facility (d/b/a name)

SECR – Security / 1055

Occupation/Job Title

Reviewed by David Donaldson

[Signature] 12/13/22

(Initial & Date)

Is the applicant currently under suspension, has unpaid fines, or has been refused a license by any gaming or racing jurisdiction?

Yes \_\_\_\_\_ No X

Is the applicant related to another application?

Yes \_\_\_\_\_ No X

Comments: Application and rap sheet reviewed. Applicant's criminal history resulted in disqualifying conviction.

**Office of Director:**

Reviewed by Director \_\_\_\_\_

(Initial & Date)

Approve Application \_\_\_\_\_

Deny Application \_\_\_\_\_

Comments: \_\_\_\_\_

\*Please attach Routing Slip to front of case file.

Licensing Administrator Review – Slot Machine Occupational License

RE: THOMAS, LANISHA SHANTREL – E# 13412960

Case No: 2022059000

(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	11/29/2022
COMPLETE APPLICATION RECEIVED:	11/30/2022
<b>90-DAY DEADLINE:</b>	<b>2/28/2023</b>

Miriam Achens

273 - Miami Jai-Alai

SECR – Security / 1055

Application Processor

Facility (d/b/a name)

Occupation/Job Title/Lic Type

Pursuant to Section 551.107(6)(c) Conviction is defined as being found guilty, with or without adjudication of guilt, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere. Any misdemeanor conviction to include fraud and theft which are defined for purposes of slot machine gaming licensure as involving dishonesty, misrepresentation, deceit, and lack of truthful conduct in transaction with another.

**Licensing Section Review**

Did the application accurately reflect the Criminal History Record?  Yes  No

**Conviction**

- Felony : 2 Count(s)
- Misdemeanor – Gambling Related/Bookmaking
- Two or more misdemeanor convictions that involve theft, fraud, or burglary
- Forgery, Larceny, Theft, Extortion, Conspiracy to Defraud (Slot Combo Professions Only)

Arrest Date	Location	Charge	Level	Disposition
12/03/2014	Broward Co., FL	Case 062014CF013669A88810 - 831.02 / Uttering a forged instrument - 812.014(2)(C) / Grand theft in the 3rd degree	F3	Adj Whh
9/17/2015	Broward Co., FL	Case 062015MM001522A88830 - 812.014(3)(a) / Petit Theft	MM	Adj Whh

**Disposition Unknown**

- Felony Arrest(s) :
- Misdemeanor Arrest – Gambling Related/Bookmaking
- Two or more misdemeanor arrests/counts that involve theft, fraud, or burglary

Comments:

**Enforcement/Jurisdiction Offenses**

- Currently under Suspension, Declared Ineligible, Revoked, Denied, Ejected, Unpaid Fine, in this or any other state gaming commission, governmental department, agency, or other authority exercising regulatory jurisdiction over the gaming of another state or jurisdiction.

Comments:

**Related Licenses**

**Check VR License Relations to Determine if Applicant is Related to a Business**

Is the individual applicant related to a business? Yes  No  If yes, complete sections below.

Business License Number:

Business Name:

Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes  No

Date Deficiency Letter Issued:

Initials:

Comments:

**Licensing Administrator Review**

**Disposition Confirmation**

Disqualifying Convictions/Arrests Confirmed? Yes  No   Approval

Forward to	<input type="checkbox"/> Investigations	<input checked="" type="checkbox"/> Legal	<input type="checkbox"/> Director	Initials: 	12/13/22
<b>Comments:</b>					







**EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  
 No Have you previously worked for a gaming-related employer?  
 If yes, you must list below all gaming-related employment history in the past ten years.

Name of Employer	Address	Start Date (Month/ Year) - End Date (Month/ Year)	Title/Position Held & Supervisor Name	Reason for Leaving

**PREVIOUS LICENSING HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  
 No Have you ever been licensed in any other racing or gaming jurisdiction? If yes, you must list all current and previous licenses and provide the details in the section below.

State(s) or Jurisdiction(s) Where Licensed	Date of Expiration	Is this license currently suspended or subject to fines or other discipline? Explain why.
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

Yes  
 No Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

If you answered yes to the question above, provide details here:

---



---



---



































# BROWARD COUNTY

**BRENDA D. FORMAN**  
CLERK OF THE CIRCUIT AND COUNTY COURT



FLORIDA'S CLERKS OF COURT AND COMPTROLLERS

Bring You  
**ccis** COMPREHENSIVE CASE INFORMATION SYSTEM

Miriam.Achamsg/ccc

Expand All

Case Number	Filed Date	Disposition Date	County	Case Type	Status	Contested
062015MM001522A88830 [15-001522-MM30A]	09/28/2015	10/14/2015	BROWARD	Misdemeanor	Disposed	No

Charge Seq #	Description	Date	Phase	Trial
1	Petit Theft	10/14/2015	Court-Adjudication Withheld	No Trial
	<b>Action</b>		<b>Statute / Text</b>	
Offense:	09/17/2015	Trial: No Trial		
Initial:	03/28/2015	Charged	812.014(3)(a) / Petit Theft	
Prosecutor:	09/28/2015	Filed	812.014(3)(a) / Petit Theft	
Court:	10/14/2015	Adjudication Withheld	812.014(3)(a) / Petit Theft	

Party Name	Party Type	Attorney	Bar ID
MH, CHRISTOPHER W POLE -	JUDGE		
UNKNOWN	JUDGE AT DISPOSITION		
STATE OF FLORIDA <a href="#">Search This Party</a>	PLAINTIFF		
THOMAS, LANISHA S <a href="#">Search This Party</a>	DEFENDANT	GELIN, LYNN DESANTI	523747
DESANTI, LYNN MARIE	PUBLIC DEFENDER		

Image	Doc #	Action Date	Description	Pages
	28	05/02/2016	Court Disposition signed by judge Pole	1
	27	05/02/2016	File Order Granting Def Motion To Dismiss signed by Judge Pole	1
	26	04/29/2016	File Court's Notice Of Hearing	1
	25	04/29/2016	Hearing Reset deft cont/crs	
	24	04/22/2016	File Defense Motion To Dismiss	3
	23	04/15/2016	File Court's Notice Of Hearing	1
	22	04/07/2016	CTS_PD Fees	
	21	04/07/2016	Notice of Public Defender Fees \$50.00	
	20	04/07/2016	CTS_Total Amount Imposed Count(s):-< 001 >	
	19	04/07/2016	CTS_Current Due Count(s):-< 001 >	
	18	04/04/2016	File Notice Of Hearing VOP Status 4-15-16	1
	17	04/01/2016	Review of Motor Vehicles - Property Records	1
	16	04/01/2016	File Def Affidavit Indigency/Declared Indigent	1
	15	04/01/2016	File Defense Demand For Discovery	1
	14	04/01/2016	File Notice/Assistant PD Assignment	1
	13	03/31/2016	Arrest Paperwork	3
	12	03/30/2016	Violation Of Probation Warrant Served served 3-29-16	5
	11	03/29/2016	Hrg Held / Magistrate Findings/Order - Probable Cause Found cctw/set ic vop status hrg	3
	10	03/29/2016	Violation Of Probation Warrant Served	
	9	01/26/2016	File Affidavit And Warrant Violation Of Probation BOND: CT.1 **ROR**/SIGNED BY JUDGE CHRISTOPHER POLE FOR JUDGE ALAN MARKS	3
	8	10/20/2015	File Order Of Probation	1
	7	10/14/2015	Court Disposition	2
	6	10/14/2015	File Prog National Assoc for Shoplifting Prev	1
	5	10/14/2015	Arraignment Held	
	4	09/28/2015	File Notice to Appear Affidavit	1
	3	09/28/2015	File State's Instruction Sheet	1
	2	09/28/2015	File Notice Of Confidential Info Within Court Filing	1
	1	09/28/2015	Electronic Case	1

Judge Assignment History
Court Events
Sentences
Financial Summary
Reopen History

COUNTY COURT DISPOSITION ORDER IN AND FOR BROWARD COUNTY, FLORIDA

2213 - West

10/14/15

WC/10/14/2015/ 8:45AM/Arrestment/10/01/2015

DATE CASE NO 15001522MM30A ARREST NO BCCN NO

State of Florida vs. Thomas, Lanisha S

Cash Bond/Surety Amount \$ Estreated Vacated Return to Dep
Cash Bond/Surety Amount \$ Estreated Vacated Return to Dep

- [X] Magistrate [ ] First VOP [ ] Convicted by Jury [X] Adj. Guilty
[ ] Arraignment [ ] Final VOP [ ] Convicted by Court [X] Adj. Withheld
[ ] Change of Plea [ ] Admits/Denies Allegations [ ] Acq. by Jury [ ] Dismissed
[ ] Trial by Jury [ ] Guilty [ ] Acq. by Court [ ] Nolle Pros
[ ] Trial by Court [X] No Contest [ ] Directed Verdict [ ] No Info
[ ] Judgment of Acquittal

CHARGES: 1 Petit Theft (060)

Report to Am 120 Per Probation

SENTENCE: I Reporting/Administrative Probation: 4 months with special conditions:

- [ ] DUI School Level
[ ] License suspended
[ ] Days immobilization by:
[ ] Random breath/urine analysis at defendant's expense
[ ] May work off fine/costs at \$ per hour
[ ] May buy out community service at \$ per hour
[ ] Hours of community service
[ ] No alcohol or intoxicants while on probation
[ ] AA/NA meeting(s) per week [ ] Evaluation, treatment and therapy, if necessary
[ ] Pay all outstanding fine/costs on Driver's License Record
[ ] Time served days on Count(s)
[ ] Days Broward County Jail with credit for days time served
[ ] No contact directly/indirectly with victim(s) or victim(s) family or others listed below
[X] All fines/costs are separate and apart from probation
[ ] All fines/costs imposed are a condition of probation on Count(s):
[X] All special conditions of probation must be met by the 3 month of probation
[ ] DHSMV is directed to revoke defendant's license for 1 year pursuant to F.S 322.055
[ ] Anger Management
[ ] Interlock Device
[ ] Justice for life [ ] PTE [ ] MADD/Victim Impact Panel [X] Shoplifter's Program
[ ] \$ COS waived/imposed
[ ] Partial payments accepted
[ ] Fines/cost converted to civil lien/judgment
[ ] Probation: Revoked-Terminated-Reinstated
[X] Early termination of probation upon completion of all conditions
[ ] DDS hours
[ ] Other: S/C Enter/Comp Prog

No return to Old Navy @
\*\* 2610 SAWGRASS MILLS CTR. SUNNYSIDE FL 33323

JUDGE: Alan R. Marks DEPUTY CLERK: [Signature]

2213 - West

ORDER ASSESSING CHARGES/COSTS/FEEES

The defendant is hereby ordered to pay the following sums if checked:

FINES

(Fine) I, II, III, IV, V, VI, VII, VIII F.S. 775.083

(5% Surcharge) (if fine assessed) I, II, III, IV, V, VI, VII, VIII F.S. 938.04

MANDATORY FEES

Count I 293, Count II, Count III, Count IV, Count V, Count VI, Count VII, Count VIII

- ( ) Admin Order VI-02-D-3 (Court Costs) Count(s) I. II. III. IV. V.
( ) Sixty dollars (\$60/case) (Criminal Justice Cost) Add'l Cost F.S. 938.05 (1)
( ) Fifty dollars (\$50/case) (Crimes Compensation Trust Fund aka VC) F.S. 938.03
( ) Twenty dollars (\$20/count) (Safe Neighborhood Assessment) F.S. 775.083
( ) Sixty five dollars (\$65/count) (Court System/legal aid) (BC Ord. Sec. 10-3) F.S. 939.185
( ) Twenty dollars (\$20/count) (Crime Stoppers Program) F.S. 938.06
( ) Fifty dollar (\$50/case) (Cost of Prosecution) per event F.S. 938.27 (8)
( ) Two dollars (\$2/count) (Teen Court /County Ord. Sec. 10-5) F.S. 938.19
( ) Thirty dollars (\$30/count) (Court Facilities Fund) F.S. 318.18 (13)
( ) (\$2.50/count) (Additional Criminal Justice Education) (all TI's) F.S. 318.18 (11) (c)
( ) Five dollars (\$5/count) (Drivers Education Trust Fund) (all TI's) F.S. 318.18 (11)
( ) (\$12.50/count) (Administrative Fee) (TI's moving/non moving) F.S. 318.18 (18)
( ) Ten dollars (\$10/count) Article V (moving/non moving charges under 316, 320, 322)

SPECIFIC OFFENSE/REQUIRED

- ( ) (\$201/count) (Domestic Violence Surcharge) F.S. 938.08
( ) (\$151/count) (Rape Crisis Trust) F.S. 938.085
( ) (\$151/count) (Child Advocacy Trust) F.S. 938.10 (1)
( ) (\$100/count) (FDLE Operation Trust Fund) F.S. 938.055
( ) (\$15/count) (County Drug) F.S. 938.13 (1) (a)
( ) (\$135/count) (DUI and BUI) (EMTF) F.S. 938.07
( ) (\$5/count) (Reckless Driving) (EMTF) F.S. 316.192 (4)
( ) (\$5/count) (Leaving Scene) (EMTF) F.S. 316.061 (1)
( ) (\$3/count) (Radio System Fee) (HOV & 316 viol) F.S. 318.18 (17)
( ) (\$500/case) (Serious Bodily Injury) F.S. 318.14 (5)
( ) (\$1000/case) (Fatality/ Serious Bodily Injury) F.S. 318.14 (5)
( ) (\$40/case) (Contest Fee) F.S. 34.045 (1) (b)
( ) (\$10/case) (1) (c) (Municipal Ordinance Filing Fee) F.S. 34.045 (1) (c)
( ) (\$65/count) (ACDE/DOH) (Racing on Highway/Reckless Driving) F.S. 318.18 (5) (c)
( ) Fifty dollars (\$50/case) (Public Defender Application) per app F.S. 27.52 (1) (b)
( ) Fifty dollars (\$50/case) (Public Defender Assistance Fee) per event F.S. 938.29 (1)
( ) A sum of (\$5000.00/count) (Prostitution Civil Penalty) F.S. 796.07 (6)

OTHER

- ( ) Late fees \$
( ) Waived (court costs/fines/fees)
( ) Balance of Court Costs/Fees Converted to Civil Lien
( ) Restitution \$

DISCRETIONARY

Pay investigative costs: [ ] Crime Lab [ ] Expert Witness [ ] Toxicology [ ] Law Enforcement [ ] Supp. COP

TOTAL AMOUNT DUE: \$ MUST BE PAID BY: 01/15/16

JUDGE: DEPUTY CLERK:

PAYMENT METHODS: Please see back for METHODS OF PAYMENTS





# BROWARD COUNTY

**BRENDA D. FORMAN**  
CLERK OF THE CIRCUIT AND COUNTY COURT



FLORIDA'S CLERKS OF COURT AND COMPTROLLERS

Bring You  
**ccis** COMPREHENSIVE CASE INFORMATION SYSTEM

Minim.Actions.aspx

Expand All

Case Number	Filed Date	Disposition Date	County	Case Type	Status	Contested
062014CF013669A88910 [14-013669-CF10A]	10/10/2014	04/08/2015	BROWARD	3rd Degree Felony	Disposed	No

Charge Seq #	Description	Date	Phase	Trial															
1	UTTERING A FORGED INSTRUMENT	04/08/2015	Court/Adjudication Withheld	No Trial															
<table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> <th>Statute / Text</th> </tr> </thead> <tbody> <tr> <td>Offense: 04/14/2014</td> <td>Trial: No Trial</td> <td></td> </tr> <tr> <td>Initial: 12/03/2014</td> <td>Charged:</td> <td>831.02 / UTTERING A FORGED INSTRUMENT</td> </tr> <tr> <td>Prosecutor: 10/10/2014</td> <td>Filed</td> <td>831.02 / UTTERING A FORGED INSTRUMENT</td> </tr> <tr> <td>Court: 04/08/2015</td> <td>Adjudication Withheld</td> <td>831.02 / UTTERING A FORGED INSTRUMENT</td> </tr> </tbody> </table>					Date	Action	Statute / Text	Offense: 04/14/2014	Trial: No Trial		Initial: 12/03/2014	Charged:	831.02 / UTTERING A FORGED INSTRUMENT	Prosecutor: 10/10/2014	Filed	831.02 / UTTERING A FORGED INSTRUMENT	Court: 04/08/2015	Adjudication Withheld	831.02 / UTTERING A FORGED INSTRUMENT
Date	Action	Statute / Text																	
Offense: 04/14/2014	Trial: No Trial																		
Initial: 12/03/2014	Charged:	831.02 / UTTERING A FORGED INSTRUMENT																	
Prosecutor: 10/10/2014	Filed	831.02 / UTTERING A FORGED INSTRUMENT																	
Court: 04/08/2015	Adjudication Withheld	831.02 / UTTERING A FORGED INSTRUMENT																	
2	GRAND THEFT IN THE 3RD DEGREE	04/08/2015	Court/Adjudication Withheld	No Trial															
<table border="1"> <thead> <tr> <th>Date</th> <th>Action</th> <th>Statute / Text</th> </tr> </thead> <tbody> <tr> <td>Offense: 04/14/2014</td> <td>Trial: No Trial</td> <td></td> </tr> <tr> <td>Initial: 12/03/2014</td> <td>Charged:</td> <td>812.014(2)(c) / GRAND THEFT IN THE 3RD DEGREE</td> </tr> <tr> <td>Prosecutor: 10/10/2014</td> <td>Filed</td> <td>812.014(2)(c) / GRAND THEFT IN THE 3RD DEGREE</td> </tr> <tr> <td>Court: 04/08/2015</td> <td>Adjudication Withheld</td> <td>812.014(2)(c) / GRAND THEFT IN THE 3RD DEGREE</td> </tr> </tbody> </table>					Date	Action	Statute / Text	Offense: 04/14/2014	Trial: No Trial		Initial: 12/03/2014	Charged:	812.014(2)(c) / GRAND THEFT IN THE 3RD DEGREE	Prosecutor: 10/10/2014	Filed	812.014(2)(c) / GRAND THEFT IN THE 3RD DEGREE	Court: 04/08/2015	Adjudication Withheld	812.014(2)(c) / GRAND THEFT IN THE 3RD DEGREE
Date	Action	Statute / Text																	
Offense: 04/14/2014	Trial: No Trial																		
Initial: 12/03/2014	Charged:	812.014(2)(c) / GRAND THEFT IN THE 3RD DEGREE																	
Prosecutor: 10/10/2014	Filed	812.014(2)(c) / GRAND THEFT IN THE 3RD DEGREE																	
Court: 04/08/2015	Adjudication Withheld	812.014(2)(c) / GRAND THEFT IN THE 3RD DEGREE																	

Party Name	Party Type	Attorney	Bar ID
FF, ERNEST A KOLLRA -	JUDGE		
MCCARTHY, BARBARA ANNE	JUDGE AT DISPOSITION		
State of Florida	STATE ATTORNEY		
STAR INSURANCE COMPANY	INTERESTED PERSON		
THOMAS, LANISHA	DEFENDANT		
AS YOUR BOOKED BAIL BONDS	OTHER		

### Dockets

Image	Doc #	Action Date	Description	Pages
	72	04/09/2021	Release Status MJ16000676	
	71	04/07/2021	Release Status MJ16000515	
	70	05/09/2018	Felony Letter - 30 Days Past Due \$1,209.00	
	69	04/13/2018	File Order Of Termination Of Probation	2
	68	03/20/2018	File Order(Civ) Restitution: Lan/Victim	1
	67	12/05/2016	File Letter DOC re: Technical Violation Notification	2
	66	05/13/2016	CTS_Current Due Count(s):< 002 >	
	65	05/13/2016	CTS_Current Due Count(s):< 001 >	
	64	05/12/2016	Review of Motor Vehicles - Property Records	1
	63	05/12/2016	File Def Affidavit Indigency/Declared Indigent	1
	62	05/03/2016	File Acknowledgement -Waiver Of Rights	2
	61	05/03/2016	Court Disposition	3
	60	05/03/2016	Hrg Held / First-Final Violation Of Probation CL Rptr: C. Gardner / I / Admits	
	59	04/29/2016	Arrest Paperwork	7
	58	04/29/2016	Hrg Held / Magistrate Findings/Order - Probable Cause Found	1
	57	04/28/2016	Violation Of Probation Warrant Served Add Reason Charge Reopened Sentence Component on Disposition tab	
	66	04/21/2016	File Affidavit And Warrant Violation Of Probation Signed 04212016	3
	55	04/05/2016	File Acknowledgement -Waiver Of Rights	2
	54	04/05/2016	File Sentencing Guidelines	2
	53	04/05/2016	Judgment/Item For Attorney's Fees And Costs	2
	52	04/05/2016	Court Disposition	3
	51	04/05/2016	Hrg Held / First-Final Violation Of Probation CL Rptr: S. Blissell (Apex) / D / Admits	
	50	04/04/2016	File Notice/Assistant PD Assignment	1
	49	04/04/2016	File Defense Demand For Discovery	1
	48	03/30/2016	File Def Affidavit Indigency/Declared Indigent	1
	47	03/29/2016	Arrest Paperwork	4
	46	03/29/2016	Hrg Held / Magistrate Findings/Order - Probable Cause Found	1
	45	03/29/2016	Violation Of Probation Warrant Served Add Reason Charge Reopened Sentence Component on Disposition tab	
	44	03/02/2016	File Affidavit And Warrant Violation Of Probation signed 03022016	3
	43	11/18/2015	Order re: Reprimand Hearing	1
	42	11/18/2015	Hearing Held / Reprimand Hearing CL Rptr: B. Dockstader / D	
	41	05/27/2015	File Restitution Order	2
	40	04/13/2015	File Order Of Probation	8
	39	04/08/2015	File Copy of Bond Discharge Slip(s)	2
	38	04/08/2015	File Copy of Bond Discharge Slip(s)	4
	37	04/08/2015	File Adjudication Withheld	2
	36	04/08/2015	File DNA Inquiry Addendum	1
	35	04/08/2015	File Acknowledgement -Waiver Of Rights	3
	34	04/08/2015	File Sentencing Guidelines	3

Image	Doc #	Action Date	Description	Pages
	33	04/08/2015	Court Disposition with AC Costs Converted to Civil Lien	3
	32	04/08/2015	Hearing Held / Change Of Plea Ct. Rept. N. Petlak(Apex)/ nolo-adj. w/hfi	
	31	02/23/2015	File Court's Notice Of Hearing	1
	30	02/23/2015	File Defense Waiver Of Speedy Trial	
	29	02/23/2015	Hearing Held On Status Hearing Ct. Rept. N. Petlak(Apex)/ i	
	28	02/02/2015	File State Demand For Notice Of Alibi	2
	27	02/02/2015	File States Discovery Submission	5
	26	02/02/2015	File States Not Of Intent To Offer Evid Other Crimes	1
	25	01/13/2015	File Court's Notice Of Hearing	1
	24	01/13/2015	Arraignment Held Ct. Rept. N. Petlak(Apex)/ i	
	23	12/16/2014	Court Date Notice	2
	22	12/12/2014	CTS_PD Fees	
	21	12/11/2014	File Defense Notice Of Intent Exercising Miranda	1
	20	12/10/2014	Court Date Notice DEFENDANT, P.D., BOND COMPANY, SAO	2
	19	12/09/2014	File Defense Demand For Discovery	4
	18	12/09/2014	Demand for Disclosure of Impesching Information	3
	17	12/09/2014	File Notice/Assistant PD Assignment	1
	16	12/05/2014	Bond Posted	2
	15	12/05/2014	Bond Posted	3
	14	12/05/2014	Release Status BS14006854	
	13	12/04/2014	Review of Motor Vehicles - Property Records	1
	12	12/04/2014	File Def Affidavit Indigency/Declared Indigent	1
	11	12/04/2014	Arrest Paperwork	5
	10	12/04/2014	Hrg Held / Magistrate Findings/Order - Probable Cause Found	1
	9	12/03/2014	Capias Served	
	8	10/10/2014	Capias Image	1
	7	10/10/2014	File State Not In Custody - Information	
	6	10/10/2014	Probable Cause Affidavit	1
	5	10/10/2014	File State's Instruction Sheet	1
	4	10/10/2014	File Notice Of Confidential Info Within Court Filing	1
	3	10/10/2014	File State Not In Custody - Information	2
	2	10/10/2014	File State Not In Custody - Information	
	1	10/10/2014	Electronic Case	

- Judge Assignment History
- Court Events
- Sentences
- Financial Summary
- Reopen History

**CIRCUIT COURT DISPOSITION ORDER IN AND FOR BROWARD COUNTY, FLORIDA**

Case Number 14013669CF10A Arrest Number BS14006854 BCCN # 0846258  
State of Florida VS Thomas, Lanisha Shantrel AKA \_\_\_\_\_  
Judge Ernest A Kollra Cash bond / Return to depositor / Surety bond IC

Cash bond number(s) \_\_\_\_\_

Charges 080-1 Uttering a Forged Instrument  
080-2 Grand Theft in the 3rd Degree

REMANDED  REMAIN IC  UNTIL PICKED UP BY  UNTIL AFTER POST ADJUDICATORY HEARING **OR**  
**BED AVAILABLE AT**

Arraignment  Change of Plea  Guilty  No Contest  PSI/PDR  Sentencing / Re-Sentencing  
 Trial by Jury  Trial by Court  First VOP/VOCC  Final VOP/VOCC  Admits Allegations  
 Convicted by Jury/Court \_\_\_\_\_  Acquitted by Jury/Court \_\_\_\_\_  Dismissed \_\_\_\_\_  Speedy  
 Discharged \_\_\_\_\_  Nolle Prosequi \_\_\_\_\_  Found Incompetent/Placement Pending/ Committed to Child/Family Services  
 Adj Guilty \_\_\_\_\_  Adj Withheld Prev  Adj Delinquent \_\_\_\_\_  
 Committed to DJJ/Level \_\_\_\_\_  Sentence Withheld \_\_\_\_\_  Previous Sentence Vacated  
 PSI Ordered  
**Adj. and Sentence deferred to**

Type of probation / Community Control  
 Youthful Offender  Drug Offender  Sexual Offender  Habitual Offender  Mental Health  County  
 **PROBATION/COMM CONTROL**  Revoked  Reinstated  Modified  Terminated  
Extended to max from  All previous special conditions apply  
**WARRANT**  Dismissed  Withdrawn  Served in open court

**SENTENCE: (PROBATION / COMM. CONTROL)** end of term  
**COUNT(S):** \_\_\_\_\_  
\_\_\_\_\_  Years  Months  Days  Probation  Community Control  Followed by  
\_\_\_\_\_  Years  Months  Days  Probation  Community Control  
\_\_\_\_\_  each count concurrent/consecutive  Concurrent  Consecutive to case number \_\_\_\_\_  
**COUNT(S):** \_\_\_\_\_  
\_\_\_\_\_  Years  Months  Days  Probation  Community Control  Followed by  
\_\_\_\_\_  Years  Months  Days  Probation  Community Control  
\_\_\_\_\_  each count concurrent/consecutive  Concurrent  Consecutive to case number \_\_\_\_\_

**SENTENCE: (INCARCERATION)**  
**COUNT(S):** \_\_\_\_\_  One year plus one day  \_\_\_\_\_  Years  Months  Days  
 BCJ  FSP, w/credit for \_\_\_\_\_ days T/S  
 Followed by \_\_\_\_\_  Years  Months  Days  Probation  Community Control  
 Each count concurrent/consecutive  Concurrent/consecutive  To case number \_\_\_\_\_  
 Any other sentence  Work release  Prison sentence suspended  
**COUNT(S):** \_\_\_\_\_  One year plus one day  \_\_\_\_\_  Years  Months  Days  
 BCJ  FSP, w/credit for \_\_\_\_\_ days T/S  
 Followed by \_\_\_\_\_  Years  Months  Days  Probation  Community Control  
 Each count concurrent/consecutive  Concurrent/consecutive  To case number \_\_\_\_\_  
 Any other sentence  Work release  Prison sentence suspended

JUDGE Ernest Kollra

DEPUTY CLERK W Bynes

DATE 4/5/16

**SPECIAL CONDITIONS OF PRISON SENTENCE:**

- Habitual Violent Offender mandatory minimum \_\_\_\_\_ years Ct(s) \_\_\_\_\_
- Violent Career Criminal mandatory minimum \_\_\_\_\_ years Ct(s) \_\_\_\_\_
- Prison Release Reoffender mandatory minimum \_\_\_\_\_ years Ct(s) \_\_\_\_\_
- Firearm mandatory minimum \_\_\_\_\_ years Ct(s) \_\_\_\_\_
- Other mandatory minimum \_\_\_\_\_
- Habitual Offender Ct(s) \_\_\_\_\_  Youthful Offender  Sexual Predator/Offender  Boot Camp
- To be given credit for all time previously served in prison, to be calculated by Department of Corrections

**SPECIAL CONDITIONS OF PROBATION:**

- \_\_\_\_\_ days BCJ w/credit for \_\_\_\_\_ days T/S  Electronic Monitor
- SAP 30 days  AA/NA 30 days  AFTER CARE 30 days (out of custody)  LIFE SKILLS 30 days
- Upon successful completion of drug program jail sentence shall be terminated

- \_\_\_\_\_ hours of Community Service
- \$ \_\_\_\_\_ COS waived/ imposed
- Anger Management Program
- Blood draw per F S 943 325 - 2 samples for conviction of sexual assaults, lewd or indecent acts, homicides (782 04) aggravated battery, home invasion robbery or carjacking
- Curfew \_\_\_\_\_
- Drug / Alcohol evaluation and treatment recommended
- Forfeit weapon / firearm
- Defendant to enter and successfully complete Post Adj Drug Court
- May transfer probation to \_\_\_\_\_
- May travel \_\_\_\_\_ for work purposes.
- No contact with minor children without adult supervision
- No contact directly or indirectly with victim(s) or victim's family or others listed
- No driving without valid driver's license
- No drugs or alcohol
- Enter and successfully complete \_\_\_\_\_
  - BARC
  - IRT  followed by \_\_\_\_\_
  - HOUSE OF HOPE/STEPPING STONES
  - SPECTRUM
  - FOLLOWED BY \_\_\_\_\_
- Other \_\_\_\_\_
- Drug Ct Monitoring/Hearing set \_\_\_\_\_
- Obtain GED or High School diploma
- Psychological/Psychiatric evaluation and treatment necessary
- Random drug/alcohol testing
- The Dept of DHSMV is to withhold issuance of defendant's driver license/privileges for a period of 1 years after the date the deft was convicted or until deft is evaluated for and, if deemed necessary by the evaluating agency, completes a drug treatment and rehab program approved or regulated by DCF per FS 322 055
- Restitution ordered \$ \_\_\_\_\_ amount reserved
- Restitution converted to a civil lien
- Upon successful completion of jail sent probation to automatically terminate
- Pay investigative costs
  - Crime Lab \_\_\_\_\_
  - Expert Witnesses \_\_\_\_\_
  - Supp Cost of Prosecution \_\_\_\_\_
  - Toxicology \_\_\_\_\_
  - Law Enforcement Agency
    - Agency #1 \_\_\_\_\_ \$ \_\_\_\_\_
    - Agency #2 \_\_\_\_\_ \$ \_\_\_\_\_
- Court costs/fines are not a condition of probation

**DUI USE ONLY**

- Count \_\_\_\_\_
- Years \_\_\_\_\_ Months \_\_\_\_\_ Days Probation w/Special Conditions \_\_\_\_\_
- DUI School/level  \_\_\_\_\_ Days License Suspended  \_\_\_\_\_ Work Permut
  - \_\_\_\_\_ Days Immobilization by \_\_\_\_\_ Company
  - \_\_\_\_\_ Ignition Interlock Program  \_\_\_\_\_ Hours of Community Service
  - Evaluation, Treatment and Therapy if necessary
  - Other \_\_\_\_\_

To run  Concurrent  Consecutive to Count(s) \_\_\_\_\_

1st DUI  2nd DUI  3rd DUI  4th DUI

JUDGE Ernest Gallia

DEPUTY CLERK [Signature]

DATE 4/5/16

ORDER ASSESSING CHARGES/COSTS/FEEES

The defendant is hereby ordered to pay the following sums if checked

FINES

Table with 4 columns: checkbox, description, dollar amount, and amount. Includes 'Fine Assessed', 'Surcharge Assessed', and '5% Surcharge (if fine assessed)'.

MANDATORY COSTS

Table with 4 columns: checkbox, description, dollar amount, and amount. Includes 'Local Criminal Justice (Trust Fund)', 'Crimes Compensation Trust Fund (VC)', 'Local Law Enforcement EDU (\$5 Assessment)', 'Add 1 Court Cost Clearing Trust (\$5 Assessment)', 'Crime Prevention (if fine assessed)(SN1)', 'Cost-of-Prosecution', 'Crime Stoppers Trust Fund (if fine assessed)(CSTF)', 'Teen Court (T.C.)', and 'Add 1 Costs (BOCC) Programs (AC)'.

DISCRETIONARY OR SPECIFIC OFFENSE/REQUIRED COSTS

Table with 4 columns: checkbox, description, dollar amount, and amount. Includes 'Public Defender Application Fee', 'Public Defender Assistance (PD fee imposed)', 'PD Fee Converted to Civil Lien', 'FDLE Operating Trust Fund (OTF)', 'Domestic Violence Surcharge (DVC)', 'Rape Crisis Trust Fund (RCP)', 'Crimes Against Minor (CAM)', 'Alcohol & Other Drug Abuse Programs', and 'Commnt Prostitution (Cir Crm Adm)'.

MISDEMEANORS

Table with 4 columns: checkbox, description, dollar amount, and amount. Includes 'Add 1 Court Costs/Misd/Crim Traf', 'Article V Assessment', 'Court Facilities Fund (CFF)', 'Crime Prevention (if fine assessed) (SN1)', 'DOH Admin Trust Fund', and 'CC'.

DUI

Table with 4 columns: checkbox, description, dollar amount, and amount. Includes 'Fine Assessed', '5% Surcharge (if fine assessed)', 'Add 1 Costs (BOCC) Programs (AC)', 'Add 1 Court Costs/Misd/Crim Traf(CJC)', 'CC', 'County Alcohol & Other Drug Abuse Trust Fund (CDC)', 'Crime Prevention (if fine assessed) (SN1)', 'Crimes Compensation Trust Fund (VC)', and 'Emergency Medical Services Trust Fund (EMTF)'.

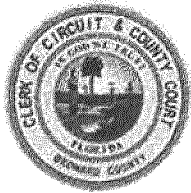
OTHER

Table with 4 columns: checkbox, description, dollar amount, and amount. Includes 'Waive All Court Costs', 'Pay Balance of Previously Imposed Costs', 'Balance of Court Costs/Fees Converted to Civil Lien', 'Extradition Costs', 'Defendant may do community service hours @ \$10/hour in lieu of court costs', and 'Other'.

JUDGE Ernest Kallias

DEPUTY CLERK W Bynes

DATE 4/5/16



**BRENDA D. FORMAN**  
**CLERK OF THE COURTS**  
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## Case Detail - Public

Print

### State of Florida Vs Thomas, Lanisha S

**Broward County Case Number:** 15001522MM30A  
**State Reporting Number:** 062015MM001522A88830  
**Court Type:** Traffic and Misdemeanor  
**Case Type:** Misdemeanor  
**Filing Date:** 09/28/2015  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Pole - MH, Christopher W  
**Magistrate Id / Name:** N/A  
**BCCN:** 846258

#### - Party(ies)

Total: 2

Party Type	Party Name	Address	Attorneys / Address
			Denotes Lead Attorney



- Arrest(s)

Total: 1

Arrest Date	Charge	Arrest Number	Detail
03/29/2016	1	MJ16000515	<b>Arrest</b> Name At Arrest: Thomas, Lanisha S Offense: Petit Theft Degree: (M2) Bond Amount: \$ Statute: 812.014(3)(a) OBTS Number: 607222012

- Disposition(s)

Total: 1

Offense Date	Charge	Disposition(s)
09/17/2015	1	<b>Plea(s)</b> 10/14/2015 Plea Arraignment / Nolo Contendere  <b>Disposition(s)</b> 10/14/2015 Disposition Adjudication Withheld  <b>Sentence(s)</b> 10/14/2015 (E) - Probation (Judicial Officer(s): Pole, Christopher W) Comment (TAI \$293.00 ) Court Non-Report Administration Probation ( 4 Month(s), Start Date: 10/14/2015, End Date: 05/02/2016, Comment: prob terminated on 05/02/16 ) Provisions: Provisions ( Probation May Terminate Early, Separate and Apart, Shoplifters Alternative) Comment(ENTER AND COMPLETE SHOP CLASS- PAY CC - NO RETURN TO OLD NAVY) Charge Reopen Status (05/02/2016, Closed, 1 )

- Collection(s)



















Total: 1

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
05/04/2016	1		\$293.00	\$343.00	\$0.00	\$343.00	-	\$0.00	01/15/2016	\$343.00

- Event(s) & Document(s)

Total: 25



Date	Description	Additional Text	View	Pages
05/02/2016	<b>File Order Granting Def Motion To Dismiss</b>	signed by judge Pole		1
05/02/2016	<b>Court Disposition</b>	signed by judge Pole		1
04/29/2016	<b>Hearing Reset</b>	deft cont//crs		
04/29/2016	<b>File Court's Notice Of Hearing</b>			1
04/22/2016	<b>File Defense Motion To Dismiss</b>			3
04/15/2016	<b>File Court's Notice Of Hearing</b>			1
04/07/2016	<b>Notice of Public Defender Fees</b>	\$50.00 Amount: \$50.00		
04/04/2016	<b>File Notice Of Hearing</b>	VOP Status 4-15-16		1
04/01/2016	<b>File Def Affidavit Indigency/Declared Indigent</b>			1
04/01/2016	<b>Review of Motor Vehicles - Property Records</b>			1
04/01/2016	<b>File Notice/Assistant PD Assignment</b>			1
04/01/2016	<b>File Defense Demand For Discovery</b>			1
03/31/2016	<b>Arrest Paperwork</b>			3
03/30/2016	<b>Violation Of Probation Warrant Served</b>	served 3-29-16		5
03/29/2016	<b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b>	cctv/set ic vop status hrg		3
03/29/2016	<b>Violation Of Probation Warrant Served</b>			
01/26/2016	<b>File Affidavit And Warrant Violation Of Probation</b>	BOND: CT.1 **ROR**//SIGNED BY JUDGE CHRISTOPHER POLE FOR JUDGE ALAN MARKS		3
10/20/2015	<b>File Order Of Probation</b>			1
10/14/2015	<b>Arraignment Held</b>			
10/14/2015	<b>File Prog National Assoc for Shoplifting Prev</b>			1
10/14/2015	<b>Court Disposition</b>			2
09/28/2015	<b>Electronic Case</b>			
09/28/2015	<b>File Notice Of Confidential Info Within Court Filing</b>			1

Date	Description	Additional Text	View	Pages
09/28/2015	File State's Instruction Sheet			1
09/28/2015	File Notice to Appear Affidavit			1

- Hearing(s)			Total: 4
Date	Description	Additional Text	
05/02/2016	Hearing/Status Conference	Hearing Time: 8:30 AM Judicial Officer(s):Pole - MH, Christopher W Location: Room 345  xx	
04/29/2016	Hearing/Violation of Probation - Status Conference	Hearing Time: 8:30 AM Judicial Officer(s):Pole - MH, Christopher W Location: Room 345  xx	
04/15/2016	Hearing/First Violation of Probation	Hearing Time: 9:00 AM Judicial Officer(s):Pole - MH, Christopher W Location: Room 344  xx per hrg sheet 4/4/16	
10/14/2015	Arraignment	Hearing Time: 8:45 AM Judicial Officer(s):WC Evans, Kal Location: Room 220  XX	

- Related Case(s)		Total: 0
There is no related case information available for this case.		

## Brenda D. Forman

### Clerk of Court

Broward County  
17th Judicial Circuit

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## Main Courthouse Location

201 SE 6th Street  
Fort Lauderdale  
Florida, US 33301  
Phone: (954) 831-6565

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**- Charge(s)**

Total: 2

Offense Date	Charge	Degree	Detail
04/14/2014	1	(F3)	<b>Uttering a Forged Instrument</b> Date Filed: 04/14/2014 Current Statute: (F3)831.02 Filing Type: SAO Information- Not In Custody Filing Agency: Lauderhill PD Original Statute: (F3)831.02-Uttering a Forged Instrument
04/14/2014	2	(F3)	<b>Grand Theft in the 3rd Degree</b> Date Filed: 04/14/2014 Current Statute: (F3)812.014(2)(C ) Filing Type: SAO Information- Not In Custody Filing Agency: Lauderhill PD Original Statute: (F3)812.014(2)(C )-Grand Theft in the 3rd Degree

**- Warrant(s)**

Total: 3

Issue Date	Charge(s)	Detail	Status
04/21/2016	1, 2	<b>Warrant# 14013669CF10A3</b> <b>(InActive)</b> Type: Warrant - Violation Of Probation Bond Type: No Bond Hold Date Served: 04/28/2016 Hold Without Bail Bond: Yes	04/28/2016 Violation Of Probation Warrant Served 04/21/2016 Violation Of Probation Warrant Issued (Comment: Signed 04212016)
03/02/2016	1, 2	<b>Warrant# 14013669CF10A2</b> <b>(InActive)</b> Type: Warrant - Violation Of Probation Bond Type: No Bond Hold Date Served: 03/29/2016 Hold Without Bail Bond: Yes	03/29/2016 Violation Of Probation Warrant Served 03/02/2016 Violation Of Probation Warrant Issued (Comment: signed 030216)
10/10/2014	1, 2	<b>Warrant# 14013669CF10A1</b> <b>(InActive)</b> Type: Capias - Not In Custody Bond Amount: \$2000.00 Bond Type: Set By Judge Date Served: 12/03/2014 Hold Without Bail Bond: No	12/03/2014 Capias Served 10/10/2014 Not in Custody - Capias Issued

**- Bond(s)**

Total: 2

Posted Date	Charge(s)	Detail	Status
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Posted Date	Charge(s)	Detail	Status
12/04/2014	1	<b>Bond# 510203754</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: As Your Booked Bail Bonds Insurance Company: Star Insurance Company Bond Amount: \$1000.00	12/04/2014 POSTED 04/08/2015 DISCHARGED
12/04/2014	2	<b>Bond# 510203756</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: As Your Booked Bail Bonds Insurance Company: Star Insurance Company Bond Amount: \$1000.00	12/04/2014 POSTED 04/08/2015 DISCHARGED

- Arrest(s)				Total: 6
Arrest Date	Charge	Arrest Number	Detail	
04/28/2016	1	MJ16000676	<b>Rearrest</b> Offense: Uttering a Forged Instrument Degree: (F3) Bond Amount: \$ Statute: 831.02 OBTS Number: 0607223590 Rearrest Reason: 5012 Warrant Violation of Probation	
04/28/2016	2	MJ16000676	<b>Rearrest</b> Offense: Grand Theft in the 3rd Degree Degree: (F3) Bond Amount: \$ Statute: 812.014(2)(C) OBTS Number: 0607223590 Rearrest Reason: 5012 Warrant Violation of Probation	
03/29/2016	1	MJ16000515	<b>Rearrest</b> Offense: Uttering a Forged Instrument Degree: (F3) Bond Amount: \$ Statute: 831.02 OBTS Number: 0607222012 Rearrest Reason: 5012 Warrant Violation of Probation	
03/29/2016	2	MJ16000515	<b>Rearrest</b> Offense: Grand Theft in the 3rd Degree Degree: (F3) Bond Amount: \$ Statute: 812.014(2)(C) OBTS Number: 0607222012 Rearrest Reason: 5012 Warrant Violation of Probation	

Arrest Date	Charge	Arrest Number	Detail
12/03/2014	1	BS14006854	<b>Arrest</b> Name At Arrest: Thomas, Lanisha Offense: Uttering a Forged Instrument Degree: (F3) Bond Amount: \$1000.00 Bond Type: Not Applicable Statute: 831.02 OBTS Number: 0607195476
12/03/2014	2	BS14006854	<b>Arrest</b> Offense: Grand Theft in the 3rd Degree Degree: (F3) Bond Amount: \$ Statute: 812.014(2)(C ) OBTS Number: 0607195476

- Disposition(s)

Total: 2

Offense Date	Charge	Disposition(s)
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Offense Date	Charge	Disposition(s)
04/14/2014	1	<p><b>Plea(s)</b>  <b>04/08/2015 Amended Plea</b> (Reason: Change of Plea,) Change of Plea-Nolo Contendere  <b>01/13/2015 Plea</b>  <i>Arraignment Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>04/08/2015 Disposition</b>  <i>Adjudication Withheld</i></p> <p><b>Sentence(s)</b>  <b>05/03/2016 Amended (2) Probation / Community Control</b> (Judicial Officer(s): Kollra, Ernest A)  <i>Provisions: Provisions ( No contact with Victim, Original Terms/Conds, Probation Modified, Probation Reinstated) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</i>  <i>Comment (Total Amount Imposed \$1017.00 )</i>  <i>State Probation ( 36 Month(s), Start Date: 04/08/2015, End Date: 04/08/2018, Comment: 30 day THC waiver; No return to Place of Incident (ATX). 040516 Probation reinstated and extended 6 months. Pay balance. 050316 Probation reinstated and extended 6 months. )</i>  <i>Restitution (\$742.00, Comment: (33/month by the 10th of each mouth) )</i>  <i>Sentence Status (Concurrent, Any active sentence being served)</i>  <i>Charge Reopen Status (04/05/2016, Closed, 1 )</i>  <i>Comment (4/13/18 Probation Terminated )</i></p> <p><b>04/05/2016 Amended (2) Probation / Community Control</b> (Judicial Officer(s): Kollra, Ernest A)  <i>Provisions: Provisions ( No contact with Victim, Original Terms/Conds, Probation Modified, Probation Reinstated) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</i>  <i>Comment (Total Amount Imposed \$917.00 )</i>  <i>State Probation ( 30 Month(s), Start Date: 04/08/2015, End Date: 10/08/2017, Comment: 30 day THC waiver; No return to Place of Incident (ATX). 040516 Probation reinstated and extended 6 months. Pay balance. 050316 Probation reinstated and extended 6 months. )</i>  <i>Restitution (\$742.00, Comment: (33/month by the 10th of each mouth) )</i>  <i>Sentence Status (Concurrent, Any active sentence being served)</i>  <i>Charge Reopen Status (04/05/2016, Closed, 1 )</i></p> <p><b>04/08/2015 (2) Probation / Community Control</b> (Judicial Officer(s): McCarthy, Barbara)  <i>Provisions: Provisions ( No contact with Victim) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</i>  <i>Comment (Total Amount Imposed \$817.00 )</i>  <i>State Probation ( 24 Month(s), Start Date: 04/08/2015, End Date: 04/08/2017, Comment: 30 day THC waiver; No return to Place of Incident (ATX). 040516 Probation reinstated and extended 6 months. )</i>  <i>Restitution (\$742.00, Comment: (33/month by the 10th of each mouth) )</i>  <i>Sentence Status (Concurrent, Any active sentence being served)</i>  <i>Charge Reopen Status (04/05/2016, Closed, 1 )</i></p>



Offense

Date Charge Disposition(s)

04/14/2014 2

**Plea(s)**

**04/08/2015 Amended Plea** (Reason: Change of Plea.)  
 Change of Plea-Nolo Contendere  
**01/13/2015 Plea**  
 Arraignment Not Guilty-Jury

**Disposition(s)**

**04/08/2015 Disposition**  
 Adjudication Withheld

**Sentence(s)**

**05/03/2016 Amended (2) Probation / Community Control** (Judicial Officer(s): Kollra, Ernest A)  
 Provisions: Provisions ( No contact with Victim, Original Terms/Conds, Probation Modified, Probation Reinstated) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)  
 Comment (Total Amount Imposed \$142.00 )  
 State Probation ( 36 Month(s), Start Date: 04/08/2015, End Date: 04/08/2018, Comment: 040516 Probation reinstated and extended 6 months. Pay balance. 050316 Probation reinstated and extended 6 months. )  
 Sentence Status (Concurrent, Any active sentence being served)  
 Charge Reopen Status (04/05/2016, Closed, 2 )

**04/05/2016 Amended (2) Probation / Community Control** (Judicial Officer(s): Kollra, Ernest A)  
 Provisions: Provisions ( No contact with Victim, Original Terms/Conds, Probation Modified, Probation Reinstated) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)  
 Comment (Total Amount Imposed \$142.00 )  
 State Probation ( 30 Month(s), Start Date: 04/08/2015, End Date: 10/08/2017, Comment: 040516 Probation reinstated and extended 6 months. Pay balance. 050316 Probation reinstated and extended 6 months. )  
 Sentence Status (Concurrent, Any active sentence being served)  
 Charge Reopen Status (04/05/2016, Closed, 2 )

**04/08/2015 (2) Probation / Community Control** (Judicial Officer(s): McCarthy, Barbara)  
 Provisions: Provisions ( No contact with Victim) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)  
 Comment (Total Amount Imposed \$142.00 )  
 State Probation ( 24 Month(s), Start Date: 04/08/2015, End Date: 04/08/2017, Comment: 040516 Probation reinstated and extended 6 months. )  
 Sentence Status (Concurrent, Any active sentence being served)  
 Charge Reopen Status (04/05/2016, Closed, 2 )


















- Collection(s)




















Total: 2

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
04/18/2018	1		\$1017.00	\$1069.00	\$2.00	\$1067.00	04/10/2015	\$2.00	01/08/2018	\$1067.00
04/18/2018	2		\$142.00	\$142.00	\$0.00	\$142.00	-	\$0.00	-	\$0.00

- Event(s) & Document(s)

Total: 69

Date	Description	Additional Text	View	Pages
04/09/2021	Release Status	MJ16000676		
04/07/2021	Release Status	MJ16000515		
05/09/2018	Felony Letter - 30 Days Past Due	\$1,209.00		
04/13/2018	File Order Of Termination Of Probation			2
03/20/2018	File Order/Civil Restitution Lien/Victim			1
12/05/2016	File Letter	DOC re: Technical Violation Notification		2
05/12/2016	File Def Affidavit Indigency/Declared Indigent			1
05/12/2016	Review of Motor Vehicles - Property Records			1
05/03/2016	Hrg Held / First-Final Violation Of Probation	Ct. Rptr: C. Gardner / I / Admits		
05/03/2016	Court Disposition			3
05/03/2016	File Acknowledgement -Waiver Of Rights			2
04/29/2016	Hrg Held / Magistrate Findings/Order - Probable Cause Found			1
04/29/2016	Arrest Paperwork			7
04/28/2016	Violation Of Probation Warrant Served	Add Reason Charge Reopened Sentence Component on Disposition tab		
04/21/2016	File Affidavit And Warrant Violation Of Probation	Signed 04212016		3
04/05/2016	Hrg Held / First-Final Violation Of Probation	Ct. Rptr: S. Blissett (Apex) / D / Admits		
04/05/2016	Court Disposition			3
04/05/2016	File Sentencing Guidelines			2
04/05/2016	File Acknowledgement -Waiver Of Rights			2
04/05/2016	Judgment/Lien For Attorney's Fees And Costs			2
04/04/2016	File Defense Demand For Discovery			1
04/04/2016	File Notice/Assistant PD Assignment			1
03/30/2016	File Def Affidavit Indigency/Declared Indigent			1

Date	Description	Additional Text	View	Pages
03/29/2016	Violation Of Probation Warrant Served	Add Reason Charge Reopened Sentence Component on Disposition tab		
03/29/2016	Hrg Held / Magistrate Findings/Order - Probable Cause Found			1
03/29/2016	Arrest Paperwork			4
03/02/2016	File Affidavit And Warrant Violation Of Probation	signed 030216		3
11/18/2015	Hearing Held / Reprimand Hearing	Ct. Rptr: B. Dockstader / D		
11/18/2015	Order	re: Reprimand Hearing		1
05/27/2015	File Restitution Order			2
04/13/2015	File Order Of Probation			8
04/08/2015	Hearing Held / Change Of Plea	Ct. Rept. N. Petriak(Apex)/ nolo-adj. w/h/vi		
04/08/2015	Court Disposition with AC Costs Converted to Civil Lien			3
04/08/2015	File Sentencing Guidelines			3
04/08/2015	File Acknowledgement -Waiver Of Rights			3
04/08/2015	File DNA Inquiry Addendum			1
04/08/2015	File Adjudication Withheld			2
04/08/2015	File Copy of Bond Discharge Slip(s)			4
04/08/2015	File Copy of Bond Discharge Slip(s)			2
02/23/2015	Hearing Held On Status Hearing	Ct. Rept. N. Petriak(Apex)/ i		
02/23/2015	File Defense Waiver Of Speedy Trial			
02/23/2015	File Court's Notice Of Hearing			1
02/02/2015	File States Not Of Intent To Offer Evid Other Crimes			1
02/02/2015	File States Discovery Submission			5
02/02/2015	File State Demand For Notice Of Alibi			2
01/13/2015	Arraignment Held	Ct. Rept. N. Petriak(Apex)/ i		
01/13/2015	File Court's Notice Of Hearing			1
12/16/2014	Court Date Notice			2

Date	Description	Additional Text	View	Pages
12/11/2014	<b>File Defense Notice Of Intent Exercising Miranda</b>			1
12/10/2014	<b>Court Date Notice</b>	DEFENDANT, P.D., BOND COMPANY, SAO		2
12/09/2014	<b>File Notice/Assistant PD Assignment</b>			1
12/09/2014	<b>Demand for Disclosure of Impeaching Information</b>			3
12/09/2014	<b>File Defense Demand For Discovery</b>			4
12/05/2014	<b>Bond Posted</b>			3
12/05/2014	<b>Bond Posted</b>			2
12/05/2014	<b>Release Status</b>	BS14006854		
12/04/2014	<b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b>			1
12/04/2014	<b>Arrest Paperwork</b>			5
12/04/2014	<b>File Def Affidavit Indigency/Declared Indigent</b>			1
12/04/2014	<b>Review of Motor Vehicles - Property Records</b>			1
12/03/2014	<b>Capias Served</b>			
10/10/2014	<b>Electronic Case</b>			
10/10/2014	<b>File State Not In Custody - Information</b>			
10/10/2014	<b>File State Not In Custody - Information</b>			2
10/10/2014	<b>File Notice Of Confidential Info Within Court Filing</b>			1
10/10/2014	<b>File State's Instruction Sheet</b>			1
10/10/2014	<b>Probable Cause Affidavit</b>			1
10/10/2014	<b>File State Not In Custody - Information</b>			
10/10/2014	<b>Capias Image</b>			1

**- Hearing(s)**

Total: 6

Date	Description	Additional Text
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Date	Description	Additional Text
05/03/2016	<b>Hearing/First Violation of Probation</b>	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750 <i>per magistrate docket 042916</i>
04/05/2016	<b>Hearing/First Violation of Probation</b>	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750 <i>per 032916 magistrate docket</i>
11/18/2015	<b>Hearing/Reprimand</b>	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750
04/08/2015	<b>Hearing/Status Hearing RE:</b>	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750 <i>PTI/Speedy waived</i>
02/23/2015	<b>Hearing/Status Hearing RE:</b>	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750 <i>PTI</i>
01/13/2015	<b>Arraignment</b>	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750  <i>01/05/2015 Reset by Court to 01/13/2015 - Rescheduled</i>

**- Related Case(s)** Total: 0

**There is no related case information available for this case.**



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Marc Taupier, Chief Attorney  
Re: Rosanna Curita McLeary - Case No. 2022-059718 – License Denial  
Date: December 28, 2022

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Rosanna Curita McLeary's ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on November 28, 2022. Upon review of the application, it appears Applicant has been convicted of several felony crimes. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On November 28, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant was convicted of several felony crimes in the state of New Jersey. Specifically, the Applicant was convicted of the following:

- Receiving Stolen Property in 2010; and
- Conspiracy to Manufacture/Distribute Controlled Dangerous Substance in 2012<sup>1</sup>.

Applicant did not apply for a waiver for her felony convictions, however, under section 551.107(6)(a), Florida Statutes, the legislature did not authorize the Executive Director to waive criminal convictions for slot machine licensing.

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<sup>1</sup> Applicant failed to disclose all of the convictions set forth in the memorandum on her application.

*Relevant Law*

Section 551.107(6)(a), Florida Statutes, provides in pertinent part that:

“. . .the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense.”

Section 849.086(6)(f), Florida Statutes, provides that the “provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses.”

Section 849.086(6)(g), Florida Statutes, provides that:

“[t]he commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.”

Section 550.105(5)(d), Florida Statutes, provides that:

“. . . the term “convicted” means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere. However, the term “conviction” shall not be applied to a crime committed prior to the effective date of this subsection in a manner that would invalidate any occupational license issued prior to the effective date of this subsection or subsequent renewal for any person holding such a license.”



Staff Recommendation: Because the Applicant's disqualifying criminal convictions cannot be waived, the Florida Gaming Control Commission may deny or declare Applicant ineligible for any license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering

Licensing Administrator Review – SLOT Occupational License

RE: **MCLEARY, ROSANNA CURITA –**  
**13389431**

Case No: **2022059718**

(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	11/2/2022
COMPLETE APPLICATION RECEIVED:	11/28/2022
<b>90-DAY DEADLINE:</b>	<b>2/26/2023</b>

**Randall Kitchens**

**Application Processor**

**144 – Big Easy**

**Facility (d/b/a name)**

**1055 – Bartender**

**Occupation/Job Title**

Pursuant to Section 550.105(5)(a): The division may deny a license of any person who has been refused a license by any other state racing commission or racing authority; under suspension or has unpaid fines in another jurisdiction. The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Licensing Administrator Review				
Conviction				
Did the application accurately reflect the Criminal History Record? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
<input checked="" type="checkbox"/> Felony : 2 Count(s)				
<input type="checkbox"/> Misdemeanor – Industry Related/Gambling Related/Bookmaking				
<input type="checkbox"/> Animal Cruelty				
<input type="checkbox"/> Forgery, Larceny Extortion, Conspiracy to Defraud (Cardroom Professions Only)				
Comments:				
Arrest Date	Location	Charge	Level	Disposition
12/15/2009	Atlantic City, New Jersey	Receiving Stolen Property W 2009 8924	F3	Guilty
05/15/2010	Atlantic City, New Jersey	Manufacture Distribute CDS 10002200	F3	Guilty

Disposition Unknown	
<input type="checkbox"/> Felony Arrest(s) :	
<input type="checkbox"/> Misdemeanor Arrest – Industry Related/Gambling Related/Bookmaking	
<input type="checkbox"/> Animal Cruelty	

Enforcement/Jurisdiction Offenses	
<input type="checkbox"/> Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction.	

Related Licenses	
<b>Check VR License Relations to Determine if Applicant is Related to a Business.</b>	
Is the individual applicant related to a business? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, complete sections below.	
Business License Number:	Business Name:
Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Date Deficiency Letter Issued:	Initials:

Licensing Administrator Review				
Disposition Confirmation				
Disqualifying Convictions/Arrests Confirmed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> Approval				
Forward to <input type="checkbox"/> Investigations <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Director Initials: <i>[Signature]</i> 12/16/22				
Comments: <i>Indictable Offenses in New Jersey = Felonies</i>				

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
---------	-------	--------	-------------	---------	------	------	------------	-------------	--------

Complaint Search    Change Recording License Type    Delete Complaint    Mass Activity Update    Mass Discipline Update  
 Mass Status Update    Public Case Info

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **rkitchens**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	<b>1055 - Slot Machine/Cardroom/Pari-Mutuel Individual Combination</b>	Status	<b>10 Initial Review</b>	Status Date	<b>12/16/2022</b>
Complaint #	<b>2022059718</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent	<b>MCLEARY, ROSANNA CURITA</b>	Responsible	<b>ddonaldson - DONALDSON, DAVID</b>	<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
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Source	<b>INTN - Internal</b>	Security Level	<b>1</b>	Parties	Activities
Form	<b>INTR - Internal</b>	Priority		Allegations	Discipline
Class'n	<b>CHIS - Criminal History</b>	Complexity	<b>R - Regular</b>	Violations	Compliance
Security	<b>STND - Standard</b>	Incident	<b>12/16/2022</b>	Related	Disposition
Region	<b>SR - Southern Region</b>	Received	<b>12/16/2022</b>	Inspection	
Reference				Costs	
Entered	<b>12/16/2022</b>	Entered By	<b>rkitchens</b>	Time Tracking	Auto Assign
Summary	<b>Application and rap sheet reviewed. Applicant's criminal history resulted in felony conviction(s) or an industry related offense. Facility 144 - Big Easy.</b>			Attachments	History
Updated	<b>12/16/2022 09:24:47</b>	By	<b>rkitchens</b>	Work Notes	Print Report

Change	Save	OK	Cancel	Back
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Get Adobe Reader.



**EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  
 No  
 Have you previously worked for a gaming-related employer?  
 If yes, you must list below all gaming-related employment history in the past ten years.

Name of Employer	Address	Start Date (Month/ Year) - End Date (Month/ Year)	Title/Position Held & Supervisor Name	Reason for Leaving

**PREVIOUS LICENSING HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  
 No  
 Have you ever been licensed in any other racing or gaming jurisdiction? If yes, you must list all current and previous licenses and provide the details in the section below.

State(s) or Jurisdiction(s) Where Licensed	Date of Expiration	Is this license currently suspended or subject to fines or other discipline? Explain why.
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

Yes  
 No  
 Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

If you answered yes to the question above, provide details here:

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Municipal Court Case Search (MCCS)

NJCourts Pay Ticket MCCS Help Logout

Welcome Search

Complaint Detail

Back New Search

W 2009 8924 W 2009 8925 (CP)

Case: **W 2009 8924** Court: **0102** Type: **Complaint** Defendant: **ROSANNA C MCLEARY** Status: **Disposed**

**Defendant Information**

Name: **ROSANNA C MCLEARY** Gender: **Female** Eyes: **Brown**

**Court Information**

Court Date: **12/29/2009** Court Time: **09:00 AM** Court Room: **0002**

**Complaint Information**

Complaint Number: **W 2009 8924** Issue Date: **12/17/2009** Offense Date: **12/15/2009 06:31 PM** Arrest Date: **12/15/2009**  
 Court: **0102 - ATLANTIC CITY MUNICIPAL COURT** Agency & Officer ID: **2200 5663** Police Case No: **H430091503**  
 Mun. Of Offense: **0102** Co-Def Count: **1**  
 Complainant: **T M WIECZERAK**  
 Transferred To: **0089 - PROSECUTOR - 12/17/2009** Transferred From:  
 Reason: **Indictable**  
 Status: **Disposed** Time Payment: Warrant: **Recalled** Bail: **Set**  
 Last Action Date: **12/17/2009**

**Charge Information**

2C:5-1A(1) 2C:5-2A(1) 2C:20-7A

Description: **RECEIVING STOLEN PROPERTY-KNOWING PROPERTY IS STOLEN**

Charge Status: **Disposed** Degree: **Indictable**

**Disposition Information**

Plea: **No Plea** Plea Date: Disposition Date: **04/22/2010** Finding: **Disp at Superior Crt**  
 Conditional Discharge Status: License Surrendered: **No** Modify Type:

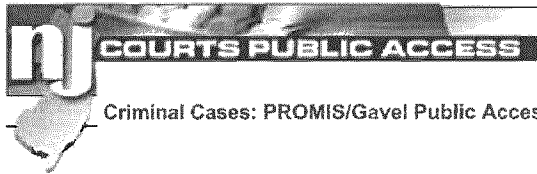
**Additional Information**

Warrant Bail Involved Persons

Warrant #	Multi Case	Agency	Issued Date	Executed Date	Recall Date
W 2009 8924	N	0102	12/15/2009 11:37 PM		12/17/2009 11:05 AM

Back New Search





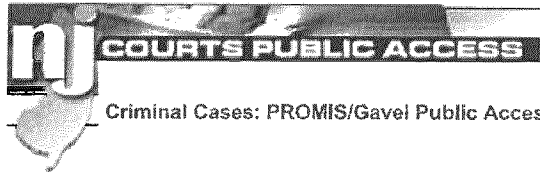
Criminal Cases: PROMIS/Gavel Public Access: Aggregate Sentence



<b>CASE NUMBER</b> : 10002200	<b>DEF SEQ NO:</b> 002
<b>DEFENDANT NAME:</b> MCLEARY ROSANNA	<b>SENTENCE SEQ NO:</b> 001
<b>CHARGING DOC</b> : INDICTMENT	<b>CDR NO:</b> 0000
<b>CHARGE COUNT</b> : 005 <b>STATUTE</b> : 2C:5-2	<b>IND/ACC NO</b> : 11-10-02530-I
<b>STATUTE</b> : CONSPIRACY	
<b>STATUTE DEG</b> : THIRD DEGREE	<b>SENTENCE CONT</b> : AGGREGATE SENTENCE
<b>SENTENCE DISP</b> : INCARCER GENERAL	<b>JAIL DAYS:</b> 0038 <b>INCAR LENGTH:</b> 000Y00M038
<b>PLACE SENTENCE:</b> COUNTY JAIL	<b>GAP:</b> 0000 <b>PRIOR SVC:</b> 0000 <b>ROSADO:</b> 000
<b>PAROLE INELIG</b> : 00Y00M000	<b>PAROLE SUPERVISION:</b> 00Y00M000 <b>CSL/PSL</b> :
<b>PROBATION TIME:</b> 04Y00M	<b>COMM SERV HR:</b> 0000 <b>LICENSE SUSP</b> : 000
<b>SENTENCE DATE</b> : 06 22 2012	
<b>JUDGE</b> : SANDSON	<b>MARK</b> <b>RO-1</b> : <b>RO-2</b> :

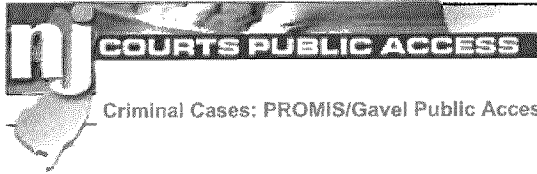
-----FEES AND FINES-----					
<b>SNSF</b> :	75.00	<b>LETF</b> :	30.00	<b>VCCA</b> :	50.00
<b>LAB</b> :		<b>DESI</b> :		<b>PROB</b> :	2.00
:		:		:	
:		:		:	

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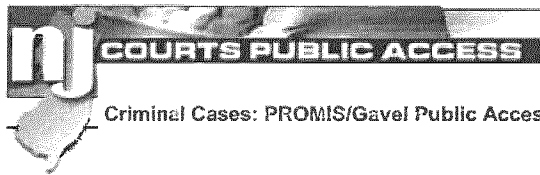
<b>CASE NUMBER</b> : 10002200	<b>DEFENDANT NO</b> : 002	
<b>DEFENDANT NAME</b> : MCLEARY	ROSANNA	
<b>IND/ACC NO</b> : 00-00-00000-	<b>CHARG DOC</b> : COMPLAINT	<b>COUNT</b> : 000
<b>CHARGE COUNT</b> : 001	<b>CRIME TYPE</b> : INDICTABLE OFFENSE	<b>DEGREE</b> : 0
<b>PRIMARY STATUTE</b> : 2C:5-2A(1)	CONSPIRACY - AGREE/ENGAGE IN CONDUCT CONSITU	
<b>AUX STATUTE</b> : 2C:35-5B(2)	CDS - MANU/DIST/PWID - HEROIN/COCAINE - .5OZ	
<b>DRUG TYPE</b> :	<b>OFFENSE DATE</b> : 05 15 2010	
<b>CDR NUMBER</b> : W 20100032430102	<b>CDR ISS DATE</b> : 05 18 2010	
<b>CDR REC DATE</b> : 05 18 2010	<b>POLC CASE NO</b> : SRT09082	<b>MUNIC DOC</b> : 001
<b>INTERFACE IND</b> : N		
<b>CHARGE COMMENTS</b> : RECD ORIG		
<b>CHG DISP IND</b> : Y	<b>CHG DISP DATE</b> : 10 19 2011	
<b>CHARGE ACTION</b> : TRUE BILL		
<b>APPEALED IND</b> :	<b>RETRAXIT CODE</b> :	
<b>CHANGE STATUTE</b> :		
<b>CHG AUX STATUTE</b> :		
<b>PROSECUTOR</b> : SHILL	CARY	S <b>CHANGE DEGREE</b> : 0

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<b>CASE NUMBER</b> : 10002200	<b>DEFENDANT NO</b> : 002
<b>DEFENDANT NAME</b> : MCLEARY	ROSANNA
<b>DEFN ATTY NAME</b> : PUTTERMAN	BONNIE D
<b>DEFN ATTY TYPE</b> : POOL ATTORNEY	
<b>JAIL DAYS</b> : 0038	
<b>SENT LENGTH</b> : 04Y00M	
<b>***** S U M M A R Y    D A T A *****</b>	
<b>CHARGING DOCUM</b> : INDICTMENT	<b>DISPOSITION DATE</b> : 04 30 2012
<b>DISP ACTION</b> : GUILTY	<b>SENTENCE DATE</b> : 06 22 2012
<b>DISP REASON</b> : GUILTY PLEA LESS IND	<b>TRANSFER TO:</b>

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<b>CASE NUMBER</b> : 10002200	<b>DEF SEQ NO:</b> 002
<b>DEFENDANT NAME:</b> MCLEARY ROSANNA	<b>SENTENCE SEQ NO:</b> 001
<b>CHARGING DOC</b> : INDICTMENT	<b>CDR NO:</b> 0000
<b>CHARGE COUNT</b> : 005 <b>STATUTE</b> : 2C:5-2	<b>IND/ACC NO</b> : 11-10-02530-I
<b>STATUTE</b> : CONSPIRACY	
<b>STATUTE DEG</b> : THIRD DEGREE	<b>SENTENCE CONT</b> : AGGREGATE SENTENCE
<b>SENTENCE DISP</b> : INCARCER GENERAL	<b>JAIL DAYS:</b> 0038 <b>INCAR LENGTH:</b> 000Y00M038
<b>PLACE SENTENCE:</b> COUNTY JAIL	<b>GAP:</b> 0000 <b>PRIOR SVC:</b> 0000 <b>ROSADO:</b> 000
<b>PAROLE INELIG</b> : 00Y00M000	<b>PAROLE SUPERVISION:</b> 00Y00M000 <b>CSL/PSL</b> :
<b>PROBATION TIME:</b> 04Y00M	<b>COMM SERV HR:</b> 0000 <b>LICENSE SUSP</b> : 000
<b>SENTENCE DATE</b> : 06 22 2012	
<b>JUDGE</b> : SANDSON	<b>MARK</b> <b>RO-1</b> : <b>RO-2</b> :

-----FEES AND FINES-----

<b>SNSF</b> :	75.00	<b>LETF</b> :	30.00	<b>VCCA</b> :	50.00
<b>LAB</b> :		<b>DESI</b> :		<b>PROB</b> :	2.00
:		:		:	
:		:		:	

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Scheduled Event	Event Description	Charges
Motions	Bail	Arrest
Appeal	Sentence	PTI

CASE NUMBER : 10002200	DEFENDANT NO : 002
DEFENDANT NAME : MCLEARY	ROSANNA
DEFN ATTY NAME : PUTTERMAN	BONNIE D
DEFN ATTY TYPE : POOL ATTORNEY	
JAIL DAYS : 0038	
SENT LENGTH : 04Y00M	
***** S U M M A R Y   D A T A *****	
CHARGING DOCUM : INDICTMENT	DISPOSITION DATE : 04 30 2012
DISP ACTION : GUILTY	SENTENCE DATE : 06 22 2012
DISP REASON : GUILTY PLEA LESS IND	TRANSFER TO:

Prio. Fees	Additional Fees
------------	-----------------

CASE NUMBER : 10002200	DEF SEQ NO: 002
DEFENDANT NAME: MCLEARY ROSANNA	SENTENCE SEQ NO: 001
CHARGING DOC : INDICTMENT CDR NO: 0000	
CHARGE COUNT : 005 STATUTE : 2C:5-2	IND/ACC NO : 11-10-02530-I
STATUTE : CONSPIRACY	
STATUTE DEG : THIRD DEGREE SENTENCE CONT : AGGREGATE SENTENCE	
SENTENCE DISP : INCARCER GENERAL JAIL DAYS: 0038 INCAR LENGTH: 000Y00M038	
PLACE SENTENCE: COUNTY JAIL GAP: 0000 PRIOR SVC: 0000 ROSADO: 000	
PAROLE INELIG : 00Y00M000 PAROLE SUPERVISION: 00Y00M000 CSL/PSL :	
PROBATION TIME: 04Y00M COMM SERV HR: 0000 LICENSE SUSP : 000	
SENTENCE DATE : 06 22 2012	
JUDGE : SANDSON	MARK RO-1 : RO-2 :

-----FEES AND FINES-----			
SNSF :	75.00	LETF :	30.00
		VCCA :	50.00
LAB :		PROB :	2.00
:	:	:	:
:	:	:	:

Indictment/Accusation Detail

CASE NUMBER : 09005831	DEFENDANT NO : 003	
DEFENDANT NAME : MCLEARY	ROSANNA C	
IND/ACC NO : 10-01-00212-I	CHARG DOC: INDICTMENT	COUNT: 004
CHARGE COUNT : 002	CRIME TYPE : INDICTABLE OFFENSE	DEGREE : 3
PRIMARY STATUTE: 2C:20-7A	RECEIVING STOLEN PROP-KNOW PROP	STOLEN-VAL 50
AUX STATUTE:		
DRUG TYPE :	OFFENSE DATE : 00 00 0000	
CDR NUMBER : W 20090089240102	CDR ISS DATE: 00 00 0000	
CDR REC DATE : 00 00 0000	POLC CASE NO :	MUNIC DOC :
INTERFACE IND :		
CHARGE COMMENTS:		
CHG DISP IND : Y	CHG DISP DATE: 04 22 2010	
CHARGE ACTION : GUILTY		
APPEALED IND :	RETRAXIT CODE:	
CHANGE STATUTE :		
CHG AUX STATUTE:		
PROSECUTOR : MAHER,DAG	YVONNE G	CHANGE DEGREE : 0



Scheduled Event	Event Detail	Charges
Motions	Bail	Arrest
Appeal	Sentence	PTI

<b>CASE NUMBER</b> : 09005031	<b>DEFENDANT NO</b> : 003
<b>DEFENDANT NAME</b> : MCLEARY	ROSANNA C
<b>DEFN ATTY NAME</b> : LABARRE	EILEEN
<b>DEFN ATTY TYPE</b> : PUBLIC DEFENDER	
<b>JAIL DAYS</b> : 0000	
<b>SENT LENGTH</b> : 01Y00M	
<b>***** S U M M A R Y D A T A *****</b>	
<b>CHARGING DOCUM</b> : INDICTMENT	<b>DISPOSITION DATE</b> : 04 22 2010
<b>DISP ACTION</b> : GUILTY	<b>SENTENCE DATE</b> : 08 06 2010
<b>DISP REASON</b> : GUILTY PLEA AS CHARG	<b>TRANSFER TO:</b>



Prior Fees      Additional Fees

CASE NUMBER : 09005831	DEFENDANT NAME: MCLEARY	ROSANNA C	DEF SEQ NO: 003
			SENTENCE SEQ NO: 001
CHARGING DOC : INDICTMENT	CDR NO: 0000		
CHARGE COUNT : 002	STATUTE : 2C:20-7A	IND/ACC NO : 10-01-00212-I	
STATUTE : RECEIVING STOLEN PROP-KNOW	PROP STOLEN-VAL 500-74999 ETC		
STATUTE DEG : THIRD DEGREE	SENTENCE CONT : AGGREGATE SENTENCE		
SENTENCE DISP : NON-CUSTODIAL	JAIL DAYS: 0009	INCAR LENGTH: 000Y00M00D	
PLACE SENTENCE: GAP: 0000	PRIOR SVC: 0000	ROSADO: 000	
PAROLE INELIG : 00Y00M00D	PAROLE SUPERVISION: 00Y00M00D	CSL/PSL :	
PROBATION TIME: 01Y00M	COMM SERV HR: 0000	LICENSE SUSP : 000	
SENTENCE DATE : 08 06 2010			
JUDGE : BAKER	MAX	RO-1 :	RO-2 :

-----FEES AND FINES-----			
SNSF :	75.00	LETF :	30.00
		VCCA :	50.00
LAB :		DESI :	
		PROB :	5.00
:	:	:	:
:	:	:	:

























**FLORIDA GAMING CONTROL COMMISSION  
ADMINISTRATIVE POLICIES AND PROCEDURES**

**TITLE:** Adopting, Changing and Repealing Administrative Policies and Procedures

**POLICY NUMBER**  
(To be assigned by Administration)

**EFFECTIVE DATE:**

**Authority and Reference**  
Section 16.71, Florida Statutes.

**REVISED:**

- I. **TITLE**  
Adopting, Changing and Repealing Administrative Policies and Procedures
- II. **AUTHORITY AND REFERENCES**  
Section 16.71, Florida Statutes
- III. **STATEMENT OF POLICY**  
The Florida Gaming Control Commission’s (FGCC) Administrative Policies and Procedures (AP&Ps) are to be used as a guide in complying with the provisions of the State Constitution and the Florida Statutes. The AP&Ps convey procedures and outline responsibilities on topics that are applicable to the entire FGCC.
- IV. **PURPOSE OR OBJECTIVE**  
To ensure that AP&Ps are adopted, changed, or repealed only with the prior approval of the Commission, to provide for a review schedule and procedure for AP&Ps, and to provide a guide for FGCC employees.

## V. RESPONSIBILITIES

The Executive Director, delegates to the Director of Administration the responsibility for ensuring that the FGCC's AP&Ps are updated on a timely basis and routed through the review and approval process as outlined throughout this AP&P.

The FGCC's AP&Ps are developed and maintained as a mechanism to provide guidance on administrative matters relating to financial, human resources, operational and information technology issues. The AP&Ps are intended for internal use only and do not effect either the private interests of any person or any plan or procedure important to the public and therefore are not considered administrative rules. The AP&Ps may reference State law, Federal law, or Florida Administrative Code rules if they are relevant and relate primarily to administrative considerations, such as how a rule or responsibility is to be administered, levels of review, delegation, reporting, etc.

The determination as to whether a policy addition or change is considered to be major or significant shall be made by the Executive Director. If the addition or change is considered minor or insignificant, the AP&P may be changed as needed, and only the AP&P's Revised Date will be updated.

The Executive Director has the authority to make exceptions to AP&Ps on a case-by-case basis.

## VI. PROCEDURES

### A. Update/Development of the AP&Ps:

1. The Director of Administration shall seek and receive suggestions, ideas and proposals from executive personnel, division directors, and other employees, as appropriate, on required improvements to the AP&Ps.
2. Each AP&P is assigned an owner by the Director of Administration, who has the responsibility of ensuring that the AP&P is updated as needed, due to changes in law or rule, discovery of an error, ambiguity, etc. The AP&P owner will be responsible for drafting any changes or developing a new AP&P.
3. All AP&Ps should, at a minimum, be reviewed every two years and preferably at the beginning of the calendar year. AP&Ps which ends with an even number will be reviewed in even-numbered years, and AP&Ps which begin with an odd number will be reviewed in odd-numbered years. The Director of Administration has the authority to deviate from the review schedule, if a certain AP&P needs to be expeditiously changed or repealed.
4. All AP&Ps will be drafted using the template as a guide (Exhibit A). The AP&P should, at a minimum, include the Title, Authority and References, Statement of Policy, Purpose, and Procedures. All law and rule references, as well as AP&P references, should be hyperlinked for the ease of the reader. When revising AP&Ps, the owner should use track changes.

5. Once the draft AP&P is completed, it should be submitted electronically to the Director of Administration. The AP&P's owner should state the reason for a new AP&P or revisions to an existing AP&P on the route slip.

**B. Review/Approval Process for New or Updated AP&Ps:**

1. The Director of Administration will track the draft AP&P, review for format, appropriateness, hyperlinking of law and rule references, and grammatical or typographical errors.
2. Draft AP&Ps with substantive comments or edits will be returned to the owner for correction or response. The owner will either approve or respond to the comments and return the draft AP&P to the Director of Administration.
3. When the draft AP&P is approved by the Director of Administration, the policy is delivered electronically to the Office of General Counsel for assignment. Any edits or comments are communicated from the assigned attorney, and are reviewed with the Director of Administration and/or the owner for inclusion in the AP&P. Revisions are made to the draft AP&P, as appropriate.
4. Once approved by the Office of General Counsel, the draft AP&P is delivered electronically to the Senior Leadership Group, for review. The Senior Leadership Group consists of the Executive Director, Director of Administration, Inspector General, Director of Law Enforcement, Chief Information Officer, Director of Pari-Mutual Wagering, and the General Counsel. Revisions are made to the AP&P, as appropriate.
5. Once approved by the General Counsel, the Director of Administration will provide final draft to the Executive Director for approval. Comments, if any, are communicated to the Director of Administration and are reviewed with the owner.
6. When the draft AP&P is approved by the Executive Director, the Executive Director will submit the policy to the Commission for approval. If the Commission requests changes, the Director of Administration will provide the latest draft back to owner with comments from the Commission for revision. Once revised, the owner will return AP&P back to the Director of Administration. The Director of Administration will review and provide the updated AP&P to the Executive Director, General Counsel and the Commission for comment and approval.
7. Once approved, the Division of Administration will format the AP&P using the Arial font and specific numeration (Exhibit B) and will publish the approved AP&P on FGCC's intranet site and send out an e-mail to all employees, advising that a new AP&P has been adopted or an existing AP&P has been revised, and that the AP&P is ready to be viewed.
8. The Division of Administration will maintain electronic and hard copy of documentation regarding the various steps in the review, approval, and publication of the AP&P.

**C. Review/Approval for a Repeal of an Existing AP&Ps:**

1. The Director of Administration shall accept recommendations for the repeal of an existing AP&P from the policy's Owner.
2. All repeal recommendations shall be supported by a memorandum detailing the reason(s) a repeal is warranted or justified.

4. Once the memorandum draft is completed, it should be submitted electronically to the Director of Administration.
5. The Director of Administration will consult with the policy owner and, along with the Office of General Counsel, will review the memorandum for clarity, completeness and accuracy.
6. The memorandum and Route Slip will be delivered to the General Counsel for review. When the repeal is approved by the General Counsel, the memorandum will be delivered electronically to the Executive Director for approval.
7. Once approved by the Executive Director, the Division of Administration will remove the AP&P on the FGCC's Intranet site.
8. An e-mail will be sent to all FGCC employees, advising that the AP&P has been repealed, along with a summary of the reason(s) outlined in the memorandum.
9. The Division of Administration will maintain electronic and hard copy of documentation regarding the various steps in the review, approval, and repeal of the AP&P, including a copy of the repealed AP&P.

D. Notification of the FGCC's AP&Ps:

The Division of Administration shall maintain the AP&Ps on the FGCC's Intranet. The AP&Ps published on the FGCC's Intranet shall be:

1. In numerical order,
2. Organized by Section (e.g., Administrative, Human Resources, Information Technology, Human Resources, Purchasing, etc.),
3. Communicated to all FGCC employees, via email whenever there is an update to or repeal of an existing AP&P, or whenever a new AP&P is created.

E. Effective Date:

All AP&Ps will be in hard and electronic copy, signed by the Executive Director, approved by the Commission, and dated, with an Effective Date.

**Florida Gaming Control Commission  
Administrative Policies and Procedures**

Title:

Number:

Owner:

Proposed Effective Date:

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**I. TITLE**

**II. AUTHORITY AND REFERENCES**

**III. STATEMENT OF POLICY**

**IV. PURPOSE**


**V. DEFINITIONS**

**VI. ROLES AND RESPONSIBILITIES**

**VII. PROCEDURES**




Exhibit B

 <b>FLORIDA</b> GAMING CONTROL COMMISSION	<b>FLORIDA GAMING CONTROL COMMISSION</b> <b>ADMINISTRATIVE POLICIES AND PROCEDURES</b>
<b>TITLE:</b>	<b>POLICY NUMBER</b> (To be assigned by Administration)
<b>EFFECTIVE DATE:</b>	<b>Authority and Reference</b>
<b>REVISED:</b>	

\_\_\_\_\_  
**Louis Trombetta**  
**Executive Director**

\_\_\_\_\_  
**Date**

 <b>FLORIDA</b> GAMING CONTROL COMMISSION	<b>FLORIDA GAMING CONTROL COMMISSION</b> <b>ADMINISTRATIVE POLICIES AND PROCEDURES</b>
<b>TITLE: Attendance and Leave Policy</b>	<b>POLICY NUMBER</b>
<b>EFFECTIVE DATE:</b>	<b>03.04.01</b>
<b>REVISED:</b>	<b>Human Resource Management</b> <b>Rulemaking Authority</b>
<b>APPROVED BY:</b>	Chapter 110, Public Officers, Employees and Records, Florida Statutes (F.S.) Chapter 60L-34, Attendance and Leave, Florida Administrative Code (F.A.C.) Fair Labor Standards Act (FLSA) United States Department of Labor Wage and Hour Division Regulations Part 785, Hours Worked, and Fact Sheet #22 State of Florida Collective Bargaining Agreements

**Statement of Policy**

- 1) It is the policy of the State Personnel System and the Florida Gaming Control Commission (FGCC) under section 110.105 (2), F.S.: That all appointments, terminations, assignments, and maintenance of status, compensation, privileges, and other terms and conditions of employment in state government shall be made without regard to age, sex, race, color, religion, national origin, political affiliation, marital status, or disability, unless a specific requirement constitutes a bona fide occupational qualification.
- 2) To support employees in balancing their personal needs and work responsibilities, this policy is designed to enhance the employee’s ability to blend the competing demands of work and personal life and produce a more skilled, accountable, and committed workforce for the system. Provisions may include, but need not be limited to, flexible work schedules, telework, part-time employment, and leaves of absence with or without pay.

- 3) Except as expressly provided by law, Florida residency is not required for any person as a condition precedent to employment; however, preference in hiring may be given to state residents.

### **General Agency Responsibilities**

- 1) Monitor hours worked by employees to ensure proper compensation.
- 2) Monitor overtime to ensure compliance with the FLSA.
- 3) Maintain accurate records of attendance, leave, and overtime work and compensation.
- 4) Report to the FGCC any charge by an employee(s), or the U.S. Department of Labor, that the agency is or may be in violation of the FLSA or Chapter 60L-34 F.A.C. regarding overtime.
- 5) Instruct employees in the proper scheduling, use, and recording of leave and attendance, and the proper earning and recording of hours worked including overtime.
- 6) Monitor the actual duties performed by included and excluded employees to ensure continued accuracy of overtime designations.

### **General Requirements for Leave Earning, Approval, and Use**

- 1) Leaves of absence with or without pay shall be in writing and approved before leave is taken. If an emergency prevents prior approval, the employee shall request such approval, with appropriate justification, as soon as reasonably possible.
- 2) An employee granted a leave of absence, with or without pay, shall be an employee of the state while on leave. Upon termination of the approved leave of absence, the employee shall be returned to the same position or a different position in the same class and same work location, unless the agency and the employee agree in writing to other terms and conditions governing the grant of leave.
- 3) Regardless of the amount of leave originally approved, including administrative leave, the employee will only be charged with or granted the amount of leave necessary to bring the employee to a forty-hour workweek or regular work period for excluded employees.
- 4) Approved leave may be taken only in increments of fifteen minutes or more, rounded to the nearest quarter hour.
- 5) The use of paid leave shall not be authorized and taken before the time is earned.
- 6) Extra hours may be offset to avoid overtime at the end of the workweek, approved extended work period, or, for excluded employees, regular work period; provided, the offset shall be made within these designated work periods.
- 7) The FGCC shall keep an accurate record of all authorized leaves of absence.
- 8) DROP participants shall accrue leave in the same manner and at the same rate as prior to entering the DROP.

- 9) Within the first thirty-one calendar days of the commencement of each term of office, an elected officer or any full-time board or commission member who has a salary fixed by the Legislature shall have the option to receive credit for annual and sick leave in accordance with this rule; provided, if the person opts to receive leave credits, the person shall be subject to the provisions of this Chapter 60L-34, F.A.C., that apply to members of the senior management service.
- 10) All “included” employees are required to work 40 hours per workweek (Friday - Thursday).
- 11) An included employee may not work more than 40 hours per week, without prior approval. If an included employee works more than 8 hours per day, with supervisor approval, the extra time worked must be offset during the workweek so that the employee does not exceed 40 hours for the week.
- 12) All “excluded” employees are required to work the contracted hours in each month.
- 13) An excluded employee should not work more than 40 hours per week. However, if an excluded employee works more than 8-hours per day, with supervisor approval, the extra time worked should be offset during the work period (month) so that the employee does not exceed the contracted hours for the month.

### **Work Hours**

- 1) Regular work hours are 8-hours per day - 8:00 a.m. to 5:00 p.m. However, an employee may request approval from their supervisor to work an alternate 8 hour per day schedule, e.g., 7:30 a.m. to 4:30 p.m. (1 hour lunch period).
- 2) Work hours may be set between the hours of 7:00 a.m. and 6:00 p.m. If an employee requests a schedule either before 7:00 a.m. or after 6:00 p.m., a written request must be submitted by completing form number 03.05.01– Request for Work Hours Before 7:00 a.m. or after 6:00 p.m., and submitting it to their supervisor. The supervisor will consider the request and if they support the request, the supervisor will recommend the schedule change for approval to the Director of Administration or designee. Any change in an employee’s work schedule, whether it is initiated by the supervisor or the employee, requires a new form completed and sent to the Director of Administration, or designee, for approval. A copy of the schedule request should be sent to the Bureau of Human Resources for inclusion in the employee’s personnel file.

### **FLEXIBLE WORK SCHEDULE**

Employees may request to work a flexible workweek of 4 days, working 10 hours per day; or 4 days, working 9 hours for 4 days and 4 hours on the fifth day of the workweek. This request must be made in People First under the Employee Timesheet function/menu tab. The supervisor will consider the request and either approve or disapprove based on factors relating to office operation, personnel workload,

coverage, employees past punctuality history, or other reduced efficiencies that may be problematic for efficient and effective operations.

### **LUNCH PERIOD**

Work schedules will include at least a 30-minute meal period, maximum 60 minutes.

### **BREAKS**

All employees are allowed two (2) paid 15-minute breaks a day, one in the morning and one in the afternoon. Breaks cannot be combined with lunch and cannot be used for coming in late or leaving early.

### **REQUESTING LEAVE (TIME OFF)**

Time off must be requested and approved in advance, except in an emergency situation. Should an emergency occur, the employee must advise their supervisor as soon as possible. If an employee does not have sufficient leave to cover an absence, then the time off will be considered leave without pay (Hours Type 0058). Approving annual leave is at the discretion of the supervisor. Annual leave should only be approved if the employee has sufficient leave to cover the time off, unless it is an emergency or medical absence.

### **MAKING UP TIME**

“Included” employees have the ability to make up time within a workweek (Fri – Thurs) at the discretion of the supervisor. Making up time is only permitted within that workweek. “Excluded” employees have the work period (full month) to make up time. The supervisor decides whether or not time can be made up by shortening lunch periods, coming in early, but not before 7:00 a.m. or staying late, but not after 6:00 p.m. Breaks cannot be used to make up time.

### **ACCRUAL OF ANNUAL/SICK LEAVE**

Career Service employees accrue leave at the end of each month. This leave is available for use the first day of the next month. Please note: Leave is not credited in People First until the prior month’s timesheet has been submitted and approved by the supervisor.

Selected Exempt Service (SES) and Senior Management Service (SMS) employees accrue leave on their SES/SMS hire date and then annually on their SES/SMS anniversary hire date.

### **SUBMISSION/APPROVAL OF TIMESHEETS**

People First timesheets should be submitted as follows for:

- 1) Career Service/SES included employees:

- a. Timesheets are entered weekly and submitted for approval by close of business the following Monday.
- 2) Career Service/SES excluded and SMS employees:
  - a. Timesheets are entered monthly and submitted for approval by close of business on the 10<sup>th</sup> day of the following month.
- 3) OPS employees:
  - a. Timesheets are entered biweekly and submitted for approval by close of business the following Monday.

Supervisors shall verify and approve timesheets within ten calendar days after the end of the work period (weekly or monthly).

**Types of Leave**

**Annual Leave:** Authorized leave of absence with pay granted to a salaried employee for vacation or other personal purposes.

- 1) SES and SMS employees are credited with 176 hours of annual leave.
- 2) Full-time career service employees paid on a monthly basis shall earn annual leave as follows.

Length of Service	Hours of Leave Earned During Pay Period
	Monthly
Through 60 months	8.667 hours
61 through 120 months	10.833 hours
Over 120 months	13 hours

- 3) At the close of business on December 31 of each calendar year, a career service employee's annual leave balance in excess of 360 hours shall be transferred to sick leave on an hour-for-hour basis. For SES and SMS employees, at the close of business on the day before the member's anniversary date, all annual leave credits in excess of 480 hours shall be converted to sick leave on an hour-for-hour basis.

**Sick Leave:**

- 1) SES and SMS employees are credited with 104 hours of sick leave.
- 2) Full-time career service employees paid on a monthly basis shall earn sick leave as follows.

Monthly Pay Period		
Number of Hours Actually Worked		Hours of Sick Leave Credit
Less than 36		0
36 through 70.99		2.167
71 through 103.99		4.333

104 through 138.99	6.500
139 or more	8.667

- 3) An employee may use sick leave only for authorized purposes. Sick leave shall be authorized for the following purposes:
- a) The employee's personal illness, injury, or exposure to a contagious disease that would endanger others. Personal illness shall include disability caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom.
  - b) The employee's personal appointments with a doctor, dentist, or other recognized practitioner.
  - c) Illness, injury, or well-care checkups of the employee's spouse, the children or parents of the employee or the spouse, or a person for whom the employee or the spouse has a caretaker responsibility, when the employee's presence is necessary.

After three workdays or partial workdays of absence in any thirty-day period, the supervisor may require medical verification of any further absence(s) due to illness or injury.

**Administrative Leave:** Counts as hours of pay for temporary leave from the job assignment for a covered reason; does not count as hours of work for overtime purposes. Common reasons for administrative leave include the following:

- a) Jury Duty
- b) Death in the Family
- c) Closing facilities under emergency conditions
- d) Mentoring
- e) Examinations and interviews
- f) Voting
- g) Child activities

**Regular Compensatory Leave:** If an excluded career service employee is required to work hours in excess of the regular work period, the employee shall earn compensatory leave credits on an hour-for-hour basis; provided, no employee may accrue more than 240 hours.

**Leave Without Pay (LWOP):** Authorized or unauthorized time off from work for which the member will not receive pay.

All career service, SES, and SMS employees are credited a personal holiday (Hours Type 0066) upon hire and each July 1<sup>st</sup> to be used by June 30<sup>th</sup>. If an employee does not use their personal holiday by June 30<sup>th</sup>, it will be forfeited.

**REQUEST FOR WORK HOURS  
BEFORE 7:00 A.M. OR AFTER 6:00 P.M.**  
Send To: Bureau of Human Resources  
Form # 03.05.01

FROM: \_\_\_\_\_

OFFICE ADDRESS: \_\_\_\_\_

POSITION TITLE: \_\_\_\_\_

SUPERVISOR: \_\_\_\_\_

Workweek Hours Requested: (start with Friday and address each workday separately unless each is identical)

\_\_\_\_\_  
\_\_\_\_\_

Reason for Request:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor's Signature

Recommended

Not Recommended

\_\_\_\_\_  
Date

\*\*\*Send form to Bureau of Human Resources

**ADMINISTRATIVE**

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\_\_\_\_\_  
Executive Director/Director of Administration

Approved

Not Approved

\_\_\_\_\_  
Date

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





**FLORIDA GAMING CONTROL COMMISSION  
ADMINISTRATIVE POLICIES AND PROCEDURES**

**TITLE:**  
**Unlawful Discrimination  
including Sexual Harassment**

**POLICY NUMBER**

**03.08.01**

**Human Resource  
Management**

**EFFECTIVE DATE:**

**AUTHORITY**

**REVISED:**

Title VII of the Civil Rights Act of 1964.  
Article I, section 24, subsection (a) of the  
Florida Constitution.

**APPROVED BY:**

Executive Order 17-319<sup>1</sup>  
Executive Order 19-11<sup>2</sup>  
Section 110.1221, Florida Statutes  
Section 110.227, Florida Statutes  
Section 110.604, Florida Statutes  
Section 112.532, Florida Statutes  
Section 119.071(2)(g)1 and 2, Florida Statutes  
Section 119.071(2)(n), Florida Statutes  
Section 760.10, Florida Statutes  
Rule 60L-36.005, Florida Administrative Code  
Rule 60L-40.001, Florida Administrative Code  
Section 112.313, Florida Statutes

<sup>1</sup> Fla. Exec. Order No. 17-319 (December 12, 2017).

<sup>2</sup> Fla. Exec. Order No. 19-11 (January 8, 2019) (readopting Executive Order 17-319).

## I. Statement of Policy

- (1) The Florida Gaming Control Commission (FGCC) is committed to providing a workplace and work environment that does not tolerate any kind of discrimination, including sexual harassment, within its workforce.
- (2) It is the policy of the FGCC that each employee is entitled to work in an environment that is free from any act of discrimination and any forms of harassment.
- (3) Sexual harassment of employees and applicants is a form of discrimination under Title VII of the 1964 Civil Rights Act and the Florida Civil Rights Act of 1992, a willful violation of sections 110.105, 110.233, Florida Statutes, and conduct unbecoming a public employee as provided in section 110.227, Florida Statutes, and rule 60L-40.001, Florida Administrative Code.
- (4) The FGCC shall take prompt and remedial action to investigate and resolve allegations of sexual harassment and other acts of discrimination.

## II. Definitions

- (1) **Complainant:** an individual who has filed a complaint alleging sexual harassment or other act of discrimination with the FGCC.
- (2) **Discrimination:** any difference in the treatment of a job applicant, employee of the FGCC, or person or entity regulated by or doing business with the FGCC, during the course of business because of their age, race, color, sex, religion, national origin, political affiliation, marital status, sexual orientation, gender identity, or disability.
- (3) **Employee Assistance Program:** a confidential and free, work-based intervention program, that is facilitated by an outside vendor. This program provides access to counseling sessions and referrals to other resources.
- (4) **Sexual harassment:** any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature from any person directed towards or in the presence of an employee or applicant when:
  - (a) Submission to such conduct is either explicitly or implicitly a term or condition of an individual's employment;
  - (b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
  - (c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

- (5) **Gender Identity:** the gender-related, sincerely held part of a person's core identity, appearance, or behavior, regardless of whether such gender-related identity, appearance, or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, and gender related-identity.
- (6) **Respondent:** an individual identified by a complainant as having allegedly committed sexual harassment or other act of discrimination.
- (7) **Sexual Orientation:** an individual's enduring emotional, romantic, or sexual attraction to other people, e.g., heterosexuality, homosexuality, or bisexuality.

### III. **Procedures**

#### (1) **Filing a complaint**

- (a) Any applicant for a position, any employee, or any person or entity regulated by or doing business with the FGCC claiming to be aggrieved by, or who has witnessed an act of discrimination, including sexual harassment, may file a complaint with the FGCC Inspector General, Chief of Human Resources Management, Director of Administration, or the Office of General Counsel.
- (b) The complaint must be in writing, signed by the complainant, and contain at least the following information:
  - I. The name, business address, and telephone number of the person filing the complaint;
  - II. The name of the person who allegedly committed the act of discrimination or sexual harassment and the alleged victim; and
  - III. A clear and concise statement of the facts, including pertinent dates, locations, witnesses and other evidence in support of the complaint.
  - IV. If the complaint does not contain all of this information, the FGCC shall, in writing, request the complainant to furnish it.
  - V. A complaint may be withdrawn after the complaint is received by the FGCC Inspector General, Chief of Human Resources Management, Director of Administration, or the Office of General Counsel, but the Commission may continue to investigate the complaint to its satisfaction.
- (2) The Executive Director of FGCC, General Counsel, Director of Administration, and the Chief of Human Resources shall receive a copy of the complaint.

### IV. **Amending a Complaint**

- (1) The complainant may amend a complaint to cure technical defects or omissions, or clarify or expound upon allegations made therein.
- (2) A complaint may be amended at any time before the investigation is completed.

(3) FGCC will document any and all amendments to complaints.

**V. Complaints filed with the Florida Commission on Human Relations (FCHR) or the Equal Employment Opportunity Commission (EEOC)**

- (1) The Florida Civil Rights Act (Chapter 760, Florida Statutes) requires that any complaint of sexual harassment or other act of discrimination be filed with the FCHR within 365 days of the occurrence of the violation. In lieu of filing a complaint with the FCHR, a complaint may be filed with the EEOC. Any person filing a complaint with the FGCC may file a complaint with the FCHR or the EEOC at the same time in order not to be barred from the right to file a complaint with the FCHR or EEOC.
- (2) Failure to file a complaint simultaneously with the FCHR or EEOC will in no way waive the right of the complainant to timely file with either the FCHR or EEOC.
- (3) Failure to timely file a complaint with the FGCC will not waive the complainant's right to timely file with the FCHR or EEOC.
- (4) All complaints filed with FCHR or EEOC, and referred to the FGCC for investigation, will be received and processed according to this AP&P.
- (5) If a complaint as been filed with either the FCHR or EEOC, and the complaint results in an investigation by the FCHR or EEOC, the FGCC will provide the FCHR or EEOC with all documentation concerning the complaint and cooperate with FCHR or EEOC in its investigation. Any employee who has been found by the FCHR or EEOC to have committed sexual harassment or other act of discrimination may be subject to disciplinary action up to an including dismissal.
- (6) The filing of a complaint with the FGCC pursuant to this AP&P does not preclude the Complainant from also filing a complaint with the FCHR or EEOC.

**VI. Investigating a complaint**

- (1) The FGCC shall expeditiously review allegations of sexual harassment or other forms of discrimination and, if appropriate, initiate an investigation into such allegations, while taking every reasonable manner to ensure the privacy of those involved during the review and any related investigation.
- (2) The Executive Director shall appoint an employee to investigate the complaint by memorandum.
- (3) All information relating to the name or other identifying information of any individual who files a complaint alleging sexual harassment or other form of discrimination shall be kept confidential in accordance with applicable state and federal law.
- (4) As part of its investigation, the FGCC shall engage in fact-finding, interview witnesses, and any other action necessary to thoroughly investigate the complainant's allegations.
- (5) During the investigation, the FGCC shall fully comply with the investigatory procedures and rights contained in collective bargaining agreements between the state and the certified bargaining representatives for state employees. If this policy conflicts with the collective bargaining agreement's terms, the latter shall

prevail.

- (5) All FGCC employees shall cooperate with complaint investigations. Failure to comply with this provision may subject the employee to disciplinary action, up to and including dismissal.
- (6) If a complaint alleging sexual harassment or other form of discrimination is made against a sworn law enforcement officer employed by the FGCC, the FGCC shall comply with the requirements of part VI of chapter 112, Florida Statutes. All sworn law enforcement officers employed by the FGCC will be afforded all rights as prescribed by section 112.532, Florida Statutes.
- (7) During the pendency of an investigation, the complainant, respondent, and all witnesses are prohibited from communicating in any manner amongst themselves regarding the allegations of discrimination or sexual harassment that is the subject of the investigation. Failure to comply with this provision may subject the complainant, respondent, or witness to disciplinary action, up to and including dismissal.
- (8) The Respondent shall be given a reasonable opportunity to respond to the complaint in writing prior to the conclusion of the investigation.
- (9) To the extent practicable, the FGCC shall take action as soon as possible to eliminate further contact between the complainant and respondent until the conclusion of the investigation.
- (10) The FGCC shall conclude the investigation in a timely manner.

**VII. Disciplinary Action**

- (1) If the Executive Director or his or her designee finds that disciplinary action is warranted, he or she shall follow the procedures for taking disciplinary actions pursuant to chapter 60L-36, Florida Administrative Code, and sections 110.604, and 110.227, Florida Statutes.
- (2) Any employee who engaged in discrimination or sexual harassment shall be subject to disciplinary action, up to and including dismissal.
- (3) Any supervisory or managerial employee of the FGCC who has knowledge of sexual harassment or other form of discrimination shall immediately report the matter as described herein. Failure to do so shall subject the employee to disciplinary action, up to and including dismissal.

**VIII. Post-investigation**

- (1) Following an investigation and disciplinary or other corrective action, the Office of Human Resource Management shall confer with the complainant to address

any steps that have been taken by the FGCC and to offer the opportunity to participate in the state's Employee Assistance Program.

- (2) All complaints and other records in the custody of the FGCC that relate to a complaint of sexual harassment or other form of discrimination shall be kept confidential in accordance with the appropriate state and federal law. Requests for such information must be forwarded to the Office of the General Counsel for review prior to providing

#### **IX. Retention of Records**

1. No information regarding an open investigation of a complaint of discrimination or sexual harassment shall be placed in the complainant or respondent's personnel file. Once a decision is made, however, by the Executive Director or designee that discipline is warranted, and disciplinary action is taken, a copy of the disciplinary action will be placed in the respondent's personnel file. Only substantiated findings shall be placed in the respondent's personnel file.
2. The respondent shall be afforded the right, no more than 30 days after the respondent receives notification of disciplinary action, to place rebuttal statements and evidence in his or her personnel file, or any other records retained by the FGCC, regarding the investigation and disposition of a complaint of sexual harassment or other act of discrimination.

#### **X. Retaliation**

- (1) Retaliation against any person who has in good faith filed a complaint, opposed a complaint, or participated in any manner in an investigation or proceeding, involving allegations of sexual harassment or other form of discrimination, is strictly prohibited. Failure to comply with this provision shall subject the employee to disciplinary action, up to and including dismissal.

#### **XI. False Complaints**

- (1) Any employee who knowingly files a false complaint of sexual harassment or other form of discrimination shall be subject to disciplinary action, up to and including dismissal.

#### **XII. Training**

- (1) Each person subject to this operating procedure shall be given training on discrimination, including sexual harassment, no later than 30 days of the start of their employment. All supervisors and managers will receive additional training on an annual basis. Documented evidence of completion of any and all training will be retained in the employee's personnel file.

### **XIII. Notice and Acknowledgement**

- (1) A copy of this operating procedure is available online to each employee on the FGCC Intranet. A copy of Rule 60L-40.001, Florida Administrative Code, is available online to each employee at <https://www.dms.myflorida.com> Each employee is required to acknowledge receipt of this policy and provide proof of such acknowledgement to FGCC's Human Resource Management Office.