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Meeting Agenda  
Tuesday, May 2, 2023  
1:00 P.M.  
Fort Lauderdale Marriott North  
6650 North Andrews Avenue  
Fort Lauderdale, Florida 33309

1. Approval of meeting minutes
  - 1.1. September 20, 2022
  - 1.2. February 8, 2023
  - 1.3. March 10, 2023
2. Discussion of recommended orders
  - 2.1. 2022-024620 – Scott, Motyk Anthony
  - 2.2. 2022-040422 – Diaz, Edgar David
  - 2.3. 2022-052835 – Fernandes, Cynthia
3. Discussion of consent orders
  - 3.1. 2022-043151 – Melbourne Greyhound Park, LLC
  - 3.2. 2022-055132 – Sarasota Kennel Club, Inc.
  - 3.3. 2023-000965 – Washington County Kennel Club, Inc.
  - 3.4. 2023-001300 – Tampa Bay Downs, Inc.
  - 3.5. 2023-001314 – Tampa Bay Downs, Inc.
  - 3.6. 2023-009295 – Bennett, Gerald Samuel
  - 3.7. 2023-009301 & 2023-009304 – Minguet, Ramon Edgardo
  - 3.8. 2023-013155 – Dakin, Diley Anthony
  - 3.9. 2023-015414 – Cascallares, Nestor Alfredo
4. Discussion of default final orders
  - 4.1. 2020-001631 – Rocco, Cormier
  - 4.2. 2022-007916 – Manivong, Somphone Pon
  - 4.3. 2022-024885 – Alvarez Cala, Omar



- 4.4. 2022-024908 – Hernandez-Valdes, Lazaro Pablo
- 4.5. 2022-030016 – Azpurua Jr., Eduardo
- 4.6. 2022-040813 – Calvin, Ryan Charles
- 4.7. 2022-041261 – Cave, Lonnit, Edwards
- 4.8. 2022-043586 – Ferber, Jonathan
- 4.9. 2022-047909 – Orozco Rodriguez, Joel
- 4.10. 2023-005131 – Cardozo, Nagib Zamar
- 4.11. 2023-005439 – Perez Jimenez, Yoan
- 4.12. 2023-007020 – Fisher, David Majella
- 4.13. 2023-009468 – Hooper, Bradley Taylor
5. Discussion of license denials
  - 5.1. 2023-000559 – Ledonne, Lisa
  - 5.2. 2023-008505 – Martinez, Carlos
  - 5.3. 2023-009161 – Jaqson, Anthony Hezekiah
  - 5.4. 2023-017967 – Brown, Christopher
  - 5.5. 2023-018311 – Manganiello, MaryAnn Frances
  - 5.6. 2023-018983 – Joseph, Miguel
  - 5.7. 2023-019361 – Cortes, Sharon Maria
  - 5.8. 2023-021423 – Watson, Jamil
6. Discussion of HISA/HIWU agreement
7. Discussion of rule making
8. Executive Director update
  - 8.1. Discussion of FMLA policy
  - 8.2. Discussion of Perquisites policy
  - 8.3. Discussion of Forms Management Program
9. Public comment

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SHOULD EMAIL [CONTACT@FGCC.FL.GOV](mailto:CONTACT@FGCC.FL.GOV)  
NO LESS THAN 24 HOURS BEFORE THE  
START OF THE MEETING

# Approval of Meeting Minutes

Florida Gaming Control Commission

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September 20, 2022

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In The Matter Of:  
Florida Gaming Control Commission  
Public Meeting  
Tuesday, September 20, 2022  
Vol. 1  
(Pages 1-163)

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DATE: Tuesday, September 20, 2022  
TIME: 10:00 a.m. - 2:37 p.m.  
LOCATION: Zoom

STENOGRAPHICALLY REPORTED BY:

Paige E. Kelleher,  
Stenograph Shorthand Machine Stenographer

PRESENT:

JOHN MACIVER, CHAIRMAN  
MICHAEL YAWORSKY, VICE CHAIRMAN  
JULIE I. BROWN, COMMISSIONER  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER

PARTICIPANTS:

ROSS MARSHMAN, ESQUIRE  
LOUIS TROMBETTA, EXECUTIVE DIRECTOR  
ELIZABETH STINSON  
CHRISTINE HUTTON  
CAROL HEROLD  
ROSS HOLZMAN  
LISA MUSTAIN  
Suzie WHITMIRE

Job No.: 273157



1 Commissioners. Thank you, Mr. Chair.

2           What I have done here for this meeting is  
3 a little bit different than the previous ones. The  
4 first two agenda items really will be with respect to  
5 two documents that me or my staff has prepared. We're  
6 interested in kind of getting some feedback and thoughts  
7 moving forward to help us kind of effectuate some of our  
8 internal processes. So there's nothing on this agenda  
9 that should involve, you know, making final orders in  
10 terms of decisions that would affect someone's  
11 substantial interest. So we don't have any license --  
12 you know, nothing licensing or nothing dealing with  
13 anyone in the industry. So hopefully the agenda will  
14 move smoothly; it's just kind of for purposes of our  
15 organization.

16           The first two items cover two documents  
17 that we have worked on. The second two items contain  
18 essentially some substantive matter in response to some  
19 feedback that was requested at the previous meeting.  
20 And then the final item on the agenda is just some kind  
21 of housekeeping items that I want to prepare and move on  
22 with you-all.

23           So with the Chair's permission, the first  
24 document is the long-range performance plan. I have --  
25 so me, Christine and Lisa, have sort of worked on

1 getting this initial draft to this point of where it is.  
2 There are a few items that, frankly, I need Commission  
3 feedback on so that we can best move forward. I'll go  
4 through them and then kind of go one by one and go  
5 through everything.

6 So I would like to cover the mission  
7 statements, the goals, the objectives, and then touch on  
8 the transic condition statements which begins on -- the  
9 page numbers are on the document or the view I am  
10 looking at -- the section as it's called right now.  
11 Division of Gaming Enforcement -- to get some thoughts  
12 on sort of what the Commissioners and the Commission's  
13 goals are for our law enforcement unit. So with that  
14 being said, that's where I would like to go on this  
15 first document.

16 If we can start with the mission  
17 statements. There's also been a fifth concept, so  
18 there's been some feedback from -- that there is a fifth  
19 concept that Commissioner Drago has relayed to me. But  
20 if you want, Chair, I'm not sure how you would best like  
21 me to through each one of these issues. I can turn it  
22 back over to you to solicit discussion. I can try and  
23 do it. How would you like to progress?

24 CHAIRMAN MACIVER: Let's just go ahead and  
25 jump into that first issue and then we will open it up

1 for discussion and we can step on from there.

2 DIRECTOR TROMBETTA: All right. For the  
3 mission statement, we have a fifth one that I can add to  
4 the document right here so that we can solicit -- so it  
5 can be discussed.

6 So essentially the plan here was to  
7 provide a balance between the two missions, the  
8 regulatory side and the criminal side. So all of the  
9 four concepts here kind of -- are aimed to do that. The  
10 first concept is to regulate licensed gaming fairly and  
11 enforce criminal gambling prohibitions throughout the  
12 state. The second one is to regulate unlawful gaming  
13 and address unlawful gambling throughout the state. The  
14 third one is to investigate and target illegal gambling  
15 while regulating licensed gaming. The fourth one is to  
16 support safe gaming activities by regulating lawful  
17 activities -- while investigating unlawful activity.  
18 And then the final one, is to preserve and protect the  
19 integrity of gaming activities through fair regulation,  
20 licensing, and affective criminal investigations. So  
21 those are sort of the five concepts.

22 Mr. Chair, please feel free to discuss  
23 and let me know what your thoughts are on any of these  
24 concepts.

25 CHAIRMAN MACIVER: Can you read for us again



1 the last statement you made that would have been concept  
2 number five?

3 DIRECTOR TROMBETTA: Sure. The last one is to  
4 preserve and protect the integrity of gaming activities  
5 through fair regulation, licensing, and effective  
6 criminal investigation.

7 CHAIRMAN MACIVER: So Commissioners, to me,  
8 all of these sound like different ways of kind of saying  
9 the same thing, which I think, is something that we have  
10 been saying all along. And I appreciate the fact that  
11 it's been heard, that we want the people who are trying  
12 to stay within the bounds of the law to get as much  
13 assistance from us as much as they possibly can. And  
14 the people who aren't trying to follow the law, well, to  
15 be stopped by us. So I appreciate that that message is  
16 coming through in all the ways that I hear this being  
17 said.

18 To me -- and I'll just put it out  
19 there -- the most succinct and thorough sounds like that  
20 fifth one, which is not written down which I just heard.  
21 The only difference being I would add the words and  
22 enforcement to the end of it. With that, I'll open the  
23 floor up to open discussion.

24 COMMISSIONER BROWN: Mr. Chairman, I agree  
25 100 percent. I thought the fifth concept more more

1 eloquently encapsulated than all of the other four  
2 concepts together. So I would support the fifth one.  
3 Thank you, Commissioner Drago, for that effort.

4 COMMISSIONER D'AQUILA: Commissioner, I agree  
5 as well. I originally, not having seen or heard five,  
6 thought concept four was the best. But I believe that  
7 five, as Commissioner Brown pointed out, presents more  
8 of an eloquent fashion.

9 VICE CHAIRMAN YAWORSKY: Commissioners, I  
10 agree. Thank you, Commissioner Drago, I think that's a  
11 great succinct way to put together our mission.

12 COMMISSIONER DRAGO: Mr. Chairman? Just a  
13 couple comments on that. I didn't really have any  
14 strong problems with any of the concepts. Some are  
15 better than others, obviously. But I think it's  
16 important -- and I think we all agree our mission is to  
17 maintain the integrity of the industry and gambling in  
18 the state while making sure that we are doing what we're  
19 supposed to be doing, regulating licensing, but also now  
20 adding this criminal investigation portion to it. So I  
21 think we need to make it as succinct as possible and as  
22 few words as possible, but we have a lot to say here.  
23 So I think it captures our main mission if we have to  
24 narrow it down to one thing, and that's to preserve the  
25 integrity of the gaming in this country. So I hope it

1 works for everyone.

2 And Mr. Chairman, I didn't understand  
3 what you said, you wanted to add -- - I'm sorry, I  
4 didn't hear it.

5 CHAIRMAN MACIVER: Just to the end of the  
6 statement, add the word enforcement. So it's fair  
7 regulation, licensing, effective criminal investigation,  
8 and enforcement. So as part of our investigatory  
9 measures also adding the enforcement aspect of that.

10 COMMISSIONER DRAGO: That's up to everybody,  
11 obviously.

12 CHAIRMAN MACIVER: I think that it is a  
13 thorough, concise, and accurate mission statement.

14 COMMISSIONER BROWN: I move that we accept  
15 concept number five as presented on the screen.

16 COMMISSIONER DRAGO: I'll second it.

17 CHAIRMAN MACIVER: Hearing no objection, show  
18 that adopted as our mission statement for the Florida  
19 Gaming Control Commission.

20 Do you want to move through the document,  
21 Mr. Trombetta?

22 DIRECTOR TROMBETTA: Yes, sir. Thank you,  
23 Mr. Chair.

24 Next, within the same table -- I've  
25 written down four goals and I separated them. You can

1 see them in the third row, the parentheses kind of  
2 capture -- those will be removed in the final draft --  
3 but that kind of captures the intent of each goal. Goal  
4 one is regulation. Goal two is citizen safety. Goal  
5 three is state revenue. Goal four is criminal -- these  
6 are sort of the big picture goals, and then we will  
7 focus our objectives on meeting these goals.

8 So I would like some feedback, just on  
9 your thoughts, of the goals and if there are other kinds  
10 of items beyond regulations, safety, revenue and  
11 criminal activity you would like us to address, or where  
12 you would kind of like to go with these goals.

13 CHAIRMAN MACIVER: Commissioners, for the sake  
14 of us being able to move through the document, I'm going  
15 to move through with a presumption of no objections to  
16 what we're seeing and as we scroll through, if there is  
17 anything any Commissioner would like to discuss as we're  
18 going through, just catch my attention so I can stop and  
19 open that up for discussion.

20 Otherwise, I will just let Mr. Trombetta  
21 bring us along through the document, present what we  
22 have, and we'll stop him as any Commissioner feels  
23 necessary. Any discussion with these goals, this will  
24 be the last time that I specifically stop for an issue  
25 though. Discussion on the goals? I hear none.

1                   Mr. Trombetta, if you want to continue to  
2 move forward.

3                   DIRECTOR TROMBETTA: That works. On the next  
4 page it has our objectives for each goal. So we provide  
5 further detail on these objectives later on in the  
6 document, but I think it would be best to kind of  
7 consider them right now.

8                   So as it relates to goal one, our goal  
9 for regulation is to reduce the time needed to process  
10 license applications, to provide maximum amount of  
11 license applications online. Our second goal, citizen  
12 safety, just to respond to citizens contact and  
13 complaints, to alert law enforcement of potential  
14 illegal activities. Our third goal --

15                  COMMISSIONER DRAGO: I just want to clarify on  
16 2(a) you have gaming enforcement and it says respond to  
17 citizens contact and complaints, alert law enforcement  
18 of potential illegal activity. Are we measuring that in  
19 some way? I mean, is there some type of measurement  
20 that we want to respond to so many, or we have some goal  
21 to alert to so many agencies or anything like that? Are  
22 there going to be measurements built into that of some  
23 type?

24                  DIRECTOR TROMBETTA: Yes, sir. There will be  
25 measurements built into it, and we don't have, like, a

1 fixed goal of, you know -- just for example, hitting  
2 100 percent. We are measuring it and we will be  
3 measuring it on a percentage basis so we can track it.  
4 Obviously the goal would be to do as best we can on  
5 this. The first year, what you will see in the  
6 documents is that it projects five years out. And as  
7 we're new at this, you will see that we have some  
8 projections for, like, some of these areas for reducing  
9 the time needed to process license applications. So we  
10 have that one because the Division of PMW was previously  
11 tracking that. So we have our current standard and we  
12 have what's expected five years out.

13 For some of the newer ones, we don't have  
14 exact projections. We just have a plan for measuring it  
15 and kind of adjusting as we go forward.

16 CHAIRMAN MACIVER: I kind of see how it got  
17 there. I'm inclined, Commissioners, to strike objective  
18 2b. And let me explain my thinking there. I think that  
19 we do have to have measurable outputs, so responding to  
20 citizens' complaints and seeing the percentage of  
21 response that we have, I think is important. I think  
22 the alert law enforcement of potential illegal activity  
23 may be a vestage of when we didn't have our own law  
24 enforcement arm. Now that we do have our law  
25 enforcement arm, I think there certainly is going to be

1 a role where we are going to work with other agencies,  
2 but I think that role as we get started is going to be  
3 more informal than formal. And I don't think it should  
4 be a part of our mission that distracts us from the core  
5 of actually investigating and detecting in our own  
6 right.

7 So making that a measurable objective  
8 that we're making referrals to other law enforcement  
9 agencies, I think we would be well to strike at this  
10 point.

11 I like the other objectives that are in  
12 there. I specifically like the objectives that are  
13 under the gaming enforcement, 4a, b and c sections. But  
14 I think we might stop tracking the alert law enforcement  
15 of potential illegal activity. In short, I think it's a  
16 distraction from our core message if we try to make that  
17 something that we are considering its own independent  
18 objective.

19 COMMISSIONER DRAGO: I understand that and it  
20 makes sense. I would be interested though in knowing  
21 how many cases we refer to outside agencies. I don't  
22 know that we want to make it a goal that we're going to  
23 do so many or that type of thing. I agree with the  
24 Chairman there, but if we could have a way to track how  
25 many we send out or refer to outside agencies. It's

1 just a matter of analysis in determining what our role  
2 is around this state as it relates to these criminal  
3 investigations. So maybe this isn't the right place,  
4 but somewhere along the line, I think it would be good  
5 to know how many cases we refer out.

6 CHAIRMAN MACIVER: I 100 percent agree. And I  
7 probably glossed over that a little bit when I simply  
8 said that process will be a little bit more informal at  
9 this stage. I do think we will be referring those cases  
10 out. I think that's critical. And of course we have to  
11 track what we're doing. To your point  
12 Commissioner Drago, this isn't the document where we  
13 memorialize that through.

14 VICE CHAIRMAN YAWORSKY: Mr. Trombetta, can I  
15 get clarity on 2a? When we're using the phrase -- and  
16 this goes into the discussion of the new role of the  
17 gaming commission with law enforcement capacity, but  
18 when we say respond to citizen contact and complaints,  
19 is that a metric generalizing the substantive we're  
20 doing something about this complaint we received, or is  
21 this just a measure of us simply responding that we've  
22 received your complaint or inquiry? What are we  
23 measuring there?

24 DIRECTOR TROMBETTA: So, yeah, the thought  
25 process is we would be measuring our actual responses.



1 So it would be people that contact us in some way,  
2 whether it's a formal complaint or e-mail or something  
3 like that, and we would be tracking the numbers so we  
4 could compare the number of complaints or contact we  
5 received to those that we have responded to; not  
6 necessarily closed or resolved, it's just responded.

7 VICE CHAIRMAN YAWORSKY: A tally mark on that  
8 would be just saying thank you, we received your  
9 complaint?

10 DIRECTOR TROMBETTA: Beyond the automatic --  
11 so right now, for example, if someone submits a  
12 complaint through the web portal, they're going to get  
13 an automatic thank you for submitting it. That isn't  
14 necessarily what we're tracking, it would be contact  
15 beyond that.

16 Vice Chair, I hope that sort of answers the  
17 question.

18 VICE CHAIRMAN YAWORSKY: It sort of does, but  
19 it's probably too much to do on this call. I'm not  
20 sure, for example, when we say respond -- again, it may  
21 need to be a little clearer on what we're measuring  
22 there. For example, there is a complaint that comes  
23 forward to the Commission, they get a reply and that  
24 does not count. But it seems to indicate further action  
25 of the agency does at some point merit a tally mark in

1 that section. Does that happen with each additional  
2 step on the same case if there's multiple actions on a  
3 complaint? Are each of those counted or is it somehow  
4 cumulatively scored to get to a point where it's  
5 counted? I'm not entirely clear on that.

6 DIRECTOR TROMBETTA: If the Commission would  
7 like, we would be happy to clarify that.

8 COMMISSIONER DRAGO: My thoughts are isn't our  
9 response to complaints always going to be 100 percent?

10 DIRECTOR TROMBETTA: I would think so.

11 COMMISSIONER DRAGO: So I think I agree with  
12 Commissioner Yaworsky. I'm not sure what we're  
13 measuring here because we should, of course, respond to  
14 every single complaint. Perhaps something like the  
15 timeliness of their response or that type of thing, or  
16 how long it takes to complete the response. In other  
17 words, to get back to them with the final disposition or  
18 something that's measurable. I think we're always going  
19 to be 100 percent or it should be.

20 COMMISSIONER BROWN: Let me jump in. I have a  
21 problem with 2a and also a problem with 2b as well,  
22 because I think under 4c and 4b, that kind of captures  
23 that's what we're looking for. But 2a, we talk about  
24 further in the document public integrity that we aim to  
25 support robust inspection programs, public education

1 campaigns, and license education programs. Is that  
2 something currently that we have tracked the number of  
3 inspection programs or outreach or education programs?  
4 Or is that something that can also fall within that  
5 concept of public safety and public integrity under 2a?

6 DIRECTOR TROMBETTA: So we currently do -- the  
7 division of PMW does track their investigations. I'm  
8 trying to find the language you're referring to,  
9 Commissioner Brown.

10 COMMISSIONER BROWN: It does haven't a page  
11 number, but it's underneath the language of the  
12 governor's priorities under public integrity and it  
13 talks about that specific -- which would kind of tie  
14 into citizen -- if we're receiving complaints, you know,  
15 what are the number of complaints that we received, but  
16 what are the number of inspection programs or education  
17 programs that we have conducted during the year.

18 DIRECTOR TROMBETTA: We actually could include  
19 one about tracking the number of investigations. I  
20 don't know if that education or licensing -- that might  
21 be a little bit tougher because there are a few  
22 different ways that that happens and some are not fully  
23 in our control, like, if you have a problem gambling.  
24 But if you would like us, we could address the  
25 inspection idea.

1           COMMISSIONER BROWN: I would be interested in  
2 seeing that and also how that ties into how many  
3 complaints we've received, but what has our outreach  
4 been to even educate the citizens about our presence.  
5 And then going back to 4c also, the specific objective  
6 talks about state partners, but I would also include  
7 local as well.

8           DIRECTOR TROMBETTA: Okay. Mr. Chair, if you  
9 don't mind, if I could -- for 2a just to kind of -- for  
10 clarity -- how does the Commission feel about me and my  
11 staff more narrowly defining what the response would be?

12           CHAIRMAN MACIVER: Certainly so. I think for  
13 the purpose of this document, we probably want to just  
14 add to that word respond; respond and track, respond and  
15 evaluate someone who's kind of got their thumb on this a  
16 little bit more. But what we're trying to say is we're  
17 going to collect data from those responses and basically  
18 track what we're doing. So it's just probably respond  
19 to and evaluate citizens' contact and complaints;  
20 something along those lines.

21                           And yes, as far as how that tracking and  
22 how that reporting is going to flush out, I don't think  
23 that's part of our long-range program plan. But from  
24 what I'm hearing from all of the Commissioners, I think  
25 there's going to be a desire for some robust tracking of

1 this so that we can see a lot of, for lack of a better  
2 term, cross tabs on. You know, how many of these  
3 resulted in a criminal investigation? How many were  
4 unfounded? How many were a referral to another agency  
5 that deals with that problem? Those are the sort of  
6 things I think the Commissioners want to be able to  
7 check and see what's happening.

8 COMMISSIONER DRAGO: Mr. Trombetta, one more.  
9 I have a problem with the response I think is my  
10 problem. Because does that just means we're going to  
11 give them a call and say we got your message, you know,  
12 adios. It should be at least 100 percent all the time.  
13 So it's kind of not something that you can really  
14 measure. I guess you could, but then you've got -- it  
15 should never fall below 100 percent. And I'm assuming  
16 these are external complaints; correct? They're not  
17 self-initiated or internal complaints by our own  
18 investigators, et cetera?

19 DIRECTOR TROMBETTA: Yes, sir.  
20 Commissioner Drago, I know other agencies will it do it  
21 terms of a response and they will define it as a  
22 complaint or contact to, like, an investigator or to  
23 somebody that then will provide an actual response. So  
24 say we get a complaint and it gets assigned to somebody  
25 to respond to, yes, you can potentially track both the

1 assignment and whether a second response was out; that's  
2 an option for getting options up there.

3 COMMISSIONER D'AQUILA: Mr. Trombetta, just to  
4 comment on Commissioner Drago's point, would effectively  
5 respond to citizens' contacts and complaints address  
6 that point? That's really a question for  
7 Commissioner Drago.

8 COMMISSIONER DRAGO: I think for me anyway the  
9 problem is, you know, we will respond to your complaint  
10 should be enough. But to track it indicates that we  
11 don't think we're going to respond all the time.  
12 Therefore, we need to track it to make sure how many  
13 times we missed responding. I'm not quite sure what  
14 that's going to show. And that shows we only respond  
15 50 percent of the time, yes, we have a huge problem.  
16 This should be something that's pretty wrote and  
17 expected to be done on every single complaint. I think  
18 if we -- that's why I say to measure our response time,  
19 how long it takes us to respond to a person's  
20 complaint would give us an indication of our failings,  
21 where we're missing the boat where we don't respond  
22 quick enough and figure out what reasons. Just saying  
23 respond, we will respond, that's kind of difficult to  
24 see the value in that from my perspective; that's all.

25 COMMISSIONER BROWN: I was just going to say

1 there are primary objectives. And the primary objective  
2 obviously goes without saying that we will promptly  
3 respond to any customer that calls us, but I think it's  
4 more about what are we doing? What efforts are we doing  
5 to promote public safety? What efforts are we doing to  
6 promote public transparency and integrity? I think that  
7 is the key objective rather than just respond to citizen  
8 complaints. So that is something that is typically in  
9 the DBPR because they have so many different types of  
10 complaints. And so much substance. That's kind of I  
11 think -- I think it mirrors the language in the DBPR,  
12 but our initiative is a little bit different in that --  
13 you know, we have to educate the public, too.

14 I mean, obviously, this is going to be  
15 something that we track. How many complaints do we  
16 have? But I don't know if this is really the objective  
17 that we're looking for.

18 COMMISSIONER DRAGO: Mr. Chairman, can I  
19 suggest that we maybe table this one? Let's see if  
20 Mr. Trombetta has enough feedback from us to maybe  
21 rework this a little bit and come back with this. There  
22 still seems to be a lot of questions and confusion about  
23 it.

24 CHAIRMAN MACIVER: I think that's perfect.  
25 Let's table this and let's continue to move through the

1 document. We can revisit this maybe when we get towards  
2 the end and maybe staff will have come up with another  
3 way to verbalize it.

4 COMMISSIONER D'AQUILA: One more question -- a  
5 minor suggestion and consideration on points 1b and 1a.  
6 So 1b, promote efficient license applications online,  
7 would that be more acceptable way of presenting that  
8 instead of providing the maximum amount as it's written?  
9 That was more of a wordsmith suggestion. It's similar  
10 to how private enterprise do that every day.

11 DIRECTOR TROMBETTA: Thank you  
12 Commissioner D'Aquila and Mr. Chair so as Commissioner  
13 Brown just said, agency objectives are kind of generally  
14 more broadly stated. And then if you look at the  
15 outcome and performance projection table, which is on  
16 the page that follows, it gets into a little bit more of  
17 the detail. So for both 1a and 1b, if you look at the  
18 outcome row -- so looking at 1a, the objective is to  
19 reduce the time process for online applications. We if  
20 look at the outcome, we have a more detailed explanation  
21 of what we're looking at. We're looking at the  
22 advantage process of the application. Same thing with  
23 1b -- yes, sir.

24 VICE CHAIRMAN YAWORSKY: I think it's similar  
25 to what Commissioner D'Aquila was just talking about,



1 providing the maximum amount of license applications  
2 online. I would wordsmith that to something else. I  
3 think it's very unclear what provides the maximum means.  
4 But also on 1a, reduce the time needed to process a  
5 license application. It seems like that's an objective.  
6 And then the projection that we have on the table I'm  
7 looking at, has no reduction over the next five years.  
8 So it would be -- if we're going to use that as a  
9 standard, it would seem to be a standard we're not  
10 actually improving upon.

11 COMMISSIONER D'AQUILA: If I can respond. I  
12 agree because my second point on 1a is isn't it  
13 efficient the word we're looking for versus reduce?  
14 Don't we need to efficiently handle license  
15 applications?

16 COMMISSIONER DRAGO: If I can say one thing.  
17 Yeah, you do. I agree. But when I think when you talk  
18 about reduce and that type of thing, you're looking at  
19 something that you're going to measure; right? So I  
20 don't know how to measure effectively or efficiently  
21 those for an objective, but you can certainly measure  
22 reduce or those kinds of words as long as you put some  
23 percentage in there to follow objectives. That's my  
24 thought.

25 VICE CHAIRMAN YAWORKSY: If I might, maybe

1 objective 1a and 1b are just -- specifically 1a has been  
2 where my interest has been. Maybe 1a is no longer --  
3 the folks who are working this day to day -- but if  
4 we're at a point where we can't reduce the time it takes  
5 for whatever -- there's just physical constraints of how  
6 long something can move, so maybe that should not be  
7 included or it should be reworded into something that we  
8 could measure and improve because it's just not possible  
9 to get it below six days. Or if there's some sort of  
10 automation or technology that can be introduced, which  
11 is a different discussion about a new system to manage  
12 workflow, maybe we could. But I would just encourage --  
13 I don't have a specific change right now, but I would  
14 maybe encourage some other measurement or metric there  
15 that we could improve upon.

16 DIRECTOR TROMBETTA: Mr. Chair, if I may  
17 please respond?

18 CHAIRMAN MACIVER: Please do.

19 DIRECTOR TROMBETTA: An idea just came into my  
20 head to rework the language to address -- I mean, I  
21 think the goal internally here is to get licenses to  
22 people that apply quickly, and we can track it as a  
23 number of days. I suggest that maybe I work with staff  
24 to try to reword 1a and reword 1b; 1a to focus on the  
25 time that we take to issues licenses and then we can

1 track it without using the word reduce.

2 CHAIRMAN MACIVER: I think that's wholly  
3 appropriate. And I think what you might want to start  
4 tracking instead of the number of days for all  
5 applications, to Commissioner Yaworsky and  
6 Commissioner D'Aquila's point, if we reach sort of an  
7 equilibrium at how long it takes to do those, then maybe  
8 what we start tracking is the numbers of outliers we  
9 have. And our goal should be to keep the number of  
10 outliers that are beyond that six days or beyond  
11 whatever that equilibrium point, we keep those outliers  
12 to a minimum. So we try and keep those numbers down  
13 rather than tracking across the board to an average that  
14 doesn't change. That's it from my input.

15 Commissioners, if nothing else,  
16 Mr. Trombetta, take all this input to heart and then  
17 staff can craft a way to reflect that. I think we'll  
18 want to take another look and see where we go from  
19 there. But it might be time to move on through the  
20 document.

21 DIRECTOR TROMBETTA: Mr. Chair, any feedback  
22 on objectives 3 and 4? I know Commissioner Brown had  
23 feedback on four -- at least one of the ones on four.

24 COMMISSIONER BROWN: Mr. Chairman, thank you.  
25 For 4c, I would include -- the objective is supporting

1 information sharing among state partners to prevent  
2 illegal gambling activities. It should also include the  
3 word local. We've talked about that at our prior  
4 meetings as well. So I would just include that language  
5 under 4c. It would actually probably help with the  
6 evaluating the number of cases that we're partnering  
7 with too, which is the outcome.

8 CHAIRMAN MACIVER: Commissioners, as we  
9 continue to scroll through, again, if anything catches  
10 your attention and you want to have a discussion about  
11 it, catch my attention. But once you caught my  
12 attention, again, I'm going to leave it an open floor so  
13 any Commissioner can jump in whenever you want. If that  
14 becomes unmanageable and anybody has the desire to have  
15 recognition go through the Chair and let me know and I  
16 can shift to that format, too. But I think this kind of  
17 works well for these kind of workshoping through this.  
18 If everybody has an open floor once we stop for  
19 discussion, so with that, Mr. Trombetta.

20 DIRECTOR TROMBETTA: In terms of  
21 Commissioner Brown's comments, I am okay with adding the  
22 word local to this if there's no objection from any  
23 other Commissioners.

24 CHAIRMAN MACIVER: State and local partners.  
25 I think we can also save motions, votes, and edits until

1 the end unless anything actually becomes a disagreement  
2 among the Commissioners, in which case, we'll table that  
3 as a separate vote. I think we can roll through the  
4 whole document. At the end we'll take a motion to  
5 accept, edit as proposed, and move from there. If there  
6 is anything like I said is a decret issue that we want  
7 to set aside for its own vote, Commissioners, let me  
8 know and we will table that vote separately. That way  
9 we don't have to stop for every word change and do a  
10 motion, a second and a vote for every word change in the  
11 document.

12 COMMISSIONER BROWN: Mr. Chairman, thank you  
13 for that clarification. Before we move on from the  
14 goals though, goal number 3a -- and I would be curious  
15 if Commissioner D'Aquila has any thoughts on this --  
16 with regard to streamlining the reporting process for  
17 securing state revenues. Obviously, everything is  
18 staying 100 percent of those businesses filings are  
19 electronic tax filings. I don't know if that's really  
20 the measurement that we -- or the outcome that we're  
21 looking for streamlining purposes. I don't know if any  
22 Commissioners have other thoughts on it. I just didn't  
23 think that was appropriate in here since we have 100  
24 percent already.

25 COMMISSIONER D'AQUILA: When you say

1 streamlining, are you referring to automation or human  
2 efficiency?

3 DIRECTOR TROMBETTA: Mr. Chair, if I may,  
4 we're referring to essentially making sure that people  
5 can pay for and conduct business online is the goal  
6 here. We have been able to achieve 100 percent in terms  
7 of electronic tax filings. But that reference here for  
8 streamline was really about moving things online.

9 COMMISSIONER DRAGO: So to follow up with  
10 Commissioner Brown, we have everything completely  
11 streamlined and online now? There is nowhere else to go  
12 with it, so everybody is 100 percent online?

13 DIRECTOR TROMBETTA: Commissioner Drago,  
14 again, this has to do with tax payments. So it's so  
15 people can pay their taxes owed to the state completely  
16 online.

17 COMMISSIONER D'AQUILA: Are they required to  
18 pay online now? Is there an explanation in the tax  
19 world, most states including the federal government,  
20 often require an explanation if you're not filing  
21 online.

22 DIRECTOR TROMBETTA: I'm going to let  
23 Joe Dillmore respond.

24 MR. DILLMORE: So the electronic funds payment  
25 is required above a certain amount, \$50,000, but all of

1 our pari-mutual regulated facilities are using it, But  
2 also filing their subsequent reports detailing what  
3 amount was owed through our online portal. That part is  
4 not actually required, but they all are 100 percent  
5 participating in that.

6 COMMISSIONER BROWN: My question is really  
7 what additional measure could we do to streamline the  
8 reporting or securing state revenue? Is there another  
9 type of metric that we can evaluate that would be  
10 noteworthy or something that we're not currently doing  
11 or aspirational?

12 CHAIRMAN MACIVER: At a baseline, are we  
13 capturing all state dollars, but what we are supposed to  
14 be capturing? Is that what we should be trying to  
15 measure, is maximizing state revenues, making sure that  
16 we're not missing dollars that we're not supposed to  
17 miss, or are we actually getting everything. Are the  
18 100 percent electronic filed tax reports 100 percent  
19 accurate? Do we audit those?

20 MR. DILLMORE: Mr. Chair, that's a measure  
21 that we have used in the past, the percentage of  
22 compliance with the tax liability. So we could  
23 definitely take a look at replacing that one with the  
24 amount collected versus liability calculated.

25 CHAIRMAN MACIVER: Or if no amount collected,

1 percentage of accuracy of the amount collected. I think  
2 Mr. D'Aquila will probably say this a lot more  
3 eloquently than I am, but I am not even looking for are  
4 we getting the most dollars. I am looking at are we  
5 getting the most percentage of the dollars we're  
6 supposed to get.

7 MR. DILLMORE: I didn't state that very good.  
8 That would be divided by the liability which will give  
9 you the percentage. That's a much better way to say it  
10 I guess.

11 COMMISSIONER D'AQUILA: Do we also look at it  
12 over time? Do we look at trend lines? Do we look at  
13 comparisons to the group for just normalcy of the filing  
14 in selecting those that might be audited or inquired  
15 further?

16 MR. DILLMORE: We actually track the  
17 liabilities and the tax changes by facility each month.  
18 These are licensed ones so there's a finite number to  
19 those. We actually have, you know, many baselines of  
20 how much money is collected by slots or by card room or  
21 even by peri mutual. You know, we can definitely look  
22 at those every month and are able to tell is anything  
23 out of the ordinary that happens, it's either way low or  
24 way high based on their payments and liabilities.

25 COMMISSIONER D'AQUILA: So the automation of



1 the professionals of your staff, your team, is to spend  
2 more time analyzing and potentially enhancing or  
3 ensuring fairness with regard to taxation versus  
4 gathering. Is that a fair statement?

5 MR. DILLMORE: Could you repeat that again,  
6 please.

7 COMMISSIONER D'AQUILA: So now that you're  
8 fully automated, that automation enables more of your  
9 team, more of your human resources, to use analytical  
10 skills to determine what requires more follow up, what  
11 might be unusual under the notion that we're looking for  
12 more consistent, fair, accurate taxation as it pertains  
13 to this, which is efficiency; right?

14 MR. DILLMORE: Yes, in part. We definitely  
15 look at all of the document filings every month and  
16 having that baseline data would help us point out to  
17 something that was out of the ordinary. Because of the  
18 technology, especially on the onsite monitoring systems  
19 like slot facilities, the people that can look at and  
20 review the daily data that we have, we do have kind of  
21 an idea of what their liability is as their reports come  
22 in. So as we monitor and reconcile daily when their  
23 reports come in, we take a look at any abnormality among  
24 them from each facility.

25 COMMISSIONER D'AQUILA: So when a person files

1 their personal tax return, it alerts that this gets  
2 turned around and red flagged. As long as your team in  
3 looking at this data know what might be a red flag per  
4 se to say analogy. Is that a fair statement?

5 MR. DILLMORE: Yes, sir.

6 MR. TROMBETTA: Mr. Chair, if I can make a  
7 suggestion?

8 CHAIRMAN MACIVER: Sure.

9 DIRECTOR TROMBETTA: It sounds like based on  
10 the feedback we amend objective 3a to focus more on some  
11 type of accuracy or percentage-based measure of the  
12 amount of state revenue versus what we were supposed to  
13 collect.

14 CHAIRMAN MACIVER: Sounds like what I'm  
15 hearing, too.

16 COMMISSIONER BROWN: Mr. Chairman, would that  
17 require us to change then, like, the objective of the  
18 streamline reporting process?

19 CHAIRMAN MACIVER: Yes. The wording of 3a  
20 would have to be changed to reflect what it is that we  
21 are trying to accomplish, which is not really  
22 streamlining the process, but maximizing of accuracy in  
23 the reporting process.

24 COMMISSIONER D'AQUILA: I am going to borrow  
25 this from the Internal Revenue Service, it's accuracy

1 and fairness.

2 CHAIRMAN MACIVER: I think we're continuing to  
3 move through.

4 DIRECTOR TROMBETTA: Before moving on, any  
5 other feedback on any of the objections for 4a, b or c?

6 COMMISSIONER BROWN: Mr. Trombetta, under 4b,  
7 it looks like you want input on the outcome about  
8 maintaining the number of cases FGCC involved in that  
9 leads to information being filed. I just wanted to  
10 throw out there to see what the other Commissioners  
11 have. I don't know what you're looking for other than  
12 just knowing how many cases were either involved with  
13 that ultimately get prosecuted or are just being filed  
14 or are investigated. I just -- could you elaborate,  
15 please.

16 DIRECTOR TROMBETTA: Commissioner Brown is  
17 referring to something that is three pages down where we  
18 talk about the outcomes that we're looking for for this  
19 goal. I had a note in my draft here. So for 4b, the  
20 goal is to support the prosecution of criminal gambling  
21 cases, the outcome to maintain the number of cases that  
22 the Florida Gaming Control Commission was involved in  
23 that lead to information being filed. My question is --  
24 and this is really for some of the lawyers -- as to  
25 whether we want to tie it to the information or we want

1 to tie it to something else in terms of tracking.

2 So it kind of goes back to what we were  
3 talking about with the complaint. It's the same idea.  
4 How do we want to track the number of cases that we are  
5 involved in? Is it from cases opened? Is it cases that  
6 lead to formal charges? Is it cases that go to trial?  
7 That is the feedback I was looking for about the  
8 tracking.

9 CHAIRMAN MACIVER: No, I don't think it's too  
10 much. I think you should be tracking all of that. We  
11 should be able to take a look and see of the  
12 investigations started, how many of those don't lead to  
13 an investigation. How many of those do lead to  
14 information being filed. How many of those were  
15 referred to another agency. I mean, we should know that  
16 about pretty much every case. And depending on what  
17 case management software we're looking at, that  
18 shouldn't be all that hard to track all of those  
19 different things.

20 COMMISSIONER DRAGO: If I might. Yeah, I  
21 agree completely with the Chairman. And in addition to  
22 that, I have a question. Because in the outcome it says  
23 maintain the number of cases, and I am not sure what  
24 that means. Does that mean we want to keep the same  
25 number each time? Do we want to increase the number of

1 case filings each year? What does maintain mean in this  
2 outcome?

3 DIRECTOR TROMBETTA: It's just poor wording.  
4 It's just keeping number tracking. We can change that.

5 COMMISSIONER DRAGO: Yeah, I would just  
6 suggest that we're more affirmative on some of these  
7 things and what we're trying to accomplish, such as we  
8 want to increase the number of cases filed by the  
9 prosecutor each year. Or maybe we want to reduce the  
10 crime in an area. Whatever it may be, but the outcome  
11 should be some measurable objective where we can easily  
12 see what we are trying to accomplish. I think in this  
13 particular case we would want to increase the number of  
14 case filings each year.

15 VICE CHAIRMAN YAWORSKY: I wonder about --  
16 this is a thought -- it seems as we go through this work  
17 of prosecuting these cases and investigating these  
18 cases, there may be years where there could be a huge  
19 case or huge cases that take up a lot of time and they  
20 could suck up room for other, lesser, prosecutions. I  
21 just wonder if it's wise to tie the number of cases  
22 versus perhaps hours worked on cases or some other more  
23 objective measure. I'm just not certain about tying to  
24 a specific number of cases per se. So I wonder if  
25 that's the best way to go about to measure the work

1 being done.

2 COMMISSIONER BROWN: I was going to add also,  
3 couldn't we have more than one outcome under each  
4 objective? To the Chair's point about the number of --  
5 the amount of information that we would like to see,  
6 couldn't we have additional or are we limited in the  
7 LRPB (sic) with just one outcome?

8 DIRECTOR TROMBETTA: Mr. Chair, if we can  
9 respond. We are not limited to one outcome. We can  
10 have more than one. Just so we're all on the same page,  
11 we are able to track other numbers. So we have a whole  
12 separate thing for PMW where do track a whole bunch of  
13 stuff that is not necessarily identified in this  
14 document.

15 But to your point, Commissioner Brown, we  
16 absolutely can have more than one outcome for each of  
17 these objectives.

18 COMMISSIONER BROWN: To me, it seems like we  
19 need it based on the discussion we're having and what we  
20 would like to see in the long-range performance plan.  
21 I'm not specifically talking about this 4b, but it does  
22 sound like to the Chair's point, we want more  
23 information on the cases, the investigation, the amount  
24 of hours involved, the end result.

25 DIRECTOR TROMBETTA: So if we reword this one,

1 use the word maintain -- I guess I am trying to get some  
2 feedback so we can move forward with it. So the big  
3 picture here is the blurb is due September 30th, so I am  
4 trying to work with you-all as best we can here to get  
5 as close to a final decision on this stuff or as final  
6 as possible. It's going to be hard to -- you know, if  
7 we leave things off or decide to revisit them -- it's  
8 going to be difficult to revisit it before it's due.

9 So Commissioner Brown, not to put you on  
10 the spot here, but I mean, what would you like me to add  
11 to 4b? What other thing would you like as an outcome?

12 COMMISSIONER BROWN: First, we're not going to  
13 use the word maintain for 4b or 4c. I guess we're going  
14 to track or use another word. But I would love to know  
15 what the end result is for the number of cases that  
16 we're investigating. How many led to prosecution and  
17 how many led to conviction, I think. And then to  
18 Vice Chair Yaworsky's comment, whatever he is seeking I  
19 think also should be included for an outcome.

20 VICE CHAIRMAN YAWORSKY: I would focus on the  
21 amount of time or man hours or some sort of median  
22 number of number of hours toward working a case or  
23 something that is easily measurable that demonstrate  
24 successful work product.

25 COMMISSIONER DRAGO: I just want to clarify,

1 because what I hear you saying is, just because we put  
2 one item in these outcomes doesn't mean that's all we  
3 have to track, this is for the benefit of the long-range  
4 performance plan. We can keep it minimally if we want,  
5 but then we can get all these other things that the  
6 Commissioners are asking for outside of the long-range  
7 performance plan; correct?

8 DIRECTOR TROMBETTA: That is correct, sir.

9 COMMISSIONER DRAGO: I don't know if that is  
10 what the Commission wants or not or if that fulfills  
11 what we're trying to do, or if they want it all in the  
12 long-range performance plan or how we want to the that.

13 VICE CHAIRMAN YAWORSKY: I would generally  
14 encourage keeping it fairly simple; simple outputs for a  
15 bunch of reasons. Number one, it's a document that's  
16 public facing immediately. It's also one that is  
17 reviewed by the legislature. It's also one that is once  
18 you establish there is a bit of a tedious process to  
19 change it and you have to go through an open meeting and  
20 then also the legislature, and also the methods are  
21 supposed to be audited periodically by the Inspector  
22 General. So whatever algorithm is being used within the  
23 agency, if you do it on a periodic basis to ensure it's  
24 accurate and then that's reported to, I believe, OPV but  
25 definitely the legislature.



1                   COMMISSIONER BROWN: I agree. I think  
2   simplicity is key. But I think the key objective is we  
3   want to know what happened to the cases. We want to  
4   know how many investigations that the Commission was  
5   involved in and where it led, and how many were  
6   prosecuted, and what was the end result. That is a  
7   pretty key objective in supporting the prosecuting of  
8   illegal gambling.

9                   DIRECTOR TROMBETTA: Mr. Chair, can I try to  
10  sum up and offer a suggestion on this one, too?

11                  CHAIRMAN MACIVER: Sure.

12                  DIRECTOR TROMBETTA: So I would like to maybe  
13  have two outcomes for 4b. One in which we identify the  
14  number of -- maybe we do it as one with the hours worked  
15  and two, in terms of a percentage of the number of  
16  cases -- and I am going to play with the language -- but  
17  the number of cases that the gaming enforcement division  
18  worked on compared to those like -- you know, like the  
19  percentage -- compared to those that led to some type of  
20  formal charges. We would have two outcomes. One would  
21  give us a total so we could see the amount of work that  
22  we did in this area, taking into account that some cases  
23  may involve more work than others and might tie up the  
24  schedule. So if we're just doing a number, it might not  
25  be a true representation of what the gaming division --

1 the law enforcement division is doing.

2 And then the other outcome would be sort  
3 of a percentage or ratio for the number of cases tied to  
4 some type of result. You know, some type of formal  
5 charges or -- if you help me out with the result that  
6 you are looking for that would help. What do you think  
7 of those two suggestions?

8 CHAIRMAN MACIVER: I think one, the total  
9 number of hours worked per case is probably a good thing  
10 to track. And then separately, the number of hours  
11 worked per indictment or per information is probably  
12 also an appropriate thing to track. So if you're  
13 putting in hours and hours and hours and hours and hours  
14 and hours, is it worthwhile for the number of charges  
15 you're actually getting filed, it might be something  
16 worth seeing. Again, this is all going to have to be  
17 narratively explained later.

18 I think Vice Chair Yaworsky made the  
19 point earlier, some cases are going to be more complex  
20 than others. You're going to spend a lot more time on a  
21 complex case that's going to result in one big charge or  
22 ten big charges rather than the small number of hours  
23 that go into a lot of smaller charges.

24 So the idea of measuring these outcomes  
25 and measuring what are not square peg round hole

1 outcomes is always going to be challenging. I think  
2 what you're coming up with is probably a good way to  
3 address it at this stage.

4 DIRECTOR TROMBETTA: Thank you, Mr. Chair.

5 CHAIRMAN MACIVER: And as to the Vice Chair's  
6 point, people are going to audit these. People are  
7 going to look at these. This is one part of the whole  
8 of what justifies whether or not the legislature decides  
9 they're going to fund our operations. So we need to  
10 make sure that we're putting the right thing down. And  
11 we also have to keep in mind that this is one part of  
12 the whole, as well.

13 DIRECTOR TROMBETTA: Thank you, Mr. Chair.  
14 Anything else on any of these objectives or the outcome  
15 tables and the following pages?

16 CHAIRMAN MACIVER: Commissioners, the floor is  
17 open.

18 COMMISSIONER DRAGO: None for me.

19 DIRECTOR TROMBETTA: How about moving to the  
20 governor's priorities. Anything on that page?

21 COMMISSIONER DRAGO: Nope.

22 CHAIRMAN MACIVER: Hearing none.

23 DIRECTOR TROMBETTA: And then, Mr. Chair, with  
24 your permission, can we move to the transic condition  
25 statements. And I kind of broke them into an intro and

1 then to subsections. So the first subsection deals with  
2 regulation and the second one deals with law  
3 enforcement.

4 CHAIRMAN MACIVER: I have a very minor point  
5 under statutory authority. Obviously, we're not the  
6 Department of Lottery and we do not regulate the  
7 lottery, but Chapter 24 is one of the chapters that is  
8 specifically referenced in our authorizing statute, so  
9 we probably need to include that in that list.

10 DIRECTOR TROMBETTA: Yes, sir. Anything else  
11 on that intro paragraph?

12 CHAIRMAN MACIVER: Are we still contained in  
13 Chapter 61(d) or have we been moved over yet in the  
14 administrative code?

15 DIRECTOR TROMBETTA: I am going to go to phone  
16 a friend. Liz, are you on the call? I believe you are.  
17 Liz, can you give us an update on the ruling?

18 MS. STINSON: Hi. Yes, so currently we are in  
19 the process of transferring those rules over from 61(d)  
20 to 75. We have been working with the Department of  
21 State and almost done with the document that we need to  
22 transfer that 61(d) information over to Chapter 75.

23 CHAIRMAN MACIVER: Maybe just include a  
24 parenthetical or a footnote to that point. For the  
25 court reporter, that was Elizabeth Stinson.

1                   DIRECTOR TROMBETTA: Okay. Thank you, sir.  
2 Any comments or feedback on the regulation section? So  
3 this would be stuff about PMW compact oversight or the  
4 revenue table charts.

5                   COMMISSIONER BROWN: I just have a question  
6 on PMW primary responsibilities including the safety and  
7 welfare of racing animals which we're going to be  
8 talking about HISA later at this meeting. Does this  
9 continue to be one of our primary responsibilities with  
10 the implementation OF HISA?

11                  DIRECTOR TROMBETTA: Yes, it will be. We're  
12 still going to be responsible for ensuring the safety  
13 and welfare of racing animals both at the racetrack  
14 and -- sort of think of it -- we'll get into it when we  
15 talk to HISA, but the bottom line is yes, we will still  
16 have a duty to ensure the safety and welfare of a lot of  
17 these racing animals.

18                  COMMISSIONER BROWN: Do we want to note  
19 anything in this LRPB about the new regulation? Because  
20 it does have an effect on the Commission.

21                  CHAIRMAN MACIVER: The point is well taken.  
22 We could probably include, again, just a footnote where  
23 we touch upon that ensuring the safety and welfare of  
24 racing animals because that still is a function of the  
25 peri-mutual wager division; a footnote that indicates

1 that some of this responsibility may either be MOU and  
2 will remain with us or maybe transfer to HISA.

3 DIRECTOR TROMBETTA: We can do that. Thank  
4 you. The final section here is the LRPB, has to do with  
5 gaming enforcement. So I purposefully did not fill this  
6 out because obviously a lot of it was going to be based  
7 on some of the discussions that we've had just. So just  
8 getting feedback on the mission statement and some of  
9 the goals I think will help.

10 Is there anything here -- I was hoping to  
11 kind of open this up to the Commission to get your  
12 feedback. Carl is here, the director, just to be able  
13 to kind of walk through it. If you want to give me  
14 general thoughts on what you would like this section to  
15 say, I will try to do my best to try and incorporate  
16 everything.

17 CHAIRMAN MACIVER: So one thing that I have  
18 noticed that, of course, with a type two transfer is we  
19 have a lot of activity that carries over from our former  
20 functions at the DBPR. This being new, we have to, I  
21 think, walk before we can run. And I realize this is a  
22 five-year projection, but I'm really, really inclined to  
23 keep our enforcement mission as simply stated as  
24 possible. There's a lot of stuff that we can do.  
25 There's a lot of stuff that we can be responsible for.

1 But ultimately, I think the Division of Gaming  
2 Enforcement is supposed to be the primary detection and  
3 enforcement mechanism for gaming enforcement.

4 So however we want to eloquently and  
5 professionally say we chase bad guys and ruin their day  
6 is what I think needs to go in that section.

7 COMMISSIONER D'AQUILA: I agree. I think you  
8 need to keep it general because it's going to be a very  
9 dynamic changing, expanding thing over the next several  
10 years.

11 CHAIRMAN MACIVER: And this goes back (a) a  
12 little bit to when we were talking about the objectives  
13 at the front end of the document. I think informally,  
14 yes, we are a central information point. We are going  
15 to be ultimately the expert agency that other agencies  
16 are going to refer to. We formally are going to advise,  
17 we are going to share information, we're going to refer  
18 cases. And, again, what I want to focus on is a lot of  
19 that will be informal. That will be us working with  
20 other agencies, like, law enforcement work with each  
21 other all the time. As far as what we are tasked with  
22 and what our role is when we take ownership over, that  
23 is being the primary criminal investigative agency for  
24 gaming in Florida. Again, we detect criminal activity  
25 and put together cases so that they can be changed.

1           COMMISSIONER BROWN: I was just going to add  
2 to that, do we want to talk about the programs that we  
3 are -- in this section -- the educational programs that  
4 we're partnering with or the different types of programs  
5 with the local and state partners? Because we just have  
6 that blurb in the beginning of the document, but we  
7 don't elaborate anywhere what we are doing or what we're  
8 striving to do in the long range.

9           CHAIRMAN MACIVER: For my part, I am weary of  
10 putting emphasis on that role. So to what degree, we  
11 might mention that. Again, the thing that I want our  
12 folks to have an obligation to and the thing I want them  
13 to have ownership over is -- and this is just me  
14 speaking, so Commissioners disagree if you do want to --  
15 the thing I want them to do is keep a simple mindset and  
16 stay focused on investigation, detection of criminal  
17 activity and prosecution. Go out there, that's the  
18 mission.

19           The other things are things that we will  
20 do, but they are not part of the core mission, and I  
21 don't think they should be a distraction from the core  
22 mission to the extent that we embrace ownership over  
23 being responsible for that as a mission.

24           COMMISSIONER BROWN: In the document it talks  
25 about priority of us -- so robust inspection programs,



1 public education campaigns, licensee education programs,  
2 but nowhere else in the document does it elaborate or --  
3 and is it -- one of the core initiatives and priorities  
4 at the beginning of the document. So it has to be  
5 covered somewhere.

6 CHAIRMAN MACIVER: I'm hearing that  
7 discrepancy, Commissioner, loud and clear. I'm looking  
8 for input from other Commissioners and staff on how we  
9 resolve or marry that function.

10 Again, my preference is to try and --  
11 minimize is the wrong term -- but not distract from our  
12 core mission. We can elaborate on those functions.  
13 Again, I would hope that we can do so in such a way that  
14 is not over impact. And again, Commissioners, I'm  
15 wholly differential here.

16 COMMISSIONER DRAGO: I agree with the way the  
17 Chair laid it out. I think we need to be pretty basic  
18 and stick to the core mission in this. It may expand  
19 over time, of course, but we need to keep it -- and I  
20 think some of the Commissioners have already said  
21 this same thing -- but keep it pretty basic right to the  
22 mission. This is what we're here for. This is what  
23 we're expected to do period for now. I think we ought  
24 to leave it at that.

25 CHAIRMAN MACIVER: Perhaps at the tail end of

1 describing our core mission, Mr. Trombetta, what we do  
2 is we include a paragraph that addresses those earlier  
3 points, but address them additionally with the  
4 Commission that it maintains relationships with state  
5 and local entities, holds itself out for a resource for  
6 information. I'm sorry, I have to refer back to the  
7 beginning of the document for what else we have to  
8 cover.

9 But again, I would say in addition to the  
10 core mission of investigation, we do these things. But  
11 let's just sort of delineate that that's not part of the  
12 central function of the gaming enforcement division.

13 COMMISSIONER BROWN: That sounds good. I  
14 think the way you described it -- it just needs to be  
15 covered somewhere because it's one of the core missions  
16 in the beginning.

17 DIRECTOR TROMBETTA: Mr. Chair, if I can, I am  
18 going to go on mute for, like, 30 seconds just to ask my  
19 staff something.

20 CHAIRMAN MACIVER: Sure.

21 DIRECTOR TROMBETTA: Thank you. I just  
22 checked the language in that governor's priority, we can  
23 edit that. So in other words, the reference to the  
24 public education campaign and licensee education  
25 programs, that language does not necessarily have to be

1 in this document if that is causing an issue. In other  
2 words, I don't want to set us up to do something that  
3 we're not necessarily ready to achieve.

4 CHAIRMAN MACIVER: I'm comfortable with either  
5 approach, and I want to defer to the rest of the  
6 Commission here. We can either A, strike that language  
7 earlier in the document because some of the lawyers on  
8 the Commission are saying hey, you say this in your  
9 introduction and you never came back to it in your  
10 brief; and I agree with that sentiment. Or if we think  
11 that that does need to be included, then we can keep it  
12 in there. But again, when we mention it later in the  
13 descriptive area where we're talking about it, we would  
14 have to delineate and minimize it. Commissioners, I'm  
15 good either way.

16 COMMISSIONER BROWN: I am as well. Is there  
17 something in the statute that requires us to enforce  
18 these or to hold this type of campaigns -- in a new  
19 statute?

20 MR. DILLMORE: Mr. Chair, I'm happy to address  
21 that. There isn't. The only thing really would be  
22 sometimes a potential memo of understanding with HISA or  
23 provide training opportunities for horse trainers;  
24 that's the only one I can think of. I'm not aware of  
25 anything in Chapter 550, 551 or Chapter 16 now, that

1 would require information to provide educational  
2 programs for licensees, for example.

3 CHAIRMAN MACIVER: Shooting very, very broadly  
4 from the hip, my recollection of my reading of the  
5 statute is that very broad sense it says go forth and  
6 enforce, and then we are delineating what enforce means.  
7 One way of that enforcement would be these programs.  
8 But to the extent that they are, especially at the early  
9 walk before you can run stage, a distraction from our  
10 core mission. I would much rather have our focus be on  
11 that core mission.

12 COMMISSIONER BROWN: I think this is something  
13 that we should include in our next LRPB just because  
14 it's going to be hard to one, measure, and then  
15 elaborate.

16 CHAIRMAN MACIVER: Great. Commissioners, any  
17 further discussion?

18 COMMISSIONER BROWN: And I was also going to  
19 add additional funding to these programs that we don't  
20 have.

21 DIRECTOR TROMBETTA: Mr. Chair, if I could,  
22 for clarity. What is the decision on what you would  
23 like me to do? Would you like me to strike --

24 CHAIRMAN MACIVER: I believe we're striking the  
25 language linking to the governor's priorities.

1 Commissioners, am I correct in that assessment?

2 COMMISSIONER DRAGO: That's what I prefer, but  
3 I am not sure if that's the consensus yet.

4 COMMISSIONER D'AQUILA: That's what I prefer.

5 COMMISSIONER BROWN: I think at this stage, we  
6 have to go with that based on the lack of funding.

7 CHAIRMAN MACIVER: Mr. Vice Chairman?

8 VICE CHAIRMAN YAWORSKY: I'm going to go with  
9 the group on this one.

10 CHAIRMAN MACIVER: All right. Mr. Trombetta,  
11 I think we can continue to move forward.

12 DIRECTOR TROMBETTA: Yes, sir. So the  
13 following sections in this document are performance  
14 venders and standards. These tie back to things that  
15 are tracked. For example, the first one that we just  
16 showed you on the screen, these are other things that  
17 are tracked. For example, peri-mutual wagering. So I  
18 think maybe if we just kind of go through these next  
19 sections as you guys feel there's comments or feedback.  
20 You know, my biggest area of concern was with the things  
21 that we covered because I think the rest of the document  
22 will kind of match some the those.

23 CHAIRMAN MACIVER: Just for the sake of  
24 procedure, Mr. Trombetta, you will have the floor to  
25 walk us through the document. And if any Commissioner

1 sees something, a point of discussion they want to  
2 address, get my attention, and I'll open the floor for  
3 discussion.

4 DIRECTOR TROMBETTA: Thank you, sir. Yeah, so  
5 the first one that we're looking at here is just  
6 performance measures and seeing those related to PMW.  
7 And as you can see, we're already keeping per item  
8 four -- conducted, peri-mutual wagering collected per  
9 dollar of revenue units expenditures. So we keep more  
10 than what we have already provided, just as an example.

11 The next one, Exhibit 2, these have to do  
12 with 551, so slots. So these are performance measures  
13 kept for slots. And then the following areas, the  
14 preapproved performance measures -- so, actually, I'm  
15 going to turn this over to Christine for a little bit.

16 Christine, what is the importance of  
17 these or what are we looking at here?

18 MS. HUTTON: These are going to be changes in  
19 the measures, if we have any measures, that need to be  
20 revised. Currently right now, these are the same  
21 measures that were in DBPR, so if we're going to do any  
22 changes to it, we would need to complete these exhibits.

23 DIRECTOR TROMBETTA: Okay. So as this  
24 document moving forward -- just for clarity for  
25 everybody on the phone, we will completing this document

1 to match as the blurb itself changes; is that correct?

2 MS. HUTTON: Yes.

3 DIRECTOR TROMBETTA: The next section,  
4 Exhibit 4, performance measures limiting liability. Am  
5 I to understand that these are ones -- so this first one  
6 is the peri-mutual wager that hasn't been completed; is  
7 that correct?

8 MS. HUTTON: Yes.

9 DIRECTOR TROMBETTA: We have completed a lot  
10 of these, but these will be edited as we move forward.

11 MS. HUTTON: Well, my understanding is these  
12 have already been edited from PMW's program. They have  
13 already updated these so they should be go to go unless  
14 somebody sees something that needs to be edited.

15 DIRECTOR TROMBETTA: Does anybody have any  
16 questions or comments on any of these things,  
17 performance measures in Exhibit 4? Moving on to  
18 Exhibit 5 --

19 CHAIRMAN MACIVER: Reading quickly through  
20 these and trying to marry it to the conversation that we  
21 had a little bit earlier, if there is anything in here  
22 that is residual and would be changed by our earlier  
23 discussion of things that we wanted to change the  
24 measurement, we just need to make sure this section also  
25 reflects any of those earlier conversations.

1                   DIRECTOR TROMBETTA: Yes, sir. Exhibit 5,  
2 these are additional, kind of, items that attribute to  
3 how we measure these items. Again, the first one is --  
4 related, the sone one is slots related. And then we get  
5 to this large table column document.

6                   Christine, can you explain what this is?

7                   MS. HUTTON: Yes. This is a unit call  
8 summary. This is data that's generated from fiscal year  
9 '21, '22. And as you can see, the majority of the data  
10 that we have was in the DBPR side which was PMW. And I  
11 already had a conversation with OPB and DBPR, I will  
12 double check and confirm, that data should probably be  
13 on their end because it was in '21, '22. We have the  
14 executive director which is all we had on our side  
15 during '21, '22 so that's what this is representing  
16 here. This is another document, which is PMW, but  
17 again, like I said, that piece of it should probably be  
18 put on DBPRs portal and their upload, not ours since we  
19 didn't have PMW in '21 and '22.

20                  DIRECTOR TROMBETTA: For the court reporter,  
21 that's Christine Hutton who is helping me with this  
22 document. Okay. Continuing on -- and this kind of  
23 explains what this data --

24                  MS. HUTTON: Yes. This is like a report that  
25 comes -- it's generated from LASPDS and it just



1 basically summarizes the sections. This is not  
2 something that we put together, but as you can see,  
3 basically the only section that has any data right now  
4 is section four where it says audit four. The  
5 difference of that is basically that money, that  
6 \$832,000, is what was put in general revenue. Which I  
7 made a note down there, that difference was processed  
8 from general revenue. It wasn't going to be calculated  
9 in here because general revenue doesn't get picked up in  
10 here. So it's just a meer note of what that difference  
11 is.

12 DIRECTOR TROMBETTA: And then the following  
13 section are the glossary and terms. Are there any  
14 comments or feedback on this session?

15 So Mr. Chair, that's all I have. I think  
16 the feedback that you've provided is going to help us  
17 complete this document.

18 CHAIRMAN MACIVER: We're at a little bit of a  
19 crossroads here. Commissioners, do we want to go back  
20 and revisit the tabled items if do we feel there is  
21 enough instruction given to staff to try and address  
22 those tabled items? Then my suggestion would be that we  
23 have a motion to authorize staff to do a final draft of  
24 the LRPB consistent with the input that we've provided,  
25 and that that final draft would be shown to each

1 Commissioner and that we authorize its adoption unless  
2 upon Commissioners' review of the document they feel  
3 that it's inconsistent with what we've asked for today,  
4 in which case will have to schedule an emergency meeting  
5 to address those items.

6 If we have not addressed those tabled  
7 items to your satisfaction and you want to provide more  
8 input to staff, we can do that at this time as well,  
9 just let me know.

10 Seeing no further input, then I would ask  
11 for a motion to direct staff to prepare a final draft  
12 for submission unless any Commissioner finds that it is  
13 not consistent with what we've instructed today.

14 COMMISSIONER BROWN: That's sounds great,  
15 thank you. Second.

16 CHAIRMAN MACIVER: Any objection?

17 COMMISSIONER DRAGO: Mr. Chair, just one  
18 question for Mr. Trombetta. Does he feel like he's got  
19 all the information he needs in order to be able to  
20 fulfill this motion?

21 DIRECTOR TROMBETTA: I think I do. Let me  
22 just ask Lisa and Christina. Okay. Yeah, we do. I  
23 took pretty good notes and honestly, the feedback you  
24 provided, I appreciate it. I think we're going to be  
25 able to move forward with it.

1                   CHAIRMAN MACIVER: Not to add to the motion,  
2 but for clarification, Mr. Trombetta, this is due on the  
3 30th, the Commissioners will need to see sooner rather  
4 than later a final draft they can review and ensure is  
5 consistent with the motion today. So that if there is  
6 any discrepancy we'll have time to schedule an emergency  
7 meeting. I'm not going to heavy-handedly put a deadline  
8 on that and trust your judgment on getting it to us  
9 sooner rather than later.

10                   With that, I see no objection and show  
11 that motion is adopted.

12                   Agenda item number two, Mr. Trombetta,  
13 would you like to discuss our legislative budget  
14 request?

15                   DIRECTOR TROMBETTA: Yes, sir. Thank you. So  
16 the second agenda item is a draft of our issues that  
17 we've identified to make part of our legislative budget  
18 request. There are 20-something items; 22 last I  
19 looked. Yes, 22 items. I'll defer to you, Mr. Chair,  
20 on how you would like to go through this. We can also  
21 just go item by item.

22                   CHAIRMAN MACIVER: I think that will be wholly  
23 appropriate. And much like our discussion of the LRPB,  
24 because this is sort of a workshop for Commissioners, I  
25 will leave the floor with Mr. Trombetta to walk through

1 the document. Interrupt at any point that you have a  
2 question or a desire for further discussion, and I will  
3 open up the floor for open discussion among all the  
4 Commissioners at that point.

5 Mr. Trombetta, you have the floor. Walk us  
6 through.

7 DIRECTOR TROMBETTA: Thank you, Mr. Chair.  
8 For purposes of a little background, my team put  
9 together these LRPB issues and items that we will be  
10 asking for additional budget and appropriation and  
11 authorization to use money in a fiscal year that starts  
12 in July.

13 We have put together 22 items and we put  
14 together justification and a little bit of explanation,  
15 and we're in a position where ultimately the Commission,  
16 by statute, is required to provide the LRPB annually.  
17 So whatever feedback you-all have or recommend is what  
18 we're going to try to effectuate.

19 With that being said, the first item that  
20 we've asked for are additional positions for executive  
21 director and support services. So we've asked for  
22 essentially four additional positions in this executive  
23 office is how it's working; two deputy executive  
24 directors, one communications director, and one deputy  
25 general counsel.

1                   Now being candid, the deputy general  
2 counsel will be working in the general counsel office  
3 just for the purpose of helping with workload. I  
4 took -- I included it in an executive direction area,  
5 but it will likely move into the general counsel office.

6                   The plan is for the deputy executive  
7 director to kind of work with me to help effectuate your  
8 mission and our mission. The communications director is  
9 a position we did not have in our initial appropriation.  
10 We were provided an external affairs person, like, an  
11 alleged affairs or small affairs person. A  
12 communications director was identified as a needed  
13 position, so we asked for that. And general counsel, if  
14 an additional attorney to help -- I think was a law  
15 enforcement-focused attorney. So this would be somebody  
16 with a criminal background or a background in criminal  
17 law that can help with law enforcement to do their daily  
18 job, you know, make decisions and help them kind of  
19 effectuate some of the legal issues. The total is  
20 \$475,760. Any discussion? I see none, so I will move  
21 to item two. So this is a competitive pay adjustment.

22                   COMMISSIONER DRAGO: Mr. Trombetta, I'm sorry  
23 I was muted and I was yelling. Apparently, you can't  
24 hear me when I am muted. Just one question about the  
25 communications director. How do you see him or her

1 fitting into the organization? You say, I think, in  
2 your LRPB that this will be a communication person for  
3 the Commission, et cetera. So how do you see this  
4 person fitting into the organization?

5 DIRECTOR TROMBETTA: Yes, sir. I think the  
6 position will be located in the executive office. They  
7 will be responding to public records requests, they  
8 would help get our message out there. They would also  
9 be helping with some of the complaints and just getting  
10 back to people. I would like this position to be able  
11 to help manage some of the complaint portal, too. Right  
12 now when we get a complaint, we send it through our  
13 filtering. And right now the filtering is being done by  
14 one of several employees, depending on who looks at it.  
15 And I would like the communications director to kind of  
16 take that process on as well.

17 COMMISSIONER DRAGO: So in effect, this person  
18 will be the spokesperson for the Commission?

19 DIRECTOR TROMBETTA: I don't know about  
20 spokesperson. They would be coordinating the message  
21 that the Commission would like to get out. In other  
22 words, if a media requests comment on something that's  
23 going on, the communications director would be the one  
24 coordinating the response.

25 COMMISSIONER D'AQUILA: So it's going to be

1 both inbound and outbound communications? And outbound  
2 having somewhat of a public relations role? Could you  
3 clarify that?

4 DIRECTOR TROMBETTA: Sort of. Frankly, I  
5 think that the spokesperson for the Commission, frankly,  
6 are some of the Commissioners on the phone. But I think  
7 the communications person would be able to do that where  
8 it was requested, but I wouldn't want that duty to be  
9 completely taken over by the communications person.

10 CHAIRMAN MACIVER: No, certainly not. The  
11 Commission as a whole, of course, is the agency and the  
12 Commissioners independently speak for this Commission as  
13 well. The communications director would be our  
14 facilitator for engaging with the press. And probably  
15 at some point in time, we're going to want to have some  
16 sort of social media campaign and they're going to be  
17 the person that's going to oversee things like that.  
18 And yes, that's the person who should probably craft the  
19 nuts and bolts responses that are coming out of our  
20 agency for communications for complainants or  
21 stakeholders. It's the person who helps us say the  
22 things the way we want to say them.

23 COMMISSIONER BROWN: And then would that  
24 person also be someone who edits, not just press  
25 releases, but other things like the LRPB? Would that

1 office or that person be that facilitator?

2 CHAIRMAN MACIVER: I'll let Mr. Trombetta  
3 answer that, but I think I would suggest that most  
4 agencies, yes, the communications director is going to  
5 have eyes on any major document that goes out of the  
6 agency and is going to advise both the executive  
7 director and ultimately the Commission on those things.

8 Mr. Trombetta?

9 DIRECTOR TROMBETTA: Thank you, Mr. Chair.  
10 Not to restate what he just said, but I think the answer  
11 is yes, they would be involved in the LRPB. I don't  
12 know if they would be single-handedly responsible for  
13 it. I think they would be seeing it and working with  
14 other members that are helping put that together.

15 Item two is the pay adjustment for the  
16 general counsel's office. We are struggling to hire  
17 attorneys because our pay rate is a little low. This is  
18 a request for \$160,000 to increase the salary rate so we  
19 can track candidates for some of our open attorney  
20 positions.

21 VICE CHAIRMAN YAWORSKY: Mr. Trombetta, I am  
22 so sorry to go back to one again. This just popped in  
23 my head. Is there -- do we have staff available or we  
24 are contemplating staff to support the communications  
25 director in their effort -- it really is an all



1 encompassing position where they do touch every aspect  
2 of what the agency is saying. Is there support staff?  
3 Typically, agencies have either a press secretary  
4 underneath that or some sort of administrative-type  
5 staff to help kind of curate and triage the amount of  
6 information that's coming in and going out of the  
7 agency. I am just curious if we've thought about that  
8 or are we planning on that for the future or where are  
9 we?

10 DIRECTOR TROMBETTA: The thought process is  
11 that we kind of get this person in and see how they can  
12 manage the workload and kind of go from there. We did  
13 not request it at this time, but it's something that  
14 we -- to your point, I know it would be uncommon to have  
15 a single person be the entire communications department,  
16 but I think as we're just starting and getting our feet  
17 under us, get a director and see how much work there was  
18 and if there is a need for additional positions. Sorry,  
19 about that --

20 CHAIRMAN MACIVER: Before we move on, any  
21 Commissioners, anybody opposed to a break at this time?  
22 Does anybody need a break at this time? I am going to  
23 say let's take five minutes unless there's an objection.

24 COMMISSIONER DRAGO: I would say a break would  
25 be good at this time.

1                   CHAIRMAN MACIVER: Let's go ahead and take ten  
2 and let's be back at 11:50.

3                   (Off the record for a break.)

4                   CHAIRMAN MACIVER: Commissioners, I'm going to  
5 go ahead and let us start moving forward with the note  
6 4, the executive director that we might have to go back  
7 and revisit. I don't see the vice chair yet, but he  
8 might be taking an extra minute to get back from the  
9 break. If he wants to -- here we go. If he want to  
10 recover the materials that we covered, I'm going to  
11 defer to that desire. But, Mr. Trombetta, I believe we  
12 were on item number two.

13                  MR. TROMBETTA: Thank you, Mr. Chair.

14                         So we were just wrapping up -- in my mind  
15 we were wrapping up. Item two was a pay increase for  
16 the general counsel's office. As I mentioned before the  
17 break, we have had some attempt struggles to bring in  
18 attorneys at this rate, and this was a request to  
19 increase the rate salary dollars for that area.

20                  CHAIRMAN MACIVER: Just for everybody's  
21 understanding, how many rounds of advertisement did we  
22 go through with no response?

23                  DIRECTOR TROMBETTA: I have Ross here with me,  
24 Ross Marshman. I don't know the exact number, but I  
25 think it's at least three or four and we had zero

1 applications for senior attorney.

2 MR. MARSHMAN: Good morning.

3 Director Trombetta is largely correct. There was the  
4 first round of senior ads that had no response of  
5 applicants. We requested certain positions and lowered  
6 the rate to be competitive among attorney positions,  
7 which we call junior attorneys, and there were no  
8 responsive applicants for that either. We ran a third  
9 round of applications and we received three applicants  
10 and those are kind of working their way through the  
11 system now. But I would not describe our prospects of  
12 hiring additional attorneys as being very bright given  
13 the low response rate we've had to our advertisement so  
14 far.

15 CHAIRMAN MACIVER: Just for clarification, are  
16 we still -- it's probably right here in the document if  
17 I just read it so, I apologize -- but are we still  
18 targeting higher paid junior attorneys who are eager and  
19 have a little fire in the belly, or are we now  
20 refocusing again on trying to hire senior attorneys? Do  
21 you hear my preference in there?

22 MR. MARSHMAN: I believe so, Mr. Chairman.  
23 We're trying to hire the young, energetic attorneys at  
24 the highest rate that we can offer without significantly  
25 infringing on our salary to pay other positions as well.

1                   CHAIRMAN MACIVER: And before we offend the  
2 people over at EEOC, new attorneys.

3                   MR. MARSHMAN: Correct.

4                   COMMISSIONER D'AQUILA: I have a question, if  
5 I may. Were these salary structures set? How long ago  
6 were they set?

7                   DIRECTOR TROMBETTA: Lou Trombetta, again.  
8 I'm not exactly sure when they were set, but this was  
9 based on our budget that was allocated for the current  
10 fiscal year, which happened essentially at the end of  
11 last session.

12                  VICE CHAIRMAN YAWORSKY: I think for clarity,  
13 one of the things that might be helpful to keep in mind  
14 throughout the discussion is that the pay bands that  
15 exist within state -- or within Florida -- are rigid and  
16 they typically -- they're very rarely updated in a  
17 significant way over -- for the past several years;  
18 there may be minor adjustments. But typically, what you  
19 find is the pay band established is not in a competitive  
20 state compared to the private sector, or even other  
21 government entities outside of the state system.

22                                So what happens is, the way that that's  
23 accounted for is something that's referred to as rate,  
24 which is an additive to -- and I'm sure someone on Lou's  
25 staff can explain this better -- but it's essentially a

1 rate bucket that every agency has that allows for  
2 additional pay per position for a number of reasons,  
3 based on seniority or other things. But the most  
4 important reason is to make these positions more  
5 competitive with the private sector; if that's helpful  
6 in the discussion.

7 COMMISSIONER D'AQUILA: That's very helpful,  
8 thank you.

9 COMMISSIONER BROWN: A lot of these positions  
10 were based on DBPRs, correct, salaries? And the salary  
11 rate for the attorneys, they are on the lowest end of  
12 all state agencies.

13 DIRECTOR TROMBETTA: So to compound matters,  
14 these rates are not factoring in current inflation or  
15 the 3 percent national unemployment rate that we have.

16 COMMISSIONER BROWN: Mr. Trombetta, I think  
17 this is derived in the summer of 2021.

18 DIRECTOR TROMBETTA: That sounds about right  
19 Commission Brown. Thank you. So the total amount is  
20 \$163,000.

21 Moving on to item three, which is a  
22 desktop refresh. So as it gets more to the technology  
23 side, I am going to turn it over to Suzie Whitmire, who  
24 is a CIO. How about I try, but then you jump in.

25 So item three is the desktop refresh.

1 The plan here is to purchase more equipment and come up  
2 with a refresh schedule. So jumping on what  
3 Commissioner Brown just said, a lot of our budget issues  
4 prior to this one were based on setup and DPBR. So we  
5 are trying to, through Suzie's judgment and expertise,  
6 provide a better refresh schedule and rate for the  
7 equipment for all gaming commission employees.  
8 Anything to add, Suzie?

9 MS. WHITMIRE: Just that we have some really  
10 old machines going back to 2007. None of our machines,  
11 except for what's been bought this year, can run  
12 Windows 11, which poses a security issue. So this is to  
13 really get the PMW staff that's got the oldest  
14 equipment, and then set up one-third so we're always  
15 staying ahead of the technology curve. The DBPR does  
16 not have a refresh schedule, so this would be unique to  
17 us, but not unique to other agencies.

18 DIRECTOR TROMBETTA: And the total here is  
19 \$163,000.

20 Okay. Moving on to item four. I am just  
21 going to turn this one right over to Suzie.

22 MS. WHITMIRE: Our goal is to be in the cloud  
23 because on trend, which has been the norm for DBPR, is  
24 more costly in the long-term because you're always  
25 replacing hardware. So this is an ask for us to

1 establish our cloud environment and to start moving all  
2 of our resources out. There is some money this year  
3 that will be used, but a lot of it will be recurring and  
4 doesn't exist in the next budget. So this will be to  
5 continue to pay for cloud services as we move forward  
6 with Office365 and all the stuff for law enforcement,  
7 which will be in the government cloud, which protects  
8 the -- data. So this is a request for cloud funding.

9 DIRECTOR TROMBETTA: Okay. Moving to number  
10 five, which is payment to DBPR for VERSA right support.  
11 So DBPR provides a software for an application called  
12 VERSA. VERSA is used by the regulatory division -- PMW  
13 division of PMW, and it uses VERSA to essentially  
14 maintain and license the databases, that we need to  
15 continue to be operational.

16 Suzie, this is an additional payment to  
17 DBPR for the continued use of VERSA?

18 MS. WHITMIRE: Correct. VERSA-Rec,  
19 VERSAOnline and OnBase. And this would be our payment  
20 to them to continue on their system until we had a  
21 system to move on to.

22 CHAIRMAN MACIVER: So on this item, I just  
23 want to make a couple of comments. In the business  
24 needs section, it indicates implementation of our own  
25 system hopefully by late 2024. I'm going to display

1 some of my own cynical frustration with Chapter 287 in  
2 the Florida Statute, which I sometimes wonder is a cure  
3 that's worse than the disease. Sometimes it seems like  
4 we spend millions of dollars in litigation to avoid  
5 \$1,000 apparent graft, and it seems to slow everything  
6 down quite a bit.

7 That 2024 deadline is not ideal. I  
8 cannot understate -- I'm sorry, let me rephrase. I  
9 cannot overstate the confidence that I have in our CIO.  
10 She does a tremendous job, and I have been incredibly  
11 pleased with how we've been going forward. So this  
12 isn't second-guessing, but I would request that the plan  
13 for implementation of that 2024 date be provided to the  
14 Commission in detail so that we can put as many heads  
15 together as possible to try and trim as much fat off of  
16 that delay as possible.

17 I think getting on our own system where  
18 we are not relying upon another agency's infrastructure  
19 is a critical need for us. Again, I realize that you're  
20 working within the parameters that you have to work in,  
21 but let us help you streamline that as much as possible.

22 MS. WHITMIRE: And we do have a timeline. A  
23 lot of it is IT procurement and contract negotiation  
24 that happens, but I can provide a timeline for why we  
25 got to 2024. And 2024 is assuming that at least there's



1 some funding is this next fiscal year.

2 COMMISSIONER BROWN: Mr. Chair, can I --

3 COMMISSIONER D'AQUILA: I have a question,  
4 Mr. Chair.

5 CHAIRMAN MACIVER: Commission Brown, I think  
6 you jumped up first.

7 COMMISSIONER BROWN: Commissioner D'Aquila,  
8 unless you're, like, jumping at the bit -- okay. Just a  
9 question about the actual cost pending on waiting for  
10 the DBPR. This particular item is -- these are known  
11 costs from VERSAReg; right, and OnBase?

12 MS. WHITMIRE: So I have requested multiple  
13 times from the DBPR what they will charge us for VERSA  
14 moving forward. I've been unable to secure the number.  
15 So what I did was take the \$600,000-plus that are in our  
16 current LBR or our funding, and subtract things that I  
17 know are not VERSAReg, and came up with an estimate of  
18 \$498,000. It may be less. But we're currently looking  
19 for an itemized bill that shows how much it costs for us  
20 to purchase VERSA from them, but I have not gotten it.  
21 So I put in a number and knew that if we could get a  
22 quote we would change it. But we did a best-guess  
23 estimate based upon what we knew of the costs that were  
24 related to the half-million dollars that we paid them  
25 this year to them.

1           COMMISSIONER BROWN: Thank you. I also want  
2 to echo the comments about your work and the upmost  
3 confidence in your efforts. I know you share the same  
4 sentiment of getting this expedited sooner rather than  
5 2024. So I definitely want to echo that. And I have  
6 faith in you, and hope that we can move this along and  
7 get some funding.

8           MS. WHITMIRE: So we'll talk more about the  
9 funding of that particular -- the replacement in another  
10 issue. But this is to continue payment until we move  
11 off of their system. So independent of the actual new  
12 system, this is to make sure we have a licensing system  
13 until we don't need them.

14           COMMISSIONER BROWN: But this isn't DBPRs  
15 manpower efforts to support any type of work issues  
16 related to these systems?

17           MS. WHITMIRE: Yes. This would cover all  
18 things related to VERSAREg, VERSAOnline and OnBase.

19           COMMISSIONER BROWN: Okay. The DBPR is going  
20 to be continuing to help the gaming commission for the  
21 next fiscal year?

22           MS. WHITMORE: No. This is not for IT support  
23 beyond VERSAREg and OnBase.

24           COMMISSIONER BROWN: These are just the  
25 licensing costs?

1 MS. WHITMIRE: This is the expectation that  
2 all other IT services will be provided by FGCC IT.  
3 That's why I subtracted them to come up with that  
4 number. The next one --

5 DIRECTOR TROMBETTA: Commissioner D'Aquila?

6 COMMISSIONER D'AQUILA: I have a question.  
7 Ms. Whitmire, did I understand correctly the move over  
8 will be directly to the cloud -- 100 percent cloud from  
9 an existing network from DBPR, or are we doing the  
10 network first and then cloud after?

11 MS. WHITMIRE: So everything that can be moved  
12 to the cloud will be moved to the cloud. There is  
13 infrastructure that cannot be moved to the cloud. Our  
14 firewall, to make the decision, because of our law  
15 enforcement partners, they have to have a physical  
16 firewall as well as a virtual firewall, but everything  
17 as far as where we store materials, it will all be part  
18 of the cloud solution. There are some physical remnants  
19 that are left because the network is physical -- our  
20 connections are physical -- but anything that can go to  
21 the cloud, we will moved to the cloud where it makes  
22 sense for the agency.

23 COMMISSIONER D'AQUILA: And maybe more secure  
24 in many respects. Is the cloud more secure for the type  
25 of data, our investigation data, than the network or

1 vice versa?

2 MS. WHITMIRE: So we went with -- we're  
3 looking at Microsoft Azure cloud, and that is fed rec  
4 certified and is one of the very few providers that have  
5 a long-term CJIS approval. So in the cloud, we should  
6 be very secure. They meet all of the requirements of  
7 the law. Our network will also -- as well as anything  
8 we put on it -- so we're taking a look at everything  
9 from IT to the CJIS-level of protection. We want to  
10 make sure that it takes everything because our data is  
11 very attractive. So being on new hardware, being one  
12 software, being in the cloud, those are all ways to make  
13 sure that doing our up most so we're on target.

14 COMMISSIONER D'AQUILA: Last question. Are we  
15 utilizing a thin client as some of your PC solutions in  
16 the new setup (sic)?

17 MS. WHITMIRE: Oh, we will be using Office365  
18 and we will be using Defender, as well as InTune; a  
19 bunch of tools to do a lot of stuff more -- less on the  
20 desktop and more in the cloud. There are pieces that  
21 will also be on the desktop too, but that's our goal to  
22 definitely be more cloud oriented.

23 COMMISSIONER D'AQUILA: Thank you.

24 VICE CHAIRMAN YAWORSKY: Ms. Whitmire, just  
25 real quick. I just want to confirm that with the

1 decisions about stuff to go on the cloud versus the  
2 stuff to be in the system globally, are we in full  
3 compliance with the spirit of a cloud-first strategy?

4 MS. WHITMIRE: Yes, sir. That is exactly  
5 why -- we're kind of not exempt from not being in the  
6 cloud because other agencies have legacy resources, we  
7 don't. So our primarily goal is to be cloud first to  
8 meet the spirit and the letter of the law.

9 VICE CHAIRMAN YAWORSKY: Okay. Thank you.

10 CHAIRMAN MACIVER: Okay. For the record  
11 everyone, there is no cloud, it's just someone else's  
12 computer.

13 MS. WHITMIRE: It's just a data center that  
14 you don't control; yes, sir.

15 CHAIRMAN MACIVER: Moving on to item number 6.

16 DIRECTOR TROMBETTA: Thank you, Mr. Chair. So  
17 yes, six, IT infrastructure cost, Suzie?

18 MS. WHITMIRE: This year's budget had a large  
19 number of non-recurring dollars. They also were based  
20 upon DBPRs' infrastructure and how they built their  
21 infrastructure, including a lot of long-term solutions.  
22 We are finding that the cost of running our organization  
23 is much higher than what they estimated when you try to  
24 do things that allow mobility and protection and new  
25 solutions that are not on trend and not old.

1                   So what this is is a budget to actually  
2 allow us to have resiliency so that we have a circuit,  
3 so that if one goes down, we have a secondary circuit  
4 that will automatically kick in and we can continue to  
5 be in contact with our law enforcement brethren. It  
6 allows us to have a phone system that is Teams-based and  
7 resilient so that you can have it on any device that you  
8 need to have it on. It will cost -- it gives us an  
9 express route to the cloud, which is a more expensive  
10 way to do things quicker in and out of the cloud. We  
11 couldn't afford it this year because we had the  
12 non-recurring dollars, but in order to continue to  
13 maintain that, we need to have some additional dollars.

14                   We've learned really quickly here that we  
15 have a lot of people that move around the state in --  
16 our facilities around the state -- and being able to  
17 have LRPB solution that allows them to work from  
18 anywhere is important. So there's dollars in here for  
19 VPN solutions.

20                   Just the way that we can connect to our  
21 remote offices has to be more modernized. Right now  
22 they're on old devices, on 3G networks. So a lot of  
23 these things that we're asking for money is really a  
24 continuation of initiatives that we're doing this year  
25 to put in place where we have non-reoccurring, these are

1 moving into recurring dollars. And this should set us  
2 up to have the dollars to be able to do the work we're  
3 doing.

4 If we didn't get funding for this,  
5 100 percent of IT's budget plus some would go straight  
6 into circuits. We still don't have enough money to do  
7 what we need to do, so this is a very important issue  
8 for us.

9 DIRECTOR TROMBETTA: Item seven, essentially  
10 this piggybacks on the concept of trying to cut it down  
11 before 2024. So this is our attempt to get money to go  
12 down the road of new a licensing system.

13 MS. WHITMIRE: Correct. So this would be the  
14 first deliverable or our first payment to our vendor,  
15 whoever we select. We would want to be able to -- in  
16 the last half of the year next year -- be able to have  
17 our contract and start the gap analysis that goes  
18 between where we're at now and where we need to be. And  
19 we don't know enough of know what the full cost is going  
20 to be, but we will by the next LBR session. So this was  
21 an attempt to at least get us working this session on  
22 some money that would help us move forward quicker and  
23 get the solution in place.

24 DIRECTOR TROMBETTA: To add a caveat to this.  
25 Prior to this meeting, we had a meeting with OPB at

1 their request. This was an item that OPB made a  
2 recommendation that we take out of our OBR issues and  
3 add it as language to the appropriation bill, I believe.

4 MS. MUSTAIN: You're correct. And then there  
5 was another conversation had by the OPB where they asked  
6 us to hold off on this LBR issue until we could come up  
7 with a better plan of how to move forward.

8 MS. WHITMIRE: They want us to have a 4b (sic)  
9 I'm sure, and there has to be some planning that  
10 happens. We're about to begin requirements gathering  
11 and we will be in a much better situation next LBR  
12 cycle, but that does put us a little further behind.

13 DIRECTOR TROMBETTA: Any questions on item  
14 seven?

15 COMMISSIONER BROWN: Yes. I am a little  
16 confused now. Does that mean that this item is coming  
17 out of our request?

18 DIRECTOR TROMBETTA: So Mr. Chair, if you  
19 don't mind, I can try and answer that. Ultimately, the  
20 statute says that the gaming commission is the LBR  
21 (sic). So what you chose to include or not include is  
22 ultimately up to you. I am trying to provide  
23 information that I've received so that it's helpful for  
24 your ultimate decision.

25 And for the court reporter, Lisa Mustain



1 just provided --

2 CHAIRMAN MACIVER: For the sake of  
3 clarification, is the staff recommendation to remove  
4 item number seven?

5 COMMISSIONER BROWN: Thank you, Mr. Chair.

6 DIRECTOR TROMBETTA: Yes, it is.

7 CHAIRMAN MACIVER: Commissioners, any  
8 objection?

9 DIRECTOR TROMBETTA: Mr. Chair, when you say  
10 "staff" are you talking about the gaming commission  
11 staff or the --

12 CHAIRMAN MACIVER: Ultimately, based upon the  
13 input that you've received, we're asking for your  
14 recommendation on whether this should or should not stay  
15 in the LBR, including any conversations that you've had  
16 leading up to this, whether that should stay in or not.

17 DIRECTOR TROMBETTA: I think the  
18 recommendation would be to keep it in the LBR. This  
19 will put us in the best case to get a move on and get an  
20 early start on getting our own licensing system.

21 COMMISSIONER BROWN: Thank you, Mr. Chair,  
22 just to follow up from earlier, OPB, in your discussion,  
23 said they wanted more information for this cycle; is  
24 that correct? There wasn't enough support for that  
25 total request?

1                   DIRECTOR TROMBETTA: Commissioner Brown, that  
2 is my understanding, yes.

3                   COMMISSIONER BROWN: And we won't be able to  
4 have that information before the deadline of  
5 October 14th?

6                   DIRECTOR TROMBETTA: Correct.

7                   CHAIRMAN MACIVER: So brass tax on this issue  
8 is we are going to ask the legislature for money, and  
9 we're going to ask the governor's office for their  
10 support in the request for that money, and the  
11 governor's office has communicated to us that they do  
12 not feel ready to offer their support for this line  
13 item.

14                                 With that said, I think that it behooves  
15 us to consider where the support for that line item is  
16 coming from. So if we're not ready to seek the support  
17 for this line item, then it may be premature for us to  
18 ask for those dollars in my opinion. Commissioners?

19                   VICE CHAIRMAN YAWORSKY: Just for clarity,  
20 assuming this is polled, does that impact -- I think the  
21 answer is yes -- but would that adversely impact the  
22 ability to move to our own system by 2024 even?

23                   MS. WHITMIRE: So yes and no. We are still  
24 going to bill for requirements. We're still going to  
25 bill the IT end. We're still going to bill for fee.

1 All the stuff we have planned for this fiscal year we  
2 can continue to do. We can -- if we have more money --  
3 of course, use existing funds -- it will put us about  
4 six months out. We only lose about six months if we  
5 don't fund it this fiscal year. But it does delay it.  
6 Budgeting cycles are not kind to us at this point, and  
7 we just need the information to put forth a 4b, or to  
8 even put --

9 COMMISSIONER DRAGO: Mr. Chairman, I would  
10 prefer that we hold off on this then. I appreciate what  
11 the staff is saying. There is no doubt in my mind that  
12 they're writing what they're saying, but there are  
13 always obstacles in budgeting every year and everyone  
14 every year knows that. Sometimes you have to give and  
15 take to think a budget through in order to get a budget  
16 to work. I would rather personally have the support of  
17 OPB on it rather than try to go it alone and then  
18 hopefully get their support next time around. A  
19 six-month delay is six months, but I think it would be  
20 wiser for us to move with support than without.

21 VICE CHAIRMAN YAWORSKY: I don't disagree. I  
22 wonder though -- do we have an October meeting the first  
23 Thursday? I wonder if it would be inappropriate -- I am  
24 just thinking the 498 and if we're on DBPRs system for  
25 six additional months, that would be six additional

1 months that would have to be given to the DBPR. The net  
2 cost of this seems minimal. I just -- does staff feel  
3 like they've exhausted all discussions with OPB on this?

4 In other words, would it be inappropriate  
5 to ask to table the decision on this item until -- if  
6 staff feels it's appropriate -- to have one more  
7 discussion with OPB on this or do you feel like it's  
8 exhausted?

9 DIRECTOR TROMBETTA: Mr. Chair, I mean that  
10 concept seems like the performed method for me, at  
11 least. I think the goal for us was to get feedback and  
12 then to -- I think we'd be happy to kind of go back and  
13 have further discussion with OPB based on your feedback.

14 COMMISSIONER BROWN: I think we all want OPB's  
15 support on this.

16 CHAIRMAN MACIVER: Bear in mind, that it's  
17 going to be incumbent -- if we leave this in here now  
18 and we go back to the well -- it's going to be incumbent  
19 upon staff to make the sale.

20 DIRECTOR TROMBETTA: Mr. Chair, it sounds like  
21 maybe the thought process is to maybe table this one and  
22 then we can go back and try to sell it and then get  
23 feedback back to you on October 6th.

24 VICE CHAIRMAN YAWORSKY: That's what I was  
25 thinking. If everyone feels like it's worth that, one

1 more attempt, and if staff feels like there's still room  
2 to maneuver there. If they don't, then I think we  
3 should pull it down -- pull it out. It's really up to  
4 you, the thinking of staff, in my view at least.

5 COMMISSIONER BROWN: Ms. Whitmire, is there  
6 any additional information you could give OPB prior to  
7 our next meeting to get their support that you haven't  
8 already given them?

9 MS. WHITMIRE: Not at the level that they  
10 need. This is really early in our process. We don't  
11 have the first requirement down on paper. We know we  
12 need to replace it. There's a lot that we need to do  
13 before the next session. This was what we've been able  
14 to glean in the few months I've been here. This is a  
15 large system to replace.

16 I've talked to our partners that also use  
17 VERSAREg and other agencies, they're in the same  
18 situation in trying to figure out when to procure their  
19 new licensing system as well. So it's not like I can  
20 piggyback -- what I got was from partners. I'm not sure  
21 that they're even asking this session for replacement.  
22 So I'm not sure there's much more we can provide and  
23 having a discussion on how they would like us to proceed  
24 and talking to them more. I think talking about our  
25 timeline might get them to understand where we're coming

1 from. I think it's worth going to talk to them. I  
2 don't know that it will change their mind. I would like  
3 to have one more effort to see what we can do on this  
4 one.

5 It's just really early in the process for  
6 us to be asking for a replacement considering that our  
7 predecessor agency didn't look to replace it. We've  
8 really only had two months to look at the issue, and  
9 that 4b usually takes about a year to develop.

10 CHAIRMAN MACIVER: I think that we're okay  
11 since we have another meeting on the 6th to revisit the  
12 issue and go back to the well. But again, asking the  
13 same question, again, that we've already asked, let's  
14 make sure that we have further support if we're going to  
15 be asking.

16 MS. WHITMORE: Agreed.

17 COMMISSIONER BROWN: Also just to clarify, the  
18 predecessor agency did request a new licensing system  
19 the last fiscal year; just for clarification.

20 CHAIRMAN MACIVER: Let's move on to item  
21 number 8.

22 DIRECTOR TROMBETTA: All right. Item  
23 number 8, Suzie if you want to jump in this is multi-use  
24 ticketing system.

25 MS. WHITMIRE: As a new agency, there are a

1 lot of tools we have to establish and one of them is a  
2 ticketing system. We have a homegrown system currently,  
3 and it does what we need to as far as tracking tickets  
4 so that we know that people have tax -- but it doesn't  
5 tie back to our systems for property or for tracking.  
6 It doesn't allow us to do much more than simple tasking.  
7 It doesn't send e-mails. So it's very basic. This  
8 would be a ticketing system that we would grow to do not  
9 only our IT ticketing, but we use for facility HR  
10 onboarding and offboarding.

11 So one system that handles all of the  
12 requests to administrative and IT so that we have a  
13 place where we can do reporting and tracking, we would  
14 want to use a cloud-based software that would allow us  
15 to track those contacts. And this would be a solution  
16 for all of other potential FPEs and OPS people.

17 CHAIRMAN MACIVER: So I suffer -- maybe it's a  
18 function of age -- but certain scrummagly stereotypes  
19 are starting to set in with me. Most notably, I don't  
20 think a cup of coffee should cost more than .50 cents.  
21 And taking a look at this, other that integration, for  
22 almost half a million dollars, explain what this does  
23 more than streamline our ability to make our request  
24 that we could otherwise make through a dedicated e-mail  
25 address?

1 MS. WHITMIRE: So for one thing, ticketing is  
2 the entry point. But this also is our configuration  
3 management. This allows us to track our resources,  
4 change control, tracking issues. So it will be a part  
5 of our automated backup system. It allows us to do all  
6 of the back office functions of an IT organization. So  
7 the ticking is at the front end and it's how we  
8 communicate, but the integration has to do with how we  
9 maintain our organization and all its services in the  
10 back office. All of that backup, all of the change  
11 management that happens.

12 COMMISSIONER BROWN: Sorry, Mr. Chair.

13 CHAIRMAN MACIVER: Commissioner.

14 COMMISSIONER BROWN: Ms. Whitmire, this is  
15 something that almost every state agency has, if not all  
16 of the state agencies have; right.

17 MS. WHITMIRE: That's correct. Again,  
18 ticketing systems that have back office functions tend  
19 to be more expensive than what you would do with a  
20 simple request system. But this is actually right  
21 around -- you know, it's not an absorbant cost. It's a  
22 cost of a cup of coffee today for ticketing/back office  
23 system. In fact, it may be a little low.

24 COMMISSIONER BROWN: Thank you.

25 CHAIRMAN MACIVER: Commissioners, any further



1 questions or we'll move on to item number nine.

2 DIRECTOR TROMBETTA: Okay. Item number nine  
3 is a request for additional positions for the IT  
4 section.

5 MS. WHITMIRE: So there are six FPE's in this  
6 request. The first being a chief information security  
7 officer. And this person will lead our security and  
8 enforcement focused security items. This is a  
9 requirement by law to have an information security  
10 manager, but this goes even further in that we would be  
11 doing the CEJIS-type stuff, as well as doing incident  
12 response, investigation of security breaches, and  
13 actually doing some forensics for our gaming enforcement  
14 people when it comes to electronic systems.

15 The second one is a business intelligence  
16 analyst. And it is -- as we move forward having our own  
17 system -- this is our recording expert. This person  
18 that would help us do some analysis; you always hear  
19 about data warehouses. This person would be responsible  
20 for helping us with analytics and developing our cue,  
21 and working on data catalogs for digital as well as  
22 automation because there's a lot of opportunities for  
23 repetitive tasks to be automated. So this person would  
24 be in charge of doing that kind of information.

25 The next position, business analyst -- to

1 be honest, we have a lot of unmet needs. There are a  
2 bunch of things that we do in our current system, but  
3 there are things that we do outside of our current  
4 system. This business analyst would help us engineer  
5 our processes and to get into our new COTS system --  
6 because that's our hope to buy an office shelf system.  
7 So we can change our business processes. The new system  
8 means we won't have to make expensive customization in  
9 our of COTS system. So having the business analyst on  
10 board is important. But as we identify this person,  
11 they will be able to help us develop our solutions.

12 The integration specialist is also  
13 dependent upon -- not dependent upon -- but will help us  
14 a lot during our COTS system, and will be a strong  
15 developer helping to tie the back ends together. We  
16 really only have one development position. So one  
17 developer to do all the stuff that we need, this would  
18 be a second development position. Especially when we  
19 start integrating the systems that are outside of  
20 whatever we replace it with -- and I'm thinking RMS,  
21 CMS, the two other systems we have, plus we have other  
22 necessary requirements.

23 Number five is Office365 administrator.  
24 Currently, because we have 11 staff, the administration  
25 of 365 is actually spread amongst help desk people, our

1 network engineer, our CTO. We have a lot of hands in  
2 the 365 administration, so this would be a centralized  
3 point to do the important environment requirements and  
4 kind of allow us to get to at least state -- as our  
5 role -- instead of having everyone's permission, this  
6 would give us, like, the ability to control who has  
7 what. Right, like I said, it's a role spread among a  
8 lot of people.

9                   Number six, is the web content developer.  
10 It is a position that we identified early on as needing.  
11 You can hire a programmer to do your web services, but  
12 you really need somebody that can work with your  
13 business to develop content and to make sure that all  
14 the stuff that's on your website is correct. They will  
15 also be used for a trainer-type position. So as we roll  
16 out new technology, this would allow us to train on the  
17 new technology. So it would be also in charge of our  
18 multi-media, which would include business cards and  
19 other marketing -- somebody that has a marketing web  
20 content background. So those are the positions we have  
21 requested.

22                   COMMISSIONER BROWN: I have a question on the  
23 last staff member, web content developer, if I may.  
24 Would that person also be a graphic designer?

25                   MS. WHITMIRE: That would be our hope, yes.

1 COMMISSIONER BROWN: Oh, good. Awesome.

2 Thank you.

3 DIRECTOR TROMBETTA: And Mr. Chair, can I  
4 provide a little more context about the feedback we got  
5 on this item?

6 CHAIRMAN MACIVER: Please do.

7 DIRECTOR TROMBETTA: The feedback was  
8 essentially that they felt comfortable supporting the  
9 request for the chief information security officer, but  
10 not the other requests.

11 CHAIRMAN MACIVER: All right. It sounds to  
12 me, like, we are going to have a follow up meeting to  
13 try and get governor support for these issues, we're  
14 going to revisit at our October 6th meeting, that this  
15 is going on that list. But again, with the same  
16 admonition that can I have, no, don't just ask can I  
17 have a, again. Make sure we can justify it.

18 DIRECTOR TROMBETTA: Yes, sir. Without any  
19 question on number nine. Item ten is staffing rate  
20 increase. Now this is for current employees; right,  
21 Suzie?

22 MS. WHITMIRE: This is for current vacant  
23 positions. The network manager we had advertised four  
24 times and got one call back by an applicant who wanted  
25 way more than what we could provide for that. The

1 current salary is \$63,000. We looked at the total  
2 network managers in state government and it's 80 to 90.  
3 So 63 is way below the market value for those people, so  
4 we're asking for an increase for the network manager for  
5 \$86,000. We should be able to hire somebody for that.

6 For this year, we have hired staff  
7 augmentation that allows us to get through the first  
8 year. But in order to hire for this position, it really  
9 does need an additional rate.

10 The second is a cloud architect. This  
11 was a position that was given to us as a database  
12 administrator for 63,6. And again, this is another one  
13 of those that whenever you talk about moving to the  
14 cloud and being able to set your systems up, 63,6 is  
15 really low for any IT position, but especially someone  
16 who is going to help us move our information to the  
17 cloud. So we're asking for an increase to 86,6.

18 And the last one is a Teams sharepoint  
19 developer. And the Teams sharepoint developer is the  
20 only development position that we have. And we have  
21 advertised it now twice and got three applicants all  
22 over 63,6. The going rate for a Teams/sharepoint/web  
23 developer is upwards of \$70,000, so we requested 72.

24 DIRECTOR TROMBETTA: Thank you. Mr. Chair,  
25 item 11 is furniture. If I may, I am going to turn to

1 Lisa Mustain and her team, but let me try.

2 So this is a request for an additional  
3 expense to provide furniture in our new office location.  
4 This is specific to shared space. So in other words, we  
5 get a package for furniture and offices, like, standard  
6 DMS rate. This is just limited to furniture in addition  
7 to that; it's mainly conference room and reception area,  
8 break room furniture request. The next item -- item 12  
9 is communication equipment for gaming enforcement --

10 COMMISSIONER BROWN: Mr. Trombetta, could  
11 you go --going back to item 11, does that include IT  
12 equipment as well for the shared spaces that were not  
13 otherwise contemplated?

14 DIRECTOR TROMBETTA: No, it does not.

15 COMMISSIONER BROWN: Okay. The shared spaces,  
16 the training rooms and conference rooms, you envision  
17 having videoconferencing as well?

18 MS. WHITMIRE: Correct.

19 COMMISSIONER BROWN: Okay. Thank you.

20 DIRECTOR TROMBETTA: 12, we withdrew the  
21 request for gaming equipment for radios because Lisa and  
22 her team and Carol were able to identify someone that  
23 was able to fulfill this need without an additional  
24 request.

25 Facility construction costs, item 13. So

1 this is essentially -- sorry -- yeah, so this was an  
2 additional request to cover the surplus expense that  
3 have been -- we now have a bill for the cost of  
4 outfitting the new space. This is an additional  
5 \$238,000 to be able to fulfill the total cost of the  
6 bill; correct, Lisa?

7 MS. MUSTAIN: Yes, but we rescinded it. We  
8 decided we're going to have to pay this fiscal year. So  
9 we will have to do a budget.

10 VICE CHAIRMAN YAWORSKY: Is that off?

11 DIRECTOR TROMBETTA: Yes. This one has been  
12 withdrawn, 13.

13 Item 14, marketing promotion. So the  
14 next request was for \$50,000 to essentially get FGCC's  
15 name out there. We would be able to do little  
16 advertisements or get printed materials done to get our,  
17 kind of, brand out there. The feedback on this one was  
18 to withdraw this one.

19 COMMISSIONER DRAGO: Mr. Trombetta, is this  
20 something the communications director can handle?

21 DIRECTOR TROMBETTA: Yes, sir. But this was a  
22 request for additional money to provide more resources  
23 for, whether it's the communications director or  
24 somebody else, to be able to be a little creative in  
25 what they do. We're still going to have the ability to

1 do this, and I think we're still going to be able to do  
2 this, we were just trying to request more money specific  
3 to that.

4 COMMISSIONER DRAGO: I see.

5 COMMISSIONER BROWN: What's the current budget  
6 for the marking in this year's LBR?

7 DIRECTOR TROMBETTA: It's zero. We do not  
8 have a budget for that.

9 COMMISSIONER BROWN: So if we don't get the  
10 web designer and the graphic art designer who can help  
11 with the logo and things like that to help with the  
12 promotion, is there anywhere we can find the resources  
13 in the existing budget?

14 DIRECTOR TROMBETTA: Well, the position is a  
15 little different than the budget for additional items.  
16 In other words, we may be able to use some money from  
17 our general expense budget to use it, but the question  
18 about the position is a little bit more difficult. We  
19 don't necessarily have a web developer or a graphic  
20 designer on staff. We don't have a position for that.

21 COMMISSIONER BROWN: Yeah, I think that one's  
22 a critical staff member for Ms. Whitmire group, quite  
23 frankly. Do you think we could function without this  
24 \$50,000 being requested?

25 DIRECTOR TROMBETTA: It would be nice to have,



1 but it's not completely critical.

2 VICE CHAIRMAN YAWORSKY: I would motion to  
3 remove that item.

4 COMMISSIONER DRAGO: I'm sorry, I didn't  
5 understand, Vice Chair Yaworsky. You would what?

6 VICE CHAIRMAN YAWORSKY: I would motion to not  
7 include item number 14, marketing promotion.

8 COMMISSIONER BROWN: I second that.

9 CHAIRMAN MACIVER: Folks, I'm going to ask  
10 those who are not Commissioners or presently engaged in  
11 the discussion, ie., the Commissioners or the room that  
12 contains commission staff to mute their microphones. I  
13 am looking at least three or four people in the audience  
14 who have their mics open and it's starting to cause a  
15 little bit of interference when Commissioners are trying  
16 to speak. Please check the bottom of the screen, there  
17 should be a button for mic. Go ahead and shut your off.  
18 Please don't make me call out independent names, please  
19 just do it.

20 DIRECTOR TROMBETTA: Mr. Chair, item 15 is a  
21 request for \$115,000 to support a contract with an  
22 independent testing lab. This will essentially serve a  
23 few purposes. When we were doing our initial research  
24 on gaming commissions and how they're set, it's kind of  
25 a mix. Some have in-house testing groups, so they will

1 have full-time employees whose job is to do testing and  
2 technical forensic accounting of the use of machines  
3 that are either confiscated or asked to be put out on  
4 the casino floor.

5 In Florida, any slot machine that goes on  
6 one of the eight licensed slot facilities floor is sent  
7 to an independent testing lab prior to being put on the  
8 floor. We're requesting additional money so that we can  
9 essentially have an independent testing lab on retainer.  
10 The goal here is so that if our law enforcement  
11 confiscates machines, we have expert analysis, expert  
12 opinion, and we have people that can immediately help us  
13 do a forensic review of the machine without having to go  
14 through formal procurement every time.

15 A lot of these independent testing labs  
16 also provide services in terms of getting them to opine  
17 on, like, best practices and rule making, they're also  
18 willing to provide training for staff. So overall, I  
19 think this is the most economical way to get some expert  
20 knowledge in the gaming commission without having to  
21 hire and ask for money for several employees.

22 CHAIRMAN MACIVER: So how did we identify that  
23 amount, and are we going to have to go through a  
24 procurement process to put this independent testing lab  
25 on retainer?

1                   DIRECTOR TROMBETTA: Thank you, Mr. Chair.  
2     The amount is based on an estimate that I received when  
3     I asked other gaming executives in other states, so  
4     other regulators that have this arrangement, so what  
5     they pay. They said between six and 10,000 monthly.  
6     For the cost of, you know, a single staff member at the  
7     executive level, we can have essentially a whole lab.  
8     And I felt this was a conservative estimate, so I asked  
9     for a little bit more just in case. There will be a  
10    formal procurement process at the front end to secure  
11    the vendor.

12                   CHAIRMAN MACIVER: Can I ask our general  
13    counsel, Mr. Marshman, to review whether or not this  
14    would be accurately included in the 287 exemption for  
15    legal services. It seems like the information they're  
16    providing us is a legal question of is this a legal  
17    machine, is this an illegal machine, is this not an  
18    illegal machine, and I'm not sure if that would fit  
19    within those parameters. I'd rather not have an answer  
20    at the moment, but if Mr. Marshman would commit to doing  
21    a little research on that and give us an answer.

22                   Having this testing ability is probably  
23    critical to our law enforcement function. The first  
24    person that we arrest with an illegal machine is going  
25    to say, but that's not an illegal machine. And having

1     them on-hand to be able to review that sooner rather  
2     than later is going to be time critical.  So not being  
3     delayed by a procurement process may be helpful.

4             MR. MARSHMAN:  Yes.

5             DIRECTOR TROMBETTA:  Okay.  Moving on to  
6     item 16.  Lisa Mustain, do you mind --

7             MS. MUSTAIN:  Sure.  So the issue summary  
8     basically was that we would request one position, an  
9     administrative assistant position, to provide services  
10    in our new facility that currently the DBPR is providing  
11    to us.  These services include mail services, banking,  
12    going to the bank on a daily basis to deliver checks, to  
13    the capital, supporting the whole Florida Gaming Control  
14    Commission and its effort to pick up and deliver any  
15    items to other agencies, stamp and mail, et cetera.  
16    This particular position was not supported by the OPB.

17            DIRECTOR TROMBETTA:  The feedback was that we  
18    should try to find another position to do this.

19            COMMISSIONER DRAGO:  And do other agencies  
20    have people dedicated doing that, going to the capital,  
21    getting mail?  Do other agencies have an employee  
22    dedicated to doing just that?

23            MS. MUSTAIN:  Yes, sir.  The DBPR has an  
24    armored truck that picks up all of the checks that every  
25    division goes through the deposit scenario and takes it

1 to the bank. We wouldn't need an armored truck. But  
2 there are other positions -- full positions -- that  
3 deliver mail, sort and stamp mail. Because of the audit  
4 standards that we have to put in place for collecting  
5 cash, you have to have logs in place and there are  
6 people that manage that effort. A locked bank bag,  
7 receiving deposit slips, bringing them back and  
8 reconciling those deposit slips with what is in -- yes,  
9 there is multiple positions, but we only have 185  
10 positions at FGCC.

11 It's not going to be, you know, a lot of  
12 checks, but it would take probably half a day to receive  
13 the mail, stamp it in, deliver it to where it goes, go  
14 to the bank. That should at least be half a day's work.

15 COMMISSIONER D'AQUILA: May I ask a question?  
16 Is it not permitted to use the remote check scanner  
17 deposit that banks offer today versus going to the  
18 window?

19 DIRECTOR TROMBETTA: Yes, sir. I don't know  
20 if we have an answer for that, but we can absolutely  
21 look into it.

22 COMMISSIONER D'AQUILA: It's just a matter of  
23 information, that all commercial banks today, for a very  
24 modest fee of a few hundred dollars, provide you with a  
25 scanner linked to a computer secure where your checks --

1 all images are copied in a PDF secure format and the  
2 bank -- and the deposit is immediately received. It's  
3 all fully compliant with bank regulations and such, so  
4 there is no more going to the teller window. I'm  
5 curious if the state is perhaps not permitted to do  
6 that.

7 DIRECTOR TROMBETTA: We will look into it.

8 COMMISSIONER D'AQUILA: With that said, I  
9 think from what I'm hearing here, this is perhaps a  
10 position -- once that's answered and maybe a few other  
11 things, that maybe it can be divided and it doesn't  
12 require a full-time employee. Living in the spirit of  
13 automation, you know, less check perhaps in the future  
14 and so forth, I'm on the fence on this one.

15 VICE CHAIRMAN YAWORSKY: If I may add, at a  
16 salary rate of \$36,000, is that an AA1?

17 MS. MUSTAIN: Yes.

18 VICE CHAIRMAN YAWORSKY: Okay. I would agree  
19 with Commissioner D'Aquila. At the moment, with all the  
20 other asks that are included in this LBR, I'm very much  
21 on the fence on this one as well. I could probably be  
22 pursued either way.

23 COMMISSIONER D'AQUILA: I think I would like  
24 to make a motion to remove this request.

25 COMMISSIONER DRAGO: I'll second.

1                   CHAIRMAN MACIVER: Any objection? Seeing  
2 none. I'm showing that motion carries. For the sake of  
3 procedure, we will revisit at the end of the document on  
4 this motion for the entire document and any input that  
5 has been given so far. But again, as we said before,  
6 any discrete issues that we need to address as  
7 Commissioner D'Aquila did, we can go ahead and address  
8 independently as well.

9                   DIRECTOR TROMBETTA: Item 17 is a request for  
10 \$282,000 for satellite locations for the law enforcement  
11 units that are now going to be in Tallahassee. This  
12 amount will cover the costs of leasing space for two  
13 locations at the yet-to-be-decided locations.

14                   COMMISSIONER DRAGO: So have we -- I know this  
15 is an initial request and probably haven't done any real  
16 research -- but have we considered where they might be  
17 able to inhabit other state agencies or other PMW  
18 facilities or that type of thing?

19                   DIRECTOR TROMBETTA: Commissioner Drago, I am  
20 going to open the floor up to Mr. Carl Harold. But long  
21 story short, we have made some of those considerations.

22                                 Carl, do you know -- what's the thought  
23 process?

24                   MR. HAROLD: We could join up with other state  
25 agencies as far as sharing office space. I think since

1 we're going to be using CEJIS-type data, we're going to  
2 have to make some sort of segregation from them, and I'm  
3 not sure of the cost and how that works out. You know,  
4 Suzie understands that better. You know, we would  
5 certainly try to maximize our efficiency by, you know,  
6 utilizing other state agencies if we have that  
7 opportunity. Right now, it looks like it's someplace in  
8 south Florida and then someplace maybe around Tampa will  
9 be the two offices.

10 COMMISSIONER DRAGO: So we will search out to  
11 see if there are any opportunities to share office or  
12 any agency before we go out and lease a whole new suite  
13 or offices or something; correct?

14 MR. HAROLD: We would; yes, sir.

15 COMMISSIONER DRAGO: Thank you.

16 DIRECTOR TROMBETTA: Okay. Any other  
17 questions on that one?

18 Item 18 was a request for a vehicle for  
19 the inspector general. This one was withdrawn.

20 Item 19 was an increase in the  
21 acquisition of motor vehicles for gaming enforcement.  
22 So this was \$185,000 to increase our budget for  
23 acquiring more vehicles for our law enforcement  
24 division. There was an appropriation of the current  
25 fiscal year for this activity.



1                   However, the appropriate amount was not  
2 enough to cover our expected costs, so the appropriation  
3 that we received was based on vehicles that would be  
4 provided similar to what PMW or DPBR vehicles had. I  
5 think it was \$20,000 a vehicle or \$22,000 a vehicle. As  
6 our law enforcement team has been being built, it seems  
7 there's a justified means to have different vehicles  
8 that cost a little bit more, So that explains the  
9 difference in cost here.

10                   CHAIRMAN MACIVER: In the nature of us going  
11 back to the well with some of these budget items, I  
12 would like to talk about this one a little bit. If  
13 we're going back to have further discussions to try and  
14 garner support in our budget request, this is an area  
15 where I think we do need to talk more about it.

16                   It seems like trivial stuff, but with a  
17 law enforcement agency from the aspect of recruitment  
18 and retention, and the idea of the people who you're  
19 trying to recruit and retain in your agency taking you  
20 seriously as a law enforcement agency, the equipment  
21 that you issue and that you use is an existential  
22 question.

23                   And the importance of us actually getting  
24 properly -- outfitting our law enforcement officers with  
25 the tools that they need are critical. I understand

1 there ends up being a little bit of a chicken and an egg  
2 problem when it comes to talking about the vehicles.  
3 You want to have the officers before you buy the  
4 vehicles, you're not going to be able to hire the  
5 officers unless you have the equipment that you're going  
6 to outfit them with. And if that is the cause of some  
7 of the delay, then I think we need to work around that.  
8 But as far as cutting back on this request, I think that  
9 that would be unwise at this time. If we're going to  
10 make additional asks, this absolutely needs to be one of  
11 them.

12                   Additionally, I would say, we need to go  
13 from 15 -- we need to recalculate the amount to whatever  
14 16 law enforcement vehicles would be as opposed to 15.  
15 The earlier budget item that we rescinded may also seem  
16 trivial, but we have a sworn IG specifically because  
17 that's when IG performs an internal affairs function.  
18 And God forbid we ever have a use of force incident or  
19 an on-duty shooting, that IG is going to have to respond  
20 possibly in the middle of the night to go check that;  
21 and it is a sworn law enforcement officer. Every  
22 full-time law enforcement officer in the state of  
23 Florida should also be able to respond to a school  
24 shooting.

25                   So again, our gaming enforcement budget

1 for vehicles, I think, is something that we need to  
2 revisit, and it should be for a grand total of 16 as  
3 opposed to 15 vehicles.

4 VICE CHAIRMAN YAWORSKY: What would the 16th  
5 vehicle be for?

6 CHAIRMAN MACIVER: It would be for our sworn  
7 IG.

8 VICE CHAIRMAN YAWORSKY: Just for clarity, is  
9 it a typical process for the inspector general at other  
10 state agencies to have law enforcement vehicles?

11 CHAIRMAN MACIVER: There is -- the short  
12 answer -- and I'll defer to staff for an answer -- the  
13 short answer is I don't know the answer to that question  
14 because you don't always have sworn inspector generals.  
15 The inspector general's office at a sworn agency can  
16 farm that work out to other agencies. But the Law  
17 Enforcement Officers Bill of Rights says that if they're  
18 going to do the investigation of the sworn members, they  
19 have to be sworn. We have a sworn IG for specifically  
20 that purpose. And since that is a full-time sworn law  
21 enforcement officer, if you're outfitting your full-time  
22 law enforcement offices with vehicles, then I would say  
23 yes, it's typical to outfit them with a vehicle. I  
24 don't know about other agencies who have sworn IGs and  
25 whether they have take-home cars or not.

1           COMMISSIONER DRAGO: I have a few questions,  
2 if I could. Is the IG's position a sworn law  
3 enforcement officer position? In other words, is it a  
4 sworn officer pension? Is it considered a sworn officer  
5 position? Because I don't know. Does anybody know?

6           MS. MUSTAIN: I believe it is, yes.

7           COMMISSIONER DRAGO: So they can participate  
8 in the sworn officer pension, sworn officer benefits, et  
9 cetera?

10          MS. MUSTAIN: I believe so.

11          COMMISSIONER DRAGO: Okay. Just a few  
12 questions on the police vehicles. Again, the police  
13 vehicles seem kind of a basic simple question. I think  
14 the Chair mentioned it too, it seems pretty simple.  
15 It's going to be impacted by what this Commission  
16 decides is the mission of these law enforcement officers  
17 and what kind of equipment will they need to fulfill  
18 that mission. And that message that we send to the  
19 officers is going to be critical, because they need to  
20 understand what is expected of them and what they're  
21 likely to be called upon to do.

22                       Are they going to be uniformed officers  
23 in marked police cars? Are they going to be  
24 plain-clothed officers as investigators in unmarked  
25 cars? Are they going to be expected to run Code 3 or

1 run emergency mode to instances of any kind? Those are  
2 all the kinds of things we need to decide. Because if  
3 they're not going to run emergency mode, they're not  
4 going to need lights and sirens and all the things that  
5 go along with a police car, then we don't need to spend  
6 the money for it.

7                   Because a police car requires, first of  
8 all, the police package that's much more expensive.  
9 It's going to require -- if it's going to be a marked  
10 vehicle where prisoners are going to be kept -- it  
11 requires a cage; a prisoner cage. Are we going to have  
12 mobile digital terminals in the vehicles, all those  
13 types of things -- or all the kinds of things police  
14 cars can have which adds to the expense of a law  
15 enforcement car.

16                   So we need to know what we want these  
17 investigators to do, because we don't want to invest in  
18 marked or expensive police packages for law enforcement  
19 vehicles if we don't expect them to be running emergency  
20 mode to things and that type of thing.

21                   So one of my questions is going to be, do  
22 these vehicles that we have listed here, are those costs  
23 including those extra items as I mentioned; such as, the  
24 police packages, which include high-impact brakes and so  
25 forth. Does it include other items, like, a cage in it?

1 What is this price, I guess, is my question? Does it  
2 include just the car or what?

3 DIRECTOR TROMBETTA: Do either Lisa or Carol,  
4 do you know what this price is based on?

5 MR. HAROLD: Commissioner, I took some  
6 assumptions -- liberties and assumptions beforehand in  
7 that I don't believe that our folks are going to be  
8 doing any type of traffic stops. I think that falls  
9 outside the scope, responsibilities and duties that we  
10 have kind of outlined for them. I also don't envision  
11 them responding to any type of emergency fashion that  
12 would require a police package. So the vehicles that  
13 are listed here do not have the police package with the  
14 performance engine and those kinds of things. These are  
15 simply fleet vehicles that meet the needs of carrying  
16 around larger amounts of evidence, the ability to have a  
17 safe-mount inside of them so they can transport  
18 valuables that are found during the execution of a  
19 search warrant or something like that.

20 Also, this doesn't include a cage in it  
21 because I would assume that most arrests will be made  
22 with an arrest affidavit and probably joint with some  
23 other agencies or some of our state partners who  
24 actually have cages and those kinds of things like that  
25 that would help us out.

1                   And then to your last point about the  
2 MDTs(sic), the MDTs are something that are pretty  
3 essential for traffic people and officers that don't  
4 have offices. All of our folks are going to have  
5 cubicals or offices where they can come back and put  
6 their reports together and type up affidavits and those  
7 kinds of things like that. My goal is to issue these  
8 officers with laptops, but we're not going to do the  
9 ruggatized laptops or MTD stands inside the vehicles  
10 because I think that they just add an unnecessary  
11 expense. We're just going to try to take this from an  
12 investigative avenue, you know, and the resources they  
13 need for that.

14                   Now, they will need lights and sirens  
15 because to meet the law enforcement standard -- there's  
16 a strong likelihood they might role up on a crash or  
17 something like that, and then also the mutual-aide  
18 function that goes with being a law enforcement officer  
19 with a state agency, there's a requirement that we  
20 participate in any type of natural or manmade disaster,  
21 and they will need those types of equipment.

22                   COMMISSIONER DRAGO: So these cars at these  
23 prices are pretty basic cars, with maybe lights and  
24 sirens in it, that any person -- any state employee  
25 might drive, I guess is what I'm trying to say.

1           MR. HAROLD: They are. And the only two  
2 options that we outfitted them with was rubber floor  
3 mats so that they won't mess up the flooring, and a  
4 trailer hitch so if we seize more gambling machines than  
5 can physically fit inside the vehicle, we can rent a  
6 U-Haul trailer to do that.

7           COMMISSIONER DRAGO: So if we're not looking  
8 at police package kind of cars here, why are we specific  
9 about Ford Explorers and Tahoes as opposed to sedans or  
10 some other kind of vehicle?

11          MR. HAROLD: Well, because of the necessity to  
12 be able to put these larger objects -- the computers,  
13 the slot machines, and other types of items -- they just  
14 don't typically fit very well inside of a sedan.

15          COMMISSIONER DRAGO: You have two Tahoes. Can  
16 you tell me the reason behind the Tahoe as opposed to  
17 the Explorer?

18          MR. HAROLD: The reason we purchased the  
19 Tahoes -- or request to purchase the Tahoes is because  
20 those are the only two vehicles that are available this  
21 year to pick up. Everything else in the fleet for the  
22 state contract in the fleet availability was not there.

23          COMMISSIONER DRAGO: Oh, really? So we, au  
24 not have to buy Tahoes, we may be able to buy something  
25 else at some point when we start getting better supplies



1 and vehicles?

2 MR. HAROLD: That is correct.

3 COMMISSIONER DRAGO: I guess my point is we  
4 don't need Tahoes, that's just all that was available.

5 MR. HAROLD: Right. We needed assets on hand  
6 immediately and that was all that was available. The  
7 Explorers will not be available until April or May of  
8 next year.

9 COMMISSIONER DRAGO: I see. Okay. I think I  
10 have taken up enough of everybody's time here. That's  
11 good. Thank you.

12 CHAIRMAN MACIVER: No, absolutely all value  
13 added Commissioner Drago. Thank you.

14 COMMISSIONER DRAGO: Can I ask one more  
15 question? I feel like we need to move on, if not, I can  
16 hold off. We talked about the vehicles and that type of  
17 thing, and the Chairman mentioned earlier, rightfully  
18 so, that this equipment is important in doing this kind  
19 of work.

20 Are we intending for the law enforcement  
21 officers to have these cars to take home and keep at  
22 home, or do they stay at the office?

23 MR. HAROLD: They would be take-home because  
24 of the likelihood or the chance that they would have to  
25 respond from home to some sort of criminal activity if

1 we were notified in the hours off of regular duty.

2 COMMISSIONER DRAGO: Thank you very much.

3 CHAIRMAN MACIVER: Okay. Commissions, any  
4 further questions? Discussion? Debate?

5 Mr. Trombetta, the floor is yours.

6 DIRECTOR TROMBETTA: Thank you. Thank you,  
7 Mr. Chair. Before we do move on to 19, the feedback  
8 from OPB was to not move forward on this issue. So the  
9 feedback from OBP was essentially that we had budget in  
10 the current fiscal year to purchase these vehicles and  
11 we should not move forward to request more.

12 Just taking what was said initially, I'm  
13 going to suggest that I go back to OPB based on the  
14 conversation you guys had here today and report back to  
15 you at the meeting in October on this issue.

16 CHAIRMAN MACIVER: Correct.

17 DIRECTOR TROMBETTA: Moving on then, item 20,  
18 are additional positions for the law enforcement unit.  
19 Mr. Harold, if you don't mind.

20 MR. HAROLD: This is simply to cover the fact  
21 that initially we had 15 positions for law enforcement.  
22 And of that, one of those positions was for myself. So  
23 that took the three squads of five down to one squad  
24 with four when you deduct myself out of it. And then  
25 also, I did not have a Deputy Director of Law

1 Enforcement. A deputy director is needed because we  
2 need somebody at a command level that's able to make  
3 some decisions related to law enforcement actions and  
4 enforcements and reactions when I am not available.

5 So we're asking to create a Deputy  
6 Director of Law Enforcement, and then one additional law  
7 enforcement investigator since my position took  
8 essentially that position, and that will bring all three  
9 squads up to five members, which is what we would hope  
10 to do.

11 COMMISSIONER BROWN: Mr. Harold, I concur with  
12 you about the intention was to add five, excluding the  
13 head of gaming enforcement, five law enforcement in the  
14 north office. I think that's completely appropriate. I  
15 also think the deputy director, similar to the way that  
16 PMW is structured with a deputy director, I think a  
17 Deputy Director of Law Enforcement is also appropriate.  
18 So I appreciate the thoughtfulness of these two items.

19 MR. HEROLD: Thank you.

20 CHAIRMAN MACIVER: Concur.

21 COMMISSIONER DRAGO: Mr. Herold, so we will  
22 have 15 investigators statewide; correct?

23 MR. HEROLD: Each of those squads has one  
24 supervisor. So the squad is four investigators and one  
25 supervisor to supervise the squad.

1                   COMMISSIONER DRAGO: Okay. That's what I  
2 wanted to clarify in my own mind to make sure I  
3 understood that. Explain to me, if you would -- and I  
4 thought when you said if you're not here you have  
5 somebody to take charge -- but I thought you were always  
6 going to be here. No vacations or anything. Tell me  
7 what this -- what the deputy director is going to do?  
8 This is not a large component. There's 15 people. My  
9 concern is building these large chains of command with  
10 multiple layers as opposed to keeping it as flat as we  
11 possibly can, which would be my preference, in terms of  
12 organizational structure.

13                   Tell me, if you would -- because I want  
14 to hear your reasoning behind wanting that deputy  
15 director -- as opposed to using the Tallahassee  
16 supervisor, maybe give him a higher salary a little bit  
17 to fill in for you when you're off frolicking somewhere  
18 on vacation.

19                   MR. HEROLD: Well, I think that every duty  
20 that you task a supervisor with takes him further away  
21 from working interactively with the investigators that  
22 we have here. While I recognize that having a more  
23 flattened structure has some advantages, usually that  
24 works much better with an agency that has a lot more  
25 personnel. There are some needs here with writing

1 policy, the accreditation side of it, the law  
2 enforcement training, and having a deputy director that  
3 fulfills many of those tasks, just leaves the supervisor  
4 more capable of interacting and guiding those units --  
5 those investigators throughout who are trying to do the  
6 work.

7 CHAIRMAN MACIVER: From my part, just as my  
8 observation, the deputy director position at this point,  
9 possibly may be on the cusp of superfluous. But I think  
10 what we're staring at is an inevitability anyway. For  
11 such a small law enforcement unit, there are going to be  
12 enough collateral duties spread around on our agents --  
13 to Mr. Herold's point -- taking them away from the  
14 investigation function that we're going to post-year  
15 one, inevitability grow anyway.

16 At some point we're probably going to  
17 need a full-time training officer or two. At some  
18 point, yes, someone who is going to be dedicated to  
19 monitoring accreditation standards. Although, that may  
20 be a collateral duty that stays with the deputy director  
21 long-term, who knows.

22 My point only being, that this is year  
23 one and this law enforcement agency is very small. I  
24 think that it is going to grow no matter what. We're  
25 going to find that we have additional needs for people.

1 And if the deputy director is the first of those needs  
2 to have them, then I don't think we're going down the  
3 wrong path by doing so.

4 VICE CHAIRMAN YAWORSKY: I would just echo the  
5 Chair's comments. I think that's spot on.

6 DIRECTOR TROMBETTA: Thank you, Mr. Chair.  
7 Shall I go on?

8 CHAIRMAN MACIVER: We can continue on. So the  
9 document that we received that talked about discussion  
10 of these items cut off at 19. So for the remainder of  
11 these, I guess where lies our support for our repost?

12 DIRECTOR TROMBETTA: I'm sorry about that. So  
13 there are two more issues. One was withdrawn. It was a  
14 compression issue to deal with employees that were not  
15 getting \$15 an hour. We withdrew that because I think  
16 there was already a fix in the previous budget.

17 And then the final request has to do with  
18 the request of \$35,000 to fix what looks like might have  
19 been an error in the appropriation where the budget that  
20 we received for our law enforcement unit did not match  
21 the total if you added up each positions' pay. Is that  
22 correct Lisa or Christine? Christine, do you mind  
23 addressing that?

24 MS. HUTTON: Yes. This actually would help --  
25 what we originally had in the budget did not include the

1 amount that the state received on July 1st for the  
2 5.38 percent. So this is going to help support those  
3 positions in order to hire those positions at the  
4 \$60,000 of what this average position would make.

5 CHAIRMAN MACIVER: For clarification, was  
6 there an indication OF support for line item 20?

7 DIRECTOR TROMBETTA: Yes, there was.

8 COMMISSIONER BROWN: Did you mean by the whole  
9 commission?

10 CHAIRMAN MACIVER: I meant, did we have an  
11 indication that we would have support in the governor's  
12 recommendation of our budget request.

13 DIRECTOR TROMBETTA: Mr. Chair, that's what I  
14 was answering. You do have that. The governor's office  
15 was okay with request 20.

16 With that said then, those are all the  
17 items for OUR LBR request. And with that, I'll turn it  
18 back to you, Mr. Chair, if you have anything additional  
19 for me or for the staff?

20 CHAIRMAN MACIVER: No. But that does seem  
21 like the appropriate time for me to poll the Commission  
22 members. I think we have been pushing pretty hard, and  
23 I guess that some folks might be getting a little low on  
24 blood sugar. Would you-all prefer to take a break for  
25 lunch? Do you want to power through? I am, as I like

1 to be, completely at your disposal. So I will defer to  
2 the will of the body. Do you want to eat?

3 COMMISSIONER D'AQUILA: I'm fine powering  
4 through.

5 CHAIRMAN MACIVER: Looking for a consensus.

6 COMMISSIONER BROWN: I'm fine powering  
7 through, but I don't know about staff, because they have  
8 the bulk of the rest of this, and they haven't had an  
9 opportunity to eat; something brief.

10 DIRECTOR TROMBETTA: Mr. Chair, I think the  
11 staff here would prefer to go forward.

12 CHAIRMAN MACIVER: So Commissioners, I hear  
13 what I believe is a consensus and we're going to power  
14 through without a lunch break. Thank you very much to  
15 all.

16 And Mr. Trombetta, why don't we hit item  
17 number three. Unless anybody needs a 10-minute break,  
18 then we will power through three and then address a  
19 break at that time.

20 COMMISSIONER D'AQUILA: Mr. Chair, can we take  
21 a 10-minute break? I would appreciate it.

22 CHAIRMAN MACIVER: Let's take a 10-minute  
23 break. I'll see everybody at 1:30.

24 (Off the record for a break.)

25 CHAIRMAN MACIVER: All right. Commissioners,



1 we are re-adjourned. I have spoken briefly with  
2 Mr. Trombetta, who ensure that the next three items on  
3 the list are much, much, much quicker than the other  
4 proceeding items. So it's all on you. Mr. Trombetta,  
5 item number three. The floor is all yours.

6 DIRECTOR TROMBETTA: Item number three is an  
7 overview of the Horse Racing Integrity and Safety  
8 Authority and is going to be presented by  
9 Elizabeth Stinson. Liz, I promised the Chair that you  
10 would be 15 to 20 minutes.

11 MS. STINSON: I certainly hope that's all it  
12 takes.

13 As Lou said, I'm Liz Stinson and I'm  
14 going to be giving you an overview of the Horse Racing  
15 Integrity and Safety Act and the Horse Racing Integrity  
16 and Safety Authority. So first, I'm going to go over  
17 the basics.

18 Congress passed the Horse Racing  
19 Integrity and Safety Act in 2020. And this act created  
20 the Horse Racing Integrity and Safety Authority known as  
21 HISA. HISA says HISA so that's what I'm going to try  
22 and do. HISA is relevant to this Commission because of  
23 the Commissions' ability to regulate thoroughbred horse  
24 racing in the State of Florida. It can be preempted by  
25 HISA rules. HISA regulates covered persons that

1 participate in thoroughbred horse racing in states that  
2 participate at interstate off-track wagering. I realize  
3 that is a sentence with lots of unfamiliar words, so I'm  
4 going to kind of break that down for you a little bit.

5 Covered persons are all trainers, owners,  
6 breeders, jockeys. Basically anyone who deals with the  
7 thoroughbred industry in the State of Florida, or in the  
8 United States.

9 And off-track wagering is when a bet is  
10 placed on a thoroughbred horse race that occurs at a  
11 track other than where the track takes place. This is  
12 also referred to as intertrack wagering. And it's where  
13 races are simulcast to other tracks where individuals  
14 can place bets on races in real-time. And there is  
15 interstate and intrastate off-track wagering.

16 Interstate off-track wagering occurs  
17 across state lines. The Act allows for HISA to preempt  
18 state rules, and the statutes and states that  
19 participate in this activity of interstate intertrack  
20 wagering on thoroughbred horses. So in Florida, since  
21 we do have racetracks that participate in this, HISA has  
22 the statutory authority to regulate thoroughbred horse  
23 racing in our state.

24 HISA is a non-governmental agency that  
25 has oversight by the Federal Trade Commission. HISA

1 writes rules and they submit these rules to the FTC.  
2 And these rules govern covered persons, covered horses,  
3 racetracks, among other things. So the HISA structure,  
4 there is a CEO named Lisa Lazarus. There's a board of  
5 directors that governs HISA with five industry members  
6 and four non-industry members. There are two committees  
7 that the CEO oversees. There is the Racetrack Safety  
8 Committee, which implements the racetrack safety  
9 program. And this went into effect on July 1st of 2022,  
10 and this regulates racetracks and certain behaviors that  
11 occur at racetracks. Eventually, HISA plans to have an  
12 accreditation process for racetracks as it is  
13 statutorily required to do so.

14 Additionally, there's an Anti-Doping and  
15 Medication Control Standing Committee. HISA was  
16 required to contract with an anti-doping and medication  
17 control enforcement agency. Earlier this year, HISA  
18 entered into a contract with an entity called Drug Free  
19 Sport International to be the anti-doping and medication  
20 control enforcement agency. Drug Free Sport created an  
21 entity called the Horse Racing Integrity and Welfare  
22 Unit that will enforce medication and anti-doping rules.  
23 The anticipated start date for this program is  
24 January 1st of 2023.

25 Right now, HISA gets its funding by

1 assessing costs to the states based off of only the  
2 racetrack safety program. But in January of 2023, they  
3 will be assessing costs based off of both the racetrack  
4 safety program and also the program they're going to be  
5 starting with Drug Free Sport.

6 There are multiple factors that they use  
7 to get the assessment. And one of the factors is the  
8 number of races that a state has. Another factor is  
9 what they call per size, which is the amount of the  
10 winnings in a given race.

11 States had to elect whether or not they  
12 were going to be responsible for collecting these  
13 assessed funds before May 1st of 2022. And the Florida  
14 Division of Peri-Mutual Wagering submitted a letter on  
15 April 29th to HISA declining to collect fees in the  
16 State of Florida. So other states have opted into  
17 collecting fees, others have opted out. Since Florida  
18 declined to collect fees, HISA has sent the assessments  
19 to the individual racetracks in Florida.

20 I also want to cover a little bit, the  
21 HISA rule promulgation process. They have been  
22 proposing racetrack safety rules since December 2021,  
23 and these rules are submitted to the Federal Trade  
24 Commission for review, and then the FTC promulgates  
25 these rules. And this process includes publishing of

1 the proposed rules in the federal register where the  
2 public is allowed to comment on them, and the FTC is  
3 required to address the public comment; very much like  
4 how the Division of Peri-Mutual Wagering has promulgated  
5 a rule, there is a public comment period.

6 Florida has submitted public comment on  
7 multiple series, and HISA recently submitted rules to  
8 the FTC regarding the Anti-Doping and Medication Control  
9 Program that should be starting in January of 2023.

10 The way that HISA is implemented, is that  
11 the act allows HISA to enter into agreements with state  
12 racing commissions to help enforce HISA's rules.  
13 Entering into an agreement with HISA allows the state  
14 racing commission to retain some local control of  
15 regulation of horse racing within the state. And it  
16 also allows for states to continue to use employees to  
17 complete tasks that would otherwise be completed by  
18 HISA.

19 The Florida Division of Peri-Mutual  
20 Wagering entered into an agreement with HISA on  
21 June 30th of 2022, where the Division would continue to  
22 regulate certain aspects of racetrack safety. These  
23 agreements will have to be renegotiated, like, later  
24 this year, because they're going to be encompassing the  
25 new Anti-Doping and Medication Control Program.

1                   One of the things that the Horse Racing  
2 Integrity and Safety Act contemplates is the prohibition  
3 of certain medications to a horse within 48 hours of the  
4 horse's next racing start. And the Act allows for  
5 during the next three years for HISA to study the  
6 effects of certain drugs, specifically one of the drugs  
7 is known as Lasix, it's also called Furosemide, or  
8 another trade name is Salix.

9                   And while the study is going on, the  
10 state racing commission can request a waiver for  
11 exemption from the prohibition on Lasix. And we have  
12 had a request from one of the tracks in Florida that the  
13 Florida Gaming Control Commission request one of these  
14 waivers or exceptions for Lasix for the upcoming three  
15 years.

16                   This is a time-sensitive topic because if  
17 we don't receive an exemption, if a horse race starts at  
18 a thoroughbred track in Florida and tests positive for  
19 Lasix after January 1st, there could be administrative  
20 action taken against the owners and trainers.

21                   Lasix is a drug commonly used in many  
22 states in thoroughbred horse racing. It prevents  
23 excessive bleeding in the lungs of horses who run at  
24 high speeds, so thoroughbred racing horses. And there  
25 is concern by some in the industry that if you just stop

1 this instead of weaning the horses off, there could be  
2 some issues with that.

3 Additionally, there is currently multiple  
4 lawsuits challenging the constitutionality of HISA, the  
5 promulgation of rules by the FTC, but Florida is not a  
6 party to any of this litigation.

7 So given this information, do you guys  
8 have any questions for me? Did you want to go over any  
9 part of this on its own? I'm happy to go into a more in  
10 depth analysis.

11 COMMISSIONER D'AQUILA: Ms. Stinson, very well  
12 done summary of this legislation. Extremely well done.  
13 My question is, do I understand correctly that if  
14 Florida does not participate we cannot participate in  
15 interstate racing? Is that the tradeoff here, we would  
16 only have the -- be permitted to host in-state racing  
17 with regard to thoroughbred racing?

18 MS. STINSON: I want to tweak what you said  
19 just a little bit. If the State of Florida decides that  
20 they do not want to participate with HISA, HISA will  
21 still be the enforcer for these rules that they  
22 promulgate. Really, the State of Florida's choice is  
23 whether or not we participate in that. Right now, our  
24 thoroughbred tracks, they choose to participate in this  
25 intertrack/interstate wagering. And yes, if they

1 stopped doing interstate/intertrack wagering, then they  
2 would no longer be governed by HISA. But I don't know  
3 if that would be something that has been contemplated.

4 COMMISSIONER D'AQUILA: So my understanding is  
5 our existing tracks are doing this. They're fine doing  
6 it. Because they've done their risk/reward benefit and  
7 feel that the loss of revenue from the loss of  
8 interstate far exceeds the costs of today's rates of  
9 participating with HISA; correct?

10 MS. STINSON: Yes. Yes.

11 COMMISSIONER D'AQUILA: My second question, if  
12 I may. Are we aware of which states have elected to  
13 also not participate and which states are a party to the  
14 lawsuit with regard to the constitutionality of this --  
15 I imagine it's a for-profit or a not-for-profit  
16 organization since it's not governmental -- and what  
17 gives the FTC the right and so forth. Is there a quick  
18 answer to that?

19 MS. STINSON: The quick answer to the lawsuit  
20 question is there are multiple lawsuits that are going  
21 on, and there are many, many, many entities involved in  
22 these lawsuits. I know that Louisiana and Oklahoma are  
23 involved, off the top of my head, but I know there are  
24 multiple other states that are involved in these  
25 lawsuits. The State of Florida last year declined to



1 enter into one of these lawsuits to become a party.

2 COMMISSIONER D'AQUILA: At the end of the day,  
3 is this simply a federal claim here potential -- is the  
4 claim potential overreach of a function already being  
5 done by a state and the state's right to do such?

6 MS. STINSON: I think that is a position taken  
7 by some of the states that deal with thoroughbred  
8 racing. That's certainly the position that they have  
9 taken.

10 COMMISSIONER D'AQUILA: Not looking for an  
11 opinion, just curious. Thank you very much. I'm sorry  
12 to take so much time.

13 MS. STINSON: No, you're fine.

14 CHAIRMAN MACIVER: Posture-wise, today's  
15 agenda was a brief overview and cover of HISA, the  
16 discreet issues that we, as a Commission, are going to  
17 have to address. For example, the level and extent of  
18 MOU that we have with HISA for our participation, and  
19 whether or not we will seek the exemption for Lasix will  
20 be things that will come before the Commission at a  
21 later meeting.

22 What may be helpful, Mr. Trombetta,  
23 Ms. Stinson, whoever wants to take the lead in just  
24 formulating this, maybe a short one-pager on the issue  
25 and on the things that were presented today. If each of

1 the Commissioners could be provided with a -- again,  
2 just a short one-page white paper summarizing the  
3 issues, that would probably be very helpful. There was  
4 a lot of information for us to digest in an oral  
5 presentation.

6 MS. STINSON: Is two to three pages short  
7 enough for you guys? I can get that to you today. I do  
8 have that available.

9 CHAIRMAN MACIVER: I don't think anyone is  
10 going to quibble over an extra page or two.

11 DIRECTOR TROMBETTA: Thank you, Liz. Anything  
12 else or is that it?

13 MR. STINSON: I think that's it.

14 DIRECTOR TROMBETTA: Mr. Chair, with your  
15 blessing here, we can move to item four.

16 CHAIRMAN MACIVER: Please do.

17 DIRECTOR TROMBETTA: Item four is an overview  
18 of the licensing process. So I had asked Joe Dillmore,  
19 the director of the Commission of PMW and Ross Marshman,  
20 our general counsel, to be able to speak about the two  
21 components. One, the general process and two, the  
22 legal, I guess, consideration. With that, I think I  
23 will turn it over to Joe.

24 MR. DILLMORE: Thank you. I would also like  
25 to take the opportunity to introduce Linda Ricks, who is

1 our chief operations and head of our licensing unit.  
2 You may hear from her about certain details and specific  
3 questions.

4 I kind of want to give an overview of the  
5 occupational licenses for the license facilities we have  
6 here in Florida. So I kind of broke it up into some  
7 different segments. Who needs an occupational license?  
8 It's essentially, anybody that works at a pari-mutual  
9 facility that's engaged in the racing or access to the  
10 slot floor, access to the animals, access to the back  
11 side of the track where the animals are stabled. And  
12 each section of Chapter 550 is the pari-mutual  
13 occupational license section. 551 covers the slots.  
14 And Chapter 849.086 is the card rooms. And yes, each  
15 section specifies its own licensing requirements and  
16 they're slightly different.

17 So every occupational licensee, we're  
18 required to do some background on them to get these  
19 positions. They're fingerprinted on their initial  
20 license, and we retain those fingerprints to be rerun.  
21 And typically, the license is good for three years. To  
22 give you an idea of the scope of how many people we  
23 have, during the last fiscal year of 2021 and 2022, the  
24 operations licensing section processed 15,616 license  
25 applications. And to break those down, 2,700 were

1 related to card rooms; 9,470 were related to racing  
2 operations, and 3,401 were related to slot machine  
3 operations. That also includes the peri-mutual side,  
4 it's not just people that access the back side. If you  
5 own a horse for instance, you would also have to get an  
6 occupational license.

7                   And the next page is how can a person  
8 apply for a license. We have many different avenues.  
9 They can apply through our on-line licensing portal. We  
10 have generated, like, a wizard to help guide them  
11 through what kind of license they may need. So it kind  
12 of cues them for different questions, and then we can  
13 help guide them to apply for the appropriate license.  
14 They can also do it through mail or e-mail or they can  
15 get a paper application. Often they apply on-site at  
16 one of our field offices. Particularly, thoroughbred  
17 racing, where people show up and get a license to maybe  
18 race in the next few days. So we have people on-site at  
19 the thoroughbred facilities and particularly the slot  
20 facilities where they can walk into the office with  
21 their application and we can help them with the  
22 application process.

23                   What type of information does a person  
24 provide in an application? They will get a completed  
25 application which is a form with general information;

1 name, address, those types of things. Obviously, a copy  
2 of their fingerprints which can be submitted in a hard  
3 card format or they can go to an independent third-party  
4 and get an electronic live scan. And then of course,  
5 they pay for their associated fees for their  
6 fingerprints, the background check, and the fee for the  
7 license. And by the way, the fee for an individual for  
8 three years can range anywhere from \$15 to maybe \$100,  
9 that's for a three-year period -- so break down -- and  
10 the caps on those were established by statutory  
11 requirements.

12                   So once we get a complete application,  
13 the way we review it is the Commission staff will review  
14 for completeness. They will go through -- particularly  
15 for the peri-mutual side, they will go through something  
16 called Association of Racing Commissioner International  
17 Database, which has all of the violations that a trainer  
18 or an owner might have as far as against their license  
19 in another jurisdictions, which we can use to evaluate  
20 as to whether they actually get a license in Florida.  
21 We will review their criminal history results for any  
22 disqualifying criminal history that they may have  
23 depending on which type of license they're seeking. And  
24 if for some reason they submit an application that's  
25 missing the fess or has part of it not filled out

1 properly, staff has an opportunity to review the  
2 application, send the individual a deficiency letter,  
3 which will kind of freeze the time clock on how long we  
4 have to process, and give them the opportunity to give  
5 us the additional information so we can evaluate the  
6 application in full.

7 Typically, the Division by law has, like,  
8 90 days to evaluate until the application -- we do it  
9 much more efficiently, which I will touch on in just a  
10 minute.

11 Also the occupational license has an  
12 effective date of July 1st and they should be valid for  
13 the three subsequent fiscal years if it's not revoked or  
14 something happens to them.

15 Is the person required to get multiple  
16 licenses? If you're going to work in a card room and a  
17 pari-mutual and a slot, all three, the individual does  
18 not have to pay three separate fees. We give them one  
19 application and we issue what's called a combination  
20 license. It's very popular in a lot of slot facilities.  
21 They will basically get all of their employees to get  
22 their combination license that way they're able to move  
23 about the facilities without any restrictions.

24 How long does it take an individual to  
25 get a license? By law we have 90 days, but we typically

1 do it on a much shorter time frame. Typically, you saw  
2 our measures earlier -- once we get a completed  
3 application, we process it on average of about six days.  
4 That's the whole review of the application, getting the  
5 criminal history back, and actually processing and  
6 returning the application.

7 Does the state have any reciprocal  
8 licensing agreement? That's a common one we get.  
9 Typically, if a person gets a peri-mutual license in,  
10 like, Louisiana, they still have to get one in Florida.  
11 Many states have joined -- and this is in the  
12 Chapter 551 statute, which is called the Interstate  
13 Compact -- many of the states that have memberships in  
14 the interstate compact, an individual can get a  
15 multi-jurisdictional license. We issued approximately  
16 770 of those here in Florida. So if a person leaves  
17 Florida with that interstate license, they can go and  
18 participate in racing without additional licenses in  
19 say, for example, New York or Texas or California.

20 That's kind of like a really high-level  
21 overview of our occupational license process. And I  
22 will entertain any questions if anyone has anything at  
23 this time.

24 COMMISSIONER DRAGO: Mr. Dillmore, can I ask a  
25 question? You said once you get a completed application

1 it takes -- did you say six days or 60 days?

2 MR. DILLMORE: 1-6.

3 COMMISSIONER DRAGO: I thought you said that.  
4 And you also said you retain the fingerprints from folks  
5 that apply. Where do we get the authority to do that?  
6 Is there something that gives us that authority or do  
7 they give us permission to do that?

8 MR. DILLMORE: That's an explicit  
9 authorization in Chapter 551, and I believe 550 as well.  
10 Also, it makes it much more of an expense to rerun those  
11 prints if they're retained. And we also get an  
12 automatic notification if an individual is arrested in  
13 Florida, we would get a notification. We would actually  
14 get from FDLE a hit on that.

15 COMMISSIONER DRAGO: Right. Okay. Thank you.

16 COMMISSIONER D'AQUILA: First, excellent  
17 summation. Thank you. It answers many questions. It's  
18 very much appreciated.

19 My question is why would one not want to  
20 obtain a multi-state jurisdictional license versus just  
21 a state? Is it simply just a matter of cost or is there  
22 a higher criteria?

23 MR. DILLMORE: I believe the criteria is  
24 simply the same, the states all agree on this interstate  
25 compact. I think it's more of a function of, if I am



1 only going to race in Florida or I'm only going to race  
2 in a certain state, I'm just not going to go through the  
3 effort of getting a multi-jurisdictional license.

4 COMMISSIONER D'AQUILA: It would seem logical  
5 that if one thought they might work in another state,  
6 and they have already been approved in Florida, they  
7 would not have to go through that process again if they  
8 were to move to Louisiana; correct?

9 MR. DILLMORE: That is correct. And I would  
10 ask Ms. Ricks, who processes those interstate  
11 applications, to maybe provide some additional  
12 information on that.

13 MS. RICKS: Thank you, Commissioners. Just to  
14 add a little bit of information. The interstate compact  
15 is handled by the National Racing Compact Organization  
16 out of Lexington. Individuals can become a member of  
17 NRC. They will complete one centralized application and  
18 set of fingerprints submitted to the NRC. And they will  
19 identify that they intend to race in various racing  
20 jurisdictions. Once the NRC has received the  
21 application and received satisfactory background  
22 screening on the information, they will notify the  
23 various states that the individual is going to be racing  
24 in. Each of those states will still issue their own  
25 license for the individual. But the process is really a

1 measure of efficiency, in that it's kind of a  
2 one-stop-shop for the individual and NRC will then  
3 coordinate to the various states. But the individual  
4 states will collect their own licenses, and will also  
5 collect the necessary licensing fee for the application  
6 in the given state. We do not duplicate the fingerprint  
7 fee because that is already conducted. It's very  
8 expeditious for an individual to have an application on  
9 file with NRC. We routinely get e-mail communication  
10 from them on a daily basis, and we know they have  
11 approved and vetted the license. So it's really just a  
12 technicality for Florida to issue a license for the  
13 individual.

14 COMMISSIONER D'AQUILA: Thank you.

15 VICE CHAIRMAN YAWORSKY: If I might. What is  
16 the breakdown -- do you have any breakdown of the  
17 applicants applying online versus traditional mail  
18 versus e-mail? I am curious what the breakdown is if  
19 you have any data on that.

20 MR. DILLMORE: I don't have any numbers and we  
21 can look to pull some of those. I think historically a  
22 lot of them have done on-site applications where they're  
23 currently working at the facility so it's easier to walk  
24 in. And I will say we recently had kind of -- the  
25 wizard I mentioned that's on-line -- that's something

1 that we did the last six/eight months, maybe a year. So  
2 we're still collecting data from that. It wasn't as  
3 user-friendly back then, but we just need to take a look  
4 at the data again and see how those people are accessing  
5 the online portion.

6 VICE CHAIRMAN YAWORSKY: When it's an on-site  
7 application, is that a paper application or are they put  
8 in front of an iPad or computer? What does that look  
9 like?

10 MR. DILLMORE: Initially, it starts with paper  
11 and they go over it with our staff. And then once  
12 it's -- I guess we have deemed it ready, our staff in  
13 the field scan it in and then it's put into an  
14 electronic cue. So essentially, it becomes on-line  
15 pretty quick even if it's brought to our field office as  
16 a paper application.

17 VICE CHAIRMAN YAWORSKY: Okay. Thank you.

18 CHAIRMAN MACIVER: Commissioners, any other --

19 MR. DILLMORE: One more thing as far as the  
20 occupational, this also applies to the businesses who  
21 supply the slot machines or other businesses that  
22 require access to the floor or the gaming area. Like,  
23 if a technician who is off-site and coming to work on  
24 the slot machine, that individual is also required to  
25 get an application so we can vet that person who also

1 gets access to the restricted gaming areas. I wasn't  
2 sure if I made that clear in my initial presentation.

3 COMMISSIONER D'AQUILA: Is it a fair statement  
4 that the majority of these applications that you're  
5 dealing with are photocopies of mail versus scanned  
6 data?

7 MR. DILLMORE: I will ask Ms. Ricks to respond  
8 and she can give a ballpark -- she has her hands on this  
9 everyday.

10 MS. RICKS: I apologize for not having a  
11 specific breakout, but we can get that number for you.  
12 I am seeing an increase in the on-line activity on a  
13 daily basis. We did some modernization to our system,  
14 streamlined our process for on-line applicants in  
15 September of 2020. During the COVID-era, the on-line  
16 portal was a real saving grace for the industry and for  
17 the PMW staff. It was widely utilized and we encouraged  
18 our applicants to utilize that system.

19 We still have a very large percentage of  
20 paper applications coming in. I am hesitant to venture  
21 a ratio for you, but I will say it's higher than I would  
22 like it to be. We are very hopeful that as we continue  
23 to modernize and streamline our processes that we will  
24 move more into an electronic era. But I will get some  
25 numbers for you.

1                   COMMISSIONER D'AQUILA:  If I may ask a follow  
2 up.  If the majority of these employees, whether they be  
3 in the card room or at the racing facility and so forth,  
4 are doing this on site as I understood earlier,  
5 shouldn't the owner's responsibility be on the future  
6 employer for the site itself to have an incentive to  
7 have that person file it on the computer versus mail?

8                   MR. DILLMORE:  So the main places we actually  
9 have on-site facilities is just the two thoroughbred  
10 racing facilities and the slot facilities.  The others  
11 don't have live racing -- we only stop in for a short  
12 amount of time -- but the facilities that we are at  
13 provide not only office space for us to utilize, they  
14 provide equipment.  And the slot facilities, they  
15 provide live scans for the employees.

16                               But like I said, it also helps in the  
17 sense that we have someone particularity in the horse  
18 racing industry for us to get their application  
19 processed and their ability to get entered into a race,  
20 I think is in the best interest of the regulator and the  
21 facility as a whole.

22                   CHAIRMAN MACIVER:  So we track from the point  
23 of completed application until the application is  
24 processed at an average of about six days.  Am I  
25 correct -- and I don't expect that you'll have actual

1 numbers of this, but hipshot it -- am I correct in the  
2 assumption that there is a disparity between the time of  
3 application initiation and application completion  
4 between electronic applications and paper applications?

5 In other words, is it taking folks  
6 longer? Are you putting out more discrepancy letters?  
7 Are we doing a lot more work for the paper applications?  
8 Or frankly, are they waiting a lot longer from the start  
9 of their application for the paper applications?

10 MR. DILLMORE: So that's a little bit of a  
11 complicated question. So having people on-site and  
12 being able to look at their application with them, we  
13 can help identify deficiencies in person. It won't be a  
14 mail in or a scan in or wait a few days. We can say,  
15 hey, you omitted this part because we look at these  
16 things every day.

17 I also think it depends on the  
18 applicants' history and if they're honest on their  
19 application. If a person completes an application  
20 on-site and is very honest on their application about  
21 their criminal history and their infractions in other  
22 racing jurisdictions, they can get what's essentially  
23 the same day, if the application is reviewed and they  
24 don't have any problems, a temporary license. And we  
25 give them a temporary license while we're looking at the

1 more detailed information, which is approximately six  
2 days.

3 So yes and no. I think it really depends  
4 on the individual's own history. And if there are some  
5 things that are questionable on the application, they  
6 may not get the temporary license until we can get the  
7 criminal history or the ARCI verification back as far as  
8 their licensing status in other jurisdictions.

9 CHAIRMAN MACIVER: Commissioners, any other  
10 questions?

11 Mr. Trombetta, the floor is reverting  
12 back to you for your executive director's report.

13 DIRECTOR TROMBETTA: Thank you, Mr. Chair. I  
14 just wanted to give Ross Marshman an opportunity if he  
15 wanted to added anything to the licensing section.

16 MR. MARSHMAN: I know we've all worked through  
17 lunch and the last person you want to hear from is the  
18 lawyer, so I can be as brief as you-all permit me.

19 I think the main concern you're always  
20 going to have with licensing is due process; notice and  
21 opportunity. And you're going to have general and  
22 specific. Generally, you're going to be working in  
23 Chapter 120, which is the Administrative Procedures Act.  
24 That's something that Mr. Dillmore already touched on,  
25 that 90-day deadline. That stems primarily from

1 120.60 -- excuse me, 120 -- I forget the subsection.

2           Moving on, you have the application phase  
3 where Ms. Rick's and her team are looking at everything  
4 that's been submitted. And later on you have discipline  
5 against a licensed person. And those are slightly  
6 different postures. The Commission has already had an  
7 opportunity to deal with both instances of it, and we  
8 have been trying to provide as much guidance as we can  
9 overall -- or going along rather.

10           And the last thing that we can touch on  
11 just briefly is disqualification of a license holder or  
12 disqualification of an applicant. That's where the  
13 specific licensing requirements are going to be more  
14 important in 550 and 551 and 849, and in the  
15 accompanying rules.

16           We have discussed in the past if there  
17 were certain caps on fines that could be accessed on  
18 certain types of license holders, and there are. It's a  
19 \$1,000 cap on para-mutual wagering and card room  
20 offenses. However, there's a \$5,000 cap on offenses  
21 tied to slots and slot gaming. With legal, the devil is  
22 always in the details, so I hate to be too general, but  
23 I think that does provide the kind of basis of at least  
24 the phases where you're going to have the legal  
25 challenges and the types of challenges you're going to



1 have are going to be based on those opportunities. Did  
2 we do everything in the correct way. Did we tell  
3 everyone the right thing in the right time. Did we  
4 afford everyone the opportunity to contest our intended  
5 action and contest the discipline we wish to take  
6 against a licensee.

7 I am happy to answer any other questions,  
8 but again, I know my time is short.

9 CHAIRMAN MACIVER: Commissioners, if there's  
10 any questions? I see none. I think we're moving on to  
11 the next agenda item.

12 DIRECTOR TROMBETTA: Thank you, Mr. Chair. I  
13 have three kind of quick updates. We have 12 new  
14 employees in the gaming commission, positions that have  
15 been vacant. Plus, we have moved about five other  
16 people into PMW and other areas. So the office of the  
17 IG, Ms. Jeanne Morris is on the IT side. She's the CTO  
18 of infrastructure. We've hired Jason Brock who is the  
19 project manager on the IT team. We've hired two help  
20 desk managers, one in Fort Lauderdale, so Randal and  
21 Marvin. And then we've also hired Virginia Barker, who  
22 is an AA in IT. So I know Suzie and her IT team are  
23 doing well.

24 On the admin side, we've hired Kelly, who  
25 is an AA. Lori Simmons has come in to help us to act as

1 the HR chief to help Lisa with some of our hiring needs.  
2 And Mr. Tony Campbell has come in the government office  
3 and has been a key role very recently in helping us  
4 move. Sabrina Butler is another member of our HR team  
5 that has been added.

6 And then for the legal time, we have  
7 added two people. We have an agency clerk now, Melba --  
8 I am going to struggle with her name -- Albaleniz  
9 (phonetic spelling.) We're also starting an AA, I  
10 think, tomorrow; and that's the second AA. So we have  
11 been able to hire some positions and that has improved.

12 As I mentioned, we moved into the new  
13 building on Friday. So Suzie and the team have been  
14 there since September 1st working with vendors to set up  
15 our network and get things rolling. On Friday, admin  
16 will go over. So we're starting to -- if you go over to  
17 the building, it's 4070 Esplanade Way in South Loop.  
18 You will see people in offices and it's starting to come  
19 together and look like an office.

20 The plan is still as it was. We are  
21 still waiting for DMS to begin construction on the one  
22 side, and while that construction is pending, we will be  
23 operating on the other side of the building. Really, I  
24 just want to thank both Lisa and Suzie and their teams  
25 for making this move. Lots of people have stepped up

1 and pitched in and doing things that, you know, they're  
2 not going to be doing long-term. And there's been some  
3 struggles just in getting -- you know, not internally --  
4 just struggles with vendors that weren't on the same  
5 page with what we required, what we asked for, and the  
6 hold up with people losing keys and stuff like that.  
7 Outside of that, we're making it and we're getting into  
8 the new building and things are going pretty well.

9 Any questions on either of those two  
10 items?

11 COMMISSIONER BROWN: I have a question. You  
12 guys have been working tirelessly. What are your  
13 priority? What's in the cue?

14 DIRECTOR TROMBETTA: There's a few things in  
15 the cue right now. Deputy general counsel -- legal is a  
16 priority. We have been trying to find help with Ross.  
17 His team is essentially very thin already. So we're  
18 trying to boost that team.

19 Carl's team, we're starting to work on  
20 getting law enforcement. So I think Carl had interviews  
21 for two criminal intelligence officers -- or analysts.

22 MR. HEROLD: Two criminal analysts.

23 DIRECTOR TROMBETTA: And then we're in the  
24 process of trying to work through the section leader for  
25 the Tallahassee office. I believe the plan for the law

1 enforcement unit is to kind of fill out the Tallahassee  
2 office and then we are trying to figure out the  
3 satellite offices. So the emphasis will be on that.

4 I am going to be kind of reaching out to  
5 try to figure out a plan for commission advisors.  
6 That's on my, kind of agenda, for the month of October  
7 to get them in and get them help. I also have been  
8 prioritizing assistant help for Dixie Parker -- who is,  
9 again, not on camera -- but doing a ton of work behind  
10 the scenes to make these meetings happen. We're getting  
11 her support too, so that there is just more people  
12 involved in getting the agendas ready and getting  
13 meeting materials available. I would like to get five  
14 analysts to help the Commissioners themselves be  
15 prepared for these meetings. Again, I'm trying to do  
16 that in October.

17 We're trying to get alleged affairs (sic)  
18 person in, and we're trying to fill out some chief of  
19 HR; it's been a struggle. We have -- again, as I  
20 mentioned, Lori -- as a side note, Lisa was convinced to  
21 come and help us out until we found a full-time HR  
22 person. So that's sort of the plan there. And then  
23 it's kind of filling out some of the other, down the  
24 line, type of positions. I don't say that with any type  
25 of disrespect or anything. You know, the goal is to

1 fill the higher levels and then let them hire their  
2 team. The accounting team, I think, is the next on the  
3 list. We're trying to get some people in to help our  
4 accounting group.

5 COMMISSIONER BROWN: Nice overview. Thank  
6 you. In terms of looking at the LBR, we don't currently  
7 have a graphic designer. Even if we get it allocated  
8 for the next fiscal year, that's still, you know, a year  
9 away to actually having somebody.

10 Do we have an intention to have a web  
11 designer or have internal folks, not to add more to  
12 Ms. Whitmire's plate, but to get that started, or are we  
13 going to wait a year?

14 DIRECTOR TROMBETTA: Commission Brown, can I  
15 just ask what the goal of that position would be? Is  
16 there a specific work product you're trying to -- you're  
17 interested in? Could we contract it out or is it a  
18 position that we would have full-time?

19 COMMISSIONER BROWN: I mean, looking at the  
20 web designer, the logo and things of that nature, just  
21 from the description of the position that's being sought  
22 in the LBR, is there someone that you're going to hire  
23 or somebody that can do that internally if that position  
24 is not filled?

25 DIRECTOR TROMBETTA: I am going to try to

1 answer it. Suzie, jump in if I'm wrong. Suzie has  
2 hired -- I forget the title. John -- one of his first  
3 priorities is to look at our website and revamp it. He  
4 showed us a beta version of it yesterday. It's not  
5 ready to be kicked out, but it's different. So we kind  
6 of added --

7 MS. WHITMIRE: John is the applications  
8 manager. He will have developer -- we have been trying  
9 to hire but can't because of the salary -- but John has  
10 a background in web design, so he is going to be filling  
11 in some of that gap until then. We also have Jason, who  
12 is a project manager, but he also is a creative force  
13 who also will be working with John to work on some of  
14 the graphics. We don't truly have a graphics designer  
15 yet, but we're going to fill in the gaps as much as we  
16 can. They're creative people. And rebranding us and  
17 rebranding the website is a priority for John,  
18 especially as we move towards doing the requirements for  
19 the users, he has some time right now to be able to  
20 focus on that. So he has been making us look like a  
21 real state agency on the website and look at  
22 possibilities of making us look like we're in the modern  
23 times. So he is working on that.

24 Do we have a dedicated resource? No.  
25 Can we fill in the gaps? Yes. We already started

1 rebranding. This is what the letterhead looks like. We  
2 are trying to fill in the holes.

3 COMMISSIONER BROWN: That's great. I hear  
4 you-all are wearing multiple hats. I appreciate all  
5 that you're doing. I know we have some new samples of  
6 website domains, so that's what kind of triggered my  
7 thinking about the need for that, and then seeing the  
8 LBR and discussion on the recommendation. So I  
9 appreciate that. I didn't know if you wanted to talk  
10 about the domain name options.

11 DIRECTOR TROMBETTA: Yeah. That's probably a  
12 good way to bridge to that. One of the items in the  
13 materials was an e-mail from Suzie to me where she had  
14 some options for potential domain names. So I am going  
15 to also provide -- or ask Suzie to provide some  
16 background on why there may be a need for this. Suzie,  
17 why do we need a need a new domain?

18 MS. WHITMIRE: So when we became Florida  
19 Gaming Control Commission on July 1st, the DBPR put  
20 fgcc.fl.gov into their e-mail. And in doing so,  
21 prevents us from putting it in our e-mail because you  
22 can only have one domain tied to one location. So we --  
23 if we were all doing a big bang theory to move to the  
24 new e-mail to clients all at once, this would not be a  
25 problem. But because we have a staggered approach to

1 our rollout, we have to have a different domain to go  
2 into. It gives us an opportunity to use a straight  
3 .gov, which gives us the protection that no one in the  
4 world can use a .gov except Florida and it's controlled  
5 by the federal government. It's not going to be  
6 spoofed. It's not going to be easy for people to get a  
7 similar kind of address. But would we like to keep our  
8 fgcc.fl.gov? We would love it. But it just makes it  
9 really hard from a technology standpoint -- it's not  
10 impossible -- but it's really hard to work around not  
11 going all together at the same time. The staggered  
12 approach kind of says we need to figure out what we need  
13 to call ourselves.

14 Plus, as we're rebranding and as we move  
15 to our brand-new website and it's beautiful and looks  
16 like a modern gaming organization, having a new address  
17 will signify even further that we're a new organization  
18 and it's different from the things of the past.

19 So we came up with some names that we  
20 threw out there for some consideration. We looked at  
21 other gaming sites in other municipalities and came up  
22 with a few. And we would like for you to give us  
23 feedback on which ones you like, or if you do not like  
24 any of them and want us to work on a technical solution  
25 too, we can do that. It will cause additional work, but



1 we will figure it out. But we're really looking for  
2 some input into how we want to register us. And this  
3 registration will be our e-mail address, our website  
4 address, so this is you're claiming a name. We can  
5 claim several of these and only use one if we want. We  
6 need this in order to start setting up our domain and  
7 moving our users. So it's a decision that's very timely  
8 and needs to be made.

9 DIRECTOR TROMBETTA: I was going to ask  
10 Mr. Chair, if he had a thought process for doing this,  
11 or if he even wanted to go down this road at all before  
12 we open it up or didn't open it up.

13 CHAIRMAN MACIVER: I am going to make a  
14 comment and then I am going to open it up. I do want to  
15 ensure -- and Ms. Whitmire, I think you can probably  
16 give me the most comfort on this -- there is an easy  
17 button that we can hit for forwarding all the e-mail  
18 addresses to making sure that the people that we serve  
19 and our customers are going to be able to find our folks  
20 easily as they transition -- after they just  
21 transitioned to our current domain name e-mail  
22 addresses, that it will be a smooth transition for the  
23 folks that we serve.

24 MS. WHITMIRE: We will put a web redirect on  
25 our website. So if they go to fgcc.fl.gov it will

1 automatically go to our new website. For the e-mail,  
2 for the people that are staying, the old client will  
3 still have the one they have today, but as we move off  
4 into our new one, there will be a redirect or a forward  
5 to our new mailbox. So we should see little to no  
6 problems with the conversion from one network to the  
7 next; in theory. Of course, there is always going to be  
8 snafus in the beginning, but yes, we should be able to  
9 redirect and forward e-mail.

10 CHAIRMAN MACIVER: With that reassurance,  
11 Commissioners, I like flgaming.gov of the list that  
12 we've seen, and I will ask the rest of you what you  
13 like.

14 COMMISSIONER BROWN: So do I. That was my  
15 first choice.

16 VICE CHAIRMAN YAWORSKY: I think I like  
17 gaming.florida.gov the most. I'm not opposed to the  
18 others, but I think -- Suzie, is there an added benefit  
19 to having the .fl.gov? I can't remember if that  
20 matters. But I do like the gaming.florida.gov the most  
21 for branding reasons as well.

22 MS. WHITMIRE: The DMS owns fl.gov, and we  
23 would be a subdomain under the main domain fl.gov.  
24 There's really no difference other than I don't have to  
25 register it with the federal government. It's just a

1 request to -- and they add it to the fl.gov domain list.  
2 It does cause some problem whenever you have a  
3 three-level domain name that sometimes you have some  
4 older applications that struggle with them, but really  
5 it's doable. So anything that fl.gov is registered  
6 through DMS. Anything that's just plain .gov is through  
7 the federal register.

8 VICE CHAIRMAN YAWORSKY: So just to be clear,  
9 the .fl.gov, DMS handles the -- I don't remember what  
10 the domains are -- but they handle the registration and  
11 they register all fl.gov, so we would be a subdomain  
12 underneath that, and DMS would handle all the  
13 registration requirements?

14 MS. WHITMIRE: So there is no more  
15 registration. They have .fl.gov. The subdomains are  
16 only registered through DMS. It's not registered with  
17 the federal government at all. The fl.gov is what is  
18 registered with the feds.

19 VICE CHAIRMAN YAWORSKY: Okay. Thank you.

20 COMMISSIONER DRAGO: I'm coming from it, I  
21 guess, from a marketing perspective, I like  
22 floridagamingcommission.gov even though it's kinda long.  
23 I didn't like the FGCC because when you put it in you  
24 get all kinds of organizations and so forth. Florida  
25 Gaming it sounds to me like a game -- a video gaming

1 company. So I think from a marketing perspective,  
2 floridagamingcommission is only one -- every time you  
3 put it in, there's no guessing involved. Every time  
4 someone sees it they know where it's coming from and you  
5 know what's involved. That's my preference.

6 MS. WHITMIRE: My only problem with commission  
7 is no one spells commission right. It takes -- it's a  
8 long word and that's one of those things that, you know,  
9 could cause users who aren't able to type commission  
10 in --

11 COMMISSIONER DRAGO: Good point.

12 MS. WHITMIRE: A lot of the states had theirs  
13 exactly like that, so...

14 COMMISSIONER D'AQUILA: To complicate things  
15 even more, I was torn between fl.gamingcontrol.gov. I  
16 like the control for the reason that Chuck so eloquently  
17 pointed out, but I could also appreciate the brevity of  
18 fl.gaming.gov as my second choice. So control.gov and  
19 gaming.gov are my two. I'll go with the group.

20 COMMISSIONER DRAGO: Did that help anybody.

21 COMMISSIONER BROWN: I will say my second  
22 choice was fl.gamingcommission.gov.

23 MS. WHITMIRE: It makes sense. I mean --

24 CHAIRMAN MACIVER: Herein lies my reservation  
25 for that one. And while I agree on the identification

1 aspect of it, I am thinking about people who type in  
2 e-mail addresses. And that's a lot of -- to be sure,  
3 someone might type it in once and have it in their  
4 auto-fill after that and it will forever come to us. A  
5 lot of people, a lot of letters, that's a pretty  
6 cumbersome tail end of your e-mail address. That was my  
7 only thought. I didn't want to go with the shortest one  
8 because it's not quite as identifying to me, which is  
9 why I think I honed in on the flgaming.gov. Again, this  
10 is an open discussion and I want to defer to the body  
11 and see if we can come to a consensus.

12 VICE CHAIRMAN YAWORSKY: I guess to highlight  
13 why I geared towards gaming.fl.gov, it seemed to me to  
14 succinctly emphasize both, kind of, the arena that the  
15 agency is playing in, which is gaming. But to avoid the  
16 confusion of just saying flgaming.gov, for example, it  
17 added a period and then the subdomain of fl, and it kind  
18 of -- but to me, it seemed oriented more towards a state  
19 operation, which you often find, with state e-mail  
20 address these days all over the country, you have that  
21 identifier of Idaho, Florida, Texas, whatever it might  
22 be, that it makes it clear that it's a state entity that  
23 is operating the website and is receiving the e-mail and  
24 whatnot. That was my thought. I think  
25 floridagamingcommission is very descriptive. I also

1 think it is very long as other have said.  
2 Floridiagaming.gov, I don't know that it's as  
3 descriptive, but I am not -- there are none here --  
4 except for the ones that are acronyms -- all the other  
5 ones I would be relatively comfortable with.

6 COMMISSIONER BROWN: True.

7 CHAIRMAN MACIVER: Commissioner Drago, does  
8 the .gov on the end of any of these give you some  
9 comfort level from the -- it sounds like a random video  
10 game company aspect.

11 COMMISSIONER DRAGO: It doesn't because I  
12 don't think most people even realize that. But, you  
13 know, I agree that the gamingcommission is long and if  
14 we could, you know, come up with something that makes  
15 everybody feel better. I like when the domain tells you  
16 exactly who you're dealing with, the name of the company  
17 is right in there, or whatever it might be. I see  
18 floridagaming, I just think it's probably some gaming  
19 company. No matter what everybody says, that's what I  
20 am going to think. But I'm open to discussing for sure.

21 Do we have any -- more than one --  
22 leaning towards one particular one that we can start  
23 building on?

24 CHAIRMAN MACIVER: It shortens it a little  
25 bit. I think with the flgamingcontrol versus the

1 flgamingcommissson give you more comfort? Even though  
2 it's still kind of long, it's simpilar convention. And  
3 then I have to ask Vice Chair Yaworsky if that gives him  
4 a comfort level. And I think you said anything other  
5 than the initials you would be fine with. I could live  
6 with floridagamingcontrol.gov.

7 VICE CHAIRMAN YAWORSKY: It's a tricky thing  
8 because the only one -- to Commissioner Drago's point --  
9 the only one that is descriptive of what the entity is  
10 really is the last one. And even that one is difficult  
11 just because -- half the people I tell I am on the  
12 Gaming Commission think it's something to do with fish  
13 and wildlife. It's a tricky thing. I don't know if  
14 floridagamingcontrol adds any -- I don't know if it adds  
15 much to a layperson's understanding of what the  
16 organization does at first glance. And I think some of  
17 the other ones like floridagaming.gov,  
18 gaming.florida.gov don't really make an effort to do  
19 that; it's going at it from a different angle. So I  
20 don't know that we will be able to find -- other than  
21 floridagaming -- I don't know that we will really be  
22 able to find a domain name that succinctly exemplifies  
23 what it is we do. It almost requires a parenthetical  
24 notation.

25 COMMISSIONER BROWN: Mr. Chair, could we put a

1 hold on this until the first week of October and have  
2 Ms. Whitmire show us some examples of all the other  
3 state regulatory commissions to give us just, you know,  
4 a barometer of identifiers -- you know, regulatory  
5 agencies? I have seen them too and there's a lot of  
6 acronyms out there.

7 CHAIRMAN MACIVER: I see a headshake, but I  
8 was also told that we didn't have to absolutely have to  
9 do this. So let's resolve those two contradictory  
10 statements if we could.

11 MS. WHITMIRE: So we can make the decision to  
12 figure out a solution to stay where we're at or we can  
13 make the decision to change it. But I am waiting to  
14 start building our domain and start moving our active  
15 directory and start actually doing this work until this  
16 decision is made. So if we don't meet until, you know,  
17 the beginning of October, that means I can't start even  
18 working on anything on the active directory or all the  
19 Office365 because I have to decide on a domain. This is  
20 the first decision in the decision tree.

21 So if we decide we are going to be  
22 fgcc.fl.gov, then the decision we make until we do a  
23 migration somewhere down the line, at least a year from  
24 now. We can make it work.

25 CHAIRMAN MACIVER: Commissioners, from my



1 part, again, I have reservations of  
2 flgamingcommision.gov being too cumbersome, but at the  
3 same time, I'm not one to spend a long time debating the  
4 number of angels that will fit on the head of a pin. So  
5 I am more than happy to defer if that is -- if that is  
6 where the consensus leans. But again, I want to hear  
7 input.

8 Commissioner D'Aquila, you were about to make  
9 a comment.

10 COMMISSIONER D'AQUILA: Yeah. I'm curious  
11 what the aversion is to fl.gamingcontrol.gov. Control  
12 is obviously an easier word to type than commission.

13 COMMISSIONER DRAGO: I am not opposed to it.  
14 That would probably be my second choice. That comes the  
15 closest after gamingcommission to kind of give you a  
16 sense of what it is. Again, I don't want -- I would  
17 rather table than have to do a whole lot of thinking,  
18 you know, what the organization was if they were typing  
19 it. I am not opposed to that.

20 COMMISSIONER BROWN: Personally, I mean, I do  
21 like, flgaming.gov because of the brevity of it. And  
22 gov indicates to me a state government and it's a legit  
23 state legal entity. I like flordiagamingcommission.  
24 Floridagamingcontrol however, kind of signifies a  
25 different message of what the commission is and

1 emphasizes the control. And maybe that's what we want  
2 to do, but it just didn't draw me to branding.

3 CHAIRMAN MACIVER: Are you hearing the  
4 imperial march from Star Wars when someone says that?

5 COMMISSIONER BROWN: I think Fortnite. I  
6 think of all the gaming names.

7 VICE CHAIRMAN YAWORSKY: Mr. Chair, unless I  
8 counted wrong, I think there were -- maybe the only  
9 consensus among the members was both you and  
10 Commissioner Brown, the first choice being flgaming.gov.  
11 With that in mind, unless I am wrong, I think you're the  
12 only two individuals that had that one. I don't know --  
13 because of that fact alone, I don't know if there would  
14 be a willingness to concede that's the way to go.

15 CHAIRMAN MACIVER: I will entertain a motion  
16 if the body so chooses.

17 COMMISSIONER BROWN: Only if I have a second.

18 COMMISSIONER D'AQUILA: I'll make a motion to  
19 pass fl.gaming.gov.

20 COMMISSIONER BROWN: Second.

21 CHAIRMAN MACIVER: I think it's flgaming  
22 without the dot between fl and gaming. Flgaming.gov.

23 COMMISSIONER BROWN: Second.

24 COMMISSIONER D'AQUILA: Flgaming.gov; correct?  
25 It's my eyes, they're going at this hour.

1 CHAIRMAN MACIVER: Any objection? Seeing  
2 none, the motion carriers.

3 Thank you, Commissioners. I appreciate  
4 the way we can openly discuss things and arrive at a  
5 consensus.

6 Mr. Trombetta, the floor turns to you.

7 DIRECTOR TROMBETTA: Mr. Chair, I have nothing  
8 else. I will close. Thank you for the long meeting.  
9 Thank you for entertaining me and my staff here and  
10 working to get us going in the right direction on some  
11 very important documents here.

12 CHAIRMAN MACIVER: Commissioners, I am going  
13 to take a very short liberty with apologies. I know  
14 that I've been pretty adamant about the fact that we  
15 will do general public comment during our general  
16 business meetings every month, and when we have these  
17 offset meetings, we don't do general public comment.  
18 But because this wasn't as decret at-issue meeting as  
19 it usually is, and perhaps everybody in the audience  
20 hasn't clung to every word I ever said at every  
21 commission meeting, I would like to offer the  
22 opportunity for a very, very brief general public  
23 comment if there is any.

24 Going once. Going twice. Seeing none.  
25 Commissioners, show us we're adjourned. Thank you.

1 Proceedings concluded at 2:37 p.m.

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CERTIFICATE OF REPORTER

STATE OF FLORIDA

COUNTY OF LEE

I, Paige E. Kelleher, Stenograph Shorthand  
Machine Stenographer and Notary Public, State of  
Florida, certify that I was authorized to and did  
stenographically remotely report the Zoom meeting; that  
a review of the deposition was requested; and the  
foregoing deposition, page 1 through page 161, is a true  
and accurate record of my stenographic notes.

I further certify that I am not a relative,  
employee, attorney, nor counsel of any of the parties'  
attorney or counsel connected with this action, nor am I  
financially interested in the action.

Dated this 27th of December, 2022.

\_\_\_\_\_  
Paige E. Kelleher,  
Stenograph Shorthand Court Reporter

1 In The Matter Of:  
 2 Florida Gaming Control Commission  
 3 Public Meeting  
 4 Tuesday, September 20, 2022  
 5 Vol. 1  
 6 (Pages 1-161)

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8 DATE: Tuesday, September 20, 2022  
 9 TIME: 10:00 a.m. - 2:37 p.m.  
 10 LOCATION: Zoom

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11

12 STENOGRAPHER'S CERTIFICATE ON CORRECTIONS  
 13 TO THE FLORIDA GAMING CONTROL COMMISSION  
 PUBLIC MEETING  
 14 TAKEN ON SEPTEMBER 20, 2022

15 STATE OF FLORIDA )  
 COUNTY OF LEON COUNTY )

16

17 I, Paige E. Kelleher, Stenograph Machine  
 Shorthand Stenographer, hereby certify that this meeting  
 18 transcript has been compared to my stenographic notes  
 and is a full, corrected, and complete transcript of the  
 above-mentioned meeting.

19

20



21

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Paige E. Kelleher,  
 Stenograph Machine Shorthand Stenographer  
 22 Lexitas  
 1551 Forum Pl #200,  
 23 West Palm Beach, FL 33401

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Florida Gaming Control Commission

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Audio Transcription

February 8, 2023

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TRANSCRIPTION OF AUDIO RECORDING  
FLORIDA GAMING CONTROL COMMISSION (1)  
FEBRUARY 8, 2023  
9:33 A.M.

1 FEBRUARY 8, 2023

2 9:33 A.M.

3 VICE-CHAIR YAWORSKY: Good morning,  
4 everyone. For the record, today is February 8, 2023.  
5 The time is 9:33. We are now beginning this meeting  
6 of the Florida Gaming Control Commission.

7 At this time, I'll ask Commissioner D'Aquila  
8 from the lower chamber to lead us in the pledge.

9 COMMISSIONER D'AQUILA: Please rise for the  
10 pledge of allegiance.

11 (Pledge of Allegiance)

12 VICE-CHAIR YAWORSKY: Without objection  
13 from Commissioners, we're going to do a quick agenda  
14 change and take the executive director's report first  
15 and quickly before we move into much more substantive  
16 fact findings this afternoon.

17 So, Director Trombetta, please begin.

18 MR. TROMBETTA: Thank you,  
19 Mr. Chair. Good morning.

20 So I have a few updates, and I'll, again,  
21 try to be quick because, as you mentioned, we do have  
22 a lengthy agenda today.

23 First, on a good note, we did a  
24 presentation yesterday for a subcommittee in the  
25 House. It went very well. A lot of the committee

1 members were interested in what was happening with  
2 gaming, so there was a presentation by EDR, by the  
3 Florida Gaming Control Commission, and by the  
4 Department of Lottery.

5 They asked a whole bunch of questions and  
6 seemed to show a lot of interest in sort of what we  
7 were doing, and they seem pleased with sort of the  
8 direction we were at. So that went pretty well.

9 I wanted to touch on the schedule for  
10 essentially going forward. So as was discussed in a  
11 previous meeting, we're trying to figure out how to  
12 do these operational licenses in a like efficient  
13 manner. So the first Thursday of March is March 2nd,  
14 I'd recommend, or with -- I'm kind of seeking from  
15 the Commission to meet on that day.

16 I think if we meet the 2nd, it will give  
17 the division of PMW enough time to prepare these  
18 license applications as best we can. And then if  
19 there's any problems or any issues, we have a week to  
20 fix it. The statutory deadline to issue these  
21 licenses, I believe, March 14th. So meeting the 2nd  
22 would give us time that, if we needed, we could have  
23 a second meeting before the deadline.

24 VICE-CHAIR YAWORSKY: Give the Commission a  
25 second to check.

1 MR. TROMBETTA: Sure. Yes, sir.

2 VICE-CHAIR YAWORSKY: Okay.

3 MR. TROMBETTA: March 2nd works?

4 VICE-CHAIR YAWORSKY: Yes.

5 MR. TROMBETTA: Thank you, sir.

6 And then moving into April or May,  
7 there's been a lot of interest from some of the permit  
8 holders in South Florida about conducting a meeting  
9 in South Florida.

10 So I wanted to kind of get the  
11 Commissioner's feedback on the availability of doing  
12 it. It would be during session, but I think we could  
13 still make that work. Potentially doing a meeting,  
14 the April meeting, somewhere in South Florida and  
15 engaging the, you know, pari-mutuel businesses down  
16 there to kind of come and get some input and just  
17 kind of show up and talk to us.

18 One of the other meeting items that I've  
19 been talking about is rulemaking. It might be a good  
20 opportunity to hear some of the issues that they're  
21 facing and some of the kind of other kind of matters  
22 that they'd like to discuss with you. So I wanted to  
23 kind of just get some feedback on that possibility  
24 too.

25 VICE-CHAIR YAWORSKY: I think that's a

1 great idea. I think that kind of as we go forward  
2 into the next discussion topic of rulemaking, I think  
3 one of the most important components of that is to  
4 make sure that with this new gaming Commission, as we  
5 move forward, that we are soliciting input from all  
6 stakeholders' industry, and probably most  
7 importantly, the public as we go forward.

8 I think there been a lot of discussion from  
9 folks who have presented information to us and also  
10 from the Commissioners themselves, that we do want to  
11 move forward at a great pace. And I think amending  
12 rules and perhaps recommending legislative changes  
13 over time. I think that this is a great first step  
14 towards us.

15 And I think it will be the lengthy process,  
16 but I think working with all the stakeholders  
17 throughout that process is a great way to proceed.

18 MR. TROMBETTA: All right.  
19 So then with your kind of approval, I'll go ahead and  
20 try to set up. We can still work out the date, but  
21 I'll try to start working with my team to find a  
22 suitable location and kind of go down that road.

23 VICE-CHAIR YAWORSKY: Yeah. Commission  
24 Brown.

25 COMMISSIONER BROWN: Chair, we're

1 (indiscernible).

2 MR. TROMBETTA: Oh, really?

3 COMMISSIONER BROWN: I completely support  
4 and concur with the Chair on this. I think it's a  
5 great way to connect with other stakeholders. One  
6 thing I wanted to ask is how do we advertise our  
7 meetings so that we're not just catering to those in  
8 the industry, but possibly those that may be  
9 interested themselves.

10 MR. TROMBETTA: So you know, generally  
11 we provide a notice in FAR. We post it on our webpage,  
12 and we try to make available for both people to show up  
13 in person. And as you see right now, we have - I  
14 can't see the number, but there's people -- there's 25  
15 people on the go-to meeting right now.

16 So I think this one, I think we do the  
17 same, but I could also kind of reach out to some of  
18 the permit holders and make sure that they're aware  
19 that we're going to be meeting within distance for  
20 them to make an easy drive or easy enough for South  
21 Florida.

22 COMMISSIONER DRAGO: I can follow up on  
23 that. I think it's really important that we do get  
24 an opportunity to reach out to the general public.  
25 So if we could find a way to notice that to the

1 general public that people are interested. As you  
2 saw yesterday, there's a lot of interest in what's  
3 going on --

4 MR. TROMBETTA: Yeah.

5 COMMISSIONER DRAGO: -- in gaming the  
6 state. So in addition to the industry being able to  
7 come, which I think is great, I think it's a great  
8 opportunity for folks who can't get up to Tallahassee  
9 normally and the general public who have interest as  
10 well. So if we could figure out a way to announce  
11 this to the general public, I think it would be very  
12 helpful.

13 MR. TROMBETTA: Yes, sir.

14 COMMISSIONER D'AQUILA: I might add. You  
15 might want to (indiscernible) just based on the number  
16 of permit holders for the population of the state is  
17 just (indiscernible) effectively.

18 MR. TROMBETTA: Okay. All right. Thank you.  
19 I can go ahead and do that. And then, so moving to the  
20 rulemaking section, there's provisions in Chapter 120  
22 that allow agencies to delegate or that allow  
23 Commissions to delegate the initiation of rulemaking to  
24 staff.

25 And the benefit here would be that we could

1 be able to open up rules and get the ball rolling  
2 without having to do it around Commission meeting.  
3 It's very clear that -- and I'm not suggesting  
4 otherwise -- but as rulemaking process progresses,  
5 you initiate kind of open rules. You announce that  
6 you're going to develop these rules.

7           You hold a series of workshops or hearings  
8 depending on facts. And then when rules are ready to  
9 be formally adopted, they would come back to the  
10 Commission for approval. So you guys, the  
11 Commission, would still be the ones approving all  
12 these rules prior to adoption. It would just allow  
13 the agency to kind of get the ball rolling on  
14 initiating the rulemaking. And I would make sure to  
15 provide updates, as I'm doing, about where we are,  
16 what's been going on.

17           Our staff internally has met with staff  
18 within the division. We talked with people in the  
19 different bureaus in different areas and just kind of  
20 got their temperature on if there were rules that  
21 they could see fixed. I know that rules have come up  
22 in some of our conversations in prior meetings  
23 particularly with like the forums and some of these  
24 other things. So I think doing -- allowing my staff  
25 to initiate the rulemaking process, I think would



1 help the agency as a whole.

2 VICE-CHAIR YAWORSKY: And just to be clear  
3 on that, what you're seeking today is an  
4 authorization to begin a broad scope rule or  
5 presumably would be more like other Commissions,  
6 whereas you begin to develop -- once you develop the  
7 rule, you seek permission of the Commission to  
8 develop that rule, and then you go through the  
9 workshop process. Which is it?

10 MR. TROMBETTA: I'm seeking a more of the  
11 broader allowance to initiate the rulemaking. But to  
12 your question, Mr. Vice-Chair, the plan is not to just  
13 go crazy and initiate hundreds of rules.

14 I think, honestly, we'd like to kind of  
15 take some low hanging fruit, make sure that our  
16 process is in order because it's going to be the  
17 first rule that we do as a Commission. And then I  
18 mean -- I've been saying it for a while; I don't mind  
19 saying it publicly -- slots need a clean-up. It's  
20 been a while since we touch slot rules. The goal  
21 would be to be able to, you know, get into slot  
22 rulemaking at some point in the next few months.

23 COMMISSIONER BROWN: In general, it's very  
24 Supportive of delegating the authority to avoid  
25 Regulatory lab on some of these items. Some of the

1 bigger, maybe more controversial rules before  
2 initiating making though, if you have discretion to  
3 bring it to the Commission to discuss it prior to  
4 initiating making, that may be helpful.

5 And in addition, I think having the monthly  
6 report and the status of rules and where we are on  
7 all of the rules that have been delegated so that we  
8 know it's in the pipeline, and we can research prior  
9 to the coming weeks.

10 MR. TROMBETTA: Yes, ma'am. We can do that.  
11 Just for purposes of, you know, being transparent here,  
12 we're thinking of doing a greyhound cleanup. We still  
13 have lots of mentions of greyhound racing in our rules  
14 and potential touching on application forms because  
15 those are kind of the two things that have come up  
16 frequently in these meetings. Those are kind of the  
17 areas that we're looking at doing this initial kind of  
18 review.

19 COMMISSIONER DRAGO: Can you just tell me,  
20 just for my information, when you say initiate, what  
21 you mean by that?

22 MR. TROMBETTA: Sure. So in chapter 120, I  
23 think it's 120.54, there's a statutory process for  
24 how rules get created. Initiation is essentially  
25 the first step. The agencies will file a notice of

1 development, which kind of kicks off the rulemaking  
2 process. Once that notice is filed, agencies can then  
3 hold workshops to kind of gather information.

4 At that point, there's kind of a second  
5 phase where after development, you start moving  
6 towards an actual proposed rule, and then instead of  
7 workshops, you have to hold actual hearings. And  
8 then there's more stringent timelines in that second  
9 phase. What I'm asking for is more about that first  
10 phase, just being allowed to get the ball rolling, to  
11 develop the rules, and to start getting feedback.

12 COMMISSIONER DRAGO: I see. Thank you.

13 VICE-CHAIR YAWORSKY: I think you have  
14 enough direction. I think all the points are well  
15 taken, I would just kind of compound prior discussion  
16 along with everyone. I think the sentiment is very much  
17 so that we expect not only compliance with the law comes  
18 to noticing and announcing these matters, but a full  
19 effort on the part of the Commission to make sure that  
20 as much as possible, the public is aware of what we're  
21 doing. And also that as this process goes on,  
22 Commissioners have understood what we are doing.

23 MR. TROMBETTA: Okay. Yes, sir.

24 VICE-CHAIR YAWORSKY: All right.

25 MR. TROMBETTA: And then, finally, I'd like

1 to bring Carl Herold up, who's the director of our law  
2 enforcement division to kind of talk law enforcement  
3 and provide an update for the Commission.

4 MR. HEROLD: Good morning.

5 VICE-CHAIR YAWORSKY: Good morning.

6 Welcome.

7 MR. HEROLD: Thank you for this  
8 opportunity to speak to you. Are you my bodyguard?

9 MR. TROMBETTA: Yes.

10 MR. HEROLD: So since I was selected  
11 by the Commission in August, this is my first  
12 opportunity to kind of speak to the Commission en  
13 banc, and then also allow the public and our  
14 stakeholders to kind of hear what we've done in the  
15 law enforcement unit.

16 And so I wanted to have that opportunity to  
17 kind of share what we were doing. And so I will tell  
18 you that the initiation of this was much more  
19 involved than I, you know, had ever envisioned, but  
20 then again, this is the first time that a standup law  
21 enforcement agency has been created in the state in  
22 over 30 years. And so there was no book written for  
23 this.

24 But it's been incredibly interesting and  
25 challenging. But you know, we're up to the

1 challenge, so we're going to be fine. What we've  
2 done up to this point is law enforcement is very  
3 information and database driven and technology  
4 driven.

5           And since we've had no existing structure,  
6 we've had to get with the FCIC, NCIC and I apologize,  
7 this is where cops make themselves look smart by  
8 saying a lot of acronyms that nobody knows what those  
9 mean. But anyway, building those databases and those  
10 structures to make an effective law enforcement unit  
11 and get all those information technologies wrapped up  
12 together.

13           And so we are continuing to do that, and we  
14 are very nearly finished with that. We then -- you  
15 know, with law enforcement, you have to have all the  
16 equipment and the kit and the vehicles, and it's been  
17 no small difficulty with the supply chain and  
18 vehicles.

19           If you've gone out to purchase a vehicle  
20 recently, you just can't get one off the lot, and  
21 it's no different for us. We do have, finally, law  
22 enforcement vehicles, and they're in the process of  
23 being outfitted with radios, and sirens, and  
24 lights, and all the emergency equipment that's  
25 necessary. So that's moving along. Purchasing

1 the firearms and other equipment, first aid kits and  
2 all those kind of things continue to go on, but they  
3 are somewhat difficult.

4 And where are we headed? That's enough  
5 about the background. You know, I could get down in  
6 the details, and nobody would want to hear it. Where  
7 we're headed right now is that with consultation with  
8 the Executive Director, we realize that law  
9 enforcement is going to be most effective when we  
10 collaborate, and we support local law enforcement and  
11 help them extend their law enforcement activities  
12 into the anti-gambling, anti-gaming.

13 So to that end, I have and I -- but it's  
14 really the whole unit. But the unit has been going  
15 out and speaking to local law enforcement  
16 stakeholders trying to tell them what we are going to  
17 do, but also listening to what they need because  
18 we're not going to be terribly effective if we are  
19 not listening to our stakeholders and finding out  
20 what they need.

21 And we've taken that, and we've turned  
22 That into kind of an internal mission on how we  
23 want to do those things. I've been fortunate enough  
24 - I was invited to the Florida Sheriff's  
25 Association two weeks ago and spoke directly to the

1 sheriffs in a closed forum. That was extremely well  
2 received.

3 A few months ago, I sent letters out to law  
4 enforcement kind of introducing the Gaming Commission  
5 and what our mission is and how we hope to assist and  
6 take some action across the state.

7 And to that point, we've been contacted by  
8 six different -- and actually, I got another phone  
9 call yesterday -- now seven different sheriffs'  
10 offices about assisting them in their activities with  
11 anti-gambling and anti-gaming in their jurisdiction.

12 And even though I don't have law  
13 enforcement officers yet, I actually have three  
14 active investigations that I will not share with you,  
15 but we are working on those; and as we go along,  
16 there should be more significant interaction with law  
17 enforcement.

18 So to that end, we're doing outreach to our  
19 partners out there. We're, you know, I'd go with Lou  
20 whenever possible and speak to these stakeholders  
21 and other folks.

22 I think it's incredible important that  
23 The law enforcement mission is communicated to our  
24 stakeholders and to our local law enforcement to  
25 help them understand how we intend to function and

1       how we intend to help them and make the mission of the  
2       Commission successful for everybody.

3                       So any questions?

4                       COMMISSIONER D'AQUILA: Thank you for that,  
5       Director Herold. What has been the general reaction  
6       in the reach-out for (indiscernible)?

7                       MR. HEROLD: Well, and I don't want to  
8       get too far in the weeds, but the overall response  
9       has been incredibly positive.

10                      Most of these law enforcement agencies  
11       recognize that the illegal gambling places, the  
12       illegal slot machine arcades and those types of  
13       things are not just breaking the law, but they seem  
14       be a nexus for bad actors who come in and try to rob  
15       the patrons that are there.

16                      These folks that are running these illegal  
17       slot machine operations are also involved in money  
18       laundering. They're also involved in drugs and all  
19       these types of things. And so they're very thankful  
20       to have somebody that's going to come in.

21                      And our intent is to be the subject  
22       matter experts in gambling law and illegal gambling  
23       in the state of Florida. And we want to leverage  
24       that opportunity to help them be more successful.  
25       And so resoundingly, it's very, very positive from



1 everybody that we spoke to. But they also, at the  
2 same time tell us where their difficulties are, and  
3 where they could be shored up to help them.

4 And so part of my outreach is also  
5 education to law enforcement. I've spoken to not  
6 just the police administrators, but I've had  
7 opportunities to speak to the rank and file and share  
8 information with them that will help them be more  
9 successful in their law enforcement endeavors.

10 COMMISSIONER D'AQUILA: Has there been any  
11 reaction to our effort to gather leads and tips, you  
12 know, website? Is that an effective thing? Are you  
13 aware of that? (Indiscernible) contacting you, the  
14 office directly or combination thereof?

15 MR. HEROLD: Well, thank you for the  
16 question. That's a great question. What we are  
17 doing right now, since I don't have any law  
18 enforcement officers to bring to bear, what we do is  
19 as we get those reports -- and we're getting them at  
20 quite a volume. And believe or not it's not just on  
21 the make-a-complaint on our portal, but it's also  
22 law enforcement are calling in and going, what can  
23 I do about this? And how can I, you know, how can I  
24 take some action.

25 For the things that come in on the make-a-

1 complaint, I send an email or contact the person  
2 that's making that report and tell them that we --  
3 you know, that we're going to take some action, but I  
4 don't have the resources at this time.

5 And then we send a notice to the local law  
6 enforcement with a copy of the complaint saying, we  
7 received this report of illegal gambling or whatever  
8 the activity is, and would you please investigate it?  
9 And that's been very successful as well.

10 COMMISSIONER D'AQUILA: Thank you.

11 COMMISSIONER DRAGO: Carl, a  
12 comment, I guess, the same question in terms of the  
13 feedback from the law enforcement community. And I  
14 know that you've done a great job of getting that  
15 information out and reaching as many people as you  
16 can.

17 MR. HEROLD: Thank you.

18 COMMISSIONER DRAGO: And I know  
19 it's difficult with the staffing as it is and so  
20 forth, and trying to grow a police department from  
21 ground. It's tough.

22 MR. HEROLD: Yes.

23 COMMISSIONER DRAGO: But I'm real  
24 interested as we go along in hearing feedback from  
25 law enforcement organizations and how we're

1 relating to them in that regard.

2           Hopefully, we're going to be able to get  
3 our law enforcement folks off and running as soon as  
4 possible and get out there and be effective. But  
5 thank you for all that you've done because you really  
6 have done a great job. Again, this going from the  
7 ground up, and I appreciate you for all your effort.

8           MR. HEROLD: Thank you.

9           COMMISSIONER BROWN: Echo the same  
10 sentiment. You've been a very lean machine, and  
11 you've been able to achieve so much in the time that  
12 you've been with us. And you're doing a great job.

13           You have great future plans too, and I'm  
14 happy that you're able to communicate that to the  
15 public and the stakeholders so that they know the  
16 ongoing efforts that you're meeting.

17           MR. HEROLD: Thank you. And this is  
18 just the beginning.

19           COMMISSIONER BROWN: Thank You.

20           VICE-CHAIR YAWORSKY: Yeah. And I  
21 would just add, I want to thank you for your  
22 accessibility. I know you mentioned the meeting,  
23 you hadn't met with us all at once together for  
24 public recording purposes and sunshine purposes,  
25 but you've been extraordinarily available.

1 I've met with you at least a dozen times, I  
2 think, since you came on. I bet the other  
3 Commissioners could say similarly and all the other  
4 sentiments that have been shared, I would agree with.

5 MR. HEROLD: Well, thank you very  
6 much. That's very kind. I take this role very  
7 seriously, have incredible support from Lou, and I  
8 appreciate the interaction that I have with -- you  
9 know, and the guidance that I get from you guys. So  
10 thank you so much.

11 VICE-CHAIR YAWORSKY: Thank you.

12 MR. TROMBETTA: And,  
13 Mr. Vice Chair, that's all that I have for the  
14 update.

15 VICE-CHAIR YAWORSKY: Okay. Thank you very  
16 much.

17 Moving on to back to agenda item 1.1, which  
18 is the approval of the minutes for October 6, 2022.

19 Is there a motion? COMMISSIONER BROWN: Move to  
20 approve.

21 COMMISSIONER D'AQUILA: Second.

22 VICE-CHAIR YAWORSKY: Follow up Mr.  
23 D'Aquila on that one? He was louder.

24 Then moving right into item 2.1,  
25 transaction of West Flag Associates.

1 Mr. Marshman.

2 MR. MARSHMAN: Good morning, Mr. Vice  
3 Chair, Commissioners, members of the fake jury.

4 If I may, I'd like to start with just a  
5 roadmap of how I would suggest that the Commission  
6 discuss this matter, given the level of interests  
7 we've received and the speaker cards that have  
8 already been submitted. There are additional  
9 speakers that may yet have identified themselves on  
10 the video because we don't have a way for them to  
11 fill out a card.

12 So in terms of a roadmap, I would suggest  
13 that I'd be allowed to just do a brief overview of  
14 the issue and then allow public comment, allow the  
15 applicant's counsel the chance to speak, of course,  
16 after I think the public comment, so he has a chance  
17 to respond. So we don't have to get up back and  
18 forth.

19 And then allow me to come up again and have  
20 A dialogue with any of the Commissioners about any  
21 of the comments we've received, comments made by  
22 the applicant's counsel, or any else the Commission  
23 would like to discuss with me.

24 VICE-CHAIR YAWORSKY: Any objection to  
25 that?

1 MEMBERS: No objection.

2 MR. MARSHMAN: So moving right along then  
3 to the overview. You have a then and you have a now.  
4 Then you had PCI gaming and unincorporated charter  
5 instrumentality of the Poarch Band of Creek Indians  
6 submitting an application to purchase assets. These  
7 assets are permits and licenses.

8 They eventually wanted to put those  
9 permits, put those licenses into separate LLC, Wind  
10 Creek. So Wind Creek was the purchaser or PCI Gaming  
11 was the purchaser. They were the applicant in other  
12 words.

13 There are certain restrictions, however, in  
14 Florida law, on who can hold these permits, who can  
15 have these licenses. And PCI Gaming, although it has  
16 a wholly owned subsidiary, Gretna Racing, LLC, that  
17 possesses a permit, possesses a license at the right  
18 place at the right time.

19 In December, when you are considering this  
20 matter at your publicly scheduled meeting, that was  
21 not the case. That was not the purchaser. The  
22 purchaser was PCI Gaming and Wind Creek. So  
23 ultimately, that transaction was not going to be  
24 allowed to go through, in my opinion. I would not  
25 have recommended that the Commission approve that

1 because it was not the right purchaser.

2 Let's talk about now. January 13, 2023,  
3 we, the Commission received a new series of  
4 materials, a new application with a new purchaser  
5 trying to get the same assets from the first time  
6 around, permit, some licenses. So what exactly has  
7 changed, the seller is still the same.

8 It's West Flagler Associates Limited. The  
9 targeted assets that are trying to be acquired, those  
10 are the same - permit, licenses. The purchaser  
11 though, that's the important part to keep in mind as  
12 we consider this today and hear comment from the  
13 public and the applicant's counsel.

14 Gretna Racing, LLC, is now -- the purchaser  
15 is now the applicant. And if this Commission votes  
16 to approve this transaction, the Commission would  
17 issue a permit, issue a license in their name. And  
18 again, that matters because as of 2018, Gretna  
19 Racing, LLC, had 100 percent interest and a pari-mutuel  
20 Wagering permit, permit 155.

21 And it have a series of license issues to  
22 It starting in 2018. There was no other entity, in  
23 other words, for license -- I think for cardroom  
24 and a pari-mutuel wagering operating license, also  
25 number 155 tried to the permit. Those were all

1 issued as of 2018 to Gretna Racing, LLC.

2 The statutes require that the purchaser,  
3 the applicant, they had that license. They had those  
4 permits, and they had them for fiscal year 2020-2021.  
5 Gretna Racing satisfies those requirements.

6 And I'm not going to reread you everything  
7 else that I wrote in the memo, but of course, I'm  
8 available to answer any questions you may have about  
9 it now after comment, after applicant's counsel has a  
10 chance to speak to you. But there is a path forward  
11 for this transaction to be approved.

12 I believe that there are express provisions  
13 in chapter 550, 551 and 849 that allow this type of  
14 transaction to occur. And if there are no other  
15 questions, I'll have a seat and let the Commission  
16 begin receiving public comment. If that's what  
17 Mr. Vice Chair would like.

18 VICE-CHAIR YAWORSKY: I think that that  
19 will be appropriate.

20 MR. MARSHMAN: Thank you.

21 VICE-CHAIR YAWORSKY: Public comments. I  
22 think when these were entered, there was some  
23 question of possible -- whether or not they would  
24 be -- individuals would speak. We're going to  
25 start with comment cards that we received.



1                   And then before we then go into  
2 Mr. Lockwood's discussion period, we'll somehow opine  
3 as to whether or not there's anyone on - remotely  
4 that would like to speak on the issue.

5                   So beginning first we have Venus Prince  
6 with Wind Creek Hospitality.

7                   MR. LOCKWOOD: Vice Chair. Ms. Prince is  
8 here simply to answer any questions that we might  
9 have in our presentation. So we are going to waive  
10 her at this time.

11                  VICE-CHAIR YAWORSKY: You have a Link  
12 Loegler with the Poarch.

13                  MR. LOEGLER: Same.

14                  VICE-CHAIR YAWORSKY: Same situation.  
15 Okay, great. This is moving along quite quickly.

16                  Next, we have Marc Dunbar with Dean Mead.

17                  MARC DUNBAR: I would like to say same  
18 situation, unfortunately.

19                  VICE-CHAIR YAWORSKY: Come on up.

20                  MR. DUNBAR: Thank you, Commissioner.  
21 And if I'm a little brain fogged, it's because I  
22 was on a late-night flight last night back from  
23 overseas. And so and I apologized to John,  
24 particularly because we had last night and early  
25 this morning, we were putting together a

1 presentation notebooks. It looks like I miscounted.

2 VICE-CHAIR YAWORSKY: Really quick.

3 MARC DUNBAR: Yes.

4 VICE-CHAIR YAWORSKY: I just want -- your  
5 intention was for the --

6 MARC DUNBAR: Yes. My intention is there's  
7 a notebook for each one of you. And again, sorry for  
8 the record, my name is Marc Dunbar.

9 I'm here on behalf of the Seminole Tribe of  
10 Florida. I'm a shareholder with the Dean Mead law  
11 firm. So to set the stage, John, sorry about that.  
12 But the documents that are in there are all public  
13 documents.

14 There's no advocacy or anything just for  
15 record purposes and for people that aren't in the  
16 room. But my presentation, I'm going to walk through  
17 some of these statutes. Even the Pennsylvania Gaming  
18 Control Board meeting minutes and meeting materials  
19 are in the internet. They're public documents. As  
20 it relates to the Zoom call, I appreciate that  
21 because my law students are actually getting extra  
22 credit if they log in. So to the extent you can.  
23 please be somewhat generous, so they think I'm  
24 somewhat competent.

25 Anyway, there's some, you know I guess

1 serendipity in coincidence. So I was overseas  
2 speaking on regulatory best practices. And that's  
3 really what I'd like to focus on here. This really  
4 is not about the applicant.

5 On behalf of the tribe, this is not about  
6 PCI Gaming and whether or not they should hold a  
7 license. It certainly is not about whether Gretna  
8 Racing should be able to hold a license, even though,  
9 just for context purposes, Gretna Racing, I believe,  
10 is the second lowest revenue-producing permit holder  
11 in the state.

12 And Gretna Racing is acquiring the number  
13 one revenue-producing permit holder in the state.  
14 And that's relevant for a rate from a big picture  
15 regulatory best practices, because gaming licenses  
16 are afforded in a very limited fashion by government.  
17 And this goes back to before the founding of our  
18 country when we were trying to build bridges in  
19 universities.

20 In fact, FSU was funded on a territory -- granted  
21 lottery. Government grants limited gaming  
22 authorizations for two reasons. One, gambling is a  
23 public nuisance. IT's a noxious activity. It's  
24 viewed as a sin industry, and is only allowed under  
25 very strict circumstances and limited government

1 grants.

2 The only other reason is to make money for  
3 the state. Those are the only two reasons, and those  
4 are the reasons that the Supreme Court and the United  
5 States Supreme Court have looked at the industry and  
6 said that regulators have the ability to look  
7 arbitrarily at the industry because they are, one,  
8 protecting the public from the sin industry itself.  
9 And, two, they're trying to figure out how to  
10 maximize revenues.

11 So if there was Gretna Racing by itself  
12 without the Poarch behind them, this would probably  
13 be a pretty quick review. You would say they made --  
14 their revenue was \$1.7 million last year off the  
15 cardroom, and they're buying for several hundred  
16 million dollars, a slot machine license.

17 The financial wherewithal back when me, and  
18 Gene, and I think David Romanic on the phone, the  
19 original partners put Gretna together before we  
20 partnered with the Poarch, you would have looked at  
21 us and laughed us out of the room because I have a  
22 credit card limit, but it's not that high. Okay.

23 This is the most expensive gaming  
24 transaction if you believe industry rumors in  
25 Florida's history. And so what I would say is, I

1 would encourage you to proceed with diligence. You  
2 know, the court upstairs where I thought we were  
3 presenting had the seal of the Florida court system  
4 on it.

5 And the Latin phrase for that is --  
6 translates to soon enough if correct. And I would  
7 encourage you all to proceed the same way here. You  
8 know, soon enough, but let's just make sure we get it  
9 all right. And so that's kind of the overarching  
10 backdrop for this presentation.

11 This presentation is about this application  
12 and regulatory best practices, not about the  
13 applicants themselves. And so I want to make sure we  
14 separate this. The Seminole Tribe is not opposed to  
15 West Flagler selling its permit or any slot machine  
16 licensee down there selling its permit. It's just  
17 making sure that it complies with the statutes.

18 So I'm going to begin by pointing out in  
19 the pocket there is a copy of Section 16.7124  
20 statute. And I've tried to highlight relevant  
21 provisions. So as you flip through the tabs, things  
22 will jump out at you.

23 When the Legislature created this -- and  
24 this is something that was very important to the  
25 tribe and advocated for it in the Legislature. The

1 new Commission, we hoped, would review the  
2 procedures, which are used to qualify applicants  
3 applying for a license or a permit.

4 And the reason why that was relevant is  
5 because permit transfers, permit re-issuances, permit  
6 sales, we'll say, have a legendary history of  
7 happening sort of in the dark, particularly in the  
8 modern era, okay. We used to have a racing  
9 commission.

10 We used to have a pari-mutuel commission,  
11 but since the 25 years that I've been in the  
12 industry, it's been for the most part, something that  
13 is handled by the division. It was handled by the  
14 division. There wasn't a public input, and no one  
15 had standing after the fact really to challenge the  
16 transfer.

17 As Mr. Lockwood will point out, you know,  
18 we actually argued a case. I actually argued a  
19 case and won in here for people that were trying  
20 to argue against the issuance of the underlying  
21 Gretna Racing permit right out to the get-go. And  
22 the court said, competitors don't have the ability  
23 to stick their nose essentially into the  
24 permitting licensing process. And so that is the  
25 case law.

1           The idea on having a sunshine meeting to  
2 discuss permit dispositions is so the public can come  
3 in, and they can hear; and they can interact with  
4 their officials to point out things on why the  
5 expansion of gaming may or may not be desired in a  
6 community.

7           A change in ownership may or may not be  
8 desired for a community. Now, can they, after the  
9 fact challenge it? That may be somewhat difficult.  
10 You would have to probably deviate from the  
11 underlying laws, and then it would be more of a  
12 mandamus action, writ probation, extraordinary writ.

13           It's not that a permit holder as a matter  
14 right, can just challenge the transfer of another  
15 permit. So that was the intention is that we would  
16 create a process that would be very transparent, and  
17 the current rules that govern permit transfers are  
18 found in one single section, really, of the Florida  
19 Administrative Code. And its behind tab 2 at 61D-  
20 4.02.

21           Now, this rule was put in place in 1996  
22 and really didn't change much since then. If you  
23 look through the rule history. If you were to  
24 probably run this through JAPC, I don't think JAPC  
25 would say that this rule complies with the statue.

1 At a minimum, I can tell you the cross references down  
2 at the bottom are wrong.

3 The references to 550.054(a)(b) probably  
4 doesn't make any sense to this particular rule right  
5 now. But these are the standards, you know, that are  
6 out there. And what we wanted was before permits  
7 started changing hands, that the Commission would  
8 quickly get up and running, review their rules, and  
9 notice for workshops, and get through a rewrite of  
10 the rules to essentially define how the industry was  
11 going to proceed.

12 Now, I can see completely this is the most  
13 overworked, probably group in state government. I  
14 mean, there was music to our ears, Carl, here, all  
15 the efforts you've done. Appreciate you pointing out  
16 because it's something that we've certainly talked a  
17 lot about. And I know you guys have been asked to  
18 jump on one leg with one hand tied behind your back  
19 blindfolded.

20 So I understand why you haven't been able  
21 to get there, but I wanted to make sure you guys  
22 realized at the beginning that when you were  
23 created, the idea that the rules for permit  
24 changing hands and qualifying applicants and all  
25 that stuff, Legislature recognized were flawed



1 and were hopeful that you will update that.

2 So what you have here is an application  
3 that has come in, you know, under this rule and the  
4 statutes. And so I would tell you, having worked in  
5 a lot of jurisdictions in this hemisphere; having,  
6 you know, served as you know, somewhat of an  
7 instructor to standing regulatory Commissions up and  
8 training the regulators and things like that, there  
9 isn't a single Commission that I know of that would  
10 approve this application in its current form. And  
11 I'm going to explain why. And this is not to  
12 discourage the applicant, okay. This is stating what  
13 you have in front of you, okay.

14 In front of you, you have -- it started  
15 with 130 pages all redacted, and then it evolved to  
16 about 300 pages, you know, with only minor  
17 redactions. And now it's about 500 pages with minor  
18 redactions, which we'll talk about in a little bit.

19 It's not the deal documents, okay.  
20 Understand, me and my partner sold Gretna Racing to  
21 the Poarch. They became out partners, right. I know  
22 that those deals documents look like. Okay.  
23 Our business plan was not redacted. Our  
24 Purchase price was not redacted. They're still in  
25 the file. Public can see them. Everyone can

1 understand what happened there. They were longer  
2 than this, but more importantly, they were complete.  
3 They were complete.

4 These documents are -- basically there's  
5 like a two or three-page letter from Skadden, very  
6 good law firm, that's basically saying Gretna Racing  
7 is triggering the swap-in provision of the deal  
8 documents is now standing in the place of Wind Creek.  
9 And these are all Wind Creek documents that were  
10 filed back before in December.

11 There are forms that are not completed.  
12 They're exhibits that refer to documents that are not  
13 included. And that is just cleanup work that  
14 corporate counsel is going to do at the time of  
15 closing. If I had to bet, this packet will probably  
16 go by at least a couple hundred pages.

17 So the first thing I would say to you is  
18 for any application, because this is going to set the  
19 precedent on which the new rules are going to be  
20 written and which all of the other applicants that  
21 may want to buy a slot machine license in South  
22 Florida will proceed.

23 Any so it's sort of like, you know, a  
24 Teacher signing off on a pass-fail exam, when  
25 really, you got to go A, B, C, D or F. You guys, this

1 is the first one. I think you should want A work, and  
2 you have time.

3 As Ross pointed out, it essentially is a  
4 new application that's come in. And one of the  
5 things that I think is important for you to  
6 understand that I'd like to point out to you is, and  
7 this goes back to, you know, memos for the first two  
8 hearings, that if you look behind tab 1, 550.054 --  
9 and this is essentially the kind of governing statute  
10 that we're operating under.

11 I'd like for you to look on the second  
12 page of the attachment to 550.054 (3) (k). And it  
13 deals with applications and the process for a permit  
14 holder.

15 And the critical part is part of the  
16 application process is such other information is the  
17 Commission requires. And so we're now proceeding as  
18 it should.

19 Now you interact with the applicant and  
20 you might interact with them again next month. And  
21 you have questions that you have and you have  
22 documents that you'd like to see and you would  
23 like. This is, you have the ability to now require  
24 certain things to complete the application.

25 This application is not complete. There's

1 a statement in the memo back in November for staff  
2 that the application is deemed complete on November  
3 something or whatever. And then that was carried  
4 forward.

5 And I apologize, you know, to Ross and Lou  
6 because some of these arguments we've talked about,  
7 but I have not been able to -- because I wasn't able  
8 to really see the full packet until like midnight two  
9 days ago, UK time or whatever.

10 So I haven't been able to give them all of  
11 this presentation, which I normally would like to do.  
12 I don't want to blindside them on these arguments  
13 because I want Ross to be able to respond and  
14 everybody else to be able to respond. But as a  
15 matter of law, you determine when the application is  
16 complete.

17 It's the Commission's authority. When  
18 you're done and you have all the information that you  
19 would require, then you can deem it complete. And at  
20 that point in time, the clock is triggered. And you  
21 can, you know, move on from there.

22 So, I will tell you -- this is just kind of  
23 the beginning of the process. And so what I'll tell  
24 you is take your time, and let's make sure we get  
25 documents right.

1           At its core, I would require that the  
2 actual deal documents be put in here. That's the  
3 industry's standard. That's what regulators do.

4           And I would say normally if -- and in a  
5 second I'll talk about the Pennsylvania Gaming  
6 Commission, but if you look at the transcript of the  
7 Pennsylvania Gaming Commission, the very first thing  
8 that they do is they have all the applicant  
9 representatives in the House on all the people that  
10 are licensed and on the form, which they're not here  
11 -- a couple of them are here.

12           They stand up, and they're all sworn in.  
13 And the reason for that is because the other  
14 Commissions want to make sure that the interactions  
15 that they have are under penalty of perjury, right.  
16 And I'm not saying that they would ever come up and  
17 lie.

18           And I'm not saying that they lied in  
19 Pennsylvania either. They're very honorable people.  
20 It's just that's what normally happens. But I will  
21 pose you this question when Mr. Lockwood or anybody  
22 else comes up. I'm not saying an experiment or  
23 anything like that. Ask this question: are these the  
24 actual deal documents that will be used for closing?  
25 The is 100 percent no.

1           They may be some of the documents, but this  
2           is not the deal documents. And that's something that  
3           I think you have the ability to require, and that's  
4           what other Commissions require, okay.

5           The other thing that's lacking in this, and  
6           we can, you know, talk about this, is the financing  
7           documents that are in here, the financing reference.  
8           And I'll ask you to flip over to tab 4. This is an  
9           excerpt from the application that's titled Source of  
10          Financing for the Acquisition of Magic City Casino.

11          Now, in this, you see the sections, I  
12          highlighted it talks about a credit agreement as  
13          provided by Credit Swiss and various other  
14          institutional lenders in this first sentence of the  
15          second paragraph.

16          At a minimum, who are the other lenders?  
17          You should know that. That should be something that  
18          is part of the materials. Now, maybe it is. Maybe  
19          it's in summary redacted document or something that  
20          I haven't seen. Because it was my understanding  
21          from Lou when I left to go overseas, that  
22          additional documents were even coming in this week  
23          from the applicant, which is a side note, not sort  
24          of typical.

25          Usually, you had a cutoff date in advance

1                   Usually, you had a cutoff date in advance  
2 of a hearing documents, you know, you need to have  
3 them in week or two before the hearing. You can  
4 bring in others, but we're not going to consider  
5 those at this coming here. Usually you kind of set a  
6 deadline, but that's more of something for rulemaking  
7 down the road.

8                   But I can tell you the disclosure of the  
9 other lenders is important because you would like to  
10 know. And why is this? Let's just back up.

11                   In the 1930s when we authorized gambling in  
12 Florida and gambling spread across the country, one  
13 of the big things that they wanted to know: is  
14 organized crime getting in the industry? One of the  
15 easiest way for organized crime to get in the  
16 industry was to run the catering of the operation or  
17 to loan the money.

18                   And again, I'm not inferring that any of  
19 these other lenders, you know, might have a dubious  
20 past, but you still would want to know if the Chinese  
21 Triad, you know, and one of their financing  
22 subsidiaries may have an interest in one of these  
23 lenders. It's relevant. It's relevant to the  
24 public. It's part of the process.

25                   The other part about it -- and this goes to

1 the underlying, you know, kind of thing I would  
2 encourage you to ask about is this describes a credit  
3 facility that exists who's the Poarch's principle  
4 pledge are the casinos in Pennsylvania, okay.

5 They've spent \$1.3 million on that. It's a  
6 public record. You can see. The credit facility is  
7 both financing expansions and capital improvements  
8 they did up there, as discussed in the meeting  
9 minutes that I've attached. And also is, you know,  
10 is being paid for out of the operations.

11 What they're proposing is to amend that  
12 credit facility to include the Magic City Casino and  
13 its revenues, and there's a mortgage, foreign  
14 mortgage, that's in these documents.

15 That would be the underlying mortgage under  
16 that facility. And so I would say that's a great  
17 first start in terms of disclosure. But here's a  
18 couple things that you need to be aware of. First,  
19 the applicant is Gretna Racing, right. There isn't a  
20 blending institution out there that's not going to  
21 require Gretna Racing and the Gretna Racing's dirt to  
22 not be pledged as well. Those aren't here, okay.  
23 There's going to be a mortgage on Gretna  
24 Racing's dirt by these lenders that's going to be  
25 required. It's one of the things I would think you



1 would want to inquire about and maybe have a lender  
2 or some financial expert talk to about that. Because  
3 again, this goes to who has the hooks in the borrower  
4 because you can't go to the tribe because the tribe's  
5 sovereign.

6 So there's a very infamous story of a law  
7 firm that went under because it's malpractice  
8 couldn't cover the mistakes it made in a tribal deal.  
9 And they couldn't hold the management company that  
10 they represented to recover from the tribe because  
11 they didn't properly document things.

12 And so I will tell you, there's going to be  
13 a lot of documentation to make sure that these  
14 lenders and anybody else have hooks into all of the  
15 assets they can, which will include the Gretna Racing  
16 land and its assets and revenues.

17 The other part about this, though, that's  
18 really important -- and Lou and I talked about it  
19 really briefly when I first learned about this,  
20 because I -- you know, this was just before I got on  
21 a plane. Pennsylvania requires approval of the  
22 credit facility.

23 When you look and you read the transcript,  
24 This credit facility was a subject of discussion  
25 when they acquired Bethlehem Saints. They're now

1 a credit agreement whose core is pledged basically to  
2 Pennsylvania, okay.

3 The Pennsylvania Gaming Commission is  
4 probably going to need to approve the amendment here.  
5 I've talked to Pennsylvania council, again, from  
6 London trying to, you know, make sure that I didn't  
7 misrepresent things.

8 I talked to a lawyer, very seasoned in  
9 Pennsylvania. He said, "Yes," an amendment to that  
10 credit facility and other documents and everything  
11 else like that are going to need to have some level  
12 of approval. It might not be a formal full  
13 commission meeting. It could be happening at staff  
14 level. But what happens -- let's just say, what  
15 happens if you approve this today and Pennsylvania  
16 denies the amendment to the credit facility; what  
17 happens?

18 Again, something that I don't necessarily  
19 know the answer to, this sure could be maybe unwind  
20 clauses. There aren't any of those in the deal  
21 documents now. Again, going back to these aren't the  
22 deal documents that this transaction is going to  
23 close on. If I was a lawyer involved in this deal, I  
24 would definitely want to have that covered.

25 So at a minimum, I would say, again, as

1 you're looking for additional information, I would  
2 encourage you to reach out to your Pennsylvania  
3 colleagues and understand how they're doing it.  
4 Because here's another part -- I mentioned that it's  
5 about -- you regulate the ability for the state to  
6 make money off of this grant of gambling to this  
7 franchise.

8           Okay. Let's say that behind this redacted  
9 tab right here, the purchase price is \$2 billion.  
10 Two billion dollars, okay. That does not financially  
11 work. It's too expensive. That asset can't carry  
12 that kind of debt.

13           I've been involved in two different  
14 transactions down in the Miami marketplace where I've  
15 represented lenders.

16           I'm very familiar with sort of their  
17 capacity and what the projections are on these  
18 facilities. And I can tell you that the lender would  
19 say, we're not going to underwrite a \$2 billion deal.  
20 You're going to have to come in with significant  
21 additional capital and cash pledges into the deal.  
22 We don't know, you know, because it's  
23 redacted. I know you can see it, but that's part of  
24 the process. And so one of the things I will tell  
25 you is it relates to the financing terms. You want

1 to know that. And you also want to know where  
2 Florida sits and sort of the pecking order on this  
3 credit facility.

4 One thing I'll tell you is, again, your  
5 staff is dancing, you know, on one leg, one hand tied  
6 behind their back blindfolded, when other  
7 jurisdictions, when Commissions are short staffed,  
8 they don't have financial experts like they have in  
9 Pennsylvania or New Jersey or Nevada on staff will  
10 outsource it.

11 They will bring, they will contract with  
12 financial consultant will help advise the Commission  
13 on please, look break apart lease credit agreement.  
14 Please tell us, is this a good deal? Or could this  
15 potentially bankrupt Magic City? Because if it  
16 bankrupts Magic City as Commissioner Drago knows  
17 because I represented a casino that went bankrupt  
18 when he was secretary, that's a problem.

19 You know, we put into that bankruptcy, you  
20 know, we were current on our taxes, but we were able  
21 to dump six figures and fines and some other  
22 things, and yet walk away from them.

23 They are the state liabilities and that  
24 bankruptcy proceeding. And so you want to make sure  
25 that you understand like could that be a problem?

1 And you want to make sure the documents reflect that.

2 So, encouraging you to seek, you know, what  
3 Pennsylvania's attitude is and requiring all of the  
4 documents I think is critical. And then finally, you  
5 know, the financial analysis on this transaction's  
6 viability, I think is important that you want to have  
7 so that you could do this.

8 Now, I'm going to switch to another part of  
9 the deal that, you know, to me on a face would be a  
10 stop today. And we've talked about it a little bit.  
11 I've talked about it with staff and it's captured in  
12 a footnote in Ross' memo. In this transaction is an  
13 illegal lease.

14 The West Flagler is selling its dog track  
15 entitlements and it is keeping its Jai Alai  
16 entitlements and the Poarch, you're buying the  
17 Jai Alai Fronton.

18 And in the deal documents is a lease from  
19 Gretna Racing to -- from the West Flagler and its  
20 Jai Alai interest. Now, I'll direct you now just to  
21 sort of help you understand the statutory framework  
22 around it to tab 5 -- tab 7. Tab 7 which is 550.475.  
23 And then behind that is the definitions section from  
24 550. 002.

25 The critical part of this, and even Ross

1 captured in the memo, you can't cross entity lease,  
2 you can a dog track leases to a dog track or horse  
3 track to a horse track a Jai Alia Fronton to a  
4 Jai Alia Fronton. This is now going to be a dog  
5 track leasing to a Jai Alia Fronton.

6 Now, Ross references that the deal is not  
7 conditioned upon this, but there's no evidence in  
8 these deal documents and that's true.

9 Now, maybe he's had interactions. Maybe  
10 there're other documents that we haven't that aren't  
11 in the packet, but it is an ancillary document, which  
12 is a prerequisite to close in the underlying deal  
13 document is that lease.

14 Now, if the lease is an ancillary document  
15 and is prerequisite to close, that means to me it's a  
16 condition precedent or it's a condition subsequent.  
17 Either way, it's an important part of the deal. And  
18 I don't know how this problem is solved because  
19 there's, you know, there hasn't been any cross entity  
20 leases in the 25 years I've been doing all these, I've  
21 been doing a lot longer than I had him.  
22 He might be able to tell you if there have  
23 been others, but I don't think there has. And again,  
24 there are not the deal documents. So I would say  
25 moving forward, as Ross suggested that this is

1 really an issue for West Flagler's licensure, I  
2 disagree with that. Your job is to make sure that the  
3 Pari-mutuel laws are enforced.

4           If you allow a transaction to close knowing  
5 one of the statutes is violated and an applicant  
6 comes in with another deal, you know, you could see  
7 how it could be used prejudicially against you in the  
8 future.

9           Again, let's make sure it's right. Let's  
10 make sure it's compliant with the law. I don't think  
11 this transaction can move forward with an illegal  
12 lease.

13           The next item I want to point out, and  
14 again, as a general charge is you enforce all the  
15 laws, not just, you know, some of them on these  
16 applicants. The idea that the price of this  
17 transaction is a trade secret has no support in law  
18 anywhere.

19           I spent a bunch of time on Westlaw over the  
20 weekend, couldn't find a single case for that. I've  
21 included behind section let me see, tab 6, the  
22 relevant Florida laws on trade secrets.

23           Now understand this, when you litigate a  
24 trade secret issue, you, as the claiming entity,  
25 have the burden to prove its trade secret. That's

1 just forget it being a public circumstance. You  
2 overlay the public records law, and now you've got a  
3 double burden, okay.

4 It's a very, very high bar that has to be  
5 met. You can't just claim it and just walk away with  
6 it. And an agency doesn't have to take your word for  
7 it. They can say, we disagree, and if you want to  
8 keep it, you go over there and enjoin us. We  
9 shouldn't have to go and vet this issue.

10 Again, I'm saying this transaction isn't  
11 right. There's additional things that should come.  
12 These deal documents should be right. The public  
13 should know the purchase price because the public  
14 always knows the purchase price for the most part of  
15 these transactions. It's part of the deal. It's  
16 part of you stepping forward and saying, I want a  
17 limited right to gamble in your state.

18 That's a grant from government. For  
19 Gretna, it's not a perpetual grant to a private  
20 enterprise that forevermore they can trade on.  
21 You could get rid of that tomorrow, right.  
22 And so the public has a right to know. But I will  
23 tell you, I was able to find a case from South  
24 Carolina Supreme Court that I think is very  
25 analogous that I'd point out to you.



1                   It involved the purchase of medical  
2 practices by, I think, a hospital group. And the  
3 exact issue was: is the purchase price a trade  
4 secret? And the court said, no, it's a government  
5 license. Freedom of Information Act law applies.  
6 And they went through the trade secret analysis  
7 looking to the asserting entity that you have the  
8 burden of proof. And it said, absolutely not.

9                   The purchase price is public. Now, if they  
10 were producing widgets, and the pricing of the widget  
11 had to do with underlying manufacturing technologies  
12 and things like that, I can understand how that  
13 pricing methodology definitely could be and should be  
14 protected. This is not that.

15                   This is: I'm buying a house for \$150,000  
16 and the appraiser says it's \$125,000. And you sort  
17 of have that discussion, and that -- if you do bring  
18 in a financial analyst to help you understand whether  
19 this is a good transaction and viable and won't go  
20 bankrupt, they're going to need to look at that, and  
21 they're going to look in the marketplace. They're  
22 going to, you know, appraise it and see whether or  
23 not it makes any sense. So another item on why I  
24 just don't think this deal is ready to go forward.

25                   Again, not rejecting the applicant,

1 rejecting the -- you know, asking for additional  
2 information under your authority.

3 I think that the purchase price should be  
4 public, and I think you guys should take that  
5 interpretation as a matter of law. And if they  
6 disagree, they can have a quick hearing over there in  
7 enjoining. But I think the presumption of this body  
8 should be purchase prices are public. When I sold  
9 it, it was public. When Boyd Gaming bought Damian,  
10 it was public. I think Bill Ruffin's deal was public  
11 when he bought Miami Jai Alia. So on and on.

12 The last thing that I'll cover, and then --  
13 I know I've been up here for a little while -- is the  
14 idea of transferability. And I know it's been a lot  
15 of subject.

16 I want to back up and give you so a little  
17 bit of a historic perspective, both as it relates in  
18 the near -- in the more recent history for slot  
19 machine licenses, but in the big history as it  
20 relates to pari-mutuel permits.

21 Since Jeb Bush, he's the one that put this  
22 law in place in special session and basically tried  
23 to bankrupt the industry with a 55 percent tax rate  
24 and incredible operating restrictions.

25 That statute that I've highlighted in

1 behind tab 8. I believe it's tab 8, at the bottom of  
2 the second page, (5), 551.104(5).

3 A slot machine license is not  
4 transferrable. Full stop, no qualifications, no  
5 reference to relocation, which all talk about in a  
6 second, okay. That's what was required. And the  
7 idea was to essentially lock these, you know, things  
8 in place and make them somewhat difficult to trade.

9 Now that language is almost identical to  
10 the language. It was passed in 1931, pari-mutuel  
11 wagering first started. I'm going to put a pin in  
12 that though, and I want you to follow me before I go  
13 back to the history. Flip over to 551.107. It's the  
14 next tab, 551.107(2)(c), highlighted language. It is  
15 identical slot machine occupational licenses are non-  
16 transferrable.

17 Now, the difference between these two  
18 sections is one of them is the slot machine entity  
19 running slot machines. The other one are the  
20 employees that are working at the entity, okay.

21 If you subscribe to the view that's in  
22 Ross' memo, okay, that it really involves relocation  
23 and not trading a piece of paper with someone, okay,  
24 and the entitlements under that piece of paper.

25 This is what it would mean for occupational

1 licensees. They can't move and they can't change  
2 their jobs, which I know is not what was intended  
3 there.

4 Human beings apply for a license. You give  
5 them a license. They're not allowed to go to their  
6 neighbor and go, I got a slot machine license to work  
7 as a slot tech. You want to buy it from me for \$500?  
8 That's is what is prohibited right here.

9 Okay. Now, the interesting thing about it  
10 is businesses can get slot machine licensees,  
11 occupational licenses. So if I'm XYZ slot machine  
12 company, okay, I have a license from you guys.  
13 Somebody has to buy me out.

14 I can't sell that to somebody else.  
15 Someone has to basically buy my stock, become my  
16 company, and then let you know that there's been an  
17 ownership changed to keep that license, okay.

18 So I hope, hope you understand these two  
19 should be linked in your mind. These are identical  
20 words passed at the identical time by the same  
21 Legislature. They have to mean what they say, which  
22 is it about the piece of paper transferring as a  
23 commodity as opposed to where people can be.

24 Ross' interpretation is that this needs to  
25 be sort of superseded by some language that you

1 know, was, was put in 550.054. I just disagree. And  
2 now I'm going to explain to you the history on why that  
3 language is found in 550, and maybe it'll help you  
4 understand why, as it relates to the slot machine  
5 license, they can't be sold. The corporate entity  
6 needs to be the one that is the interest in the  
7 corporate entity are the ones that need to be  
8 purchased, okay.

9           Again, the tribe is not here opposed to the  
10 transaction. They're not opposed to the Poarch  
11 acquiring Magic City casino. It's a form issue, and  
12 it's important for this marketplace.

13           So in 1931, as I referenced, and there's a  
14 lot of these historical documents that I'm not  
15 expecting you guys to go through necessarily today,  
16 but if you go behind 10, 11, what I tried to do is  
17 walk through the history of transferability and as I  
18 mentioned it came in in 1931 as Section 21 under the  
19 Racing Act. And right on the get go, people started  
20 to have problems. And the first one that had problem  
21 with West Flagler. West Flagler had problems. They  
22 went into bankruptcy. A trustee was appointed and  
23 people wanted to buy West Flagler.

24           And there were multiple attempts to try  
25 and get Attorney General in the Racing Commission

1 at the time to allow them to transfer the paper from  
2 West Flagler to XYZ NewCo, okay. And the language  
3 was consistently interpreted to not allow that.  
4 Didn't have anything to do with relocation.

5 There was no language allowing relocation  
6 in 1931. You had a referendum, you were locked in  
7 your location. You couldn't go anywhere. So the  
8 idea that that section, which is now carried forward  
9 to be 551.104 sub -- or 550.054(9) or whatever it is,  
10 it started prohibiting exactly the transaction that's  
11 going on right now.

12 Now, the Racing Commission went to the  
13 Legislature and in the mid '30s, said this is really  
14 kind of hurting us because we have to then have these  
15 new applications. We need to have discretion to  
16 allow these permits to trade, okay. And so they were  
17 given discretionary language, which for the most part  
18 is still kind of the wording of the current statute,  
19 which says you're can apply to the Commission back  
20 then.

21 And with their approval, the permits can  
22 transfer, okay.

23 The stock -- most of the deals were stock  
24 deals back then, but not all of them. Occasionally,  
25 like Tampa Bay Downs was originally a partnership

1 with two individuals that later became a corporation.  
2 And then that corporation stock was purchased, and  
3 then later on it was transferred to another  
4 corporation.

5 So that one went from a partnership to a  
6 corporation, went through a stock sale transfer, and  
7 then another transfer, all of which went in front of  
8 a Commission and was blessed. Okay? I'm not saying  
9 here; I'm not standing before you that say Pari-  
10 mutuel permits cannot trade like that.

11 You have the discretion, you guys can grant  
12 that, right? The problem is the Pari-mutuel and the  
13 Pari-mutuel license are one thing.

14 The slot machine license is different,  
15 okay? A Pari-mutuel permit entitles you to apply for  
16 a license. A license is a limited license.

17 It is a one-year license in one year only.  
18 It is not renewable; it dies at the end of the year.  
19 You're about to go through the re-licensure period  
20 we're in it right now on March 15th, they're going to  
21 get the last amendments, I guess. And then you guys  
22 are going to grant the licenses for next year.

23 The reason why they were one-year licenses  
24 was because you were afforded racing dates and the  
25 Commission would evaluate who made the most money and

1 they would shift dates around, right? So there was  
2 no perpetual nature in a Pari-mutuel license.

3 It was a one-time grant and ended, it was a  
4 one-time grant end. And there was another reason for  
5 that. During the same area as Prohibition, people  
6 had liquor licenses that all of a sudden were  
7 valueless and they litigated.

8 It's taking and there's a lot of case law  
9 around the litigation over the value and the license  
10 that evaporated when the constitution was amended and  
11 Prohibition was put in place in the country and in  
12 the states.

13 And one of the things they've said, they  
14 looked and said, "Nope, it's the same license, we can  
15 take it away from you. " But they also looked in some  
16 states that it's an annual license, not a renewal  
17 license. You have no perpetual right to it.

18 You were able to use it for the year, your  
19 year's up. You're not entitled in anything in the  
20 next year. Okay? So that's the Pari-mutuel license.  
21 Card licenses and slot machine licenses are  
22 different.

23 There are perpetual licenses that are  
24 subject to renewal. And as a matter of law, if you  
25 have a professional license grant by the government



1 that's subject to a renewal, the government can't  
2 come in and automatically take it away from you. And  
3 then you litigate to get it back.

4           You're allowed to go into court and say,  
5 Hey, I really didn't do that. And stay in the game  
6 in some form or fashion while you litigate your  
7 rights to your renewal. And that's an important  
8 distinction because this license, you guys do not  
9 want to cut off.

10           You don't want to issue a new license. And  
11 here's the principle reason why. You issue a new  
12 license, and then you come back two years from now  
13 with a whistleblower that says, "Hey, by the way,  
14 someone was stealing a bunch of money. " And you want  
15 to go back and try and recover the money that you  
16 were entitled to from the state tax standpoint, and  
17 it's a new entity with a new license, guess what?  
18 You can't go back and get those folks.

19           That license is gone; those people are  
20 gone. Now you could go after him criminally or  
21 things like that, but if you have continuity of the  
22 license and the license holder, you have the ability  
23 to get the next license holder, and the next license  
24 holder, and the next license holder because it's the  
25 same entity.

1 All that's changing entity, liability stays  
2 the same. And there's another part of it that's  
3 important. Their bonds that are for operating Pari-  
4 mutuel slot machines and poker. Bond continuity was  
5 another reason why you wanted to be able to keep the  
6 corporate entity intact because you want to be able  
7 to recover under a bond for prior acts.

8 If you cut it off and change the license  
9 holder, you essentially are getting a new bond and  
10 that bond isn't going to cover you for the window of  
11 time. You may be out money. And so it's important  
12 for you guys to understand.

13 There's a very, very important reason why  
14 that statute state exactly how it is, the slot  
15 machine license is non-transferrable.

16 Now, how has it been interpreted? Okay.  
17 How's it been interpreted? I talked about the  
18 Attorney General and how interpreted through the 30s,  
19 but when the slot machine license came into the game,  
20 I represented the first one to go under, Gulfstream  
21 Park.

22 Commissioner Drago was a secretary; Charlie  
23 Charisma was the Governor. The interpretation at  
24 that time, well, Jeb, not transferable, nobody  
25 transferred anything during that. Okay? Then you

1 get to Charlie, not transfer, Gulfstream had to go  
2 through a series of hoops with a very unique  
3 bankruptcy trustee situation, cancel an entire class  
4 of stock, reissue another class of stock to try and  
5 create a new shell that was not subject to the debts  
6 of the past, including the money that was owed to you  
7 guys.

8 So first two Governors non-transferrable,  
9 Rick Scott, Rick Scott allowed a slot machine license  
10 to trade Miami Jai Alai.

11 And there was, you know, there's a lot of  
12 Miami Jai Alai was a publicly traded entity that  
13 had some penny stocks that went to another entity  
14 that then ultimately went to Mr. Ruffle.

15 When the transaction went down, you know, I  
16 talked to staff a little bit about it. You know, I  
17 just was a voyeur really just saying, I don't  
18 understand how you're doing this because I don't know  
19 how that slot machine license can go from here to  
20 here because you're essentially cutting off your  
21 rights to what had happened before.

22 Now, that's what Scott's called, you  
23 know, different time, you know, but that was, that  
24 was the call back then. You guys are a new  
25 independent Commission intentionally in the

1 statutes. It says, you know, you're (indiscernible)  
2 off the attorney general's office. You are  
3 independent.

4 This interpretation that you make on this  
5 section right now is essentially going to be binding  
6 moving forward. And I can only tell you if it's a  
7 jump ball and it's gray because one governor allowed  
8 it to happen and two governors didn't, I don't know.

9 I would encourage you to look at the  
10 history, look at the statute, and look at the public  
11 policy on why you want to keep this corporate entity  
12 assigned to this slot machine license for public  
13 purposes to protect the state revenue. And so from  
14 that standpoint, I will say the deal documents just  
15 aren't right.

16 They're multiple aspects under the law  
17 where they're flawed, and they're also incomplete on  
18 their own face. And so from that standpoint, I will  
19 tell you, you have plenty of time. You have plenty  
20 of time. You have the ability to request a lot of  
21 information for these guys. They have incredibly  
22 diligent counsel that will meet, I'm sure, every "I"  
23 that needs to be dotted and "T" that needs to be  
24 crossed.

25 I just think that you should seriously look

1 at this transaction because it has major presidential  
2 values. And again, you have the low, one of the  
3 lowest performing permit holders buying the number  
4 one permanent holder in the marketplace.

5 So if you're going to exercise due care and  
6 time and diligence, this is definitely the  
7 transaction doing it. So with that -- I know I've  
8 been talking for a long time -- I'll hush. And I'm  
9 happy to answer any questions you have, or I'll go  
10 sit down, maybe get a drink of water, come back up  
11 and answer questions if you like, whatever you want  
12 to do.

13 VICE-CHAIR YAWORSKY: Thank you,  
14 Mr. Dunbar. Commissioner Brown.

15 COMMISSIONER BROWN: Unless you want to get  
16 a glass of water.

17 MR. DUNBAR: I'm good.

18 COMMISSIONER BROWN: Thank you for your  
19 presentation. Also, the more importantly, thank you  
20 for representing the hard work by yourself.

21 Globally but also on this particular matter  
22 a lot of man hours have been logged, women hours  
23 that have been logged.

24 When you first started, you said something  
25 about the case that competitors don't -- you

1 reference competitors don't have (indiscernible)  
2 traditionally to interfere in the permitting process.

3 MR. DUNBAR: Uh-huh (affirmative).

4 COMMISSIONER BROWN: Can you talk about  
5 that? Because I looked up two cases and that were  
6 not challenged that were similar in nature to this  
7 transaction. Miami Jai-Alai and then another one,  
8 the Big Easy. Both were asset purchase agreements.  
9 They weren't challenged. And I don't know if that's  
10 because of the case that you're referencing.

11 MARC DUNBAR: Yeah. Yes, Commissioner.  
12 That's exactly right. There's no process to get in  
13 and to stick your -- I mean, there was a change under  
14 the Rick Scott administration. There was.

15 There was no ability for anybody to go in  
16 other than to sue the division in mandamus, right.  
17 And to say, hold on just a second. You don't have  
18 the authority to do this.

19 And you know, I can't speak for the rest of  
20 the industry on who was concerned about those  
21 transactions or not. You know, they were allowed to  
22 go through.

23 And it was sort of like once -- because I  
24 believe Miami Jai-Alai happened first, once that  
25 happened, there was no way to really, you know, to

1 say, okay, well, don't let (indiscernible), you  
2 know, Mardi Gras, you know what I mean, or Big Easy.

3 But that -- that sort of ends here, the  
4 creation, right. The idea is -- and I'm sure it's  
5 been affirmed by your discussions with the Governor's  
6 office, particularly on this issue -- you guys are  
7 independent. It's your call de novo right now,  
8 looking at all the history. You get to decide on  
9 whether there is or isn't.

10 Do I think a client has standing to go  
11 litigate your decision on this? Maybe, you know,  
12 maybe. I'm certainly not authorized to sit here and  
13 rattle and say, well, if you get it wrong, we're  
14 going to go sue you, because that's not what this is  
15 about.

16 I'm trying to point out to you what the  
17 public policy reasons are on what's behind those  
18 words. Those words are put in the statute  
19 intentionally to mean something. And I would say  
20 that they mean the same thing for an occupational  
21 license holder as they do to a slot machine license  
22 holder. You're not bound by prior transactions.  
23 Now, the applicant may choose -- they may  
24 choose to litigate it, you know. You're protecting  
25 the State's ability to go back in history if there

1 are bad acts against this permit holder. That is  
2 pretty defensible, particularly when you think about  
3 the Supreme Court case law is entirely on your side.

4 You get to act with arbitrariness and  
5 discretion because what you're granting is a gambling  
6 contract.

7 COMMISSIONER BROWN: Thank you. And I do  
8 think that this is a unique forum that the public can  
9 participate in this process. It is an interesting  
10 posture that we're in.

11 The staff is recommending a conditional  
12 approval, so I think that there's several ability --  
13 bites of the apple to act, even after a final  
14 approval. I discussed it with the staff that whether  
15 it dies after permitting (indiscernible), legal  
16 counsel believes that there are avenues of  
17 (indiscernible). That's very important, of course,  
18 that people -- just so the parties have an  
19 opportunity to challenge it if we get it wrong --

20 MR. DUNBAR: Uh-huh (affirmative).

21 COMMISSIONER BROWN: -- today. You talk a  
22 lot about the slot -- and this has been so  
23 educational too. Appreciate that as well. But talk  
24 about the history of slot license not being  
25 transferable and provide us with some information.



1                   If this were a truly stock purchase  
2 agreement of a 100 percent sale from Magic City to  
3 Gretna, would you be here today?

4                   MARC DUNBAR: I'd be here on all the other  
5 issues that I raised. I intentionally saved  
6 transferability, thinking that that question would  
7 come. If it wasn't stock, we wouldn't need talk  
8 about in terms of that part of the transaction.

9                   But that doesn't mean that there aren't  
10 serious holes in these deal documents and additional  
11 information that you would want to have as  
12 Commissioners that your colleagues in other states  
13 would require for this exact transaction. And at a  
14 minimum, Pennsylvania required when they bought  
15 Bethlehem Sands.

16                   COMMISSIONER BROWN: Thank you. And it's a  
17 question that I intend to ask about the completion of  
18 the documents (indiscernible). So I appreciate you  
19 bringing that up in other states. So thank you  
20 again.

21                   MR. DUNBAR: Okay.

22                   VICE-CHAIR YAWORSKY: Commissioner  
23 D'Aquila.

24                   COMMISSIONER D'AQUILA: Thank you,  
25 Mr. Dunbar. The point about revenue being small,

1 isn't it common today in deals in all industries,  
2 including the gaming industry to have whole  
3 subsidiaries in place for various reasons, whether  
4 that will be legal, tax, structural, operational, et  
5 cetera?

6                   Why is it relevant that the holding cover,  
7 for lack of a better term, give sensibility really  
8 isn't an operating (indiscernible). Aren't we  
9 looking at collectively financial strength for PCI  
10 and in this case the tribe and Gretna area evaluating  
11 a potential bankruptcy, the financial qualification.  
12 Can you elaborate why going that direction  
13 (indiscernible)?

14                   MARC DUNBAR: Sure. So I use Brenna's  
15 revenue compared to Magic City just from scope, but  
16 you're absolutely right. There's a big brother that  
17 really is -- or sister that matters a lot.

18                   If it was Las Vegas Sands, it probably  
19 would be a little different discussion because your  
20 jurisdiction, the jurisdiction of lenders, vendors,  
21 you know, in the event of a default runs up  
22 against a nearly impenetrable wall at the reservation  
23 line of the Poarch Band of Creek Indians because of  
24 their sovereignty, okay

25                   So it's really what happens on

1 the other side of the wall. When tribes are buying  
2 commercial casinos, commissions take a lot of time  
3 making sure the deal documents are right because you  
4 guys can't -- let's say they just stop paying taxes,  
5 right. You can't go sue the Poarch Band of Creek  
6 Indians for 20 million in taxes. They're sovereign.  
7 They're protected. You can't get the money from them.  
8 Nor would they waive it, and they haven't waived it in  
9 these documents.

10 Now, there are limited waivers. There are  
11 things that can be done, all of which are part of  
12 the, you know, due diligence that the, frankly, the  
13 lenders -- you want the lenders in the credit  
14 facility. And that's why I'm saying. Is you want  
15 your own people to look at the full credit facility  
16 and to have knowledge of these transactions and say,  
17 yes, everything is in there to cover the state that  
18 we possibly can, and if there is a default, these are  
19 the series of dominoes that will happen.

20 So yes and no. Yes. And that's why I say,  
21 like (indiscernible) and they operate casinos all  
22 over this hemisphere to the best of my  
23 knowledge, and I think it's born out in the  
24 documents that, you know, we can't see, nor  
25 should we see, with the background checks and

1 everything like that.

2 Other than, you know, occasional fines or  
3 things like that that all casino companies have,  
4 they're incredibly reputable operators. And you  
5 know, I think that from the State standpoint, we  
6 should welcome into the marketplace in open arms.  
7 They're good operators. I'm just saying, you just  
8 want to make sure the deal documents are right.

9 COMMISSIONER D'AQUILA: What was the  
10 finding to the follow up to that? What was the length  
11 of time that the banks, in your example of  
12 Pennsylvania, took to effect the lending documents in  
13 this world when it comes to liens and credit  
14 facilities for a very sensitive piece of any  
15 acquisition? Are we talking years here or months?  
16 And are we comparing apples and apples in the  
17 financial acquisition? Can you elaborate on that?

18 MARC DUNBAR: Yeah. It's apples and  
19 apples, and it is months, usually. I mean, it can  
20 take up to a year. I mean, it really depends. But  
21 because they have already been proven to have an  
22 established credit facility that they've been paying  
23 on -- you know, if this was two years ago, it would  
24 be a different answer because in -- you know, during  
25 COVID, like a lot of gaming companies, Fitch came

1 out and gave them a negative credit rate, which would  
2 have been material, I think, for the financial  
3 analysis of this transaction.

4 But when they came out, gaming has come  
5 back roaring and Fitch, this past year, increased  
6 their credit rating from negative to State. And so  
7 from that standpoint, I would say there are probably  
8 plenty of lenders out there that will take a bite of  
9 the overall credit facility liability, but it's the  
10 cart before the horse.

11 If Pennsylvania doesn't approve it, that's  
12 -- the big money is coming out of Bethlehem's  
13 property. They make more money up there, and it  
14 pledged more. So if Pennsylvania says, no, we want  
15 different terms, that could be material to you down  
16 here. And so you kind of, you know, one, I think  
17 defer to make sure that when you get it right, it's  
18 right up there first, and then you come down here and  
19 approve it.

20 COMMISSIONER D'AQUAILA: As a follow up  
21 (indiscernible) that the size of the entity, the  
22 trend in the industry, the nature of the industry  
23 and so forth. You used the term bankruptcy, when  
24 you put this together. You don't have specifics.  
25 (indiscernible) I understand.

1                   MARC DUNBAR: I missed -- are you asking me  
2     if do I have knowledge that they may  
3     be --

4                   COMMISSIONER D'AQUILA: Yes.

5                   MR. DUNBAR: -- catering on bankruptcy? I  
6     have no knowledge, and I don't want to infer that at  
7     all.

8                   COMMISSIONER D'AQUILA: Follow up  
9     question, Mr. Vice-Chairman.

10                  VICE-CHAIR YAWORSKY: Yes, you may.

11                  COMMISSIONER D'AQUILA: Thank you,  
12     Mr. Vice-Chairman.

13                  Are you inferring that, going back to the  
14     example of the 1930, obviously, I trust you to several  
15     deals, several the industries, the asset acquisition  
16     in the middle market, let's say over the market --

17                  MR. DUNBAR: Uh-huh (affirmative).

18                  COMMISSIONER D'AQUILA: -- has become the  
19     structure of choice, not only in many industries. Are  
20     you inferring that, that we should only consider stock  
21     sales, which for a number of reasons can be  
22     disadvantageous, not to mention last for tax  
23     purposes before for certain parties to deal with?  
24     What is that, an executive decision?

25                  MR. DUNBAR: I am inferring that you follow

1 the law and the Legislature made the determination  
2 that when it put that sentence in there exactly like  
3 as made in 1931, if the Legislature wants to qualify,  
4 they can do exactly what they did in 1935 and insert  
5 discretion on the transferability.

6 And the reason why it matters is because  
7 there are other aspects to, you know, beyond just the  
8 per mutual taxes that could potentially be an issue.

9 I mean, I don't know in terms of revenues  
10 and how it necessarily works, but there is a corporate  
11 income tax threshold that may be implicated if you're  
12 able to change to a different transaction in this  
13 material.

14 I can't get into the mind of the  
15 Legislature or the Governor Bush when he basically ran  
16 this down at the industry's throat because it was  
17 going to be self-implemented by Broward County Judge.

18 And Jeb hauled everybody back in a December  
19 special session, and we got basically two days to  
20 look at a piece of legislation and, you know, it  
21 wasn't friendly.

22 And so I will tell you, if you think about  
23 legislative history and all that stuff, and I agree  
24 with you, it is much more favorable to a taxpayer  
25 to be able to go in lots of different directions.

1                   They knew that back then, right. Jeb knew  
2 he was putting some difficult handcuffs on some of us  
3 because I was representing a group that was trying to  
4 figure out what we could do because Magna  
5 Entertainment that owned it at the time was  
6 considering lots of different transactions, and the  
7 restructuring Gulfstream Park was basically taken off  
8 the table because of borrowing.

9                   COMMISSIONER D'AQUILA: So, but borrowing  
10 your term "blindside"? I did my best to provide  
11 listening to (indiscernible).

12                  MARC DUNBAR: Uh-huh (affirmative).

13                  COMMISSIONER D'AQUILA: But I can see -- is  
14 there anywhere where -- this is a very specific term.  
15 A deal must be a stock purchase versus  
16 (indiscernible).

17                  We want purchase the assets, but we want to  
18 purchase the stock and we understand why, you know,  
19 there's pluses and minuses of both. But is  
20 prohibiting anywhere honor in all laws? I see you  
21 been referred here and some of the highlights and so  
22 forth. Does it specifically (indiscernible) to the  
23 contrary and your professional opinion?

24                  MR. DUNBAR: Yes. Because it says slot  
25 machine license is non-transferable, and then



1       underneath that it immediately gives you the options  
2       on what to do when you're transferring stock.  
3       The other thing is the Legislature is a  
4       matter of laws we all know, is presumed to know, that  
5       the facts inside the industry is regulating. Right.  
6       So when it passed this, it knew that every permit  
7       holder in the state was in some sort of corporate  
8       existence.

9                       There wasn't a single person that owned one  
10       individual, okay. So knowing that, it knew and what  
11       it was doing when it essentially set that forward.  
12       And then if you, again, look at the history of, from  
13       1931 as it evolved and as the Legislature changed and  
14       said, it used to be all transfers of stock had to be  
15       approved. Then they created a 10 percent threshold,  
16       then 5 percent threshold. Then they did a publicly  
17       traded exemption.

18                      And so they created all of these sort of  
19       avenues to essentially allow this to happen. If you  
20       were inside of a partnership, same thing, you know, I  
21       mean, maybe a partnership interest would be  
22       difficult. An LLC, that's what we were at Gretna.  
23       That's what Gretna Racing is, you know, when we sold  
24       it. It was membership interest. But I will tell  
25       you, you know, the words are, you know, I come back

1 difficult. An LLC, that's what we were at Gretna.  
2 That's what Gretna Racing is, you know, when we sold  
3 it. It was membership interest. But I will tell you,  
4 you know, the words are, you know, I come back to  
5 the words are what the words are and they -

6 COMMISSIONER D'AQUILA: So if I understand  
7 you correctly, a slot machine, in your opinion, a  
8 slot machine and license cannot be transferred other  
9 than in form of a stock transaction?

10 MR. DUNBAR: That's right. That's right.

11 COMMISSIONER D'AQUILA: Cannot and  
12 specifically cannot be done so in asset acquisition  
13 transaction.

14 MR. DUNBAR: That's correct.

15 COMMISSIONER D'AQUILA: That's just what we  
16 have. That's the point (indiscernible) counsel.

17 MARC DUNBAR: That's correct. And one of  
18 the things too that I know that was talked about was  
19 this language of transferability to location somehow  
20 is incorporated in the Florida statutes. And the  
21 history on that is pretty simple.

22 In 1974, two horse tracks ran aggressively  
23 at each other and one of them is in the room, Hialeah  
24 Park ran against my client, Gulfstream Park, and they  
25 were always competing for the middle racing dates.

1 And there's legendary case law on that. You were  
2 locked into racing periods back then, and you could  
3 not run in two racing periods.

4 And so in '74 there was an effort  
5 by Gulfstream Park, an overture to purchase Hialeah  
6 Park provided that the racing would move to Gulfstream  
7 Park from Dade County to Broward County and be raced  
8 there.

9 And they asked the Attorney General in  
10 1974, if it is okay, because the Commission would not  
11 grant the license, you know, subject to  
12 interpretation. The answer is no. Included in your  
13 packet, the attorney general opinion from 1975  
14 because then Gulfstream, and Hialeah, and the city,  
15 and the county, and they passed the legislation which  
16 exists today related to the dual referendum.

17 It's two sections down, I guess, in like  
18 550.104 maybe (12). That language in 13, survives  
19 basically unamended since it passed 1975. And it  
20 actually was replicated and put over in the cardroom  
21 statute to lock cardrooms in their location unless  
22 they do a referendum release.

23 That language, when it originally passed,  
24 as you'll see in the materials that I provided you  
25 was never put in this section, the predecessor

1 550.05.

2 It was in the referendum section, the  
3 locations, okay. So there's no argument that  
4 you read this in para material because when  
5 they were passed. They were never linked.

6 They were never linked. And the only reason  
7 they got linked was in 1992 when the pari- mutuel  
8 industry was sunsetted, under sunset review. They  
9 couldn't agree on a piece of legislation, so there was a  
10 period of time where pari-mutuels were illegal; and  
11 there were no regulations on them.

12 There was a special session was called by  
13 Lawton Childs and a body of law was quickly put  
14 together, you know, in that off season. And revisers  
15 took chapter 551, which back then regulated highlights  
16 on to in chapter 550, and merged them together into what  
17 we have today.

18 And the way some of these things have been  
19 married up, and some of the provisions in 550.054, which  
20 are there, like the phrase in (11) (a), except  
21 that a holder of a permit that has been converted to  
22 a highlight permit, except that language, as well as  
23 the other language, were dropped into the statute  
24 without any legislative intent whatsoever just by  
25 function, advisors trying to clean it up.

1                   So I will tell you, there is no legislative  
2 history that supports the idea that transfer means  
3 anything other than the trading and the piece of  
4 paper, except the specific sections that have been  
5 merged in here that are unrelated, and the historical  
6 documents are in there to back that up.

7                   COMMISSIONER D'AQUILA: Is it not uncommon  
8 that even with the length of time closure of a  
9 complex asset acquisition was still on sale? Is not  
10 common that in most situations they've put on had at  
11 least some 11th-hour changes when two parties are  
12 being closing the transaction? Is it unrealistic to  
13 say that every piece in the document must match the  
14 time of closing?

15                  MARC DUNBAR: Depends on the industry.  
16 Depends on the industry.

17                  COMMISSIONER D'AQUILA: So --

18                  MARC DUNBAR: I will tell you that it would  
19 not be unusual for this transaction to close with  
20 subsequent agreements that need to be in place. It  
21 could be conditioned as a matter of license. That's  
22 certainly, you're right, you have the ability to do  
23 that.

24                  But you would want have the base documents,  
25 the base financing, the base disclosures, the lease

1 contingency, I mean, get those right.

2 And then if there is some issue related to  
3 the transfer, the bill of sale of the automobile,  
4 which is in this transaction because DMV is not  
5 processing the title, whatever, you know, those are  
6 covered in sort of the arm statement and deal  
7 documents that you're aware of, that the parties  
8 agree, you know, that we will sign such other  
9 documents that are needed to effectuate the transfer.

10 But I can tell you if one of those is to  
11 amend a credit facility that's underlying about 2  
12 billion in assets, which is what this is, the  
13 regulators in all jurisdictions want to know about  
14 that and typically require that in advance. I'm not  
15 aware of one that is going to green light and  
16 undisclosed credit facility that still has to be  
17 approved in another jurisdiction.

18 Usually, what they do is they defer the  
19 jurisdiction that created it, and then if it's  
20 expanded, then they will allow it to domino from the  
21 initial jurisdiction. If it started in Vegas,  
22 everybody would defer to Vegas. I promise you that  
23 they would want them to vet it, and then they would  
24 roll in after it is approved.

25 COMMISSIONER D'AQUILA: Thank you.

1                   MARC DUNBAR: Sure.

2                   VICE-CHAIR YAWORSKY: We are going to take  
3 a quick five-minute break before we continue.  
4 Thank you.

5                   (Recess taken)

6 Thank you. I will just give a second for  
7 everyone to take their seats.

8 Our next public comment is from the  
9 applicant, Mr. John Lockwood, from the Lockwood Law  
10 Firm.

11                   Welcome, Mr. Lockwood.

12                   MR. LOCKWOOD: Thank you very much,  
13 Mr. Vice-Chair, and the Commissioners. My  
14 presentation today is probably going to jump around a  
15 little bit just in due to what we just were presented  
16 with by Mr. Dunbar. I did get a copy of his notes  
17 that he prepared today and provided to the  
18 Commission.

19                   One thing I will say is that we do agree  
20 on one thing. My client, PCI Gaming, is an  
21 incredibly reputable operator that's been approved in  
22 multiple gaming jurisdictions, including Florida.

23                   One thing I would note here is the  
24 Seminole Tribe's motivation in being here today.  
25 You know, they've said over and over again, not

1     opposed to this transaction, have no issue with  
2     whatsoever. They just want to make sure the  
3     Commission is following the laws here.

4             Well, we're now in -- I don't know if this  
5     is the sixth or seventh public Commission meeting --  
6     and I have not seen them testify on any other agenda  
7     item of this nature that's come before them.

8             Any of the number of slot machine license  
9     renewals, any of the other matters that have come  
10    before the Commission. Their motivation here stems  
11    from animosity toward the seller, West Flagler, who  
12    has a lawsuit pending against them and potentially  
13    against competition. I mean, quite frankly, they're  
14    the beneficiary, one of the greatest gaming deals of  
15    all gaming deals in the state of Florida.

16            They pay very little revenue share to the  
17    State of Florida when you compare it to the other  
18    operators, and quite frankly, this is all to do about  
19    competition and delaying an operator that's a very  
20    reputable multi-state gaming operator from coming  
21    into the South Florida market and creating additional  
22    competition. Let's see here. Again, getting into  
23    delay.

24            When we showed up on our first agenda back  
25    in December, we were actually recommended for



1 approval at that time under that transaction that  
2 we presented to the Commission.

3 The Seminole Tribe, again, on the eve  
4 of that Commission hearing, filed a number of  
5 allegations, positions, whatever you may call it,  
6 whatever their filing was that asserted that this  
7 transaction couldn't go forward, asset deals can't be  
8 allowed, et cetera.

9 We responded to all those worked tirelessly  
10 through the night, working with staff, getting them  
11 information, making sure we had all the statutory  
12 sites correct, presented that. Here we are for round  
13 two, and again, the deal did change in working with  
14 staff.

15 We did move this because, it's important to  
16 note that we're operating under a rule that allows  
17 for kind of an expedited approval for an operator  
18 that's already existing in the state of Florida.

19 And that's why this is being done under  
20 Gretna Racing because Gretna Racing is the subsidiary  
21 of the Racing Indians that's already been licensed in  
22 the state of Florida, and they have been licensed.  
23 They've been operating since the 2011 and 12 state  
24 fiscal year, and most recently they obtained complete  
25 control of that facility around 2018.

1                   They've been a great operator.  
2    They've paid all their taxes. They've paid all  
3    their license fees and funds associated with  
4    that. I don't think staff has noted any issues  
5    whatsoever with their operator, and again,  
6    they've operated in multiple other jurisdictions.

7                   Notably, Pennsylvania Gaming Control has  
8    approved them, and they acquired \$1.3 billion  
9    facilities there, Sands Bethlehem.

10                  One thing I did want to note, there was a  
11   lot of discussion about, you know, this credit  
12   facility and whether or not it had been submitted and  
13   that we couldn't do this until it been submitted to  
14   Pennsylvania.

15                  We have gaming council in Pennsylvania, it  
16   has been submitted to the Gaming Control Board in  
17   Pennsylvania. And even if there was a scenario  
18   where, let's say we had not submitted it to  
19   Pennsylvania Gaming Control Board and they rejected  
20   that credit facility, right?

21                  Commissioner Brown, you mentioned this is a  
22   conditional approval. It's a condition that we  
23   actually close, so as an operator in Pennsylvania, we  
24   have to make sure we secure that approval.

25                  If we don't secure that approval, then we

1 wouldn't be able to tap that credit facility and  
2 likely this deal wouldn't close, so at that point in  
3 time, there would be no harm, no foul anyway because  
4 the transaction wouldn't move forward.

5           There was a lot of discussion here about  
6 what we've provided in the deal docs that are not the  
7 complete deal docs. Skadden Arps in New York is our  
8 corporate council in this transaction, exceptional  
9 law firm. I can't tell you the tireless work that  
10 these gentlemen have done in helping us move through  
11 this transaction. These are the complete deal docs.

12           Commissioner, you mentioned a lot of this  
13 stuff gets signed at closing. A lot of these  
14 documents, generally, all of them, to my knowledge  
15 are unrelated to this transaction because we're not  
16 changing the ownership. We're not going to change  
17 the credit facility, and anything of that nature. We  
18 have intellectual property agreements.

19           I mean, again, this is a very large  
20 operation that's going on. There's a lot of nuts and  
21 bolts that go into closing a transaction like this.

22           What's going to happen is after that  
23 conditional approval and we actually close this  
24 transaction, we will come back and provide the  
25 department with the complete deal docs that were

1 issued at closing, and that is what will be necessary  
2 in order for us to get a final order that will  
3 transfer the permit, the cardroom license.

4           It's been alleged that we're transferring  
5 the slot machine license, but we're not. We're  
6 actually applying for a new one. That's an  
7 additional cost of about a million dollars to PCI  
8 Gaming in this. In consultation with the state and  
9 looking at how some of these past transactions have  
10 been handled, it did come up. But in some of those  
11 transactions in an asset transfer, they actually were  
12 not allowed to transfer the slot license. They would  
13 have to apply for a new one, even if they were six  
14 months, like in this case, that were left on the slot  
15 license for Magic City Casino. So essentially, we  
16 would be abandoning that slot license, and we're  
17 obtaining a new one. That application is before the  
18 Commission as well in this package that's before you.

19           Talking about the documents, public  
20 records, all of that nature. That became an issue at  
21 the December public hearing. No casinos, the Miami  
22 Herald had filed a number of public records requests.  
23 They were interested in this transaction.

24           When I walked away from the podium that  
25 day, I went up specifically, immediately to John

1 Solinski with (Indiscernible) Casino, and I said,  
2 "What can I do? I can give you these documents.  
3 I'll be at your office tomorrow, walk you through  
4 this, answer any questions you had." I did the same  
5 thing with the reporter for the Miami Herald. Any  
6 questions they had, happy to answer.

7 We also, within probably less than 24  
8 hours, turned around a much less redacted document to  
9 the State for this. There was no nefarious act on  
10 our part. Quite frankly, I had no -- at this point,  
11 this was the first transaction that had going before  
12 the Commission.

13 I had no idea that the fully redacted  
14 documents would be placed on the website and it would  
15 cause an issue. If anybody had ever alerted to me  
16 that that was going to be the case, we would have  
17 immediately said, look, we can narrow these  
18 redactions.

19 I think I'd explained it in great detail at  
20 that point. Why we do this as a matter of practice  
21 is -- generally, we would redact everything just to  
22 make sure that if there was a records request, that  
23 someone didn't inadvertently send out things. Then  
24 we would have an opportunity to narrow the  
25 redactions, which we did immediately for the

1 Commission.

2           One thing I do want to address and I think  
3 -- because it was a theme through Mr. Dunbar's  
4 discussion as to what's done in other jurisdictions,  
5 I don't disagree with a lot of the stuff that he said  
6 in that. And quite frankly, one of the comments I  
7 made at the December public hearing was, this is the  
8 Florida Gaming Commission.

9           This is not Nevada Gaming Commission. This  
10 isn't Pennsylvania Gaming Commission. That was not  
11 in any way meant as a derogatory term or anything  
12 against this gaming Commission, this gaming  
13 Commission is set up wonderfully.

14           The issue -- and I think he outlined it --  
15 is we have antiquated statutes that are over these.  
16 We have to look at how these statutes have been  
17 interpreted, how they've been applied, how people  
18 have relied upon them and this staff, Ross, Lou,  
19 Jamie Pouncey, Joe Dillmore, all of them have gone  
20 through leaps and bounds to make sure that what's  
21 before the Commission today is consistent with how  
22 these transactions have occurred in the past.

23           And we have worked tirelessly with them to  
24 make sure and we have responded to every request you  
25 can ask them.

1                   There's not a single document that they  
2     asked us for that we have not provided. And to that  
3     effect, anything that we did want or the Commission  
4     did want, we will provide that; there is nothing that  
5     we're trying to hide here. And of course, the  
6     Commission has the fully unredacted documents for all  
7     of these materials.

8                   You know, talking about past transactions,  
9     we most recently had an asset transfer with the Big  
10    Easy Casino, the Miami Jai Alai Casino. Dania, has  
11    done an asset transfer.

12                  These are all just south Florida slot  
13    facilities that have been done. This acquisition,  
14    very similar. All of those were asset transfers.  
15    Commissioner, you mentioned asset transfers  
16    are the preferred way of doing business now. Most  
17    everybody, if they have the opportunity, are going to  
18    do an asset transfer. The only, I would say, outlier  
19    is sometimes when you have public companies, there  
20    may be stock swaps amongst other public companies.

21                  Neither one of these, the buyer or the  
22    seller, neither one are public companies, and that's  
23    why the purchase price has been redacted in this  
24    because they're not public companies. It was  
25    mentioned Boyd Gaming, when they did their

1 acquisition, that that price was announced. Of  
2 course, it was. They're a publicly traded company.  
3 That is the case.

4 The lease issue. First off, this applies  
5 to both financing and the lease. This deal has no  
6 contingencies as it relates to financing. PCI Gaming  
7 is prepared to close this transaction with cash on  
8 hand, and they can do that; and they're prepared to  
9 do that.

10 They are going to do a credit facility with  
11 that. We've disclosed the credit facility. We  
12 disclosed it initially. It's not like when we  
13 brought this transaction in October, we didn't say  
14 anything about a credit facility. We did. We  
15 provide information about a credit facility.

16 We have been informed by staff that because  
17 this is a transaction that involves an existing  
18 permit holder that's in the state of Florida, that  
19 pursuant to that rule -- and if you read the form and  
20 notably, that form was submitted from Mr. Dunbar's  
21 presentation about transferees between permit holders  
22 that are already licensed in the state of Florida.  
23 That form doesn't ask for those credit documents. It  
24 asks for a description of those documents.  
25 If you want the documents, I don't think there's any



1 issue in us providing them. We've provided them in  
2 other jurisdictions. I don't want to hold up the  
3 transaction to that because, quite frankly, it's  
4 immaterial.

5           Because what's going to happen is -- let's  
6 assume worst case scenario; PCI defaults in this.  
7 The creditors cannot come before this Commission or  
8 -- well, let's put this away. They can't just take  
9 control of the facility. Under the law, they would  
10 have to come before the facility and -- or before the  
11 Gaming Commission and actually move to transfer the  
12 ownership and take the ownership of those assets.  
13 That's certainly the case. And this Commission will  
14 have all the ability to make the determination at  
15 that time, what happens. In the last 20 years, I  
16 think we've had one facility that went into  
17 receivership, and that was Miami Jai Alai.

18           A lot of us here in the room were involved  
19 at that point in time, and the Commission was very  
20 much involved in that acquisition and, ultimately,  
21 became a bankruptcy proceeding that morphed into a  
22 public option. People bid on the asset. All of it  
23 was done within the confines of these existing  
24 statutes, and it resulted in an asset transfer.  
25 It was a slot machine facility. Everything

2 worked just as it was supposed to, as it will in this  
3 transaction.

4 The lease. The lease is not a condition of  
5 this, but also 550.475 has no relevance whatsoever to  
6 this lease. The reason is 550.475 applies when you  
7 have a permit that is fixed for one particular  
8 location that is now going to operate at a different  
9 location.

10 We have scenarios where there is a permit  
11 known as the Bet Miami Permit fixated. It's an old  
12 greyhound permit located in Miami Dade County. It  
13 operated by Lees and Broward County at the Mardi Gras  
14 Greyhound track.

15 The only way in which it could operate  
16 across that county line was pursuant to 475. We have  
17 this situation in Jacksonville. We have this  
18 situation that operates in Tampa. There's other  
19 areas around the state, and it always evolves.

20 A permit that's located at a facility,  
21 going to operate at another facility within 35 miles  
22 that it is not permitted for. The lease here has to  
23 do with a Jai Alai permit that is situated at the  
24 Magic City Casino; that is its location.

25 Post-closing, they're not going to own the

1 facility anymore. They're simply going to have a  
2 ground lease to be able to continue to operate  
3 Jai Alai there.

4 This would be no different if they were any  
5 other location where they did a (indiscernible) or  
6 something of that nature. They could sell their real  
7 estate off. They no longer own their real estate.  
8 They're just going to have a ground lease. That is  
9 what's going to have the basis for them to operate at  
10 that facility. It's no different in this case, 550.  
11 475 doesn't apply to this particular lease.

12 You know, getting back to, you know, the  
13 transaction, this is similar to what we initially  
14 filed in October of last year.

15 What was initially recommended for approval  
16 at the December public hearing and what's now  
17 recommended for approval at this hearing. The only  
18 change, as I mentioned, we're going to be using  
19 Gretna Racing, which is the entity and the permit  
20 holder that has held the license in Florida and is  
21 allowed to operate and move under this particular  
22 administrative rule.

23 And the only other difference being that we  
24 filed a slot machine application with the State in  
25 order to avoid -- we're not going to transfer that

1 slot machine license. We're going to operate just as  
2 if the Big Easy transaction, the Miami Jai Alai  
3 transaction, the Dania transaction where those  
4 entities applied for a new slot license.

5 No new documents there. The documents that  
6 are included with that slot application as far as the  
7 security protocols, internal procedures, et cetera,  
8 those have already been approved by the state because  
9 those are going to be the ones that are associated  
10 with Magic City Casino. They've already been  
11 approved for that license, and we intend to make no  
12 changes initially at this facility. So there's  
13 nothing different about those documents that the  
14 Commission has already seen.

15 I know I've jumped around a lot. Again, I  
16 wanted to try to hit a lot of the high points there  
17 that were addressed by Mr. Dunbar in that.

18 And with that, you know, I would say I  
19 think we need to look at the motivations in this  
20 transaction; why they're here; what they're trying to  
21 do. Again, it's just delay tactic.

22 If we provide any -- if we're -- if this  
23 hearing is delayed for another month, they're going  
24 to find another reason to criticize the documents at  
25 that point in time. They're going to find another

1 reason for this thing off.

2           They want a stock sale because they know  
3 it's very difficult to consummate a stock deal for an  
4 entity that's been in business for 80 years. That's  
5 very, very difficult to do most, and it makes it even  
6 harder in this situation because there's assets that  
7 West Flagler has that they don't want to sell in an  
8 asset transaction here.

9           They have real estate. They have other  
10 pari-mutuel permits. Those things are not going to  
11 be associated with the end transaction. So they're  
12 simply selling a certain number of assets that's  
13 associated with the Magic City Casino, and they're  
14 going to retain their other assets. And that's what  
15 they should.

16           I mean, when you look at everything that we  
17 hear about this administration, we're open for  
18 business. We're not going to allow government to get  
19 in the way. That is what we're talking about right  
20 now today. I think we need to move this transaction  
21 forward, issue a conditional approval, allow us to  
22 close this transaction.

23           We're going to come back. We're going to  
24 provide the State with a complete closing file of all  
25 of these documents, and everything is going to be the

1 same. Sure. There may be some innocuous little  
2 documents there that relate to the title of a Camry.  
3 It could be things related to certain  
4 intellectual property agreements, any of that stuff,  
5 any questions you have. We have been open with this  
6 Commission and its staff. We've responded to every  
7 single request that they've had, and we're going to  
8 continue to do that.

9                   So with that, I don't know if I really have  
10 anything else to add, and if you have any questions,  
11 I'm happy to answer them.

12                   VICE-CHAIR YAWORSKY: Commissioners?  
13 Commissioner Brown.

14                   COMMISSIONER BROWN: Thank you,  
15 Mr. Lockwood. I know that a lot of measures have  
16 been provided on your behalf too and your team's  
17 behalf, and interaction with our staff to get here  
18 didn't happen by close of end of the year, which I  
19 imagine has some tax applications.

20                   But I appreciate you providing additional  
21 information and trying to be as transparent as we  
22 have been directing you to. So thank you to that  
23 about the transparency component.

24                   Mr. Dunbar talked about trade secret and  
25 the purchase price aspect, and you made a little

1 comment about that. With regard to a publicly traded  
2 company, I just haven't seen a purchase price in my  
3 years of experience being deemed a trade secret.  
4 Can you elaborate on why you believe it's in your  
5 client's best interest but not public's best  
6 interest?

7 MR. LOCKWOOD: The seller is a private,  
8 closely held family business in Miami. I think  
9 there's a lot of sensitivity when you're in a market  
10 like that announcing what that price is.

11 I mean, certainly since this transaction  
12 was announced that this was going to go down, they've  
13 been reached out by a lot of people because now it's,  
14 oh, you're selling this asset. You're going to get a  
15 lot of money. I think for them it's certainly a  
16 privacy concern.

17 As it relates to trade secret, you know,  
18 that is our assertion at this point in time. I mean,  
19 if it's the Commission's, you know, intent that, you  
20 know, we have to disclose this, I've got a cell  
21 phone. I can go out in the hall and discuss that.  
22 I'd rather not, to be honest, I mean, unless  
23 somebody, you know, really wants to fight over that  
24 issue. We really would, you know, prefer not to  
25 disclose the purchase price.

1                   COMMISSIONER BROWN: Okay. I appreciate  
2                   that. I just don't necessarily think it falls within  
3                   the parameters of what trade secret statute intended.  
4                   So I just want to give you an opportunity to elaborate  
5                   on why you thought -- opined that.

6                   Another couple of questions, if you don't  
7                   mind, is just regarding some of the additional  
8                   documents that were provided. Switching, replacing,  
9                   assigning Gretna, finding PCI Gaming and Gretna. In  
10                  the new documents -- and I'm assuming that you pardon  
11                  me the final documents will have all of them complete  
12                  because there are still some documents that say Wind  
13                  Creek and then like (Indiscernible) --

14                  MR. LOCKWOOD: Correct.

15                  COMMISSIONER BROWN: -- security measures.  
16                  Those are the ones I have.

17                  MR. LOCKWOOD: I thought that we had  
18                  updated those with Gretna Racing. I apologize if  
19                  not, but it will definitely be operating Gretna  
20                  Racing DBA as Magic City Casino.

21                  COMMISSIONER BROWN: Thank you for that  
22                  confirmation. In the new documents, there's also a  
23                  consulting contract in there, PCI Gaming for a  
24                  significant amount. I didn't know if that was trade  
25                  secret or not, if I have the unredacted or redacted



1 version.

2 MR. LOCKWOOD: I believe the compensation  
3 was redacted.

4 COMMISSIONER BROWN: Okay. Can you just  
5 elaborate how the rule of PCI Gaming in this  
6 transaction post-closing? And I know that they will  
6 be (indiscernible) member.

7 MR. LOCKWOOD: Sure. So the reason the  
8 deal documents and the consulting agreement all apply  
9 to the parent company primarily relates to the fact  
10 that Gretna Racing is a subsidiary. And in these  
11 transactions, generally the seller is looking to  
12 engage with the parent organization because that's  
13 generally where all the general finances are.

14 The -- you know, that would be their relief  
15 in the event of a breach. So that's why that  
16 agreement was done with PCI Gaming.

17 COMMISSIONER BROWN: Are they going to be  
18 the day-to-day operators of the facility? I know a  
19 lot of managing members are outside of the state of  
20 Florida.

21 MR. LOCKWOOD: So initially there a lot of  
22 the team is going to stay on the ground in Magic  
23 City. There is a certain number of executive staff  
24 that are going to leave.

1 We've already brought in licensure for the  
2 individuals that are from out of state that are going  
3 to be immediately taking it, you know, as far as  
4 board members, officers and directors, and things of  
5 that nature.

6 I would say that across all the course of  
7 all of these entities in south Florida, most of them  
8 operate with some type of a parent corporation  
9 subsidiary. So there are going to be some  
10 individuals in the parent company that may have some  
11 involvement, and when they do, they will get  
12 licensed.

13 So that would be the case. Any individual  
14 at the parent company that has any involvement in any  
15 day-to-day activity at the Magic City Casino, they  
16 will be licensed. And we've already -- separate and  
17 apart from what you have here today, we've already  
18 submitted a number of those individual license  
19 occupations for them to ensure that they have the  
20 requisite licensing in place.

21 COMMISSIONER BROWN: Okay. And in the  
22 asset purchase agreement, there's a section that  
23 references unlimited sovereign community, and that  
24 was again prior to the PCI Gaming.

25 MR. LOCKWOOD: Uh-huh (affirmative).

1                   COMMISSIONER BROWN: And then the bill of  
2     sale (indiscernible) talks about that too. I just  
3     want confirmation on the record that Gretna is not,  
4     even though they are fully owned subsidiary of a  
5     tribal related entity is not -- does not claim  
6     sovereign immunity from our regulatory review as well.

7                   MR. LOCKWOOD: That is correct. We will be  
8     operating as a commercial operator in the state of  
9     Florida, just as in any other commercial operator in  
10    the state of Florida. That's correct. And that's  
11    how they operate everywhere outside of Alabama.

12                   The Alabama locations are travel  
13    properties, and Florida, Pennsylvania, and the other  
14    locations, they operate as a commercial operator. So  
15    you would have full recourse against them if they  
16    don't pay any taxes, things of that nature, license  
17    fees. So --

18                   COMMISSIONER BROWN: Can you talk a little  
19    bit about the measures to protect the public interest  
20    and ensuring slot revenues are received to the state?  
21    You mentioned about being willing to provide all of  
22    the credit facility information, which I think is  
23    necessary.

24                   MR. LOCKWOOD: Sure.

25                   COMMISSIONER BROWN: But what other

1 additional measures just to protect public interest  
2 beyond the revenue in the state.

3 MR. LOCKWOOD: So that's a question I  
4 haven't seen yet from the Commission staff. So I can  
5 tell you this, again, we're going to be operating  
6 here as a commercial operator, not a tribal operator.  
7 So we won't be claiming that we're, you know, immune  
8 to any type of enforcement proceedings as far as tax  
9 collections and things like that.

10 You know, I certainly could arrange a very  
11 quick meeting with staff, or I could possibly bring  
12 someone to talk, you know, more in depth about that.  
13 I guess I would say that, you know, just that alone  
14 references our intent as how we would be operating in  
15 the state.

16 If there's anything specific I guess that  
17 the Commission would have that felt like that was not  
18 sufficient, then you know, we can certainly address  
19 that as well.

20 So I guess I'm just not -- I'm not sure,  
21 you know, at this point with the limited waiver of  
22 sovereign immunity and how they would be operating  
23 this as a, you know, Florida, LLC, how this would be  
24 any different at that point from, you know, any other  
25 operator.

26 And again our intent is certainly not to

1 claim any special treatment of that. Again, we're  
2 not looking to operate, you know, any other way than,  
3 you know, a regular Florida business that would be  
4 operated by, you know, citizens of the state.

5 COMMISSIONER BROWN: Two more questions.

6 Okay. I'm --

7 MR. LOCKWOOD: Okay.

8 COMMISSIONER BROWN: -- sure -- I know you  
9 were involved in one of the cases. It was either the  
10 Big Easy asset purchase agreement with the most  
11 recent ones that involved an asset purchase agreement  
12 or it was -- that was the 2018 case for Dania  
13 Entertainment.

14 MR. LOCKWOOD: I did represent Dania  
15 Entertainment. Correct.

16 COMMISSIONER BROWN: Was there any  
17 opposition at that time to the transaction from  
18 interested parties?

19 MR. LOCKWOOD: So generally in these that  
20 I've been involved in, we've seen records requests  
21 things of that nature. But I mean, quite frankly, I  
22 have never been a part of a transaction in Florida  
23 where we've seen any type of organized opposition of  
24 this.

25 I would say this, I mean, what's surprising

1 to me is that they're so concerned, the Seminole  
2 Tribe being so concerned with this transaction, but  
3 where were they in the Miami Jai Alai acquisition?  
4 Where were they in the Big Easy acquisition? Where  
5 were they in the Dania Entertainment acquisition? I  
6 mean, those are all acquisitions, asset transfers  
7 that were done under these same exact laws.

8 The only difference is: we don't have a  
9 gaming Commission, but at the same time, the laws,  
10 regulations, things of that nature, the rules,  
11 they're all the exact same.

12 So we've certainly had no, you know,  
13 opposition to any of these transactions. And the  
14 only one being on the issuance of a permit had, quite  
15 frankly, been the cases that Mark and I were involved  
16 in regarding, ironically, Gretna where -- and  
17 candidly, I mentioned this, I lost that case.

18 I mean, I thought that, you know, we would  
19 be able to intervene in there and make some headway  
20 and you know, unfortunately, we were not. And that's  
21 the case law, that is -- that case was decided in --  
22 you know, I don't know if it -- we argued that case  
23 in this building as the DCA, but you know, it was  
24 decided by the first DCA.

25 COMMISSIONER BROWN: Can you provide us

1 with what was the holding by the first DCA?

2 MR. LOCKWOOD: That a competitor in the  
3 para-mutuel industry does not have standing to  
4 intervene. And basically that's not a gaming  
5 commission or a division of para-mutuel wagering  
6 rule.

7 That's under chapter 120 under the  
8 Administrative Procedures Act, which essentially  
9 provides, unless there's a specific statute, right,  
10 that gives an opportunity to a competitor to  
11 intervening, then there is no right of entry into  
12 those proceedings.

13 And so I would give you one, one in which  
14 the greyhound permit relocation statute and the  
15 Jai Alai permit relocation statute and 550.0554, they  
16 provide an express right for certain affected permit  
17 holders to challenge those proceedings, but there's  
18 nothing of that nature here in this proceeding.

19 Quite frankly, the best they can do is do  
20 what they do now and before the Commission and, you  
21 know, complain, and here we are.

22 COMMISSIONER BROWN: They do have another  
23 bite at the apple after the final Commission is  
24 approved. There is an opportunity for them to  
25 appeal.

1                   MR. LOCKWOOD: Anybody could always file a  
2 lawsuit. I'm just saying that the holding of that  
3 case is that a competitor would not have standing to  
4 challenge, you know, that. I mean, you know, you can  
5 file a lawsuit for at any place, any time against  
6 anyone, but at the end of the day, they simply don't  
7 have standing to maintain that appeal.

8                   COMMISSIONER BROWN: Okay. And finally,  
9 just interpretation of the (indiscernible), the slot  
10 license not being transferrable. Can you talk a  
11 little bit about it? If you could just succinctly  
12 summarize your view of the statute as opposed to  
13 Mr. Dunbar's?

14                   MR. LOCKWOOD: Well, you know, he reads a  
15 lot into the statute as to what the intent was behind  
16 that and holding people to stock transfers. But I  
17 think that it would, you know, the Legislature,  
18 that's what they intended was that this phrase here,  
19 that a slot license is non-transferrable and that the  
20 intent here was to freeze people in so they cannot  
21 transfer assets and things of that nature. There  
22 would be a lot more to that statute in that case.

23                   So you know, quite frankly, there is no  
24 legislative history as to what that means. You go  
25 back and you look at the staff reports, you look at



1 the Commission hearings, there's nothing of that  
2 nature.

3 But also there's nothing anywhere in these  
4 -- you know, since this law has been around that ever  
5 indicated that there could not be an asset transfer  
6 in the slot machine facility transaction, and the  
7 Legislature's presumed to know what's occurring, you  
8 know, in the industry. And so since 2006, we've had  
9 numerous asset transfers that have occurred, and  
10 they've been very public.

11 And the Legislature has never taken issue  
12 with that. They've never sought to clarify the law  
13 and say, hey, look, we understand all of these asset  
14 transfers are going on, and that's not what we  
15 wanted; and we're going to come in and fix the law.

16 They could have done that in 2021; that is  
17 not what they did. And so at this point in time,  
18 they're presumed to understand how this -- the  
19 predecessor agency has been operating and how this  
20 Commission has been operating. And that an asset  
21 transfer is, you know, totally acceptable.

22 And in this case, we're not going to  
23 transfer the slot license. We're going to, you know,  
24 apply for a new slot license under, you know, that  
25 permit, which is qualified to hold a slot license.

1 COMMISSIONER BROWN: Thank you.

2 MR. TROMBETTA: Thank you, Commissioner  
3 Brown

4 COMMISSIONER D'AQUILA: Earlier you made a  
5 statement that PCI is prepared to close on the  
6 transaction without the credit facility, if need be, has  
7 the ability to do such. I don't recall reading that in  
8 the documents submitted.

9 MR. LOCKWOOD: Well, so bear in mind when  
10 we started this, you know, a lot of this has caught  
11 up to us, right. Like we were thinking this  
12 transaction was going to close in early December.  
13 And at that point in time, in the asset purchase  
14 agreement, there is no financing contingency, so the  
15 deal can be closed, and it's not conditioned on any  
16 closing at this point in time.

17 Now, we we're into February, a lot of this  
18 revolving this credit agreement has come more into  
19 focus at this point in time, so, you know, we will  
20 likely be closing this at the same time at closing  
21 with both of those.

22 So -- but the asset purchase agreement does  
23 not have a condition of financing, which, if you  
24 think about like a house of that nature, right. Like  
25 by a house, I've got a financing contingency on this.



1                   COMMISSIONER BROWN: Do you believe that  
2 the Pennsylvania Gaming Control Board is a condition  
3 to approval of this transaction?

4                   MR. LOCKWOOD: A condition to approval.  
5 So, one, I did not draft the asset purchase  
6 agreement. I do not believe it is a --

7                   COMMISSIONER BROWN: You don't take credit  
8 of that?

9                   MR. LOCKWOOD: I'd love to. Look, I mean,  
10 it's a work of art, but I don't believe it's a  
11 condition of closing. But because we operate at the  
12 Sands Bethlehem former facility in Pennsylvania, a  
13 condition of maintaining that very expensive asset in  
14 good standing in Pennsylvania is to update them with  
15 those documents.

16                   And so we have Pennsylvania Gaming Council,  
17 and my understanding is that has already been taken  
18 care of at this point in time. I mean, there was  
19 other things as related to the financing of, you  
20 know, PCI operating with the National Indian Gaming  
21 Commission, there was a process in which they had to  
22 go through and submit those documents to the National  
23 Indian Gaming Commission; that's been done as well.

24                   So like I said, there's a lot of things  
25 that move in the orbit outside of the traditional

1 asset purchase agreement, but we've complied with  
2 those and are moving forward with those.

3 COMMISSIONER BROWN: Do any of those things  
4 that you just mentioned, though, are not objected?  
5 Does that affect transaction?

6 MR. LOCKWOOD: I don't believe so because,  
7 I mean, I get like I said, if -- again, because there  
8 is no financing contingency right. If something  
9 happens to the financing, then there is no financing  
10 contingency for this. So I don't believe there would  
11 be any way for them to back out at this point.

12 VICE-CHAIR YAWORSKY: I just have one  
13 question, it was mentioned and Commissioner Brown  
14 asked a follow up question on it related to trade  
15 secret (indiscernible) this document.

16 I believe that one of the thoughts that was  
17 presented was that the Commission -- by prior speaker  
18 was that the Commission should go forth and  
19 potentially file that assertion as werre made by the  
20 entity.

21 Are you aware of case law over the past  
22 decade or so of any state agencies that have  
23 attempted that? And if not, I'll simply ask --

24 MR. LOCKWOOD: My understanding with the  
25 public records law, or if someone was to request

1 that, say, Seminole Tribe or, you know, a media  
2 outlet and make a public records request for that  
3 document -- I may be wrong; I'm no public record --  
4 my understanding is that essentially --

5 VICE-CHAIR YAWORSKY: It's okay.

6 MR. LOCKWOOD: -- there would be,  
7 potentially, a circuit court proceeding over the  
8 validity of that assertion.

9 But I mean, look, we don't necessarily want  
10 to get into any litigation mode. That's not our  
11 intent. I mean, it is our desire that, you know,  
12 this information we redacted stay redacted. But you  
13 know, again, it's certainly not our intent to get  
14 sideways with the Commission if this information is  
15 being relevant.

16 VICE-CHAIR YAWORSKY: Okay. Anything else?  
17 No questions.

18 So thank you very much, Mr. Lockwood.

19 MR. LOCKWOOD: Thank you.

20 VICE-CHAIR YAWORSKY: We're going to go  
21 ahead -- and we're looking at the clock. It's 11:45.  
22 This will be a very long day for us, so we are going  
23 to go ahead and take an hour lunch, reconvening at  
24 12:45.

25 And then at that point we'll hear from

1 Mr. Marshman and then have discussion with Commissioner  
2 about this issue, one of the reason is following this  
3 item we have, basically the entire page -- other  
4 documents. We want to make sure that Commissioners and  
5 everyone is rested and(indiscernible).

6 So we are adjourned until 12:45. Thank you  
7 very much.

8 (RECESS TAKEN AT 12:45)

9 VICE-CHAIR YAWORSKY: Okay. We're going to  
10 reconvene now. I hope everyone had a good, brief  
11 lunch. Before we recognize our general counsel,  
12 Ross Marshman, I'm go ahead and ask if there is --  
13 though we have not received any. I think we  
14 received one request for a presenter to present to  
15 make comment remotely, but for another item, but I  
16 want to make sure that there's no one on the stream  
17 right now that wishes to comment on this particular  
18 issue.

19 So if there is someone, if you would please  
20 utilize the chat feature. State your name and who  
21 you represent if anyone. And we'll just give it a  
22 minute to see if anyone comes forward.

23 (No response)

24 I'm not seeing anyone. And when I said a  
25 minute, probably substantially less than that.

1           Okay. Seeing none, Mr. Marshman, you're  
2 recognized to comment, and then Commissioners will  
3 (indiscernible) questions.

4           MR. MARSHMAN: Thank you, Mr. Vice-Chair.

5           The initial issue I would like to address  
6 that was mentioned in public comment was the level  
7 of arbitrariness that can be applied by a regulatory  
8 body against the regulatory industry. In a vacuum,  
9 it is correct that government regulators can treat  
10 sin licenses or regulated industries differently.  
11 There is a lower expectation of how the government  
12 would ordinarily be allowed to treat them. So that  
13 statement in and of itself is correct.

14           However, there is a limit to the  
15 arbitrariness that can be applied in any situation,  
16 and particularly, this one, and it's the letter of  
17 the law. There are still due process concerns.  
18 There's notice. There's an opportunity to be heard.  
19 There's everything else that's in 550, 551, and 849  
20 that applies to this situation.

21           So the general idea, the general concept  
22 that we can treat permits, licenses, gamblers,  
23 drinkers, the idea that we can treat them  
24 differently doesn't mean that we can treat them  
25 however we want and ignore the language of the



1 statutes. We have to confine ourselves with the  
2 state of the law now, as the regulators making a  
3 decision now as it stands.

4 And that leads to just what the law is and  
5 what it says. It was suggested that there's a  
6 provision in 550 that would allow the Commission to  
7 require of an applicant anything and without prior  
8 notice, without an opportunity for them to be heard,  
9 without adopting that prior rule. And that cannot  
10 be so. It's the limits of that arbitrariness that I  
11 mentioned. It's due process.

12 Just because there's a statute that says  
13 that you can require something doesn't give you  
14 carte blanche to then ignore the rest of the  
15 protections that are afforded to a licensee. You  
16 cannot act arbitrarily in that way. You cannot  
17 ignore the other process in say Chapter 120 for the  
18 adoption of rulemaking.

19 So that isn't a mechanism for the  
20 Commission to begin an ad hoc inquiry for this  
21 application, for any other application, to come up  
22 with requirements on the fly and subject the  
23 applicant, unwittingly, unknowingly, to these new  
24 requirements. That is the limit, and it applies  
25 here and it will apply in every other decision that

1 the Commission makes today and in the future.

2 The language of the law itself.

3 550.054(12) describes, and permits, and authorizes  
4 changes of ownership of permits. 551.104(4)  
5 describes changes of ownerships of slot machine  
6 gaming licenses. It is true that other portions of  
7 the statute describe the conditions in which a  
8 transfer is or is not allowed. And let's start with  
9 the more blanket restriction in 551.104(5). "Slot  
10 machine gaming license is not transferrable."

11 Well, as I lay out in the memo, the  
12 legislature chooses words for a reason, we have to  
13 presume that. And we can't assume that the  
14 legislature would use two different words, two  
15 different terms to describe the same thing. So if  
16 they're talking about a transfer in one scenario but  
17 a change of ownership in another, that means they  
18 are different things being contemplated by the law.

19 So if there is an express permission for  
20 these items, the license, the permit to change hands  
21 to be bought and sold, then that's not a transfer,  
22 that's a change of ownership, as permitted in 550  
23 and 551. An analysis of this issue just cannot  
24 ignore those provisions. We cannot rely on language  
25 describing or prohibiting transfers. You have to

1 read everything.

2 That's not using one definition from one  
3 statute against another definition, that is just  
4 reading it as it's laid out within each section  
5 even. I'm not trying to compare transfer of one  
6 statute to transfer in another. I'm looking at  
7 transfer within 550, transfer within 551, and then  
8 transfer within 849. I'm not, in effect,  
9 crosspollinating what 849's definition of transfer  
10 means and putting that into 550. I'm just looking  
11 at the language of 550 and comparing it to the same  
12 language later in the section, which I think the  
13 Commission is required to do.

14 I want to underscore just the importance of  
15 a conditional final order here. I think all of the  
16 public comment and the comment provided by the  
17 applicant's counsel has emphasized that this is a  
18 complex transaction. We have received numerous  
19 documents. And pursuant to the asset purchase  
20 agreement itself which spans hundreds of pages, some  
21 of those terms may change. Some of the deliverables  
22 might be modified, they might be changed.

23 I'm not recommending that the Commission  
24 approve any deal, I'm recommending that the  
25 Commission enter a conditional final order that the

1 deal as described, if it happens as described, can  
2 be approved. But we have to actually see evidence  
3 that what has been described actually takes place.  
4 You know, it's not just the deed of a vehicle. You  
5 know, that's ancillary. It's everything else, the  
6 core of this agreement.

7           You know, who is the actual purchaser here?  
8 Who is the purchaser? Who is writing the check?  
9 Those are the things that matter and we're going to  
10 receive proof of all of this and then staff will go  
11 through it, and we will come back before you and  
12 represent to you, yes, this matches the agreement  
13 that we previously discussed and I recommended that  
14 you conditionally approve, or no, it doesn't. And  
15 then we'll have to discuss, if there are changes,  
16 what that means for the Commission to do that.

17           But that's why the conditional final order  
18 matters. If there are changes to this, if there are  
19 additional documents, a conditional final order does  
20 not preclude you all from having us look at that and  
21 then recommend to you, is this deal still good or  
22 not? Did things actually happen the way they have  
23 been represented?

24           There are a lot of moving parts, as we've  
25 heard, repeatedly. There's many materials that

1 you've reviewed, and we've reviewed. This is a  
2 large undertaking to be done. But if it is done the  
3 way it appears it can be, then I don't think my  
4 recommendation would change. It's permissible.

5           The issue of trade secret public records  
6 was brought up. I can touch on that briefly. I  
7 think Vice-Chair Yaworsky already started saying  
8 what I was going to say anyway which is the Gaming  
9 Control Commission is not the arbiter of what is or  
10 is not a trade secret. If the Commission or any  
11 government agency receives a claim of trade secret,  
12 we must honor that. And if there is specific  
13 request for something that has been marked as trade  
14 secret, then we as the Commission would have to then  
15 notify the claimant saying, "Hey, that's a trade  
16 secret." We have to basically tell them, "Hey,  
17 unless you sue us in court, unless you move to  
18 enjoin us from releasing this information, we are  
19 obligated under public records laws to reveal that  
20 information."

21           So a court of the proper jurisdiction, most  
22 likely circuit court, will be able to tell the  
23 Commission whether or not any of the material that  
24 has been marked by the applicant as trade secret is  
25 in fact trade secret. But until then, we have to

1 take their representations as true, and until a  
2 court tells us otherwise, there's nothing else we  
3 can do about it.

4 That's really the comments that I prepared  
5 but I'm prepared to address any other questions or  
6 concerns the Commission has. And if you would like  
7 me to reiterate anything that I've already reduced  
8 to writing in the memorandum, I can, but I know time  
9 is precious, so Mr. Vice-Chair, I look to you on how  
10 to proceed.

11 VICE-CHAIR YAWORSKY: Commissioners, any  
12 questions?

13 Commissioner Brown.

14 COMMISSIONER BROWN: Thank you. Thank you.  
15 And Ross, thank you for the time you've spent on  
16 this and the amount of briefings we've all had with  
17 you. I appreciate and respect your legal opinion as  
18 I do the other folks that have appeared before us  
19 today, as well.

20 But I did want you to touch on the lease  
21 agreement. And you do touch on it in the memo in  
22 the footnote, but could you elaborate why you don't  
23 think that approval of this agreement without more  
24 details on the lease is not a condition precedent.

25 MR. MARSHMAN: So the lease itself does

1 pose an issue for the Commission to consider. I  
2 don't disagree with any of the comments we've  
3 received about that so far. And I would also note  
4 that if there's any discrepancy between what was  
5 presented today versus what the materials actually  
6 reflect regarding how the lease is written, that  
7 just underscores the importance of why I'm asking  
8 you to do a conditional final order. Because if  
9 representations here actually reflect reality of the  
10 deal and we see that in writing later, then that's  
11 something that we can point out for you.

12 But again, going to why I don't think it  
13 matters right now. There is no pari-mutuel wagering  
14 activity taking place of the lease facility by way  
15 of the lease agreement between Gretna Racing and  
16 West Flagler. It doesn't exist. And we're not  
17 being asked pursuant to its petition for declaratory  
18 statement to opine about future activity. We're  
19 looking at an asset purchase agreement that has  
20 within it a lease. And the asset purchase agreement  
21 does require that a lease be part of the items due  
22 at closing, but there are also provisions in the  
23 asset purchase agreement that can leave room for  
24 when these documents are actually necessary.

25 So in my opinion, the proper time, the

1 proper place for the Commission to consider the  
2 legality of the lease is when we have, one, an  
3 actual lease, and two, when we know that pari-mutuel  
4 wagering activity is going to be taking place at a  
5 leased facility. And then it will be important to  
6 know who is the lessor and who is the lessee. What  
7 are the terms and conditions of the lease?  
8 Everything like that. I think that there are  
9 statutory restrictions on who can lease to other  
10 people and that might not apply the same way on from  
11 who you can lease. I see the restrictions on the  
12 lessor and not the lessee.

13 But again, all of that is to say, it's not  
14 at issue yet. It's not ripe. Because nothing is  
15 actually before you to say definitively these are  
16 the terms of the lease, this is the duration of the  
17 lease, and these are the parties of the lease. So  
18 until we have that before us, I don't believe it's  
19 ripe.

20 COMMISSIONER BROWN: Okay. Thank you. And  
21 then with regard to the completion of the documents  
22 as presented to us at this juncture, has it been  
23 customary in prior transactions to have a condition  
24 -- if a conditional approval is issued, not all the  
25 documents are fully complete until after closing?



1 MR. MARSHMAN: Yes. In revising the  
2 previous transactions that the Division of  
3 Pari-mutuel Wagering approved or was asked to  
4 approve, conditional final orders were issued.

5 COMMISSIONER BROWN: I saw that and I  
6 looked up two of them and I can appreciate the Big  
7 Easy one and then Dania, those two cases, and they  
8 seem to be very similar and on point. Would you  
9 agree?

10 MR. MARSHMAN: There are certain  
11 similarities between the arrangements in those cases  
12 to this one. Yes.

13 COMMISSIONER BROWN: I mean, it's not  
14 nearly the magnitude of this case. Mr. Dunbar  
15 talked about, he opened his comments on regulatory  
16 best practices and then he cited the statute 16.712  
17 Creating the Gaming Commission. Particularly  
18 reviewing the procedures of the Commission which are  
19 used to qualify applicants applying for a license,  
20 permit, or registration. We are doing that right  
21 here today. We have been doing that.

22 MR. MARSHMAN: Yes. And I think the  
23 legislature may have contemplated us doing that  
24 outside of the confines of an application for  
25 licensure and transfer of a permit or an acquisition

1 of a permit. Again, this goes back to the limit of  
2 arbitrariness, the limit of our regulatory power.  
3 We have to always stay within the confines of the  
4 law at the time, the confines of the rule at the  
5 time.

6 We cannot use this application as, I guess  
7 justification to ignore the way the law is written  
8 or ignore the way our rules currently stand. So  
9 yes, the legislature has asked us to substantively  
10 review the materials you pointed out but we can't do  
11 that in this way and subject an applicant, or any  
12 applicant to a set of requirements that it doesn't  
13 know about.

14 VICE-CHAIR YAWORSKY: To that point, if I'm  
15 correct in my reading of this, the legislature did  
16 not authorize or direct any kind of a holding period  
17 or put any other matters in place that would have  
18 effectively paused the current regulatory framework  
19 and the Commission's enforcement of it to facilitate  
20 that review.

21 MR. MARSHMAN: I agree with that. Yes,  
22 Mr. Vice-Chairman. There's provisions in Section  
23 120.60(1) that put timelines on the consideration of  
24 applications such as these and there is no provision  
25 that they are waived or enlarged pursuant to the

1 legislature's directive for us to substantively  
2 review our process and make recommendations to the  
3 legislature.

4 COMMISSIONER BROWN: But my  
5 understanding --

6 Thank you, Mr. Vice-Chair. That is a great  
7 thing to point out too and I appreciate that.

8 My understanding is we are going to be  
9 starting rulemaking. We are going to be enacting.  
10 We have a lot of things on our plate right now and  
11 this may be an area, maybe not immediate, but  
12 shortly down the road that your office is looking at  
13 as well.

14 MR. MARSHMAN: Yes, ma'am. That's  
15 correct. I mean, we are starting the processes. As  
16 Director Trombetta indicated, we want to begin  
17 rulemaking. We want to begin the substantive  
18 review. But it's still important to realize the  
19 limit on the Commission's ability to act and to  
20 regulate. That lies with the statutes and the  
21 statutes can be changed by the legislature.

22 So to the extent anything today has been  
23 brought up that could be an issue, the Commission  
24 cannot solve that if the problem lies with the  
25 language of the statute. You know, we follow the

1 law as it is written. The legislature can change  
2 the law, they can tell us exactly what they mean by  
3 changing the law. In the meantime, we're confined  
4 with the language of the law as it is written now,  
5 today.

6 COMMISSIONER BROWN: I agree. Thank you.

7 VICE-CHAIR YAWORSKY: Further questions.  
8 Commissioner D'Aquila?

9 COMMISSIONER D'AQUILA: No.

10 VICE-CHAIR YAWORSKY: Commissioner Drago?

11 COMMISSIONER DRAGO: It's been brought up  
12 about whether or not -- or who the lenders are, the  
13 financing is for Gretna Racing, whether or not their  
14 viable or whether or not the financial backing is  
15 viable. Is that something that we should be  
16 considering in this? Is that something we have the  
17 authority to consider and how would we do that?

18 MR. MARSHMAN: So the type of qualitative  
19 or quantitative analysis that has been suggested,  
20 the condition exercise for transactions like this,  
21 they may be desirable and they may be best  
22 practices. But addressing the second part of your  
23 question, Commissioner Drago, there is no --  
24 currently, there is not express granted statutory  
25 authority for us to hold a credit agreement to a

1 certain set of standards and say, "You failed to  
2 meet these marks, therefore, this agreement cannot  
3 proceed." Because there is none.

4           There's no statute or rule that says this  
5 is what an acceptable credit agreement looks like.  
6 This is what an acceptable anything looks like. For  
7 terms of the credit agreement, the mortgage, things  
8 like that, the bill of sale, the intellectual  
9 property agreement. All of these attachments. They  
10 can each be attacked and say well, there's no way  
11 that we can approve this because it's not the best  
12 way this intellectual property agreement can be  
13 written.

14           Again, we are bound by the law, we're bound  
15 by rules as they stand now. So while it may be  
16 desirable with best practices in the future, the law  
17 can be developed, but the law can be developed by  
18 the legislature. We cannot expand beyond the scope  
19 of what the law is.

20           COMMISSIONER DRAGO: And I guess the short  
21 of it is, have we done all our due diligence in this  
22 process to the point we are at today? Are you  
23 confident that we've done all our due diligence in  
24 every respect to make sure that we can make a sound  
25 decision today?

1           MR. MARSHMAN: Within the confines of the  
2 Commission's existing authority to exercise the type  
3 of due diligence the legislature contemplated, yes.  
4 At this moment, we have done what the statutes, what  
5 our rules say we have to do and must do.

6           COMMISSIONER D'AQUILA: Earlier the comment  
7 was made in comparison to another state,  
8 specifically, Pennsylvania. And then the comment  
9 was driven home to what the legislature intended  
10 when they created the condition and so forth. It's  
11 clear we cannot find that in the statutes. Does  
12 that have any relevance here, in your opinion?  
13 Where does that come about? Is that interpreted  
14 from the statutes? I'm trying to understand the  
15 earlier point from your perspective.

16           MR. MARSHMAN: So legislative intent is  
17 the pull star that guides the interpretation of the  
18 law. But the best evidence we have of legislative  
19 intent is the language of the statute themselves.  
20 The legislature says what they mean and mean what  
21 they say. They choose their words carefully. And  
22 as speakers have already noted, they are presumed to  
23 know what's going on industries such as this. So  
24 when they write a statute, we have to presume that  
25 they know exactly what's going on and what they

1 write, that's their legislative intent.

2           What Pennsylvania does, you know, we would  
3 have to compare whatever Pennsylvania does to what  
4 Florida law allows and what Florida law  
5 contemplates. It appears from this transaction that  
6 Pennsylvania may have some say in this agreement and  
7 that may or may not play out and we may see that  
8 reflected in the materials we get later. But we're  
9 only going to be able to review that and compare it  
10 to Florida law, 550, 551, 849. It would be very  
11 difficult to hold a Florida applicant to  
12 Pennsylvania law if there is not there is some  
13 Florida law expressly incorporated in other  
14 jurisdictions' restriction, or license requirement.

15           COMMISSIONER D'AQUILA: Thank you.

16           VICE-CHAIR YAWORSKY: Further questions?

17           (No response)

18           Just one. This is a broader question but I  
19 am curious about it, to the extent you're  
20 experienced in it. Rulemaking, for example, can be  
21 a lengthy process. It requires a lot of  
22 stakeholders and other interests to be intertwined.  
23 And when it comes to rulemaking timeline, would the  
24 history with PMW be -- on a strip kind of on a wage  
25 and average between quickest to be able to

1 promulgate a rule and the longest to be able to  
2 promulgate a rule, where would you think that PMW  
3 would lie? If you can answer that.

4 Or just give an example of -- if that's too  
5 chronological information, maybe an example of how  
6 long a more controversial rule may take to work  
7 through, if you know.

8 MR. MARSHMAN: I don't think that the  
9 pari-mutuel wagering rule process would be as  
10 contentious as let's say the alcoholic beverage  
11 industry, which I'm also familiar with. I think  
12 that rulemaking that began in my tenor at DBPR is  
13 still ongoing.

14 So comparing it to that, there are many  
15 people aligned behind me that will have an interest  
16 in what the rules are. There are many people  
17 listening and watching and they'll be told later  
18 what the Commission is doing and how they're going  
19 to start rulemaking.

20 So I don't know if the type of rulemaking  
21 that Director Trombetta envisions and what the  
22 legislature has asked us to do has been done before.  
23 I don't know if there's been a substantial rewrite,  
24 let's say, of pari-mutuel wagering rules, even the  
25 slots rules, since a long time ago. So it's



1 difficult for me to anticipate the length of time  
2 it would take.

3 But I can say that there will be ample  
4 opportunity for shareholders, stakeholders,  
5 interested parties to provide feedback and that the  
6 Commission would do well to listen to the feedback  
7 from the industry because they know their industry  
8 well and they can help us with the rulemaking  
9 process.

10 VICE-CHAIR YAWORSKY: I think that's it for  
11 questions.

12 COMMISSIONER D'AQUILA: A clarification.

13 VICE-CHAIR YAWORSKY: Yes.

14 COMMISSIONER D'AQUILA: I just want to be  
15 clear, the -- following up on Commissioner Brown's  
16 point, the lease matter, there's not anything there  
17 that prohibits this transaction. It's a separate  
18 ancillary issue as I understand you. Correct?

19 MR. MARSHMAN: That's correct. And the  
20 conditional order that I would advise you to enter  
21 would not approve of the legality of a proposed  
22 lease that's attached to an asset purchase  
23 agreement. It's focused on the agreement. The  
24 lease, again, is something that will be subject to

1 regulatory scrutiny at the proper time if the  
2 Commission approves the transaction, if the lease  
3 actually goes through as described. Again, there's  
4 just a lot of predicates there that haven't really  
5 occurred yet for us, I think, to analyze that fully.

6 COMMISSIONER D'AQUILA: Thank you for that  
7 clarification.

8 VICE-CHAIR YAWORSKY: Okay. Thank you very  
9 much, Mr. Marshman.

10 Is there any discussion now? Starting with  
11 any -- starting with Commissioner Brown.

12 COMMISSIONER BROWN: Well, on that, again,  
13 a lot of time and energy has gone into this, and I  
14 think our staff has done a really fine job analyzing  
15 it and scrutinizing it, making sure that the  
16 requisite documents are in the record. You know,  
17 our job here is to uphold the correct laws that are  
18 in the statute and to enforce them.

19 And based on the evidence, I think the most  
20 compelling factors to me are the prior cases that  
21 have supported this very type of transaction and  
22 have interpreted the statutes and rules and have  
23 allowed this type of action to proceed. And I think  
24 that the purchaser is making every effort to fulfill  
25 the needs of the Commission staff to carry out and

1 so that we have enough information so that this is  
2 a sound decision and it's based on sound law and 1  
3 policies, so I would support this application.

4 VICE-CHAIR YAWORSKY: Any other  
5 Commissioners wish to (indiscernible)?

6 COMMISSIONER DRAGO: As we have spoken  
7 about many times here, we are tasked with the  
8 balance of protecting the integrity of the industry  
9 for benefit of everyone in the state, and also to  
10 get out of the way of business and make it as easy  
11 as possible for legitimate business to succeed in  
12 this state.

13 We've been going over this, as everyone  
14 knows, for months. We've been back and forth on all  
15 these different issues. I've been schooled on a lot  
16 in those few months about this. I feel comfortable  
17 with the recommendations that are coming from the  
18 staff. I believe that the applicant has met the  
19 conditions and the requirements set by law. I think  
20 they are qualified to hold the permit, as well as  
21 its paired licenses. And think they presented a  
22 permissible acquisition proposal.

23 So having said that, I think that I believe  
24 we should accept the recommendation of staff and  
25 approve the sale.

1                   VICE-CHAIR YAWORSKY: Commissioner  
2     D'Aquila, any comments?

3                   COMMISSIONER D'AQUILA: It's always  
4     interesting to go last.

5                   Some of the factors that I think are  
6     important: quality of the purchaser; the great  
7     effort that's been put in; the intent of the  
8     parties; and the quality of the expenditure of  
9     professional resources to get to the right answer, I  
10    think are important. I think -- not taking anything  
11    away from the state of Pennsylvania, I think as  
12    earlier mentioned, in the spirit of commerce and  
13    what the state is, it seems that this transaction is  
14    a good transaction.

15                  I also recognize that no transaction I've  
16    ever seen, and I've seen quite a few, is ever 100  
17    percent organized and addressed. That's not  
18    reality. But I think it's adhering to the statutes,  
19    and I believe that we should proceed as the staff  
20    has suggested and approve this transaction  
21    conditionally and with the other conditions as  
22    mentioned in previous discussion. So I say we vote.

23                  VICE-CHAIR YAWORSKY: So I'll just make  
24    a few comments and I'll accept a motion if there is  
25    one. But throughout this process, I agree with all

1 of the Commissioners that staff has done a great job,  
2 the stakeholders have done a great job of presenting  
3 various arguments to us.

4           One of the -- we touched on this briefly  
5 here and there about where the law is and how it  
6 stands now, and the fact that decisions must be made  
7 off of the legal interpretation of where we are  
8 today. It might -- maybe not surprise folks that,  
9 in spirit I am very much so, at least in spirit,  
10 agree with some of Mr. Dunbar's comments and that  
11 this is not a perfect process. That there is  
12 clearly legislative intent for the Commission to  
13 overhaul that process and to bring about what I hope  
14 would ultimately be a great bit of verification  
15 working with the legislature, stakeholders, any  
16 other parties, and the public to bring about some  
17 more finality and certainty in the laws that govern  
18 this space.

19           And I would hope throughout that process  
20 that owners and anyone interested would join in  
21 that. And that it comes to be recognized that the  
22 Commission will work in good faith with anybody who  
23 is working in good faith with us. And at least,  
24 while there may be disagreements along the way, it  
25 doesn't mean that it is anything other than people

1 following what they believe is in their best  
2 interest and working together to bring about some  
3 evolution in this industry space and the regulation  
4 on it.

5 I think that that is perhaps, stepping  
6 back, something that is kind of an overarching theme  
7 in all of this. And I think the Commission has more  
8 to do in that space, as well. I think that one of  
9 the reasons that I view the upcoming meeting in May  
10 as a milestone -- April or May, as a milestone  
11 moment for the Commission where we finally have the  
12 resources to take on things like rulemaking,  
13 receiving meaningful input on things that need  
14 change, things that need to change, public comments  
15 in that space. I think it's a moment for us to step  
16 away from the business that's going on currently and  
17 take a real sound look at the future.

18 And I think that it's important that, as  
19 everyone recognized -- and I think everyone has  
20 because as we've had all these discussions  
21 throughout this record meeting, there is hope and  
22 fear that sort of arrives with what the Commission  
23 is going to do. And I think that the best way the  
24 Commission can approach that is through an honest  
25 and transparent process that I think will probably

1 span years by the time it's all over. There's a lot  
2 of stuff to go through.

3 But we're going to be a regulator but we're  
4 also going to work with all of the parties involved  
5 as we move along. So with that, if there is a  
6 motion, I'll take, and we can proceed.

7 Commission D'Aquila.

8 COMMISSIONER D'AQUILA: Make a motion to  
9 approve the transaction, conditionally, as  
10 previously described.

11 VICE-CHAIR YAWORSKY: Is there a second on  
12 that?

13 COMMISSIONER DRAGO: Second.

14 VICE-CHAIR YAWORSKY: And Mr. Marshman,  
15 would that be a condition on any recommended timing  
16 period or --

17 MR. MARSHMAN: I would suggest that the  
18 Commission set a time limit on the conditional order  
19 and that it expires at a certain point if we haven't  
20 been provided evidence that this transaction has  
21 been completed. I would suggest perhaps a 30-day  
22 conditional order, but applicant's counsel is here,  
23 as well. I mean, he may have a different conception  
24 of time or he may know something that I don't about  
25 the details of the closing.

1           But I would also, regardless of the time, I  
2 would make it a condition within however many days  
3 of closing the Commission wants that they disclose  
4 those perfected closing materials to the Commission,  
5 so that we can review it. So say we allow them 30  
6 days to close, 5 days after closing, the Commission  
7 would want to receive all of the documents that were  
8 executed, the actual closing materials, so that  
9 staff can review that. I would add those two  
10 provisos to my recommendation.

11           VICE-CHAIR YAWORSKY: Are you willing to  
12 amend your motion to that end?

13           COMMISSIONER D'AQUILA: I would amend the  
14 motion as Mr. Marshman is saying.

15           MR. MARSHMAN: And I think just out of an  
16 abundance of caution, I mean, Mr. Lockwood, is 30  
17 days sufficient time?

18           MR. LOCKWOOD: Thirty days from the  
19 written conditional approval should be more than  
20 sufficient. And as far as a time to provide, I  
21 would say, you know, maybe five business days. I  
22 don't think we'll need that many but again, this is  
23 a lot of documents, so we'll certainly them in as  
24 soon as possible upon closing.

25           VICE-CHAIR YAWORSKY: Okay. Thank you.



1 Is there a second to that motion?

2 COMMISSIONER DRAGO: Second.

3 VICE-CHAIR YAWORSKY: All those in favor?

4 (Unanimous ayes)

5 Hearing no noes. So that motion will be  
6 approved.

7 Moving on to item number -- to 3.1 Ramsey  
8 (indiscernible).

9 MS. ALVARADO: Good  
10 afternoon. This is Emily Alvarado for the record.  
11 Item 3.1 is Ramsey Zimmerman versus FGCC in Case  
12 Number 2022-05909.

13 VICE-CHAIR YAWORSKY: Emily, let's give you  
14 a microphone -- thank you.

15 MR. MARSHMAN: Mr. Vice-Chair, if I may,  
16 there is a speaker, Tom Gittio (phonetic), that  
17 wants to make public comment regarding this.  
18 Because there's a lag between technology and having  
19 him actually pulled up, I would respectfully  
20 recommend that we just wait a few moments, so that  
21 we can confirm that the public commenter can hear  
22 what's being said about this, and then he's ready to  
23 provide comment at the end of that.

24 VICE-CHAIR YAWORSKY: You would recommend  
25 that we do that now?

1 MR. MARSHMAN: Yes, sir. I understand  
2 Mr. Romanick isn't here. We're just trying to get  
3 him pulled up, so that he can confirm that he's  
4 hearing this; he can see you; you can see him.

5 VICE-CHAIR YAWORSKY: Okay. Very well.  
6 We'll do that.

7 MR. MARSHMAN: Thank you.

8 (Pause)

9 VICE-CHAIR YAWORSKY: Mr. Romanick are you  
10 able to hear us?

11 MR. ROMANIK: I am.

12 VICE-CHAIR YAWORSKY: Okay. Great.

13 Ms. Alvarado, if you can continue, please.

14 MS. ALVARADO: Okay. So  
15 this is item 3.1, Ramsey Zimmerman versus FGCC in  
16 Case Number 2022-015909.

17 This case comes before you following a  
18 recommended order that was issued by the hearing  
19 officer on January 31, 2022. The informal hearing  
20 was conducted on November 16, 2022, regarding the  
21 notice of intent to deny Mr. Zimmerman's pari-mutuel  
22 wagering professional individual occupational  
23 license that was issued on June 24, 2022.

24 The denial was based upon the applicant's  
25 felony offenses which consisted of two grand theft

1 convictions for 2019 and 2018.

2 At the hearing, the applicant provided one  
3 -- prior to the hearing, the applicant provided one  
4 character witness letter, and at the hearing, the  
5 applicant was present and provided one witness.  
6 Therefore, the division would ask that the hearing  
7 officer -- sorry, that the Commission adopt the  
8 hearing officer's recommended order denying the  
9 applicant's pari-mutuel wagering professional  
10 individual occupational license.

11 VICE-CHAIR YAWORSKY: Any initial  
12 questions?

13 (No response)

14 Seeing none.

15 Mr. Romanick, you are recognized.

16 MR. ROMANIK: Thank you very much. Good  
17 afternoon. Can you hear me okay?

18 VICE-CHAIR YAWORSKY: Yes.

19 MR. ROMANIK: All right. Because my  
20 video is messing up at the moment. But that  
21 probably doesn't matter. My name is David Romanick.  
22 I've been a member of the Florida bar since 1976.  
23 I've practiced pari-mutuel wagering law since that  
24 time. My address is 2355 Southeast 5th Street,  
25 Ocala, Florida. And I represented Ramsey Zimmerman,

1 who was seeking a felony waiver, so that he could  
2 restart his career as a thoroughbred racehorse  
3 jockey.

4 I trust that the members of the Commission  
5 have been provided with the exceptions that I filed  
6 on January the 2nd, to which I attached three prior  
7 decisions of the Division of Pari-mutuel Wagering in  
8 other felony waiver cases involving jockeys and  
9 exercise riders. And those were the decisions in  
10 Tyler Gaffalione, Macey La Pala (phonetic), and  
11 Nicholas Juarez.

12 Now, as I referenced in my pleading,  
13 Section 120.68(7)(e) of the Florida statutes is  
14 applicable to appellate court review of  
15 administrative agency decisions. It provides as  
16 follows: the court shall remand the case through the  
17 agency for further proceedings, consistent with the  
18 court's decision, or set that aside agency action as  
19 appropriate when it finds that the agency's exercise  
20 of discretion was inconsistent with officially  
21 stated agency policy, or prior agency practice, if  
22 deviation therefrom is not explained by the agency."

23 Now, this statutory provision conforms with  
24 the principle of administrative (indiscernible),  
25 which is what I mentioned in the exceptions that I

1 filed. And that principle calls for like cases to  
2 be treated alike and in a manner consistent with  
3 prior decisions, unless the deviation from prior  
4 precedent is satisfactorily explained by the agency.

5 As a lawyer, from my standpoint, all I can  
6 ever ask for from an agency, or a hearing officer,  
7 or for a judge, is to follow the law. And since  
8 that wasn't done here, that's the reason that I'm  
9 making this presentation today.

10 With regard to felony waivers for jockeys  
11 and exercise riders, the agency's policy and prior  
12 agency practice can be found within the three  
13 decisions that I attached to my pleading, which is  
14 Gaffalione, La Pala, and Juarez. Now, Gaffalione  
15 involved felony battery. La Pala involved felony  
16 battery on a police officer. And Juarez involved  
17 armed robbery which resulted in a one year stay in a  
18 penitentiary.

19 In Gaffalione and La Pala, each was granted  
20 a waiver one year following their conviction. And  
21 in Juarez, he was granted a waiver five years later.  
22 The hearing officer took judicial notice of those  
23 three decisions as well as other decisions that were  
24 submitted at the hearing.

25 And by the way, with regard to the La Pala

1 case, I represented the applicant in that case, and  
2 Mr. Trombetta, then a lawyer with the Division of  
3 Pari-mutuel Wagering, represented the division. And  
4 I just checked my file last night to make sure my  
5 recollection was correct, but I never had to file a  
6 proposed recommended order in the La Pala case  
7 because the division's recommended order prepared by  
8 Mr. Trombetta recommended that the hearing officer  
9 grant La Pala's waiver request despite that her  
10 conviction was only one year prior to the time that  
11 the waiver was granted.

12 Now, that tells me two things. First, one  
13 year can be long enough, and secondly, the denial  
14 recommended in the recommended order did not happen  
15 because I don't know how to present a winning felony  
16 waiver case. In as much as I presented this case  
17 exactly the same way I presented La Pala. The only  
18 difference here is we were four or five years after  
19 the fact here as opposed to one year in La Pala.

20 So during the hearing that happened,  
21 Ms. Alvarado presented no evidence for the purpose  
22 of explaining why the Commission believed that the  
23 facts and circumstances in Zimmerman's case were  
24 distinguishable from the facts and circumstances in  
25 Gaffalione or La Pala or Juarez, so as to disqualify

1 Zimmerman from being treated exactly the same way  
2 that those three applicants were treated.

3 Similarly, in the proposed recommended  
4 order that Ms. Alvarado filed, it was silent with  
5 regard to any argument that Zimmerman should be  
6 treated differently and more harshly than  
7 Gaffalione, La Pala, or Juarez were treated.

8 Now, when the recommended order was issued,  
9 there were two reasons given why this application  
10 was denied. First was the felony convictions are  
11 serious crimes. Well, let's stop with that one. So  
12 if we look at Gaffalione, La Pala, and Juarez,  
13 weren't they all serious crimes also? Felony  
14 battery, felony battery on a police officer, and  
15 armed robbery. Yet, there was no attempt made in  
16 the recommended order to distinguish this case from  
17 those cases to explain why auto theft under the  
18 weird circumstances that are described on the  
19 recommended order was more serious than these other  
20 crimes that involved physical injuries to other  
21 people or involving a weapon.

22 The next reason was that the convictions  
23 occurred only a few years ago. Well, I wouldn't --  
24 you know, three, or four, or five years ago I'm not  
25 sure was a few years ago, but again, no attempt was

1 made to distinguish Gaffalione and La Pala which  
2 only required a one year waiting period, and Juarez  
3 which was five years. But again, that was after he  
4 went to the federal penitentiary and was convicted  
5 of armed robbery.

6           The recommended order also says it's  
7 difficult for an applicant to prove rehabilitation  
8 from such serious convictions in a short period of  
9 time. Well, I completely agree that proving or  
10 disproving a negative is almost impossible. But  
11 when it's tied to a period of time, again, there was  
12 no attempt made to distinguish the other three cases  
13 because this time frame is all consistent with  
14 those, and in fact is longer than Gaffalione or La  
15 Pala.

16           So there's actually very little case law,  
17 you know, regarding this area, but there is one case  
18 that I would like to bring to the attention of the  
19 Commission, and that's the case of Courts versus ACA  
20 965 Southern 2nd 154. It's a First District Court  
21 decision of 2007. And that addressed a similar  
22 situation from a final order, not from a recommended  
23 order. But today, you're being asked to adopt this  
24 recommended order as your final order, so that -- if  
25 you do that, then all of the deficiencies in the  
26 recommended order become deficiencies in the final



1 order.

2 So in the Court's case, ACA denied a  
3 Medicare recipient benefit that ACA had previously  
4 approved for that recipient and brothers. With ACA  
5 knowingly changing its existing nonruled policy, it  
6 did so without adequate explanation for the change  
7 in its final order and without the adoption of a  
8 rule. In reversing the denial of the benefit, the  
9 court said a few things.

10 First, when an agency changes its standards  
11 with regard to a particular person without  
12 explaining the reason for the change, such activity  
13 gives the appearance of a decision being made on the  
14 whim of a bureaucrat.

15 Second, an agencies failure to explicate  
16 its new non-rule policy at the hearing is even more  
17 egregious when the agency changes the application of  
18 its policy to a particular case.

19 And third, because ACA's policy change was  
20 made to this particular recipient without rulemaking  
21 and without an explanation of the new policy during  
22 the hearing process, the policy change was made  
23 contrary to law and cannot stand.

24 So we have the exact same situation here.  
25 At the hearing no attempt was made to distinguish

1 this case from those other three cases in explaining  
2 why this circumstance was more serious or why one  
3 year was okay for Gaffalione or La Pala but not for  
4 Zimmerman, or why five years was okay for Juarez but  
5 not for Zimmerman.

6 Similarly, when the recommended order was  
7 issued, there was no attempt to distinguish those  
8 other three cases from this case. Even though I  
9 read to you the fact that the reasons that were  
10 cited were contrary to the decisions in those three  
11 cases. And I suggest to you the reason there was no  
12 attempt to distinguish, because the hearing officer,  
13 Ms. Stinson, is a very good lawyer and she knows  
14 that she was required to distinguish these things in  
15 order to make her order valid, she didn't even  
16 attempt to do it because they're indistinguishable.  
17 So she just ignored that whole provision in 120.68  
18 that requires an explanation when there's a  
19 deviation from established agency policy, which we  
20 have through Gaffalione, La Pala, and Juarez.

21 So my position here is that this Commission  
22 has the authority to grant Mr. Zimmerman his  
23 license. Or you have the authority to remand this  
24 back to the hearing officer and requiring the  
25 hearing officer to follow the law and to explain the

1 deviation from those three decisions as applied to  
2 this case, so as to disqualify Zimmerman from  
3 receiving the same treatment that the three  
4 applicants in Gaffalione, La Pala, and Juarez  
5 received.

6 Now, I'm happy to answer any questions that  
7 the Commission may have. And I will point out, by  
8 the way, that Gaffalione's approval -- and you know,  
9 I think you kind of have to look -- some of these  
10 things you have to kind of look at historical  
11 perspective. Gaffalione had a conditional  
12 probational order. He hasn't violated it and he's  
13 one of the top five jockeys in America now because  
14 he was given a second chance. La Pala hasn't had  
15 any issues and Juarez hasn't had any issues. And  
16 really, the only way you can show rehabilitation in  
17 this field is to go out and do it and show that  
18 you're not going to violate the law.

19 Now, you've seen the presentation that I  
20 made. It's voluminous. People don't go through  
21 this whole waiver process with the intention of now  
22 doing the same stuff that got them in trouble in the  
23 first place. And La Pala, Gaffalione, and Juarez  
24 are all proof of that. These people were given a  
25 second chance and they haven't violated it. And I'm

1 asking for the same thing for Ramsey Zimmerman.

2 Now, he is riding again. He was licensed  
3 in Arkansas. And in fact, he won his first race  
4 back after not racing since 2017. And his picture  
5 appeared in three national publications because  
6 people were happy to see him back. He was a very  
7 popular jockey in certain parts of the country.  
8 He's been the leading rider at race meets. And  
9 these jockeys are like professional athletes, they  
10 all have followings. Everyone knows these people.  
11 Everything they do on the racetrack is seen by a  
12 camera. Everyone watches.

13 So this whole process he's going through  
14 just to try to get back what he had before, not  
15 excusing the events that caused him to not race for  
16 five years. But like these other people, he's  
17 looking for a second chance. That's all he's  
18 looking for here, and I think under the precedent,  
19 he deserves it. Thank you.

20 VICE-CHAIR YAWORSKY: Thank you,  
21 Mr. Romanick.

22 Ms. Alvarado, do you have any comments  
23 before we go into questions?

24 MS. ALVARADO: I think Mr. Marshman has  
25 something to say.

1 VIC-CHAIR YAWORSKY: Mr. Marshman.

2 MR MARSHMAN: Good afternoon again.

3 Mrs. Alvarado can correct me, of course, if  
4 I get any of the particulars incorrect. But  
5 (indiscernible) is only as good as the parties being  
6 so similarly situated that it makes sense to apply a  
7 policy or apply a rule the same way because they're  
8 so similarly situated. It's impossible to compare  
9 -- in my suggestion it's impossible to compare the  
10 types of crimes and say that one criminal act is  
11 less or more than another. It's -- they're not  
12 similarly situated.

13 I mean, I agree that robbery is different  
14 than grand theft auto. I also agree that someone  
15 such as Mr. Zimmerman who stole a car from a  
16 pari-mutuel wagering facility may be treated  
17 differently than someone who committed a battery on  
18 a law enforcement officer. But in either case, they  
19 are not similarly situated parties so exactly that  
20 how you treated -- how the division treated an armed  
21 robber means that you have to treat someone who  
22 stole a car the same way. They're not so similarly  
23 situated, in other words, that what you did for one  
24 means you have to do it for every other criminal  
25 because it fails to meet an arbitrary distinction

1 about the seriousness of the offense.

2 So I say all of that to say I don't see  
3 these parties as being so similarly situated that  
4 the Commission is bound by these three cases plucked  
5 out of hundreds, if not thousands, that mean that  
6 you must do this. I think that there are  
7 distinctions. The distinctions matter. And I think  
8 that the recommended order of Mrs. Alvarado's  
9 representations, I think that's given the Commission  
10 grounds to deny Mr. Zimmerman his license.

11 And I think the most persuasive or  
12 convincing evidence I've heard that goes towards  
13 rehabilitation is what Mr. Romanick pointed which he  
14 is racing in another jurisdiction. We can't change  
15 that fact. That is noteworthy to Mr. Zimmerman's  
16 credit. That other jurisdiction had the exact same  
17 information before it and it reached its own  
18 conclusion about whether or not he was entitled to a  
19 license in that jurisdiction.

20 So I think that more than perhaps his  
21 explanations during the hearing related to drug use,  
22 and diet pills, and crash diets, I think that that  
23 is not convincing to a hearing officer as was  
24 evidenced by a recommended order suggesting we not  
25 issue a license here. I think that is a reason to

1 perhaps deny his license here. But to  
2 Mr. Zimmerman's credit, he does have a license  
3 elsewhere and that is something that the Commission  
4 can take into consideration.

5           Procedurally, you are not bound by the  
6 terms of the recommended order. You can direct  
7 staff to issue a final order however you see fit,  
8 taking into consideration the recommended order.  
9 Mr. Romanick has filed exceptions to the recommended  
10 order. Those are permitted in the 125.71 proceeding  
11 but they're not expressly permitted in informal  
12 hearing. But his advocacy is taken in all the same  
13 anyway.

14           So the final order is not going to have to,  
15 in other words, address every exception that's  
16 raised because there's no provision in 125.72  
17 mandating that the Commission do that.

18           So with that, I would ask Mrs. Alvarado to  
19 correct me if I made any misrepresentations or add  
20 any of her thoughts. But the Commission is in a  
21 posture to make a decision today or, as Mr. Romanick  
22 suggested, remand the case back to the hearing  
23 officer for further fact finding. That's also  
24 something they can do. But I believe that you have  
25 a recommended order, you have the representations

1 that were made during that, the ball is in your  
2 court, so to speak, on how to handle it from here.

3 Ms. Alvarado, did I misstate anything or  
4 have anything else you wish to add?

5 MS. ALVARADO: No. I have nothing  
6 additional at this time.

7 VICE-CHAIR YAWORSKY: Any questions or  
8 discussion?

9 (No response)

10 Okay. Is there a motion?

11 MR. ROMANIK: May I add one thing,  
12 please? May I be heard? One more comment.

13 The recommended order does not --

14 MR. MARSHMAN: One second, Mr. Romanick.  
15 So it's important just to contextualize what's  
16 happening here. This really isn't a point of entry  
17 for Mr. Zimmerman to come and make additional  
18 arguments. That was the informal hearing. That was  
19 the election of rights that were already made.

20 Mr. Romanick can provide all the public  
21 comment that this Commission allows but it's  
22 important just to note that this is public comment  
23 and a back and forth is perhaps not as contemplated  
24 by public comment than it would be for the  
25 applicant's counsel speaking on behalf of West



1 Flagler. I mean, he was the applicant, there was a  
2 point of entry for him at that point to consider  
3 whether or not we're going to do anything.

4 Here we're already beyond the election of  
5 rights. We're at the recommended order being  
6 discussed if you want to adopt it or not. As a  
7 member of the public, he can provide comment but a  
8 back and forth is perhaps not envisioned by public  
9 comment. Advocacy is not necessarily envisioned by  
10 public comment. And again, there's no discreet  
11 point of entry here for Mr. Zimmerman to come and  
12 make additional argument outside of public comment.

13 VICE-CHAIR YAWORSKY: Thank you,  
14 Mr. Marshman.

15 In the interest of -- since that wasn't --  
16 this has not occurred at a prior meeting, this  
17 particular thing, Mr. Romanick, I'll give you one  
18 minute to make any final thoughts you have.

19 MR. ROMANIK: Okay. Thank you very much.

20 Irrespective of whether this is a 120.57(1)  
21 or a 120.57(2), if an action is taken by an agency  
22 that is inconsistent with officially stated policy  
23 or private prior agency policy, the deviation must  
24 be explained in the order. It's not optional. It's  
25 a statutory requirement. That was not done here.

1                   Those three cases that I cited which  
2                   establish the agency's policy with regard to  
3                   felony waivers for jockeys and exercise riders,  
4                   different than all the other 300 or so, there were  
5                   only 3 that I found dealing with jockeys or exercise  
6                   riders. That dealing with them, deviation from the  
7                   prior practice has to be explained or the order is  
8                   defective. And there's been no explanation as to  
9                   why he's different than the other three. And it's  
10                  the requirement of the hearing officer to go through  
11                  the distinctions and to lay them out in the  
12                  recommended order before presenting them to this  
13                  Commission for you to adopt. That wasn't done here.

14                  VICE-CHAIR YAWORSKY: Okay. Thank you,  
15                  Mr. Romanick.

16                  MR. ROMANIK: Thank you, sir.

17                  VICE-CHAIR YAWORSKY: Is there a motion?

18                  COMMISSIONER BROWN: I just didn't know if  
19                  Ms. Alvarado wanted to respond.

20                  VICE-CHAIR YAWORSKY: Ms. Alvarado, do you  
21                  have a response to that?

22                  MS. ALVARADO: No. I  
23                  have no response.

24                  VICE-CHAIR YAWORSKY: Okay.

25                  Is there a motion?

1                   COMMISSIONER BROWN: Move to approve the  
2 recommended recommendation of the board as presented  
3 to us denying the license.

4                   VICE-CHAIR YAWORSKY: Okay. The motion has  
5 been made. Is there a second?

6                   COMMISSIONER DRAGO: I'll second.

7                   VICE-CHAIR YAWORSKY: Second by  
8 Commissioner Drago.

9                   Any opposed?

10                  (No response)

11                  Hearing none, show this recommended order  
12 adopted.

13                  Item 3.2.

14                  MR. TAUPIER: Mark Taupier for the record  
15 presenting item 3.2. This is Freddie Hughes versus  
16 the Florida Gaming Control Commission in Case Number  
17 2022-024632.

18                  This is a recommended order before you for  
19 adoption by our hearing officer. Procedural history  
20 is that notice of intent to deny was authorized by  
21 this Commission in September at its duly noticed  
22 meeting. We did receive an election of rights from  
23 Mr. Hughes electing an informal hearing.

24                  An informal hearing was conducted on  
25 November 15th of 2022 via teleconference. After

1 hearing from both parties and presenting evidence  
2 from both parties, a recommended order was filed  
3 with the division clerk on 2/2 of '23, recommending  
4 that the applicant's application be denied. And the  
5 division's posture and recommendation to this  
6 Commission is to adopt that recommended order.

7 VICE-CHAIR YAWORSKY: Okay. We have no  
8 public comment cards on this matter, so we will  
9 proceed with any discussion or questions.

10 COMMISSIONER DRAGO: No questions.

11 VICE-CHAIR YAWORSKY: Okay. Is there a  
12 motion?

13 COMMISSIONER BROWN: I will make a motion  
14 but I just want to make a point on this particular  
15 one. This applicant has had multiple, multiple  
16 infractions, criminal infractions. License was  
17 refused in another state and also was revoked in  
18 Florida, prior. I think the hearing officer did a  
19 good job on this and I would move to approve the  
20 recommended order on this.

21 VICE-CHAIR YAWORSKY: Okay. Is there a  
22 second?

23 COMMISSIONER D'AQUILA: Second.

24 VICE-CHAIR YAWORSKY: Commissioner D'Aquila  
25 with a second.

1 Any opposed?

2 (No response)

3 Hearing none, show this recommended order  
4 adopted.

5 Next item.

6 CHIEF ATTORNEY MARC TAUPIER: Item 3.3.  
7 Marc Taupier for the record, presenting Alfredo Fong  
8 versus the Florida Gaming Control Commission in Case  
9 Number 2022-028758.

10 This matter is before you on a recommended  
11 order from our hearing officer. Procedural posture  
12 of this case is that in September of 2022, this  
13 Commission authorized the issuance of a notice of  
14 intent to deny. That notice of intent to deny was  
15 served upon Mr. Fong where his election was to have  
16 an informal hearing pursuant to Section 120.57(2) of  
17 the Florida statutes.

18 The hearing was conducted via GoTo Meeting  
19 on November 15th of 2022, to which both parties were  
20 able to present mitigation. After that hearing, the  
21 hearing officer did file with the clerk of the  
22 Commission on February 1st of 2023, a hearing  
23 officer's recommended order recommending the denial  
24 of Mr. Fong's application.

25 The division's recommendation for this

1 matter is to adopt the recommended order from the  
2 hearing officer.

3 VICE-CHAIR YAWORSKY: Okay. We have no  
4 public comment cards on this item in. Is there any  
5 discussion amongst Commissioners?

6 (No response)

7 Is there a motion.

8 COMMISSIONER BROWN: Again, I would agree,  
9 it's the exact same thing I just said. This is the  
10 same (indiscernible), the same crimes as well, and I  
11 would move to approve the recommended order.

12 VICE-CHAIR YAWORSKY: Okay. There is a  
13 motion to approve. And I believe there's a second.

14 COMMISSIONER D'AQUILA: Second.

15 VICE-CHAIR YAWORSKY: From Commissioner  
16 D'Aquila.

17 Any opposed?

18 (No response)

19 Hearing none, show that approved.

20 Next item.

21 MR. MARSHMAN: Mr. Vice-Chair?

22 VICE-CHAIR YAWORSKY: Yes.

23 MR. MARSHMAN: If I may suggest, just  
24 based on representatives that are here that we take  
25 three cases out of order. All similar to the same

1 issue, I guess.

2           Okay. Basically, I would suggest that we  
3 move to item five so that an attorney who is here  
4 can make representations. Then if he's needed  
5 elsewhere, he can then leave.

6           VICE-CHAIR YAWORSKY: Okay. We can do  
7 that. And that would be item 5.1, beginning with --

8           MR. MARSHMAN: I believe we would  
9 discuss, if we do as I suggest, 5.1, 5.2, 5.3, 5.4,  
10 and I believe there's another attorney here as well  
11 for item 5.9.

12           VICE-CHAIR YAWORSKY: Okay.

13           MR. MARSHMAN: It might be easier to  
14 treat this as a court docket and just have the  
15 lawyers begin to stand and then approach  
16 (indiscernible)

17           VICE-CHAIR YAWORSKY: But we may not get that  
18 far. But because it has been a long day and there are  
19 attorneys here, we'll go ahead and make this exception  
20 at this time. But that may not always be the case.

21           So for the moment, I think it would be --  
22 I'm guessing, I believe 5.1 would be Tampa Bay  
23 Downs. Would that be an appropriate --

24           MR. MARSHMAN: Yeah. I think that  
25 would be a good place to start.

1 VICE-CHAIR YAWORSKY: Okay. Great. Thank  
2 you.

3 MS. ALVARADO: Item 5.1. Emily Alvarado for  
4 the record. Tampa Bay Downs, 2022-033589. In this  
5 case you were provided the administrative complaint  
6 alleging that respondent allowed a massage therapist  
7 to work on the cardroom without a current pari-mutuel  
8 wagering occupational license.

9 You were presented the same issue back in  
10 the October meeting. (Indiscernible) for a \$250  
11 penalty. (Indiscernible) a chance to provide some  
12 litigation regarding this issue.

13 VICE-CHAIR YAWORSKY: Okay.

14 Mr. Rutledge, you are recognized.

15 GARY RUTLEDGE: Gary Rutledge of Rutledge  
16 of Rutledge Ecenia here in Tallahassee.

17 First of all, it wasn't outside of the  
18 length of the meeting. Your executive director said  
19 he was going to sign off on my CLEs for the time  
20 that I've spent today. So hopefully, that will work  
21 out with the bar and will be much appreciated,  
22 because my deadline is coming up the end of the next  
23 month and I'm about half of the hour short.

24 I'll be brief on this, Mr. Vice-Chairman  
25 and Commissioners. This issue came before you



1 previously, and I was not in attendance at that  
2 meeting. The practice has changed somewhat because  
3 of your direction and some of your desires to  
4 streamline and enhance, should I say, penalties when  
5 appropriate.

6           The facts of this, very briefly put, are  
7 that there was a massage therapist, a therapist  
8 which they use in cardrooms to -- 10, \$20 somebody  
9 can pay and then they can massage their neck, or  
10 shoulders, or whatever while they're playing cards.  
11 It's not something that is a sensitive position,  
12 other than for the person getting the massage and --  
13 in terms of the person that's licensed.

14           The other difference about this, and there  
15 was concern about aggravation because of there being  
16 the prior violation. The prior violation had to do  
17 with an employee. This is not an employee of the  
18 establishment, it's an independent contractor. And  
19 they were there for only two occasions for some  
20 brief period of time before they left and they're  
21 not working there any further.

22           So out of respect of the Commission and  
23 discussions with Emily, we did double what was  
24 previously proposed to \$500 and we appreciate your  
25 consideration.

1 VICE-CHAIR YAWORSKY Okay. Thank you.

2 Is this what we have?

3 MS. ALVARADO: No. We do

4 have a signed (indiscernible), like he mentioned.

5 It's for \$500. At the last meeting, you did

6 recommend \$1000, so I want to give him a chance to

7 present, as well, his mitigation.

8 VICE-CHAIR YAWORSKY: Okay. Thank you.

9 Any discussion? Questions from any of the

10 Commissioners?

11 COMMISSIONER BROWN: Move to approve the

12 consent order as presented.

13 VICE-CHAIR YAWORSKY: Is there a second?

14 COMMISSIONER D'AQUILA: Second.

15 VICE-CHAIR YAWORSKY: Any opposed?

16 (No response)

17 Hearing none, show that consent order

18 approved.

19 Okay. Item -- I believe that we will still

20 be in a good space to go with item 5.2.

21 MS. ALVARADO: The first five are going to

22 be the Gary also, so we can just go through those.

23 VICE-CHAIR YAWORSKY: You might just want

24 to say right where you are.

25 It is -- what's the item number?

1 MS. ALVARADO: 5.2.

2 VICE-CHAIR YAWORSKY: 5.2. Thank you.

3 MS. ALVARADO: That is FGCC versus TBD  
4 Entertainment, LLC, 2022-035114. In this case, you  
5 were provided the one count administrative complaint  
6 alleging that respondent violated rule 61D-11.1066 by  
7 having more cardroom tables in operation than  
8 permitted by their operating license. In this case,  
9 they had 15 tables and 14 on their operating license.

10 This was presented at the November meeting  
11 as a default and Mr. Rutledge was also there and  
12 asked that we have settlement negotiations. And  
13 right now, we have a signed settlement  
14 (indiscernible) in this case.

15 VICE-CHAIR YAWORSKY: Okay, Mr. Rutledge.  
16 You are recognized.

17 MR. RUTLEDGE: Mr. Vice-Chairman and  
18 Commissioners, this is TBD Entertainment which is  
19 the Tampa greyhound track permit which has got a  
20 common ownership with Tampa Bay Downs. As you all  
21 probably know, they operate that cardroom, so this  
22 is a different license than the previous one.

23 If there was ever a case that shouldn't  
24 lead to a penalty and should only lead to a warning,

1 this is the poster child of those cases. This is a  
2 situation where the cardroom, in the previous  
3 license year, had amended their application, paid  
4 the additional cardroom license fee and the like.  
5 And during the overlap from that license year to the  
6 next year, they had refiled their application having  
7 the previously low number.

8           You apply between December 15th and January  
9 4th of each year, and the overlap is not until July  
10 1st of the following year. So they didn't realize  
11 they were going to have the need for an extra table  
12 or two when they filed their application.

13           So they filed their application.  
14 Subsequently, it was issued. July 1st rolls around,  
15 and they didn't have the correct number of tables.  
16 There was one table, two tables, you know,  
17 difference. And so there was appropriately a  
18 technical violation, but they have paid their fees,  
19 they were licensed, they've been licensed. There  
20 was no integrity of the games or anything else that  
21 was going on there.

22           And so we agreed with counsel that they  
23 should be reprimanded, warned, whatever it is that's  
24 appropriate, but it shouldn't require a penalty, and  
25 we appreciate your consideration again.

1                   VICE-CHAIR YAWORSKY: Thank you. Thank  
2 you, Mr. Rutledge. Appreciate it.

3                   Ms. Alvarado, can you just clarify the  
4 timeline on the --

5                   MS. ALVARADO: I believe it was within a  
6 week. This was presented to you guys, actually to  
7 amend the operating license. So now they have -- the  
8 operating license lists 16. I believe, they have now.  
9 They realized the issue within a week or so that they  
10 were (indiscernible).

11                  VICE-CHAIR YAWORSKY: Okay. So an  
12 amendment was filed but not yet approved and there  
13 were two additional tables on the floor --

14                  MS. ALVARADO: Right.

15                  VICE-CHAIR YAWORSKY: -- at that time.

16                  I'm not sure I understand the timeline. So  
17 can you explain that again?

18                  MS. ALVARADO: One second.

19                  Okay. So on July 22nd -- or on July 20th,  
20 it was determined that they had 15 tables in  
21 operation, and on July 27th, they amended their  
22 operating license to have 17 tables. So 7 days. It  
23 was 7 days from when they found out that they had 1  
24 more than their operating license and that license

1 would have taken effect July 1st.

2 VICE-CHAIR YAWORSKY: So do we know how  
3 long the extra table was there?

4 MS. ALVARADO: From July 1st to the 20th.  
5 So it must have been 20 days.

6 VICE-CHAIR YAWORSKY: How many days?

7 MS. ALVARADO: 20 days. From July 1st to the  
8 20th.

9 VICE-CHAIR YAWORSKY: Thank you. I  
10 believe, just to clarify this process for me, but  
11 typical appropriate process would be -- to add or  
12 remove cardroom tables would be to make a filing  
13 that's pretty exhaustive based on some of the other  
14 ones we've approved, but before you add the tables.

15 MS. ALVARADO: And in the fiscal year prior,  
16 they did have 15 tables. So I believe what happened is  
17 they didn't change it for the following year, for this  
18 fiscal year, and kept going with the prior operating  
19 license number.

20 MR. TROMBETTA: Thank you, Mr. Vice-  
21 Chair, if I may.

22 Ms. Alvarado, just for purpose of  
23 clarifying, and I have seen -- but the fiscal year  
24 actually changes in July. What is sounds like  
25 happened was that they had been operating more

1 tables the previous fiscal year, applied for their  
2 new license. It took effect, it had a different  
3 number. And then there was a time period before  
4 they could adjust to get back to what they had. Is  
5 that --

6 MS. ALVARADO: Right. They had amended it  
7 for the prior fiscal year but they hadn't done it for  
8 the current.

9 VICE-CHAIR YAWORSKY: They had amended it?

10 MS. ALVARADO: Yes. The prior fiscal year  
11 they had amended it.

12 VICE-CHAIR YAWORSKY: Okay.

13 MS. ALVARADO: And then they tried using the  
14 same amount of tables into the new fiscal year and  
15 their operating license had one less than what they  
16 operating on.

17 VICE-CHAIR YAWORSKY: Okay. So there had  
18 been -- thank you. Appreciate that.

19 MS ALVARADO: Yeah.

20 VICE-CHAIR YAWORSKY: Is there Commissioner  
21 -- is there a motion?

22 COMMISSIONER DRAGO: I'll make a motion to  
23 adopt the settlement order.

24 COMMISSIONER BROWN: Second.

25 VICE-CHAIR YAWORSKY: I want to thank the

1 staff -- I do remember this item and I want to thank  
2 the staff for taking the time to investigate  
3 (indiscernible). Thank you.

4 I think 5.3, we can go ahead and go into.

5 MS. ALVARADO: Yes. That's FGCC versus TBD  
6 Entertainment in Case Number 2022-043911. In this  
7 case there was a one count administrative complaint  
8 alleging that respondent violated 61D-11.014(4)(b)(1)  
9 by failing to remove an entire deck of cards when the  
10 damaged card was discovered.

11 We have a signed consent order with a \$250  
12 fine. They do have one prior from 2020 which had  
13 multiple counts but this count would have been \$125  
14 fine. And Mr. Rutledge is here for any questions  
15 specifically for the facility, but this is the first  
16 time that they presented to you guys.

17 VICE-CHAIR YAWORSKY: Okay. Mr. Rutledge,  
18 do you want to present or are you just available for  
19 questions?

20 MR. RUTLEDGE: Questions.

21 VICE-CHAIR YAWORSKY: We do have a  
22 question.

23 MR. RUTLEDGE: Yes, sir.

24 VICE-CHAIR YAWORSKY: Come on up. Sorry,



1 you're not getting out of it that easy.

2 COMMISSIONER BROWN: We thought you wanted  
3 to present, so I figured I'd ask a few questions to  
4 the penalty. Just wanted to find out what  
5 mitigating factors are there, so that this type of  
6 -- that there are measures that it won't happen  
7 again.

8 MR. RUTLEDGE: I've already turned the  
9 page.

10 As Emily said, the prior violation that led  
11 to a penalty had a series of violations that they  
12 were fined for. This was just one of those. So the  
13 mitigation really is less than mitigation because  
14 you're going to be doubling or more the penalty that  
15 they receive because the other one was a fine for a  
16 series of violations. This was just the isolated  
17 violation of not removing the cards.

18 So you are in fact penalizing them more  
19 than they were penalized before because, as Emily  
20 said, the prior violation that they were penalized  
21 for, while it seems to be the same amount, it's  
22 because they had a number of violations. This did  
23 not. It was singular.

24 COMMISSIONER BROWN: Thank you. And what  
25 measures are being put in place so that this type of

1 activity doesn't happen at TBD?

2 MR. RUTLEDGE: The most important measure  
3 is that I tell them and my other clients there's a  
4 new sheriff in town.

5 VICE-CHAIR YAWORSKY: Any other questions?  
6 We have a question, Ms. Alvarado.

7 COMMISSIONER DRAGO: Can you tell me what  
8 was the fines on the last one? I know there were  
9 multiple offenses but what was the --

10 MS. ALVARADO: So the total was \$500.  
11 They didn't differentiate between penalty. I would  
12 assume (indiscernible) which one would be considered  
13 one. So \$125, if you split that between the  
14 penalties.

15 COMMISSIONER DRAGO: Okay. Thank you.

16 VICE-CHAIR YAWORSKY: Okay. Any other  
17 questions, Commissioner D'Aquila?

18 COMMISSIONER D'AQUILA: No.

19 VICE-CHAIR YAWORSKY: Okay. Is there a  
20 motion?

21 COMMISSIONER BROWN: Motion to approve the  
22 recommended order.

23 VICE-CHAIR YAWORSKY: And so moved. Is  
24 there a second?

25 COMMISSIONER D'AQUILA: Second.

1 VICE-CHAIR YAWORSKY: D'Aquila seconds.

2 Any opposed?

3 (No response)

4 Hearing none, show the recommended order  
5 approved.

6 The next item is, I believe --

7 COMMISSIONER D'AQUILA: 5.4.

8 VICE-CHAIR YAWORSKY: -- 5.4. I think we're  
9 still in the right space to do that, so  
10 Ms. Alvarado, please.

11 MS. ALVARADO: FGCC versus Washington County  
12 Kennel Club, Case Number 2022-034237. In this case  
13 there was a one count administrative complaint filed  
14 alleging that respondent failed to report a  
15 description of the attack activity being monitored on  
16 the surveillance logs. This was also presented at the  
17 October meeting with a \$250 penalty that the  
18 Commission did not accept.

19 I have had further settlement negotiations  
20 with Mr. Rutledge, and we have decided on an order  
21 of 750. This case had five prior violations, but  
22 this was the first offense since December 2021. The  
23 range of priors was from 250 to 500 for those cases.  
24 And I think Mr. Rutledge wanted a chance to present,

1 as well, for this one.

2 VICE-CHAIR YAWORSKY: Mr. Rutledge.

3 MR. RUTLEDGER: Briefly, this is the first  
4 similar violation in the last several years, and  
5 just to put into perspective again, this does not  
6 have to do with the licensee's inability to record  
7 the activities that are there to make them  
8 available. This was simply the separate logging of  
9 I didn't like the way they, you know, parted their  
10 hair, so I wanted to surveil them, whatever.

11 So as it relates to the integrity, most  
12 importantly, of what was going on, this was not an  
13 issue. When it came to the Commission before,  
14 similarly, we had negotiated settlement and conceded  
15 and agreed with the Commission attorney for the \$250  
16 you all had determined, as was your prerogative,  
17 that that was not adequate. We tried to double it  
18 to \$500 but you had a tough negotiator. She said,  
19 "I'm not going to present this back for  
20 recommendation unless it's \$750."

21 VICE-CHAIR YAWORSKY: Okay. Any questions  
22 from the Commissioners?

23 COMMISSIONER BROWN: Move to approve the  
24 recommended order. And thank our counsel for their  
25 hearty work.

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

2 VICE-CHAIR YAWORSKY: Consider moved and

3 seconded. Any opposed?

4 (No response)

5 Hearing none, show that approved.

6 Next item.

7 MS. ALVARADO: Item 5.5 FGCC versus Sarasota  
8 Kennel Club, Case Number 2022- 052199. This case was  
9 a one count administrative complaint alleging that  
10 respondent violated 61D-11.020(5)(e) by failing to  
11 record the date and time that a key was returned in a  
12 written log. There was a \$500 consent order on the  
13 issue. And they have one prior violation from last  
14 year, 2022, which had a \$250 fine.

15 And Mr. Rutledge is also representing them,  
16 as well, for any questions.

17 VICE-CHAIR YAWORSKY: For questions,  
18 Mr. Rutledge, or --

19 MR. RUTLEDGE: If you have any.

20 VICE-CHAIR YAWORSKY: Yes, sir.

21 MR. RUTLEDGE: Okay.

22 VICE-CHAIR YAWORSKY: Okay. Is there any  
23 discussion or a motion?

24 COMMISSIONER DRAGO: I'll make a motion to

1 adopt the settlement and consent order.

2 COMMISSIONER BROWN: Second.

3 VICE-CHAIR YAWORSKY: Okay. Any opposed?

4 COMMISSIONER D'AQUILA: No.

5 VICE-CHAIR YAWORSKY: Okay. Hearing none,  
6 show that approved.

7 Next item is --

8 MS. ALVARADO: Item 5.9.

9 VICE-CHAIR YAWORSKY: 5.9.

10 MS. ALVARADO: Yes.

11 VICE-CHAIR YAWORSKY: 7 and 8?

12 MS. ALVARADO: That is FGCC versus South  
13 Marion Real Estate Holdings. It's two cases. Case  
14 Number 2022-051624 and 2022-055140.

15 In this case there was a three-count  
16 administrative complaint alleging that respondent  
17 violated Rule 61D-11.014(4)(d)(2) and 11.014(4)(c),  
18 and 11.012(9), by failing to indicate a time the  
19 damage card was withdrawn from play on the damage  
20 card envelope; failing to permanently alter the  
21 damaged card when it was removed from play; and  
22 failing to provide photo identification cards for  
23 multiple employees in the facility.

24 There is a \$750 consent order that's  
25 (indiscernible), and respondent has no prior

1 violations of any of these rules.

2 (Indiscernible) is here, as well, if  
3 there's any further questions on this.

4 VICE-CHAIR YAWORSKY: Okay. Do we have any  
5 questions for --

6 COMMISSIONER DRAGO: Just a comment, I  
7 guess. The one offense being that not identifying  
8 themselves, not showing their ID.

9 MS. ALVARADO: They had IDs, but they didn't  
10 have photos on the ID. The rule requires a picture on  
11 the ID and they were providing identification cards  
12 that didn't have pictures.

13 COMMISSIONER DRAGO: Oh, I got you. Thank  
14 you for clarifying that.

15 VICE-CHAIR YAWORSKY: Okay. Any other  
16 questions or comments?

17 COMMISSIONER D'AQUILA: I'll make a motion.

18 VICE-CHAIR YAWORSKY: Commissioner D'Aquila  
19 with a motion.

20 COMMISSIONER DRAGO: Second.

21 VICE-CHAIR YAWORSKY: Okay. Moved and  
22 seconded. Any opposed?

23 (No response)

24 Okay. Show the settlement consent order

1 adopted.

2 Our next item is going to be --

3 MS. ALVARADO: Do you want to continue with  
4 the consent orders?

5 VICE-CHAIR YAWORSKY: Yes. Yes.

6 MS. ALVARADO: Okay. Let's do item 5.6.  
7 That is FGCC versus Sanford Orlando Kennel Club in  
8 Case Number 2022-043887. In this case there was a one  
9 count administrative complaint filed alleging that  
10 respondent violated Section 550.105(2)(a)(3) by  
11 allowing an individual have access to the control  
12 machines without a valid occupational license.

13 They accepted a signed consent order with a  
14 \$1000 fine, and they had no priors of this violation  
15 of this section.

16 VICE-CHAIR YAWORSKY: Okay. Any questions  
17 or comments? Are there any speakers?

18 (No response)

19 I believe the answer is no. Any questions  
20 or comments from Commissioners or a motion?

21 COMMISSIONER DRAGO: I'll make a motion to  
22 adopt the settlement consent order.

23 VICE-CHAIR YAWORSKY: So moved. And is  
24 there a second?



1 COMMISSIONER D'AQUILA: Second.

2 VICE-CHAIR YAWORSKY: Commissioner D'Aquila  
3 seconds. Any opposed?

4 (No response)

5 Hearing none, show that settlement consent  
6 order adopted.

7 Next item.

8 MS. ALVARADO: FGCC versus Daytona Beach  
9 Kennel Club in Case Number 2022-046021. In this case  
10 there is a one count administrative complaint alleging  
11 that respondent violated 61D-11.0251(1)(d)(2)  
12 by failing to report the name of the employee  
13 providing access to an unlicensed person into a  
14 secured area. They have no prior violations of this  
15 rule and they have sent in a signed consent order  
16 for a \$250 fine.

17 VICE-CHAIR YAWORSKY: Okay. I see no  
18 public comment cards. Is there any discussion or  
19 questions from the Commissioners?

20 (No response)

21 Seeing none, is there a motion.

22 COMMISSIONER DRAGO: Motion to adopt the  
23 settlement and consent order.

24 COMMISSIONER BROWN: Second.

1 VICE-CHAIR YAWORSKY: So moved and  
2 seconded. Any opposed?

3 COMMISSIONER D'AQUILA: No.

4 VICE-CHAIR YAWORSKY: Hearing none, we'll  
5 show that adopted.

6 Next item.

7 MS.ALVARADO: Item 5.8 is FGCC versus  
8 Brayan Lopez, Case Number 2022-047408. In this  
9 case there was a one count administrative account  
10 filed alleging a violation of 61D-2.003 by the  
11 respondent engaged in conduct that distracted the  
12 division employee from (indiscernible) of her  
13 duties.

14 They have no prior violations of this rule  
15 and there was a signed consent order issuing \$100  
16 fine that we have received.

17 COMMISSIONER BROWN: Well, I just want to  
18 say, you know, I feel for the investigator that was  
19 involved in this. And with that, I would support  
20 the consent order and move to adopt it.

21 COMMISSIONER DRAGO: Can I ask you a  
22 question. When he grabbed and made an inappropriate  
23 remark, grabbed how? I guess is -- I mean, what's  
24 the extent of this? Besides being battered, what's  
25 the extent, how far this went?

1 COMMISSIONER BROWN: It's in there.

2 COMMISSIONER DRAGO: Is it in the paper?

3 COMMISSIONER BROWN: We have  
4 (indiscernible).

5 COMMISSIONER DRAGO: I don't remember.

6 VICE-CHAIR YAWORSKY: Ms. Alvarado, are you  
7 ready to respond on this?

8 MS. ALVARADO: One moment, let me just look  
9 really quick.

10 VICE-CHAIR YAWORSKY: Okay. Commissioner  
11 Brown (indiscernible).

12 COMMISSIONER BROWN: This one stuck out for  
13 me.

14 MS. ALVARADO: The investigator report  
15 states that the respondent went behind the  
16 investigator and grabbed her arm while making a remark  
17 in Spanish saying that she was a very good-looking  
18 woman. So it seems like he grabbed her arm and then  
19 she walked away.

20 I did email the investigator, as well,  
21 prior to opening the case, and I think they stopped  
22 the investigation, and she went to Gulfstream to  
23 report what had happened to them.

24 COMMISSIONER D'AQUILA: Are you aware of  
25 any action Gulfstream has taken?

1 MS. ALVARADO: Yes. They gave him \$100  
2 fine as well.

3 COMMISSIONER D'AQUILA: Can I ask a  
4 question? Was he placed on probation?

5 MS. ALVARADO: I don't believe so. At least  
6 that's not in the record that I've read. He was  
7 removed that day from the property and then fined \$100  
8 by the security at Gulfstream.

9 COMMISSIONER BROWN: She didn't pursue  
10 criminal --

11 MS. ALVARADO: No.

12 COMMISSIONER BROWN: In the record it shows  
13 that she didn't pursue it but the security officer  
14 was reprimanded and fined.

15 MS. ALVARADO: Right.

16 COMMISSIONER DRAGO: I find this very  
17 troubling. This is one of our folks and there  
18 should be, without question, not any concern about  
19 ever being assaulted, battered, sexually harassed,  
20 or anything like that when they're working with us.  
21 So I find a \$100 fine really almost offensive to the  
22 employee to be honest with you.

23 I think we should send a very clear message  
24 that we will not tolerate our people being, as I  
25 said, assaulted, battered, sexually harassed, or

1 anything close to that. I mean, it is battery, he  
2 could have been arrested for it. And in many  
3 workplaces, it would be workplace violence and he  
4 would have been fired.

5 So I mean, this is serious. This is  
6 serious, I think. So my opinion is that I think  
7 this is too low and that we should go back and  
8 review this one.

9 COMMISSIONER BROWN: I will withdraw that  
10 motion and completely agree but I thought this was  
11 something that was agreed to by staff including the  
12 investigator.

13 COMMISSIONER D'AQUILA: Vice-Chair, I have  
14 a question.

15 VICE-CHAIR YAWORSKY: Yes, Commissioner  
16 D'Aquila.

17 COMMISSIONER D'AQUILA: Ms. Alvarado, was  
18 there any record of a meeting, apology, any kind of  
19 internal hearing? I would imagine that Gulfstream  
20 being the size and quality organization that  
21 it does have a policy manual and HR department for  
22 such things. How was -- from my perspective reading  
23 this, it's a small slap on what is a serious  
24 violation. So when I first read this, you know,  
25 thought that it transpired but now going back in, I

1 don't see any evidence of that.

2 MS. ALVARADO: No, I don't, as well. I just  
3 see a written notice and a verbal warning, and they  
4 did ask him to leave that day but I don't think he was  
5 suspended from the property.

6 COMMISSIONER D'AQUILA: So he was suspended  
7 from the property for one day, fined \$100 by  
8 Gulfstream, if I understand correctly.

9 MS. ALVARADO: According to this report,  
10 yes. With the information I have, yes.

11 VICE-CHAIR YAWORSKY: I think what -- if  
12 it's acceptable with the Commissioners, I think what  
13 I would like to do is to table this item for now and  
14 maybe allow Commissioners individually to ask some  
15 -- I think there's a lot -- there's probably a lot  
16 here and to fully understand what took place and  
17 what the circumstances where. I'd like to table  
18 this and allow Commissioners to ask questions of  
19 staff to gain a full understanding before we act in  
20 one way or another, if that's acceptable.

21 COMMISSIONER BROWN: I think that's a great  
22 idea. And I would actually ask staff that, in the  
23 meantime, before this comes back before us, to reach  
24 out to the investigator about that and get more  
25 information.

1 COMMISSIONER D'AQUILA: I'd like to  
2 intercept.

3 VICE-CHAIR YAWORSKY: Sure.

4 COMMISSIONER D'AQUILA: I would like to  
5 hear from Gulfstream with more details about what  
6 transpired and why. You know, what is their  
7 treatment? I mean, from a concern of our employees  
8 who are required to do their job and go there. Any  
9 employer this day and age has to provide a safe work  
10 environment.

11 MS.ALVARADO: I will note that the  
12 investigative report does say that the investigator  
13 was satisfied with the actions that Gulfstream took.  
14 And she did say that to me in an email, as well, that  
15 they did take action and she was satisfied with that.

16 COMMISSIONER DRAGO: They did?

17 MS. ALVARADO: Yeah.

18 VICE-CHAIR YAWORSKY: Let's allow  
19 Commissioners to independently ask questions on this  
20 and then bring it back.

21 MS. ALVARADO: Okay.

22 VICE-CHAIR YAWORSKY: Thank you. 5.10.

23 MS. ALVARADO: This is FGCC versus Gary  
24 Kosakowski, Case Number 2022-052397. This is a one  
25 count administrative complaint alleging that

1 respondent extended a loan to a player at a poker  
2 table while respondent was working as a poker dealer.  
3 This is the first violation of this rule and there's a  
4 signed consent order for \$100 in this case, as well.

5 VICE-CHAIR YAWORSKY: Okay. Commissioners,  
6 any questions or comments?

7 COMMISSIONER BROWN: I just have a  
8 question. This is a designated player table, right?  
9 And the loan that was being rendered by the dealer,  
10 was it to -- who was it to?

11 MS. ALVARADO: What was caught on security  
12 was that the person who he loaned this won something  
13 and then gave him three chips back that he must have  
14 wanted prior to the play.

15 COMMISSIONER BROWN: Because he's  
16 superstitious about and he's a regular.

17 MS. ALVARADO: Yeah.

18 COMMISSIONER BROWN: Are there protocols in  
19 place at this facility to make sure this type of  
20 violation doesn't happen again?

21 MS. ALVARADO: I'm not sure. I don't think  
22 that's in the record.

23 COMMISSIONER BROWN: I know it's against  
24 the individual, but the facility.

25 MS. ALVARADO: Right. I don't believe so.



1 No.

2 MR. TAUPIER: Here, should we enter  
3 protocols on designated player games pursuant to our  
4 rule? I don't know exactly what they are at this  
5 facility, but they would be required to have  
6 protocols on how to handle designated player games.

7 COMMISSIONER BROWN: And the inspectors  
8 regularly go back to Hialeah Park to make sure that  
9 -- how frequently are they in facilities? Because  
10 this was pointed out to the inspector from someone.  
11 The only reason the inspector reviewed it was  
12 because somebody noticed it and so the inspector  
13 went and looked at the surveillance.

14 MR. DILLMORE: Just wanted to --

15 VICE-CHAIR YAWORSKY: Go ahead,  
16 (indiscernible).

17 MR. DILLMORE: Thank you. Yeah. Our  
18 investigators make regular trips into the cardrooms  
19 doing their checklist they go through, or any of the  
20 previous things they've seen. So they're really  
21 diligent in duties, they would go back and check on  
22 this again.

23 And also, in general, we approve patrols  
24 for the cardrooms to protect against a lot of  
25 things from the security points, surveillance, and

1 everything else, and you know, those are the  
2 protocols that they're typically following. And  
3 this is something that happened inside of the game.  
4 There's probably thousands of these transactions  
5 that take place every day and so they will go by and  
6 check on them again and review surveillance tape.

7 COMMISSIONER BROWN: Wonderful. It's great  
8 that they caught it.

9 VICE-CHAIR YAWORSKY: Any other questions  
10 or comments, Commissioners?

11 (No response)

12 Is there a motion?

13 COMMISSIONER BROWN: Move to approve the  
14 recommended sum and consent order.

15 VICE-CHAIR YAWORSKY: Moved, is there a  
16 second?

17 COMMISSIONER D'AQUILA: Second.

18 VICE-CHAIR YAWORSKY: Commission D'Aquila  
19 seconds. Any opposed?

20 (No response)

21 Okay. Hearing none, show the consent  
22 order adopted.

23 I believe, if my math is correct, we are  
24 now on item --

25 COMMISSIONER BROWN: 4.1.

1 VICE-CHAIR YAWORSKY: -- 4.1. Okay, great.

2 MS. ALVARADO: Item 4.1 is FGCC versus Jose  
3 Chrinos in Case Number 2021-055168. In this case  
4 there was a one count administrative complaint filed  
5 alleging that respondent was excluded from Magic City  
6 Casino on June 28, 2021, for not following the  
7 policies of the casino and for pushing and slapping an  
8 employee.

9 He was excluded from the facility and is  
10 therefore subject to exclusion under sections  
11 550.02516 and 551.112 of the Florida statutes. He  
12 was served with a USPS mail and did not respond  
13 within 21 days. Therefore, the division would ask  
14 the Commission to enter an order finding that  
15 respondent was properly served and did not respond  
16 within 21 days; that the facts in the administrative  
17 complaint are the facts of finding in this case; and  
18 that respondent is added to the permanent exclusion  
19 list of all pari-mutuel and slot machine facilities.

20 VICE-CHAIR YAWORSKY: Thank you,  
21 Ms. Alvarado.

22 Is there a motion?

23 COMMISSIONER BROWN: There's a motion but  
24 just a question about the timing on this one. 4.1  
25 and 4.2, both are 2021 cases. Is there a reason for

1 the --

2 MS. ALVARADO: We had a problem with  
3 service for that one. It came back and we tried  
4 multiple times to get service and we actually weren't  
5 able to get it, so --

6 COMMISSIONER BROWN: I would move to  
7 approve the recommendation.

8 VICE-CHAIR YAWORSKY: Okay. Is there a  
9 second?

10 COMMISSIONER DRAGO: Second.

11 VICE-CHAIR YAWORSKY: Moved and seconded.  
12 Hearing none opposed, show that item approved.

13 MS. ALVARADO: Item 4.2 is FGCC versus  
14 Enrique Hernandez in Case Number 2022-024925. In this  
15 case there was a one-time administrative complaint  
16 filed alleging respondent was excluded from Casino  
17 Miami on December 27, 2021, for manipulating a slot  
18 machine in order to gain \$1700 in winnings.

19 He was served with this USPS certified  
20 mail and did not respond within 21 days. Therefore,  
21 the divisions asks the Commission to enter an order  
22 finding that the respondent was properly served;  
23 did not respond within 21 days, that the facts in  
24 the administrative complaint of the facts of  
25 finding in this case; and that respondent is added

1 to the permanent exclusion list of all pari-mutuel and  
2 slot machine facilities.

3 VICE-CHAIR YAWORSKY: I believe that  
4 Commissioner Brown's earlier question applies to  
5 this one as well on the timing.

6 MS. ALVARADO: Yes. We actually closed a  
7 case in December against a co-conspirator in this  
8 case, but this one took longer to give service.

9 VICE-CHAIR YAWORSKY: Okay. Are there any  
10 questions, comments, Commissioners? Commissioner Brown.

11 COMMISSIONER BROWN: I have a question  
12 about the key, and this may be a more technical  
13 question for Mr. Dillmore about this key scheme  
14 on these let slot machines. What happens with that  
15 particular machine? I know that it was reset, that  
16 there are these type of keys that are all over the  
17 internet. Did they seize this? Do they replace the  
18 machine? What do they do with that?

19 MR. DILLMORE: Yes. It's understanding as  
20 well is that these keys were being sold on eBay or  
21 Google. But talking to our chief of slot  
22 operations, we've been working with facilities.  
23 They've either gone in and installed a lock on  
24 these, so you know, those keys won't work anymore  
25 or -- and also, they're keeping extra surveillance

1 on the machines, as well. The biggest thing is they  
2 either changed the locking mechanism or access to  
3 them.

4 COMMISSIONER BROWN: And I mean, is it  
5 legal to have these things sold on eBay throughout  
6 these illegal keys?

7 MR. DILLMORE: No. Probably not. I  
8 mean, obviously, someone somehow made a copy,  
9 whether it was an employee that left and had it or  
10 how they got it, but somebody found out they worked  
11 (indiscernible) on that specific machine. Keep in  
12 mind, this wasn't all slot machines, this was a  
13 specific model, from my understanding.

14 COMMISSIONER BROWN: It just started making  
15 me think about this type of activity. This is a  
16 bigger scene, based on the record, it looks like this  
17 type roulette slot machine, or the slot machines they  
18 were going after with these  
19 conspirators and how to stop that from happening  
20 other than changing the lock.

21 VICE-CHAIR YAWORSKY: Commissioner  
22 D'Aquila.

1                   COMMISSIONER D'AQUILA: Isn't that theft of  
2 company property?

3                   MR. DILLMORE: Can you repeat that? I  
4 couldn't hear you.

5                   COMMISSIONER D'AQUILA: Is that theft of  
6 company property?

7                   MR. DILLMORE: Essentially, depending  
8 on what they got away with. If it was an actual  
9 cashing machine, it would be. As far as the actual  
10 key itself?

11                  COMMISSIONER D'AQUILA: Yes.

12                  MR. DILLMORE: I don't know if you  
13 could find a way to tie it back to the individual.  
14 Potentially, it would be.

15                  COMMISSIONER BROWN: Mr. Chair, would this  
16 be something our law enforcement team would work  
17 with the facility to take the possession of that  
18 type of equipment to test it to make sure that there  
19 are secure measures in place to prevent it from  
20 happening again, so that at least they have the  
21 machine back after we know for sure that it's  
22 secure? Other than them putting a new lock it.

23                  MR. DILLMORE: I mean, potentially. I  
24 think that they had addressed -- I mean, the slot  
25 machine operators have as much eagerness to get this

1 corrected as the (indiscernible), I'm sure. It's  
2 their machine. It's their slot machine and actually  
3 their revenue.

4 So I think the thing that -- the action  
5 they took seemed to address the problem, and like I  
6 said, it's that one specific machine, so it wasn't  
7 like a general problem across all different types of  
8 (indiscernible). So I think they addressed it  
9 adequately at this time.

10 And again, we'll keep an eye on it. Our  
11 investigator typically go there. They look at --  
12 our slot people are there every day to interact with  
13 the staff and double check if the devices are  
14 working and locking properly.

15 COMMISSIONER BROWN: Thank you.

16 VICE-CHAIR YAWORSKY: Any other questions  
17 or comments, Commissioners?

18 MR. HEROLD: Mr. Vice-Chair?

19 I think the only thing that I would add is  
20 that, just for some clarity, under my  
21 understanding, there's no violation of Florida  
22 statute for possession of that key, much like a  
23 card reader, the criminal action comes from what  
24 you do with it. So while the key may have the  
25 ability to get into some slot machine whatever,



1 the mere possession of it is not a violation, it's the  
2 action that they're taking.

3 Now, to the point of, you know, should it  
4 be rekeyed or whatever, I don't have any input on  
5 that. But just for clarity, my understanding is  
6 that the key is -- there's no violation for having  
7 the key. You could buy those keys and make a nice  
8 necklace or whatever. It's the intent that you look  
9 at.

10 VICE-CHAIR YAWORSKY: That was our director  
11 of law enforcement.

12 MR. HEROLD: Yes.

13 VICE-CHAIR YAWORSKY: Juror number seven.  
14 Okay. Any other questions or comments?

15 (No response)

16 Is there a motion?

17 COMMISSIONER BROWN: Move to approve the  
18 default final order.

19 VICE-CHAIR YAWORSKY: Motion has been made  
20 to approve the default final order. Any objections?

21 (No response)

22 Hearing none, let's show that approved.

23 MS. ALVARADO: Item number 4.3, FGCC  
24 versus Mauricio Pazos in Case Numeber 2022-39095.  
25 IN this case, there was a two-count administrative

1 account alleging respondent was excluded from  
2 (indiscernible) Spring Poker Room at Magic City  
3 Casino.

4 He's therefore subject to exclusion by two  
5 sections, 550.025 (indiscernible) and 551.112. We  
6 also provided the USPS tracking number as well as  
7 the delivery confirmation. He failed to respond  
8 within 21 days, therefore, the division ask the  
9 Commission enter an order finding that he was  
10 properly served and did not respond within 21 days.  
11 That the factual obligations in the AC are attached  
12 as findings in this case. And that he's added to  
13 the permanent exclusion list for all slot machine  
14 and pari-mutuel facilities.

15 VICE-CHAIR YAWORSKY: Okay. Is there any  
16 question or discussion?

17 (No response)

18 Seeing none, and I see head shaking no,  
19 I'll take that as no. Is there a motion?

20 COMMISSIONER DRAGO: Motion to approve the  
21 final order.

22 VICE-CHAIR YAWORSKY: Motion to approve the  
23 final order from excluding Mr. Pazos. Is ther a  
24 second?

25 COMMISSIONER D'AQUILA: Second.

1                   VICE-CHAIR YAWORSKY: Seeing a second.  
2                   We'll give this one to Ms. Brown. And with no  
3                   opposition, show that final order adopted.

4                   MS. ALVARADO: Item number 4.4 is FGCC  
5                   versus Hector Garci in Case Number 2022-042508. This  
6                   case bears a one count administrative complaint filed  
7                   that alleged that respondent is excluded from Hialeah  
8                   Park for casting his bet. He is subject to subject  
9                   from all slot machine and pari-mutuel facilities.

10                  You've also been provided the USPS tracking  
11                  as well as the confirmation delivery. He failed to  
12                  respond within 21 days. Division would ask that the  
13                  Commission enter an order finding that respondent  
14                  was properly served; did not respond within 21 days,  
15                  that the facts in the AC are accepted as the facts  
16                  in this case; and that respondent will be added to  
17                  the permanent exclusion list for all pari-mutuel and  
18                  slot machine facilities.

19                  VICE-CHAIR YAWORSKY: Any question or  
20                  comments , Commissioners?

21                  COMMISSIONER BROWN: Move to approve  
22                  default final order.

23                  VICE-CHAIR YAWORSKY: Thank you,  
24                  Commissioner Brown.

25                  Is there a second?

1 COMMISSIONER D'AQUILA: Second.

2 VICE-CHAIR YAWORSKY: Hearing no objection,  
3 show that final order approved.

4 Next item.

5 MS. ALVARADO: Item

6 number 4.5 is FGCC versus Edi Gonzalez in 2022-  
7 048601. This case was a one count administrative  
8 complaint alleging that respondent violated 61D-  
9 2.003 by refusing to produce his license or provide  
10 his name or date of birth to an investigator during  
11 a routine search at Palm Meadows Training Center.

12 You were also provided a USPS tracking as  
13 well as a delivery confirmation. Here the  
14 respondent is subject to an administrative fine up  
15 to \$1000 for this violation. He failed to respond  
16 within 21 days, therefore, the division would ask  
17 that the Commission enter an order finding that the  
18 respondent was properly served, filed to respond  
19 within 21 days. That the facts in the  
20 administrative complaint are accepted as the facts  
21 in this case, and concluding that he is subject o a  
22 fine of \$100.

23 VICE-CHAIR YAWORKSY: Commissioner Drago,  
24 with a question.

25 COMMISSIONER DRAGO: to go back to the

1 other action item before this one where he was  
2 refusing to identify himself and show his ID. Do  
3 you have any more details on that? Did he ever show  
4 his ID? Was it like a two-minute thing and then  
5 turned and showed his or --

6 MS. ALVARADO: No. It doesn't look  
7 like it. It looks like they walked away and they went  
8 to the security supervisor to ask who he was and they  
9 figured out who he was. And later on they -- by they  
10 went back to the bar, he had left and later on they  
11 fined him -- Gulfstream fined him \$100 as well. He  
12 is licensed with us. He has a current license until  
13 June of 2024. I think he said he didn't want to look  
14 for his license while he was working and that he was  
15 (indiscernible) and didn't want to dig deeper and he  
16 walked away.

17 COMMISSIONER DRAGO: I mean, this seems to  
18 me like one of the most basic things you have to do  
19 as a licensee is to identify yourself. It's like  
20 driving a car and getting pulled over, if you go,  
21 "I'm not just going to have to show you my driver's  
22 license today." So I think it warrants more than the  
23 \$100 in my opinion. This is a more serious  
24 offense. Making it much more difficult for our  
25 people to try to conduct an investigation, refusing

1 to cooperate, basically. So I would think that it  
2 should be a higher fine.

3 COMMISSIONER BROWN: I flagged this one,  
4 too. I thought it was a little bit shady, quite  
5 frankly, and thought that there was an investigation  
6 that needed to carve out a little bit more why did  
7 he give a false name? Why did he then lie to our  
8 investigator saying that he never spoke with -- or  
9 to Gulfstream and told -- pardon me -- the facility,  
10 and flat out told him that he never spoke to our  
11 investigators. I think this is really, really  
12 concerning behavior.

13 MS. ALVARADO: And (indiscernible)  
14 default you can tell me or suggest if I need to  
15 respond. So the fine can be up to \$1000. After  
16 speaking with the division, 100 is what we came up  
17 with but of course, we're open to whatever you guys  
18 say.

19 VICE-CHAIR YAWORSKY: Commissioner  
20 D'Aquila.

21 COMMISSIONER D'AQUILA: My understanding  
22 reading through all of this, it's the first  
23 offense?

24 MS. ALVARADO: Right

25 COMMISSIONER D'AQUILA: They've had nothing

1 else happen with this individual?

2 MS. ALVARADO: No.

3 COMMISSIONER D'AQUILA: At all?

4 MS. ALVARADO: No.

5 COMMISSIONER D'AQUILA: Is there a  
6 possibility of just a bad day? I mean, we have  
7 nothing else.

8 MS. ALVARADO: No. (Indiscernible)  
9 I'd have to check his record to see if there's any  
10 other type of violation but there was no prior of  
11 this.

12 VICE-CHAIR YAWORSKY: You know, they're,  
13 honestly, unrelated but I think you're hearing from  
14 the Commission a sentiment that we expect our folks  
15 on the ground to be able to get un-harassed and to  
16 be able to get the information they need, so that  
17 they can do their jobs quickly. I don't know if  
18 there may be somewhat differing views on what we  
19 should do here. But is there a motion?

20 COMMISSIONER D'AQUILA: I would make a  
21 motion to let it stand as suggested with a \$100  
22 fine. But I think there's a separate message going  
23 on here that we take a bit aggressively, for lack  
24 of a better term. Lack of cooperation with our  
25 employees in doing what they supposed to be doing

1 seriously.

2 I would be fine to not accept just \$100 the  
3 next time, and I would also look at and expect  
4 cooperation from the facilities, not just by the  
5 individual not just the facilities, especially the  
6 earlier one. (Indiscernible) This one is not as  
7 serious, but it's problematic. We don't mean to make  
8 light of a first-time offense.

9 MR. TROMBETTA: Commissioner D'Aquila,  
10 do you mind just speaking in the microphone a little  
11 bit. It's a little tough to hear you at some point.

12 COMMISSIONER D'AQUILA: Would you like me  
13 to repeat that?

14 VICE-CHAIR YAWORSKY: Did you make a  
15 motion?

16 COMMISSIONER D'AQUILA: I make a motion to  
17 approve it as quoted by counsel for the \$100.

18 VICE-CHAIR YAWORSKY: Is there a second to  
19 that?

20 I do wonder if in lieu of moving on that  
21 Commissioner D'Aquila, would you consider allowing us  
22 to go back to staff for further review? Based on --  
23 to make sure (indiscernible) larger, larger thought  
24 process of (indiscernible).

25 COMMISSIONER D'AQUILA: Yes, I would.



1 we get our licensing system, document management  
2 system, customer relationship management, do you  
3 perceive changes to this particular policy or is it  
4 a completely separate policy?

5 MS. WHITMIRE: So there will be changes  
6 to this policy. This will be a living, breathing  
7 document. As we take on new technologies, there  
8 will be amendments to it, but there will be  
9 additional requirements that are built into the  
10 policy on how to access any system we bring in. It  
11 could be a procedure but there would be something  
12 that we would bring back here to work out acceptable  
13 use through bifurcation and disclosure. Because  
14 while we have a privacy disclosure, in this policy,  
15 we'll (indiscernible) more specifically when we get  
16 the licensing system.

17 COMMISSIONER BROWN: Thank you. I think  
18 that it was a very exhaustive take, and I mean, I  
19 don't have changes. I mean, you covered a lot of  
20 material in it, and 60 days remains, I guess, last  
21 words.

22 MS. WHITMIRE: The current deadline we're  
23 working on is the end of March to have it running  
24 and most everybody at headquarters operating. So  
25 that includes you guys. So new email address, new



Florida Gaming Control Commission

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General Business Meeting

March 10, 2023

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Vol 01



FLORIDA GAMING CONTROL COMMISSION  
GENERAL BUSINESS MEETING

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VOLUME 1 (Pages 1 - 129)

BEFORE: COMMISSIONER JULIE BROWN  
COMMISSIONER JOHN D'AQUILA  
COMMISSIONER CHUCK DRAGO

DATE: Friday, March 10, 2023

TIME: 9:31 a.m. - 11:57 a.m.

LOCATION: Joseph P. Cresse Hearing Room 148  
Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida 32399-0850  
AND by teleconference and live  
broadcast on the Florida Channel

Stenographically Reported Remotely  
Via Live Broadcast By:

Mary Allen Neel, RPR, FPR, CCR

Job No. : 301082

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

2 COMMISSIONER BROWN: If you all would  
3 please join us in the Pledge of Allegiance,  
4 which will be given by our Executive Director,  
5 Mr. Lou Trombetta.

6 (Pledge of Allegiance recited.)

7 MR. TROMBETTA: Thank you. Just as kind of  
8 a friendly reminder to everybody, so we are here  
9 for the March 10 Florida Gaming Control  
10 Commission meeting. We have quite a large  
11 agenda, so, speakers, we're going to ask that  
12 you come up to the podium. If you have not  
13 submitted public comment request forms, we have  
14 them out front. If you can do that and just get  
15 them either to me or to Liz here, we'll make  
16 sure that the Commission gets them.

17 We have a quorum. A quorum is three  
18 commissioners. We have that. And what's needed  
19 to approve any items today is a majority vote  
20 from the quorum. So as long as we get two votes  
21 from the three of you, I think we'll be good.

22 Do we have any questions or anything I can  
23 help with before we get started?

24 COMMISSIONER DRAGO: Commissioners, if I  
25 could, at this point, I think it would be

1 appropriate for me to make a motion, to help the  
2 meeting move along quicker, that Commissioner  
3 Brown be the -- be in charge of running the  
4 meeting today for us.

5 COMMISSIONER BROWN: Is there a second?

6 COMMISSIONER D'AQUILA: I second.

7 COMMISSIONER BROWN: (Inaudible.)

8 COMMISSIONER DRAGO: Aye.

9 COMMISSIONER D'AQUILA: Aye.

10 MR. TROMBETTA: Thank you.

11 COMMISSIONER BROWN: Thank you,  
12 Commissioners. Thank you, Mr. Trombetta.

13 With that, we are going to open up the  
14 March 10th meeting agenda here. And first I  
15 want to thank the Public Service Commission and  
16 their exemplary staff for assisting us with  
17 running this meeting smoothly, and the  
18 technology, as well as the Commissioners who we  
19 are sitting in their seats and adjusting their  
20 seat heights right before we leave. Thank you  
21 very much.

22 If you would all please silence your  
23 phones, that would be great. We have a very  
24 long agenda, and I would like to get us done  
25 before lunch if possible.

1                   With that, we're going to begin with our  
2                   first speaker, who has submitted a speaker card,  
3                   and she's on the agenda, discussion of Florida  
4                   Council on Compulsive Gambling, Mrs. Jennifer  
5                   Kruse, Executive Director.

6                   Welcome.

7                   MS. KRUSE: Hey. Good morning. Thank you.  
8                   Good Morning, Commissioners. Thank you so much  
9                   for the opportunity to be here today with you  
10                  and to present. And I know I have a lot of  
11                  slides, so I'm going to go fast in the interest  
12                  of time. But I did leave you all with a packet  
13                  so you'll have anything to reference for future  
14                  discussion at this meeting.

15                 COMMISSIONER BROWN: Ms. Kruse, would you  
16                 mind, since there's only three of us here, if  
17                 the commissioners have questions during your  
18                 presentation, would you mind if they stop you  
19                 briefly?

20                 MS. KRUSE: Absolutely stop me.

21                 COMMISSIONER BROWN: Commissioners, feel  
22                 free --

23                 MS. KRUSE: That would be great.

24                 COMMISSIONER BROWN: Please feel free,  
25                 Commissioners, to ask questions.

1 MS. KRUSE: Well, thank you. Again,  
2 Jennifer Kruse. I'm the Executive Director of  
3 the Florida Council on Compulsive Gambling.

4 We are a nonprofit 501(c)(3) that was  
5 established in 1988 as an independent  
6 corporation. We are headquartered out of  
7 Sanford, Florida. I have been with the  
8 organization for -- it'll be 20 years in  
9 September, in various roles. I've served as the  
10 Executive Director for past five years.

11 So the Florida Council's mission is to  
12 increase public awareness regarding the risks  
13 and consequences associated with problem  
14 gambling. And in doing so, we provide  
15 assistance to problem gamblers as well as other  
16 loved ones and other individuals who are  
17 impacted due to a gambling problem. We also  
18 serve as the state advocate for programs,  
19 services, and other supports to address  
20 population-specific needs for citizens in the  
21 State of Florida with this addition.

22 To give you just a little brief history of  
23 our organization, so as I mentioned, we were --  
24 we started in 1988, and our first funding came  
25 from the Florida Lottery. We had a contract

1 with the Florida Lottery from 1988 until 2010.  
2 Through that contract, we were able to provide  
3 responsible play programming for Lottery staff  
4 and retailers, which included signage of the  
5 helpline number on all play stands across the  
6 state. And it also allowed for a statewide  
7 prevention, education, and awareness program for  
8 problem and compulsive gambling.

9 We've had a partnership with the Seminole  
10 Tribe since the early '90s. In the early '90s  
11 we developed the first ever responsible gambling  
12 player protection program in partnership with  
13 the Seminole Tribe for their tribal casinos.  
14 And through that partnership and their  
15 responsible gambling program, we provided  
16 training for their security and other designated  
17 staff members, as well as, again, signage to the  
18 helpline so that they could provide access to  
19 supports for patrons and employees.

20 So now our contract, our current contract  
21 with the Gaming Commission, which started with  
22 the Department of Business and Professional  
23 Regulation back, as you guys know, in 2004 and  
24 '5 when voters approved slots in South Florida.  
25 With that came a competitive solicitation for

1 compulsive gambling services, and the Florida  
2 Council was awarded that first contract as well  
3 as two subsequent competitive solicitations  
4 since then. So we've been working with you guys  
5 since 2007, and we're excited to continue  
6 working with the Commission as we move forward.

7 I will skip that slide.

8 So our current contract with you all, it's  
9 comprised of four core services, if you will.  
10 So each service has an associated task with it  
11 in our monthly reporting, so I've broken this  
12 presentation down by task, by the four tasks.

13 So our first deliverable is help services,  
14 and that is our mission and our, you know, goal  
15 to provide the 24/7 problem gambling supports  
16 through our 888-ADMIT-IT helpline, also via, you  
17 know, alternative methods for seeking help such  
18 as texting, live chat, mobile application.

19 We operate and promote our website, which  
20 is how visitors can connect to us, to the live  
21 chat service. We do answer the phones in-house  
22 with our own staff 24 hours a day, seven days a  
23 week, 365 days a year. So there's never a time  
24 where somebody is going to need help that  
25 they're not able to get it.

1           The next few slides, we do an annual  
2           helpline report each year. So the next two  
3           slides is just a brief snapshot of what we're  
4           seeing here in the state of Florida, as told by  
5           callers to our helpline, or texters or chatters  
6           to our helpline. And as you can see here, we've  
7           had exponential growth over the past four years.  
8           So we've had 140 percent increase in contacts  
9           from '18-19 to '21-22. So we are definitely  
10          busy and continue to get busier.

11          People reaching out for help via text or  
12          live chat continues to also increase. You know,  
13          a younger demographic -- we're seeing a younger  
14          demographic on the helpline in terms of those  
15          individuals who are seeking help. And they a  
16          lot of times prefer to text or to chat, and that  
17          can take, you know, a lot longer in terms of  
18          dialoguing with someone.

19          So we have really strict protocols in place  
20          where we, you know, allow specialists to -- they  
21          have to respond to any contact within 15  
22          minutes. So if there's 15 minutes of idle time  
23          where the person isn't responsive, then they're  
24          able to, you know, say, "Hey, we're going to go  
25          ahead and close out this contact. Feel free to

1 reach back out to us, you know, via our helpline  
2 or via this text service or chat service," so  
3 that we, you know, can move on and help the next  
4 person.

5 COMMISSIONER BROWN: Ms. Kruse, do you  
6 see -- do you track the metrics of how folks  
7 contact you versus how many -- the percentage  
8 that are texting versus calling versus email  
9 or --

10 MS. KRUSE: Yes, yes. And that's all in  
11 the executive summary of our annual helpline  
12 report that I put in your packets. Yes.

13 So gender. We're seeing increases in male  
14 problem gamblers. Not to say that females don't  
15 have problems too, but historically it was about  
16 a 60-40 split. Now we're seeing about 71-29,  
17 with more men seeking help.

18 The gamblers are getting younger too. So  
19 31 to 49 is a pretty standard statistic as far  
20 as the most populous group of when people reach  
21 out for help. That doesn't mean that's when the  
22 problem first develops. It just means that's  
23 when they're reaching out to us for help. But  
24 we're seeing a huge increase in individuals  
25 25 years of age and younger, so definitely a



1 target population for us in terms of, you know,  
2 prevention and getting messaging out there that,  
3 hey, there's help available if you need it.

4 As you can see from this slide here, we saw  
5 last year 53 percent of our gamblers on the  
6 helpline said that they started gambling before  
7 the age of 26, and 17 percent before the age of  
8 18.

9 So slot machines. So slot machines -- this  
10 is the top three primary problems from last  
11 year's data. Slot machines were the number one  
12 most frequently cited problem. Not to say that  
13 problem gamblers aren't gambling on other  
14 things, because they are. We know that they  
15 gamble on anything they can get their hands on,  
16 but slot machines are historically number one.

17 An interesting trend this year was online  
18 gambling. So even though online gambling is not  
19 legal here in our state, we're definitely seeing  
20 a huge uptick in people who are reaching out for  
21 help, and that's their primary problem. And  
22 they tend to reach out quicker. It can cause  
23 problems a lot faster because of the access to  
24 credit, the ability to, you know, gamble with  
25 the click of a mouse or on your mobile phone,

1 the accessibility. So we're definitely seeing a  
2 huge increase in that. So as you can see here,  
3 a 42 percent increase from '19-20 to '21-22. So  
4 that's huge.

5 And when we look at what do those gamblers  
6 look like, they're young, they're under 30,  
7 they're male, they're white, and they typically  
8 have higher incomes than what we see amongst the  
9 other gamblers on our helpline.

10 We've also seen a huge increase in illegal  
11 gambling machines reported. So when I say slot  
12 machines are the number one most frequently  
13 cited problem, that includes illegal and legal  
14 slot machines. So we've seen a big uptick in  
15 the illegal gambling machines recently. And I  
16 would say to you that it's representative of the  
17 whole state. It wasn't centralized in one  
18 particular area. And the demographics for that  
19 was about 50-50 male-female. So it's affecting  
20 both genders equally.

21 COMMISSIONER DRAGO: Can I ask a quick  
22 question? You may have it in there and I didn't  
23 get to it. Do you have a breakdown between  
24 legal and illegal --

25 MS. KRUSE: Yes.

1 COMMISSIONER DRAGO: -- slot machines?

2 MS. KRUSE: Yes, yes. So when you look in  
3 your executive summary -- and you can always  
4 reach out to me after, and I'll help you walk  
5 through it. But the primary gambling problem,  
6 and then we break it down, and you can see the  
7 differences amongst the categories.

8 COMMISSIONER DRAGO: Great. Thank you.

9 MS. KRUSE: So our next task under our  
10 current contract is advertising services and  
11 outreach of the helpline. People can't get help  
12 if they don't know that that help exists; right?  
13 We have to be able to provide access to that  
14 helpline number.

15 So our second task is that we offer  
16 billboards in the target areas of Broward and  
17 Miami-Dade Counties. So with this contract, it  
18 focuses primarily on the areas in and around the  
19 eight slot licensed racinos in Broward and  
20 Miami-Dade Counties. So we place billboards in  
21 strategic areas in those counties throughout the  
22 year.

23 And March is Problem Gambling Awareness  
24 Month, so this is our second --

25 COMMISSIONER DRAGO: Can I ask one more

1 quick question --

2 MS. KRUSE: Yes.

3 COMMISSIONER DRAGO: -- before you move on  
4 from that?

5 I saw that the signs were in English and  
6 Spanish. Are there any other languages,  
7 especially in South Florida, or is it just  
8 English and Spanish?

9 MS. KRUSE: So with our print materials and  
10 the signage that we provide to the facilities,  
11 we have English, Spanish, and Creole. With the  
12 billboards, we do just English and Spanish. And  
13 we -- you know, we look at the demographics and  
14 figure out which neighborhoods are better to put  
15 the Spanish language boards in.

16 COMMISSIONER DRAGO: Gotcha. Thank you.

17 COMMISSIONER BROWN: I was just going to  
18 ask, with it being -- this month being Problem  
19 Gambling Awareness Month, are there outreach  
20 programs that you have planned throughout the  
21 state, not just in Broward and Miami-Dade?

22 MS. KRUSE: So, yeah. Unfortunately, you  
23 know, when -- and I mentioned it briefly. We'll  
24 talk about it at the end. When our Lottery  
25 contract ended in 2010, that was really the

1 statewide programming that we were able to  
2 offer. So the bulk of the work that we do under  
3 this contract is really focused on Miami-Dade  
4 and Broward Counties.

5 But, yeah, with Problem Gambling Awareness  
6 Month, we do do other initiatives. We are  
7 promoting Screening Day for treatment providers,  
8 so all mental health treatment providers that  
9 may not know anything about gambling addiction.  
10 Maybe they treat, you know, drugs and alcohol,  
11 or they just do other mental health disorders.  
12 We promote them to screen their clients for  
13 gambling disorder with a brief, two-question  
14 training.

15 And, yeah, so we do a lot of other  
16 outreach, and online outreach where we just  
17 promote, you know, awareness of this issue and a  
18 heightened awareness during the month of March.

19 And one more thing on this slide. So  
20 ProblemGamblingAwarenessMonth.org, if you guys  
21 have a chance to visit that website, it focuses  
22 on our theme for the year. Each year we do do a  
23 different theme. And it's got a really neat  
24 interactive game that we produced that you guys  
25 can check out. It's based on the theme of the

1           Game of Life, so making, you know, responsible  
2           choices. And we give people education about  
3           problem gambling throughout the course of the  
4           game.

5                        So another large area of our contract is  
6           our slot machine gambling facility services, and  
7           these are the services that we provide to the  
8           eight racinos. We provide them with  
9           888-ADMIT-IT helpline signage, so we've given  
10          them the picture -- there's a picture on the  
11          previous slide of the brochure for Problem  
12          Gambling Awareness Month. We gave them, you  
13          know, brochures for the month to put around  
14          their facility. We provide them with ongoing  
15          materials, print and collateral items.

16                      We do self-exclusion folders for their  
17          security staff so that they can just stick their  
18          forms in the folders when a guest is  
19          self-excluding, and it connects them to the  
20          helpline, because we know that, you know, those  
21          are the people that really need to get connected  
22          to us.

23                      So it's just ongoing outreach and  
24          awareness. You know, they -- the employees at  
25          the casinos are really our first responders.

1           They're the ones that have the ability to  
2           provide that access to the helpline to their  
3           guests. So we do ongoing education and  
4           awareness with the employees through new hire  
5           training.

6                        So the statute says they have to have their  
7           employees trained within the first 30 days of  
8           hire, so we offer that training for them in  
9           English and in Spanish for their employees that  
10          they can take within the first 30 days on  
11          demand, and then we provide the facilities with  
12          their certificates of completion. And we do  
13          have minimum mandate scores that they have to  
14          obtain to show that they've actually retained  
15          the knowledge that we want them to have from the  
16          trainings.

17                       Similar to our annual refresher training,  
18          we do that every year. It's a brand new  
19          curriculum every year for their employees. And  
20          that is in addition to, of course, the new hire  
21          training, so new hires and then annual refresher  
22          with everybody.

23                       And then the site visits. You know, we'll  
24          go on-site and just take a look at where they've  
25          got signage. And we provide the State with, you

1 know, recommendations based on what we see in  
2 terms of ways they can improve signage, you  
3 know, increase font sizes, maybe place brochures  
4 in areas where breaks in play occur, because we  
5 know that's where patrons are more likely to  
6 grab a brochure. They're not probably going to  
7 walk across the slot floor and grab a brochure  
8 from the top of a ticket redemption machine, but  
9 they might in the bathroom. So, you know,  
10 that's where we just encourage them to, hey,  
11 maybe you need to take a look at this and maybe,  
12 you know, add this to your plan.

13 And I will just skip right over this. This  
14 is the community outreach services. We produce  
15 just a plethora of materials that we provide to  
16 helpline callers. We've got a really great set,  
17 our Chance for Change recovery workbooks. It's  
18 workbooks that we developed in-house, designed  
19 to really give people therapeutic help that are  
20 in areas of the state where they may not have  
21 access to treatment supports or other supports.  
22 So we have Chance for Change workbooks for  
23 gamblers, for loved ones, for seniors. And  
24 those are, you know, specific for Florida. We  
25 only provide those to Florida residents. And



1           they really are -- they make a difference. You  
2           know, people are just -- can say nothing but  
3           good things about how much those books helped  
4           them.

5                     And then here at the end, I'm just going to  
6           talk a little bit about what we're seeing across  
7           the country. So the National Association of  
8           Administrators for Disordered Gambling Services,  
9           they're a research entity, and they put out a  
10          study every five years on publicly funded  
11          problem gambling services. So every state that  
12          has a line item budget for problem gambling  
13          services, they do research, and they, you know,  
14          look at the programs and services that are  
15          provided, as well as the funding, and write this  
16          report.

17                    So I included the Florida state report.  
18          It's just -- it's a one-pager that's in your  
19          folders. But if you guys would like the full  
20          report, I'm happy to email that to you as well.

21                    So when looking at Florida in conjunction  
22          with the whole country, we ranked first in  
23          helpline contacts, number one out of 42 states.  
24          So there's 42 states with publicly funded  
25          problem gambling services, and we were number

1 one in terms of helpline volume.

2 We ranked third for gaming revenues this  
3 particular year. It's primarily commercial  
4 gaming revenues as well as lottery sales. And  
5 then they said that the tribal revenues are  
6 estimates and might be based on historical data.

7 So we ranked 34th -- Florida ranked 34th  
8 out of 42 states in the United States regarding  
9 per capita funding for this issue. So the  
10 average across the United States is about 40  
11 cents per capita. Florida's per capita public  
12 fund allocation is 6 cents.

13 COMMISSIONER BROWN: Does that also include  
14 the money from the tribe?

15 MS. KRUSE: So, no. It's state funded,  
16 state funded, uh-huh.

17 So when you look at the growth of what that  
18 means across the United States over the past 15  
19 years, it's an annualized growth of 5 percent a  
20 year on average. In Florida, our allocation  
21 actually decreased by 2 percent. So if you look  
22 here, you can see the blue columns represent  
23 what the funding -- what our funding would be if  
24 we had received the 5 percent per year increase,  
25 and the green represents what our funding

1           actually was 15 years ago and what it currently  
2           is today. So I think that gives you just a good  
3           representation of where we're at in terms of  
4           this issue.

5                     And that's it. Questions?

6                     COMMISSIONER D'AQUILA: Executive Director  
7           Kruse, thank you for a very insightful  
8           presentation.

9                     MS. KRUSE: Thank you.

10                    COMMISSIONER D'AQUILA: During your  
11           presentation, you talked about the rising number  
12           of young gamblers and the significant increase  
13           in online gambling being a problem. And I also  
14           heard about the billboards in predominantly the  
15           two counties you referred to.

16                    What is your agency or your organization  
17           doing to reach out to young people  
18           electronically versus billboards and so forth,  
19           and print, putting those two aside, considering  
20           today the person -- I can pick a random age,  
21           under 35 -- their predominant connection to the  
22           world is the smartphone.

23                    MS. KRUSE: Sure.

24                    COMMISSIONER D'AQUILA: What --  
25           considering, you know, any business owner or

1 organization owner looks at results for dollars  
2 spent on advertising and marketing, can you  
3 elaborate on what you're doing to address that  
4 rising demographic? Which is not just unique to  
5 Florida. It is unique to the nation, if not the  
6 world labor.

7 MS. KRUSE: Absolutely. That's a great  
8 question. Thank you.

9 We do what we can is really what I'll say.  
10 We do do other outreach initiatives. We do  
11 programmatic ads. We do geotargeting, online  
12 banner ads. We have a social media presence.  
13 You know, we have Facebook. We have Twitter.  
14 We have a YouTube page. We have Instagram.

15 Unfortunately, with our contract with the  
16 State, it's very specific as far as what that  
17 outreach is. So it specifies billboards, so  
18 that's really all we're able to do under the  
19 current construct of our contract with the  
20 State.

21 So aside from that, as you mentioned, the  
22 Seminole -- the Seminole funding. So all that  
23 funding has to support the overall operations.  
24 And, as you know, operating a 24/7 helpline,  
25 it's quite -- it's quite a task. And, you know,

1 we have intensive training programs. We can't  
2 just pluck somebody off the street and stick  
3 them on the phones, because it is a very serious  
4 issue, and there's a lot of training involved.

5 COMMISSIONER D'AQUILA: May I do a  
6 follow-up?

7 With that said, is your organization  
8 speaking about this? And when it comes time for  
9 contract renewal, are you putting that for  
10 consideration in the future?

11 And let me -- I'll -- let me be more  
12 specific with my question. Nowadays streaming  
13 is how predominantly people view. So if I watch  
14 YouTube, for example, it seems to know about me.  
15 Right?

16 And I'm questioning -- and I know this  
17 technology exists already in the private sector,  
18 that certain ads, and especially those of public  
19 interest, get special treatment and --

20 MS. KRUSE: Yeah.

21 COMMISSIONER D'AQUILA: -- might pop up  
22 while a viewer is watching that.

23 Is that being talked about? And I'm  
24 bringing the question up because of what you  
25 mentioned with regard to this disturbing number

1 of younger voters and the online gaming, which  
2 will soon maybe perhaps supercede the slots.  
3 That's just a guess, considering the trend line  
4 that you presented.

5 MS. KRUSE: Yes. And you've got to  
6 remember too that because online gambling isn't  
7 legal currently in the state, those people that  
8 are reaching out for help that are -- that's  
9 their primary problem, they're having to search  
10 for a number, just like you said. You know,  
11 it's not mandated. There aren't consumer  
12 protections that are required for those  
13 operators because they're betting offshore.  
14 They're betting with a VPN. They're betting  
15 illegally. So they're not exposed to the  
16 helpline number.

17 So to answer your question, yes. You know,  
18 like I already mentioned, the programmatic ads,  
19 the geotargeting, that is definitely something  
20 that we have done historically. We would  
21 welcome and love the opportunity to be able to  
22 modify our contract a little each year to flow  
23 with what we're seeing on the helpline.

24 Historically, we had done that with the  
25 Department up until -- I want to say about 2015,

1 when our deliverables were sort of locked in to  
2 what they were then, and they really -- we've  
3 not been allowed to modify them much.

4 But we would absolutely welcome the  
5 opportunity to do that and to be able to say  
6 each year, you know, "Here's what we're seeing  
7 on the helpline, here's what we're seeing in the  
8 state, and this is what we could suggest as, you  
9 know, the best use of our contract and the  
10 funding for the upcoming year."

11 COMMISSIONER D'AQUILA: Thank you.

12 COMMISSIONER BROWN: Thank you. Good  
13 questions, Commissioner D'Aquila.

14 Commissioner Drago, any questions?

15 COMMISSIONER DRAGO: One quick one, if I  
16 may. This may be a stupid question, but when --  
17 you were talking a lot about advertising, the  
18 number, and reaching out to people so that they  
19 have access to this helpline.

20 What are people looking for when they make  
21 this call to the hotline -- helpline? Are they  
22 looking for some program to get into? Are they  
23 looking -- what are they looking for when they  
24 call? Why should a person call? I guess is the  
25 question.

1 MS. KRUSE: That's a great question. It's  
2 not a stupid question at all.

3 So like our number says, 888-ADMIT-IT, the  
4 first step to getting help is admitting that you  
5 have a problem.

6 So a lot of times when that person makes  
7 that first call or text or chat, they're in such  
8 a place of just despair. And, you know, they're  
9 embarrassed. They're ashamed. There's so much  
10 stigma associated with this addiction that  
11 they're just -- they don't know what they want  
12 or what they need. And that's why it's our job  
13 to get them the supports that they need. And  
14 it's not a one-size-fits-all approach.

15 So we're an I&R service. We don't provide  
16 direct counseling support over the phone, but we  
17 do have programs that we've developed, some, you  
18 know, with our funding from the Seminoles. We  
19 have an online program for problem gamblers  
20 which is an on-demand clinical program that we  
21 can connect them with immediately. So when we  
22 hang up the phone, I can enroll someone in that  
23 program or send them a link to the program.

24 We also provide the Chance for Change  
25 recovery workbooks that I told you about, again,



1 on demand. So I can email those to somebody and  
2 then say, "Okay. I can also send you a hard  
3 copy packet in the mail," you know, just  
4 depending upon what their preference is. Some  
5 people like to read online; others don't. But  
6 we do have the ability to provide on-demand  
7 services right then and there.

8 We also have a peer connect program.  
9 Again, these are things that are outside the  
10 scope of our current contract with the State.  
11 But our peer connect program is someone who's  
12 been in recovery for many years. You know, they  
13 have to meet certain criteria, and they can talk  
14 to the person. So we set up a peer connect  
15 appointment with them following the initial  
16 helpline contact. And that person can kind of  
17 help them take the next steps to whatever that  
18 help may be. You know, for some people, that  
19 looks like going to a Gamblers Anonymous  
20 meeting, going to a counselor.

21 We only refer to certified gambling  
22 addiction treatment providers in the state. And  
23 actually, in 2007, we rolled out, in partnership  
24 with the Florida Certification Board, the first  
25 ever credential for gambling addiction

1 counselors, for mental health treatment

2 providers to receive the credential to treat  
3 gambling addiction, because it's very different  
4 than other addictions. It's not the same.

5 So we only refer to a very specific network  
6 of treatment providers. And we really do  
7 provide, you know, unique resources specific to  
8 that person's individual circumstances.

9 COMMISSIONER DRAGO: Great. Thank you.

10 COMMISSIONER BROWN: Commissioner D'Aquila?

11 COMMISSIONER D'AQUILA: If I may, one more.

12 COMMISSIONER BROWN: Yes.

13 COMMISSIONER D'AQUILA: Do we keep data on  
14 the number of people that go from reaching out  
15 for help and actually having a meeting live and  
16 seeking treatment? Is that one of our measures  
17 of success, or -- or let me rephrase that. A  
18 measure or a benchmark that we monitor on a  
19 regular basis?

20 MS. KRUSE: For efficacy. So that's a  
21 great question.

22 Really, the only way to do -- to do that is  
23 to fund a treatment program. Right? That's the  
24 only way that you can really track and follow  
25 somebody and get data like that. We do -- we do

1 the best that we can, given the fact that we're  
2 an anonymous, confidential helpline.

3 So one of the deliverables under our  
4 current contract is a helpline outcome  
5 evaluation. So when we do speak to people, you  
6 know, we have to build a rapport with them and  
7 get them comfortable enough to provide us with  
8 their name and a phone number to call them back.  
9 And those individuals that do that, we do follow  
10 up with them and find out, you know, how our  
11 program has been helpful, if -- you know, what  
12 their gambling is like, have they reduced their  
13 gambling since they've contacted the helpline,  
14 what's going on now.

15 And so the answer is yes. It's our  
16 helpline outcome evaluation. And if I did not  
17 include that in your packet, you can let me  
18 know, and I will happily email you the one from  
19 2021-22.

20 But you'll see that the majority -- don't  
21 hold me to this stat, but I think it was  
22 79 percent said they had reduced their gambling  
23 since contacting the helpline.

24 COMMISSIONER D'AQUILA: Thank you.

25 COMMISSIONER BROWN: Thank you. Just one

1 last question. And we appreciate your time here  
2 today. It's great to have you come before us  
3 and to have an opportunity to hear about the  
4 work you're doing.

5 I know it's confidential and anonymous, the  
6 hotline. In your materials, you talked about  
7 the illegal gaming that's doing on. Is there --  
8 is there a prohibition with that confidentiality  
9 from communicating with our Division of Gaming  
10 Enforcement on some of those illegal facilities?

11 MS. KRUSE: So are you asking would it be  
12 okay for us to tell you that information?

13 COMMISSIONER BROWN: Uh-huh.

14 MS. KRUSE: So we're not a reporting  
15 entity, and that is again the reason why we  
16 don't provide counseling on the helpline,  
17 because if we did, people wouldn't tell us that  
18 they're committing illegal acts or that they're,  
19 you know, gambling illegally.

20 But because with the State of Florida, you  
21 know, the illegal gambling is not on the person  
22 that's gambling, it's illegal for the  
23 operator -- right? -- they're a lot usually  
24 freer to talk about that to us on the helpline.

25 And we do collect data in terms of, you

1 know, where they're going if they tell us. So,  
2 yes.

3 COMMISSIONER BROWN: All right.

4 Commissioners, any further questions?

5 Thank you again for your time.

6 MS. KRUSE: Thank you so much.

7 COMMISSIONER BROWN: All right. We are  
8 going to move into Item 2, the discussion of  
9 default final orders.

10 Staff members, also, you know that you have  
11 the mic. Just push it on and off.

12 And with that, Emily.

13 MS. ALVARADO: Good morning. This is Emily  
14 Alvarado, for the record.

15 Item 2.1 is FGCC vs. Mark Alan Byrdsong in  
16 Case Number 2022-033282. In this case, there  
17 was a one-count administrative complaint filed  
18 against Respondent, who was excluded from Big  
19 Easy Casino on June 27, 2022, for stealing  
20 property from the facility. He's subject to  
21 exclusion from all pari-mutuel and slot machine  
22 facilities in the state pursuant to Section  
23 550.0251(6) and 551.112, Florida Statutes.

24 He was served and did not respond within  
25 21 days. Therefore, the Division would ask the

1 Commission to enter an order finding that the  
2 Respondent was properly served and failed to  
3 respond within 21 days; that the factual  
4 allegations in the administrative complaint are  
5 accepted as the finding of facts in this case;  
6 and concluding that Respondent will be added to  
7 the permanent exclusion list.

8 COMMISSIONER BROWN: Thank you.

9 Commissioners, any questions on this? If  
10 not, then I'll entertain a motion.

11 COMMISSIONER D'AQUILA: I'll make a motion.

12 COMMISSIONER BROWN: Second?

13 COMMISSIONER DRAGO: Second.

14 COMMISSIONER BROWN: All those in favor say  
15 "aye." The motion --

16 COMMISSIONER D'AQUILA: Aye.

17 COMMISSIONER DRAGO: Aye.

18 COMMISSIONER BROWN: -- thank you --  
19 passes.

20 On to 2.2.

21 MS. ALVARADO: Item 2.2 is FGCC vs. Edi  
22 Gonzalez in Case Number 2022-048601. In this  
23 case, there was a one-count administrative  
24 complaint filed against Respondent, who violated  
25 Rule 61D-2.003 by refusing to produce his

1 license or provide his name or date of birth to  
2 the investigator that was conducting an  
3 investigation at Palm Meadows Training Center.

4 This was brought to the Commission at the  
5 February meeting as well, and the Commissioners  
6 asked that I get more information on the  
7 incident. I followed up with investigations,  
8 and they told me that nothing had occurred with  
9 this individual prior to this incident, but  
10 since then there has been a few other incidents  
11 and that they've now banned him from both Palm  
12 Meadows and Gulfstream.

13 Based on that, the Division would ask that  
14 the Commission enter an order finding that the  
15 Respondent was properly served with the  
16 administrative complaint, but they failed to  
17 respond within 21 days; that the factual  
18 allegations in the administrative complaint are  
19 accepted as the finding of facts in this case;  
20 and concluding that Respondent is subject to an  
21 administrative fine of \$500.

22 COMMISSIONER BROWN: Ms. Alvarado, you said  
23 that they are -- this individual who's licensed  
24 with us is banned?

25 MS. ALVARADO: Yes, from those two

1 properties.

2 COMMISSIONER BROWN: And was he fined  
3 separately by the property?

4 MS. ALVARADO: He was fined originally for  
5 the incident, the first incident in this case,  
6 \$100, and he had paid that fine and was not  
7 suspended at the time.

8 COMMISSIONER BROWN: Did we find out why  
9 he -- the root of why he failed to produce his  
10 license or his date of birth to our  
11 investigator?

12 MS. ALVARADO: They didn't have any  
13 information on that, on why he -- he didn't do  
14 that. But that was the only incident of that  
15 happening.

16 COMMISSIONER BROWN: Do you have any  
17 questions? If not, I'll entertain a motion.

18 COMMISSIONER DRAGO: I'll make a motion to  
19 approve the recommendation.

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

22 COMMISSIONER BROWN: Seeing no objection,  
23 if no other Commissioner -- if no Commissioner  
24 objects, we'll approve that motion.

25 Moving on to 2.3.



1 MS. ALVARADO: Item 2.3 is FGCC vs. Rene  
2 Carrazana in Case Number 2022-049868. In this  
3 case, there was a one-count administrative  
4 complaint filed against Respondent, who was  
5 excluded from Casino Miami on January 12, 2023,  
6 for cashing out winnings of another patient  
7 [sic]. He is subject to exclusion pursuant to  
8 Sections 550.0251(6) and 551.112, Florida  
9 Statutes.

10 Respondent was served and failed to respond  
11 within 21 days. Therefore, the Division would  
12 ask the Commission to enter an order finding  
13 that the Respondent was properly served; failed  
14 to respond within 21 days; that the factual  
15 allegations in the administrative complaint are  
16 the finding of facts in this case, and  
17 concluding that Respondent would be added to the  
18 permanent exclusion list.

19 COMMISSIONER BROWN: Commissioner D'Aquila?

20 COMMISSIONER D'AQUILA: Yes. Deputy Chief  
21 Attorney Alvarado, I have a question. I think I  
22 saw this in the evidence and so forth.

23 Was this individual -- was this information  
24 shared with the Internal Revenue Service?

25 MS. ALVARADO: Yes.

1                   COMMISSIONER D'AQUILA: Okay. And my  
2                   second question is -- because I believe there  
3                   may be a matter of facts, misrepresentation or  
4                   fraud here with regard to the reporting of the  
5                   winnings -- is that something we routinely do in  
6                   situations like this in our investigations? Do  
7                   we routinely turn this matter over to the  
8                   Internal Revenue Service in all cases?

9                   MS. ALVARADO: I believe so, but I'm not  
10                  sure. I did not ask investigations about that.

11                 COMMISSIONER D'AQUILA: Thank you.

12                 COMMISSIONER BROWN: Any other questions?

13                 I do want to commend the investigator,  
14                 though, for referring it to the IRS. I think  
15                 that was very wise to do.

16                 With that, I would take a motion to approve  
17                 the default final order.

18                 COMMISSIONER D'AQUILA: Yes. I will make a  
19                 motion on the final order permanently excluding  
20                 Rene Carrazana from all pari-mutuel and slot  
21                 machine facilities in the state.

22                 COMMISSIONER DRAGO: Second.

23                 COMMISSIONER BROWN: Without objection, we  
24                 will go ahead and approve the motion for default  
25                 final order.

1                   And now we will move to Item 3, the  
2                   discussion of consent orders.

3                   I have not received any other public  
4                   comment cards, but if anybody would like to  
5                   comment on any of these items, 3.1 through 3.7,  
6                   public comments, then we will take that at this  
7                   time.

8                   Seeing none, go ahead, please.

9                   MS. ALVARADO: Item 3.1 is FGCC vs. Tampa  
10                  Bay Downs in Case Number 2022-048642. This case  
11                  was a three-count administrative complaint  
12                  alleging that Respondent failed to indicate the  
13                  date on two cards that were removed from play on  
14                  the damaged card envelope. They failed to have  
15                  a cardroom supervisor sign three damaged cards  
16                  prior to storage and failed to write the times  
17                  monitoring commenced and ended on the activity  
18                  log.

19                  These are violations of 61D-11.014(4)(b)2,  
20                  61D-11.014(4)(b)3, and 61D-11.025(17)(b).  
21                  Respondent has two prior violations of  
22                  61D-11.014(4)(b)3, which resulted in a \$300 fine  
23                  and then a \$250 fine.

24                  The Respondent has sent back a signed  
25                  settlement and consent order with a \$2,000 fine

1 total for all three counts, and the Division  
2 would ask that the Commission enter an order  
3 adopting and incorporating the settlement and  
4 consent order in this case.

5 COMMISSIONER BROWN: Thank you. And thank  
6 you for your work on this matter too.

7 Commissioners, any questions?

8 I'll take a motion.

9 COMMISSIONER DRAGO: I'll make a motion to  
10 approve the staff recommendation.

11 COMMISSIONER D'AQUILA: I will second that  
12 motion.

13 COMMISSIONER BROWN: Without objection, we  
14 will go ahead and approve the motion to accept  
15 the consent order.

16 Moving on to -- can we take up 3.2 and 3.3  
17 together?

18 MS. ALVARADO: Sure. These are FGCC vs.  
19 Rohan Crichton in Case Number 2022-051930 and  
20 2022-052364. In both of these cases, there were  
21 one-count administrative complaints alleging  
22 that Respondent violated 550.2415(1)(a), Florida  
23 Statutes, and Rule 61D-6.008(3)(c), Florida  
24 Administrative Code, by racing a horse with an  
25 impermissible amount of phenylbutazone.

1           We received a settlement and consent order  
2           that had punishment of a written warning or  
3           penalty of a written warning. In both cases,  
4           this would be Respondent's first violation, so  
5           the Division would ask that the Commission enter  
6           an order adopting and incorporating the proposed  
7           settlement and consent order in this case, or  
8           these cases.

9           COMMISSIONER BROWN: Thank you,  
10          Ms. Alvarado.

11          I know that they're the same infraction,  
12          NSAID, and a warning letter as a result, one  
13          happening in September and the next one  
14          happening in October. Do you still feel  
15          comfortable with just a written warning?

16          MS. ALVARADO: We cannot use it as  
17          aggravation so we have a penalty. And most of  
18          the time they're not even aware of the first  
19          violation until after they receive -- after the  
20          second one already occurred. So, yes, I feel  
21          comfortable with doing a written warning with  
22          both.

23          COMMISSIONER BROWN: Commissioner D'Aquila?

24          COMMISSIONER D'AQUILA: No further  
25          questions.

1                   COMMISSIONER BROWN: If we can, can we take  
2 a motion on Items 3.2 and 3.3, the same  
3 individual, to approve the consent order?

4                   COMMISSIONER D'AQUILA: Yes, I'll make a  
5 motion to accept it.

6                   COMMISSIONER BROWN: Is there a second?

7                   COMMISSIONER DRAGO: Second.

8                   COMMISSIONER BROWN: All right. Without  
9 objection, we will go ahead and approve the  
10 motion to approve the consent order in Items 3.2  
11 and 3.3.

12                   Moving on to Item 3.4, please.

13                   COMMISSIONER DRAGO: This is FGCC vs. David  
14 James Fawkes in Case Number 2022-057732. In  
15 this case, there was a one-count administrative  
16 complaint filed alleging the Respondent raced a  
17 horse with an impermissible amount of omeprazole  
18 sulfide in his system, which is a violation of  
19 550.2415(1)(a) and 61D-6.008(2)(s).

20                   We were also provided a settlement and  
21 consent order which had a punishment -- a  
22 penalty of a written warning. Therefore, the  
23 Division would ask that the Commissioners enter  
24 an order adopting and incorporating the proposed  
25 settlement in this case.

1                   COMMISSIONER BROWN: If there are no  
2                   questions on this item, I will take a motion to  
3                   approve the consent order.

4                   COMMISSIONER DRAGO: So move.

5                   COMMISSIONER D'AQUILA: Second.

6                   COMMISSIONER BROWN: Without objection,  
7                   we'll approve that motion. Thank you very much.  
8                   Item 3.5.

9                   MS. ALVARADO: This is FGCC vs. Jon Glenn  
10                  Arnett in Case Number 2023-000998. This case  
11                  was a one-count administrative complaint filed  
12                  alleging that Respondent violated Section  
13                  550.2415(1)(a) and Rule 61D-6.008(2)(h) by  
14                  racing a horse with an impermissible amount of  
15                  dexamethasone.

16                  In this case, they provided a settlement  
17                  and consent order that was notarized that had a  
18                  \$1,000 fine. This is Respondent's first  
19                  violation, and this is a Class C penalty which  
20                  requires a \$1,000 fine and the return of purse.  
21                  We have received confirmation that the owner has  
22                  also returned the purse in this case. And,  
23                  therefore, the Division would ask the Commission  
24                  to enter a -- or to enter an order adopting and  
25                  approving the settlement in this case.

1 COMMISSIONER BROWN: Commissioner D'Aquila.

2 COMMISSIONER D'AQUILA: Did I hear  
3 correctly that the purse has been returned?

4 MS. ALVARADO: Yes. We received  
5 confirmation from the facility that they have  
6 received the purse back.

7 COMMISSIONER D'AQUILA: Thank you. No  
8 further questions.

9 COMMISSIONER BROWN: Thank you.  
10 And what exactly is dexameth -- not to  
11 sound ignorant here, but dexamethasone?

12 MS. ALVARADO: So it's given to help with  
13 allergic reactions and some sort of, like,  
14 respiratory issues in horses.

15 COMMISSIONER BROWN: Like Claritin, Zyrtec?

16 MS. ALVARADO: I guess so. That's kind of  
17 what it sounds like.

18 COMMISSIONER BROWN: Okay. Thank you.

19 If there are no questions, I'll take a  
20 motion to approve the consent order.

21 COMMISSIONER D'AQUILA: I'll make a motion  
22 to approve the consent order as presented by  
23 counsel.

24 COMMISSIONER DRAGO: Second.

25 COMMISSIONER BROWN: Without objection,



1 we'll go ahead and approve the consent order for  
2 Item 3.5.

3 Item 3.6.

4 MS. ALVARADO: 3.6 is FGCC vs. Douglas  
5 George Nunn in Case Number 2023-006970. In this  
6 case, there was a one-count administrative  
7 complaint filed alleging that Respondent  
8 violated Section 550.2415(1)(a) and Rule  
9 61D-6.008(3)(c) by racing a horse with an  
10 impermissible amount of phenylbutazone.

11 And there was also a settlement and consent  
12 order sent in that would issue a written  
13 warning. This is Respondent's first violation.  
14 And, therefore, the Division would ask the  
15 Commission to enter an order adopting the  
16 settlement and consent order in this case.

17 COMMISSIONER BROWN: Thank you.

18 Commissioner D'Aquila?

19 COMMISSIONER D'AQUILA: I have no  
20 questions, and I make a motion to accept the  
21 settlement and consent order that counsel has  
22 presented.

23 COMMISSIONER DRAGO: Second.

24 COMMISSIONER BROWN: Thank you.

25 Without objection, we'll go ahead and

1 approve the motion to approve the consent order.

2 The last item under this is 3.7.

3 MS. ALVARADO: 3.7 is FGCC vs. Antonio Jose  
4 Machado in Case Number 2023-006992. In this  
5 case, there was a one-count administrative  
6 complaint alleging that Respondent violated  
7 Section 550.2415(1)(a), Florida Statutes, and  
8 Rule 61D-6.008(3)(a) by racing a horse with an  
9 impermissible amount of phenylbutazone -- I'm  
10 sorry -- with flunixin in its system.

11 We've also received a settlement and  
12 consent order that was notarized and issued a  
13 written warning to Respondent. This is  
14 Respondent's first violation, and the Division  
15 would ask the Commission to enter an order  
16 adopting the consent order in this case.

17 COMMISSIONER BROWN: May I please get a  
18 motion to approve the consent order?

19 COMMISSIONER D'AQUILA: Motion to approve  
20 the consent order.

21 COMMISSIONER DRAGO: Second.

22 COMMISSIONER BROWN: Without objection,  
23 we'll go ahead and approve the consent order.

24 And with that, thank you, Ms. Alvarado, for  
25 making the presentations on these items.

1                   We are going to Item Number 4.1, 4.2, and  
2                   4.3, license denials.

3                   MR. TAUPIER: Marc Taupier, for the record.

4                   Item 4.1 is Stephon Tyjuan Reed, Case  
5                   Number 2022-052442. This is before the  
6                   Commission on an application for a cardroom  
7                   employee occupational license that was submitted  
8                   on October 31, 2022.

9                   This was before the Commission last month.  
10                  This individual does have a conviction for  
11                  having a firearm without a concealed permit.  
12                  The Commission wanted to get further information  
13                  regarding whether or not he obtained his permit.  
14                  We did have Ms. Glenda Ricks reach out to him.  
15                  He did everything that he was supposed to, but  
16                  because he is a convicted felon, DAG did not  
17                  give him his license, so he does not currently  
18                  have one.

19                  Therefore, at this time, the recommendation  
20                  is still to issue a notice of intent.

21                  COMMISSIONER BROWN: Thank you, and thank  
22                  you for following up. But just a clarification.  
23                  He's a convicted felon because he didn't have a  
24                  concealed weapon license?

25                  MR. TAUPIER: Right.

1                   COMMISSIONER BROWN: Commissioners, any  
2                   questions?

3                   COMMISSIONER DRAGO: I don't know if I have  
4                   a question. Maybe a comment, I guess. There  
5                   seems to be signs at least of rehabilitation  
6                   with this individual that I can see. In other  
7                   words, he has been holding a job. He has  
8                   completed his probation early. Actually, the  
9                   judge released him early because he followed all  
10                  the conditions of probation.

11                  So I have trouble with this one, I guess is  
12                  what I'm trying to say, in preventing this  
13                  person from going further in his career because  
14                  of that incident, since it does appear that --  
15                  from what I can see, that he's got no other  
16                  criminal record. He's been clean ever since.  
17                  He's been working. He's working, I believe, at  
18                  the facility now. So I have a problem with  
19                  going forward with this.

20                  I don't know if you all want to make a  
21                  motion or you want to talk.

22                  COMMISSIONER BROWN: No. I would love to  
23                  hear -- Commissioner D'Aquila?

24                  COMMISSIONER D'AQUILA: So I read through  
25                  all the evidence that you provided and so forth.

1 I wanted to make sure my understanding is  
2 correct. The individual has paid all fines,  
3 answered all requests. I believe my  
4 understanding is correct that the gun was held  
5 at a time when he was working as an Uber driver.  
6 Is that correct? Was that proven?

7 MR. TAUPIER: I was going to save that for  
8 cross-examination, but to maybe alleviate some  
9 of the concerns that the Commission may have,  
10 during the interview process, he said he was  
11 working as an Uber driver and that he was  
12 robbed. However, post Miranda in the police  
13 report, it was a drug deal gone bad. So he was  
14 not truthful to the Commission when he was  
15 giving the interview. And, therefore, that is  
16 why we have a little bit of heartburn as to not  
17 recommending anything other than a notice of  
18 intend to deny.

19 COMMISSIONER BROWN: Any follow-up?

20 COMMISSIONER D'AQUILA: No further  
21 questions.

22 COMMISSIONER BROWN: I actually had a note  
23 on here, defer to Commissioner Drago, right, on  
24 this. So I was inclined to agree with  
25 everything that Commissioner Drago said from the

1 beginning, but this post Miranda kind of --

2 COMMISSIONER DRAGO: Yeah, I agree. It's  
3 kind of a horse of a different color at this  
4 point. Yeah, I think that changes it entirely  
5 in terms of rehabilitation and so forth. So  
6 never mind what I said before.

7 COMMISSIONER BROWN: So with that, could I  
8 get a motion to approve the staff recommendation  
9 for 4.1?

10 COMMISSIONER DRAGO: I move to approve the  
11 staff recommendation.

12 COMMISSIONER D'AQUILA: I will second the  
13 motion.

14 COMMISSIONER BROWN: Thank you. Without  
15 objection, we will go ahead and move to approve  
16 the motion to -- intent to deny. Thank you.

17 4.2, please.

18 MR. TAUPIER: Item 4.2 is Ms. Deon Rogers,  
19 Case Number 2023-004431. This is before the  
20 Commission on an application for a slot  
21 machine/cardroom/pari-mutuel combination  
22 occupational license that was submitted on  
23 January 19th of 2023. Upon review of that  
24 application, it appears that Ms. Rogers was  
25 convicted of failing to redeliver hired property

1 greater than \$300 in the year of 2016.

2 With that, I do want to put on the record  
3 that she was offered a diversion program for  
4 this charge. She did not complete that  
5 diversion program, which led to the ultimate  
6 conviction. I don't see anything pending other  
7 than this one conviction. She did tell us about  
8 it.

9 At this point, because there is no waiver  
10 process and we cannot waive, or the Executive  
11 Director cannot waive for these types of license  
12 applications, the recommendation is to issue a  
13 notice of intent to deny.

14 COMMISSIONER BROWN: Thank you,  
15 Mr. Pierre -- I'm sorry, Marc. Could you  
16 describe her response when you were talking to  
17 her and discussed this, her licensing and the  
18 particular crime?

19 MR. TAUPIER: I never talked to her.

20 COMMISSIONER BROWN: Oh, okay.

21 MR. TAUPIER: But I know these types of  
22 crimes are usually failing to bring back a  
23 U-Haul on time or renting from Rent-A-Center and  
24 failing to pay it off. The fact that there was  
25 a diversion program offered, it is usually

1 offered only to crimes that are less serious.

2 Again, the fact that she didn't complete  
3 it -- I don't know exactly why -- is a little  
4 bit concerning. But I think we can maybe ask  
5 that through an informal hearing, exactly what  
6 happened.

7 COMMISSIONER BROWN: Any comments or  
8 questions? If not, I can take a motion,  
9 either one.

10 COMMISSIONER DRAGO: I'll so move.

11 COMMISSIONER BROWN: Okay. Motion to --  
12 and that motion would be to -- a notice of  
13 intent to deny. Thank you.

14 COMMISSIONER D'AQUILA: I will second that  
15 motion.

16 COMMISSIONER BROWN: Okay. Without  
17 objection, we'll go ahead and approve the motion  
18 with the intend to deny.

19 And the last item under this is 4.3.

20 MR. TAUPIER: 4.3 is Shatik Nyrobi Taylor,  
21 Case Number 2023-009060. This is before the  
22 Commission on an application for a slot  
23 machine/cardroom/pari-mutuel combination  
24 occupation license which was submitted on  
25 February 7th of 2023. On completion and review



1 of that application, it appears that the  
2 applicant was convicted of several felony crimes  
3 to which -- it was tampering or fabricating  
4 evidence in 2023, carrying a concealed firearm  
5 in 2020.

6 He was -- he was placed on probation for a  
7 period of two years, picked up an additional  
8 charge of trafficking in or selling a (1) (a)1  
9 drug under 893. That probation was reinstated.  
10 However, that probation has been extended until  
11 May 2nd of 2023. The charges were ultimately  
12 dropped which caused the VOP, which is probably  
13 why probation was reinstated. But at this time,  
14 the only convictions we see are those.

15 COMMISSIONER BROWN: Thank you. If there  
16 are no questions on this item, we can take a  
17 motion for notice of intent to deny.

18 COMMISSIONER D'AQUILA: I would like to  
19 make a motion for the issuance of a notice of  
20 intent to deny.

21 COMMISSIONER DRAGO: Second.

22 COMMISSIONER BROWN: Okay. Without  
23 objection, we will go ahead and approve that  
24 item. Thank you.

25 MR. TAUPIER: Thank you.

1                   COMMISSIONER BROWN: Moving on to Item 5,  
2                   discussion of final orders.

3                   MS. ALVARADO: This is Emily Alvarado, for  
4                   the record.

5                   FGCC vs. Danny Perlaez is Item 5.1, Case  
6                   Number 2022-040952. This case was a one-count  
7                   administrative complaint alleging that  
8                   Respondent was subject to exclusion from all  
9                   pari-mutuel and slot machine facilities based on  
10                  his exclusion from Magic City Casino. He was  
11                  excluded for removing another patron's chips  
12                  from underneath a table and claiming them as his  
13                  own.

14                  The Respondent sent in an election of  
15                  rights requesting a final order be entered  
16                  against him imposing a penalty in this case.  
17                  Therefore, the Division would ask that the  
18                  Commission enter a final order adding Respondent  
19                  to the permanent exclusion list.

20                  COMMISSIONER BROWN: Thank you. If there  
21                  are no questions on this item, can we get a  
22                  motion to approve the final order?

23                  COMMISSIONER DRAGO: So move.

24                  COMMISSIONER D'AQUILA: Second.

25                  COMMISSIONER BROWN: Without objection,

1 we'll go ahead and approve that motion.

2 All right. 5.2.

3 MS. ALVARADO: Item 5.2 is Ernesto Perez,  
4 Case Number 2022-057500. This case was a  
5 one-count administrative complaint alleging that  
6 Respondent is subject to exclusion from all the  
7 pari-mutuel and slot machine facilities based on  
8 his exclusion from Casino Miami. He was  
9 excluded for allowing another patron to cash out  
10 his winnings that -- he won a jackpot.

11 Mr. Perez responded with an election of  
12 rights requesting a final order be entered  
13 against him. And the Division would ask that  
14 the Commission enter a final order adding  
15 Respondent to the permanent exclusion list.

16 COMMISSIONER BROWN: All right. Are there  
17 any questions on this item? If not, can I get a  
18 motion to approve the final order?

19 COMMISSIONER D'AQUILA: I'll make a motion  
20 to approve the final order permanently excluding  
21 Mr. Perez from all pari-mutuel and slot machine  
22 facilities in the state.

23 COMMISSIONER BROWN: Thank you.

24 COMMISSIONER DRAGO: Second.

25 COMMISSIONER BROWN: Without objection,

1 we'll go ahead and approve that motion and that  
2 final order.

3 5-point -- no. We're done with 5. Moving  
4 on to 6, discussion of application for transfers  
5 of permitholder tax credit/exemption.

6 Good morning.

7 MS. SWAIN: These are all tax credits of  
8 different permitholders. Do you want me to go  
9 through them individually, or do you want me to  
10 do them as a whole?

11 COMMISSIONER BROWN: Commissioners, do you  
12 have a preference to go separate or all  
13 together?

14 COMMISSIONER D'AQUILA: I would opt to do  
15 them all together.

16 COMMISSIONER BROWN: Okay.

17 COMMISSIONER D'AQUILA: We have reviewed  
18 them.

19 MS. SWAIN: All of them are for transfers  
20 of tax credits to Daytona Beach Kennel Club.  
21 One is from 831 Federal Highway Acquisition  
22 Holdings, LLC; one is Sarasota Kennel Club;  
23 Washington County Kennel Club; and License  
24 Acquisition.

25 All the requirements of the statutes have

1           been met, of 550.0951(1)(b) that authorizes the  
2           transfer of these tax credits. And the staff  
3           recommendation is for them all to be approved.

4           COMMISSIONER BROWN: Thank you, Ms. Swain.

5           Are there any questions on any of these  
6           items, 6.1 through 6.4? If not, unless legal  
7           counsel has an objection, if we could take a  
8           motion to approve all of those items as  
9           presented.

10          Do you have an objection if we group them?

11          MR. MARSHMAN: No, no objection.

12          COMMISSIONER BROWN: Okay. If we could get  
13          a motion to approve all the items under 6.1  
14          through 6.4.

15          COMMISSIONER D'AQUILA: I make a motion to  
16          approve Items 6.1 - 6.4 for the transfer of the  
17          tax credits as presented by Ms. Swain.

18          COMMISSIONER DRAGO: Second.

19          COMMISSIONER BROWN: Without objection,  
20          we'll go ahead and approve those items. And  
21          thank you.

22          Okay. We are moving on to Item 7, the  
23          discussion of South Marion Real Estate Holdings,  
24          LLC's notice of voluntary dismissal of amended  
25          petition or waiver of rule.

1 Ross?

2 MR. MARSHMAN: Good morning again.

3 The Commission was previously asked to  
4 consider issuing a waiver of variance. The  
5 Petitioner was South Marion Real Estate Holdings  
6 and another individual who wanted to play at the  
7 cardroom at which he was also employed.

8 The Petitioners in that matter have filed a  
9 notice of voluntary dismissal, meaning that they  
10 are seeking to proceed no further with this  
11 matter. So I would recommend to the Commission  
12 that we issue a final order acknowledging the  
13 notice of voluntary dismissal and close this  
14 matter.

15 COMMISSIONER BROWN: Commissioner D'Aquila.

16 COMMISSIONER D'AQUILA: I would like to  
17 make that motion.

18 COMMISSIONER BROWN: He stated it very  
19 clearly. Is there a second?

20 COMMISSIONER DRAGO: Second.

21 COMMISSIONER BROWN: Okay. Without  
22 objection, we'll go ahead and approve the motion  
23 as presented. Thank you, Ross, Mr. Marshman.

24 Item Number 8 is the discussion of license  
25 application for Greyhound permitholders. There

1 are a lot of items under here. And again, we  
2 don't have public comment on these, on any of  
3 these items. If there are -- I see Dixie,  
4 Ms. Parker coming up here.

5 Ms. Pouncey, how would you like to present  
6 these items before us today?

7 MS. POUNCEY: Yes, ma'am. I have actually  
8 ordered them in a manner that we can group them  
9 separated by industry, but then like the first  
10 group is no performances with tables, the next  
11 group will be no performances with no tables,  
12 and so on.

13 COMMISSIONER BROWN: That sounds  
14 appropriate. Commissioners, are you okay with  
15 that grouping?

16 Okay. Please proceed with 8.1.

17 MS. POUNCEY: Yes, ma'am.

18 Before we begin, I'd like the opportunity  
19 to introduce Ms. La'Keshia Jelks. She is our  
20 cardroom administrator. As you know, there's a  
21 lot of information on this agenda meeting. She  
22 has been instrumental -- she's hiding in the  
23 back -- in making sure that we receive them all  
24 by the statutory guidelines, that all the  
25 information submitted was correct, and also

1 compiling it all so that it could be presented  
2 to you in this meeting. And I just wanted to  
3 make sure that she and you knew how much I  
4 appreciate everything she's done to make this  
5 come full circle.

6 COMMISSIONER BROWN: Well, that's very  
7 nice. Thank you so much for bringing her.  
8 Thank you for the opportunity to come before us,  
9 and we're grateful for the work you're doing.

10 Commissioner D'Aquila.

11 COMMISSIONER D'AQUILA: I would just add,  
12 thank you for all your hard work and dedication.  
13 We appreciate it.

14 COMMISSIONER BROWN: Thank you.

15 All right. With that, 8.1.

16 MS. POUNCEY: Yes, ma'am. So we were going  
17 to group 8.1 through 8.6 [sic]. These are all  
18 Greyhound permitholders that have no scheduled  
19 performances but have tables.

20 The first -- okay. So the first is Case  
21 Number 2023-001330 and Case 2023-001333. This  
22 is TBD Entertainment d/b/a TGT Poker and  
23 Racebook and/or Lucky's Cardroom. They are  
24 applying for an annual operating license and an  
25 annual cardroom operating license. The total



1 number of tables and fees paid were \$17,000.

2 8.2 is Case Number 2023-001563,  
3 2023-005174. This is 831 Federal Highway  
4 Acquisition Holding d/b/a The Big Easy. They  
5 have applied for zero performances annual  
6 operating license and 30 cardroom tables for  
7 their cardroom operating license.

8 2023-004854, 2023-004857 is Bonita Fort  
9 Myers d/b/a Bonita Springs Poker Room. They  
10 have applied for an operating license for zero  
11 performances and an operating license for 37  
12 cardroom tables.

13 The next is 2022-059854, 2022-059972. This  
14 is Daytona Beach Kennel Club d/b/a Daytona Beach  
15 Poker, Daytona Beach Racing and Card Club. They  
16 have applied for zero performances for their  
17 annual operating license and 58 tables in their  
18 annual cardroom license application.

19 2023-005172, 2023-005180 is 831 Federal  
20 Highway Acquisition, LLC, d/b/a The Big Easy  
21 Casino. They have applied for zero performances  
22 on their annual operating license and 30  
23 cardroom tables on their annual cardroom  
24 license.

25 2023-002866, 2023-002868 is bestbet

1 Jacksonville d/b/a bestbet and/or bestbet  
2 Jacksonville. They have applied for zero  
3 performances on their annual operating license  
4 and 92 tables in their annual cardroom license  
5 application.

6 2023-003148, 2023-003152 is bestbet  
7 Orange Park d/b/a bestbet or bestbet  
8 Orange Park. They've applied for zero  
9 performances and 37 tables in their annual  
10 cardroom license renewal.

11 2023-003644, 2023-003646 is Investment Corp  
12 of Palm Beach d/b/a Palm Beach Kennel Club.  
13 They have applied for zero performances in their  
14 annual operating license and 67 card tables in  
15 their annual cardroom license application.

16 2023-001131, 2023-001132 is Pensacola  
17 Greyhound Racing, LLP d/b/a Pensacola Greyhound  
18 Racing or Pensacola Greyhound Park. They've  
19 applied for zero performances in their annual  
20 operating license application and 20 tables in  
21 their annual cardroom application.

22 2023-002848 and 2023-002849 is  
23 St. Petersburg Kennel Club d/b/a Derby Lane.  
24 They've applied for zero performances in their  
25 annual operating license and 55 tables in their

1 annual cardroom license application.

2 2023-002477, 2023-002478 is Sarasota Kennel  
3 Club, Inc. d/b/a One-Eyed Jack's Poker Room.  
4 They've applied for zero performances in their  
5 annual operating license and 32 tables in their  
6 annual cardroom license application.

7 2023-002244, 2023-002247, Washington County  
8 Kennel Club, has applied -- excuse me -- d/b/a  
9 Ebro Greyhound Park, has applied for zero  
10 performances in their annual operating license  
11 and 25 cardroom tables in their cardroom  
12 operating license.

13 2023-004888, 2023-004891, West Flagler  
14 Associates, Ltd. d/b/a Flagler Dog Track, has  
15 applied for zero performances in their annual  
16 operating license, with 25 cardroom tables in  
17 their annual cardroom license application.

18 2023-003108, 2023-003109 is bestbet  
19 St. Augustine d/b/a bestbet or bestbet  
20 St. Augustine. They've applied for zero  
21 performances in their annual operating license  
22 renewal and 49 tables in their annual cardroom  
23 license renewal.

24 2022-059991, 2022-059994, West Volusia  
25 Racing, Inc. d/b/a Orange City Racing and Card

1 Club or Orange City Poker, has applied for zero  
2 performances in their annual operating license  
3 and 40 tables in their annual cardroom license  
4 application.

5 And 2022-060683 and 2023-001117 is  
6 Melbourne Park. They have applied for zero  
7 performances in their annual operating license  
8 and 38 tables in their annual cardroom  
9 application.

10 Each of the previous mentioned  
11 permitholders have submitted proof with their  
12 application that they possess the qualifications  
13 prescribed in Chapter 550. Each of the  
14 permitholders has elected to open a cardroom and  
15 provide card tables and has applied and paid the  
16 associated fees. Each of the permitholders  
17 referenced has satisfied all the requirements,  
18 and it's recommended that these items, 1.8  
19 through 1.6, be approved.

20 COMMISSIONER BROWN: You mean 8.1 through  
21 8.16; right?

22 MS. POUNCEY: Thank you.

23 COMMISSIONER BROWN: Thank you.

24 Commissioners, there's a lot of information  
25 to process these annual applications, and I

1 appreciate Ms. Pouncey succinctly summarizing  
2 the high points for all of them. If you don't  
3 have any questions on any items -- I'm looking  
4 around -- then we are ripe to take a motion.

5 Again, Counsel, can we -- since Ms. Pouncey  
6 presented them and -- they're on the record. We  
7 can go ahead and take a bulk motion?

8 MR. MARSHMAN: Yes, ma'am.

9 COMMISSIONER BROWN: Okay. Commissioners,  
10 can we please get a motion to approve the  
11 license renewal applications for 8.1 through  
12 8.16?

13 COMMISSIONER D'AQUILA: I make a motion to  
14 approve 8.1 through 8.16, a motion for approval  
15 for each of the license renewals.

16 COMMISSIONER BROWN: Thank you.

17 COMMISSIONER DRAGO: Second.

18 COMMISSIONER BROWN: All those in favor  
19 signify by saying "aye." Aye.

20 COMMISSIONER D'AQUILA: Aye.

21 COMMISSIONER DRAGO: Aye.

22 All right. Thank you. 8.17, please.

23 MS. POUNCEY: And I would like to group  
24 8.17, 8.18, and 8.19 together. These three  
25 permitholders have all applied for no

1 performances and no tables. They are permit --  
2 or excuse me -- Case Number 2022-060478, Penn  
3 Sanford, LLC d/b/a Sanford Orlando Kennel Club;  
4 2023-003432, License Acquisitions d/b/a Palm  
5 Beach Greyhound Racing; 2022-060486, SOKC, LLC  
6 d/b/a Sanford Orlando Kennel Club.

7 As I said, each of these have applied for  
8 zero performances in their annual operating  
9 license and did not play -- did not apply for an  
10 annual cardroom license. They submitted proof  
11 with their license application that the  
12 possessed the qualifications prescribed in  
13 Chapter 550, and the Division recommends that  
14 these licenses be approved.

15 COMMISSIONER BROWN: Thank you.

16 Commissioners, do you have any questions on  
17 8.17 through 8.19?

18 COMMISSIONER D'AQUILA: I do not.

19 COMMISSIONER BROWN: All right. Can we get  
20 a motion to approve the annual license  
21 applications on those items?

22 COMMISSIONER DRAGO: What are the numbers  
23 again?

24 COMMISSIONER BROWN: 8.17 through 8.19.

25 COMMISSIONER DRAGO: I would like to make a

1 motion to approve 8.17 through 8.19 according to  
2 the staff recommendation.

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

5 COMMISSIONER BROWN: All those in favor  
6 signify by saying "aye." Aye.

7 COMMISSIONER D'AQUILA: Aye.

8 COMMISSIONER DRAGO: Aye.

9 COMMISSIONER BROWN: Thank you.

10 All right. We are moving on to Item  
11 Number 9, discussion of license applications for  
12 jai alai permitholders.

13 MS. POUNCEY: Again I would like to group  
14 Items 9.1 through 9.5. Each of these have  
15 applied for zero performances with tables.

16 The first is 2023-004635, 2023-004637,  
17 which is Miami Jai-Alai, LLC d/b/a Casino Miami  
18 or Casino Miami Jai-Alai; 2023-002403,  
19 2023-002404, OBS Real Estate Holdings, LLC d/b/a  
20 Ocala Gainesville Poker; 2023-004455,  
21 2023-004457, Fronton Holdings, LLC d/b/a as Fort  
22 Pierce Jai-Alai -- and I think I screwed this  
23 up.

24 Okay. So I missed -- Casino Miami is no  
25 performances with 18 tables; OBS Real Estate

1 Holdings is no performances with five tables.

2 Where we stand is Fronton Holdings, which  
3 is no performances with 20 tables; then flowing  
4 through to 2023-007950, 2023-010161, Dania  
5 Entertainment, zero performances, 22 tables.  
6 And then last in this group is 2023-000892,  
7 2023-000896, Calder Race Course, with zero  
8 performances and eight tables. So sorry about  
9 that.

10 COMMISSIONER BROWN: No. Thank you for  
11 that clarification.

12 Commissioners, do you have any questions on  
13 9.1 through 9.5? If not, can we get a motion to  
14 approve the annual renewal license applications  
15 for these permitholders?

16 COMMISSIONER D'AQUILA: I will make a  
17 motion to approve 9.1 through 9-5, annual  
18 renewal of their license.

19 COMMISSIONER BROWN: Thank you.

20 COMMISSIONER DRAGO: Second.

21 COMMISSIONER BROWN: All those in favor say  
22 "aye." Aye.

23 COMMISSIONER D'AQUILA: Aye.

24 COMMISSIONER DRAGO: Aye.

25 COMMISSIONER BROWN: Thank you. Moving on



1 to 9.6 and 9.7.

2 MS. POUNCEY: We're actually going to do  
3 9.6 separately. They have performances  
4 scheduled and have applied for an annual  
5 cardroom operating license. It's Case Number  
6 2023-005427, 2023-005429, Dania Entertainment  
7 d/b/a Dania Jai-Alai and/or The Casino at Dania.

8 They have applied for 91 performances in  
9 their annual operating license application and  
10 have 20 -- applied for 22 tables in their annual  
11 cardroom license application. And the Division  
12 recommends approval.

13 COMMISSIONER BROWN: Thank you.

14 Commissioners, do you have any questions on  
15 9.6, Dania?

16 I want to commend them for continuing to  
17 have performance -- jai alai performances too,  
18 keeping up that spirit. I'm very excited for  
19 that industry to continue onward.

20 So is there a motion to approve Item 9.6?

21 COMMISSIONER DRAGO: So move to approve.

22 COMMISSIONER D'AQUILA: I will second.

23 COMMISSIONER BROWN: All those in favor say  
24 "aye." Aye.

25 COMMISSIONER D'AQUILA: Aye.

1 COMMISSIONER DRAGO: Aye.

2 COMMISSIONER BROWN: 9.7, please.

3 MS. POUNCEY: So 9.7, 9.8, 9.9, and 9.10  
4 are grouped together. They are permitholders  
5 that have performances scheduled that do not  
6 have --

7 COMMISSIONER BROWN: Ms. Pouncey, we have a  
8 speaker card on 9.8. Could you just do 9.7  
9 first, please?

10 MS. POUNCEY: Absolutely.

11 COMMISSIONER BROWN: Thank you.

12 MS. POUNCEY: So 9.7 is 2023-004328,  
13 Orlando Live Events d/b/a -- excuse me. RB Jai  
14 Alai d/b/a Orlando Live Events. They have  
15 applied for 40 performances in their annual  
16 operating license application and zero cardroom  
17 tables. The Division recommends approval.

18 COMMISSIONER BROWN: If there are no  
19 questions, can we please get a motion to approve  
20 the annual license on 9.7?

21 COMMISSIONER DRAGO: So move to approve.

22 COMMISSIONER D'AQUILA: I will second.

23 COMMISSIONER BROWN: All those in favor say  
24 "aye." Aye.

25 COMMISSIONER D'AQUILA: Aye.

1 COMMISSIONER DRAGO: Aye.

2 COMMISSIONER BROWN: Thank you.

3 With that, we have a speaker that is signed  
4 up for 9.8. Does staff want to just introduce  
5 the item first?

6 MS. POUNCEY: Item 9.8, Case 2023-005129,  
7 West Flagler Associates, Ltd. d/b/a Magic City  
8 Poker and Jai-Alai, Magic City Casino Jai-Alai  
9 and/or Magic City Jai-Alai. And for  
10 clarification, this is Permit Number 283.

11 COMMISSIONER BROWN: Okay. Thank you.

12 Commissioners, if there are no questions,  
13 I'm going to go ahead and turn to -- it looks  
14 like we have another speaker card coming up  
15 here. But we have a speaker signed up, Mr. Marc  
16 Dunbar.

17 If you could, Mr. Dunbar, come up to the  
18 podium. Thank you. Good morning.

19 MR. DUNBAR: Thank you. Good morning,  
20 Commissioners. Thank you. And thank you to the  
21 staff for the conversations we've had leading up  
22 to this. I'll try to be brief.

23 For the record, Marc Dunbar on behalf of  
24 the Seminole Tribe of Florida.

25 Not to rehash discussions we've had in

1 prior meetings related to this particular  
2 permit, I've pointed out prior that there was a  
3 lease issue involved in the transaction, which  
4 now is coming forward from a licensing  
5 standpoint.

6 And the concerns that we have, you know,  
7 from the Seminole Tribe, is that the Commission  
8 was charged with a strict approach to regulating  
9 the industry. And the idea was to give you a  
10 body of statutes, strictly construe them, and  
11 help to keep the industry constrained. And  
12 where you thought there was ambiguity or a need  
13 for a more liberal construction, the idea was to  
14 go to the Legislature and seek the authorization  
15 for clarification.

16 If I'm reading this agenda item correctly,  
17 what is about to -- and I know that the staff  
18 recommendation on the vast majority of items is  
19 that the Commission should grant the license.  
20 On this one, it is that the Commission can grant  
21 the license.

22 And I think it's important, because I think  
23 the statutes are pretty clear on what leasing is  
24 allowed and not allowed under the statutes. And  
25 from our perspective, we don't believe this

1 license can be granted in this fashion under  
2 this lease. And let me just make sure you guys  
3 understand what happened.

4 So originally the lease was proposed as a  
5 lease between a Greyhound permitholder -- this  
6 is, of course, post acquisition by Gretna  
7 Racing -- a Greyhound permitholder to a jai alai  
8 fronton.

9 550.475 is the leasing statute. And there  
10 have been other leasing statutes that we can  
11 talk about, and I can get into the history of  
12 this leasing statute and why it came to be. But  
13 the statute is pretty clear. You have to lease  
14 to a same class. It's simple, Greyhound to  
15 Greyhound, horse to -- Thoroughbred to  
16 Thoroughbred, jai alai to jai alai. Obviously,  
17 when -- there's a jai alai fronton on the  
18 property. West Flagler owned four permits, so  
19 they had two permits on this location.

20 They are not acquiring -- they are not  
21 taking the jai alai fronton. They didn't carve  
22 that out. So the Greyhound permitholder is  
23 acquiring the jai alai fronton. So the  
24 Greyhound track would have been leasing, or it  
25 was proposed that they would lease to the jai

1           alai fronton permitholder.

2           As of last night when we were able to see  
3           the supplemental documents, the documents have  
4           changed. And now it is the Greyhound  
5           permitholder leasing, essentially, to a straw  
6           man, a non-pari-mutuel permitholder, and that  
7           straw man is leasing to a jai alai fronton.

8           Now, there's no authorization in the  
9           statutes whatsoever for a non-pari-mutuel to  
10          lease to a pari-mutuel, period. This concept of  
11          a straw man, whether it's a licensed straw man  
12          in terms of a business entity or an individual  
13          or not, there's no authorization for that. and  
14          historically, there's been a reason for that.

15          Pari-mutuel permits are polled in this  
16          fashion: You apply to the regulator -- it used  
17          to be the Pari-Mutuel Commission, DBPR, now the  
18          Gaming Commission. You grant them a pari-mutuel  
19          permit, and that pari-mutuel permit specifies a  
20          particular location in a particular county, at  
21          which point in time you go to the county, and  
22          you're entitled to a referendum so you can tell  
23          the people in that community, "We are planning  
24          to do pari-mutuel wagering and all the other  
25          ancillary gambling at this particular location."

1           The community has a referendum on it. They  
2 either approve or deny it. There's a history of  
3 denials, and there's certainly a history of  
4 approvals, but the idea is for it to be locked  
5 into a location so the community knows where  
6 it's going to be.

7           If the statutes allowed for this concept of  
8 a straw man, the idea of polling a location  
9 would be irrelevant. It would just be "Can we  
10 do pari-mutuel gaming in this community and  
11 allow it to float wherever it wants," and  
12 particularly down in Miami-Dade County, where  
13 these permits are has been a matter of  
14 controversy.

15           Most recently, Mayor Gelber and lawyers on  
16 his behalf sent correspondence up to the Bureau  
17 of Indian Affairs and the Department of the  
18 Interior commenting on rules, saying that they  
19 were concerned that the rule workshop that's  
20 going on federally was going to eviscerate the  
21 ability for locals to essentially control where  
22 gaming is in Miami-Dade County.

23           I would just encourage you as you  
24 deliberate over this item to look at the  
25 statute. I don't know if you have the benefit

1 of the history of the statute, but to give  
2 you -- it came in in the '50s and '60s, and the  
3 idea was -- it was when there were some  
4 struggles around Quarter Horse racing and also  
5 summer Thoroughbred racing was introduced into  
6 South Florida.

7 So the idea was to allow for permitholders  
8 to poll and test out the viability of the  
9 activity and lease it in an existing location  
10 that's already been approved for gaming activity  
11 in the community. And if they were successful,  
12 then they would build a facility and move on.  
13 That's how Calder got up and running. That's  
14 how a number of Quarter Horse permitholders  
15 started and stopped, starting with Ponce de Leon  
16 and Seminole and some of the others.

17 The idea was that these were very -- they  
18 were struggling activities. They weren't sure  
19 if they were going to be economically viable. A  
20 permitholder goes out of business, a new  
21 permitholder wanted to give it a try, and so  
22 they would lease from the dormant permitholder.

23 In this marketplace, if you pull up Google  
24 Maps and you just do a little bit of measuring,  
25 you will see there are multiple jai alai



1 frontons within 35 miles of the current  
2 licensee's location. They don't have to lease  
3 from a straw man at a Greyhound track. They can  
4 lease from another jai alai fronton in the  
5 community. I mean, that's the idea behind the  
6 statute.

7 And I'll just leave you with this. If they  
8 couldn't do it directly, leasing from a  
9 Greyhound permitholder that you regulate and  
10 have regulated hooks into, why would this  
11 Commission bend the statutes to let them lease  
12 from somebody that's not regulated?

13 These are the kind of things that back in a  
14 different time gaming regulators looked at very  
15 carefully, because this is the way money and  
16 activity leaked outside the process. You had  
17 catering companies that would be paid in excess  
18 of what the market rate was. There were all  
19 kinds of ways to essentially have money move  
20 around the gaming activity to nonregulated  
21 entities, to entities that couldn't otherwise  
22 get licensed.

23 Now, I'm not saying that the owners of  
24 Hecht Investments, Ltd. are irregulated (ph).  
25 They're very good operators. But what's the

1 precedent you're setting on a moving-forward  
2 basis? If any straw man essentially can be the  
3 go-between to prop one of these facilities up  
4 that otherwise is not going to build a location  
5 for themselves or -- you're setting a very  
6 dangerous precedent, which has never been  
7 supported in the 90-plus years that the  
8 pari-mutuel industry has operated in Florida.

9 So I would just caution you on this. You  
10 have time. You know, the deal still has to  
11 close. These licenses don't happen until July  
12 1st. At a minimum, I would look at the history  
13 of this to see whether or not anything remotely  
14 close was intended by this statute or has  
15 happened since. There are options to this  
16 permitholder.

17 I just think going through a straw man is  
18 not at all consistent with the statute or the  
19 charge of this Gaming Commission to look at the  
20 statutes, strictly construe them, if there's an  
21 issue, you let the Legislature know, and then  
22 let the Legislature provide the clarification  
23 for the activity.

24 COMMISSIONER BROWN: Thank you, Mr. Dunbar.  
25 Are there any questions? Thank you.

1                   We have another speaker on this item,  
2                   Mr. John Lockwood.

3                   MR. LOCKWOOD: Good morning. Can everybody  
4                   hear me okay? Perfect. Thank you. Good to see  
5                   you again.

6                   I'm beginning to think Mr. Dunbar just  
7                   doesn't like me at this point in time. He seems  
8                   to always have an issue with the things I have  
9                   to say.

10                  First off, I wholeheartedly disagree with  
11                  his description of the leasing statute and what  
12                  it applies for. Myself and Marc have been  
13                  involved in multiple lawsuits over what Section  
14                  550.475 allows, and it's always -- every single  
15                  court case, every single legislative staff  
16                  analysis has always applied .475 when an  
17                  operator is going to conduct performances at a  
18                  location for which it was not originally  
19                  permitted.

20                  So the only reason we have leases here for  
21                  these permits in the statute, specifically  
22                  Permit Number 280 and Permit Number 286, is  
23                  because they -- Permit Number 280 was originally  
24                  the Miami Beach Kennel Club permit. It was  
25                  converted into a jai alai permit and is located

1 at Miami Jai-Alai. That is its location. It  
2 has a lease under .475 to operate at the Magic  
3 City Casino.

4 Permit Number 286 was recently issued a few  
5 years ago by the Division of Pari-Mutuel  
6 Wagering. It's also not located at the Magic  
7 City Casino. It's located in the Edgewater area  
8 of Miami, downtown Miami. It also operates  
9 pursuant to .475 at the Magic City Casino.

10 Permit Number 283, its location is the  
11 Magic City Casino. That is what it is permitted  
12 for. And under 550.054, Florida Statutes, it's  
13 authorized to lease that location because that  
14 is which it was originally permitted for.

15 .475, in my opinion, doesn't even apply to  
16 this. However, staff raised the issue that  
17 maybe this lease between Gretna and West Flagler  
18 may have some implications under .475 because of  
19 the two permitholders. So, yes, we have put in  
20 a third party between this to ensure that there  
21 is no potential violation of the statute there.  
22 However, I don't believe the statute restricts  
23 this at all. It's always been .475 applies to  
24 when you're locating at another facility for  
25 which you were not originally permitted.

1           If you look at the application before us  
2           and the license application, you have no leases.  
3           You have no deeds from any other permitholders.  
4           None of this is ever required when you're  
5           actually operating at the facility for which you  
6           were originally permitted.

7           And beyond that, this is about jai alai.  
8           Commissioner Brown, you mentioned -- you had  
9           commendations to Dania Jai-Alai for actually  
10          continuing this sport. We just went through all  
11          of these other operators. Nobody plays jai alai  
12          anymore. West Flagler, they have no cardroom  
13          licenses attached to these jai alai licenses.  
14          They have no slot machines attached to these  
15          jai alai licenses. They're doing it because  
16          they truly care about the sport of jai alai.

17          Years ago, the Division tried to enact  
18          restrictions on jai alai courts and how things  
19          would be conducted in those, and they had a  
20          vision at that time that they wanted to take  
21          jai alai to the next level. It's been on ESPN.  
22          It's been on national TV.

23          Billy Corben did a documentary, "Magic City  
24          Hustle." I encourage you to watch it. You can  
25          catch it on Amazon Prime, Apple TV. It talks

1 about everything this family has done to bring  
2 jai alai back.

3 They've partnered with the University of  
4 Miami to allow student athletes to come and  
5 play. They can get paid. They can get health  
6 insurance, all while they continue to dream of  
7 playing professional sports.

8 This is about jai alai. This venue at the  
9 Magic City Casino is state of the art. It's  
10 beautiful. It's a wonderful auditorium. They  
11 don't want to go play somewhere else.

12 If this was all about keeping the license  
13 active, absolutely. We have a great  
14 relationship with the owners of Dania  
15 Entertainment Center. They're a client of mine.  
16 Magic City Casino has been in the West Flager  
17 family. They've had business relationships in  
18 the past. Absolutely, they could go lease  
19 there, but that's not what it's about. This is  
20 a superior venue.

21 This license application, there are no  
22 issues with it. It is not a violation of the  
23 law. I don't believe that there's any issues at  
24 all.

25 And so I would just encourage you to allow

1           this to go forward, because they are continuing  
2           to keep jai alai alive. We've got well over a  
3           million dollars a year in payroll. We've got  
4           over 35 employees that are associated with this  
5           fronton right now and these jai alai activities,  
6           and we want to continue that for years to come.  
7           We have no desire to stop.

8                     And so with that, unless you have any other  
9           questions, that's all I have.

10                    COMMISSIONER BROWN: Thank you,  
11           Mr. Lockwood.

12                    Commissioners, do you have any questions?  
13           Thank you.

14                    I would like to have -- I was going to turn  
15           to Ross to have kind of overview from a legal  
16           standpoint of the posture that we're in right  
17           now.

18                    MR. MARSHMAN: Thank you. I'd like to  
19           start, if I may, just by addressing some of the  
20           comments we just heard for primacy purposes and  
21           recency.

22                    To allay any concerns that the Commission  
23           doesn't have the full picture of what the  
24           statutes have said historically, leasing  
25           provisions were made part of Florida law in

1           1971. And it allowed for Thoroughbred and  
2           Standardbred permitholders to lease their  
3           facilities to other Thoroughbred and  
4           Standardbred permitholders. And that  
5           restriction on who they can lease to, lease  
6           their facilities, has always been on the  
7           landlord, the lessor.

8                        So who is the permitholder that's going to  
9           be leasing their facilities, that's what  
10          originally 550.47 was concerned about, and that  
11          is still true today. 550.475 is a restriction  
12          on who the permitholder landlord can lease its  
13          facilities to. So I see that as being  
14          consistent from 1971 to 2023, how the law is  
15          written today.

16                      And there have only been amendments since  
17          then that have increased the type of permits  
18          that can lease their facilities. In '96,  
19          dogracing was added to the statute. In 2000,  
20          jai alai was specifically added to the statute.  
21          And then in 2021, they omitted references to any  
22          specific type of permit, and the statute reads  
23          now, any holder of a valid pari-mutuel permit  
24          can lease is facilities to another permitholder  
25          of the same class. That's where we have that



1 cross-class restriction that I've described to  
2 you previously.

3 So the law now I think is consistent with  
4 how it's been in 1971. My interpretation of it  
5 appears to comport with what was originally  
6 written in 1971.

7 There has also been the concern raised that  
8 perhaps the Commission can delay its  
9 consideration of the application for Permit 283,  
10 and by extension, 280 and 286, which are all the  
11 jai alai permitholders that have submitted  
12 applications in this cycle.

13 As we've discussed, again, previously,  
14 there is a restriction in the statute on when  
15 the Commission shall issue licenses for the  
16 coming fiscal year. And my recommendation, at  
17 least for 283, is to issue a conditional final  
18 order approving the plan as proposed in the  
19 materials, as described by Mr. Lockwood and  
20 Mr. Dunbar; that if the acquisition of Permit  
21 155 and its licenses and the facilities located  
22 at the address, including most specifically the  
23 fronton, if that is ultimately approved by the  
24 Commission by way of a final order, then in 283  
25 we have an additional final order approving

1           their application for jai alai at this facility  
2           via the lease arrangement that has been  
3           presented to you and described already by the  
4           other speakers.

5           So I do think that we have to take action  
6           by March 15th, and a license would be issued  
7           then July 1st for the coming fiscal year.

8           And I'm not sure, Commissioner Brown, if  
9           that addressed all of the issues you wanted me  
10          to address, or any other Commissioner, but I'm  
11          happy to answer any other questions or describe  
12          any other aspect of this transaction as I  
13          understand it.

14          COMMISSIONER BROWN: Thank you.

15          Commissioner D'Aquila.

16          COMMISSIONER D'AQUILA: Yes. Mr. Marshman,  
17          a very good summary. Thank you.

18          By us issuing a conditional approval,  
19          should this asset purchase which is referenced  
20          in this application not occur, then the  
21          condition would not -- what would happen here?

22          MR. MARSHMAN: If the Commission did not  
23          issue a final order approving the asset purchase  
24          agreement and the sale of 155, then West Flagler  
25          would still possess Magic City Casino, the

1 premises. They would still possess a fronton,  
2 so there would be no need for a lease. That  
3 would have to be unwound, frankly, and  
4 terminated, because West Flagler would be  
5 authorized, based on its address, to perform  
6 jai alai at it own address.

7 And then, again, because we're going to  
8 have to talk about that in just a minute, 280  
9 and 286 then would also be allowed to continue  
10 to operate, because Magic City Casino or Magic  
11 City Jai-Alai has always been able to lease its  
12 facilities that it owns to Edgewater and to  
13 Summer Jai Alai, 280 and 286. So if we denied  
14 the asset purchase agreement, jai alai would  
15 still continue, I believe, under 283, 286, and  
16 280.

17 COMMISSIONER BROWN: Commissioner Drago?

18 COMMISSIONER DRAGO: Just a question about  
19 the asset purchase. What's the status of that  
20 now? Where are we with that? It has closed;  
21 correct?

22 MR. MARSHMAN: That's correct.

23 COMMISSIONER DRAGO: And we're waiting  
24 still for the final documents relating to that  
25 closure, closing.

1 MR. MARSHMAN: The Commission has -- I'm  
2 sorry. I didn't mean to cut you off.

3 COMMISSIONER DRAGO: No, that's fine.

4 MR. MARSHMAN: The Commission has received  
5 documents from closing. However, those  
6 documents are in excess of 500 pages, and staff  
7 is still reviewing those materials to make sure  
8 there are no material discrepancies from what  
9 the Commission previously considered as part of  
10 its February 9th meeting -- leading up to that  
11 meeting, rather. And then in response to the  
12 conditional final order, there were a few other  
13 provisions we just need to make sure that the  
14 parties have complied with.

15 I think it's reasonable to anticipate that  
16 staff will have finished its review by the next  
17 meeting, and we can add that topic to the agenda  
18 for consideration at that time.

19 COMMISSIONER DRAGO: Thank you.

20 COMMISSIONER BROWN: Commissioner D'Aquila?

21 COMMISSIONER D'AQUILA: If I may, one more  
22 question. There is nothing prohibiting a  
23 landlord that has a building, themselves having  
24 to be in the gaming business to be able to lease  
25 in this particular case; correct?

1                   And then the second part of the question  
2                   is, don't many of our license holders lease from  
3                   commercial landlords that have nothing to do  
4                   with the gaming industry?

5                   MR. MARSHMAN: My answer to the first  
6                   question is, I don't believe there's a  
7                   restriction against a landlord leasing -- a  
8                   non-permitholder landlord leasing its --

9                   COMMISSIONER D'AQUILA: Yes.

10                  MR. MARSHMAN: -- space to a permitholder.  
11                  I think there is a restriction on a permitholder  
12                  landlord, a permitholder lessor, leasing to  
13                  another permitholder. I think that's the  
14                  fairest reading of 550.475, even in light of how  
15                  it was originally written and how it has been  
16                  subsequently amended.

17                  And to answer your second question --  
18                  Mr. Trombetta or Mr. Dillmore can correct me if  
19                  I'm wrong, but I believe there are current  
20                  situations where license holders, permitholders  
21                  are operating pari-mutuel activities, cardrooms,  
22                  at a leased facility wherein the landlord is not  
23                  a permitholder.

24                  MR. DILLMORE: Yes. Excuse me. Correct.  
25                  That's my understanding as well, that we do have

1 locations of pari-mutuel permitholders operating  
2 at buildings not owned by permitholders.

3 COMMISSIONER BROWN: My question is about  
4 the assumption that was made that Hecht -- that  
5 this transaction of leasing from a permitholder  
6 to this entity that's not a permitholder is  
7 precedential in any way. And you're saying that  
8 this happens, this structure is common or has  
9 been used under current law, .475?

10 MR. MARSHMAN: I would clarify that point.  
11 I don't believe that there's an instance where a  
12 permitholder landlord leases its facilities to a  
13 non-permitholder lessee, and then that lessee  
14 subleases or executes another lease to a  
15 permitholder. So I don't believe that that has  
16 happened before.

17 COMMISSIONER BROWN: But just for  
18 clarification on the record, you don't find it  
19 to be problematic having this entity, this  
20 middle entity leasing -- subleasing it to  
21 another permitholder?

22 MR. MARSHMAN: I don't believe the  
23 restriction in 550.475 is violated by this  
24 arrangement.

25 And if any of the speakers have identified

1 problems with the language in the statute, the  
2 solution is not bending the statute. It's  
3 changing the way the statute is written. The  
4 interpretation the Commission will adopt if you  
5 adopt my recommendation is a fair and reasonable  
6 reading of the statute as it is written today.  
7 And if there are problems with the way the  
8 statute is written, it can be solved at the  
9 Legislature.

10 COMMISSIONER BROWN: I see Mr. Dunbar  
11 standing up. If I'm going to give Mr. Dunbar an  
12 opportunity to speak, I'm also going to give  
13 Mr. Lockwood an opportunity to speak as well,  
14 Commissioners, unless you object.

15 Okay. Mr. Dunbar?

16 MR. DUNBAR: And I apologize. I don't mean  
17 to interrupt the flow. I just want to make sure  
18 that I understand so that I can accurately  
19 report this.

20 We're now going to go in a direction that,  
21 if it is not prohibited under the pari-mutuel  
22 code, then it is permitted. And the reason why  
23 I say that is, what would be the purpose of the  
24 Legislature passing specifically some  
25 statutes -- because this isn't the only one.

1           There have been other leasing statutes. There's  
2           a Quarter Horse leasing statute, a harness  
3           leasing statute, a Thoroughbred leasing statute.  
4           There's this leasing statute. They've changed  
5           over time.

6                     If the Legislature intended for the  
7           activity to be permitted if it is not prohibited  
8           by the statute, why would the Legislature have  
9           needed to affirmatively place in the statute the  
10          authorizations for leasing? And I worry on a  
11          moving-forward basis because, again, the idea is  
12          for these statutes to be strictly construed to  
13          contain the activity. And I just think ahead of  
14          what it is going to mean that if it is not  
15          expressly prohibited, these gaming activities --  
16          these gaming properties are going to be able to  
17          do that.

18                    That is a pretty significant departure, not  
19          just from the way in the 25 years I've been  
20          doing this here, but it's a pretty significant  
21          departure from Gaming Regulation sort of 101.  
22          The idea is these properties are to be strictly  
23          regulated, that you're supposed to be able to  
24          keep an eye on all those involved.

25                    If in fact there are landlords that are



1 unlicensed that are leasing to pari-mutuel  
2 facilities, I would say that's a significant  
3 problem, and probably the only jurisdiction  
4 that's leasing -- that's allowing a non-licensed  
5 entity to lease to a gambling entity.

6 So I would just -- for clarity, I'm just  
7 trying to make sure that I understand the  
8 direction that we may be going. And I know  
9 it's -- I'm a speaker. I'm not a Commissioner,  
10 so you don't necessarily have to answer my  
11 question, but I just -- it gives me pause.

12 COMMISSIONER BROWN: Thank you.  
13 Commissioner D'Aquila has a question for you,  
14 Mr. Dunbar.

15 COMMISSIONER D'AQUILA: Yes. Mr. Dunbar, I  
16 think earlier I heard that there were -- that  
17 there are many licensed facilities that are  
18 currently leasing from landlords. They don't  
19 necessarily own the building or the land that  
20 they're operating on that are themselves -- the  
21 landlords are not licensed. Is that true? Did  
22 I understand correctly before?

23 MR. DILLMORE: Yes, that's my  
24 understanding.

25 COMMISSIONER D'AQUILA: Or did I understand

1           you to say something contrary?

2           MR. DUNBAR: I will say --

3           COMMISSIONER D'AQUILA: I'm just confused  
4 because I thought I heard two separate things.

5           MR. DUNBAR: If that is the case, that's  
6 something that's popped up in this new sort of  
7 decoupled cardroom-only jurisdiction.

8           The only -- the only entities that I'm  
9 aware that would engage in -- before, when live  
10 activity was mandated, would be sort of an  
11 op-co/prop-co deal where you have the operating  
12 business that lays on top of a land lease, but  
13 there is a common parent between the two, and so  
14 the land company is separated for tax and  
15 liability reasons from the operating company.

16           That's a transaction that goes on all over  
17 the place, and the op-co is the gaming licensee,  
18 but the prop-co, the property company, is  
19 licensed and is very scrutinized in terms of the  
20 lease payments and things like that to make sure  
21 that there are regulatory hooks into that.

22           If we have landlords that -- I'll use an  
23 example. Sarasota, I think, operates in a strip  
24 mall. I think the Seminole County Delaware  
25 North permit operates in a strip mall. They may

1 be a couple of examples. If you -- if they  
2 don't own those and they're actually leasing  
3 from an unlicensed landlord, again, that would  
4 be something unique.

5 I was not aware that that has gone on  
6 historically, because that is -- you know, I  
7 don't think that's consistent with the statute,  
8 but like I said, it's also not consistent with  
9 the way the vast majority of regulatory  
10 jurisdictions approach things, because they want  
11 everybody remotely associated with the gambling  
12 revenues themselves to have a regulatory hook in  
13 there to make sure that you don't have organized  
14 crime figures essentially benefiting from gaming  
15 revenues in an industry that they wouldn't  
16 otherwise be able to get into.

17 COMMISSIONER D'AQUILA: If I may, I  
18 understand your point, but I'm still confused as  
19 to whether they exist or not. My specific  
20 question is, do we have landlords currently in  
21 the State of Florida that are not licensed  
22 leasing the premises to licensed operators?

23 And I'll go one further. I believe,  
24 Mr. Dunbar, if I understand you correctly,  
25 you -- I think you hinted that that would be

1 news to you.

2 MR. DUNBAR: It was never done in the  
3 sunshine at a public meeting like this, I can  
4 tell you that. We would have never had -- we in  
5 the industry would never have had the ability to  
6 know that. It's not like it's noticed and then  
7 we could have provided public input.

8 And as, you know, Mr. Lockwood has pointed  
9 out, competitors -- there are standing issues to  
10 raising these kind of issues that the courts  
11 have acknowledged. The whole point of creating  
12 the Commission was that these things happen in  
13 the sunshine so that you have the benefit of  
14 this information and you can make the  
15 precedential calls and own it on what the policy  
16 is of the State of Florida.

17 COMMISSIONER D'AQUILA: Right. But you  
18 also make reference to operating-co, tax-co. I  
19 believe -- I won't give the percentage, but I  
20 believe the vast majority of casinos, including  
21 publicly traded casinos in Las Vegas, for  
22 example, their land and buildings are now in  
23 separate entities. Real estate is completely  
24 separate, with a different ownership than the  
25 games, so forth. You alluded to that there --

1           that many of these businesses may for legal  
2           liability planning and tax planning purposes  
3           have, like, another entity, whether it be an LLC  
4           or a general partnership for purposes of owning  
5           the real estate. So these things do exist.

6           MR. DUNBAR: With a regulatory hook, yes,  
7           they do. That's what I said, is the prop-co  
8           typically will go through some sort of probity  
9           review for that structure.

10          COMMISSIONER D'AQUILA: But just draw --  
11          help me understand the difference. Do they  
12          currently exist in the State of Florida, more  
13          than one or two, or is this groundbreaking? I  
14          think that's what Mr. Dunbar is hinting at or  
15          stating, if I may.

16          MR. DILLMORE: Yes, they do exist, I think  
17          Ms. Pouncey can probably attest here. She's  
18          been reviewing these for some time. And it's  
19          not something that just happened since the  
20          Commission has been formed, but has been going  
21          for a number of years.

22          COMMISSIONER BROWN: Ms. Pouncey?

23          MS. POUNCEY: Yes, ma'am. As I had  
24          explained to Mr. Dillmore, it has been going on  
25          since the beginning of time. Initially a lot of

1           permitholders didn't own the land that they were  
2           operating on. A substantial number of them back  
3           in the day, shall we say, probably due to  
4           expenses, it was more beneficial for them to  
5           lease the land and conduct.

6                   And he is also correct that we have several  
7           of them now, such as Mr. Dunbar's example of,  
8           like, Fort Pierce Jai-Alai. They do not lease  
9           the facility in which they oper -- or they do  
10          not own the facility in which they operate.  
11          They lease.

12                   St. Augustine, which is one of the  
13          bestbet permits, also does not lease, or  
14          does not own the property. They lease the  
15          property.

16                   I believe Gretna itself doesn't own their  
17          property. It's owned by another business, and  
18          Gretna operates on that property.

19                   It's quite common and has been quite common  
20          for over 30 years, just dependent upon the  
21          permitholder and what worked best for them as  
22          far as business process.

23                   COMMISSIONER BROWN: Thank you,  
24          Ms. Pouncey.

25                   Commissioner D'Aquila?

1                   COMMISSIONER D'AQUILA: I believe my  
2                   question has been answered. Thank you.

3                   COMMISSIONER BROWN: I would like to give  
4                   an opportunity to Mr. Lockwood, Mr. Dunbar.

5                   MR. DUNBAR: The examples that Jamie  
6                   referenced, particularly the Gretna one, was an  
7                   op-co/prop-co structure where it was tied to a  
8                   regulated, you know, entity up top, where they  
9                   were tied together. So that's the point that I  
10                  made. But the one where you don't have a  
11                  regulated hook is the one that is very  
12                  concerning.

13                  COMMISSIONER BROWN: Thank you.

14                  Mr. Lockwood?

15                  I do just want to point out, you know, it's  
16                  great that we have this opportunity to be in the  
17                  sunshine and be open and have a very transparent  
18                  process. That is what -- you know, the  
19                  underlying theme behind the Gaming Commission.  
20                  So we strive to do that, and we will continue to  
21                  work towards even more transparency.

22                  MR. LOCKWOOD: Thank you very much. I'll  
23                  be very brief.

24                  But specifically, 550.054(3)(e), whether  
25                  the permit -- the pari-mutuel facility is owned

1 or leased, and then it goes into a scenario and  
2 it allows for a pari-mutuel facility and a  
3 permitholder to operate at a leased facility.  
4 There is no requirement of the landlord to be  
5 licensed by the Division, and it's always been  
6 that way.

7 And going back to last December -- and I  
8 had made the comment about the Nevada Gaming  
9 Commission, the Atlantic City Gaming Commission.  
10 That's not a dig on this Commission.

11 550.054 dates back to the 1930s. It's been  
12 hodgepodge amended over the years. So, sure,  
13 550.054 and the regulatory restrictions in there  
14 do not line up to things that maybe Mr. Dunbar  
15 suggests we should have in Nevada, in Atlantic  
16 City, and things like that. We do not have a  
17 procedure where we made landlords go through  
18 licensure proceedings. Maybe we should.  
19 Correct.

20 Fort Pierce, that was a facility that was  
21 just before the Commission not too long ago, and  
22 it is a lease in that facility, and it is  
23 approved in that location. There's others  
24 throughout the state. Orange City, I believe,  
25 is one. Sarasota, I believe, is one. There's



1           probably a couple others at this point in time.  
2           And that's something that the Legislature can  
3           certainly choose to do.

4                     But this concept of permitholders leasing  
5           the facilities in which they operate is  
6           certainly not new before the Division. I mean,  
7           this is something that's been around for quite  
8           some time. So the fact that Mr. Dunbar is not  
9           aware of it, I'm -- honestly, I'm astonished to  
10          hear that at this point in time.

11                    And I'll rest unless you have any  
12          additional questions beyond that.

13                    COMMISSIONER BROWN: Any questions,  
14          Commissioners? Thank you.

15                    All right. Let's turn us back over to our  
16          staff here. So we're considering Permit 283,  
17          280, and 286. My understanding is that we have  
18          to take up 283 first before moving on to the  
19          other two; correct?

20                    MS. POUNCEY: Yes, ma'am.

21                    COMMISSIONER BROWN: Okay. In my briefing  
22          with staff, the one thing that I had kind of  
23          trouble with was, again, in the spirit of  
24          transparency, I want to make sure that there is  
25          legal -- or that it's documented that Gretna

1 Racing is leasing or subleasing to Hecht, this  
2 entity who is thereby subleasing to West  
3 Flagler, who is thereby subleasing to Edgewater  
4 and to Summer Jai-Alai.

5 In the record that I have, I don't have any  
6 documentation of the interaction between Gretna  
7 and Hecht, other than in the lease between Hecht  
8 and West Flagler, in the recitals, it mentions  
9 the lease arrangement.

10 For purposes of a complete record of this  
11 structure, the organizational structure, I think  
12 we have to have some documentation at least show  
13 -- reflect that Gretna Racing is in fact leasing  
14 to Hecht other than just in a recital.

15 MR. MARSHMAN: If I may?

16 COMMISSIONER BROWN: Yes.

17 MR. MARSHMAN: That was provided last  
18 evening, and it's available to the  
19 Commissioners.

20 COMMISSIONER BROWN: And the public? Is it  
21 online yet?

22 MR. MARSHMAN: Not yet, but that can be  
23 solved by the end of the day.

24 If the Commissioners have not had a chance  
25 to review that material that was provided last

1 evening, then I would recommend temporarily  
2 postponing Items 9.8, 9.9, and 9.10 so that the  
3 Commissioners would have a chance to review  
4 those materials if they have not already done  
5 so.

6 COMMISSIONER BROWN: This is -- and I  
7 appreciate that. I have not read it. I know we  
8 spoke about this. I know regardless, staff is  
9 recommending a conditional approval, so would  
10 that be something that we could make a part of  
11 the conditions rather than postponing?

12 MR. MARSHMAN: Well, by temporarily  
13 postpone it, I mean just, you know, by a matter  
14 of minutes, not by a matter of days.

15 But to your point, Commissioner Brown, if  
16 you would want a motion to issue a conditional  
17 final order contingent on proof, satisfactory  
18 proof that there is an agreement between Gretna  
19 Racing, LLC and Hecht Investments, that could be  
20 done, and I think easily satisfied after the  
21 Commission has a chance to review the materials  
22 that were provided admittedly late last evening,  
23 and then also contingent, of course, for 283 at  
24 least, on the approval of the pending asset  
25 purchase agreement involving Permit 155, Magic

1 City Casino, the building and the fronton that's  
2 contained within it.

3 COMMISSIONER BROWN: Yes. Thank you. That  
4 sounds good to me.

5 Commissioners, questions, comments?

6 Commissioner Drago.

7 COMMISSIONER DRAGO: I think now I'm  
8 just -- in terms of the Hecht lease, I've seen  
9 it. I don't know if Commissioner D'Aquila has.  
10 In order to make this a little bit cleaner,  
11 perhaps we can take a ten-minute recess to give  
12 you an opportunity to read it, or whatever you  
13 think it'll take or whatever Mr. Marshman thinks  
14 it'll take, and then that way we can move on and  
15 we can keep this a little cleaner.

16 COMMISSIONER BROWN: Let's give the court  
17 reporter too an opportunity to take a break. I  
18 think that's a great suggestion, a 10-minute  
19 recess, let everybody take a quick little break.  
20 And we'll reconvene -- actually, let's just do  
21 15, and we'll reconvene at 11:30. Thank you.

22 (Recess from 11:15 a.m. to 11:30 a.m.)

23 COMMISSIONER BROWN: We are -- it's 11:30,  
24 and we are going to start back up once we get  
25 our staff and parties.

1           Okay. They are coming on in right now, so  
2 we are still back on the record, and we are on  
3 Item 9.8. I appreciate you all giving us an  
4 opportunity to take a brief respite. And I had  
5 an opportunity to peruse the lease a little bit.

6           I just have one question, maybe -- probably  
7 for Mr. Lockwood regarding the lease agreement.

8           I love the fact that it says that it's  
9 specifically designated for purposes of jai alai  
10 and no other purposes, so I think that is in the  
11 same vein as you're saying that the entity wants  
12 to continue the racing of jai alai at this  
13 place.

14           What happens -- so the lease runs  
15 through -- for two years, and then it could be  
16 terminated within -- with 60 days' notice. What  
17 happens if it's terminated with the rest of  
18 these permitholders that are conducting live  
19 races?

20           MR. LOCKWOOD: So as I had mentioned  
21 earlier, Permit Number 286 is located in the  
22 Edgewater area of downtown Miami, and my  
23 understanding is there's a plan to build a  
24 permanent fronton there.

25           COMMISSIONER BROWN: And then for this --

1 for 283?

2 MR. LOCKWOOD: They would then -- 283 and  
3 280 would then lease at the 286 location.

4 COMMISSIONER BROWN: Got it. Okay.

5 MR. LOCKWOOD: Correct. That is my  
6 understanding of the future plan. Of course,  
7 things potentially could change, but the idea  
8 there is to build an equivalent fronton there to  
9 conduct those activities.

10 COMMISSIONER BROWN: Thank you. And thank  
11 you for providing the lease too. I think it  
12 does show that it's a legally binding agreement  
13 that has been executed and signed, and it's  
14 effectuated, and we have a complete record with  
15 that.

16 Commissioners, do you have any questions?

17 Thank you. All right. So I think we're at  
18 the point -- unless staff has anything further  
19 to add, I think we're at the point to have  
20 discussion and/or take a motion on Item 9.8.

21 COMMISSIONER DRAGO: I would like to make a  
22 motion to approve the conditional final order.

23 COMMISSIONER BROWN: Okay. Is there a  
24 second?

25 COMMISSIONER D'AQUILA: I will second.

1                   COMMISSIONER BROWN: Is there any  
2                   discussion? There being none, all those in  
3                   favor signify by saying "aye." Aye.

4                   COMMISSIONER DRAGO: Aye.

5                   COMMISSIONER D'AQUILA: Aye.

6                   COMMISSIONER BROWN: It passes. Thank you.  
7                   Now on to 9.9. Ms. Pouncey?

8                   MS. POUNCEY: Yes, ma'am. Having said  
9                   that, are you okay with me grouping 9.6 --  
10                  excuse me -- 9.9 and 9.10?

11                  COMMISSIONER BROWN: Yes. Yes. Thank you.

12                  MS. POUNCEY: So 9.9 is 2023-004894, West  
13                  Flagler Associates d/b/a Summer Jai-Alai, and  
14                  2023-005138, West Flagler Associates d/b/a  
15                  Edgewater Jai-Alai. Each of these permitholders  
16                  have applied for performances. Summer Jai-Alai  
17                  has applied for 26 performances at the leased  
18                  facility we previously discussed, and Edgewater  
19                  has applied for 40 performances at the same  
20                  facility.

21                  Each permitholder has submitted the  
22                  required documentation that qualifies them as  
23                  prescribed by Chapter 550.

24                  I'm sorry. I'm just making sure I didn't  
25                  miss any other . . .

1                   And the Gaming Commission is  
2                   recommending -- or the Division is recommending  
3                   approval for both of these operating licenses.

4                   Sorry for the delay.

5                   COMMISSIONER BROWN: No. Thank you.

6                   Commissioners, do you have any questions on  
7                   these items, 9.9 and 9.10, regarding Permit 280  
8                   and 286?

9                   If not, can we get a motion to approve the  
10                  annual operating licenses on 9.9 and 9.10?

11                  COMMISSIONER D'AQUILA: I'll make a motion  
12                  to approve 9.9 and 9.10's operating licenses.

13                  COMMISSIONER BROWN: Is there a second?

14                  COMMISSIONER DRAGO: Second.

15                  COMMISSIONER BROWN: And just for  
16                  clarification real briefly, Mr. Marshman, these  
17                  are not -- are these conditional?

18                  MR. MARSHMAN: No. I've structured it to  
19                  where in my recommendation, one way or another,  
20                  283 will have permission to operate -- 283 will  
21                  now have permission to operate jai alai  
22                  performances at that space. Either we approve  
23                  the asset purchase agreement and the lease  
24                  agreement, as we previously discussed, will be  
25                  approved and in effect, or we will not approve



1 the asset purchase agreement, and then West  
2 Flagler will be in possession once more of the  
3 fronton. Either way, there are leases between  
4 283, 280, and 286, and that will cover either  
5 eventuality.

6 So I don't believe these have to be  
7 conditional, since either way, 283 and 2 --  
8 strike that. 286 and 280 will be covered.

9 COMMISSIONER BROWN: Thank you. Sound  
10 good?

11 COMMISSIONER D'AQUILA: Understood.

12 COMMISSIONER BROWN: All those in favor  
13 signify by saying "aye." Aye.

14 COMMISSIONER D'AQUILA: Aye.

15 COMMISSIONER DRAGO: Aye.

16 COMMISSIONER BROWN: Okay. Those items  
17 pass. Thank you. And thank you to the parties  
18 for your participation for today.

19 Moving on to Item 10, discussion of license  
20 application for Thoroughbred permitholders.

21 MS. POUNCEY: I'm going to combine, without  
22 objection, 10.1 and 10.2, Thoroughbred  
23 permitholders.

24 Case Number 2023-001360, 2023-001394, Tampa  
25 Bay Downs d/b/a Tampa Bay Downs. They have

1 applied for 91 performances in their annual  
2 operating license and 25 tables in their annual  
3 cardroom license application.

4 2023-004601 -- sorry. Wrong case number.  
5 2023-004553 and 2023-012181, Gulfstream Park  
6 Racing Association d/b/a Gulfstream Park Racing  
7 and Casino. They have applied for 174  
8 performances in their annual operating license  
9 application and one table in their annual  
10 cardroom application.

11 They have submitted all the required  
12 documentation, and the Division is recommending  
13 approval.

14 COMMISSIONER BROWN: Okay. Any questions?  
15 Commissioner D'Aquila?

16 All right. We are ripe for a motion.

17 COMMISSIONER D'AQUILA: I will make a  
18 motion to approve the renewal license  
19 applications in 10.1, 10.2, and 10.3.

20 COMMISSIONER BROWN: Second?

21 COMMISSIONER DRAGO: Second.

22 COMMISSIONER BROWN: All those in favor say  
23 "aye." Aye.

24 COMMISSIONER D'AQUILA: Aye.

25 COMMISSIONER DRAGO: Aye.

1                   COMMISSIONER BROWN: Thank you. Moving on  
2                   to the discussion of license application for  
3                   Quarter Horse permits.

4                   MS. POUNCEY: We skipped 10.3. I know you  
5                   said approval, but I didn't read 10.3. It's  
6                   Case 2023 --

7                   COMMISSIONER BROWN: Yes.

8                   COMMISSIONER D'AQUILA: I'm going to amend  
9                   that approval to 10.1 and 10.2, not including  
10                  10.3, at this time. So I'll make a motion to  
11                  approve 10.1 and 10.2, replacing the earlier  
12                  motion.

13                  COMMISSIONER DRAGO: Second.

14                  COMMISSIONER BROWN: We could probably  
15                  still take up 10.3, but all those in favor say  
16                  "aye." Aye.

17                  COMMISSIONER D'AQUILA: Aye.

18                  COMMISSIONER DRAGO: Aye.

19                  COMMISSIONER BROWN: Okay. 10.3, 40  
20                  performances.

21                  MS. POUNCEY: I'm sorry. I had segregated  
22                  10.3 because they are a little different. They  
23                  have performances with no card tables. That's  
24                  Case Number 2023-004601. That's Gulfstream Park  
25                  Thoroughbred After Racing Program. Again,

1 repeating, they have applied for 40 performances  
2 and they do not have an application for card  
3 tables.

4 They submitted the required information,  
5 and the Division is recommending approval.

6 COMMISSIONER BROWN: Now, can I get that  
7 motion?

8 COMMISSIONER D'AQUILA: I make a motion to  
9 approve the renewal application of 10.3.

10 COMMISSIONER DRAGO: Second.

11 COMMISSIONER BROWN: All those in favor say  
12 "aye." Aye.

13 COMMISSIONER D'AQUILA: Aye.

14 COMMISSIONER DRAGO: Aye.

15 COMMISSIONER BROWN: And now we're on to  
16 11.

17 MS. POUNCEY: This is Quarter Horse  
18 permitholders, and I'm going to combine 11.1,  
19 .2, .3, .4, .5, and .6.

20 The first is 2023-001487, Tampa Bay Downs,  
21 Inc. d/b/a Tampa Bay Downs. They have applied  
22 for zero performances and zero card tables.

23 2023-004086, 2023-004089, Gretna Racing,  
24 LLC. They have applied for zero performances  
25 and 15 card tables in their annual cardroom

1 application.

2 2023-004054, 2023-004055, South Florida  
3 Racing Association, LLC d/b/a Hialeah Park  
4 Racing and Casino or Hialeah Park. They have  
5 applied for zero performances in their annual  
6 operating dates application and 28 tables in  
7 their annual cardroom license application.

8 2023-002720, 2023-002721, South Marion Real  
9 Estate Holdings, L -- South Marion Real Estate  
10 Holdings, LLC d/b/a Oxford Downs has applied for  
11 zero performances in their annual operating  
12 license application and 31 tables in their  
13 annual cardroom license application.

14 2023-002199, 2023-002200, Hamilton Downs  
15 Horse Track, LLC d/b/a Hamilton Downs has  
16 applied for zero performances in their annual  
17 operating dates application and one table in  
18 their annual cardroom license application.

19 And I'm actually going to pause there and  
20 not do 11.6. Each of the previous mentioned  
21 Quarter Horse permitholders have submitted the  
22 required information and the associated fees if  
23 table fees were applicable.

24 They possess the qualifications prescribed  
25 by Chapter 550, Florida Statutes, and the

1 Division is recommending approval.

2 COMMISSIONER BROWN: Thank you. Without  
3 any questions, can I please get a motion to  
4 approve the renewal license applications for  
5 11.1 through 11.5?

6 COMMISSIONER D'AQUILA: I make a motion to  
7 approve the license renewal applications in 11.1  
8 through 11.5.

9 COMMISSIONER DRAGO: Second.

10 COMMISSIONER BROWN: All those in favor say  
11 "aye." Aye.

12 COMMISSIONER D'AQUILA: Aye.

13 COMMISSIONER DRAGO: Aye.

14 COMMISSIONER BROWN: Now to 11.6.

15 MS. POUNCEY: 11.6 is Ocala Breeders' Sales  
16 d/b/a Ocala Breeders', Case Number 2023-002428,  
17 2023-012076. Ocala Breeders' has applied for  
18 their wagering operational license with zero  
19 performances. In addition, Ocala Breeders' has  
20 applied for a limited intertrack wagering  
21 license. Ocala Breeders' is licensed to conduct  
22 public sales of Thoroughbred horses and has  
23 conducted at least eight days of sales for the  
24 last three years.

25 The Commission has confirmed that they have

1 submitted all their required documentation and  
2 that they possess the qualifications prescribed  
3 in statute, and the Division is recommending  
4 approval of this -- of these applications.

5 COMMISSIONER BROWN: Are there any  
6 questions on this item? Commissioner D'Aquila.

7 COMMISSIONER D'AQUILA: Is this different  
8 than what they've done in the past?

9 MS. POUNCEY: It's not different than what  
10 they have done. It's different slightly than  
11 the others. This has their general pari-mutuel  
12 operating license application, and then Ocala  
13 Breeders' Sales also applied for a limited ITW  
14 intertrack wagering license, and they have been  
15 receiving that license as the only permitholder  
16 for a multitude of years, more than I can count.

17 COMMISSIONER BROWN: Is there a motion?

18 COMMISSIONER D'AQUILA: So I'll make a  
19 motion to approve 11.6, license renewal.

20 COMMISSIONER DRAGO: Second.

21 COMMISSIONER BROWN: All those in favor say  
22 "aye." Aye.

23 COMMISSIONER D'AQUILA: Aye.

24 COMMISSIONER DRAGO: Aye.

25 COMMISSIONER BROWN: Thank you. And the

1 last license application is under 12.1.

2 MS. POUNCEY: Yes, last but not least.

3 COMMISSIONER BROWN: Thank you, by the way,  
4 for all of the work you've done on these items.

5 MS. POUNCEY: Absolutely.

6 2023-002803, 2023-002805 is PPI, Inc. d/b/a  
7 Harrah's Pompano Beach, Isle Casino Racing  
8 Pompano Park, Pompano Park Racing, and/or The  
9 Isle Casino and Racing at Pompano. They have  
10 submitted an annual operating dates application  
11 for zero performances and have applied for 54  
12 tables in their annual cardroom license  
13 application.

14 They've met -- submitted and met all the  
15 requirements of Chapter 550 of the Florida  
16 Statutes, and the Division is recommending  
17 approval.

18 COMMISSIONER BROWN: Any questions on this  
19 item? If not, can I get a motion?

20 Commissioner Drago.

21 COMMISSIONER DRAGO: I move to accept the  
22 staff recommendation to approve the renewal of  
23 the license.

24 COMMISSIONER BROWN: Is there a second?

25 COMMISSIONER D'AQUILA: Second.



1                   COMMISSIONER BROWN: All those in favor say  
2                   "aye." Aye.

3                   COMMISSIONER D'AQUILA: Aye.

4                   COMMISSIONER DRAGO: Aye.

5                   COMMISSIONER BROWN: Thank you. We are  
6                   finishing before lunch. All right.

7                   Moving on to the Executive Director update.

8                   MR. TROMBETTA: I'll go over here rather --  
9                   I probably could have just done it there easier.

10                  Well, thank you, Commissioner Brown. I  
11                  have a few things to just touch base on.

12                  First, just for -- I know you all are  
13                  aware, but for the public, our Frequently Asked  
14                  Questions are now up on the website. So I think  
15                  that was an idea that was initiated by the  
16                  Commission at one point at one of these  
17                  meetings.

18                  It took a little bit of time to get done,  
19                  but we have a lot -- I think we've done a very  
20                  good job on it. It answers a lot of questions  
21                  that we frequently get, both in -- you know,  
22                  from the outside. It probably answers questions  
23                  that you may be getting. And I think just for  
24                  staff and for the general public that's paying  
25                  attention, it's worth looking at. And if you do

1 have any questions or any issues about sort of  
2 what we do, how we look at things -- and even  
3 we've addressed some legal issues too. It's  
4 worth going there.

5 Secondly, there's been -- at the previous  
6 meeting, the Commission had sort of given me the  
7 direction to go forward in terms of some rules.  
8 We have not formally proposed any type of rule  
9 development at this point. I hope to do that  
10 before the next meeting. But what we have done  
11 is filed a notice of technical correction, I  
12 believe, which is fallout from the type two  
13 transfers.

14 So essentially what's happening is, we are  
15 moving all of the currently existing rules --  
16 and this is sort of the first step in our  
17 rulemaking process -- from the prior chapter  
18 where they were held in Chapter 61D, which was  
19 associated with Business and Professional  
20 Regulation, into our own new chapter, which is  
21 Chapter 75. So if this technical correction is  
22 approved, our rules will begin with 75 instead  
23 of 61D. And essentially it's really the  
24 necessary first step. It's going to make  
25 everything a lot easier going forward, because

1 any new rules or any changes will be done in  
2 that one place.

3 For Emily -- I'm just looking at the  
4 lawyers that might be concerned. The rules are  
5 still in place in 61D until that technical  
6 correction happens, and we'll let y'all know  
7 when that does happen.

8 Director Dillmore and Liz Stinson, one of  
9 the attorneys, attended the ARCI and Horsemen's  
10 Benevolent and Protective Association's kind of  
11 joint conference earlier this week. There was a  
12 lot of talk about HISA and some of the  
13 developments, so just kind of a quick overview  
14 without getting too much into the weeds --

15 COMMISSIONER BROWN: So it is called  
16 "High-sa." It's not "His-sa."

17 MR. TROMBETTA: I say "His-sa." I'm told  
18 repeatedly that it's "High-sa," and I just kind  
19 of refuse to do it. But either way --

20 COMMISSIONER DRAGO: Let's refer to it as  
21 the H-I-S-A.

22 MR. TROMBETTA: The Horseracing Integrity  
23 and Safety Authority is beginning to move  
24 forward in implementing some rules.

25 So if you remember, there was some hold-up

1           legally. The Sixth Circuit made a decision  
2           recently in which they found that the act was  
3           constitutional, and so a lot of the talk at the  
4           meeting was essentially what's going to happen.

5           In the background, there are the drug  
6           testing rules that are going to be going into  
7           effect supposedly March 27. So at the end of  
8           this month, there may be HISA rules that will  
9           have been, I guess, deemed effective by the FTC.

10          From that point on, we are -- the question  
11          then turns, okay, what are you guys doing at the  
12          state level? We are -- I think we have  
13          trainings scheduled with HIWU, which is the drug  
14          enforcement authority or agency that has a  
15          contract with HISA. They are going to be at the  
16          tracks this month doing trainings with some of  
17          our staff.

18          We are also engaged in negotiations in  
19          terms of the voluntary agreement. So what that  
20          will do is essentially -- it's essentially an  
21          MOU laying out the terms of what we are going to  
22          be doing to maximize the credit that the State  
23          can get for those activities.

24          So as directed, we're trying to continue to  
25          do all the things that we're doing. You know,

1 right now we're collecting samples, and we're  
2 going to kind of continue to do that and work  
3 with HIWU to help, help this program get going.

4 The MOU is not done right now. I do not  
5 envision it will be done on the 27th, so just  
6 having that out there. But we will be getting  
7 it done shortly thereafter. We have been going  
8 back and forth with them on several items.

9 COMMISSIONER BROWN: Can we just pause real  
10 quick?

11 Commissioners, do you have any questions?  
12 Commissioner D'Aquila.

13 COMMISSIONER D'AQUILA: Not on HISA, but  
14 prior -- okay. First, I just want to commend  
15 the staff on implementing the FAQs. I refer to  
16 them to the public and others quite frequently.  
17 I think they were -- are extremely well written,  
18 and I hope that you will continue to add to  
19 them.

20 I would encourage you in the months ahead,  
21 as they become voluminous and you add, think  
22 about our youth today, or even myself, and how  
23 we read things online. You may want to put them  
24 in groupings of FAQs with nice buttons. And  
25 specifically I would add emphasis to putting the

1 online gambling and illegal slot machines  
2 forward. There are various questions that come  
3 up about them, just by the style in which people  
4 read today when things get voluminous.

5 But I just wanted to take a moment to  
6 commend and recognize your hard work on all  
7 that. I think it's -- in an age of a lot of  
8 misinformation out there, coming from us as a  
9 somewhat authoritative source is really  
10 important. And this is really well done, if  
11 anybody hasn't seen it. So thank you.

12 MR. TROMBETTA: Thank you. Any questions?

13 So then turning to -- there's materials in  
14 the materials that I presented today. It's  
15 identified as Item 13.1, the discussion of the  
16 Florida Gaming Control budget. So I'm going to  
17 go over this document with you all, but just for  
18 context.

19 I'm going to be seeking a motion to adopt  
20 the Governor's Framework for Freedom Budget as  
21 it applies to the Gaming Control Commission,  
22 with the amendment included on this document.  
23 So as the Governor has laid out in his Framework  
24 for Freedom Budget, he's kind of been very  
25 generous in providing the Commission with a lot

1 of resources so that we can kind of go forward  
2 and continue to do great things.

3 One of the areas that we would like to try  
4 to get a little bit of additional money for is  
5 regarding some of -- to help our law enforcement  
6 needs. So the document that you have in front  
7 of you lays out both the issue and the business  
8 need.

9 And in sum, Carl Herold, our Director of  
10 Law Enforcement, has done a lot of outreach.  
11 He's answered a ton of questions and done a ton  
12 of meetings. He's just done great work in  
13 getting our name out there and talking with  
14 other law enforcement agencies. And one of the  
15 items that has kind of come front and center in  
16 terms of being the most beneficial in terms of a  
17 force multiplier, in terms of something that we  
18 can offer to these other law enforcement  
19 agencies, is warehousing space.

20 So the amendment -- when we created our  
21 budget a few months ago, we did not include  
22 that. So the amendment essentially is to  
23 include additional money for these regional  
24 centers, for a regional office in Miami and a  
25 regional office in the center of the state.

1                   And then secondarily, it seeks additional  
2 money so that we can enter into leases to have  
3 additional space so that if a -- you know, if a  
4 county sheriff reaches out to us and says, "Hey,  
5 I have this case. I can't figure out what to do  
6 with all the machines," because some of these  
7 cases involve hundreds of machines that need to  
8 be stored while the legal cases are pending.

9                   Having the ability to say, "Hey, we have a  
10 warehouse. We can take that from you. We will  
11 take it, we'll store it, we'll make sure that  
12 the evidence is controlled and secured," it's a  
13 big resource, and it's going to help, you know,  
14 these other agencies go out and do what they  
15 want to do too.

16                   So with your kind of recommendation, I'm  
17 going to seek that, a motion to accept the  
18 budget provided in the Framework for Freedom  
19 Budget with the amendment identified on the  
20 sheet.

21                   There is a typo on the sheet. That's why I  
22 have it in front of me. In the column labeled  
23 "Estimated Cost Per Annum," the number there is  
24 incorrect. It should be \$36,610.

25                   COMMISSIONER BROWN: Would that be the



1 first column?

2 MR. TROMBETTA: It's the one, two, three,  
3 four -- fifth column, third row down.

4 COMMISSIONER BROWN: Okay.

5 MR. TROMBETTA: The Miami-Dade DMS FDLE  
6 office, the per year cost is \$36,610. However,  
7 the totals all match with the 36,000 number. So  
8 the only correction -- or the only edit really  
9 would be this document with that edit going from  
10 60,000 to 36. So it's actually reducing it, but  
11 the sum is the same. It would be a \$390,000 ask  
12 for additional funding.

13 Any questions on this?

14 COMMISSIONER BROWN: Commissioners, any  
15 questions? Thank you.

16 And, Mr. Herold, thank you too for your  
17 outreach and your work on coming up with the  
18 figures to get this additional amount.

19 Commissioners, can I get a motion to  
20 approve the -- adopt the Governor's Framework  
21 for Freedom Budget along with the additional  
22 amended request as presented?

23 COMMISSIONER D'AQUILA: Yes. I would like  
24 to make a motion to approve that.

25 COMMISSIONER DRAGO: Second.

1                   COMMISSIONER BROWN: All those in favor say  
2                   "aye." Aye.

3                   COMMISSIONER D'AQUILA: Aye.

4                   COMMISSIONER DRAGO: Aye.

5                   MR. TROMBETTA: Thank you very much.

6                   Anything else for me?

7                   COMMISSIONER BROWN: Good of the order.

8                   COMMISSIONER D'AQUILA: I would also like  
9                   to add just the encouraging news on the letters  
10                  being sent to illegal locations and the  
11                  incredible amount at progress our law  
12                  enforcement team has made in the past 30 to 60  
13                  days, both on education but specifically also to  
14                  reaction and even closure of an illegal  
15                  location. I know this is just the beginning of  
16                  great things to come, but it emphasizes just how  
17                  significant this problem is, and I just want to  
18                  make note of the good news coming sooner than  
19                  expected. Thank you.

20                  COMMISSIONER BROWN: Thank you.

21                  Commissioners? Commissioner Drago.

22                  COMMISSIONER DRAGO: Just a comment,  
23                  Director Trombetta. I want to just say thank  
24                  you for all staff for all the work that went  
25                  into day's Commission meeting. There were a lot

1 of things to get done, licenses and so forth, a  
2 lot of work from everybody.

3 So thank you, everybody, for it, and we do  
4 appreciate it. Even though it may not seem like  
5 we do, we certainly do appreciate it. We don't  
6 totally understand the extent of all the work  
7 that you put into it, but I have a pretty good  
8 sense for it. So thank you for all that work  
9 and effort.

10 COMMISSIONER BROWN: Thank you,  
11 Commissioner Drago.

12 And with that, that closes the Executive  
13 Director's report. We are now open to public  
14 comment. Is there anybody that is here that  
15 would like to speak or on the line that would  
16 like to speak before us today?

17 Seeing none, are there any other matters  
18 that the Commissioners have that they want to  
19 bring -- raise?

20 With that, we conclude this meeting. Thank  
21 you all. Safe travels to wherever you are going  
22 to. Thank you.

23 (Proceedings concluded at 11:57 a.m.)

24  
25



# Discussion of Recommended Orders

**Memo & Documents  
are Under Final  
Review**



**Memo & Documents  
are Under Final Review**





**Memo & Documents  
are Under Final Review**

# Discussion of Consent Orders

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Melbourne Greyhound Park, LLC; Case No. 2022-043151;  
Consent Order  
Date: April 24, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Melbourne Greyhound Park, LLC. (“Respondent”) to resolve Case No. 2022-043151. Pursuant to the terms of the proposed order, Respondent would be issued a \$250 administrative fine for violating rule 75-11.0175(4)(a), Florida Administrative Code.

### *Background*

On or about August 25, 2022, it was discovered that Respondent failed to have a working device that audibly signals when the count room door has been opened to the security department office. Respondent has no prior violations of this rule.

### *Analysis*

The Commission has the authority to impose an administrative fine up to \$1,000.00 for each violation of section 849.086, Florida Statutes, or any rules adopted pursuant to that section.<sup>1</sup>

Rule 75-11.0175(4)(a), Florida Administrative Code, provides that “[t]he count room shall include [r]einforced doors equipped with locks and a device that audibly signals the surveillance monitoring room and the security department whenever a door is opened.”

Because Respondent failed to have a working device that audibly signals when the count room door has been opened to the security department office, it is subject to an administrative fine of up to \$1000.

---

<sup>1</sup> § 849.086(14)(c), Fla. Stat.

Staff Recommendation: The Florida Gaming Control Commission should adopt the settlement and consent order in case number 2022-043151.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2022-043151

MELBOURNE GREYHOUND PARK, LLC,

Respondent.

\_\_\_\_\_ /

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and Melbourne Greyhound Park, LLC (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Cardroom permit and license, number 176-1002, issued by the Division.

2. This Consent Order is to be entered in resolution of the one-count Administrative Complaint filed in FGCC Case Number 2022-043151, alleging that on August 25, 2022 and September 1, 2022, Respondent was in violation of rule 61D-11.0175(4)(a), Florida Administrative Code, by failing to have a working device that audibly signals when the count room door has been opened to the security department office.

STIPULATION

WHEREAS the Division and Respondent (“Parties”), desire to resolve this matter, the following terms are stipulated:

3. The Division has jurisdiction over this matter and the Parties.

4. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

5. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel, and has either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.

6. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.

7. The Parties acknowledge and agree to waive any further administrative and judicial review.

8. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

9. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

10. **FINE:** Respondent agrees to, and must pay to the Division, the sum of **TWO HUNDRED FIFTY DOLLARS (\$250.00)**, at the time Respondent submits an executed copy of this Consent Order. **The payment must be in the form of a certified check, cashier's check, or money order, made payable to the Florida Gaming Control Commission, Division of Pari-**

**Mutuel Wagering (NO PERSONAL CHECKS).** Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.

11. Respondent must mail this Consent Order and the payment to: **Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.** Please note FGCC Case Number 2022-043151 on the face of the payment.

12. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission ("Commission"). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

13. Upon the Commission's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

14. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.



15. This Consent Order may be signed in counterparts, and copies shall be treated as original.

16. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

17. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov), for the meeting materials, agenda, and contact information.

18. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*

WHEREFORE, MELBOURNE GREYHOUND PARK, LLC, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 5 day of April, 2023.

**MELBOURNE GREYHOUND PARK, LLC,  
Respondent**

Signed on behalf of Melbourne Greyhound Park, LLC  
by:

Jeffrey O'Brien  
Printed Name

[Signature]  
Title

STATE OF Florida  
COUNTY OF Brevard

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 5<sup>th</sup> day of April, 2023, by Jeffrey O'Brien, who is personally known to me or who produced the following as identification: \_\_\_\_\_

[Signature]  
Notary Public



My commission expires:

APPROVED this 17 day of April, 2023.

*Emily Alvarado*

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**EMILY ALVARADO**  
**DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2022-043151

MELBOURNE GREYHOUND PARK, LLC,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Melbourne Greyhound Park, LLC (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to Chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Cardroom permit and license, number 176-1002, issued by Petitioner.
3. On or about August 25, 2022 and September 1, 2022, it was discovered that the count room door did not have a working device that audibly signaled that the door had been opened to the security department office.
4. Rule 61D-11.0175(4)(a), Florida Administrative Code, provides “[t]he count room shall include: [r]einforced doors equipped with locks and a device that audibly signals the surveillance monitoring room and the security department whenever a door is opened.

5. Based on the foregoing, Respondent violated Rule 61D-11.0175(4)(a), Florida Administrative Code, by failing to have a working device that audibly signals when the court room door has been opened to the security department office.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in Sections 550.105 and 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-043151 is signed this 28th day of September, 2022.

/s/Emily A. Alvarado

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

NOTICE OF RIGHTS

Pursuant to Sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, Florida Administrative Code. Pursuant to Rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Domain **10 - Division of Pari-Mutuel Wagering**

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Lic Type	<b>1002 - Cardroom License</b>	Status	<b>90 Closed</b>	Status Date	<b>09/13/2022</b>
Complaint #	<b>2022043151</b>	Case Type	<b>CMP - Complaint</b>	Disposition	
Docket#		Respondent	<b>MELBOURNE GREYHOUND PARK, LLC</b>	Responsible	<b>bjones - JONES, BRADFORD</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>	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form	<b>INTR - Internal</b>	Priority		<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n	<b>V-C - Cardroom Violations</b>	Complexity	<b>R - Regular</b>	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security	<b>STND - Standard</b>	Incident	<b>09/01/2022</b>	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region		Received	<b>09/02/2022</b>	<input type="checkbox"/> Inspection	
Reference	<b>61D-11.0175(4)</b>	Entered	<b>09/06/2022</b>	<input type="checkbox"/> Costs	
		Entered By	<b>Imuniz</b>	<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	<p><b>176-Melbourne Greyhound Park, LLC ----- / ----- . Cardroom Drop, Count Rooms, and Count Procedures: During a follow up inspection for the audit department regarding an audit that took place on August 25, 2021, I discovered the issue with the count room door alarm (audible signal) in the security department was not corrected. The surveillance room is located on the second floor along with the poker room. An alarm box is located inside the surveillance room and it signals an audible alarm when the count room door is opened. The security office is located on the first floor and does not have an audible alarm indicating the opening of the count room door.</b></p>			<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated	<b>09/13/2022 14:46:30</b>	By	<b>Imuniz</b>	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>




<b>7</b>	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>September 6, 2022</b>	Case Number: <b>2022 04 3151</b>
Respondent: <b>MELBOURNE GREYHOUND PARK LLC 1100 NORTH WICKHAM ROAD MELBOURNE, FL 329-35-8941 PHONE: (321) 259-9800</b>		Complainant: <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309 TEL. (954) 202-3900</b>	
License # and Type: <b>176 - 1002</b>		Profession: <b>Permit Holder</b>	Report Date: <b>September 7, 2022</b>
Period of Investigation: <b>September 06, 2022 thru September 07, 2022</b>		Type of Report: <b>Final</b>	
<b>Alleged Violation: 61D-11.0175 Card room Drop, Count Rooms, and Count Procedures.</b> <b>(4) The count room shall include:</b> <b>(a) Reinforced doors equipped with locks and a device that audibly signals the surveillance monitoring room and the security department whenever a door is opened. All count room doors must remain locked except to allow entrance by authorized individuals as listed on the inside of the count room door pursuant to subsection 61D-11.012(8), F.A.C. (Exhibit #3)</b>			
<b>Synopsis:</b> During a follow up inspection for the Audit Department regarding an audit that took place on August 25, 2021, I discovered the issue with the count room door alarm (audible signal) in the security department was not corrected. The surveillance room is located on the second floor along with the poker room. An alarm box is located inside the surveillance room and it signals an audible alarm when the count room door is opened. The security office is located on the first floor and does not have an audible alarm indicating the opening of the count room door.			
<b>Related Case(s):</b>			
Investigator / Date    Andre Tribble / 09-07-2022		Investigator Supervisor / Date    Julio Minaya / September 9, 2022	
Chief of Investigations / Date    Bradford D. Jones for Steven E. Kogan / September 13, 2022			



## CONTINUATION

On August 31, 2022, Chief of Auditing for PMW Kimberly Ferree e-mailed Chief of Investigations Steven Kogan and informed him that during the 2021/2022 audit of Melbourne's cardroom, they found reportable findings that fell under FAC Rule 61D-11.0175(4)(a). Ferree also stated that during their August 25, 2021 visit they tested the count room door audible signal while in the security department and there was no audible sound heard. Per Ferree's, e-mail, the facility stated that they "...would work on running a signal from the count room to the security office so that it can be heard." Ferree requested that a follow up visit be made to confirm the issue at hand was corrected (**Exhibit #1**).

On September 1, 2022, I conducted a follow up inspection as requested by the Audit Department. I discovered the issue with the count room door alarm (audible signal) in the security department was not corrected. The surveillance room is located on the second floor along with the poker room and has an alarm box located on the south wall. The room adjacent to the surveillance room separated only by an open door, was represented in the past by facility management as the security office; therefore allowing the alarm to be heard from that location. During my follow-up inspection I discovered that the adjacent room was not being used by security personnel due to the lack of security equipment such as radios, CTV monitors and sign in logs. In actuality, this room appeared to be a storage room. The true security office is located on the first floor and is equipped with all of the essential equipment needed to operate a security department. However, it lacks an audible alarm which would alert security staff if the count room door is opened.

I spoke with Poker room Director Jeff Marr who indicated that he and other senior management personnel are aware of the issue and are working on ways to comply. He did not however offer any details as to how or when the matter would be addressed.

**Conclusion:** The findings of this investigation indicate that Melbourne Greyhound Park LLC does not have a device that audibly signals the security department whenever a door is opened to the count room. As a result Melbourne Greyhound Park LLC **is in violation** of Rule 61D-11.0175(4)(a) (**Exhibit #3**).

**Status:** Closed by Investigations and forwarded to Legal for review.

CONTINUATION

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II. INVESTIGATIVE REPORT ..... 2

III. EXHIBITS

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    2. MGP License Information..... 1-2

    3. Copy of Division Rule 61D-11.0175..... 1-2

**Tribble, Andre**

---

**From:** Ferree, Kimberly  
**Sent:** Thursday, September 1, 2022 2:59 PM  
**To:** Tribble, Andre  
**Subject:** RE: Melbourne audit

Thank you



FLORIDA

**Kimberly Ferree, CPA**  
Chief of Auditing, Pari-Mutuel Wagering  
Office of Auditing  
2601 Blair Stone Road, Tallahassee, FL 32399-1035  
850.717.1083 Office ~ 850.488.0550 FAX ~  
[Kimberly.Ferree@fgcc.fl.gov](mailto:Kimberly.Ferree@fgcc.fl.gov)

**From:** Tribble, Andre  
**Sent:** Thursday, September 1, 2022 12:27 PM  
**To:** Minaya, Julio  
**Cc:** Ferree, Kimberly; Walker, Bobby  
**Subject:** RE: Melbourne audit

I was there this morning and the issue has not been corrected, I will open an Investigative case.

**From:** Minaya, Julio  
**Sent:** Wednesday, August 31, 2022 3:17 PM  
**To:** Tribble, Andre  
**Cc:** Kogan, Steven  
**Subject:** FW: Melbourne audit

Andre,

Please read e-mails and let's verify that they have corrected the issue.

Thanks



**FLORIDA**  
GAMING CONTROL  
COMMISSION

**Julio Minaya**  
Investigative Supervisor  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Office: 954-202-6844 / Fax: 954.202.3930

**From:** Kogan, Steven  
**Sent:** Wednesday, August 31, 2022 3:01 PM

**To:** Ferree, Kimberly  
**Cc:** Walker, Bobby; Lashley, Jeff; Minaya, Julio; Tribble, Andre  
**Subject:** RE: Melbourne audit

We will follow-up Kim.



**Steven E. Kogan**  
**Chief of Investigations**  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
1400 West Commercial Blvd. #165  
Ft. Lauderdale, FL 33309  
954.202.6775 Office 954.202.3930 FAX

**From:** Ferree, Kimberly  
**Sent:** Wednesday, August 31, 2022 11:39 AM  
**To:** Kogan, Steven  
**Cc:** Walker, Bobby; Lashley, Jeff  
**Subject:** Melbourne audit

Hi Steven,

In our 2021 2022 audit for Melbourne, our preliminary audit report had some reportable findings that they provided a response to us on how they will make their corrective actions. One of these is noted below

The Rule in 2021/2022 was 61D-11.0175(4)(a), F.A.C. states :The count room shall include: Reinforced doors equipped with locks and a device that audibly signals the surveillance monitoring room **and** the **security** department whenever a door is opened..."

During our on-site monitoring visit conducted on August 25, 2021, we tested the count room door audible signal while in the security department and there was no audible sound heard.

They responded to us: Finding 3: Audible Signal in Security Department

Regarding the audible device being heard in the security department. We will work on a way to run a signal from the count room to the security office so that it can be heard there.

If they fix this and your team verifies that is ti fixed, please let us know so we can give them credit for the correction and document our audit workpapers accordingly.

Thank you



**Kimberly Ferree, CPA**  
Chief of Auditing, Pari-Mutuel Wagering  
Office of Auditing  
2601 Blair Stone Road, Tallahassee, FL 32399-1035  
850.717.1083 Office ~ 850.488.0550 FAX ~

[Kimberly.Ferree@fgcc.fl.gov](mailto:Kimberly.Ferree@fgcc.fl.gov)



STATE OF FLORIDA  
 FLORIDA GAMING CONTROL COMMISSION  
 DIVISION OF PARI-MUTUEL WAGERING

**OPEN CASE REQUEST**

(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

INCIDENT DATE: September 01, 2022

<input type="checkbox"/> PMW	<input checked="" type="checkbox"/> Cardroom	<input type="checkbox"/> Slot	<input checked="" type="checkbox"/> Violation	<input type="checkbox"/> Incident	<input type="checkbox"/> Complaint
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FACILITY NAME: Melbourne Greyhound Park, LLC LIC #: 176

**RESPONDENT**

NAME: <u>Melbourne Greyhound Park, LLC</u>		
Address: <u>1100 N. Wickham Road, Melbourne, Florida 32935</u>		Tel #: <u>(321) 259-9800</u>
LIC #: <u>176</u>	LIC TYPE: <u>1002</u>	OCCUPATION: <u>Permit Holder</u>

**COMPLAINANT**

NAME: <u>Florida Gaming Control Commission</u>		Tel #:
Address:		
LIC #:	LIC TYPE:	OCCUPATION:

**VIOLATION(S) / TITLE(S):** 61D-11.0175 Cardroom Drop, Count Rooms, and Count Procedures.

(4) The count room shall include: (a) Reinforced doors equipped with locks and a device that audibly signals the surveillance monitoring room and the security department whenever a door is opened. All count room doors must remain locked except to allow entrance by authorized individuals as listed on the inside of the count room door pursuant to subsection 61D-11.012(8), F.A.C.

**DESCRIPTION:** During a follow up inspection for the audit department regarding an audit that took place on August 25, 2021, I discovered the issue with the count room door alarm (audible signal) in the security department was not corrected. The surveillance room is located on the second floor along with the poker room. An alarm box is located inside the surveillance room and it signals an audible alarm when the count room door is opened. The security office is located on the first floor and does not have an audible alarm indicating the opening of the count room door.

**CASE DETAILS FILED BY:**

Chief Inspector    Judge/Steward    Investigator    Other: \_\_\_\_\_  
 (Title of State Employee)

Andre Tribble

(Print Name)

(Signature)

September 01, 2022

(Date)

**EXHIBIT #**  
**PAGE #**

**Muniz, Luz**

---

**From:** Minaya, Julio  
**Sent:** Friday, September 2, 2022 8:18 AM  
**To:** Muniz, Luz  
**Cc:** Tribble, Andre; Kogan, Steven  
**Subject:** OCR  
**Attachments:** OPEN CASE REQUEST FORM -Melbourne Greyhound Park LLC 09-01-22.docx

Luz,

Please open and assign to Tribble.

Thank you



**Julio Minaya**  
Investigative Supervisor  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Office: 954-202-6844 / Fax: 954.202.3930

VR Home | **Inbox** | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

License Search    Entity Search    Modify License Standing    Maintain License CE Control

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Immuniz

VR Home > Complaint Search > Maintain Complaint > License Home

**License**

Fed Tax # [REDACTED]    Lic Type **1002 - Cardroom License**    Expires On **06/30/2023**

File # **45**    Name **MELBOURNE GREYHOUND PARK, LLC**    Extended To

License # **176**    Rank **CLIC - Cardroom Operating License**    Renewed On

Entity # **176**    Lic Status **Current**

- [Licensee](#)
- [History](#)
- [Notes](#)
- [Notes History](#)
- [Back](#)

**Address**

Street # **1100** Street **NORTH WICKHAM ROAD**

Line 2

Line 3

City **MELBOURNE**    State **FL**    Zip **32935-8941**

Routing

**Other**

1st License Date **06/07/2022**    Rank Date **06/07/2022**    Certificate #

Method **I-S-1020**    Status Date **07/14/2008**    Certificate Date

Fee Exempt **No**    Birth Date    Renewal Sent

**Select**

Action 

**Modifiers**

Type	Modifier	Effective Date	Additional Info
L	176 - Melbourne Gryhn	03/21/2005	

**DBA Name**

DBA **MELBOURNE GREYHOUND PARK**

**Alt Keys**

BEST LIC NBR **176**

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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: Imuniz

VR Home > Complaint Search > Maintain Complaint

Lic Type	1002 - Cardroom License	Status	20 Under Investigation	Status Date	09/06/2022
Complaint #	2022043151	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	MELBOURNE GREYHOUND PARK, LLC	Responsible	atribble - TRIBBLE, ANDRE	Private Case

Complaint	Respondent	Complainant	Add'l Info
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Source **INTN - Internal**      Security Level **1**  
 Form **INTR - Internal**      Priority  
 Class'n **V-C - Cardroom Violations**      Complexity **R - Regular**  
 Security **STND - Standard**      Incident **09/01/2022**  
 Region      Received **09/02/2022**  
 Reference **61D-11.0175(4)**  
 Entered **09/06/2022**      Entered By **Imuniz**

Summary  
**176-Melbourne Greyhound Park, LLC ----- / -----**  
**. Cardroom Drop, Count Rooms, and Count Procedures: During a follow up inspection for the audit department regarding an audit that took place on August 25, 2021, I discovered the issue with the count room door alarm (audible signal) in the security department was not corrected. The surveillance room is located on the second floor along with the poker room. An alarm box is located inside the surveillance room and it signals an audible alarm when the count room door is opened. The security office is located on the first floor and does not have an audible alarm indicating the opening of the count room door.**

Updated **09/06/2022 09:29:48**

By **Imuniz**

- Parties  Activities
- Allegations  Discipline
- Violations  Compliance
- Related  Disposition
- Inspection
- Costs
- Time Tracking  Auto Assign
- Attachments  History
- Work Notes  Print Report

Change	Save	OK	Cancel	Back
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**61D-11.0175 Cardroom Drop, Count Rooms, and Count Procedures.**

(1) Not less than once daily, the cardroom operator shall:

(a) Count and record the amount of chips or tokens and currency for each imprest tray;

(b) Make fills or replenish the imprest trays to bring them back to their beginning balances;

(c) Document beginning and ending inventories in the fill or credit report reflecting the value of chips or tokens and currency whether final fills are or are not made;

(d) Confirm that the designated supervisor has verified the replenishment of each imprest tray; and,

(e) Ensure that drop boxes are removed from tables and immediately transported to the count room or other secure area by two or more employees. At least one of the transporting employees shall be a security employee.

(2) Cardroom operators shall remove all drop boxes, other than those used on tables designated as tournament only tables, at the same time each day, as indicated in the internal controls and lock them in a secure location until the count takes place.

(3) The cardroom operator shall have a count room within its facility used for counting of chips, tokens, and funds. Cardroom operations counts shall be performed at separate times and independent of pari-mutuel or slot operations counts.

(4) The count room shall include:

(a) Reinforced doors equipped with locks and a device that audibly signals the surveillance monitoring room and the security department whenever a door is opened. All count room doors must remain locked except to allow entrance by authorized individuals as listed on the inside of the count room door pursuant to subsection 61D-11.012(8), F.A.C.

(b) Tables for counting chips, tokens, or currency;

(c) Clear trash bags, if trash containers are present;

(d) Surveillance equipment as referenced in paragraph 61D-11.025(5)(b), F.A.C.; and,

(e) The controlling requirements in Rule 61D-14.063, F.A.C., for count rooms that are also used for slot machine gaming counts.

(5) Count Room procedures shall be as follows:

(a) Chips, tokens, or currency from any previous count shall be secured before another count begins;

(b) Count teams shall include a designated supervisor and at least two other team members, with the designated supervisor being the count recorder. Count team members shall be rotated in such a way so that the team does not consist exclusively of the same team members more than any three days per week;

(c) All persons present in the count room during the counting process shall wear outer garments that must be a full-length, short sleeved, one-piece, pocket-less garment with openings for the arms, feet, and neck only, which are in good condition and completely closed, fastened, or zipped at all times while in the count room;

(d) The cardroom manager and/or cardroom supervisors are prohibited from participating in the count activities;

(e) No person shall carry any personal items into the count room, other than those items needed for medical necessity; and,

(f) The designated count team supervisor shall record, in writing, the name and license number of each member of the count team, and record the same information on any personnel entering or exiting the count room during the count process.

(6) Security employees shall inspect the entire count room, including all trash containers and counting equipment to verify that no chips, tokens, or currency remain in the room.

(7) The count process shall be as follows:

(a) All count team members enter the count room as a group;

(b) Each drop box is counted separately;

(c) All content keys remain visible to surveillance through the count process;

(d) Count team members empty the contents of each drop box on the count table. No other box is opened while another box, or its contents are on the count table;

(e) Once empty, the drop box number and the inside of the drop box is held up to the full view of a surveillance camera with the drop box number called out verbally;

(f) After each drop box has been viewed and counted, the drop box shall be locked and placed in a storage area exclusively for drop boxes;

(g) During the count, the designated supervisor shall ensure that if a count team member has to leave the count room, all count team members:

1. Cease the count,

2. Secure all chips in the count room,
3. Leave the count room together,
4. Are inspected by security before leaving the count room; and,
5. Do not re-enter the count room until all count team members are present.

(h) All chips, tokens, or currency shall be dually counted and verified by a third employee;

(i) Any discrepancies which arise at any time during the count or in the transfer of the drop to the vault shall be resolved and documented.

(8) Count reporting shall be completed as follows:

(a) The following information shall be recorded on each count report:

1. The table number to which each drop box contents corresponds,
2. The value of each denomination of chips, tokens, or currency counted,
3. The total value of all denominations of chips, tokens, or currency counted,
4. The gaming date of the count and shift if more than one count is conducted daily; and,
5. The total number of all drop boxes opened and counted.
6. The employee name and license number of each member of the count team participating in that count.

(b) Any correction made to any count documentation shall be made by crossing out the error, entering the correct figure, and entering the initials of at least two count team members who verified the change.

(c) Each count report shall be signed by the count team members and the count team supervisor.

(d) Signed count reports shall be transported to the accounting or finance department immediately after the count.

*Rulemaking Authority 550.0251(12), 849.086(4), (11) FS. Law Implemented 849.086 FS. History—New 9-7-08, Amended 7-21-14, 1-2-18.*

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Mass Status Update</a>	<a href="#">Recording License Type Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>				

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Imuniz

[VR Home](#) > [Complaint Search](#) > **Maintain Complaint**

Lic Type	<b>1002 - Cardroom License</b>	Status	<b>20 Under Investigation</b>	Status Date	<b>09/06/2022</b>
Complaint #	<b>2022043151</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent <b>MELBOURNE GREYHOUND PARK, LLC</b>	Responsible	<b>atribble - TRIBBLE, ANDRE</b>		<b>Private Case</b>

<a href="#">Complaint</a>	<a href="#">Respondent</a>	<a href="#">Complainant</a>	<a href="#">Add'l Info</a>
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Source	<b>INTN - Internal</b>	Security Level	<b>1</b>	<input type="checkbox"/>	<a href="#">Parties</a>	<input checked="" type="checkbox"/>	<a href="#">Activities</a>
Form	<b>INTR - Internal</b>	Priority		<input type="checkbox"/>			
Class'n	<b>V-C - Cardroom Violations</b>	Complexity	<b>R - Regular</b>	<input checked="" type="checkbox"/>	<a href="#">Allegations</a>	<input type="checkbox"/>	<a href="#">Discipline</a>
Security	<b>STND - Standard</b>	Incident	<b>09/01/2022</b>	<input type="checkbox"/>	<a href="#">Violations</a>	<input type="checkbox"/>	<a href="#">Compliance</a>
Region		Received	<b>09/02/2022</b>	<input type="checkbox"/>			
Reference	<b>61D-11.0175(4)</b>			<input type="checkbox"/>	<a href="#">Related</a>	<input checked="" type="checkbox"/>	<a href="#">Disposition</a>
Entered	<b>09/06/2022</b>	Entered By	<b>Imuniz</b>	<input type="checkbox"/>	<a href="#">Inspection</a>		
Summary	<p><b>176-Melbourne Greyhound Park, LLC ----- / ----- . Cardroom Drop, Count Rooms, and Count Procedures: During a follow up inspection for the audit department regarding an audit that took place on August 25, 2021, I discovered the issue with the count room door alarm (audible signal) in the security department was not corrected. The surveillance room is located on the second floor along with the poker room. An alarm box is located inside the surveillance room and it signals an audible alarm when the count room door is opened. The security office is located on the first floor and does not have an audible alarm indicating the opening of the count room door.</b></p>			<input type="checkbox"/>	<a href="#">Costs</a>	<input type="checkbox"/>	<a href="#">Time Tracking</a>
				<input type="checkbox"/>	<a href="#">Attachments</a>		<a href="#">Auto Assign</a>
				<input type="checkbox"/>	<a href="#">Work Notes</a>		<a href="#">History</a>
Updated	<b>09/06/2022 09:29:48</b>	By	<b>Imuniz</b>				<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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**STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING**

**OPEN CASE REQUEST**

(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

**INCIDENT DATE:** September 01, 2022

<input type="checkbox"/> PMW	<input checked="" type="checkbox"/> Cardroom	<input type="checkbox"/> Slot
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<input checked="" type="checkbox"/> Violation	<input type="checkbox"/> Incident	<input type="checkbox"/> Complaint
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**FACILITY NAME:** Melbourne Greyhound Park, LLC **LIC #:** 176

**RESPONDENT**

<b>NAME:</b> Melbourne Greyhound Park, LLC		
Address: 1100 N. Wickham Road, Melbourne, Florida ,32935		Tel #: (321) 259-9800
<b>LIC #:</b> 176	<b>LIC TYPE:</b> 1002	<b>OCCUPATION:</b> Permit Holder

**COMPLAINANT**

<b>NAME:</b> Florida Gaming Control Commission		Tel #:
Address:		
<b>LIC #:</b>	<b>LIC TYPE:</b>	<b>OCCUPATION:</b>

**VIOLATION(S) / TITLE(S):** **61D-11.0175 Cardroom Drop, Count Rooms, and Count Procedures.**

(4) The count room shall include: (a) Reinforced doors equipped with locks and a device that audibly signals the surveillance monitoring room and the security department whenever a door is opened. All count room doors must remain locked except to allow entrance by authorized individuals as listed on the inside of the count room door pursuant to subsection 61D-11.012(8), F.A.C.

**DESCRIPTION:** During a follow up inspection for the audit department regarding an audit that took place on August 25, 2021, I discovered the issue with the count room door alarm (audible signal) in the security department was not corrected. The surveillance room is located on the second floor along with the poker room. An alarm box is located inside the surveillance room and it signals an audible alarm when the count room door is opened. The security office is located on the first floor and does not have an audible alarm indicating the opening of the count room door.

**CASE DETAILS FILED BY:**

Chief Inspector    Judge/Steward    Investigator    Other: \_\_\_\_\_  
(Title of State Employee)

Andre Tribble

September 01, 2022

(Print Name)

(Signature)

(Date)

## Muniz, Luz

---

**From:** Minaya, Julio  
**Sent:** Friday, September 2, 2022 8:18 AM  
**To:** Muniz, Luz  
**Cc:** Tribble, Andre; Kogan, Steven  
**Subject:** OCR  
**Attachments:** OPEN CASE REQUEST FORM -Melbourne Greyhound Park LLC 09-01-22.docx

**Categories:** Opened

Luz,

Please open and assign to Tribble.

Thank you



**Julio Minaya**

Investigative Supervisor  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Office: 954-202-6844 / Fax: 954.202.3930



<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
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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: **Imuniz**

[VR Home](#) > [Complaint Search](#) > [Maintain Complaint](#) > [License Home](#)

<p><b>License</b></p> <p>Fed Tax # <span style="background-color: black; color: black;">XXXXXXXXXX</span> Lic Type <b>1002 - Cardroom License</b> Expires On <b>06/30/2023</b></p> <p>File # <b>45</b> Name <b>MELBOURNE GREYHOUND PARK, LLC</b> Extended To</p> <p>License # <b>176</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On</p> <p>Entity # <b>176</b> Lic Status <b>Current</b></p>		<input type="checkbox"/> <p><a href="#">Licensee</a></p> <p><a href="#">History</a></p> <p><a href="#">Notes</a></p> <p><a href="#">Notes History</a></p> <p><a href="#">Back</a></p>								
<p><b>Address</b></p> <p>Street # <b>1100</b> Street <b>NORTH WICKHAM ROAD</b></p> <p>Line 2</p> <p>Line 3</p> <p>City <b>MELBOURNE</b> State <b>FL</b> Zip <b>32935-8941</b></p> <p>Routing</p>										
<p><b>Other</b></p> <p>1st License Date <b>06/07/2022</b> Rank Date <b>06/07/2022</b> Certificate #</p> <p>Method <b>I-S-1020</b> Status Date <b>07/14/2008</b> Certificate Date</p> <p>Fee Exempt <b>No</b> Birth Date Renewal Sent</p>										
<p><b>Select</b></p> <p>Action <input type="text"/>  </p>										
<p><b>Modifiers</b></p> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>L</td> <td>176 - Melbourne Gryhn</td> <td>03/21/2005</td> <td></td> </tr> </tbody> </table>		Type	Modifier	Effective Date	Additional Info	L	176 - Melbourne Gryhn	03/21/2005		
Type	Modifier	Effective Date	Additional Info							
L	176 - Melbourne Gryhn	03/21/2005								
<p><b>DBA Name</b></p> <p>DBA <b>MELBOURNE GREYHOUND PARK</b></p>										
<p><b>Alt Keys</b></p> <p>BEST LIC NBR <b>176</b></p>										

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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Sarasota Kennel Club, Inc.; Case No. 2022-055132; Consent Order  
Date: April 24, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Sarasota Kennel Club, Inc. (“Respondent”) to resolve Case No. 2022-055132. Pursuant to the terms of the proposed order, Respondent would be issued a \$1000 administrative fine for violating rule 75-11.025(18), Florida Administrative Code.

### *Background*

From about October 28, 2022 to October 31, 2022, it was discovered that Respondent failed to suspend play in the cardroom and place a sign indicating that the cardroom was closed while the surveillance system was down. Respondent has no prior violations of this rule.

### *Analysis*

The Commission has the authority to impose an administrative fine up to \$1,000.00 for each violation of section 849.086, Florida Statutes, or any rules adopted pursuant to that section.<sup>1</sup>

Rule 75-11.025(18), Florida Administrative Code, provides that “[w]hen surveillance equipment malfunctions and fails to operate as required by this rule, play at the table or tables in any area for which there is inadequate monitoring shall be suspended, and designated with signage as “closed,” until the quality of the surveillance system is restored to the levels required by this rule.”

---

<sup>1</sup> § 849.086(14)(c), Fla. Stat.

Because Respondent failed to suspend play in the cardroom and place a sign indicating that the cardroom was closed while the surveillance system was down, it is subject to an administrative fine of up to \$1000.

Staff Recommendation: The Florida Gaming Control Commission should adopt the settlement and consent order in case number 2022-055132.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2022-055132

SARASOTA KENNEL CLUB, INC.,

Respondent.

---

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and Sarasota Kennel Club, Inc. (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Cardroom permit and license, number 153-1002, issued by the Division.
2. This Consent Order is to be entered in resolution of the one-count Administrative Complaint filed in FGCC Case Number 2022-055132, alleging that from October 28, 2022 to October 31, 2022, Respondent was in violation of Rule 61D-11.025(18), Florida Administrative Code, by failing to suspend play in the cardroom and place a sign indicating that the cardroom was closed while the surveillance system was down.

STIPULATION

WHEREAS the Division and Respondent (“Parties”), desire to resolve this matter, the following terms are stipulated:

3. The Division has jurisdiction over this matter and the Parties.

4. The Division is authorized by Section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

5. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel, and has either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.

6. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.

7. The Parties acknowledge and agree to waive any further administrative and judicial review.

8. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

9. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

10. **FINE:** Respondent agrees to, and must pay to the Division, the sum of **ONE THOUSAND DOLLARS (\$1,000.00)**, at the time Respondent submits an executed copy of this Consent Order. **The payment must be in the form of a certified check, cashier's check, or money order, made payable to the Florida Gaming Control Commission, Division of Pari-**

**Mutuel Wagering** (NO PERSONAL CHECKS). Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.

11. Respondent must mail this Consent Order and the payment to: **Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming**. Please note FGCC Case Number 2022-055132 on the face of the payment.

12. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission ("Commission"). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

13. Upon the Commission's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

14. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

15. This Consent Order may be signed in counterparts, and copies shall be treated as original.

16. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

17. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov), for the meeting materials, agenda, and contact information.

18. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*

WHEREFORE, SARASOTA KENNEL CLUB, INC., requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 11 day of April, ~~2022~~  
2023

  
SARASOTA KENNEL CLUB, INC., Respondent

Signed on behalf of Sarasota Kennel Club, Inc. by:

Jack Collins Jr  
Printed Name

President  
Title

STATE OF Florida

COUNTY OF Manatee

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 11 day of April, ~~2022~~<sup>2023</sup>, by Jack Collins Jr., who is personally known to me or who produced the following as identification: \_\_\_\_\_

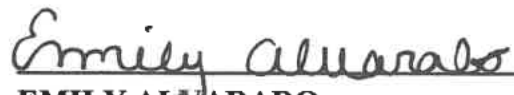
Rhonda Lipp  
Notary Public

My commission expires: 3-12-2026



RHONDALIPP  
Commission # HH 226540  
Expires March 12, 2026

APPROVED this 17 day of April, 2022.



**EMILY ALVARADO**  
**DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission



STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

V.

FGCC Case No.: 2022-055132

SARASOTA KENNEL CLUB, INC.

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Sarasota Kennel Club, Inc. (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to Chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Cardroom permit and license, number 153-1002, issued by Petitioner.
3. From October 28, 2022 at approximately 8:00 PM to October 31, 2022 at approximately 10:00 PM, Respondent lost surveillance camera coverage capability of approximately 32 tables.
4. Respondent failed to suspend play in the cardroom and place a sign indicating that the cardroom was closed during this time period.

5. Rule 61D-11.025(18), Florida Administrative Code, provides “[w]hen surveillance equipment malfunctions and fails to operate as required by this rule, play at the table or tables in any area for which there is inadequate monitoring shall be suspended, and designated with signage as “closed,” until the quality of the surveillance system is restored to the levels required by this rule.”

6. Based on the foregoing, Respondent violated Rule 61D-11.025(18), Florida Administrative Code, by failing to suspend play in the cardroom and place a sign indicating that the cardroom was closed while the surveillance system was down.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of penalties specified in Sections 550.105 and 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-055132 is signed this 20th day of December, 2022.

/s/ Emily A. Alvarado

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

## NOTICE OF RIGHTS

Pursuant to Sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, Florida Administrative Code. Pursuant to Rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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[Mass Status Update](#) | [Public Case Info](#)

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **Imuniz**

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Lic Type	<b>1002 - Cardroom License</b>	Status	<b>90 Closed</b>	Status Date	<b>12/09/2022</b>
Complaint #	<b>2022055132</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent <b>SARASOTA KENNEL CLUB, INC</b>	Responsible	<b>rsamson - SAMSON, RANDA</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>	<input type="checkbox"/> <b>Partie</b>	<input checked="" type="checkbox"/> <b>Activite</b>
Form	<b>INTR - Internal</b>	Priority		<input checked="" type="checkbox"/> <b>Allegations</b>	<input type="checkbox"/> <b>Discipline</b>
Class'n	<b>V-C - Cardroom Violations</b>	Complexity	<b>R Regular</b>	<input type="checkbox"/> <b>Violations</b>	<input type="checkbox"/> <b>Compliance</b>
Security	<b>STND - Standard</b>	Incident		<input type="checkbox"/> <b>Related</b>	<input checked="" type="checkbox"/> <b>Disposition</b>
Region	<b>CR - Central Region</b>	Received	<b>11/17/2022</b>	<input type="checkbox"/> <b>Inspection</b>	
Reference	<b>61D-11.025(2)(a)(1) &amp; (14)(a)</b>			<input type="checkbox"/> <b>Costs</b>	
Entered	<b>11/17/2022</b>	Entered By	<b>Imuniz</b>	<input type="checkbox"/> <b>Time Tracking</b>	<input type="button" value="Auto Assign"/>
Summary	<b>153-Sarasota Kennel Club, Inc. ----- / ----- . Cardroom Electronic Surveillance: On November 1, 2022, The Division was notified VIA E-Mail from RHONDA RENEE LIPP that SARASOTA KENNEL CLUB, had lost surveillance coverage of 32 tables for approximately four (4) days due to a faulty hard drive.</b>			<input type="checkbox"/> <b>Attachments</b>	<input type="button" value="History"/>
Updated	<b>12/09/2022 14:14:44</b>	By	<b>Imuniz</b>	<input type="checkbox"/> <b>Work Note</b>	<input type="button" value="Print Report"/>

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>CENTRAL</b>	Date of Complaint: <b>NOVEMBER 17, 2022</b>	Case Number: <b>2022 05 5132</b>
Respondent:  <b>SARASOTA KENNEL CLUB, INC. 4404 BEE RIDGE ROAD UNIT #26 SARASOTA, FL  TEL# (941) 355-7744</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>153 / 1002</b>	Profession: <b>PERMIT HOLDER</b>	Report Date: <b>DECEMBER 6, 2022</b>	
Period of Investigation: <b>NOVEMBER 1, 2022 – DECEMBER 6, 2022</b>		Type of Report: <b>FINAL</b>	
<p>Alleged Violation: <b>61D-11.025 Cardroom Electronic Surveillance.</b></p> <p><b>(2)</b> The surveillance system must be capable of:</p> <p style="padding-left: 20px;"><b>(a)</b> Covert monitoring of:</p> <p style="padding-left: 40px;">1. The conduct and operation of card and domino tables,</p> <p><b>(14)</b> All electronic surveillance recordings of cardroom activity shall be:</p> <p style="padding-left: 20px;"><b>(a)</b> Maintained for at least 14 days;</p> <p><b>(15)</b> The surveillance system must possess the capability to monitor, identify, and record the activities of all persons throughout the cardroom and supporting areas in a manner that provides 100 percent camera coverage of the cardroom at all times.</p> <p><b>(16)</b> The surveillance system shall provide for clear lines of sight for any surveillance cameras or equipment and shall cover all areas where cards or dominoes are played or where money is collected, distributed, or counted.</p> <p><b>(18)</b> When surveillance equipment malfunctions and fails to operate as required by this rule, play at the table or tables in any area for which there is inadequate monitoring shall be suspended, and designated with signage as "closed," until the quality of the surveillance system is restored to the levels required by this rule.</p>			
<p>Synopsis: On November 1, 2022, Administrative Assistant RHONDA RENEE <b>LIPP</b> notified the Division via E-Mail that <b>SARASOTA KENNEL CLUB</b>, had lost recorded surveillance coverage for 32 tables from 8:00 PM Friday, October 28, 2022 until 10:00 PM Monday, October 31, 2022, approximately 74 hours due to a faulty hard drive.</p>			
Related Case:			
Investigator / Date  /s/  Randa Samson / DECEMBER 6, 2022		Investigator Supervisor / Date  /s/  C. Derek Washington / December 8, 2022	
Chief of Investigations / Date  /s/  Steven E. Kogan / December 9, 2022			

## CONTINUATION

On November 1, 2022, **SARASOTA KENNEL CLUB** Administrative Assistant Rhonda R. **LIPP** notified the Division that the facility had lost surveillance coverage for 32 tables for approximately four (4) days due to a faulty hard drive. **(EXHIBIT #2)**

Further investigation into the incident revealed that on October 28, 2022, at approximately 8:00 PM thru October 31, 2022, at approximately 10:00 PM, the **SARASOTA KENNEL CLUB** surveillance system was unable to record and playback video recordings as required per rule listed above. All thirty-two (32) overhead poker table cameras were affected.

On October 31, 2022, at approximately 6:55 PM, Shift Manager Brett JOSEPH **GARDNER** (PMW LIC# 8654363) attempted to review recorded footage but was unable to because there was no saved playback surveillance available. **GARDNER** notified the Director of Poker Operation, Ryan R **CARTER** (Lic#7616143), at approximately 7:00 PM and **CARTER** then called IT technician CLAUDIO **PACHECO** (PMW LIC #9907818), who arrived at approximately 8:30 PM. Upon **PACHECO's** review of the system, they learned they did not have coverage for tables 1-32. After discovering the malfunction, **SARASOTA KENNEL CLUB** continued to allow play at the tables. **PACHECO** replaced the faulty hard drive at approximately 10:00 PM on October 31, 2022.

On November 9, 2022, during a routine cardroom facility visit, I obtained two (2) thumb drives from **SARASOTA KENNEL CLUB** and Poker Room Director Ryan R **CARTER** (Lic#7616143), confirming the information received in the email sent by **LIPP** was correct. **(EXHIBIT#3)**

On November 28, 2022, during a routine bi-weekly cardroom inspection visit, I received one (1) thumb drive from **SARASOTA KENNEL CLUB**. **(EXHIBIT#3)**

A check of the Versa Regulation Enforcement database showed no prior violations.

Status: Investigation case closed, case forwarded to Legal for review

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    4. SURVEILLANCE LOG.....1-1



VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **Imuniz**

[VR Home](#) | 
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 [License Home](#)

**License**

Fed Tax # [REDACTED] Lic Type **1002 - Cardroom License** Expires On **06/30/2023**

File # **48** Name **SARASOTA KENNEL CLUB, INC.** Extended To

License # **153** Rank **CLIC - Cardroom Operating License** Renewed On

Entity # **153** Lic Status **Current**

- [Licensee](#)
- [History](#)
- [Notes](#)
- [Notes History](#)
- [Back](#)

**Address**

Street # **5400** Street **BRADENTON ROAD**

Line 2

Line 3

City **SARASOTA** State **FL** Zip **34234**

Routing

**Other**

1st License Date **03/22/2022** Rank Date **03/22/2022** Certificate #

Method **I-S-1020** Status Date **07/14/2008** Certificate Date

Fee Exempt **No** Birth Date Renewal Sent

**Select**

Action   

**Modifiers**

Type	Modifier	Effective Date	Additional Info
L	153 - Sarasota Kennel	12/11/2006	

**Alt Keys**

BEST LIC NBR **153**

 [Get Adobe Reader.](#)

## Samson, Randa

---

**From:** RHonda Lipp <rlipp95@yahoo.com>  
**Sent:** Tuesday, November 1, 2022 12:12 PM  
**To:** Jelks, La'Kesha; Ryan Carter; Samson, Randa  
**Subject:** Malfunction

**[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.**

La'Kesha,

On 10-31-22 at 7pm shift boss Bret Gardner had a decision that required him to go to surveillance for review. When he attempted to play back on the NVR there was no recording. We then contacted Claudio Pacheco to resolve the matter. Upon Claudio's review we did not have any coverage for tables 1-32 from Friday 10-28-22 at 8pm until Monday 10-31-22 at 10pm. It was a faulty hard drive.

Also the camera on table 28 has been restored.

We changed decks today at 9am. 60 decks were changed.

Thanks

Rhonda Lipp  
Administrative Assistant  
Director of Human Resources  
Sarasota Kennel Club  
DBA One-Eyed Jacks Poker Room  
4404 Bee Ridge Rd  
Sarasota, FL 34233  
941-355-7744 ext 1002


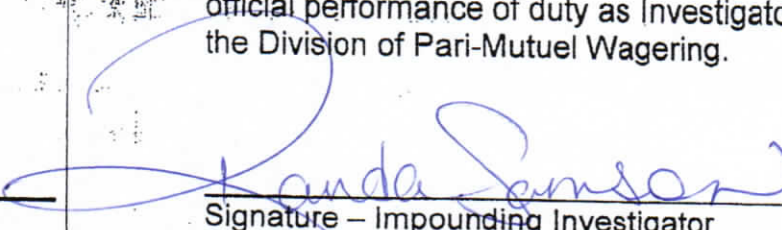


**State of Florida  
Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
Investigations Section**

**PROPERTY RECEIPT**

Complaint # 2022 05 5132 Date 11/9/22 Lab # \_\_\_\_\_

Item No.	Quantity	Description
	2	32 GB Thumbdrives
		1 orange 1 Blue

<p>I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.</p> <p align="center"></p> <p>Signature _____</p>	<p>I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.</p> <p align="center"></p> <p>Signature – Impounding Investigator _____</p>
--	---

**RETURNED PROPERTY RECEIPT**

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

.....

Signature _____	Date _____
Received by: _____	Date: _____
Received by: _____	Date: _____
Received by: _____	Date: _____



**State of Florida  
Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
Investigations Section**

**PROPERTY RECEIPT**

Complaint # 2022 05 5132      Date 11/28/22      Lab # \_\_\_\_\_

Item No.	Quantity	Description
	1	Thumbdrive
		BLACK PNY 64 GB

<p>I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.</p> <p><u>Rhonda Lipp</u> Signature</p>	<p>I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.</p> <p><u>Randa Simson</u> Signature – Impounding Investigator</p>
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**RETURNED PROPERTY RECEIPT**

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

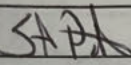
.....

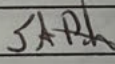
_____ Signature	_____ Date
.....	.....
Received by: _____	Date: _____
Received by: _____	Date: _____
Received by: _____	Date: _____

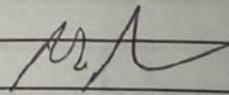
Copies for: File, Transmittal, Laboratory, Property Receipt



# Surveillance Discrepancies

Date:	10/22/22
Table/Area:	6
Date, start and end time of discrepancy	\$ 18:02:00 →
Notes:	Player thought that hand started below 6pm so high hand.
Signature:	
License number :	7909922

Date:	10/26/22
Table/Area:	22
Date, start and end time of discrepancy	20:44 - 20:45
Notes:	P-1 pushed and player hand hit it and chips got mis tangled w/ player next to him
Signature:	
License number :	7909922

Date:	10/31	WENT
Table/Area:	7	
Date, start and end time of discrepancy	6:55 - 7:00	✓
Notes:	WENT TO CHECK POT DISAP IN T7 PLAYBACK DID NOT WORK CALL RYAN AT THIS POINT	
Signature:		
License number :	8617367	

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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- [Complaint Search](#)
- [Mass Status Update](#)
- [Change Recording License Type](#)
- [Public Case Info](#)
- [Delete Complaint](#)
- [Mass Activity Update](#)
- [Mass Discipline Update](#)

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Imuniz

[VR Home](#) [Complaint Search](#) [Maintain Complaint](#)

Lic Type <b>1002 - Cardroom License</b>	Status <b>20 Under Investigation</b>	Status Date <b>11/17/2022</b>
Complaint # <b>2022055132</b>	Case Type <b>CMP Complaint</b>	Disposition
Docket#	Re pondent <b>SARASOTA KENNEL CLUB, INC.</b>	Re pon ible <b>rsamson - SAMSON, RANDA</b>
		<b>Private Ca e</b>

Complaint	Re pondent	Complainant	Add'l Info
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Source <b>INTN - Internal</b>	Security Level <b>1</b>	<input type="checkbox"/>	<b>Parties</b>	<input checked="" type="checkbox"/>	<b>Activities</b>
Form <b>INTR - Internal</b>	Priority	<input checked="" type="checkbox"/>	<b>Allegations</b>	<input type="checkbox"/>	<b>Discipline</b>
Class'n <b>V-C - Cardroom Violations</b>	Complexity <b>R - Regular</b>	<input type="checkbox"/>	<b>Violation</b>	<input type="checkbox"/>	<b>Compliance</b>
Security <b>STND - Standard</b>	Incident	<input type="checkbox"/>	<b>Related</b>	<input checked="" type="checkbox"/>	<b>Disposition</b>
Region <b>CR - Central Region</b>	Received <b>11/17/2022</b>	<input type="checkbox"/>	<b>Inspection</b>		
Reference <b>61D-11.025(2)(a)(1) &amp; (14)(a)</b>		<input type="checkbox"/>	<b>Costs</b>		
Entered <b>11/17/2022</b>	Entered By <b>Imuniz</b>	<input type="checkbox"/>	<b>Time Tracking</b>		<b>Auto A ign</b>
Summary <b>153-Sarasota Kennel Club, Inc. ----- / ----- . Cardroom Electronic Surveillance: On November 1, 2022, The Division was notified VIA E-Mail from RHONDA RENEE LIPP that SARASOTA KENNEL CLUB, had lost surveillance coverage of 32 tables for approximately four (4) days due to a faulty hard drive.</b>		<input type="checkbox"/>	<b>Attachments</b>		<b>History</b>
		<input type="checkbox"/>	<b>Work Notes</b>		<b>Print Report</b>
Updated <b>11/17/2022 12:21:26</b>	By <b>Imuniz</b>				

<a href="#">Change</a>	<a href="#">Save</a>	<a href="#">OK</a>	<a href="#">Cancel</a>	<a href="#">Back</a>
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**STATE OF FLORIDA  
 FLORIDA GAMING CONTROL COMMISSION  
 DIVISION OF PARI-MUTUEL WAGERING  
 OPEN CASE REQUEST  
 (OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)**

**INCIDENT DATE:** 10/28/2022-10/31/2022

PMW     Cardroom     Slot

Violation     Incident     Complaint

**FACILITY NAME:** SARASOTA KENNEL CLUB, INC.    **LIC #:** 153

**RESPONDENT**

<b>NAME:</b> SARASOTA KENNEL CLUB, INC.		
Address: 4404 Bee Ridge Road, Unit #26, Sarasota, FL 34233		Tel #: (941) 355-7744
<b>LIC #:</b> 153	<b>LIC TYPE:</b> 1002	<b>OCCUPATION:</b> PERMIT HOLDER

**COMPLAINANT**

<b>NAME:</b>		Tel #:
Address:		
<b>LIC #:</b>	<b>LIC TYPE:</b>	<b>OCCUPATION:</b>

**VIOLATION(S) / TITLE(S): 61D-11.025 Cardroom Electronic Surveillance.**


- (2) The surveillance system must be capable of:
  - (a) Covert monitoring of:
    - 1. The conduct and operation of card and domino tables,
- (14) All electronic surveillance recordings of cardroom activity shall be:
  - (a) Maintained for at least 14 days;
- (15) The surveillance system must possess the capability to monitor, identify, and record the activities of all persons throughout the cardroom and supporting areas in a manner that provides 100 percent camera coverage of the cardroom at all times.
- (16) The surveillance system shall provide for clear lines of sight for any surveillance cameras or equipment and shall cover all areas where cards or dominoes are played or where money is collected, distributed, or counted.

**DESCRIPTION:** On November 1, 2022, The Division was notified VIA E-Mail from RHONDA RENEE LIPP that **SARASOTA KENNEL CLUB**, had lost surveillance coverage of 32 tables for approximately four (4) days due to a faulty hard drive.

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_  
 (Title of State Employee)

Randa Samson  
 (Print Name)

  
 (Signature)

November 8, 2022  
 (Date)

## Muniz, Luz

---

**From:** Washington, Derek  
**Sent:** Monday, November 14, 2022 1:08 PM  
**To:** Muniz, Luz  
**Subject:** OCR SARASOTA KENNEL CLUB INC. 11.2.2022  
**Attachments:** OCR SARASOTA KENNEL CLUB INC. 11.2.2022.docx

Hello Luz,  
Attached is an OCR for a cardroom violation, please assign to Randa.

Thanks  
Derek





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: **Imuniz**

[VR Home](#) | 
 [License Search](#) | 
 [License Home](#)

<b>License</b> Fed Tax # <span style="background-color: black; color: black;">XXXXXXXXXX</span> Lic Type <b>1002 - Cardroom License</b> Expires On <b>06/30/2023</b> File # <b>48</b> Name <b>SARASOTA KENNEL CLUB, INC.</b> Extended To License # <b>153</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On Entity # <b>153</b> Lic Status <b>Current</b>			<input type="checkbox"/> <table border="1"> <tr><td>Licensee</td></tr> <tr><td>History</td></tr> <tr><td>Notes</td></tr> <tr><td>Notes History</td></tr> <tr><td>Back</td></tr> </table>	Licensee	History	Notes	Notes History	Back		
Licensee										
History										
Notes										
Notes History										
Back										
<b>Address</b> Street # <b>5400</b> Street <b>BRADENTON ROAD</b> Line 2 Line 3 City <b>SARASOTA</b> State <b>FL</b> Zip <b>34234</b> Routing										
<b>Other</b> 1st License Date <b>03/22/2022</b> Rank Date <b>03/22/2022</b> Certificate # Method <b>I-S-1020</b> Status Date <b>07/14/2008</b> Certificate Date Fee Exempt <b>No</b> Birth Date Renewal Sent										
<b>Select</b> Action <input type="text"/>  										
<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>L</td> <td>153 - Sarasota Kennel</td> <td>12/11/2006</td> <td></td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	L	153 - Sarasota Kennel	12/11/2006	
Type	Modifier	Effective Date	Additional Info							
L	153 - Sarasota Kennel	12/11/2006								
<b>Alt Keys</b> BEST LIC NBR <b>153</b>										



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Washington County Kennel Club, Inc.; Case No. 2023-000965; Consent Order  
Date: April 24, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Washington County Kennel Club, Inc. (“Respondent”) to resolve Case No. 2023-000965. Pursuant to the terms of the proposed order, Respondent would be issued a \$250 administrative fine for violating section 849.086(7)(h)1, Florida Statutes.

### *Background*

On or about September 14, 2022, it was discovered that Respondent was providing a designated player game, which had not been approved by the former Division of Pari-Mutuel Wagering on or before March 15, 2018, or identified in the cardroom license application approved by the former Division of Pari-Mutuel Wagering on or before April 1, 2021. Respondent has no prior violations of this rule.

### *Analysis*

The Commission has the authority to impose an administrative fine up to \$1,000.00 for each violation of section 849.086, Florida Statutes, or any rules adopted pursuant to that section.<sup>1</sup>

Section 849.086(7)(h)1, Florida Statutes, provides that “[p]oker games to be played in a designated player manner must have been identified in cardroom license applications approved by the division on or before March 15, 2018, or, if a substantially similar poker game, identified in cardroom license applications approved by the division on or before April 1, 2021.”

Because Respondent provided a designated player game, which had not been approved by the former Division of Pari-Mutuel Wagering on or before March 15, 2018, or identified in the cardroom license application approved by the former

---

<sup>1</sup> § 849.086(14)(c), Fla. Stat.

Division of Pari-Mutuel Wagering on or before April 1, 2021, it is subject to an administrative fine of up to \$1000.

Staff Recommendation: The Florida Gaming Control Commission should adopt the settlement and consent order in cased number 2023-000965.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-000965

WASHINGTON COUNTY KENNEL CLUB,  
INC.,

Respondent.

\_\_\_\_\_ /

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and Washington County Kennel Club, Inc. (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Cardroom permit and license, number 154-1002, issued by the Division.
2. This Consent Order is to be entered in resolution of the one-count Administrative Complaint filed in FGCC Case Number 2023-000965, alleging that on September 14, 2022, Respondent was in violation of section 849.086(7)(h)1, Florida Statutes, by offering a designated player game, which was not approved by the former Division of Pari-mutuel Wagering on or before March 15, 2018, or identified in cardroom license applications approved by the former Division of Pari-mutuel Wagering on or before April 1, 2021.

## STIPULATION

WHEREAS the Division and Respondent (“Parties”), desire to resolve this matter, the following terms are stipulated:

3. The Division has jurisdiction over this matter and the Parties.
4. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
5. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel, and has either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.
6. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.
7. The Parties acknowledge and agree to waive any further administrative and judicial review.
8. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.
9. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

10. **FINE:** Respondent agrees to, and must pay to the Division, the sum of **TWO HUNDRED FIFTY DOLLARS (\$250.00)**, at the time Respondent submits an executed copy of this Consent Order. **The payment must be in the form of a certified check, cashier's check, or money order, made payable to the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (NO PERSONAL CHECKS).** Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.

11. Respondent must mail this Consent Order and the payment to: **Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.** Please note FGCC Case Number 2023-000965 on the face of the payment.

12. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission ("Commission"). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

13. Upon the Commission's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

14. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this

Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

15. This Consent Order may be signed in counterparts, and copies shall be treated as original.

16. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

17. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov), for the meeting materials, agenda, and contact information.

18. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*



WHEREFORE, WASHINGTON COUNTY KENNEL CLUB, INC., requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 1<sup>st</sup> day of April, 2023.

WASHINGTON COUNTY KENNEL CLUB, INC., Respondent

Signed on behalf of Washington County Kennel Club, Inc. by:

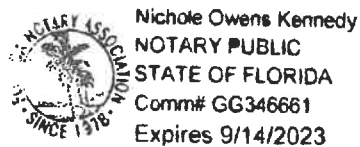
STOCKTON HESS  
Printed Name

[Signature]  
Title

STATE OF Florida  
COUNTY OF Washington

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 1 day of April, 2023, by Stockton Hess, who is personally known to me or who produced the following as identification: \_\_\_\_\_

Nichole Owens Kennedy  
Notary Public



My commission expires:  
09/14/2023

APPROVED this 17 day of April, 2023.

*Emily Alvarado*

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**EMILY ALVARADO**  
**DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-000965

WASHINGTON COUNTY KENNEL CLUB,  
INC.,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Washington County Kennel Club, Inc. (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Cardroom permit and license, number 154-1002, issued by Petitioner.
3. On or about September 14, 2022, it was discovered that Respondent was offering a new designated player game, Quick Draw Poker, which was not approved by the former Division of Pari-mutuel Wagering on or before March 15, 2018, or identified in cardroom license applications approved by the former Division of Pari-mutuel Wagering on or before April 1, 2021.
4. On or about January 4, 2023, Respondent was informed that they no longer could offer Quick Draw Poker.

5. On February 1, 2023, Respondent removed the felt cover for Quick Draw Poker from the cardroom table.

6. Section 849.086(7)(h)1, Florida Statutes, provides “[p]oker games to be played in a designated player manner must have been identified in cardroom license applications approved by the former Division of Pari-mutuel Wagering on or before March 15, 2018, or, if a substantially similar poker game, identified in cardroom license applications approved by the former Division of Pari-mutuel Wagering on or before April 1, 2021.”

7. Based on the foregoing, Respondent violated section 849.086(7)(h)1, Florida Statutes, by offering a designated player game, which was not approved by the former Division of Pari-mutuel Wagering on or before March 15, 2018, or identified in cardroom license applications approved by the former Division of Pari-mutuel Wagering on or before April 1, 2021.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in section 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-000965 is signed this 21st day of March, 2023.

/s/ Emily A. Alvarado

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

### NOTICE OF RIGHTS

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
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<a href="#">Complaint Search</a>	<a href="#">Change Recording License Type</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline Update</a>
<a href="#">Mass Status Update</a>	<a href="#">Public Case Info</a>			

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **icampbell**

[VR Home](#) > [Complaint Search](#) > [Maintain Complaint](#)

Lic Type <b>1002 - Cardroom License</b>	Status <b>90 Closed</b>	Status Date <b>03/16/2023</b>
Complaint # <b>2023000965</b>	Case Type <b>CMP - Complaint</b>	Disposition
Docket#	Respondent <b>WASHINGTON COUNTY KENNEL CLUB, INC</b>	Responsible <b>cwtaylor - TAYLOR, CHARLES W</b>
		<b>Private Case</b>

<a href="#">Complaint</a>	<a href="#">Respondent</a>	<a href="#">Complainant</a>	<a href="#">Add'l Info</a>
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Source <b>INTN - Internal</b>	Security Level <b>1</b>	<input type="checkbox"/> <a href="#">Parties</a>	<input checked="" type="checkbox"/> <a href="#">Activities</a>
Form <b>INTR - Internal</b>	Priority	<input checked="" type="checkbox"/> <a href="#">Allegations</a>	<input type="checkbox"/> <a href="#">Discipline</a>
Class'n <b>V-C - Cardroom Violations</b>	Complexity <b>R - Regular</b>	<input type="checkbox"/> <a href="#">Violations</a>	<input type="checkbox"/> <a href="#">Compliance</a>
Security <b>STND - Standard</b>	Incident <b>01/04/2023</b>	<input type="checkbox"/> <a href="#">Related</a>	<input checked="" type="checkbox"/> <a href="#">Disposition</a>
Region <b>NR - Northern Region</b>	Received <b>01/05/2023</b>	<input type="checkbox"/> <a href="#">Inspection</a>	
Reference <b>849.086(7)(h)(1)</b>		<input type="checkbox"/> <a href="#">Costs</a>	
Entered <b>01/05/2023</b>	Entered By <b>Imuniz</b>	<input type="checkbox"/> <a href="#">Time Tracking</a>	<a href="#">Auto Assign</a>
Summary	<b>154-Washington County Kennel Club, Inc. ----- / ----- . Cardroom authorized: On January 4, 2023, Washington County Kennel Club (Ebro) was found to be operating an unapproved designated player game called "Quick Draw Poker." This is a violation of the above cited statute.</b>	<input type="checkbox"/> <a href="#">Attachments</a>	<a href="#">History</a>
Updated <b>03/16/2023 14:59:08</b>	By <b>icampbell</b>	<input type="checkbox"/> <a href="#">Work Notes</a>	<a href="#">Print Report</a>

<b>69</b>	<a href="#">Change</a>	<a href="#">Save</a>	<a href="#">OK</a>	<a href="#">Cancel</a>	<a href="#">Back</a>
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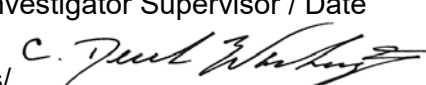
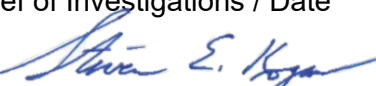
[Get Adobe Reader.](#)

Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>NORTHERN</b>	Date of Complaint: <b>January 9, 2023</b>	Case Number: <b>2023 00 0965</b>
Respondent:  <b>Washington County Kennel Club, Inc.</b> 6558 Dog Track Road Ebro, Florida 32437  <b>(850) 234-3943</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING</b> <b>OFFICE OF INVESTIGATIONS</b> <b>1400 West Commercial Boulevard, Suite 165</b> <b>Ft. Lauderdale, Florida 33309</b>	
License # and Type: <b>154-1002</b>	Profession: <b>Cardroom</b>	Report Date: <b>March 14, 2023</b>	
Period of Investigation: <b>January 9, 2023 through March 14, 2023</b>		Type of Report: <b>Final</b>	
Alleged Violation: <b>849.086 Cardrooms authorized.—</b> (7) CONDITIONS FOR OPERATING A CARDROOM.— (h) Poker games played in a designated player manner in which one player is permitted, but not required, to cover other players' wagers must comply with the following restrictions: 1. Poker games to be played in a designated player manner must have been identified in cardroom license applications approved by the former Division of Pari-mutuel Wagering on or before March 15, 2018, or, if a substantially similar poker game, identified in cardroom license applications approved by the former Division of Pari-mutuel Wagering on or before April 1, 2021.			
Synopsis: <b>WASHINGTON COUNTY KENNEL CLUB, INC.</b> was found to be operating a new designated player game called Quick Draw Poker, which had not been identified in the cardroom license applications and approved by the Division.			
Related Case:			
Investigator / Date  /s/  CW Taylor / March 14, 2023		Investigator Supervisor / Date  /s/  C. Derek Washington / March 16, 2023	
Chief of Investigations / Date  /s/  Steven E. Kogan / March 16, 2023			



## CONTINUATION

## Investigative Activity:

On September 14, 2022, during a routine cardroom inspection at the **WASHINGTON COUNTY KENNEL CLUB (EBRO)**. I noticed a new Designated Player game called "Quick Draw Poker" installed on Table 22, I spoke with Keith **MOORE**, Cardroom Manager (7944868-1012-2024), and **MOORE** explained it was a game he had been designing himself for a long time. He indicated that it was simply based on the game One Card poker, but it allowed you to have additional bonus wagers not included with the current One Card poker game offered statewide. I later verbally informed my Supervisor, Derek **WASHINGTON**, about the game.

On Friday, October 28, 2022, I received an email from Steven **KOGAN**, Chief of Investigations, requesting information regarding the new game, which was reported to imitate playing Roulette. I immediately contacted **MOORE** and requested all information regarding the new game, which he sent via email. **(EXHIBIT #1)**

On January 4, 2023, Investigations Supervisor Derek **WASHINGTON** and I went to **WASHINGTON COUNTY KENNEL CLUB (EBRO)** and advised Cardroom Manager Keith **MOORE** that they were in violation for operating a new designated player game called Quick Draw Poker, which had not been identified in the cardroom license applications and approved by the Division. He stated that the cardroom wanted to comply and would do whatever was required. He said they would no longer offer the game, remove the table felt, and replace it with an approved game as soon as possible.

On January 31, 2023, during a routine cardroom inspection at **WASHINGTON COUNTY KENNEL CLUB (EBRO)**, I found that the table felt was not replaced yet, so I reminded management that they had agreed to remove and replace the table felt within a timely manner, and they indicated that the table felt would be replaced as soon as possible.

On February 1, 2023, I received a photo of the table with the Quick Draw Poker felt removed. **(EXHIBIT #2)**

Case Status: Investigations case closed. Case forwarded to Legal for review.

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# QUICK DRAW POKER

<b>2</b> 12-1	<b>3</b> 12-1		<b>K</b> 12-1	<b>A</b> 12-1
<b>5</b> 12-1	<b>4</b> 12-1		<b>Q</b> 12-1	<b>J</b> 12-1
<b>6</b> 12-1	<b>7</b> 12-1	<b>8</b> 12-1	<b>9</b> 12-1	<b>10</b> 12-1
<b>2-7</b> 1-1		<b>JOKER</b> 16-1	<b>9-A</b> 1-1	
 3-1	 3-1	<b>MATCH</b> Suit 1-1 Rank 5-1 Joker 100-1	 3-1	 3-1
 <b>RED</b> 1-1		<b>OVER</b> 1-1 <b>UNDER</b>	 <b>BLACK</b> 1-1	

THERE ARE FIFTY-FIVE (55) CARDS USED TO PLAY QUICK DRAW POKER: A STANDARD DECK OF FIFTY-TWO (52) CARDS PLUS THREE IDENTICAL JOKERS.

## RANKING OF HANDS:

1. THE RANK OF THE CARDS USED IN QUICK DRAW POKER, FOR THE PURPOSE OF DETERMINING A WINNING OVER WAGER, SHALL BE, IN ORDER FROM HIGHEST TO LOWEST RANK: JOKER, ACE, KING, QUEEN, JACK, 10, 9, 8, 7, 6, 5, 4, 3, AND 2.
2. THE RANK OF THE CARDS USED IN QUICK DRAW POKER, FOR THE PURPOSE OF DETERMINING A WINNING UNDER WAGER, SHALL BE, IN ORDER FROM HIGHEST TO LOWEST RANK: JOKER, 2, 3, 4, 5, 6, 7, 8, 9, 10, JACK, QUEEN, KING, AND ACE.

GENERAL:

1. ALL THE WAGERS AT QUICK DRAW POKER SHALL BE MADE BY PLACING CHIPS ON THE APPROPRIATE BETTING AREAS OF THE TABLE LAYOUT IN ACCORDANCE WITH THE POSTED TABLE MINIMUM AND MAXIMUM WAGERING LIMITS.
  - A. OVER/UNDER: \$5 - \$3,000
    - I. MAY BET \$6, \$7, \$8, OR \$9, BUT MUST BE IN INCREMENTS OF \$5 AFTERWARDS
    - II. MAKE SURE PLAYERS MAKING SMALL, ODD NUMBERED BETS UNDERSTAND HOW THE SURRENDER WORKS WHEN THE PLAYER AND DP ARE TIED. FOR EXAMPLE, A \$5 WAGER WOULD HAVE \$3 GO TO THE DESIGNATED PLAYER, AND THE PLAYER WOULD KEEP \$2.
  - B. RED, BLACK, DIAMOND, HEART, CLUB, SPADE, 2-7, 9-A : \$5 - \$3000
  - C. MATCH, JOKER, 2, 3, 4, 5, 6, 7, 8, 9, 10, J, Q, K, A: \$2- \$500
    - I. MAY BET \$2, \$3, OR \$4, BUT MUST BE IN INCREMENTS OF \$5 AFTERWARDS
2. ALL WAGERS SHALL BE PLACED PRIOR TO THE DEALER ANNOUNCING "NO MORE BETS".
3. AT THE BEGINNING OF EACH ROUND OF PLAY, EACH PLAYER SHALL BE REQUIRED TO PLACE AN OVER OR UNDER WAGER.
  - A. PLAYERS MAY NOT PLAY BOTH. DEALERS SHOULD CLARIFY PLACEMENT OF THE BET BEFORE DEALING CARDS IF THERE IS ANY QUESTION AS TO WHICH BET THE PLAYER IS MAKING.
  - B. IF THERE IS A QUESTION OVER WHICH BET WAS MADE AFTER THE CARDS HAVE BEEN DEALT, THE FLOOR SHOULD BE CALLED, AND THE DEFAULT BET WILL BE CONSIDERED TO BE THE OVER BET.
4. EACH PLAYER WHO HAS PLACED AN OVER OR UNDER WAGER SHALL ALSO HAVE THE OPTION TO MAKE BONUS BETS.
5. THE DESIGNATED PLAYER WILL COLLECT ALL LOSING WAGERS AND WILL PAY ALL WINNING WAGERS TO THE EXTENT THEIR CHIP STACK COVERS. ONCE THE DESIGNATED PLAYER`S CHIP STACK IS EXHAUSTED, ALL PLAYER WAGERS NOT COVERED BY THE DESIGNATED PLAYER WILL BE RETURNED TO THE PLAYERS.

6. HOUSE RAKE IS PAID BY THE DESIGNATED PLAYER, AT A RATE DETERMINED BY THE CARDROOM AND POSTED AT THE TABLE.
7. AT THE START OF EACH HAND, THE DEALER WILL PERFORM A STANDARD SHUFFLE, SHUFFLE, BOX, AND SHUFFLE OF THE DECK. THE DEALER WILL WAIT UNTIL ALL BETS ARE SET BEFORE CUTTING THE DECK ONTO A CUT CARD. NO MORE BETS WILL BE ALLOWED TO BE MADE AFTER THE DEALER CUTS THE DECK.

#### DEALING PROCEDURES:

1. PRIOR TO DEALING ANY CARDS, THE DEALER SHALL ANNOUNCE "NO MORE BETS" AND BURN ONE CARD. THE DEALER WILL PLACE EACH CARD FACE UP ON THE APPROPRIATE AREA OF THE LAYOUT.
2. NO PLAYER SHALL TOUCH ANY CARD USED IN THE GAME OF QUICK DRAW POKER OTHER THAN THEIR OWN.
3. THE DEALER SHALL, STARTING WITH THE FIRST PLAYER CLOCKWISE FROM THE DEALER BUTTON AND CONTINUING IN A CLOCKWISE MANNER, DEAL THE CARDS AS FOLLOWS:
  - A. ONE CARD FACE UP TO EACH PLAYER WHO HAS PLACED AN OVER OR UNDER WAGER; AND
  - B. ONE CARD FACE UP FOR THE DESIGNATED PLAYER IN FRONT OF THE DEALER










#### ROUND OF PLAY:

1. AFTER THE DEALING PROCEDURES ABOVE HAVE BEEN COMPLETED, THE DEALER SHALL, BEGINNING FROM THE FIRST PLAYER COUNTER-CLOCKWISE FROM THE DEALER BUTTON AND PROCEEDING AROUND THE TABLE IN A COUNTER-CLOCKWISE DIRECTION, COMPARE THE RANK OF EACH PLAYER'S CARD WITH THAT OF THE DESIGNATED PLAYER'S CARD AND SETTLE ALL OVER OR UNDER WAGERS AND BONUS BETS:
  - A. IF THE PLAYER CHOSE TO BET OVER:
    - I. IF THE PLAYER'S CARD IS LOWER IN RANK THAN THE DESIGNATED PLAYER'S CARD, THE PLAYER SHALL LOSE THEIR OVER WAGER.
    - II. IF THE PLAYER'S CARD IS HIGHER IN RANK THAN THE DESIGNATED PLAYER'S CARD, THE PLAYER SHALL WIN, AND THEIR OVER WAGER WILL BE PAID 1 TO 1.

- III. IF THE PLAYER'S CARD AND THE DESIGNATED PLAYER'S CARD ARE OF EQUAL RANK (A TIE HAND), THE PLAYER SURRENDERS HALF OF THEIR OVER WAGER.
- B. IF THE PLAYER CHOSE TO BET UNDER:
  - I. IF THE PLAYER'S CARD IS LOWER IN RANK THAN THE DESIGNATED PLAYER'S CARD, THE PLAYER SHALL LOSE THEIR UNDER WAGER.
    1. REMEMBER THAT THE RANKING FROM HIGHEST TO LOWEST FOR THE UNDER WAGER IS JOKER, 2, 3, 4, 5, 6, 7, 8, 9, 10, JACK, QUEEN, KING, ACE.
      - A. FOR EXAMPLE, AN ACE IS LOWER RANKED THAN A 2.
  - II. IF THE PLAYER'S CARD IS HIGHER IN RANK THAN THE DESIGNATED PLAYER'S CARD, THE PLAYER SHALL WIN, AND THEIR UNDER WAGER WILL BE PAID 1 TO 1.
  - III. IF THE PLAYER'S CARD AND THE DESIGNATED PLAYER'S CARD ARE OF EQUAL RANK (A TIE HAND), THE PLAYER SURRENDERS HALF OF THEIR UNDER WAGER.
- C. AFTER THE OVER OR UNDER WAGER IS SETTLED, THE DEALER SHALL PAY OR TAKE ALL BONUS BETS ACCORDING TO THE BONUS BET QUALIFICATIONS AND PAYOUTS TABLE.
- D. IF AN ODD AMOUNT IS WAGERED, AND THE PLAYER SURRENDERS HALF OF THEIR BET, WE ROUND UP TO THE NEAREST DOLLAR.
  - I. FOR EXAMPLE, IF \$15 IS WAGERED AND THE PLAYER IS FORCED TO SURRENDER, THEY SURRENDER \$8 AND KEEP \$7.
2. AFTER THE COLLECTION OF ALL LOSING WAGERS AND THE PAYMENT OF ALL WINNING WAGERS, THE DEALER SHALL COLLECT ALL CARDS, OFFER THE ROTATION OF THE DESIGNATED PLAYER BUTTON TO ALL ELIGIBLE DESIGNATED PLAYERS, AND BEGIN A NEW HAND.
3. THE DESIGNATED PLAYER IS NEVER REQUIRED TO COVER ALL OPPOSING PLAYERS' WAGERS. PAYOFFS OF WAGERS ARE LIMITED TO THE AMOUNT OF THE DESIGNATED PLAYER'S CHIP STACK.



BONUS BET	QUALIFICATIONS AND PAYOUTS
2	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF 2: PAY 12 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
3	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF 3: PAY 12 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
4	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF 4: PAY 12 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
5	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF 5: PAY 12 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
6	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF 6: PAY 12 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
7	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF 7: PAY 12 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
8	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF 8: PAY 12 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
9	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF 9: PAY 12 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
10	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF 10: PAY 12 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
J	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF JACK: PAY 12 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
Q	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF QUEEN: PAY 12 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
K	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF KING: PAY 12 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
A	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF ACE: PAY 12 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
JOKER	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF JOKER: PAY 16 TO 1</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>

	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF 2, 3, 4, 5, 6, OR 7: PAY 1 TO 1</li> <li>● IF CARD HAS RANK OF 8: PUSH</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS RANK OF 9, 10, JACK, QUEEN, KING, OR ACE: PAY 1 TO 1</li> <li>● IF CARD HAS RANK OF 8: PUSH</li> <li>● IF CARD HAS ANY OTHER RANK: TAKE</li> </ul>
	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS A SUIT OF HEARTS OR DIAMONDS: PAY 1 TO 1</li> <li>● IF CARD IS A JOKER OR HAS A SUIT OF CLUBS OR SPADES: TAKE</li> </ul>
	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS A SUIT OF CLUBS OR SPADES: PAY 1 TO 1</li> <li>● IF CARD IS A JOKER OR HAS A SUIT OF HEARTS OR DIAMONDS: TAKE</li> </ul>
	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS A SUIT OF HEARTS: PAY 3 TO 1</li> <li>● IF CARD IS A JOKER OR HAS A SUIT OF CLUBS, SPADES, OR DIAMONDS: TAKE</li> </ul>
	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS A SUIT OF DIAMONDS: PAY 3 TO 1</li> <li>● IF CARD IS A JOKER OR HAS A SUIT OF CLUBS, SPADES, OR HEARTS: TAKE</li> </ul>
	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS A SUIT OF CLUBS: PAY 3 TO 1</li> <li>● IF CARD IS A JOKER OR HAS A SUIT OF DIAMONDS, SPADES, OR HEARTS: TAKE</li> </ul>
	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD HAS A SUIT OF SPADES: PAY 3 TO 1</li> <li>● IF CARD IS A JOKER OR HAS A SUIT OF CLUBS, DIAMONDS, OR HEARTS: TAKE</li> </ul>
	<ul style="list-style-type: none"> <li>● IF PLAYER'S CARD AND DESIGNATED PLAYER'S CARD HAS THE SAME SUIT: PAY 1 TO 1</li> <li>● IF PLAYER'S CARD AND DESIGNATED PLAYER'S CARD HAS THE SAME RANK: PAY 5 TO 1</li> <li>● IF PLAYER'S CAR AND DESIGNATED PLAYER'S CARD ARE BOTH JOKERS: PAY 100 TO 1</li> </ul>



QUICK DRAW POKER MAY BE PLAYED WITH UP TO 5 PLAYERS, INCLUDING ALL DESIGNATED PLAYERS, AND WILL GENERALLY BE PLAYED ON TABLES THAT LOOK LIKE:



SIGNAGE, INCLUDING RAKE STRUCTURES, BETTING LIMITS, AND NOTICE OF JOKER CARDS WILL BE DISPLAYED ON ALL TABLES RUNNING QUICK DRAW POKER.







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Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **cwtaylor**

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<b>License</b> Fed Tax # <span style="background-color: black; color: black;">[REDACTED]</span> Lic Type <b>1002 - Cardroom License</b> Expires On <b>06/30/2023</b> File # <b>37</b> Name <b>WASHINGTON COUNTY KENNEL CLUB, INC</b> Extended To License # <b>154</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On Entity # <b>154</b> Lic Status <b>Current</b>			<input type="button" value="Licensee"/> <input type="button" value="History"/> <input type="button" value="Notes"/> <input type="button" value="Notes History"/> <input type="button" value="Back"/>							
<b>Address</b> Street # <b>6558</b> Street <b>DOG TRACK ROAD</b> Line 2 Line 3 City <b>EBRO</b> State <b>FL</b> Zip <b>32437</b> Routing										
<b>Other</b> 1st License Date <b>03/22/2022</b> Rank Date <b>03/22/2022</b> Certificate # Method <b>I-S-1020</b> Status Date <b>07/14/2008</b> Certificate Date Fee Exempt <b>No</b> Birth Date Renewal Sent										
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<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>L</td> <td>154 - Washington County Kennel Club, Inc.</td> <td>03/30/2007</td> <td></td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	L	154 - Washington County Kennel Club, Inc.	03/30/2007	
Type	Modifier	Effective Date	Additional Info							
L	154 - Washington County Kennel Club, Inc.	03/30/2007								
<b>DBA Name</b> DBA <b>EBRO GREYHOUND PARK</b>										
<b>Alt Keys</b> BEST LIC NBR <b>CLI154</b>										


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<b>License</b> Fed Tax # [REDACTED] Lic Type <b>1012 - Cardroom Employee Occupational</b> Expires On <b>06/30/2024</b> File # <b>3433</b> Name <b>MOORE, KEITH TRAVIS</b> Extended To License # <b>7944868</b> Rank <b>CEMP - Cardroom Employee Occupational</b> Renewed On Entity # <b>7944868</b> Lic Status <b>Current</b>		<input type="button" value="Licensee"/> <input type="button" value="History"/> <input type="button" value="Notes"/> <input type="button" value="Notes History"/> <input type="button" value="Back"/>																				
<b>Address</b> Street # <b>1302</b> Street <b>ARTHUR AVENUE</b> Line 2 Line 3 City <b>PANAMA CITY</b> State <b>FL</b> Zip <b>32401</b> Routing																						
<b>Other</b> 1st License Date <b>05/18/2021</b> Rank Date <b>05/18/2021</b> Certificate # Method <b>I-S-1024</b> Status Date <b>05/18/2021</b> Certificate Date Fee Exempt <b>No</b> Birth Date [REDACTED] Renewal Sent																						
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<b>Alt Keys</b> BEST LIC NBR <b>7944868</b>																						

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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Tampa Bay Downs, Inc., Case No. 2023-001300; Consent Order  
Date: April 24, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Tampa Bay Downs, Inc. (“Respondent”) to resolve Case No. 2023-001300. Pursuant to the terms of the proposed order, Respondent would pay an administrative fine of \$500 for violating rule 75-11.012(8), Florida Administrative Code.

### *Background*

On or about January 2, 2023, Respondent allowed an employee that was not on the authorized list for the surveillance room to enter and observe the count. Respondent has one prior violations of rule 75-11.012(8), Florida Administrative Code, which resulted in an administrative fine of \$250.

### *Analysis*

The Commission may resolve matters informally through a negotiated settlement.<sup>1</sup> The Commission has the authority to impose an administrative fine of \$1,000.00 for each violation of section 849.086, Florida Statutes, or any rules adopted pursuant to that section.<sup>2</sup> Mitigation may be taken into consideration when imposing an administrative fine.

Rule 75-11.012(8), Florida Administrative Code, provides “[c]ardroom operators shall establish, and list in their internal controls, security controls that limit access into the cashiers’ cage(s), count room, vault, and surveillance room. This list shall include the position titles of all employees who have access to these areas.”

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<sup>1</sup> See § 120.57(4), Fla. Stat. (“Unless precluded by law, informal disposition may be made of any proceeding by stipulation, agreed settlement, or consent order.”)

<sup>2</sup> § 849.086(14)(c), Fla. Stat.

Because Respondent allowed an employee that was not on the authorized list for the surveillance room to enter and observe the count, it is subject to an administrative fine not to exceed \$1000.00 per count.

Staff Recommendation: The Florida Gaming Control Commission should adopt the settlement and consent order in case number 2023-001300.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-001300

TAMPA BAY DOWNS INC,

Respondent.

---

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and Tampa Bay Downs, Inc. (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Cardroom permit and license, number 320-1002, issued by the Division.
2. This Consent Order is to be entered in resolution of the one-count Administrative Complaint filed in FGCC Case Number 2023-001300, alleging that on January 2, 2023, Respondent was in violation of rule 61D-11.012(8) Florida Administrative Code, by allowing an employee that was not on the authorized list for the surveillance room to enter and observe the count.

STIPULATION

WHEREAS the Division and Respondent (“Parties”), desire to resolve this matter, the following terms are stipulated:

3. The Division has jurisdiction over this matter and the Parties.



4. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

5. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel, and has either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.

6. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.

7. The Parties acknowledge and agree to waive any further administrative and judicial review.

8. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

9. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

10. **FINE:** Respondent agrees to, and must pay to the Division, the total sum of **FIVE HUNDRED DOLLARS (\$500.00)**, at the time Respondent submits an executed copy of this Consent Order. **The payment must be in the form of a certified check, cashier's check, or money order, made payable to the Florida Gaming Control Commission, Division of Pari-**

**Mutuel Wagering (NO PERSONAL CHECKS)**. Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.

11. Respondent must mail this Consent Order and the payment to: **Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming**. Please note FGCC Case Number 2023-001300 on the face of the payment.

12. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission ("Commission"). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

13. Upon the Commission's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

14. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

15. This Consent Order may be signed in counterparts, and copies shall be treated as original.

16. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

17. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov), for the meeting materials, agenda, and contact information.

18. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

WHEREFORE, TAMPA BAY DOWNS INC, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 15 day of March, 2023.

[Signature]  
TAMPA BAY DOWNS INC, Respondent

Signed on behalf of Tampa Bay Downs, Inc. by:

Gregory Gelym  
Printed Name

VP FINANCE  
Title

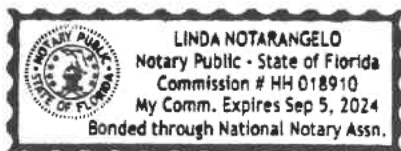
STATE OF FLORIDA

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 15 day of March, 2023, by \_\_\_\_\_, who is personally known to me or who produced the following as identification: \_\_\_\_\_

[Signature]  
Notary Public

My commission expires:



APPROVED this 17 day of April, 2023.

*Emily Alvarado*

**EMILY ALVARADO**

**DEPUTY CHIEF ATTORNEY**

Division of Pari-Mutuel Wagering

Florida Gaming Control Commission

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-001300

TAMPA BAY DOWNS, INC,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Tampa Bay Downs, Inc. (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Cardroom permit and license, number 320-1002, issued by Petitioner.
3. On or about January 2, 2023, Respondent allowed an employee that was not on the authorized personnel access list for the surveillance room to enter the room and observe the count.
4. Rule 61D-11.012(8) Florida Administrative Code, provides:  
  
Cardroom operators shall establish, and list in their internal controls, security controls that limit access into the cashiers’ cage(s), count room, vault, and surveillance room. This list shall include the position titles of all employees who have access to these areas. A current list of employees, including full names and license numbers, authorized to enter each secure area and shall be posted on the inside door of the entrance to each specific area, in the security office, and in the surveillance room at all times.

5. Based on the foregoing, Respondent violated rule 61D-11.012(8), Florida Administrative Code, by allowing an employee that was not on the authorized list for the surveillance room to enter and observe the count.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in section 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-001300 is signed this 1st day of March, 2023.

*/s/ Emily A. Alvarado*

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

### NOTICE OF RIGHTS

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.



VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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- [Complaint Search](#)
- [Mass Status Update](#)
- [Change Recording License Type](#)
- [Public Case Info](#)
- [Delete Complaint](#)
- [Mass Activity Update](#)
- [Mass Discipline Update](#)

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Imuniz

[VR Home](#) [Complaint Search](#) [Maintain Complaint](#)

Lic Type <b>1002 - Cardroom License</b>		Status <b>90 Closed</b>		Status Date <b>02/20/2023</b>	
Complaint # <b>2023001300</b>	Case Type <b>CMP - Complaint</b>	Disposition	Disposition Date		
Docket#	Respondent <b>TAMPA BAY DOWNS, INC.</b>	Responsible <b>rsamson - SAMSON, RANDA</b>	<b>Private Case</b>		

Complaint	Respondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source <b>INTN - Internal</b>	Security Level <b>1</b>	<input type="checkbox"/>	<b>Parties</b>	<input checked="" type="checkbox"/>	<b>Activities</b>
Form <b>INTR - Internal</b>	Priority	<input checked="" type="checkbox"/>	<b>Allegations</b>	<input type="checkbox"/>	<b>Discipline</b>
Class'n <b>V-C - Cardroom Violations</b>	Complexity <b>R - Regular</b>	<input type="checkbox"/>	<b>Violation</b>	<input type="checkbox"/>	<b>Compliance</b>
Security <b>STND - Standard</b>	Incident <b>01/02/2023</b>	<input type="checkbox"/>	<b>Related</b>	<input checked="" type="checkbox"/>	<b>Disposition</b>
Region <b>CR - Central Region</b>	Received <b>01/06/2023</b>	<input type="checkbox"/>	<b>Inspection</b>		
Reference <b>61D-11.012(8)</b>		<input type="checkbox"/>	<b>Costs</b>		
Entered <b>01/09/2023</b>	Entered By <b>Imuniz</b>	<input type="checkbox"/>	<b>Time Tracking</b>	<b>Auto Assign</b>	
Summary <b>320-Tampa Bay Downs, Inc. ----- / ----- . Duties of Cardroom Operators: On January 3, 2023 during a routine quarterly inspection at TAMPA BAY DOWNS I discovered that Security Guard GAIL W. SLEETER (PMW LIC# 10613438), entered the surveillance room and observed the entire count and was not on the authorized surveillance access list.</b>		<input type="checkbox"/>	<b>Attachments</b>	<b>History</b>	
		<input type="checkbox"/>	<b>Work Notes</b>	<b>Print Report</b>	
Updated <b>02/20/2023 16:59:34</b>	By <b>Imuniz</b>				

<a href="#">Change</a>	<a href="#">Save</a>	<a href="#">OK</a>	<a href="#">Cancel</a>	<a href="#">Back</a>
------------------------	----------------------	--------------------	------------------------	----------------------

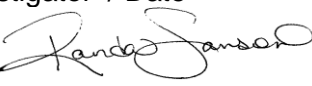
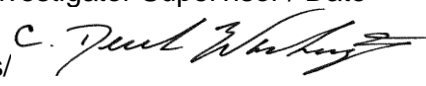

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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>CENTRAL</b>	Date of Complaint: <b>JANUARY 9, 2023</b>	Case Number: <b>2023 00 1300</b>
Respondent:  <b>TAMPA BAY DOWNS, INC. P.O. Box 2007, OLDSMAR, FL 34677  TEL # (813) 222-8935</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>320 / 1002</b>		Profession: <b>PERMIT HOLDER</b>	Report Date: <b>JANUARY 18, 2023</b>
Period of Investigation: <b>JANUARY 3, 2023 – JANUARY 18, 2023</b>		Type of Report: <b>FINAL</b>	
<p><b>Alleged Violation: 61D-11.012 Duties of Cardroom Operators.</b></p> <p>(8) Cardroom operators shall establish, and list in their internal controls, security controls that limit access into the cashiers' cage(s), count room, vault, and surveillance room. This list shall include the position titles of all employees who have access to these areas. A current list of employees, including full names and license numbers, authorized to enter each secure area and shall be posted on the inside door of the entrance to each specific area, in the security office, and in the surveillance room at all times.</p>			
<p><b>Synopsis:</b> On January 3, 2023, during a cardroom inspection at Tampa Bay Downs, I observed Security Guard <b>GAIL W. SLEETER</b> (PMW LIC# 10613438), who was not listed on the Authorized Personnel access list for the surveillance room, enter the surveillance room and observe the entire count.</p>			
<p><b>Related Case:</b> Case # 2022 01 2203</p>			
Investigator / Date  /s/  Randa Samson / January 18, 2023		Investigator Supervisor / Date  /s/  C. Derek Washington / February 16, 2023	
<p>Chief of Investigations / Date  /s/  Steven E Kogan / February 20, 2023</p>			

## CONTINUATION

**Investigative Activity:**

On January 3, 2023, I conducted a routine quarterly cardroom inspection at **TAMPA BAY DOWNS**. During my quarterly inspection, while reviewing recorded surveillance video coverage of January 2, 2023, I observed Security Guard **GAIL W. SLEETER** (PMW LIC# 10613438) enter the surveillance room to view the count being performed. **(EXHIBIT#2)**

A review of the surveillance authorized employee access list showed that **SLEETER** was not on the list. **(EXHIBIT#3)**.

Upon completion of the cardroom inspection, I informed the Director of Security, **Deanna NICOL** (PMW LIC#10306060), of the violation. **NICOL** stated that **SLEETER** was pulled from the back side (barn area) due to **TAMPA BAY DOWNS** being short of help, not realizing she was not on the list. **NICOL** then updated and posted a current employee access list to include Security Guard **GAIL W. SLEETER**. **(EXHIBIT #4)**

**TAMPA BAY DOWNS** violated F.A.C. Rule 61D-11.012(8) for allowing an unauthorized employee to access the surveillance room. **(EXHIBIT #3)**

A check of the Versa Regulation Enforcement database showed one prior violation of the above-cited Rule, at which time a verbal warning was issued (Case #2022 01 2203). **(EXHIBIT #5)**

**Case Status:** Investigation case closed, and the case referred to Legal for review

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4. Updated Access Lists.....1-1

5. Prior Violation Case# 2022 01 2203 Warning.....1-3

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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 [Entity Search](#) | 
 [Modify License Standing](#) | 
 [Maintain License CE Control](#)

Domain 10 - Division of Pari-Mutuel Wagering

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 [Maintain Complaint](#) | 
 [License Home](#)

**License**

Fed Tax XXXXXXXXXX Lic Type **1002 - Cardroom License** Expire On **06/30/2023**  
 File # **40** Name **TAMPA BAY DOWNS, INC.** Extended To  
 License # **320** Rank **CLIC - Cardroom Operating License** Renewed On  
 Entity # **320** Lic Status **Current**

- [Licensee](#)
- [History](#)
- [Notes](#)
- [Notes History](#)
- [Back](#)

**Address**

Street # Street **POST OFFICE BOX 2007**  
 Line 2  
 Line 3  
 City **OLDSMAR** State **FL** Zip **34677**  
 Routing

**Other**

1st License Date **03/23/2022** Rank Date **03/23/2022** Certificate #  
 Method **I-S-1020** Status Date **07/14/2008** Certificate Date  
 Fee Exempt **No** Birth Date Renewal Sent

**Select**

Action   

**Modifiers**

Type	Modifier	Effective Date	Additional Info
L	320 - Tampa Bay Downs	01/09/2004	

**Alt Keys**

BEST LIC NBR **320**

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# Employees With Access to Security Surveillance Room

Peter Berube: [REDACTED]

Greg Gelyon [REDACTED]

	<u>Last/First</u>	<u>Lic #</u>	<u>Position</u>
1	Nicol, Deanna	10306060	Director of Security
2	Reilly, Tim	8815296	Security Supervisor
3	Gage, Paul	8630609	Security
4	Lucie Herkova	7935688	Security
5	Peter Pulcini	11244568	Security
6	Holly Dolfus	610601	Security
7	Nassar, Eddie	2012280	Security
8	Duggar, Doug	10612870	Security
9	Weller, Jeanette	10327086	Security
10	Horan Kathleen	8631867	Security
11	Blair, Hedi	11359100	Security
12	Klasi, Al	11557169	Security
	[REDACTED]	[REDACTED]	[REDACTED]
14	Zumpano, Vincent	7617952	Supervisor
15	Murphy, Patrick	73224558	Director
16	Dellacamera, Robert	7852105	Poker Supervisor
17	Hernandez, John	825335	I.T.
18	Williger, Cory	9827040	I.T.
19	Pivitere, Jason	8154100	I.T.
20			
21			



## Employees with Access to Surveillance

Dellacamera Jr, Robert	Supervisor	7852105
Gerstel, Joseph R.	Dual Rate	7915120
Garcia, Miguel	Supervisor	11986299
Kuzminski, Samantha	Supervisor	7615631
Lipp, Jason	Supervisor	7324558
Murphy, Patrick	Dir. of Poker Operations	7324550
Murphy, Peter	Dual Rate/ Compliance	8101357
Zumpano, Vincent	Supervisor	7617952



\* No count on Dec 25/22  
Christmas

TAMPA BAY DOWNS  
SILKS CARD ROOM DROP SURVEILLANCE

DATE	NAME / LICENSE#	REASON FOR SURVEILLANCE	START TIME	END TIME
<del>12/14/22</del>				
12/14/22	MURPHY 8101357	Bl. week	11:45	12:17 PM
12/13/22	R. Delek <sup>785209</sup>	hang Access	11:45	11:46
12/13/22	R. Samson	Bl. week	11:45	12:17 PM
12/13/22	SAM KUZINSKI <sup>212631</sup>	TABLER 4 REVIEW	4:07	4:09 PM
14 DEC	P. Long 8630609	DROP COUNT	0821	0903
15 DEC	P. Long 8630609	DROP COUNT	0825	0917
16 DEC	P. Long 8630609	DROP COUNT	0831	0913
17 DEC	P. Long 8630609	DROP COUNT	0820	0917
18 DEC 22	H. Blair 11359100	DROP COUNT	0818	0908
19 DEC 22	Peter P. 11244568	DROP COUNT	0827	09:12
19 DEC 22	MURPHY 8101357	UPDATE POSTER	17:00	17:04
20 DEC 22	Peter P. 11244568	DROP COUNT	08:41	0933
21 DEC	P. Long 8630609	DROP COUNT	0831	0921
22 DEC	P. Long 8630609	DROP COUNT	0821	0921
23 DEC	P. Long 8630609	DROP COUNT	0818	0918
24 DEC	P. Long 8630609	DROP COUNT	0823	0931
26 DEC	D. Nico 10306000	dropcount	0822	0921
27 DEC	Peter P. 11244568	DROP COUNT	0824	0927
28 DEC	P. Long 8630609	DROP COUNT	0822	0919
29 DEC 22	H. Blair 11359100	DROP COUNT	0820	0923
29 DEC 22	Randa Samson	State	12:50	13:01
29 DEC 22	R. Delek <sup>785209</sup>	Review	13:00	13:07
30 DEC	P. Long 8630609	DROP COUNT	0824	0918
31 DEC	P. Long 8630609	DROP COUNT	0822	0927
01 JAN 23	Peter P. 11244568	DROP COUNT	08:20	0858
01-2-23	Quil Sleeter	Drop Count	08:15	0905
03 JAN 23	Peter P. 11244568	DROP COUNT	0824	0917
3 Jan 23	Rob Delek <sup>785209</sup>	New Access sheets	10:59 AM	11:09 AM
3 JAN 23	Randa Samson	Quarterly Bl. week	12:46 PM	

\* No count Dec 25/2022 for Christmas day -



Employees with Access to Security Surveillance Room

03/16/2022

<u>Last/First</u>	<u>License #</u>	<u>Position</u>
Peter Berube [REDACTED]		Greg Gelyon [REDACTED]
Nicol, Deanna	10306060	Director of Security
Reilly, Tim	8815296	Security Supervisor
Gage, Paul	8630609	Security
Nassar, Eddie	2012069	Security
Weller, Jeanette	10327086	Security
Dolfus, Holly	6150801	Security
Gail Sleeter	10613438	Security
Gary Sweet	11097582	Security
Cynthia Sellers	11592032	Security
James Seibel	12723179	Security
Lucie Herkova	7935688	Security
Pulcini, Pete	11244568	Security
Horan, Kathleen	8631867	Security
Al Klasi	11557169	Security

Heidi Blair	11359100	Security
Spell, Warren	7913733	Poker Supervisor
Zumpano, Vincent	7617952	Poker Supervisor
Dellacamera, Rob	7852105	Poker Supervisor
Murphy, Patrick	73224558	Poker Director
John Hernandez	8253535	I.T. Director
Corey Williger	9827040	I.T.
Pivitere, Jason	8154100	I.T.



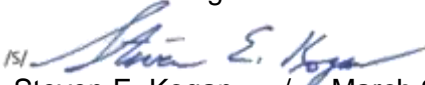
EXHIBIT #4  
PHOTO 1/1

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>CENTRAL</b>	Date of Complaint: <b>MARCH 15, 2022</b>	Case Number: <b>2022 01 2203</b>
Respondent:  <b>TAMPA BAY DOWNS, INC. P.O. Box 2007, OLDSMAR, FL 34677 TEL # (813) 222-8935</b>		Complainant:  <b>STATE OF FLORIDA, DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF PARI-MUTUEL WAGERING</b>	
License # and Type: <b>320 /1002</b>		Profession: <b>PERMIT HOLDER</b>	Report Date: <b>MARCH 22, 2022</b>
Period of Investigation: <b>MARCH 15, 2022 – MARCH 22, 2022</b>		Type of Report: <b>FINAL</b>	
<p>Alleged Violations: <b>61D-11.012 Duties of Cardroom Operators.</b>          (8) Cardroom operators shall establish, and list in their internal controls, security controls that limit access into the cashiers' cage(s), count room, vault, and surveillance room. This list shall include the position titles of all employees who have access to these areas. A current list of employees, including full names and license numbers, authorized to enter each secure area and shall be posted on the inside door of the entrance to each specific area, in the security office, and in the surveillance room at all times.</p>			
<p>Synopsis: During a routine bi-weekly cardroom inspection on March 15, 2022, at <b>TAMPA BAY DOWNS</b>, I discovered that IT Assistant <b>JASON RICHARD PIVITERE</b> (PMW LIC# 8154100), entered the surveillance room and was not on the authorized surveillance access list.</p>			
Related Case:			
Investigator / Date  /s/  Randa Samson / March 22, 2022		Investigator Supervisor / Date  /s/  C. Derek Washington / March 24, 2022	
Chief of Investigations / Date  /s/  Steven E. Kogan / March 28, 2022			

## CONTINUATION

## Investigative Activity:

During a routine bi-weekly cardroom inspection on March 15, 2022, at **TAMPA BAY DOWNS**, I discovered while reviewing random saved surveillance video that IT Assistant **JASON RICHARD PIVITERE** (PMW LIC# 8154100), entered the surveillance room with security guard **PETER GABRIEL PULCINI** (PMW LIC# 11244568) on March 5, 2022, from approximately 9:35:18 AM to 9:38:14 AM (**EXHIBIT#2**). I then checked the list of authorized employees allowed access to the surveillance room, and **PIVITERE** was not listed. I took pictures of the authorized surveillance access list and of **PIVITERE** in the surveillance room (**EXHIBIT#2**).

The violation was brought to the attention of Director of Security **DEEANA NICOL** (PMW LIC#10306060) and Poker Room Manager **ROBERT J. DELLACAMERA JR** (PMW LIC# 7852105). **NICOL** stated that **PIVITERE** was showing **PULCINI** how to get to switch camera angles to observe the count room procedures. **NICOL** then updated and posted a current employee access list including IT Assistant **JASON RICHARD PIVITERE**.

**TAMPA BAY DOWNS** violated the following F.A.C. Rule 61D-11.012(8), for allowing an employee to access the surveillance room, who was not listed on their Authorized Surveillance Access List.

A check of Versa Regulation Enforcement database showed no prior violations of above stated regulation. Therefore, a verbal warning was issued.

Status: Investigation case closed and case referred to Legal for review

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VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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- [Complaint Search](#)
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- [Public Case Info](#)
- [Delete Complaint](#)
- [Mass Activity Update](#)
- [Mass Discipline Update](#)

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Imuniz

[VR Home](#) [Complaint Search](#) [Maintain Complaint](#)

Lic Type	1002 - Cardroom License		Status	20 Under Investigation		Status Date	01/09/2023	
Complaint #	2023001300		Case Type	CMP Complaint		Disposition	Disposition Date	
Docket#	Respondent	TAMPA BAY DOWNS, INC		Responsible	r am on SAMSON, RANDA		Private Case	

Complaint	Respondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	INTN - Internal	Security Level	1	<input type="checkbox"/>	Partie	<input checked="" type="checkbox"/>	Activitie
Form	INTR - Internal	Priority		<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Class'n	V-C - Cardroom Violations	Complexity	R Regular	<input type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Security	STND - Standard	Incident	01/02/2023	<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Region	CR - Central Region	Received	01/06/2023	<input type="checkbox"/>	Inspection		
Reference	61D-11.012(8)			<input type="checkbox"/>	Costs		
Entered	01/09/2023	Entered By	Imuniz	<input type="checkbox"/>	Time Tracking		Auto Assign
Summary	320-Tampa Bay Downs, Inc. ----- / ----- . Duties of Cardroom Operators: On January 3, 2023 during a routine quarterly inspection at TAMPA BAY DOWNS I discovered that Security Guard GAIL W. SLEETER (PMW LIC# 10613438), entered the surveillance room and observed the entire count and was not on the authorized surveillance access list.			<input type="checkbox"/>	Attachments		History
Updated	01/09/2023 09:32:36	By	Imuniz	<input type="checkbox"/>	Work Note		Print Report

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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## Muniz, Luz

---

**From:** Washington, Derek  
**Sent:** Friday, January 6, 2023 9:42 AM  
**To:** Muniz, Luz  
**Cc:** Samson, Randa  
**Subject:** OCR TAMPA BAY DOWNS 1.3.2023  
**Attachments:** OCR TAMPA BAY DOWNS 1.3.2023.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Luz,  
Attached is an OCR for a cardroom violation, Please assign to Randa.

Thanks  
Derek

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Imuniz

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 [Complaint Search](#) | 
 [Maintain Complaint](#) | 
 [License Home](#)

**License**

Fed Tax # [REDACTED] Lic Type **1002 - Cardroom License** Expire On **06/30/2023**  
 File # **40** Name **TAMPA BAY DOWNS, INC.** Extended To  
 License # **320** Rank **CLIC - Cardroom Operating License** Renewed On  
 Entity # **320** Lic Status **Current**

- [Licensee](#)
- [History](#)
- [Notes](#)
- [Notes History](#)
- [Back](#)

**Address**

Street # Street **POST OFFICE BOX 2007**  
 Line 2  
 Line 3  
 City **OLDSMAR** State **FL** Zip **34677**  
 Routing

**Other**

1st License Date **03/23/2022** Rank Date **03/23/2022** Certificate #  
 Method **I-S-1020** Status Date **07/14/2008** Certificate Date  
 Fee Exempt **No** Birth Date Renewal Sent

**Select**

Action   

**Modifiers**

Type	Modifier	Effective Date	Additional Info
L	320 - Tampa Bay Downs	01/09/2004	

**Alt Keys**

BEST LIC NBR **320**



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Tampa Bay Downs, Inc., Case No. 2023-001314; Consent Order  
Date: April 24, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Tampa Bay Downs, Inc. (“Respondent”) to resolve Case No. 2023-001314. Pursuant to the terms of the proposed order, Respondent would pay an administrative fine of \$1,000 for violating rule 75-11.019(2), Florida Administrative Code.

### *Background*

On or about December 26, 2022, Respondent failed to comply with the internal controls regarding putting a closing slip in the imprest tray when the table was closed and failed to leave a plastic note card or lammer<sup>1</sup> when removing chips for the cage. Respondent has no prior violations of rule 75-11.019(2), Florida Administrative Code.

### *Analysis*

The Commission may resolve matters informally through a negotiated settlement.<sup>2</sup> The Commission has the authority to impose an administrative fine of \$1,000.00 for each violation of section 849.086, Florida Statutes, or any rules adopted pursuant to that section.<sup>3</sup> Mitigation may be taken into consideration when imposing an administrative fine.

---

<sup>1</sup> Lammer refers to small colored disks with numbers printed on them, representing an equivalent number of dollars. They are used to indicate that some amount of money, in either cash or chips, has been taken from a player or dealer.

<sup>2</sup> See § 120.57(4), Fla. Stat. (“Unless precluded by law, informal disposition may be made of any proceeding by stipulation, agreed settlement, or consent order.”)

<sup>3</sup> § 849.086(14)(c), Fla. Stat.

Rule 75-11.019(2), Florida Administrative Code, provides, “[f]ailure of any cardroom operator to follow the internal controls once approved by the division shall be a violation of these rules.”

Tampa Bay Downs Internal Controls from December 9, 2022, page 8 section J(c) provides, in pertinent part, that Respondent must ensure that “[a] table closing slip is locked in the tray with the table #, date & time the table was closed.”

Tampa Bay Downs Internal Controls from December 9, 2022, page 5 section H(b) provides that:

All transfers between imprest trays and the cardroom vault will be verified. A procedure in which plastic note cards that display monetary amounts, or tokens commonly referred to as lammers, are used by cardroom floor staff to authorize and document transfers between imprest trays and cardroom vaults or cages.

Because failed to comply with the internal controls regarding putting a closing slip in the imprest tray when the table was closed and failed to leave a plastic note card or lammer when removing chips for the cage, it is subject to an administrative fine not to exceed \$1000.00 per count.

Staff Recommendation: The Florida Gaming Control Commission should adopt the settlement and consent order in case number 2023-001314.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-001314

TAMPA BAY DOWNS INC.,

Respondent.

\_\_\_\_\_ /

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and Tampa Bay Downs, Inc. (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a cardroom operating license, number 320-1002, issued by the Division.
2. This Consent Order is to be entered in resolution of the two-count Administrative Complaint filed in FGCC Case Number 2023-001314, alleging that:
  - a. From about December 26, 2022 to December 29, 2022, Respondent was in violation of rule 61D-11.019(2), Florida Administrative Code, by failing to comply with the internal controls regarding putting a closing slip in the imprest tray when the table was closed.
  - b. On or about December 26, 2022, Respondent was in violation of rule 61D-11.019(2), Florida Administrative Code, by failing to comply with the internal controls regarding by not leaving plastic note cards or lammers when removing chips from the cage.

## STIPULATION

WHEREAS the Division and Respondent (“Parties”), desire to resolve this matter, the following terms are stipulated:

3. The Division has jurisdiction over this matter and the Parties.
4. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
5. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel, and has either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.
6. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.
7. The Parties acknowledge and agree to waive any further administrative and judicial review.
8. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.
9. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.



10. **FINE:** Respondent agrees to, and must pay to the Division, the total sum of **ONE THOUSAND DOLLARS (\$1,000.00)**, at the time Respondent submits an executed copy of this Consent Order. The fines are assessed as follows:

a. **Count I: \$500.00**

b. **Count II: \$500.00**

11. **The payment must be in the form of a certified check, cashier's check, or money order, made payable to the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (NO PERSONAL CHECKS).** Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.

12. Respondent must mail this Consent Order and the payment to: **Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.** Please note FGCC Case Number 2023-001314 on the face of the payment.

13. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission ("Commission"). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

14. Upon the Commission's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

15. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

16. This Consent Order may be signed in counterparts, and copies shall be treated as original.

17. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

18. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov), for the meeting materials, agenda, and contact information.

19. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*

WHEREFORE, TAMPA BAY DOWNS INC., requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 6 day of April, 2023.

[Signature]  
TAMPA BAY DOWNS INC., Respondent

Signed on behalf of Tampa Bay Downs, Inc. by:

Gregory Gelya  
Printed Name

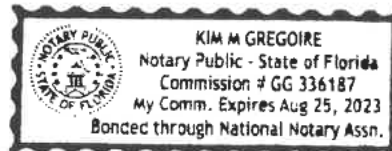
VP Finance  
Title

STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 6 day of April, 2023, by \_\_\_\_\_ who is personally known to me or who produced the following as identification: \_\_\_\_\_

Kim M. Gregoire  
Notary Public



My commission expires:

APPROVED this 18 day of April, 2023.

*Emily Alvarado*

---

**EMILY ALVARADO**  
**DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-001314

TAMPA BAY DOWNS INC.,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Tampa Bay Downs, Inc. (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, cardroom, and slot machine operations pursuant to chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent held a cardroom operating license, number 320-1002, issued by Petitioner.

COUNT I

3. Petitioner realleges and adopts paragraphs numbered one and two as if set forth fully herein.
4. From about December 26, 2022 to December 29, 2022, Respondent failed to put a closing slip in the imprest tray when the table was closed.

5. Rule 61D-11.019(2), Florida Administrative Code, provides, “[f]ailure of any cardroom operator to follow the internal controls once approved by the division shall be a violation of these rules.”

6. Tampa Bay Downs Internal Controls from December 9, 2022, page 8 section J(c) provides, in pertinent part, that Respondent must ensure that “[a] table closing slip is locked in the tray with the table #, date & time the table was closed.”

7. Based on the foregoing, Respondent violated rule 61D-11.019(2), Florida Administrative Code, by failing to comply with the internal controls regarding putting a closing slip in the imprest tray when the table was closed.

#### COUNT II

8. Petitioner realleges and adopts paragraphs numbered one and two as if set forth fully herein.

9. On or about December 26, 2022, Respondent failed to leave plastic note cards that displayed monetary amounts, or tokens commonly referred to as lammers, when removing chips from the cage.

10. Rule 61D-11.019(2), Florida Administrative Code, provides, “[f]ailure of any cardroom operator to follow the internal controls once approved by the division shall be a violation of these rules.

11. Tampa Bay Downs Internal Controls from December 9, 2022, page 5 section H(b) provides that:

All transfers between imprest trays and the cardroom vault will be verified. A procedure in which plastic note cards that display monetary amounts, or tokens commonly referred to as lammers, are used by cardroom floor staff to authorize and document transfers between imprest trays and cardroom vaults or cages.

12. Based on the foregoing, Respondent violated rule 61D-11.019(2), Florida Administrative Code, by failing to comply with the internal controls regarding leaving the plastic note cards or lammers when removing chips from the cage.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in section 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-001314 is signed this 13th day of March, 2023.

*/s/Emily A. Alvarado*  
Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

### NOTICE OF RIGHTS

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.



Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>CENTRAL</b>	Date of Complaint: <b>JANUARY 9, 2023</b>	Case Number: <b>2023 00 1314</b>
Respondent: <b>TAMPA BAY DOWNS, INC.</b> P.O. Box 2007, OLDSMAR, FL 34677 TEL # (813) 222-8935		Complainant: <b>DIVISION OF PARI-MUTUEL WAGERING</b> <b>OFFICE OF INVESTIGATIONS</b> 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309	
License # and Type: <b>320 / 1002</b>	Profession: <b>PERMIT HOLDER</b>	Report Date: <b>January 17, 2023</b>	
Period of Investigation: <b>DECEMBER 29, 2022 – JANUARY 17, 2023</b>		Type of Report: <b>FINAL</b>	
<p>Alleged Violation: <b>61D-11.019 Internal Controls</b> (2) Failure of any cardroom operator to follow the internal controls once approved by the division shall be a violation of these rules.</p> <p><b><u>TAMPA BAY DOWNS INTERNAL CONTROLS DATED DECEMBER 9, 2022 PAGE #5 &amp; #8</u></b></p> <p><b>H. Internal Controls</b></p> <p>(b) All transfers between imprest trays and the cardroom vault will be verified. A procedure in which plastic note cards that display monetary amounts, or tokens commonly referred to as lammers, are used by cardroom floor staff to authorize and document transfers between imprest trays and cardroom vaults or cages.</p> <p><b>J. Cardroom Imprest Trays</b></p> <p>(c) The card table tray is replenished by the dealer on the assigned table and is reviewed by Dealer Coordinator for accuracy. A table closing slip is locked in the tray with the table #, date &amp; time the table was closed, This is done under camera surveillance.</p>			
<p>Synopsis: On December 29, 2022, during a routine facility visit at <b>TAMPA BAY DOWNS</b> the following violations of the facility's Internal Controls were found:</p> <ul style="list-style-type: none"> <li>Failing to put the closing slip in the imprest tray when they closed the table. There was no closing slip in the imprest tray from December 26, 2022 thru December 29, 2022.</li> <li>A chip runner failing to leave a plastic note card that display monetary amounts, or tokens commonly referred to as lammers on the table when she transferred chips from the imprest tray to the cage. These are violation of <b>TAMPA BAY DOWNS</b> Internal Controls.</li> </ul>			
Related Case:			
Investigator / Date <i>/s/ Randa Samson</i> Randa Samson / January 17, 2023		Investigator Supervisor / Date <i>C. Derek Washington</i> C. Derek Washington / February 2, 2023	
Chief of Investigations / Date <i>/s/ Steven E. Kogan</i> Steven E. Kogan / March 3, 2023			

## CONTINUATION

On December 29, 2022, during a routine facility visit at **TAMPA BAY DOWNS**, I discovered that Poker Room Dealer **TYLER CORBETT MANN** (PMW LIC# 10968283) and Poker Room Dealer Coordinator **ANTHONY RICHARD COYLE** (PMW LIC#11419322) failed to put the closing slip in the imprest tray when they closed table #2-6 on December 26, 2022, (**EXHIBIT#2**). Further review of saved surveillance video revealed that there was no closing slip in the imprest tray from approximately 9:15 PM on December 26, 2022, thru approximately 12:06 PM, on December 29, 2022 (**EXHIBIT #2 & #3**). In addition, after a careful review of the saved surveillance video of December 26, 2022, at approximately 6:56 PM, I observed Chip Runner **ERIN BAILEY WEST** (PMW LIC#13146951) at table #2-4 fail to leave plastic note cards that display monetary amounts, or tokens commonly referred to as lammers on the table when she removed fifty-five dollars (\$55) worth of red chips to exchange them for fifty dollars (\$50) in pink chips and five dollars (\$5) in white chips, from the cage (**EXHIBIT #4**).

On January 11, 2023, at approximately 12:30 PM, I spoke with Poker Room Manager **ROBERT J. DELLACAMERA JR** (PMW LIC# 7852105) and asked him what the procedure was for plastic note cards and lammers. **DELLACAMERA** stated that the host has to leave the plastic note cards and lammers at the table from which the chips have been removed with the amount of chips written on them. He further said that **WEST** and **COYLE** would receive written warnings and that he would conduct further training (**EXHIBIT #5 & #6**).

**TAMPA BAY DOWNS** violated the following F.A.C. Rule **61D-11.019 (2)** for failing to follow their Internal Controls procedures:

- Failing to put a closing slip in the imprest tray when they closed table #2-6
- 2. Failing to use plastic note cards that display monetary amounts, or tokens commonly referred to as lammers, on the table when chips were removed and exchanged with the cage.

A check of the Versa Regulation Enforcement database showed no prior violations of the above-stated regulations.

**Case Status:** Investigation case closed and case referred to Legal for review

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  - 5. **COYLE's** Employee Warning Notice.....1-1
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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: **Imuniz**

[VR Home](#) | 
 [Complaint Search](#) | 
 [Maintain Complaint](#) | 
 [License Home](#)

**License**

Fed Tax # [REDACTED] Lic Type **1002 - Cardroom License** Expire On **06/30/2023**

File # **40** Name **TAMPA BAY DOWNS, INC.** Extended To

License # **320** Rank **CLIC - Cardroom Operating License** Renewed On

Entity # **320** Lic Status **Current**

- [Licensee](#)
- [History](#)
- [Notes](#)
- [Notes History](#)
- [Back](#)

**Address**

Street # Street **POST OFFICE BOX 2007**

Line 2

Line 3

City **OLDSMAR** State **FL** Zip **34677**

Routing

**Other**

1st License Date **03/23/2022** Rank Date **03/23/2022** Certificate #

Method **I-S-1020** Status Date **07/14/2008** Certificate Date

Fee Exempt **No** Birth Date Renewal Sent

**Select**

Action   

**Modifiers**

Type	Modifier	Effective Date	Additional Info
L	320 - Tampa Bay Downs	01/09/2004	

**Alt Keys**

BEST LIC NBR **320**

 [Get Adobe Reader.](#)




**State of Florida  
Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
Investigations Section**

**PROPERTY RECEIPT**

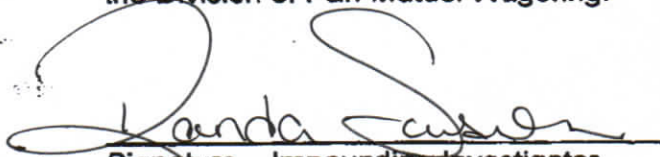
Complaint # 2023 00 1314 Date 1/6/23 Lab # \_\_\_\_\_

Item No.	Quantity	Description
	1	Thumbdrive
		Blue 8 GB tagged
		with white sticker

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

  
\_\_\_\_\_  
Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

  
\_\_\_\_\_  
Signature - Impounding Investigator

**RETURNED PROPERTY RECEIPT**

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

\_\_\_\_\_  
Signature \_\_\_\_\_  
Date

Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Copies for: File, Transmittal, Laboratory, Property Receipt





EXHIBIT #3  
PHOTO 1/4





EXHIBIT #3  
PHOTO 2/4





EXHIBIT #3  
PHOTO 3/4



stone XProtect Smart Client

Playback

14 PokerRoom Table 2-6 - 12/28/2022 12:43:55.778 AM




12:20 AM 12:25 AM 12:30 AM 12:35 AM 12:40 12/28/2022 12:43:56.278 AM M 12:55 AM 1:00 AM 1:05 AM  
PokerRoom Table 2-6

EXHIBIT #3  
PHOTO 4/4

## H. Internal Controls \_\_\_\_\_

1. Supervision is provided by the Director of Poker Operations, Dealer Coordinators or Tournament Directors at all times when the Poker Room is in operation. Dealers will take breaks in a break room with a digital code on the door to prevent the access of all unauthorized persons located on the 3<sup>rd</sup> floor of the grandstand. This area does not permit anyone that is not employed by Tampa Bay Downs. The designated area for smokers is on our grandstand apron to limit access from the public.

(a) All patron disputes will be handled by poker room management. A decision will be made in accordance with standard poker rulings.

 (b) All transfers between imprest trays and the cardroom vault will be verified. A procedure in which plastic note cards that display monetary amounts, or tokens commonly referred to as lammers, are used by cardroom floor staff to authorize and document transfers between imprest trays and cardroom vaults or cages.

(c) The cardroom vault is used for holding all cardroom funds, including all chips, cash, and checks other than those in use for daily operation;

(d) All imprest trays are permanently affixed to the poker tables with locking covers that only the Dealer Coordinator on duty has access to the keys; the balance of each tray in use is verified. In the event of a discrepancy the dealer will notify the Dealer Coordinator.

### 2. Issuance of Poker Table Bank

All poker table banks will be set out on the poker tables by the Dealer Coordinator at his or her discretion.

#### Opening/Closing Poker Table Bank

At the opening and closing of each poker table bank the opening/closing inventory form will be verified by the Dealer Coordinator and oncoming Dealer for each table.

4. The Poker Room maintains a working Cashier/Tournament cage during hours of operation.

(a) The Cashier Cage contains drawers and cabinets for the secure storage of cards, forms, and other poker room equipment. The Dealer Coordinator will maintain control of the cashier cage at all times while the Poker Room is in operation. The cage also maintains a working supply of "live chips" and cash at an impressed amount. The imprest amount will be reconciled at the completion of each cashier's scheduled shift

(b) The Tournament area, located with the cashier cage contains locking drawers and cabinets for the storage of tournament chips which have no cash value. A Tournament Director will maintain control of this area at all times the Poker Room is in operation. The cage will

7. Games that have a designated player will have the fee structure and amounts prominently displayed on the tables.

8. "Timed rake" games are also offered. This fee will be charged and collected from all players every 30 minutes prior to dealing the first hand and dropped immediately into the tables drop box. The amount charged will depend on the limit of the game and the number of players participating. The exact amount will be posted for the players on the table plaque at all times.

9. "Pot rake" all players at the table agree to take the fees due by all the players every ½ hour from a single pot. The pot must be a minimum amount (also posted on the table plaque) to take the fees.

10. In both the "timed rake" and the "pot rake" the dealer will place the rake on the rake slide and then follow steps number 2, 3, and 4. In this section titled Rake.

11. The minimum and maximum per player per half hour of play will be \$5-\$10 in all "Timed rake" and "Pot rake"

#### I. Tip Boxes \_\_\_\_\_

1. Each dealer will have an assigned numbered tip box that will move with them from table to table on their scheduled shift. Tip boxes will be equipped with a j-hook and will be hung on the left side of the dealer, opposite of the table's rake slide.

2. Each tip box will be clearly and permanently marked to identify it as a tip box and distinguish it from other boxes.

3. Dealers receiving a tip shall:

- a. Place the tip on the table in front of the tip box.
- b. Tap the tip on the corner of the table's imprest tray.
- c. Insert the tip directly into the tip box.

4. Dealers will only accept tips while seated at their assigned table.

5. A daily log is kept of all tips collected by each dealer and the number of the tip box assigned to them for each shift.

#### J. Cardroom Imprest Trays \_\_\_\_\_

(1) The chips, tokens, and currency for the cardroom operation shall be physically maintained separately from any other currency of facility.

(a) Any chips that may be used to purchase pari-mutuel tickets are to be converted back to cash by the mutuel tellers before reconciling there respected banks for that shift.

(b) The imperest trays will be stored on the tables with locking lids. When not in use they will remained locked at all times.

(c) The card table tray is replenished by the dealer on the assigned table and is reviewed by Dealer Coordinator for accuracy.

A table closing slip is locked in the tray with the table #, date & time the table was closed, the amount in the tray, the dealer's name, and Dealer Coordinator's signature.

This is all done under camera surveillance.





# Tampa Bay Downs, Inc.

## Employee Warning Notice

### Employee Information

Employee Name: Erin West

Date: 12/26/22

Employee ID:

Job Title: Cashier/Brush

Manager: Rob DellaCamera

Department: Poker

### Type of Warning

First Warning

Second Warning

Final Warning

### Type of Offense

Tardiness/Leaving Early

Absenteeism

Violation of Company Policies

Substandard Work

Violation of Safety Rules

Rudeness to Customers/Coworkers

Other: \_\_\_\_\_

### Details

#### Description of Infraction:

Erin did a final fill on table 2-4 and forgot to leave a card or lamers on the table showing the amount of the fill. Whenever doing a fill at the tables, employees are supposed to leave a card or lamers at the table under camera view showing the full amount of the fill. The amount written should always match the amount of chips that the employee is to bring back to the dealer.

#### Consequences of Further Infractions:

Written warning

### Acknowledgement of Receipt of Warning

*By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your manager have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning.*

Employee Signature

Date

1-11-23

Manager Signature

Date

Witness Signature (if employee understands warning but refuses to sign)

Date

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: **Imuniz**

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Lic Type	<b>1002 - Cardroom License</b>	Status	<b>20 Under Investigation</b>	Status Date	<b>01/09/2023</b>
Complaint #	<b>2023001314</b>	Case Type	<b>CMP Complaint</b>	Disposition	
Docket#		Respondent	<b>TAMPA BAY DOWNS, INC</b>	Responsible	<b>ram on SAMSON, RANDA</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>	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form	<b>INTR - Internal</b>	Priority		<input checked="" type="checkbox"/> Allegation	<input type="checkbox"/> Discipline
Class'n	<b>V-C - Cardroom Violations</b>	Complexity	<b>R Regular</b>	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security	<b>STND - Standard</b>	Incident	<b>12/26/2022</b>	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	<b>CR - Central Region</b>	Received	<b>01/06/2023</b>	<input type="checkbox"/> Inspection	
Reference	<b>61D-11.019(2)</b>	Entered	<b>01/09/2023</b>	<input type="checkbox"/> Cost	
		Entered By	<b>Imuniz</b>	<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	<b>320-Tampa Bay Downs, Inc. ----- / ----- . Internal Controls &amp; TAMPA BAY DOWNS INTERNAL CONTROLS DATED DECEMBER 9, 2022 PAGE #8 J. Cardroom Imprest Trays: On December 29, 2022 during a routine facility visit at TAMPA BAY DOWNS it was discovered that a dealer and a Dealer Coordinator failed to put the closing slip in the imprest tray when they closed the table. There was no closing slip in the imprest tray from December 26, 2022 thru December 29, 2022. This is a violation of TAMPA BAY DOWNS Internal Controls.</b>			<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated	<b>01/09/2023 09:48:31</b>	By	<b>Imuniz</b>	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
---------------------------------------	-------------------------------------	-----------------------------------	---------------------------------------	-------------------------------------



## Muniz, Luz

---

**From:** Washington, Derek  
**Sent:** Friday, January 6, 2023 9:53 AM  
**To:** Muniz, Luz  
**Cc:** Samson, Randa  
**Subject:** OCR TAMPA BAY DOWNS 12.29.2022  
**Attachments:** OCR TAMPA BAY DOWNS 12.29.2022.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Luz,  
Attached is an OCR for a cardroom violation, Please assign to Randa.

Thanks  
Derek





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: **Imuniz**

[VR Home](#) | 
 [Complaint Search](#) | 
 [Maintain Complaint](#) | 
 [License Home](#)

<b>License</b> Fed Tax # <span style="background-color: black; color: black;">XXXXXXXXXX</span> Lic Type <b>1002 - Cardroom License</b> Expire On <b>06/30/2023</b> File # <b>40</b> Name <b>TAMPA BAY DOWNS, INC.</b> Extended To License # <b>320</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On Entity # <b>320</b> Lic Status <b>Current</b>			<input type="checkbox"/> <table border="1"> <tr><td>Licensee</td></tr> <tr><td>History</td></tr> <tr><td>Notes</td></tr> <tr><td>Notes History</td></tr> <tr><td>Back</td></tr> </table>	Licensee	History	Notes	Notes History	Back		
Licensee										
History										
Notes										
Notes History										
Back										
<b>Address</b> Street # Street <b>POST OFFICE BOX 2007</b> Line 2 Line 3 City <b>OLDSMAR</b> State <b>FL</b> Zip <b>34677</b> Routing										
<b>Other</b> 1st License Date <b>03/23/2022</b> Rank Date <b>03/23/2022</b> Certificate # Method <b>I-S-1020</b> Status Date <b>07/14/2008</b> Certificate Date Fee Exempt <b>No</b> Birth Date Renewal Sent										
<b>Select</b> Action <input type="text"/>  										
<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>L</td> <td>320 - Tampa Bay Downs</td> <td>01/09/2004</td> <td></td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	L	320 - Tampa Bay Downs	01/09/2004	
Type	Modifier	Effective Date	Additional Info							
L	320 - Tampa Bay Downs	01/09/2004								
<b>Alt Keys</b> BEST LIC NBR <b>320</b>										



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Gerald Samuel Bennett Case No. 2023-009295; Consent Order  
Date: April 24, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Gerald Samuel Bennett (“Respondent”) to resolve Case No. 2023-009295. Pursuant to the terms of the proposed order, Respondent would be issued a \$1,000 fine and must return all money distributed from the purse for violating section 550.2415(1)(a), Florida Statutes, and 75-6.008(2)(q), Florida Administrative Code.

### *Background*

Respondent was the trainer of record for the racing horse R Tootsie Glitter, which was owned by Averill Racing and Jayson Richard-Gowan. On January 29, 2023, R Tootsie Glitter finished 1st place in the 6th race of the performances held by Tampa Bay Downs. A serum sample was taken from R Tootsie Glitter to test for any prohibited substances. The sample was sent to the University of Florida Lab (“UF Lab”) and subsequently tested. The UF Lab detected methocarbamol<sup>1</sup> in the serum. Methocarbamol was detected at a blood serum concentration of 3.45 +/- 0.11 ng/mL.

The Division filed an administrative complaint alleging a violation of section 550.2415(1)(a), Florida Statutes, which makes it a violation of Florida law to race an animal that been determined to have a prohibited substance present in its system.

Rule 75-6.008(2)(q), Florida Administrative Code, provides that it is a violation if methocarbamol exists at a serum concentration greater than 1 ng/mL.

---

<sup>1</sup> Methocarbamol is a Class 4 drug. *See* Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. Methocarbamol is used to treat muscle spasms and pain.

The penalty for this violation is a Class C penalty under the Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. (“Guidelines”).

*Analysis*

Respondent has no prior violations of section 550.2415(1)(a), Florida Statutes, in the last 365 days. Therefore, Respondent should be issued a \$1,000 under rule 75-6.011(3), Florida Administrative Code. The Owners have signed this Consent Order and agreed to return the purse to Tampa Bay Downs.

Staff Recommendation: The Florida Gaming Control Commission should enter a Final Order adopting and incorporating the proposed settlement and consent order in Case No. 2023-009295.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL  
COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

FGCC Case No.: 2023-009295

v.

GERALD SAMUEL BENNETT,

Respondent.

\_\_\_\_\_ /

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), Gerald Samuel Bennett (“Respondent”), Averill Racing, LLC and Jayson Richard-Gowan Werth (“Owners”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, 977698-1021, issued by the Division.
2. At all times material hereto, Averill Racing, LLC held a Pari-Mutuel Wagering Business Occupational License, 8640496-1020 issued by the Division.
3. At all times material hereto, Jayson Richard-Gowan Werth held Pari-Mutuel Wagering Professional Individual Occupational License, 13245683-1021, issued by the Division.
4. This Consent Order is to be entered in resolution of the one-count Administrative Complaint filed in FGCC Case Number 2023-009295, alleging that Respondent was in violation of section 550.2415, Florida Statutes, and rule 61D-6.008(2)(q), Florida Administrative Code, by

racing Owner's horse "R Tootsie Glitter" with an impermissible amount of **methocarbamol** in its body during the performances held at Tampa Bay Downs, Inc. ("TBD") on January 29, 2023.

5. On January 29, 2023, R Tootsie Glitter participated in the 6th race of the performances held at TBD. R Tootsie Glitter finished 1st in the 6th race of the performances held at TBD.

6. This Consent Order was entered into in consideration of Respondent's previous disciplinary history, including no prior violations of section 550.2415, Florida Statutes, in the previous 365 days.

#### STIPULATION

WHEREAS the Division, Respondent, and Owner ("Parties"), desire to resolve this matter, the following terms are stipulated:

7. The Division has jurisdiction over this matter and the Parties.

8. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

9. As the trainer of record, Respondent admits that they are responsible for the condition of the horse they enter into races.

10. Respondent waives his right to a Stewards Hearing in order to settle this matter through this Consent Order.

11. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent and Owner are aware that they are entitled to the advice of counsel, and have either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent and Owner acknowledge that the Division has

not made any promise, nor has it in any other way encouraged Respondent or Owner to enter into this Consent Order without the advice of counsel.

12. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.

13. The Parties acknowledge and agree to waive any further administrative and judicial review.

14. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent or Owner for acts or omissions not specifically set forth herein.

15. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

16. **FINE:** Respondent agrees to, and must pay to the Division, the sum of **ONE THOUSAND DOLLARS (\$1,000.00)**, at the time Respondent submits an executed copy of this Consent Order. **The payment shall be made payable to the board of relief fund established at Tampa Bay Downs, Inc., and must be in the form of a certified check, cashier's check, or money order (NO PERSONAL CHECKS).**

17. The Owner agrees that they shall return all money that was distributed from the purse to TBD within 14 days of execution of this agreement. The Owner agrees that failure to return the purse money may result in further action.

18. Respondent and Owner must execute and mail this Consent Order and payment to:  
**Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone**

**Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.** Please note FGCC Case Number 2023-009295 on the face of the payment.

19. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission (“Commission”). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

20. Upon the Commission’s adoption of this Consent Order, Respondent and Owner expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys’ fees or costs from the Division in connection with these proceedings.

21. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

22. This Consent Order may be signed in counterparts, and copies shall be treated as original.

23. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.




24. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov), for the meeting materials, agenda, and contact information.

25. Respondent and Owner authorize the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*

WHEREFORE, Respondent, **GERALD SAMUEL BENNETT**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 15 day of March, 2023.

  
\_\_\_\_\_  
**GERALD SAMUEL BENNETT**  
Respondent

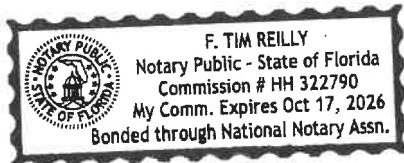
STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 15<sup>TH</sup> day of MARCH, 2023, by GERALD SAMUEL BENNETT, who is personally known to me or who produced the following as identification:

\_\_\_\_\_  


Notary Public

My commission expires:



WHEREFORE, Owner, AVERILL RACING, LLC, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.


SIGNED this 3 day of April, 2023.



AVERILL RACING, LLC  
Owner

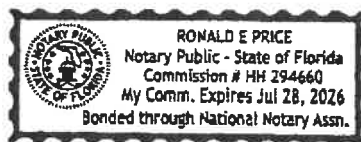
STATE OF Florida  
COUNTY OF Manatee

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 3<sup>rd</sup> day of April, 2023, by AVERILL RACING, LLC, who is personally known to me or who produced the following as identification:



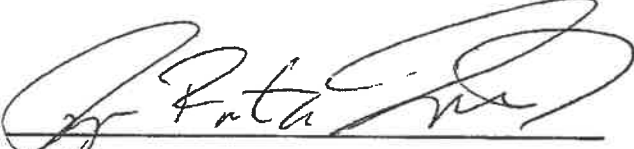
Notary Public

My commission expires:



WHEREFORE, Owner, **JAYSON RICHARD-GOWAN WERTH** requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 28 day of March, 2023.

  
**JAYSON RICHARD-GOWAN WERTH**  
Owner

STATE OF FLORIDA S.F.  
COUNTY OF ~~MANATEE~~ MANATEE S.F.

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 28<sup>th</sup> day of MARCH, 2023, by JAYSON RICHARD-GOWAN WERTH, who is personally known to me or who produced the following as identification: \_\_\_\_\_



SEAN P FLYNN  
NOTARY PUBLIC  
STATE OF FLORIDA  
NO. GG916126  
MY COMMISSION EXPIRES SEP. 24, 2023

Notary Public

My commission expires:

APPROVED this 17 day of April, 2023.

*Emily Alvarado*

---

**EMILY ALVARADO**  
**DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-009295

GERALD SAMUEL BENNETT,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Gerald Samuel Bennett (“Respondent”), and alleges as follows:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.
2. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, 977698-1021, issued by Petitioner.
3. At all times material hereto, Respondent was the trainer of record for the racing horse “R Tootsie Glitter,” with microchip number 981020035724482.
4. At all times material hereto, “R Tootsie Glitter” was owned by Averill Racing, LLC, who holds a Pari-Mutuel Wagering Business Occupational License, 8640496-1020 issued by Petitioner and by Jayson Richard-Gowan Werth, who holds a Pari-Mutuel Wagering Professional Individual Occupational License, 13245683-1021, issued by Petitioner.

5. On January 29, 2023, "R Tootsie Glitter" participated in the 6th race of the performances held by Tampa Bay Downs, Inc. ("TBD").

6. On January 29, 2023, "R Tootsie Glitter" finished in 1st place in the 6th race of the performances held by TBD.

7. TBD is a facility operated by a permit holder authorized to conduct pari-mutuel wagering in this state under chapter 550, Florida Statutes.

8. On January 29, 2023, blood sample number 314276 was collected from "R Tootsie Glitter."

9. Blood sample number 314276 was processed and forwarded to the University of Florida Racing Laboratory ("UF Lab"), for analysis.

10. The UF Lab tested the serum extracted from blood sample number 314276 and found that it contained **methocarbamol**.

11. In blood sample number 314276, **methocarbamol** was detected at a serum concentration of 3.45 +/- 0.11 ng/mL.

12. Pursuant to section 550.2415(1)(a), Florida Statutes:

The racing of an animal that has been impermissibly medicated or determined to have a prohibited substance present is prohibited. It is a violation of this section for a person to impermissibly medicate an animal or for an animal to have a prohibited substance present resulting in a positive test for such medications or substances based on samples taken from the animal before or immediately after the racing of that animal.

13. According to rule 61D-6.008(2)(q), Florida Administrative Code, it is a violation of section 550.2415, Florida Statutes, if **methocarbamol** exists at a serum concentration greater than 1 ng/mL.

14. Section 550.2415(1)(c), Florida Statutes, states, “[t]he finding of a prohibited substance in a race-day specimen constitutes prima facie evidence that the substance was administered and was carried in the body of the animal while participating in the race.”

15. Rule 61D-6.002(1), Florida Administrative Code, provides that, “[t]he trainer of record shall be responsible for and be the absolute insurer of the condition of the horses...he/she enters to race.”

16. Based on the foregoing, Respondent violated section 550.2415(1)(a), Florida Statutes, and rule 61D-6.008(2)(q), Florida Administrative Code, by racing “R Tootsie Glitter” with an impermissible concentration of a permitted substance in its body on January 29, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in rule 61D-6.011, Florida Administrative Code, section 550.2415(3)(a), Florida Statutes, and/or any other relief that the Commission is authorized to impose pursuant to chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-009295 is signed this 28th day of February, 2023.

*/s/Emily A. Alvarado*

---

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov



### NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

### NOTICE OF RIGHT TO REQUEST A SPLIT SAMPLE

Pursuant to rule 61D-6.006, Florida Administrative Code, you have the right to request a split sample with respect to each "Report of Positive Result" from the UF Lab. (Copy attached as Exhibit A). To request a split sample, use Form DBPR PMW-3290, Notification to Stewards/Judge of Split Sample Request (Form 3290).

You can obtain Form 3290, as well as a list of approved split samples laboratories, at the State Office located in any Florida pari-mutuel facility, or on the Division's website: <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/forms-and-publications/>. You must submit Form 3290 to the state steward, Division hearing officer, or office of the General Counsel, within 10 days from receipt of this Notice, or you will waive your right to request a split sample.

# EXHIBIT A

02-15-23;12:17PM;University of Florida

:352

# 3/ 4



College of Medicine  
Department of Pathology, Immunology and Laboratory Medicine  
Racing Laboratory

PO Box 100275  
Gainesville, FL 32610-0275  
352-392-2238  
352-846-1052 Fax

February 15, 2023

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL  
32399-1037

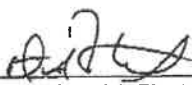
RE: Report of Positive Result

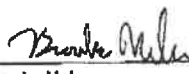
Sample 314276 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

**Methocarbamol found in serum**  
Methocarbamol (a skeletal muscle relaxant and Class 4 drug) - the concentration of Methocarbamol is 3.45 +/- 0.11 ng/mL.

<u>E006408-FHB</u>	<u>Horse Serum</u>	<u>4.4 g</u>	<u>INTACT</u>
<u>Laboratory Number</u>	<u>Specimen</u>	<u>Final Weight</u>	<u>Seal</u>
<u>Tampa Bay Downs</u>		<u>01/29/2023</u>	<u>01/31/2023</u>
<u>Collected From</u>		<u>Date Collected</u>	<u>Date Received</u>

Pursuant to Chapter 550.2416 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 02/24/2023, or upon commencement of administrative action, whichever occurs first.

  
Dirk A Hunt Associate Director

  
Brooks Nelson Chemist III

RI. 115

Page 1 of 1



The Foundation for The Gator Nation  
A Final Opportunity Institution



DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

314276 DATE 1.29.2023

TRACK 320

RACE 6 FINISH 1st

NAME OF ANIMAL R Tootsie Glitter  
NOMBRE DEL ANIMAL

COLOR DK/BR SEX F AGE 3

ID NUMBER 981020035720482  
 MICROCHIP  TATTOO  FREEZE-BRAND

BLOOD Richard Rock DVN  
SAMPLED BY

URINE Jasna White JW  
SAMPLED BY

TRAINER Gerald S. Bennett  
ENTRENADOR / ENTRENADORA

WITNESS SIGNATURE Richard Martin  
FIRMA DE TESTIGO

WITNESS LICENSE # 13408983  
NÚMERO DE LICENCIA

RL-252-02



College of Medicine  
Department of Pathology, Immunology and Laboratory Medicine  
Racing Laboratory

PO Box 100275  
Gainesville, FL 32610-0275  
352-392-2238  
352-846-1052 Fax

February 15, 2023

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL  
32399-1037

RE: Report of Positive Result

Sample 314276 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

**Methocarbamol found in serum**

Methocarbamol (a skeletal muscle relaxant and Class 4 drug) - the concentration of Methocarbamol is 3.45 +/- 0.11 ng/mL.

<u>E006406-FHB</u>	<u>Horse Serum</u>	<u>4.4 g</u>	<u>INTACT</u>
Laboratory Number	Specimen	Final Weight	Seal
Tampa Bay Downs		01/29/2023	01/31/2023
Collected From		Date Collected	Date Received

Pursuant to Chapter 550.2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 02/24/2023, or upon commencement of administrative action, whichever occurs first.

Dirk A Hunt

Associate Director

Brooks Nelson

Chemist III

23-45

RI. 115

Page 1 of 1

University of Florida Racing Lab  
ISO/IEC 17025-2017  
Certificate # AT-1642



*The Foundation for The Gator Nation*

An Equal Opportunity Institution



DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

314276

DATE 1.29.2023

TRACK 320

RACE 6 FINISH 1st

NAME OF ANIMAL R Tootsie Glitter  
NOMBRE DEL ANIMAL

COLOR DEA/BR SEX F AGE 3

ID NUMBER 981020035120482  
 MICROCHIP  TATTOO  FREEZE-BRAND

BLOOD Richard Rook DVH  
SAMPLED BY

URINE Jessica W. J.W.  
SAMPLED BY

TRAINER Gerald S. Bennett  
ENTRENADOR / ENTRENADORA

WITNESS SIGNATURE Richard Martin  
FIRMA DE TESTIGO

WITNESS LICENSE # 13408983  
NÚMERO DE LICENCIA

FAQ | Help | Sign Out

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Complaint Search Update	Change Recording License Type Mass Status Update	Public Case Info	Delete Complaint	Mass Activity Update	Mass Discipline
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Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: gricks

VR Home > Complaint Search > Maintain Complaint

Lic Type	1021 - Pari-Mutuel Wagering Individual Occupational	Status	10 Initial Review	Status Date	02/18/2023
Complaint #	2023009295	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	BENNETT, GERALD SAMUEL	Responsible	elanier - LANIER, EBONIE	Private Case

Complaint	Respondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	LAB - UF Laboratory	Security Level	1	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Activities
Form	FAX - Fax	Priority	1	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n	IV-X - Class IV Drug Positive	Complexity	R - Regular	<input checked="" type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security	STND - Standard	Incident	01/29/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	CR - Central Region	Received	02/15/2023	<input type="checkbox"/> Inspection	
Reference	314276			<input type="checkbox"/> Costs	
Entered	02/18/2023	Entered By	gricks	<input type="checkbox"/> Time Tracking	Auto Assign
Summary	-- 320 - Tampa Bay Downs, Horse R TOOTSIE GLITTER, Drug Methocarbamol , Sample #314276, Lab #E006406-FHB			<input type="checkbox"/> Attachments	History
Updated	02/18/2023 12:13:42	By	gricks	<input type="checkbox"/> Work Notes	Print Report

Change	Save	OK	Cancel	Back
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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
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Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: gricks

VR Home > License Search > License Home

**License**

Fed Tax [REDACTED] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2025**

File # **13667** Name **BENNETT, GERALD SAMUEL** Extended To

License # **977698** Rank **PIND - Professional Individual Occupational** Renewed On

Entity # **977698** Lic Status **Current**

- 
- 
- 
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- 

**Address**

Street # **365** Street **TRAVERNIER CIRCLE**

Line 2

Line 3

City **OLDSMAR** State **FL** Zip **34677**

Routing

**Other**

1st License Date **11/17/2022** Rank Date **11/17/2022** Certificate #

Method **I-S-1024** Status Date **11/17/2022** Certificate Date **03/01/2000**

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action

**Modifiers**

Type	Modifier	Effective Date	Additional Info
C	TRNR - Trainer	11/11/2019	
I	TBRD - Thoroughbred		
L	320 - Tampa Bay Downs	02/06/2019	
Y	3YR - 3 Year License	12/13/2001	

**Alt Keys**

BEST LIC NBR **PIN977698**

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Domain 10 - Division of Pari-Mutuel Wagering

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<b>License</b> Fed Tax <span style="background-color: black; color: black;">XXXXXXXXXX</span> Lic Type <b>1020 - Pari-Mutuel Business Occupational</b> Expires On <b>06/30/2024</b> File # <b>8070</b> Name <b>AVERILL RACING LLC</b> Extended To License # <b>8640496</b> Rank <b>PBUS - Pari-Mutuel Business Occupational</b> Renewed On Entity # <b>8640496</b> Lic Status <b>Current</b>		<input type="checkbox"/> <table border="1"> <tr><td>Licensee</td></tr> <tr><td>History</td></tr> <tr><td>Notes</td></tr> <tr><td>Notes History</td></tr> <tr><td>Back</td></tr> </table>	Licensee	History	Notes	Notes History	Back														
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<b>Alt Keys</b> BEST LIC NBR <b>8640496</b>																					

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License Search	Entity Search	Modify License Standing	Maintain License CE Control
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Domain 10 - Division of Pari-Mutuel Wagering

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<b>License</b> Fed Tax # [REDACTED] Lic Type <b>1021 - PMW Professional Individual Occupational</b> Expires On <b>06/30/2025</b> File # <b>72040</b> Name <b>WERTH, JAYSON RICHARD-GOWAN</b> Extended To License # <b>13245683</b> Rank <b>PIND - Professional Individual Occupational</b> Renewed On Entity # <b>13245683</b> Lic Status <b>Current</b>		<input type="checkbox"/> <b>Licensee</b> <input type="checkbox"/> <b>History</b> <input type="checkbox"/> <b>Notes</b> <input type="checkbox"/> <b>Notes History</b> <input type="checkbox"/> <b>Back</b>																			
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<b>Alt Keys</b> BEST LIC NBR <b>13245683</b>																					

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COMPARATIVE RANKINGS									
Wins At Distance	Last 3 Finishes	Lifetime Wins	In The Money	J / T Meet Wins	Class Rating	Avg Last 3	Speed	Best Overall	
	Stormin' Amanda 3.2 Lance's Smile 3 Party Dream 3 R Tootsie Glitter 4 Classic Dreamer 6		Stormin' Amanda 2/2 (100%) Lance's Smile 1/1 (100%) Party Dream 1/1 (100%)	Araucaria 1/1 (100%) R Tootsie Glitter 6/13 (46%) Lance's Smile 2/17 (12%)	Lance's Smile 74 Classic Dreamer 64 Stormin' Amanda 57 R Tootsie Glitter 53 Party Dream 49	Lance's Smile 74 Classic Dreamer 64 Stormin' Amanda 57 R Tootsie Glitter 53 Party Dream 49		Lance's Smile 74 Classic Dreamer 64 Stormin' Amanda 57 R Tootsie Glitter 53 Party Dream 49	

Daily Double / Exacta / Trifecta (\$ .50 minimum) / Superfecta (\$ .10 minimum) / Pick 3 (\$ .50 minimum) (Races 6-7-8) / Pick 4 (\$ .50 minimum) (Races 6-7-8-9) / Super High 5

# 6 Tampa Bay Downs

3yo MAIDEN CLAIMING 40,000

Purse \$19,500. (Includes \$1,500 from FOA) For Maidens, Fillies Three Years Old. Weight, 120 Lbs Claiming Price \$40,000 (Registered Florida Breds Preferred). SIX AND ONE HALF FURLONGS



equibase.com/QR

Track Record: Action Andy(5), 121 lbs; 1:15.47 (3-10-12)

Prg #	Horse	Jockey (St-W-P-S Win%) ITM%	Pedigree / Breeder / Owner / Trainer (St-W-P-S Win%) ITM%	Weight	Life	Dirt	Wet	Turf	Synthetic	Class Rating	
1	<b>Wishin N Kissin</b>	ADEMAR SANTOS (41-6-6-5 15%) 41%	Grfo f. 3 (Apr 10, 2020) Cajun Breeze (\$5,000) (Congrats) - Trisha's Wish (Unbridled Time) Br: Shadybrook Farm Inc (FL) Own: Mildred Lalz Tr: Max Ublde (12-1-1-3 8%) 42%	120	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	n/a	
20-1	White, Red Cross Sash										
Works:	16 Jan 23 0hc 3f ft :38.00 b 1/1	31 Dec 22 0hc 4f ft :52.00 b 3/3	12 Dec 22 0hc 4f ft :51.00 b 1/1	4 Dec 22 0hc 4f ft :50.30 b 1/1	25 Nov 22 0hc 4f ft :51.20 b 2/7						
Trainer (Last 365 days):	All: 29 7X \$1.25 Dist/Surf: 16 6X \$1.81	1stTime: 3 0X \$0.00	DebutMClm: 2 0X \$0.00	MdnClaim: 21 10X \$1.73	With Jockey: 11 0X \$0.67						
2	<b>Party Dream</b>	RICHARD A. BRACHO (29-3-7-6 10%) 55%	Ch f. 3 (Mar 18, 2020) Jessa's Dream (\$5,000) (Curlin) - Peggy Joyce (After Market) Br: Sharon Blamonte (FL) Own: Wimborne Farm Tr: Lester Barbazon, III (8-1-1-2 12%) 50%	120	1 0 0 1	0 0 0 1	1 0 0 1	0 0 0 0	0 0 0 0	4	
8-1	White and Green Diamonds, White Sleeves										
Works:	21 Jan 23 0hc 4f ft :1:17.40 b 1/1	22 Dec 22 0hc 4f ft :53.00 b 4/5	17 Dec 22 0hc 4f ft :51.20 b 5/10	6 Dec 22 0hc 6f ft :1:03.00 b 1/2	26 Nov 22 0hc 4f ft :51.00 b 1/6						
Trainer (Last 365 days):	All: 29 3X \$0.34 Dist/Surf: 5 0X \$0.00	1stTime: 2 0X \$0.00	MdnClaim: 8 0X \$0.00	With Jockey: 1 0X \$0.00							
3	<b>Train Wreck</b>	VERNON BUSH (8-0-0-0 0%) 0%	B f. 3 (Feb 14, 2020) Glrvin (\$7,500) (Tale of Ekati) - Mystic Magnolia (First Dude) Br: Jay Janssen & Joan Janssen (FL) Own: Anthony Munoz Tr: Donald F. Hunt (13-0-1-2 0%) 23%	120	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	n/a	
15-1	White, Green Diamond Framed "AM", Green Sleeves										
Works:	26 Jan 23 Hff 4f gd :51.00 b 1/1	17 Dec 22 Hff 4f gd :50.20 b 1/2	10 Dec 22 Hff 4f gd :50.40 b 3/7	3 Dec 22 Hff 4f gd :50.03 b 1/6	19 Nov 22 Hff 4f gd :50.10 b 1/2						
Trainer (Last 365 days):	All: 36 6X \$4.51 Dist/Surf: 21 5X \$2.60	1stTime: 5 0X \$0.00	DebutMClm: 4 0X \$0.00	MdnClaim: 19 11X \$8.54	With Jockey: 0 0X \$0.00						
4	<b>R Tootsie Glitter</b>	JOSE C. FERRER (118-25-18-15 21%) 49%	Dk B/ Br f. 3 (Apr 27, 2020) (OBS MAR 2YO 2022 \$35,000) Good Samaritan (\$12,500) (Marian's Holiday) - Gold Club (Majestic Warrior) Br: Brandywine Farm (Jim & Pam Robinson) (KY) Own: Averill Racing, LLC and Jayson R. Werth Tr: Gerald S. Bennett (65-20-6-12 31%) 62%	120	1 0 0 0	0 0 0 0	1 0 0 0	0 0 0 0	0 0 0 0	3	
3-1	Black, White Circled "RA", White Stripe on Sleeves										
Works:	07 Jan 23 Tam 2 ft 7:46 :2285 :4626 1:2402 3 [E] Msw 32000	62-53 3 2 21 21 56 412 Ferrer JC 120 L 4.70	Champagne Calling 120 1/2	Patience Worth 120 1/2	La Pachanga 120 1/2	chase, 3p, faded					
Trainer (Last 365 days):	All: 341 21X \$1.71 Dist/Surf: 198 21X \$1.59	1stTime: 5 60X \$4.12	BlknsOn: 11 27X \$1.87	MSM/MClm: 11 27X \$1.42	MdnClaim: 46 24X \$1.92	With Jockey: 19 42X \$3.51					
5	<b>Lance's Smile</b>	PABLO MORALES (129-24-19-22 19%) 50%	Grfo f. 3 (Mar 31, 2020) (OBS 2 YR OLD & HRA 2022 \$32,000) Valiant Minister (\$3,000) (Candy Ride (ARG)) - Discreet Darling (Discreet Cat) Br: Juan Rodriguez (FL) Own: Perrine Time Thoroughbreds Tr: Timothy E. Hamun (34-3-2-6 9%) 32%	120	1 0 0 1	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	1	
2-1	White, Gray Coat of Arms, Gray Sleeves										
Works:	28 Dec 22 Tam 8 ft 6:46 :2288 :4521 1:1114 2 [E] Msw 32000	63-74 7 2 41 45 45 35 Morales P 119	11.80	Froshado 112 hkt	Broken Hearts Bay 119 1/4	Lance's Smile 119 1/4 chase, 3p, kept on					
Trainer (Last 365 days):	All: 597 18X \$1.28 Dist/Surf: 370 18X \$1.28	31-60 Days: 154 16X \$1.16	1stLaska: 37 16X \$1.09	MSM/MClm: 21 10X \$0.49	MdnClaim: 80 15X \$1.19	With Jockey: 139 25X \$1.3					
6	<b>Just Mercy</b>	AUGUSTO A. MARIN (6-1-0-1 17%) 33%	Dk B/ Br f. 3 (May 4, 2020) Jessa's Dream (\$5,000) (Curlin) - Alhambra Circle (Rock Hard Ten) Br: Jennifer Philip (FL) Own: Pep Stables, LLC Tr: Lennox Pseudhomme (0-0-0-0 0%) 0%	120	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	n/a	
20-1	Blue, Yellow Diamond, Yellow Sleeves										
Works:	22 Jan 23 1tc 4f gd :50.00 b 1/2	31 Dec 22 Tam 4f ft :50.40 b 44/79	19 Nov 22 Tam 4f ft :51.80 b 49/55	22 Oct 22 1tc 4f gd :50.00 b 4/4	15 Oct 22 1tc 4f gd :50.00 b 1/1						
Trainer (Last 365 days):	All: 58 10X \$1.68 Dist/Surf: 38 13X \$2.36	MdnClaim: 30 7X \$1.04	With Jockey: 0 0X \$0.00								
7	<b>Stormin' Amanda</b>	ANGEL S. ARROYO (132-13-15-19 10%) 36%	B f. 3 (Apr 12, 2020) Storm Wolf (\$1,500) (Stormin Fever) - Yeardeley (Don't Get Mad) Br: Mary K. Haire (MD) Own: Maria Montez Haire and Israel Chavez Tr: Mario Lortio (19-2-5 11%) 47%	120	2 0 1 1	0 0 0 0	1 0 0 1	0 0 0 0	0 0 0 0	1	
6-1	White, White "RABBIT" on Royal Blue Bell, Royal Blue Sleeves										
Works:	18 Jan 23 Tam 4 ft 6:46 :2211 :4576 1:1059 2 [E] Mcl 40000	73-55 6 4 43 42 44 31 1/2 Arroyo A S 120 bf 5.20	R Salviv Grlvin 120 1/4	Faccia Bella 120 1/4	Stormin' Amanda 120 1/4	inside, svd, grad, evenly					
Trainer (Last 365 days):	All: 58 10X \$1.68 Dist/Surf: 38 13X \$2.36	MdnClaim: 30 7X \$1.04	With Jockey: 7 0X \$0.00								

1st place

4-7-8

<b>8</b>	<b>Classic Dreamer</b>	Dk B/ Br f. 3 (Mar 30, 2020)	Life: 1 0 0 0 \$250	Dirt: 1 0 0 0 \$250
	<b>\$40,000</b>	Noble Bird (\$5,000) (Birdstone) - Indy Crown (Shaniko)	2023: 0 0 0 0 \$0	Wet Dirt: 0 0 0 0 \$0
<b>51</b>	<b>JOSE A. BATISTA (101-15-8-15 15%) 39%</b>	Br: J D Farms (FL)	2022: 1 0 0 0 \$250	Turf: 0 0 0 0 \$0
	<b>Gray, Maroon and Pink Sash, Maroon and Pink Hoops on Sleeves</b>	Own: J D Farms	Tam Dirt: 1 0 0 0 \$250	Wet Turf: 0 0 0 0 \$0
		Tr: Rafael Romero (14-1-1-0 7%) 14%	Distance: 0 0 0 0 \$0	Synthetic: 0 0 0 0 \$0
			Class Rating: 64	
<p>22 Tam8 ft 6f46 :2288 :4561 1:1114 2 [E] Msw 32000 26-64 3 8 87 77 78 69 Rowland M 1145 f 30.30 Froshado 1121 Broken Hearts Bay 1194 Lance's Saffie 1193 trailed, 4p, drift, no bd 8</p> <p>23 Dec 22 CM 4F ft :49.39 b 1/7 17 Dec 22 CM 4F ft :50.00 b 3/3 10 Dec 22 CM 4F ft :50.03 b 4/5 3 Dec 22 CM 4F ft :50.02 b g 4/9 21 Nov 22 CM 4F ft :51.72 b g 3/4</p> <p>Last 365 days: All: 104 12X \$1.58 Dist/ Surf: 54 9X \$1.23 31-600days: 13 8X \$0.32 1stTimeBlnk: 1 0X \$0.00 BlinksOn: 2 0X \$0.00 MSM/MClm: 8 12X \$4.10 MdnClm: 32 9X \$1.51 With Jockey: 0 0X \$0.00</p>				
<b>9</b>	<b>Araucaria</b>	B f. 3 (May 8, 2020) (FTK OCT YRLG 2021 \$8,000)	Life: 0 0 0 0 \$0	Dirt: 0 0 0 0 \$0
	<b>\$40,000</b>	Unified (\$10,000) (Candy Ride (ARG)) - Evangeline's Hope (City Zip)	2023: 0 0 0 0 \$0	Wet Dirt: 0 0 0 0 \$0
<b>51</b>	<b>SAMY CAMACHO (170-42-28-24 25%) 55%</b>	Br: Barry R. Ostrager (NY)	2022: 0 0 0 0 \$0	Turf: 0 0 0 0 \$0
	<b>Black, Silver "G", Silver Shield</b>	Own: Gelfenstein Farm	Tam Dirt: 0 0 0 0 \$0	Wet Turf: 0 0 0 0 \$0
		Tr: Bernardo G. Lopez (1-1-0-0 100%) 100%	Distance: 0 0 0 0 \$0	Synthetic: 0 0 0 0 \$0
			Class Rating: n/a	
<p>20 Jan 23 Njf 4F gd :50.00 b g 2/6 6 Jan 23 Njf 4F gd :49.00 b g 1/5 26 Nov 22 Njf 3F gd :38.00 b 1/2 19 Nov 22 Njf 3F gd :39.00 b 1/1 20 Aug 22 Del 3F ft :39.40 b 44/45</p> <p>25 Jan 23 Tam9 6F m Msw 27000; Also-Eligible 24 Dec 22 6PS 6F ft Msw 70000; Veterinarian</p> <p>Last 365 days: All: 63 13X \$1.02 Dist/ Surf: 15 20X \$0.62 1stTime: 7 0X \$0.00 DebutMClm: 1 0X \$0.00 MdnClm: 10 20X \$1.68</p> <p>With Jockey: 12 25X \$1.68</p> <p>First Time on Last; L - Last; LX - Off Last; - Florida Bred</p> <p>Equipment Change: R Tootsie Glitter, Classic Dreamer will race with Blinkers On</p>				

Selections: 5-4-8-7

TAM 01/29/23 Race 6.

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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Ramon Edgardo Minguet Case Nos. 2023-009304 & 2023-009301 Consent Order  
Date: April 24, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Ramon Edgardo Minguet (“Respondent”) to resolve Case Nos. 2023-009304 & 2023-009301. Pursuant to the terms of the proposed order, Respondent would be issued a \$1000 administrative fine and must return all of the purse for violating section 550.2415(1)(a), Florida Statutes, and 75-6.008(3)(c), Florida Administrative Code and \$500 administrative fine, a 15-day suspension and must return all of the purse for violating section 550.2415(1)(a), Florida Statutes, and 75-6.008(2)(o), Florida Administrative Code.

### *Background*

In Case Number 2023-009304, Respondent was the trainer of record for the racing horse Mooncapture, which was owned by Soler & Soler Thoroughbred Corp. On January 19, 2023, Mooncapture finished 2nd place in the 1st race of the performances held by Gulfstream Park Racing Association, Inc. A blood sample was taken from Mooncapture to test for any prohibited substances. The sample was sent to the University of Florida Lab (“UF Lab”) and subsequently tested. The UF Lab detected 3-hydroxylicocaine (a metabolite of lidocaine)<sup>1</sup> in the blood. 3-hydroxylicoxaine was detected at a blood serum concentration 244.5 +/- 1.7 pg/mL.

In Case Number 2023-009301, Respondent was the trainer of record for the racing horse Sortaria, which was owned by Soler & Soler Thoroughbred Corp. On January 13, 2023, Sortaria finished 2nd place in the 1st race of the performances held by Tampa Bay Downs, Inc. A blood sample was taken from Sortaria to test for any prohibited substances. The sample was sent to the University of Florida Lab (“UF

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<sup>1</sup> 3-hydroxylicoxaine is a Class 2 drug. See Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. Lidocaine is used on horses when the undergo surgical treatment.

Lab”) and subsequently tested. The UF Lab detected phenylbutazone<sup>2</sup> in the blood. Phenylbutazone was detected at a blood serum concentration of 7.35 +/- 0.19 µg/mL.

The Division filed an administrative complaint alleging two violations of section 550.2415(1)(a), Florida Statutes, which makes it a violation of Florida law to race an animal that been determined to have a prohibited substance present in its system.

Rule 75-6.008(2)(o), Florida Administrative Code, provides that it is a violation if 3-hydroxyidoxaine exists at a serum concentration greater than 20 pg/mL. The penalty for this violation is a Class B penalty under the Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. (“Guidelines”).

Rule 75-6.008(3)(c), Florida Administrative Code, provides that it is a violation if phenylbutazone exists at a primary blood serum concentration greater than 2 µg/mL. The Guidelines provide that if phenylbutazone is found over 5 µg/mL, the penalty is \$1,000 and loss of the purse. Here, Respondent’s horse was found with phenylbutazone at 7.35 µg/mL.

### *Analysis*

Respondent has no prior violations of section 550.2415(1)(a), Florida Statutes, in the last 365 days. Therefore, Respondent should be issued a \$500 administrative fine and a 15-day suspension for case number 2023-009304 and a \$1000 fine for case number 2023-009301. The Owner has signed the Consent Order indicating that they will return the purse to Gulfstream Park and Tampa Bay Downs.

Staff Recommendation: The Florida Gaming Control Commission should enter a Final Order adopting and incorporating the proposed settlement and consent order in Case Nos. 2023-009304 & 2023-009301.

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<sup>2</sup> Phenylbutazone is an NSAID and Class 4 drug. *See* Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

RAMON EDGARDO MINGUET,

FGCC Case Nos.: 2023-009304  
2023-009301

Respondent.

\_\_\_\_\_ /

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), Ramon Edgardo Minguet (“Respondent”), and Soler & Soler Thoroughbred Corp (“Owner”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, 11462322-1021, issued by the Division.
2. At all times material hereto, Owner held a Pari-Mutuel Wagering Business Occupational License, number 12915761-1020, issued by the Division.
3. This Consent Order is to be entered in resolution of the two-count Administrative Complaint filed in FGCC Case Numbers 2023-009304 and 2023009301, alleging that Respondent was in violation of:
  - a. Section 550.2415, Florida Statutes, and rule 61D-6.008(2)(o), Florida Administrative Code, by racing Owner’s horse “Mooncapture” with an impermissible amount of **3-hydroxylidocaine (a metabolite of lidocaine)** in its

body during the performances held at Gulfstream Park Racing Association, Inc. (“Gulfstream Park”) on January 19, 2023

- b. Section 550.2415, Florida Statutes, and rule 61D-6.008(3)(c), Florida Administrative Code, by racing Owner’s horse “Sortaria” with an impermissible amount of **phenylbutazone** during the performances held at Tampa Bay Downs, Inc. (“TBD”) on January 13, 2023.
4. On January 19, 2023, Mooncapture participated in the 1st race of the performances held at Gulfstream Park. Mooncapture finished 2nd in the 1st race of the performances held at Gulfstream Park.
5. On January 13, 2023, Sortaria participated in the 1st race of the performances held at TBD. Sortaria finished 2nd in the 1st race of the performances held at TBD.
6. This Consent Order was entered into in consideration of Respondent’s previous disciplinary history, including no prior violations of section 550.2415, Florida Statutes, in the previous 365 days.

#### STIPULATION

WHEREAS the Division, Respondent, and Owner (“Parties”), desire to resolve this matter, the following terms are stipulated:

7. The Division has jurisdiction over this matter and the Parties.
8. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
9. As the trainer of record, Respondent admits that they are responsible for the condition of the horse they enter into races.



10. Respondent waives his right to a Stewards Hearing in order to settle this matter through this Consent Order.

11. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent and Owner are aware that they are entitled to the advice of counsel, and have either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent and Owner acknowledge that the Division has not made any promise, nor has it in any other way encouraged Respondent or Owner to enter into this Consent Order without the advice of counsel.

12. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.

13. The Parties acknowledge and agree to waive any further administrative and judicial review.

14. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent or Owner for acts or omissions not specifically set forth herein.

15. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

16. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission (“Commission”). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

17. Upon the Commission's adoption of this Consent Order, Respondent and Owner expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

18. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

19. This Consent Order may be signed in counterparts, and copies shall be treated as original.

20. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

21. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov), for the meeting materials, agenda, and contact information.

22. Respondent and Owner authorize the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

STIPULATION FOR CASE NO. 2023-009304

23. **FINE:** Respondent agrees to, and must pay to the Division, the total sum of **FIVE HUNDRED DOLLARS (\$500.00)**, at the time Respondent submits an executed copy of this

Consent Order. **Payment shall be made payable to Gulfstream Park Horsemen's Bookkeeper Corporation, and must be in the form of a certified check, cashier's check, or money order (NO PERSONAL CHECKS).**

24. **SUSPENSION:** The Parties agree that Respondent's **occupational license shall be SUSPENDED for a period of 15 calendar days.** The occupational license suspension dates will be determined by the Division's Board of Stewards subsequent to the adoption of this Consent Order by the Division and filing with the Agency Clerk's Office. Respondent will be denied access, use, and privileges of all grounds under the jurisdiction of the Florida Division of Pari-Mutuel Wagering requiring an occupational license for admittance during the terms of suspension.

25. The Owner agrees that they shall return all money that was distributed from the purse to Gulfstream Park within 14 days of execution of this agreement. The Owner agrees that failure to return the purse money may result in further action.

26. Respondent and Owner must execute and mail this Consent Order and payment to: Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming. Please note FGCC Case Number 2023-009304 on the face of the payment.

STIPULATION FOR CASE NO. 2023-009301

27. **FINE:** Respondent agrees to, and must pay to the Division, the total sum of **ONE THOUSAND DOLLARS (\$1,000.00)**, at the time Respondent submits an executed copy of this Consent Order. **Payment shall be made payable to the board of relief established at Tampa Bay Downs, Inc., and must be in the form of a certified check, cashier's check, or money order (NO PERSONAL CHECKS).**

28. The Owner agrees that they shall return all money that was distributed from the purse in Case No. 2022-009301 to Tampa Bay Downs within 14 days of execution of this agreement. The Owner agrees that failure to return the purse money may result in further action.

29. Respondent and Owner must execute and mail this Consent Order and payment to: Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming. Please note FGCC Case Number 2023-009301 on the face of the payment.

*[Signature pages to follow]*

WHEREFORE, Respondent, **RAMON EDGARDO MINGUET**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 24<sup>th</sup> day of March, 2023.

  
\_\_\_\_\_  
**RAMON EDGARDO MINGUET**  
Respondent

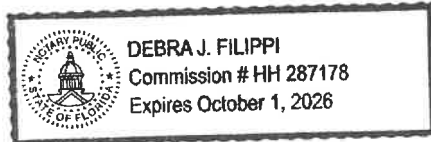
STATE OF Florida  
COUNTY OF Broward.

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 24<sup>th</sup> day of March, 2023, by RAMON EDGARDO MINGUET, who is personally known to me or who produced the following as identification:

FL DL.


  
\_\_\_\_\_  
Notary Public

My commission expires:



WHEREFORE, Owner, SOLER & SOLER THOUROGHBRED CORP, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.


SIGNED this 29<sup>th</sup> day of March, 2023.

  
\_\_\_\_\_  
SOLER & SOLER THOUROGHBRED CORP  
Owner

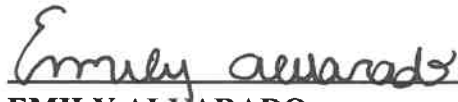
STATE OF Florida  
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 29<sup>th</sup> day of March, 2023, by SOLER & SOLER THOUROGHBRED CORP, who is personally known to me or who produced the following as identification: driver license



Notary Public   
My commission expires: 03/07/2026

APPROVED this 17 day of April, 2023.

Handwritten signature of Emily Alvarado in cursive script, positioned above a horizontal line.

**EMILY ALVARADO**  
**DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

RAMON EDGARDO MINGUET,

FGCC Case Nos.: 2023-009304  
2023-009301

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Ramon Edgardo Minguet (“Respondent”), and alleges as follows:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.
2. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, 11462322-1021, issued by Petitioner.

COUNT I (Case No. 2023-009304)

3. At all times material hereto, Respondent was the trainer of record for the racing horse “Mooncapture,” with microchip number 981020035768528.
4. At all times material hereto, “Mooncapture” was owned by Soler & Soler Thoroughbred Corp who holds a Pari-Mutuel Wagering Business Occupational License, number 12915761-1020, issued by Petitioner.



5. On January 19, 2023, “Mooncapture” participated in the 1st race of the performances held by Gulfstream Park Racing Association, Inc. (“Gulfstream Park”).

6. On January 19, 2023, “Mooncapture” finished in 2nd place in the 1st race of the performances held by Gulfstream Park.

7. Gulfstream Park is a facility operated by a permit holder authorized to conduct pari-mutuel wagering in this state under chapter 550, Florida Statutes.

8. On January 19, 2023, blood sample number 314597 was collected from “Mooncapture.”

9. Blood sample number 314597 was processed and forwarded to the University of Florida Racing Laboratory (“UF Lab”), for analysis.

10. The UF Lab tested the serum extracted from blood sample number 314597 and found that it contained **3-hydroxylidocaine (a metabolite of lidocaine)**.

11. In blood sample number 314597, **3-hydroxylidocaine** was detected at a serum concentration of 244.5 +/- 1.7 pg/mL.

12. Pursuant to section 550.2415(1)(a), Florida Statutes:

The racing of an animal that has been impermissibly medicated or determined to have a prohibited substance present is prohibited. It is a violation of this section for a person to impermissibly medicate an animal or for an animal to have a prohibited substance present resulting in a positive test for such medications or substances based on samples taken from the animal before or immediately after the racing of that animal.

13. According to rule 61D-6.008(2)(o), Florida Administrative Code, it is a violation of section 550.2415, Florida Statutes, if **lidocaine** exists at a serum concentration greater than 20 pg/mL.

14. Section 550.2415(1)(c), Florida Statutes, states, “[t]he finding of a prohibited substance in a race-day specimen constitutes prima facie evidence that the substance was administered and was carried in the body of the animal while participating in the race.”

15. Rule 61D-6.002(1), Florida Administrative Code, provides that, “[t]he trainer of record shall be responsible for and be the absolute insurer of the condition of the horses...he/she enters to race.”

16. Based on the foregoing, Respondent violated section 550.2415(1)(a), Florida Statutes, and rule 61D-6.008(2)(o), Florida Administrative Code, by racing “Mooncapture” with an impermissible concentration of a permitted substance in its body on January 19, 2023.

COUNT II (Case No. 2023-009301)

17. At all times material hereto, Respondent was the trainer of record for the racing horse “Sortaria,” with microchip number 981020035173431.

18. At all times material hereto, “Sortaria” was owned by Soler & Soler Thoroughbred Corp who holds a Pari-Mutuel Wagering Business Occupational License, number 12915761-1020, issued by Petitioner.

19. On January 13, 2023, “Sortaria” participated in the 1st race of the performances held by Tampa Bay Downs, Inc. (“TBD”).

20. On January 13, 2023, “Sortaria” finished in 2nd place in the 1st race of the performances held by TBD.

21. TBD is a facility operated by a permit holder authorized to conduct pari-mutuel wagering in this state under chapter 550, Florida Statutes.

22. On January 13, 2023, blood sample number 314106 was collected from “Sortaria.”

23. Blood sample number 314106 was processed and forwarded to the University of Florida Racing Laboratory ("UF Lab"), for analysis.

24. The UF Lab tested the serum extracted from blood sample number 314106 and found that it contained **phenylbutazone**.

25. In blood sample number 314106, **phenylbutazone** was detected at a serum concentration of 7.35 +/- 0.19 µg/mL.

26. Pursuant to section 550.2415(1)(a), Florida Statutes:

The racing of an animal that has been impermissibly medicated or determined to have a prohibited substance present is prohibited. It is a violation of this section for a person to impermissibly medicate an animal or for an animal to have a prohibited substance present resulting in a positive test for such medications or substances based on samples taken from the animal before or immediately after the racing of that animal.

27. According to rule 61D-6.008(3)(c), Florida Administrative Code, it is a violation of section 550.2415, Florida Statutes, if **phenylbutazone** exists at a primary serum concentration greater than 2 µg/mL.

28. Section 550.2415(1)(c), Florida Statutes, states, "[t]he finding of a prohibited substance in a race-day specimen constitutes prima facie evidence that the substance was administered and was carried in the body of the animal while participating in the race."

29. Rule 61D-6.002(1), Florida Administrative Code, provides that, "[t]he trainer of record shall be responsible for and be the absolute insurer of the condition of the horses...he/she enters to race."

30. Based on the foregoing, Respondent violated section 550.2415(1)(a), Florida Statutes, and rule 61D-6.008(3)(c), Florida Administrative Code, by racing "Sortaria" with an impermissible concentration of a permitted substance in its body on January 13, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in rule 61D-6.011, Florida Administrative Code, section 550.2415(3)(a), Florida Statutes, and/or any other relief that the Commission is authorized to impose pursuant to chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-009304 and 2023-009301 is signed this 21st day of February, 2023.

*/s/Emily A. Alvarado*

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

### NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

### NOTICE OF RIGHT TO REQUEST A SPLIT SAMPLE

Pursuant to rule 61D-6.006, Florida Administrative Code, you have the right to request a split sample with respect to each "Report of Positive Result" from the UF Lab. (Copy attached as Exhibit A). To request a split sample, use Form DBPR PMW-3290, Notification to Stewards/Judge of Split Sample Request (Form 3290).

You can obtain Form 3290, as well as a list of approved split samples laboratories, at the State Office located in any Florida pari-mutuel facility, or on the Division's website: <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/forms-and-publications/>. You must submit Form 3290 to the state steward, Division hearing officer, or office of the General Counsel, within 10 days from receipt of this Notice, or you will waive your right to request a split sample.

# EXHIBIT A

RECEIVED  
2/17/23



College of Medicine  
Department of Pathology, Immunology and Laboratory Medicine  
Racing Laboratory

PO Box 100275  
Gainesville, FL 32610-0275  
352-392-2238  
352-846-1052 Fax

February 17, 2023

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL  
32399-1037

RE: Report of Positive Result


Sample 314597 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

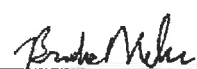
**3-Hydroxylidocaine found in serum**

3-Hydroxylidocaine is a metabolite of Lidocaine (an anesthetic and Class 2 drug) - the concentration of 3-Hydroxylidocaine is 244.5 +/- 1.7 pg/mL.

<u>E006098-FHB</u>	<u>Horse Serum</u>	<u>4.3 g</u>	<u>INTACT</u>
Laboratory Number	Specimen	Final Weight	Seal
<u>Gulfstream Park</u>		<u>01/19/2023</u>	<u>01/24/2023</u>
Collected From		Date Collected	Date Received

Pursuant to Chapter 550.2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 02/26/2023, or upon commencement of administrative action, whichever occurs first.

  
Dirk A. Hunt Associate Director

  
Brooks Nelson Chemist III

RL 115

Page 1 of 1

23-48

University of Florida Racing Lab  
ISOMEC 17025-2017  
Certificate # AT-1642



The Foundation for The Gator Nation  
An Equal Opportunity Institution

2023-009304  
2023-009301

314597      DATE 1-19-23

TRACK 321

RACE 1      FINISH 2

NAME OF ANIMAL HOONCAPTURE  
NOMBRE DEL ANIMAL

COLOR B      SEX C      AGE 3

ID NUMBER 981020035768528

MICROCHIP     TATTOO     FREEZE-BRAND

BLOOD William M. Watson, MD <sup>WMMW</sup>  
SAMPLED BY

URINE Arlosse Gustave AG  
SAMPLED BY

TRAINER Ramon Minquet  
ENTRENADOR / ENTRENADORA

WITNESS LWS  
FIRMA DE TESTIGO

SIGNATURE [Signature]  
FIRMA DE TESTIGO

WITNESS 13098172  
LICENCE #      NÚMERO DE LICENCIA

60

RI-252-02

Florida Department of Business & Professional Regulation  
**dbpr**  
 DOCUMENTATION REQUIRED FOR ALL DAMAGED OR VOIDED FORMS SECURE STORAGE REQUIRED - ISSUE / USE SEQUENTIALLY

# EXHIBIT B

02-15-23;12:17PM;University of Florida

:352

# 2/ 4



College of Medicine  
Department of Pathology, Immunology and Laboratory Medicine  
Racing Laboratory

PO Box 100275  
Gainesville, FL 32610-0275  
352-392-2238  
352-846-1052 Fax

February 15, 2023

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL  
32399-1037

RE: Report of Positive Result

Sample 314106 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

**Phenylbutazone (primary) found in serum**  
Phenylbutazone (an anti-inflammatory and Class 4 drug) - the concentration of Phenylbutazone (primary) is 7.35 +/- 0.19 µg/mL.

<u>E005788-FHB</u>	<u>Horse Serum</u>	<u>6.2 g</u>	<u>INTACT</u>
Laboratory Number	Specimen	Final Weight	Seal
<u>Tampa Bay Downs</u>		<u>01/13/2023</u>	<u>01/17/2023</u>
Collected From		Date Collected	Date Received

Pursuant to Chapter 550.2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 02/24/2023, or upon commencement of administrative action, whichever occurs first.

Dirk A Hunt

Associate Director

Brooks Nelson

Chemist III

23-44

RL 115

Page 1 of 1

University of Florida Racing Lab  
ISO/IEC 17025-2017  
Certificate # AT-1842



*The Foundation for The Gator Nation*  
An Equal Opportunity Institution

2023-009304  
2023-009301

Page 9 of 10





DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

314106      DATE 1.13.2023  
TRACK 320  
RACE 1      FINISH 2nd  
NAME OF ANIMAL SORTARIA  
NOMBRE DEL ANIMAL  
COLOR B      SEX F      AGE 3  
ID NUMBER 981020035M3431  
 MICROCHIP     TATTOO     FREEZE-BRAND  
BLOOD Richard Rock DVM  
SAMPLED BY  
URINE Jeanne Welles JW  
SAMPLED BY  
TRAINER Ramon Minquel  
ENTRENADOR / ENTRENADORA  
WITNESS SIGNATURE [Signature]  
FIRMA DE TESTIGO  
WITNESS Carlos Narvaez  
LICENSE # 13038348  
NÚMERO DE LICENCIA

RL-252-02

RECEIVED  
2/17/23



College of Medicine  
Department of Pathology, Immunology and Laboratory Medicine  
Racing Laboratory

PO Box 100275  
Gainesville, FL 32610-0275  
352-392-2238  
352-846-1052 Fax

February 17, 2023

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL  
32399-1037

RE: Report of Positive Result

Sample 314597 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

**3-Hydroxylidocaine found in serum**

3-Hydroxylidocaine is a metabolite of Lidocaine (an anesthetic and Class 2 drug) - the concentration of 3-Hydroxylidocaine is 244.5 +/- 1.7 pg/mL.

<u>E006098-FHB</u>	<u>Horse Serum</u>	<u>4.3 g</u>	<u>INTACT</u>
Laboratory Number	Specimen	Final Weight	Seal
<u>Gulfstream Park</u>		<u>01/19/2023</u>	<u>01/24/2023</u>
Collected From		Date Collected	Date Received

Pursuant to Chapter 550.2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 02/26/2023, or upon commencement of administrative action, whichever occurs first.

Dirk A Hunt

Associate Director

Brooks Nelson

Chemist III

RL 115

Page 1 of 1

23-48

University of Florida Racing Lab  
ISO/IEC 17025-2017  
Certificate # AT-1642





DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

314597 DATE 1-19-23

TRACK 321

RACE 1 FINISH 2

NAME OF ANIMAL MOONCAPTURE  
NOMBRE DEL ANIMAL

COLOR B SEX C AGE 3

ID NUMBER 981020035768528

MICROCHIP  TATTOO  FREEZE-BRAND

BLOOD William M. Watson, III <sup>Wmw</sup>  
SAMPLED BY

URINE Ariasse Gustave AG  
SAMPLED BY

TRAINER Ramon Minquet  
ENTRENADOR / ENTRENADORA

WITNESS LWS  
SIGNATURE Lorenzo [Signature]  
FIRMA DE TESTIGO

WITNESS 13098172  
LICENSE # NÚMERO DE LICENCIA

60

RL-252-02

FAQ | Help | Sign Out

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Mass Status Update</a>	<a href="#">Recording License Type Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>				

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: gricks

VR Home > Complaint Search > Maintain Complaint

Lic Type	<b>1021 - Pari-Mutuel Wagering Individual Occupational</b>	Status	<b>10 Initial Review</b>	Status Date	<b>02/18/2023</b>
Complaint #	<b>2023009304</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent	<b>MINGUET, RAMON EDGARDO</b>	Responsible	<b>elanier - LANIER, EBONIE</b>	<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	<b>LAB - UF Laboratory</b>	Security Level	<b>1</b>	<input checked="" type="checkbox"/>	<b>Parties</b>	<input type="checkbox"/>	<b>Activities</b>
Form	<b>FAX - Fax</b>	Priority	<b>1</b>	<input checked="" type="checkbox"/>	<b>Allegations</b>	<input type="checkbox"/>	<b>Discipline</b>
Class'n	<b>II-X - Class II Drug Positive</b>	Complexity	<b>R - Regular</b>	<input checked="" type="checkbox"/>	<b>Violations</b>	<input type="checkbox"/>	<b>Compliance</b>
Security	<b>STND - Standard</b>	Incident	<b>01/19/2023</b>	<input type="checkbox"/>	<b>Related</b>	<input checked="" type="checkbox"/>	<b>Disposition</b>
Region	<b>SR - Southern Region</b>	Received	<b>02/17/2023</b>	<input type="checkbox"/>	<b>Inspection</b>		
Reference	<b>314597</b>			<input type="checkbox"/>	<b>Costs</b>		
Entered	<b>02/18/2023</b>	Entered By	<b>gricks</b>	<input type="checkbox"/>	<b>Time Tracking</b>	<b>Auto Assign</b>	
Summary	<b>— 321 - Gulfstream Park Racing Association, Horse MOONCAPTURE, Drug, Sample #314597, Lab #E006098-FHB.</b>			<input type="checkbox"/>	<b>Attachments</b>	<b>History</b>	
Updated	<b>02/18/2023 14:31:13</b>	By	<b>gricks</b>	<input type="checkbox"/>	<b>Work Notes</b>	<b>Print Report</b>	

<a href="#">Change</a>	<a href="#">Save</a>	<a href="#">OK</a>	<a href="#">Cancel</a>	<a href="#">Back</a>
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Get Adobe Reader.

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: gricks

VR Home > License Search > License Home

**License**

Fed Tax # [REDACTED] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2023**

File # **65960** Name **MINGUET, RAMON EDGARDO** Extended To

License # **11462322** Rank **PIND - Professional Individual Occupational** Renewed On **06/30/2020**

Entity # **11462322** Lic Status **Current**

- Licensee
- History
- Notes
- Notes History
- Back

**Address**

Street # **20140 Street W. DIXIE HWY APT #24205**

Line 2

Line 3

City **MIAMI** State **FL** Zip **33180**

Routing

**Other**

1st License Date **08/19/2017** Rank Date **06/30/2020** Certificate #

Method **I-S-1024** Status Date **08/19/2017** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action

**Modifiers**

Type	Modifier	Effective Date	Additional Info
C	TRNR - Trainer	07/27/2017	
I	TBRD - Thoroughbred	07/27/2017	
L	321 - Gulfstream Park	07/27/2017	
Y	3YR - 3 Year License	07/27/2017	

**Alt Keys**

BEST LIC NBR **11462322**

Get Adobe Reader.



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: gricks

VR Home > License Search > License Home

<b>License</b> Fed Tax # <span style="background-color: black; color: black;">[REDACTED]</span> Lic Type <b>1020 - Pari-Mutuel Business Occupational</b> Expires On <b>06/30/2024</b> File # <b>12618</b> Name <b>SOLER &amp; SOLER THOROUGHbred CORP</b> Extended To License # <b>12915761</b> Rank <b>PBUS - Pari-Mutuel Business Occupational</b> Renewed On Entity # <b>12915761</b> Lic Status <b>Current</b>		<input type="checkbox"/> <table border="1"> <tr><td>Licensee</td></tr> <tr><td>History</td></tr> <tr><td>Notes</td></tr> <tr><td>Notes History</td></tr> <tr><td>Back</td></tr> </table>	Licensee	History	Notes	Notes History	Back																		
Licensee																									
History																									
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<b>Other</b> 1st License Date <b>09/08/2021</b> Rank Date <b>09/08/2021</b> Certificate # Method <b>I-S-1024</b> Status Date <b>09/08/2021</b> Certificate Date Fee Exempt <b>No</b> Birth Date Renewal Sent																									
<b>Select</b> Action <input type="text"/>  																									
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<b>Alt Keys</b> BEST LIC NBR <b>12915761</b>																									

1



MAIDEN OPTIONAL CLAIMING \$50,000

Purse \$50,000. (Includes \$7,000 from FTHA-FOA) For Maidens, Three Years Old Florida-Bred, or Maiden Claiming Price \$50,000. Weight, 118 Lbs

Track Record: Discreet Dancer(2), 120 lbs; 1:02.34 (12-3-11)

equibase.com/CR

Table with columns: Program #, Odds, Speed, Weight, Jockey, Class, and race results. Includes entries for Natural Vibes, Uncaptured Star, Eventful (L), Capture the Lion, Mooncapture, Catalina Express, and Silver Style.

2nd place

RACE 1 CONTINUED ON NEXT PAGE

**RACE 1 CONTINUED**

<b>8</b>	<b>4-1</b>	Owner: Just For Fun Stable, Inc. (Ruben Sierra) (3-0-0-0) 0.00%	64	2023:	0	0	0	0	\$0	Turf:	0	0	0	0	\$0
		Silks: Royal Blue, Green Star, Green Band on Sleeves, Royal Blue Cap		2022:	3	0	1	2	\$19,330	Synthetic:	1	0	0	1	\$2,900
Pink		Trainer: Gustavo Delgado (3-0-0-0) 0.00%		Life:	3	0	1	2	\$19,330	Off Track:	0	0	0	0	\$0
				GP	3	0	1	2	\$19,330	Distance:	0	0	0	0	\$0
										Course:	0	0	0	0	\$0

**Vanishing Interest**

23Dec22 3 GP ft	6 1/2	:22 <sup>53</sup>	:46 <sup>20</sup>	1:19 <sup>65</sup>	2	MsW 53000	59	7	3	4 <sup>2</sup>	3 1/2	2 1/2	3 1/4	Zayas E J	118	5.70	English Bob <sup>2</sup>	Adios Pp Chico <sup>1</sup>	Vanishing Interest <sup>1</sup>	staked 3rd, held 3rd	9
03Dec22 8 GP ft	6f	:22 <sup>53</sup>	:46 <sup>24</sup>	1:11 <sup>61</sup>	2	MsW 53000	80	4	1	2 1/2	1hd	2hd	2 1/2	Zayas E J	118	16.80	Cajun Dream <sup>1</sup>	Vanishing Interest <sup>1</sup>	Power Honor <sup>1</sup>	2w, led 3p upr, yld 1/16	7

Previously trained by Ceffi Antonio 2022 (as of 10/22): ( 65 4 3 5 0.07 )		53	3	2	3 <sup>2</sup>	4 <sup>2</sup>	2 <sup>1</sup>	3 <sup>4</sup>	Figueroa H	118	23.60	Grand Bey <sup>1</sup>	Mr. American <sup>2</sup>	Vanishing Interest <sup>2</sup>	2nd, bid, no match	9
22Oct22 3 GP ft	5f	:22 <sup>46</sup>	:45 <sup>60</sup>	:57 <sup>25</sup>	2	Mcl 25000										
Workout(s):	12 Jan 23 GP 4F ft :50.38b 18/24	6 Jan 23 GP 4F ft :50.93b 23/31	18 Dec 22 GP 4F ft :51.38b 38/51	25 Nov 22 GP 4F ft :53.60b 32/33												

L - Lasix; ⊕ - First Time Lasix; ⊗ - Off Lasix; ; - Florida Bred

<b>9</b>	<b>6-1</b>	Owner: Nelson McMakin (1-0-0-0) 0.00%	64	2023:	0	0	0	0	\$0	Turf:	0	0	0	0	\$0
		Silks: Khaki, Green Circled 'M', Burgundy Bars on Sleeves, Burgundy Cap		2022:	0	0	0	0	\$0	Synthetic:	0	0	0	0	\$0
Turquoise		Trainer: Christopher Davis (10-3-1-1) 30.00%		Life:	0	0	0	0	\$0	Off Track:	0	0	0	0	\$0
				GP	0	0	0	0	\$0	Distance:	0	0	0	0	\$0
										Course:	0	0	0	0	\$0

**No III Will**

Dk B/ Br.c.3 Palace Malice - Cha Cha Ridge by Sky Mesa - Bred by Nelson McMakin (May 02, 2020) in KY		53	3	2	3 <sup>2</sup>	4 <sup>2</sup>	2 <sup>1</sup>	3 <sup>4</sup>	Figueroa H	118	23.60	Grand Bey <sup>1</sup>	Mr. American <sup>2</sup>	Vanishing Interest <sup>2</sup>	2nd, bid, no match	9
Workout(s):	7 Jan 23 Pm 4F ft :47.70b 9/97	28 Dec 22 Pm 6F ft 1:02.20b 4/10	19 Dec 22 Pm 4F ft :49.20b 10/24	8 Nov 22 F6 4F ft :48.40b 3/20												

**PROBABLE FAVORITES 7-4-8-2**

01/19/2023 Race 1  
Printed on 1/19/2023 at 0:15:16 PM

**For viewing the full State of Florida Pari-mutuel Rules and Statutes please see the customer service desk in Silks. They will be happy to accommodate your request.**

**Gulfstream Park  
Thursday, January 19, 2023**

**Owner Index For Today's Races**

4RH Racing Stable, LLC (Barry Rosa)	5	Leon King Stable Corp. (Khryssvel Mavarez), Gran Chanito Stable LLC (Jose Benitez), and ProRacing Stable, LLC (Jose D'Angelo)	7
AJ Saited Racing Stable, LLC (Peter C. Aberg)	6B	Lightner, Mary	7
A R M Racing LLC (Anthony R. Margotta, Jr.) and Carol Lucento	1	Lindy Farms (Philip Antonacci)	6
Arlagada, Juan	9	Live Oak Plantation (Charlotte Weber)	4
Auricchio and Jacobson LLC - Radon (Dominick Auricchio)	1	Lone Stable (Felix Fuentes)	2(2)
Barber, Gary	1	Love Unlimited Thoroughbreds LLC (Allen Kaminsky)	5
Michael G. Bernard and Donald Wehby	5	Lowwood Farm LLC (Louise W. Coates) and Fernando Abreu	4
Big Bang Racing LLC (Jay Sidbinski)	9	Mad Dog Racing Stable (Larry Dorman) and Stefania Farms, LLC (Edwin Wilson)	7
Bloom Racing Stable LLC (Jeffrey Bloom)	3	Mastic Beach Racing (Francisco Soria)	9
Blu Boy Racing Stables LLC (Neal Ross Heller)	1	McCarty, William D.	4
Tami Bobo and Tristan De Meric	4	Michael K. McDonald and Kenneth Doyen	3
Phyllis and Alfred S. Bogdanoff and Rising Sun Stable (Kathleen P. Mongeon)	3	McMakin, Nelson	1,8
Robert Bone and Gumpster Stable, LLC (Andrew Berg)	6	MMA Racing (Matthew Lobman)	3
Bourbon Lane Stable (James Madison Hill) and Gregory Burns	2	Morning Moon Farm (Laura E. Vazquez)	5
Budhoo, Steve	2	My Purple Haze Stables (Wanda Polissen)	9
Cal-Ram Racing LLC (Shonda Cheetes)	2	NME 56 LLC (Nida Masri)	5
Alfonso Cammarota	9	Joseph F. Orseno, Diane Azzatori and Joseph Orlando	5
Cammarota Racing LLC (Alfonso Cammarota)	3	Our Sugar Bear Stable LLC (William Terrell)	4
Canosa, Joseph	5	Palm Beach Racing Partnership (Marc Halsfield)	8
Castillo, Silvia E.	3	P and L Thoroughbred Racing, LLC (Paige Maples) and Walder Racing (Peter R. Walder)	5
Chambless, Ivette Perez	7	Paradise Farms Corp. (Peter Proscia) and David Staudacher	6
Champion Equine, LLC (Michael Sucher)	5	Paterpop Racing LLC (Peter Castellanos)	6
Chuncho Bravo Stable & Farm LLC (Javier Morzan)	3	Rancho Alegre (Ruben Grackda)	8
Delvalle, Eric A.	4	Raven, Kerri	8
Demeric, Nick	7	Rocket Ship Racing, LLC (Brook T. Smith)	5
Dharma Racing LLC (Kristy Lewis)	9	Amalio Ruiz-Lozano and Angel M. Rodriguez	2
DiCosmo, Philip	1	Sanders, Tom	7
Dobber, Arnoud W.	9	Michele and Lawrence E. Sargent	3
Fanelli, John	8	Schickedanz, Bruno	5
Gatsas Stables (Michael Gatsas), Steven Schoenfeld and John P. Terranova, III	8	Schwartz, Mark	3
Golden Kernel Racing Stable (Paula Rose Szalay)	6	Sokil Stable, LLC (Alfonso Soued)	2
Goldfarb, Sanford J.	9	Soler and Soler Thoroughbred Corp. (Edisley Soler)	1
Hurtak, Daniel C.	9	Sonata Stable (Marc Tacher)	6
Imaginary Stables (John Guarnere)	2	Stag Horn Thoroughbreds (Christine Gatsunas)	1
Imaginary Stables (John Guarnere) and Tami Bobo	8	Susan Ditter Racing LLC (Susan Ditter)	6
Joey Gee Thoroughbreds (Joe Guerneri)	8(2)	Team Block (David Block)	6
Larry R. Johnson and R. D. M. Racing Stable LLC (Michael Tronbetta)	4	Abdul Samet Tekin and Maria Sol Aller	5
Saffia A. Joseph, Jr. and Norman L. Rader	8	Tundra Racing Stable (Allen Twinski)	7
Juckette, Linda	1	Upland Flats Racing (Patrick Lewis)	6
Just For Fun Stable, Inc. (Ruben Sierra)	7	Versatile Thoroughbreds LLC (Terrence Brown)	4
Lammers, Denise	6	Zilla Management (Edgar Bayeh)	5
Lawson Racing Stables (Peter Lawson)	7	Zilla Racing Stables (Michael Piazza), Acqua Nova Stable (John Bianco, Jr.) and PlayingTheField Racing (Jeffrey Boschwitz)	5

Numbers in parenthesis denote the number of entries the horse has in that race.





College of Medicine  
Department of Pathology, Immunology and Laboratory Medicine  
Racing Laboratory

PO Box 100275  
Gainesville, FL 32610-0275  
352-392-2238  
352-846-1052 Fax

February 15, 2023

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL  
32399-1037

RE: Report of Positive Result

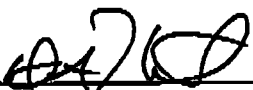
Sample 314106 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:


**Phenylbutazone (primary) found in serum**

Phenylbutazone (an anti-inflammatory and Class 4 drug) - the concentration of Phenylbutazone (primary) is 7.35 +/- 0.19 µg/mL.

<u>E005788-FHB</u>	<u>Horse Serum</u>	<u>6.2 g</u>	<u>INTACT</u>
Laboratory Number	Specimen	Final Weight	Seal
<u>Tampa Bay Downs</u>		<u>01/13/2023</u>	<u>01/17/2023</u>
Collected From		Date Collected	Date Received

Pursuant to Chapter 550.2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 02/24/2023, or upon commencement of administrative action, whichever occurs first.

  
Dirk A Hunt Associate Director

  
Brooks Nelson Chemist III

23-44

RL 115

Page 1 of 1

University of Florida Racing Lab  
ISO/IEC 17025-2017  
Certificate # AT-1842





DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

314106

DATE 1.13.2023

TRACK 320

RACE 1 FINISH 2nd

NAME OF ANIMAL SORTARIA  
NOMBRE DEL ANIMAL

COLOR B SEX F AGE 3

ID NUMBER 981020035173431

MICROCHIP  TATTOO  FREEZE-BRAND

BLOOD Richard Rock DVM

SAMPLED BY

URINE Joanna Weeks

SAMPLED BY

TRAINER Ramon Minquel

ENTRENADOR / ENTRENADORA

WITNESS SIGNATURE [Signature]

FIRMA DE TESTIGO

WITNESS Carlos Narvaez

LICENSE # 13038348

NÚMERO DE LICENCIA

FAQ | Help | Sign Out

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Complaint Search Update	Change Recording License Type Mass Status Update	Public Case Info	Delete Complaint	Mass Activity Update	Mass Discipline
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Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: gricks

VR Home > Complaint Search > Maintain Complaint

Lic Type	1021 - Pari-Mutuel Wagering Individual Occupational	Status	10 Initial Review	Status Date	02/18/2023
Complaint #	2023009301	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	MINGUET, RAMON EDGARDO	Responsible	elanier - LANIER, EBONIE	Private Case

Complaint	Respondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	LAB - UF Laboratory	Security Level	1	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Activities
Form	FAX - Fax	Priority	1	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n	IV-X - Class IV Drug Positive	Complexity	R - Regular	<input checked="" type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security	STND - Standard	Incident	01/13/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	CR - Central Region	Received	01/17/2023	<input type="checkbox"/> Inspection	
Reference	314106			<input type="checkbox"/> Costs	
Entered	02/18/2023	Entered By	gricks	<input type="checkbox"/> Time Tracking	Auto Assign
Summary	--- 320 - Tampa Bay Downs, Horse - SORTARIA, Drug, Sample #314106, Lab #E005788-FHB .			<input type="checkbox"/> Attachments	History
Updated	02/18/2023 13:34:00	By	gricks	<input type="checkbox"/> Work Notes	Print Report

Change	Save	OK	Cancel	Back
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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: gricks

VR Home > License Search > License Home

<b>License</b> Fed Tax # <span style="background-color: black; color: black;">[REDACTED]</span> Lic Type <b>1021 - PMW Professional Individual Occupational</b> Expires On <b>06/30/2023</b> File # <b>65960</b> Name <b>MINGUET, RAMON EDGARDO</b> Extended To License # <b>11462322</b> Rank <b>PIND - Professional Individual Occupational</b> Renewed On <b>06/30/2020</b> Entity # <b>11462322</b> Lic Status <b>Current</b>		<input type="checkbox"/> Licensee <input type="checkbox"/> History <input type="checkbox"/> Notes <input type="checkbox"/> Notes History <input type="checkbox"/> Back																			
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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
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Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: gricks

VR Home > License Search > License Home

**License**

Fed Tax # XXXXXXXXXX Lic Type **1020 - Pari-Mutuel Business Occupational** Expires On **06/30/2024**

File # **12618** Name **SOLER & SOLER THOROUGHbred CORP** Extended To

License # **12915761** Rank **PBUS - Pari-Mutuel Business Occupational** Renewed On

Entity # **12915761** Lic Status **Current**

- Licensee
- History
- Notes
- Notes History
- Back

**Address**

Street # **23525** Street **SW 217TH AVE**

Line 2

Line 3

City **HOMESTEAD** State **FL** Zip **33031**

Routing



**Other**

1st License Date **09/08/2021** Rank Date **09/08/2021** Certificate #

Method **I-S-1024** Status Date **09/08/2021** Certificate Date

Fee Exempt **No** Birth Date Renewal Sent

**Select**

Action   

**Modifiers**

Type	Modifier	Effective Date	Additional Info
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L	321 - Gulfstream Park	09/02/2021	
Y	3YR - 3 Year License	09/02/2021	

**Alt Keys**

BEST LIC NBR **12915761**

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HORSE IN-TODAY

Table listing various horses and their owners/trainers under the 'HORSE IN-TODAY' section.

TRAINER IN-TODAY

Table listing various trainers and their statistics under the 'TRAINER IN-TODAY' section.

COMPARATIVE RANKINGS

Table comparing various performance metrics like Wins At Distance, Last 3 Finishes, Lifetime Wins, etc.

Daily Double / Exacta / Trifecta (\$ .50 minimum) / Superfecta (\$ .10 minimum) / Pick 3 (\$ .50 minimum) (Races 1-2-3) / Pick 5 (\$ .50 minimum) (Races 1-5) / Super High 5

1

Tampa Bay Downs

3yo MAIDEN CLAIMING 16,000

Purse \$15,000. (Includes \$1,000 from FOA) For Maidens, Fillies Three Years Old. Weight, 120 Lbs Claiming Price \$16,000 (Registered Florida Breds Preferred). SEVEN FURLONGS



Track Record: Win Win Win(3), 120 lbs; 1:20.89 (1-19-19)

Main table listing race details for horses 1-4, including names, jockeys, owners, trainers, pedigrees, and performance records.

1.5

2nd Place

**5 Sortaria** \$16,000  
 MADELINE ROWLAND (70-2-9-12 3%) 33%  
 Black, White "S" on Red Ball  
 B f. 3 (Feb 28, 2020) (OBS 2 YR OLD & HRA 2022 \$15,000) Life: 2 0 0 0 \$1,560 Dirt: 0 0 0 0 \$0  
 Into Mischief (\$150,000) (Harlan's Holiday) - Sundown (Tapit) 2023: 1 0 0 0 \$160 Wet Dirt: 1 0 0 0 \$160  
 Br: Peter E. Blum Thoroughbreds, LLC (KY) 2022: 1 0 0 0 \$1,400 Turf: 0 0 0 0 \$0  
 Own: Soler and Soler Thoroughbred Corp. Tam Dirt: 1 0 0 0 \$160 Wet Turf: 0 0 0 0 \$0  
 Tr: Ramon Minguet (4-0-0-0 0%) 25% Distance: 0 0 0 0 \$0 Synthetic: 1 0 0 0 \$1,400  
 Class Rating: 39

01Jan23 Tam5 gd 5f46 :227 :4668 1:0028 3 [E] Mcl 25000 65-44 14 54 53 32 64 Marin S 120 L 5.10 Elary120<sup>1</sup> Lucky Sunday115<sup>3</sup> Party Dream120<sup>4</sup> Inside,svd gnd,no bid 7  
 15Dec22 GP6 ft 5f105 :2128 :4526 :5800 2 [E] Mcl 25000 57-33 15 42 44 45 49 Perez E 118 6.10 Bullock113<sup>1</sup> Light and Path118<sup>5</sup> St. Joe Jet118<sup>3</sup> holdup hrs,tired2p str 5  
 Works: 2 Dec 22 GP 3F ft :37.22 b g 8/10 18 Nov 22 GP 4F ft :49.17 b 13/34 5 Nov 22 GP 4F ft :51.23 b g 72/89 30 Oct 22 GP 3F ft :36.77 b 10/26 16 Oct 22 GP 3F ft :37.05 b 15/28  
 Trainer (Last 365 days): All: 63 10% \$1.79 Dist/Surf: 49 8% \$0.70 MdnClaim: 36 11% \$2.47 With Jockey: 0 0% \$0.00

**6 Sunshine Girl** \$16,000  
 ADEMAR SANTOS (29-3-6-4 10%) 45%  
 Green, Pink Dots, Green Sleeves  
 Dk B/ Br f. 3 (Mar 30, 2020) Life: 4 0 1 0 \$3,681 Dirt: 2 0 1 0 \$3,080  
 Frac Daddy (\$4,000) (Scat Daddy) - Sarasota Sunrise (Thunder Gulch) 2023: 0 0 0 0 \$0 Wet Dirt: 0 0 0 0 \$0  
 Br: Laurel A. Byrne (ON) 2022: 4 0 1 0 \$3,681 Turf: 0 0 0 0 \$0  
 Own: Park Stud, Inc. Tam Dirt: 2 0 1 0 \$3,080 Wet Turf: 0 0 0 0 \$0  
 Tr: Gerald S. Bennett (45-15-6-10 33%) 69% Distance: 0 0 0 0 \$0 Synthetic: 2 0 0 0 \$601  
 Class Rating: 44

28Dec22 Tam4 ft 6f46 :2393 :4768 1:1992 2 [E] Mcl 16000 20-48 7 1 42 34 31 24 Santos A 119 b 15.20 Binoche119<sup>4</sup> Sunshine Girl119<sup>1</sup> That's My Cat119<sup>nd</sup> 2p,bid1/4,improved 7  
 03Dec22 Tam5 ft 6f46 :2277 :4670 1:1205 2 [E] Mcl 16000 40-30 6 5 62 75 96 813 Ferrer J.C 119 b 8.10 Ladyness119<sup>2</sup> Anna's Image119<sup>nd</sup> That's My Cat119<sup>nd</sup> outside,2p,empty 9  
 Previously trained by Cassa Mark E 2022 (as of 10/06): (1088-169-148-121 15%) 39%  
 06Oct22 W05 ft 5f20 :2309 :4644 1:1733 2 [E] Mcl 25000 59-51 18 42 62 74 71 Cvacl S 119 bl 8.25 Canadansveetheart118<sup>4</sup> Popheschapagne Ro121<sup>2</sup> Silent Oval118<sup>1</sup> gave way on turn 10  
 10Sep22 W05 ft 5f20 :2319 :4610 1:0443 2 [E] Mcl 40000 45-52 17 63 66 68 916 Cvacl S 118 bl 8.05 A Touch of Red116<sup>3</sup> Society's Karl118<sup>nd</sup> Fashionably Fab118<sup>5</sup> never was a factor 9  
 Works: 14 Dec 22 Tam 4F ft :50.40 b 14/30 29 Nov 22 Tam 4F ft :50.60 b 16/21 20 Nov 22 Tam 4F ft :51.00 b 48/66 28 Sep 22 W0 4F ft :48.40 b 4/15 2 Sep 22 W0 4F ft :48.20 b 11/33  
 Trainer (Last 365 days): All: 350 20% \$1.67 Dist/Surf: 202 21% \$1.59 MdnClaim: 46 24% \$2.00 With Jockey: 36 19% \$2.06

**7 Wicklow Gal** \$16,000  
 JOSE A. BATISTA (73-11-8-10 15%) 40%  
 Lime, Pink Sleeves  
 Ch f. 3 (Feb 9, 2020) Life: 8 0 0 0 \$3,720 Dirt: 6 0 0 0 \$3,190  
 Brethren (\$7,500) (Distorted Humor) - Brenna's Song (Concerto) 2023: 0 0 0 0 \$0 Wet Dirt: 1 0 0 0 \$250  
 Br: J. R. Cavanaugh (FL) 2022: 8 0 0 0 \$3,720 Turf: 0 0 0 0 \$0  
 Own: J. R. Cavanaugh Tam Dirt: 2 0 0 0 \$980 Wet Turf: 0 0 0 0 \$20  
 Tr: Rory C. Miller (2-0-0-0 0%) 0% Distance: 1 0 0 0 \$400 Synthetic: 1 0 0 0 \$280  
 Class Rating: 41

14Dec22 Tam4 ft 5f46 :2235 :4579 1:0566 2 [E] Mcl 16000 28-53 7 2 55 62 52 44 Batista J.A 119 b 15.80 Peep's Day119<sup>nd</sup> Child Proof119<sup>2</sup> O Annie119<sup>1</sup> bnp brk,3p,improved 10  
 03Dec22 Tam5 ft 6f46 :2277 :4670 1:1205 2 [E] Mcl 16000 55-47 7 2 11 12 33 55 Batista J.A 119 b 11.40 Ladyness119<sup>2</sup> Anna's Image119<sup>nd</sup> That's My Cat119<sup>nd</sup> led,2p,weakened 9  
 11Nov22 GP1 ft 5f30 :2276 :4684 1:0632 2 [E] Mcl 12500 58-26 7 3 41 42 55 613 Morales A 108<sup>th</sup> 5.20 Glass Star118<sup>2</sup> Too Much Wine118<sup>1</sup> Principia118<sup>1</sup> chased7p,no menace 7  
 09Oct22 GP7 sy 6f25 :2255 :4623 1:1243 2 [E] Mcl 25000 43-50 6 5 66 44 48 511 Morelos J.E 118 b 11.70 Black Belt Barbel118<sup>3</sup> Defender Gal118<sup>1</sup> Da Journeygirl118<sup>4</sup> bnpd st,backp,flattend 8  
 01Oct22 GP5 ft 7f25 :2342 :4712 1:2562 2 [E] Msw 40000 60-46 4 4 1hd 11 58 611 Krigger K 118 b 31.10 Charlie's Wish118<sup>1</sup> AttheCrossroads118<sup>nd</sup> Omo Ten Girl118<sup>2</sup> rail, gave way 5/16 8  
 02Sep22 GP4 ft 5f105 :2224 :4646 :5909 2 [E] Mcl 35000 55-46 11 1 52 41 53 74 Morelos J.E 118 b 11.90 Wheelingdeal118<sup>1</sup> Lady Petal118<sup>nd</sup> Cecilia's Kings118<sup>nd</sup> 4wd, no closing bid 11  
 13Aug22 GP2 ft 6f25 :2316 :4801 1:1311 2 [E] Mcl 25000 53-37 2 5 31 33 36 410 Morelos J.E 118 b 23.30 Get a Grip Marilyn118<sup>1</sup> Exageradora118<sup>1</sup> Cozy111<sup>nd</sup> rail, steadied 5/8 9  
 16Jul22 GP3 ft 6f25 :2209 :4653 1:1291 2 [E] Msw 55000 72-8 7 1 44 56 712 625 Morelos J.E 118 b 51.50 Pachuca118<sup>4</sup> Nice Baby118<sup>1</sup> My Cajun Lady118<sup>1</sup> outrun 3wd 7  
 Works: 16 Sep 22 GP 4F ft :49.96 b 12/17 27 Aug 22 GP 3F ft :36.47 b 5/36 6 Aug 22 GP 4F ft :50.61 b 81/116 8 Jul 22 GP 4F ft :50.05 b g 17/31 18 Jun 22 Othc 3F ft :38.10 b g 4/6  
 Trainer (Last 365 days): All: 31 3% \$2.89 Dist/Surf: 19 0% \$0.00 1stLash: 1 0% \$0.00 MdnClaim: 11 0% \$0.00 With Jockey: 9 0% \$0.00  
 LI - First Time on Lash; L - Lash; LX - Off Lash; FL - Florida Bred

Selections: 6-7-5-1

TAM 01/13/23 Race 1.

Tampa Bay Downs  
 From 07/01/2022 Through 01/10/2023  
 Post Position Stats

(For Races Under 1 Mile on the Main Track)												
Positions	1	2	3	4	5	6	7	8	9	10	11	12
Starts	103	103	103	103	103	95	66	38	22	12	5	2
Wins	8	12	11	18	17	21	4	5	5	2	0	0
Win %	7.77	11.65	10.68	17.48	16.50	22.11	6.06	13.16	22.73	16.67	0.00	0.00
(For Races 1 Mile & Over on the Main Track)												
Positions	1	2	3	4	5	6	7	8	9	10	11	12
Starts	56	56	56	56	54	44	29	12	6	3	0	0
Wins	7	8	12	13	6	4	3	1	1	1	0	0
Win %	12.50	14.29	21.43	23.21	11.11	9.09	10.34	8.33	16.67	33.33	0.00	0.00
(For Races Under 1 Mile on the Turf Track)												
Positions	1	2	3	4	5	6	7	8	9	10	11	12
Starts	5	5	5	5	5	5	5	4	1	0	0	0
Wins	1	0	2	2	0	0	0	0	0	0	0	0
Win %	20.00	0.00	40.00	40.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
(For Races 1 Mile & Over on the Turf Track)												
Positions	1	2	3	4	5	6	7	8	9	10	11	12
Starts	60	60	60	60	60	58	56	50	31	20	0	0
Wins	9	4	8	9	4	10	7	2	4	3	0	0
Win %	15.00	6.67	13.33	15.00	6.67	17.24	12.50	4.00	12.90	15.00	0.00	0.00





## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Diley Anthony Dakin Case No. 2023-013155; Consent Order  
Date: April 24, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Diley Anthony Dakin (“Respondent”) to resolve Case No. 2023-013155. Pursuant to the terms of the proposed order, Respondent would be issued a \$1,000 fine and must return all money distributed from the purse for violating section 550.2415(1)(a), Florida Statutes, and 75-6.008(2)(h), Florida Administrative Code.

### *Background*

Respondent was the trainer of record for the racing horse Principia, which was owned by Proper Fix Racing Stables. On February 12, 2023, Principia finished 2nd place in the 1st race of the performances held by Gulfstream Park Racing Association, Inc. A serum sample was taken from Principia to test for any prohibited substances. The sample was sent to the University of Florida Lab (“UF Lab”) and subsequently tested. The UF Lab detected dexamethasone<sup>1</sup> in the serum. Dexamethasone was detected at a blood serum concentration of 58 +/- 4.7 pg/mL.

The Division filed an administrative complaint alleging a violation of section 550.2415(1)(a), Florida Statutes, which makes it a violation of Florida law to race an animal that been determined to have a prohibited substance present in its system.

Rule 75-6.008(2)(h), Florida Administrative Code, provides that it is a violation if dexamethasone exists at a serum concentration greater than 5 pg/mL.

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<sup>1</sup> Dexamethasone is a Class 4 drug. See Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. Dexamethasone is used to treat eye inflammation or injury.

The penalty for this violation is a Class C penalty under the Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. (“Guidelines”).

*Analysis*

Respondent has no prior violations of section 550.2415(1)(a), Florida Statutes, in the last 365 days. Therefore, Respondent should be issued a \$1,000 under rule 75-6.011(3), Florida Administrative Code. The Owner has signed the Consent Order indicating that they will return the purse to Gulfstream Park.

Staff Recommendation: The Florida Gaming Control Commission should enter a Final Order adopting and incorporating the proposed settlement and consent order in Case No. 2023-013155.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-013155

DILEY ANTHONY DAKIN,

Respondent.

\_\_\_\_\_ /

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), Diley Anthony Dakin (“Respondent”), and Proper Fix Racing Stables (“Owner”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, 12627914-1021, issued by the Division.
2. At all times material hereto, Owner held a Pari-Mutuel Wagering Business Occupational License, 13252065-1020, issued by the Division.
3. This Consent Order is to be entered in resolution of the one-count Administrative Complaint filed in FGCC Case Number 2023-013155, alleging that Respondent was in violation of section 550.2415, Florida Statutes, and rule 61D-6.008(2)(h), Florida Administrative Code, by racing Owner’s horse “Principia” with an impermissible amount of **dexamethasone** in its body during the performances held at Gulfstream Park Racing Association, Inc. (“Gulfstream Park”) on February 12, 2023.

4. On February 12, 2023, Principia participated in the 1st race of the performances held at Gulfstream Park. Principia finished 2nd in the 1st race of the performances held at Gulfstream Park.

5. This Consent Order was entered into in consideration of Respondent's previous disciplinary history, including no prior violations of section 550.2415, Florida Statutes, in the previous 365 days.

#### STIPULATION

WHEREAS the Division, Respondent, and Owner ("Parties"), desire to resolve this matter, the following terms are stipulated:

6. The Division has jurisdiction over this matter and the Parties.

7. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

8. As the trainer of record, Respondent admits that they are responsible for the condition of the horse they enter into races.

9. Respondent waives his right to a Stewards Hearing in order to settle this matter through this Consent Order.

10. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent and Owner are aware that they are entitled to the advice of counsel, and have either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent and Owner acknowledge that the Division has not made any promise, nor has it in any other way encouraged Respondent or Owner to enter into this Consent Order without the advice of counsel.

11. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.

12. The Parties acknowledge and agree to waive any further administrative and judicial review.

13. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent or Owner for acts or omissions not specifically set forth herein.

14. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

15. **FINE:** Respondent agrees to, and must pay to the Division, the sum of **ONE THOUSAND DOLLARS (\$1,000.00)**, at the time Respondent submits an executed copy of this Consent Order. **The payment shall be made payable to Gulfstream Park Horsemen's Bookkeeper Corporation, and must be in the form of a certified check, cashier's check, or money order (NO PERSONAL CHECKS).**

16. The Owner agrees that they shall return all money that was distributed from the purse to Tampa Bay Downs within 14 days of execution of this agreement. The Owner agrees that failure to return the purse money may result in further action.

17. Respondent and Owner must execute and mail this Consent Order and payment to: **Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.** Please note FGCC Case Number 2023-013155 on the face of the payment.

18. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission (“Commission”). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

19. Upon the Commission’s adoption of this Consent Order, Respondent and Owner expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys’ fees or costs from the Division in connection with these proceedings.

20. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

21. This Consent Order may be signed in counterparts, and copies shall be treated as original.

22. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

23. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov), for the meeting materials, agenda, and contact information.

24. Respondent and Owner authorize the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*

WHEREFORE, Respondent, **DILEY ANTHONY DAKIN**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 30 day of March, 2023.

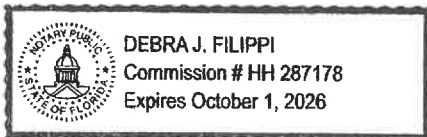
  
\_\_\_\_\_  
**DILEY ANTHONY DAKIN**  
Respondent

STATE OF Florida  
COUNTY OF Broward

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 30 day of March, 2023, by DILEY ANTHONY DAKIN, who is personally known to me or who produced the following as identification:  
State of FL Pari Mutuel License with signature.

  
\_\_\_\_\_  
Notary Public

My commission expires:





WHEREFORE, Owner, **PROPER FIX RACING STABLES**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 30 day of March, 2023.



**PROPER FIX RACING STABLES**  
Owner

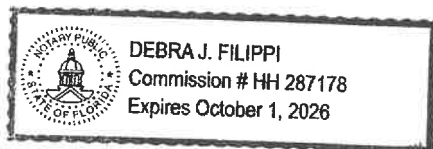
STATE OF Florida  
COUNTY OF Broward

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 30 day of March, 2023, by PROPER FIX RACING STABLES, who is personally known to me or who produced the following as identification:  
State of FL Pari Mutuel License with signature.

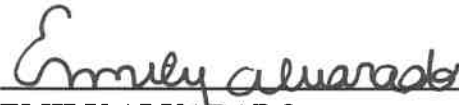


Notary Public

My commission expires:



APPROVED this 17 day of April, 2023.

Handwritten signature of Emily Alvarado in cursive script, positioned above a horizontal line.

**EMILY ALVARADO**  
**DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-013155

DILEY ANTHONY DAKIN,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Diley Anthony Dakin (“Respondent”), and alleges as follows:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.

2. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, 12627914-1021, issued by Petitioner.

3. At all times material hereto, Respondent was the trainer of record for the racing horse “Principia,” with microchip number 981020035775966.

4. At all times material hereto, “Principia” was owned by Proper Fix Racing Stables, who holds a Pari-Mutuel Wagering Business Occupational License, 13252065-1020, issued by Petitioner.

5. On February 12, 2023, “Principia” participated in the 1st race of the performances held by Gulfstream Park Racing Association, Inc. (“Gulfstream Park”).

6. On February 12, 2023, “Principia” finished in 2nd place in the 1st race of the performances held by Gulfstream Park.

7. Gulfstream Park is a facility operated by a permit holder authorized to conduct pari-mutuel wagering in this state under chapter 550, Florida Statutes.

8. On February 12, 2023, blood sample number 314942 was collected from “Principia.”

9. Blood sample number 314942 was processed and forwarded to the University of Florida Racing Laboratory (“UF Lab”), for analysis.

10. The UF Lab tested the serum extracted from blood sample number 314942 and found that it contained **dexamethasone**.

11. In blood sample number 314942, **dexamethasone** was detected at a serum concentration of 58.0 +/- 4.7 pg/mL.

12. Pursuant to section 550.2415(1)(a), Florida Statutes:

The racing of an animal that has been impermissibly medicated or determined to have a prohibited substance present is prohibited. It is a violation of this section for a person to impermissibly medicate an animal or for an animal to have a prohibited substance present resulting in a positive test for such medications or substances based on samples taken from the animal before or immediately after the racing of that animal.

13. According to rule 61D-6.008(2)(h), Florida Administrative Code, it is a violation of section 550.2415, Florida Statutes, if **dexamethasone** exists at a serum concentration greater than 5 pg/mL.

14. Section 550.2415(1)(c), Florida Statutes, states, “[t]he finding of a prohibited substance in a race-day specimen constitutes prima facie evidence that the substance was administered and was carried in the body of the animal while participating in the race.”

15. Rule 61D-6.002(1), Florida Administrative Code, provides that, "[t]he trainer of record shall be responsible for and be the absolute insurer of the condition of the horses... he/she enters to race."

16. Based on the foregoing, Respondent violated section 550.2415(1)(a), Florida Statutes, and rule 61D-6.008(2)(h), Florida Administrative Code, by racing "Principia" with an impermissible concentration of a permitted substance in its body on February 12, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in rule 61D-6.011, Florida Administrative Code, section 550.2415(3)(a), Florida Statutes, and/or any other relief that the Commission is authorized to impose pursuant to chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-013155 is signed this 13th day of March, 2023.

*/s/Emily A. Alvarado*

---

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

### NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

### NOTICE OF RIGHT TO REQUEST A SPLIT SAMPLE

Pursuant to rule 61D-6.006, Florida Administrative Code, you have the right to request a split sample with respect to each "Report of Positive Result" from the UF Lab. (Copy attached as Exhibit A). To request a split sample, use Form DBPR PMW-3290, Notification to Stewards/Judge of Split Sample Request (Form 3290).

You can obtain Form 3290, as well as a list of approved split samples laboratories, at the State Office located in any Florida pari-mutuel facility, or on the Division's website: <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/forms-and-publications/>. You must submit Form 3290 to the state steward, Division hearing officer, or office of the General Counsel, within 10 days from receipt of this Notice, or you will waive your right to request a split sample.

# EXHIBIT A

02-28-23;10:42AM;University of Florida

:352

# 2/ 3



College of Medicine  
Department of Pathology, Immunology and Laboratory Medicine  
Racing Laboratory

PO Box 100275  
Gainesville, FL 32610-0275  
352-392-2238  
352-846-1052 Fax

February 28, 2023

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL  
32399-1037

RE: Report of Positive Result

Sample 314942 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

**Dexamethasone found in serum**  
Dexamethasone (a corticosteroid and Class 4 drug) - the concentration of Dexamethasone is 58.0 +/- 4.7 pg/mL

<u>E007386-FHB</u>	<u>Horse Serum</u>	<u>3.8 g</u>	<u>INTACT</u>
Laboratory Number	Specimen	Final Weight	Seal
<u>Gulfstream Park</u>		<u>02/12/2023</u>	<u>02/14/2023</u>
Collected From		Date Collected	Date Received

Pursuant to Chapter 550.2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 03/08/2023, or upon commencement of administrative action, whichever occurs first.

	
Dirk A Hunt	Brooks Nelson
Associate Director	Chemist III

RL 115

Page 1 of 1

23-49

University of Florida Racing Lab  
ISO/IEC 17025-2017  
Certificate # AT-1642



*The Foundation for The Gator Nation*  
An Equal Opportunity Institution

Florida Department of Business & Professional Regulation  
dbpr  
DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

314942 DATE 2-12-23

TRACK 321

RACE 1 FINISH 2

NAME OF ANIMAL Principia  
NOMBRE DEL ANIMAL

COLOR B SEX F AGE 3

ID NUMBER 981020035775966

MICROCHIP  TATTOO  FREEZE-BRAND

BLOOD Mark Steele DM MS  
SAMPLED BY

URINE Ariosse GUSTAVE AG  
SAMPLED BY

TRAINER Diley A. Dakin  
ENTRENADOR / ENTRENADORA

WITNESS Miguel  
SIGNATURE Miguel  
FIRMA DE TESTIGO

WITNESS 8338261  
LICENSE # NÚMERO DE LICENCIA

60 RL-252-02





College of Medicine  
Department of Pathology, Immunology and Laboratory Medicine  
Racing Laboratory

PO Box 100275  
Gainesville, FL 32610-0275  
352-392-2238  
352-846-1052 Fax

February 28, 2023

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL  
32399-1037

RE: Report of Positive Result

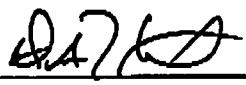
Sample 314942 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

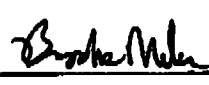
**Dexamethasone found in serum**

Dexamethasone (a corticosteroid and Class 4 drug) - the concentration of Dexamethasone is 58.0 +/- 4.7 pg/mL

<u>E007386-FHB</u>	<u>Horse Serum</u>	<u>3.8 g</u>	<u>INTACT</u>
Laboratory Number	Specimen	Final Weight	Seal
<u>Gulfstream Park</u>		<u>02/12/2023</u>	<u>02/14/2023</u>
Collected From		Date Collected	Date Received

Pursuant to Chapter 550.2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 03/09/2023, or upon commencement of administrative action, whichever occurs first.

  
Dirk A Hunt Associate Director

  
Brooks Nelson Chemist III

RL 115

Page 1 of 1

23-49

University of Florida Racing Lab  
ISO/IEC 17025-2017  
Certificate # AT-1642





DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

314942                      DATE 2-12-23

TRACK 321

RACE 1                      FINISH 2

NAME OF ANIMAL Principia  
NOMBRE DEL ANIMAL

COLOR B                      SEX F                      AGE 3

ID NUMBER 981020035775966

MICROCHIP     TATTOO     FREEZE-BRAND

BLOOD Mark Steele DVM MS  
SAMPLED BY

URINE Ariosse GUSTAVE H/G  
SAMPLED BY

TRAINER Diley A. Dakin  
ENTRENADOR / ENTRENADORA

WITNESS Miguel  
SIGNATURE Munoz Munoz  
FIRMA DE TESTIGO

WITNESS 83382101  
LICENSE #                      NÚMERO DE LICENCIA

60

RL-252-02

FAQ | Help | Sign Out

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Complaint Search Update	Change Recording License Type Mass Status Update	Public Case Info	Delete Complaint	Mass Activity Update	Mass Discipline
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Domain 10 - Division of Pari-Mutuel Wagering

Logged In as: gricks

VR Home > Complaint Search > Maintain Complaint

Lic Type	1021 - Pari-Mutuel Wagering Individual Occupational	Status	10 Initial Review	Status Date	03/08/2023
Complaint #	2023013155	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	DAKIN, DILEY ANTHONY	Responsible	elanier - LANIER, EBONIE	Private Case

Complaint	Respondent	Complainant	Add'l Info
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Source	LAB - UF Laboratory	Security Level	1	<input checked="" type="checkbox"/>	Parties	<input type="checkbox"/>	Activities
Form	FAX - Fax	Priority	1	<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Class'n	IV-X - Class IV Drug Positive	Complexity	R - Regular	<input checked="" type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Security	STND - Standard	Incident	02/12/2023	<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Region	SR - Southern Region	Received	02/28/2023	<input type="checkbox"/>	Inspection		
Reference	314942			<input type="checkbox"/>	Costs		
Entered	03/08/2023	Entered By	gricks	<input type="checkbox"/>	Time Tracking		Auto Assign
Summary	... 321 - Gulfstream Park Racing Association, Horse PRINCIPIA, Drug Dexamethasone, Lab #314942 , Sample # E007386-FHB			<input type="checkbox"/>	Attachments		History
Updated	03/08/2023 11:40:21	By	gricks	<input type="checkbox"/>	Work Notes		Print Report

Change	Save	OK	Cancel	Back
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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
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Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: gricks

VR Home > License Search > License Home

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**License**

Fed Tax # [REDACTED] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2023**

File # **70107** Name **DAKIN, DILEY ANTHONY** Extended To

License # **12627914** Rank **PIND - Professional Individual Occupational** Renewed On

Entity # **12627914** Lic Status **Current**

**Address**

Street # **7363** Street **BRIELLA DRIVE**

Line 2

Line 3

City **BOYNTON BEACH** State **FL** Zip **33437**

Routing

**Other**

1st License Date **12/21/2020** Rank Date **12/21/2020** Certificate #

Method **I-S-1024** Status Date **12/21/2020** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action

**Modifiers**

Type	Modifier	Effective Date	Additional Info
C	IOWN - Individual Animal Owner	12/09/2020	
C	TRNR - Trainer	03/19/2022	
I	HRNS - Harness	12/09/2020	
L	430 - Pompano Park	12/09/2020	
Y	3YR - 3 Year License	12/09/2020	

**Alt Keys**

BEST LIC NBR **12627914**

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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
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Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: grfcks

VR Home > License Search > License Home

<b>License</b> Fed Tax # <span style="background-color: black; color: black;">XXXXXXXXXX</span> Lic Type <b>1020 - Pari-Mutuel Business Occupational</b> Expires On <b>06/30/2025</b> File # <b>12939</b> Name <b>PROPER FIX RACING STABLES</b> Extended To License # <b>13252065</b> Rank <b>PBUS - Pari-Mutuel Business Occupational</b> Renewed On Entity # <b>13252065</b> Lic Status <b>Current</b>		<input type="checkbox"/> <table border="1"> <tr><td>Licensee</td></tr> <tr><td>History</td></tr> <tr><td>Notes</td></tr> <tr><td>Notes History</td></tr> <tr><td>Back</td></tr> </table>	Licensee	History	Notes	Notes History	Back																		
Licensee																									
History																									
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Notes History																									
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<b>Address</b> Street # <b>7363</b> Street <b>BRIELLA DRIVE</b> Line 2 Line 3 City <b>BOYNTON BEACH</b> State <b>FL</b> Zip <b>33437</b> Routing																									
<b>Other</b> 1st License Date <b>07/19/2022</b> Rank Date <b>07/19/2022</b> Certificate # Method <b>I-S-1024</b> Status Date <b>07/19/2022</b> Certificate Date Fee Exempt <b>No</b> Birth Date Renewal Sent																									
<b>Select</b> Action <input type="text"/>  																									
<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>C</td> <td>BOWN - Business Animal Owner</td> <td>07/19/2022</td> <td></td> </tr> <tr> <td>C</td> <td>STBL - Stable Name</td> <td>07/03/2022</td> <td></td> </tr> <tr> <td>I</td> <td>TBRD - Thoroughbred</td> <td>07/03/2022</td> <td></td> </tr> <tr> <td>L</td> <td>321 - Gulfstream Park</td> <td>07/03/2022</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>07/03/2022</td> <td></td> </tr> </tbody> </table>		Type	Modifier	Effective Date	Additional Info	C	BOWN - Business Animal Owner	07/19/2022		C	STBL - Stable Name	07/03/2022		I	TBRD - Thoroughbred	07/03/2022		L	321 - Gulfstream Park	07/03/2022		Y	3YR - 3 Year License	07/03/2022	
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L	321 - Gulfstream Park	07/03/2022																							
Y	3YR - 3 Year License	07/03/2022																							
<b>Alt Keys</b> BEST LIC NBR <b>13252065</b>																									

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1



MAIDEN

Purse \$53,000. For State Bred Maidens, Fillies Three Years Old. Weight, 118 Lbs. (If deemed undesirable to run this race over the turf course, it will be run on the Tapeta Course at One Mile and Seventy Yards) Seven And One Half Furlongs (Turf) (Race at 21 Feet)

equibase.com/QR

Track Record: Smokem Kitten(4), 121 lbs; 1:26.78 (3-20-16)

Table with columns: Program #, Odds, Speed, Weight, Jockey, Class, and race details for 7 races. Includes names like Spun Oats, Apple Saucy, Geyser Road, Sassy But Precious, Our Flag Flying, Constitutional, and Principia.

Finish 2nd

RACE 1 CONTINUED ON NEXT PAGE

**RACE 1 CONTINUED**

8	30-1	Owner: San Jose De Ecuador (Roberto Jose Kronfle) and Luis Duco Stables Inc. (Luis Duco) (9-0-0-1) 0.00%	58.5	2023: 1 0 0 0	\$530	Turf:	1 0 0 0	\$530
		Silks: White, Black Hoops, Black Bars on Sleeves, White Cap		2022: 1 0 0 0	\$530	Synthetic:	1 0 0 0	\$530
Pink		Trainer: Luis Duco (11-0-0-1) 0.00%		Life: 2 0 0 0	\$1,060	Off Track:	0 0 0 0	\$0
		<b>Kittenzen (L)</b>	<b>118</b>	GP: 1 0 0 0	\$530	Distance:	0 0 0 0	\$0
		B.f.3 Kitten's Joy - Bravely Andrightly by Mizzen Mast - Bred by Westbury Stables LLC (Feb 21, 2020) in FL				Course:	0 0 0 0	\$0
		15Jan23 1 GP fm 1% :4873 1:1279 1:4315 3 [M] Msw 53000 62 5 74 64 75 65 56 1/2 Leon S 118 fl 24.20 Sh's Joy! Sassy But Precious! Our Fig Flying! 3wd, rail 3/8, no threat 8						
		18Dec22 4 GP ft 170 :4852 1:1274 1:4175 2 [M] Msw 53000 55 7 85 85 86 85 78 3/4 Ruiz J 118 f 47.00 Sherlyn Go Gonn! Geyser Road! Confer! no factor, 2-3rd 9						
		Workout(s): 4 Feb 23 GP 4F ft :49.42b 35/78 7 Jan 23 GP 4F ft :49.12b 27/22 31 Dec 22 GP 4F ft :49.31b 57/186 10 Dec 22 GP 4F ft :51.41b 76/96						
9	15-1	Owner: Teresa and David Palmer (9-2-0-0) 22.22%	N/A	2023: 0 0 0 0	\$0	Turf:	0 0 0 0	\$0
		Silks: Green, Yellow Stars, Yellow Stars on White Sleeves, Yellow Cap		2022: 0 0 0 0	\$0	Synthetic:	0 0 0 0	\$0
Turquoise		Trainer: Nicholas Palmer (11-2-0-0) 18.18%		Life: 0 0 0 0	\$0	Off Track:	0 0 0 0	\$0
		<b>Subtle Senorita</b>	<b>118</b>	GP: 0 0 0 0	\$0	Distance:	0 0 0 0	\$0
		Ch.f.3 Keen Ice - Subtle Lady by Saint Anddan - Bred by David J. Palmer & Teresa C. Palmer (Feb 22, 2020) in FL				Course:	0 0 0 0	\$0
		Workout(s): 21 Jan 23 Pm 4F ft :48.80b 24/93 4 Jan 23 Pm 4F ft :49.50b 8/21 18 Dec 22 Pm 4F ft :49b 25/57 10 Dec 22 Pm 4F ft :49.40b 58/82						
10	20-1	Owner: Dennis J. Manning (0-0-0-0) 0.00%	N/A	2023: 0 0 0 0	\$0	Turf:	0 0 0 0	\$0
		Silks: Yellow, Black Sash, Yellow Cap		2022: 0 0 0 0	\$0	Synthetic:	0 0 0 0	\$0
Purple		Trainer: Owner (0-0-0-0) 0.00%		Life: 0 0 0 0	\$0	Off Track:	0 0 0 0	\$0
		<b>Verifiable</b>	<b>118</b>	GP: 0 0 0 0	\$0	Distance:	0 0 0 0	\$0
		B.f.3 The Big Beast - Lady Kafca by Kafwain - Bred by Dennis J. Manning (Apr 24, 2020) in FL				Course:	0 0 0 0	\$0
		Workout(s): 4 Feb 23 4F ft :49b 1/5 27 Jan 23 4F ft :51b 2/7 19 Jan 23 4F ft :1:02b 1/2 12 Jan 23 4F ft :1:02b 1/2						
11	12-1	Owner: Arindel (Alan Cohen) (25-1-5-3) 4.00%	N/A	2023: 0 0 0 0	\$0	Turf:	0 0 0 0	\$0
		Silks: White, White Tree on Green Ball, White Stripe on Green Sleeves, Green Cap		2022: 0 0 0 0	\$0	Synthetic:	0 0 0 0	\$0
Grey		Trainer: Juan Alvarado (22-2-4-1) 9.09%		Life: 0 0 0 0	\$0	Off Track:	0 0 0 0	\$0
		<b>Coco</b>	<b>118</b>	GP: 0 0 0 0	\$0	Distance:	0 0 0 0	\$0
		B.f.3 Munnings - Queen of Connaught (GB) by Declaration of War - Bred by Arindel (Mar 30, 2020) in FL				Course:	0 0 0 0	\$0
		Workout(s): 4 Feb 23 GP 4F ft :52.90b 75/78 29 Jan 23 GP 4F ft :51.82b 49/64 22 Jan 23 GP 4F ft :50.31b 46/72 15 Jan 23 GP 4F ft :49.07b 8/15						
12	15-1	Owner: Slow Roil Stables (Michael Jellish) (0-0-0-0) 0.00%	71	2023: 0 0 0 0	\$0	Turf:	0 0 0 0	\$0
		Silks: Black, White Dice Logo, Black Cap		2022: 1 0 1 0	\$6,400	Synthetic:	0 0 0 0	\$0
Lime		Trainer: David M. Miller (0-0-0-0) 0.00%		Life: 1 0 1 0	\$6,400	Off Track:	0 0 0 0	\$0
		<b>Yamile's</b>	<b>118</b>	GP: 0 0 0 0	\$0	Distance:	0 0 0 0	\$0
		Dk B/ Br.f.3 Palace Malice - Awesome Omi by Awesome Again - Bred by Stori D. Atchison (Apr 06, 2020) in FL				Course:	0 0 0 0	\$0
		03Dec22 3 Haw ft 6F :2201 :4599 1:1242 2 [M] Msw 32000 71 1 4 45 2 1/2 23 2 1/4 Tavares J 120 f 14.10 Awesome Sunday! Yamile's! Tu Royal! switch out 1/2, willing 7						
		Workout(s): 7 Feb 23 CH 4F ft :39.30b 1/1 1 Feb 23 CH 6F ft :1:03.20b 2/2 28 Nov 22 Haw 4F ft :51.20b 19/28						

**PROBABLE FAVORITES Turf (3-4-5-1) Dirt (4-3-5-1)**

02/12/2023 Race 1  
Printed on 2/10/2023 at 10:47:59 AM

**For viewing the full State of Florida Pari-mutuel Rules and Statutes please see the customer service desk in Silks. They will be happy to accommodate your request.**



**pepsi**





## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Nestor Alfredo Cascallares Case No. 2023-015414; Consent Order  
Date: April 24, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Nestor Alfredo Cascallares (“Respondent”) to resolve Case No. 2023-015414. Pursuant to the terms of the proposed order, Respondent would be issued a written warning for violating section 550.2415(1)(a), Florida Statutes, and 75-6.008(3)(c), Florida Administrative Code.

### *Background*

Respondent was the trainer of record for the racing horse The Big Calico, which was owned by Manuel H. Gonzalez. On February 11, 2023, The Big Calico finished 2nd place in the 3rd race of the performances held by Tampa Bay Downs, Inc. A blood sample was taken from The Big Calico to test for any prohibited substances. The sample was sent to the University of Florida Lab (“UF Lab”) and subsequently tested. The UF Lab detected phenylbutazone<sup>1</sup> in the blood. Phenylbutazone was detected at a blood serum concentration of 3.91 +/- 0.19 µg/mL.

The Division filed an administrative complaint alleging a violation of section 550.2415(1)(a), Florida Statutes, which makes it a violation of Florida law to race an animal that been determined to have a prohibited substance present in its system.

Rule 75-6.008(3)(c), Florida Administrative Code, provides that it is a violation if phenylbutazone exists at a primary blood serum concentration greater than 2 µg/mL.

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<sup>1</sup> Phenylbutazone is an NSAID and Class 4 drug. See Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc.

The penalty for this violation is a minimum of a written warning to maximum of \$500 under the Guidelines.<sup>2</sup>

*Analysis*

Respondent has no prior violations of section 550.2415(1)(a), Florida Statutes, in the last 365 days. Therefore, Respondent should be issued a written warning under rule 75-6.011(3), Florida Administrative Code.

Staff Recommendation: The Florida Gaming Control Commission should enter a Final Order adopting and incorporating the proposed settlement and consent order in Case No. 2023-015414.

---

<sup>2</sup> The Guidelines provide that “[i]f the trainer has not had more than one violation within the previous two years, the Stewards/Judges are encouraged to issue a warning in lieu of a fine provided the reported level is below 3.0 mcg/ml absent of aggravating factors”

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-015414

NESTOR ALFREDO CASCALLARES,

Respondent.

\_\_\_\_\_ /

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and Nestor Alfredo Cascallares (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, 2016340-1021, issued by the Division.
2. This Consent Order is to be entered in resolution of the one-count Administrative Complaint filed in FGCC Case Number 2023-015414, alleging that Respondent was in violation of section 550.2415, Florida Statutes, and rule 61D-6.008(3)(c), Florida Administrative Code, by racing horse “The Big Calico” with an impermissible amount of **phenylbutazone** in its body during the performances held at Tampa Bay Downs, Inc. (“TBD”) on February 11, 2023.
3. On February 11, 2023, The Big Calico participated in the 3rd race of the performances held at TBD. The Big Calico finished 2nd in the 3rd race of the performances held at TBD.

4. This Consent Order was entered into in consideration of Respondent's previous disciplinary history, including no prior violations of section 550.2415, Florida Statutes, in the previous 365 days.

#### STIPULATION

WHEREAS the Division and Respondent ("Parties"), desire to resolve this matter, the following terms are stipulated:

5. The Division has jurisdiction over this matter and the Parties.
6. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
7. As the trainer of record, Respondent admits that they are responsible for the condition of the horse they enter into races.
8. Respondent waives his right to a Stewards Hearing in order to settle this matter through this Consent Order.
9. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that they are entitled to the advice of counsel, and have either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.
10. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.
11. The Parties acknowledge and agree to waive any further administrative and judicial review.

12. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

13. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

14. **WARNING:** The Parties agree that Respondent will be issued a **WRITTEN WARNING**. The Written Warning is not appealable and may be considered in aggravation of any future disciplinary proceedings against Respondent. Future violation of chapter 550, Florida Statutes may result in fines and/or suspension of Respondent's Pari-Mutuel Wagering Professional Individual Occupational License.

15. Respondent and Owner must execute and mail this Consent Order and payment to: Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming. Please note FGCC Case Number 2023-015414 on the face of the payment.

16. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission ("Commission"). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

17. Upon the Commission's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent

Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

18. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

19. This Consent Order may be signed in counterparts, and copies shall be treated as original.

20. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

21. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov), for the meeting materials, agenda, and contact information.

22. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*

WHEREFORE, Respondent, **NESTOR ALFREDO CASCALLARES**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 31<sup>ST</sup> day of MARCH, 2023.


  
\_\_\_\_\_  
**NESTOR ALFREDO CASCALLARES**  
Respondent

STATE OF FLORIDA  
COUNTY OF BROWARD

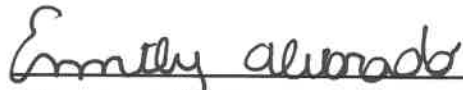


**KEVIN J. SCHEEN**  
Commission # GG 963984  
Expires March 1, 2024  
Bonded Thru Budget Notary Services

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 31<sup>ST</sup> day of MARCH, 2023, by NESTOR ALFREDO CASCALLARES, who is personally known to me or who produced the following as identification:

\_\_\_\_\_  
  
\_\_\_\_\_  
Notary Public  
My commission expires: 3/1/2024

APPROVED this 17 day of April, 2023.

Handwritten signature of Emily Alvarado in cursive script, positioned above a horizontal line.

**EMILY ALVARADO**  
**DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission



STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-015414

NESTOR ALFREDO CASCALLARES,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Nestor Alfredo Cascallares (“Respondent”), and alleges as follows:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.
2. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, 2016340-1021, issued by Petitioner.
3. At all times material hereto, Respondent was the trainer of record for the racing horse “The Big Calico,” with microchip number 981020031361934.
4. At all times material hereto, “The Big Calico” was owned by Manuel Humberto Gonzalez, who holds a Pari-Mutuel Wagering Professional Individual Occupational License, 2006599-1021, issued by Petitioner.
5. On February 11, 2023, “The Big Calico” participated in the 3rd race of the performances held by Tampa Bay Downs, Inc. (“TBD”).

6. On February 11, 2023, “The Big Calico” finished in 2nd place in the 3rd race of the performances held by TBD.

7. TBD is a facility operated by a permitholder authorized to conduct pari-mutuel wagering in this state under chapter 550, Florida Statutes.

8. On February 11, 2023, blood sample number 314386 was collected from “The Big Calico.”

9. Blood sample number 314386 was processed and forwarded to the University of Florida Racing Laboratory (“UF Lab”), for analysis.

10. The UF Lab tested the serum extracted from blood sample number 314386 and found that it contained **phenylbutazone**.

11. In blood sample number 314386, **phenylbutazone** was detected at a serum concentration of 3.91 +/- 0.19 µg/mL.

12. Pursuant to section 550.2415(1)(a), Florida Statutes:

The racing of an animal that has been impermissibly medicated or determined to have a prohibited substance present is prohibited. It is a violation of this section for a person to impermissibly medicate an animal or for an animal to have a prohibited substance present resulting in a positive test for such medications or substances based on samples taken from the animal before or immediately after the racing of that animal.

13. According to rule 61D-6.008(3)(c), Florida Administrative Code, it is a violation of section 550.2415, Florida Statutes, if **phenylbutazone** exists at a serum concentration greater than 0.3 µg/mL.

14. Section 550.2415(1)(c), Florida Statutes, states, “[t]he finding of a prohibited substance in a race-day specimen constitutes prima facie evidence that the substance was administered and was carried in the body of the animal while participating in the race.”

15. Rule 61D-6.002(1), Florida Administrative Code, provides that, "[t]he trainer of record shall be responsible for and be the absolute insurer of the condition of the horses...he/she enters to race."

16. Based on the foregoing, Respondent violated section 550.2415(1)(a), Florida Statutes, and rule 61D-6.008(3)(c), Florida Administrative Code, by racing "The Big Calico" with an impermissible concentration of a permitted substance in its body on February 11, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in rule 61D-6.011, Florida Administrative Code, section 550.2415(3)(a), Florida Statutes, and/or any other relief that the Commission is authorized to impose pursuant to chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-015414 is signed this 20th day of March, 2023.

*/s/ Emily A. Alvarado*

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

### NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

### NOTICE OF RIGHT TO REQUEST A SPLIT SAMPLE

Pursuant to rule 61D-6.006, Florida Administrative Code, you have the right to request a split sample with respect to each "Report of Positive Result" from the UF Lab. (Copy attached as Exhibit A). To request a split sample, use Form DBPR PMW-3290, Notification to Stewards/Judge of Split Sample Request (Form 3290).

You can obtain Form 3290, as well as a list of approved split samples laboratories, at the State Office located in any Florida pari-mutuel facility, or on the Division's website: <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/forms-and-publications/>. You must submit Form 3290 to the state steward, Division hearing officer, or office of the General Counsel, within 10 days from receipt of this Notice, or you will waive your right to request a split sample.

# EXHIBIT A



College of Medicine  
 Department of Pathology, Immunology and Laboratory Medicine  
 Racing Laboratory

PO Box 100275  
 Gainesville, FL 32610-0275  
 (352) 392-2238  
 (352) 846-1052 Fax

March 08, 2023

Mr. Joe Dillmore, Director  
 Florida Gaming Control Commission  
 2801 Blair Stone Road  
 Tallahassee, FL  
 32399-1037

RE: Report of Positive Result

Sample 314386 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

**Phenylbutazone (primary) found in serum**  
 Phenylbutazone (an anti-inflammatory and Class 4 drug) - the concentration of Phenylbutazone (primary) is 3.91 +/- 0.18 µg/mL.

<u>E007170-FHB</u>	<u>Horse Serum</u>	<u>5.5 g</u>	<u>INTACT</u>
Laboratory Number	Specimen	Final Weight	Seal
Tampa Bay Downs		02/11/2023	02/14/2023
Collected From		Date Collected	Date Received

Pursuant to Chapter 550.2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 03/18/2023, or upon commencement of administrative action, whichever occurs first.

Cynthia Cole, DVM, PhD Director

Brooks Nelson Chemist III

RL 115

Page 1 of 1

23-51



The Foundation for The Gator Nation  
 An Equal Opportunity Institution

# 2 / 2

PMW OPERATIONS :352

03-09-23:02:04PM;University of Florida



DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

314386 DATE 2.11.2023

TRACK 320

RACE 3 FINISH 2nd

NAME OF ANIMAL The Big Calico  
NOMBRE DEL ANIMAL

COLOR GB SEX B AGE 4

ID NUMBER 98020031361934  
 MICROCHIP  TATTOO  FREEZE-BRAND

BLOOD Richard Rock DVM  
SAMPLED BY

URINE Sandra Pineda  
SAMPLED BY

TRAINER Nestor Cascallares  
ENTRENADOR / ENTRENADORA

WITNESS Rob Cross  
SIGNATURE FIRMA DE TESTIGO

WITNESS Aureliano Noguez  
LICENSE # 9792611  
NÚMERO DE LICENCIA

RL-252-02



College of Medicine
Department of Pathology, Immunology and Laboratory Medicine
Racing Laboratory

PO Box 100275
Gainesville, FL 32610-0275
(352) 392-2238
(352) 846-1052 Fax

March 09, 2023

Mr. Joe Dillmore, Director
Florida Gaming Control Commission
2601 Blair Stone Road
Tallahassee, FL
32399-1037

RE: Report of Positive Result

Sample 314386 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

Phenylbutazone (primary) found in serum
Phenylbutazone (an anti-inflammatory and Class 4 drug) - the concentration of Phenylbutazone (primary) is 3.91 +/- 0.19 ug/mL.

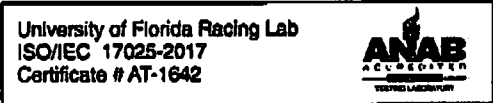
Table with 4 columns: Laboratory Number (E007170-FHB), Specimen (Horse Serum), Final Weight (5.5 g), Date Received (02/14/2023). Includes rows for Tampa Bay Downs and Date Collected.

Pursuant to Chapter 550.2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 03/18/2023, or upon commencement of administrative action, whichever occurs first.

Cynthia Cole, DVM, PhD Director (signature) Brooks Nelson Chemist III (signature)

RL 115

Page 1 of 1



The Foundation for The Gator Nation
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VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
Complaint Search Update	Change Recording License Type Mass Status Update	License Type Public Case Info	Delete Complaint	Mass Activity Update	Mass Discipline				

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: gricks

VR Home > Complaint Search > Maintain Complaint

Lic Type	1021 - Pari-Mutuel Wagering Individual Occupational	Status	10 Initial Review	Status Date	03/17/2023
Complaint #	2023015414	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	CASCALLARES, NESTOR ALFREDO	Responsible	elanier - LANIER, EBONIE	Private Case

Complaint	Respondent	Complainant	Add'l Info
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Source	LAB - UF Laboratory	Security Level	1	<input checked="" type="checkbox"/>	Parties	<input type="checkbox"/>	Activities
Form	FAX - Fax	Priority	1	<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Class'n	IV-X - Class IV Drug Positive	Complexity	R - Regular	<input checked="" type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Security	STND - Standard	Incident	02/11/2023	<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Region	CR - Central Region	Received	03/09/2023	<input type="checkbox"/>	Inspection		
Reference	314386			<input type="checkbox"/>	Costs		
Entered	03/17/2023	Entered By	gricks	<input type="checkbox"/>	Time Tracking	Auto Assign	
Summary	--- 320 - Tampa Bay Downs, Horse THE BIG CALICO, Drug Phenylbutazone (4), Sample #314386, Lab #E007170-FHB ---			<input type="checkbox"/>	Attachments	History	
Updated	03/17/2023 16:55:37	By	gricks	<input type="checkbox"/>	Work Notes	Print Report	

Change	Save	OK	Cancel	Back
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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
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Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: gricks

VR Home > License Search > License Home

<b>License</b> Fed Tax # [REDACTED] Lic Type <b>1021 - PMW Professional Individual Occupational</b> Expires On <b>06/30/2023</b> File # <b>34450</b> Name <b>GONZALEZ, MANUEL HUMBERTO</b> Extended To License # <b>2006599</b> Rank <b>PIND - Professional Individual Occupational</b> Renewed On Entity # <b>2006599</b> Lic Status <b>Current</b>		<input type="button" value="Licensee"/> <input type="button" value="History"/> <input checked="" type="checkbox"/> <input type="button" value="Notes"/> <input type="button" value="Notes History"/> <input type="button" value="Back"/>																												
<b>Address</b> Street # <b>5295</b> Street <b>NW 53 LANE</b> Line 2 Line 3 City <b>OCALA</b> State <b>FL</b> Zip <b>34482</b> Routing																														
<b>Other</b> 1st License Date <b>01/13/2021</b> Rank Date <b>01/13/2021</b> Certificate # Method <b>I-S-1024</b> Status Date <b>01/13/2021</b> Certificate Date <b>03/22/2000</b> Fee Exempt <b>No</b> Birth Date [REDACTED] Renewal Sent																														
<b>Select</b> Action <input type="text"/>  																														
<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>C</td> <td>IOWN - Individual Animal Owner</td> <td>01/02/2021</td> <td></td> </tr> <tr> <td>C</td> <td>TRNR - Trainer</td> <td></td> <td></td> </tr> <tr> <td>I</td> <td>QHRS - Quarter-Horse</td> <td>03/12/2003</td> <td></td> </tr> <tr> <td>I</td> <td>TBRD - Thoroughbred</td> <td>01/02/2021</td> <td></td> </tr> <tr> <td>L</td> <td>320 - Tampa Bay Downs</td> <td>01/11/2015</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td></td> <td></td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	C	IOWN - Individual Animal Owner	01/02/2021		C	TRNR - Trainer			I	QHRS - Quarter-Horse	03/12/2003		I	TBRD - Thoroughbred	01/02/2021		L	320 - Tampa Bay Downs	01/11/2015		Y	3YR - 3 Year License		
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<b>Alt Keys</b> BEST LIC NBR <b>PIN2006599</b>																														

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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: gricks

VR Home > License Search > License Home

<b>License</b> Fed Tax # <span style="background-color: black; color: black;">[REDACTED]</span> Lic Type <b>1021 - PMW Professional Individual Occupational</b> Expires On <b>06/30/2024</b> File # <b>48607</b> Name <b>CASCALLARES, NESTOR ALFREDO</b> Extended To License # <b>2016340</b> Rank <b>PIND - Professional Individual Occupational</b> Renewed On Entity # <b>2016340</b> Lic Status <b>Current</b>		<input type="checkbox"/> Licensee <input type="checkbox"/> History <input type="checkbox"/> Notes <input type="checkbox"/> Notes History <input type="checkbox"/> Back																			
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<b>Alt Keys</b> BEST LIC NBR <b>2016340</b>																					

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COMPARATIVE RANKINGS

Table with columns: Wins At Distance, Last 3 Finishes, Lifetime Wins, In The Money, J/T Meet Wins, Class Rating, Avg Last 3, Speed, Best Overall. Lists horses like Doc Carson, Fun At the Fort, Little Big, and Matt Doyle.

Daily Double / Exacta / Trifecta (\$ .50 minimum) / Superfecta (\$ .10 minimum) / Pick 3 (\$ .50 minimum) / Races 3-4-5 / Pick 4 (\$ .50 minimum) / Races 3-4-5-6 / Super High 5

3 Tampa Bay Downs

41 MAIDEN SPECIAL WEIGHT

Purse \$27,000. (Includes \$2,000 from FOA) For Maidens, Four Years Old and Upward. Weight, 122 Lbs (Preference Will Be Given To Horses Which Have Not Started For Less Than \$25,000. The Same Preference Will Be Given To Horses Which Have Started For Less Than \$25,000 And Since Then Have Finished 2nd Or 3rd For \$25,000 Or More.). SIX AND ONE HALF FURLONGS



Track Record: Action Andy(5), 121 lbs; 1:15.47 (3-10-12)

Table for horse Doc Carson (107-12-17-14 11%) 40%. Includes pedigree, life stats, and performance data.

Table for horse Fun At the Fort (102-12-12-19 12%) 42%. Includes pedigree, life stats, and performance data.

Table for horse Little Big (0-0-0-0 0%) 0%. Includes pedigree, life stats, and performance data.

Table for horse Matt Doyle (122-21-20-26 17%) 55%. Includes pedigree, life stats, and performance data.

Table for horse Tyler Gaffalione (0-0-0-0 0%) 0%. Includes pedigree, life stats, and performance data.

Handwritten number 8.6.7

### 5 J.J's Justice

LAUREANO SOSA (61-5-3-6 8%) 23%

B c. 4 (Apr 16, 2019)  
Peace and Justice (\$3,500) (War Front) - Oilyolloyoxenfree (Forest Camp)  
Br: Lucille Caruso-Mazza (PA)  
Own: Lucille Caruso-Mazza  
Tr: Joseph W. Mazza (25-0-1-5 0%) 24%

Life: 5 0 0 1 \$2,835 Dirt: 2 0 0 0 \$735  
2023: 2 0 0 1 \$1,760 Wet Dirt: 0 0 0 0 \$0  
2022: 3 0 0 0 \$1,075 Turf: 3 0 0 1 \$2,100  
Tam Dirt: 1 0 0 0 \$160 Wet Turf: 0 0 0 0 \$0  
Distance: 0 0 0 0 \$0 Synthetic: 0 0 0 0 \$0

**L 1157** Class Rating: 61

2022 Tam7	fm	Q22	1m82	.4839	1:1245	1:3757	41	Mcl	25000	(25-20)	57-69	6 2 1	2 1 2 3 3 1 3 1	Sosa L	1157	bl	26.30	Joe Brains122 1/2 Ambushed122nd J.J's Justice1157 1/2 chase,svd gnd,kept on
2022 Tam7	ft		7/16	.2280	.4580	1:2459	41	Mcl	25000	(25-20)	71-83	4 6	5 1 4 6 2 1 5 3 1 5 7 2	Canacho S	122	fl	6.40	Got Em Thinking122 1/2 Tuna N Stamps122 1/2 Hareby122 1/2 chase,svd gnd,faded 7
2022 Tam7	fm	Q22	1m82	.4840	1:1364	1:3722	31	Msw	27000		58-51	5 4 3 1 4 3 1 6 3 8 7 3 9 2 0	Suarez A	121	L	46.30	Hoku121 1/2 Dark and Fitzzy121 1/4 Jurkovec121nk inside,svd gnd,tred 10	
2022 Tam7	fm	Q12	1 1/2 72	.4769	1:1184	1:4173	31	Msw	27000		62-57	6 7 1 3 7 1 1 8 4 1 8 1 3 1 4	Arroyo A S	121	L	43.00	Payback Period121 1/2 Bassanio121 1/2 Benkel121 1/2 outside,3p,empty 9	
2022 Mth12	ft		6/40	.2232	.4528	1:1126	31	Msw	57500		33-84	3 5 6 8 1 6 8 6 1 5 8	Canacho S	118	L	10.60	Motawafeeq123 1/2 Captain Quick123nk Crack the Code118 1/2 inside,no rally 7	

2022 Feb 23 Tam 4F ft :50.60 b 83/110 15 Dec 22 Tam 4F ft :50.60 b 25/29 23 Nov 22 Tam 4F ft :49.00 b 9/45 15 Nov 22 Tam 4F ft :51.00 b 14/24 16 Oct 22 Mth 4F ft :50.60 b 61/77

Track (Last 365 days): All: 73 1% \$0.06 Dist/Surf: 24 4% \$0.19 Turf/Dirt: 11 0% \$0.00 Route/Sprint: 6 0% \$0.00 MdnSpecial: 14 7% \$0.33 With Jockey: 4 0% \$0.00

### 6 The Big Calico

JEREMY ALICEA (35-3-5-1 9%) 26%

B (Mar 6, 2019)  
The Big Beast (\$6,000) (Yes It's True) - Calico Bay (Three Wonders)  
Br: Bobby Jones Equine, LLC (FL)  
Own: Manuel H. Gonzalez  
Tr: Nestor Cascallares (48-4-4-3 8%) 23%

Life: 7 0 1 1 \$8,635 Dirt: 2 0 0 0 \$925  
2023: 0 0 0 0 \$0 Wet Dirt: 0 0 0 0 \$0  
2022: 7 0 1 1 \$8,635 Turf: 4 0 1 1 \$7,210  
Tam Dirt: 0 0 0 0 \$0 Wet Turf: 1 0 0 0 \$500  
Distance: 1 0 0 0 \$350 Synthetic: 0 0 0 0 \$0

**L 1157** Class Rating: 58

2022 Mth6	gd	Q17	5/40	.2256	.4752	1:0107	31	Mcl	10000		78-39	5 2 3 2 1 4 1 5 5 5 1 1	Rodriguez A A	122	bl	*1.30	Big Red Cardinal118 1/2 Cheval Dore123ms Get Them Digits118 1/2 3w into lane, faded 6	
2022 Mth6	fm	Q	*5 1/2	.2159	.4465	1:0293	31	Mcl	16000	(16-14)	100-69	10 6	2 1 2 1 2 1 3 1 3 1 3 1	Rodriguez A A	118	bl	5.40	Suit of Armor118 1/2 Almond Cider119 1/2 The Big Calico118 1/2 dualed turn, outkicked 11
2022 Mth2	fm	Q24	1 1/8 180	.4699	1:1123	1:4364	31	Mcl	40000	(40-30)	101-63	6 3 nk	5 1 3 6 3 6 8 6 1 1 1	Jimenez M	119	bl	22.50	Kingdom On Paws118nk Office Etiquette110 1/2 Tap the Candy118 1/2 3w, btwn, faded 7
2022 Mth4	ft		5/32	.2276	.4570	1:0400	31	Msw	57500		31-49	6 4	6 4 4 3 1 5 8 5 8 1	Jimenez M	118	bl	7.50	Our Pride N Joy123 1/2 Frosted Faith123nd Golden Willcat118 1/2 dualed 4w early, tred 6

2022 Feb 23 Tam 4F ft :51.60 b 2/7 31 Dec 22 Cce 4F gd :51.60 b 1/1 22 Sep 22 Mth 3F ft :37.00 b 6/12 15 Jul 22 Mth 3F ft :36.00 b 3/15 10 Jun 22 Cce 5F gd :1:00.60 b 1/1

Track (Last 365 days): All: 88 7% \$1.32 Dist/Surf: 55 5% \$0.94 61-180Days: 6 0% \$0.00 Turf/Dirt: 6 33% \$6.13 MdnSpecial: 8 0% \$0.00 With Jockey: 3 0% \$0.00

### 7 Jurkovec

SAMY CAMACHO (220-51-35-30 23%) 53%

Ch c. 4 (Mar 1, 2019) (KEE SEP YRLG 2020 \$88,000)  
Violence (\$25,000) (Medaglia d'Oro) - Ducru (Broken Vow)  
Br: Grandview Equine (KY)  
Own: Chalk Racing  
Tr: Thomas Albertrani (10-1-0-2 10%) 30%

Life: 6 0 0 2 \$15,130 Dirt: 2 0 0 0 \$5,350  
2023: 0 0 0 0 \$0 Wet Dirt: 0 0 0 0 \$0  
2022: 4 0 0 2 \$9,780 Turf: 4 0 0 2 \$9,780  
Tam Dirt: 0 0 0 0 \$0 Wet Turf: 0 0 0 0 \$0  
Distance: 1 0 0 0 \$1,350 Synthetic: 0 0 0 0 \$0

**L 122** Class Rating: 70

2022 Tam7	fm	Q22	1m82	.4840	1:1364	1:3722	31	Msw	27000		62-74	7 2 1 2 2 1 2 1 3 1 3 1	Camacho S	121	bl	8.60	Hoku121 1/2 Dark and Fitzzy121 1/4 Jurkovec121nk chase,2-3p,weaken late 10	
2022 Baq4	fm	Q96	6/60	.2330	.4648	1:1066	31	Mcl	40000		67-70	4 2 3 2 3 2 4 4 6 8 1 1	McCarthy T	121	L	4.40	Upper Level116 1/2 Charleston Strong124 1/2 SJaness121nk 2p turn,3p1/4,empty 8	
2022 Baq3	fm	Q	1m70	.4874	1:1287	1:3577	31	Msw	95000		74-71	6 3 2 3 2 5 4 1 6 4 1 6 3 1	Dettoni L	121	L	22.70	Steady On120 1/2 Stage of Boston120nd Indemify120 1/2 4-2p1st,2p2nd,3p1/4/10	
2022 Sar10	fm	Q12	5/90	.2128	.4397	1:0150	31	Mcl	40000		49-74	6 4	5 7 1 5 5 1 4 5 3 5	McCarthy T	119		23.30	Blinding Light119 1/2 Super Quality119 1/2 Jurkovec119 1/2 3w upper, kept on 8
2022 Bel6	ft		6 1/4 8	.2261	.4548	1:1719	2	Msw	90000		59-51	5 4 5 5 5 9 1 6 1 1 6 1 7	Davis D	119		18.60	Varattil19 1/2 Triple Elvis119 1/2 Mo Donega119 1/2 2p turn,no response 7	
2022 Sar1	ft		5/50	.2260	.4605	1:0523	2	Msw	100000		82-85	6 2 2 1 4 1 5 4 5 7 3	Rosario J	119		20.30	Kevin's Folly119 1/2 Master Game119 1/2 Woodline119 1/2 2w 1/4p, weakened 6	

2022 Feb 23 Tam 4F ft :52.80 b 108/110 29 Jan 23 Tam 4F ft :50.60 b 75/108 20 Jan 23 Tam 4F ft :51.00 b 13/17 11 Jan 23 Tam 4F ft :54.80 b 34/34 24 Dec 22 Tam 4F ft :51.00 b 73/103

Scratches: 28 Aug 22 Sar10 Q 5/9F fm Msw 105000; Also-Eligible

Track (Last 365 days): All: 116 14% \$2.02 Dist/Surf: 26 15% \$1.63 31-60Days: 47 17% \$2.22 Turf/Dirt: 12 8% \$0.38 Route/Sprint: 6 17% \$1.43 MdnSpecial: 27 19% \$1.58 With Jockey: 3 0% \$0.00

### 8 Bucktown

MATTIE MARTIN (18-2-2-1 11%) 28%

Chg: 4 (Jan 26, 2019)  
American Pharoah (Pioneer of the Nile) - Emphatically (Scat Daddy)  
Br: Glen Hill Farm (KY)  
Own: Glen Hill Farm  
Tr: Thomas F. Proctor (4-0-0-0 0%) 0%

Life: 4 0 1 0 \$12,030 Dirt: 0 0 0 0 \$0  
2023: 0 0 0 0 \$0 Wet Dirt: 0 0 0 0 \$0  
2022: 4 0 1 0 \$12,030 Turf: 2 0 0 0 \$3,000  
Tam Dirt: 0 0 0 0 \$0 Wet Turf: 0 0 0 0 \$0  
Distance: 0 0 0 0 \$0 Synthetic: 2 0 1 0 \$9,030

**L 1157** Class Rating: 66

2022 Tam7	fm	Q22	1m82	.4840	1:1364	1:3722	31	Msw	27000		48-73	2 8 7 8 6 1 5 3 4 3 1 4 6 1	Castanon J L	121	L	3.60	Hoku121 1/2 Dark and Fitzzy121 1/4 Jurkovec121nk prear brk,svd gnd,lt gn 10	
2022 Tam7	fm	Q12	1 1/2 72	.4769	1:1184	1:4173	31	Msw	27000		60-72	2 8 2	9 2 5 1 3 6 2 1 4 3 1	Castanon J L	121	fl	4.20	Payback Period121 1/2 Bassanio121 1/2 Benkel121 1/2 btwn,2p,late gain 9
2022 GP11	ft	Q	170 40	.4835	1:1262	1:4158	31	Msw	50000		61-46	5 8 4	8 4 1 7 4 1 6 1 0 6 1 9 1	Jaramillo E	120	fl	*1.50	Red Line Overdrive120ms Surrogate120 1/2 Tepper120nk bumped 1st,3-4wd 9
2022 GP7	ft	Q	170 40	.4652	1:1067	1:4060	31	Msw	50000		104-85	3 7 2 1 7 5 1 4 3 2 5 2 3	Krigger K	118	fl	6.60	Grand David118 1/2 Bucktown118 1/2 King Silvio118 1/2 3p2nd,btd3/8, chased 9	

2022 Jan 23 Pma 5F ft :1:02.05 b 7/12 21 Jan 23 Pma 5F ft :1:00.10 b 3/28 15 Jan 23 Pma 5F ft :1:02.25 b 4/6 24 Dec 22 Ght 5F ft :1:03.80 h 1/3 28 Nov 22 Pma 4F ft :48.60 b 3/4

Track (Last 365 days): All: 65 18% \$1.94 Dist/Surf: 21 29% \$2.33 31-60Days: 22 23% \$2.57 Route/Sprint: 5 20% \$1.56 MdnSpecial: 35 20% \$2.09 With Jockey: 0 0% \$0.00

### 9 Erian

CARLOS LOZADA (30-1-6-5 3%) 40%

Dk B/ Br c. 4 (Apr 19, 2019) (KEE SEP YRLG 2020 \$24,000)  
Upstart (\$10,000) (Flatter) - Lady Istan (Istan)  
Br: Breerton C. Jones (KY)  
Own: Aureliano Noguez  
Tr: Nestor Cascallares (48-4-4-3 8%) 23%

Life: 1 0 0 0 \$1,040 Dirt: 0 0 0 0 \$0  
2023: 0 0 0 0 \$0 Wet Dirt: 0 0 0 0 \$0  
2022: 0 0 0 0 \$0 Turf: 1 0 0 0 \$1,040  
Tam Dirt: 0 0 0 0 \$0 Wet Turf: 0 0 0 0 \$0  
Distance: 0 0 0 0 \$0 Synthetic: 0 0 0 0 \$0

**L1 122** Class Rating: 46

2022 GP2	fm	Q48	*7 1/2 161	.2323	.4677	1:3078	2	Mcl	35000		33-46	9 9	7 1 3 6 1 2 7 6 1 4 5 1	Martinez G A	118	b	58.00	Right Jumper118 1/2 Squeeze No Nika118 1/2 Beastfrontbeast118 1/2 stumbled start, 4wd 10
2022 Mth 5F	ft		1:03.00 b 1/1								19 Jan 23 Tam 4F ft :51.40 b 9/21 7 Jan 23 Mth 3F ft :39.30 b 1/1 3 Dec 21 GP 4F ft :48.87 b 15/49 24 Nov 21 GP 4F ft :47.25 b 1/28							

Track (Last 365 days): All: 88 7% \$1.32 Dist/Surf: 55 5% \$0.94 Turf/Dirt: 6 33% \$6.13 1stLast: 3 0% \$0.00 MdnSpecial: 8 0% \$0.00 With Jockey: 2 0% \$0.00

U - First Time on Lash; L - Lash; LX - Off Lash; S - Florida Bred  
Equipment Change: Matt Doyle will race with Blinkers Off

Selections: 4-3-7-2

# Discussion of Default Final Orders

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Rocco R. Cormier Case No. 2020-001631, Default Final Order  
Date: April 24, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Rocco R. Cormier (“Respondent”) from all pari-mutuel facilities in the state of Florida. By failing to respond to the publication notice seeking to exclude him, Respondent waived his right to request a hearing contesting the Division’s decision. Therefore, the Florida Gaming Control Commission should enter a final order excluding Respondent from all pari-mutuel facilities in the state of Florida.

### *Background*

On January 14, 2020, Respondent was working at Ocala Gainesville Poker and Jai-Alai (“Ocala Poker”).<sup>1</sup> Respondent was seen stealing \$25 poker chip. Respondent was terminated and permanently excluded from Ocala Poker on January 14, 2020.

Based on his exclusion and the acts leading to his termination from Ocala Poker, the Division filed an administrative complaint against Respondent seeking his exclusion from all pari-mutuel facilities in the state of Florida on March 11, 2020. The Division attempted service but was unsuccessful. The Division dismissed this case on January 5, 2022, with the intent to reopen if an address was obtained. On July 13, the Division received confirmation of a new address and filed an Amended Administrative Complaint. The Division attempted service USPS certified mail on two occasions but failed to achieve service. The Division attempted to serve Respondent via handservice, but failed to achieve service. The Division requested that a notice be placed with the Village Daily Sun in the Villages, Florida.<sup>2</sup> It was published on

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<sup>1</sup> Ocala Poker is operated by a pari-mutuel wagering permitholder that also possesses a cardroom license.

<sup>2</sup> Section 120.60(5), Florida Statutes, provides, “when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee’s last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county.”

March 10, 2023, March 17, 2023, March 24, 2023, and March 31, 2023. Respondent was given until April 7, 2023 to respond to this notice. He has never responded.

*Analysis*

Respondent can be excluded from all pari-mutuel facilities in this state. Section 550.0251(6), Florida Statutes, provides, in relevant part, that “[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state.” Ocala Poker is a pari-mutuel facility in this state. And Respondent was ejected from it. Accordingly, Respondent can be excluded from all pari-mutuel facilities in this state.

Because Respondent failed to file a timely response to publication notice, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order excluding Respondent from all pari-mutuel facilities in this state.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order permanently excluding Rocco R. Cormier from all pari-mutuel facilities in this state.



STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

ROCCO R. CORMIER,

Respondent.

---

**FILED**

Florida Gaming Control Commission  
Office of the Agency Clerk

Clerk: Donna Fleming  
Date: 7-13-2022

FGCC Case No.: 2020-001631

AMENDED ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Amended Administrative Complaint against Rocco R. Cormier (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering operations pursuant to Chapter 550, Florida Statutes.

2. At all times material hereto, Respondent held a Cardroom Employee Occupational License, number 11023387-1012, issued by Petitioner.

3. At all times material hereto, OBS Real Estate Holdings, LLC d/b/a Ocala Gainesville Poker and Jai-Alai (“Ocala Poker”) was a facility operated by a permit holder authorized to conduct pari-mutuel wagering and cardroom operations in the State of Florida.

4. On or about January 14, 2020, Respondent was permanently excluded from Ocala Poker.

5. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in the state, the division may exclude any person

from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

6. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities in the State of Florida under Section 550.0251(6), Florida Statutes, based on his ejection from Ocala Poker on or about January 14, 2020.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities in the State of Florida, along with any other remedy provided by Chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number Case Number is signed this 7th day of July, 2022.

/s/ Emily A. Alvarado

---

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

### NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to Sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, Florida Administrative Code. Pursuant to Rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

DEPARTMENT OF BUSINESS  
AND PROFESSIONAL REGULATION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

DBPR Case No.: 2020-001631

v.

ROCCO R. CORMIER,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Rocco R. Cormier (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Cardroom Employee Occupational License, number 11023387-1012, issued by Petitioner.
3. At all times material hereto, OBS Real Estate Holdings, LLC d/b/a Ocala Gainesville Poker and Jai-Alai (“Ocala Poker”) was a facility operated by a permitholder authorized to conduct pari-mutuel wagering and cardroom operations in the State of Florida.
4. On or about January 4, 2020, Respondent, an employee of Ocala Poker, knowingly and unlawfully obtained one \$25.00 poker chip belonging to Ocala Poker with the intent to deprive Ocala Poker of the chip.

## COUNT I

5. Petitioner realleges and incorporates the allegations contained within paragraphs one through four as though fully set forth herein.

6. Rule 61D-11.005(4), *Florida Administrative Code*, provides:

No person shall, either directly or indirectly: (a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator. (b) Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator. (c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.

7. Based on the foregoing, Respondent violated section Rule 61D-11.005(4), *Florida Administrative Code*, by stealing one green \$25.00 chip from Ocala Poker on January 4, 2020.

## COUNT II

8. Petitioner realleges and incorporates the allegations contained within paragraphs one through four as though fully set forth herein.

9. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in the state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

10. Based on the foregoing, Respondent violated section 550.0251(6), Florida Statutes, and is subject to permanent exclusion from any and all pari-mutuel wagering facilities

in the State of Florida based on his theft of a \$25.00 chip from Ocala Poker on January 4, 2020 which constitutes a violation of Rule 61D-11.005(4), Florida Statutes.

COUNT III

11. Petitioner realleges and incorporates the allegations contained within paragraphs one through four as though fully set forth herein.

12. On or about January 14, 2020, Respondent was excluded from Ocala Poker.

13. Based on the foregoing, Respondent violated section 550.0251(6), Florida Statutes, and is subject to permanent exclusion from all licensed pari-mutuel wagering facilities in the State of Florida based on his ejection from Ocala Poker on January 14, 2020.

WHEREFORE, Petitioner respectfully requests the Division Director enter an Order permanently excluding Respondent from any and all pari-mutuel wagering facilities in the State of Florida, along with any other remedy provided by chapter 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for DBPR Case Number 2020-001631 is signed this 9th day of March, 2020.

/s/ Mike Gordon  
**MIKE GORDON**  
Senior Attorney  
Florida Bar No. 84217  
Michael.Gordon@MyFloridaLicense.com

/s/ Megan S. Silver  
**MEGAN S. SILVER**  
Chief Attorney  
Florida Bar No. 115518  
Megan.Silver@MyFloridaLicense.com

Office of the General Counsel  
Division of Pari-Mutuel Wagering  
Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1035  
Telephone: (850) 717-1585  
Facsimile: (850) 921-1311

## NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, *Florida Administrative Code*. Pursuant to Rule 28-106.111, *Florida Administrative Code*, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	<b>Evette Lawson-Proctor</b>
Date	1/5/2022
File #	

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

DBPR CASE NUMBER: 2020-001631

COMPLAINT MADE AGAINST: Rocco R. Cormier  
1311 North West 35th Street  
Lot #20  
Ocala, Florida 34475

LICENSE NUMBER: 11023387-1012

STAFF RECOMMENDATION: DISMISSAL

ORDER OF DISMISSAL

THE COMPLAINT: On March 11, 2020, an Administrative Complaint was filed alleging that on or about January 4, 2020, Rocco R. Cormier ("Respondent") violated Rule 61D-11.005(4), Florida Administrative Code, and Section 550.0251(6), Florida Statutes, by unlawfully obtaining one \$25.00 poker chip belonging to OBS Real Estate Holdings, LLC d/b/a Ocala Gainesville Poker and Jai-Alai ("Ocala Poker") with intent to deprive Ocala Poker of the chip. On or about January 14, 2020, Respondent was excluded by Ocala Poker.

THE FACTS: On or about May 13, 2020, Respondent was served with a copy of the Administrative Complaint via U.S certified mail. On or about June 4, 2020, the Division received an election of rights form from Respondent requesting a Formal Hearing pursuant to Section 120.57(1), Florida Statutes. On June 20, 2021, Respondent's Cardroom Employee Occupational License expired.

Given that Respondent's license has expired, a notice will be placed on his file and this matter should be dismissed until Respondent reapplies for a license. An enforcement alert will be placed on Respondent's file.

It is therefore ORDERED that this case should be and is hereby DISMISSED WITHOUT PREJUDICE.

DONE and ORDERED this 3 day of <sup>January</sup>~~December~~, 2022.



**LOUIS TROMBETTA, DIRECTOR**  
Division of Pari-Mutuel Wagering  
Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1035



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: Immuniz

VR Home > Complaint Search > Maintain Complaint

Lic Type	1012 - Cardroom Employee Occupational	Status	90 Closed	Status Date	01/31/2020
Complaint #	2020001631	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	CORMIER, ROCCO R	Responsible	tmcdowell2 - MCDOWELL, TONY	Private Case

Complaint	Respondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	INTN - Internal	Security Level	1	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form	INTR - Internal	Priority		<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n	V-C - Cardroom Violations	Complexity	R - Regular	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security	STND - Standard	Incident	01/04/2020	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	CR - Central Region	Received	01/09/2020	<input type="checkbox"/> Inspection	
Reference	61D-11.004(9)(a) & 550.0251(6)			<input type="checkbox"/> Costs	
Entered	01/10/2020	Entered By	Imuniz	<input type="checkbox"/> Time Tracking	Auto Assign
Summary	<p>277-OBS Real Estate Holdings, LLC ----- / -----          ----- . Prohibitions / The powers and duties of the Division of          Pari-mutuel Wagering of the Department of Business and          Professional Regulation : On January 8, 2020, information          was received that Rocco CORMIER a dealer at Ocala Poker &amp;          Jai Alai stole a \$25 chip from the rake while dealing at a          designated player table.</p>			<input type="checkbox"/> Attachments	History
Updated	01/31/2020 15:44:25	By	Imuniz	<input type="checkbox"/> Work Notes	Print Report

21	Change	Save	OK	Cancel	Back
----	--------	------	----	--------	------

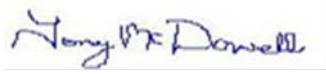
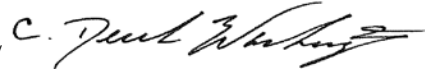
Get Adobe Reader.

Halsey Beshears, Secretary

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>P M W / CENTRAL</b>	Region: <b>CENTRAL</b>	Date of Complaint: <b>January 10, 2020</b>	Case Number: <b>2020 00 1631</b>
Respondent: <b>CORMIER, ROCCO R</b> 6440 SE 174th Lane Summerfield, FL 34491  352-631-4644		Complainant: <b>STATE OF FLORIDA, DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF PARI-MUTUEL WAGERING</b>	
License # and Type: <b>11023387 – 1012</b>	Profession: <b>Cardroom Dealer</b>	Report Date: <b>January 16, 2020</b>	
Period of Investigation: January 8, 2020 through January 16, 2020		Type of Report: <b>Final</b>	
<p>Alleged Violation: <b>550.0251 The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation.</b>—The division shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and: <b>(6)</b> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The division may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permitholder to exclude absolutely a patron in this state.</p> <p><b>61D-11.005 Prohibitions. (4)</b> No person shall, either directly or indirectly: <b>(b)</b> Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator. <b>(c)</b> Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.</p>			
Synopsis: On January 8, 2020, information was received that Rocco CORMIER, a dealer at Ocala Poker & Jai Alai stole a \$25 chip from the rake while dealing.			
Related Case:			
Investigator / Date  /s/  Tony McDowell / January 16, 2019		Investigator Supervisor / Date  /s/  Derek Washington / January 21, 2020	
Chief of Investigations / Date  Steven E. Kogan / January 31, 2020		  /s/ 	

## CONTINUATION

## Investigative Activity:

On January 8, 2020, at approximately 1:30 PM, during a routine inspection at **OBS REAL ESTATE HOLDINGS, LLC (OCALA POKER)**, I was informed of an incident with cardroom dealer Rocco **CORMIER** (PMW# 11023387.)

Security Supervisor David MUNIZ (PMW# 8954656) advised that on January 4, 2020, the cardroom floor manager received information that **CORMIER** was doing something strange while he was dealing. The floor contacted security and, after reviewing surveillance footage, found **CORMIER** took a \$25 chip and placed it in his pants pocket.

Careful review of the video evidence of January 4, 2020 and obtained from **OCALA POKER** (EXHIBIT 1) revealed **CORMIER** at 10:56:57 PM, while dealing at Table 17, placed a green \$25 chip into his right side pants pocket.

A review of Versa Regulation Enforcement database revealed **CORMIER** has no previous violations.

The facility did not report the incident to Law Enforcement, however, did issue an exclusion letter to **CORMIER** banning him from the facility.

Status: Investigation case closed and case referred to Legal for review.

**TABLE OF CONTENTS**

- I. INVESTIGATIVE REPORT COVERSHEET
- II. INVESTIGATIVE REPORT
- III. EXHIBITS
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  - 2. Exclusion Letter .....1-1





**State of Florida  
Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
Investigations Section**

**PROPERTY RECEIPT**

Complaint # 2020 00 1619 2020 00 1631 Date 1-15-2020 Lab # \_\_\_\_\_

Item No.	Quantity	Description
1	1	Thumb drive of Dealer Rocco Cormier at Ocala Poker and Jai Alai who was found stealing a chip Security Guard Daniel M Sadoques who was found stealing designated Player chips at Ocala Poker & Jai Alai

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

*[Handwritten Signature]*

Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

*[Handwritten Signature]*

Signature - Impounding Investigator

**RETURNED PROPERTY RECEIPT**

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Received by: \_\_\_\_\_  
Received by: \_\_\_\_\_  
Received by: \_\_\_\_\_

Date: \_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_

Copies for: File, Transmittal, Laboratory, Property Receipt

Form DBPR 11-75 (Revised 01/04)



**OBS Real Estate Holdings, LLC**  
**dba Ocala Gainesville Poker and Jai Alai**  
P O Box 548 ♦ Orange Lake, FL 32681 ♦ 352 591-2345  
ocalagainesvillepoker.com ♦ ogp@ocalagainesvillepkr.com

January 14, 2020

Rocco Cormier  
6440 S.E. 174 Lane  
Summerfield, FL 34491

Dear Mr. Cormier,

Effective immediately you are banned from entering OBS Real Estate Holdings, LLC, d/b/a Ocala Gainesville Poker and Jai-Alai for any reason.

Respectfully,

Brian Matthews  
General Manager

EXHIBIT # 2  
PAGE # 1-1



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

**OPEN CASE REQUEST**

(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

INCIDENT DATE: 1/04/2020

PMW     Cardroom     Slot

Violation     Incident     Complaint

FACILITY NAME: OBS REAL ESTATE HOLDINGS, LLC

LIC #: 277

**RESPONDENT**

NAME: Rocco R. Cormier

Address: 6440 SE 174<sup>th</sup> Lane Summerfield, FL 34491

Tel #: 352-631-4644

LIC #: 11023387

LIC TYPE: 1012

OCCUPATION: Dealer

**COMPLAINANT**

NAME:

Tel #:

Address:

LIC #:

LIC TYPE:

OCCUPATION:

**VIOLATION(S) / TITLE(S): 550.0251** The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation — (6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The division may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permitholder to exclude absolutely a patron in this state. 61D-

**11.005 Prohibitions-** (4) No person shall, either directly or indirectly: (a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.

**DESCRIPTION:** On January 8, 2020, information was received that Rocco CORMIER a dealer at Ocala Poker & Jai Alai stole a \$25 chip from the rake while dealing at a designated player table.

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_

(Title of State Employee)

Tony McDowell

(Print Name)

(Signature)

January 8, 2020

(Date)

## Muniz, Luz

---

**From:** Washington, Derek  
**Sent:** Thursday, January 09, 2020 11:41 AM  
**To:** Muniz, Luz  
**Cc:** McDowell, Tony; Castillo, Delia; Maitland, Herfa  
**Subject:** Open Case Request - Cormier Rocco R - 1-8-2020  
**Attachments:** Open Case Request - Cormier Rocco R - 1-8-2020.docx

Luz,  
Attached is an OCR for a cardroom case, please assign to McDowell.

Thanks  
Derek



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: **Imuniz**

VR Home > Complaint Search > Maintain Complaint > License Home

<b>License</b> Fed Tax # [REDACTED] Lic Type <b>1012 - Cardroom Employee Occupational</b> Expires On <b>06/30/2021</b> File # <b>9277</b> Name <b>Cormier, Rocco R</b> Extended To License # <b>11023387</b> Rank <b>CEMP - Cardroom Employee Occupational</b> Renewed On Entity # <b>11023387</b> Lic Status <b>Current</b>			<input type="button" value="Licensee"/> <input type="button" value="History"/> <input checked="" type="checkbox"/> <input type="button" value="Notes"/> <input type="button" value="Notes History"/> <input type="button" value="Back"/>																			
<b>Address</b> Street # <b>6440</b> Street <b>SE 174TH LANE</b> Line 2 Line 3 City <b>SUMMERFIELD</b> State <b>FL</b> Zip <b>34491</b> Routing																						
<b>Other</b> 1st License Date <b>07/27/2018</b> Rank Date <b>07/27/2018</b> Certificate # Method <b>I-S-1024</b> Status Date <b>07/27/2018</b> Certificate Date Fee Exempt <b>No</b> Birth Date [REDACTED] Renewal Sent																						
<b>Select</b> Action <input type="text"/>																						
<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>C</td> <td>DEAL - Dealer</td> <td>03/11/2016</td> <td></td> </tr> <tr> <td>I</td> <td>QHRS - Quarter-Horse</td> <td>03/11/2016</td> <td></td> </tr> <tr> <td>L</td> <td>920 - Orlando Regional Office</td> <td>06/07/2018</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>03/11/2016</td> <td></td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	C	DEAL - Dealer	03/11/2016		I	QHRS - Quarter-Horse	03/11/2016		L	920 - Orlando Regional Office	06/07/2018		Y	3YR - 3 Year License	03/11/2016	
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<b>Alt Keys</b> BEST LIC NBR <b>11023387</b>																						

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# NOTICE OF ACTION

## BEFORE THE DIVISION OF PARI-MUTUEL WAGERING

IN RE: Violation of section  
550.0251(6), Florida Statutes.

ROCCO R. CORMIER  
1311 Northwest 35th Street,  
Lot 20 Ocala, Florida 34475

CASE NO.: 2020-001631

LICENSE NO.: 11023387-1012  
The Florida Gaming Control  
Commission has filed an  
Administrative Complaint  
against you, a copy of which  
may be obtained by contacting  
Ebonie Lanier, Administrative  
Assistant III, Office of the  
General Counsel, Florida  
Gaming Control Commission,  
2601 Blair Stone Road,  
Tallahassee, FL 32399, (850)  
717-1663.

If no contact has been made by  
you concerning the above by  
Friday, April 7, 2023, the matter  
of the Administrative Complaint  
will be presented to the Florida  
Gaming Control Commission at  
the next public meeting for final  
agency action.

In accordance with the  
Americans with Disabilities Act,  
persons needing special  
accommodation to participate in  
this proceeding should contact  
the individual or agency  
sending notice no later than  
seven days prior to the  
proceeding at the address  
given on notice. Telephone  
(850) 257- 6097; 1-800-955-  
8771 (TDD) or 1-800-955-8770  
(v), via Florida Relay Service.

#00000000      March 10, 2023  
                                 March 17, 2023  
                                 March 24, 2023  
                                 March 31, 2023

# Advertising Invoice

## The Villages Daily Sun

1100 Main St.  
The Villages, FL 32159

Phone: (352)753-1119

Fax: (352)751-7999

URL: <http://www.thevillagesdailysun.com>

Florida Gaming Control Commission  
Tallahassee, FL

Acct #: 90169025  
Phone: (850)717-1663  
Date: 03/1/2023  
Ad #: 01114322  
Salesperson: RB Ad Taker: RB

Class: 0100

Description	Start	Stop	Ins.	Cost/Day	Extras	Amount
NOTICE OF ACTION BEFORE	03/10/2023	03/31/2023	4	76.96	0.00	307.84

### Ad Text:

NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING  
IN RE: Violation of section 550.0251(6), Florida Statutes.

ROCCO R. CORMIER  
1311 Northwest 35th Street,  
Lot 20 Ocala, Florida 34475

CASE NO.: 2020-001631

### Payment Reference:

Total: 307.84  
Tax: 0.00  
Net: 307.84  
Prepaid: 0.00

**Total Due 307.84**



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Somphone Pon Manivong Case No. 2022-007916, Default  
Final Order  
Date: April 24, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Somphone Pon Manivong (“Respondent”) from all pari-mutuel facilities in the state of Florida and revocation of Respondent’s Cardroom Employee Occupational License. By failing to respond to the publication notice seeking to exclude him and revoke his license, Respondent waived his right to request a hearing contesting the Division’s decision. Therefore, the Florida Gaming Control Commission should enter a final order excluding Respondent from all pari-mutuel facilities in the state of Florida and revoking Respondent’s Cardroom Employee Occupational License.

### *Background*

On February 12, 2022, Respondent was working as a cardroom dealer at Sarasota Kennel Club, Inc.<sup>1</sup> Respondent was seen stealing \$35 in chips from the pot and placing it in the impreset tray. Respondent was terminated from Sarasota Kennel Club, Inc.<sup>2</sup>, on February 13, 2022. Respondent was also permanently banned from Sarasota Kennel Club, Inc. on February 14, 2022.

Based on his exclusion and the acts leading to his termination from Sarasota Kennel Club, Inc., the Division filed a a two-count administrative complaint against Respondent seeking his exclusion from all pari-mutuel facilities in the state of Florida and revocation of his Cardroom Employee Occupational License. The Division attempted service by USPS certified mail on three occasions but failed to achieve service. The Division attempted to serve Respondent via handservice, but failed to achieve service. The Division requested that a notice be placed with the

---

<sup>1</sup> Sarasota Kennel Club, Inc. is operated by a pari-mutuel wagering permitholder that also possesses a cardroom license.

<sup>2</sup> Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

Pinellas County, Florida Business Observer.<sup>3</sup> It was published on March 3, 2023, March 10, 2023, March 17, 2023, and March 24, 2023. Respondent was given until March 31, 2023 to respond to this notice. He has never responded.

### *Analysis*

Respondent can be excluded from all pari-mutuel facilities in this state. Section 550.0251(6), Florida Statutes, provides, in relevant part, that “[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state.” Sarasota Kennel Club is a pari-mutuel facility in this state. And Respondent was ejected from it. Accordingly, Respondent can be excluded from all pari-mutuel facilities in this state.

Furthermore, rule 75-11.005(4), Florida Administrative code, provides, in pertinent part, that “[n]o person shall, either directly or indirectly... (c) [employ or attempt to employ any device, scheme, or artifice with the intent of cheating any participant or the cardroom operator.” Respondent violated rule 75-11.005(4), by stealing chips from the pot. This act directly cheated the participants in the game and the cardroom operator. Respondent was terminated for this act. Section 849.096(14)(a), Florida Statutes, provides that “[t]he commission may deny a license or the renewal thereof, or may suspend or revoke any license, when the applicant has: violated or failed to comply with the provisions of this section or any rules adopted pursuant thereto.” Accordingly, Respondent Cardroom Employee Occupational License can be revoked.

Because Respondent failed to file a timely response to publication notice, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order excluding Respondent from all pari-mutuel facilities in this state and revoking his Cardroom Employee Occupational License.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order permanently excluding Somphone Pon Manivong from all pari-mutuel facilities in this state and revoking his Cardroom Employee Occupational License.

---

<sup>3</sup> Section 120.60(5), Florida Statutes, provides, “when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee’s last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county.”

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

DEPARTMENT OF BUSINESS  
AND PROFESSIONAL REGULATION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

DBPR Case No.: 2022-007916

v.

SOMPHONE PON MANIVONG,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Somphone Pon Manivong (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to Chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Cardroom Employee Occupational License, number 11229290-1012, issued by Petitioner.
3. At all times material hereto, Sarasota Kennel Club was a facility operated by a permitholder authorized to conduct pari-mutuel wagering and cardroom operations in the State of Florida.
4. On or about February 12, 2022, Respondent was observed stealing approximately thirty five dollars (\$35) in chips from the pot and imprest tray while working as a cardroom dealer.

5. On February 13, 2022, Respondent did not show up to his scheduled shift and refused to respond to any questions or make comments regarding the incident on February 12, 2022.

6. On February 13, 2022, Respondent was terminated from Sarasota Kennel Club.

7. On February 14, 2022, Respondent was permanently banned from Sarasota Kennel Club.

### COUNT I

8. Petitioner realleges and incorporates the allegations contained within paragraphs one through six as though fully set forth herein.

9. Rule 61D-11.005(4), Florida Administrative Code, provides, in pertinent part, that “[n]o person shall, either directly or indirectly... (c) [e]mploy or attempt to employ any device, scheme, or artifice with the intent of cheating any participant or the cardroom operator.”

10. Based on the foregoing, Respondent violated Rule 61D-11.005(4), Florida Administrative Code, by employing a device, scheme, or artifice with the intent of cheating the cardroom operator.

### COUNT II

11. Petitioner realleges and incorporates the allegations contained within paragraphs one through six as though fully set forth herein.

12. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in the state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the



governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

13. Based on the foregoing, Respondent violated Section 550.0251(6), Florida Statutes, based on his permanent exclusion from Sarasota Kennel Club and his violation of Rule 61D-11.005, Florida Administrative Code.

WHEREFORE, Petitioner respectfully requests the Division Director enter an Order revoking Respondent's a Cardroom Employee Occupational License, number 11229290-1012, and excluding Respondent from all licensed pari-mutuel wagering facilities in the State of Florida, along with any other remedy provided by Chapters 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for DBPR Case Number 2022-007916 is signed this 7th day of March, 2022.

*/s/ Emily A. Leiva*

---

Emily A. Leiva  
Assistant General Counsel  
Florida Bar Number: 1025200  
Department of Business and Professional Regulation  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Leiva@MyFloridaLicense.com  
Secondary: Ebonie.Lanier@MyFloridaLicense.com

### NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to Sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, Florida Administrative Code. Pursuant to Rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

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<a href="#">Complaint Search Update</a>	<a href="#">Change Mass Status Update</a>	<a href="#">Recording License Type Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>				

Domain **10 - Division of Pari-Mutuel Wagering**

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Lic Type	<b>1012 - Cardroom Employee Occupational</b>	Status	<b>90 Closed</b>	Status Date	<b>03/02/2022</b>
Complaint #	<b>2022007916</b>	Case Type	<b>CMP - Complaint</b>	Disposition	
Docket#	<b>MANIVONG, SOMPHONE PON</b>	Respondent	<b>rsamson - SAMSON, RANDA</b>	Responsible	<b>Private Case</b>

<a href="#">Complaint</a>	<a href="#">Respondent</a>	<a href="#">Complainant</a>	<a href="#">Add'l Info</a>
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Source	<b>INTN - Internal</b>	Security Level	<b>1</b>	<input type="checkbox"/>	<b>Parties</b>	<input checked="" type="checkbox"/>	<b>Activities</b>
Form	<b>INTR - Internal</b>	Priority		<input type="checkbox"/>	<b>Allegations</b>	<input type="checkbox"/>	<b>Discipline</b>
Class'n	<b>V-C - Cardroom Violations</b>	Complexity	<b>R - Regular</b>	<input checked="" type="checkbox"/>	<b>Violations</b>	<input type="checkbox"/>	<b>Compliance</b>
Security	<b>STND - Standard</b>	Incident	<b>02/12/2022</b>	<input type="checkbox"/>	<b>Related</b>	<input checked="" type="checkbox"/>	<b>Disposition</b>
Region	<b>CR - Central Region</b>	Received	<b>02/17/2022</b>	<input type="checkbox"/>	<b>Inspection</b>	<input type="checkbox"/>	<b>Costs</b>
Reference	<b>550.0251 &amp; 61D-11.005(4)(a-c)</b>			<input type="checkbox"/>	<b>Time Tracking</b>	<input type="checkbox"/>	<b>Auto Assign</b>
Entered	<b>02/17/2022</b>	Entered By	<b>Imuniz</b>	<input type="checkbox"/>	<b>Attachments</b>	<input type="checkbox"/>	<b>History</b>
Summary	<p><b>153-Sarasota Kennel Club, Inc. ----- / ----- . The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation &amp; Prohibitions: On February 12, 2022, Director of Poker Operations RYAN R CARTER at SARASOTA KENNEL CLUB, INC (ONE-EYED JACKS) informed me via text message that on February 12, 2022, SOMPHONE PON MANIVONG, a Cardroom Dealer was observed by a player stealing chips from the pot and imprest tray while dealing.</b></p>			<input type="checkbox"/>	<b>Work Notes</b>	<input type="checkbox"/>	<b>Print Report</b>
Updated	<b>03/03/2022 07:19:40</b>	By	<b>Imuniz</b>				

<b>13</b>	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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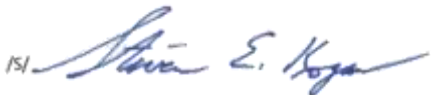
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Melanie S. Griffin, Secretary

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>CENTRAL</b>	Date of Complaint: <b>FEBRUARY 17, 2022</b>	Case Number: <b>2022 00 7916</b>
Respondent:  <b>MANIVONG, SOMPHONE PON 5287 89th TERRACE NORTH PINELLAS PARK, FL 33782</b>  <div style="background-color: black; width: 100px; height: 15px; margin-top: 10px;"></div>		Complainant:  <b>STATE OF FLORIDA, DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF PARI-MUTUEL WAGERING</b>	
License # and Type: <b>11229290 / 1012</b>	Profession: <b>PERMIT HOLDER</b>	Report Date: <b>March 2, 2022</b>	
Period of Investigation: <b>FEBRUARY 12, 2022 – March 2, 2022</b>		Type of Report: <b>FINAL</b>	
<p>Alleged Violation: <b>550.0251 The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation - (6)</b> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.</p> <p><b>61D-11.005 Prohibitions. - (4)</b> No person shall, either directly or indirectly:          (a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.          (b) Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator.          (c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.</p>			
Synopsis: On February 12, 2022, Director of Poker Operations <b>RYAN R CARTER</b> informed me via text message that on February 12, 2022, <b>SOMPHONE PON MANIVONG</b> , a Cardroom Dealer was observed by a player stealing chips from the pot and imprest tray while dealing.			
Related Case:			
Investigator / Date  /s/  Randa Samson / March 2, 2022		Investigator Supervisor / Date  /s/  C. Derek Washington / March 2, 2022	
Chief of Investigations / Date  /s/  Steven E. Kogan / March 2, 2022			

## CONTINUATION

## Investigative Activity:

On February 12, 2022, Director of Poker Operations, **RYAN R CARTER** (PMW LIC# 7616143) from **SARASOTA KENNEL CLUB (ONE-EYED JACKS)** via text message informed me that on February 12, 2022; **SOMPHONE PON MANIVONG** (PMW LIC#11229290), a cardroom dealer was seen by another player, stealing chips. **CARTER** reviewed surveillance video and verified that **MANIVONG** stole approximately \$35 in chips.

On February 14, 2022, during a routine inspection, I requested and received a copy of the saved surveillance video of the incident. I also obtained a copy of **CARTER's** Incident Report (EXHIBIT #4).

A careful review of the video evidence of February 12, 2022, that was obtained from **SARASOTA KENNEL CLUB (ONE-EYED-JACKS), (EXHIBIT #2)** shows **MANIVONG** assigned to Table #6 on February 12, 2022, between 2:37:18 PM and 3:10:10 PM:

- 2:43:05 PM: Respondent took one (1) \$5 red chip from the pot and placed it in the imprest tray.
- 2:44:47 PM: Respondent took one (1) \$5 red chip from the imprest tray and dropped it in his tip box.
- 2:52:35 PM: Respondent took one (1) \$5 red chip from the pot and placed it in the imprest tray.
- 2:57:15 PM: Respondent took one (1) \$25 green chip from the pot and placed it in the imprest tray.
- 2:58:22 PM: Respondent took one (1) \$25 green chip from the imprest tray and dropped it in his tip box.
- 3:01:29 PM: Respondent took one (1) \$5 red chip from the imprest tray and dropped it in his tip box.

During my facility visit on February 14, 2022, I spoke with the Director of Poker Operations, **RYAN R CARTER**, and Administrative Assistant **RHONDA RENEE LIPP** (PMW LIC# 8124889) regarding the theft. Both stated that **MANIVONG** did not show up for his scheduled shift on February 13, 2022, and that he refused to answer any questions or comment when **CARTER** and **LIPP** called him on speakerphone. They further explained that **MANIVONG** was terminated and barred from **SARASOTA KENNEL CLUB (EXHIBIT #6)**.

A review of Versa Regulation Enforcement database revealed **MANIVONG**, has no previous violations.

Investigation case closed, case forwarded to Legal for review and recommending State Exclusion.

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Domain **10 - Division of Pari-Mutuel Wagering**

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<p><b>License</b></p> <p>Fed Tax # <span style="background-color: black; color: black;">██████████</span> Lic Type <b>1012 - Cardroom Employee Occupational</b> Expires On <b>06/30/2024</b></p> <p>File # <b>9775</b> Name <b>Manivong, Somphone Pon</b> Extended To</p> <p>License # <b>11229290</b> Rank <b>CEMP - Cardroom Employee Occupational</b> Renewed On</p> <p>Entity # <b>11229290</b> Lic Status <b>Current</b></p>		<p><input type="button" value="Licensee"/></p> <p><input type="button" value="History"/></p> <p><input checked="" type="checkbox"/> <input type="button" value="Notes"/></p> <p><input type="button" value="Notes History"/></p> <p><input type="button" value="Back"/></p>																				
<p><b>Address</b></p> <p>Street # <b>5287</b> Street <b>89 TERRACE NORTH</b></p> <p>Line 2</p> <p>Line 3</p> <p>City <b>PINELLAS PARK</b> State <b>FL</b> Zip <b>33782</b></p> <p>Routing</p>																						
<p><b>Other</b></p> <p>1st License Date <b>05/18/2021</b> Rank Date <b>05/18/2021</b> Certificate #</p> <p>Method <b>I-S-1024</b> Status Date <b>05/18/2021</b> Certificate Date</p> <p>Fee Exempt <b>No</b> Birth Date <span style="background-color: black; color: black;">██████████</span> Renewal Sent</p>																						
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<p><b>Alt Keys</b></p> <p>BEST LIC NBR <b>11229290</b></p>																						

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**EXHIBIT #1**  
**PAGE 1/1**





**State of Florida  
Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
Investigations Section**

**PROPERTY RECEIPT**

Complaint # 2022 00 7916 Date 2/14/2022 Lab # \_\_\_\_\_

Item No.	Quantity	Description
	1	Thumbdrive
		Manivong Poker Dealer Stealing
		Chips from pot & Interest Tray.

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

Rhonda Lipp  
Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

Randall Soren  
Signature - Impounding Investigator

**RETURNED PROPERTY RECEIPT**

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

\_\_\_\_\_  
Signature \_\_\_\_\_  
Date

Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Copies for: File, Transmittal, Laboratory, Property Receipt





**ONE  
EYED  
JACKS**  
Poker Room



**SOMPHONE MANIVONG**

**DEALER**  
**11229290**

EXHIBIT #3





**Sarasota Kennel Club  
One-Eyed Jacks**

**Incident Report**

2-14-22

On 2-12-22 a customer playing on Table 6 informed the shift boss (Clint Bucholz) that dealer Somphone Manivong was possibly stealing chips from the pot. The shift boss cut Somphone Manivong for the day pending my investigation. On 2/13/22 I confirmed in surveillance that Somphone Manivong did steal multiple times during his half hour at table 6. I contacted Randa Sampson at DBPR and informed her of this incident.

A handwritten signature in black ink, appearing to read 'Ryan Carter', followed by the number '7616143' written in a similar cursive style.

Ryan Carter  
Director of Poker Operations

EXHIBIT #4  
PAGE 1/1



## Termination Report Form

Client Company Name: <b>SKC</b>		
Last Name (Print Clearly): <b>Manivong</b>	First Name: <b>Somphone</b>	Middle Initial:
Termination Date: <b>2-13-22</b>	Department: <b>1011</b>	

<i>Involuntary</i>		<i>Voluntary</i>	
90 DAY PROBATIONARY	<input type="checkbox"/>	ACCEPTED ANOTHER JOB	<input type="checkbox"/>
ABSENTEEISM	<input type="checkbox"/>	DECEASED	<input type="checkbox"/>
COMPLETED TEMPORARY ASSIGNMENT	<input type="checkbox"/>	DISSATISFIED	<input type="checkbox"/>
EXCESSIVE TARDINESS	<input type="checkbox"/>	FAILED TO RETURN FROM LEAVE	<input type="checkbox"/>
FAILED BACKGROUND CHECK	<input type="checkbox"/>	JOB ABANDONMENT	<input type="checkbox"/>
FAILED DRUG TEST	<input type="checkbox"/>	MILITARY DUTY	<input type="checkbox"/>
FALSIFICATION OF RECORDS OR OTHER	<input type="checkbox"/>	PERSONAL REASONS	<input type="checkbox"/>
INAPPROPRIATE CONDUCT	<input type="checkbox"/>	QUIT AVAILABILITY	<input type="checkbox"/>
INSUBORDINATION	<input type="checkbox"/>	QUIT HEALTH REASONS	<input type="checkbox"/>
JOB ELIMINATED	<input type="checkbox"/>	QUIT RELOCATION	<input type="checkbox"/>
LACK OF WORK	<input type="checkbox"/>	QUIT VOLUNTARY OTHER	<input type="checkbox"/>
LAY OFF	<input type="checkbox"/>	QUIT WITHOUT NOTICE	<input type="checkbox"/>
SAFETY VIOLATION	<input type="checkbox"/>	QUIT-REASON UNKNOWN	<input type="checkbox"/>
SEASONAL EMPLOYMENT	<input type="checkbox"/>	RETIRED	<input type="checkbox"/>
UNAUTHORIZE REMOVAL CO PROPERT	<input type="checkbox"/>	RETURNED TO SCHOOL	<input type="checkbox"/>
UNSATISFACTORY WRK PERFORMANCE	<input type="checkbox"/>	WORK ENVIRONMENT	<input type="checkbox"/>
VIOLATION OF COMPANY POLICY <b>stealing</b>	<input checked="" type="checkbox"/>		
WILLFUL REFUSAL PERFORM DUTY	<input type="checkbox"/>		

### Supervisor's Statement

*Please provide specific details and attach documentation.*

Two-Week Notice given? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Stop Direct Deposit? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Last Day Worked: <b>2-12-22</b>	
Qualifies for rehire? Yes <input type="checkbox"/> No <input type="checkbox"/>		<i>(If not marked, will direct deposit)</i>			
Verbal Warnings:	Date:	Date:	Date:	Date:	
Written Warnings:	Date:	Date:	Date:	Date:	
Comments (attach extra sheets, if necessary): <b>Stealing - Permanent Banned from Property</b>					
Supervisor's Signature:				Date:	
Manager's Signature: <b>Umaric Fopp</b>				Date: <b>2-14-22</b>	

### Employee's Statement (optional)

Comments (Use the reverse side of this sheet, if necessary):	
Employee's Signature (optional):	Date:



**Sarasota Kennel Club  
One-Eyed Jacks**

2-14-22

Somphone Manivong  
5287 89<sup>th</sup> Terrace N  
Pinellas Park, FL 33782

You are permanently banned from Sarasota Kennel Club  
DBA One Eyed Jacks Poker Room for incident that occurred  
on 2-12-22.

Ryan Carter

Director of Poker Operations

EXHIBIT #6  
PAGE 1/1

[FAQ](#) | [Help](#) | [Sign Out](#)

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Mass Status Update</a>	<a href="#">Recording License Type Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>				

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **Imuniz**

[VR Home](#) > [Complaint Search](#) > [Maintain Complaint](#)

Lic Type	<b>1012 - Cardroom Employee Occupational</b>	Status	<b>20 Under Investigation</b>	Status Date	<b>02/17/2022</b>
Complaint #	<b>2022007916</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent <b>MANIVONG, SOMPHONE PON</b>	Responsible	<b>rsamson - SAMSON, RANDA</b>		<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
Source	<b>INTN - Internal</b>	Security Level	<b>1</b>
Form	<b>INTR - Internal</b>	Priority	
Class'n	<b>V-C - Cardroom Violations</b>	Complexity	<b>R - Regular</b>
Security	<b>STND - Standard</b>	Incident	<b>02/12/2022</b>
Region	<b>CR - Central Region</b>	Received	<b>02/17/2022</b>
Reference	<b>550.0251 &amp; 61D-11.005(4)(a-c)</b>		
Entered	<b>02/17/2022</b>	Entered By	<b>Imuniz</b>
Summary	<p><b>153-Sarasota Kennel Club, Inc. ----- / ----- . The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation &amp; Prohibitions: On February 12, 2022, Director of Poker Operations RYAN R CARTER at SARASOTA KENNEL CLUB, INC (ONE-EYED JACKS) informed me via text message that on February 12, 2022, SOMPHONE PON MANIVONG, a Cardroom Dealer was observed by a player stealing chips from the pot and imprest tray while dealing.</b></p>		
Updated	<b>02/17/2022 11:06:55</b>	By	<b>Imuniz</b>

<input type="checkbox"/>	Parties	<input checked="" type="checkbox"/>	Activities
<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
<input type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
<input type="checkbox"/>	Inspection		
<input type="checkbox"/>	Costs		
<input type="checkbox"/>	Time Tracking		Auto Assign
<input type="checkbox"/>	Attachments		History
<input type="checkbox"/>	Work Notes		Print Report

<a href="#">Change</a>	<a href="#">Save</a>	<a href="#">OK</a>	<a href="#">Cancel</a>	<a href="#">Back</a>
------------------------	----------------------	--------------------	------------------------	----------------------

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## Muniz, Luz

---

**From:** Washington, Derek  
**Sent:** Thursday, February 17, 2022 10:46 AM  
**To:** Muniz, Luz  
**Cc:** Samson, Randa  
**Subject:** OCR MANIVONG 02.14.2022  
**Attachments:** OCR MANIVONG 02.14.2022.docx

Hello Luz,

Attached is an OCR for a Cardroom violation (Dealer stealing), please assign to R. Samson.

Thanks  
Derek

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
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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: **Imuniz**

[VR Home](#) > [Complaint Search](#) > [Maintain Complaint](#) > [License Home](#)

<p><b>License</b></p> <p>Fed Tax # <span style="background-color: black; color: black;">██████████</span> Lic Type <b>1012 - Cardroom Employee Occupational</b> Expires On <b>06/30/2024</b></p> <p>File # <b>9775</b> Name <b>Manivong, Somphone Pon</b> Extended To</p> <p>License # <b>11229290</b> Rank <b>CEMP - Cardroom Employee Occupational</b> Renewed On</p> <p>Entity # <b>11229290</b> Lic Status <b>Current</b></p>		<p><input type="button" value="Licensee"/></p> <p><input type="button" value="History"/></p> <p><input checked="" type="checkbox"/> <input type="button" value="Notes"/></p> <p><input type="button" value="Notes History"/></p> <p><input type="button" value="Back"/></p>																				
<p><b>Address</b></p> <p>Street # <b>5287</b> Street <b>89 TERRACE NORTH</b></p> <p>Line 2</p> <p>Line 3</p> <p>City <b>PINELLAS PARK</b> State <b>FL</b> Zip <b>33782</b></p> <p>Routing</p>																						
<p><b>Other</b></p> <p>1st License Date <b>05/18/2021</b> Rank Date <b>05/18/2021</b> Certificate #</p> <p>Method <b>I-S-1024</b> Status Date <b>05/18/2021</b> Certificate Date</p> <p>Fee Exempt <b>No</b> Birth Date <span style="background-color: black; color: black;">██████████</span> Renewal Sent</p>																						
<p><b>Select</b></p> <p>Action <input type="text"/></p>																						
<p><b>Modifiers</b></p> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>C</td> <td>DEAL - Dealer</td> <td>10/21/2016</td> <td></td> </tr> <tr> <td>I</td> <td>GHND - Greyhound</td> <td>10/21/2016</td> <td></td> </tr> <tr> <td>L</td> <td>151 - St. Petersburg Kennel Club, Inc.</td> <td>04/28/2017</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>10/21/2016</td> <td></td> </tr> </tbody> </table>		Type	Modifier	Effective Date	Additional Info	C	DEAL - Dealer	10/21/2016		I	GHND - Greyhound	10/21/2016		L	151 - St. Petersburg Kennel Club, Inc.	04/28/2017		Y	3YR - 3 Year License	10/21/2016		
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Y	3YR - 3 Year License	10/21/2016																				
<p><b>Alt Keys</b></p> <p>BEST LIC NBR <b>11229290</b></p>																						

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Serial Number  
23-00935N

# Business Observer

Published Weekly  
Clearwater, Pinellas County, Florida

COUNTY OF PINELLAS

**FILED**  
**FLORIDA GAMING CONTROL COMMISSION**

Date: 4/03/2023  
File Number: \_\_\_\_\_

**BY: MELBA L. APELLANIZ**  
**CLERK OF THE COMMISSION**

STATE OF FLORIDA

Before the undersigned authority personally appeared Kelly Martin who on oath says that he/she is Publisher's Representative of the Business Observer a weekly newspaper published at Clearwater, Pinellas County, Florida; that the attached copy of advertisement,

being a Notice of Action

in the matter of Violation of rule 61D-11.005(4); Case No.: 2022-007916; License No. 11229290

in the Court, was published in said newspaper by print in the

issues of 3/3/2023, 3/10/2023, 3/17/2023, 3/24/2023

Affiant further says that the Business Observer complies with all legal requirements for publication in chapter 50, Florida Statutes.

\*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.

**NOTICE OF ACTION  
BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING**  
IN RE: Violation of rule 61D-11.005(4),  
Florida Administrative Code and Sec-  
tion 550.0251(6), *Florida Statutes*.

SOMPHONE PON MANIVONG  
5287 89th Terrace North  
Pinellas Park, Florida 33782


CASE NO.: 2022-007916

LICENSE NO.: 11229290

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 2601 Blair Stone Road, Tallahassee, FL 32399, (850) 717-1663.

If no contact has been made by you concerning the above by Friday, March 31, 2023, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

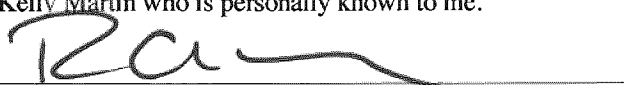
In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257- 6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.  
Mar. 3, 10, 17, 24, 2023 23-00935N

  
Kelly Martin

Sworn to and subscribed, and personally appeared by physical presence before me,

24th day of March, 2023 A.D.

by Kelly Martin who is personally known to me.



Notary Public, State of Florida  
(SEAL)



Pamola A Nelson  
Comm.: HH 277515  
Expires: Aug. 23, 2026  
Notary Public - State of Florida

Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL 32399

FLORIDA'S NEWSPAPER FOR THE C-SUITE  
**Business  
Observer**

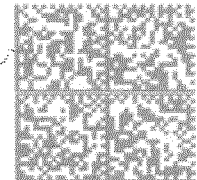
1970 Main Street // Floor 3  
Sarasota, FL 34236

TAMPA FL 335

RECEIVED

2023 APR -3 PM 12: 55

FLORIDA CREDIT  
CONTROL COMMISSION



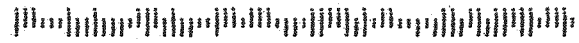
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APR 03 2023

32399-656301





## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Omar Alvarez Cala Case No. 2022-024885; Default Final Order  
Date: April 24, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Omar Alvarez Cala (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the publication notice seeking to exclude him, Respondent waived his right to request a hearing contesting the Division’s decision. Therefore, the Florida Gaming Control Commission should enter a final order excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

### *Background*

On December 18, 2021, Respondent was a patron of Casino Miami.<sup>1</sup> Respondent was seen manipulating the roulette wheel slot machine. Respondent was permanently excluded from Casino Miami, LLC<sup>2</sup>, on December 18, 2021.

Based on his exclusion from Casino Miami, the Division filed an administrative complaint against Respondent seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. The Division attempted service by USPS certified mail on three occasions but failed to achieve service. The Division attempted to serve Respondent via handservice, but failed to achieve service. The Division requested that a notice be placed with the Miami Dade County Daily Business Review.<sup>3</sup> It was published on March 10, 2023, March 17, 2023, March 24, 2023, and March 31, 2023. Respondent was given until April 7, 2023 to respond to this notice. He has never responded.

---

<sup>1</sup> Casino Miami is operated by a pari-mutuel wagering permitholder that also possesses a slot machine and cardroom license.

<sup>2</sup> Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

<sup>3</sup> Section 120.60(5), Florida Statutes, provides, “when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee’s last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county.”

*Analysis*

Respondent can be excluded from all pari-mutuel and slot machine facilities in this state. Section 550.0251(6), Florida Statutes, provides, in relevant part, that “[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state.” Likewise, section 551.112, Florida Statutes, provides, in relevant part “[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state.” Casino Miami is both a pari-mutuel facility and slot machine licensee in this state. And Respondent was ejected from it. Accordingly, Respondent can be excluded from all pari-mutuel and slot machine facilities in this state.

Because Respondent failed to file a timely response to publication notice, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order excluding Respondent from all pari-mutuel and slot machine facilities in this state.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order permanently excluding Omar Alvarez Cala from all pari-mutuel and slot machine facilities in this state.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2022-024885

OMAR ALVAREZ CALA,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Omar Alvarez Cala (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to Chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent’s address was reported as 10410 Northwest 32nd Court Miami, Florida 33147
3. At all times material hereto, Casino Miami, LLC was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about December 18, 2021, Respondent was a patron of Casino Miami, LLC.
5. On or about December 18, 2021, Respondent was ejected and permanently excluded from Casino Miami, LLC.
6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

7. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida under Sections 550.0251(6) and 551.112, Florida Statutes based on his ejection from Casino Miami, LLC on or about December 18, 2021.



WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida, along with any other remedy provided by Chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-024885 is signed this 19th day of September, 2022.

/s/ *Emily A. Alvarado*

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

## NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to Sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, Florida Administrative Code. Pursuant to Rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Mass Status Update</a>	<a href="#">Recording License Type Public Case Info</a>	<a href="#">Delete Complaint</a>		<a href="#">Mass Activity Update</a>		<a href="#">Mass Discipline</a>		

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: **Imuniz**

[VR Home](#) > [Complaint Search](#) > **Maintain Complaint**

Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>90 Closed</b>	Status Date	<b>08/31/2022</b>
Complaint #	<b>2022024885</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent	<b>ALVAREZ CALA, OMAR</b>	Responsible	<b>jminaya - MINAYA, JULIO</b>	<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
Source	<b>INTN - Internal</b>	Security Level	<b>1</b>
Form	<b>INTR - Internal</b>	Priority	<input type="checkbox"/> Parties <input checked="" type="checkbox"/> Activities
Class'n	<b>IV-E - Other</b>	Complexity	<b>R - Regular</b>
Security	<b>STND - Standard</b>	Incident	<b>12/18/2021</b> <input checked="" type="checkbox"/> Allegations <input type="checkbox"/> Discipline
Region	<b>SR - Southern Region</b>	Received	<b>05/20/2022</b>
Reference	<b>550.0251(6) &amp; 551.109(3)</b>		<input type="checkbox"/> Violations <input type="checkbox"/> Compliance
Entered	<b>05/20/2022</b>	Entered By	<b>Imuniz</b>
Summary	<p><b>273-Casino Miami, LLLC ----- / ----- . Patron Exclusion / The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. / Prohibited Acts; Penalties; On December 18, 2021, Omar Alvarez Cala visited Casino Miami with an acquaintance identified as Lazaro Pablo Hernandez-Valdes. Hernandez-Valdes was observed by surveillance lifting up the console cover to the Roulette Wheel Slot Machine FM-07, causing a blue screen/tilt and stopping all play. Immediately after, Alvarez Cala was captured on video footage using a key to reset the machine. By doing this, the player Hernandez-Valdes, did not lose monies on his wagers. Sometime after the violations were observed security and Miami Police escorted both men to the Slot Operations Center (SOC) and permanently excluded from the facility. On December 22, 2021 Alvarez Cala returned to the facility and was observed tampering with the Roulette Slot Machine located in section FM. He was escorted by Miami Police off the premises.</b></p>		<input checked="" type="checkbox"/> Related <input checked="" type="checkbox"/> Disposition <input type="checkbox"/> Inspection <input type="checkbox"/> Costs <input type="checkbox"/> Time Tracking <input type="button" value="Auto Assign"/> <input type="checkbox"/> Attachments <input type="button" value="History"/> <input type="checkbox"/> Work Notes <input type="button" value="Print Report"/>
Updated	<b>08/31/2022 15:27:30</b>	By	<b>Imuniz</b>



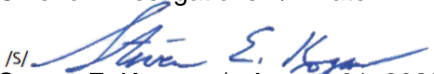
<b>103</b>	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>May 20, 2022</b>	Case Number: <b>2022 02 4885</b>
Respondent:  <b>ALVAREZ CALA, OMAR 10410 NW 32 CT MIAMI, FL 33147</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BLVD STE. 165 FT. LAUDERDALE, FL 33309</b>	
License # and Type: <b>N/A - 1098</b>	Profession: <b>Patron</b>		Report Date: <b>August 22, 2022</b>
Period of Investigation: <b>May 20, 2022 through August 22, 2022</b>		Type of Report: <b>Final</b>	
<p><b>Alleged Violation: 550.0251 The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation.</b></p> <p><b>(6)</b> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The division may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permit holder to exclude absolutely a patron in this state.</p> <p><b>F.S.S. 551.109 Prohibited Acts; Penalties –</b></p> <p><b>(3)</b> Any person who knowingly excludes or takes any action in an attempt to exclude, anything of value from the deposit, counting, collection, or computation of revenues from slot machine activity, or any person who by trick, sleight of hand performance, a fraud or fraudulent scheme, or device wins or attempts to win, for himself or herself or for another, money or property or a combination thereof or reduces or attempts to reduce a losing wager in connection with slot machine gaming commits a felony of the third degree.</p> <p><b>Synopsis:</b> On December 18, 2021, Omar <b>ALVAREZ CALA</b> visited Casino Miami with Lazaro Pablo Hernandez-Valdes. Hernandez-Valdes was observed by surveillance lifting up the console cover to the Roulette Wheel Slot Machine in Section FM-07, causing a blue screen/tilt and stopping all play. Immediately after, <b>ALVAREZ CALA</b> was captured on video footage using a key to reset the machine. By doing this, Hernandez-Valdes did not lose monies he had wagered. Both men were approached by Security and Miami Police and escorted to the Slot Operations Center (SOC) and each was permanently excluded from the facility.</p> <p>On December 22, 2021, <b>ALVAREZ CALA</b> returned to the facility and was observed tampering with the same Roulette Slot Machine located in section FM. He was escorted out of the facility by Security and Miami Police.</p>			
Related Case: 2022 02 4908, 2022 02 4925, 2022 02 4913			
Investigator / Date  Raul Suau / August 22, 2022 		Investigator Supervisor / Date  Julio Minaya / August 31, 2022 	
Chief of Investigations / Date   Steven E. Kogan / August 31, 2022			

## CONTINUATION

On December 18, 2021, Casino Miami Security Director Eugene Tellez e-mailed me an updated Trespass List. The list contained the names of two individuals that were permanently excluded from the facility for manipulating the Roulette Wheel Slot Machine. Those individuals were identified as Lazaro Pablo Hernandez-Valdes and Omar **ALVAREZ CALA**. (**Exhibit #1, Excel Sheet Line 509 & 510**)

On December 21, 2021, I e-mailed Casino Miami Vice President of Human Resources & State Compliance Beatriz Perez and requested the security reports generated as a result of those incidents. I received Security Report's CMJ-000002160 and CMJ-000002161.<sup>1</sup> Security Report CMJ-000002160 detailed an incident involving patron Omar **ALVAREZ CALA** who was accompanied by Lazaro Pablo Hernandez-Valdes. Both were observed by surveillance manipulating the Roulette Wheel Slot Machine games located in section FM-07. (**Exhibit #2 & 3**)

According to Security Report CMJ-000002160, and Surveillance Report CMJ-000010083 on December 18, 2021, Hernandez-Valdes and **ALVAREZ CALA** were observed by the Surveillance Department manipulating the Roulette Slot Machine in section FM-07. Hernandez-Valdes was manipulating the machine by lifting the console cover which would cause a blue screen to appear along with a message stating "call attendant". By doing this at the appropriate time, the player, Hernandez-Valdes, would not lose any monies that he had wagered. Immediately, as the blue screen appeared **ALVAREZ CALA** was observed resetting the slot machine using a reset key that is sold on the internet. (**Exhibit #3, Page #1 & Exhibit #5**)

On the date in question, Hernandez-Valdes interrupted the slot machine play by lifting the console cover a total of eight (8) times between the hours of 12:18:20 A.M., and 1:25:48 A.M., followed immediately by **ALVAREZ CALA** resetting the machine each time using a key. (**Exhibit # 4**)

At approximately 1:34 A.M., security and an off-duty Miami Police Officer on site escorted Hernandez-Valdes and **ALVAREZ CALA** to the Security Operations Center (SOC). Once there, they were permanently excluded from the facility. (**Exhibit # 2**)

Despite being permanently excluded on December 18, 2021, **ALVAREZ CALA** returned to Casino Miami on December 22, 2021. He was observed by surveillance playing and manipulating the Slot Roulette Wheel Machine in section FM-07 a total of three (3) times between 11:55:41 A.M., and 12:03:06 P.M. According to Surveillance Report CMJ000010099 created on December 22, 2021, at 11:45:00 A.M., **ALVAREZ CALA** retrieves an "Unknown shiny object" from Enrique Gamez Hernandez's hand. Subsequently after receiving this object **ALVAREZ CALA** began lifting the center console of the slot machine causing a blue screen/tilt to occur, stopping all bets wagered. He then proceeded to reset the machine himself after each interruption. (**Exhibit # 6 & 7**)

At 12:07:12 P.M., **ALVAREZ CALA** was detained by Security Director Eugene Tellez, and escorted to the Security Operations Center (SOC). He was once again permanently excluded from the facility and escorted out of the facility by a Miami Police officer. (**Exhibit #6 & 7**)

Cases against Lazaro Pablo Hernandez-Valdes 2022-02-4908, Marcos Mendoza Alvarez 2022-02-4921 and Enrique Gamez Hernandez 2022-02-4925 have been opened.

Case closed by Investigations and forwarded to Legal for review and possible statewide exclusion from all PMW facilities.

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<sup>1</sup> Security Report CMJ-000002161 refers to Hernandez-Valdes.

**CONTINUATION**

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**From:** [Gene Tellez](#)  
**To:** [Suau, Raul](#)  
**Cc:** [Beatriz Perez](#); [Daniel Licciardi](#)  
**Subject:** Trespass exclusion list updated 12-1-2021  
**Date:** Saturday, December 18, 2021 4:08:31 PM  
**Attachments:** [Copy of Casino Miami Trespass List 12-18- 2021 Updated by Gene \(5\).xlsx](#)

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**[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.

Mr. Suau, attached is a copy of the updated trespass exclusion list .

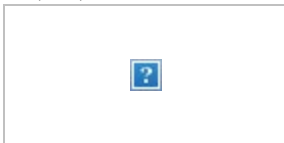
## Gene Tellez

**Director of Security**

E: [gtellez@playcasinomiami.com](mailto:gtellez@playcasinomiami.com)

P: (305) 633-6400 ext. 2060

F: (305) 634-1712



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507:0

508:1

509

510

511

Alvarez-Cala	Omar	NMI	Male	Hispanic	190 LBS., 6'00"., Brown Eyes.,	12/18/2021	10410 NW 32 CT	Miami	FL	12/18/2021	Permanent	CMJ0000 02160	Trespass Permanent	Trespass Peramnnently for attempting to Manipulateslot Machine
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**From:** [Suau, Raul](#)  
**To:** [Beatriz Perez](#)  
**Subject:** information  
**Date:** Tuesday, December 21, 2021 12:00:00 PM  
**Attachments:** [image001.png](#)

---

Good morning,  
please provide any video and surveillance reports in reference to the below security reports.  
CMJ000002160-Omar Alvarez Cala  
CMJ000002161-Lazaro Pablo Hernandez Valdez.

Thank you

Respectfully,

**Raul Suau, Investigation Specialist II**  
[Division of Pari-Mutuel Wagering](#), Office of Investigations  
1400 W Commercial Blvd, Suite 165, Ft. lauderdale, FL 33309  
954-202-6787 Office ~954-202-3930 FAX ~ 954-649-6508 Cell

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**Security Department**

Casino Miami Jai-Alai - 3500 NW 37th Ave. Miami, FL 33142  
(305) 633-6400 - casinomiamijai.com

**CMJ-000002160 - Patron - Trespass Permanent - Reported 12/18/2021 03:24**

**Author:** Stehson Covington 10847591      **Report Number:** CMJ-000002160  
**Start Time:** 12/18/2021 03:24      **End Time:** 12/18/2021 03:34  
**Report Group:** Exclusion Reports      **Report Type:** Patron - Trespass Permanent  
**Note:** Omar Alvarez-Cala  
**Location / Origin:** Slot Machine Bank FM  
**Linked Reports:** CMJ-000002161

**Person**

**Name:** Omar Alvarez-Cala      **Alias:**  
**Race:** Hispanic      **Gender:** Male  
**Eye color:** Brown      **Hair color:** bald  
**Height:** 6'00" Inches



**Narrative**

At approximately 1:24am Sky informed S4 Covington that two male patrons were attempting to manipulate an electronic roulette game by using a key and trying to lift the door. S4 Covington then called Mr. Licciardi before meeting with MPD Laster & Blanc. S4 Covington and both MPD officers approached one of the male patrons at the electronic roulette table (FM07) and the other at the Rio Bar before escorting them to SOC. The male patron that was at FM07 (who was identified as Omar Alvarez-Cala. FL Lic. #A416-640-69-018-0) denied tampering with the machine despite Sky having visual confirmation that was emailed to S4 Covington for MPD Laster to see (and their key that that was later found in a trash can behind the machine). The patron was then permanently trespassed and informed that if he returns to the casino, he will be arrested.

Signature A      Date      Signature B      Date

# CASINO MIAMI

## EXCLUSION STATEMENT

DATE: 12-18-21

TIME: 2:04am

Issued to:

NAME: Omar Alvarez-Cala

INCIDENT REPORT # \_\_\_\_\_

Address: 10410 NW 32 CT

CITY, STATE: Miami, FL 33147

DOB: [REDACTED]

DL/ID # [REDACTED]

I, represent the owner of Casino Miami, LLC located at 3500 N.W. 37 Avenue Miami, Florida 33142. I am informing you that you are barred from these premises for the time period of (check one):

For a Period of 1 Year

For a Period of 5 Years

For a Period of 2 Years

PERMANENTLY

If you refuse to leave or leave and ever return during the period of exclusion, you will be ARRESTED FOR TRESPASSING in accordance with FLORIDA STATUE 810.08. Before returning to the premises and/or upon expiration of self-exclusion, you must first contact the Security Department or Director of State Compliance for reinstatement through a written or verbal request in person. Reinstatement request will be sent to Tallahassee State Office for approval. Upon State approval, Casino Miami will inform you of it. If you return to the premises prior to the reinstatement approval, regardless of self-exclusion expiration date, Florida Statue.810.08 still abides and you will be ARRESTED FOR TRESPASSING. Casino Miami reserves the right to deny reinstatement.

Owner Representative: Stehson Covington  
(PRINT)

Signature: [Signature]

Patron Name: \_\_\_\_\_

(PRINT)

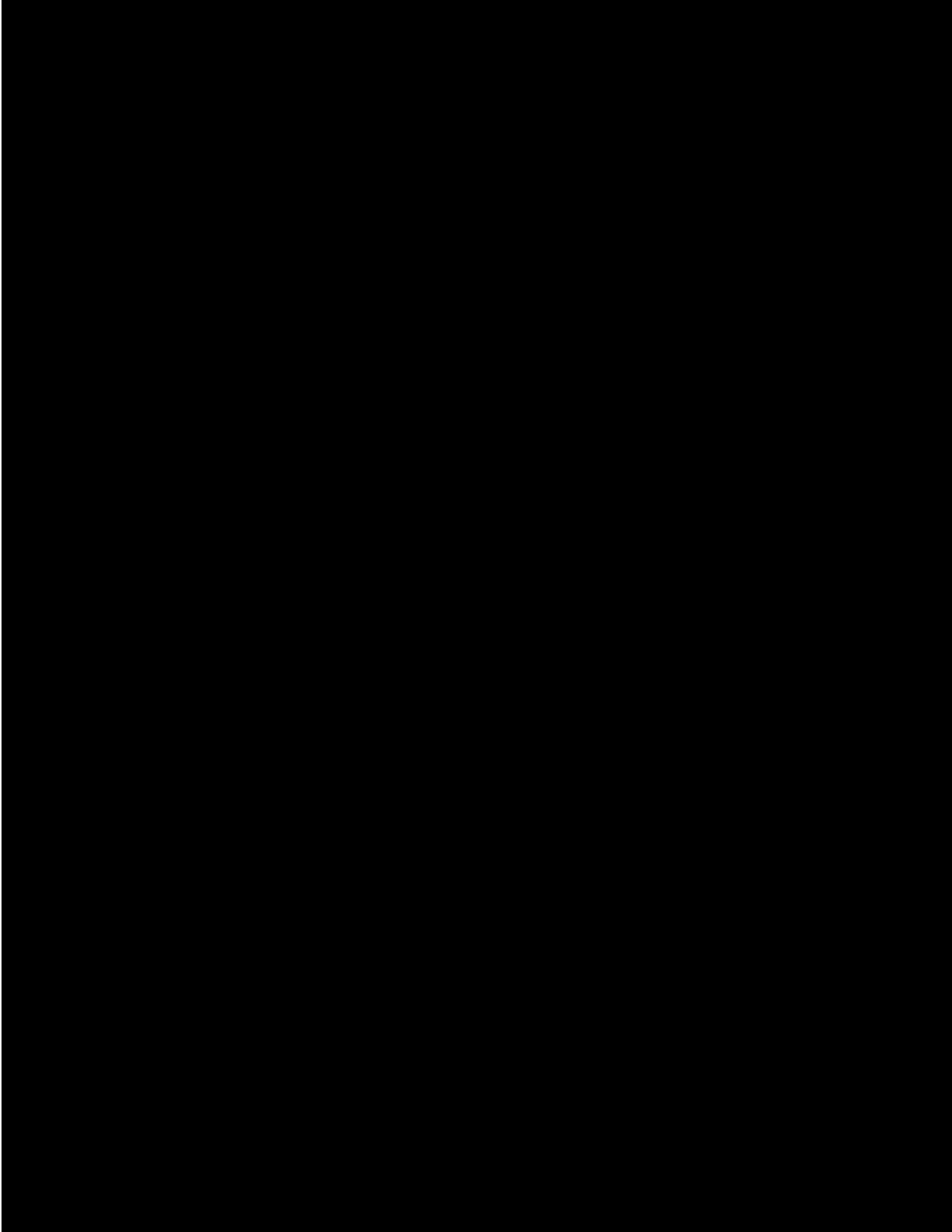
Signature: \_\_\_\_\_

Witness: \_\_\_\_\_

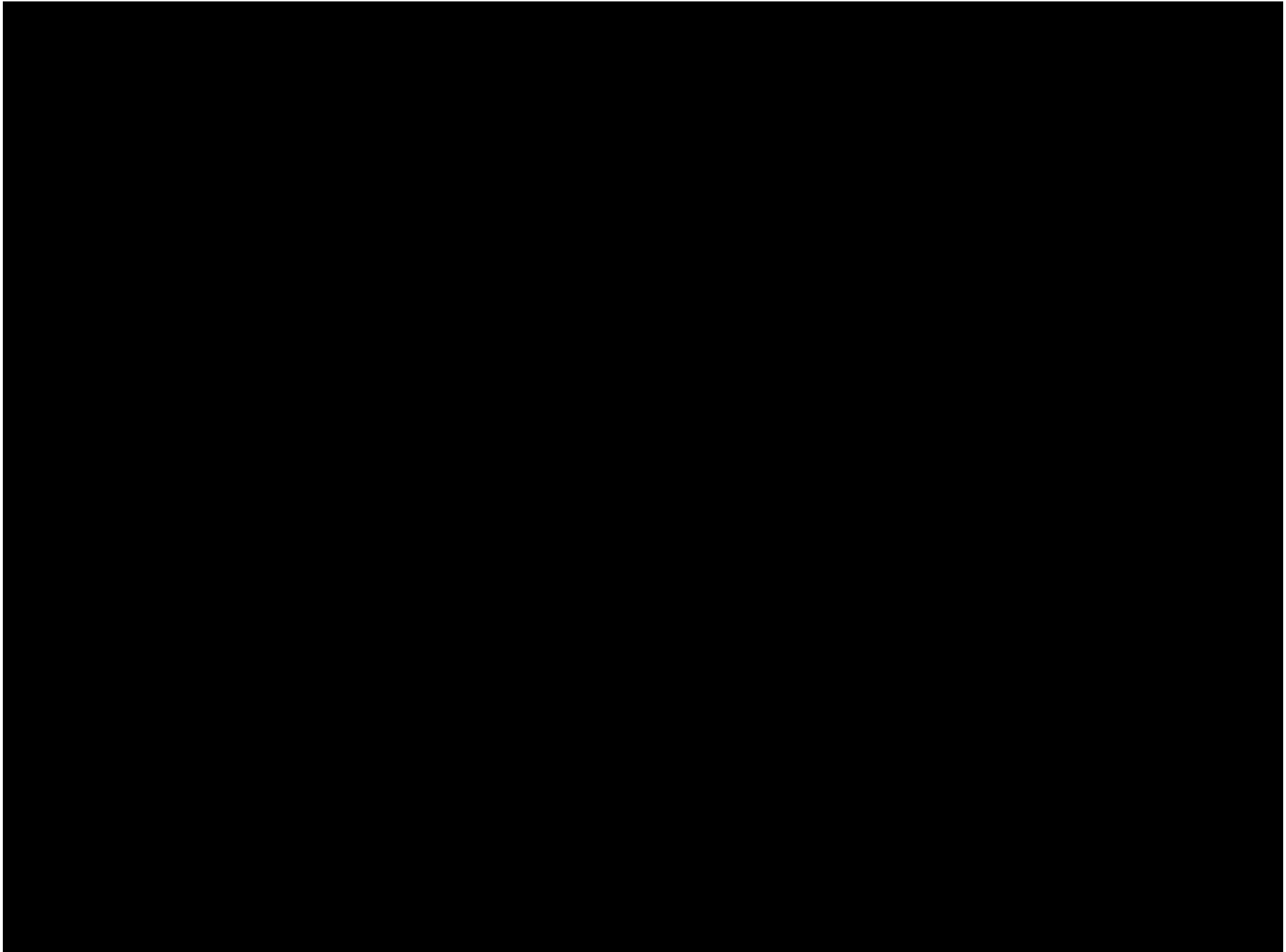
(PRINT)

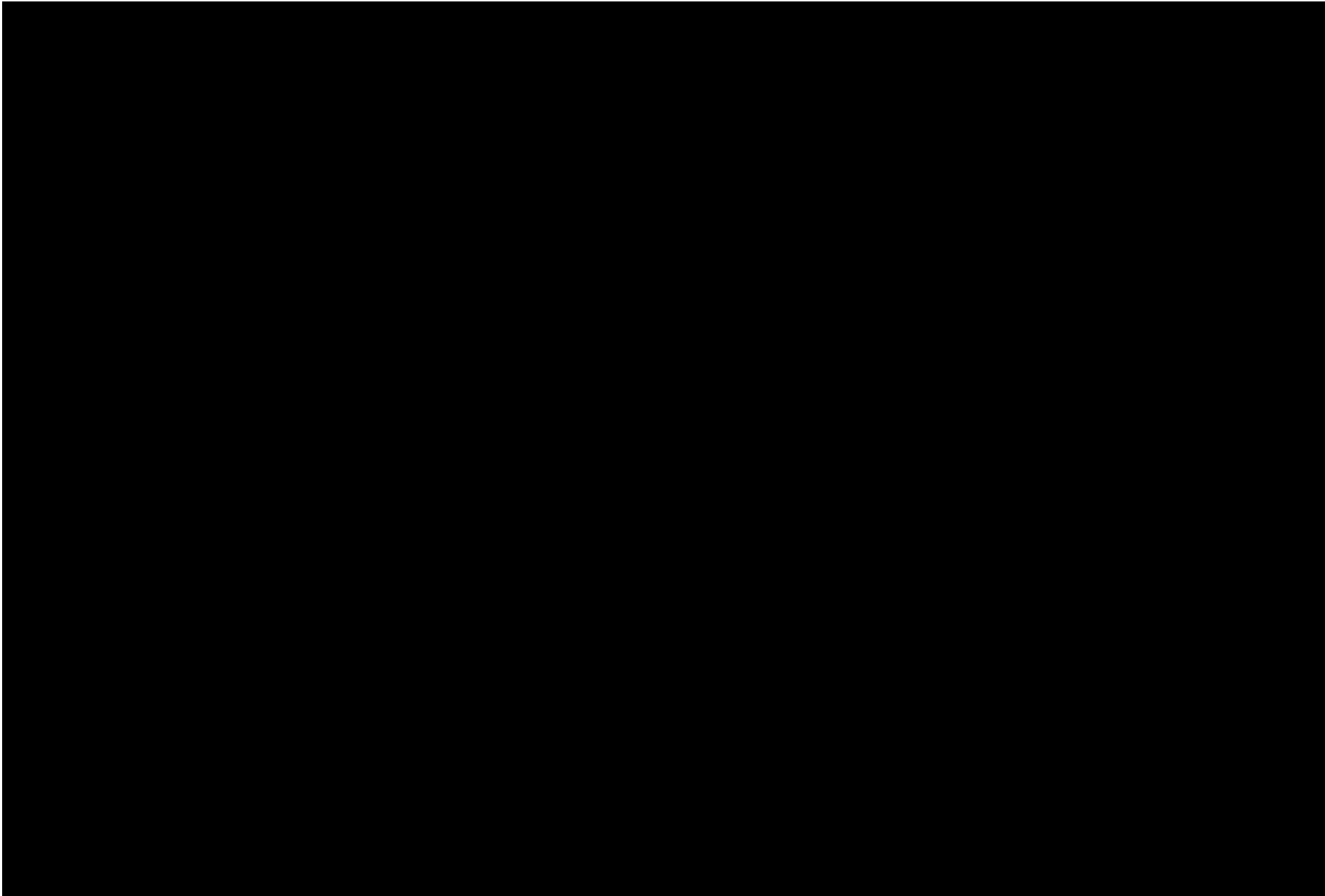
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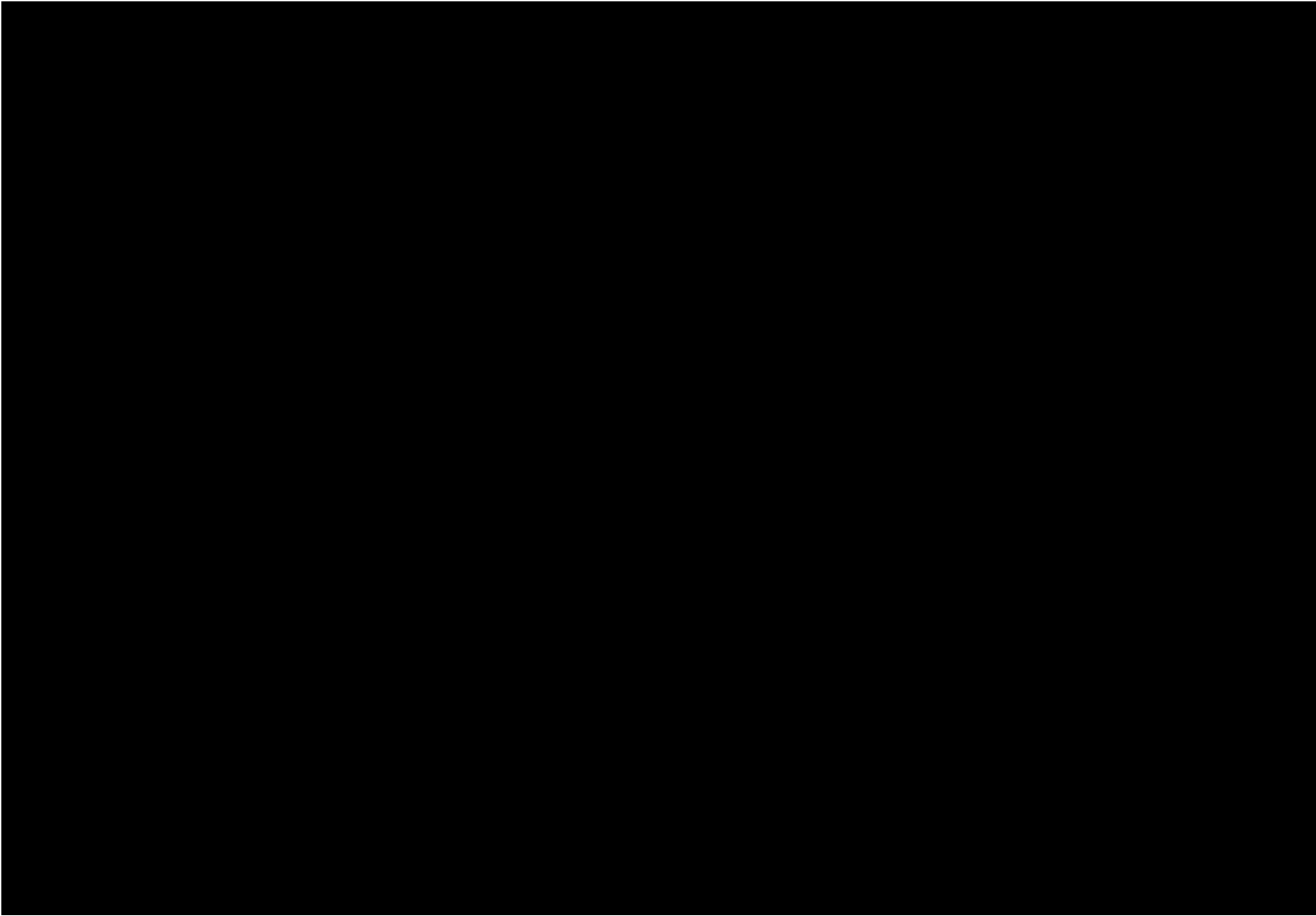
M.P.D.: Carole Blanc Carole Blanc 0412



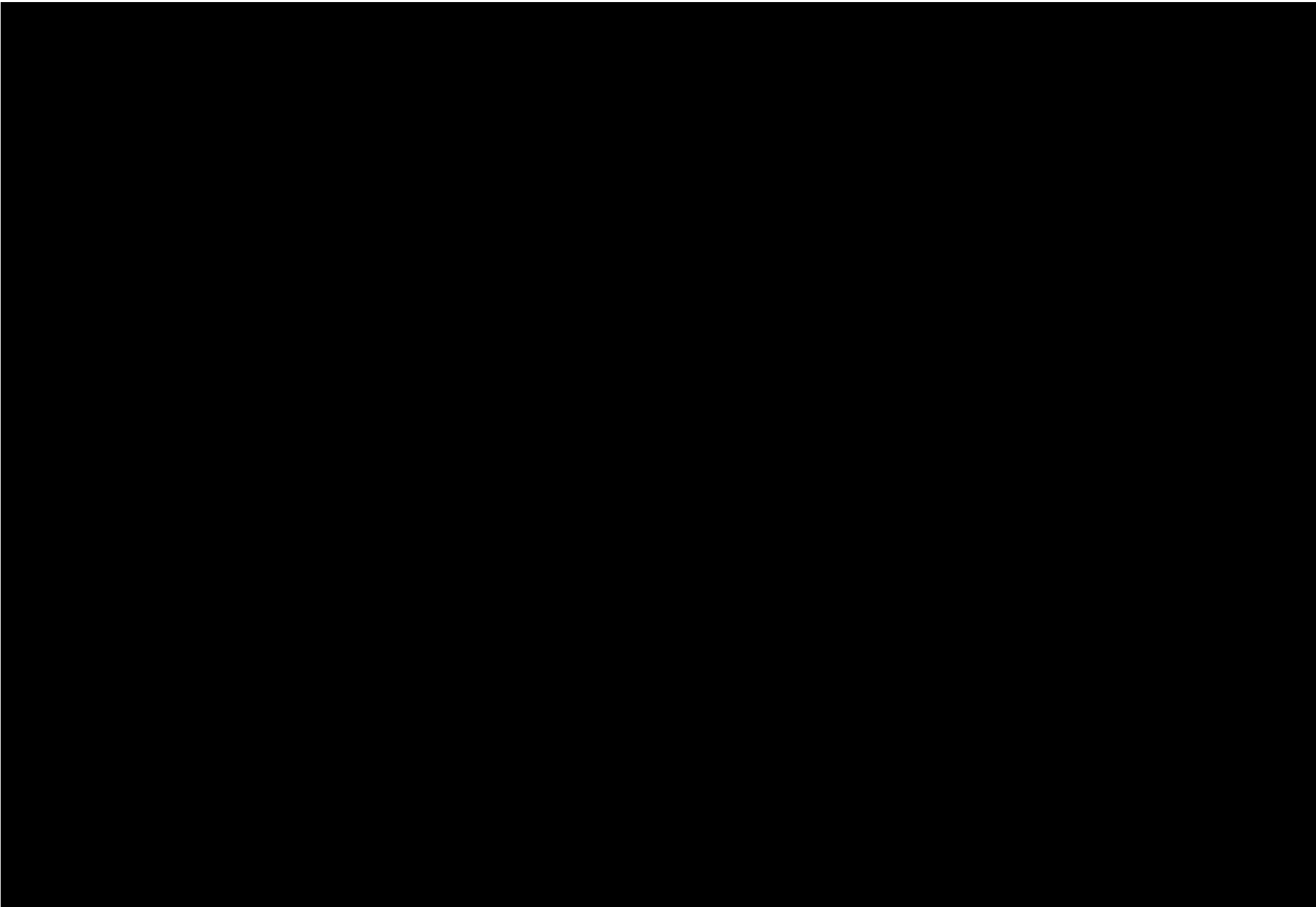


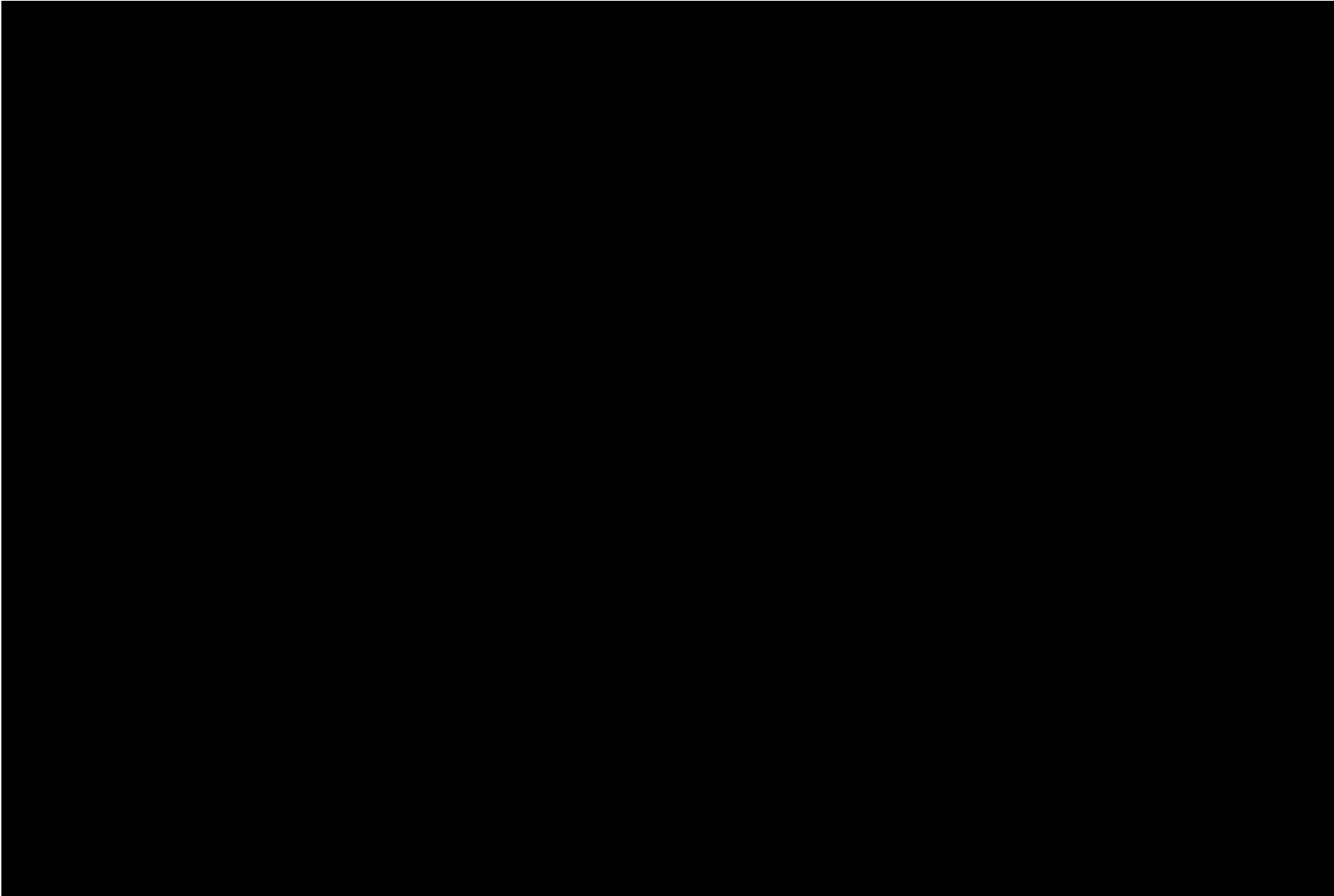


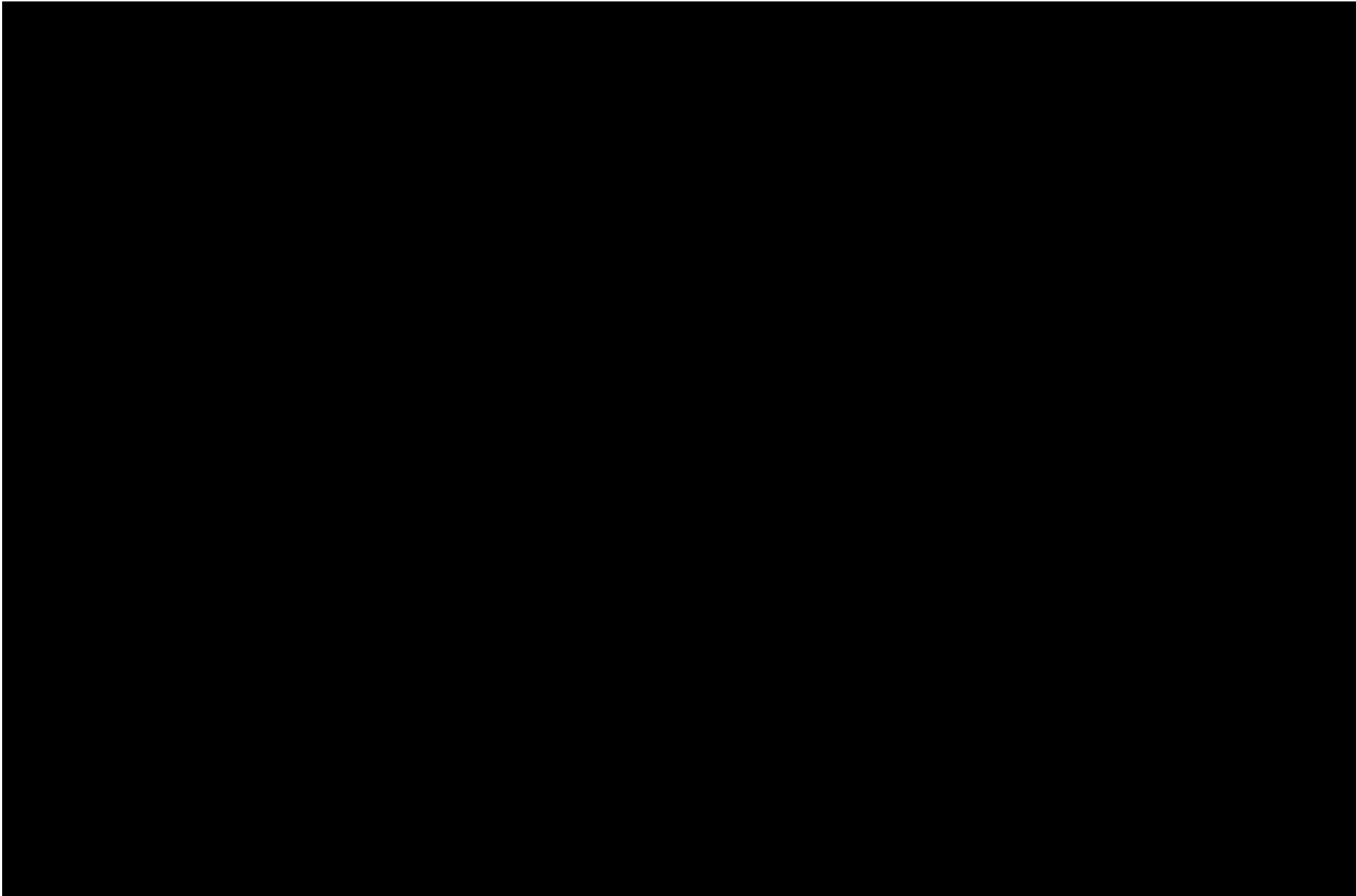


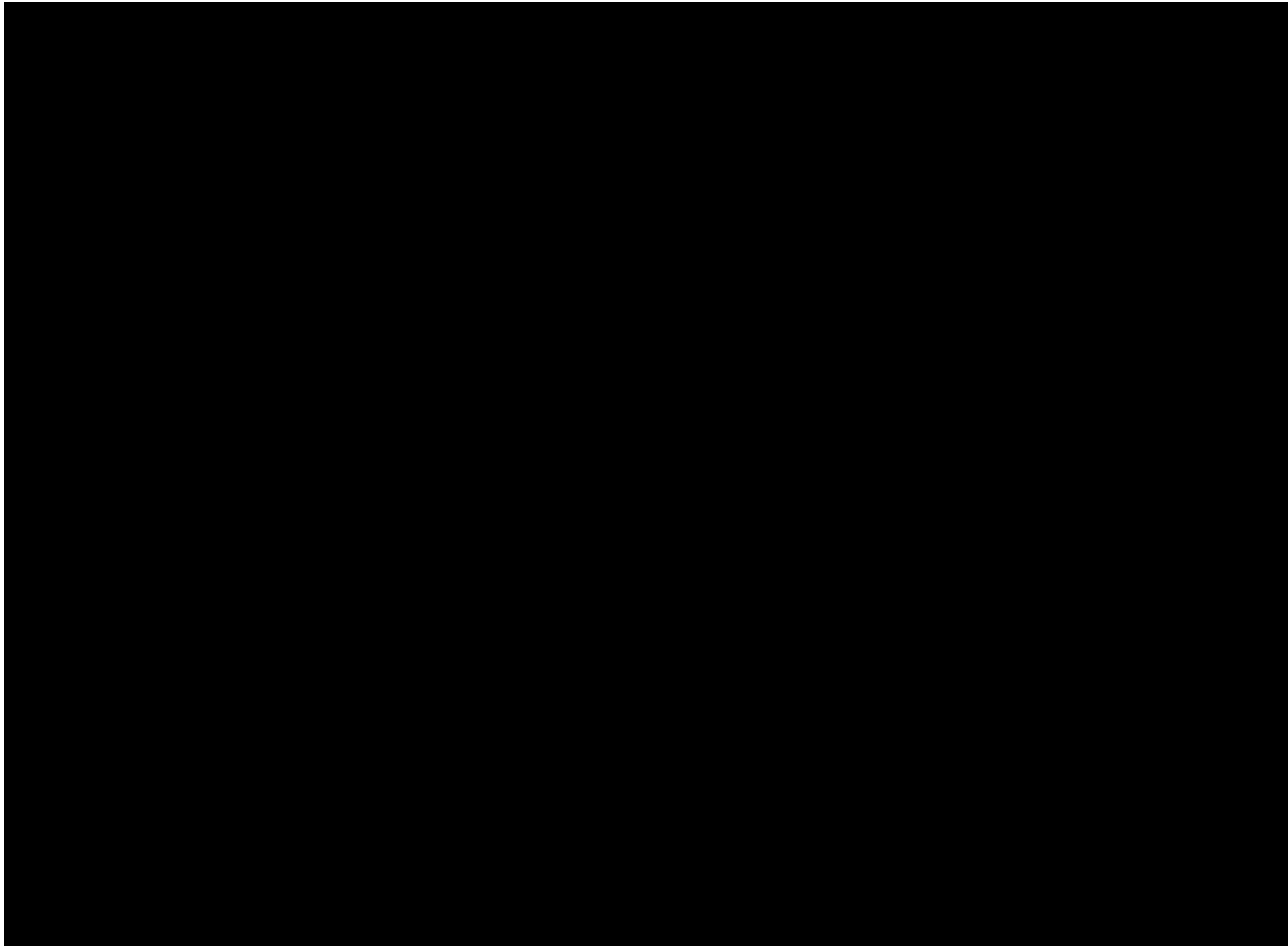


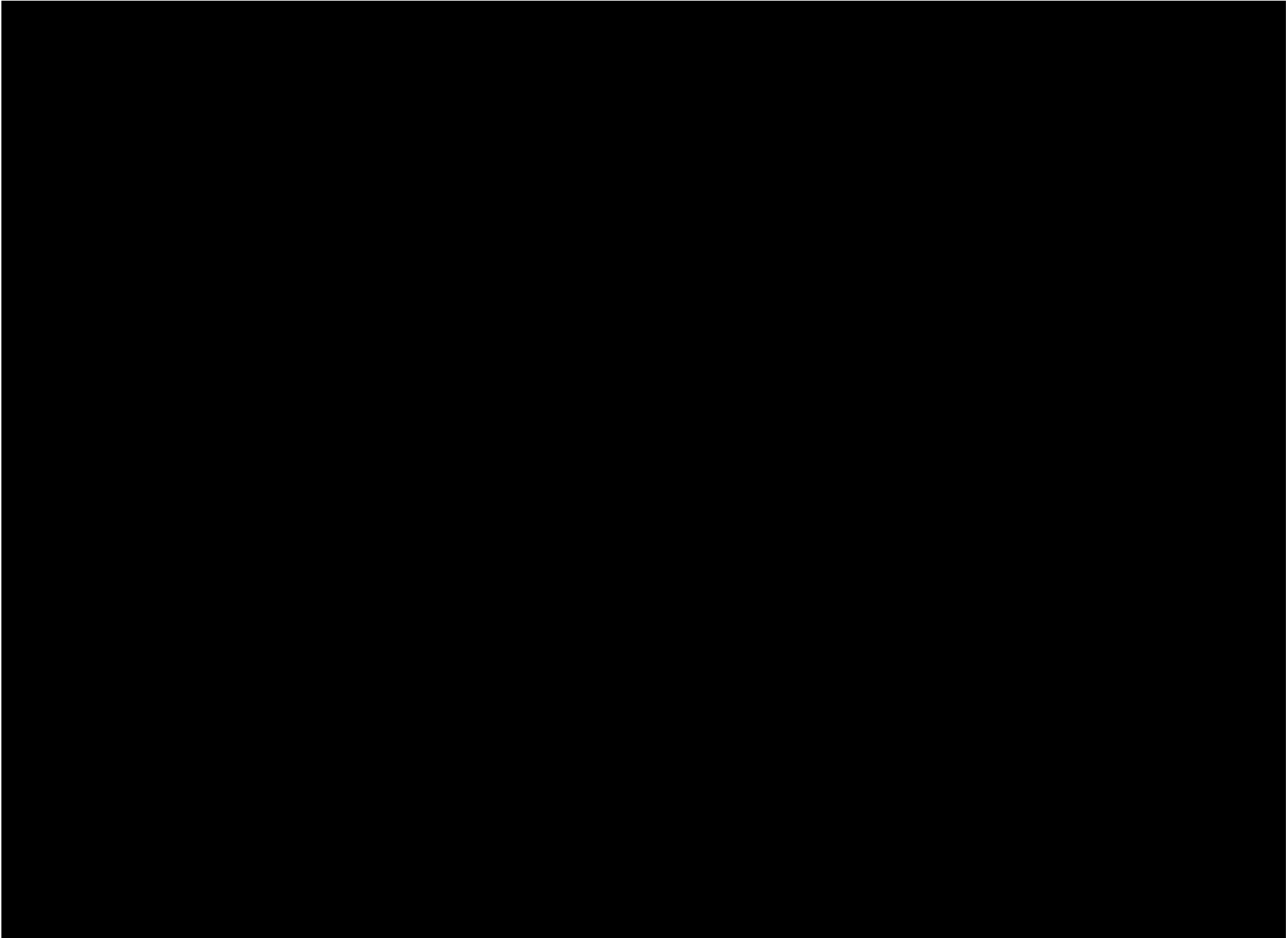














**Surveillance Department**

Casino Miami Jai-Alai - 3500 NW 37th Ave. Miami, FL 33142  
(305) 633-6400 - casinomiamijai.com

**CMJ-000010083 - Surv-Permanent Casino Exclusion Report - Reported 12/18/2021 02:15**

**Author:** William Hutcheson 7874265

**Report Number:** CMJ-000010083

**Start Time:** 2022 02 19 01:03

**End Time:** 12/22/2021 02:11

**Report Group:** Surveillance Reports

**Report Type:** Surv-Permanent Casino Exclusion Report

**Note:** Perm-Exclusion Patron, Lazaro Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala were escorted out by MPD Officers, Willy Laster and Carol Blanc in reference to " Tampering" , Mr. Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and Mr. Alvarez-Cala using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal. A further video review revealed that Patron, Enrique Gamez Hernandez was also observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant ". Patron, Lazaro Pablo Hernandez -Valdez gave a voucher to Patron, Marcosa Mendoza Alvarez who inserted it into slot machine BE-02 and then cashed it out. A Patron, (Unknown Male) has his hair in dreadlocks and wearing a black T-shirt cashes out the voucher for \$1,700.00 at the cashier cage and gives the money to Patron, Enrique Gamez Hernandez.

**Location / Origin:** Incident-Fraudulent activity



**Narrative**

On 12/18/2021 at 01:11 hours, Slot Attendant, Janet Perez notified Surveillance via radio of a slot machine FM-07-1688 for the amount of \$1,350.00.

A video review revealed that At 01:02:58 hours, on camera #116, Mr. Hernandez-Valdez was observed playing slot machine FM-07-1688 when the jackpot was won.

Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 after the jackpot was won and Patron, Omar Alvarez-Cala was using a Slot key to " reset " slot machine FM-07 , clearing the jackpot from the screen.

Security Supervisor, Stehson Covington and also Slot Manager, Romy Hoque was advised via of the above information via phone.

At 01:34 Hours, Security Supervisor, Stehson Covington and MPD Officers, Willy Laster and Carol Blanc escorted Patron , Lazaro Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala to SOC.

Shortly after, Security Supervisor, Stehson Covington was advised by surveillance via phone that Patron, Omar Alvarez-Cala placed his " Slot Key" into the trash can near Slot Machine Bank FM.

Shortly after, Security Supervisor, Stehson Covington advised via phone that Patron , Lazaro Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala would be permanently excluded for tampering with the slot machine.

At 02:15 Hours, MPD Officers, Willy Laster and Carol Blanc escorted Patron , Lazrao Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala out of the Employee Entrance / Exit.

Some time later, Slot Manager, Romey Hoque advised via phone that a voucher from Slot machine FM-07 was cashed out at 01:32 Hours, and then inserted into Slot machine BE-02 was \$1,700.00. The voucher was later cashed out at Cashier Cage Window #03 for \$1,700.00.

Some time later, Security Supervisor, Stehson Covington advised via phone that a search of trash can located near Slot Machine Bank FM confirmed that there was a " Slot Key" found in the trash can, a photo was taken.

#### SUSPECTS 1 to 7 Information:

1. SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez -wearing a red baseball cap with an " R" on it was observed "Lifting up on Slot Machine FM-07".
2. SUSPECT # 02, Patron, Omar Alvarez-Cala-wearing a red baseball cap with " USA" on it was using a " Slot Key" to reset Slot machine FM-07.
3. SUSPECT # 03, Patron,(Unknown Male) wearing a florescent green long sleeve, was observed " Lifting up on Slot machine FM-07 and received a \$1,700.00 voucher from SUSPECT # 04 and later gave the \$1,700.00 voucher to SUBJECT # 06, and received an unknown amount of money after SUSPECT # 07 cashed out voucher at cage window # 03. UPDATE: on 12-26-2021 SUSPECT # 03, was identified as Patron, Enrique Gamez Hernandez.
4. SUSPECT # 04, Patron, (Unknown Male) wearing a log sleeve light colored shirt and black and white baseball cap -received \$1,700.00 voucher from SUSPECT #01, and then inserted it into Slot machine BE-02, and later cashed out from BE-02 and gave the voucher to SUSPECT # 03. UPDATE: On 12-22-2021 SUSPECT # 04, was identified as Patron, Marcosa Mendoza Alvarez.
5. SUBJECT # 05, Patron,(Unknown Female) has her hair in a Ponytail and wearing blue shirt -was seen with SUSPECT #01, 02, and 03 in the casino and later leaving with them.
6. SUSPECT, # 06, Patron,(Unknown Male) short hair and wearing a black long sleeve sweatshirt -received the \$1,700.00 voucher from SUSPECT # 03.
7. SUSPECT # 07, Patron,(Unknown Male) has his hair in dreadlocks wearing a black T-shirt -cashed out \$1,700.00 voucher and gave the money to SUSPECT # 03. Also present was SUSPECT # 06.
8. SUBJECT #1A, Patron (Unknown Male) wearing black baseball cap that has the word " ICON" on it -was observed leaving with SUSPECTS, #01, #02, #03 and #05 in a red vehicle. NOTE: was also present when Patron, Santos Patricio Bustillo Melendez and Danny Raul Ortiz Aguilar was tampering with slot machines on 12-01-2021 and 11-29-2021, see surveillance report #10004 and #10009.



A video revealed the following information when SUSPECTS entered the casino:

On 12-17-2021 at 20:30 Hours on camera # 031, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez -wearing a red baseball cap with an " R" on it enters casino through C-2.

On 12-17-2021 at 05:29 Hours on camera # 031, SUSPECT # 02, Patron, Omar Alvarez-Cala-wearing a red baseball cap with " USA" on it enters casino through C-2.

On 12-17-2021 at 19:08 Hours on camera # 031, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve and SUBJECT # 05, Patron,(Unknown Female) has her hair in a Ponytail and wearing blue shirt enters casino through C-2.

On 12-17-2021 at 20:30 Hours on camera # 031, SUSPECT # 04, Patron, Marcosa Mendoza Alvarez wearing a log sleeve light colored shirt and black and white baseball cap enters casino through C-2.

A further video review revealed the following SUSPECTS activities :

On 12-17-2021 at 19:35 to 19:53 Hours on camera # 18, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve and SUBJECT # 05, Patron,(Unknown Female) has her hair in a Ponytail and wearing blue shirt at slot machine bank GF. Shortly after SUSPECT # 02, Patron, Omar Alvarez-Cala-wearing a red baseball cap with " USA" on it was observed talking to them.

On 12-17-2021 at 20:29 Hours on camera # 18, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve and SUBJECT # 05, Patron,(Unknown Female) has her hair in a Ponytail and wearing blue shirt at slot machine bank GF. Shortly after SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez -wearing a red baseball cap with an " R" on it was observed talking to them.

On 12-17-2021 at 20:29 Hours on camera # 18, #31, SUSPECTS # 01, #02, #03, and #05 leave slot machine zone G together and shortly thereafter they exit the casino through C-2 and go outside.

On 12-17-2021 at 20:58 to 21:05 Hours on camera # 18, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve and SUBJECT # 05, Patron,(Unknown Female) has her hair in a Ponytail and wearing blue shirt at slot machine bank GF. Shortly after SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez -wearing a red baseball cap with an " R" on it was observed talking to them.

On 12-17-2021 at 20:42 to 20:46 Hours on camera # 825 and 984, SUSPECT # 02, Patron, Omar Alvarez-Cala and SUSPECT # 04, Patron, Marcosa Mendoza Alvarez wearing a long sleeve light colored shirt and black and white baseball cap together in William Hill Race Book.

On 12-17-2021 at 23:52 Hours on camera # 137 and #116, SUSPECTS #01, #02, #03 and # 05 at Slot Machine Bank FM.

On 12-18-2021 at 00:18:20, Hours on camera # 137 and #116, SUSPECT # 03 Patron, (Unknown Male) wearing a florescent green long sleeve was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and SUSPECT # 02, Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back to normal.

On 12-18-2021 at 00:21:16, Hours on camera # 137 and #116, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and SUSPECT # 02 Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back



to normal.

On 12-18-2021 at 00:25:31, Hours on camera # 137 and #116, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and SUSPECT # 02 Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back to normal.

On 12-18-2021 at 00:26:58, Hours on camera # 137 and #116, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and SUSPECT # 02 Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back to normal.

On 12-18-2021 at 00:35:37, Hours on camera # 137 and #116, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and SUSPECT # 02 Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back to normal.

On 12-18-2021 at 00:35:58, Hours on camera # 137 and #116, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed talking to SUSPECT # 04, Patron, Marcosa Mendoza Alvarez wearing a log sleeve light colored shirt and black baseball cap at Slot Machine Bank FM.

On 12-18-2021At 01:02:58 hours, on camera # 137 and #116, SUSPECT #01, Patron , Lazrao Pablo Hernandez -Valdez was observed playing slot machine FM-07-1688 when the jackpot was won. At 01:03:04 Hours, Mr. Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 after the jackpot of \$1,350.00 and SUSPECT # 02, Patron, Omar Alvarez-Cala using a Slot key to " reset " slot machine FM-07 , clearing the jackpot from the screen.

On 12-18-2021At 01:08:31 hours, on camera #121, SUSPECT # 02, #03, and #05 together at Slot Machine Zone F.

On 12-18-2021 From 01:12:48 to 01:15:48 hours, on camera #116, #137 and 124, Slot Attendants, Jose Rivas and Janet Perez also Slot Manager, Romey Hoque looking at Slot machine FM-07.

On 12-18-2021 at 01:24:20, Hours on camera # 137, #116 and 124, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and SUSPECT # 02 Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back to normal.

On 12-18-2021 at 01:25:48, Hours on camera # 137, #116 and 124, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back to normal.

On 12-18-2021 From 01:25:48 to 01:31:45, Hours on camera # 137, #116 and 124, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed cashing out the voucher at Slot Machine FM-07 and giving it to SUSPECT # 04, Patron, Marcosa Mendoza Alvarez wearing a log sleeve light colored shirt and black and white baseball cap.

On 12-18-2021 at 01:32:20, Hours on camera # 105, SUSPECT # 02, Patron, Omar Alvarez-Cala-wearing a red baseball cap with " USA" places the " Slot Key" into Trash Can near Slot Machine Bank FM as Security Supervisor, Stehson Covington walks towards him.

On 12-18-2021 at 01:32:50, Hours on camera # 160, SUSPECT # 04, Patron, Marcosa Mendoza Alvarez wearing a log sleeve light colored shirt and black and white baseball cap inserting the voucher into Slot Machine BE-02 and shortly after cashes out the voucher and walks to the Patron Parking Lot.

On 12-18-2021 At 01:34 Hours on camera #345, Security Supervisor, Stehson Covington and MPD Officers, Willy Laster and Carol Blanc escorted SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez and SUSPECT # 02, Patron, Omar Alvarez-Cala to SOC.

On 12-18-2021 At 01:39:12 Hours on camera # 988, SUSPECTS #04, #05 and #03 at Patron Parking Lot together. Also present is a SUBJECT #1A, Patron (Unknown Male) wearing black baseball cap that has the word " ICON" on it.

On 12-18-2021 At 01:41:27 Hours on camera #35, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve enters casino through C-1.

On 12-18-2021 At 01:42:36 Hours on camera # 163, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve gives the \$1,700.00 voucher to SUSPECT, # 06, Patron, (Unknown Male) short hair and wearing a black long sleeve sweatshirt.

On 12-18-2021 At 01:44:41 Hours on camera # 41, SUSPECT # 03, #06 and #07 together in front of the Cashier Cage.

On 12-18-2021 At 01:45:16 Hours on camera # 154, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve gives the \$1,700.00 voucher to SUSPECT # 07, Patron, (Unknown Male) has his hair in dreadlocks and wearing a black T-shirt.

On 12-18-2021 At 01:44:41 Hours on camera #407, SUSPECT # 07, Patron, (Unknown Male) has his hair in dreadlocks and wearing a black T-shirt gives the \$1,700.00 voucher to Cage Cashier, Alea Cutler at Cashier Cage Window #03. Ms. Cutler gives SUSPECT # 07 , \$1,700.00 in cash.

On 12-18-2021 At 01:49:05 Hours on camera #175, SUSPECT # 07, Patron, (Unknown Male) has his hair in dreadlocks and wearing a black T-shirt gives the \$1,700.00 voucher to SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve.

On 12-18-2021 From 01:51:11 to 01:52:01 Hours on camera #988, SUSPECT # 05, 03, and #04 in the patron parking Lot together.

At 12:15 Hours on camera # 345, MPD Officers, Willy Laster and Carol Blanc escorted Patron , Lazaro Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala out of the Employee Entrance / Exit.

On 12-18-2021 at 02:19:38 Hours on camera #988, SUSPECTS #01 and #02 walking towards SUSPECT # 05, 03, and #04 in the patron parking Lot together.

On 12-18-2021 at 02:21:09 Hours on camera #988, SUSPECTS #01, #02 , #03, #05 and SUBJECT #1A, Patron (Unknown Male) who has a beard, white shirt and wearing black baseball cap that has the word " ICON" all leaving the Patron Parking Lot in a red 4 door vehicle together.

This report was written and approved by Surveillance Director, William Hutcheson # 7874265.

UPDATE: Surveillance Report # 10146, Perm-Exclusion Patron, Tiago Silveira Aguiar was escorted out and placed in handcuffs by MPD Officer, Willy Laster in reference to " Tampering" , Mr. Aguiar was observed " Lifting up on Slot machine FL-07 causing the machine to go in a blue screen -call attendant " and using a Slot key to " reset " slot machine FL-07 , clearing the screen back to normal on 01-01-2022.



Surveillance Report # 10121, Perm-Exclusion Patron, Enrique Gamez Hernandez was observed " Lifting up on Slot machine FL-07 (It did not go into a blue screen). Patron, Ricardo Rodriguez was also observed " Lifting up on Slot machine FL-07 causing the machine to go in a blue screen -call attendant " and Mr. Rodriguez was using a Slot key to " reset " slot machine FL-07, clearing the screen back to normal. Both patrons were escorted out by MPD Officer, David Flanders in reference to " Tampering". NOTE: Perm-Exclusion Patron, Lazaro Pablo Hernandez Valdez came in the same vehicle as Enrique Gamez Hernandez and was waiting in the Patron Parking Lot on 12-27-2021.

Surveillance Report # 10114, Patron, Ricardo Rodriguez wearing a black T-shirt was observed "Lifting Up on Slot Machine FM-03 and the monitor did not go into a blue screen. A further video review revealed Patron, Tiago Silveira Aguiar wearing all blue, also " Lifted Up" on slot machine FL-06, FL-03, FM-06 and FL-07 and the monitor did not go into a blue screen. UPDATE: Also present was Patron, Enrique Gamez Hernandez on 12-25-2021.

Surveillance Report # 10101, Perm-Exclusion Patron, Marcosa Mendoza Alvarez was escorted out by MPD Officer, Elias Parrales for cashing out a \$1,502.00 voucher at cashier cage window # 03 which resulted from " Fraudulent Activity on 12-22-2021 " in reference to Perm-Exclusion Return Patron, Omar Alvarez Cala was " Tampering" , causing the machine to go in a blue screen -call attendant " using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal. Also present in the area was Patron, Enrique Gamez Hernandez, Patron, Ricardo Rodriguez and Patron, Tiago Silveira Aguiar on 12-22-2021.

Surveillance Report # 10099, Perm-Exclusion Return Patron, Omar Alvarez Cala who was Perm-Excluded on 12-18-2021 was identified in the casino and escorted out by MPD Officer, Jamila Montgomery in reference to " Tampering" , Mr. Cala was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal. Also present in the area was Patron, Enrique Gamez Hernandez, Patron, Ricardo Rodriguez, Patron, Tiago Silveira Aguiar and Patron, Marcosa Mendoza Alvarez on 12-22-2021.

Surveillance Report # 10094, Perm-Exclusion Patron, Danny Raul Ortiz Aguilar was escorted out by MPD Officer, Marquise Williams In reference to " Tampering" on 11-29-2021 Mr. Aguilar and Patron, Santos Patricio Bustillo Melendez were manipulating the payout at Slot machine FL-07 by Mr. Aguilar was lifting up the slot machine causing it to go in a " blue screen -out of service mode / call attendant" and Mr. Melendez was using a slot key to reset the slot machine .Also present in the area was Patrons, Enrique Gamez Hernandez, Ricardo Rodriguez and Marcosa Mendoza Alvarez on 12-20-2021.

Surveillance Report # 10083, Perm-Exclusion Patron, Lazaro Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala were escorted out by MPD Officers, Willy Laster and Carol Blanc in reference to " Tampering" , Mr. Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and Mr. Alvarez-Cala using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal. A further video review revealed that Patron, Enrique Gamez Hernandez was also observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant ". Patron, Lazaro Pablo Hernandez -Valdez gave a voucher to Patron, Marcosa Mendoza Alvarez who inserted it into slot machine BE-02 and then cashed it out. A Patron, (Unknown Male) has his hair in dreadlocks and wearing a black T-shirt cashes out the voucher for \$1,700.00 at the cashier cage and gives the money to Patron, Enrique Gamez Hernandez on 12-18-2021.

Surveillance Report # 1009, Perm-Exclusion Patron, Santos Patricio Bustillo Melendez -was placed in handcuffs and escorted out in reference to " Tampering" using a key to reset slot roulette FL-04 -3113 by MPD Officer, Giordao Acosta on 12-01-2021.

Surveillance Report # 1004, VP and General Manager Dan Licciardi request video review of roulette Slot Machine Bank FL on 11-29-2021 between 23:00 and 00:00 Hours in reference to slot machine FL-07 was being reset. The review identified a Patron (Unknown Male) lifting up the slot machine causing it to go in a " blue screen -out of service mode" also present is Suspect # B - Patron, Santos Patricio Bustillo Melendez using a slot key to reset slot machine FL-07. The unknown male was later identified as Suspect # A - Patron, Danny Raul Ortiz Aguilar as the patron who " Lifted the screen". Also present and later identified was Subject # D - Patron, Marcosa Mendoza Alvarez.

Surveillance Report # 9906, Perm-Exclusion Patron, Julio Cesar Baro Torres was arrested by MPD Officer Chijioke Anyanwu for " Tampering" by inserting a Slot Key into Slot Machine FL-07. UPDATE: Patron Julio Cesar Baro Torres was also observed talking Patrons, Marcosa Mendoza Alvarez and Omar Alvarez Cala on 10-25-2021.

Surveillance Report # 9901, Security Supervisor, Steven Torres request video review of slot machine FL- 07 in reference to a Patron (Unknown Male) causing the slot machine to have a "Blue Screen" on 10-23-2021. Patron was later identified as Branyi G Santos Moran who was lifting up on the machine. Also, a Patron (Unknown Male) was observed using a slot key to reset-put back in service after Slot Machine FL-07 went into a "Blue Screen" out of service mode. The patron with the slot key was later identified on 10-25-2021 as Julio Cesar Baro Torres. UPDATE: Also, in the area was Patrons, Lazaro Pablo Hernandez Valdez, Ricardo Rodriguez, Tiago Silveira Aguiar and Omar Alvarez Cala on 10-23-2021.

Surveillance Report # 9398, Slot Attendant, Jose Rivas reported a Patron (Unknown Male) wearing a black shirt and jeans who was betting \$500.00 at Roulette Slot Machine FM-02 was causing the machine screen to go blue and displaying "machine disabled call attendant". Patron was later identified as Branyi G Santos Moran on 05-08-2021.

Surveillance Report # 8205, Patron, Santos Patricio Bustillo Melendez -was identified in the casino. Mr. Bustillo Melendez won a \$3,067.00 voucher on 06-11-2017 after Patron, Silvio Alfredo Sanchez Veliz was observed altering the results of the electronic roulette game by tilting the roulette slot machine wheel at Bank GK to win in their favor on 09-24-2019.

Surveillance Report # 8192, Patron, Waarith Haadee Abdullah -claiming a slot machine jackpot at GB-01-2487 for \$1,380.00 that did not belong to him and also inserting his (2) VIP Black player club cards into slot machines that another patron was inserting his own money and playing on 09-19-2019.

Surveillance Report # 8342, Patron, Santos Patricio Bustillo Melendez -was escorted out by MPD Officer, Giordao Acosta for manipulated slot machine GJ-05-3114 - by sticking his hand between the cushion and screen and before the ball dropped causing the slot machine to reset on 11-14-2019.

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

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Signature A

Date

Signature B

Date






**State of Florida  
Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
Investigations Section**

**PROPERTY RECEIPT**

Complaint # 2022 02 4885 Date 1/14/22 Lab # \_\_\_\_\_


Item No.	Quantity	Description
1	1	CMT 0000/0083
2	1	CMT 0000/0171

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.



\_\_\_\_\_  
Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.



\_\_\_\_\_  
Signature - Impounding Investigator

**RETURNED PROPERTY RECEIPT**

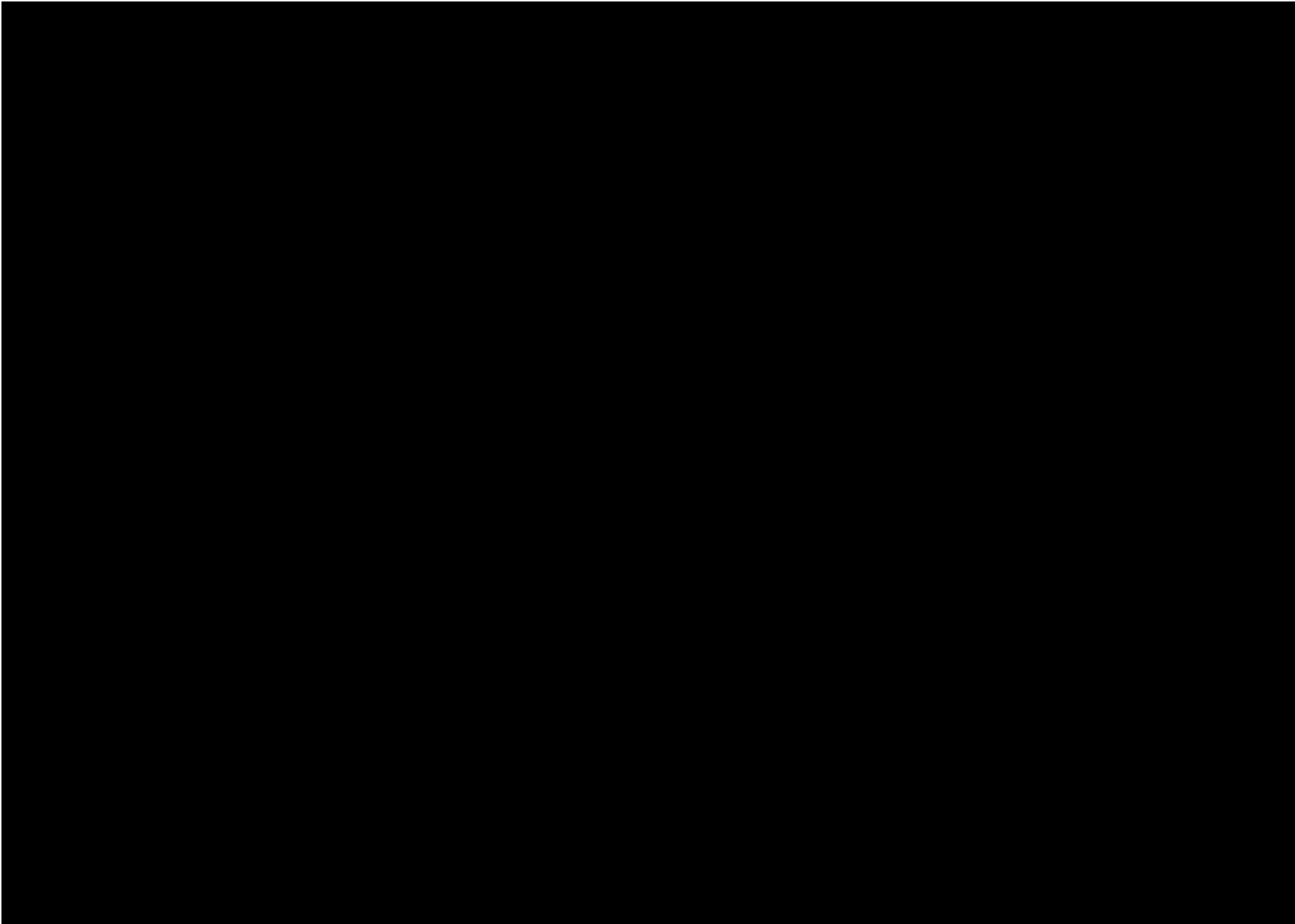
I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

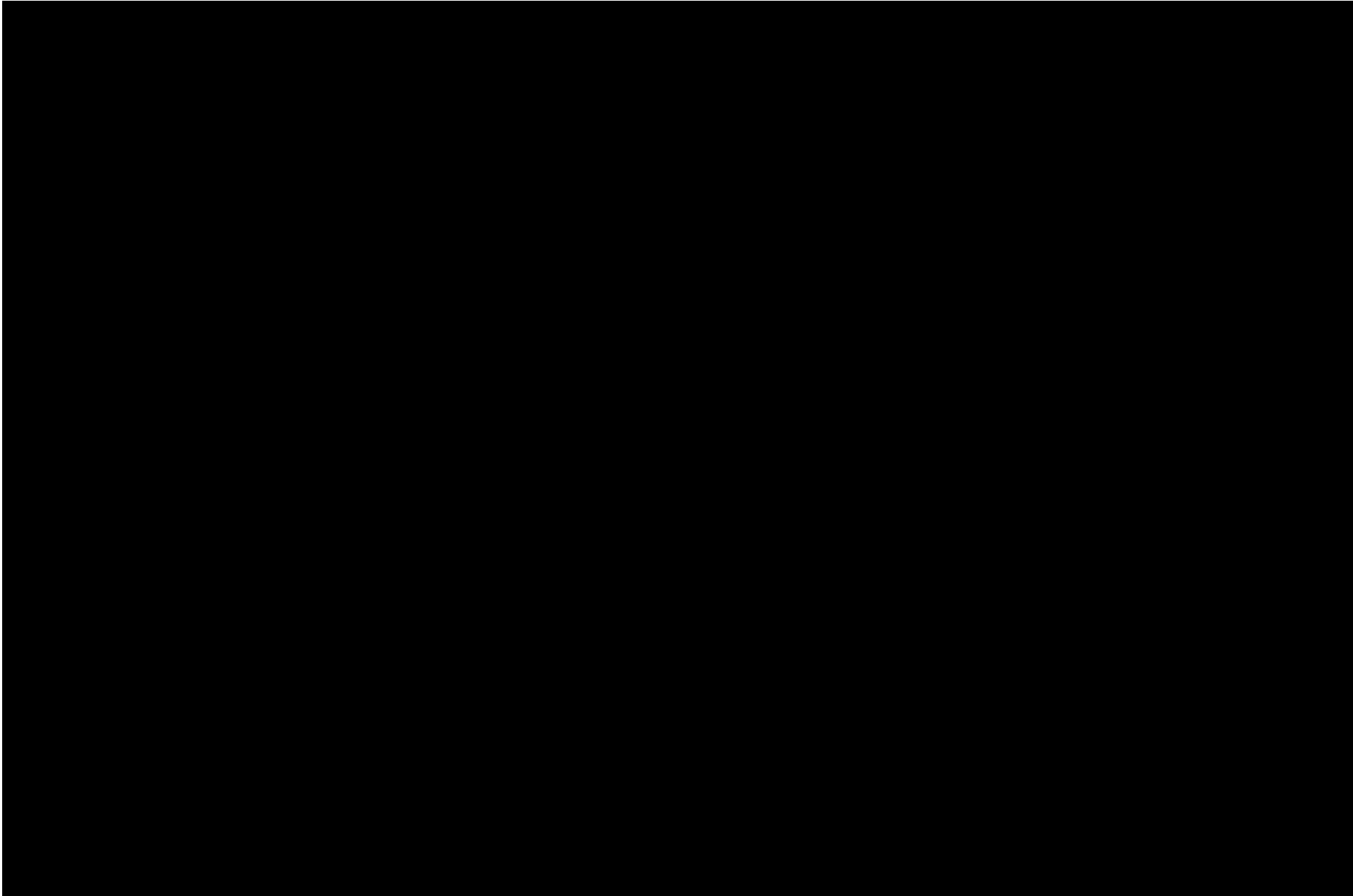
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Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
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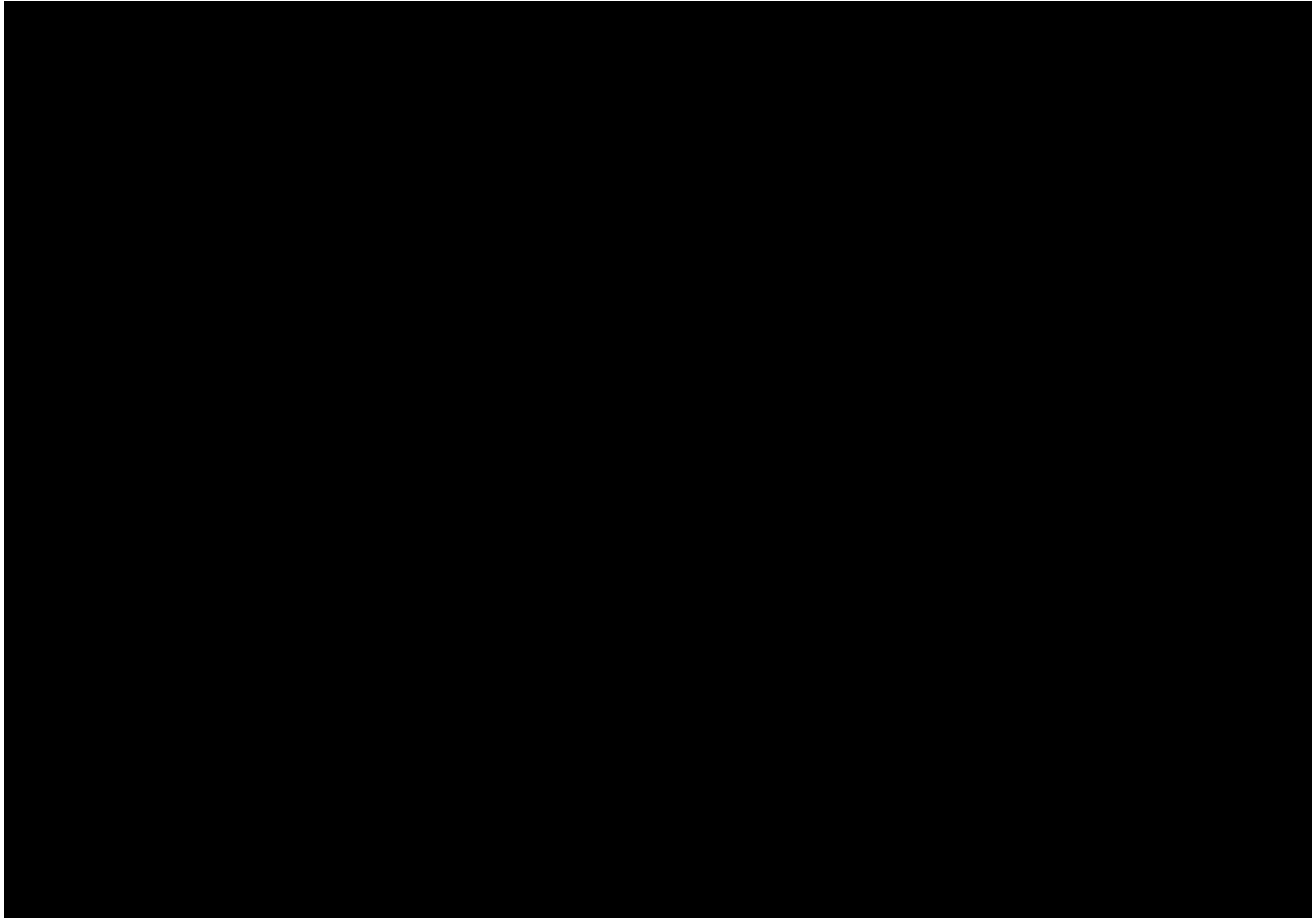
Copies for: File, Transmittal, Laboratory, Property Receipt

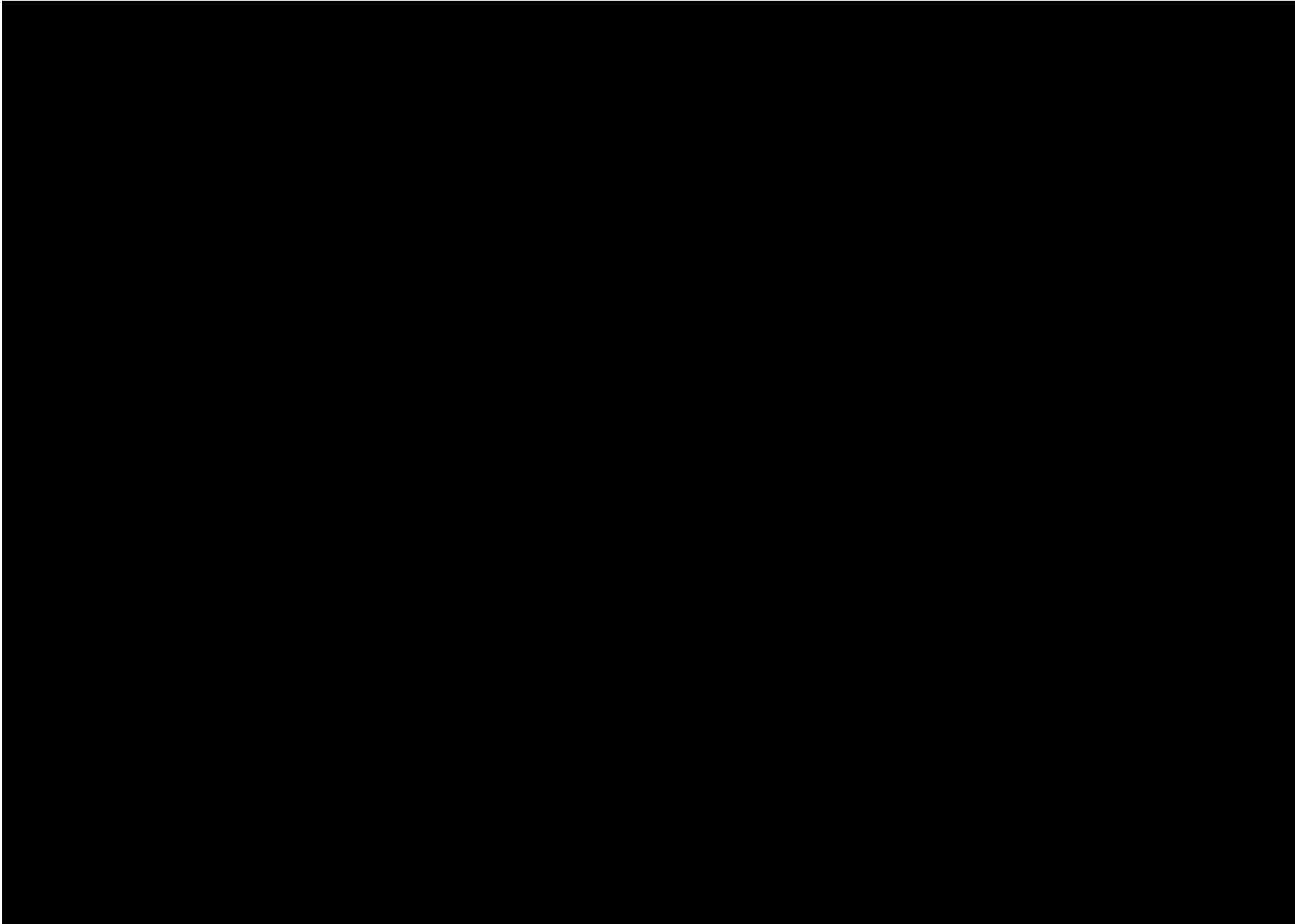














At 11:27 hours on camera #031, Surveillance observed Suspect #3 - Patron, Marcosa Mendoza Alvarez - wearing blue shirt with American flag on the back entering the casino via C-1 casino entrance door.

At 11:45 on camera #031, Surveillance observed Suspect #1 - Patron, Omar Alvarez Cala entering the casino via C-2 casino entrance door.

At 11:45 on camera #031, Surveillance observed Suspect #1 - Patron, Omar Alvarez Cala retrieving an "unknown shiny object" from the hand of suspect #02 Patron ( Unknown Male).

From 11:46:56 until 12:03:29 hours, on camera #116 and #124, Suspect #1 - Patron, Omar Alvarez Cala was observed playing slot machine FM-07-3124. During his time playing there he was observed tampering with the machine (03) times. Both other suspects #01 and #02 were observed around the area.

At 11:55:41 hours, on camera #116 and #124, Suspect #1 - Patron, Omar Alvarez Cala was observed Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and then using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal.

At 11:57:13 hours, on camera #116 and #124, Suspect #1 - Patron, Omar Alvarez Cala was observed Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and then using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal.

At 12:03:06 hours, on camera #116 and #124, Suspect #1 - Patron, Omar Alvarez Cala was observed Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and then using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal.

At 12:03:28 hours, on camera #116 and #124, Suspect #1 - Patron, Omar Alvarez Cala was cashing out a voucher.

At 12:03:32 hours, on camera #116, Suspect #1 - Patron, Omar Alvarez Cala was observed leaving slot machine FM-07. While he was walking away he was observed giving a voucher to suspect #2, who walks the other way before circling back to Suspect #1 - Patron, Omar Alvarez Cala

From 12:05:18 until 12:07:13 hours, on camera #213, Suspect #2 - Patron (Unknown Male) was observed entering the restroom in slot machine zone K with Suspect #3 - Patron, Marcosa Mendoza Alvarez.

At 12:07:12 Hours on cameras 35, Suspect #1 - Patron, Omar Alvarez Cala -wearing blue/grey hoodie and short pants was escorted back to SOC by MPD Officers Jamia Montgomery and Chiquita Singletary and Security Director, Eugene Tellez.

At 12:08:14 hours, on camera #31, Suspect #2 - Patron (Unknown Male) was observed leaving the casino through Poker Entrance.

From 12:09:02 to 12:11:07 hours, on camera #33, Suspect #3 - Patron, Marcosa Mendoza Alvarez playing at slot machine BF-07.

From 12:11:00 to 12:28:30 Hours on cameras 732, Security Director, Eugene Tellez speaks to Suspect #1 - Patron, Omar Alvarez Cala at the security managers office.

From 12:12:35 until 12:13:26 hours, on camera #407 and 331, Suspect #3 - Patron, Marcosa Mendoza Alvarez was observed cashing out a voucher for \$1,502.00 at the main cage window #03 with Cage Cashier Kathereen Racedo.

At 12:14:46 hours, on camera #37 and #562, Suspect #3 - Patron, Marcosa Mendoza Alvarez was observed leaving the casino through C-1 and then through the Casino Main Entrance. Mr. Alvarez walked towards 37th avenue and out of camera view.

At 12:28:58 Hours on camera #345 and #988, MPD Officer, Jamila Montgomery and Security Supervisor, Steven

Torres escorted Suspect #1 - Patron, Omar Alvarez Cala out of the employee entrance / exit. Mr. Cala walked towards 37th avenue and out of camera view.

This report was written by Director of Surveillance William Hutcheson #7874265 and Surveillance Assistant Manager Carlos Rodriguez Lic. #9792016.

UPDATE: Surveillance Report # 10146, Perm-Exclusion Patron, Tiago Silveira Aguiar was escorted out and placed in handcuffs by MPD Officer, Willy Laster in reference to " Tampering" , Mr. Aguiar was observed " Lifting up on Slot machine FL-07 causing the machine to go in a blue screen -call attendant " and using a Slot key to " reset " slot machine FL-07 , clearing the screen back to normal on 01-01-2022.

Surveillance Report # 10121, Perm-Exclusion Patron, Enrique Gamez Hernandez was observed " Lifting up on Slot machine FL-07 (It did not go into a blue screen). Patron, Ricardo Rodriguez was also observed " Lifting up on Slot machine FL-07 causing the machine to go in a blue screen -call attendant " and Mr. Rodriguez was using a Slot key to " reset " slot machine FL-07, clearing the screen back to normal. Both patrons were escorted out by MPD Officer, David Flanders in reference to " Tampering". NOTE: Perm-Exclusion Patron, Lazaro Pablo Hernandez Valdez came in the same vehicle as Enrique Gamez Hernandez and was waiting in the Patron Parking Lot on 12-27-2021.

Surveillance Report # 10114, Patron, Ricardo Rodriguez wearing a black T-shirt was observed "Lifting Up on Slot Machine FM-03 and the monitor did not go into a blue screen. A further video review revealed Patron, Tiago Silveira Aguiar wearing all blue, also " Lifted Up" on slot machine FL-06, FL-03, FM-06 and FL-07 and the monitor did not go into a blue screen. UPDATE: Also present was Patron, Enrique Gamez Hernandez on 12-25-2021.

Surveillance Report # 10101, Perm-Exclusion Patron, Marcosa Mendoza Alvarez was escorted out by MPD Officer, Elias Parrales for cashing out a \$1,502.00 voucher at cashier cage window # 03 which resulted from " Fraudulent Activity on 12-22-2021 " in reference to Perm-Exclusion Return Patron, Omar Alvarez Cala was " Tampering" , causing the machine to go in a blue screen -call attendant " using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal. Also present in the area was Patron, Enrique Gamez Hernandez, Patron, Ricardo Rodriguez and Patron, Tiago Silveira Aguiar on 12-22-2021.

Surveillance Report # 10099, Perm-Exclusion Return Patron, Omar Alvarez Cala who was Perm-Excluded on 12-18-2021 was identified in the casino and escorted out by MPD Officer, Jamila Montgomery in reference to " Tampering" , Mr. Cala was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal. Also present in the area was Patron, Enrique Gamez Hernandez, Patron, Ricardo Rodriguez, Patron, Tiago Silveira Aguiar and Patron, Marcosa Mendoza Alvarez on 12-22-2021.

Surveillance Report # 10094, Perm-Exclusion Patron, Danny Raul Ortiz Aguilar was escorted out by MPD Officer, Marquise Williams In reference to " Tampering" on 11-29-2021 Mr. Aguilar and Patron, Santos Patricio Bustillo Melendez were manipulating the payout at Slot machine FL-07 by Mr. Aguilar was lifting up the slot machine causing it to go in a " blue screen -out of service mode / call attendant" and Mr. Melendez was using a slot key to reset the slot machine .Also present in the area was Patrons, Enrique Gamez Hernandez, Ricardo Rodriguez and Marcosa Mendoza Alvarez on 12-20-2021.

Surveillance Report # 10083, Perm-Exclusion Patron, Lazaro Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala were escorted out by MPD Officers, Willy Laster and Carol Blanc in reference to " Tampering" , Mr. Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and Mr. Alvarez-Cala using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal.

A further video review revealed that Patron, Enrique Gamez Hernandez was also observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant ". Patron, Lazaro Pablo Hernandez -Valdez gave a voucher to Patron, Marcosa Mendoza Alvarez who inserted it into slot machine BE-02 and then cashed it out. A Patron, (Unknown Male) has his hair in dreadlocks and wearing a black T-shirt cashes out the voucher for \$1,700.00 at the cashier cage and gives the money to Patron, Enrique Gamez Hernandez on 12-18-2021.

Surveillance Report # 1009, Perm-Exclusion Patron, Santos Patricio Bustillo Melendez -was placed in handcuffs and escorted out in reference to " Tampering" using a key to reset slot roulette FL-04 -3113 by MPD Officer, Giordao Acosta on 12-01-2021.

Surveillance Report # 1004, VP and General Manager Dan Licciardi request video review of roulette Slot Machine Bank FL on 11-29-2021 between 23:00 and 00:00 Hours in reference to slot machine FL-07 was being reset. The review identified a Patron (Unknown Male) lifting up the slot machine causing it to go in a " blue screen -out of service mode" also present is Suspect # B - Patron, Santos Patricio Bustillo Melendez using a slot key to reset slot machine FL-07. The unknown male was later identified as Suspect # A - Patron, Danny Raul Ortiz Aguilar as the patron who " Lifted the screen". Also present and later identified was Subject # D - Patron, Marcosa Mendoza Alvarez.

Surveillance Report # 9906, Perm-Exclusion Patron, Julio Cesar Baro Torres was arrested by MPD Officer Chijioke Anyanwu for " Tampering" by inserting a Slot Key into Slot Machine FL-07. UPDATE: Patron Julio Cesar Baro Torres was also observed talking Patrons, Marcosa Mendoza Alvarez and Omar Alvarez Cala on 10-25-2021.

Surveillance Report # 9901, Security Supervisor, Steven Torres request video review of slot machine FL- 07 in reference to a Patron (Unknown Male) causing the slot machine to have a "Blue Screen" on 10-23-2021. Patron was later identified as Branyi G Santos Moran who was lifting up on the machine. Also, a Patron (Unknown Male) was observed using a slot key to reset-put back in service after Slot Machine FL-07 went into a "Blue Screen" out of service mode. The patron with the slot key was later identified on 10-25-2021 as Julio Cesar Baro Torres. UPDATE: Also, in the area was Patrons, Lazaro Pablo Hernandez Valdez, Ricardo Rodriguez, Tiago Silveira Aguilar and Omar Alvarez Cala on 10-23-2021.

Surveillance Report # 9398, Slot Attendant, Jose Rivas reported a Patron (Unknown Male) wearing a black shirt and jeans who was betting \$500.00 at Roulette Slot Machine FM-02 was causing the machine screen to go blue and displaying "machine disabled call attendant". Patron was later identified as Branyi G Santos Moran on 05-08-2021.

Surveillance Report # 8205, Patron, Santos Patricio Bustillo Melendez -was identified in the casino. Mr. Bustillo Melendez won a \$3,067.00 voucher on 06-11-2017 after Patron, Silvio Alfredo Sanchez Veliz was observed altering the results of the electronic roulette game by tilting the roulette slot machine wheel at Bank GK to win in their favor on 09-24-2019.

Surveillance Report # 8192, Patron, Waarith Haadee Abdullah -claiming a slot machine jackpot at GB-01-2487 for \$1,380.00 that did not belong to him and also inserting his (2) VIP Black player club cards into slot machines that another patron was inserting his own money and playing on 09-19-2019.

Surveillance Report # 8342, Patron, Santos Patricio Bustillo Melendez -was escorted out by MPD Officer, Giordao Acosta for manipulated slot machine GJ-05-3114 - by sticking his hand between the cushion and screen and before the ball dropped causing the slot machine to reset on 11-14-2019.

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

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Signature A

Date

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Signature B

Date



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ALM Global, LLC  
PO Box 936174  
Atlanta, GA 31193-6174

### Daily Business Review

Miami Dade

Customer No: 9059304

Case/P.O.#: 2022-024885

FLORIDA GAMING CONTROL COMMISSION  
Attention To: EBONIE LANIER  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FL 32399

Invoice #:	I0000649816-0310
Invoice Date:	03/31/2023
Due Date:	Due Upon Receipt
AMOUNT DUE:	\$129.94

Amount Remitted

### Daily Business Review

Miami Dade

Invoice Date: 03/31/2023	Customer #: 9059304	Case/P.O.#: 2022-024885
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Invoice #	Description	Amount
I0000649816-0310	<b>Placement/Position:</b> Other Notices/Administrative Complaint <b>Run Dates:</b> 03/10/2023, 03/17/2023, 03/24/2023, 03/31/2023 <b>Ad Size:</b> 4.37 Inches Notice of Action BEFORE THE DIVISION OF PARI-MUTUEL WAGERING - OMAR ALVAREZ CALA	\$129.94
	<b>Subtotal</b>	\$129.94
	<b>Total Due</b>	\$129.94

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**MIAMI-DADE**

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:**

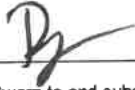
Before the undersigned authority personally appeared ROSANA SALGADO, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

2022-024885  
NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING - OMAR  
ALVAREZ CALA

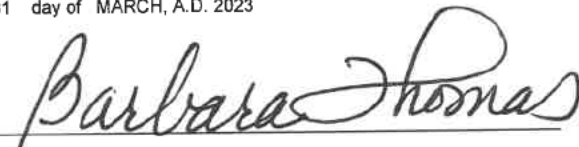
in the XXXX Court,  
was published in a newspaper by print in the issues of Miami  
Daily Business Review f/k/a Miami Review on

03/10/2023 03/17/2023 03/24/2023 03/31/2023

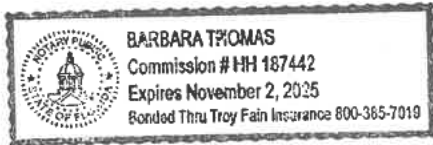
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.



Sworn to and subscribed before me this  
31 day of MARCH, A.D. 2023



(SEAL)  
ROSANA SALGADO personally known to me



**NOTICE OF ACTION  
BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING**

IN RE: Violation of section 550.0251(6)  
and 551.112, Florida Statutes.  
OMAR ALVAREZ CALA  
10410 Northwest 32nd Court  
Miami, Florida 33147  
CASE NO.: 2022-024885  
LICENSE NO.: N/A

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 2601 Blair Stone Road, Tallahassee, FL 32399, (850) 717-1663.

If no contact has been made by you concerning the above by Friday, April 7, 2023, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257-6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.  
3/10-17-24-31 23-25/0000649816M



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Lazaro Pablo Hernandez-Valdes Case No. 2022-024908,  
Default Final Order  
Date: April 24, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Lazaro Pablo Hernandez-Valdes (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the publication notice seeking to exclude him, Respondent waived his right to request a hearing contesting the Division’s decision. Therefore, the Florida Gaming Control Commission should enter a final order excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

### *Background*

On December 18, 2021, Respondent was a patron of Casino Miami.<sup>1</sup> Respondent was seen manipulating the roulette wheel slot machine. Respondent was permanently excluded from Casino Miami, LLC<sup>2</sup>, on December 18, 2021.

Based on his exclusion from Casino Miami, the Division filed an administrative complaint against Respondent seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. The Division attempted service by USPS certified mail on two occasions but failed to achieve service. The Division attempted to serve Respondent via handservice, but failed to achieve service. The Division requested that a notice be placed with the Miami Dade County Daily Business Review.<sup>3</sup> It was published on March 10, 2023, March 17, 2023, March 24, 2023, and March 31, 2023.

---

<sup>1</sup> Casino Miami is operated by a pari-mutuel wagering permitholder that also possesses a slot machine and cardroom license.

<sup>2</sup> Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

<sup>3</sup> Section 120.60(5), Florida Statutes, provides, “when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee’s last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county.”

Respondent was given until April 7, 2023 to respond to this notice. He has never responded.

*Analysis*

Respondent can be excluded from all pari-mutuel and slot machine facilities in this state. Section 550.0251(6), Florida Statutes, provides, in relevant part, that “[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state.” Likewise, section 551.112, Florida Statutes, provides, in relevant part “[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state.” Casino Miami is both a pari-mutuel facility and slot machine licensee in this state. And Respondent was ejected from it. Accordingly, Respondent can be excluded from all pari-mutuel and slot machine facilities in this state.

Because Respondent failed to file a timely response to the publication notice, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order excluding Respondent from all pari-mutuel and slot machine facilities in this state.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order permanently excluding Lazaro Pablo Hernandez-Valdes from all pari-mutuel and slot machine facilities in this state.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2022-024908

LAZARO PABLO HERNANDEZ-VALDES,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Lazaro Pablo Hernandez-Valdes (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to Chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent’s address was reported as 60 Northeast 14th Street, Apt. 1615 Miami, Florida 33132.
3. At all times material hereto, Casino Miami, LLC was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about December 18, 2021, Respondent was a patron of Casino Miami, LLC.
5. On or about December 18, 2021, Respondent was ejected and permanently excluded from Casino Miami, LLC.
6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

7. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida under Sections 550.0251(6) and 551.112, Florida Statutes based on his ejection from Casino Miami, LLC on or about December 18, 2021.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any

facility of a slot machine licensee in the State of Florida, along with any other remedy provided by Chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-024908 is signed this 6th day of September, 2022.

*/s/ Emily A. Alvarado*

---

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

## NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to Sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, Florida Administrative Code. Pursuant to Rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.



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Domain **10 - Division of Pari-Mutuel Wagering**

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Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>90 Closed</b>	Status Date	<b>08/31/2022</b>
Complaint #	<b>2022024908</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	<b>HERNANDEZ VALDES, LAZARO PABLO</b>	Respondent	<b>Responsible</b>	<b>jminaya - MINAYA, JULIO</b>	<b>Private Case</b>

<a href="#">Complaint</a>	<a href="#">Respondent</a>	<a href="#">Complainant</a>	<a href="#">Add'l Info</a>
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Form	<b>INTR - Internal</b>	Priority		<input type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Class'n	<b>OTHR - Other</b>	Complexity	<b>R - Regular</b>	<input type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Security	<b>STND - Standard</b>	Incident	<b>12/18/2021</b>	<input checked="" type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Region	<b>SR - Southern Region</b>	Received	<b>05/20/2022</b>	<input type="checkbox"/>	Inspection	<input type="checkbox"/>	Auto Assign
Reference	<b>550.0251(6) &amp; 551.109(3)</b>			<input type="checkbox"/>	Costs	<input type="checkbox"/>	History
Entered	<b>05/20/2022</b>	Entered By	<b>Imuniz</b>	<input type="checkbox"/>	Time Tracking	<input type="checkbox"/>	Print Report
Summary	<p><b>273-Casino Miami, LLC ----- / ----- . Patron Exclusion / The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. / Prohibited Acts; Penalties: On December 18, 2021, Lazaro Pablo Hernandez-Valdes, along with another patron by the name of Omar Alvarez Cala visited Casino Miami. During Hernandez-Valdes visit, he was observed manipulating the Roulette Wheel Slot Machine located in section FM-07 by lifting the console cover of the machine, causing a blue screen/tilt and stopping all play. After each interruption, caused by Hernandez-Valdes, Alvarez Cala was captured on video footage using a key to reset the machine. By doing this, the player Hernandez-Valdes, did not lose monies he had wagered. Sometime after the violation was observed, security and Miami Police escorted both men to the Security Operations Center (SOC) and each were permanently excluded from the facility.</b></p>			<input type="checkbox"/>	Attachments	<input type="checkbox"/>	
Updated	<b>08/31/2022 14:58:18</b>	By	<b>Imuniz</b>	<input type="checkbox"/>	Work Notes	<input type="checkbox"/>	

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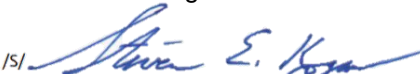
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>May 20, 2022</b>	Case Number: <b>2022 02 4908</b>
Respondent:  <b>HERNANDEZ-VALDES, LAZARO PABLO 60 NE 14 ST. APT #1615 MIAMI, FL 33132</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BLVD STE. 165 FT. LAUDERDALE, FL 33309</b>	
License # and Type: <b>N/A – 1098</b>	Profession: <b>Patron</b>	Report Date: <b>August 11, 2022</b>	
Period of Investigation: <b>May 20 2022 through August 11, 2022</b>		Type of Report: <b>Final</b>	
<p><b>Alleged Violation: 550.0251 The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation.</b></p> <p><b>(6)</b> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The division may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permit holder to exclude absolutely a patron in this state.</p> <p><b>F.S.S. 551.109 Prohibited Acts; Penalties –</b></p> <p><b>(3)</b> Any person who knowingly excludes or takes any action in an attempt to exclude, anything of value from the deposit, counting, collection, or computation of revenues from slot machine activity, or any person who by trick, sleight of hand performance, a fraud or fraudulent scheme, or device wins or attempts to win, for himself or herself or for another, money or property or a combination thereof or reduces or attempts to reduce a losing wager in connection with slot machine gaming commits a felony of the third degree.</p>			
<p><b>Synopsis:</b> On December 18, 2021, Lazaro Pablo <b>HERNANDEZ-VALDES</b>, along with another patron, Omar Alvarez Cala, visited Casino Miami. During <b>HERNANDEZ-VALDES</b> visit, he was observed manipulating the Roulette Wheel Slot Machine located in section FM-07 by lifting the console cover of the machine, causing a blue screen/tilt and stopping all play and bets. After each interruption caused by <b>HERNANDEZ-VALDES</b>, Alvarez Cala was captured on video footage using a key to reset the machine. By doing this <b>HERNANDEZ-VALDES</b> did not lose monies he had wagered. Both men were approached by Security and Miami Police and escorted to the Security Operations Center (SOC) and each was permanently excluded from the facility.</p>			
Related Case: 2022 02 4913, 2022 02 4925, 2022 02 4885 & 2022 02 4921			
Investigator / Date   Raul Suau / August 11, 2022		Investigator Supervisor / Date   Julio Minaya / August 31, 2022	
Chief of Investigations / Date   Steven E. Kogan / August 31, 2022			

## CONTINUATION

On December 18, 2021, Casino Miami Security Director Eugene Tellez e-mailed me an updated Trespass List. The list contained the names of two individuals that were excluded from the facility for manipulating the Roulette Wheel Slot Machine game. Those individuals were identified as Lazaro Pablo **HERNANDEZ-VALDES** and Omar Alvarez Cala. **(Exhibit #1, Excel Sheet Line 508 & 509)**

On December 21, 2021, I e-mailed Casino Miami Vice President of Human Resources & State Compliance Beatriz Perez and requested the security reports generated as a result of those incidents. I received Security Report's CMJ-000002160<sup>1</sup> and CMJ-000002161. Security Report CMJ-000002161 detailed an incident involving patron Lazaro Pablo **HERNANDEZ-VALDES** who was accompanied by another patron, Omar Alvarez Cala. Both were observed by surveillance manipulating the Roulette Wheel Slot Machine games located in section FM-07. **(Exhibit #2 & 3)**

According to Security Report CMJ-000002161, on December 18, 2021, **HERNANDEZ-VALDES** and Alvarez Cala were observed by the Surveillance Department manipulating the Roulette Slot Machine game located in section FM-07. **HERNANDEZ-VALDES** manipulated the machine by lifting the console cover which would cause a blue screen to appear along with a message stating "call attendant". By doing this at the appropriate time, the player, **HERNANDEZ-VALDES**, would not lose any monies that he had wagered. Immediately, as the blue screen appeared Alvarez Cala was observed resetting the slot machine using a reset key that is sold on the internet. **(Exhibit #3, Page #1)**

On the date in question, **HERNANDEZ-VALDES** interrupted the slot machine play by lifting the console cover a total of eight (8) times between the hours of 12:18:20 A.M., and 1:25:48 A.M., followed immediately by Alvarez Cala resetting the machine each time using a key. **(Exhibit # 5)**

According to Surveillance Report CMJ-000010083 created on December 18, 2021 the following suspects were listed as participating or accompanying those involved in the above incident. Those suspects are identified as;

Suspect #1 – Lazaro Pablo Hernandez-Valdes.

Suspect #2 – Omar Alvarez Cala.

Suspect #3 – Enrique Gamez Hernandez.

Suspect #4 – Marcos Mendoza Alvarez.

Suspect #7 – Unknown Male with dreadlocks & BK T-shirt pending identification.

According to the above Surveillance Report at 1:31:44 A.M., **HERNANDEZ-VALDES** printed a cash voucher from Slot Machine FM-07 in the amount of \$1,700.00, representing his winnings at that machine. Once the voucher was printed, he gave it to suspect #4, Marcos Mendoza Alvarez, who then went to Slot Machine BE-02 and inserted the \$1,700.00 cash voucher into the machine. He immediately cashed out, never playing the machine and received a new cash voucher in the amount of \$1,700.00. After printing out the new cash voucher, he exited the facility and walked to the East Parking lot where he met suspect #3, Enrique Gamez Hernandez. At this point both men appear to shake hands and Gamez Hernandez proceeded to walk back to the casino. **(Exhibit #4 & 5)**

At 1:41:27 A.M., Gamez Hernandez re-entered the casino and is observed meeting suspect #7, an unidentified male black with dreadlocks. Gamez Hernandez is captured on video giving suspect #7 a piece of paper. Suspect #7 then goes to the main cage and hands the cashier the same piece of paper that he received from Gamez Hernandez, now visible as a cash voucher in the amount of \$1,700.00 to be cashed. After cashing the voucher suspect #7 meets Gamez Hernandez in Slot Machine Bank CK and gives him the money. Gamez Hernandez then exits the facility and walks to the main parking lot and meets with Mendoza Alvarez<sup>2</sup>. **(Exhibit #4, Pages #15, 16 & 17, Exhibit #5)**

<sup>1</sup> Security Report CMJ-000002160 refers to Alvarez Cala.

<sup>2</sup> This investigator cannot identify what transpired between Mendoza Alvarez and Gamez Hernandez.

**CONTINUATION**

Surveillance notified security of **HERNANDEZ-VALDES** and Alvarez Cala's actions. Security and an off-duty Miami Police Officer working security escorted both men to the Security Operations Center (SOC). Both **HERNANDEZ-VALDES** and Alvarez Cala were permanently excluded from the facility and allowed to leave without further incident. **(Exhibit # 2)**

Cases against Omar Alvarez Cala 2022-02-4885, Marcos Mendoza Alvarez 2022-02-4921 and Enrique Gamez Hernandez 2022-02-4925 have been opened.

Case closed by Investigations and forwarded to Legal for review and possible statewide exclusion from all PMW facilities.

**CONTINUATION**

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**From:** [Gene Tellez](#)  
**To:** [Suau, Raul](#)  
**Cc:** [Beatriz Perez](#); [Daniel Licciardi](#)  
**Subject:** Trespass exclusion list updated 12-1-2021  
**Date:** Saturday, December 18, 2021 4:08:31 PM  
**Attachments:** [Copy of Casino Miami Trespass List 12-18- 2021 Updated by Gene \(5\).xlsx](#)

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**[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.

Mr. Suau, attached is a copy of the updated trespass exclusion list .

## Gene Tellez

**Director of Security**

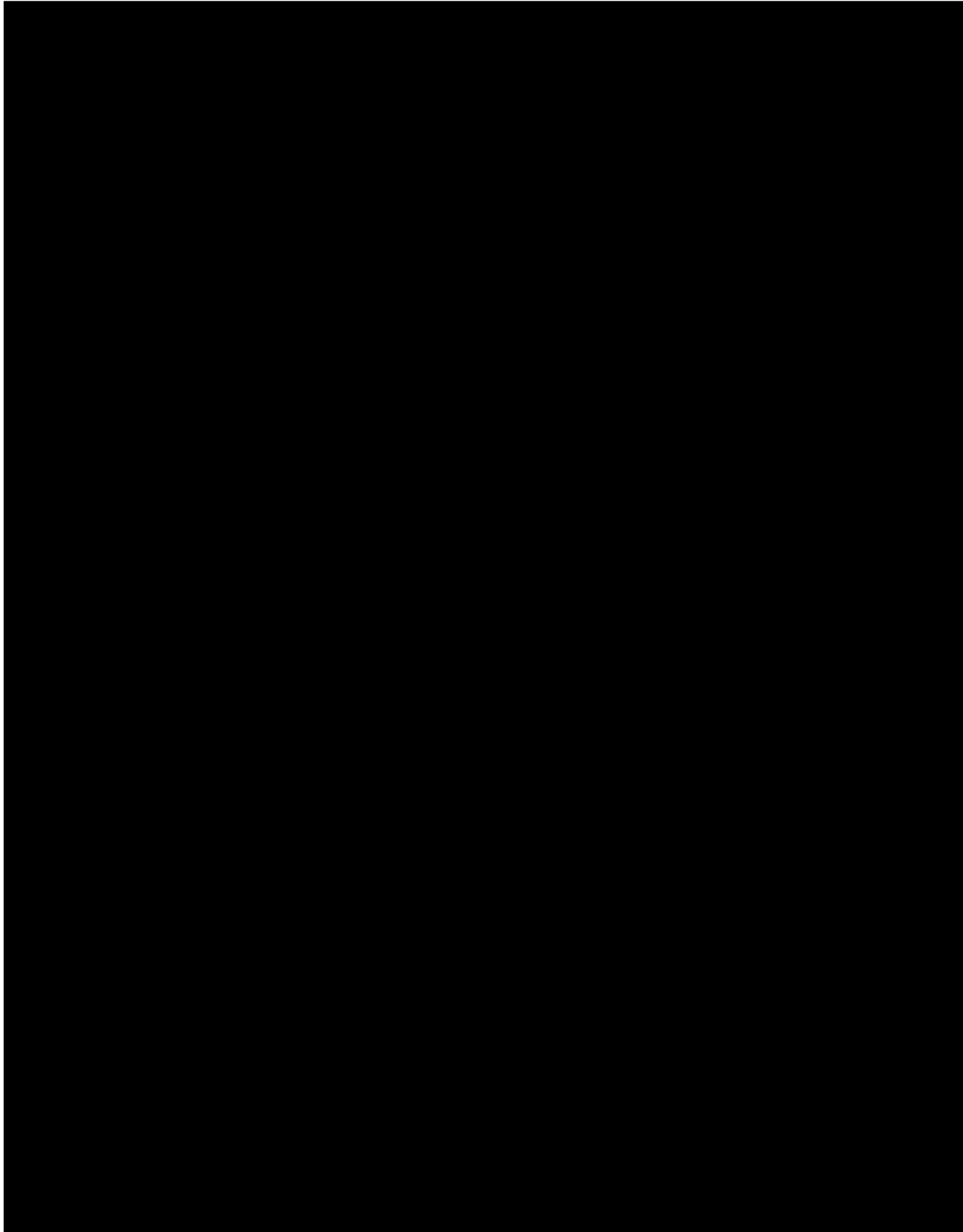
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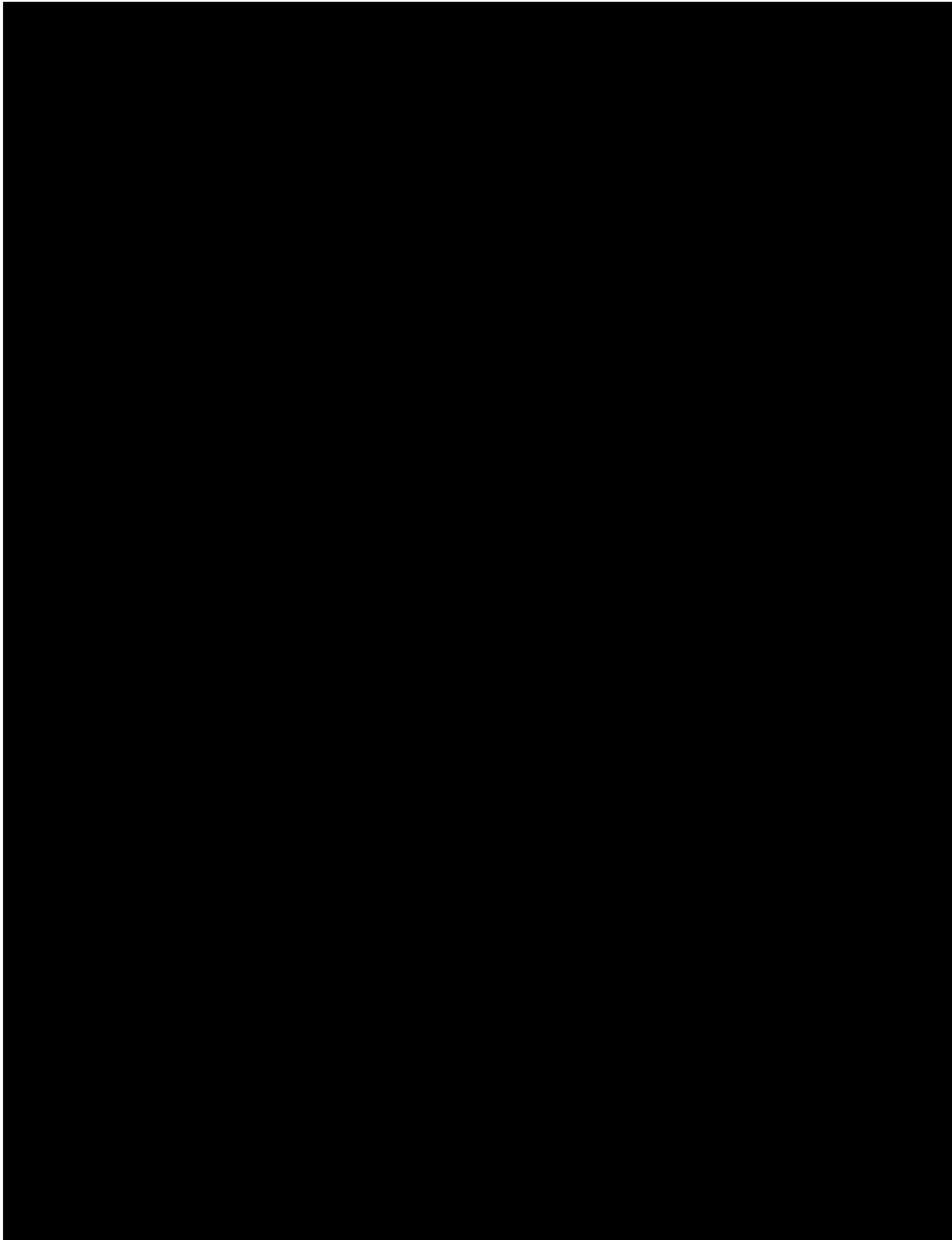
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F: (305) 634-1712

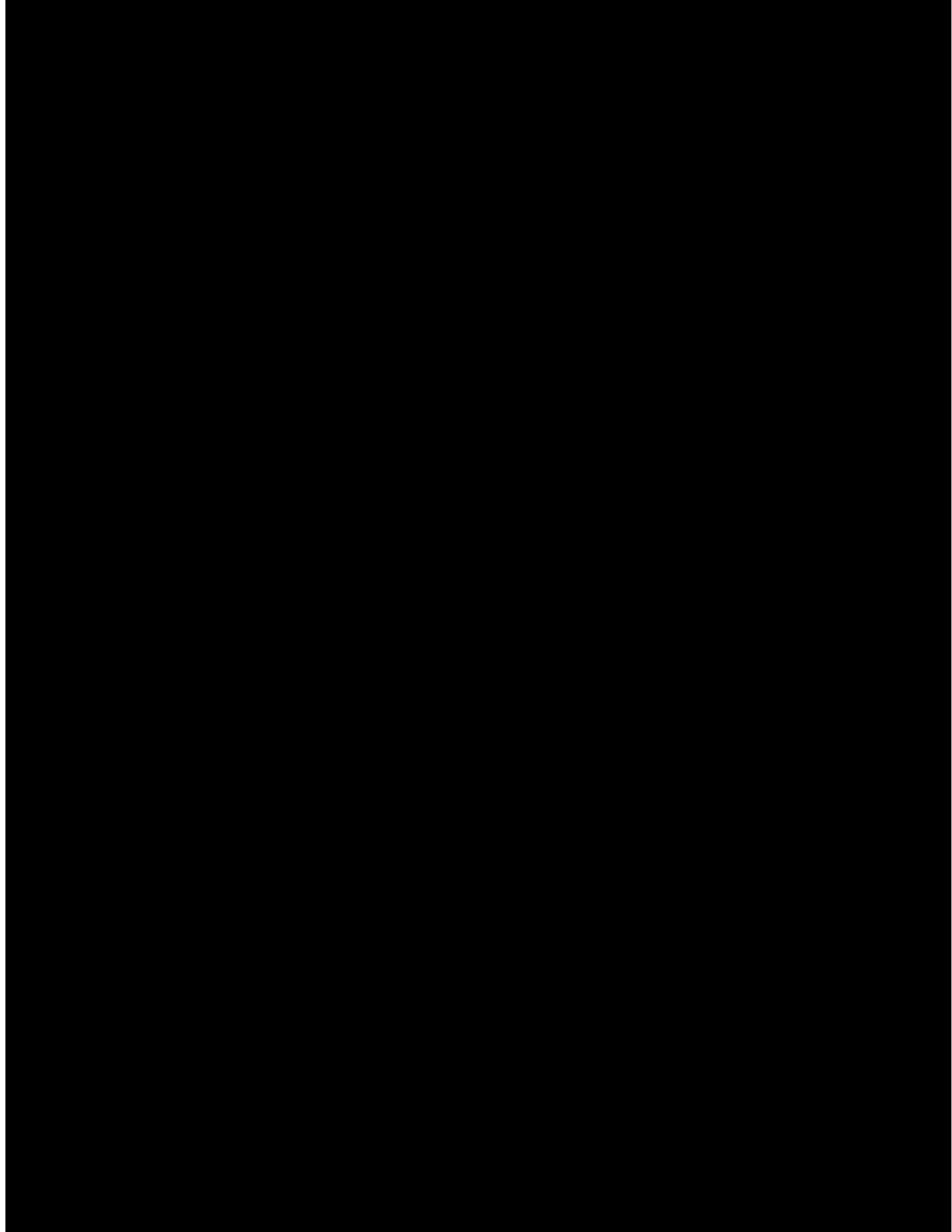


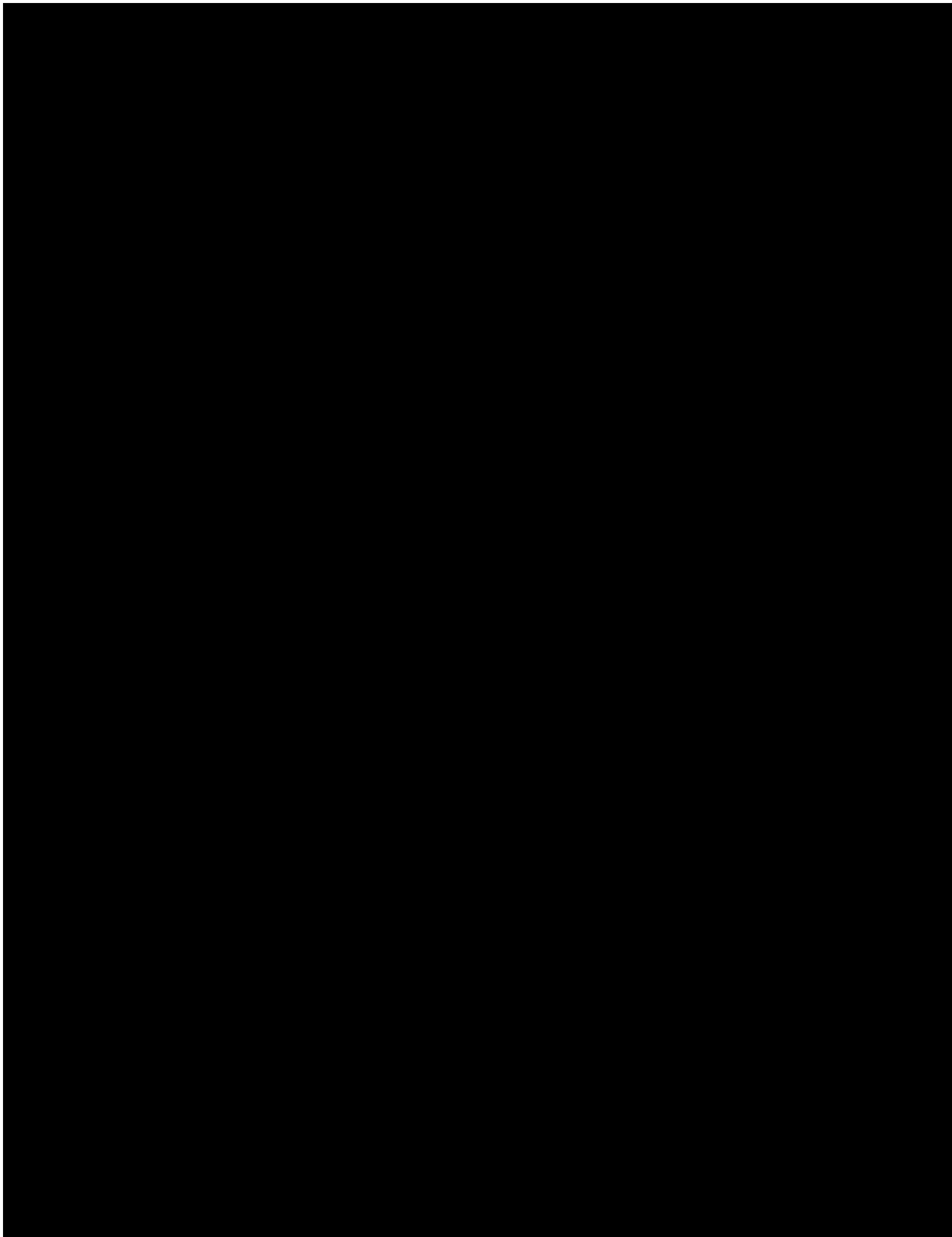
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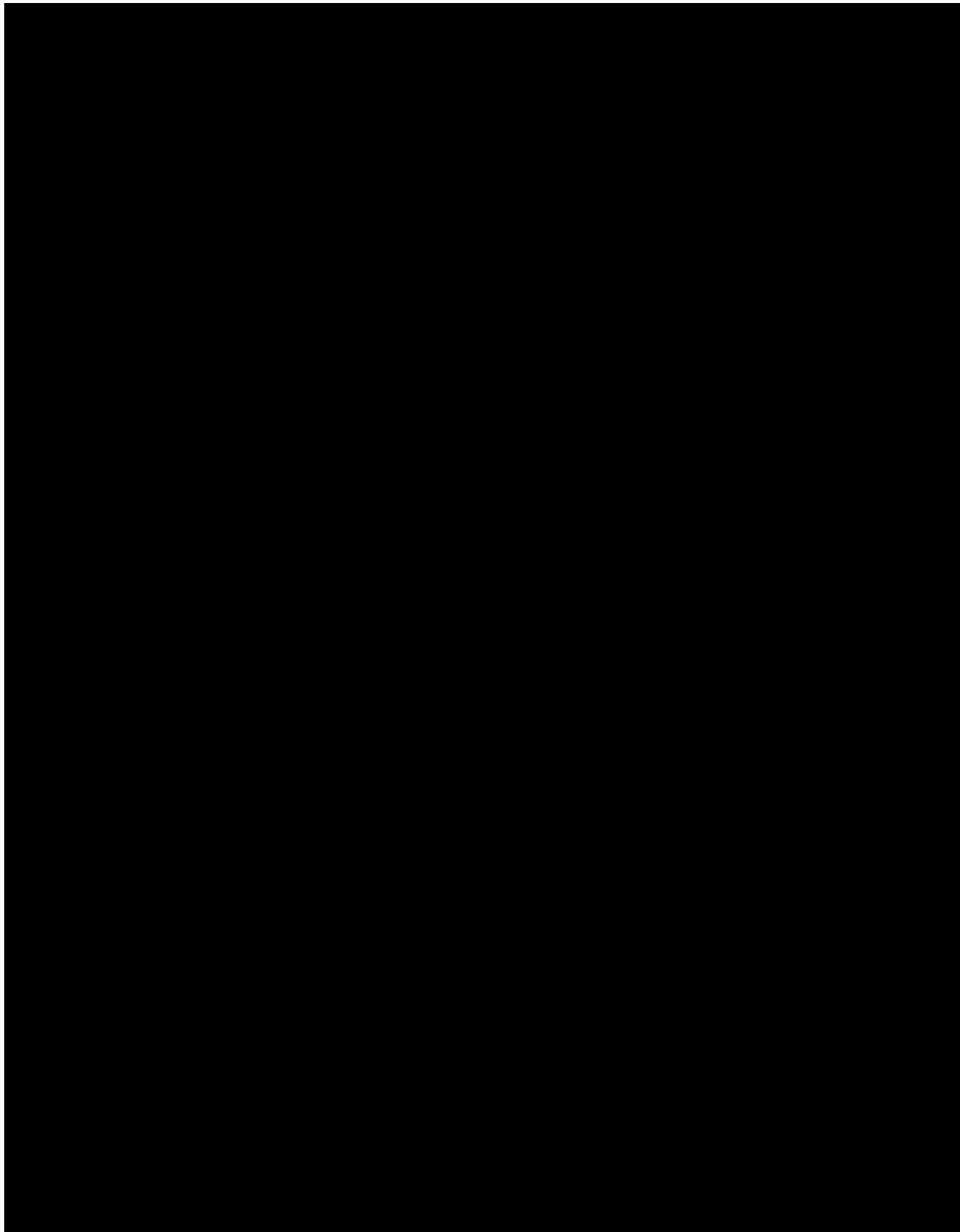


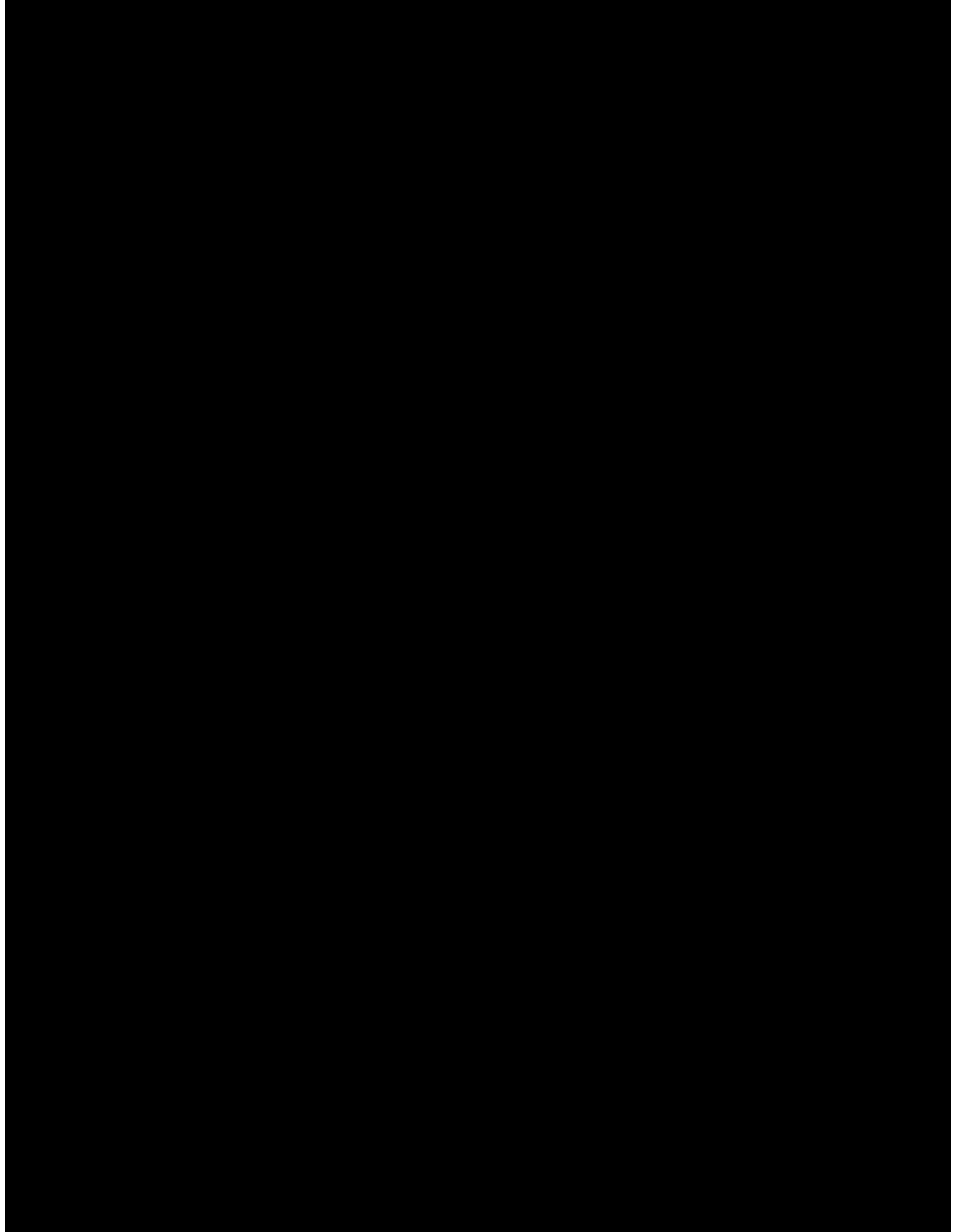


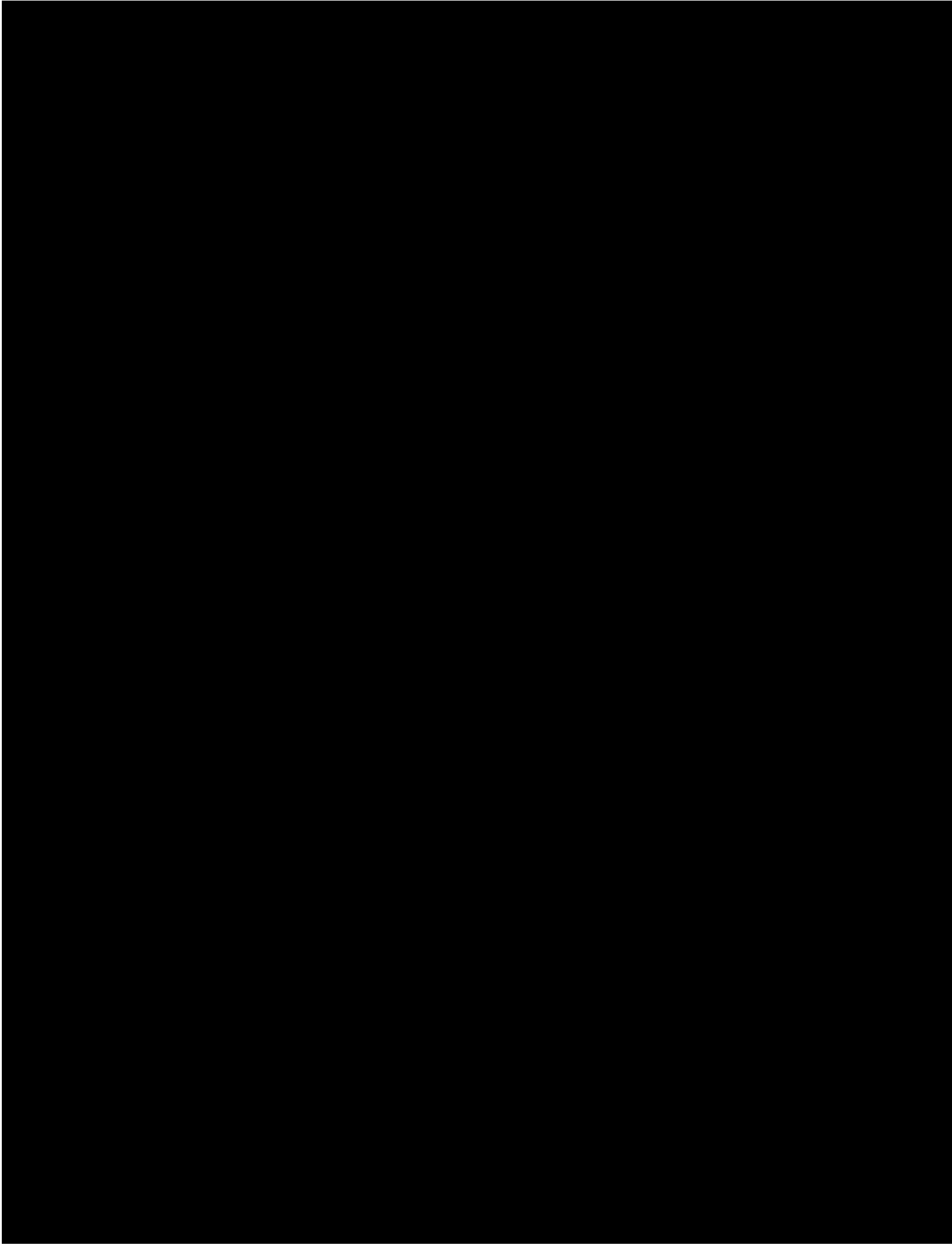


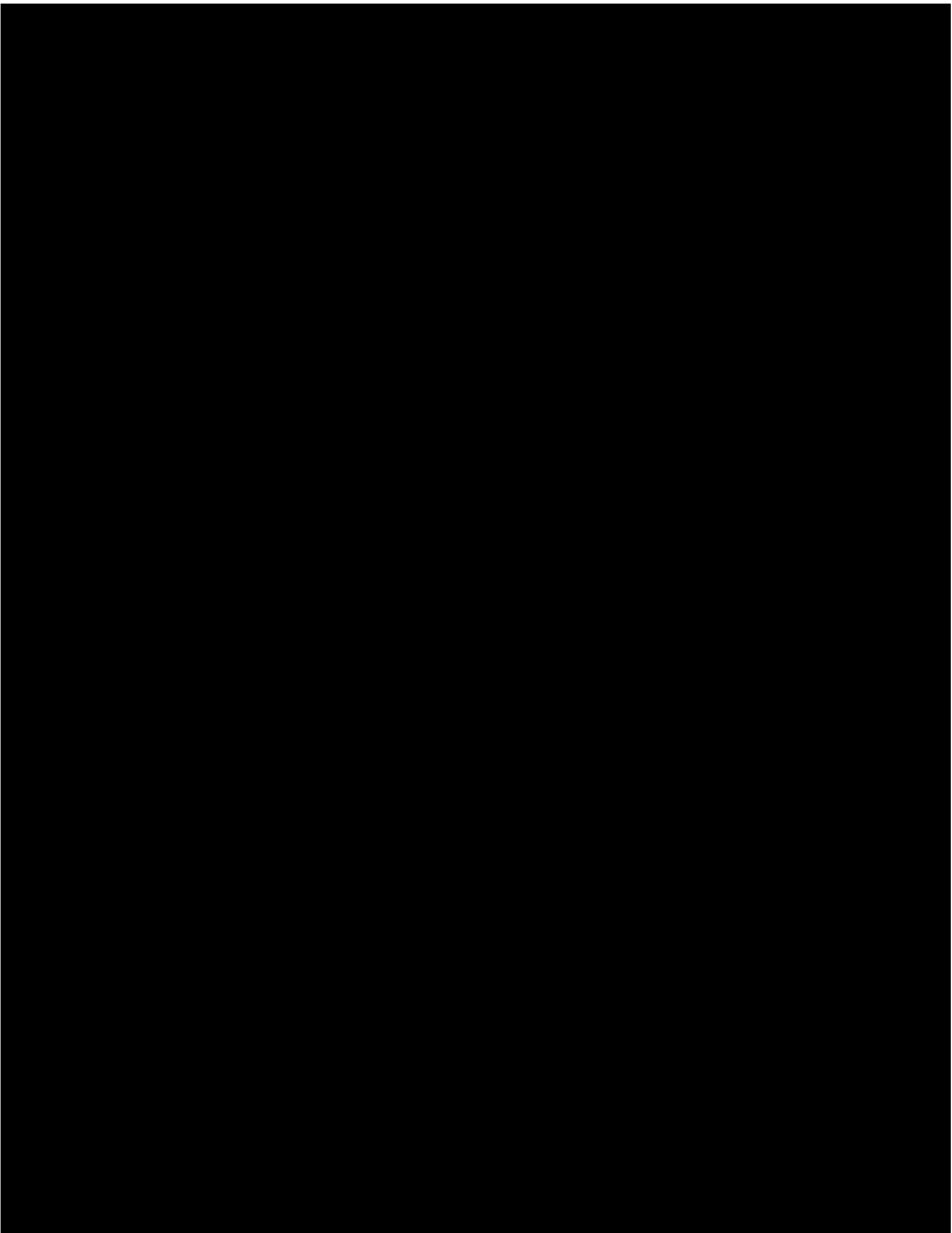


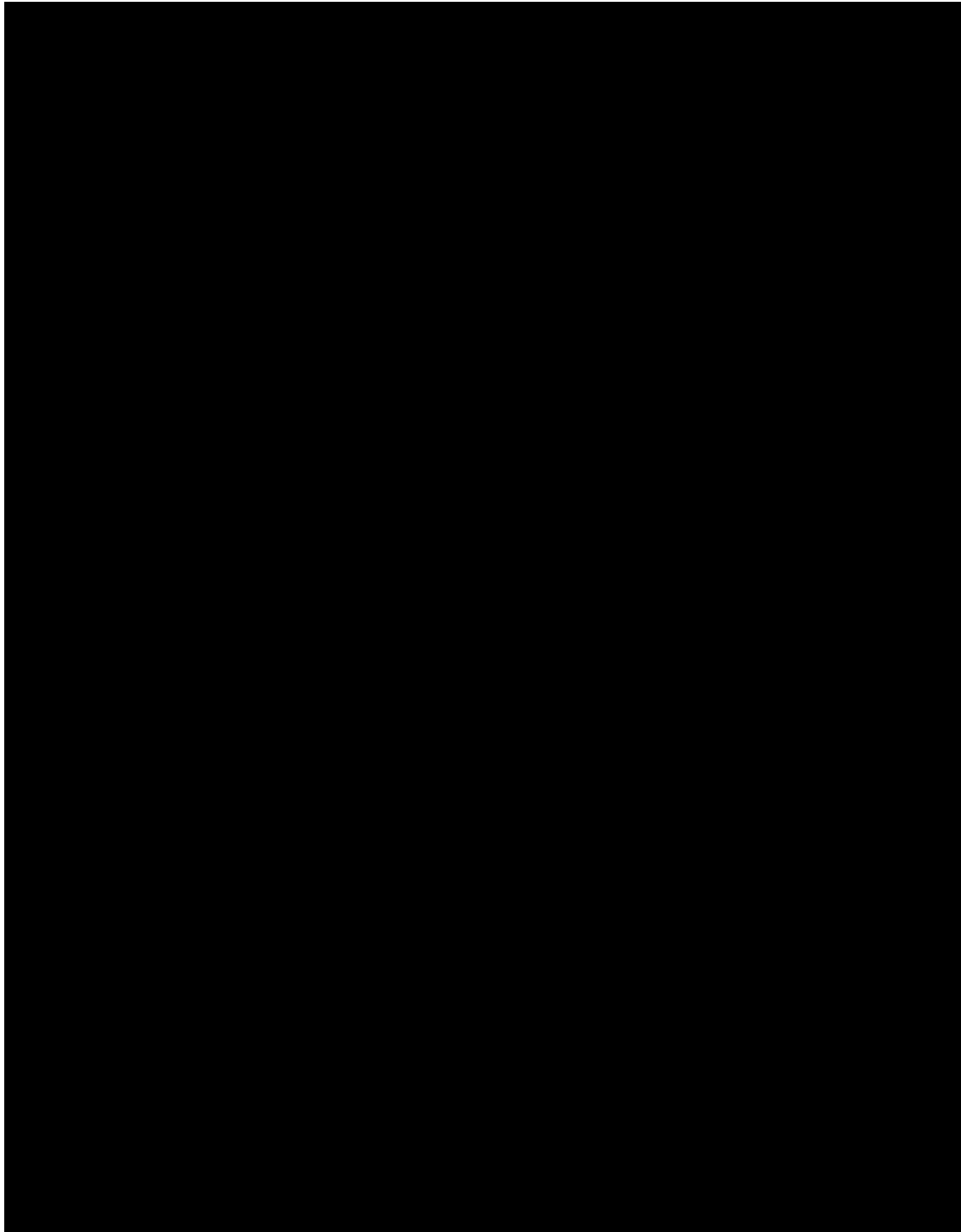


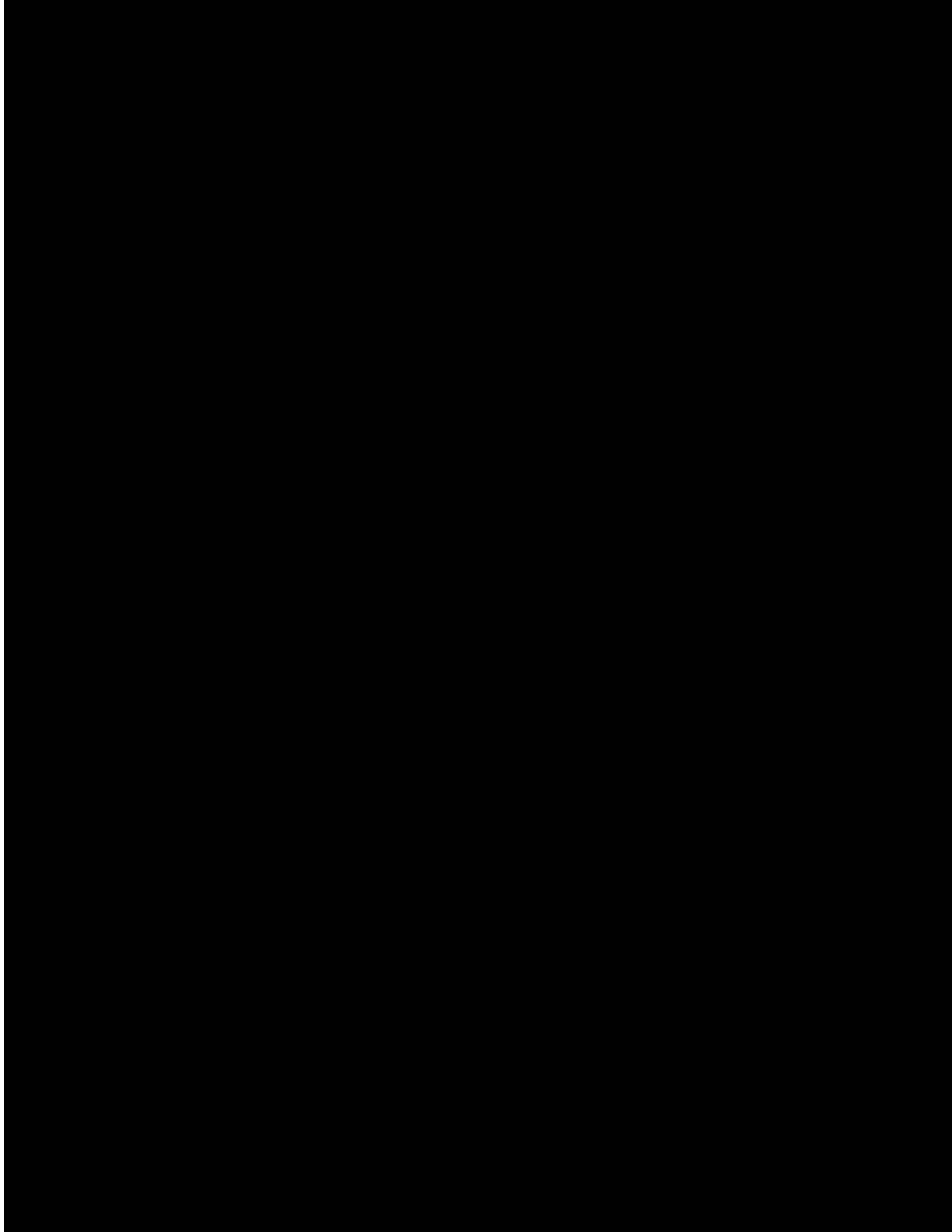




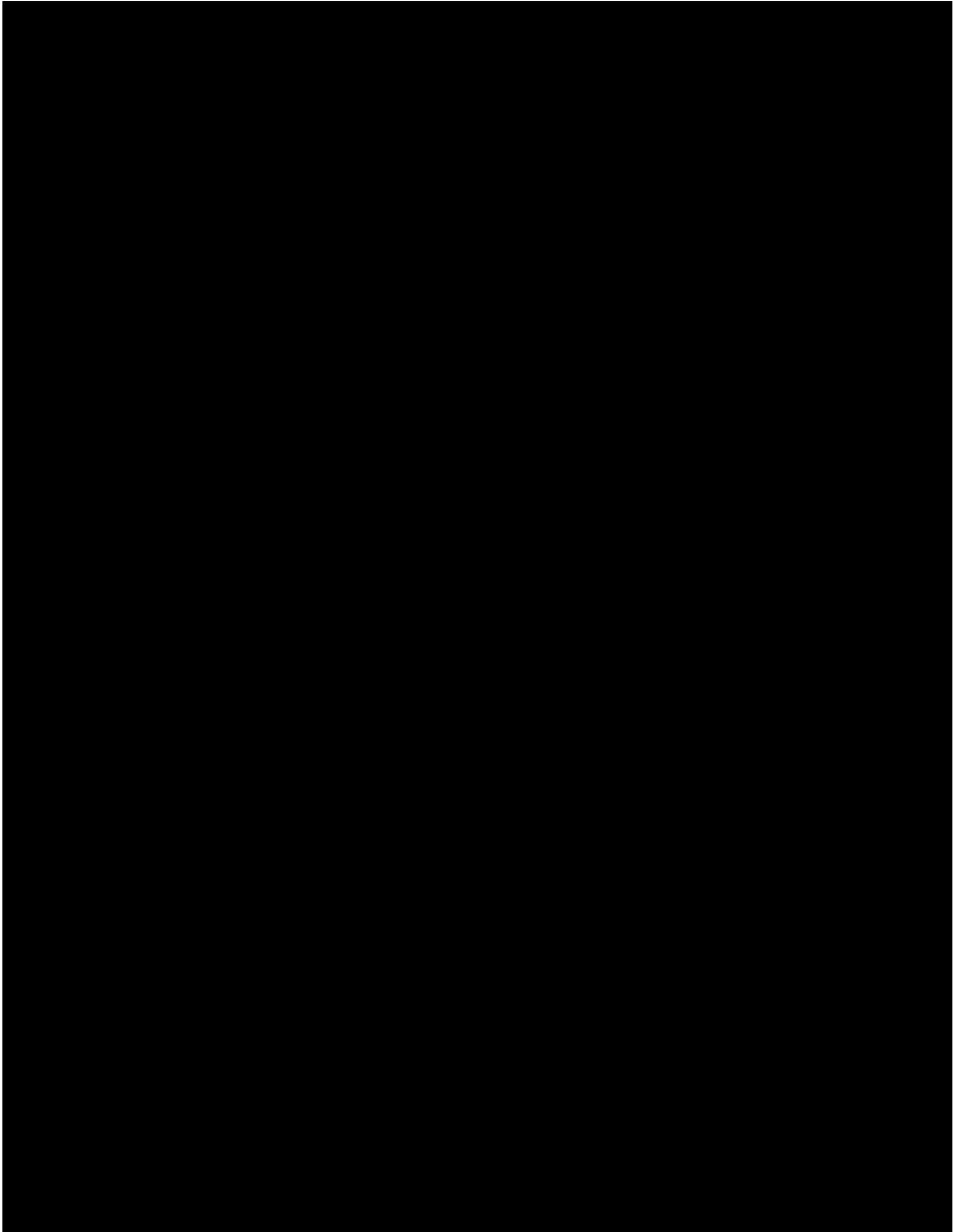


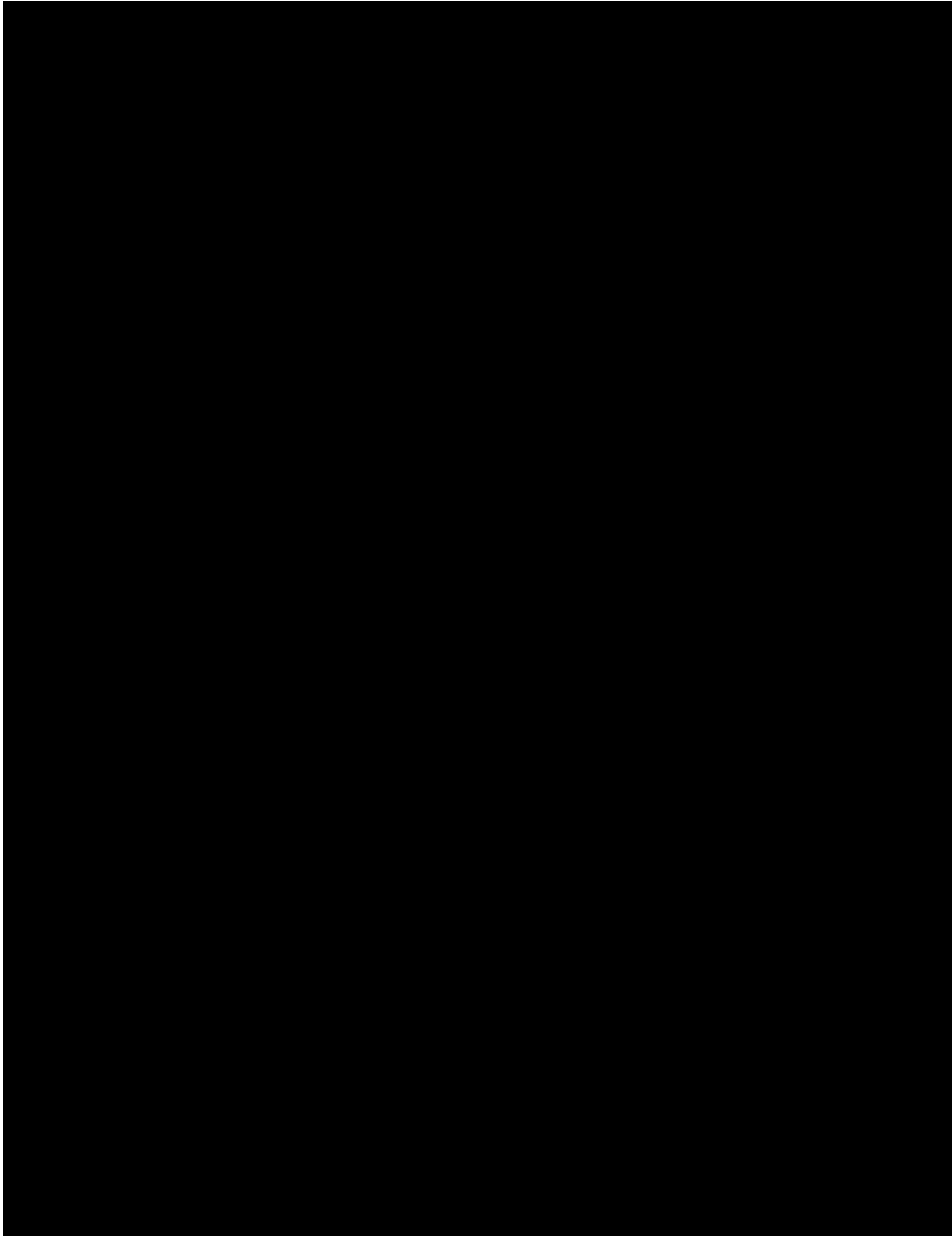


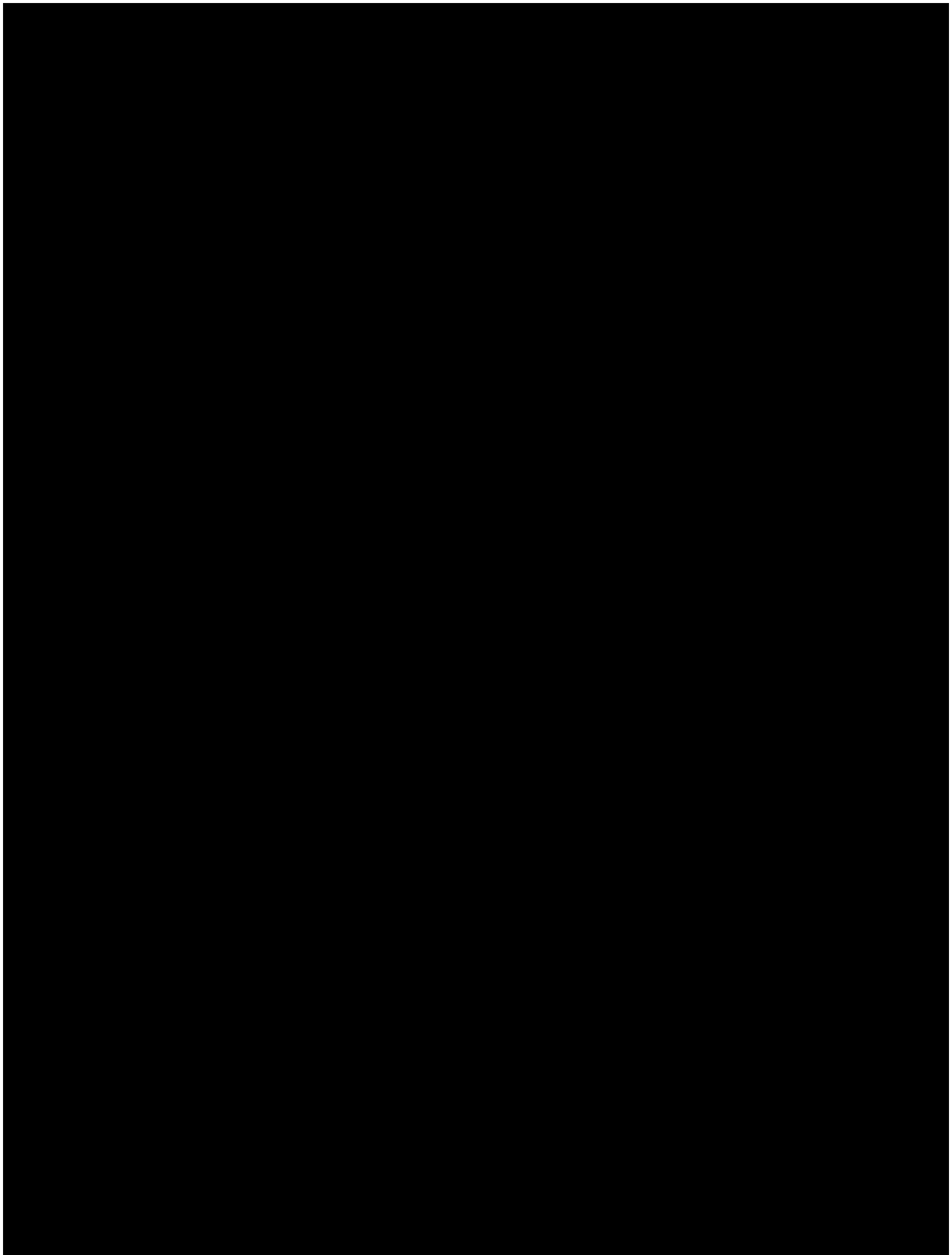














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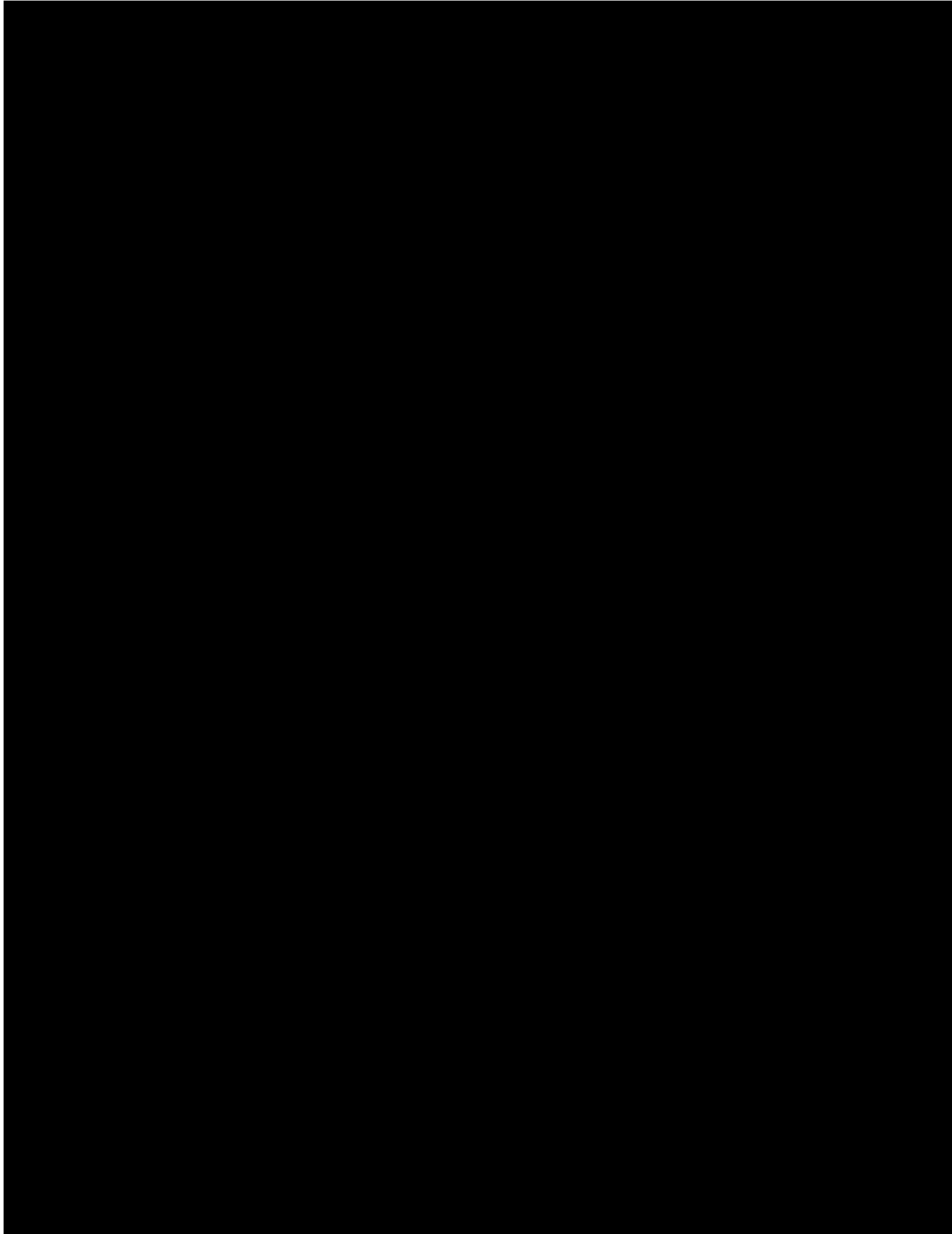
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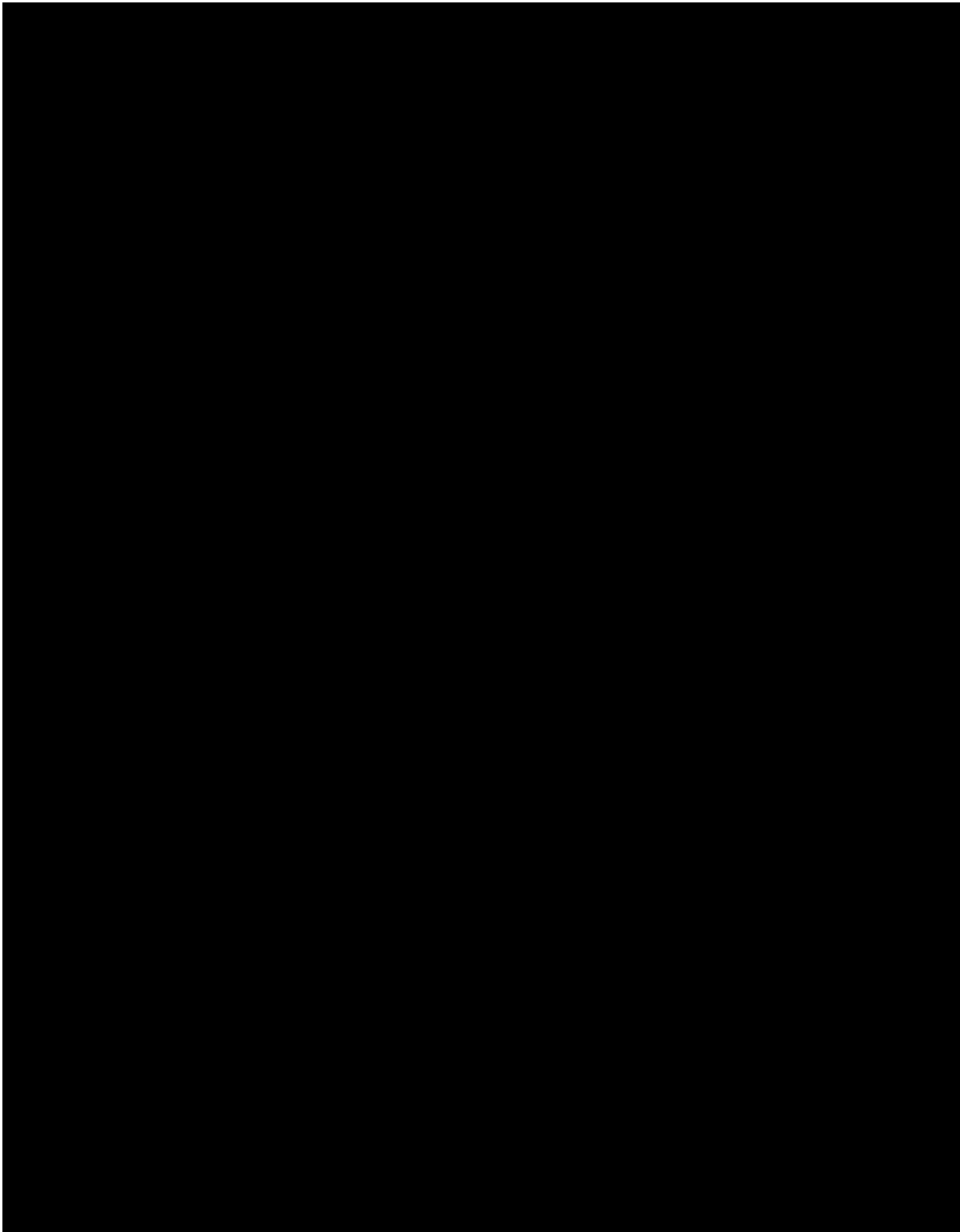
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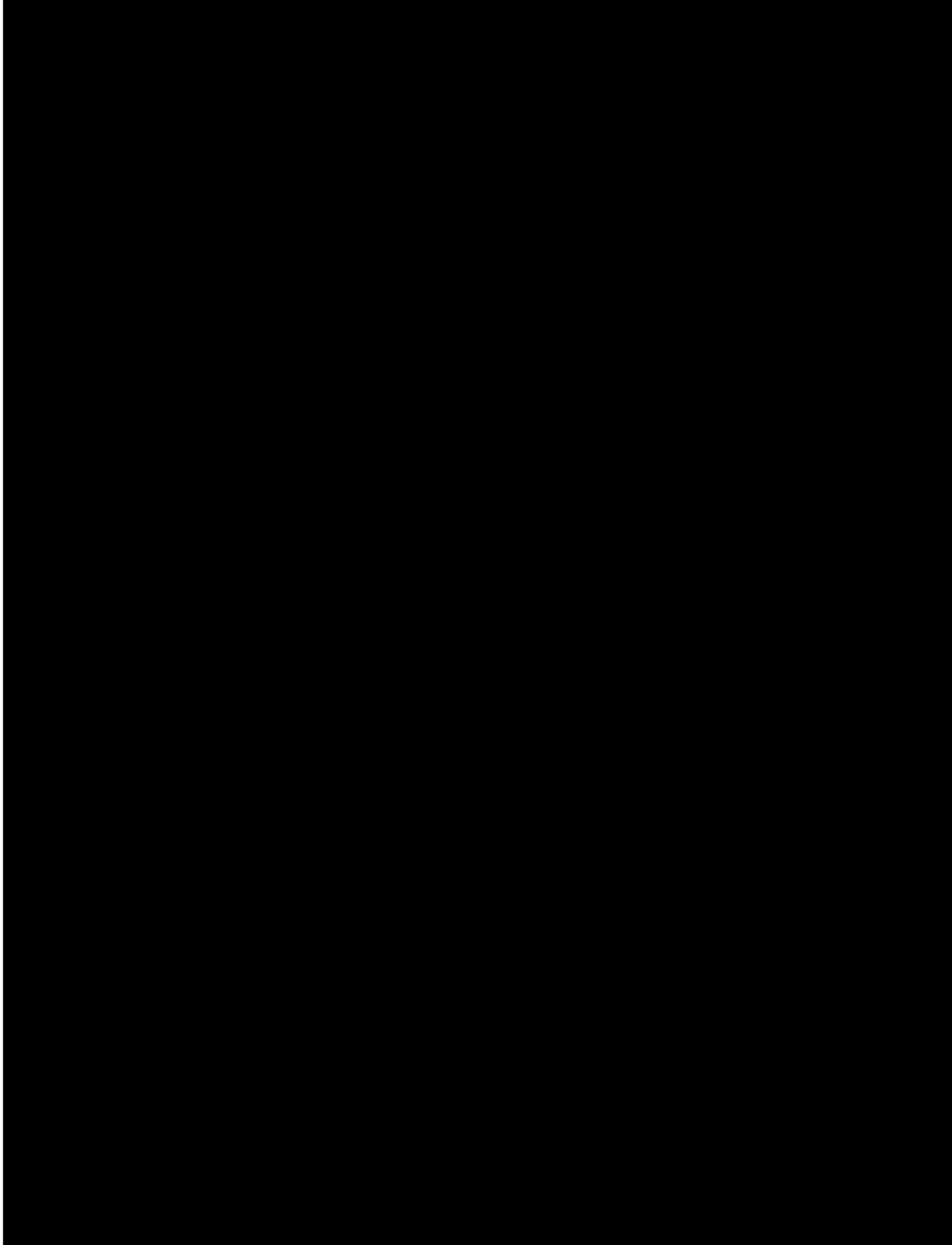
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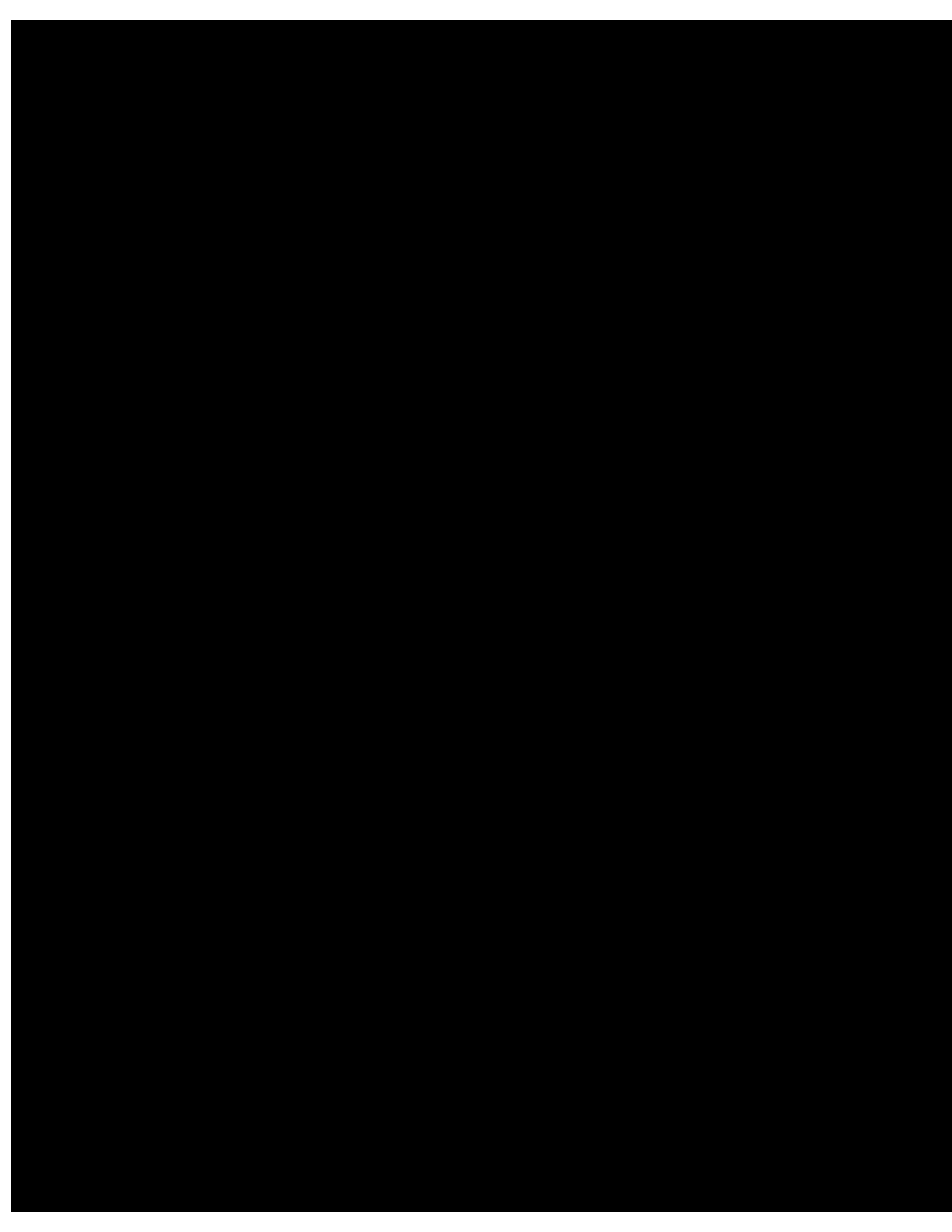
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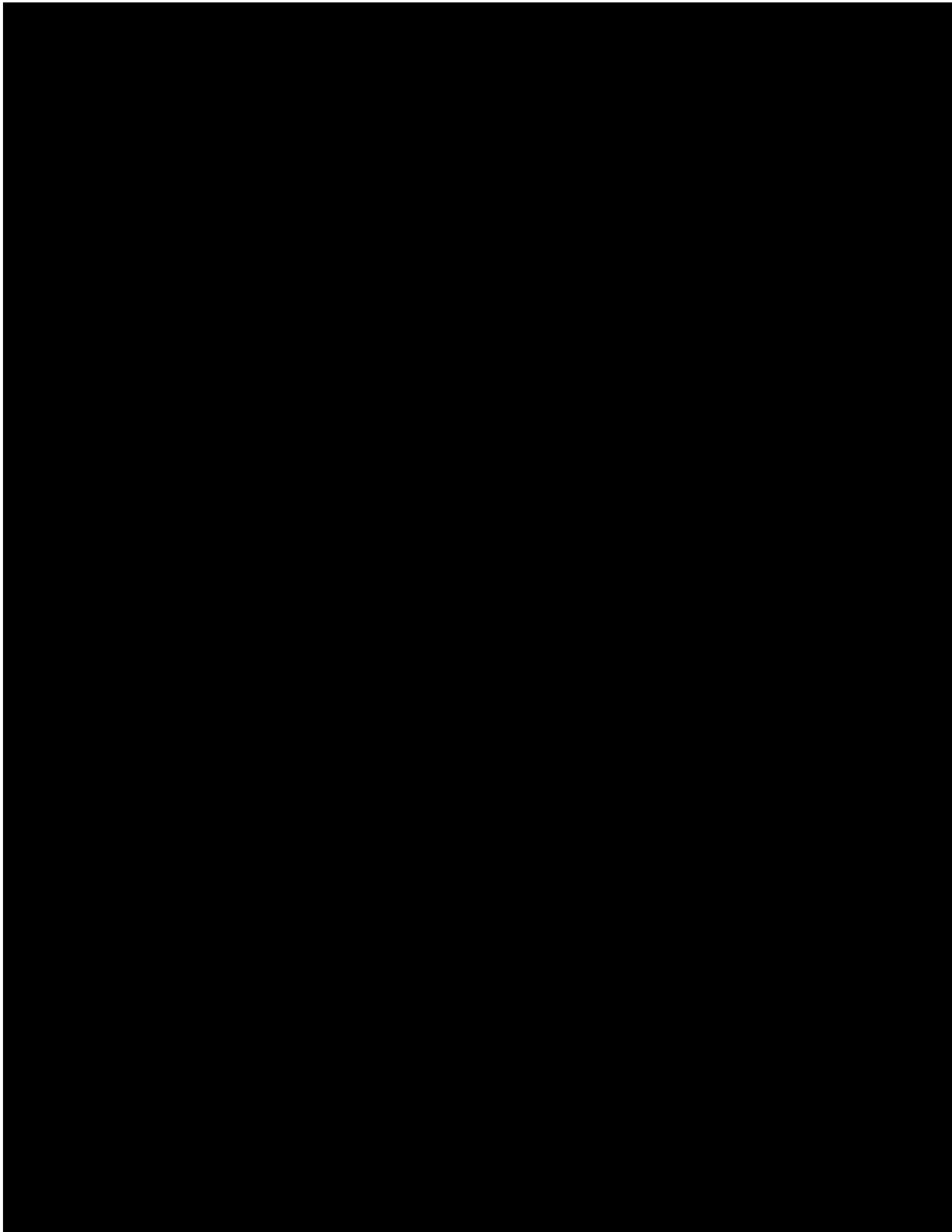


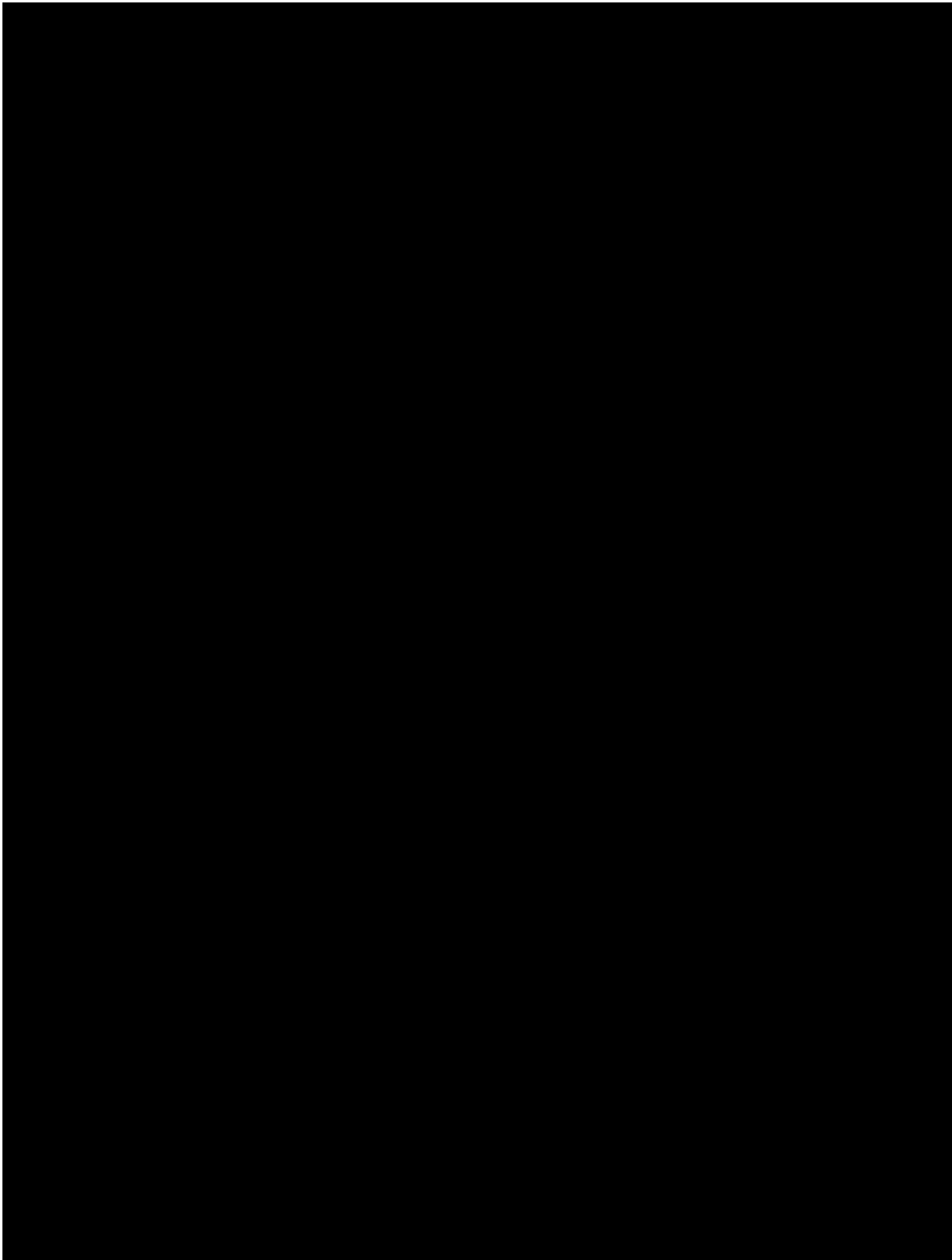


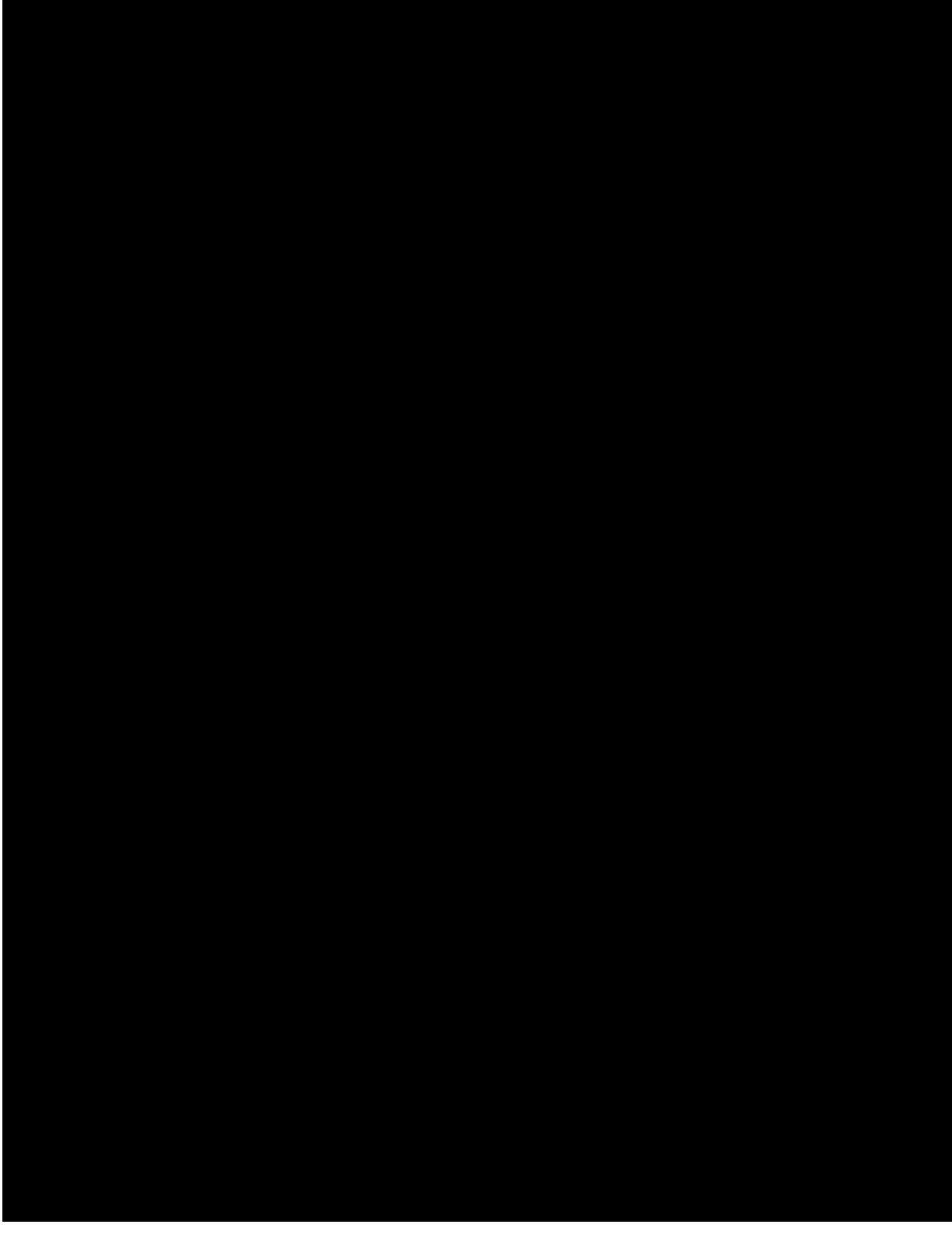


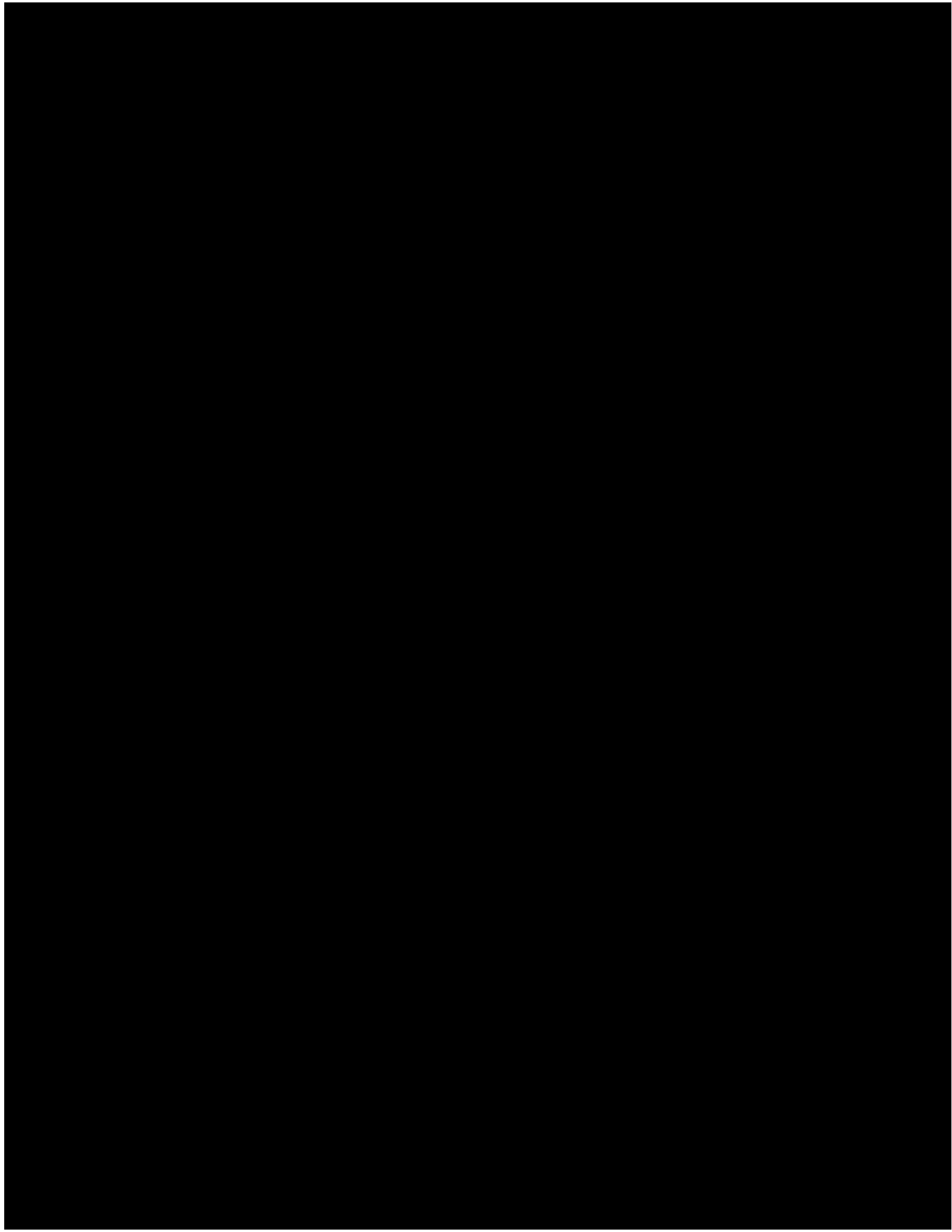


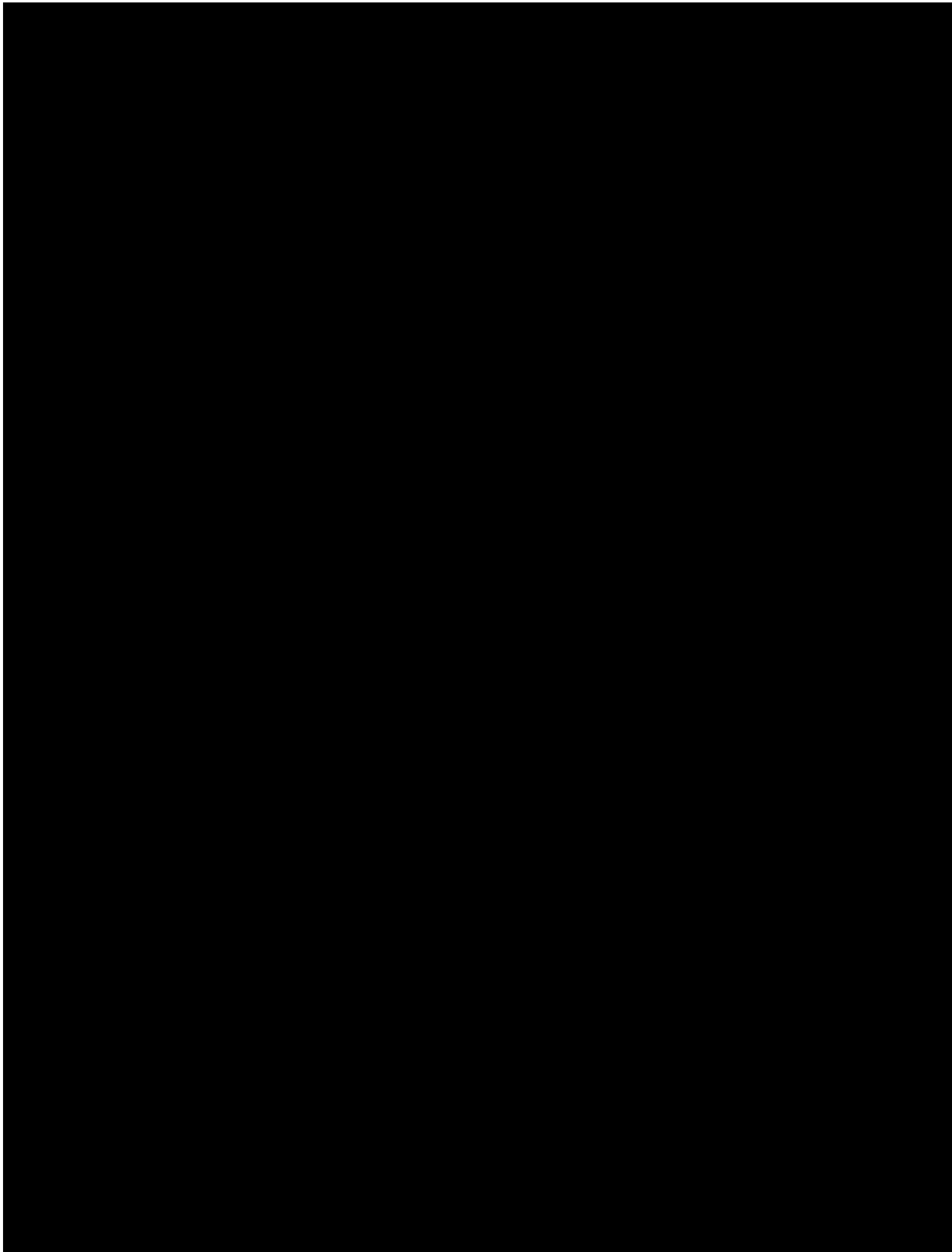


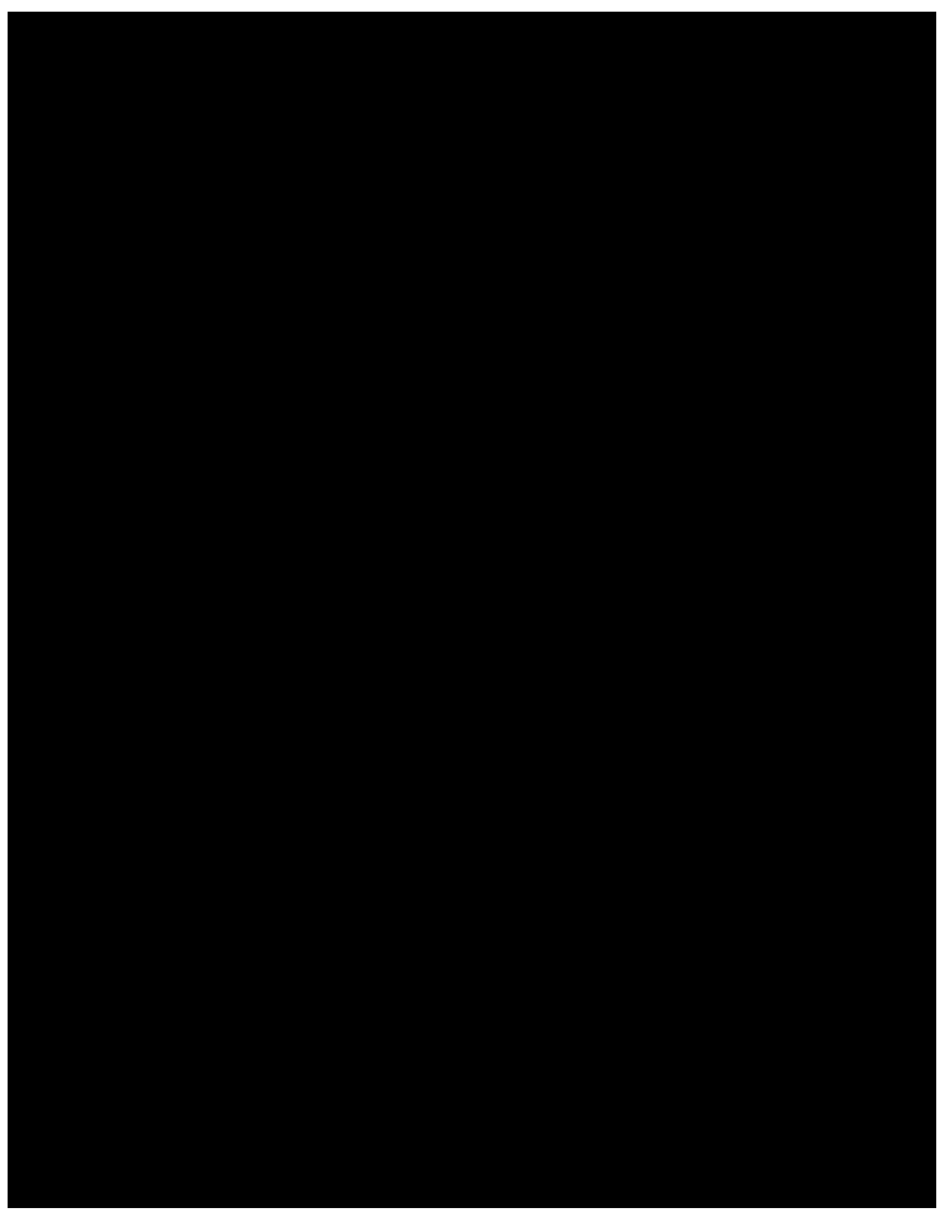


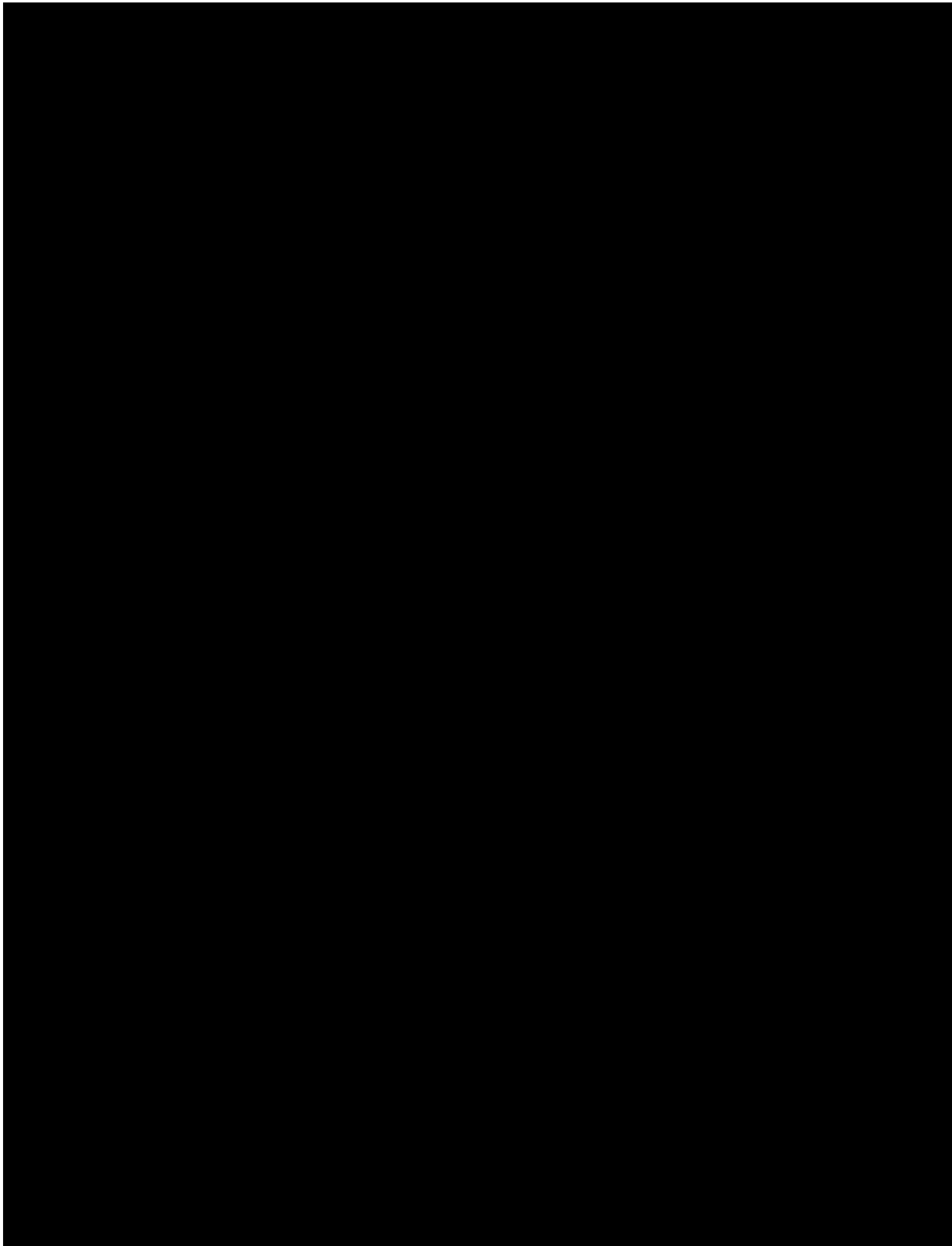




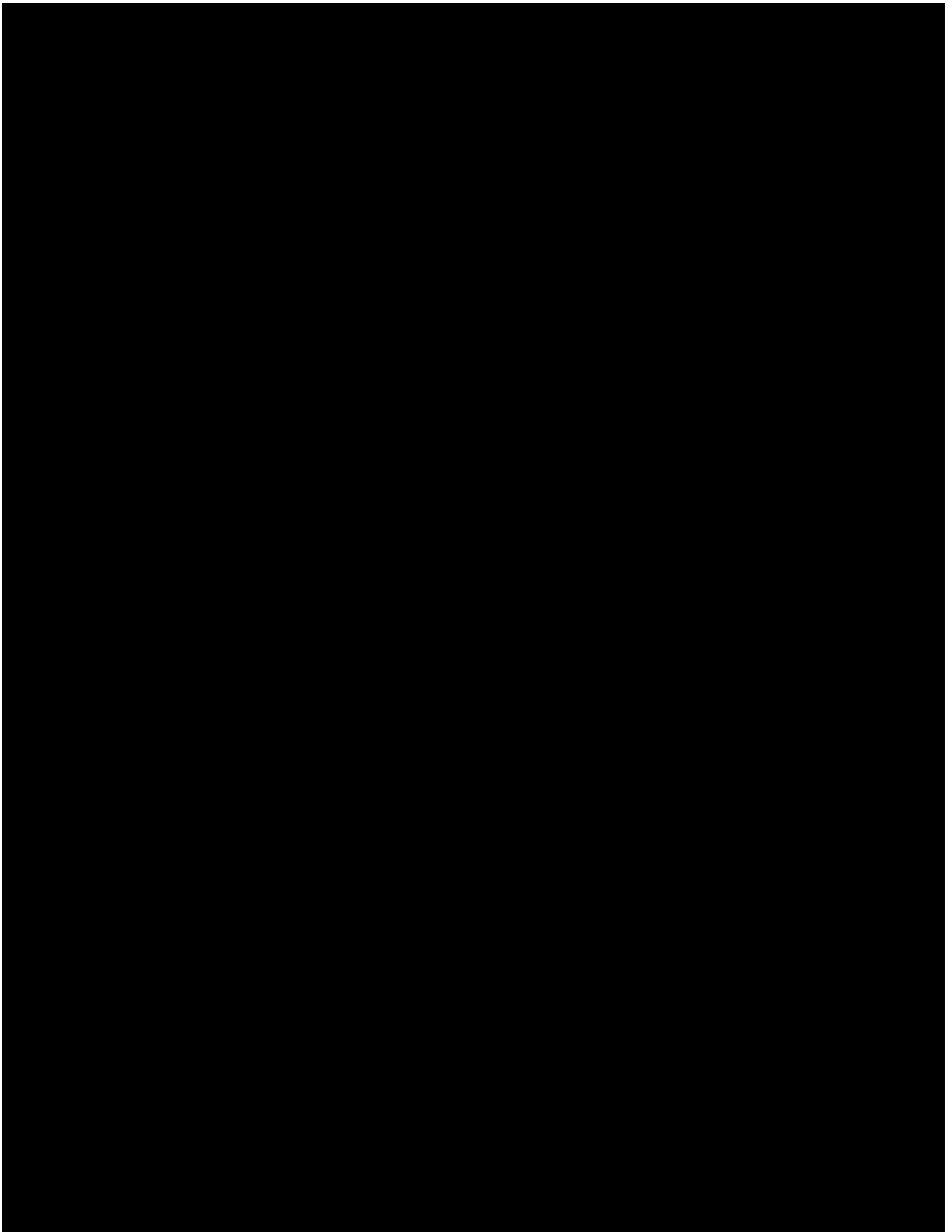


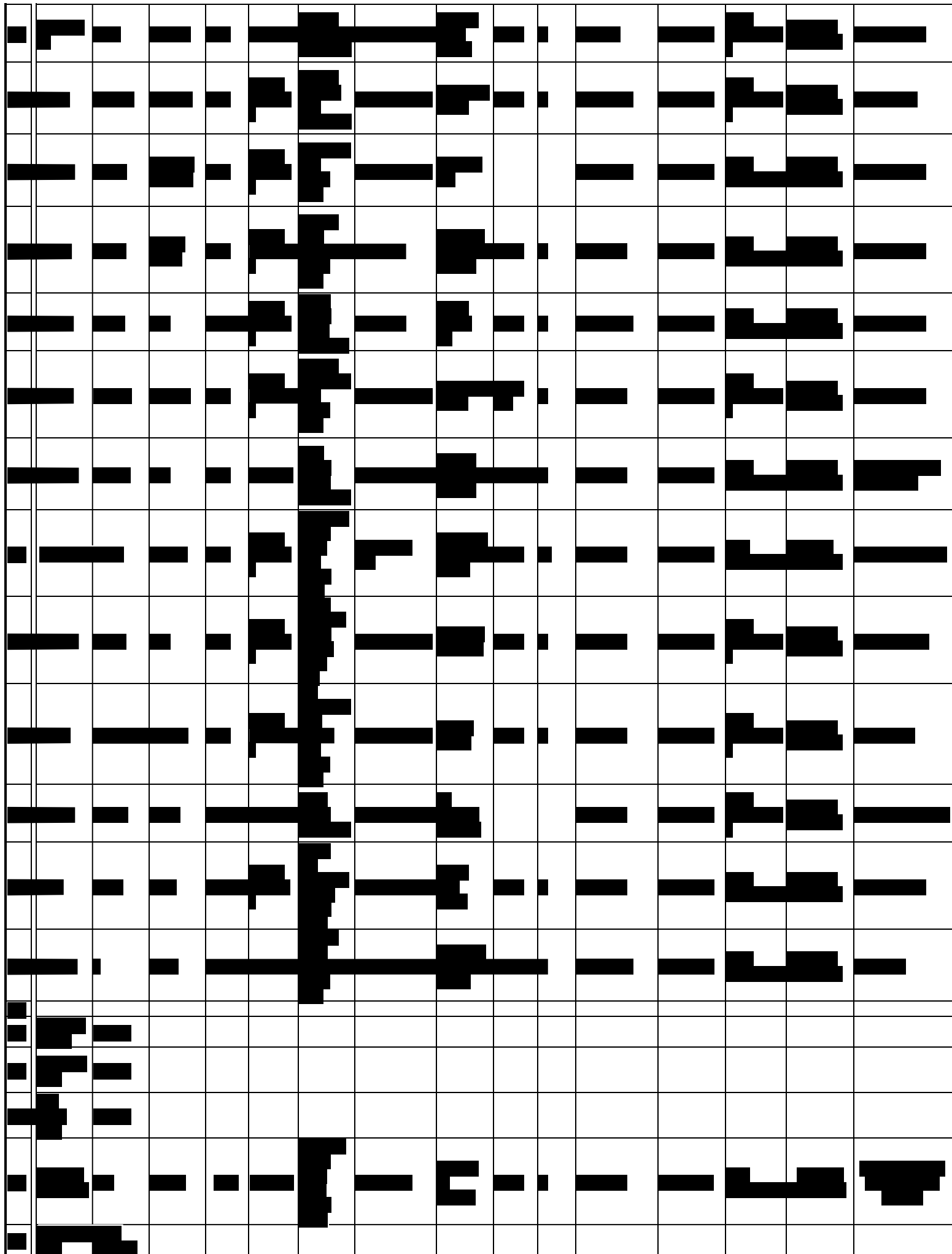


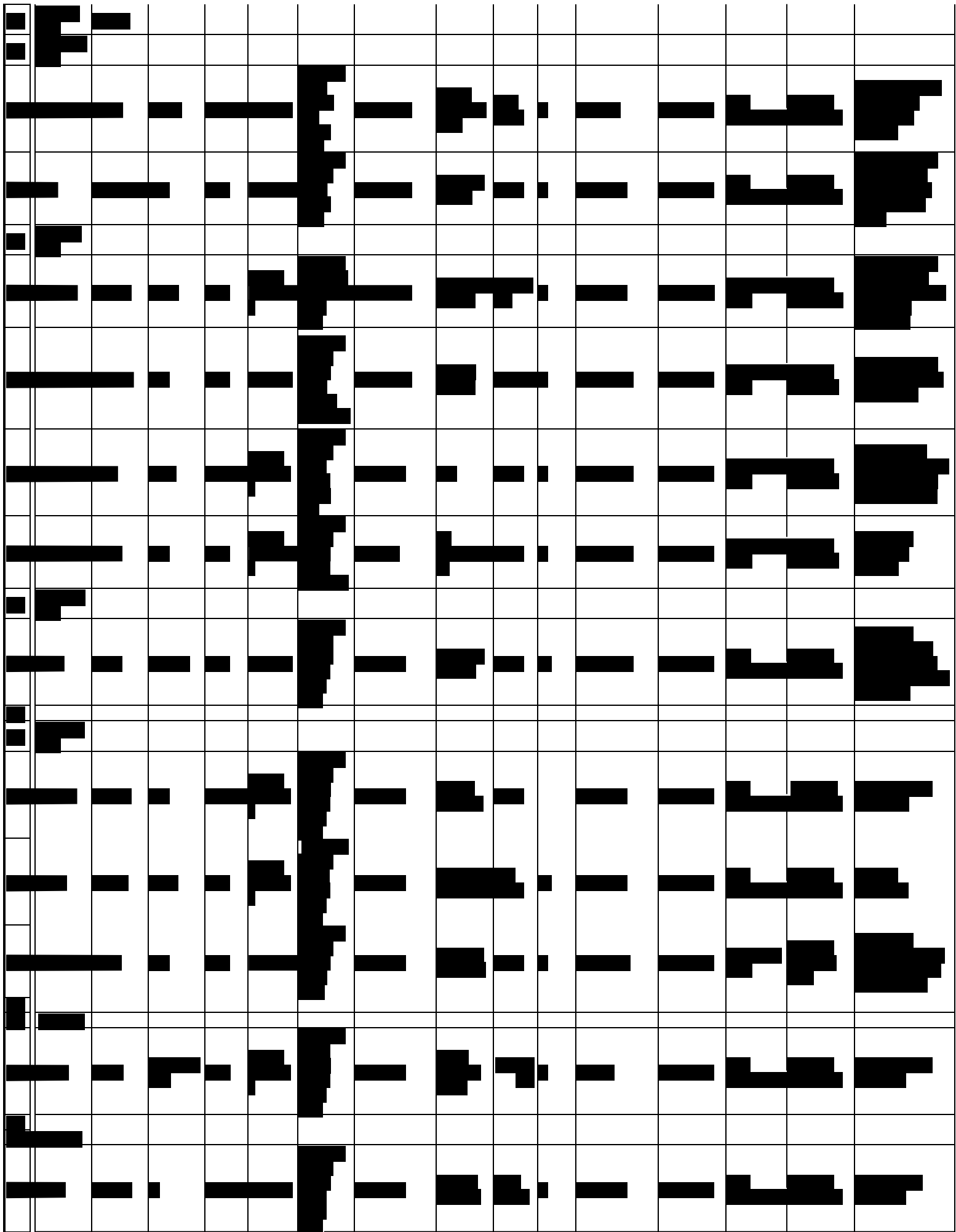


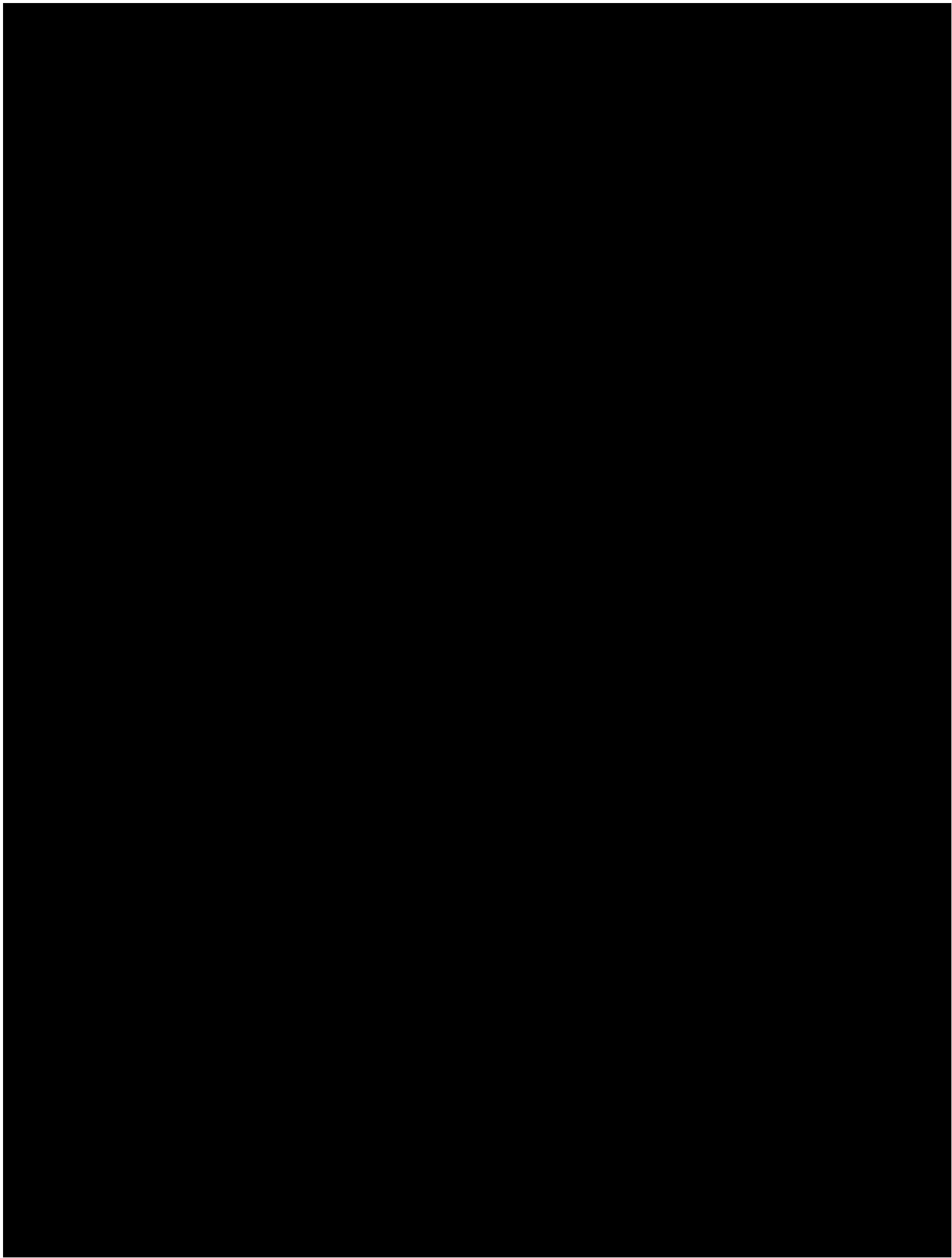


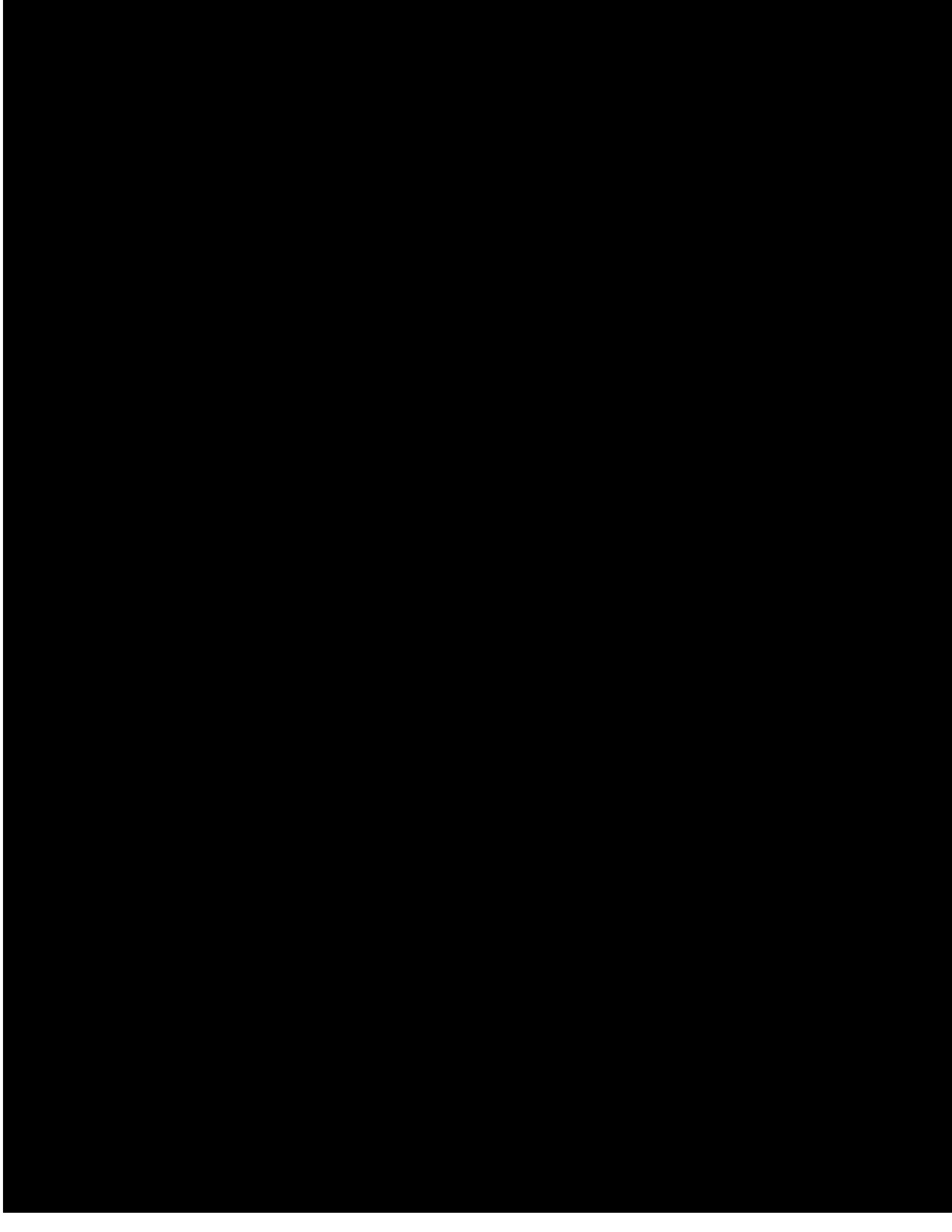


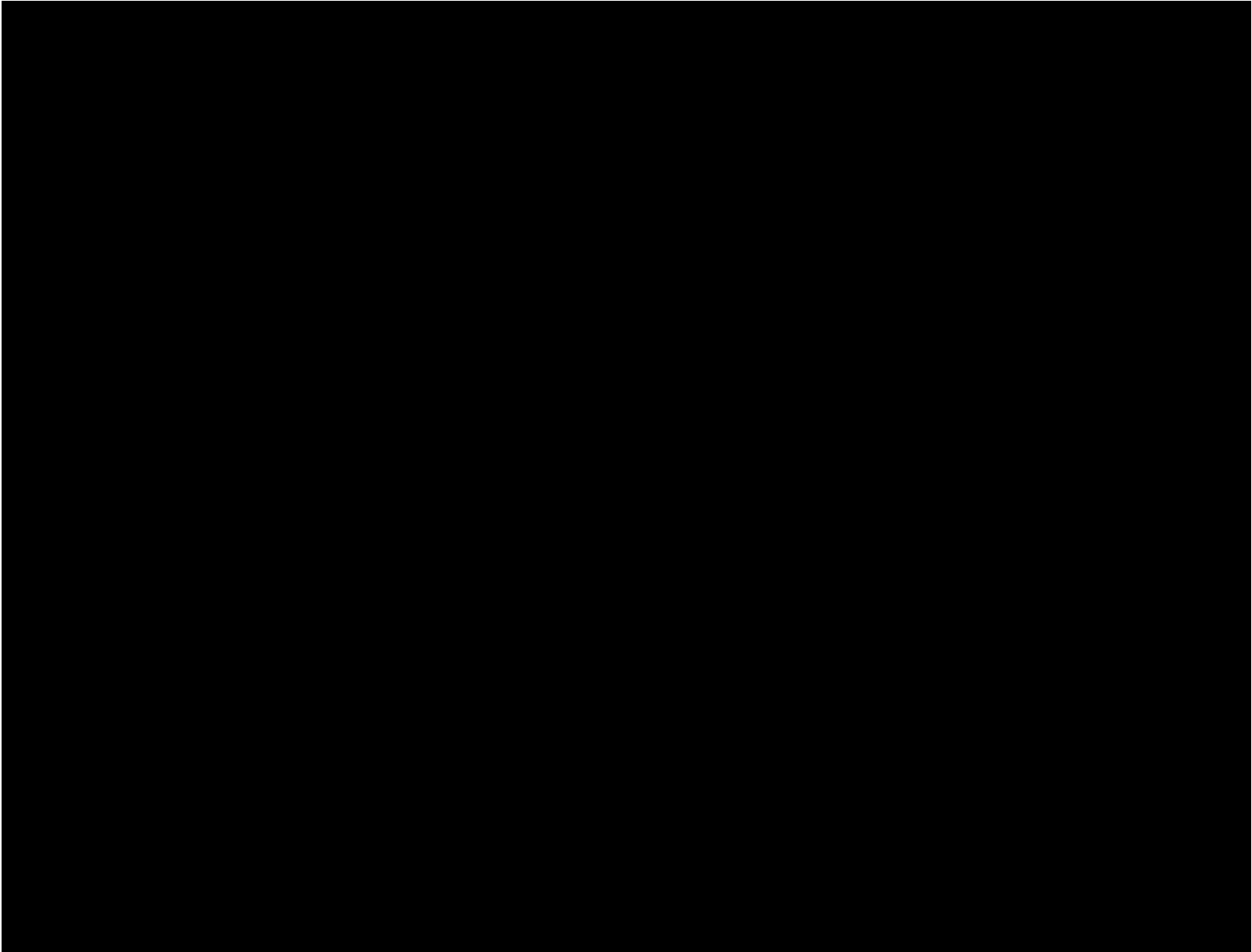




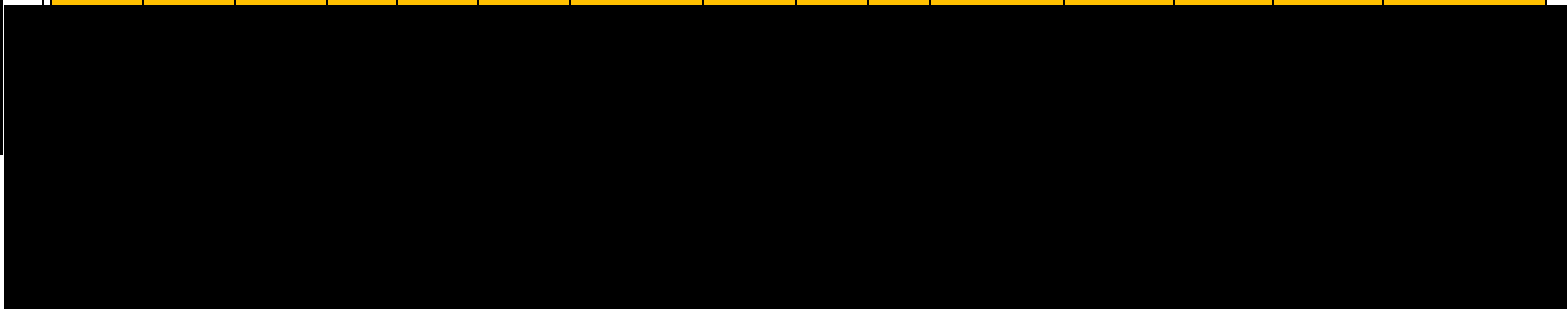








509	Hernandez-Valdez	Lazaro	Pablo	Male	Hispanic	180 LBS., 5'07", Black Hair., Brown Eyes.	12/18/2021	60 NE 14 Street APT 1615	Miami	FL	12/18/2021	Permanent	CMJ00000 2161	Trespass Permanent	Trespass Peramnently for attempting to Manipulateslot Machine operation payoff
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**From:** [Suau, Raul](#)  
**To:** [Beatriz Perez](#)  
**Subject:** information  
**Date:** Tuesday, December 21, 2021 12:00:00 PM  
**Attachments:** [image001.png](#)

---

Good morning,  
please provide any video and surveillance reports in reference to the below security reports.  
CMJ000002160-Omar Alvarez Cala  
CMJ000002161-Lazaro Pablo Hernandez Valdez.

Thank you

Respectfully,

**Raul Suau, Investigation Specialist II**  
[Division of Pari-Mutuel Wagering](#), Office of Investigations  
1400 W Commercial Blvd, Suite 165, Ft. lauderdale, FL 33309  
954-202-6787 Office ~954-202-3930 FAX ~ 954-649-6508 Cell

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**Security Department**

Casino Miami Jal-Alai - 3500 NW 37th Ave. Miami, FL 33142  
(305) 633-6400 - casinomiamijalal.com

**CMJ-000002161 - Patron - Trespass Permanent - Reported 12/18/2021 03:35**

<b>Author:</b> Stehson Covington 10847591	<b>Report Number:</b> CMJ-000002161
<b>Start Time:</b> 12/18/2021 03:35	<b>End Time:</b> 12/18/2021 03:43
<b>Report Group:</b> Exclusion Reports	<b>Report Type:</b> Patron - Trespass Permanent
<b>Note:</b> Lazaro Pablo Hernandez-Valdez	
<b>Location / Origin:</b> Slot Machine Bank FM	
<b>Linked Reports:</b> CMJ-000002160	

**Person**

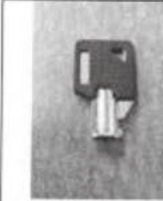
<b>Name:</b> Lazaro Pablo Hernandez-Valdez	<b>Alias:</b>
<b>Race:</b> Hispanic	<b>Gender:</b> Male
<b>Eye color:</b> Brown	<b>Hair color:</b> Black



20211218\_021058



20211218\_023159



**Narrative**

At approximately 1:24am Sky informed S4 Covington that two male patrons were attempting to use a key to manipulate an electronic roulette game. S4 Covington then called Mr. Licciardi before meeting with MPD Laster & Blanc. S4 Covington and both MPD officers approached one of the male patrons at the electronic roulette table (FM07) and the other at the Rio Bar before escorting them to SOC. The male patron that was at the Rio Bar (who was identified as Lazaro Pablo Hernandez-Valdez. FL Lic. #H655-535-88-093-0) denied tampering with the machine despite Sky having visual confirmation that was emailed to S4 Covington for MPD Laster to see (and their key that that was later found in a trash can behind the machine). The patron was then permanently trespassed and informed that if he returns to the casino, he will be arrested. The found key used to "Manipulate the Slot Machine Operation Payoff has been preserved with this report in the event another attempt is made by the same offenders a course of conduct can be shown.

Signature A

Date

Signature B

Date



# Casino MIAMI

## EXCLUSION STATEMENT

DATE: 12-18-21

TIME: 2:04am

Issued to:  
NAME: Lazaro Pablo Hernandez-Valdez INCIDENT REPORT # \_\_\_\_\_

Address: 60 NE 14 St Apt 1615

CITY, STATE, ZIP CODE: Miami, FL 33132

DOB: [REDACTED] DL/ID # [REDACTED]

I, represent the owner of Casino Miami, LLC located at 3500 N.W. 37 Avenue Miami, Florida 33142. I am informing you that you are barred from these premises for the time period of (check one):

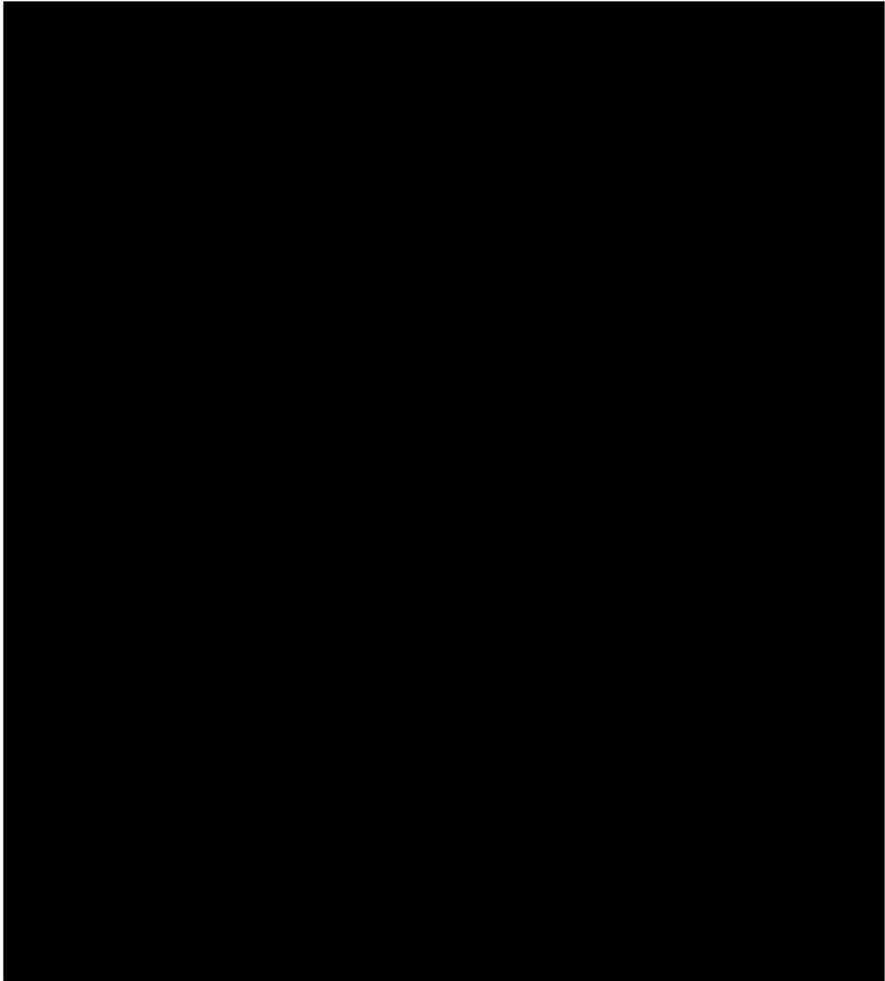
- For a Period of 1 Year       For a Period of 5 Years  
 For a Period of 2 Years       PERMANENTLY

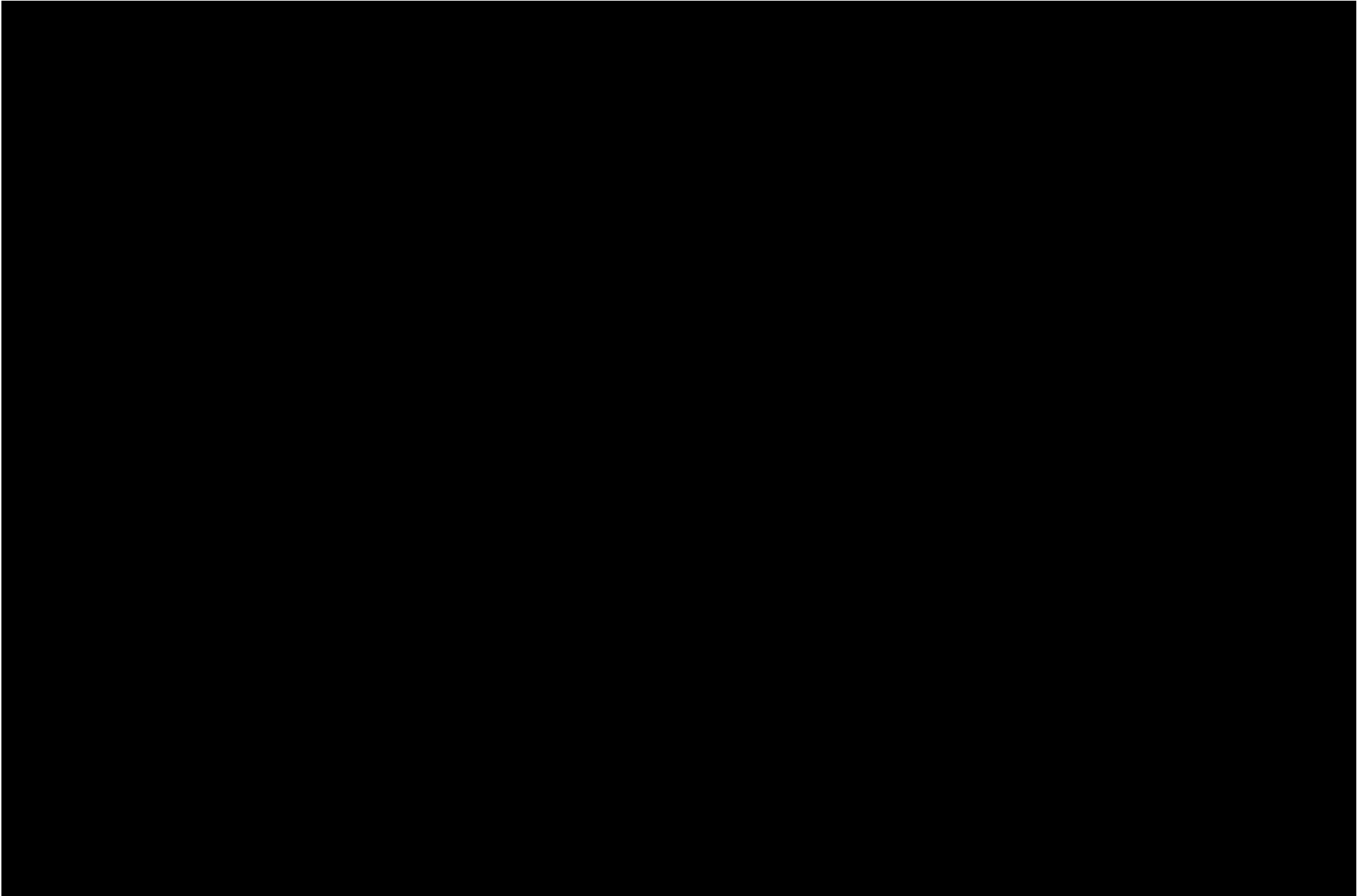
If you refuse to leave or leave and ever return during the period of exclusion, you will be ARRESTED FOR TRESPASSING in accordance with FLORIDA STATUTE 810.08. Before returning to the premises and/or upon expiration of self-exclusion, you must first contact the Security Department or Director of State Compliance for reinstatement through a written or verbal request in person. Reinstatement request will be sent to Tallahassee State Office for approval. Upon State approval, Casino Miami will inform you of it. If you return to the premises prior to the reinstatement approval, regardless of self-exclusion expiration date, Florida Statute 810.08 still abides and you will be ARRESTED FOR TRESPASSING. Casino Miami reserves the right to deny reinstatement.

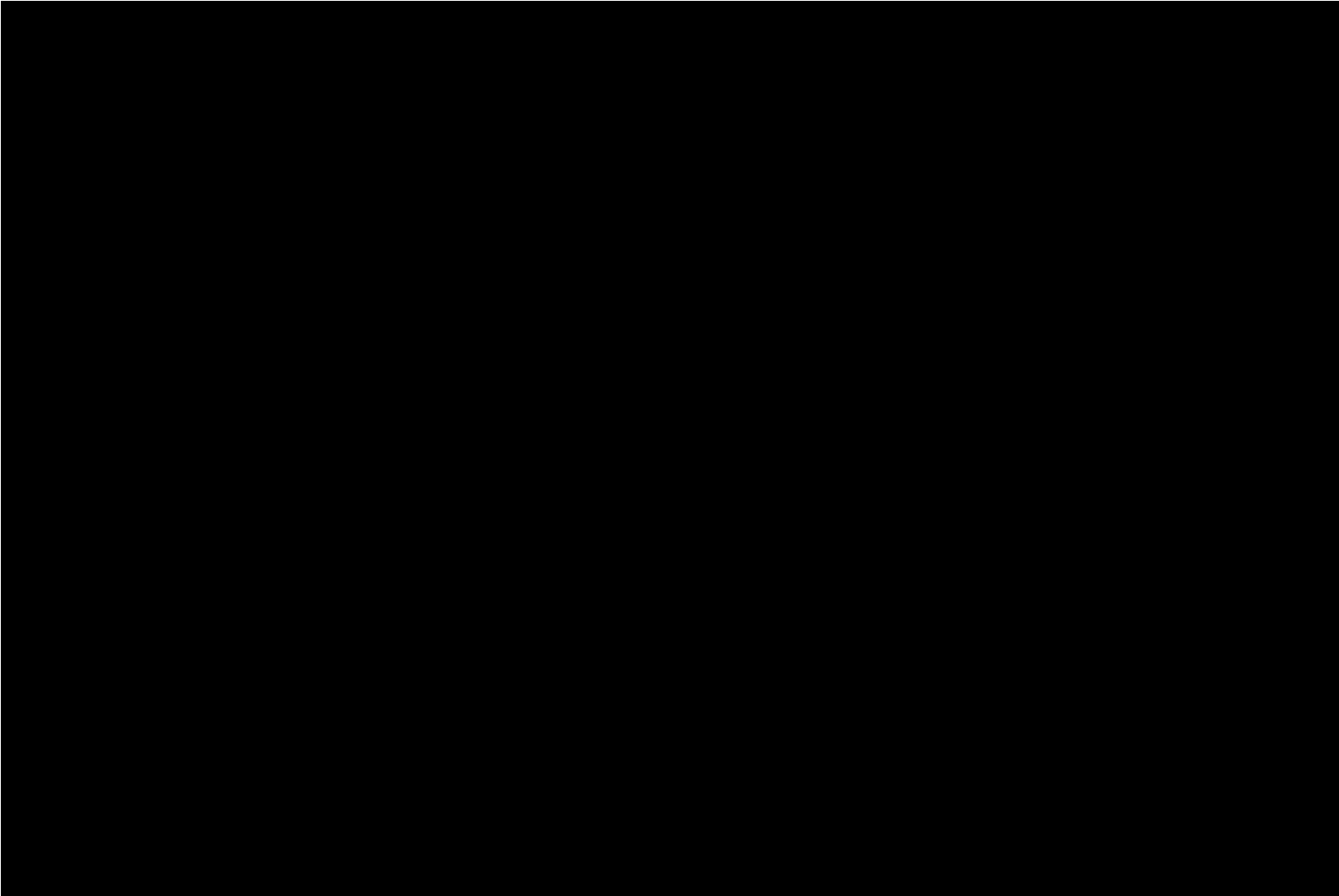
Owner Representative: Stehson Covington (PRINT) Signature: [Signature]

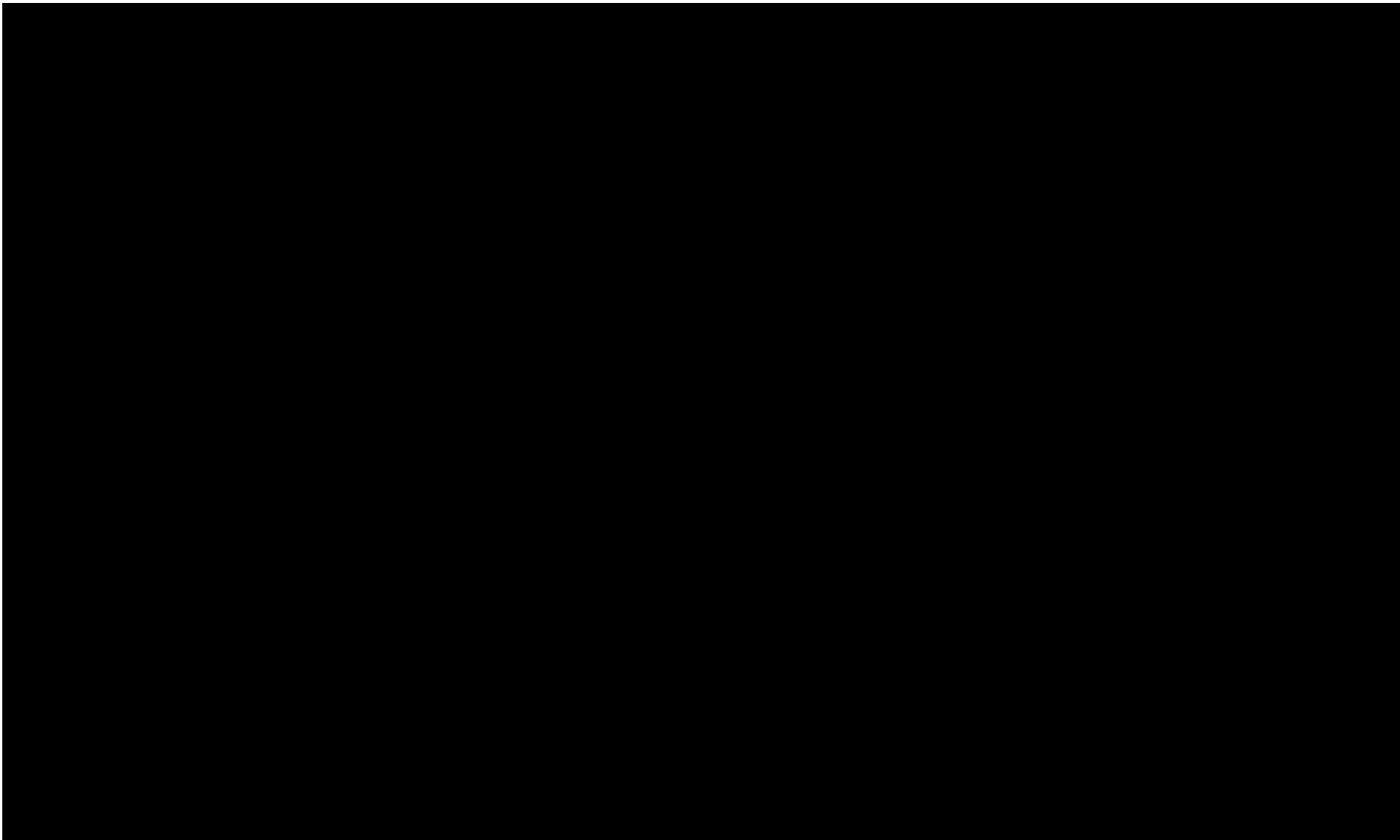
Patron Name: Lazaro P. Hernandez (PRINT) Signature: [Signature]

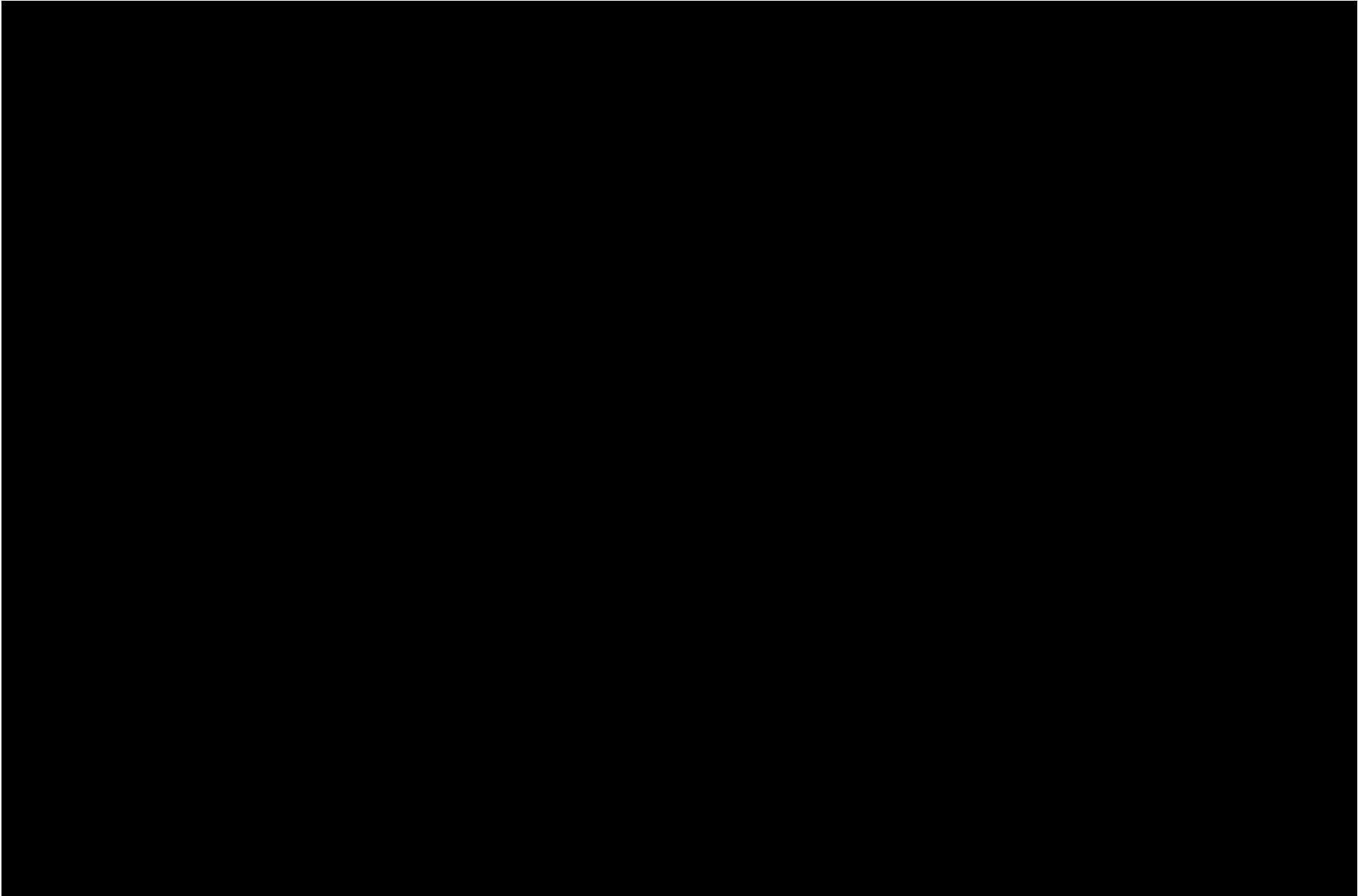
Witness: Carole Blanc (PRINT) Signature: [Signature]

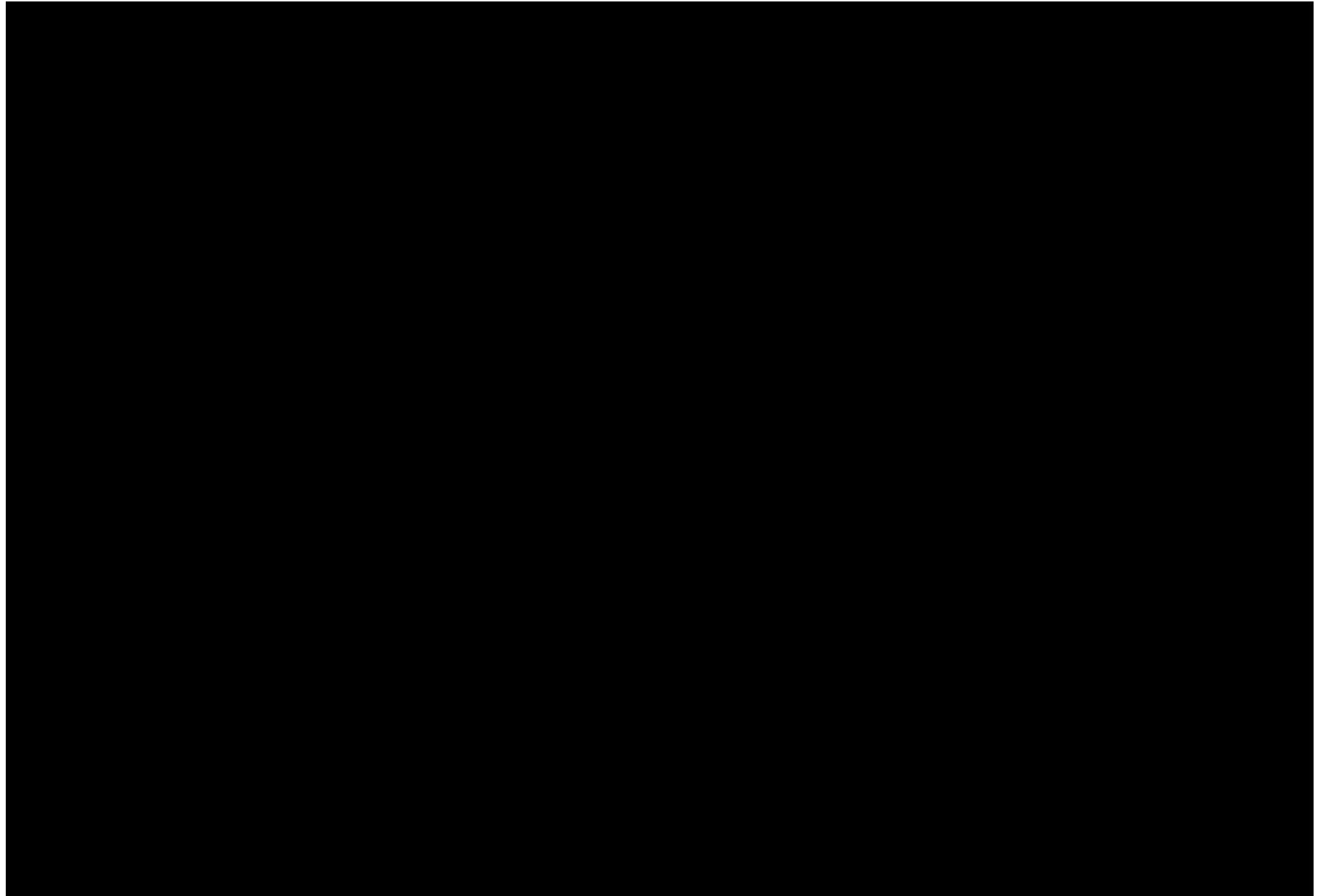


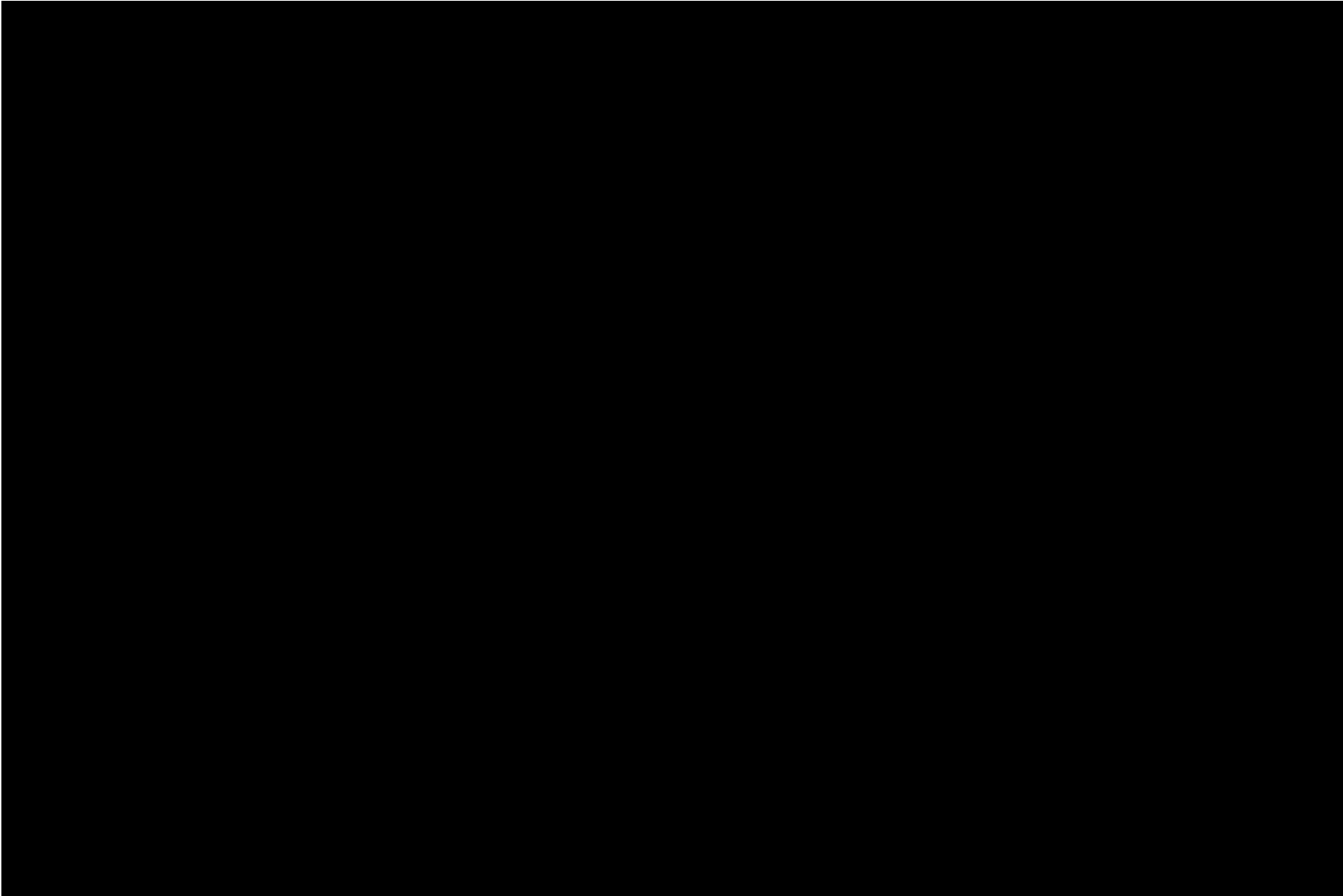




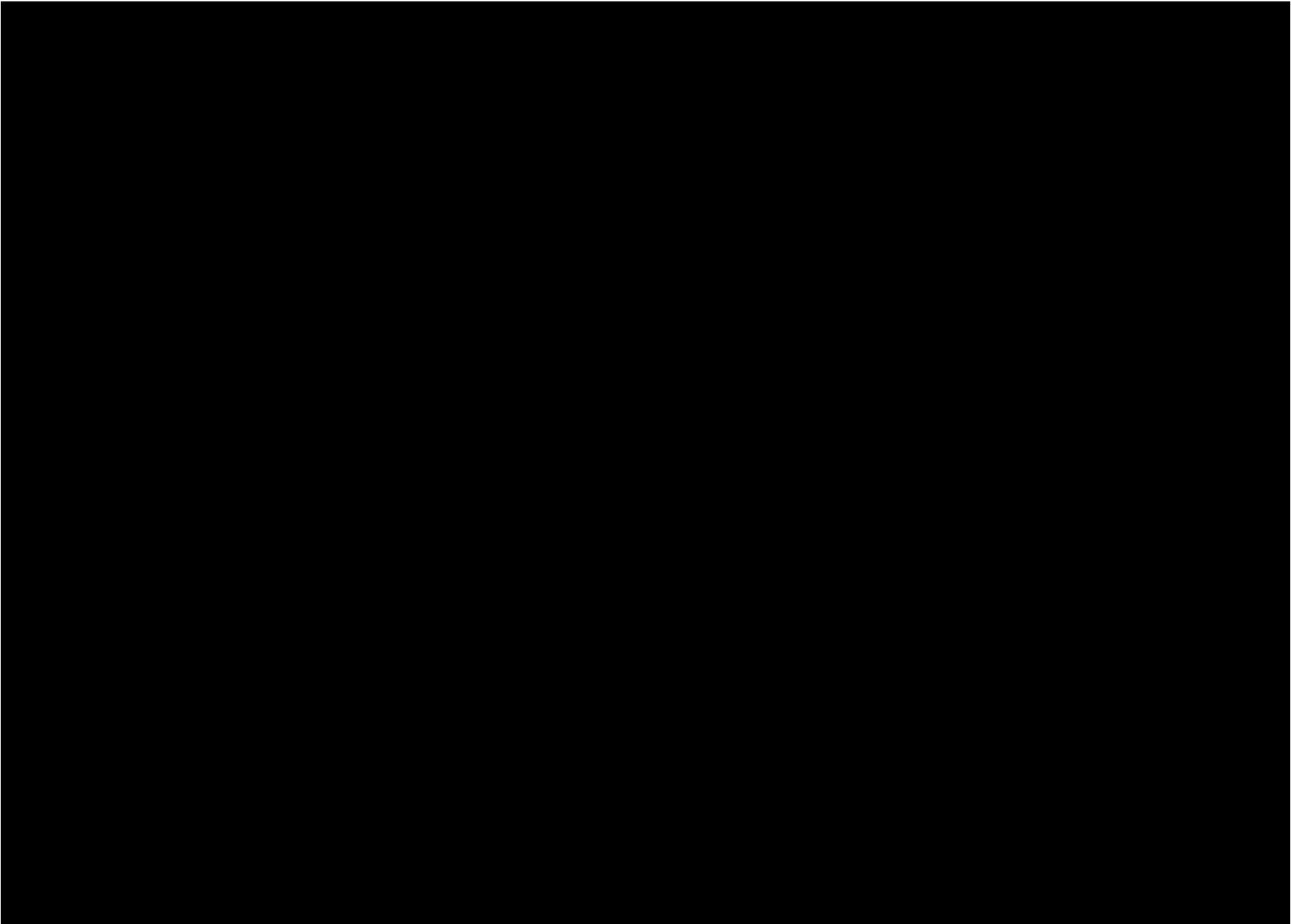


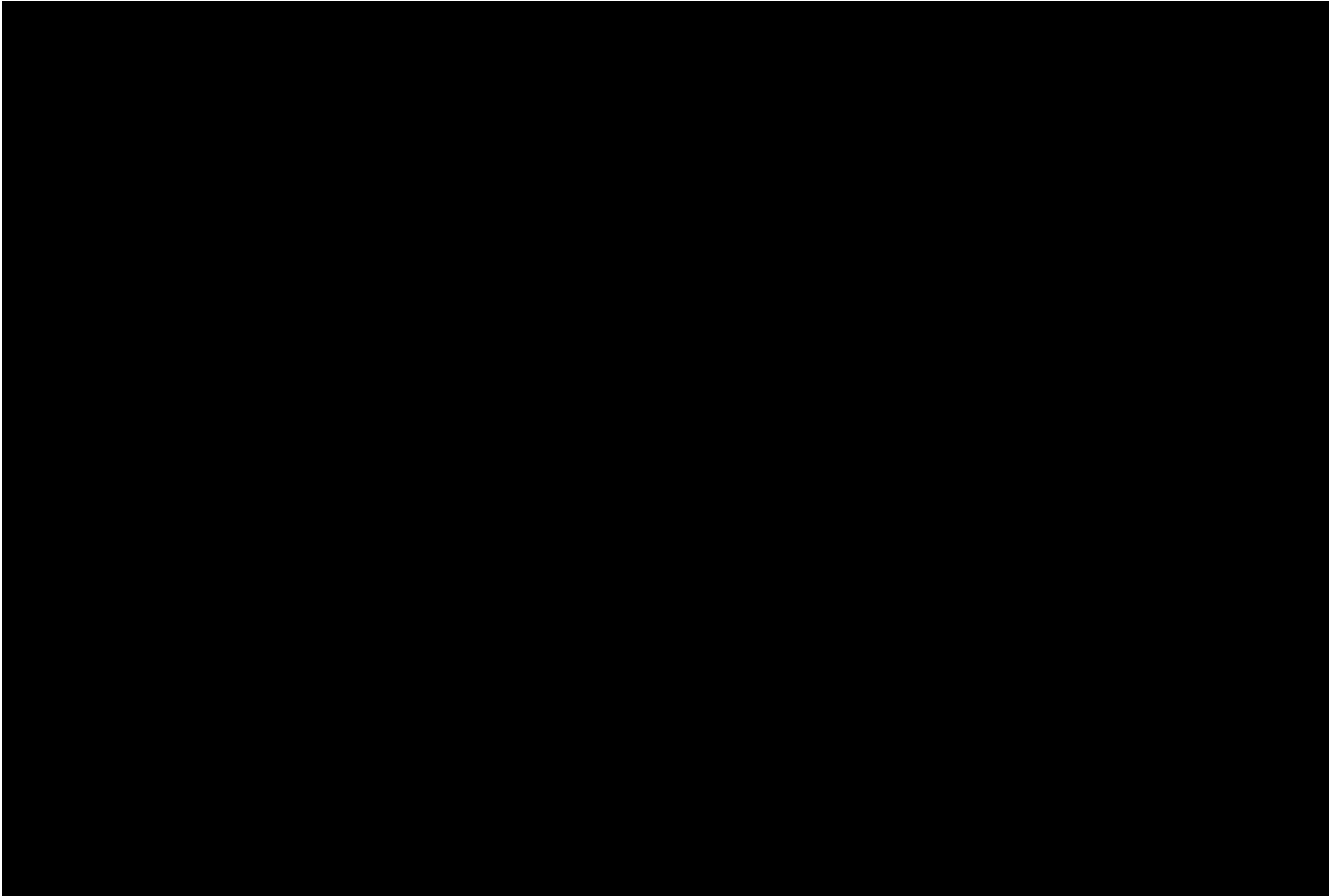


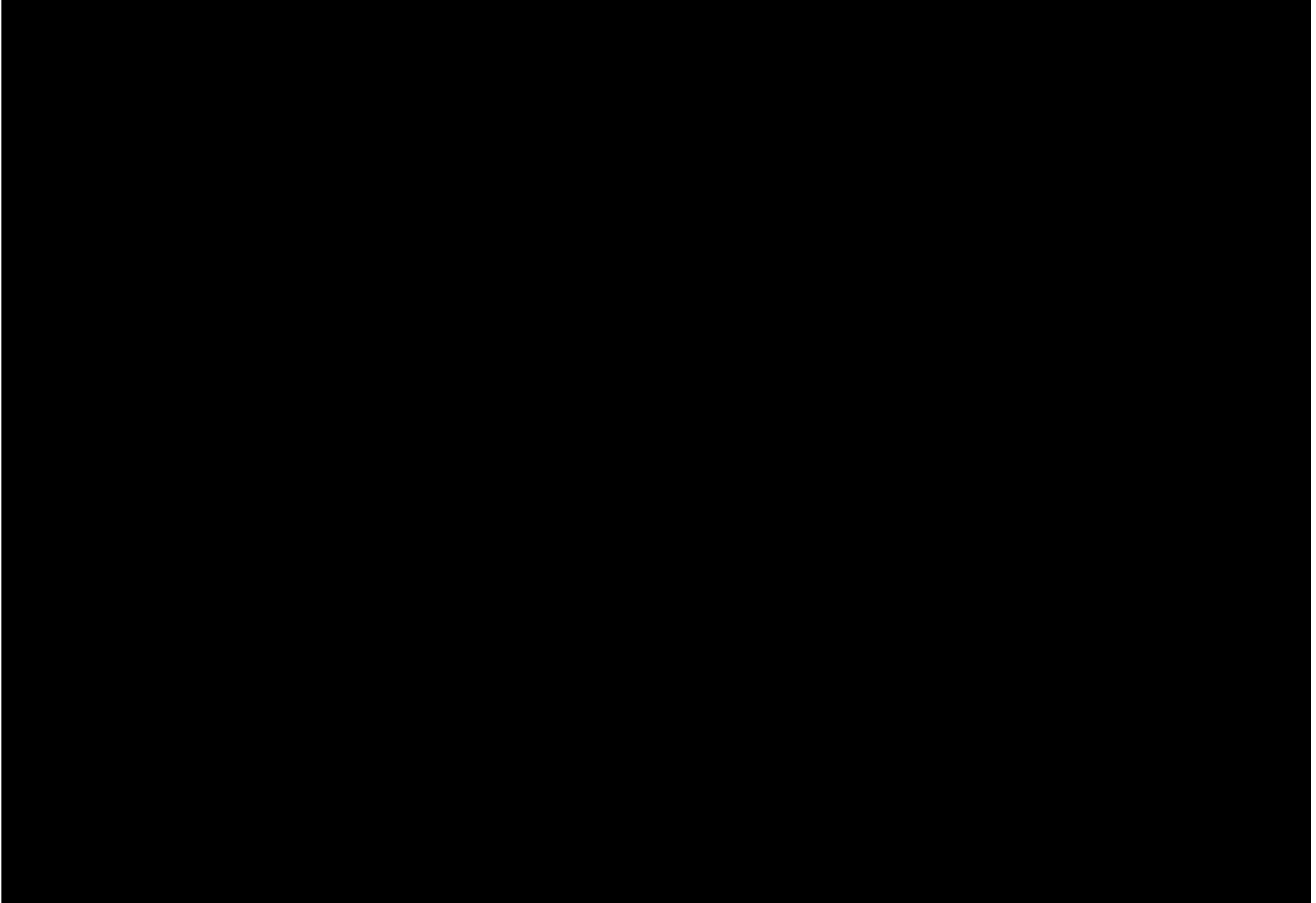


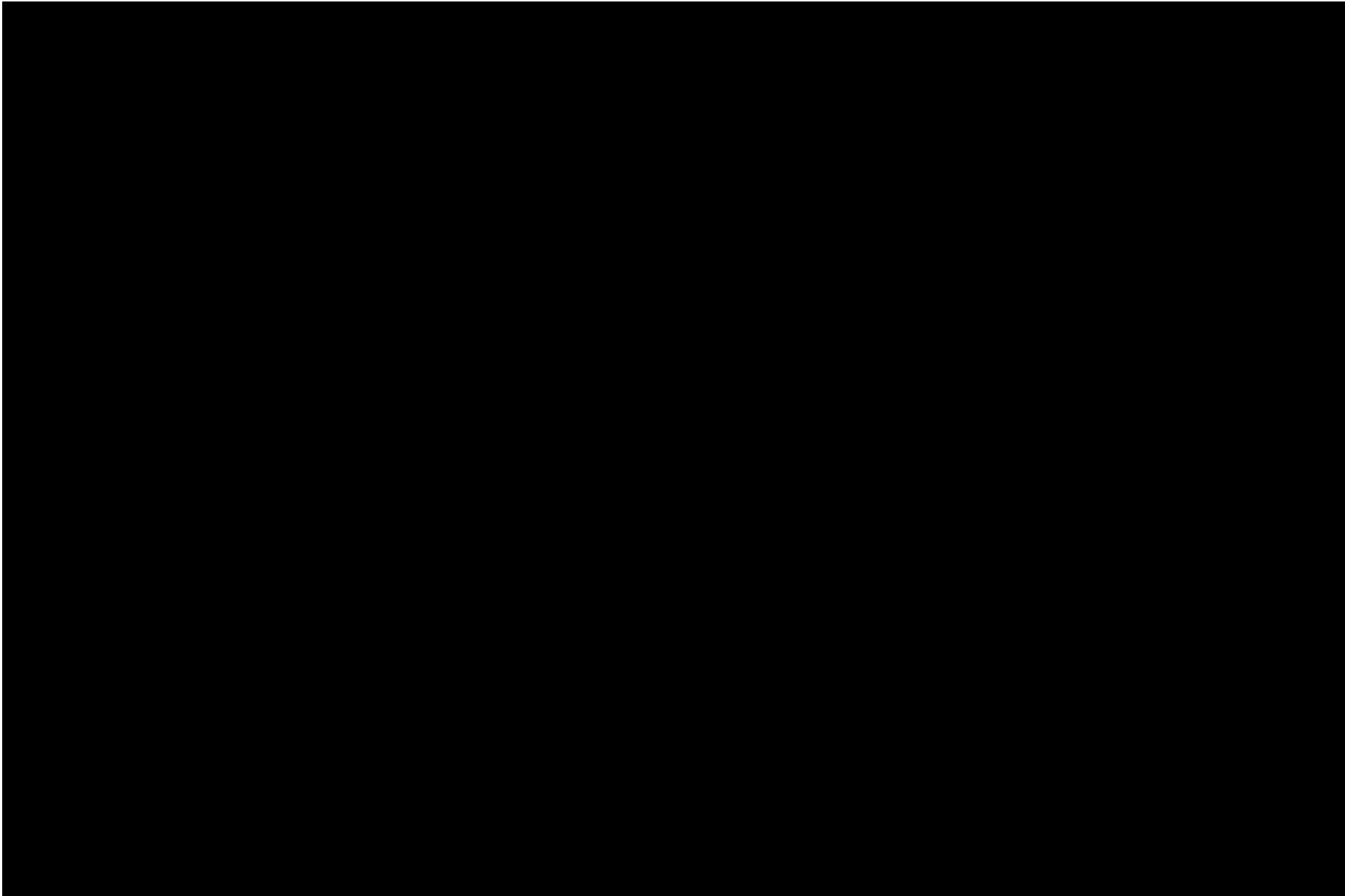


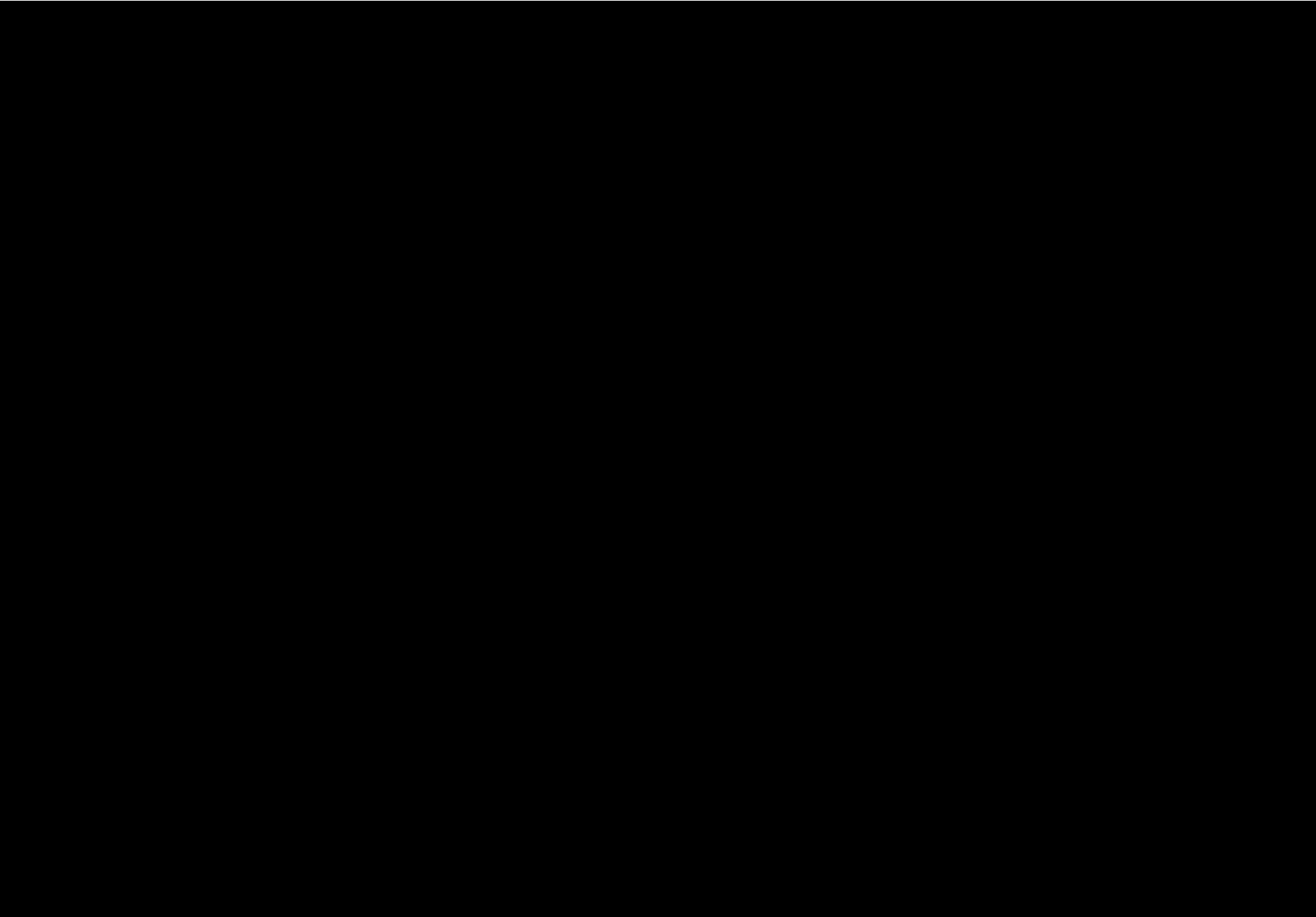


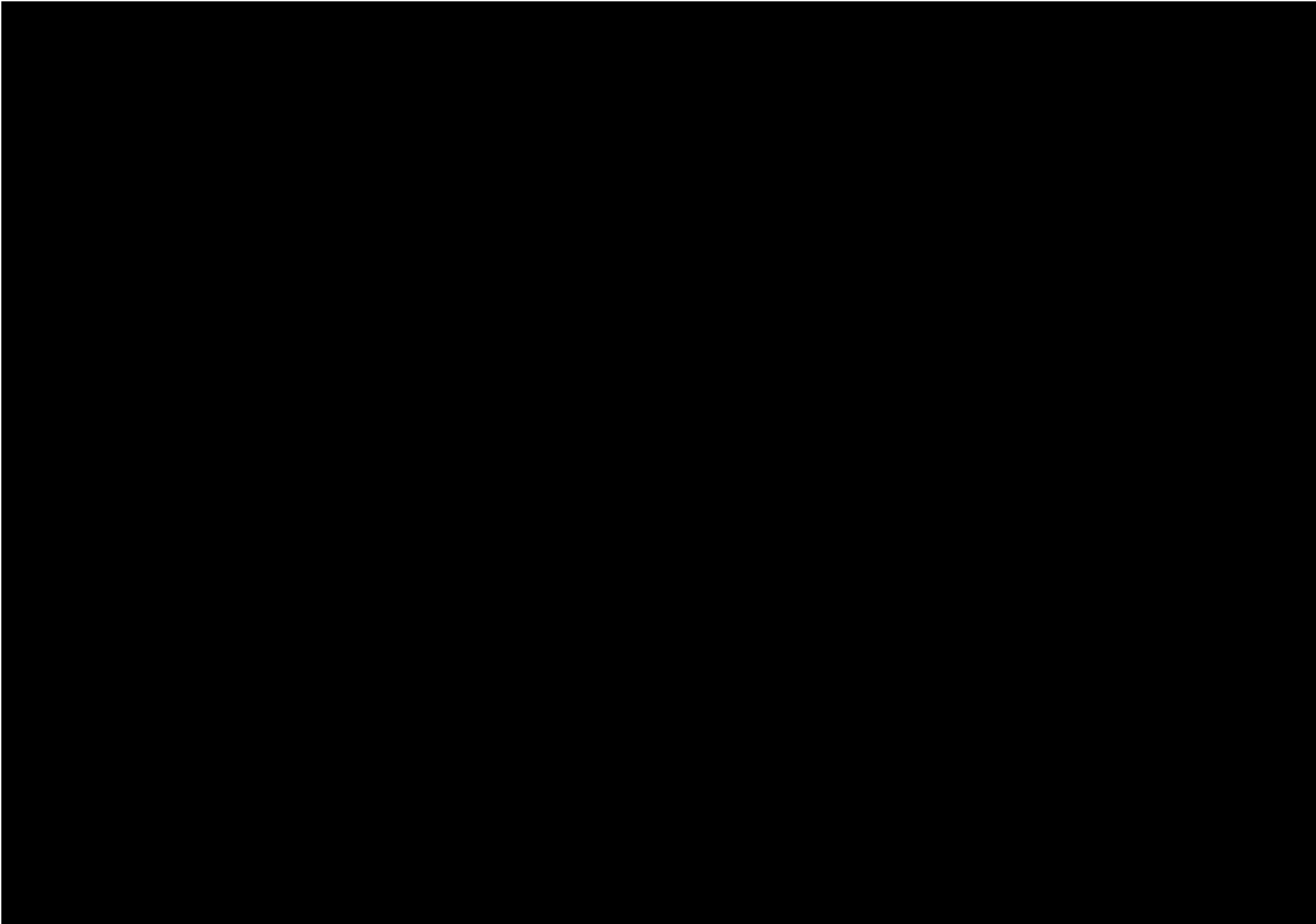


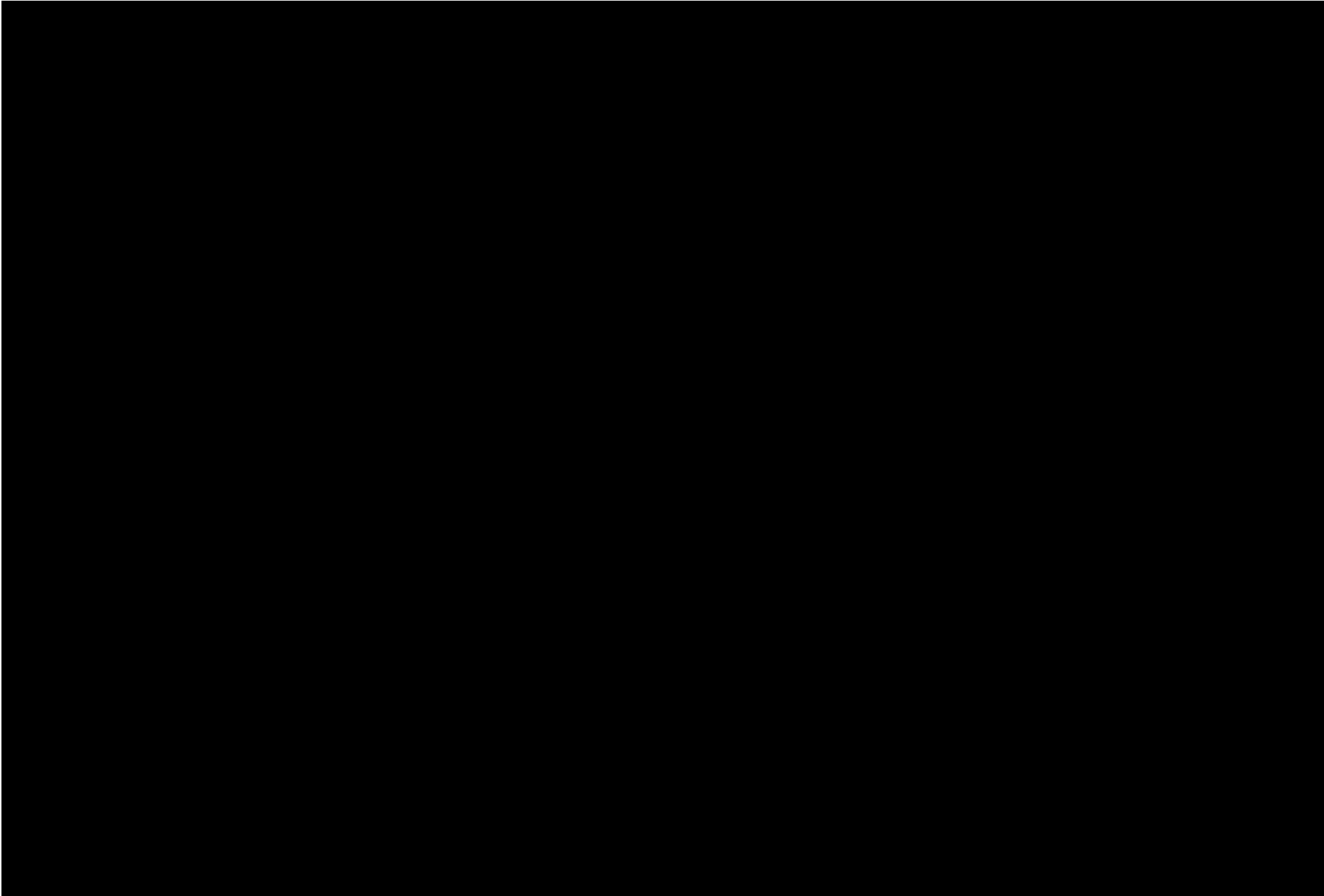


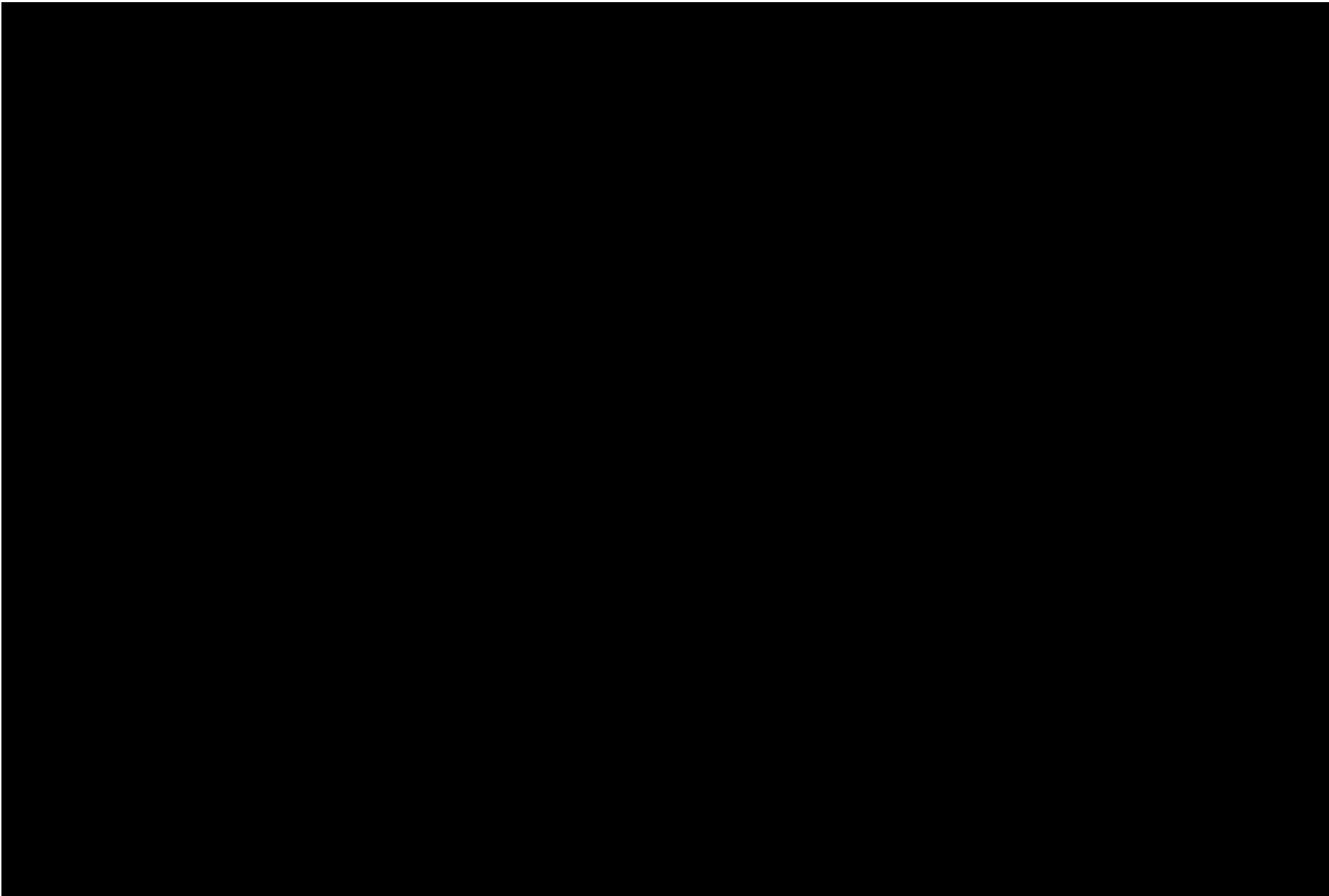




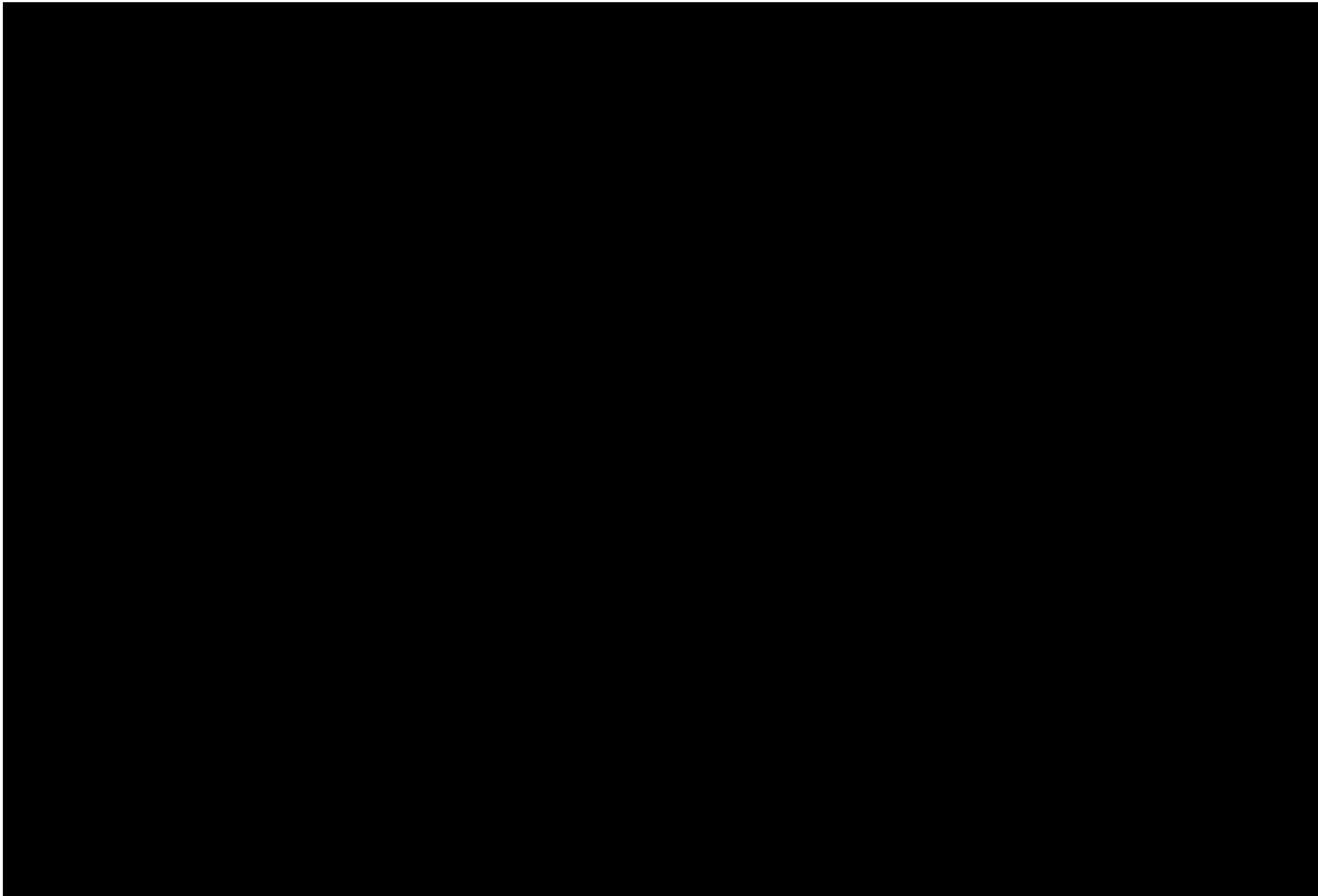


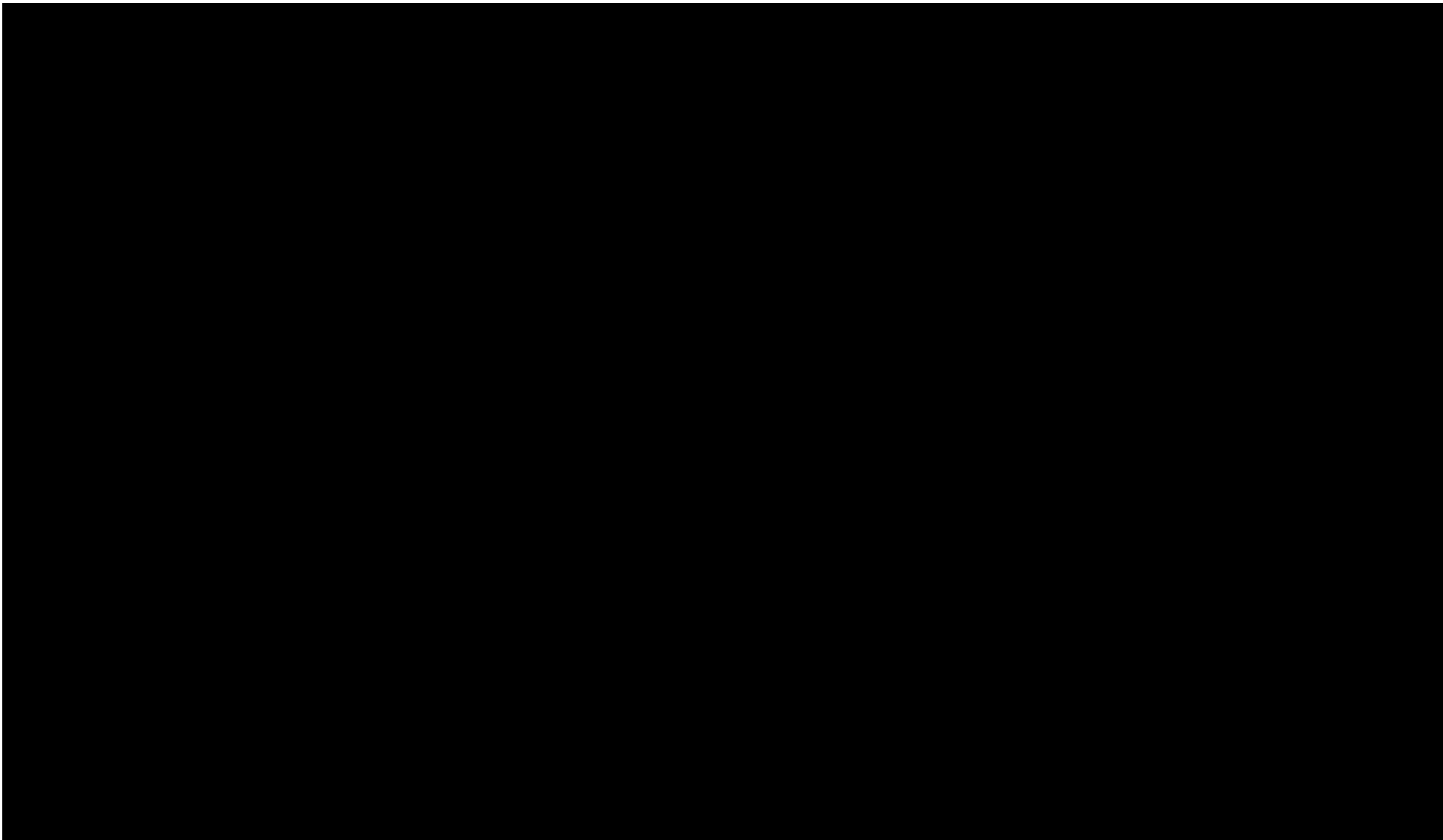














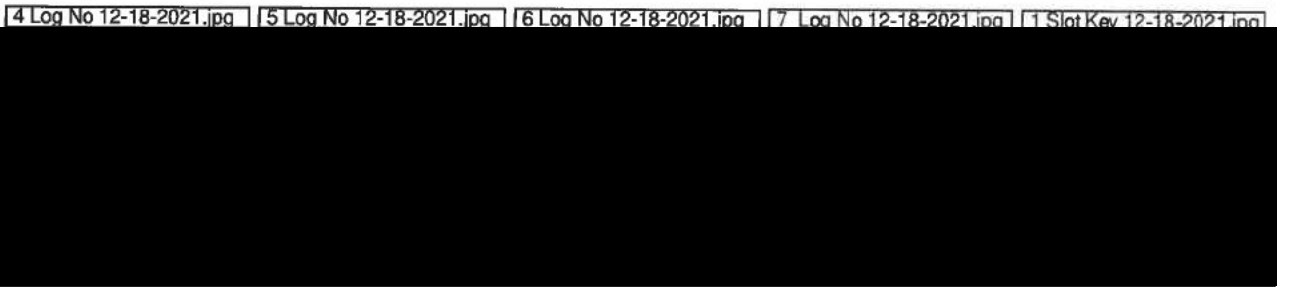
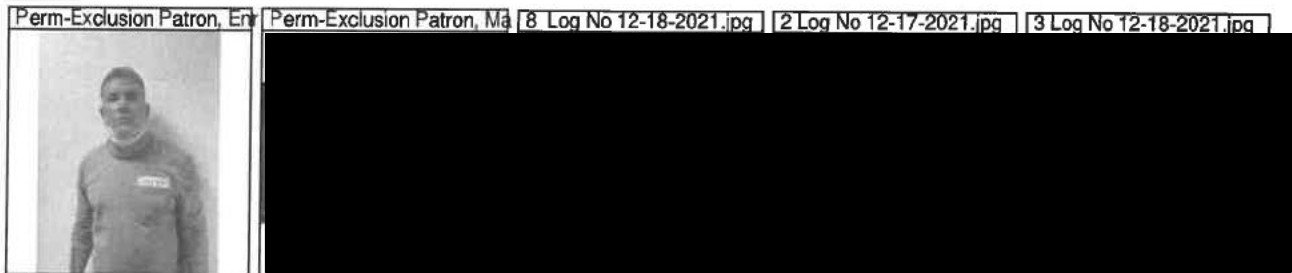
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CMJ-000010083 - Surv-Permanent Casino Exclusion Report - Reported 12/18/2021 02:15

Author: William Hutcheson 7874265      Report Number: CMJ-000010083  
Start Time: 12/18/2021 01:03      End Time: 12/22/2021 02:11  
Report Group: Surveillance Reports      Report Type: Surv-Permanent Casino Exclusion Report

Note: Perm-Exclusion Patron, Lazaro Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala were escorted out by MPD Officers, Willy Laster and Carol Blanc in reference to " Tampering" , Mr. Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and Mr. Alvarez-Cala using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal. A further video review revealed that Patron, Enrique Gamez Hernandez was also observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant ". Patron, Lazaro Pablo Hernandez -Valdez gave a voucher to Patron, Marcosa Mendoza Alvarez who inserted it into slot machine BE-02 and then cashed it out. A Patron, (Unknown Male) has his hair in dreadlocks and wearing a black T-shirt cashes out the voucher for \$1,700.00 at the cashier cage and gives the money to Patron, Enrique Gamez Hernandez.

Location / Origin: Incident-Fraudulent activity



Narrative

On 12/18/2021 at 01:11 hours, Slot Attendant, Janet Perez notified Surveillance via radio of a slot machine FM-07-1688 for the amount of \$1,350.00.

A video review revealed that At 01:02:58 hours, on camera #116, Mr. Hernandez-Valdez was observed playing slot machine FM-07-1688 when the jackpot was won.

Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 after the jackpot was won and Patron, Omar Alvarez-Cala was using a Slot key to " reset " slot machine FM-07 , clearing the jackpot from the screen.

Security Supervisor, Stehson Covington and also Slot Manager, Romy Hoque was advised via of the above information via phone.

At 01:34 Hours, Security Supervisor, Stehson Covington and MPD Officers, Willy Laster and Carol Blanc escorted Patron , Lazaro Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala to SOC.

Shortly after, Security Supervisor, Stehson Covington was advised by surveillance via phone that Patron, Omar Alvarez-Cala placed his " Slot Key" into the trash can near Slot Machine Bank FM.

Shortly after, Security Supervisor, Stehson Covington advised via phone that Patron , Lazaro Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala would be permanently excluded for tampering with the slot machine.

At 02:15 Hours, MPD Officers, Willy Laster and Carol Blanc escorted Patron , Lazrao Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala out of the Employee Entrance / Exit.

Some time later, Slot Manager, Romey Hoque advised via phone that a voucher from Slot machine FM-07 was cashed out at 01:32 Hours, and then inserted into Slot machine BE-02 was \$1,700.00. The voucher was later cashed out at Cashier Cage Window #03 for \$1,700.00.

Some time later, Security Supervisor, Stehson Covington advised via phone that a search of trash can located near Slot Machine Bank FM confirmed that there was a " Slot Key" found in the trash can, a photo was taken.

#### SUSPECTS 1 to 7 Information:

1. SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez -wearing a red baseball cap with an " R" on it was observed "Lifting up on Slot Machine FM-07".
2. SUSPECT # 02, Patron, Omar Alvarez-Cala-wearing a red baseball cap with " USA" on it was using a " Slot Key" to reset Slot machine FM-07.
3. SUSPECT # 03, Patron,(Unknown Male) wearing a florescent green long sleeve, was observed " Lifting up on Slot machine FM-07 and received a \$1,700.00 voucher from SUSPECT # 04 and later gave the \$1,700.00 voucher to SUBJECT # 06, and received an unknown amount of money after SUSPECT # 07 cashed out voucher at cage window # 03. UPDATE: on 12-26-2021 SUSPECT # 03, was identified as Patron, Enrique Gamez Hernandez.
4. SUSPECT # 04, Patron, (Unknown Male) wearing a log sleeve light colored shirt and black and white baseball cap -received \$1,700.00 voucher from SUSPECT #01, and then inserted it into Slot machine BE-02, and later cashed out from BE-02 and gave the voucher to SUSPECT # 03. UPDATE: On 12-22-2021 SUSPECT # 04, was identified as Patron, Marcosa Mendoza Alvarez.
5. SUBJECT # 05, Patron,(Unknown Female) has her hair in a Ponytail and wearing blue shirt -was seen with SUSPECT #01, 02, and 03 in the casino and later leaving with them.
6. SUSPECT, # 06, Patron,(Unknown Male) short hair and wearing a black long sleeve sweatshirt -received the \$1,700.00 voucher from SUSPECT # 03.
7. SUSPECT # 07, Patron,(Unknown Male) has his hair in dreadlocks wearing a black T-shirt -cashed out \$1,700.00 voucher and gave the money to SUSPECT # 03. Also present was SUSPECT # 06.
8. SUBJECT #1A, Patron (Unknown Male) wearing black baseball cap that has the word " ICON" on it -was observed leaving with SUSPECTS, #01, #02, #03 and #05 in a red vehicle. NOTE: was also present when Patron, Santos Patricio Bustillo Melendez and Danny Raul Ortiz Aguilar was tampering with slot machines on 12-01-2021 and 11-29-2021, see surveillance report #10004 and #10009.



A video revealed the following information when SUSPECTS entered the casino:

On 12-17-2021 at 20:30 Hours on camera # 031, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez -wearing a red baseball cap with an " R" on it enters casino through C-2.

On 12-17-2021 at 05:29 Hours on camera # 031, SUSPECT # 02, Patron, Omar Alvarez-Cala-wearing a red baseball cap with " USA" on it enters casino through C-2.

On 12-17-2021 at 19:08 Hours on camera # 031, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve and SUBJECT # 05, Patron,(Unknown Female) has her hair in a Ponytail and wearing blue shirt enters casino through C-2.

On 12-17-2021 at 20:30 Hours on camera # 031, SUSPECT # 04, Patron, Marcosa Mendoza Alvarez wearing a log sleeve light colored shirt and black and white baseball cap enters casino through C-2.

A further video review revealed the following SUSPECTS activities :

On 12-17-2021 at 19:35 to 19:53 Hours on camera # 18, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve and SUBJECT # 05, Patron,(Unknown Female) has her hair in a Ponytail and wearing blue shirt at slot machine bank GF. Shortly after SUSPECT # 02, Patron, Omar Alvarez-Cala-wearing a red baseball cap with " USA" on it was observed talking to them.

On 12-17-2021 at 20:29 Hours on camera # 18, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve and SUBJECT # 05, Patron,(Unknown Female) has her hair in a Ponytail and wearing blue shirt at slot machine bank GF. Shortly after SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez -wearing a red baseball cap with an " R" on it was observed talking to them.

On 12-17-2021 at 20:29 Hours on camera # 18, #31, SUSPECTS # 01, #02, #03, and #05 leave slot machine zone G together and shortly thereafter they exit the casino through C-2 and go outside.

On 12-17-2021 at 20:58 to 21:05 Hours on camera # 18, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve and SUBJECT # 05, Patron,(Unknown Female) has her hair in a Ponytail and wearing blue shirt at slot machine bank GF. Shortly after SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez -wearing a red baseball cap with an " R" on it was observed talking to them.

On 12-17-2021 at 20:42 to 20:46 Hours on camera # 825 and 984, SUSPECT # 02, Patron, Omar Alvarez-Cala and SUSPECT # 04, Patron, Marcosa Mendoza Alvarez wearing a long sleeve light colored shirt and black and white baseball cap together in William Hill Race Book.

On 12-17-2021 at 23:52 Hours on camera # 137 and #116, SUSPECTS #01, #02, #03 and # 05 at Slot Machine Bank FM.

On 12-18-2021 at 00:18:20, Hours on camera # 137 and #116, SUSPECT # 03 Patron, (Unknown Male) wearing a florescent green long sleeve was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and SUSPECT # 02, Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back to normal.

On 12-18-2021 at 00:21:16, Hours on camera # 137 and #116, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and SUSPECT # 02 Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back

to normal.

On 12-18-2021 at 00:25:31, Hours on camera # 137 and #116, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and SUSPECT # 02 Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back to normal.

On 12-18-2021 at 00:26:58, Hours on camera # 137 and #116, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and SUSPECT # 02 Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back to normal.

On 12-18-2021 at 00:35:37, Hours on camera # 137 and #116, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and SUSPECT # 02 Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back to normal.

On 12-18-2021 at 00:35:58, Hours on camera # 137 and #116, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed talking to SUSPECT # 04, Patron, Marcosa Mendoza Alvarez wearing a log sleeve light colored shirt and black baseball cap at Slot Machine Bank FM.

On 12-18-2021At 01:02:58 hours, on camera # 137 and #116, SUSPECT #01, Patron , Lazrao Pablo Hernandez -Valdez was observed playing slot machine FM-07-1688 when the jackpot was won. At 01:03:04 Hours, Mr. Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 after the jackpot of \$1,350.00 and SUSPECT # 02, Patron, Omar Alvarez-Cala using a Slot key to " reset " slot machine FM-07 , clearing the jackpot from the screen.

On 12-18-2021At 01:08:31 hours, on camera #121, SUSPECT # 02, #03, and #05 together at Slot Machine Zone F.

On 12-18-2021 From 01:12:48 to 01:15:48 hours, on camera #116, #137 and 124, Slot Attendants, Jose Rivas and Janet Perez also Slot Manager, Romey Hoque looking at Slot machine FM-07.

On 12-18-2021 at 01:24:20, Hours on camera # 137, #116 and 124, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and SUSPECT # 02 Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back to normal.

On 12-18-2021 at 01:25:48, Hours on camera # 137, #116 and 124, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and Patron, Omar Alvarez-Cala using a key to " reset " slot machine FM-07 , clearing the screen back to normal.

On 12-18-2021 From 01:25:48 to 01:31:45, Hours on camera # 137, #116 and 124, SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez was observed cashing out the voucher at Slot Machine FM-07 and giving it to SUSPECT # 04, Patron, Marcosa Mendoza Alvarez wearing a log sleeve light colored shirt and black and white baseball cap.

On 12-18-2021 at 01:32:20, Hours on camera # 105, SUSPECT # 02, Patron, Omar Alvarez-Cala-wearing a red baseball cap with " USA" places the " Slot Key" into Trash Can near Slot Machine Bank FM as Security Supervisor, Stehson Covington walks towards him.

On 12-18-2021 at 01:32:50, Hours on camera # 160, SUSPECT # 04, Patron, Marcosa Mendoza Alvarez wearing a log sleeve light colored shirt and black and white baseball cap inserting the voucher into Slot Machine BE-02 and shortly after cashes out the voucher and walks to the Patron Parking Lot.



On 12-18-2021 At 01:34 Hours on camera #345, Security Supervisor, Stehson Covington and MPD Officers, Willy Laster and Carol Blanc escorted SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez and SUSPECT # 02, Patron, Omar Alvarez-Cala to SOC.

On 12-18-2021 At 01:39:12 Hours on camera # 988, SUSPECTS #04, #05 and #03 at Patron Parking Lot together. Also present is a SUBJECT #1A, Patron (Unknown Male) wearing black baseball cap that has the word " ICON" on it.

On 12-18-2021 At 01:41:27 Hours on camera #35, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve enters casino through C-1.

On 12-18-2021 At 01:42:36 Hours on camera # 163, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve gives the \$1,700.00 voucher to SUSPECT, # 06, Patron, (Unknown Male) short hair and wearing a black long sleeve sweatshirt.

On 12-18-2021 At 01:44:41 Hours on camera # 41, SUSPECT # 03, #06 and #07 together in front of the Cashier Cage.

On 12-18-2021 At 01:45:16 Hours on camera # 154, SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve gives the \$1,700.00 voucher to SUSPECT # 07, Patron, (Unknown Male) has his hair in dreadlocks and wearing a black T-shirt.

On 12-18-2021 At 01:44:41 Hours on camera #407, SUSPECT # 07, Patron, (Unknown Male) has his hair in dreadlocks and wearing a black T-shirt gives the \$1,700.00 voucher to Cage Cashier, Alea Cutler at Cashier Cage Window #03. Ms. Cutler gives SUSPECT # 07 , \$1,700.00 in cash.

On 12-18-2021 At 01:49:05 Hours on camera #175, SUSPECT # 07, Patron, (Unknown Male) has his hair in dreadlocks and wearing a black T-shirt gives the \$1,700.00 voucher to SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve.

On 12-18-2021 From 01:51:11 to 01:52:01 Hours on camera #988, SUSPECT # 05, 03, and #04 in the patron parking Lot together.

At 12:15 Hours on camera # 345, MPD Officers, Willy Laster and Carol Blanc escorted Patron , Lazaro Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala out of the Employee Entrance / Exit.

On 12-18-2021 at 02:19:38 Hours on camera #988, SUSPECTS #01 and #02 walking towards SUSPECT # 05, 03, and #04 in the patron parking Lot together.

On 12-18-2021 at 02:21:09 Hours on camera #988, SUSPECTS #01, #02 , #03, #05 and SUBJECT #1A, Patron (Unknown Male) who has a beard, white shirt and wearing black baseball cap that has the word " ICON" all leaving the Patron Parking Lot in a red 4 door vehicle together.

This report was written and approved by Surveillance Director, William Hutcheson # 7874265.

UPDATE: Surveillance Report # 10146, Perm-Exclusion Patron, Tiago Silveira Aguiar was escorted out and placed in handcuffs by MPD Officer, Willy Laster in reference to " Tampering" , Mr. Aguiar was observed " Lifting up on Slot machine FL-07 causing the machine to go in a blue screen -call attendant " and using a Slot key to " reset " slot machine FL-07 , clearing the screen back to normal on 01-01-2022.

Surveillance Report # 10121, Perm-Exclusion Patron, Enrique Gamez Hernandez was observed " Lifting up on Slot machine FL-07 (It did not go into a blue screen). Patron, Ricardo Rodriguez was also observed " Lifting up on Slot machine FL-07 causing the machine to go in a blue screen -call attendant " and Mr. Rodriguez was using a Slot key to " reset " slot machine FL-07, clearing the screen back to normal. Both patrons were escorted out by MPD Officer, David Flanders in reference to " Tampering". NOTE: Perm-Exclusion Patron, Lazaro Pablo Hernandez Valdez came in the same vehicle as Enrique Gamez Hernandez and was waiting in the Patron Parking Lot on 12-27-2021.

Surveillance Report # 10114, Patron, Ricardo Rodriguez wearing a black T-shirt was observed "Lifting Up on Slot Machine FM-03 and the monitor did not go into a blue screen. A further video review revealed Patron, Tiago Silveira Aguiar wearing all blue, also " Lifted Up" on slot machine FL-06, FL-03, FM-06 and FL-07 and the monitor did not go into a blue screen. UPDATE: Also present was Patron, Enrique Gamez Hernandez on 12-25-2021.

Surveillance Report # 10101, Perm-Exclusion Patron, Marcosa Mendoza Alvarez was escorted out by MPD Officer, Elias Parrales for cashing out a \$1,502.00 voucher at cashier cage window # 03 which resulted from " Fraudulent Activity on 12-22-2021 " in reference to Perm-Exclusion Return Patron, Omar Alvarez Cala was " Tampering" , causing the machine to go in a blue screen -call attendant " using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal. Also present in the area was Patron, Enrique Gamez Hernandez, Patron, Ricardo Rodriguez and Patron, Tiago Silveira Aguiar on 12-22-2021.

Surveillance Report # 10099, Perm-Exclusion Return Patron, Omar Alvarez Cala who was Perm-Excluded on 12-18-2021 was identified in the casino and escorted out by MPD Officer, Jamila Montgomery in reference to " Tampering" , Mr. Cala was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal. Also present in the area was Patron, Enrique Gamez Hernandez, Patron, Ricardo Rodriguez, Patron, Tiago Silveira Aguiar and Patron, Marcosa Mendoza Alvarez on 12-22-2021.

Surveillance Report # 10094, Perm-Exclusion Patron, Danny Raul Ortiz Aguilar was escorted out by MPD Officer, Marquise Williams In reference to " Tampering" on 11-29-2021 Mr. Aguilar and Patron, Santos Patricio Bustillo Melendez were manipulating the payout at Slot machine FL-07 by Mr. Aguilar was lifting up the slot machine causing it to go in a " blue screen -out of service mode / call attendant" and Mr. Melendez was using a slot key to reset the slot machine .Also present in the area was Patrons, Enrique Gamez Hernandez, Ricardo Rodriguez and Marcosa Mendoza Alvarez on 12-20-2021.

Surveillance Report # 10083, Perm-Exclusion Patron, Lazaro Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala were escorted out by MPD Officers, Willy Laster and Carol Blanc in reference to " Tampering" , Mr. Hernandez -Valdez was observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and Mr. Alvarez-Cala using a Slot key to " reset " slot machine FM-07 , clearing the screen back to normal. A further video review revealed that Patron, Enrique Gamez Hernandez was also observed " Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant ". Patron, Lazaro Pablo Hernandez -Valdez gave a voucher to Patron, Marcosa Mendoza Alvarez who inserted it into slot machine BE-02 and then cashed it out. A Patron, (Unknown Male) has his hair in dreadlocks and wearing a black T-shirt cashes out the voucher for \$1,700.00 at the cashier cage and gives the money to Patron, Enrique Gamez Hernandez on 12-18-2021.

Surveillance Report # 1009, Perm-Exclusion Patron, Santos Patricio Bustillo Melendez -was placed in handcuffs and escorted out in reference to " Tampering" using a key to reset slot roulette FL-04 -3113 by MPD Officer, Giordao Acosta on 12-01-2021.

Surveillance Report # 1004, VP and General Manager Dan Licciardi request video review of roulette Slot Machine Bank FL on 11-29-2021 between 23:00 and 00:00 Hours in reference to slot machine FL-07 was being reset. The review identified a Patron (Unknown Male) lifting up the slot machine causing it to go in a " blue screen -out of service mode" also present is Suspect # B - Patron, Santos Patricio Bustillo Melendez using a slot key to reset slot machine FL-07. The unknown male was later identified as Suspect # A - Patron, Danny Raul Ortiz Aguilar as the patron who " Lifted the screen". Also present and later identified was Subject # D - Patron, Marcosa Mendoza Alvarez.



Surveillance Report # 9906, Perm-Exclusion Patron, Julio Cesar Baro Torres was arrested by MPD Officer Chijioke Anyanwu for " Tampering" by inserting a Slot Key into Slot Machine FL-07. UPDATE: Patron Julio Cesar Baro Torres was also observed talking Patrons, Marcosa Mendoza Alvarez and Omar Alvarez Cala on 10-25-2021.

Surveillance Report # 9901, Security Supervisor, Steven Torres request video review of slot machine FL- 07 in reference to a Patron (Unknown Male) causing the slot machine to have a "Blue Screen" on 10-23-2021. Patron was later identified as Branyi G Santos Moran who was lifting up on the machine. Also, a Patron (Unknown Male) was observed using a slot key to reset-put back in service after Slot Machine FL-07 went into a "Blue Screen" out of service mode. The patron with the slot key was later identified on 10-25-2021 as Julio Cesar Baro Torres. UPDATE: Also, in the area was Patrons, Lazaro Pablo Hernandez Valdez, Ricardo Rodriguez, Tiago Silveira Aguiar and Omar Alvarez Cala on 10-23-2021.

Surveillance Report # 9398, Slot Attendant, Jose Rivas reported a Patron (Unknown Male) wearing a black shirt and jeans who was betting \$500.00 at Roulette Slot Machine FM-02 was causing the machine screen to go blue and displaying "machine disabled call attendant". Patron was later identified as Branyi G Santos Moran on 05-08-2021.

Surveillance Report # 8205, Patron, Santos Patricio Bustillo Melendez -was identified in the casino. Mr. Bustillo Melendez won a \$3,067.00 voucher on 06-11-2017 after Patron, Silvio Alfredo Sanchez Veliz was observed altering the results of the electronic roulette game by tilting the roulette slot machine wheel at Bank GK to win in their favor on 09-24-2019.

Surveillance Report # 8192, Patron, Waarith Haadee Abdullah -claiming a slot machine jackpot at GB-01-2487 for \$1,380.00 that did not belong to him and also inserting his (2) VIP Black player club cards into slot machines that another patron was inserting his own money and playing on 09-19-2019.

Surveillance Report # 8342, Patron, Santos Patricio Bustillo Melendez -was escorted out by MPD Officer, Giordao Acosta for manipulated slot machine GJ-05-3114 - by sticking his hand between the cushion and screen and before the ball dropped causing the slot machine to reset on 11-14-2019.

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

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Signature A

Date

Signature B

Date



**State of Florida  
Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
Investigations Section**

**PROPERTY RECEIPT**

Complaint # 2022 02 4908 Date 1/14/22 Lab # \_\_\_\_\_

Item No.	Quantity	Description
1	1	CMT 0000/0083
2	1	CMT 0000/0171

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

\_\_\_\_\_

Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

*[Signature]*

\_\_\_\_\_

Signature - Impounding Investigator

**RETURNED PROPERTY RECEIPT**

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

\_\_\_\_\_  
Signature \_\_\_\_\_  
Date

Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Copies for: File, Transmittal, Laboratory, Property Receipt

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<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Mass Status Update</a>	<a href="#">Recording License Type Update</a>	<a href="#">Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>			

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Imuniz

[VR Home](#) > [Complaint Search](#) > [Maintain Complaint](#)

Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>20 Under Investigation</b>	Status Date	<b>05/20/2022</b>
Complaint #	<b>2022024908</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent	<b>HERNANDEZ VALDES, LAZARO PABLO</b>	Responsible	<b>rsuau - SUAU, RAUL</b>	<b>Private Case</b>

<a href="#">Complaint</a>	<a href="#">Respondent</a>	<a href="#">Complainant</a>	<a href="#">Addt'l Info</a>
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Source	<b>INTN - Internal</b>	Security Level	<b>1</b>
Form	<b>INTR - Internal</b>	Priority	
Class'n	<b>OTHR - Other</b>	Complexity	<b>R - Regular</b>
Security	<b>STND - Standard</b>	Incident	<b>12/18/2021</b>
Region	<b>SR - Southern Region</b>	Received	<b>05/20/2022</b>
Reference	<b>550.0251(6) &amp; 551.109(3)</b>		
Entered	<b>05/20/2022</b>	Entered By	<b>Imuniz</b>
Summary	<p><b>273-Casino Miami, LLC ----- / ----- . Patron Exclusion / The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. / Prohibited Acts; Penalties: On December 18, 2021, Lazaro Pablo Hernandez-Valdes, along with another patron by the name of Omar Alvarez Cala visited Casino Miami. During Hernandez-Valdes visit, he was observed manipulating the Roulette Wheel Slot Machine located in section FM-07 by lifting the console cover of the machine, causing a blue screen/tilt and stopping all play. After each interruption, caused by Hernandez-Valdes, Alvarez Cala was captured on video footage using a key to reset the machine. By doing this, the player Hernandez-Valdes, did not lose monies he had wagered. Sometime after the violation was observed, security and Miami Police escorted both men to the Security Operations Center (SOC) and each were permanently excluded from the facility.</b></p>		
Updated	<b>05/20/2022 14:49:09</b>	By	<b>Imuniz</b>





**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING**

**OPEN CASE REQUEST**

(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

**INCIDENT DATE:** December 18, 2021

<input type="checkbox"/> PMW	<input type="checkbox"/> Cardroom	<input checked="" type="checkbox"/> Slot
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<input type="checkbox"/> Violation	<input checked="" type="checkbox"/> Incident	<input type="checkbox"/> Complaint
------------------------------------	--	------------------------------------

**FACILITY NAME:** CASINO MIAMI, LLC **LIC #:** 273

**RESPONDENT**

<b>NAME:</b> Lazaro Pablo Hernandez-Valdes		
Address: 60 NE 14 <sup>th</sup> Street, Apt# 1615, Miami FL 33132		Tel #:
<b>LIC #:</b> N/A	<b>LIC TYPE:</b> 1098	<b>OCCUPATION:</b> PATRON

**COMPLAINANT**

<b>NAME:</b> N/A		Tel #:
Address: N/A		
<b>LIC #:</b> N/A	<b>LIC TYPE:</b> N/A	<b>OCCUPATION:</b> N/A

**VIOLATION(S) / TITLE(S):** **550.0251 The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation.**

(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The division may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permit holder to exclude absolutely a patron in this state

**F.S.S. 551.109 Prohibited Acts; Penalties –**

(3) Any person who knowingly excludes or takes any action in an attempt to exclude, anything of value from the deposit, counting, collection, or computation of revenues from slot machine activity, or any person who by trick, sleight of hand performance, a fraud or fraudulent scheme, or device wins or attempts to win, for himself or herself or for another, money or property or a combination thereof or reduces or attempts to reduce a losing wager in connection with slot machine gaming commits a felony of the third degree.

**DESCRIPTION:** On December 18, 2021, Lazaro Pablo Hernandez-Valdes, along with another patron by the name of Omar Alvarez Cala visited Casino Miami. During Hernandez-Valdes visit, he was observed manipulating the Roulette Wheel Slot Machine located in section FM-07 by lifting the console cover of the machine, causing a blue screen/tilt and stopping all play. After each interruption, caused by Hernandez-Valdes, Alvarez Cala was captured on video footage using a key to reset the machine. By doing this, the player Hernandez-Valdes, did not lose monies he had wagered. Sometime after the violation was observed, security and Miami Police escorted both men to the Security Operations Center (SOC) and each were permanently excluded from the facility.

**CASE DETAILS FILED BY:**

<input type="checkbox"/> Chief Inspector	<input type="checkbox"/> Judge/Steward	<input checked="" type="checkbox"/> Investigator	<input type="checkbox"/> Other: _____
<u>Raul Suau</u> (Print Name)	 (Signature)	<small>(Title of State Employee)</small> <u>May 20, 2022</u> (Date)	

## Muniz, Luz

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**From:** Minaya, Julio  
**Sent:** Friday, May 20, 2022 11:31 AM  
**To:** Muniz, Luz  
**Cc:** Suau, Raul  
**Subject:** OCR  
**Attachments:** OCR OMAR ALVAREZ CALA MANIPULATING SLOT ROULETTE WHEEL.DOCX; OCR LAZARO PABLO HERNANDEZ-VALDES.docx; OCR MARCOS MENDOZA ALVAREZ.docx; OPEN CASE REQUEST FORM - RICARDO RODRIGUEZ LUQUE.DOCX; OPEN CASE REQUEST FORM ENRIQUE GAMEZ HERNANDEZ.DOCX

Luz,

Please open and assign to Raul.

Thank you



*Julio F Minaya  
Investigative Supervisor  
Division of Pari-Mutuel Wagering, Office of Investigations  
1400 W. Commercial Blvd., Suite 165  
FT. Lauderdale, FL 33309  
Office: 954-202-6844  
Fax: 954-202-3930*





ALM Global, LLC  
PO Box 936174  
Atlanta, GA 31193-6174

Please Remit To:

**Daily Business Review**

Miami Dade

Customer No: 9059304

Case/P.O.#: 2022-024908

FLORIDA GAMING CONTROL COMMISSION  
**Attention To: EBONIE LANIER**  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FL 32399

Invoice #:	I0000649796-0310
Invoice Date:	03/31/2023
Due Date:	Due Upon Receipt
AMOUNT DUE:	\$136.99

Amount Remitted

**Daily Business Review**

Miami Dade

Invoice Date: 03/31/2023	Customer #: 9059304	Case/P.O.#: 2022-024908
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Invoice #	Description	Amount
I0000649796-0310	<b>Placement/Position:</b> Other Notices/Administrative Complaint <b>Run Dates:</b> 03/10/2023, 03/17/2023, 03/24/2023, 03/31/2023 <b>Ad Size:</b> 4.61 Inches Notice of Action BEFORE THE DIVISION OF PARI-MUTUEL WAGERING - LAZARO PABLO	\$136.99
	<b>Subtotal</b>	\$136.99
	<b>Total Due</b>	\$136.99

RECEIVED  
 2023 APR -6 AM 10: 33  
 FLORIDA GAMING  
 CONTROL COMMISSION

Visit our online payment portal at <https://www.almpaymentcenter.com> to pay via credit card

For billing questions, please email: ALMcollection@alm.com.



**MIAMI-DADE**

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:**

Before the undersigned authority personally appeared ROSANA SALGADO, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

2022-024908  
NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING -  
LAZARO PABLO

in the XXXX Court,  
was published in a newspaper by print in the issues of Miami  
Daily Business Review f/k/a Miami Review on

03/10/2023 03/17/2023 03/24/2023 03/31/2023

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

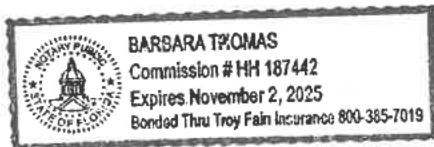


Sworn to and subscribed before me this  
31 day of MARCH, A.D. 2023



(SEAL)

ROSANA SALGADO personally known to me



**NOTICE OF ACTION  
BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING**

IN RE: Violation of section 550.0251(6)  
and 551.112, Florida Statutes.  
LAZARO PABLO  
HERNANDEZ VALDES  
60 Northeast 14th Street, Apt. 1615  
Miami, Florida 33132  
CASE NO.: 2022-024908  
LICENSE NO.: N/A

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 2601 Blair Stone Road, Tallahassee, FL 32399, (850) 717-1663.

If no contact has been made by you concerning the above by Friday, April 7, 2023, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257-6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.

3/10-17-24-31 23-26/0000649796M



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Eduardo A. Azpurua, Jr. Case No. 2022-030016; Default  
Final Order  
Date: April 24, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the suspension of Eduardo A. Azpurua, Jr.'s ("Respondent") Pari-Mutuel Wagering Professional Individual Occupational License. By failing to respond to the publication notice, Respondent waived his right to request a hearing contesting the Division's decision. Therefore, the Florida Gaming Control Commission should enter a final order suspending Respondent's Pari-Mutuel Wagering Professional Individual Occupational License.

### *Background*

On June 17, 2022, a default final judgment of \$9,910.85 was entered against Respondent for unpaid financial obligations regarding goods and services provided by Northwest Distributors, LLC on the ground of a pari-mutuel facility in the County Court of the Seventeenth Judicial Circuit in and for Broward County, Florida in case number COCE 22-007813. These unpaid financial obligations related to racing conducted at a pari-mutuel facility in the state of Florida.

The Division failed an administrative complaint against Respondent seeking suspension of his Pari-Mutuel Wagering Professional Individual Occupational License until the judgment has been satisfied pursuant to section 550.105(7), Florida Statutes. The Division attempted service by USPS certified mail on two occasions but failed to achieve service. The Division attempted to serve Respondent via handservice, but failed to achieve service. The Division requested that a notice be placed with the Miami Dade County Daily Business Review.<sup>1</sup> It was published on March 10, 2023, March 17, 2023, March 24, 2023, and March 31, 2023. Respondent was given until April 7, 2023 to respond to this notice. He has never responded.

### *Analysis*

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<sup>1</sup> Section 120.60(5), Florida Statutes, provides, "when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee's last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county."

Section 550.105(7), Florida Statutes, provides, that “[t]he Commission may deny, revoke, or suspend any occupational license if the applicant therefor or holder thereof accumulates unpaid obligations or defaults in obligations, or issues drafts or checks that are dishonored or for which payment is refused without reasonable cause, if such unpaid obligations, defaults, or dishonored or refused drafts or checks directly relate to the sport of jai alai or racing being conducted at a pari-mutuel facility within this state.” Respondent defaulted in Seventeenth Circuit on a case relating to horse racing in the state of Florida. Accordingly, Respondent license may be suspended or revoked.

Because Respondent failed to file a timely response to the publication notice, he waived his right to request a hearing.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order suspending Eduardo A. Azpurua’s Pari-Mutuel Wagering Professional Individual Occupational License until the Commission receives confirmation that payment has been satisfied.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL  
COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING  
Petitioner,

v.

EDUARDO A. AZPURUA, JR,

Respondent.

---

**FILED**

Florida Gaming Control Commission  
Office of the Agency Clerk

Clerk: Donna Fleming

Date: 7-13-2022

FGCC Case No.: 2022-030016

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Eduardo A. Azpurua, Jr. (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to Chapter 550, Florida Statutes.
2. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, 339693-1021, issued by Petitioner.
3. On or about June 17, 2022, a default final judgment of \$9,910.85 was entered against Respondent regarding goods and services provided to Respondent by Northwest Distributors, LLC, in the County Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, in case number COCE 22-007813.
4. These unpaid financial obligations relates to racing conducted at a pari-mutuel facility in the State of Florida.

5. Pursuant to Section 550.105(7), Florida Statutes:

The division may deny, revoke, or suspend any occupational license if the applicant therefor or holder thereof accumulates unpaid obligations or defaults in obligations, or issues drafts or checks that are dishonored or for which payment is refused without reasonable cause, if such unpaid obligations, defaults, or dishonored or refused drafts or checks directly relate to the sport of jai alai or racing being conducted at a pari-mutuel facility within this state.

6. Based on the foregoing, Respondent violated Section 550.105(7), Florida Statutes, by accumulating unpaid obligations or defaults in obligations that directly related to racing conducted at a pari-mutuel facility in the State of Florida.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties the Commission is authorized to impose pursuant to Chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-030016 is signed this 7th day of July, 2022.

*/s/ Emily A. Alvarado*

---

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

### NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to Sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, Florida Administrative Code. Pursuant to Rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.



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: **icampbell**

[VR Home](#) | 
 [Complaint Search](#) | 
 [Maintain Complaint](#)

Lic Type	<b>1021 - Pari-Mutuel Wagering Individual Occupational</b>	Status	<b>90 Closed</b>	Status Date	<b>06/22/2022</b>
Complaint #	<b>2022030016</b>	Case Type	<b>CMP Complaint</b>	Disposition	Disposition Date
Docket#	Re pondent <b>AZPURUA, EDUARDO A JR</b>	Re pon ible	<b>jminaya - MINAYA, JULIO</b>	<b>Private Ca e</b>	

Complaint	Re pondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	<b>INTN - Internal</b>	Security Level	<b>1</b>	<input type="checkbox"/>	Parties	<input checked="" type="checkbox"/>	Activities
Form	<b>INTR - Internal</b>	Priority		<input checked="" type="checkbox"/>	Allegation	<input type="checkbox"/>	Di cipline
Class'n	<b>IV-A - Financial Responsibility</b>	Complexity	<b>R - Regular</b>	<input type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Security	<b>STND - Standard</b>	Incident	<b>06/17/2022</b>	<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Region	<b>SR - Southern Region</b>	Received	<b>06/20/2022</b>	<input type="checkbox"/>	Inspection		
Reference	<b>550.105(7)</b>			<input type="checkbox"/>	Co t		
Entered	<b>06/20/2022</b>	Entered By	<b>icampbell</b>	<input type="checkbox"/>	Time Tracking		Auto Assign
Summary	<b>321 - Gulfstream Park Racing Association, Inc. (Financial Responsibility): On June 20, 2022, a copy of a Final Judgment by Default, Case #COCE-22-007813 was received via e-mail. Per said Judgment filed on June 17, 2022, in the County Court For the 17th Judicial Circuit in and For Broward County, FL, in Division 50, Northwest Distributors LLC., shall recover from Eduardo A. Azpurua Jr., the sum of \$9,910.85, which shall bear interest at the rate of 4.25% per year.</b>			<input type="checkbox"/>	Attachments		History
Updated	<b>06/22/2022 15:31:20</b>	By	<b>icampbell</b>	<input type="checkbox"/>	Work Notes		Print Report

<b>2</b>	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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Melaine S. Griffin, Secretary

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>June 20, 2022</b>	Case Number: <b>2022 03 0016</b>
Respondent:  <b>AZPURUA, EDUARDO A JR 788 NE 88<sup>TH</sup> STREET MIAMI, FL 333138 (352) 895-3611</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATION 1400 W. COMMERCIAL BLVD., SUITE 165 FT. LAUDERDALE, FL 33309 (954) 202-3900</b>	
License # and Type: <b>339693 - 1021</b>		Profession: <b>Thoroughbred Owner/Trainer</b>	Report Date: <b>June 20, 2022</b>
Period of Investigation: <b>June 20, 2022 through June 20, 2022</b>		Type of Report: <b>Final</b>	
Alleged Violation: <b>F.S.S. 550.105 Financial Responsibility</b> <b>(7)</b> "The division may deny, revoke, or suspend any occupational license if the applicant thereof or holder thereof accumulates unpaid obligations or defaults in obligations, or issues drafts or checks that are dishonored or for which payment is refused without reasonable cause, if such unpaid obligations, defaults, or dishonored or refused drafts or checks directly relate to the sport of jai alai, or racing being conducted at a pari-mutuel facility within this state."			
Synopsis: On June 20, 2022, a Final Judgment by Default against Eduardo A. <b>AZPURUA JR</b> , in favor of Northwest Distributors LLC, Case No. COCE-22-007813, Division 50, In the County Court of the 17 <sup>th</sup> Judicial Circuit In and For Broward County, FL, ordered on June 17, 2022, was received via e-mail from Attorney Mark Gunderson.  Per said judgment, Northwest Distributors LLC shall recover from Eduardo A. <b>AZPURUA JR</b> the sum of \$8,000.00 in principle, filing fees of \$320.85, process server fees of \$90.00 and attorney fees in the amount of \$1,500.00, making a total of \$9,910.85, which shall bear interest at the rate of 4.25% per year. <b>(Exhibit # 1)</b>			
Related Case:			
Investigator / Date		Investigator Supervisor / Date	
		 Julio Minaya / June 20, 2022	
Investigator / Date			
			
Steven E. Kogan / June 22, 2022			

## CONTINUATION

A check of DBPR Versa records reflect that Eduardo A. **AZPURUA JR.**, obtained a Florida PMW Occupational license as an Individual Animal Owner/Trainer on September 24, 2020. This license expires on June 30, 2023. A copy of his licensing information is attached as **EXHIBIT # 2**.

In the letter from Gunderson dated June 20, 2022, he states that Northwest Distributors LLC shall recover from **AZPURUA JR.**; the sum of \$9,910.85, for horse feed products provided by his client at a Florida Pari-Mutuel facility where **AZPURUA JR.**, stables his horses. Gunderson also provided copies of the Original Complaint and invoices related to his case. These documents are attached as **EXHIBIT # 1 & 3**.

On June 20, 2022, an Enforcement Alert was placed on **AZPURUA's** license record in VERSA to reflect this unsatisfied Financial Obligation. A copy of the License Action Request Form and VERSA alert is attached as **EXHIBIT # 4**.

It should be noted; that Attorney Gunderson also attached a copy of US Postal Service Form 3811, known as the Domestic Return Receipt Form showing that **AZPURUA JR** was served on March 21, 2022, via certified mail at 8075 NW 48<sup>th</sup> Lane, Ocala Florida 34482-2049. According to Gunderson this address is a valid address for **AZPURUA JR.** (**EXHIBIT # 5**)

**Status:** **AZPURUA JR.**, is in violation of F.S.S. 550.105(7) for failing to satisfy the aforementioned Final Judgment.

Case is closed by Investigations and forwarded to Legal for review.

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Judgment..... 1-7

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Melaine S. Griffin, Secretary

Ron DeSantis, Governor

**DIVISION OF PARI-MUTUEL WAGERING  
 LICENSE ACTION REQUEST FORM**

To: Licensing Administrator

From: Investigator Minaya

Date: June 20, 2022

<b>X</b>	PLEASE <b>ADD ALERT</b> : Contact Investigations Prior to Licensing
	PLEASE <b>REMOVE</b> ALERT FROM LICENSE RECORD

License number and type: 339693 - 1021

Last Name: AZPURUA JR.

First Name: EDUARDO A

DOB: 10/25/1962

SS#: 261-83-4147

Reason for Addition/Removal of Alert: **DO NOT LICENSE!** Unsatisfied Final Judgment pending against Eduardo A. **AZPURUA JR.**, in favor of Northwest Distributors LLC, Case # COCE-22-007813, Division 50, in the Circuit Court of the 17<sup>th</sup> Judicial Court in Broward County, Florida, in the amount of \$9,910.85, plus 4.25% interest per year.

Responsible Party: Inv. Sup Minaya

Case Number: 2022 03 0016

Approved by: \_\_\_\_\_ Date \_\_\_\_\_

Added/Removed by:  \_\_\_\_\_ Date June 20, 2022

Revised 12/08

## Minaya, Julio

---

**From:** Mark Gunderson <mgunderson@mindspring.com>  
**Sent:** Monday, June 20, 2022 12:35 PM  
**To:** Minaya, Julio; Fleming, Donna  
**Cc:** Joe Iadisernia  
**Subject:** Complaint - Azpurua  
**Attachments:** 2022\_06\_20 Letter to Fla Division Azpurua.pdf; 2022\_02\_04 Complaint Azpurua.pdf; 2022\_03\_29 Certified Receipt Azpurua.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.**

Julio,

Attached please find my client's complaint against Eduardo A. Azpurua, Jr. along with the original complaint and alternate service by certified mail.

Please note that my client elected to sue for \$8,000.00 which is \$168.91 less than the full amount of the debt, to keep this action in small claims court.

Call if you have any questions.

Mark Gunderson  
Attorney • CPA  
2510 SW 18 Street  
Ft. Lauderdale, FL 33312  
(954) 288-1001 Mobile  
(954) 791-6154 Fax

*"Greed is a powerful motivator...  
many people behave badly and dishonestly, creating serious hardships for others in order to enrich themselves"*  
-Richard Bitner-

Confidential: This e-mail contains a communication protected by the attorney-client privilege or constitutes work product. If you do not expect such a communication please delete this message without reading it or any attachment and then notify the sender of this inadvertent delivery.

Law Office of  
**Mark Gunderson, PL**  
Attorney ♦ CPA

2510 SW 18 Street ♦ Fort Lauderdale, Florida 33312  
phone: (954) 288-1001 ♦ fax: (954) 791-6154 ♦ e-mail: [mgunderson@mindspring.com](mailto:mgunderson@mindspring.com)

**DIVISION OF PARI-MUTUEL WAGERING COMPLAINT – EDUARDO A. AZPURUA, JR.**

June 20, 2022

Via Certified Mail – 7021 1970 0000 6751 7656  
Via Email - [Donna.Fleming@myfloridallicense.com](mailto:Donna.Fleming@myfloridallicense.com)

Via Email - [Julio.Minaya@myfloridallicense.com](mailto:Julio.Minaya@myfloridallicense.com)

Division of Pari-Mutuel Wagering  
DBPR 0070 – Uniform Complaint Form  
2601 Blairstone Rd.  
Tallahassee, Florida 32399

Julio Minaya, Investigation Supervisor  
Division of Pari-Mutuel Wagering  
Office of Investigation  
1400 West Commercial Boulevard #165  
Fort Lauderdale, FL 33065

Re: Northwest Distributors LLC v Eduardo A. Azpurua Jr.  
17<sup>th</sup> Judicial Circuit - State of Florida - COCE-22007813 Division 50 - \$9,910.85

Gentlemen:

On June 17, 2022, my client, Northwest Distributors LLC, obtained judgment<sup>1</sup> against Mr. Azpurua, Jr., a licensee, concerning horse feed products, which my client provided at a Florida pari-mutuel facility where Mr. Azpurua, Jr. stables his horses. Since obtaining the judgment, Mr. Azpurua Jr. has failed to satisfy his obligation.

Florida statutes state: “the division [pari-mutuel wagering] may deny, revoke, or suspend any occupational license if the applicant therefor or holder thereof accumulates unpaid obligations or defaults in obligations...if such unpaid obligations...directly relate to the sport of ... racing being conducted at a pari-mutuel facility within this state.” 550.105(7) Fla. Stat.

Mr. Azpurua Jr. holds a Pari-Mutuel Wagering Individual Occupational license issued by the State of Florida, as does my client. Mr. Azpurua Jr. has accumulated unpaid obligations and has defaulted on an obligation that is directly related to the sport of racing conducted at a pari-mutuel facility.

Accordingly, my client requests that Mr. Azpurua Jr.’s racing license be suspended or revoked, in accordance with the procedures found at Fla. Admin. Code R. 61D-3.001, states that, “alleged violations of Chapter 550, F.S., or Chapter 61D, F.A.C., in horseracing shall be heard by a board of stewards.”

Thank you for your attention to this matter.

/s/ Mark Gunderson, Esq.

Cc. Client

Eduardo A. Azpurua, Jr., 8075 NW 48<sup>th</sup> Ln., Ocala, FL 34482

<sup>1</sup> Judgment attached.

IN THE COUNTY COURT OF THE 17TH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO. COCE22007813 DIVISION: 50 JUDGE: Cohen, Mardi Levey (50)

**Northwest Distributors LLC**

Plaintiff(s) / Petitioner(s)

v.

**Eduardo A. Azpurua, Jr.**

Defendant(s) / Respondent(s)

**Default Final Judgment**

This action was heard upon Plaintiff's Motion for Default and Final Judgment by Default and

**IT IS ADJUDGED** that Defendant, EDUARDO A. AZPURUA JR. is in default for failing to appear at the June 7, 2022 Pretrial Hearing set by this Court and failing to file or serve any defense in this matter.

Plaintiff, Northwest Distributors LLC, Attn: Joe, Iadisernia, P.O. Box 1287, Hallandale Beach, FL 33009, shall recover from defendant, EDUARDO A. AZPURUA JR., 8075 NW 48<sup>th</sup> Lane, Ocala, FL 34482 the sum of \$8,000.00 in principal, filing fees of \$320.85, process server fees of \$90.00 and attorney fees in the amount of \$1,500.00, making a **total of \$9,910.85**, which shall bear interest at the rate of 4.25% per year, for which let execution issue forthwith.

**IT IS FURTHER ORDERED AND ADJUDGED** that the defendant shall complete Florida Rules of Civil Procedure Form 7.343 (Fact Information Sheet) and return it to the plaintiff's attorney within 30 days from the date of this final judgment unless the final judgment is satisfied or a motion for new trial or notice of appeal is filed. **The defendants should NOT file the completed form 7.343 with the court.**

Jurisdiction of this case is retained to enter further orders that are proper to compel the defendants to complete Form 7.343 and return it to the plaintiff's attorney.



**DONE AND ORDERED** in Chambers at Broward County, Florida on 17th day of June, 2022.

  
COCE22007813 06-17-2022 10:34 AM

COCE22007813 06-17-2022 10:34 AM

Hon. Mardi Levey Cohen

**COUNTY JUDGE**

Electronically Signed by Cohen, Mardi Levey (50)

**Copies Furnished To:**

Alexander P. Johnson , E-mail : AlexanderJohnson@apjlaw.net

Alexander P. Johnson , E-mail : attorneyalexanderjohnson@gmail.com

Mark Gunderson , E-mail : mgunderson@mindspring.com



PRIVATE ATTORNEY FOR COMPLAINANT (IF APPLICABLE)				
Last Name	First	Middle	Title	Suffix
GUNDERSON, MARK, ESQ				
ADDRESS				
Street Address or P.O. Box				
2510 SW 18 STREET				
City		State	Zip Code (+4 optional)	
FORT LAUDERDALE		FL	33312	
County (if Florida address)		Country		
BROWARD				
CONTACT INFORMATION				
Primary Phone Number		Alternate Phone Number		
954-288-1001				

SUBJECT OF COMPLAINT				
Last Name	First	Middle	Title	Suffix
EDUARDO A. AZPURUA, JR.				
License Number (if known)				
PIN339693				
Company/Occupation				
HORSE TRAINER				
MAILING ADDRESS				
Street Address or P.O. Box				
8075 NW 48TH LN				
City		State	Zip Code (+4 optional)	
OCALA		FL	34482	
County (if Florida address)		Country		
CONTACT INFORMATION				
Primary Phone Number		Primary E-Mail Address		
(352) 895-3611		UNKNOWN		
RESIDENCE ADDRESS (IF DIFFERENT THAN MAILING ADDRESS)				
Street Address				
City		State	Zip Code (+4 optional)	
County (if Florida address)		Country		

PRIVATE ATTORNEY FOR SUBJECT OF COMPLAINT (IF APPLICABLE)				
Last Name	First	Middle	Title	Suffix
ADDRESS				
Street Address or P.O. Box				
City		State	Zip Code (+4 optional)	
County (if Florida address)		Country		
CONTACT INFORMATION				
Primary Phone Number		Alternate Phone Number		

WITNESS (IF APPLICABLE)				
Last Name	First	Middle	Title	Suffix
JOE IADISERNIA - MGRM				
ADDRESS				
Street Address or P.O. Box				
C/O NORTHWEST DISTRIBUTORS LLC, PO BOX 1287				
City		State	Zip Code (+4 optional)	
HALLANDALE		FL	33009	
County (if Florida address)		Country		
BROWARD				
CONTACT INFORMATION				
Primary Phone Number		Alternate Phone Number		
561-441-2195				

WITNESS (IF APPLICABLE)				
Last Name	First	Middle	Title	Suffix
ADDRESS				
Street Address or P.O. Box				
City		State	Zip Code (+4 optional)	
County (if Florida address)		Country		
CONTACT INFORMATION				
Primary Phone Number		Alternate Phone Number		

I affirm that I have provided the above information completely and truthfully to the best of my knowledge.

Complainant Sign Here: BY: /S/ MARK GUNDERSON, ESQ. Date: 6/20/22

VR Home | **Inbox** | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

License Search | Entity Search | Modify License Standing | Maintain License CE Control

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: jminaya

VR Home > License Search > License Home

**License**

Fed Tax # [REDACTED] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2023**  
 File # **5363** Name **AZPURUA, EDUARDO A JR.** Extended To  
 License # **339693** Rank **PIND - Professional Individual Occupational** Renewed On  
 Entity # **339693** Lic Status **Current**

- 
- 
- 
- 
- 

**Address**

Street # **788** Street **NE 88 STREET**  
 Line 2  
 Line 3  
 City **MIAMI** State **FL** Zip **33138**  
 Routing

**Other**

1st License Date **09/24/2020** Rank Date **09/24/2020** Certificate #  
 Method **I-S-1024** Status Date **09/24/2020** Certificate Date  
 Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action   

**Modifiers**

Type	Modifier	Effective Date	Additional Info
C	IOWN - Individual Animal Owner	12/10/2001	
C	OTD - Owner/Trainer/Driver	11/10/2021	
C	TRNR - Trainer	06/30/2020	
I	TBRD - Thoroughbred		
L	320 - Tampa Bay Downs	11/10/2021	
Y	3YR - 3 Year License		

**Alt Keys**

BEST LIC NBR **PIN339693**

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VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

License Search | Entity Search | Modify License Standing | Maintain License CE Control

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: jminaya

VR Home > License Search > License Home > Basic Entity Data

Basic Entity Data | List of Addresses | List of Names

Lic Type	1021 - PMW Professional Individual Occupational		Entity #	339693	
Fed Tax #	[REDACTED]		Name	AZPURUA, EDUARDO A JR.	
<b>H</b> Last Name	AZPURUA	First	EDUARDO	Middle	A
Title		Suffix	JR.	Qualifier	
Gender	M	Race	2 - White		
Driver License #	[REDACTED]	Birth Da	[REDACTED]		
Mailing Address	<input checked="" type="checkbox"/>	Private Address	<input type="checkbox"/>	Preferred Name	<input checked="" type="checkbox"/>
Street #	788	Street	NE 88 STREET		
Line 2					
Line 3					
City	MIAMI	County	Dade		
Zip	33138	State	Florida	Country	United States
Routing					
Phone #	352-895-3611	Ext		E-Mail	azpuruastable@earthlink.net
Insp Region		Receive Email	<input type="checkbox"/>		
Updated	11/10/2021 12:10:52	By	ybotero		

- Notes
- Notes History
- Fix
- Change
- Save
- OK
- Cancel
- Back

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IN THE COUNTY COURT FOR THE  
SEVENTEENTH JUDICIAL CIRCUIT IN AND  
FOR BROWARD COUNTY, FLORIDA

NORTHWEST DISTRIBUTORS LLC  
Plaintiff,

vs

SMALL CLAIMS DIVISION  
CASE NO.

EDUARDO A. AZPURUA JR.  
Defendant.

---

**COMPLAINT**

Plaintiff, NORTHWEST DISTRIBUTORS LLC ("Plaintiff") sues defendant, EDUARDO A. AZPURUA, JR. ("Defendant") and alleges:

1. This is an action on an open account.
2. This Court has subject matter jurisdiction over this dispute because this complaint seeks damages less than \$8,000.00 exclusive of interest, attorneys' fees, and costs. §34.01(2) Fla. Stat.
3. Venue is proper in the 17<sup>th</sup> Judicial Circuit, in that Plaintiff's cause of action arose in Broward County Florida. §47.011 Fla. Stat.
4. Plaintiff is a resident of Broward County and otherwise *sui juris*.
5. The Court has jurisdiction over the Defendant in that plaintiff's cause of action against Defendant arises from defendant operating, conducting, engaging in, or carrying on a business or business venture in this state, breaching a contract in this state by failing to perform acts required by the contract to be performed in this state, and/or Defendant's substantial and not isolated activity within this state. §48.193 Fla. Stat.
6. Defendant owes plaintiff \$8,000.00 that is due with interest since November 13, 2020, based on an agreement for goods and services that were sold and delivered at an agreed upon price, directly related to horse racing being conducted at a pari-mutuel facility. See Exhibit A.
7. Plaintiff is entitled to prevailing party attorney fees pursuant to agreement between the parties.

WHEREFORE, Plaintiff demands judgment for damages, attorney fees and costs against Defendant.

MARK GUNDERSON, P.L.  
Attorney for Plaintiff  
2510 SW 18 Street  
Fort Lauderdale Florida 33312  
(954) 288-1001; (954) 791-6154 Fax  
mgunderson@mindspring.com  
/s/ Mark Gunderson  
FBN: 0842141

EXHIBIT #3  
PAGE # 1



**P.O. Box 1287  
Hallandale Beach, FL 33008-1287**

**Office: 1-305-396-2028**

**Fax: 1-305-402-0815**

**Groveland: 352-789-6792**

**Hours of Operation:  
Mon - Fri 7:00 AM - 2:30 PM**

**Sat - Sun CLOSED**

**Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM**

Exhibit A 1/4

**Billing Statement**

Date
2/2/2022

Eduardo Azpurua  
10000 W Bay Harbor Dr.  
Apt. 324  
Bay Harbor Islands, Fl 33154

Date	Transaction	Amount	Balance
01/03/2020	2. Credit 07 Days:Eduardo Azpurua- INV #209480. Orig. Amount \$476.85. --- Purina Race Ready Sweet Feed, 20 @ \$18.45 = 369.00 --- Timothy Western 3W, 3 @ \$35.95 = 107.85 --- Tax: Palm Beach County @ 7.0% = 0.00	129.63	129.63
01/07/2020	INV #209947. Orig. Amount \$139.80. --- Timothy Western 3W, 3 @ \$35.95 = 107.85 --- Alfalfa 3-Wire, 1 @ \$31.95 = 31.95 --- Tax: Palm Beach County @ 7.0% = 0.00	139.80	269.43
01/10/2020	INV #210162. Orig. Amount \$518.90. --- Purina Race Ready Sweet Feed, 20 @ \$18.45 = 369.00 --- Straw 3-Wire, 4 @ \$19.50 = 78.00 --- Timothy Western 3W, 2 @ \$35.95 = 71.90 --- Tax: Palm Beach County @ 7.0% = 0.00	518.90	788.33
01/14/2020	INV #210610. Orig. Amount \$580.70. --- Purina Race Ready Sweet Feed, 20 @ \$18.45 = 369.00 --- Timothy Western 3W, 4 @ \$35.95 = 143.80 --- Alfalfa 3-Wire, 2 @ \$33.95 = 67.90 --- Tax: Palm Beach County @ 7.0% = 0.00	580.70	1,369.03
01/21/2020	INV #211246. Orig. Amount \$639.00. --- Purina Race Ready Sweet Feed, 25 @ \$18.45 = 461.25 --- Timothy Western 3W, 4 @ \$35.95 = 143.80 --- Alfalfa 3-Wire, 1 @ \$33.95 = 33.95 --- Tax: Palm Beach County @ 7.0% = 0.00	639.00	2,008.03

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

**Location: 1**  
Northwest Distributors, LLC  
901 S. Federal Highway  
Sullivan Lot Building 800  
Hallandale, FL 33009  
305-396-2028

**Location: 2**  
Northwest Distributors, LLC  
1735 Tally Box Rd  
Leesburg, FL 34748  
352-789-6792

<b>Amount Due</b>
<b>\$8,168.91</b>

**EXHIBIT #3  
PAGE # 2**





**P.O. Box 1287  
Hallandale Beach, FL 33008-1287**

**Office: 1-305-396-2028**

**Fax: 1-305-402-0815**

**Groveland: 352-789-6792**

**Hours of Operation:  
Mon - Fri 7:00 AM - 2:30 PM**

**Sat - Sun CLOSED**

**Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM**

**Exhibit A 2/4**

**Billing Statement**

<b>Date</b>
2/2/2022

Eduardo Azpurua  
10000 W Bay Harbor Dr.  
Apt. 324  
Bay Harbor Islands, FL 33154

Date	Transaction	Amount	Balance
09/01/2020	INV #FC 4534. Orig. Amount \$290.23. Finance Charge --- Fin Chg \$290.23 --- Invoice #209152 for 165.78 on 12/31/2019 --- Invoice #209480 for 476.85 on 01/03/2020 --- Invoice #209947 for 139.80 on 01/07/2020 --- Invoice #210162 for 518.90 on 01/10/2020 --- Invoice #210610 for 580.70 on 01/14/2020 --- Invoice #211246 for 639.00 on 01/21/2020	290.23	2,298.26
09/11/2020	INV #230969. Orig. Amount \$716.50. --- Purina Race Ready Sweet Feed, 10 @ \$18.95 = 189.50 --- Timothy Western 3W, 4 @ \$37.95 = 151.80 --- Alfalfa 3-Wire, 1 @ \$33.95 = 33.95 --- Shavings GI 10FT (Large Flake), 45 @ \$5.85 = 263.25 --- Straw 3-Wire, 4 @ \$19.50 = 78.00 --- Tax: Palm Beach County @ 7.0% = 0.00	716.50	3,014.76
09/16/2020	INV #231271. Orig. Amount \$21.75. --- Hallway Race 13, 1 @ \$21.75 = 21.75 --- Tax: Palm Beach County @ 7.0% = 0.00	21.75	3,036.51
09/17/2020	INV #231362. Orig. Amount \$482.95. --- Timothy Western 3W, 4 @ \$37.95 = 151.80 --- Alfalfa 3-Wire, 2 @ \$33.95 = 67.90 --- Shavings GI 10FT (Large Flake), 45 @ \$5.85 = 263.25 --- Tax: Palm Beach County @ 7.0% = 0.00	482.95	3,519.46
09/17/2020	INV #231363. Orig. Amount \$16.59. --- Anti Fungal Shampoo Gal, 1 @ \$15.50 = 15.50 --- Tax: Palm Beach County @ 7.0% = 1.09	16.59	3,536.05
09/18/2020	INV #231370. Orig. Amount \$422.50. --- Purina Race Ready Sweet Feed, 20 @ \$18.95 = 379.00 --- Hallway Race 13, 2 @ \$21.75 = 43.50 --- Tax: Palm Beach County @ 7.0% = 0.00	422.50	3,958.55

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

**Amount Due**

**\$8,168.91**

**Location: 1  
Northwest Distributors, LLC  
901 S. Federal Highway  
Sullivan Lot Building 800  
Hallandale, FL 33009  
305-396-2028**

**Location: 2  
Northwest Distributors, LLC  
1735 Tally Box Rd  
Leesburg, FL 34748  
352-789-6792**

**EXHIBIT #3  
PAGE #3**



**P.O. Box 1287  
Hallandale Beach, FL 33008-1287**

**Office: 1-305-396-2028**

**Fax: 1-305-402-0815**

**Groveland: 352-789-6792**

**Hours of Operation:  
Mon - Fri 7:00 AM - 2:30 PM**

**Sat - Sun CLOSED**

**Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM**

**Exhibit A 3/4**

**Billing Statement**

<b>Date</b>
2/2/2022

**Eduardo Azpurua  
10000 W Bay Harbor Dr.  
Apt. 324  
Bay Harbor Islands, FL 33154**

<b>Date</b>	<b>Transaction</b>	<b>Amount</b>	<b>Balance</b>
09/22/2020	INV #231723. Orig. Amount \$263.25. --- Shavings GI 10FT (Large Flake), 45 @ \$5.85 = 263.25 --- Tax: Palm Beach County @ 7.0% = 0.00	263.25	4,221.80
09/25/2020	INV #231941. Orig. Amount \$680.15. --- Purina Race Ready Sweet Feed, 20 @ \$18.95 = 379.00 --- Hallway Race 13, 2 @ \$21.75 = 43.50 --- Timothy Western 3W, 5 @ \$37.95 = 189.75 --- Alfalfa 3-Wire, 2 @ \$33.95 = 67.90 --- Tax: Palm Beach County @ 7.0% = 0.00	680.15	4,901.95
09/28/2020	INV #232134. Orig. Amount \$263.25. --- Shavings GI 10FT (Large Flake), 45 @ \$5.85 = 263.25 --- Tax: Palm Beach County @ 7.0% = 0.00	263.25	5,165.20
10/01/2020	INV #232547. Orig. Amount \$267.75. --- Timothy Western 3W, 5 @ \$37.95 = 189.75 --- Straw 3-Wire, 4 @ \$19.50 = 78.00 --- Tax: Palm Beach County @ 7.0% = 0.00	267.75	5,432.95
10/05/2020	INV #232802. Orig. Amount \$263.25. --- Shavings GI 10FT (Large Flake), 45 @ \$5.85 = 263.25 --- Tax: Palm Beach County @ 7.0% = 0.00	263.25	5,696.20
10/06/2020	INV #232697. Orig. Amount \$379.00. --- Purina Race Ready Sweet Feed, 20 @ \$18.95 = 379.00 --- Tax: Palm Beach County @ 7.0% = 0.00	379.00	6,075.20
10/08/2020	INV #233238. Orig. Amount \$257.65. --- Timothy Western 3W, 5 @ \$37.95 = 189.75 --- Alfalfa 3-Wire, 2 @ \$33.95 = 67.90 --- Tax: Palm Beach County @ 7.0% = 0.00	257.65	6,332.85
11/13/2020	INV #235901. Orig. Amount \$276.80. --- Oats Steam Crimped (Woodys), 1 @ \$16.00 = 16.00 --- Timothy Western 3W, 2 @ \$37.95 = 75.90 --- Alfalfa 3-Wire, 2 @ \$33.95 = 67.90 --- Shavings GI 10FT (Large Flake), 20 @ \$5.85 = 117.00 --- Tax: Palm Beach County @ 7.0% = 0.00	276.80	6,609.65

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

**Location: 1  
Northwest Distributors, LLC  
901 S. Federal Highway  
Sullivan Lot Building 800  
Hallandale, FL 33009  
305-396-2028**

**Location: 2  
Northwest Distributors, LLC  
1735 Tally Box Rd  
Leesburg, FL 34748  
352-789-6792**

<b>Amount Due</b>
<b>\$8,168.91</b>

**EXHIBIT #3  
PAGE #4**



**P.O. Box 1287**  
**Hallandale Beach, FL 33008-1287**

**Office: 1-305-396-2028**

**Fax: 1-305-402-0815**

**Groveland: 352-789-6792**

**Hours of Operation:**  
**Mon - Fri 7:00 AM - 2:30 PM**

**Sat - Sun CLOSED**

**Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM**

Exhibit A 4/4

# Billing Statement

Date
2/2/2022

Eduardo Azpurua  
 10000 W Bay Harbor Dr.  
 Apt. 324  
 Bay Harbor Islands, FL 33154

Date	Transaction	Amount	Balance
02/01/2022	INV #FC 4542. Orig. Amount \$1,559.26. Finance Charge --- Fin Chg \$1,559.26 --- Invoice #209480 for 129.63 on 01/03/2020 --- Invoice #209947 for 139.80 on 01/07/2020 --- Invoice #210162 for 518.90 on 01/10/2020 --- Invoice #210610 for 580.70 on 01/14/2020 --- Invoice #211246 for 639.00 on 01/21/2020 --- Invoice #230969 for 716.50 on 09/11/2020 --- Invoice #231271 for 21.75 on 09/16/2020 --- Invoice #231362 for 482.95 on 09/17/2020 --- Invoice #231363 for 16.59 on 09/17/2020 --- Invoice #231370 for 422.50 on 09/18/2020 --- Invoice #231723 for 263.25 on 09/22/2020 --- Invoice #231941 for 680.15 on 09/25/2020 --- Invoice #232134 for 263.25 on 09/28/2020 --- Invoice #232547 for 267.75 on 10/01/2020 --- Invoice #232802 for 263.25 on 10/05/2020 --- Invoice #232697 for 379.00 on 10/06/2020 --- Invoice #233238 for 257.65 on 10/08/2020 --- Invoice #235901 for 276.80 on 11/13/2020	1,559.26	8,168.91
			<b>Amount Due</b>
			<b>\$8,168.91</b>

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

**Location: 1**  
 Northwest Distributors, LLC  
 901 S. Federal Highway  
 Sullivan Lot Building 800  
 Hallandale, FL 33009  
 305-396-2028

**Location: 2**  
 Northwest Distributors, LLC  
 1735 Tally Box Rd  
 Leesburg, FL 34748  
 352-789-6792

**EXHIBIT #3**  
**PAGE #5**

Melaine S. Griffin, Secretary

Ron DeSantis, Governor

**DIVISION OF PARI-MUTUEL WAGERING  
LICENSE ACTION REQUEST FORM**

To: Licensing Administrator

From: Investigator Minaya

Date: June 20, 2022

X	PLEASE <b>ADD ALERT</b> : Contact Investigations Prior to Licensing
	PLEASE <b>REMOVE</b> ALERT FROM LICENSE RECORD

License number and type: 339693 - 1021

Last Name: AZPURUA JR.

First Name: EDUARDO A

DOB: 10/25/1962

SS#: 261-83-4147

Reason for Addition/Removal of Alert: **DO NOT LICENSE!** Unsatisfied Final Judgment pending against Eduardo A. **AZPURUA JR.**, in favor of Northwest Distributors LLC, Case # COCE-22-007813, Division 50, in the Circuit Court of the 17<sup>th</sup> Judicial Court in Broward County, Florida, in the amount of \$9,910.85, plus 4.25% interest per year.

Responsible Party: Inv. Sup Minaya

Case Number: 2022 03 0016

Approved by: \_\_\_\_\_ Date \_\_\_\_\_

Added/Removed by:  \_\_\_\_\_ Date June 20, 2022

Revised 12/08

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

License Search | Entity Search | Modify License Standing | Maintain License CE Control

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: jminaya

VR Home > License Search > License Home > Maintain License Modifiers - BASE\_CLONE

Search Criteria | Results | Detail

Modifier Type **A - Alert**  
Modifier **ENFO - Enforcemt Alert**

Effective **06/20/2022**

Expires -

Additional Info :

Prompt

Value

Notes

**DO NOT LICENSE! Unsatisfied Final Judgment pending against Eduardo A. AZPURUA JR., in favor of Northwest Distributors LLC, Case # COCE-22-007813, Division 50, in the Circuit Court of the 17th Judicial Court in Broward County, Florida, in the amount of \$9,910.85, plus 4.25% interest per year.**

Updated **06/20/2022 15:01:34**

By **jminaya**

Notes History

Change

Delete

Save

Cancel

<

>

Add

Back

Get Adobe Reader.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the piece, or on the front.</li> </ul>	<p>A. Signature <i>Eduardo Perez</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p>	<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery</p>
<p>Eduardo Perez 8075 NW 48th Ln Ocala, FL 34482-2049</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
 9590 9402 6709 1060 1752 51	<p>J. Service Type</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Adult Signature</li> <li><input type="checkbox"/> Adult Signature Restricted Delivery</li> <li><input checked="" type="checkbox"/> Certified Mail®</li> <li><input type="checkbox"/> Certified Mail Restricted Delivery</li> <li><input type="checkbox"/> Collect on Delivery</li> <li><input type="checkbox"/> Collect on Delivery Restricted Delivery</li> <li><input type="checkbox"/> Insured Mail</li> <li><input type="checkbox"/> Mail Restricted Delivery</li> <li><input type="checkbox"/> Priority Mail Express®</li> <li><input type="checkbox"/> Registered Mail™</li> <li><input type="checkbox"/> Registered Mail Restricted Delivery</li> <li><input type="checkbox"/> Signature Confirmation™</li> <li><input type="checkbox"/> Signature Confirmation Restricted Delivery</li> </ul>	
<p>Article Number (Printed from reverse side) 7021 0350 0000 9082 1152</p>	<p>Domestic Return Receipt</p>	

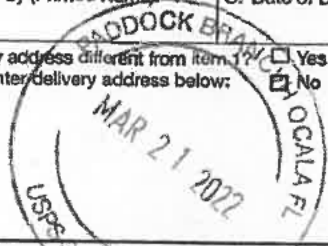


EXHIBIT #5  
PAGE # 1



ALM Global, LLC  
PO Box 936174  
Atlanta, GA 31193-6174

Please Remit To:

**Daily Business Review**

Miami Dade  
Customer No: 9059304  
Case/P.O.#: 2022-030016

FLORIDA GAMING CONTROL COMMISSION  
Attention To: **EBONIE LANIER**  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FL 32399

Invoice #:	I0000649820-0310
Invoice Date:	03/31/2023
Due Date:	Due Upon Receipt
<b>AMOUNT DUE:</b>	<b>\$129.94</b>

Amount Remitted

**Daily Business Review**

Miami Dade

Invoice Date: 03/31/2023	Customer #: 9059304	Case/P.O.#: 2022-030016
--------------------------	---------------------	-------------------------

Invoice #	Description	Amount
I0000649820-0310	<b>Placement/Position:</b> Other Notices/Administrative Complaint <b>Run Dates:</b> 03/10/2023, 03/17/2023, 03/24/2023, 03/31/2023 <b>Ad Size:</b> 4.37 Inches Notice of Action BEFORE THE DIVISION OF PARI-MUTUEL WAGERING - EDUARDO A. AZPURUA, JR - LICENSE NO.: 339693-1021	\$129.94
	<b>Subtotal</b>	\$129.94
	<b>Total Due</b>	\$129.94

**RECEIVED**  
 2023 APR -6 AM 10:33  
 FLORIDA GAMING  
 CONTROL COMMISSION

Visit our online payment portal at <https://www.almpaymentcenter.com> to pay via credit card

For billing questions, please email: ALMcollection@alm.com.



**MIAMI-DADE**

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:**

Before the undersigned authority personally appeared ROSANA SALGADO, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

2022-030016  
NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING -  
EDUARDO A. AZPURUA, JR - LICENSE NO.: 339693-1021

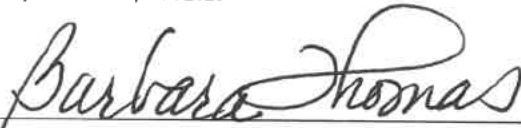
in the XXXX Court,  
was published in a newspaper by print in the issues of Miami  
Daily Business Review f/k/a Miami Review on

03/10/2023 03/17/2023 03/24/2023 03/31/2023

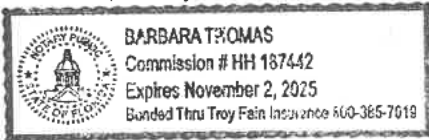
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.



Sworn to and subscribed before me this  
31 day of MARCH, A.D. 2023



(SEAL)  
ROSANA SALGADO personally known to me



**NOTICE OF ACTION  
BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING**  
IN RE: Violation of section 550.105(7),  
Florida Statutes.  
EDUARDO A. AZPURUA, JR  
788 Northeast 88th Street  
Miami, Florida 33138  
CASE NO.: 2022-030016  
LICENSE NO.: 339693-1021  
The Florida Gaming Control Com-  
mission has filed an Administrative  
Complaint against you, a copy of  
which may be obtained by contacting  
Ebonie Lanier, Administrative Assistant  
III, Office of the General Counsel,  
Florida Gaming Control Commission,  
2601 Blair Stone Road, Tallahassee,  
FL 32399, (850) 717-1663.  
If no contact has been made by  
you concerning the above by Friday,  
April 7, 2023, the matter of the  
Administrative Complaint will be  
presented to the Florida Gaming  
Control Commission at the next public  
meeting for final agency action.  
In accordance with the Americans  
with Disabilities Act, persons needing  
special accommodation to participate  
in this proceeding should contact  
the individual or agency sending notice  
no later than seven days prior to the  
proceeding at the address given on  
notice. Telephone: (850) 257-6097;  
1-800-955-8771 (TDD) or 1-800-955-8770  
(v), via Florida Relay Service.  
3/10-17-24-31 23-27/0000649820M





## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Ryan Charles Calvin Case No. 2022-040813, Default Final Order  
Date: April 24, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Ryan Charles Calvin (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the publication notice seeking to exclude him, Respondent waived his right to request a hearing contesting the Division’s decision. Therefore, the Florida Gaming Control Commission should enter a final order excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

### *Background*

On August 5, 2022, Respondent was a patron of The Casino at Dania Beach.<sup>1</sup> Respondent was seen on the casino slot floor conducting a drug transaction. Respondent was permanently excluded from The Casino at Dania Beach<sup>2</sup>, on August 5, 2022.

Based on his exclusion from The Casino at Dania Beach, the Division filed an administrative complaint against Respondent seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. The Division attempted service by USPS certified mail on three occasions but failed to achieve service. The Division attempted to serve Respondent via handservice, but failed to achieve service. The Division requested that a notice be placed with the Miami Dade County Daily Business Review.<sup>3</sup> It was published on March 10, 2023, March 17, 2023, March 24,

---

<sup>1</sup> The Casino at Dania Beach is operated by a pari-mutuel wagering permitholder that also possesses a slot machine and cardroom license.

<sup>2</sup> Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

<sup>3</sup> Section 120.60(5), Florida Statutes, provides, “when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee’s last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county.”

2023, and March 31, 2023. Respondent was given until April 7, 2023 to respond to this notice. He has never responded.

*Analysis*

Respondent can be excluded from all pari-mutuel and slot machine facilities in this state. Section 550.0251(6), Florida Statutes, provides, in relevant part, that “[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state.” Likewise, section 551.112, Florida Statutes, provides, in relevant part “[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state.” The Casino at Dania Beach is both a pari-mutuel facility and slot machine licensee in this state. And Respondent was ejected from it. Accordingly, Respondent can be excluded from all pari-mutuel and slot machine facilities in this state.

Because Respondent failed to file a timely response to the publication notice, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order excluding Respondent from all pari-mutuel and slot machine facilities in this state.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order permanently excluding Ryan Charles Calvin from all pari-mutuel and slot machine facilities in this state.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2022-040813

RYAN CHARLES CALVIN,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Ryan Charles Calvin (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to Chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent’s address was reported as 4150 Southwest 19th Street, Apt. 2 West Park, Florida 33023.
3. At all times material hereto, The Casino at Dania Beach was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about August 5, 2022, Respondent was a patron of The Casino at Dania Beach.
5. On or about August 5, 2022, Respondent was ejected and permanently excluded from The Casino at Dania Beach.

6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.
7. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida under Sections 550.0251(6) and 551.112, Florida Statutes based on his ejection from The Casino at Dania Beach on or about August 5, 2022.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida, along with any other remedy provided by Chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-040813 is signed this 10th day of October, 2022.

*/s/ Emily A. Alvarado*

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

## NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to Sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, Florida Administrative Code. Pursuant to Rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

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Domain **10 - Division of Pari-Mutuel Wagering**

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Lic Type <b>1098 - Unlicensed Complaints</b>		Status <b>90 Closed</b>		Status Date <b>09/30/2022</b>	
Complaint # <b>2022040813</b>	Case Type <b>CMP - Complaint</b>	Disposition		Disposition Date	
Docket#	Respondent <b>CALVIN, RYAN CHARLES</b>	Responsible <b>bjones - JONES, BRADFORD</b>	Private Case		

Complaint | Respondent | Complainant | Add'l Info

Source <b>INTN - Internal</b>	Security Level <b>1</b>	<input type="checkbox"/>	<b>Parties</b>	<input checked="" type="checkbox"/>	<b>Activities</b>
Form <b>INTR - Internal</b>	Priority	<input checked="" type="checkbox"/>	<b>Allegations</b>	<input type="checkbox"/>	<b>Discipline</b>
Class'n <b>305 - Enforcement</b>	Complexity <b>R - Regular</b>	<input type="checkbox"/>	<b>Violation</b>	<input type="checkbox"/>	<b>Compliance</b>
Security <b>STND - Standard</b>	Incident <b>08/05/2022</b>	<input checked="" type="checkbox"/>	<b>Related</b>	<input checked="" type="checkbox"/>	<b>Disposition</b>
Region <b>SR - Southern Region</b>	Received <b>08/22/2022</b>	<input type="checkbox"/>	<b>Inspection</b>		
Reference <b>550.0251(6)</b>	Entered <b>08/22/2022</b>	<input type="checkbox"/>	<b>Co t</b>		
Entered <b>08/22/2022</b>	Entered By <b>Imuniz</b>	<input type="checkbox"/>	<b>Time Tracking</b>	<b>Auto A ign</b>	
Summary 274-Dania entertainment Center, LLC ----- / ----- . Power and duties of the Florida Gaming Control Commission: On August 5, 2022, Dania Casino Security Supervisor Ivan Carrero was advised of an apparent illicit drug transaction involving two male patrons that took place inside the casino. The patrons were later identified as RYAN CHARLES CALVIN and Lonnit Edwards Cave. As a result, both of these individuals have been banned indefinitely from Dania Casino. The Office of Investigations is recommending a state-wide exclusion of CALVIN due to his alleged criminal conduct and resultant lifetime exclusion from Dania Casino.		<input type="checkbox"/>	<b>Attachment</b>	<b>Hi tory</b>	
		<input checked="" type="checkbox"/>	<b>Work Note</b>	<b>Print Report</b>	
Updated <b>10/03/2022 13:08:52</b>	By <b>Imuniz</b>				

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Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>August 22, 2022</b>	Case Number: <b>2022 04 0813</b>
Respondent:  <b>CALVIN, RYAN CHARLES 4150 SW 19 STREET. APT. # 2 WEST PARK , FLORIDA 33223</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE #165 FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>UNLICENSED</b>		Profession: <b>PATRON</b>	Report Date: <b>September 6, 2022</b>
Period of Investigation: <b>August 22, 2022 to September 6, 2022</b>		Type of Report: <b>FINAL</b>	
<b>Statute: F.S. 550.0251(6) Powers and duties of the Florida Gaming Control Commission.</b> - In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.			
<b>Synopsis:</b> On August 5, 2022, Ryan Charles <b>CALVIN</b> was permanently excluded from The Casino at Dania Beach (CDB). <b>CALVIN</b> was observed by Surveillance Staff involved in a drug transaction on the casino slot floor. Mr. <b>CALVIN</b> was subsequently permanently excluded from The Casino at Dania Beach on August 5, 2022.			
Related Case: 2022 04 1261			
Investigation Specialist II / Date   Miriam Roca / September 6, 2022		Investigator Supervisor / Date   Bradford D. Jones / September 30, 2022	
Chief of Investigations / Date   Bradford D. Jones for Steven E. Kogan / September 30, 2022			

## CONTINUATION

On August 19, 2022, the Office of Investigations received an e-mail from Casino at Dania Beach Security Supervisor Keon Raphael, indicating an exclusion from the facility. Patron Ryan Charles **CALVIN** was permanently trespassed on August 5, 2022 due to his involvement in a drug transaction with another patron who was identified as Lonnit Edwards Cave. Raphael provided a copy of the related Security Incident Report, Exclusion Form, and **CALVIN'S** photo identification, which are herein attached as **EXHIBIT #1**.

According to the CDB Security Incident Report, Surveillance advised Security Supervisor Ivan Carrero of a drug transaction taking place between two males at machine 6-4-2. The two males involved were identified as **RYAN CHARLES CALVIN** and Lonnit Edwards Cave. As per the Report, the Surveillance Operator observed Mr. Cave take out a white substance in a clear bag and hand it to **CALVIN** who then handed money to Cave. Security Supervisor Carrero, Broward Sheriff's Office Deputy Cortez and the CDB Manager on Duty walked over to the machine where the incident took place however, only Mr. Cave was still sitting there. Carrero advised Mr. Cave that he was observed passing drugs over to Mr. **CALVIN**. Cave admitted that he passed the drugs and apologized. Mr. **CALVIN** was observed coming out of the men's bathroom and according to Carrero was apparently ingesting the drugs in the bathroom because when he exited the bathroom he was "walking slow and talking with a slur." **CALVIN** was subsequently approached by Carrero and advised that he was being escorted to the Security office for using drugs in the casino. At the Security Office, **CALVIN** and Cave were permanently excluded from the property. I also obtained a copy of the Surveillance Report which confirmed the events as described above. The CDB Surveillance Report is herein attached as **EXHIBIT #2**.

A search Conducted on the Comprehensive Case Information System (CCIS) and Broward County Clerk of Courts Case Search, revealed **CALVIN** had the following arrests and/or convictions in Broward County, in addition to approximately \$3,482.40 of outstanding Fines and Court costs:

1. On April 13, 2005 **CALVIN** was charged with Felony Possession of Cocaine and Misdemeanor Resisting/Obstruct W/O Violence, for which he was adjudicated guilty. He was sentenced to State Prison for one (1) year (with 263 days credit for time served) and assessed \$520.30 in Court costs and Fines, which are currently outstanding.
2. On June 9, 2005 **CALVIN** was charged with Felony Uttering a Forged Instrument, for which he was adjudicated guilty. He was sentenced to State Prison for one (1) year (with 258 days credit for time served) and assessed \$758.10 in Court costs and Fines, which are currently outstanding.

**CONTINUATION**

3. On September 14, 2005 **CALVIN** was charged with Felony Possession of Cocaine and Misdemeanor Resisting / Obstruct W/O Violence for which he was adjudicated guilty. He was sentenced to 213 days in Broward County Jail (time served) and imposed \$507.00 in court cost and fines.
4. On October 16, 2007 **CALVIN** was charged with Felony Dealing in Stolen Property, for which he was adjudicated guilty. He was sentenced to thirty (30) days Broward County Jail (time served) and three (3) years' Probation. He was also assessed \$1,697.00 in Court costs and fines, which are currently outstanding. A Copy of Broward County Clerk Court Case Search is herein attached as **EXHIBIT # 3**.

**Conclusion:** After review of the related documentation concerning the incident, it is clear that under Statute 550.0251(6) **CALVIN'S** actions and subsequent permanent exclusion from The Casino at Dania Beach, merits the addition of **CALVIN'S** name to the Statewide Exclusion List.

**Case Status:** Case closed by Investigations and forwarded to Legal for review.

**TABLE OF CONTENTS**

- I. INVESTIGATIVE REPORT COVERSHEET .....
- II. INVESTIGATIVE REPORT .....
- III. EXHIBITS
  - 1. Security Incident Report, Exclusion Form, Photo and Photo ID .....1-5
  - 2. Surveillance Report .....1-3
  - 3. CCIS and Broward County Clerk Court.....1-35

EXC-000001079 - Patron - Permanent Security Exclusion - Reported 08/05/2022 01:53

Author: Ivan Carrero

Report Number: EXC-000001079

Start Time: 08/05/2022 01:53

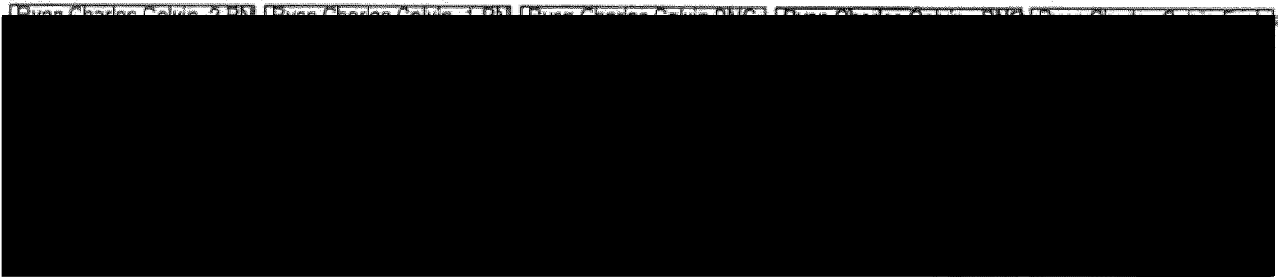
End Time: 08/05/2022 04:47

Report Group: Exclusion Reports

Report Type: Patron - Permanent Security Exclusion

Note: Ryan Charles Calvin was buying drugs from Lonnit Edwards Cave, and getting high in the men's bathroom in section 8.

Location / Origin: Slot Floor



Narrative

Author: Ivan Carrero

Created: 08/05/2022 04:23

On Friday August 5, 2022 Surveillance advised Security Supervisor Ivan Carrero of a drug transaction taking place at machine 6-4-2. There were 2 males involved, identified as Ryan Charles Calvin and Lonnit Edwards Cave. Surveillance observed Mr. Cave take out a white substance in a clear bag had it to Mr. Calvin, who then handed money over to Mr. Cave. S/S Carrero and BSO Deputy Cortez and MOD Kristian Garcia went to machine 6-4-2 to talk to both Mr. Cave and Mr. Calvin. When we got to machine 6-4-2 only Mr. Cave was sitting there, S/S Carrero advised Mr. Cave that we have him on camera passing drugs over to Mr. Calvin. Mr. Cave didn't hesitate and said yes, he did and started apologizing especially to BSO. Surveillance was looking for Mr. Calvin via camera, they observed Mr. Calvin coming out the men's bathroom in section 8. S/S Carrero advised Mr. Calvin that they would all be escorted to security for doing drugs in the casino. S/S Carrero noticed that Mr. Calvin was walking very slow and talking with a slur, apparently Mr. Calvin went to the bathroom to finish the drugs that he just purchased from Mr. Cave. S/S Carrero informed Mr. Calvin and Mr. Cave that they both were being permanently excluded from the casino. Nothing further to report at this time.

Person

Name: Ryan Charles Calvin

Race: White

Gender: Male

Eye color: N/A

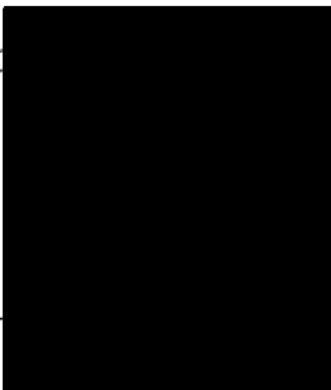
Hair color: Red

Keywords: Permanent, Suspect

Comments: Ryan Charles Calvin was buying drugs from Lonnit Edwards Cave, and getting high in the men's bathroom in section 8.

EXHIBIT # /  
PAGE # /

Ryan Charles Calvin.jpg



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Signature A

Date

Signature B

Date

EXHIBIT # 1  
PAGE # 2

THE CASINO @  
DANIA BEACH

Exclusion

NAME / LAST NAME: Ryan Charles Calvin

D.O.B. [REDACTED] PLAYER'S CLUB NUMBER N/A

PHONE NUMBER N/A

ADDRESS: 4150 SW 19<sup>th</sup> Street Apt 2 CITY: West Park ST: FL ZIP: 33223

RACE: White SEX: M HEIGHT: 5'7 WEIGHT: N/A HAIR: Red EYES: N/A

REASON FOR EXCLUSION: Possession of Drugs

The above-named person was advised to stay off THE CASINO @ DANIA BEACH property for a period of:

24 Hrs  3 Days  7 Days  30 Days  3 Months  6 Months  1 Year  2 Year  Permanent

Notification was given on Friday 8/5/22 at 1:50 am hours.

If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes.

SUBJECT'S SIGNATURE: [Signature]

ARRESTED: YES  NO

SECURITY AGENT: [Signature] DATE: 8/5/22



EXHIBIT #  
PAGE # 4





**SIN-000019710 - Patron - Permanent Security Exclusion - Reported 08/05/2022 02:35**

Author: Brian Steele

Report Number: SIN-000019710

Start Time: 08/05/2022 02:35

End Time: 08/06/2022 03:24

Report Group: Surveillance Reports

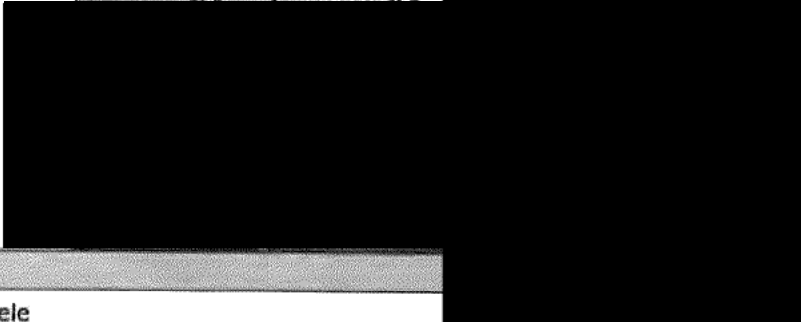
Report Type: Patron - Permanent Security Exclusion

Note: Lonnit Cave and Ryan Calvin - Illegal transaction Section 6

Location / Origin: Slot Floor



2219710.2.jpg 2219710.1.jpg



**Narrative**

Author: Brian Steele

On 8/5/2022 during a live observation of the slot floor, surveillance observed possible drug activity in Section 6. Surveillance observed a patron, identified as Lonnit Cave, give a patron identified Ryan Calvin a baggie with a white substance in exchange for money. Surveillance notified S/S Ivan Carrero at approximately 01:30 hrs.

Review revealed the following:

- At 01:17:38 hrs. a B/M patron identified as Lonnit Cave was observed walking through section 5.
- At 01:19:24 hrs. Cave sits at machine 6-4-2.
- At 01:19:05 hrs. a W/M patron identified as Ryan Calvin arrives at slot machine 6-4-2 and speaks with Cave.
- At 01:20:12 hrs. Calvin pulls a light blue pouch from his pocket.
- At 01:20:29 hrs. Calvin has cave smell the contents of his pouch.
- At 01:20:44 hrs. Cave shows Calvin a plastic container from his book bag.
- At 01:20:46 hrs. Calvin takes a container from Cave, removes the top, and smells the contents.
- At 01:21:28 hrs. Calvin removes something from the light blue bag and holds it up to Cave's nose.
- At 01:21:57 hrs. Cave pulls a black pouch from his pocket.
- At 01:22:06 hrs. Cave opens the pouch for Calvin to see the contents.
- At 01:22:39 hrs. Calvin sits down at slot machine 6-4-3 next to Cave.
- At 01:22:54 hrs. Cave removes a baggie containing a white substance from the pouch.
- At 01:23:07 hrs. Cave hands a baggie to Calvin.
- At 01:23:10 hrs. Calvin examines the baggie.
- At 01:23:19 hrs. Calvin raises his closed hand to his face and proceeds to put his fingers in his mouth.
- At 01:23:20 hrs. Calvin hands the baggie back to Cave.
- At 01:23:23 hrs. Cave puts the baggie into the black pouch and closes it.
- At 01:23:49 hrs. Calvin removes cash from his pocket.

EXHIBIT # 2  
PAGE # 1

- At 01:25:04 hrs. Cave removes the baggie with the white substance from his pouch.
- At 01:25:21 hrs. Cave is observed placing the baggie under slot machine 6-4-2 and pressing on the bag between his fingers.
- At 01:26:03 hrs. Cave hands the baggie with the white substance to Calvin.
- At 01:26:04 hrs. Calvin hands the cash from his pocket to Cave.
- At 01:29:19 hrs. Calvin stands up from his chair and leaves.
- At 01:30:31 hrs. Calvin enters the high limit area.
- At 01:31:00 hrs. Calvin enters the section 8 restroom.
- At 01:31:14 hrs. S/S Ivan Carrero and BSO approach Cave at slot machine 6-4-2.
- At 01:32:27 hrs. BSO pats down Cave in front of the slot machine. \*
- At 01:35:29 hrs. Cave sits down at slot machine 6-4-5.
- At 01:37:48 hrs. Calvin exits the section 8 restroom.
- At 01:38:21 hrs. Carrero and GFA Kristian Garcia make contact with Calvin in front of the high limit entrance.
- At 01:38:43 hrs. Carrero and Garcia arrive to the 6-4 bank with Calvin.
- At 01:39:50 hrs. Calvin and Cave are escorted off of the slot floor.
- At 01:40:22 hrs. Calvin, Cave, Carrero and BSO exit the slot floor via the section 1 entrance.
- At 01:40:53 hrs. Calvin, Cave, Carrero and BSO exit the casino via the fronton entrance.
- At 01:41:10 hrs. Calvin, Cave, Carrero and BSO enter the security office.
- At 01:48:57 hrs. BSO escorts Calvin and Cave out of the security office.
- At 01:51:28 hrs. Cave exits the property through the south entrance.
- At 01:52:58 hrs. Calvin exits the property through west lot entrance in a dark color sedan.

Pictures and videos saved.

Person	
Name: Ryan Charles Calvin	Alias:
Race: White	Gender: Male
Hair color: Brown	Height: 5'07" Inches
DOB: [REDACTED]	

Person	
Name: Lonnit Cave	Alias:
Gender: Male	Eye color: Brown
Hair color: Black	Height: 6'02" Inches
Weight: 150 Pounds	DOB: [REDACTED]
Keywords: Permanent	
Comments: Lonnit Shunnard Cave was caught by surveillance pulling vouchers.	

2219710.2.jpg | Lonnit Cave.jpg | Lonnit Cave -2.j... | Lonnit Cave -1.j... | Lonnit Cave.pdf

EXHIBIT # 2  
PAGE # 2



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Signature A

Date

Signature B

Date

EXHIBIT # 2  
PAGE # 3













































































(<http://www.dc.state.fl.us/index.html>)

**Florida Department of Corrections**  
 (<http://www.dc.state.fl.us/index.html>)



**Ron DeSantis, Governor**  
**Ricky D. Dixon, Secretary**

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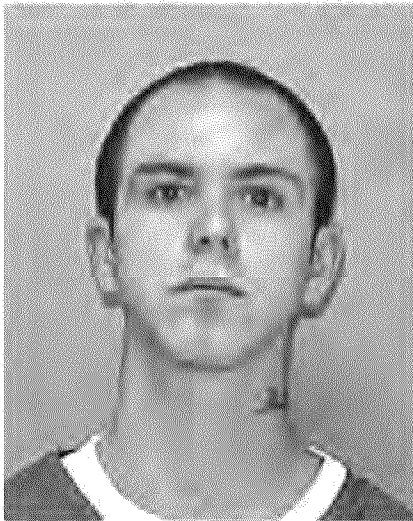
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[Partners \(mailto:development@fdc.myflorida.com\)](mailto:development@fdc.myflorida.com)

## Corrections Offender Network

### Inmate Release Information Detail

(This information was current as of 7/5/2011)



**DC Number:** L59171  
**Name:** CALVIN, RYAN  
**Race:** WHITE  
**Sex:** MALE  
**Birth Date:** [REDACTED]  
**Custody:** CLOSE  
**Release Date:** 07/01/2011  
**Special Note:** See Detainer Section

#### Stated Residence Upon Release:

400 N MIAMI AVENUE  
 MIAMI, FL 3312833128

#### Aliases:

RYAN CALVIN, RYAN C CALVIN, RYAN CHARLES CALVIN

#### Current Prison Sentence History:

Offense Date	Offense	Sentence Date	County	Case No.	Prison Sentence Length
10/20/2006	TRAFFIC IN STOLEN PROPERTY	06/26/2009	BROWARD	0719083	2Y 3M 0D

Note: The offense descriptions are truncated and do not necessarily reflect the crime of conviction. Please refer to the court documents or the Florida Statutes for further information or definition.

**Detainers:**(Further information may be obtained by contacting the detaining agency)

Detainer Date	Agency	Type	Date Canceled
06/26/2009	17-0 P&P 27 MTHS FSP	NTFY/P&P	07/02/2011
07/15/2009	USM MIAMI	DETAIN	

**Incarceration History:**

Date In-Custody	Date Out-Custody
05/16/2006	08/30/2006
07/07/2009	07/01/2011

**Prior Prison History:** (Note: Data reflected covers periods of incarceration with the Florida Dept.of Corrections since January of 1983)

Offense Date	Offense	Sentence Date	County	Case No.	Prison Sentence Length
04/11/2005	COCAINE - POSSESSION	04/13/2006	BROWARD	0506225	1Y 0M 1D
06/08/2005	UTTER FORGED INSTRUMENT	04/13/2006	BROWARD	0509552	1Y 0M 1D
09/13/2005	COCAINE - POSSESSION	04/13/2006	BROWARD	0515292	1Y 0M 1D

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Record: 1 of 1

The Florida Department of Corrections updates this information regularly, to ensure that it is complete and accurate, however this information can change quickly. Therefore, the information on this site may not reflect the true current location, status, release date, or other information regarding an inmate.

This database contains public record information on felony offenders sentenced to the Department of Corrections. This information only includes offenders sentenced to state prison or state supervision. Information contained herein includes current and prior offenses. Offense types include related crimes such as attempts, conspiracies and solicitations to commit crimes. Information on offenders sentenced to county jail, county probation, or any other form of supervision is not contained. The information is derived from court records provided to the Department of Corrections and is made available as a public service to interested citizens. The Department of Corrections makes no guarantee as to the accuracy or completeness of the information contained herein. Any person who believes information provided is not accurate may contact the Department of Corrections.

For questions and comments, you may contact the Department of Corrections, Bureau of Admission and Release, at (850) 488-9167 or go to [Frequently Asked Questions About Inmates for more information \( http://prod.fdc-wpws001.fdc.myflorida.com/ci/index.html \)](http://prod.fdc-wpws001.fdc.myflorida.com/ci/index.html). This information is made available to the public and law enforcement in the interest of public safety.

**Search Criteria:** (/OffenderSearch/search.aspx?TypeSearch=IR) Last Name: calvin First Name: ryan Search Aliases: YES Offense Category: Release Facility: ALL Stated County of Residence Upon Release: ALL County of Commitment: ALL

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Complaint Search Update	Change Recording License Type Mass Status Update	License Type Public Case Info	Delete Complaint	Mass Activity Update	Mass Discipline				

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Imuniz

VR Home > Complaint Search > Maintain Complaint

Lic Type	1098 - Unlicensed Complaints	Status	20 Under Investigation	Status Date	08/22/2022
Complaint #	2022040813	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	CALVIN, RYAN CHARLES	Responsible	mroca - ROCA, MIRIAM	Private Case

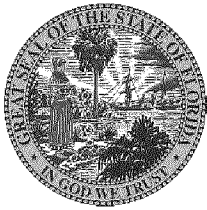
Complaint	Respondent	Complainant	Add'l Info
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Source	INTN - Internal	Security Level	1	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities		
Form	INTR - Internal	Priority					
Class'n	305 - Enforcement	Complexity	R - Regular	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline		
Security	STND - Standard	Incident	08/05/2022				
Region	SR - Southern Region	Received	08/22/2022	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance		
Reference	550.0251(6)			<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition		
Entered	08/22/2022	Entered By	Imuniz	<input type="checkbox"/> Inspection			
Summary	<p>274-Dania entertainment Center, LLC ----- / -----          - . Power and duties of the Florida Gaming Control Commission: On August 5, 2022, Dania Casino Security Supervisor Ivan Carrero was advised of an apparent illicit drug transaction involving two male patrons that took place inside the casino. The patrons were later identified as RYAN CHARLES CALVIN and Lonnit Edwards Cave. As a result, both of these individuals have been banned indefinitely from Dania Casino. The Office of Investigations is recommending a state-wide exclusion of CALVIN due to his alleged criminal conduct and resultant lifetime exclusion from Dania Casino.</p>				<input type="checkbox"/> Costs	<input type="checkbox"/> Time Tracking	Auto Assign
				<input type="checkbox"/> Attachments	History		
Updated	08/22/2022 13:44:04	By	Imuniz	<input type="checkbox"/> Work Notes	Print Report		

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**STATE OF FLORIDA  
 FLORIDA GAMING CONTROL COMMISSION  
 DIVISION OF PARI-MUTUEL WAGERING  
 OPEN CASE REQUEST  
 (OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)**

**INCIDENT DATE:** August 5, 2022

PMW     Cardroom     Slot

Violation     Incident     Complaint

**FACILITY NAME:** DANIA ENTERTAINMENT CENTER, LLC      **LIC #:** 274

**RESPONDENT**

<b>NAME:</b> <u>Ryan Charles Calvin</u>		
Address: <u>4150 SW 19 St., Apt # 2, West Park, FL 33023</u>		Tel #:
<b>LIC #:</b>	<b>LIC TYPE:</b> <u>1098</u>	<b>OCCUPATION:</b> <u>PATRON</u>

**COMPLAINANT**

<b>NAME:</b>		Tel #:
Address:		
<b>LIC #:</b>	<b>LIC TYPE:</b>	<b>OCCUPATION:</b>

**VIOLATION(S) / TITLE(S): F.S. 550.0251(6) Powers and duties of the Florida Gaming Control Commission.**  
 - In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

**DESCRIPTION:** On August 5, 2022, Dania Casino Security Supervisor Ivan Carrero was advised of an apparent illicit drug transaction involving two male patrons that took place inside the casino. The patrons were later identified as **RYAN CHARLES CALVIN** and Lonnit Edwards Cave. As a result, both of these individuals have been banned indefinitely from Dania Casino. The Office of Investigations is recommending a state-wide exclusion of **CALVIN** due to his alleged criminal conduct and resultant lifetime exclusion from Dania Casino.

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_  
 (Title of State Employee)

MIRIAM ROCA  
 (Print Name)

Miriam Roca  
 (Signature)

August 19, 2022  
 (Date)

## Muniz, Luz

---

**From:** Jones, Bradford  
**Sent:** Monday, August 22, 2022 11:50 AM  
**To:** Muniz, Luz  
**Cc:** Campbell, Ian; Roca, Miriam; Kogan, Steven  
**Subject:** OPEN CASE REQUEST  
**Attachments:** OPEN CASE REQUEST FORM - RYAN C CALVIN.DOCX

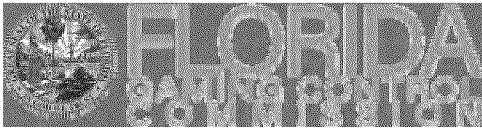
Hello Luz,

This is approved. Please open a case and assign to Miriam Roca.

Miriam,

Please note changes to reflect the revised language in the Statutes replacing “division” with “commission” when you submit the OCR for the companion (and any future) case.

Thank you.



**Bradford D. Jones**

Investigations Supervisor  
Division of Pari-Mutual Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Phone: 954.202.3900 • Fax: 954.202.3930

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ALM Global, LLC  
PO Box 936174  
Atlanta, GA 31193-6174

Please Remit To:

**Daily Business Review**

Miami Dade

Customer No: 9059304

Case/P.O.#: 2022-040813

FLORIDA GAMING CONTROL COMMISSION  
Attention To: **EBONIE LANIER**  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FL 32399

Invoice #:	10000649802-0310
Invoice Date:	03/31/2023
Due Date:	Due Upon Receipt
<b>AMOUNT DUE:</b>	<b>\$129.94</b>

Amount Remitted

**Daily Business Review**

Miami Dade

Invoice Date: 03/31/2023	Customer #: 9059304	Case/P.O.#: 2022-040813
--------------------------	---------------------	-------------------------

Invoice #	Description	Amount
10000649802-0310	<b>Placement/Position:</b> Other Notices/Administrative Complaint <b>Run Dates:</b> 03/10/2023, 03/17/2023, 03/24/2023, 03/31/2023 <b>Ad Size:</b> 4.37 Inches Notice of Action BEFORE THE DIVISION OF PARI-MUTUELWAGERING - RYAN CHARLES CALVIN	\$129.94
	<b>Subtotal</b>	\$129.94
	<b>Total Due</b>	\$129.94

**RECEIVED**  
 2023 APR -6 AM 10:33  
 FLORIDA GAMING  
 CONTROL COMMISSION

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**MIAMI-DADE**

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:**

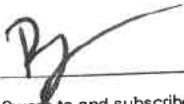
Before the undersigned authority personally appeared ROSANA SALGADO, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

2022-040813  
NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUELWAGERING - RYAN  
CHARLES CALVIN

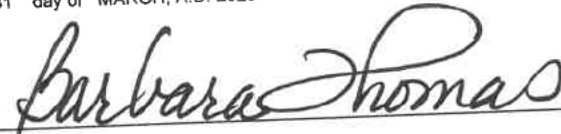
in the XXXX Court,  
was published in a newspaper by print in the issues of Miami  
Daily Business Review f/k/a Miami Review on

03/10/2023 03/17/2023 03/24/2023 03/31/2023

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

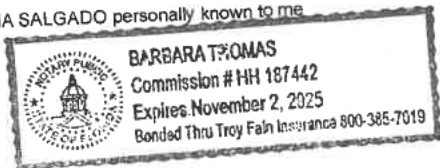


Sworn to and subscribed before me this  
31 day of MARCH, A.D. 2023



(SEAL)

ROSANA SALGADO personally known to me



**NOTICE OF ACTION  
BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING**

IN RE: Violation of section 550.0251(6)  
and 551.112, Florida Statutes.  
Ryan Charles Calvin  
4150 Southwest 19th Street, Apt. 2  
West Park, Florida 33023  
CASE NO.: 2022-040813  
LICENSE NO.: N/A

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 2601 Blair Stone Road, Tallahassee, FL 32399, (850) 717-1663.

If no contact has been made by you concerning the above by Friday, April 7, 2023, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257-6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.  
3/10-17-24-31 23-30/0000649802M



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Lonnit Edwards Cave Case No. 2022-041261, Default Final Order  
Date: April 24, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Lonnit Edwards Cave (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the publication notice seeking to exclude him, Respondent waived his right to request a hearing contesting the Division’s decision. Therefore, the Florida Gaming Control Commission should enter a final order excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

### *Background*

On August 5, 2022, Respondent was a patron of The Casino at Dania Beach.<sup>1</sup> Respondent was seen on the casino slot floor conducting a drug transaction. Respondent was permanently excluded from The Casino at Dania Beach<sup>2</sup>, on August 18, 2022.

Based on his exclusion from The Casino at Dania Beach, the Division filed an administrative complaint against Respondent seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. The Division attempted service by USPS certified mail on three occasions but failed to achieve service. The Division attempted to serve Respondent via handservice, but failed to achieve service. The Division requested that a notice be placed with the Miami Dade County Daily Business Review.<sup>3</sup> It was published on March 10, 2023, March 17, 2023, March 24, 2023, and March 31, 2023. Respondent was given until April 7, 2023 to respond to this notice. He has never responded.

---

<sup>1</sup> The Casino at Dania Beach is operated by a pari-mutuel wagering permitholder that also possesses a slot machine and cardroom license.

<sup>2</sup> Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

<sup>3</sup> Section 120.60(5), Florida Statutes, provides, “when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee’s last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county.”

*Analysis*

Respondent can be excluded from all pari-mutuel and slot machine facilities in this state. Section 550.0251(6), Florida Statutes, provides, in relevant part, that “[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state.” Likewise, section 551.112, Florida Statutes, provides, in relevant part “[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state.” The Casino at Dania Beach is both a pari-mutuel facility and slot machine licensee in this state. And Respondent was ejected from it. Accordingly, Respondent can be excluded from all pari-mutuel and slot machine facilities in this state.

Because Respondent failed to file a timely response to the publication notice, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order excluding Respondent from all pari-mutuel and slot machine facilities in this state.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order permanently excluding Lonnit Edwards Cave from all pari-mutuel and slot machine facilities in this state.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2022-041261

LONNIT EDWARDS CAVE,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Lonnit Edwards Cave (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to Chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent’s address was reported as 22 Southwest 6th Avenue, Apt. 15, Dania Beach, Florida 33004.
3. At all times material hereto, The Casino at Dania Beach was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about April 18, 2018, Respondent was a patron of The Casino at Dania Beach.
5. On or about April 18, 2018, Respondent was ejected and permanently excluded from The Casino at Dania Beach.
6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.



7. On August 5, 2022, Respondent returned to The Casino at Dania Beach while on the permanent exclusion list.

8. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

9. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

10. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida under Sections 550.0251(6) and 551.112, Florida Statutes based on his ejection from The Casino at Dania Beach on or about April 18, 2018.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida, along with any other remedy provided by Chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-041261 is signed this 10th day of October, 2022.

/s/ *Emily A. Alvarado*

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

## NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to Sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, Florida Administrative Code. Pursuant to Rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

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: **Imuniz**

[VR Home](#) | [Complaint Search](#) | [Maintain Complaint](#)

Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>90 Closed</b>	Status Date	<b>09/30/2022</b>
Complaint #	<b>2022041261</b>	Case Type	<b>CMP - Complaint</b>	Disposition	
Docket#		Respondent	<b>CAVE, LONNIT EDWARDS</b>	Responsible	<b>bjones - JONES, BRADFORD</b>
					<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	<b>INTN - Internal</b>	Security Level	<b>1</b>	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form	<b>INTR - Internal</b>	Priority		<input type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n	<b>305 - Enforcement</b>	Complexity	<b>R - Regular</b>	<input type="checkbox"/> Violation	<input type="checkbox"/> Compliance
Security	<b>STND - Standard</b>	Incident	<b>08/05/2022</b>	<input checked="" type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	<b>SR - Southern Region</b>	Received	<b>08/24/2022</b>	<input type="checkbox"/> Inspection	
Reference	<b>550.0251(6)</b>	Entered	<b>08/24/2022</b>	<input type="checkbox"/> Court	
		Entered By	<b>Imuniz</b>	<input type="checkbox"/> Time Tracking	<input type="text" value="Auto Assign"/>
Summary	<p><b>274-Dania Entertainment Center, LLC ----- / ----- . Powers and duties of the Florida Gaming Control Commission / Patron Exclusion: On August 5, 2022, Dania Casino Security Supervisor Ivan Carrero was advised of an apparent drug transaction involving two male patrons that took place inside the casino. The patrons who were later identified as Ryan Charles Calvin and LONNIT EDWARDS CAVE. As a result, both of these individuals have been banned indefinitely from Dania Casino. The Office of Investigations is recommending a state-wide exclusion of CAVE due to his alleged criminal conduct and resultant lifetime exclusion from Dania Casino.</b></p>			<input type="checkbox"/> Attachment	<input type="text" value="History"/>
		Updated	<b>09/30/2022 15:58:57</b>	<input type="checkbox"/> Work Note	<input type="text" value="Print Report"/>
		By	<b>Imuniz</b>		

37

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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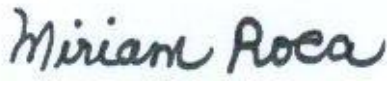


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Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>August 24, 2022</b>	Case Number: <b>2022 04 1261</b>
Respondent:  <b>CAVE, LONNIT EDWARDS 225 W. 6<sup>TH</sup> AVE. APT.#15 DANIA BEACH, FLORIDA 33004</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE #165 FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>UNLICENSED</b>		Profession: <b>PATRON</b>	Report Date: <b>September 16, 2022</b>
Period of Investigation: <b>August 24, 2022 to September 16, 2022</b>		Type of Report: <b>FINAL</b>	
<b>Statute: F.S. 550.0251(6) Powers and duties of the Florida Gaming Control Commission.</b> - In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.			
<b>Synopsis:</b> On August 5, 2022, Lonnit Edwards <b>CAVE</b> was permanently excluded from The Casino at Dania Beach (CDB). <b>CAVE</b> was observed by Surveillance Staff involved in a drug transaction on the casino slot floor. Mr. <b>CAVE</b> was subsequently permanently excluded from The Casino at Dania Beach on August 5, 2022.			
Related Case: 2022 04 0813			
Investigation Specialist II / Date   Miriam Roca / September 16, 2022		Investigator Supervisor / Date   Bradford D. Jones / September 27, 2022	
Chief of Investigations / Date   Bradford D. Jones for Steven E. Kogan / September 30, 2022			

## CONTINUATION

On August 19, 2022, the Office of Investigations received an e-mail from The Casino at Dania Beach's Security Supervisor Keon Raphael, indicating an exclusion from the facility. Patron Lonnit Edwards **CAVE** was permanently trespassed on August 5, 2022 due to his involvement in a drug transaction with another patron who was identified as Ryan Charles Calvin. Raphael provided a copy of the related Security Incident Report Exclusion Form, photo and **CAVE'S** photo identification, which are herein attached as **EXHIBIT #1**. Raphael also provided me with a copy of a Security Incident Report and Exclusion Form dated April 18, 2018, where Mr. **CAVE** was Permanently Excluded because he was observed pulling vouchers from slot machines.

According to the CDB Security Incident Report, Surveillance advised Security Supervisor Ivan Carrero of a drug transaction taking place between two males at machine 6-4-2. The two males were identified as Ryan Charles Calvin and Lonnit Edwards **CAVE**. As per the Report, the Surveillance Operator observed Mr. **CAVE** take out a white substance in a clear bag and hand it to Calvin who then handed money to **CAVE**. Security Supervisor Carrero, Broward Sheriff's Office Deputy Cortez and the CDB Manger on Duty walked over to the machine where the incident took place however, only Mr. **CAVE** was still sitting there. Carrero advised Mr. **CAVE** that he was observed passing drugs over to Mr. Calvin. **CAVE** admitted that he passed the drugs and apologized. Mr. Calvin was observed coming out of the men's bathroom and according to Carrero was apparently ingesting the drugs in the bathroom because when he came out of the bathroom he was "walking slow and talking with a slur". Calvin was subsequently approached by Carrero and advised that he was being escorted to the Security Office for using drugs in the casino. At the Security Office, Calvin and **CAVE** were permanently excluded from the property. I also obtained a copy of the Surveillance Report which confirmed the events as described above. The CDB Surveillance Report is herein attached as **EXHIBIT #2**.

On August 26, 2022 I interviewed CDB Security Director Robert Lackey regarding the incidents. Mr. Lackey explained the reason Mr. **CAVE** was not trespassed and arrested on August 5, 2022 was because they did not realize Mr. **CAVE** had already been permanently excluded on April 18, 2018 until after **CAVE** left the property. Otherwise, **CAVE** would have been trespassed and arrested for returning to the property.

A search Conducted on the Comprehensive Case Information System (CCIS) and Broward County Clerk of Courts revealed **CAVE** had multiple arrests convictions in Broward County, in addition to approximately \$6,107.20 of outstanding Fines and Court costs. A summary of which include:

1. On July 29, 1994 **CAVE** was charged with Felony Possession of Cocaine and Misdemeanor Resisting/Obstruct W/O Violence, for which he was convicted. He was sentenced to three hundred sixty four (364) days in the Broward County Jail, and his Driver's License was suspended for a term of two (2) years.

## CONTINUATION

2. On February 20, 1997 **CAVE** was charged with Felony Possession of Cocaine, for which he was convicted. He was sentenced to ten (10) months in Broward County Jail, and his Probation for the prior conviction was revoked. **CAVE** was assessed approximately \$392.00 in Court costs and Fines, which are currently outstanding.
3. On June 8, 2000 **CAVE** was charged with Felony Possession/Sell/Deliver Cocaine, Felony Aggravated Fleeing and Eluding, Misdemeanor Resisting Arrest w/o Violence and Misdemeanor Reckless Driving, for which he was convicted. He was sentenced to thirty six (36) months, twenty seven (27) days in State Prison, with credit for time served of one hundred forty four (144) days. **CAVE** was also assessed approximately \$255.00 in Court costs and Fines of which \$160.00 are currently outstanding.
4. On August 13, 2005 **CAVE** was charged with Felony Possession/Purchase/Sell/ Deliver Cocaine, for which he was convicted. He was sentenced to twenty five (25) months in State Prison, with credit for time served of seventy two (72) days. **CAVE** was also assessed approximately \$623.00 in Court Costs and Fines of which \$468.16 are currently outstanding.
5. On November 7, 2009 **CAVE** was charged with Felony Possession of Cocaine, Misdemeanor Possession of Cannabis/20 Grams of Less and Misdemeanor Possession of Paraphernalia for which he was convicted. He was sentenced to twenty (20) months in State Prison, with credit for time served of thirty five (35) days. **CAVE** was also assessed approximately \$1500.00 in Court costs and Fines, all of which are currently outstanding.
6. On May 1, 2015 **CAVE** was charged with Misdemeanor Battery for which he was convicted. He was sentenced to nine (9) days in Broward County Jail, with credit for time served for all nine (9) days. **CAVE** was also assessed approximately \$695.00 in Court costs and Fines, all of which are currently outstanding.
7. On December 26, 2020 **CAVE** was charged with Misdemeanor Battery for which he was convicted. He was sentenced to one hundred ten (110) days in Broward County Jail, with credit for time served of the entire one hundred ten (110) days. **CAVE** was assessed \$745.00 in Restitution, Court costs and Fines, all of which are currently outstanding. A copy of the complete Broward County Clerk of Court Case Search is attached herein as **EXHIBIT # 3**.

**Conclusion:** After review of the related documentation concerning the incident, it is clear that under Statute 550.0251(6) **CAVE'S** actions, as well as his subsequent and prior permanent exclusions from The Casino at Dania Beach, merits the addition of **CAVE'S** name to the Statewide Exclusion List.

**Case Status:** Case closed by Investigations and forwarded to Legal for review.

**CONTINUATION**

**TABLE OF CONTENTS**

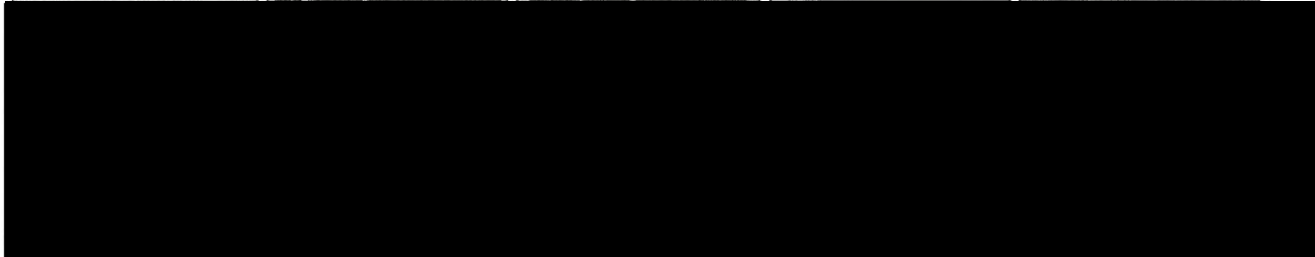
- I. INVESTIGATIVE REPORT COVERSHEET .....
- II. INVESTIGATIVE REPORT .....
- III. EXHIBITS
  - 1. Security Incident Report, Exclusion Form, Photo and Photo ID .....1-6
  - 2. Surveillance Reports.....1-4
  - 3. Broward County Clerk Court.....1-95



**EXC-000001079 - Patron - Permanent Security Exclusion - Reported 08/05/2022 01:53**

**Author:** Ivan Carrero **Report Number:** EXC-000001079  
**Start Time:** 08/05/2022 01:53 **End Time:** 08/05/2022 04:47  
**Report Group:** Exclusion Reports **Report Type:** Patron - Permanent Security Exclusion  
**Note:** Ryan Charles Calvin was buying drugs from Lonnit Edwards Cave, and getting high in the men's bathroom in section 8.  
**Location / Origin:** Slot Floor

[Ryan Charles Calvin -2.PN] [Ryan Charles Calvin -1.PN] [Ryan Charles Calvin.PNG] [Ryan Charles Calvin -.PNG] [Ryan Charles Calvin Exclud



**Narrative**

**Author:** Ivan Carrero **Created:** 08/05/2022 04:23

On Friday August 5, 2022 Surveillance advised Security Supervisor Ivan Carrero of a drug transaction taking place at machine 6-4-2. There were 2 males involved, identified as Ryan Charles Calvin and Lonnit Edwards Cave. Surveillance observed Mr. Cave take out a white substance in a clear bag had it to Mr. Calvin, who then handed money over to Mr. Cave. S/S Carrero and BSO Deputy Cortez and MOD Kristian Garcia went to machine 6-4-2 to talk to both Mr. Cave and Mr. Calvin. When we got to machine 6-4-2 only Mr. Cave was sitting there, S/S Carrero advised Mr. Cave that we have him on camera passing drugs over to Mr. Calvin. Mr. Cave didn't hesitate and said yes, he did and started apologizing especially to BSO. Surveillance was looking for Mr. Calvin via camera, they observed Mr. Calvin coming out the men's bathroom in section 8. S/S Carrero advised Mr. Calvin that they would all be escorted to security for doing drugs in the casino. S/S Carrero noticed that Mr. Calvin was walking very slow and talking with a slur, apparently Mr. Calvin went to the bathroom to finish the drugs that he just purchased from Mr. Cave. S/S Carrero informed Mr. Calvin and Mr. Cave that they both were being permanently excluded from the casino. Nothing further to report at this time.

**Person**

**Name:** Ryan Charles Calvin **Race:** White  
**Gender:** Male **Eye color:** N/A  
**Hair color:** Red **Keywords:** Permanent, Suspect  
**Comments:** Ryan Charles Calvin was buying drugs from Lonnit Edwards Cave, and getting high in the men's bathroom in section 8.

Ryan Charles Calvin.



Signature A

Date

Signature B

Date

EXHIBIT # 1  
PAGE # 2

THE CASINO @  
DANIA BEACH

**TRESPASS WARNING**

NAME / LAST NAME: Cave Konnit

DRIVER LICENSE # [REDACTED] D.O.B. [REDACTED]

ADDRESS: 22 Sw 6th Ave Apt #15 CITY: Dania ST: FL ZIP: 33004

RACE: African American SEX: M HEIGHT: 6'2 WEIGHT: 150 HAIR: Black EYES: Brown

REASON FOR TRESPASSING: pulling vouchers

The above-named person was advised to stay off THE CASINO @ DANIA BEACH property for a period of:

- 24 Hrs
- 3 Days
- 7 Days
- 30 Days
- 3 Months
- 6 Months
- 1 Year
- 2 Year
- Permanent

This warning was given on Wednesday 4/18/18 at 10:20pm hours.

If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes.

SUBJECT'S SIGNATURE: [Signature]

CASE #: 62-1804-002069 ARRESTED:  YES  NO

SECURITY AGENT: [Signature] DATE: 4/18/18

POLICE OFFICER / WITNESS: [Signature] DS/17645

Warned by BSO referenced trespass after warning

EXHIBIT #  
PAGE # 3





EXHIBIT #  
PAGE #  
4 / 1





old form

# THE CASINO @ DANIA BEACH

## TRESPASS WARNING

NAME / LAST NAME: Cave Konit

DRIVER LICENSE # [REDACTED] D.O.B. [REDACTED]

ADDRESS: 22 Sw 6<sup>th</sup> Ave Apt #15 CITY: Dania ST: FL ZIP: 33004

RACE: African American SEX: M HEIGHT: 6'2 WEIGHT: 150 HAIR: Black EYES: Brown

REASON FOR TRESPASSING: pulling vouchers

The above-named person was advised to stay off THE CASINO @ DANIA BEACH property for a period of:

- 24 Hrs
- 3 Days
- 7 Days
- 30 Days
- 3 Months
- 6 Months
- 1 Year
- 2 Year
- Permanent

This warning was given on Wednesday 4/18/18 at 10:30pm hours.

If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes.

SUBJECT'S SIGNATURE: [Signature]

CASE #: 62-1804-002069 ARRESTED:  YES  NO

SECURITY AGENT: [Signature] DATE: 4/18/18

POLICE OFFICER / WITNESS: [Signature] DS/17645

Warned by BSO referenced trespass after warning

EXHIBIT # 1  
PAGE # 6

**SIN-000019710 - Patron - Permanent Security Exclusion - Reported 08/05/2022 02:35**

Author: Brian Steele

Report Number: SIN-000019710

Start Time: 08/05/2022 02:35

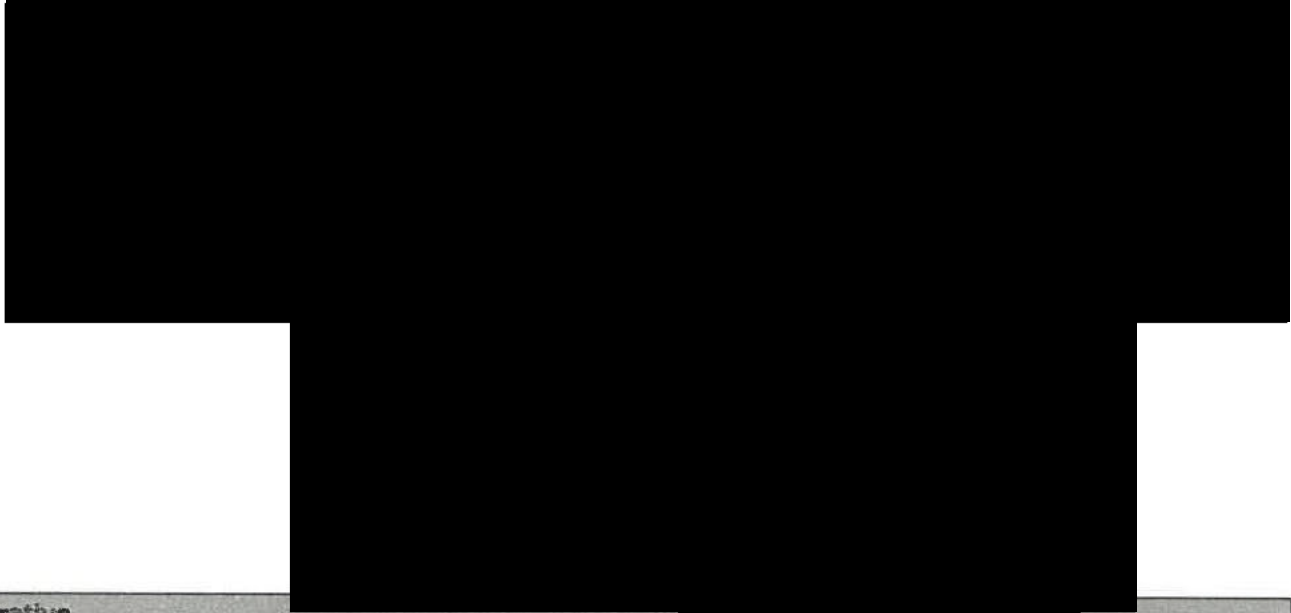
End Time: 08/06/2022 03:24

Report Group: Surveillance Reports

Report Type: Patron - Permanent Security Exclusion

Note: Lonnit Cave and Ryan Calvin - Illegal transaction Section 6

Location / Origin: Slot Floor



**Narrative**

Author: Brian Steele

Created: 08/05/2022 02:35

On 8/5/2022 during a live observation of the slot floor, surveillance observed possible drug activity in Section 6. Surveillance observed a patron, identified as Lonnit Cave, give a patron identified Ryan Calvin a baggie with a white substance in exchange for money. Surveillance notified S/S Ivan Carrero at approximately 01:30 hrs.


Review revealed the following:


- At 01:17:38 hrs. a B/M patron identified as Lonnit Cave was observed walking through section 5.
- At 01:19:24 hrs. Cave sits at machine 6-4-2.
- At 01:19:05 hrs. a W/M patron identified as Ryan Calvin arrives at slot machine 6-4-2 and speaks with Cave.
- At 01:20:12 hrs. Calvin pulls a light blue pouch from his pocket.
- At 01:20:29 hrs. Calvin has cave smell the contents of his pouch.
- At 01:20:44 hrs. Cave shows Calvin a plastic container from his book bag.
- At 01:20:46 hrs. Calvin takes a container from Cave, removes the top, and smells the contents.
- At 01:21:28 hrs. Calvin removes something from the light blue bag and holds it up to Cave's nose.
- At 01:21:57 hrs. Cave pulls a black pouch from his pocket.
- At 01:22:06 hrs. Cave opens the pouch for Calvin to see the contents.
- At 01:22:39 hrs. Calvin sits down at slot machine 6-4-3 next to Cave.
- At 01:22:54 hrs. Cave removes a baggie containing a white substance from the pouch.
- At 01:23:07 hrs. Cave hands a baggie to Calvin.
- At 01:23:10 hrs. Calvin examines the baggie.
- At 01:23:19 hrs. Calvin raises his closed hand to his face and proceeds to put his fingers in his mouth.
- At 01:23:20 hrs. Calvin hands the baggie back to Cave.
- At 01:23:23 hrs. Cave puts the baggie into the black pouch and closes it.
- At 01:23:49 hrs. Calvin removes cash from his pocket.

EXHIBIT #  
PAGE # 2

- At 01:25:04 hrs. Cave removes the baggie with the white substance from his pouch.
- At 01:25:21 hrs. Cave is observed placing the baggie under slot machine 6-4-2 and pressing on the bag between his fingers.
- At 01:26:03 hrs. Cave hands the baggie with the white substance to Calvin.
- At 01:26:04 hrs. Calvin hands the cash from his pocket to Cave.
- At 01:29:19 hrs. Calvin stands up from his chair and leaves.
- At 01:30:31 hrs. Calvin enters the high limit area.
- At 01:31:00 hrs. Calvin enters the section 8 restroom.
- At 01:31:14 hrs. S/S Ivan Carrero and BSO approach Cave at slot machine 6-4-2.
- At 01:32:27 hrs. BSO pats down Cave in front of the slot machine.
- At 01:35:29 hrs. Cave sits down at slot machine 6-4-5.
- At 01:37:48 hrs. Calvin exits the section 8 restroom.
- At 01:38:21 hrs. Carrero and GFA Kristian Garcia make contact with Calvin in front of the high limit entrance.
- At 01:38:43 hrs. Carrero and Garcia arrive to the 6-4 bank with Calvin.
- At 01:39:50 hrs. Calvin and Cave are escorted off of the slot floor.
- At 01:40:22 hrs. Calvin, Cave, Carrero and BSO exit the slot floor via the section 1 entrance.
- At 01:40:53 hrs. Calvin, Cave, Carrero and BSO exit the casino via the fronton entrance.
- At 01:41:10 hrs. Calvin, Cave, Carrero and BSO enter the security office.
- At 01:48:57 hrs. BSO escorts Calvin and Cave out of the security office.
- At 01:51:28 hrs. Cave exits the property through the south entrance.
- At 01:52:58 hrs. Calvin exits the property through west lot entrance in a dark color sedan.

Pictures and videos saved.

Person	
<b>Name:</b> Ryan Charles Calvin	<b>Alias:</b>
<b>Race:</b> White	<b>Gender:</b> Male
<b>Hair color:</b> Brown	<b>Height:</b> 5'07" Inches
<b>DOB:</b> 07/30/1986 (36)	
	

Person	
<b>Name:</b> Lonnit Cave	<b>Alias:</b>
<b>Gender:</b> Male	<b>Eye color:</b> Brown
<b>Hair color:</b> Black	<b>Height:</b> 6'02" Inches
<b>Weight:</b> 150 Pounds	<b>DOB:</b> 
<b>Keywords:</b> Permanent	
<b>Comments:</b> Lonnit Shunnard Cave was caught by surveillance pulling vouchers.	

[2219710.2.jpg](#) | 
 [Lonnit Cave.jpg](#) | 
 [Lonnit Cave -2.f...](#) | 
 [Lonnit Cave -1.f...](#) | 
 [Lonnit Cave.pdf](#)





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**Signature A**

**Date**

**Signature B**

**Date**

EXHIBIT # 2  
PAGE # 3

**SIN-000007411 - Patron - Permanent Security Exclusion - Reported 04/18/2018 22:22**

**Author:** Christopher Fry

**Report Number:** SIN-000007411

**Start Time:** 04/18/2018 22:22

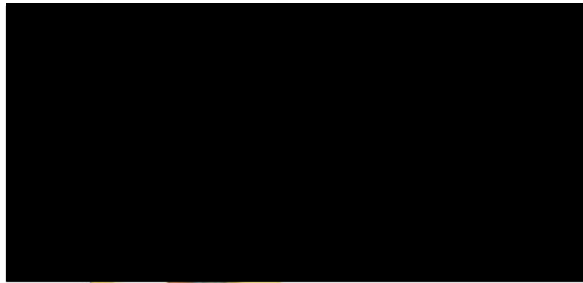
**End Time:** 04/18/2018 22:30

**Report Group:** Surveillance Reports

**Report Type:** Patron - Permanent Security Exclusion

**Note:** Lonnie Shunnard Cave

**Location / Origin:** Command Post



**Narrative**

**Author:** Christopher Fry

**Reported:** 04/18/2018 22:22

On April 18, 2018 at approximately 22:06, a B/M patron named Lonnie Shunnard Cave (DOB 4/10/1976) was observed pulling vouchers from machines 1-5-10 and 1-5-9. Security Supervisor Ivan Carrero was immediately advised of the incident.

Security Supervisor Ivan Carrero then advised surveillance that he would be asking Lonnie Shunnard Cave to the Command Post to be permanently excluded.

Video saved.

Signature A

Date

Signature B

Date

**EXHIBIT # 2**  
**PAGE # 4**

1



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## Case Detail - Public

Print

### State of Florida Vs. Edwards, Lonnit S

**Broward County Case Number:** 94012587CF10A  
**State Reporting Number:** 061994CF012587A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 07/29/1994  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** FM - In Custody, Hearings  
**Magistrate Id / Name:** N/A  
**BCCN:** 0154818

### - Party(ies)

Total: 2

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
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**EXHIBIT # 3**  
**PAGE # 1**

Party Type	Party Name	? Address	? Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Edwards, Lonnit S</b>  <i>Alias Name</i> <b>Cave, Lonnit</b> <b>Cave, Lonnit S</b> <b>Cave, Lonnit Shunnard</b> <b>Edwards, James</b> <b>Edwards, Lennit</b> <b>Edwards, Lonnie</b> <b>Edwards, Lonnie L</b> <b>Edwards, Lonnie Lonnit</b> <b>Edwards, Lonnit</b> <b>Edwards, Lonnit B</b> <b>Edwards, Lonnit Shunnard</b> <b>Edwards, Lonnita</b> <b>Edwards, Lonnitt</b> <b>Edwards, Lonnitt</b>  <b>Gender: Male</b> <b>Race: Black</b> <b>Language: English (American)</b> <b>Complexion: Dark</b> <b>Height: 6'2"</b> <b>Weight: 170</b> <b>Eye: Brown</b> <b>Hair: Black</b> <div style="background-color: black; width: 100px; height: 15px; margin: 5px 0;"></div> <b>Birth City: Hollywood</b> <b>Birth State: FL</b>	41 SW 7Th Ave Apt #1 Dania Beach, FL 33004	★ <i>Public Defender</i> <i>Public Defender</i> Bar ID: 88888888  <b>Status: Removed 03/01/1996</b>  <i>Cassady, Rita Jean Rentschler</i> <i>Public Defender</i> Bar ID: 714283 <i>Broward Co Courthouse</i> <i>201 SE 6th St 3rd Fl N Wing</i> <i>Ft Lauderdale, FL 33301</i> <b>Status: Removed 05/19/1995</b>
State	<b>State of Florida</b>		

- Charge(s)				Total: 2
Offense Date	Charge	Degree	Detail	
07/28/1994	1	(F3)	<b>Possession of Cocaine</b> Date Filed: 07/28/1994 Current Statute: (F3)893.03(2)(a)4 Filing Type: SAO Information Filing Agency: Hollywood PD Original Statute: (F3)893.03(2)(a)4-Possession of Cocaine	
07/28/1994	2	(M1)	<b>Resist/Obstruct W/O Violence</b> Date Filed: 07/28/1994 Current Statute: (M1)843.02 Filing Type: No Information Filing Agency: Hollywood PD Original Statute: (M1)843.02-Resist/Obstruct W/O Violence	

**EXHIBIT # 3**  
**PAGE # 2**

- Warrant(s)

Total: 1

Issue Date	Charge(s)	Detail	Status
07/10/1995	1	<b>Warrant# 94012587CF10A950710VOCC950714N (InActive)</b> Type: Warrant - Violation Of Community Control Bond Type: No Bond Hold Date Served: 02/21/1996 Hold Without Bail Bond: Yes	02/21/1996 Warrant Served 07/10/1995 Active

- Bond(s)

Total: 0

There is no Bond information available for this case.

- Arrest(s)

Total: 4

Arrest Date	Charge	Arrest Number	Detail
02/21/1996	1	DN96000248	<b>Rearrest</b> Offense: Possession of Cocaine Degree: (F3) Bond Amount: \$ Statute: 893.03(2)(a)4 OBTS Number: 0008300856 Rearrest Reason: 5012 Warrant Violation of Community Control
12/06/1994	1	BS94020117	<b>Rearrest</b> Offense: Possession of Cocaine Degree: (F3) Bond Amount: \$ Statute: 893.03(2)(a)4 OBTS Number: 0006317213 Rearrest Reason: Order Remanding Defendant to Court
07/28/1994	1	HW94003181	<b>Arrest</b> Name At Arrest: Edwards, Lonnit S Offense: Possession of Cocaine Degree: (F2) Bond Amount: \$1000.00 Bond Type: Not Applicable Statute: 893.03(2)(a)4 OBTS Number: 8888888888



Arrest Date	Charge	Arrest Number	Detail
07/28/1994	2	HW94003181	<b>Arrest</b> Name At Arrest: Edwards, Lonnit S Offense: Resist/Obstruct W/O Violence Degree: (M1) Bond Amount: \$ Statute: 843.02 OBTS Number: 8888888888

- Disposition(s)

Total: 2

Offense Date	Charge	Disposition(s)
07/28/1994	1	<b>Plea(s)</b> <b>04/13/1995 Amended Plea</b> (Reason: Change of Plea,) Change of Plea - Guilty <b>09/01/1994 Plea</b> Arraignment Not Guilty-Jury  <b>Disposition(s)</b> <b>03/01/1996 Amended Disposition</b> (Reason: Change of Plea,) Adjudicated <b>04/13/1995 Disposition</b> Adjudicated  <b>Sentence(s)</b> <b>03/01/1996 Amended Resentencing</b> (Judicial Officer(s): Dimitrouleas, William) Confinement (Effective 03/01/1996 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 0 Month(s) 364 Day(s), Broward County Jail, Credit Time Served: 0 Year(s) 0 Month(s) 17 Day(s), Serve Consecutive Days: ) Driver's License Suspended ( License Suspended by Court, Term: 2 Year(s) 0 Month(s) 0 Day(s) ) Provisions: Provisions ( Community Control Revoked, Waive Court Costs, Work Release) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)  <b>05/19/1995 Sentence</b> (Judicial Officer(s): Dimitrouleas, William) Charge Reopen Status (03/01/1996, Closed, 1 ) Community Control ( 0 Year(s) 18 Month(s) 0 Day(s), Comment: PROB/CC End Date: Mar 1 1996 ) Community Control ( 0 Year(s) 6 Month(s) 0 Day(s), Comment: PROB/CC End Date: Mar 1 1996 ) Provisions: Provisions ( Drug Evaluation, Obtain GED, Random Urinalysis, Reduce Cost of Supervision, Waive Court Costs) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)
07/28/1994	2	<b>Disposition(s)</b> <b>08/09/1994 Disposition</b> No Information

EXHIBIT # 3  
PAGE # 4

- 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
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- Event(s) & Document(s)

Total: 47

Date	Description	Additional Text	View	Pages
03/04/1996	<b>File And Record Judgment</b>	Bk 24606 & Pg 0574,0575		
03/01/1996	<b>Hrg Held / First-Final Violation Of Community Control</b>	Admitted Allegations - Ct Rept D.Vassello		
03/01/1996	<b>File And Record Judgment</b>	Bk 24606 & Pg 0574,0575		
03/01/1996	<b>File Oath Of Indigency &amp; Order Appointing Counsel</b>			
03/01/1996	<b>File Restitution Order</b>			
03/01/1996	<b>File Sentencing Guidelines</b>			
08/18/1995	<b>File Affidavit And Warrant Violation Of Community Control</b>	Corrected		
07/10/1995	<b>File Affidavit And Warrant Violation Of Community Control</b>			
05/19/1995	<b>Broward County Supervision</b>	Count(s):< 001 > Amount: \$50.00		
05/19/1995	<b>File Order Of Community Control</b>			
05/19/1995	<b>File Order Of Probation</b>			
05/19/1995	<b>Sentence Held / File Sentence</b>	Ct Rept K.Washburn		
05/19/1995	<b>File Sentencing Guidelines</b>			
04/13/1995	<b>File Pre-Sentence Investigation Order</b>			
04/13/1995	<b>File Order Granting Def Motion For ROR</b>			
04/13/1995	<b>Hearing Held / Change Of Plea</b>	Ct Rept K.Washburn		

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Date	Description	Additional Text	View	Pages
04/13/1995	<b>File Order Transferring Case</b>	From Fn To Fm		
04/13/1995	<b>Sentencing - Deferred</b>	& Adjudication		
03/30/1995	<b>File Letter Of Rejection Of Def Into PTI Program</b>	Judicial		
03/17/1995	<b>File Order Revoking Pre-Trial Release</b>	/drug Court Status -Def In Custody Bond @ Nb		
03/08/1995	<b>Order</b>	Def Is Allowed To Reapply To Pti		
03/07/1995	<b>File Order Granting Def Motion For Continuance</b>			
03/07/1995	<b>Hearing Not Held</b>	Transfr Div "fm" /cr T Anderson		
03/07/1995	<b>Hearing Held / Status Report</b>	Ct Rept T Anderson		
03/07/1995	<b>Reset Jury Trial</b>	Ct Rpt T Anderson		
01/12/1995	<b>Hrg Held On Defense Motion For ROR</b>	Ct Rpt T Anderson		
01/12/1995	<b>File Order For Drug Court And Pretrial Release</b>			
12/23/1994	<b>Hearing Held / Status Report</b>	Ct Rept R Davis		
12/22/1994	<b>Hearing Reset</b>	Status /cr V Suarez		
12/15/1994	<b>File Order For Physical Exam For Boot Camp Program</b>			
12/15/1994	<b>Reset Jury Trial</b>	Ct Rept V Suarez		
12/09/1994	<b>File Order To Retain Defendant</b>	Bso Substance Abuse Program		
12/08/1994	<b>Hearing Reset</b>	Status /ct Rept V Suarez		
12/06/1994	<b>Hearing Held / Status Report</b>	Ct Rept V Suarez		
12/06/1994	<b>File Order For Physical Exam For Boot Camp Program</b>			
12/06/1994	<b>File Order To Retain Defendant</b>	For Boot Camp Physical Ra		
11/02/1994	<b>File Order Granting Def Motion For Continuance</b>			
11/02/1994	<b>Hearing Held / Status Report</b>	Ct Rpt V Suarez		



Date	Description	Additional Text	View	Pages
11/02/1994	<b>Reset Jury Trial</b>	Ct Rept V Suarez		
10/25/1994	<b>File Letter Of Rejection Of Def Into PTI Program</b>			
10/21/1994	<b>File Letter Of Rejection Of Def Into PTI Program</b>			
09/01/1994	<b>Arraignment Held</b>	Ct Rept V Suarez		
09/01/1994	<b>Defendant Allowed 15 Days to File Motions</b>			
09/01/1994	<b>File Oath Of Indigency &amp; Order Appointing Counsel</b>			
08/12/1994	<b>Court Date Notice</b>	To Def And Com Release		
08/10/1994	<b>File Order For Drug Court And Pretrial Release</b>	Original Division Fm		
07/29/1994	<b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b>			

- Hearing(s)

Total: 6

Date	Description	Additional Text
04/11/1995	<b>Jury Trial</b>	Hearing Time: 9:00 AM Judicial Officer(s):Alspector - FN, Susan L. Location: Room 4750
04/11/1995	<b>Hearing/Status Report</b>	Hearing Time: 9:00 AM Judicial Officer(s):Alspector - FN, Susan L. Location: Room 4750
01/12/1995	<b>Hearing/Status Report</b>	Hearing Time: 9:00 AM Judicial Officer(s):Alspector - FN, Susan L. Location: Room 4750
12/22/1994	<b>Jury Trial</b>	Hearing Time: 9:00 AM Judicial Officer(s):Alspector - FN, Susan L. Location: Room 4750
12/15/1994	<b>Hearing/Status Report</b>	Hearing Time: 9:00 AM Judicial Officer(s):Alspector - FN, Susan L. Location: Room 4750

EXHIBIT # 3  
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Date	Description	Additional Text
12/06/1994	Jury Trial	Hearing Time: 9:00 AM Judicial Officer(s):Alspector - FN, Susan L. Location: Room 4840

- 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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## Case Detail - Public

Print

### State of Florida Vs. Edwards, Lonnit

**Broward County Case Number:** 97003421CF10A  
**State Reporting Number:** 061997CF003421A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 02/20/1997  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Scherer - FJ, Elizabeth  
**Magistrate Id / Name:** N/A  
**BCCN:** 0154818

### - Party(ies)

Total: 4

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
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EXHIBIT # 3  
PAGE # 9

Party Type	Party Name	? Address	? Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Edwards, Lonnit</b>  <i>Alias Name</i> <b>Cave, Lonnit</b> <b>Cave, Lonnit S</b> <b>Cave, Lonnit Shunnard</b> <b>Edwards, James</b> <b>Edwards, Lennit</b> <b>Edwards, Lonnie</b> <b>Edwards, Lonnie L</b> <b>Edwards, Lonnie Lonnit</b> <b>Edwards, Lonnit B</b> <b>Edwards, Lonnit S</b> <b>Edwards, Lonnit Shunnard</b> <b>Edwards, Lonnita</b> <b>Edwards, Lonnitt</b> <b>Edwards, Lonnitt</b>  <b>Gender: Male</b> <b>Race: Black</b> <b>Language: English (American)</b> <b>Complexion: Dark</b> <b>Height: 6'2"</b> <b>Weight: 170</b> <b>Eye: Brown</b> <b>Hair: Black</b> <span style="background-color: black; color: black;">[REDACTED]</span> <b>Birth City: Hollywood</b> <b>Birth State: FL</b>	41 SW 7Th Ave Apt #1 Dania Beach, FL 33004	★ <i>Public Defender</i> <i>Public Defender</i> <i>Bar ID: 88888888</i>  <b>Status: Removed 07/23/1998</b>
Bond Company	<b>Johnson Bail Bonds</b>		
Bond Insurance Company	<b>Roche Surety &amp; Casualty</b>		
State	<b>State of Florida</b>		

- Charge(s)				Total: 1
Offense Date	Charge	Degree	Detail	
02/19/1997	1	(F3)	<b>Possession of Cocaine</b> Date Filed: 02/19/1997 Current Statute: (F3)893.03(2)(a)4 Filing Type: SAO Information Filing Agency: Hollywood PD Original Statute: (F3)893.03(2)(a)4-Possession of Cocaine	

Issue Date	Charge(s)	Detail	Status
09/15/1997	1	<b>Warrant# 97003421CF10A970915WVOP970916N (InActive)</b> Type: Warrant - Violation Of Probation Bond Type: No Bond Hold Date Served: 07/17/1998 Hold Without Bail Bond: Yes	07/17/1998 Warrant Served 09/15/1997 Active

**- Bond(s)** Total: 1

Posted Date	Charge(s)	Detail	Status
02/24/1997	1	<b>Bond# 010242 (InActive)</b> Bond Type: Surety Bond Bond Company: Johnson Bail Bonds Insurance Company: Accr Bond Amount: \$1000.00 Surety Comment: InsCo: RSCC-ROCHE SURETY & CASUALTY	02/24/1997 POSTED 04/23/1997 DISCHARGED

**- Arrest(s)** Total: 2

Arrest Date	Charge	Arrest Number	Detail
07/17/1998	1	HW98003647	<b>Rearrest</b> Offense: Possession of Cocaine Degree: (F3) Bond Amount: \$ Statute: 893.03(2)(a)4 OBTS Number: 0611003456 Rearrest Reason: 5012 Warrant Violation of Probation
02/19/1997	1	HW97000747	<b>Arrest</b> Name At Arrest: Edwards, Lonnie Lonnit Offense: Poss/pur/sell/deliver Cocaine Degree: (F2) Bond Amount: \$1000.00 Bond Type: Not Applicable Statute: 893.03(2)A4 OBTS Number: 8888888888

**- Disposition(s)** Total: 1

**EXHIBIT # 3**  
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Offense Date	Charge	Disposition(s)
02/19/1997	1	<p><b>Plea(s)</b>  <b>04/23/1997 Plea</b>            Arraignment / Nolo Contendere</p> <p><b>Disposition(s)</b>  <b>04/23/1997 Disposition</b>            Adjudicated</p> <p><b>Sentence(s)</b>  <b>07/23/1998 Amended Resentencing</b> (Judicial Officer(s): Ross, Dale)            Comment (Docketrac Sentence Record Note: Pay Bal Of Court Costs )            Comment (Total Amount Imposed \$255.00 )            Confinement (Effective 07/23/1998 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 10 Month(s) 0 Day(s), Broward County Jail, Credit Time Served: 0 Year(s) 0 Month(s) 13 Day(s), Serve Consecutive Days: )            Provisions: Provisions ( Probation Revoked) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p> <p><b>04/23/1997 Sentence</b> (Judicial Officer(s): Lebow, Susan)            Comment (Total Amount Imposed \$255.00 )            Charge Reopen Status (07/23/1998, Closed, 1 )            Driver's License Suspended ( License Suspended by Court, Term: 2 Year(s) 0 Month(s) 0 Day(s) )            State Probation ( 2 Year(s) 0 Month(s) 0 Day(s), Start Date: 04/23/1997, End Date: 07/23/1998 )            Provisions: Provisions ( Drug Evaluation, Drug Offender Probation, No Drugs, Random Urinalysis)            Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>

- 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
10/14/2021	1		\$255.00	\$392.35	\$0.00	\$392.35	-	\$0.00	-	\$0.00

- Event(s) & Document(s)

Total: 31

Date	Description	Additional Text	View	Pages
10/14/2021	Sent To Law Firm For Collections	Linebarger		
10/06/2021	Collection Agency/Waive Fee			
03/19/2015	Sent To Law Firm For Collections	Linebarger		
08/25/2012	Sent To Law Firm For Collections			

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Date	Description	Additional Text	View	Pages
08/08/2012	<b>Returned Collection Mail</b>			
07/04/2012	<b>Felony Letter - 30 Days Past Due</b>	\$295.00		
11/06/2005	<b>Returned From Collection Agency</b>	Returned From Collection Agency		
05/22/2002	<b>Collection Agency</b>			
07/23/1998	<b>File Application Fee / Public Defender Appointed</b>			
07/23/1998	<b>File Acknowledgement -Waiver Of Rights</b>			
07/23/1998	<b>Hrg Held / First-Final Violation Of Probation</b>	Ct Rp B Tafuri/judge Ross		
07/23/1998	<b>File Order Of Revocation Of Probation</b>			
07/23/1998	<b>File Judgment Of Public Defender's Fees</b>			
07/23/1998	<b>Sentence Held / File Sentence</b>			
07/23/1998	<b>File Sentencing Guidelines</b>			
07/20/1998	<b>Probation Pilot Program Case</b>			
09/15/1997	<b>File Affidavit And Warrant Violation Of Probation</b>			
05/14/1997	<b>File Amended Information</b>	Correct Spelling Of Name		
04/23/1997	<b>Broward County Supervision</b>	Count(s):< 001 >		
04/23/1997	<b>Arraignment Held</b>	Ct Rept-T Grant		
04/23/1997	<b>File Waiver Of Applic Fee / Public Defender Appt</b>			
04/23/1997	<b>File And Record Judgment</b>	Bk 26363 Pg 0339 0340		
04/23/1997	<b>File Order Of Probation</b>			
04/23/1997	<b>File Sentencing Guidelines</b>			
04/09/1997	<b>Arraignment Reset</b>	Ct Rept-T Grant		
04/04/1997	<b>Court Date Notice Returned</b>	Arrgn		
03/31/1997	<b>Court Date Notice Returned</b>	Arrgn		
03/20/1997	<b>Court Date Notice</b>	Notices Sent To Deft/bondsman		
03/17/1997	<b>Docketrac Defendant Record Note Field</b>	AMENDED INFO - CORRECT NAME		

**EXHIBIT #**  
**PAGE #**

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Date	Description	Additional Text	View	Pages
02/25/1997	<b>Bond Posted</b>	1 - Johnson		
02/20/1997	<b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b>			

**- Hearing(s)** Total: 0

There is no Disposition information available for this case.

**- Related Case(s)** Total: 0

There is no related case information available for this case.

## Brenda D. Forman

### Clerk of Court

Broward County  
17th Judicial Circuit

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**EXHIBIT # 3**  
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State of Florida Vs. Edwards, Lonnit

**Broward County Case Number:** 97006147CF10A  
**State Reporting Number:** 061997CF006147A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 03/28/1997  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Scherer - FJ, Elizabeth  
**Magistrate Id / Name:** N/A  
**BCCN:** 0154818

- Party(ies)

Total: 4


Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	<p><b>Edwards, Lonnit</b></p> <p><i>Alias Name</i>  <b>Cave, Lonnit</b>  <b>Cave, Lonnit S</b>  <b>Cave, Lonnit Shunnard</b>  <b>Edwards, James</b>  <b>Edwards, Lennit</b>  <b>Edwards, Lonnie</b>  <b>Edwards, Lonnie L</b>  <b>Edwards, Lonnie Lonnit</b>  <b>Edwards, Lonnit B</b>  <b>Edwards, Lonnit S</b>  <b>Edwards, Lonnit Shunnard</b>  <b>Edwards, Lonnita</b>  <b>Edwards, Lonnitt</b>  <b>Edwards, Lonnitt</b></p> <p><b>Gender:</b> Male  <b>Race:</b> Black  <b>Language:</b> English (American)  <b>Complexion:</b> Dark  <b>Height:</b> 6'2"  <b>Weight:</b> 170  <b>Eye:</b> Brown  <b>Hair:</b> Black    <b>Birth City:</b> Hollywood  <b>Birth State:</b> FL</p>	41 SW 7Th Ave Apt #1 Dania Beach, FL 33004	<p>★ <i>Public Defender</i>  <i>Public Defender</i>  <i>Bar ID: 88888888</i></p> <p><b>Status: Removed 07/23/1998</b></p>
Bond Company	Johnson Bail Bonds		

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Party Type	Party Name	? Address	? Attorneys / Address ★ Denotes Lead Attorney
Bond Insurance Company	Roche Surety & Casualty		
State	State of Florida		

- Charge(s)

Total: 1

Offense Date	Charge	Degree	Detail
03/27/1997	1	(F3)	<b>Possession of Cocaine</b> Date Filed: 03/27/1997 Current Statute: (F3)893.03(2)(a)4 Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Dania Original Statute: (F3)893.03(2)(a)4-Possession of Cocaine

- Warrant(s)

Total: 1

Issue Date	Charge(s)	Detail	Status
09/15/1997	1	<b>Warrant# 97006147CF10A970915WVOP970916N (InActive)</b> Type: Warrant - Violation Of Probation Bond Type: No Bond Hold Date Served: 07/17/1998 Hold Without Bail Bond: Yes	07/17/1998 Warrant Served 09/15/1997 Active

- Bond(s)

Total: 1

Posted Date	Charge(s)	Detail	Status
04/03/1997	1	<b>Bond# 014794 (InActive)</b> Bond Type: Surety Bond Bond Company: Johnson Bail Bonds Insurance Company: Accr Bond Amount: \$1000.00 Surety Comment: InsCo: RSCC-ROCHE SURETY & CASUALTY	04/03/1997 POSTED 05/14/1997 DISCHARGED

- Arrest(s)

Total: 2

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Arrest Date	Charge	Arrest Number	Detail
07/17/1998	1	HW98003647	<b>Rearrest</b> Offense: Possession of Cocaine Degree: (F3) Bond Amount: \$ Statute: 893.03(2)(a)4 OBTS Number: 0611003456 Rearrest Reason: 5012 Warrant Violation of Probation
03/27/1997	1	DN97000504	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Possession of Cocaine Degree: (F3) Bond Amount: \$1000.00 Bond Type: Not Applicable Statute: 893.03(2)(a)4 OBTS Number: 0009520947

- Disposition(s)

Total: 1

Offense Date	Charge	Disposition(s)
03/27/1997	1	<p><b>Plea(s)</b>  <b>05/14/1997 Plea</b>            Arraignment / Nolo Contendere</p> <p><b>Disposition(s)</b>  <b>05/14/1997 Disposition</b>            Adjudicated</p> <p><b>Sentence(s)</b>  <b>07/23/1998 Amended Resentencing</b> (Judicial Officer(s): Ross, Dale)            Confinement (Effective 07/23/1998 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 10 Month(s) 0 Day(s), Broward County Jail, Credit Time Served: 0 Year(s) 0 Month(s)-15 Day(s), Serve Consecutive Days: )            Provisions: Provisions ( Probation Revoked) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p> <p><b>05/14/1997 Sentence</b> (Judicial Officer(s): Lebow, Susan)  <i>Comment (Docketrac Sentence Record Note: Waive Opt &amp; Sn )</i>  <i>Charge Reopen Status (07/23/1998, Closed, 1 )</i>  <i>Driver's License Suspended ( License Suspended by Court, Term: 2 Year(s) 0 Month(s) 0 Day(s) )</i>  <i>State Probation ( 2 Year(s) 0 Month(s) 0 Day(s), Start Date: 05/14/1997, End Date: 07/23/1998 )</i>  <i>Sentence Status (Concurrent, Case#: 97-003421-CF10A, Counts: 001-001, Comment: Def#:97003421CF10A Count:001)</i>  <i>Provisions: Provisions ( Drug Evaluation, Drug Offender Probation, No Drugs, Random Urinalysis, Waive All Costs) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</i></p>

- 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
05/22/1999	1		\$0.00	\$40.00	\$0.00	\$40.00	-	\$0.00	-	\$0.00

- Event(s) & Document(s)

Total: 23

Date	Description	Additional Text	View	Pages
07/17/2012	Returned Collection Mail			
07/05/2012	Felony Letter - 30 Days Past Due	\$40.00		
07/23/1998	File Application Fee / Public Defender Appointed			
07/23/1998	File Acknowledgement -Waiver Of Rights			
07/23/1998	Hrg Held / First-Final Violation Of Probation	Ct Rp B Tafuri/judge Ross		
07/23/1998	File Order Of Revocation Of Probation			
07/23/1998	Sentence Held / File Sentence			
07/23/1998	File Sentencing Guidelines			
09/15/1997	File Affidavit And Warrant Violation Of Probation			
05/14/1997	Arraignment Held	Ct Rept-T Grant		
05/14/1997	File Acknowledgement -Waiver Of Rights			
05/14/1997	File Waiver Of Applic Fee / Public Defender Appt			
05/14/1997	File And Record Judgment	Bk 26475 Pg 0870 0871		
05/14/1997	File Order Of Probation			
05/14/1997	File Sentencing Guidelines			
05/14/1997	Broward County Supervision	Count(s):<[001]>		
05/02/1997	File Order Transferring Case	From Div Fa To Div Fj		

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Date	Description	Additional Text	View	Pages
04/30/1997	<b>Court Date Notice</b>	To Deft And Bondsman		
04/28/1997	<b>Arraignment Not Held</b>	Transf To Div Fj/ct Rept M. Eak		
04/24/1997	<b>Hearing Held / Status Conference</b>	Ct Rept M. Eak		
04/15/1997	<b>Court Date Notice</b>	To Deft/bondsman		
04/03/1997	<b>Bond Posted</b>	1 Johnson		
03/28/1997	<b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b>			

- Hearing(s)

Total: 0

There is no Disposition Information available for this case.

- Related Case(s)

Total: 0

There is no related case information available for this case.

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**State of Florida Vs. Edwards, Lonnit**

**Broward County Case Number:** 00010174CF10A  
**State Reporting Number:** 062000CF010174A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 06/08/2000  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Davis - FB, N. Hunter  
**Magistrate Id / Name:** N/A  
**BCCN:** 0154818

**- Party(ies)**

Total: 4

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Edwards, Lonnit</b>  <i>Alias Name</i> <b>Cave, Lonnit</b> <b>Cave, Lonnit S</b> <b>Cave, Lonnit Shunnard</b> <b>Edwards, James</b> <b>Edwards, Lennit</b> <b>Edwards, Lonnie</b> <b>Edwards, Lonnie L</b> <b>Edwards, Lonnie Lonnit</b> <b>Edwards, Lonnit B</b> <b>Edwards, Lonnit S</b> <b>Edwards, Lonnit Shunnard</b> <b>Edwards, Lonnita</b> <b>Edwards, Lonnett</b> <b>Edwards, Lonnett</b>  <b>Gender:</b> Male <b>Race:</b> Black <b>Language:</b> English (American) <b>Complexion:</b> Dark <b>Height:</b> 6'2" <b>Weight:</b> 170 <b>Eye:</b> Brown <b>Hair:</b> Black  <b>Birth City:</b> Hollywood <b>Birth State:</b> FL	41 SW 7Th Ave Apt #1 Dania Beach, FL 33004	★ Chukwuma, Laura A Bar ID: 979678 200 SE 6TH St Ste 305 Fort Lauderdale, FL 33301-3424 <b>Status: Active</b>  <i>Johnsson, Tara L</i> Public Defender Bar ID: 122920 6 Coolidge Ave White Plains, NY 10606-3603 <b>Status: Removed 08/03/2000</b>  Blostein, Melinda Nell Public Defender Bar ID: 90281 Broward Public Defenders Office 201 SE 6th St Fort Lauderdale, FL 33301-3303 <b>Status: Active</b>
Bond Company	<b>Big Larry's Bail Bonds</b>		
Bond Insurance Company	<b>Continental Heritage Insurance</b>		

**EXHIBIT # 3**  
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Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
State	State of Florida		

- Charge(s)

Total: 4

Offense Date	Charge	Degree	Detail
06/06/2000	1	(F1)	<b>Poss/Sell/Del Cocaine 1000' Sch</b> Date Filed: 06/06/2000 Current Statute: (F1)893.13(1)(c)1 Filing Type: SAO Information Filing Agency: Broward Sheriff Office Original Statute: (F1)893.13(1)(c)1-Poss/Sell/Del Cocaine 1000' Sch
06/06/2000	2	(F3)	<b>Agg Fleeing and Eluding</b> Date Filed: 06/06/2000 Current Statute: (F3)316.1935(2) Filing Type: SAO Information Filing Agency: Broward Sheriff Office Original Statute: (F3)316.1935(2)-Agg Fleeing and Eluding Citation Number: 943133E  <b>Vehicle Information</b>
06/06/2000	3	(M1)	<b>Resist/Obstruct W/O Violence</b> Date Filed: 06/06/2000 Current Statute: (M1)843.02 Filing Type: SAO Information Filing Agency: Broward Sheriff Office Original Statute: (M1)843.02-Resist/Obstruct W/O Violence
06/06/2000	4	(M1)	<b>Reckless Driving</b> Date Filed: 06/06/2000 Current Statute: (M1)316.192 Filing Type: No Information Filing Agency: Broward Sheriff Office Original Statute: (M1)316.192-Reckless Driving Citation Number: 943134E  <b>Vehicle Information</b>

- Warrant(s)

Total: 0

There is no Warrant information available for this case.

- Bond(s)

Total: 4

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Posted Date	Charge(s)	Detail	Status
06/23/2000	1	<b>Bond# 259119</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Big Larry's Bail Bonds Insurance Company: Accredited Surety and Casualty Company, Inc. Bond Amount: \$7500.00 Surety Comment: InsCo: CHIC-CONTINENTAL HERITAGE INS	06/23/2000 POSTED 07/08/2000 DISCHARGED
06/23/2000	2	<b>Bond# 260995</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Big Larry's Bail Bonds Insurance Company: Accredited Surety and Casualty Company, Inc. Bond Amount: \$2500.00 Surety Comment: InsCo: CHIC-CONTINENTAL HERITAGE INS	06/23/2000 POSTED 07/08/2000 DISCHARGED
06/23/2000	3	<b>Bond# 261002</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Big Larry's Bail Bonds Insurance Company: Accredited Surety and Casualty Company, Inc. Bond Amount: \$100.00 Surety Comment: InsCo: CHIC-CONTINENTAL HERITAGE INS	06/23/2000 POSTED 07/08/2000 DISCHARGED
06/23/2000	4	<b>Bond# 260996</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Big Larry's Bail Bonds Insurance Company: Accredited Surety and Casualty Company, Inc. Bond Amount: \$100.00 Surety Comment: InsCo: CHIC-CONTINENTAL HERITAGE INS	06/23/2000 POSTED 06/27/2000 DISCHARGED

- Arrest(s)

Total: 5

Arrest Date	Charge	Arrest Number	Detail
07/14/2000	1	HW00002927	<b>Rearrest</b> Offense: Poss/Sell/Del Cocaine 1000' Sch Degree: (F1) Bond Amount: \$10100.00 Bond Type: Not Applicable Statute: 893.13(1)(c)1 OBTS Number: 8888888888 Rearrest Reason: Bond Surrender

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Arrest Date	Charge	Arrest Number	Detail
06/07/2000	1	BS00017541	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Poss/Sell/Del Cocaine 1000' Sch Degree: (F1) Bond Amount: \$7500.00 Bond Type: Not Applicable Statute: 893.13(1)(c )1 OBTS Number: 0012650446
06/07/2000	2	BS00017541	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Agg Fleeing and Eluding Degree: (F3) Bond Amount: \$2500.00 Bond Type: Not Applicable Statute: 316.1935(2) OBTS Number: 0012650446
06/07/2000	3	BS00017541	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Resist/Obstruct W/O Violence Degree: (M1) Bond Amount: \$25.00 Bond Type: Not Applicable Statute: 843.02 OBTS Number: 0012650446
06/07/2000	4	BS00017541	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Reckless Driving Degree: (TCX) Bond Amount: \$100.00 Bond Type: Not Applicable Statute: 316.192 OBTS Number: 0012650446

- Disposition(s)

Total: 4

Offense Date	Charge	Disposition(s)

EXHIBIT # 3  
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Offense Date	Charge	Disposition(s)
06/06/2000	1	<p><b>Plea(s)</b>  <b>10/30/2000 Amended Plea</b> (Reason: Change of Plea,)  Change of Plea - Guilty  <b>07/19/2000 Plea</b>  <i>Arraignment Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>10/30/2000 Disposition</b>  Adjudicated</p> <p><b>Sentence(s)</b>  <b>11/03/2000 Sentence</b> (Judicial Officer(s): Agner, Royce)  Comment (Total Amount Imposed \$255.00 )  Confinement (Effective 11/03/2000 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 36 Month(s) 27 Day(s), Florida State Prison, Credit Time Served: 0 Year(s) 0 Month(s) 144 Day(s), Serve Consecutive Days: )  Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>
06/06/2000	2	<p><b>Plea(s)</b>  <b>10/30/2000 Amended Plea</b> (Reason: Change of Plea,)  Change of Plea - Guilty  <b>07/19/2000 Plea</b>  <i>Arraignment Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>10/30/2000 Disposition</b>  Adjudicated</p> <p><b>Sentence(s)</b>  <b>11/03/2000 Sentence</b> (Judicial Officer(s): Agner, Royce)  Comment (Total Amount Imposed \$55.00 )  Confinement (Effective 11/03/2000 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 36 Month(s) 27 Day(s), Florida State Prison, Credit Time Served: 0 Year(s) 0 Month(s) 144 Day(s), Serve Consecutive Days: )  Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>

Offense Date	Charge	Disposition(s)
06/06/2000	3	<b>Plea(s)</b> <b>10/30/2000 Amended Plea</b> (Reason: Change of Plea,) Change of Plea - Guilty <b>07/19/2000 Plea</b> <i>Arraignment Not Guilty-Jury</i>  <b>Disposition(s)</b> <b>10/30/2000 Disposition</b> Adjudicated  <b>Sentence(s)</b> <b>11/03/2000 Sentence</b> (Judicial Officer(s): Agner, Royce) Comment (Total Amount Imposed \$55.00 ) Confinement (Effective 11/03/2000 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 0 Month(s) 364 Day(s), Broward County Jail, Credit Time Served: 0 Year(s) 0 Month(s) 364 Day(s), Serve Consecutive Days: ) Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)
06/06/2000	4	<b>Disposition(s)</b> <b>06/27/2000 Disposition</b> No Information

**- Collection(s)** Total: 4

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
01/31/2015	1		\$255.00	\$255.00	\$205.00	\$50.00	01/10/2008	\$13.00	-	\$0.00
01/31/2015	2	00943133E	\$55.00	\$55.00	\$0.00	\$55.00	-	\$0.00	-	\$0.00
01/31/2015	3		\$55.00	\$55.00	\$0.00	\$55.00	-	\$0.00	-	\$0.00

**- Event(s) & Document(s)** Total: 37

Date	Description	Additional Text	View	Pages
05/05/2012	<b>Sent To Law Firm For Collections</b>			
04/04/2012	<b>Felony Letter - 30 Days Past Due</b>	\$160.00		
07/12/2001	<b>File Order Denying Def Motion</b>	To Convert Fines To Jail Time And Run Concurrent To Present State Sentence		

**EXHIBIT # 3**  
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Date	Description	Additional Text	View	Pages
07/12/2001	<b>File Defense Motion</b>	To Convert Fines To Jail Time And Run Concurrent To Present State Sentence		
01/22/2001	<b>File Order Fixing Compensation Of Expert Witness</b>	Dr. Alan L Braunstein - \$400		
12/01/2000	<b>File Defense Motion</b>	For Alternative Sentencing/two Filed		
11/03/2000	<b>Citation Sent To Tallahassee</b>			
11/03/2000	<b>File Commitment</b>			
11/03/2000	<b>File Restitution Order</b>			
11/03/2000	<b>File Order Of Sentence</b>			
11/03/2000	<b>Sentence Held / File Sentence</b>	Ct Rept-Stefanick		
11/03/2000	<b>File Sentencing Guidelines</b>			
10/30/2000	<b>File Acknowledgement -Waiver Of Rights</b>			
10/30/2000	<b>Hearing Held / Change Of Plea</b>	Ct Rept-Stefanick		
10/30/2000	<b>File And Record Judgment</b>	Bk 31021 & Pg 1537.1538		
10/30/2000	<b>Hearing Reset</b>	Sentencing 11-3-00 @8:30/rpt-Stefanick		
10/30/2000	<b>File Sentencing Guidelines</b>			
10/20/2000	<b>Reset Jury Trial</b>	10-30-00 @9//ct Rept-Stefanick		
10/10/2000	<b>File Defense Demand For Discovery</b>			
10/10/2000	<b>File Defense Written Plea Of Not Guilty</b>			
09/29/2000	<b>File Deposition</b>	Deputy Michael Sweeney		
09/18/2000	<b>File Deposition</b>	Detective Tom Brent,deputy Randall Potenza		
09/18/2000	<b>Trial Not Held</b>	Transfer To Strike Force / Cr- D Perlman		
08/15/2000	<b>Defense Notice of Taking Depositions</b>	(3)		
08/03/2000	<b>File Notice/Assistant PD Assignment</b>	Amended		
07/25/2000	<b>File Defense Demand For Discovery</b>	Additional		
07/25/2000	<b>File Notice/Assistant PD Assignment</b>			
07/25/2000	<b>File State Demand For Notice Of Alibi</b>			
07/25/2000	<b>File States Discovery Submission</b>			

EXHIBIT # 3  
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Date	Description	Additional Text	View	Pages
07/19/2000	<b>Arrestment Held</b>	Cr- V Suarez		
07/19/2000	<b>Defendant Allowed 15 Days to File Motions</b>			
07/19/2000	<b>File Application Fee / Public Defender Appointed</b>			
07/19/2000	<b>File Order Granting State Motion To Revoke Bond</b>			
07/19/2000	<b>File States Motion To Revoke Bond</b>			
07/14/2000	<b>File Surrender Slip</b>	3 Big Larrys #259119,#260995,#261002		
07/03/2000	<b>Court Date Notice</b>	To Def, Bond Co & Sa		
06/23/2000	<b>Bond Posted</b>	4/ Big Larry's		

**- Hearing(s)** Total: 1

Date	Description	Additional Text
09/18/2000	<b>Jury Trial</b>	Hearing Time: 9:00 AM Judicial Officer(s):Davis - FB, N. Hunter Location: Room 5810

**- Related Case(s)** Total: 0

**There is no related case information available for this case.**





**BRENDA D. FORMAN**  
**CLERK OF THE COURTS**  
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### Case Detail - Public

Print

#### State of Florida Vs. Edwards, Lonnit

**Broward County Case Number:** 00011596CF10A  
**State Reporting Number:** 062000CF011596A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 07/01/2000  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** FS - Additional PM, In Custody  
**Magistrate Id / Name:** N/A  
**BCCN:** 0154818

#### - Party(ies)

Total: 2

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
------------	------------	---------	--

EXHIBIT # 3  
PAGE # 28

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Edwards, Lonnit</b>  <i>Alias Name</i> <b>Cave, Lonnit</b> <b>Cave, Lonnit S</b> <b>Cave, Lonnit Shunnard</b> <b>Edwards, James</b> <b>Edwards, Lennit</b> <b>Edwards, Lonnie</b> <b>Edwards, Lonnie L</b> <b>Edwards, Lonnie Lonnit</b> <b>Edwards, Lonnit B</b> <b>Edwards, Lonnit S</b> <b>Edwards, Lonnit Shunnard</b> <b>Edwards, Lonnita</b> <b>Edwards, Lonnitt</b> <b>Edwards, Lonnitt</b>  <b>Gender: Male</b> <b>Race: Black</b> <b>Language: English (American)</b> <b>Complexion: Dark</b> <b>Height: 6'2"</b> <b>Weight: 170</b> <b>Eye: Brown</b> <b>Hair: Black</b> <div style="background-color: black; width: 100px; height: 15px; margin: 5px 0;"></div> <b>Birth City: Hollywood</b> <b>Birth State: FL</b>	41 SW 7Th Ave Apt #1 Dania Beach, FL 33004	★ <i>Chukwuma, Laura A</i> <i>Bar ID: 979678</i> 200 SE 6TH St Ste 305 Fort Lauderdale, FL 33301-3424 <b>Status: Removed 11/03/2000</b>  <i>Blostein, Melinda Nell</i> <i>Public Defender</i> <i>Bar ID: 90281</i> Broward Public Defenders Office 201 SE 6th St Fort Lauderdale, FL 33301-3303 <b>Status: Removed 11/03/2000</b>
State	State of Florida		

- Charge(s)				Total: 3
Offense Date	Charge	Degree	Detail	
06/30/2000	1	(F2)	<b>Poss/pur/sell/deliver Cocaine</b> Date Filed: 06/30/2000 Current Statute: (F2)893.03(2)A4 Filing Type: SAO Information Filing Agency: Hollywood PD Original Statute: (F2)893.03(2)A4-Poss/pur/sell/deliver Cocaine	
06/30/2000	2	(F3)	<b>Possession of Cocaine</b> Date Filed: 06/30/2000 Current Statute: (F3)893.03(2)(a)4 Filing Type: SAO Information Filing Agency: Hollywood PD Original Statute: (F3)893.03(2)(a)4-Possession of Cocaine	

EXHIBIT # 3  
PAGE # 29

Offense Date	Charge	Degree	Detail
06/30/2000	3	(M1)	<b>Resist/Obstruct W/O Violence</b> Date Filed: 06/30/2000 Current Statute: (M1)843.02 Filing Type: SAO Information Filing Agency: Hollywood PD 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: 0

There is no Bond information available for this case.

**- Arrest(s)** Total: 3

Arrest Date	Charge	Arrest Number	Detail
06/30/2000	1	HW00002927	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Poss/pur/sell/deliver Cocaine Degree: (F2) Bond Amount: \$2500.00 Bond Type: Not Applicable Statute: 893.03(2)A4 OBTS Number: 8888888888
06/30/2000	2	HW00002927	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Possession of Cocaine Degree: (F3) Bond Amount: \$1000.00 Bond Type: Not Applicable Statute: 893.03(2)(a)4 OBTS Number: 8888888888
06/30/2000	3	HW00002927	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Resist/Obstruct W/O Violence Degree: (M1) Bond Amount: \$100.00 Bond Type: Not Applicable Statute: 843.02 OBTS Number: 8888888888



- Disposition(s)

Total: 3

Offense Date	Charge	Disposition(s)
06/30/2000	1	<p><b>Plea(s)</b>  <b>10/30/2000 Amended Plea</b> (Reason: Change of Plea,)                      Change of Plea - Guilty  <b>07/26/2000 Plea</b>                      Arraignment Not Guilty-Jury</p> <p><b>Disposition(s)</b>  <b>10/30/2000 Disposition</b>                      Adjudicated</p> <p><b>Sentence(s)</b>  <b>11/03/2000 Sentence</b> (Judicial Officer(s): Agner, Royce)                      Comment (Total Amount Imposed \$255.00 )                      Confinement (Effective 11/03/2000 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 36 Month(s) 27 Day(s), Florida State Prison, Serve Consecutive Days: )                      Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>
06/30/2000	2	<p><b>Plea(s)</b>  <b>10/30/2000 Amended Plea</b> (Reason: Change of Plea,)                      Change of Plea - Guilty  <b>07/26/2000 Plea</b>                      Arraignment Not Guilty-Jury</p> <p><b>Disposition(s)</b>  <b>10/30/2000 Disposition</b>                      Adjudicated</p> <p><b>Sentence(s)</b>  <b>11/03/2000 Sentence</b> (Judicial Officer(s): Agner, Royce)                      Comment (Total Amount Imposed \$55.00 )                      Confinement (Effective 11/03/2000 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 36 Month(s) 27 Day(s), Florida State Prison, Serve Consecutive Days: )                      Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>

Offense Date	Charge	Disposition(s)
06/30/2000	3	<p><b>Plea(s)</b>  <b>10/30/2000 Amended Plea</b> (Reason: Change of Plea,)  Change of Plea - Guilty  <b>07/26/2000 Plea</b>  <i>Arraignment Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>10/30/2000 Disposition</b>  Adjudicated</p> <p><b>Sentence(s)</b>  <b>11/03/2000 Sentence</b> (Judicial Officer(s): FS - Additional PM, In Custody)  Comment (Total Amount Imposed \$55.00 )  Confinement (Effective 11/03/2000 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 0 Month(s) 364 Day(s), Broward County Jail, Credit Time Served: 0 Year(s) 0 Month(s) 127 Day(s), Serve Consecutive Days: )  Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>

- Collection(s)

Total: 3

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
10/09/2021	1		\$255.00	\$271.50	\$205.00	\$66.50	02/21/2008	\$13.00	-	\$0.00
10/09/2021	2		\$55.00	\$73.15	\$0.00	\$73.15	-	\$0.00	-	\$0.00
10/09/2021	3		\$55.00	\$73.15	\$0.00	\$73.15	-	\$0.00	-	\$0.00

- Event(s) & Document(s)

Total: 28

Date	Description	Additional Text	View	Pages
10/09/2021	Sent To Law Firm For Collections	Linebarger		
10/05/2021	Collection Agency/Waive Fee			
03/04/2015	Sent To Law Firm For Collections	Linebarger		
05/06/2012	Sent To Law Firm For Collections			
04/05/2012	Felony Letter - 30 Days Past Due	\$160.00		
10/30/2000	Hearing Held / Change Of Plea	Ct Rept-Stefanick		

EXHIBIT # 3  
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Date	Description	Additional Text	View	Pages
10/30/2000	<b>File And Record Judgment</b>	Bk 31021 & Pg 1539,1540		
10/30/2000	<b>Hearing Reset</b>	Sentencing 11-3-00 @8:30		
10/30/2000	<b>File Sentencing Guidelines</b>			
10/25/2000	<b>Reset Calendar Call</b>	11-3-00 @1:30//no Court		
10/20/2000	<b>Reset Jury Trial</b>	10-30-00 @9//ct Rept-Stefanick		
10/16/2000	<b>Defense Notice of Taking Depositions</b>	(1)		
10/10/2000	<b>File Defense Demand For Discovery</b>			
10/10/2000	<b>File Defense Written Plea Of Not Guilty</b>			
09/26/2000	<b>File Order Transferring Case</b>	To Fs From Fb		
09/21/2000	<b>Defense Notice of Taking Depositions</b>	1 Person		
09/21/2000	<b>Related Case</b>	Related Case: 00016499CF10A , Reason: CC,		
09/20/2000	<b>File Defense Motion For Order Rule To Show Cause</b>			
09/18/2000	<b>Trial Not Held</b>	Transfer To Strike Force / Cr- D Perlman		
09/12/2000	<b>Defense Notice of Taking Depositions</b>	1 Person		
09/08/2000	<b>File Letter</b>	From Def Fiance Re: If He Can Get A Program		
08/25/2000	<b>Defense Notice of Taking Depositions</b>	(1)		
08/08/2000	<b>File States Discovery Submission</b>			
08/03/2000	<b>File Notice/Assistant PD Assignment</b>			
07/26/2000	<b>Arraignment Held</b>	Cr- D Perlman		
07/26/2000	<b>Defendant Allowed 15 Days to File Motions</b>			
07/26/2000	<b>File Application Fee / Public Defender Appointed</b>			
07/01/2000	<b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b>			

- Hearing(s)

Total: 4  
**EXHIBIT # 3**  
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Date	Description	Additional Text
11/03/2000	<b>Sentencing</b>	Hearing Time: 8:30 AM Judicial Officer(s):FS - Additional PM, In Custody Location: Room 6810 <i>Reset Per lcc</i>
10/25/2000	<b>Hearing/Set New Dates</b>	Hearing Time: 9:00 AM Judicial Officer(s):FS - Additional PM, In Custody Location: Room 6750
10/20/2000	<b>Calendar Call</b>	Hearing Time: 1:30 PM Judicial Officer(s):FS - Additional PM, In Custody Location: Room 6810
09/18/2000	<b>Jury Trial</b>	Hearing Time: 9:00 AM Judicial Officer(s):Davis - FB, N. Hunter Location: Room 5810

**- 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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## Case Detail - Public

Print

### State of Florida Vs. Edwards, Lonnit

**Broward County Case Number:** 05013441CF10A  
**State Reporting Number:** 062005CF013441A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 08/13/2005  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Davis - FB, N. Hunter  
**Magistrate Id / Name:** N/A  
**BCCN:** 0154818

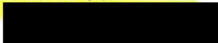
### - Party(ies)

Total: 2

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
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EXHIBIT # 3  
PAGE # 25



Party Type	Party Name	? Address	? Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Edwards, Lonnit</b>  <i>Alias Name</i> <b>Cave, Lonnit</b> <b>Cave, Lonnit S</b> <b>Cave, Lonnit Shunnard</b> <b>Edwards, James</b> <b>Edwards, Lennit</b> <b>Edwards, Lonnie</b> <b>Edwards, Lonnie L</b> <b>Edwards, Lonnie Lonnit</b> <b>Edwards, Lonnit B</b> <b>Edwards, Lonnit S</b> <b>Edwards, Lonnit Shunnard</b> <b>Edwards, Lonnita</b> <b>Edwards, Lonnitt</b> <b>Edwards, Lonnitt</b>  <b>Gender: Male</b> <b>Race: Black</b> <b>Language: English (American)</b> <b>Complexion: Dark</b> <b>Height: 6'2"</b> <b>Weight: 170</b> <b>Eye: Brown</b> <b>Hair: Black</b>  <b>Birth City: Hollywood</b> <b>Birth State: FL</b>	41 SW 7Th Ave Apt #1 Dania Beach, FL 33004	★ <i>Richards</i> 1 <i>Justin</i> <i>Bar ID: J7770</i> 218 N Jefferson ST STE 300 Chicago, IL 60661-1307 <b>Status: Removed 10/24/2006</b>
State	State of Florida		

- Charge(s)				Total: 1
Offense Date	Charge	Degree	Detail	
08/11/2005	1	(F2)	<b>Poss/pur/sell/deliver Cocaine</b> Date Filed: 08/11/2005 Current Statute: (F2)893.03(2)A4 Filing Type: SAO Information- Change of Charge Filing Agency: Broward Sheriff Office/Dania Original Statute: (F2)893.03(2)A4-Poss/pur/sell/deliver Cocaine	

- Warrant(s)				Total: 1
Issue Date	Charge(s)	Detail	Status	^

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Issue Date	Charge(s)	Detail	Status
09/07/2005	1	<b>Warrant# 05013441CF10A050907CAP051018</b> <b>(InActive)</b> Type: Capias Bond Amount: \$2500.00 Bond Type: Set By Judge Date Served: 11/03/2005 Hold Without Bail Bond: No	11/03/2005 Capias Sr 09/07/2005 Active  (Comment: CHANGE OF CHARGE **)

<b>- Bond(s)</b>	<b>Total: 0</b>
There is no Bond information available for this case.	

<b>- Arrest(s)</b>	<b>Total: 3</b>																
<table border="1"> <thead> <tr> <th>Arrest Date</th> <th>Charge</th> <th>Arrest Number</th> <th>Detail</th> </tr> </thead> <tbody> <tr> <td>10/24/2006</td> <td>1</td> <td>BS06011815</td> <td> <b>Rearrest</b>            Offense: Poss/pur/sell/deliver Cocaine            Degree: (F2)            Bond Amount: \$            Statute: 893.03(2)A4            OBTS Number: 0608086912            Rearrest Reason: Sentenced         </td> </tr> <tr> <td>11/03/2005</td> <td>1</td> <td>DN05001475</td> <td> <b>Rearrest</b>            Offense: Poss/pur/sell/deliver Cocaine            Degree: (F2)            Bond Amount: \$2500.00            Bond Type: Not Applicable            Statute: 893.03(2)A4            OBTS Number: 0607055561            Rearrest Reason: Capias Add Charge         </td> </tr> <tr> <td>08/11/2005</td> <td>1</td> <td>DN05001475</td> <td> <b>Arrest</b>            Name At Arrest: Edwards, Lonnit            Offense: Poss/pur/sell/deliver Cocaine            Degree: (F2)            Bond Amount: \$2500.00            Bond Type: Surety Bond            Statute: 893.03(2)A4            OBTS Number: 0607055561         </td> </tr> </tbody> </table>	Arrest Date	Charge	Arrest Number	Detail	10/24/2006	1	BS06011815	<b>Rearrest</b> Offense: Poss/pur/sell/deliver Cocaine Degree: (F2) Bond Amount: \$ Statute: 893.03(2)A4 OBTS Number: 0608086912 Rearrest Reason: Sentenced	11/03/2005	1	DN05001475	<b>Rearrest</b> Offense: Poss/pur/sell/deliver Cocaine Degree: (F2) Bond Amount: \$2500.00 Bond Type: Not Applicable Statute: 893.03(2)A4 OBTS Number: 0607055561 Rearrest Reason: Capias Add Charge	08/11/2005	1	DN05001475	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Poss/pur/sell/deliver Cocaine Degree: (F2) Bond Amount: \$2500.00 Bond Type: Surety Bond Statute: 893.03(2)A4 OBTS Number: 0607055561	
Arrest Date	Charge	Arrest Number	Detail														
10/24/2006	1	BS06011815	<b>Rearrest</b> Offense: Poss/pur/sell/deliver Cocaine Degree: (F2) Bond Amount: \$ Statute: 893.03(2)A4 OBTS Number: 0608086912 Rearrest Reason: Sentenced														
11/03/2005	1	DN05001475	<b>Rearrest</b> Offense: Poss/pur/sell/deliver Cocaine Degree: (F2) Bond Amount: \$2500.00 Bond Type: Not Applicable Statute: 893.03(2)A4 OBTS Number: 0607055561 Rearrest Reason: Capias Add Charge														
08/11/2005	1	DN05001475	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Poss/pur/sell/deliver Cocaine Degree: (F2) Bond Amount: \$2500.00 Bond Type: Surety Bond Statute: 893.03(2)A4 OBTS Number: 0607055561														

<b>- Disposition(s)</b>	<b>Total: 1</b>						
<table border="1"> <thead> <tr> <th>Offense Date</th> <th>Charge</th> <th>Disposition(s)</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		Offense Date	Charge	Disposition(s)			
Offense Date	Charge	Disposition(s)					

**EXHIBIT # 3**  
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Offense Date	Charge	Disposition(s)
08/11/2005	1	<p><b>Plea(s)</b>  <b>10/24/2006 Amended Plea</b> (Reason: Change of Plea,) Change of Plea-Nolo Contendere  <b>10/19/2005 Plea</b>  <i>Written Plea Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>10/24/2006 Disposition</b>  <b>Adjudicated</b></p> <p><b>Sentence(s)</b>  <b>10/24/2006 Sentence</b> (Judicial Officer(s): Aleman, Cheryl J)  Comment (Total Amount Imposed \$507.00 )  Confinement (Effective 10/24/2006 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 25 Month(s) 0 Day(s), Florida State Prison, Credit Time Served: 0 Year(s) 0 Month(s) 72 Day(s), Serve Consecutive Days: )  Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>

**- 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
10/10/2021	1		\$507.00	\$623.16	\$155.00	\$468.16	02/21/2008	\$40.50	-	\$0.00

**- Event(s) & Document(s) Total: 61**

Date	Description	Additional Text	View	Pages
10/10/2021	Sent To Law Firm For Collections	Linebarger		
10/05/2021	Collection Agency/Waive Fee			
08/14/2017	Electronic Case			
03/03/2015	Sent To Law Firm For Collections	Linebarger		
07/18/2012	Returned Collection Mail			
06/23/2012	Sent To Law Firm For Collections			
05/23/2012	Felony Letter - 30 Days Past Due	\$352.00		

**EXHIBIT # 3**  
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Date	Description	Additional Text	View	Pages
11/03/2006	<b>File And Record Judgment</b>	Signed 102406 Bk 43041 Pages 1605-1606		
10/24/2006	<b>File Acknowledgement -Waiver Of Rights</b>			
10/24/2006	<b>File Commitment</b>			
10/24/2006	<b>File Victim's Impact Statement</b>			
10/24/2006	<b>Hearing Held / Change Of Plea</b>	Cr-V Aiello (d)		
10/24/2006	<b>File Restitution Order</b>			
10/24/2006	<b>File Order Of Sentence</b>			
09/01/2006	<b>File Acknowledgement -Waiver Of Rights</b>			
09/01/2006	<b>Hearing Held / Change Of Plea</b>	Cr-A Smith (d)		
09/01/2006	<b>Sentencing - Deferred</b>	10/24/06 @ 9:30		
09/01/2006	<b>File Sentencing Guidelines</b>			
08/22/2006	<b>File Order Granting Def Motion For Continuance</b>			
08/22/2006	<b>Hrg Held On Defense Motion For Continuance</b>	Cr-C Gardner (f)		
06/27/2006	<b>File Defense Motion For Continuance</b>			
06/27/2006	<b>File Order Granting Def Motion For Continuance</b>	Verbal		
06/27/2006	<b>Reset Jury Trial</b>	Cr-C Gardner (f)		
06/26/2006	<b>File Defense Notice Of Hearing</b>	06/27/06 M/continue		
06/22/2006	<b>File Defense Motion For Continuance</b>			
05/25/2006	<b>File Order Granting Def Motion For Continuance</b>			
05/25/2006	<b>File Order Granting Def Motion To Pay Costs</b>	For Investigative Funds Up To \$500		
05/25/2006	<b>Hrg Held On Defense Motion For Continuance</b>	Cr-C Gardner (d)		
05/25/2006	<b>File Notice To Declare Defendant Habitual Offender</b>			
05/25/2006	<b>Order</b>	Clk-Update File W/motions/order For Indigency		

**EXHIBIT # 3**  
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Date	Description	Additional Text	View	Pages
05/24/2006	<b>File Defense Motion For Continuance</b>			
05/24/2006	<b>File Defense Motion</b>	Court Allow More Funds For An Investigator		
05/24/2006	<b>File Defense Motion To Pay Costs</b>	Court To Allow Funds For Investigator		
05/24/2006	<b>File Defense Witness List</b>			
05/24/2006	<b>File Letter</b>	I Mendonca Lgl Asst Re: Motions/pay Costs		
04/10/2006	<b>File Order Granting Def Motion</b>	Withdraw M/disclosure (of Confdntial Witness)		
03/27/2006	<b>File Defense Motion To Withdraw As Atty Of Record</b>	M/for Disclosure Of Confidential Informant		
03/24/2006	<b>File States Motion To Strike</b>	Or Response To D/m Disclose Id Of Confiinfor		
03/10/2006	<b>File Order Granting Def Motion For Continuance</b>	Verbal		
03/10/2006	<b>Hrg Held On Defense Motion For Continuance</b>	Cr-C Gardner (d)		
03/08/2006	<b>File Order Denying Def Motion For Discl Confid Infor</b>			
03/08/2006	<b>File Defense Motion For Continuance</b>			
03/08/2006	<b>File Defense Motion</b>	For Funds From State Of FI For Investigator		
02/13/2006	<b>File Defense Motion For Indigency</b>	For Cost		
12/28/2005	<b>Defense Notice of Taking Depositions</b>	(3)		
12/22/2005	<b>File Defense Motion For Continuance</b>	2 Filed		
12/22/2005	<b>File Defense Waiver Of Speedy Trial</b>			
12/22/2005	<b>File Order Granting Def Motion For Continuance</b>			
12/22/2005	<b>Hrg Held On Defense Motion For Continuance</b>	Cr-C Gardner (d)		
12/08/2005	<b>File States Discovery Submission</b>			
11/03/2005	<b>Capias Served</b>	Count(s):<[001]>		
10/19/2005	<b>Arraignment Held</b>	Cr-J Heagney (f)		

Date	Description	Additional Text	View	Pages
10/19/2005	<b>Defendant Allowed 15 Days to File Motions</b>			
10/19/2005	<b>File Defense Demand For Discovery</b>			
10/19/2005	<b>File Defense Written Plea Of Not Guilty</b>			
09/07/2005	<b>Docketrac Defendant Record Note Field</b>	FILED BY SAO 090705		
09/07/2005	<b>Capias Issued</b>	Count(s):< 001 >		
08/13/2005	<b>Back Scan Felony Milestones</b>			34
08/13/2005	<b>Back Scan Felony Documents</b>			76
08/13/2005	<b>Back Scan Felony Court Notices</b>			8
08/13/2005	<b>Back Scan Felony Orders</b>			10

**- Hearing(s)** Total: 1

Date	Description	Additional Text
06/27/2006	<b>Hearing Defense Motion For Continuance</b>	Hearing Time: 9:30 AM Judicial Officer(s): Davis - FB, N. Hunter Location: Room 7900 <i>Hs 062306</i>

**- 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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### Case Detail - Public

Print

#### State of Florida Vs. Edwards, Lonnit

**Broward County Case Number:** 09020583CF10A  
**State Reporting Number:** 062009CF020583A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 11/07/2009  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Scherer - FJ, Elizabeth`  
**Magistrate Id / Name:** N/A  
**BCCN:** 0154818

#### - Party(ies)

Total: 4

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
------------	------------	---------	--

**EXHIBIT # 3**  
**PAGE # 42**

Party Type	Party Name	? Address	? Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Edwards, Lonnit</b>  <i>Alias Name</i> <b>Cave, Lonnit</b> <b>Cave, Lonnit S</b> <b>Cave, Lonnit Shunnard</b> <b>Edwards, James</b> <b>Edwards, Lennit</b> <b>Edwards, Lonnie</b> <b>Edwards, Lonnie L</b> <b>Edwards, Lonnie Lonnit</b> <b>Edwards, Lonnit B</b> <b>Edwards, Lonnit S</b> <b>Edwards, Lonnit Shunnard</b> <b>Edwards, Lonnita</b> <b>Edwards, Lonnitt</b> <b>Edwards, Lonnitt</b>  <b>Gender: Male</b> <b>Race: Black</b> <b>Language: English</b> (American) <b>Complexion: Dark</b> <b>Height: 6'2"</b> <b>Weight: 170</b> <b>Eye: Brown</b> <b>Hair: Black</b> <div style="background-color: black; width: 100px; height: 15px; margin: 5px 0;"></div> <b>Birth City: Hollywood</b> <b>Birth State: FL</b>	41 SW 7Th Ave Apt #1 Dania Beach, FL 33004	★ <i>Sheres, Gary Michael</i> <i>Public Defender</i> <i>Bar ID: 13968</i> 888 S Andrews AVE STE 201 Fort Lauderdale, FL 33316-1047 <b>Status: Removed 06/21/2010</b>
Bond Company	<b>Coast to Coast Bail Bonds</b>		
Bond Insurance Company	<b>Lexington National Insurance</b>		
State	<b>State of Florida</b>		

- Charge(s)				Total: 3
Offense Date	Charge	Degree	Detail	
11/05/2009	1	(F3)	<b>Possession of Cocaine</b> Date Filed: 11/05/2009 Current Statute: (F3)893.03(2)(a)4 Filing Type: SAO Information- Change of Charge Filing Agency: Broward Sheriff Office Original Statute: (F3)893.03(2)(a)4-Possession of Cocaine	

**EXHIBIT # 3**  
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Offense Date	Charge	Degree	Detail
11/05/2009	2	(M1)	<b>Possess Cannabis/20 Grams Or Less</b> Date Filed: 11/05/2009 Current Statute: (M1)893.13(6)(B) Filing Type: SAO Information Filing Agency: Broward Sheriff Office Original Statute: (M1)893.13(6)(B)-Possess Cannabis/20 Grams Or Less
11/05/2009	3	(M1)	<b>Possess Drug Paraphernalia</b> Date Filed: 11/05/2009 Current Statute: (M1)893.147(1) Filing Type: SAO Information Filing Agency: Broward Sheriff Office Original Statute: (M1)893.147(1)-Possess Drug Paraphernalia

**- Warrant(s)** Total: 1

Issue Date	Charge(s)	Detail	Status
12/02/2009	1	<b>Warrant# 09020583CF10A091202CAP091204 (InActive)</b> Type: Capias Bond Amount: \$10000.00 Bond Type: Set By Judge Date Served: 12/23/2009 Hold Without Bail Bond: No	12/23/2009 Capias Served 12/02/2009 Active  (Comment: CNT 1 COC **)

**- Bond(s)** Total: 3

Posted Date	Charge(s)	Detail	Status
11/10/2009	1	<b>Bond# 016233 (InActive)</b> Bond Type: Surety Bond Bond Company: Coast to Coast Bail Bonds Insurance Company: Continental Heritage Insurance Company Bond Amount: \$10000.00 Surety Comment: InsCo: LNIC-LEXINGTON NATIONAL INS CO	11/10/2009 POSTED 06/21/2010 DISCHARGED

**EXHIBIT #** 3  
**PAGE #** 44

Posted Date	Charge(s)	Detail	Status
11/10/2009	2	<b>Bond# 030107</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Coast to Coast Bail Bonds Insurance Company: Continental Heritage Insurance Company Bond Amount: \$100.00 Surety Comment: InsCo: LNIC-LEXINGTON NATIONAL INS CO	11/10/2009 POSTED 06/21/2010 DISCHARGED
11/10/2009	3	<b>Bond# 030108</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Coast to Coast Bail Bonds Insurance Company: Continental Heritage Insurance Company Bond Amount: \$100.00 Surety Comment: InsCo: LNIC-LEXINGTON NATIONAL INS CO	11/10/2009 POSTED 06/21/2010 DISCHARGED

- Arrest(s)

Total: 5

Arrest Date	Charge	Arrest Number	Detail
06/21/2010	1	BS10006370	<b>Rearrest</b> Offense: Possession of Cocaine Degree: (F3) Bond Amount: \$ Statute: 893.03(2)(a)4 OBTS Number: 0609125781 Rearrest Reason: Sentenced
12/22/2009	1	WP09000491	<b>Rearrest</b> Offense: Possession of Cocaine Degree: (F3) Bond Amount: \$10000.00 Bond Type: Surety Bond Statute: 893.03(2)(a)4 OBTS Number: 0609116627 Rearrest Reason: Capias Change of Charge
11/05/2009	1	WP09000491	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Poss/Sel/Del Cocaine 1000' Chur Degree: (F1) Bond Amount: \$10000.00 Bond Type: Not Applicable Statute: 893.13(1)(e)1 OBTS Number: 0609116627

EXHIBIT # <sup>3</sup>  
 PAGE # <sub>45</sub>

Arrest Date	Charge	Arrest Number	Detail
11/05/2009	2	WP09000491	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Possess Cannabis/20 Grams Or Less Degree: (M1) Bond Amount: \$100.00 Bond Type: Not Applicable Statute: 893.13(6)(B) OBTS Number: 0609116627
11/05/2009	3	WP09000491	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Possess Drug Paraphernalia Degree: (M1) Bond Amount: \$100.00 Bond Type: Not Applicable Statute: 893.147(1) OBTS Number: 0609116627

- Disposition(s)

Total: 3

Offense Date	Charge	Disposition(s)

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Offense Date	Charge	Disposition(s)
11/05/2009	1	<p><b>Plea(s)</b>  <b>06/07/2010 Amended Plea</b> (Reason: Change of Plea,)  Change of Plea-Nolo Contendere  <b>12/21/2009 Plea</b>  <i>Arraignment Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>06/07/2010 Disposition</b>  Adjudicated</p> <p><b>Sentence(s)</b>  <b>06/21/2010 Amended Resentencing</b> (Judicial Officer(s): Imperato, Cynthia G)  Comment (Docketrac Sentence Record Note: Actual Senc 20.025mths Fsp )  Confinement (Effective 06/21/2010 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 20 Month(s) 0 Day(s), Florida State Prison, Credit Time Served: 0 Year(s) 0 Month(s) 34 Day(s), Serve Consecutive Days: )  Sentence Status (Concurrent, Case#: 10-008516-CF10A, Counts: All, Comment: Def#:10008516CF10A )  Provisions: Provisions ( Probation Revoked) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p> <p><b>06/07/2010 Sentence</b> (Judicial Officer(s): Imperato, Cynthia G)  Comment (Total Amount Imposed \$617.00 )  Confinement (Effective 06/07/2010 at 12:00 AM, Min. Not Applicable, Max. 5 Year(s) 0 Month(s) 0 Day(s), Florida State Prison, Credit Time Served: 0 Year(s) 0 Month(s) 34 Day(s), Serve Consecutive Days: )  Sentence Status (Concurrent, Case#: 10-008516-CF10A, Counts: All, Comment: Def#:10008516CF10A )  Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>
11/05/2009	2	<p><b>Plea(s)</b>  <b>06/07/2010 Amended Plea</b> (Reason: Change of Plea,)  Change of Plea-Nolo Contendere  <b>12/21/2009 Plea</b>  <i>Arraignment Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>06/07/2010 Disposition</b>  Adjudicated</p> <p><b>Sentence(s)</b>  <b>06/07/2010 Sentence</b> (Judicial Officer(s): Imperato, Cynthia G)  Comment (Total Amount Imposed \$283.00 )  Confinement (Effective 06/07/2010 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 0 Month(s) 34 Day(s), Broward County Jail, Credit Time Served: 0 Year(s) 0 Month(s) 34 Day(s), Serve Consecutive Days: )  Sentence Status (Concurrent, Case#: 10-008516-CF10A, Counts: All, Comment: Def#:10008516CF10A )  Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>

Offense Date	Charge	Disposition(s)
11/05/2009	3	<p><b>Plea(s)</b>  <b>06/07/2010 Amended Plea</b> (Reason: Change of Plea,) Change of Plea-Nolo Contendere  <b>12/21/2009 Plea</b>  <i>Arraignment Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>06/07/2010 Disposition</b>  Adjudicated</p> <p><b>Sentence(s)</b>  <b>06/07/2010 Sentence</b> (Judicial Officer(s): Imperato, Cynthia G)  Comment (Total Amount Imposed \$183.00 )  Confinement (Effective 06/07/2010 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 0 Month(s) 34 Day(s), Broward County Jail, Credit Time Served: 0 Year(s) 0 Month(s) 34 Day(s), Serve Consecutive Days: )  Sentence Status (Concurrent, Case#: 10-008516-CF10A, Counts: All, Comment: Def#:10008516CF10A )  Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>

**- Collection(s)** Total: 3

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
11/20/2021	1		\$617.00	\$887.11	\$0.00	\$887.11	-	\$0.00	-	\$0.00
11/20/2021	2		\$283.00	\$376.39	\$0.00	\$376.39	-	\$0.00	-	\$0.00
11/20/2021	3		\$183.00	\$243.39	\$0.00	\$243.39	-	\$0.00	-	\$0.00

**- Event(s) & Document(s)** Total: 52

Date	Description	Additional Text	View	Pages
11/20/2021	Sent To Law Firm For Collections	AllianceOne		
10/03/2021	Collection Agency/Waive Fee			
03/12/2015	Sent To Law Firm For Collections	Penn Credit		
03/24/2012	Sent To Law Firm For Collections			

Date	Description	Additional Text	View	Pages
12/08/2011	<b>Felony Letter - 30 Days Past Due</b>	\$1,133.00		
07/14/2010	<b>File And Record Judgment</b>	Signed 060710-Or Bk 47183 Pgs 1258-1259		
07/14/2010	<b>File Order Converting Costs to Civil Lien</b>	Signed 060710-Or Bk 47183 Pgs 1196-1196 Signed 060710-Or Bk 47182 Pgs 266-268		
06/21/2010	<b>File Commitment</b>			
06/21/2010	<b>File Order Of Sentence</b>			
06/21/2010	<b>Sentence Held / File Sentence</b>	F/crt Rpt C Martin		
06/21/2010	<b>File Sentencing Guidelines</b>			
06/07/2010	<b>File DNA Inquiry Addendum</b>			
06/07/2010	<b>File Acknowledgement -Waiver Of Rights</b>			
06/07/2010	<b>File Victim Information Report</b>			
06/07/2010	<b>File Order Granting Def Motion For ROR</b>	Cnts 1-3		
06/07/2010	<b>Hearing Held / Change Of Plea</b>	I/crt Rpt C Martin		
06/07/2010	<b>File Restitution Order</b>	None		
06/07/2010	<b>File Sentencing Guidelines</b>			
05/14/2010	<b>File States Praeipce</b>	(6)		
05/12/2010	<b>Calendar Call/Held</b>	I/crt Rpt C Martin		
05/12/2010	<b>File Order Granting Def Motion For Continuance</b>	Verbal		
05/12/2010	<b>File Order Granting State Motion To Revoke Bond</b>	Signed 051210/nb		
04/28/2010	<b>File States Praeipce</b>	(6)		
04/23/2010	<b>Calendar Call/Held</b>	I/crt Rpt C Martin/no File		
03/30/2010	<b>File States Praeipce</b>	(6)		
03/19/2010	<b>Calendar Call/Held</b>	I/crt Rpt V Miller		
03/19/2010	<b>File Order Granting Def Motion For Continuance</b>	Verbal		

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Date	Description	Additional Text	View	Pages
02/26/2010	<b>File States Praecipe</b>	(6)		
02/19/2010	<b>Calendar Call/Held</b>	I/ct Rept C Martin		
02/19/2010	<b>File Order Granting Def Motion For Continuance</b>	Verbal		
01/21/2010	<b>File States Praecipe</b>	(6)		
01/15/2010	<b>Calendar Call/Held</b>	I/crt Rpt C Martin		
01/15/2010	<b>File Waiver Of Speedy Trial</b>	Verbal		
01/15/2010	<b>File Order Granting Def Motion For Continuance</b>	Verbal		
01/04/2010	<b>File States Praecipe</b>	(6)		
12/31/2009	<b>File State Demand For Notice Of Alibi</b>			
12/31/2009	<b>File States Discovery Submission</b>			
12/23/2009	<b>Capias Served</b>	Count(s):<[001]>		
12/23/2009	<b>Arraignment Held</b>	F/crt Rpt C Martin		
12/23/2009	<b>Defendant Allowed 15 Days to File Motions</b>			
12/23/2009	<b>File Affidavit Of Bondsman To Remain On Bond</b>			
12/22/2009	<b>Arraignment Reset</b>	I/crt Rpt C Martin		
12/21/2009	<b>Arraignment Reset</b>	I/crt Rpt C Martin		
12/07/2009	<b>Court Date Notice</b>	Def,t,sao,atty,bndsman		
12/02/2009	<b>Capias Issued</b>	Count(s):<[001]>		
12/02/2009	<b>Docketrac Defendant Record Note Field</b>	FILED 120209 BY SAO		
11/19/2009	<b>File Defense Demand For Discovery</b>			
11/19/2009	<b>File Notice/Assistant PD Assignment</b>			
11/12/2009	<b>Bond Posted</b>	3 Coast To Coast Bail		
11/10/2009	<b>File Notice Of Def Invocation Of Right To Counsel</b>	Pro Se		
11/06/2009	<b>File Def Affidavit Indigency/Declared Indigent</b>			

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Date	Description	Additional Text	View	Pages
11/06/2009	<b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b>	Cnt1 \$10000 Ncntrs 2-3 \$1000		

- Hearing(s)

Total: 10

Date	Description	Additional Text
06/21/2010	<b>Hearing/Defendant to Surrender</b>	Hearing Time: 8:30 AM Judicial Officer(s):Scherer - FJ, Elizabeth Location: Room 7750 /
05/07/2010	<b>Hearing /Determination of Counsel</b>	Hearing Time: 8:30 AM Judicial Officer(s):Scherer - FJ, Elizabeth Location: Room 7750 /no File
05/07/2010	<b>Calendar Call</b>	Hearing Time: 8:30 AM Judicial Officer(s):Scherer - FJ, Elizabeth Location: Room 7750 /no File
04/23/2010	<b>Calendar Call</b>	Hearing Time: 8:30 AM Judicial Officer(s):Scherer - FJ, Elizabeth Location: Room 7750 /
03/19/2010	<b>Calendar Call</b>	Hearing Time: 8:30 AM Judicial Officer(s):Scherer - FJ, Elizabeth Location: Room 7750
02/19/2010	<b>Calendar Call</b>	Hearing Time: 8:30 AM Judicial Officer(s):Scherer - FJ, Elizabeth Location: Room 7750 /
01/15/2010	<b>Calendar Call</b>	Hearing Time: 8:30 AM Judicial Officer(s):Scherer - FJ, Elizabeth Location: Room 7750 F
12/23/2009	<b>Arraignment</b>	Hearing Time: 8:30 AM Judicial Officer(s):Scherer - FJ, Elizabeth Location: Room 7750 /
12/22/2009	<b>Arraignment</b>	Hearing Time: 8:30 AM Judicial Officer(s):Scherer - FJ, Elizabeth Location: Room 7750 /

EXHIBIT # 3  
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Date	Description	Additional Text
12/21/2009	<b>Arraignment</b>	Hearing Time: 8:00 AM Judicial Officer(s): Scherer - FJ, Elizabeth Location: Room 7750

**- 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

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**CLERK OF THE COURTS**  
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### Case Detail - Public

Print

**State of Florida Vs. Edwards, Lonnit**

**Broward County Case Number:** 10008516CF10A  
**State Reporting Number:** 062010CF008516A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 05/12/2010  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Scherer - FJ, Elizabeth`  
**Magistrate Id / Name:** N/A  
**BCCN:** 0154818

**- Party(ies)** Total: 2

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney

EXHIBIT # 3  
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Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Edwards, Lonnit</b>  <i>Alias Name</i> <b>Cave, Lonnit</b> <b>Cave, Lonnit S</b> <b>Cave, Lonnit Shunnard</b> <b>Edwards, James</b> <b>Edwards, Lennit</b> <b>Edwards, Lonnie</b> <b>Edwards, Lonnie L</b> <b>Edwards, Lonnie Lonnit</b> <b>Edwards, Lonnit B</b> <b>Edwards, Lonnit S</b> <b>Edwards, Lonnit Shunnard</b> <b>Edwards, Lonnita</b> <b>Edwards, Lonnitt</b> <b>Edwards, Lonnitt</b>  <b>Gender: Male</b> <b>Race: Black</b> <b>Language: English (American)</b> <b>Complexion: Dark</b> <b>Height: 6'2"</b> <b>Weight: 170</b> <b>Eye: Brown</b> <b>Hair: Black</b> <span style="background-color: black; color: black;">[REDACTED]</span> <b>Birth City: Hollywood</b> <b>Birth State: FL</b>	41 SW 7Th Ave Apt #1 Dania Beach, FL 33004	
State	State of Florida		

- Charge(s)				Total: 3
Offense Date	Charge	Degree	Detail	
05/11/2010	1	(F3)	<b>Possession of Cocaine</b> Date Filed: 05/11/2010 Current Statute: (F3)893.03(2)(a)4 Filing Type: SAO Information- Change of Charge Filing Agency: Hollywood PD Original Statute: (F3)893.03(2)(a)4-Possession of Cocaine	
05/11/2010	2	(F3)	<b>Possession of Cannabis</b> Date Filed: 05/11/2010 Current Statute: (F3)893.03(1)(c) 7 Filing Type: SAO Information- Change of Charge Filing Agency: Hollywood PD Original Statute: (F3)893.03(1)(c) 7-Possession of Cannabis	^

EXHIBIT # 3  
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Offense Date	Charge	Degree	Detail
05/11/2010	3	(F3)	<b>Poss 3,4 Mdma (ecstasy)</b> Date Filed: 05/11/2010 Current Statute: (F3)893.03(1)(a)39 Filing Type: SAO Information Filing Agency: Hollywood PD Original Statute: (F3)893.03(1)(a)39-Poss 3,4 Mdma (ecstasy,

- Warrant(s)

Total: 1

Issue Date	Charge(s)	Detail	Status
05/28/2010	1, 2	<b>Warrant# 10008516CF10A100528CAP100602 (InActive)</b> Type: Capias Bond Amount: \$2000.00 Bond Type: Set By Judge Date Served: 06/07/2010 Hold Without Bail Bond: No	06/07/2010 Capias Served 05/28/2010 Active  <i>(Comment: CNT1,CNT2 COC **)</i>

- Bond(s)

Total: 0

There is no Bond information available for this case.

- Arrest(s)

Total: 4

Arrest Date	Charge	Arrest Number	Detail
06/21/2010	1	BS10006370	<b>Rearrest</b> Offense: Possession of Cocaine Degree: (F3) Bond Amount: \$ Statute: 893.03(2)(a)4 OBTS Number: 0609125781 Rearrest Reason: Sentenced
05/11/2010	1	HW10001510	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Poss Cocaine/intent To Del/sel Degree: (F2) Bond Amount: \$2500.00 Bond Type: Not Applicable Statute: 893.13(1)(a)1 OBTS Number: 0610065861

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Arrest Date	Charge	Arrest Number	Detail
05/11/2010	2	HW10001510	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Pos Cannabis W/intent Sel/del Degree: (F3) Bond Amount: \$1000.00 Bond Type: Not Applicable Statute: 893.13(1)(a)2 OBTS Number: 0610065861
05/11/2010	3	HW10001510	<b>Arrest</b> Name At Arrest: Edwards, Lonnit Offense: Poss 3,4 Mdma (ecstasy) Degree: (F3) Bond Amount: \$1000.00 Bond Type: Not Applicable Statute: 893.03(1)(a)39 OBTS Number: 0610065861

- Disposition(s)

Total: 3

Offense Date	Charge	Disposition(s)

EXHIBIT # 3  
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Offense Date	Charge	Disposition(s)
05/11/2010	3	<p><b>Plea(s)</b>  <b>06/07/2010 Amended Plea</b> (Reason: Change of Plea.)  Change of Plea-Nolo Contendere  <b>06/07/2010 Plea</b>  <i>Arraignment Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>06/07/2010 Disposition</b>  Adjudicated</p> <p><b>Sentence(s)</b>  <b>06/21/2010 Amended Resentencing</b> (Judicial Officer(s): Imperato, Cynthia G)  Comment (Docketrac Sentence Record Note: Actual Sentc 20.025mths Fsp )  Confinement (Effective 06/21/2010 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 20 Month(s) 0 Day(s), Florida State Prison, Credit Time Served: 0 Year(s) 0 Month(s) 28 Day(s), Serve Consecutive Days: )  Sentence Status (Concurrent, Case#: 09-020583-CF10A, Counts: All, Comment: Def#:09020583CF10A )  Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p> <p><b>06/07/2010 Sentence</b> (Judicial Officer(s): Imperato, Cynthia G)  Confinement (Effective 06/07/2010 at 12:00 AM, Min. Not Applicable, Max. 5 Year(s) 0 Month(s) 0 Day(s), Florida State Prison, Credit Time Served: 0 Year(s) 0 Month(s) 28 Day(s), Serve Consecutive Days: )  Sentence Status (Consecutive, Case#: 09-020583-CF10A, Counts: All, Comment: Def#:09020583CF10A )  Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>

**- Collection(s)** Total: 3

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

**- Event(s) & Document(s)** Total: 17

Date	Description	Additional Text	View	Pages
07/14/2010	<b>File And Record Judgment</b>	Signed 060710-Or Bk 47183 Pgs 1260-1261		
07/14/2010	<b>File Order Converting Costs to Civil Lien</b>	Signed 060710-Or Bk 47183 Pgs 1197-1197 Signed 060710-Or Bk 47182 Pgs 269-271		

**EXHIBIT # 3**  
**PAGE # 57**

Date	Description	Additional Text	View	Pages
06/21/2010	<b>File Commitment</b>			
06/21/2010	<b>File Order Granting Def Motion To Mitigate</b>	Sentence		
06/21/2010	<b>File Order Of Sentence</b>			
06/21/2010	<b>Sentence Held / File Sentence</b>	F/crt Rpt C Martn		
06/07/2010	<b>Capias Served</b>	Count(s):< 001 002 >		
06/07/2010	<b>Arraignment Held</b>	l/pled/crt Rpt C Martin		
06/07/2010	<b>Defendant Allowed 15 Days to File Motions</b>			
06/07/2010	<b>File DNA Inquiry Addendum</b>			
06/07/2010	<b>File Acknowledgement -Waiver Of Rights</b>			
06/07/2010	<b>File Victim Information Report</b>			
06/07/2010	<b>File Order Granting Def Motion For ROR</b>	Cnts 1-3		
06/07/2010	<b>File Sentencing Guidelines</b>			
05/28/2010	<b>Docketrac Defendant Record Note Field</b>	FILED 052810 BY SAO		
05/28/2010	<b>Capias Issued</b>	Count(s):< 001 002 >		
05/12/2010	<b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b>			

- Hearing(s)

Total: 1

Date	Description	Additional Text
06/07/2010	<b>Arraignment</b>	Hearing Time: 8:00 AM Judicial Officer(s):Scherer - FJ, Elizabeth Location: Room 7750

- Related Case(s)

Total: 0

There is no related case information available for this case.

EXHIBIT # 3  
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## Case Detail - Public

Print

### State of Florida Vs. Cave, Lonnit Shunnard

**Broward County Case Number:** 14003429CF10A  
**State Reporting Number:** 062014CF003429A88810  
**Court Type:** Felony  
**Case Type:** Mental Health Court Felony  
**Filing Date:** 03/12/2014  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Porth - FZ, Ari Abraham  
**Magistrate Id / Name:** N/A  
**BCCN:** 0154818

### - Party(ies) Total: 4

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney

EXHIBIT # 3  
PAGE # 59



Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Cave, Lonnit Shunnard</b>  <i>Alias Name</i> <b>Cave, Lonnit</b> <b>Cave, Lonnit S</b> <b>Edwards, James</b> <b>Edwards, Lennit</b> <b>Edwards, Lonnie</b> <b>Edwards, Lonnie L</b> <b>Edwards, Lonnie Lonnit</b> <b>Edwards, Lonnit</b> <b>Edwards, Lonnit B</b> <b>Edwards, Lonnit S</b> <b>Edwards, Lonnit Shunnard</b> <b>Edwards, Lonnita</b> <b>Edwards, Lonnitt</b> <b>Edwards, Lonnitt</b>  <b>Gender: Male</b> <b>Race: Black</b> <b>Language: English (American)</b> <b>Complexion: Dark</b> <b>Height: 6'2"</b> <b>Weight: 170</b> <b>Eye: Brown</b> <b>Hair: Black</b> <div style="background-color: black; width: 100px; height: 15px; margin: 5px 0;"></div> <b>Birth City: Hollywood</b> <b>Birth State: FL</b>	41 SW 7Th Ave Apt #1 Dania Beach, FL 33004	★ <b>Mason, Chad Samuel</b> <i>Public Defender</i> <i>Bar ID: 91186</i> <i>MK LA'' P.A.</i> 633 SE Thi Suite 4F Fort Lauder. FL 33301 <b>Status: Removed 07/29/2015</b>  <i>Richman, Krista</i> <i>Bar ID: 90894</i> <i>Office of the Public Defender</i> 201 SE 6th Street Fort Lauderdale, FL 33301 <b>Status: Removed 10/10/2014</b>  <i>Public Defender</i> <i>Public Defender</i> <i>Bar ID: 88888888</i>  <b>Status: Removed 06/09/2014</b>
State	<b>State of Florida</b>		
Bond Company	<b>Big Angel's Bail Bonds</b>		
Bond Insurance Company	<b>Palmetto Surety Co</b>		

- Charge(s)				Total: 2
Offense Date	Charge	Degree	Detail	
03/11/2014	1	(F2)	<b>Deliver Cocaine</b> Date Filed: 03/11/2014 Current Statute: (F2)893.13(1)(a)1 Filing Type: SAO Information- Change of Charge Filing Agency: Broward Sheriff Office/Dania Original Statute: (F2)893.13(1)(a)1-Deliver Cocaine	

**EXHIBIT # 3**  
**PAGE # 60**

Offense Date	Charge	Degree	Detail
03/11/2014	2	(F3)	<b>Possession of Cocaine</b> Date Filed: 03/11/2014 Current Statute: (F3)893.03(2)(a)4 Filing Type: No Information Filing Agency: Broward Sheriff Office/Dania Original Statute: (F3)893.03(2)(a)4-Possession of Cocain

**- Warrant(s)** Total: 1

Issue Date	Charge(s)	Detail	Status
04/21/2014	1	<b>Warrant# 14003429CF10A1</b> <b>(InActive)</b> Type: Capias - Change of Charge Bond Amount: \$2500.00 Bond Type: Set By Judge Date Served: 05/08/2014 Hold Without Bail Bond: No	05/08/2014 Capias Served 04/21/2014 Active

**- Bond(s)** Total: 2

Posted Date	Charge(s)	Detail	Status
03/12/2014	1	<b>Bond# 179382</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Big Angel's Bail Bonds Insurance Company: U.S. Specialty Bond Amount: \$2500.00	03/12/2014 POSTED 07/29/2015 DISCHARGED
03/12/2014	2	<b>Bond# 5179383</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Big Angel's Bail Bonds Insurance Company: U.S. Specialty Bond Amount: \$1000.00	03/12/2014 POSTED 04/21/2014 DISCHARGED

**- Arrest(s)** Total: 3

Arrest Date	Charge	Arrest Number	Detail
<b>EXHIBIT # 3</b> <b>PAGE # 61</b>			

Arrest Date	Charge	Arrest Number	Detail
07/29/2015	1	CH15001366	<b>Rearrest</b> Offense: Deliver Cocaine Degree: (F2) Bond Amount: \$2500.00 Bond Type: Not Applicable Statute: 893.13(1)(a)1 OBTS Number: 0609207253 Rearrest Reason: Sentenced
03/11/2014	1	DN14000177	<b>Arrest</b> Name At Arrest: Cave, Lonnit Shunnard Offense: Deliver Cocaine Degree: (F2) Bond Amount: \$2500.00 Bond Type: Not Applicable Statute: 893.13(1)(a)1 OBTS Number: 0609184188
03/11/2014	2	DN14000177	<b>Arrest</b> Name At Arrest: Cave, Lonnit Shunnard Offense: Possession of Cocaine Degree: (F3) Bond Amount: \$1000.00 Bond Type: Not Applicable Statute: 893.03(2)(a)4 OBTS Number: 0609184188

- Disposition(s)

Total: 2

Offense Date	Charge	Disposition(s)
03/11/2014	1	<b>Plea(s)</b> 07/29/2015 Amended Plea (Reason: Change of Plea,) Change of Plea-Nolo Contendere 05/08/2014 Plea Arraignment Not Guilty-Jury  <b>Disposition(s)</b> 07/29/2015 Disposition Adjudicated  <b>Sentence(s)</b> 07/29/2015 (5) Incarceration BCJ or FSP (Judicial Officer(s): Porth, Ari Abraham) Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines) Comment (Total Amount Imposed \$617.00 ) Confinement (Effective 07/29/2015, Min. Not Applicable, Max. 18 Day(s), Florida State Prison, Credit Time Served: 3 Day(s) )

EXHIBIT # 3  
PAGE # 2



Offense Date	Charge	Disposition(s)
03/11/2014	2	<b>Disposition(s)</b> <b>04/21/2014 Disposition</b> No Information

**- 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
08/04/2015	1		\$617.00	\$667.00	\$0.00	\$667.00	-	\$0.00	-	\$0.00

**- Event(s) & Document(s)** Total: 81

Date	Description	Additional Text	View	Pages
05/26/2017	<b>Court Order Report Of Disposition</b>			1
08/31/2015	<b>Felony Letter - 30 Days Past Due</b>	\$667.00		
08/12/2015	<b>Release Status</b>	CH15001366		
07/30/2015	<b>Arrest Paperwork</b>			5
07/29/2015	<b>Hrg Held On Defense Motion For Downward Departure</b>	CR Electronic(D)/Remanded		
07/29/2015	<b>File Sentencing Guidelines</b>			5
07/29/2015	<b>File Acknowledgement -Waiver Of Rights</b>			2
07/29/2015	<b>File DNA Inquiry Addendum</b>			1
07/29/2015	<b>File Defense Motion For Downward Departure</b>			2
07/29/2015	<b>Court Disposition with AC Costs Converted to Civil Lien</b>			3
07/29/2015	<b>File Restitution Order</b>			2
07/29/2015	<b>File Victim Information Report</b>			1
07/29/2015	<b>File Commitment</b>			1

EXHIBIT #1 *3*  
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Date	Description	Additional Text	View	Pages
07/29/2015	<b>File Order Of Sentence</b>			3
07/29/2015	<b>File And Record Judgment</b>			2
07/29/2015	<b>File Defense Motion For Downward Departure</b>			3
06/19/2015	<b>Hearing Held / Defendant's Competency</b>	CR Electronic(D)		
06/19/2015	<b>File Order Of Defendants Competency</b>			1
06/19/2015	<b>File Court's Notice Of Hearing</b>			1
06/10/2015	<b>Hearing Held On Status Hearing</b>	CR Electronic(I)		
06/10/2015	<b>File Court's Notice Of Hearing</b>			1
05/28/2015	<b>Court Date Notice</b>			2
05/26/2015	<b>File Order Transfer To Mental Health Court Div FZ</b>	From FH		1
05/13/2015	<b>Hearing Held / Defendant's Competency</b>	i/ct rept p colding/transfer to mental health		
05/11/2015	<b>File Order Granting Def Motion For Appoint Of Expert</b>	DR. ATIYA		2
04/29/2015	<b>Hearing Reset</b>	i/ct rept p colding/comp status		
04/29/2015	<b>File Court's Notice Of Hearing</b>			1
04/06/2015	<b>File Order Granting Def Motion For Appoint Of Expert</b>	DR. BRAUNSTEIN		2
04/01/2015	<b>Hearing Held / Defendant's Competency</b>	i/ct rept p colding		
04/01/2015	<b>File Court's Notice Of Hearing</b>			1
03/18/2015	<b>Hearing Held / Defendant's Competency</b>	i/ct rept p colding		
03/18/2015	<b>File Court's Notice Of Hearing</b>			1
03/13/2015	<b>File Order Granting Def Motion For Appoint Of Expert</b>	DR. DANN-NAMER		2
03/11/2015	<b>Hearing Held / Defendant's Competency</b>	i/ct rept p colding		
03/11/2015	<b>File Court's Notice Of Hearing</b>			1
02/23/2015	<b>Trial Not Held</b>	d/ct rept p colding		

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Date	Description	Additional Text	View	Pages
02/23/2015	<b>File Court's Notice Of Hearing</b>			1
01/30/2015	<b>Calendar Call/Held</b>	i/ct rept p colding		
01/30/2015	<b>File Court's Notice Of Hearing</b>			1
11/20/2014	<b>Calendar Call/Held</b>	i/ct rept p colding		
11/20/2014	<b>File Order Granting Def Motion For Continuance</b>	verbal		
11/20/2014	<b>File Court's Notice Of Hearing</b>			1
10/10/2014	<b>File Amended Notice Of Asst Public Defender Assign</b>			1
09/16/2014	<b>Court Date Notice</b>			2
09/15/2014	<b>File Defense Motion For Continuance</b>			2
09/15/2014	<b>File Order Granting Def Motion For Continuance</b>			3
07/23/2014	<b>File Document</b>	Depo Cancellation Memorandum		1
07/23/2014	<b>File Document</b>	Depo Reset Memorandum		1
07/15/2014	<b>Defense Notice of Taking Depositions</b>	1		1
07/11/2014	<b>File Court's Notice Of Hearing</b>			1
07/11/2014	<b>Calendar Call/Held</b>	i/ct rept p colding		
07/11/2014	<b>File Order Granting Def Motion For Continuance</b>	verbal		
06/10/2014	<b>File State Demand For Notice Of Alibi</b>			2
06/10/2014	<b>File St's Response Def's Demand/Disc Imp Info/Suppl Corresp</b>			2
06/10/2014	<b>File States Discovery Submission</b>			5
06/09/2014	<b>File Deft Mot Disclose Impeaching Info/Inducements</b>			3
06/09/2014	<b>File Defense Demand For Discovery</b>			3
06/09/2014	<b>File Def Affidavit Indigency/Declared Indigent</b>			1
06/09/2014	<b>Review of Motor Vehicles - Property Records</b>			

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Date	Description	Additional Text	View	Pages
06/09/2014	<b>File Notice/Assistant PD Assignment</b>			1
06/04/2014	<b>Hearing Held / Determination Of Counsel</b>	i/ct rept p colding		
05/12/2014	<b>File States Notice Pursuant to Rule 3.220(4)</b>			1
05/08/2014	<b>Arraignment Held</b>	i/ct rept p colding		
05/08/2014	<b>Hearing Held / Bond Status</b>	i/ct rept p colding		
05/08/2014	<b>File Court's Notice Of Hearing</b>			1
05/08/2014	<b>Capias Served</b>			
05/08/2014	<b>Capias Image</b>			1
05/08/2014	<b>File Affidavit Of Bondsman To Remain On Bond</b>			1
05/05/2014	<b>Court Date Notice Returned</b>			2
04/24/2014	<b>Court Date Notice</b>			2
04/21/2014	<b>File States Information</b>			2
04/21/2014	<b>File State's Instruction Sheet</b>			1
04/21/2014	<b>Capias Image</b>			1
04/21/2014	<b>File Copy of Bond Discharge Slip(s)</b>			2
04/15/2014	<b>State Notice/Intent to Delay Finding Pending Further Review</b>			1
03/14/2014	<b>Release Status</b>	DN14000177		
03/14/2014	<b>Bond Posted</b>	BIG ANGEL'S BAIL BONDS		4
03/14/2014	<b>Bond Posted</b>	BIG ANGEL'S BAIL BONDS		5
03/12/2014	<b>Electronic Case</b>			
03/12/2014	<b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b>			1
03/12/2014	<b>Arrest Paperwork</b>			3

- Hearing(s)

Total: 14  
**EXHIBIT #** 3  
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Date	Description	Additional Text
07/29/2015	<b>Hearing Defense Motion for Downward Departure</b>	Hearing Time: 3:00 PM Judicial Officer(s):Porth - FZ, Ari Abraham Location: Room 7810
06/19/2015	<b>Hearing Defendants Competency</b>	Hearing Time: 2:00 PM Judicial Officer(s):Porth - FZ, Ari Abraham Location: Room 7810
06/10/2015	<b>Hearing/Status Hearing</b>	Hearing Time: 9:00 AM Judicial Officer(s):Porth - FZ, Ari Abraham Location: Room 7810
05/13/2015	<b>Hearing Defendants Competency</b>	Hearing Time: 9:30 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 7900
04/29/2015	<b>Hearing Defendants Competency</b>	Hearing Time: 9:30 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 7900
04/01/2015	<b>Hearing Defendants Competency</b>	Hearing Time: 9:30 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 7900
03/18/2015	<b>Hearing Defendants Competency</b>	Hearing Time: 9:30 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 7900
03/11/2015	<b>Hearing Defendants Competency</b>	Hearing Time: 9:30 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 7900 d/
02/23/2015	<b>Jury Trial</b>	Hearing Time: 9:30 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 7900
01/30/2015	<b>Calendar Call</b>	Hearing Time: 9:30 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 7900
11/20/2014	<b>Calendar Call</b>	Hearing Time: 9:30 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 7900
06/04/2014	<b>Hearing /Determination of Counsel</b>	Hearing Time: 9:30 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 7900
07/11/2014	<b>Calendar Call</b>	Hearing Time: 9:30 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 7900



Date	Description	Additional Text
05/08/2014	<b>Arrestment &amp; Bond Status - Mandatory Appearance</b>	Hearing Time: 9:30 AM Judicial Officer(s):Bailey - FH, Tim Location: Room 7900

**- 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

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### Case Detail - Public

Print

#### State of Florida Vs Cave, Lonnit Shunnard

**Broward County Case Number:** 15004921MM10A  
**State Reporting Number:** 062015MM004921A88810  
**Court Type:** Traffic and Misdemeanor  
**Case Type:** Domestic Violence  
**Filing Date:** 05/01/2015  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Avalos- MV, Catalina  
**Magistrate Id / Name:** N/A  
**BCCN:** N/A

#### - Party(ies)

Total: 2

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
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**EXHIBIT # 3**  
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Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Cave, Lonnit Shunnard</b>  <i>Alias Name</i> <b>Cave, Lonnit</b> <b>Cave, Lonnit S</b> <b>Edwards, James</b> <b>Edwards, Lennit</b> <b>Edwards, Lonnie</b> <b>Edwards, Lonnie L</b> <b>Edwards, Lonnie Lonnit</b> <b>Edwards, Lonnit</b> <b>Edwards, Lonnit B</b> <b>Edwards, Lonnit S</b> <b>Edwards, Lonnit Shunnard</b> <b>Edwards, Lonnita</b> <b>Edwards, Lonnett</b> <b>Edwards, Lonnett</b>  <b>Gender: Male</b> <b>Race: Black</b> <b>Language: English (American)</b> <b>Complexion: Dark</b> <b>Height: 6'2"</b> <b>Weight: 170</b> <b>Eye: Brown</b> <b>Hair: Black</b> <div style="background-color: black; width: 100px; height: 15px; margin: 5px 0;"></div> <b>Birth City: Hollywood</b> <b>Birth State: FL</b>	41 SW 7Th Ave Apt #1 Dania Beach, FL 33004	★ Public Defender Public Defender Bar ID: 88888888  <b>Status: Active</b>
State	State of Florida		

**- Charge(s)** Total: 1

Offense Date	Charge	Degree	Detail
04/14/2015	1	(M1)	<b>Battery</b> Date Filed: 04/14/2015 Current Statute: (M1)784.03(1) Filing Type: SAO Information- Not In Custody Filing Agency: Broward Sheriff Office Original Statute: (M1)784.03(1)-Battery

**- Warrant(s)** Total: 0

There is no Warrant information available for this case. ^

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- Bond(s)

Total: 0

There is no Bond information available for this case.

- Arrest(s)

Total: 0

There is no Arrest information available for this case.

- Disposition(s)

Total: 1

Offense Date	Charge	Disposition(s)
04/14/2015	1	<p><b>Plea(s)</b>  <b>08/06/2015 Plea</b>                      Change of Plea-Nolo Contendere</p> <p><b>Disposition(s)</b>  <b>08/06/2015 Disposition</b>                      Adjudicated</p> <p><b>Sentence(s)</b>  <b>08/06/2015 (B) - Time Served</b> (Judicial Officer(s): McHugh, Kathleen Mary)                      Confinement (Effective 08/06/2015, Min. Not Applicable, Max. 9 Day(s), Broward County Jail, Credit Time Served: 9 Day(s) )                      Comment (tai: \$645//partial pymts accepted//defer date: 08062016 )</p>

- 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
08/18/2015	1		\$645.00	\$695.00	\$0.00	\$695.00	-	\$0.00	08/06/2016	\$695.00

- Event(s) & Document(s)

Total: 29

Date	Description	Additional Text	Pages
08/18/2015	Notice of Public Defender Fees	\$50.00 Amount: \$50.00	1

EXHIBIT # 3  
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Date	Description	Additional Text	View	Pages
08/17/2015	<b>Summons Not Served</b>			2
08/13/2015	<b>File Def Affidavit Indigency/Declared Indigent</b>			1
08/13/2015	<b>Review of Motor Vehicles - Property Records</b>			1
08/11/2015	<b>File States Notice Pursuant to Rule 3.220(4)</b>			1
08/06/2015	<b>Court Disposition</b>			2
08/06/2015	<b>File Fingerprint Form</b>			1
08/06/2015	<b>File Order Vacate Pretrial Cond Dom Viol No Contact</b>			1
08/06/2015	<b>Plea of guilty or No contest for Criminal in County Court</b>			1
08/05/2015	<b>File Court's Notice Of Hearing</b>			1
08/03/2015	<b>Order</b>	The Broward Sheriff's Office is to bring the deft to court on August 6, 2015 by any reasonable means necessary in the above listed case//filed in open court		1
07/31/2015	<b>Court Date Notice</b>			2
07/31/2015	<b>Order</b>	def to remain in bcj pending resolution to above style case shall not be sent to FSP		1
07/16/2015	<b>Summons Image</b>			1
07/15/2015	<b>Summons Issued</b>	ROOM #5810		
07/08/2015	<b>Summons Image</b>			1
06/29/2015	<b>Notes</b>	new address for issue summons		1
06/18/2015	<b>Notes</b>	NEW ADDRESS RECEIVED		
06/16/2015	<b>Notes</b>	Req sent to DVU (Atn: Pam Carson) for better address to reissue Summons.		
06/15/2015	<b>Summons Not Served</b>			2
05/08/2015	<b>Summons Image</b>			1
05/04/2015	<b>Summons Issued</b>	Room 5810		
05/01/2015	<b>File State's Instruction Sheet</b>			

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Date	Description	Additional Text	View	Pages
05/01/2015	<b>File States Information</b>			3
05/01/2015	<b>Probable Cause Affidavit</b>			3
05/01/2015	<b>File Notice Of Confidential Info Within Court Filing</b>			1
05/01/2015	<b>Received Original State Attorneys Information</b>			
05/01/2015	<b>Electronic Case</b>			
05/01/2015	<b>File State Not In Custody - Information</b>			

**- Hearing(s)** Total: 2

Date	Description	Additional Text
08/04/2015	<b>Hearing/Status Hearing</b>	Hearing Time: 9:00 AM Judicial Officer(s):Avalos- MV, Catalina Location: Room 5810 <i>XX Req. by D. Jackson 08.03.15</i>
08/06/2015	<b>Hearing - Determine Counsel</b>	Hearing Time: 10:00 AM Judicial Officer(s):Avalos- MV, Catalina Location: Room 5810 <i>req - Joanne Wilson, PD</i>

**- 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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## Case Detail - Public

Print

### State of Florida Vs. Cave, Lonnit S

**Broward County Case Number:** 18015552CF10A  
**State Reporting Number:** 062018CF015552A88810  
**Court Type:** Felony  
**Case Type:** 2nd Degree Felony  
**Filing Date:** 12/19/2018  
**Case Status:** Disposed - Probation  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Kollra - FF, Ernest A  
**Magistrate Id / Name:** N/A  
**BCCN:** 0154818

### - Party(ies)

Total: 2

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
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Party Type	Party Name	? Address	? Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Cave, Lonnit S</b>  <i>Alias Name</i> <b>Cave, Lonnit</b> <b>Cave, Lonnit Shunnard</b> <b>Edwards, James</b> <b>Edwards, Lennit</b> <b>Edwards, Lonnie</b> <b>Edwards, Lonnie L</b> <b>Edwards, Lonnie Lonnit</b> <b>Edwards, Lonnit</b> <b>Edwards, Lonnit B</b> <b>Edwards, Lonnit S</b> <b>Edwards, Lonnit Shunnard</b> <b>Edwards, Lonnita</b> <b>Edwards, Lonnitt</b> <b>Edwards, Lonnitt</b>  <i>Also Known As</i> <b>Edwards, Lonnie</b> <b>Edwards, Lonnit</b>  <b>Gender: Male</b> <b>Race: Black</b> <b>Language: English (American)</b> <b>Complexion: Dark</b> <b>Height: 6'2"</b> <b>Weight: 170</b> <b>Eye: Brown</b> <b>Hair: Black</b> <b>DOB: 04/07/1976</b> <b>Birth City: Hollywood</b> <b>Birth State: FL</b>	41 SW 7Th Ave Apt #1 Dania Beach, FL 33004	★ <i>Ramelize, Wayne</i> <i>Public Defender</i> <i>Bar ID: 936936</i> <i>Office of the Public Defender</i> <i>201 SE 6th Street</i> <i>Fort Lauderdale, FL 33301</i> <b>Status: Removed 09/02/2021</b>
State	<b>State of Florida</b>		

- Charge(s)				Total: 5
Offense Date	Charge	Degree	Detail	
12/18/2018	1	(F3)	<b>Possession Of Heroin</b> Date Filed: 12/18/2018 Current Statute: (F3)893.03(1)(b)11 Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Dania Original Statute: (F3)893.03(1)(b)11-Possession Of Heroin	
12/18/2018	2	(M1)	<b>Possess Cannabis/20 Grams Or Less</b> Date Filed: 12/18/2018 Current Statute: (M1)893.13(6)(B) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Dania Original Statute: (M1)893.13(6)(B)-Possess Cannabis/20 Grams Or Less	^

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Offense Date	Charge	Degree	Detail
12/18/2018	3	(F3)	<b>Possession of Cocaine</b> Date Filed: 12/18/2018 Current Statute: (F3)893.03(2)(a)4 Filing Type: No Information Filing Agency: Broward Sheriff Office/Dania Original Statute: (F3)893.03(2)(a)4-Possession of Cocaine
12/18/2018	4	(F3)	<b>Possession Of Methamphetamine</b> Date Filed: 12/18/2018 Current Statute: (F3)893.03(2)(c)4 Filing Type: No Information Filing Agency: Broward Sheriff Office/Dania Original Statute: (F3)893.03(2)(c)4-Possession Of Methamphetamine
12/18/2018	5	(F2)	<b>Robbery / No Weapon</b> Date Filed: 12/18/2018 Current Statute: (F2)812.13(2)(c) Filing Type: No Information/ Transfer to Misdemeanor Filing Agency: Broward Sheriff Office/Dania Original Statute: (F2)812.13(2)(c)-Robbery / No Weapon

- Warrant(s)

Total: 3

Issue Date	Charge(s)	Detail	Status
08/11/2021	1	<b>Warrant# 18015552CF10A3</b> <b>(InActive)</b> Type: Warrant - Violation Of Probation Bond Type: No Bond Hold Date Served: 08/11/2021 Hold Without Bail Bond: Yes	08/11/2021 Violation Of Probation Warrant Served 08/11/2021 Violation Of Probation Warrant Issued  (Comment: SIGNED 080921)
12/19/2019	1, 2	<b>Warrant# 18015552CF10A2</b> <b>(InActive)</b> Type: Capias - No Show At Hearing - ROR Bond Type: No Bond Hold Hold Without Bail Bond: Yes	01/10/2020 Capias Withdrawn  (Comment: Control # 20201658)  12/19/2019 Active
02/18/2019	1, 2	<b>Warrant# 18015552CF10A1</b> <b>(InActive)</b> Type: Capias - No Show At Arraignment - ROR Bond Type: No Bond Hold Date Served: 04/08/2019 Hold Without Bail Bond: Yes	04/08/2019 Capias Served 02/18/2019 Active

- Bond(s)

Total: 0

There is no Bond information available for this case.

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- Arrest(s)

Total: 8

Arrest Date	Charge	Arrest Number	Detail
08/11/2021	2	FL21001906	<b>Rearrest</b> Offense: Possession Of Heroin Degree: (F3) Bond Amount: \$ Statute: 893.03(1)(b)11 OBTS Number: 0607293266 Rearrest Reason: 5012 Warrant Violation of Probation
04/08/2019	2	HW19000612	<b>Rearrest</b> Offense: Possession Of Heroin Degree: (F3) Bond Amount: \$ Statute: 893.03(1)(b)11 OBTS Number: 0608265374 Rearrest Reason: 5015 Capias Hearing ROR
04/08/2019	5	HW19000612	<b>Rearrest</b> Offense: Possess Cannabis/20 Grams Or Less Degree: (M1) Bond Amount: \$ Statute: 893.13(6)(B) OBTS Number: 0608265374 Rearrest Reason: 5015 Capias Hearing ROR
12/18/2018	1	DN18000769	<b>Arrest</b> Name At Arrest: Cave, Lonnit S Offense: Possession Of Heroin Degree: (F3) Bond Amount: \$ Statute: 893.03(1)(b)11 OBTS Number: 0608261751
12/18/2018	2	DN18000769	<b>Arrest</b> Name At Arrest: Cave, Lonnit S Offense: Possess Cannabis/20 Grams Or Less Degree: (M1) Bond Amount: \$ Statute: 893.13(6)(B) OBTS Number: 0608261751
12/18/2018	3	DN18000769	<b>Arrest</b> Name At Arrest: Cave, Lonnit S Offense: Possession of Cocaine Degree: (F3) Bond Amount: \$ Statute: 893.03(2)(a)4 OBTS Number: 0608261751

Arrest Date	Charge	Arrest Number	Detail
12/18/2018	4	DN18000769	<b>Arrest</b> Name At Arrest: Cave, Lonnit S Offense: Possession Of Methamphetamine Degree: (F3) Bond Amount: \$ Statute: 893.03(2)(c )4 OBTS Number: 0608261751
12/18/2018	5	DN18000769	<b>Arrest</b> Name At Arrest: Cave, Lonnit S Offense: Robbery / No Weapon Degree: (F2) Bond Amount: \$ Statute: 812.13(2)(c ) OBTS Number: 0608261751

- Disposition(s)

Total: 5

Offense Date	Charge	Disposition(s)
12/18/2018	1	<b>Plea(s)</b> <b>04/07/2021 Amended Plea</b> (Reason: Change of Plea,) Change of Plea-Nolo Contendere <b>05/13/2019 Plea</b> <i>Arraignment Not Guilty-Jury</i>  <b>Disposition(s)</b> <b>04/07/2021 Disposition</b> Adjudicated  <b>Sentence(s)</b> <b>04/07/2021 (2) Probation / Community Control</b> (Judicial Officer(s): Kollra, Ernest A) Provisions: Provisions ( Court Costs Not a Condition of Probation) Special Provisions(Defendant Sentenced Under Sentencing Guidelines) Comment(DEFENDANT TO ATTEND HENDERSON FOR EVAL AND COMP ANY FOLLOW UP TREATMENT) Comment (Total Amount Imposed: \$567 ) State Probation ( 4 Year(s), Start Date: 04/07/2021, End Date: 04/07/2025 ) Charge Reopen Status (08/12/2021, Closed, 1 ) Comment (08/11/21-probation reinstated; all previous special conditions apply; pay balance of previously imposed costs; COS waived for 2 years; resubmit to henderson w/ 30 days of release; 30 Day THC waiver; Drug fees Waiver )



Offense Date	Charge	Disposition(s)
12/18/2018	2	<b>Plea(s)</b> <b>04/07/2021 Amended Plea</b> (Reason: Change of Plea,) Change of Plea-Nolo Contendere <b>05/13/2019 Plea</b> <i>Arraignment Not Guilty-Jury</i>  <b>Disposition(s)</b> <b>04/07/2021 Disposition</b> Adjudicated  <b>Sentence(s)</b> <b>04/07/2021 (1) Time Served</b> (Judicial Officer(s): Kollra, Ernest A) Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines) Comment (Total Amount Imposed: \$298 ) Confinement (Effective 04/07/2021, Min. Not Applicable, Max. 90 Day(s), Broward Jail, Credit Time Served: 90 Day(s), Comment: AGREED )
12/18/2018	3	<b>Disposition(s)</b> <b>01/28/2019 Disposition</b> No Information
12/18/2018	4	<b>Disposition(s)</b> <b>01/28/2019 Disposition</b> No Information
12/18/2018	5	<b>Disposition(s)</b> <b>01/28/2019 Disposition</b> No Information/Transfer to Misdemeanor

**- Collection(s)** Total: 6

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
08/25/2021	1		\$567.00	\$717.00	\$0.00	\$717.00	-	\$0.00	01/07/2025	\$717.00
08/25/2021	2		\$298.00	\$298.00	\$0.00	\$298.00	-	\$0.00	-	\$0.00

**- Event(s) & Document(s)** Total: 96

Date	Description	Additional Text

**EXHIBIT # 3**  
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Date	Description	Additional Text	View	Pages
09/13/2021	Delete From Docket	CR.A.GABEL (D)		
08/19/2021	Court Date Notice			2
08/18/2021	File Order Of Probation	DRUG OFFENDER PROBATION		4
08/16/2021	File Def Affidavit Indigency/Declared Indigent			1
08/16/2021	Review of Motor Vehicles - Property Records			1
08/12/2021	Hrg Held / First-Final Violation Of Probation	D/ crpt. A. Gabel;ADMITS		
08/12/2021	Court Disposition			3
08/12/2021	Hrg Held / Magistrate Findings/Order - Probable Cause Found			1
08/12/2021	Recommit- Rearrest Paperwork			30
08/12/2021	File Acknowledgement -Waiver Of Rights	VOP		2
08/11/2021	Violation Of Probation Warrant Served	Add Reason Charge Reopened Sentence Component on Disposition tab		
08/09/2021	File Affidavit/Warrant/Report Violation Of Probation			7
06/08/2021	Release Status	DN18000769		
05/20/2021	Court Date Notice Returned			2
05/12/2021	Court Date Notice			2
04/07/2021	Hrg Held On Defense Motion For Downward Departure	CR:A.Gabel (D) Granted		
04/07/2021	Hearing Held / Change Of Plea	CR:A.Gabel (D)		
04/07/2021	File Sentencing Guidelines			3
04/07/2021	Court Disposition with AC Costs Converted to Civil Lien			3
04/07/2021	File And Record Judgment			2
04/07/2021	Broward County Supervision			
		Amount: \$50.00		
03/29/2021	Court Date Notice Returned			2
03/09/2021	Court Date Notice			

Date	Description	Additional Text	View	Pages
03/05/2021	Hearing Reset	CR:A.Gabel/Zoom(D)		
03/02/2021	Court Date Notice Returned			2
02/18/2021	Court Date Notice			1
02/16/2021	Hearing Reset	((D))CT RPT A GABEL <>		
01/27/2021	Court Date Notice Returned			2
01/16/2021	Court Date Notice			1
01/14/2021	Hearing Held / Status Conference	Cr:A.Gabel(D)		
12/28/2020	File Order Revoking Pre-Trial Release			1
05/08/2020	Court Date Notice Returned			2
04/24/2020	Court Date Notice			1
03/02/2020	Reset Change Of Plea	(D)Ct rept N. Sosa		
03/02/2020	File Court's Notice Of Hearing			1
02/21/2020	Calendar Call/Held	CR.A.GABEL(D)		
02/21/2020	File Court's Notice Of Hearing			1
01/10/2020	File Order Granting Def Motion For Continuance	VERBAL		
01/10/2020	Calendar Call/Held	C.R. A.GABEL(I)		
01/10/2020	Capias Withdrawn			
01/10/2020	File Defense Notice Of Change Of Address			1
01/10/2020	File Court's Notice Of Hearing			1
01/10/2020	Capias Image	vacated		1
01/10/2020	File Order Granting Def Motion To Withdraw Capias			1
12/19/2019	Hearing Not Held	CR:A.Gabel(d)-NBC Issued		
12/19/2019	Capias Image			1
11/19/2019	File Notice Of Hearing			1
11/08/2019	Calendar Call/Held	CR.R.Windsor (I)		

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Date	Description	Additional Text	View	Pages
11/08/2019	<b>File Order Granting Def Motion For Continuance</b>	VERBAL		
11/08/2019	<b>File Court's Notice Of Hearing</b>			1
11/07/2019	<b>File Defense Motion For Downward Departure</b>			4
10/23/2019	<b>Hrg Held Def Motion Modify Conditions Of Pretrial Release</b>	CR.B.TANNENBAUM(D) GRANTED		
10/23/2019	<b>File Order Granting Def Motion To Modify Pretrial</b>			1
10/16/2019	<b>File Notice Of Hearing</b>			1
10/15/2019	<b>File Defense Motion To Modify Pretrial Release</b>			2
09/27/2019	<b>Calendar Call/Held</b>	CR:S.Fox(I)		
09/27/2019	<b>File Order Granting Def Motion For Continuance</b>	Verbal		
09/27/2019	<b>File Court's Notice Of Hearing</b>			1
09/11/2019	<b>Electr Monitor House Arrest Agreement</b>			2
09/09/2019	<b>File Order Granting Def Motion Release From Custody</b>	PTR		2
09/09/2019	<b>Hrg Held On Defense Motion To Set Bond</b>	C.R. A.Gabel (D) Granted		
09/09/2019	<b>Order</b>	DEFENDANT RELEASED TO PTR/LEVEL 2 W/ELECTRONIC MONITOR		1
08/28/2019	<b>File Notice Of Hearing</b>			1
08/27/2019	<b>File Defense Motion To Reduce Bond</b>			2
06/28/2019	<b>Calendar Call/Held</b>	CR Radiah Windsor (Bailey Assoc Rpt) d		
06/28/2019	<b>File Order Granting Def Motion For Continuance</b>	verbal		
06/28/2019	<b>File Court's Notice Of Hearing</b>			1
05/13/2019	<b>Arraignment Held</b>	D/ crpt. A. Gabel		
05/13/2019	<b>File Court's Notice Of Hearing</b>			1
04/09/2019	<b>Arrest Paperwork</b>			

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Date	Description	Additional Text	View	Pages
04/08/2019	<b>Capias Served</b>			
02/20/2019	<b>File States Supplemental Discovery</b>			1
02/18/2019	<b>Arraignment Not Held</b>	NBC//CR J Sanford (d)		
02/18/2019	<b>Capias Image</b>			1
02/15/2019	<b>File States Discovery Submission</b>			5
02/15/2019	<b>File State Demand For Notice Of Alibi</b>			2
02/05/2019	<b>Court Date Notice</b>			2
01/28/2019	<b>File States Information</b>			2
01/28/2019	<b>File State's Instruction Sheet</b>			2
01/28/2019	<b>Standard Pre-trial Release Prog Agreement</b>			1
01/22/2019	<b>Hrg Held On Defense Motion For ROR</b>	CR: CRS (d)		
01/22/2019	<b>File Order Granting Def Motion For ROR</b>			1
01/18/2019	<b>State Notice/Intent to Delay Finding Pending Further Review</b>			1
01/18/2019	<b>File Notice Of Hearing</b>			1
01/09/2019	<b>Notice of Public Defender Fees</b>	\$50.00 Amount: \$50.00		
01/07/2019	<b>File Def Affidavit Indigency/Declared Indigent</b>			1
01/07/2019	<b>Review of Motor Vehicles - Property Records</b>			1
01/05/2019	<b>File Defense Notice Of Intent Exercising Miranda</b>			1
01/05/2019	<b>File Defense Demand For Discovery</b>			4
01/04/2019	<b>Demand for Disclosure of Impeaching Information</b>			3
01/04/2019	<b>File Notice/Assistant PD Assignment</b>			1
12/19/2018	<b>Electronic Case</b>			
12/19/2018	<b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b>			1

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Date	Description	Additional Text	View	Pages
12/19/2018	Arrest Paperwork			7
12/19/2018	File Notice Of Confidential Info Within Court Filing			1
12/19/2018	File Pretrial Supervision Order			1

- Hearing(s)

Total: 15

Date	Description	Additional Text
09/13/2021	Hearing/First Violation of Probation	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750
04/07/2021	Hearing Defense Motion for Downward Departure	Hearing Time: 1:30 PM Judicial Officer(s):FS - Additional PM, In Custody Location: Room 4155
03/05/2021	Hearing Defense Motion for Downward Departure	Hearing Time: 1:30 PM Judicial Officer(s):FQ - PM In Custody, Hearings Location: Room 4155
02/16/2021	Hearing Defense Motion for Downward Departure	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: ZOOM HEARING - See "Court Date Notice"
03/02/2020	Hearing/Change of Plea	Hearing Time: 11:00 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750 <i>DOWNWARD DEPARTURE(D)</i>
02/21/2020	Calendar Call	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750
12/19/2019	Hearing Defense Motion for Downward Departure	Hearing Time: 11:00 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750 <i>ADD PER PD WR ASA LB</i>
01/10/2020	Calendar Call	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750
11/08/2019	Calendar Call	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750

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Date	Description	Additional Text
09/09/2019	<b>Hearing/Defense Motion to Set Bond</b>	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750 <i>RESET OF 9/3 CANCELLED DOCKET</i>
09/27/2019	<b>Calendar Call</b>	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750 <i>d</i>
06/28/2019	<b>Calendar Call</b>	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750
05/13/2019	<b>Arraignment</b>	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750
02/18/2019	<b>Arraignment</b>	Hearing Time: 8:30 AM Judicial Officer(s):Kollra - FF, Ernest A Location: Room 5750
01/22/2019	<b>Hearing/Defense Motion for ROR</b>	Hearing Time: 1:30 PM Judicial Officer(s):Judge- FMN, First Appearance Location: Room 4155

- Related Case(s)		Total: 1
Related Case Number	Case Type	Additional Text
19000516MM10A	Filed Separately	

**Brenda D. Forman**

Clerk of Court

Broward County  
17th Judicial Circuit

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**State of Florida Vs Cave, Lonnit S**

**Broward County Case Number:** 19000516MM10A  
**State Reporting Number:** 062019MM000516A88810  
**Court Type:** Traffic and Misdemeanor  
**Case Type:** Misdemeanor  
**Filing Date:** 01/15/2019  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Lerner-Wren - MS, Ginger`  
**Magistrate Id / Name:** N/A  
**BCCN:** 0154818

**- Party(ies)**

Total: 2

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	<p><b>Cave, Lonnit S</b></p> <p><i>Alias Name</i>  <b>Cave, Lonnit</b>  <b>Cave, Lonnit Shunnard</b>  <b>Edwards, James</b>  <b>Edwards, Lennit</b>  <b>Edwards, Lonnie</b>  <b>Edwards, Lonnie L</b>  <b>Edwards, Lonnie Lonnit</b>  <b>Edwards, Lonnit</b>  <b>Edwards, Lonnit B</b>  <b>Edwards, Lonnit S</b>  <b>Edwards, Lonnit Shunnard</b>  <b>Edwards, Lonnita</b>  <b>Edwards, Lonnitt</b>  <b>Edwards, Lonnitt</b></p> <p><b>Gender:</b> Male  <b>Race:</b> Black  <b>Language:</b> English (American)  <b>Complexion:</b> Dark  <b>Height:</b> 6'2"  <b>Weight:</b> 170  <b>Eye:</b> Brown  <b>Hair:</b> Black    <b>Birth City:</b> Hollywood  <b>Birth State:</b> FL</p>	<p>41 SW 7Th Ave Apt #1  Dania Beach, FL 33004</p>	<p>★ Konecny, Kaitlyn Anne  Public Defender  Bar ID: 1011544  Law Office of the Public Defender  201 SE 6th St  Ste 3872  Fort Lauderdale, FL 33301  <b>Status: Active</b></p> <p>Michaelson, Jeremy S  Public Defender  Bar ID: 98694  201 SE 6th ST  STE 3872  Fort Lauderdale, FL 33301-3332  <b>Status: Active</b></p>
State	State of Florida		

**EXHIBIT # 3**  
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- Charge(s)

Total: 2

Offense Date	Charge	Degree	Detail
11/20/2018	1	(M1)	<b>Battery</b> Date Filed: 11/20/2018 Current Statute: (M1)784.03(1) Filing Type: Nolle Prosequi Filing Agency: Broward Sheriff Office/Dania Original Statute: (M1)784.03(1)-Battery
11/20/2018	2	(M2)	<b>Petit Theft</b> Date Filed: 11/20/2018 Current Statute: (M2)812.014(3)(a) Filing Type: Nolle Prosequi Filing Agency: Broward Sheriff Office/Dania Original Statute: (M2)812.014(3)(a)-Petit Theft

- Warrant(s)

Total: 0

There is no Warrant information available for this case.

- Bond(s)

Total: 0

There is no Bond information available for this case.

- Arrest(s)

Total: 1

Arrest Date	Charge	Arrest Number	Detail
12/18/2018	1	DN18000769	<b>Arrest</b> Name At Arrest: Cave, Lonnit Shunnard Offense: Robbery / No Weapon Degree: (F2) Bond Amount: \$ Statute: 812.13(2)(c ) OBTS Number: 0608261751

- Disposition(s)

Total: 2

Offense Date	Charge	Disposition(s)
--------------	--------	----------------

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Offense Date	Charge	Disposition(s)
11/20/2018	1	<b>Plea(s)</b> <b>01/22/2019 Plea</b> Arraignment Not Guilty-Non-Jury  <b>Disposition(s)</b> <b>05/29/2019 Disposition</b> Nolle Prosequi
11/20/2018	2	<b>Plea(s)</b> <b>01/22/2019 Plea</b> Arraignment Not Guilty-Non-Jury  <b>Disposition(s)</b> <b>05/29/2019 Disposition</b> Nolle Prosequi

**- 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
06/01/2019	1		\$0.00	\$50.00	\$0.00	\$50.00	-	\$0.00	-	\$0.00

**- Event(s) & Document(s)** Total: 33

Date	Description	Additional Text	View	Pages
05/29/2019	<b>Court Disposition</b>			1
05/28/2019	<b>File Defense Motion In Limine</b>			3
05/16/2019	<b>Calendar Call/Held</b>			
05/16/2019	<b>Order</b>	DEFT SHALL BE DRESSED FOR TRIAL		1
05/16/2019	<b>File Court's Notice Of Hearing</b>			1
04/10/2019	<b>Defense Notice of Taking Depositions</b>			1
03/04/2019	<b>Defense Notice of Taking Depositions</b>			1

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Date	Description	Additional Text	View	Pages
02/28/2019	Hearing Held			
02/28/2019	File Order Granting Def Motion For Continuance	PER COURT NOTICE		
02/28/2019	File Court's Notice Of Hearing			1
02/04/2019	File States Supplemental Discovery			1
02/02/2019	Notice of Public Defender Fees	\$50.00  Amount: \$50.00		
01/31/2019	File Def Affidavit Indigency/Declared Indigent			1
01/31/2019	Review of Motor Vehicles - Property Records			1
01/30/2019	File States Supplemental Discovery			1
01/30/2019	Court Date Notice			2
01/29/2019	Electr Monitor House Arrest Agreement	ELECTRONIC MONITORING PRETRIAL SERVICES PROGRAM AGREEMENT		2
01/25/2019	File States Exhibit			4
01/25/2019	File State Demand For Notice Of Alibi			2
01/25/2019	File States Not Of Intent To Rely On Business Records			1
01/23/2019	File Defense Motion To Reduce Bond			2
01/22/2019	File Notice/Assistant PD Assignment			1
01/22/2019	File Amended Notice Of Asst Public Defender Assign			1
01/22/2019	Arraignment Held			
01/22/2019	File Order Granting Def Motion For Continuance			
01/22/2019	File Court's Notice Of Hearing			1
01/22/2019	File Pretrial Supervision Order			1
01/22/2019	File Defense Demand For Discovery			

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Date	Description	Additional Text	View	Pages
01/15/2019	<b>Electronic Case</b>			
01/15/2019	<b>Arrest Paperwork</b>			7
01/15/2019	<b>File States Information</b>			3
01/15/2019	<b>File State's Instruction Sheet</b>			1
01/15/2019	<b>File Notice Of Confidential Info Within Court Filing</b>			1

**- Hearing(s)**

Total: 5

Date	Description	Additional Text
05/29/2019	<b>Jury Trial</b>	Hearing Time: 9:00 AM Judicial Officer(s):Diaz - MJ, Robert F Location: Room 6165 <i>XX// PER COURT NOTICE //</i>
05/16/2019	<b>Calendar Call</b>	Hearing Time: 9:00 AM Judicial Officer(s):Diaz - MJ, Robert F Location: Room 6165 <i>XX</i>
02/28/2019	<b>Calendar Call</b>	Hearing Time: 10:00 AM Judicial Officer(s):Diaz - MJ, Robert F Location: Room 6165 <i>xx</i>
01/28/2019	<b>Hearing/Defense Motion for ROR</b>	Hearing Time: 10:00 AM Judicial Officer(s):Diaz - MJ, Robert F Location: Room 6165
01/22/2019	<b>Arraignment - In - Custody</b>	Hearing Time: 9:00 AM Judicial Officer(s):Diaz - MJ, Robert F Location: Room 6165 <i>xx**For MS Division**</i>

**- Related Case(s)**

Total: 1

Related Case Number	Case Type	Additional Text
18015552CF10A	Filed Separately	

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# BRENDA D. FORMAN CLERK OF THE COURTS

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## Case Detail - Public

Print

### State of Florida Vs Cave, Lonnit Shunnard

**Broward County Case Number:** 20007351MM10A  
**State Reporting Number:** 062020MM007351A88810  
**Court Type:** Traffic and Misdemeanor  
**Case Type:** Domestic Violence  
**Filing Date:** 12/26/2020  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Avalos- MV, Catalina  
**Magistrate Id / Name:** N/A  
**BCCN:** 0154818

### - Party(ies)

Total: 2

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney

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Party Type	Party Name	? Address	? Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Cave, Lonnit Shunnard</b>  <i>Alias Name</i> <b>Cave, Lonnit</b> <b>Cave, Lonnit S</b> <b>Edwards, James</b> <b>Edwards, Lennit</b> <b>Edwards, Lonnie</b> <b>Edwards, Lonnie L</b> <b>Edwards, Lonnie Lonnit</b> <b>Edwards, Lonnit</b> <b>Edwards, Lonnit B</b> <b>Edwards, Lonnit S</b> <b>Edwards, Lonnit Shunnard</b> <b>Edwards, Lonnita</b> <b>Edwards, Lonnitt</b> <b>Edwards, Lonnitt</b>  <b>Gender: Male</b> <b>Race: Black</b> <b>Language: English (American)</b> <b>Complexion: Dark</b> <b>Height: 6'2"</b> <b>Weight: 170</b> <b>Eye: Brown</b> <b>Hair: Black</b> <div style="background-color: black; width: 100px; height: 15px; margin: 5px 0;"></div> <b>Birth City: Hollywood</b> <b>Birth State: FL</b>	41 SW 7Th Ave Apt #1 Dania Beach, FL 33004	★ <i>Jean-Bleus, Magdala</i> <i>Public Defender</i> <i>Bar ID: 127364</i> <i>Office of the Public Defender</i> <i>201 SE 6th Street</i> <i>Fort Lauderdale, FL 33301</i> <b>Status: Removed 06/14/2021</b>  Public Defender Public Defender Bar ID: 88888888  <b>Status: Active</b>
State	<b>State of Florida</b>		

- Charge(s)				Total: 1
Offense Date	Charge	Degree	Detail	
12/25/2020	1	(M1)	<b>Battery</b> Date Filed: 12/25/2020 Current Statute: (M1)784.03(1) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Dania Original Statute: (M1)784.03(1)-Battery	

- Warrant(s)		Total: 0
There is no Warrant information available for this case.		

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- Bond(s)

Total: 0

There is no Bond information available for this case.

- Arrest(s)

Total: 1

Arrest Date	Charge	Arrest Number	Detail
12/25/2020	1	DN20000687	<b>Arrest</b> Name At Arrest: Cave, Lonnit Shunnard Offense: Battery Degree: (M1) Bond Amount: \$ Statute: 784.03(1) OBTS Number: 0608277675

- Disposition(s)

Total: 1

Offense Date	Charge	Disposition(s)
12/25/2020	1	<b>Plea(s)</b> 05/14/2021 Plea Change of Plea-Nolo Contendere  <b>Disposition(s)</b> 05/14/2021 Disposition Adjudicated  <b>Sentence(s)</b> 05/14/2021 (J) - Incarceration (Judicial Officer(s): McHugh, Kathleen Mary) Confinement (Effective 05/14/2021, Min. Not Applicable, Max. 110 Day(s), Broward County Jail, Credit Time Served: 110 Day(s), Comment: Report to Probation to be Fingerprinted ) Provisions: Provisions ( CS for Fine/CC 10/HR) Restitution (\$, Due: 05/14/2021, Restitution Ordered - Reserves on Amount, Comment: Reserve as to the amount ) Comment (Total Amount Imposed: \$645 ) Comment (Partial Payments Accepted/Due By 12/14/2021 )

- 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
05/18/2021	1		\$695.00	\$745.00	\$0.00	\$745.00	-	\$0.00	12/14/2021	\$745.00

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- Event(s) & Document(s)

Total: 24

Date	Description	Additional Text	View	Pages
05/14/2021	File Restitution Order	JUDGMENT AND RESTITUTION ORDER (F.S. 775.089		2
05/14/2021	Court Disposition	Incarceration-Adj Guilty Charge 1		3
05/14/2021	File Order Vacate Pretrial Cond Dom Viol No Contact			2
04/14/2021	File Order Granting Def Motion For ROR			2
04/12/2021	File Defense Motion			8
03/23/2021	Court Date Notice Returned			2
03/15/2021	Court Date Notice Returned			2
03/10/2021	File States Discovery Submission	STATE'S DISCOVERY EXHIBIT		4
03/10/2021	File State Demand For Notice Of Alibi	DEMAND FOR NOTICE OF ALIBI		3
03/10/2021	File State Demand For Notice Of Alibi	DEMAND FOR NOTICE OF ALIBI		2
03/10/2021	File States Not Of Intent To Offer Business/Public Rec Evid	NOTICE OF INTENT TO OFFER EVIDENCE PURUSNAT TO F.S. 92.605(5), 90.902(11) AND 90.803(6)		1
03/10/2021	File States Supplemental Discovery	STATE'S SUPPLEMENTAL DISCOVERY		1
03/06/2021	Court Date Notice			1
03/04/2021	File Defense Demand For Discovery			4
03/04/2021	Demand for Disclosure of Impeaching Information	DEMAND FOR DISCLOSURE OF IMPEACHING INFORMATION		3
03/04/2021	File Notice/Assistant PD Assignment			1
03/03/2021	Hearing Held			
03/03/2021	File Provisional Order Appointing Public Defender	ORDER PROVISIONALLY APPOINTING PUBLIC DEFENDER		2
03/02/2021	Court Date Notice			1
01/26/2021	File States Information			2

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Date	Description	Additional Text	View	Pages
01/26/2021	<b>File State's Instruction Sheet</b>			1
12/26/2020	<b>Electronic Case</b>			
12/26/2020	<b>File Order Pretri Release Cond Dom Viol No Contact</b>			1
12/26/2020	<b>Arrest Paperwork</b>			4

**- Hearing(s)** Total: 3

Date	Description	Additional Text
04/14/2021	<b>Hearing/Defense Motion to Reduce Bond</b>	Hearing Time: 10:00 AM Judicial Officer(s):Avalos- MV, Catalina Location: ZOOM HEARING - See "Court Date Notice" <i>M. Jean-Bleus, PD</i>
05/14/2021	<b>Hearing/Status Conference</b>	Hearing Time: 10:00 AM Judicial Officer(s):Avalos- MV, Catalina Location: ZOOM HEARING - See "Court Date Notice" <i>per docket</i>
03/03/2021	<b>Arraignment - In - Custody</b>	Hearing Time: 10:00 AM Judicial Officer(s):Avalos- MV, Catalina Location: ZOOM HEARING - See "Court Date Notice" <i>per judicial report</i>

**- 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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<a href="#">Complaint Search Update</a>	<a href="#">Change Mass Status Update</a>	<a href="#">Recording License Type Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>				

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **Imuniz**

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Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>20 Under Investigation</b>	Status Date	<b>08/24/2022</b>
Complaint #	<b>2022041261</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent	<b>CAVE, LONNIT EDWARDS</b>	Responsible	<b>mroca - ROCA, MIRIAM</b>	<b>Private Case</b>

<a href="#">Complaint</a>	<a href="#">Respondent</a>	<a href="#">Complainant</a>	<a href="#">Add'l Info</a>
---------------------------	----------------------------	-----------------------------	----------------------------

Source	<b>INTN - Internal</b>	Security Level	<b>1</b>	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form	<b>INTR - Internal</b>	Priority			
Class'n	<b>305 - Enforcement</b>	Complexity	<b>R - Regular</b>	<input type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Security	<b>STND - Standard</b>	Incident	<b>08/05/2022</b>	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Region	<b>SR - Southern Region</b>	Received	<b>08/24/2022</b>	<input checked="" type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Reference	<b>550.0251(6)</b>	Entered	<b>08/24/2022</b>	Entered By	<b>Imuniz</b>
Summary	<p><b>274-Dania Entertainment Center, LLC ----- / ----- . Powers and duties of the Florida Gaming Control Commission / Patron Exclusion: On August 5, 2022, Dania Casino Security Supervisor Ivan Carrero was advised of an apparent drug transaction involving two male patrons that took place inside the casino. The patrons who were later identified as Ryan Charles Calvin and LONNIT EDWARDS CAVE. As a result, both of these individuals have been banned indefinitely from Dania Casino. The Office of Investigations is recommending a state-wide exclusion of CAVE due to his alleged criminal conduct and resultant lifetime exclusion from Dania Casino.</b></p>				<input type="checkbox"/> Inspection <input type="checkbox"/> Costs <input type="checkbox"/> Time Tracking <input type="checkbox"/> Attachments <input type="checkbox"/> Work Notes
Updated	<b>08/24/2022 13:11:37</b>	By	<b>Imuniz</b>	<input type="checkbox"/> Auto Assign	<input type="checkbox"/> History
				<input type="checkbox"/> Print Report	

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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**STATE OF FLORIDA**  
**FLORIDA GAMING CONTROL COMMISSION**  
**DIVISION OF PARI-MUTUEL WAGERING**  
**OPEN CASE REQUEST**  
(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

**INCIDENT DATE:** August 5, 2022

PMW     Cardroom     Slot

Violation     Incident     Complaint

**FACILITY NAME:** DANIA ENTERTAINMENT CENTER, LLC      **LIC #:** 274

**RESPONDENT**

<b>NAME:</b> <u>Lonnit Edwards Cave</u>		
Address: <u>225 W 6<sup>TH</sup> Ave, Apt #15, Dania Beach, Florida 33004</u>		Tel #:
<b>LIC #:</b>	<b>LIC TYPE:</b> <u>1098</u>	<b>OCCUPATION:</b> <u>PATRON</u>

**COMPLAINANT**

<b>NAME:</b>		Tel #:
Address:		
<b>LIC #:</b>	<b>LIC TYPE:</b>	<b>OCCUPATION:</b>

**VIOLATION(S) / TITLE(S):** **F.S. 550.0251(6) Powers and duties of the Florida Gaming Control Commission.**  
 - In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

**DESCRIPTION:** On August 5, 2022, Dania Casino Security Supervisor Ivan Carrero was advised of an apparent drug transaction involving two male patrons that took place inside the casino. The patrons who were later identified as Ryan Charles Calvin and **LONNIT EDWARDS CAVE**. As a result, both of these individuals have been banned indefinitely from Dania Casino. The Office of Investigations is recommending a state-wide exclusion of **CAVE** due to his alleged criminal conduct and resultant lifetime exclusion from Dania Casino.

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_  
(Title of State Employee)

MIRIAM ROCA      Miriam Roca      August 22, 2022  
 (Print Name)      (Signature)      (Date)

## Muniz, Luz

---

**From:** Jones, Bradford  
**Sent:** Tuesday, August 23, 2022 4:49 PM  
**To:** Muniz, Luz  
**Cc:** Campbell, Ian; Roca, Miriam; Kogan, Steven  
**Subject:** OPEN CASE REQUEST  
**Attachments:** OPEN CASE REQUEST FORM - LONNIT EDWARDS CAVE.DOCX

Hi Luz,

This is approved. Please open a case and assign to Miriam Roca. This is a companion case with 2022 04 0813.

Thank you.



**Bradford D. Jones**

Investigations Supervisor  
Division of Pari-Mutual Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Phone: 954.202.3900 • Fax: 954.202.3930

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Please Remit To:

**Daily Business Review**

Miami Dade

Customer No: 9059304

Case/P.O.#: 2022-041261

FLORIDA GAMING CONTROL COMMISSION  
Attention To: **EBONIE LANIER**  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FL 32399

Invoice #:	I0000649824-0310
Invoice Date:	03/31/2023
Due Date:	Due Upon Receipt
AMOUNT DUE:	\$129.94

Amount Remitted

**Daily Business Review**

Miami Dade

Invoice Date: 03/31/2023	Customer #: 9059304	Case/P.O.#: 2022-041261
Invoice #	Description	Amount
I0000649824-0310	<b>Placement/Position:</b> Other Notices/Administrative Complaint <b>Run Dates:</b> 03/10/2023, 03/17/2023, 03/24/2023, 03/31/2023 <b>Ad Size:</b> 4.37 Inches Notice of Action BEFORE THE DIVISION OF PARI-MUTUEL WAGERING - LONNIT EDWARDS CAVE	\$129.94  <b>Subtotal</b> \$129.94 <b>Total Due</b> \$129.94

RECEIVED  
 2023 APR -6 AM 10:33  
 FLORIDA GAMING CONTROL COMMISSION

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**MIAMI-DADE**

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:**

Before the undersigned authority personally appeared ROSANA SALGADO, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

2022-041261  
NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING -  
LONNIT EDWARDS CAVE

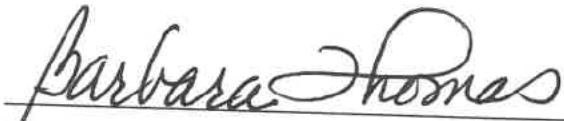
in the XXXX Court,  
was published in a newspaper by print in the issues of Miami  
Daily Business Review f/k/a Miami Review on

03/10/2023 03/17/2023 03/24/2023 03/31/2023

Affiant further says that the newspaper complies with all  
legal requirements for publication in chapter 50, Florida  
Statutes.

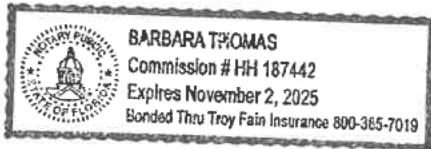


Sworn to and subscribed before me this  
31 day of MARCH, A.D. 2023



(SEAL)

ROSANA SALGADO personally known to me



**NOTICE OF ACTION  
BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING**

IN RE: Violation of section 550.0251(6)  
and 551.112, Florida Statutes,  
Lonnit Edwards Cave  
225 West 6th Avenue, Apt. 15  
Dania Beach, Florida 33004  
CASE NO.: 2022-041261  
LICENSE NO.: N/A

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 2601 Blair Stone Road, Tallahassee, FL 32399, (850) 717-1663.

If no contact has been made by you concerning the above by Friday, April 7, 2023, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257-6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.  
3/10-17-24-31 23-31/0000649824M





## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Jonathan Ferber Case No. 2022-043586, Default Final Order  
Date: April 24, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Jonathan Ferber (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the publication notice seeking to exclude him, Respondent waived his right to request a hearing contesting the Division’s decision. Therefore, the Florida Gaming Control Commission should enter a final order excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

### *Background*

On August 21, 2022, Respondent was a patron of Magic City Casino.<sup>1</sup> Respondent was seen engaging in a fight with another patron on the cardroom floor. Respondent was permanently excluded from Magic City Casino<sup>2</sup>, on August 21, 2022.

Based on his exclusion from Magic City Casino, the Division filed an administrative complaint against Respondent seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. The Division attempted service by USPS certified mail on three occasions but failed to achieve service. The Division attempted to serve Respondent via handservice, but failed to achieve service. The Division requested that a notice be placed with the Miami Dade County Daily Business Review.<sup>3</sup> It was published on March 10, 2023, March 17, 2023, March 24, 2023, and March 31, 2023. Respondent was given until April 7, 2023 to respond to this notice. He has never responded.

---

<sup>1</sup> Magic City Casino is operated by a pari-mutuel wagering permitholder that also possesses a slot machine and cardroom license.

<sup>2</sup> Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

<sup>3</sup> Section 120.60(5), Florida Statutes, provides, “when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee’s last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county.”



*Analysis*

Respondent can be excluded from all pari-mutuel and slot machine facilities in this state. Section 550.0251(6), Florida Statutes, provides, in relevant part, that “[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state.” Likewise, section 551.112, Florida Statutes, provides, in relevant part “[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state.” Magic City Casino is both a pari-mutuel facility and slot machine licensee in this state. And Respondent was ejected from it. Accordingly, Respondent can be excluded from all pari-mutuel and slot machine facilities in this state.

Because Respondent failed to file a timely response to the publication notice, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order excluding Respondent from all pari-mutuel and slot machine facilities in this state.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order permanently excluding Jonathan Ferber from all pari-mutuel and slot machine facilities in this state.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2022-043586

JONATHAN FERBER,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Jonathan Ferber (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to Chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent’s address was reported as 1900 North Bayshore Drive, Apt. 2704 Miami, Florida 33132.
3. At all times material hereto, Magic City Casino was a facility operated by a permit holder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about August 21, 2022, Respondent was a patron of Magic City Casino.
5. On or about August 21, 2022, Respondent was ejected and permanently excluded from Magic City Casino.
6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

7. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida under Sections 550.0251(6) and 551.112, Florida Statutes, based on his ejection from Magic City Casino on or about August 21, 2022.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida, along with any other remedy provided by Chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-043586 is signed this 20th day of October 2022.

/s/ *Emily A. Alvarado*

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

## NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to Sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, Florida Administrative Code. Pursuant to Rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
---------	-------	--------	-------------	---------	------	------	------------	-------------	--------

Complaint Search Mass Status Update	Change Recording License Type Public Case Info	Delete Complaint	Mass Activity Update	Mass Discipline Update
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Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **Imuniz**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type <b>1098 - Unlicensed Complaints</b>	Status <b>90 Closed</b>	Status Date <b>10/12/2022</b>
Complaint # <b>2022043586</b>	Case Type <b>CMP - Complaint</b>	Disposition
Docket#	Respondent <b>FERBER, JONATHAN</b>	Responsible <b>bjones - JONES, BRADFORD</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>	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form <b>INTR - Internal</b>	Priority	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n <b>OTHR - Other</b>	Complexity <b>R - Regular</b>	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security <b>STND - Standard</b>	Incident <b>08/21/2022</b>	<input checked="" type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region <b>SR - Southern Region</b>	Received <b>09/07/2022</b>	<input type="checkbox"/> Inspection	
Reference <b>550.0251(6)</b>		<input type="checkbox"/> Costs	
Entered <b>09/07/2022</b>	Entered By <b>Imuniz</b>	<input type="checkbox"/> Time Tracking	<input type="checkbox"/> Auto Assign
Summary	<p><b>155-West Flagler Associates, LTD ----- / ----- . Powers and duties of the Florida Gaming Control Commission: On August 21, 2022, at approximately 1:19 P.M., Magic City Casino Security was advised by the Poker Supervisor of a fight in the Poker room. Security along with Miami PD Officers responded to the Poker Room and observed two male patrons in a physical confrontation. Miami PD officers intervened and separated the two males. The males were identified as Jonathan Ferber and [REDACTED]. Both were escorted to the Security Office and advised by a Security Supervisor that they were being permanently excluded from the facility for fighting.</b></p>	<input type="checkbox"/> Attachments	<input type="checkbox"/> History
		<input type="checkbox"/> Work Notes	<input type="checkbox"/> Print Report
Updated <b>10/12/2022 13:37:17</b>	By <b>Imuniz</b>		

35	Change	Save	OK	Cancel	Back
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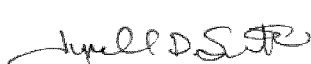


Get Adobe Reader.

Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>September 7, 2022</b>	Case Number: <b>2022 04 3586</b>
Respondent:  <b>FERBER, JONATHAN 1900 NORTH BAYSHORE DRIVE #2704 MIAMI, FLORIDA 33132</b>		Complainant: <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309 TEL (954) 202-3900</b>	
License # and Type: <b>N/A / 1098</b>		Profession: <b>Patron</b>	Report Date: <b>October 4, 2022</b>
Period of Investigation: <b>September 7, 2022 through October 4, 2022</b>		Type of Report: <b>Final</b>	
<p><b>Alleged Violation: 550.0251 Powers and duties of the Florida Gaming Control Commission.</b>— The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:</p> <p><b>(6)</b> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The commission may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permitholder to exclude absolutely a patron in this state.</p>			
<p><b>Synopsis:</b> On August 23, 2022, while conducting a routine inspection at Magic City Casino (MCC), I was informed by Surveillance Manager [REDACTED] Knowles that on August 21, 2022, a fight between two patrons occurred inside the card room resulting in the permanent exclusion of both patrons. A review of video footage confirmed Knowles account. On August 24, 2022, this Investigator e-mailed Magic City Casino Director of Safety and Compliance [REDACTED] Noonan requesting copies of all documents related to this incident. On September 2, 2022, I received the above requested documents from Noonan. On September 7, 2022, I received a flash drive containing video footage of the incident from Surveillance Manager [REDACTED] Knowles. <b>(EXHIBIT #4)</b></p>			
<b>Related Case(s): 2022-04-3577</b>			
Investigator / Date: October 4, 2022		Investigator Supervisor / Date	
 [REDACTED] Smith /		 [REDACTED] Minaya / October 11, 2022	
Chief of Investigations / Date			
 [REDACTED] Jones for [REDACTED] Kogan / October 12, 2022			

## CONTINUATION

Further investigation into this matter and a review of Magic City Casino Incident Report IN20220003975, revealed that on August 21, 2022, at approximately 1:19 P.M., Magic City Casino Security was advised via radio of a fight in the Poker room. Security Supervisor [REDACTED] Mejia, Security Team Leader [REDACTED] Garcia, along with Miami Police Department Officers responded to the Poker room and observed two male patrons in a physical confrontation. Miami PD officers intervened and separated the two males and both were escorted separately from the card room to the Security Office. Once inside the Security Office, the males were identified as Jonathan FERBER and [REDACTED] Antigua. Both were informed of the facility's rules and regulations and were then permanently excluded from the facility for fighting.

On August 23, 2022, I reviewed the surveillance footage of the incident and the following was noted:

At approximately 1:16 P.M. Antigua is observed sitting at Poker table #9, seat #5. FERBER, who was seated at the table directly across from Antigua in seat #7, is observed saying something to Antigua. FERBER is then observed speaking with Poker Manager [REDACTED] Panduro. After speaking with Panduro FERBER stands up and leans over the table and appears to say something to Antigua, causing Antigua to stand up and grab FERBER by his shirt. Antigua then pulls FERBER forward and across the poker table which caused FERBER to fall to the floor. At this point Miami Police Officers run over to the table and pull Antigua away from FERBER.

FERBER is then assisted from the floor by the Officers and both he and Antigua are escorted out of the card room to the Security Office by Miami Police Officers, Security Team Leader Garcia and Security Supervisor Mejia.

According to the Incident Report it was at this time that both men were separated and advised of the facilities rules and regulations pertaining to fighting and told that because of their behavior, they were being permanently excluded from the facility. They were each given the Magic City Trespass Warning form to sign, which Antigua acknowledged and signed. However, FERBER refused to sign his form. Both men were then allowed to cash in their chips and leave the facility without further incident (EXHIBITS # 1 & 2).

On August 26, 2022, Magic City Internal Auditor [REDACTED] Crespo e-mailed me a copy of the facility exclusion list showing that FERBER was added to the list on August 21, 2022. (EXHIBIT #3)

On October 4, 2022, this Investigator interviewed MCC Poker Manager [REDACTED] Panduro regarding this incident. Panduro stated that on the day of the incident, August 21, 2022, she observed several verbal arguments at table #9 involving Antigua and FERBER. When she went to the table to inquire what was going on and to calm the situation down, FERBER continued yelling obscenities at Antigua. She then asked FERBER to leave the table and as he was getting up from the table he leaned over the table towards Antigua and said "FUCK YOU". Antigua then stood up and grabbed FERBER by the shirt and pulled him over the edge of the table and down to the floor. Miami Police Officers who were working off-duty at the facility ran over to the table and pulled Antigua away from FERBER. They were both escorted to the Security Office by Police and Security Supervisor Mejia. Panduro also said that she learned later that the two patrons were permanently excluded from the facility. Panduro further stated that FERBER is a regular patron of the card room and that he has repeatedly given her problems in the past due to his attitude. When asked if any of these encounters were ever documented by the facility Panduro said no.

**Conclusion:** Due to this incident, FERBER and Antigua have been permanently excluded from MCC. However as the facility has identified Mr. FERBER as the primary aggressor in this incident, with a history of disruptive behavior within the facility, this case is closed by Investigations and forwarded to Legal for review. The case involving Mr. Antigua is closed with no further action required.



CONTINUATION

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    2. Magic City Trespass Warning Form..... 1-1

    3. Magic City Exclusion List ..... 1-2

    4. Property Receipt..... 1-1

# Incident File Full Report

MAGIC CITY

iTrak Incident Reporting and Risk Management System Version  
2020.1.0.05202

Incident Number: IN20220003975  
Date/Time Occurred: 8/21/2022 1:19:15 PM  
Day of Week: Sunday

Printed By: jsanchez

Printed On: 8/26/2022 at 4:40:29 PM

EXHIBIT # - 1  
PAGE # - 1

Incident File Full Report

Incident File #IN20220003975

Record Creation Details

Date/Time Occurred: 8/21/2022 1:19:15 PM
Day of Week Occurred: Sunday
Date/Time Created: 8/21/2022 4:08:53 PM
Date/Time Closed:
Closed By:

Department: Security

Location of Incident:

Property: Magic City Casino
Location: Poker Room
Sublocation:

Details of Incident:

Daily Log #: DL20220029946
Incident Type: Fighting
Specific:
Category:
Risk Classification:
Incident Status: Open
Custom 3:
Custom 4:

Synopsis: On Sunday August 21st, 2022 at approximately 1:19 PM Security was advised by surveillance via radio of a fight in the Poker Room (Echo 1). Security Supervisor and Security Team Leader responded and upon arrival were advised by MPD of two unidentified male patrons fighting. Security Team Leader escorted the first unidentified male patron to the security Vestibule alongside MPD. Upon arrival Security Team Leader explained the rules and regulations of Magic City Casino in regards to fighting Alongside MPD and advised the male patron that he is permanently excluded. the male patron Acknowledged, but did not sign the Trespassing warning form and left the property after receiving his money from trading in his chips. Security Supervisor shortly after the first male patron left escorted the second unidentified male patron alongside MPD to the security vestibule. Upon Arrival Security Supervisor explained the rules and regulations of Magic City Casino in regards to fighting and advised the male patron alongside MPD. The male patron acknowledged, and signed the Trespassing Warning Form and left property shortly after.

Checklist:

Narrative: On Sunday August 21st, 2022 at approximately 1:19 PM Security was advised by surveillance via radio of a fight in the Poker Room (Echo 1). Security Supervisor [redacted] Mejia and Security Team Leader [redacted] Garcia responded and upon arrival were advised by MPD of two unidentified male patrons fighting. [redacted] Garcia escorted the first unidentified male patron later identified Jonathan Ferber to the security Vestibule alongside MPD. Upon arrival S.T.L Garcia explained the rules and regulations of

Reporting Party:

Supervisor:

**Incident File Full Report**

**Incident File #IN20220003975**

Magic City Casino in regards to fighting Alongside MPD and advised Mr. Ferber that he is permanently excluded. Mr. Ferber Acknowledged, but did not sign the Trespassing warning form and left the property after receiving his money from cashing out his chips. S.S Mejia shortly after Mr. Ferber left escorted the second unidentified male patron later identified as Omar Amin Antigua alongside MPD to the security vestibule. Upon Arrival S.S. Mejia explained the rules and regulations of Magic City Casino in regards to fighting and advised Mr. Antigua alongside MPD that he is permanently excluded. Mr. Antigua acknowledged, and signed the Trespassing Warning Form and left property shortly after.

Upon Surveillance review approximately at 1:17 PM it can be seen Mr. Ferber and Mr. Antigua arguing on table 9. As Mr. Ferber appears to stand from his chair (seat 7) for what it appears to scare Mr. Antigua; Mr. Antigua appears to stand from his chair (seat 5) and grab Mr. Ferber's shirt and pull Mr. Ferber across the table onto the ground; seconds later it appears MPD running towards and stopping both patrons.

**Executive Brief:**

**Participants Involved:**

**Personnel**

Full Name: MEJIA, [REDACTED] Property: Magic City Casino  
Role: Security Supervisor Department: Security  
Date Of Birth: [REDACTED]

Full Name: GARCIA, [REDACTED] Property: Magic City Casino  
Role: Security Team Leader Department: Security  
Date Of Birth: [REDACTED]

**Subject**

Full Name: Ferber, Jonathan Company:  
Role: Patron  
Date Of Birth: [REDACTED]  
Address: 1900 N Bayshore Dr Apt 2704, Miami, Florida, 33132-3014, USA  
Contact Info:

Full Name: Antigua, [REDACTED] Company:  
Role: Patron  
Date Of Birth: [REDACTED]  
Address: [REDACTED]  
Contact Info:

**Ban/Watch Details**

<u>Full Name</u>	<u>Ban/Watch</u>	<u>Start Date</u>	<u>End Date</u>
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Reporting Party: [REDACTED]

Supervisor: [REDACTED]

EXHIBIT #-1  
PAGE # -3

**Incident File Full Report**

Incident File #IN20220003975

Ferber, Jonathan                      Ban                      8/21/2022                      Permanent

Type Of Ban:              Permanent                      Notes:

Reason For Ban:      Fighting

Identification:          Driver License

Antigua, [REDACTED]                      Ban                      8/21/2022                      Permanent

Type Of Ban:              Permanent                      Notes:

Reason For Ban:      Fighting

Identification:          Driver License

**List of Attached Records:**

Record Type	Summary	Attached By	Date Attached
iDispatch	Dispatch#: DS20220005618 - Daily Log#: DL20220029946 - Call Time: 21/08/2022 13:19:15 - Dispatch Code: 10-39 - Dispatch Subcode: - Dispatch Level: - Dispatch Emergency Type: - Property: Magic City Casino - Location: Poker Room - Dispatch Status: Cleared	igarcia	8/21/2022

EXHIBIT # ~ /  
PAGE # - 4

Reporting Party: [REDACTED]

Supervisor: [REDACTED]

Media Title  
Trespassing Jonathan

Original Filename  
Trespass Warning Form  
Jonathan Ferber.pdf

Date Attached  
8/21/2022 4:03:48 PM

Attached By  
igarcia

Type  
PDF

Size  
86903

Media Title  
Trespassing Omar

Original Filename  
Trespass Warning Form  
[REDACTED] Antigua.pdf

Date Attached  
8/21/2022 4:03:48 PM

Attached By  
igarcia

Type  
PDF

Size  
87822

8/26/2022 4:40:30 PM

Page 1/4

EXHIBIT # -1  
PAGE # -5

Media Title

[REDACTED] Antigua ID

Original Filename

[REDACTED] Antigua  
ID.pdf

Date Attached

8/21/2022 4:03:47 PM

Attached By

igarcia

Type

PDF

Size

90565

Media Title

Original Filename

Jonathan Ferber ID.jpg

Date Attached

8/21/2022 4:03:48 PM

Attached By

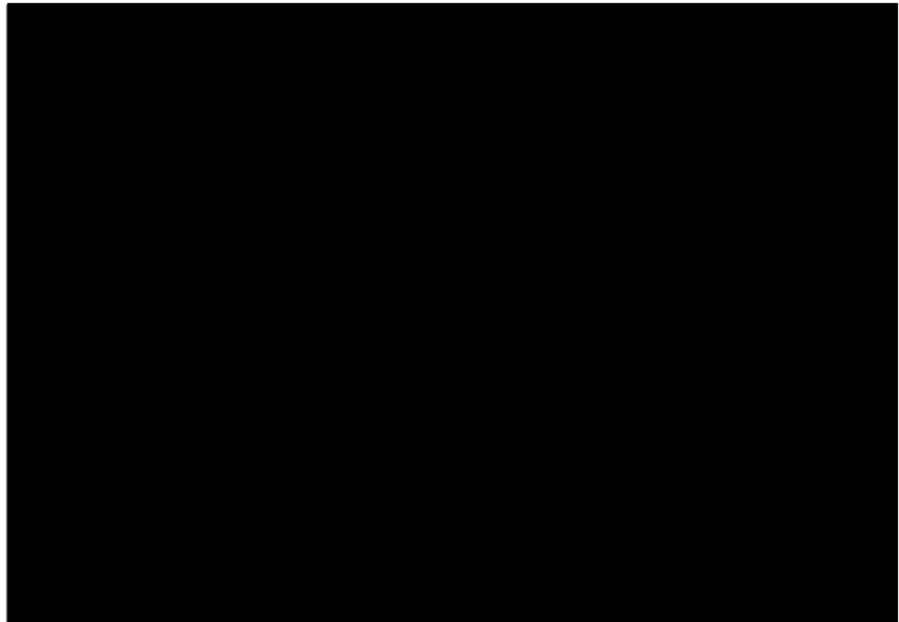
igarcia

Type

JPG

Size

184658



8/26/2022 4:40:30 PM

Page 2/4

EXHIBIT #-1  
PAGE # -6

Media Title

Original Filename

[REDACTED] Antigua.jpg

Date Attached

8/21/2022 4:03:48 PM

Attached By

igarcia

Type

JPG

Size

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Media Title

Original Filename

Jonathan Ferber.jpg

Date Attached

8/21/2022 4:03:48 PM

Attached By

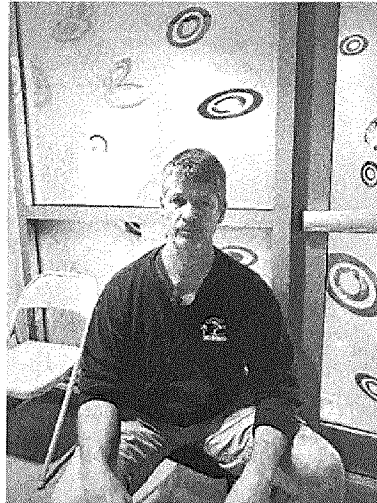
igarcia

Type

JPG

Size

239861



8/26/2022 4:40:30 PM

Page 3/4

EXHIBIT #-1  
PAGE # -7



**Media Title**

Jonathan Ferber ID

**Original Filename**

Jonathan Ferber ID 2.pdf

**Date Attached**

8/21/2022 4:03:48 PM

**Attached By**

igarcia

**Type**

PDF

**Size**

45097

8/26/2022 4:40:30 PM

Page 4/4

EXHIBIT # -1  
PAGE # -8



TRESPASS WARNING

NAME / LAST NAME: Jonathan Ferber
DRIVER LICENSE # [REDACTED] D.O.B. [REDACTED]
ADDRESS: 1900 n Bayshore Dr Apt 209 CITY: Miami ST: FL ZIP: 33132-3014
RACE: W SEX: M HEIGHT: 5'11 WEIGHT: 170 HAIR: salt & pepper EYES: brown
REASON FOR TRESPASSING: Disorderly Conduct

The above-named person was advised to stay off MAGIC CITY CASINO property for a period of:
[ ] 24 Hrs [ ] 3 Days [ ] 7 Days [ ] 30 Days [ ] 3 Months [ ] 6 Months [ ] 1 Year [ ] 2 Year [X] Permanent
This warning was given on 8/21/2022 at 1:27 hours.
If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes. Additionally, MAGIC CITY CASINO may permanently withhold any winnings from the above-named person that were won during the stated period of time.

SUBJECT'S SIGNATURE: [Signature]
CASE #: N/A ARRESTED: [ ] YES [X] NO
SECURITY AGENT: [Signature] 4087 DATE: 8/21/2022
POLICE OFFICER / WITNESS: [Signature] 44263

[X] Warned by MPD referenced trespass after warning [X] Subject refused to sign this trespass warning

EXHIBIT # -2
PAGE # -1

**Smith, Tyrell**

---

**From:** [REDACTED] Crespo <[REDACTED]>  
**Sent:** Friday, August 26, 2022 3:39 PM  
**To:** Minaya, [REDACTED]; Smith, [REDACTED]; Suau, [REDACTED]  
**Cc:** Victor [REDACTED]; Julie [REDACTED]; Ileana [REDACTED]  
**Subject:** MCC Weekly Exclusions 08/25/22  
**Attachments:** MCC Weekly Exclusions 2022-08-25.xlsx

[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.

Good Afternoon,

Attached please find MCC's weekly exclusions for the last week.

\*State Exclusions last updated 8/15/22 – MCC Master Exclusion List up to date

Thank you,

Work from Home Mondays and Tuesdays  
[REDACTED] **Crespo | Internal Auditor**  
Magic City Casino + Bonita Springs Poker Room  
[REDACTED]  
[REDACTED]

EXHIBIT #-3  
PAGE # -1

Date	Last Name	First Name	DOB	Gender
[REDACTED]				
8/21/2022	Ferber	Jonathan	[REDACTED]	Male
[REDACTED]				

EXHIBIT # -3  
PAGE # - 2



State of Florida  
 Florida Gaming Control Commission  
 Division of Pari-Mutuel Wagering  
 Office of Investigations

PROPERTY RECEIPT

Complaint # 2022-043577/3586 Date 9/7/2022 Lab # \_\_\_\_\_

Item No.	Quantity	Description
1	1	USB CONTAINING VIDEO FOOTAGE OF EXCLUDED PATRONS JONATHAN FERBER AND OMAR AMIN ANTEGUA FOR DISORDERLY CONDUCT. MAEK CITY CASINO
<i>LAST ITEM</i>		

<p>I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.</p> <p><u>[Signature]</u> Signature</p>	<p>I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.</p> <p><u>[Signature]</u> Signature - Impounding Investigator</p>
---	---

RETURNED PROPERTY RECEIPT

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

.....  
 Signature \_\_\_\_\_ Date \_\_\_\_\_  
 .....

Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Copies for: File, Transmittal, Laboratory, Property Receipt

FAQ | Help | Sign Out

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
Complaint Search Update	Change Recording License Type	Mass Status Update	Public Case Info	Delete Complaint	Mass Activity Update	Mass Discipline			

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **Imuniz**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>20 Under Investigation</b>	Status Date	<b>09/07/2022</b>
Complaint #	<b>2022043586</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent <b>FERBER, JONATHAN</b>	Responsible	<b>tsmith2 - SMITH,</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>	<input type="checkbox"/>	Parties	<input checked="" type="checkbox"/>	Activities
Form	<b>INTR - Internal</b>	Priority					
Class'n	<b>OTHR - Other</b>	Complexity	<b>R - Regular</b>	<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Security	<b>STND - Standard</b>	Incident	<b>08/21/2022</b>				
Region	<b>SR - Southern Region</b>	Received	<b>09/07/2022</b>	<input type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Reference	<b>550.0251(6)</b>			<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Entered	<b>09/07/2022</b>	Entered By	<b>Imuniz</b>				
Summary	<p><b>155-West Flagler Associates, LTD ----- / ----- . Powers and duties of the Florida Gaming Control Commission: On August 21, 2022, at approximately 1:19 P.M., Magic City Casino Security was advised by the Poker Supervisor of a fight in the Poker room. Security along with Miami PD Officers responded to the Poker Room and observed two male patrons in a physical confrontation. Miami PD officers intervened and separated the two males. The males were identified as Jonathan Ferber and [REDACTED] Antigua. Both were escorted to the Security Office and advised by a Security Supervisor that they were being permanently excluded from the facility for fighting.</b></p>			<input type="checkbox"/>	Inspection		
				<input type="checkbox"/>	Costs		
				<input type="checkbox"/>	Time Tracking		Auto Assign
				<input type="checkbox"/>	Attachments		History
				<input type="checkbox"/>	Work Notes		Print Report
Updated	<b>09/07/2022 15:18:41</b>	By	<b>Imuniz</b>				

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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STATE OF FLORIDA  
 FLORIDA GAMING CONTROL COMMISSION  
 DIVISION OF PARI-MUTUEL WAGERING

**OPEN CASE REQUEST**

(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

INCIDENT DATE: August 21, 2022

PMW     Cardroom     Slot

Violation     Incident     Complaint

FACILITY NAME: West Flagler Associates, LTD (Magic City Casino)    LIC #: 155

**RESPONDENT**

NAME: Jonathan Ferber		
Address: 1900 N. Bayshore Drive, # 2704, Miami, Florida 33132		Tel
LIC #: N/A	LIC TYPE: 1098	OCCUPATION: Patron

**COMPLAINANT**

NAME:		Tel #:
Address:		
LIC #:	LIC TYPE:	OCCUPATION:

**VIOLATION(S) / TITLE(S): 550.0251 Powers and duties of the Florida Gaming Control Commission.** — The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:

(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The commission may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permit holder to exclude absolutely a patron in this state.

**DESCRIPTION:** On August 21, 2022, at approximately 1:19 P.M., Magic City Casino Security was advised by the Poker Supervisor of a fight in the Poker room. Security along with Miami PD Officers responded to the Poker Room and observed two male patrons in a physical confrontation. Miami PD officers intervened and separated the two males. The males were identified as **Jonathan Ferber** and [REDACTED] Antigua. Both were escorted to the Security Office and advised by a Security Supervisor that they were being permanently excluded from the facility for fighting.

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_  
 (Title of State Employee)

[REDACTED] Smith  
 (Print Name)

*April D. S. R.*  
 (Signature)

September 7, 2022  
 (Date)

## Muniz, Luz

---

**From:** Minaya, [REDACTED]  
**Sent:** Wednesday, September 7, 2022 2:41 PM  
**To:** Muniz, Luz  
**Cc:** Smith, [REDACTED]; Kogan, [REDACTED]  
**Subject:** OCR  
**Attachments:** OCR MAGIC CITY CASINO (EXCLUDED PATRON ) 8-21-2022 (ANTIGUA).docx; OCR MAGIC CITY CASINO (EXCLUDED PATRON ) 8-21-2022 (FERBER).docx

Luz,

Please open and assign to Tyrell.

Tanks



[REDACTED] **Minaya**  
Investigative Supervisor  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Office: [REDACTED]





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ALM Global, LLC  
PO Box 936174  
Atlanta, GA 31193-6174

Please Remit To:

**Daily Business Review**

Miami Dade

Customer No: 9059304

Case/P.O.#: 2022-043586

FLORIDA GAMING CONTROL COMMISSION  
**Attention To: EBONIE LANIER**  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FL 32399

Invoice #:	I0000649799-0310
Invoice Date:	03/31/2023
Due Date:	Due Upon Receipt
<b>AMOUNT DUE:</b>	<b>\$133.45</b>

Amount Remitted

**Daily Business Review**

Miami Dade

Invoice Date: 03/31/2023	Customer #: 9059304	Case/P.O.#: 2022-043586
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Invoice #	Description	Amount
I0000649799-0310	<b>Placement/Position:</b> Other Notices/Administrative Complaint <b>Run Dates:</b> 03/10/2023, 03/17/2023, 03/24/2023, 03/31/2023 <b>Ad Size:</b> 4.49 Inches Notice of Action BEFORE THE DIVISION OF PARI-MUTUEL WAGERING - JONATHAN FERBER	\$133.45
	<b>Subtotal</b>	\$133.45
	<b>Total Due</b>	\$133.45

**RECEIVED**  
 2023 APR -6 AM 10:33  
 FLORIDA GAMING  
 CONTROL COMMISSION

Visit our online payment portal at <https://www.almpaymentcenter.com> to pay via credit card

For billing questions, please email: ALMcollection@alm.com.



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**MIAMI-DADE**

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:**

Before the undersigned authority personally appeared ROSANA SALGADO, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

2022-043586  
NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING -  
JONATHAN FERBER

in the XXXX Court,  
was published in a newspaper by print in the issues of Miami  
Daily Business Review f/k/a Miami Review on

03/10/2023 03/17/2023 03/24/2023 03/31/2023

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

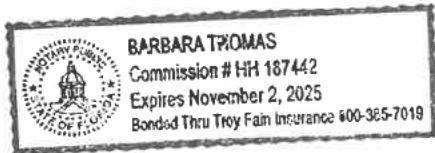


Sworn to and subscribed before me this  
31 day of MARCH, A.D. 2023



(SEAL)

ROSANA SALGADO personally known to me



**NOTICE OF ACTION  
BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING**

IN RE: Violation of section 550.0251(6)  
and 551.112, Florida Statutes.  
JONATHAN FERBER  
1900 North Bayshore Drive,  
Apt. 2704  
Miami, Florida 33132  
CASE NO.: 2022-043586  
LICENSE NO.: N/A

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 2601 Blair Stone Road, Tallahassee, FL 32399, (850) 717-1663.

If no contact has been made by you concerning the above by Friday, April 7, 2023, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257-6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.  
3/10-17-24-31 23-28/0000649799M



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Joel Orozco Rodriguez Case No. 2022-047909, Default  
Final Order  
Date: April 24, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion Joel Orozco Rodriguez (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the publication notice seeking to exclude him, Respondent waived his right to request a hearing contesting the Division’s decision. Therefore, the Florida Gaming Control Commission should enter a final order excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

### *Background*

On September 17, 2022, Respondent was a patron of Magic City Casino.<sup>1</sup> Respondent was seen cheating and switching cards at a poker table. Respondent was permanently excluded from Magic City Casino<sup>2</sup>, on September 17, 2022.

Based on his exclusion from Magic City Casino, the Division filed an administrative complaint against Respondent seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. The Division attempted service by USPS certified mail on two occasions but failed to achieve service. The Division attempted to serve Respondent via handservice, but failed to achieve service. The Division requested that a notice be placed with the Miami Dade County Daily Business Review.<sup>3</sup> It was published on March 10, 2023, March 17, 2023, March 24, 2023, and March 31, 2023. Respondent was given until April 7, 2023 to respond to this notice. He has never responded.

### *Analysis*

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<sup>1</sup> Magic City Casino is operated by a pari-mutuel wagering permitholder that also possesses a slot machine and cardroom license.

<sup>2</sup> Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

<sup>3</sup> Section 120.60(5), Florida Statutes, provides, “when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee’s last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county.”

Respondent can be excluded from all pari-mutuel and slot machine facilities in this state. Section 550.0251(6), Florida Statutes, provides, in relevant part, that “[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state.” Likewise, section 551.112, Florida Statutes, provides, in relevant part “[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state.” Magic City Casino is both a pari-mutuel facility and slot machine licensee in this state. And Respondent was ejected from it. Accordingly, Respondent can be excluded from all pari-mutuel and slot machine facilities in this state.

Because Respondent failed to file a timely response to the publication notice, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order excluding Respondent from all pari-mutuel and slot machine facilities in this state.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order permanently excluding Joel Orozco Rodriguez from all pari-mutuel and slot machine facilities in this state.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2022-047909

JOEL OROZCO RODRIGUEZ,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Joel Orozco Rodriguez (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to Chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent’s address was reported as 1405 West 28th Street, Apt. 5 Hialeah, Florida 33010.
3. At all times material hereto, Magic City Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about September 17, 2022, Respondent was a patron of Magic City Casino.
5. On or about September 17, 2022, Respondent was ejected and permanently excluded from Magic City Casino.
6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

7. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida under Sections 550.0251(6) and 551.112, Florida Statutes, based on his ejection from Magic City Casino on or about September 17, 2022.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida, along with any other remedy provided by Chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-047909 is signed this 2nd day of December 2022.

/s/ Emily A. Alvarado

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov



## NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to Sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, Florida Administrative Code. Pursuant to Rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under Section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

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: **Imuniz**

[VR Home](#) | [Complaint Search](#) | [Maintain Complaint](#)

Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>90 Closed</b>	Status Date	<b>11/22/2022</b>
Complaint #	<b>2022047909</b>	Case Type	<b>CMP - Complaint</b>	Disposition	
Docket#		Respondent	<b>OROZCO RODRIGUEZ, JOEL</b>	Responsible	<b>tsmith2 - SMITH, TYRELL</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>	<input type="checkbox"/>	Parties	<input checked="" type="checkbox"/>	Activities
Form	<b>INET - Internet</b>	Priority					
Classification	<b>V-C - Cardroom Violations</b>	Complexity	<b>R Regular</b>	<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Security	<b>STND - Standard</b>	Incident	<b>09/17/2022</b>	<input type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Region	<b>SR - Southern Region</b>	Received	<b>10/04/2022</b>	<input checked="" type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Reference	<b>550.0251(6)</b>			<input type="checkbox"/>	Inspection		
Entered	<b>10/05/2022</b>	Entered By	<b>Imuniz</b>	<input type="checkbox"/>	Costs		
Summary	<p><b>155-West Flagler Associates, LTD ----- / ----- . Powers and duties of the Florida Gaming Control Commission: On September 22, 2022, this Investigator received a Magic City Casino weekly exclusion list from Magic City Casino Internal Auditor Yadelin Crespo. On September 26, 2022, upon reviewing the list, this Investigator found that the listed Patrons were excluded from the facility for cheating . On September 26, 2022, this Investigator requested and received copies of the incident reports and all supporting documentation of the incident from Magic City Director of Compliance and Safety Julie Noonan. According to the incident report, the Patrons who were identified as Joel OROZCO RODRIGUEZ and [REDACTED] were permanently excluded from the facility for switching cards during a live Poker game. Both were advised by Security that they were being permanently excluded from the facility for their actions.</b></p>			<input type="checkbox"/>	Time Tracking		Auto Assign
				<input type="checkbox"/>	Attachments		History
				<input type="checkbox"/>	Work Notes		Print Report
Updated	<b>11/28/2022 11:38:06</b>	By	<b>Imuniz</b>				



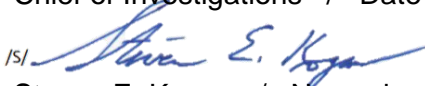
<a href="#">Change</a>	<a href="#">Save</a>	<a href="#">OK</a>	<a href="#">Cancel</a>	<a href="#">Back</a>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>October 5, 2022</b>	Case Number: <b>2022 04 7909</b>
Respondent:  <b>OROZCO RODRIGUEZ, JOEL</b> [REDACTED]		Complainant: <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309 TEL (954) 202-3900</b>	
License # and Type: <b>N/A / 1098</b>	Profession: <b>Patron</b>	Report Date: <b>October 25, 2022</b>	
Period of Investigation: <b>October 5, 2022 through October 25, 2022</b>		Type of Report: <b>Final</b>	
<p><b>Alleged Violation: 550.0251 Powers and duties of the Florida Gaming Control Commission.</b>—The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:</p> <p><b>(6)</b> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The commission may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permit holder to exclude absolutely a patron in this state.</p>			
<p><b>Synopsis:</b> On September 22, 2022, this Investigator received an email from Magic City Casino Internal Auditor Yadelin Crespo containing an updated and weekly exclusion list for the facility. Upon review of the list, this Investigator noticed that on September 17, 2022, Patrons [REDACTED] and Joel <b>OROZCO RODRIGUEZ</b> were added to the list and permanently excluded for cheating. <b>(EXHIBIT #3)</b></p> <p>On September 26, 2022, this Investigator requested and received copies of the incident reports and all supporting documentation of the incident from Magic City Director of Compliance and Safety Julie Noonan. According to the incident report, the Patrons were observed by the Surveillance Department Switching cards with each other during a live Poker game. As a result of their actions both men were permanently excluded from the facility.</p> <p>On October 4, 2022, a copy of video footage was obtained from Surveillance Director Octavio Jacques. <b>(EXHIBIT #4)</b></p>			
<b>Related Case(s): 2022 04 7903</b>			
Investigator / Date: October 25, 2022   Tyrell D. Smith /		Investigator Supervisor / Date   Julio Minaya / November 21, 2022	
Chief of Investigations / Date   Steven E. Kogan / November 22, 2022			

## CONTINUATION

Further investigation into this matter and a review of Magic City Casino Incident Report IN20220004441, revealed that on September 17, 2022, at approximately 6:10 P.M., the Surveillance Department notified Security Supervisor Jose Guevara that assistance was needed in the Poker Room due to two males cheating and switching cards. Guevara along with Miami Police responded to the Poker room and met with Poker Supervisor Kim Jenkins. After speaking with Jenkins, Guevara and Miami Police responded to Designated Player (DP) table #21 and made contact with the two individuals who were identified as [REDACTED] and Joel **OROZCO RODRIGUEZ**. After making contact with both individuals, [REDACTED] and **OROZCO RODRIGUEZ** were taken to the Security Office where they were informed of the Casino Rules as they pertain to cheating. They were each given a Magic City Casino Trespass Form which they both acknowledged and signed. Both men were then informed by Guevara that they were being permanently excluded from the facility. Both men were allowed to leave the premises without further incident. **(EXHIBIT #2)**

On October 4, 2022, this investigator conducted a video review of the incident which revealed the following:

At approximately 6:01 P.M., both individuals were observed seated at DP table #21. [REDACTED] is seated in seat #1 and **OROZCO RODRIGUEZ** is seated to [REDACTED]'s right in seat #2. The Dealer, Karen Lazo Seda, deals each player their cards and [REDACTED] and **OROZCO RODRIGUEZ** pick up their cards from the table and look at them. **OROZCO RODRIGUEZ** is then observed leaning over towards [REDACTED] at which time [REDACTED] shows **OROZCO RODRIGUEZ** his cards. They engage in conversation and **OROZCO RODRIGUEZ** takes a card from [REDACTED] hand, places it in his hand and then drops a card from his hand on the table. **OROZCO RODRIGUEZ** then pushes the card that he dropped on the table towards [REDACTED] and [REDACTED] picks up the card and co-mingles it with his other cards. [REDACTED] then shows **OROZCO RODRIGUEZ** his hand again and **OROZCO RODRIGUEZ** points to a bet on the table and [REDACTED] places his cards and chips on the table on the bet that **OROZCO RODRIGUEZ** had pointed to. Both continue to talk during the game with **OROZCO RODRIGUEZ** showing [REDACTED] the cards in his hands.

A few minutes later Assistant Poker Supervisor Da Costa was observed on video footage looking at the card shuffler and looking at [REDACTED] and **OROZCO RODRIGUEZ's** cards. Da Costa is then observed changing the 8 of Diamond card from [REDACTED] hand and replaces it with the Queen of Clubs card from **OROZCO RODRIGUEZ's** hand. The game was allowed to continue and the actual winner was paid the winning hand. Shortly thereafter Poker Supervisor Kim Jenkins is observed at the table speaking to Security Supervisor Jose Guevara who requested the assistance of the Police. Police enter the card room and both men are allowed to cash their remaining chips at the Poker Cage before being escorted by Security and Police to the security office. Once there they were processed and permanently excluded from the facility.

On October 11, 2022, this Investigator spoke with Poker Supervisor Kim Jenkins in reference to this incident. Jenkins confirmed that he was the Supervisor working the card room on the evening of September 17, 2022, when he was called over to Table #21 by Poker Dealer Karen Lazo Seda in reference to **OROZCO RODRIGUEZ** and [REDACTED] cheating. He did not go to the table, instead he contacted the Surveillance Department and requested video review of (DP) Table # 21.

Jenkins stated that while surveillance conducted their review of Table #21, Assistant Poker Supervisor Da Costa went to the table to inquire as to what was going on. After confirmation from Surveillance that **OROZCO RODRIGUEZ** and [REDACTED] had switched cards during a live Poker game, Jenkins said that he contacted Security to respond to the poker room and have them removed. Jenkins further stated that once Security and Miami Police arrived, he and Guevara approached both men and both were allowed to cash their remaining chips before being escorted to the Security Office.

On October 20, 2022, this Investigator spoke to Dealer Daniel Quintana in reference to this incident. Quintana stated that on the day of the incident he was walking to table #21 to change shifts with Poker Dealer Karen Lazo Seda when he witnessed the player in seat #1 and seat #2 talking to each other and showing each other their cards.

## CONTINUATION

He told Lazo Seda what he had observed and she immediately stopped the game and requested a supervisor. A few seconds later Assistant Poker Supervisor Richard Da Costa arrived and conducted a history check of the cards dealt through the card shuffler.

Quintana explained that the shuffler gives an account as to what cards were dealt to each seat in case incidents similar to this one occur. After checking the shuffler, Da Costa then changed the cards in [REDACTED] and **OROZCO RODRIGUEZ's** hands to reflect what the shuffler's history had retained and stored in its memory bank regarding who had been dealt which cards. Quintana further stated that while Da Costa conducted a check of the card shuffler, Jenkins was waiting on surveillance to complete their review of Table #21. After a few minutes surveillance concluded that [REDACTED] and **OROZCO RODRIGUEZ** had switched cards and as a result of their actions they were removed from the card room.

On October 25, 2022, this Investigator spoke with Magic City Assitant Poker Supervisor Richard Da Costa in reference to this incident. Da Costa corroborated the statements made by Quintana in reference to checking the shuffler and rearranging the cards in [REDACTED] and **OROZCO RODRIGUEZ's** hand. He also added that the Player who was seated to the dealers left ([REDACTED]) would have been paid the Big Bonus Payout had they not been caught.

Case closed by Investigations and forwarded to Legal for review and possible statewide exclusion from all PMW facilities.

**CONTINUATION**

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Incident File Full Report

Incident File Full Report

Date/Time Occurred: 9/17/2022 6:12:20 PM

Report Generator Details

Department

Safety

Day of Week Occurred: Saturday

Date/Time Reported: 9/26/2022 11:22:09 AM

Reported By: [Name]

Printed By:

# Incident File Full Report

Location: Park Point

Sublocation: Safety - Park Point

Incident Number:

IN20220004441

Reported By: [Name]

Department: Safety

Date/Time Occurred: 9/17/2022 6:12:20 PM



Date/Time Reported:

9/26/2022 11:22:09 AM

Printed By: [Name]

Printed On:

9/26/2022 11:22:09 AM

iTrak Incident Reporting and Risk Management System Version  
2020.1.0.05202

Incident Number: IN20220004441  
Date/Time Occurred: 9/17/2022 6:12:20 PM  
Day of Week: Saturday

Printed By: bortega

Printed On: 9/26/2022 at 11:22:09 AM

EXHIBIT # - /  
PAGE # - /



Incident File Full Report

Incident File #IN20220004441

Record Creation Details

Date/Time Occurred: 9/17/2022 6:12:20 PM

Department: Security

Day of Week Occurred: Saturday

Date/Time Created: 9/17/2022 8:57:00 PM

Date/Time Closed:

Closed By:

Location of Incident:

Property: Magic City Casino

Location: Poker Room

Sublocation: Security Vestibule

Details of Incident:

Daily Log #: DL20220033463

Reference: CHEATING

Incident Type: Cheating

Specific: Switching cards in the poker room

Category:

Risk Classification:

Incident Status: Open

Custom 3:

Custom 4:

Synopsis: On Saturday September 17th 2022, at approximately 6:10 P.M, Surveillance advised the Security Supervisor assistance was needed in the Poker Room. The Security Supervisor responded to the location. Upon arrival, the Security Supervisor was advised by the Poker Room Supervisor of two male patrons seated at Table 21 Seat 1 and Seat 2 who were cheating (Switching Cards). The Security Supervisor approached the two patrons at Table 21 and escorted them to the Security Office. The Security Supervisor alongside MPD advised the patrons of the Casino's Rules and Regulations regarding cheating. The patrons acknowledged and signed the Trespass Warning Forms. The patrons left property shortly thereafter. The patrons are excluded permanently.

Checklist:

Narrative: On Saturday September 17th 2022, at approximately 6:10 P.M, Surveillance advised Security Supervisor Jose Guevara's assistance was needed in the Poker Room. S.S Guevara responded to the location. Upon arrival at the Poker Room, S.S Guevara was advised Poker Room Supervisor Kim Ty Jenkins () of two male patrons seated at Table 21 later identified as [redacted] at Seat 1 and Joel Orozco Rodriguez at Seat 2 who were cheating (Switching Cards). S.S Guevara approached Mr. Orozco Rodriguez and Mr. Morales Moreno at Table 21 and escorted them to the Security Office. S.S Guevara alongside MPD advised Mr. Orozco Rodriguez and Mr. [redacted] of the Casino's Rules and Regulations regarding cheating. Mr.

Reporting Party:

Supervisor:



**Incident File Full Report**

**Incident File #IN20220004441**

Orozco Rodriguez and Mr. [REDACTED] acknowledged and signed the Trespass Warning Forms. Mr. Orozco Rodriguez and Mr. [REDACTED] left property shortly thereafter. Mr. Orozco Rodriguez and Mr. [REDACTED] are excluded permanently.

Upon video review, at approximately 6:02 P.M, Mr. Orozco Rodriguez and Mr. [REDACTED] can be observed speaking with each other showing one another their respective hands. Mr. Orozco Rodriguez can be observed putting one card face down on the table and Mr. [REDACTED] picks it up and gives Mr. Orozco Rodriguez a card from his own hand.

**Executive Brief:**

**Participants Involved:**

**Personnel**

Full Name: GUEVARA, JOSE LUIS Property: Magic City Casino  
Role: Security Supervisor Department: Security  
Date Of Birth:

**Subject**

Full Name: Orozco Rodriguez, Joel Company:  
Role: Patron  
Date Of Birth: [REDACTED]  
Address: [REDACTED]  
Contact Info:

Full Name: [REDACTED] Company:  
Role: [REDACTED]  
Date Of Birth: [REDACTED]  
Address:  
Contact Info:

**Ban/Watch Details**

Full Name	Ban/Watch	Start Date	End Date
Orozco Rodriguez, Joel	Ban	9/17/2022	Permanent
Type Of Ban:	Permanent	Notes:	
Reason For Ban:	Cheating		
Identification:	Driver's License		
Morales Moreno, Rene	Ban	9/17/2022	Permanent
Type Of Ban:	Permanent	Notes:	

**EXHIBIT # -1  
PAGE # -3**

Reporting Party:

Supervisor:

Incident File Full Report

Incident File #IN20220004441

Reason For Ban: Cheating

Identification: Unknown

List of Attached Records:

Record Type	Summary	Attached By	Date Attached
iDispatch	Dispatch#: DS20220006283 - Daily Log#: DL20220033463 - Call Time: 17/09/2022 18:12:20 - Dispatch Code: APPROACHING PATRON - Dispatch Subcode: - Dispatch Level: - Dispatch Emergency Type: - Property: Magic City Casino - Location: Poker Room - Sublocation: Security Vestibule - Dispatch Status: Cleared	jguevara08	9/17/2022

Reporting Party:

Supervisor:

EXHIBIT # -1  
PAGE # -4



Media Title

Original Filename

Joel Orozco  
Rodriguez.pdf

Date Attached

9/17/2022 8:56:57 PM

Attached By

jguevara08

Type

PDF

Size

68323

Media Title

Original Filename

Joel Orozco  
Rodriguez.jpg

Date Attached

9/17/2022 8:56:57 PM

Attached By

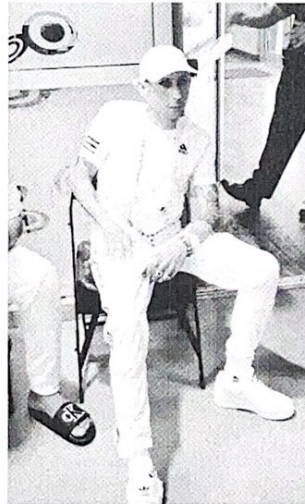
jguevara08

Type

JPG

Size

1063318



Media Title

Original Filename

[REDACTED].pdf

Date Attached

9/17/2022 8:56:57 PM

Attached By

jguevara08

Type

PDF

Size

64851

Media Title

Original Filename

20220917\_182201.jpg

Date Attached

9/17/2022 8:56:57 PM

Attached By

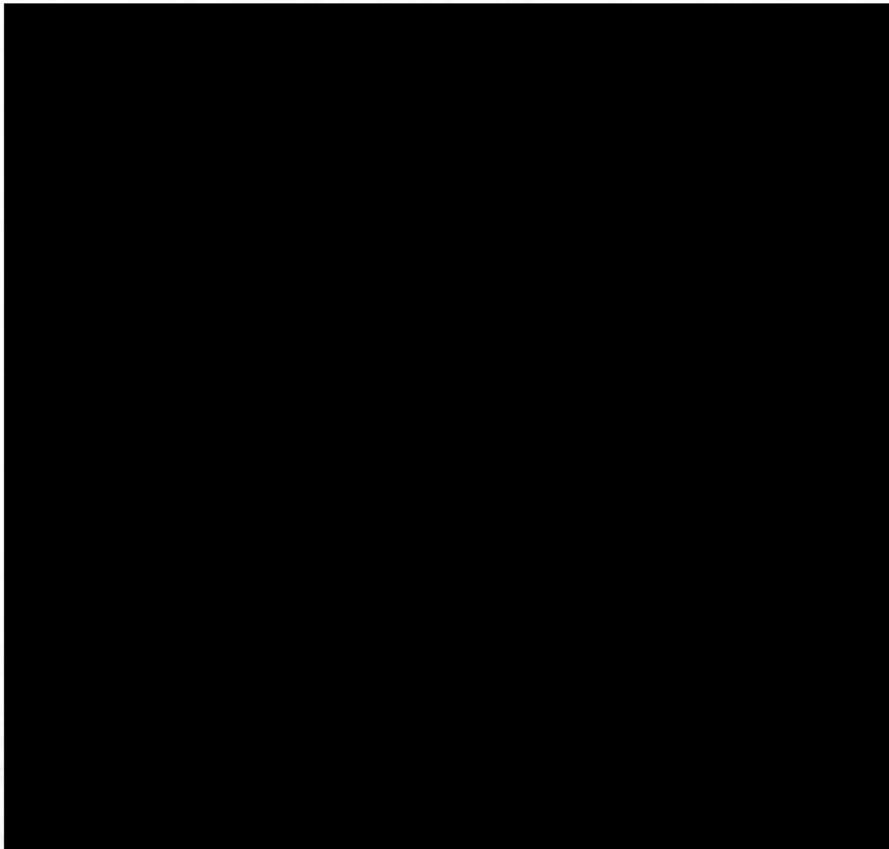
jguevara08

Type

JPG

Size

371675



Media Title

Original Filename

[REDACTED] (2)

.jpg

Date Attached

9/17/2022 8:56:57 PM

Attached By

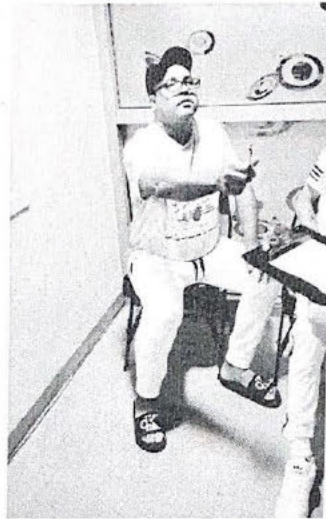
jguevara08

Type

JPG

Size

929170



9/26/2022 11:22:10 AM

Page 3/3

EXHIBIT # -1  
PAGE # -7



**TRESPASS WARNING**

NAME / LAST NAME: Joel Orozco Rodriguez

DRIVER LICENSE # [REDACTED] D.O.B. [REDACTED]

ADDRESS [REDACTED] CITY: [REDACTED] ST: FL ZIP: 33010

RACE: Hispanic SEX: M HEIGHT: 5'-08" WEIGHT: 140 HAIR: Black EYES: Brown

REASON FOR TRESPASSING: Cheating / Switching Cards

The above-named person was advised to stay off MAGIC CITY CASINO property for a period of:

24 Hrs    3 Days    7 Days    30 Days    3 Months    6 Months    1 Year    2 Year    Permanent

This warning was given on 9/17/22 at 6:30PM hours.

If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes. Additionally, MAGIC CITY CASINO may permanently withhold any winnings from the above-named person that were won during the stated period of time.

SUBJECT'S SIGNATURE: [Signature]

CASE #: \_\_\_\_\_ ARRESTED:  YES  NO

SECURITY AGENT: [Signature] 3020 DATE: 9/17/22

POLICE OFFICER / WITNESS: [Signature] 4300C

Warned by MPD referenced trespass after warning    Subject refused to sign this trespass warning

Date	Last Name	First Name	DOB	Gender
9/17/2022	Orozco Rodriguez	Joel		Male
[REDACTED]				

EXHIBIT # -3  
PAGE # -1

Race	Address	City	State
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Hispanic	[REDACTED]	[REDACTED]	FL
[REDACTED]			

EXHIBIT # -3  
PAGE # -2





Incident Type	Report#	Photo Taken	Arrested
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Cheating	IN20220004441	Y	N
[REDACTED]			

EXHIBIT # -3  
PAGE # -4

Driver's License	Location	Sublocation
	Poker Room	Security Vestibule

EXHIBIT # -3  
PAGE # -5





State of Florida  
 Florida Gaming Control Commission  
 Division of Pari-Mutuel Wagering  
 Office of Investigations

PROPERTY RECEIPT

Complaint # 2022047908  
7909 Date 10/4/22 Lab # \_\_\_\_\_

Item No.	Quantity	Description
1	1	USB CONTAINING VIDEO FOOTAGE OF CHEATING INCIDENT 9-17-22 MORANO / RODRIGUEZ.
<del>LAST ITEM</del>		

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

[Signature]  
 Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

[Signature]  
 Signature - Impounding Investigator

RETURNED PROPERTY RECEIPT

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Copies for: File, Transmittal, Laboratory, Property Receipt

EXHIBIT # -4  
 PAGE # -1

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: Imuniz

[VR Home](#) | [Complaint Search](#) | [Maintain Complaint](#)

Lic Type	1098 - Unlicensed Complaints	Status	20 Under Investigation	Status Date	10/05/2022
Complaint #	2022047909	Case Type	CMP Complaint	Disposition	Disposition Date
Docket#	Re pondent	OROZCO RODRIGUEZ, JOEL	Re pon ible	tsmith2 - SMITH, TYRELL	Private Ca e

Complaint	Re pondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	INTN - Internal	Security Level	1	<input type="checkbox"/> Partie	<input checked="" type="checkbox"/> Activitie
Form	INET - Internet	Priority			
Class'n	V-C - Cardroom Violations	Complexity	R - Regular	<input checked="" type="checkbox"/> Allegation	<input type="checkbox"/> Di cipline
Security	STND - Standard	Incident	09/17/2022	<input type="checkbox"/> Violation	<input type="checkbox"/> Compliance
Region	SR - Southern Region	Received	10/04/2022	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Di po ition
Reference	550.0251(6)	Entered By	Imuniz	<input type="checkbox"/> In pection	
Entered	10/05/2022			<input type="checkbox"/> Co t	
Summary	<p>155-West Flagler Associates, LTD ----- / ----- . Powers and duties of the Florida Gaming Control Commission: On September 22, 2022, this Investigator received a Magic City Casino weekly exclusion list from Magic City Casino Internal Auditor Yadelin Crespo. On September 26, 2022, upon reviewing the list, this Investigator found that the listed Patrons were excluded from the facility for cheating . On September 26, 2022, this Investigator requested and received copies of the incident reports and all supporting documentation of the incident from Magic City Director of Compliance and Safety Julie Noonan. According to the incident report, the Patrons who were identified as Joel OROZCO RODRIGUEZ and [REDACTED] were permanently excluded from the facility for switching cards during a live Poker game. Both were advised by Security that they were being permanently excluded from the facility for their actions.</p>				<input type="checkbox"/> Time Tracking   <input type="text" value="Auto A ign"/> <input type="checkbox"/> Attachment   <input type="text" value="Hi tory"/> <input type="checkbox"/> Work Note   <input type="text" value="Print Report"/>
Updated	10/05/2022 09:12:14	By	Imuniz		

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
---------------------------------------	-------------------------------------	-----------------------------------	---------------------------------------	-------------------------------------





**STATE OF FLORIDA**  
**FLORIDA GAMING CONTROL COMMISSION**  
**DIVISION OF PARI-MUTUEL WAGERING**  
**OPEN CASE REQUEST**  
(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

**INCIDENT DATE:** September 17, 2022

<input type="checkbox"/> PMW	<input checked="" type="checkbox"/> Cardroom	<input type="checkbox"/> Slot
------------------------------	--	-------------------------------

<input type="checkbox"/> Violation	<input type="checkbox"/> Incident	<input type="checkbox"/> Complaint
------------------------------------	-----------------------------------	------------------------------------

**FACILITY NAME:** WEST FLAGLER ASSOCIATES, LTD (MAGIC CITY CASINO) **LIC #:** 155

**RESPONDENT**

<b>NAME:</b> Joel Orozco Rodriguez		
<b>Address:</b> [REDACTED]		<b>Tel #:</b>
<b>LIC #:</b> N/A	<b>LIC TYPE:</b> 1098	<b>OCCUPATION:</b> Patron

**COMPLAINANT**

<b>NAME:</b> WEST FLAGLER ASSOCIATES, LTD (MAGIC CITY CASINO)		<b>Tel #:</b>
<b>Address:</b> 450 NW 37, Ave Miami, Florida 33125		
<b>LIC #:</b> 155	<b>LIC TYPE:</b> 1002	<b>OCCUPATION:</b> Permit Holder

**VIOLATION(S) / TITLE(S):** **550.0251 Powers and duties of the Florida Gaming Control Commission.** —

The Commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:

(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The commission may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permit holder to exclude absolutely a patron in this state.

**DESCRIPTION:** On September 22, 2022, this Investigator received a Magic City Casino weekly exclusion list from Magic City Casino Internal Auditor Yadelin Crespo. On September 26, 2022, upon reviewing the list, this Investigator found that the listed Patrons were excluded from the facility for cheating

On September 26, 2022, this Investigator requested and received copies of the incident reports and all supporting documentation of the incident from Magic City Director of Compliance and Safety Julie Noonan. According to the incident report, the Patrons who were identified as Joel **OROZCO RODRIGUEZ** and [REDACTED] were permanently excluded from the facility for switching cards during a live Poker game. Both were advised by Security that they were being permanently excluded from the facility for their actions.

**CASE DETAILS FILED BY:**

Chief Inspector    Judge/Steward    Investigator    Other: \_\_\_\_\_  
(Title of State Employee)

Tyrell D. Smith

October 4, 2022

(Print Name)

(Signature)

(Date)

## Muniz, Luz

---

**From:** Minaya, Julio  
**Sent:** Tuesday, October 4, 2022 1:31 PM  
**To:** Muniz, Luz  
**Cc:** Smith, Tyrell; Jones, Bradford  
**Subject:** OCR  
**Attachments:** OPEN CASE REQUEST - MAGIC CITY (██████████) EXCLUSION- 9-17-22.docx; OPEN CASE REQUEST - MAGIC CITY (RODRIGUEZ) EXCLUSION- 9-17-22.docx

Luz,

Please open and assign to Tyrell.

Thanks



**Julio Minaya**  
Investigative Supervisor  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Office: 954-202-6844 / Fax: 954.202.3930



ALM Global, LLC  
PO Box 936174  
Atlanta, GA 31193-6174

Please Remit To:

**Daily Business Review**

Miami Dade  
Customer No: 9069304  
Case/P.O.#: 2022-047909

FLORIDA GAMING CONTROL COMMISSION  
Attention To: EBONIE LANIER  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FL 32399

Invoice #:	10000649822-0310
Invoice Date:	03/31/2023
Due Date:	Due Upon Receipt
AMOUNT DUE:	\$129.94

Amount Remitted

**Daily Business Review**

Miami Dade

Invoice Date: 03/31/2023	Customer #: 9059304	Case/P.O.#: 2022-047909
--------------------------	---------------------	-------------------------

Invoice #	Description	Amount
10000649822-0310		\$129.94
	Placement/Position: Other Notices/Administrative Complaint	
	Run Dates: 03/10/2023, 03/17/2023, 03/24/2023, 03/31/2023	
	Ad Size: 4.37 Inches	
	Notice of Action	
	BEFORE THE DIVISION OF PARI-MUTUEL WAGERING - JOEL OROZCO RODRIGUEZ	
	<b>Subtotal</b>	\$129.94
	<b>Total Due</b>	\$129.94

RECEIVED  
2023 APR -6 AM 10:33  
FLORIDA GAMING  
CONTROL COMMISSION

Visit our online payment portal at <https://www.almpaymentcenter.com> to pay via credit card

For billing questions, please email: [ALMcollection@alm.com](mailto:ALMcollection@alm.com).





**MIAMI-DADE**

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:**

Before the undersigned authority personally appeared ROSANA SALGADO, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

2022-047909  
NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING - JOEL OROZCO RODRIGUEZ

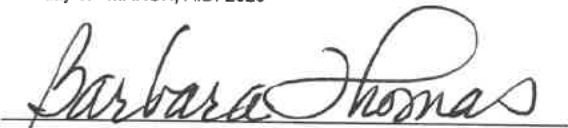
in the XXXX Court,  
was published in a newspaper by print in the issues of Miami Daily Business Review f/k/a Miami Review on

03/10/2023 03/17/2023 03/24/2023 03/31/2023

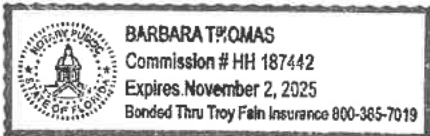
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.



Sworn to and subscribed before me this  
31 day of MARCH, A.D. 2023



(SEAL)  
ROSANA SALGADO personally known to me



**NOTICE OF ACTION  
BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING**

IN RE: Violation of section 550.0251(6) and 551.112, Florida Statutes.  
JOEL OROZCO RODRIGUEZ  
1405 West 28th Street, Apt. 5  
Hialeah, Florida 33010  
CASE NO.: 2022-047909  
LICENSE NO.: N/A

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 2601 Blair Stone Road, Tallahassee, FL 32399, (850) 717-1663.

If no contact has been made by you concerning the above by Friday, April 7, 2023, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257-6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.  
3/10-17-24-31 23-29/0000649822M



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Nagib Zammar Cardozo Case No. 2023-005131, Default  
Final Order  
Date: April 24, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Nagib Zammar Cardozo (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the properly served administrative complaint seeking to exclude him, Respondent waived his right to request a hearing contesting the Division’s decision. Therefore, the Florida Gaming Control Commission should enter a final order excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

### *Background*

On January 14, 2023, Respondent was a designated player at Big Easy Casino.<sup>1</sup> Respondent was seen cheating at a poker table. Respondent was permanently excluded from Big Easy Casino<sup>2</sup>, on January 14, 2023.

Based on his exclusion from Big Easy Casino, the Division filed an administrative complaint against Respondent seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. The election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days<sup>3</sup> to file a written response to the administrative complaint. The Respondent was served on March 13, 2023, which means the Respondent had until April 3, 2023 to respond. He has never responded.

### *Analysis*

---

<sup>1</sup> Big Easy Casino is operated by a pari-mutuel wagering permitholder that also possesses a slot machine and cardroom license.

<sup>2</sup> Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

<sup>3</sup> See Fla. Admin. Code R. 28-106.111(4) (“Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days waives the right to request a hearing on such matters.”)

Respondent can be excluded from all pari-mutuel and slot machine facilities in this state. Section 550.0251(6), Florida Statutes, provides, in relevant part, that “[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state.” Likewise, section 551.112, Florida Statutes, provides, in relevant part “[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state.” Big Easy Casino is both a pari-mutuel facility and slot machine licensee in this state. And Respondent was ejected from it. Accordingly, Respondent can be excluded from all pari-mutuel and slot machine facilities in this state.

Because Respondent failed to timely respond to the Administrative Complaint, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order excluding Respondent from all pari-mutuel and slot machine facilities in this state.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order permanently excluding Nagib Zammar Cardozo from all pari-mutuel and slot machine facilities in this state.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-005131

NAGIB ZAMMAR CARDOZO,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Nagib Zammar Cardozo (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent’s address was reported as 4155 West Twain Avenue, Apt. 166 Las Vegas, Nevada 89103.
3. At all times material hereto, Big Easy Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about January 14, 2023, Respondent was a patron of Big Easy Casino.
5. On or about January 14, 2023, Respondent was ejected and permanently excluded from Big Easy Casino.
6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

7. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida under sections 550.0251(6) and 551.112, Florida Statutes based on his ejection from Big Easy Casino on or about January 14, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any

facility of a slot machine licensee in the State of Florida, along with any other remedy provided by chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-005131 is signed this 14th day of February 2023.

*/s/ Emily A. Alvarado*

---

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

## NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.



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: **Imuniz**

[VR Home](#) | [Complaint Search](#) | [Maintain Complaint](#)

Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>90 Closed</b>	Status Date	<b>02/06/2023</b>
Complaint #	<b>2023005131</b>	Case Type	<b>CMP - Complaint</b>	Disposition	
Docket#		Respondent	<b>CARDOZO, ZAMAR</b>	Responsible	<b>bjone JONES, BRADFORD</b>
					<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	<b>INTN - Internal</b>	Security Level	<b>1</b>	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form	<b>INTR - Internal</b>	Priority		<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n	<b>V-C - Cardroom Violations</b>	Complexity	<b>R - Regular</b>	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security	<b>STND - Standard</b>	Incident	<b>01/14/2023</b>	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	<b>SR - Southern Region</b>	Received	<b>01/27/2023</b>	<input type="checkbox"/> Inspection	
Reference	<b>61D-11.005(4)(a-c) &amp; 550.0251</b>			<input type="checkbox"/> Co t	
Entered	<b>01/27/2023</b>	Entered By	<b>Imuniz</b>	<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	<b>144-831 Federal Highway Acquisition, LLC ----- / ----- . Prohibitions / Powers and duties of the Florida Gaming Control Commission: On January 14, 2023 CARDOZO engaged in cheating at Poker with accomplice, Israel Davila-Rogue. The duo mucked and passed cards between each other to form winning hands and as a result, defrauding other Players. The pair have been lifetime excluded from the Big Easy Casino.</b>			<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated	<b>02/07/2023 14:41:35</b>	By	<b>Imuniz</b>	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>

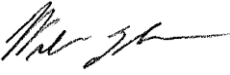


<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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[Get Adobe Reader.](#)

Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**  
**INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: JANUARY 27, 2023	Case Number: <b>2023 00 5131</b>
<b>Respondent:</b> <b>CARDOZO, ZAMMAR</b> <b>4155 WEST TWAIN AVENUE APT. #166</b> <b>LAS VEGAS, NEVADA 89103</b>		<b>Complainant:</b> <b>DIVISION OF PARI-MUTUEL WAGERING</b> <b>OFFICE OF INVESTIGATIONS</b> <b>1400 W. COMMERCIAL BLVD. SUITE 165</b> <b>FT. LAUDERDALE, FLORIDA 33309</b> <b>TEL. - 954-202-3900</b>	
<b>License # and Type:</b> N/A		<b>Profession:</b> UNKNOWN	<b>Report Date:</b> FEBRUARY 1, 2023
Period of Investigation: JANUARY 27, 2023 TO FEBRUARY 1, 2023		Type of Report: <b>FINAL</b>	
<b>VIOLATION(S) / TITLE(S): 61D-11.005(4)</b> No person shall, either directly or indirectly: (a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator. (b) Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator. (c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator. <b>F.S.S. 550.0251 (6) Powers and duties of the Florida Gaming Control Commission.</b> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.			
<b>Synopsis:</b> On January 14, 2023 <b>CORDOZO</b> engaged in cheating at Poker with accomplice, Israel <b>DAVILA-ROGUE</b> . The duo mucked and passed cards between each other to form winning hands and as a result, defrauding other Players. The pair have been lifetime excluded from the Big Easy Casino (BEC).			
<b>Related Case(s):</b> 2023 00 5136			
Investigator / Date   William Smith / February 1, 2023		Investigator Supervisor / Date   Bradford D. Jones / February 6, 2023	
Chief of Investigations / Date   Bradford D. Jones for Steven E. Kogan / February 6, 2023			

## CONTINUATION

Poker is not a team competition; the prime directive inherent in the Rules of Poker is one player, one hand. Every player at a poker table should be playing solely for themselves. However, there are those who work in teams colluding, and there are those who work together cheating. **ZAMMAR CARDOZO AND ISRAEL DAVILLA-ROGUE** worked as a team mucking and passing cards between each other to formulate winning hands and as a result defraud other players (**EXHIBIT #1**).

The BEC Surveillance Report details team's activity. On the date noted during a game of Omaha Poker<sup>1</sup>, the player ██████████ suspected their subterfuge. He reported what ██████ suspected which triggered a review by BEC Surveillance. The team's ruse at the BEC began with them acquiring seating next to each other thus allowing them to pass cards to one another creating winning hands.

Review of surveillance recordings showed that **CARDOZO** and DAVILLA – ROGUE positioned themselves at seats #7 & #8. During play<sup>2</sup>, they passed cards, chips and cash under the table to each other. They used this process to create winning hands, and to entrap an unsuspecting players into enlarging the size of their pots by colluding to place wagers in such a manner which altered the "pot odds", and replenish betting power. If one team member "loses" money to the other team member the loss is simply an illusion intended to conceal their conduct (**EXHIBIT #3**).

**CARDOZO** and DAVILLA – ROGUE are a team who exhibited a skill set which requires significant practice, and rehearsal in order to execute. Success in this endeavor also requires a coded communication system, a method of camouflaging cards within ones palm (mucking) followed by a pass off; (an exchange of cards under the table). This is not a crime of opportunity; rather it is a practiced endeavor with an intended outcome. As a result of their actions, both men were permanently excluded from The Big Easy Casino (**EXHIBIT #2**).

**Conclusion:** **CARDOZO** and DAVILLA – ROGUE are professional card cheats and should be considered for statewide exclusion.

**Status:** Closed by Investigations and forwarded to Legal for review.

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<sup>1</sup> In the game of OMAHA players receive four cards. Two Cards in hand are used in conjunction with three board cards out of five board cards. The person with the best five card hands wins.

<sup>2</sup> Although the cheating activity was discovered at approximately 8:20 PM, the BEC Surveillance Report notes multiple instances of cheating which began just after 4:00 PM, approximately 15 minutes after the table (#22) was opened for play.

CONTINUATION

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# THE BIG EASY CASINO

The Big Easy Casino

831 N Federal Hwy, Hallandale Beach, FL 33009  
www.thebigeasycasino.com

**SUR-23-0075 - Trespass - Lifetime - Start Time 01/15/2023 20:20**

**Author:** David Ramirez

**Report Number:** SUR-23-0075

**Start Time:** 01/15/2023 20:20

**End Time:** 01/15/2023 23:09

**Report Group:** Surveillance Reports

**Report Type:** Trespass - Lifetime

**Note:** Two male guest confirmed to be cheating on poker table #22.

**Reported:** 01/14/2023 15:44

**Occurred:** 01/14/2023 20:46

**General Location:** 1st Floor

**Secondary Location:** Gaming Floor

**Specific Location:** Poker Room

**Narrative:** On Saturday, January 14, 2023, at approximately 20:20, Poker Dual Rate Shift Manager Tristen Nims called surveillance to review footage on poker table #22 to see if seat #7 (later identified as Nagib S. Zammar Cardozo) and seat #8 (later identified as Israel Davila Roque) were passing cards to each other. Nims then stated that the claim came from [REDACTED] who claimed to have seen it occur and may have happened during the last hand. After reviewing footage, Nims was informed to come to the review room to review footage. Nims observed both guests passing cards to each other under the table at approximately 20:12 and confirmed this to be cheating.

At approximately 20:35, a visual of Mr. Davila Roque was obtained at poker table #22, seat #8 wearing a white hooded sweater, and light blue jeans. At approximately 20:36, Security Shift Manager Clinton Fogarty called surveillance for visual at poker table #22, where seat #7 and #8 will be asked to leave, due to cheating. At this time, a visual of Mr. Zammar Cardozo was obtained at table #22, seat #7 wearing a white hooded sweater, and dark blue jeans. Both Mr. Zammar Cardozo and Mr. Davila Roque later departed from the north entrance after cashing out their chips at the poker cage and entered a blue Honda Civic [FL Plate # [REDACTED]] in the North lot. At approximately 20:46, both Mr. Zammar Cardozo and Mr. Davila Roque departed the property in the West lot on Pembroke Rd.

Upon further investigation, footage review showed that both Mr. Zammar Cardozo and Mr. Davila Roque could be seen passing cards and chips to each other shortly after Poker Table #22, had opened for play. Footage review showed the following:

At approximately 15:44, poker table #22 can be seen opening for play. At approximately 16:02, Mr. Davila Roque can be seen palming a card in his left hand and passing the card under the table to Mr. Zammar Cardozo. At this time, Mr. Zammar Cardozo can be seen taking the card, and bringing card with both hands above the table. Mr. Zammar Cardozo can then be seen palming a card in his left hand and passing the card under the table to Mr. Davila Roque. Soon after, Mr. Davila Roque can be seen bringing the card above the table while cupping both hands together.

At approximately 18:04, Mr. Zammar Cardozo can be seen removing an unknown amount of chips from his stack of chips, bringing them under the table, and appearing to pass the chips to Mr. Davila Roque. Mr. Davila Roque can then be seen appearing to place his right hand into his right pocket and placing an unknown amount of chips on the table. At approximately 18:05 after a hand was dealt, Mr. Davila Roque appeared to gesture a sign on the table. At approximately 18:07, Mr. Zammar Cardozo can be seen palming a card in his left hand and passing the card under the table to Mr. Davila Roque. At this time, Mr. Davila Roque can be seen bringing the card above the table while cupping both hands together, then palming a card and passing it under the table to Mr. Zammar Cardozo. Soon after, Mr. Zammar Cardozo can be seen bringing the card above the table with his left hand.

At approximately 18:13, after Mr. Zammar Cardozo won the pot, he can be seen removing an unknown number of chips from the table and passing them under the table to Mr. Davila Roque. At approximately 18:14, Mr. Davila Roque can be seen placing his right hand into his pocket and then placing chips on the table.

**EXHIBIT #** |  
**PAGE #** |



At approximately 18:15, Mr. Zammar Cardozo can be seen removing an unknown amount of cash from his wallet. At approximately 18:16, after Mr. Davila Roque went all-in and lost, Mr. Zammar Cardozo can be seen passing money under the table to Mr. Davila Roque for him to buy-in at the poker cage.

At approximately 18:33, Mr. Davila Roque can be seen palming a card in his left hand and passing the card under the table to Mr. Zammar Cardozo. Mr. Zammar Cardozo can then be seen bringing the card above the table while cupping both hands together. At this time, Mr. Zammar Cardozo can be seen palming a card in his left hand and passing the card under the table to Mr. Davila Roque. Soon after, Mr. Davila Roque can be seen bringing the card above the table while cupping both hands together.

At approximately 19:14, Mr. Davila Roque can be seen palming a card in his left hand and passing the card under the table to Mr. Zammar Cardozo. Mr. Zammar Cardozo can then be seen bringing the card above the table while cupping both hands together. At approximately 19:15, Mr. Zammar Cardozo can be seen palming a card in his left hand and passing it under the table to Mr. Davila Roque. Mr. Davila Roque can then be seen bringing the card above the table while cupping both hands together.

At approximately 19:27, Mr. Zammar Cardozo can be seen palming a card in his left hand and attempting to pass it under the table to Mr. Davila Roque, but Mr. Davila Roque appeared not to want to trade. Mr. Zammar Cardozo can then be seen bringing the card above the table while cupping both hands together.

At approximately 19:30, Mr. Zammar Cardozo can be seen removing an unknown amount of cash from his wallet and passing money under the table to Mr. Davila Roque for him to buy-in at the poker cage after Mr. Davila Roque lost during his all-in wager.

At approximately 19:33, Mr. Zammar Cardozo can be seen palming an unknown number of black chips in his left hand and passing under the table to Mr. Davila Roque.

At approximately 19:38, Mr. Davila Roque can be seen palming a card in his left hand and attempting to pass it under the table to Mr. Zammar Cardozo, but the trade pass was not completed. Mr. Davila can then be seen bringing the card above the table while cupping both hands together.

At approximately 19:47, Mr. Zammar Cardozo can be seen palming an unknown number of black chips in his left hand and passing under the table to Mr. Davila Roque.

At approximately 19:51, Mr. Zammar Cardoza can be seen palming a card in his left hand, failing to cover it up with both hands, and passing the card under the table to Mr. Davila Roque. At this time, Mr. Davila Roque can be seen bringing the card above the table while cupping both hands together. Soon after, Mr. Davila Roque can be seen palming a card in his left hand, passing under the table, and Mr. Zammar Cardoza bringing the card above the table while cupping both hands together.

At approximately 20:11 after a hand was dealt, Mr. Davila Roque appeared to gesture a sign on the table. At approximately 20:12, Mr. Davila Roque can be seen palming a card in his left hand and passing the card under the table to Mr. Zammar Cardoza. At this time, Mr. Zammar Cardoza can be seen palming a card in his left hand, and passing under the table to Mr. Davila Roque, which he brings above the table while cupping his hands together. At approximately 20:15, Mr. Davila Roque can be seen taking a card with his right hand and passing the card under the table to Mr. Zammar Cardoza. At this time, Mr. Zammar Cardoza can be seen bringing the card above the table with his left hand. The game on poker table #22 can be seen to have been paused. At approximately 20:18, Poker Dual Rate Floor Representative Alejandro Arana can be seen arriving at poker table #22 while having a conversation with the poker dealer and the guest on seat #2. At approximately 20:20, Nims called surveillance regarding poker table #22.

All footage of the incident has been archived. There is nothing further to report.

Linked Reports: **SEC-23-0028**

Employee

**EXHIBIT # 1**  
**PAGE # 2**

Name: Tristen Nims

Department: Card Room

Position: Poker Shift Manager/Floor Rep.

Employee Num: [REDACTED]

**Employee**

Name: Alejandro Arana

Department: Card Room

Position: Poker Dealer

Employee Num: [REDACTED]

**Employee**

Name: Clinton Fogarty

Department: Security

Position: Security Shift Manager

Employee Num: [REDACTED]

**Patron**

Name: Cardozo Zammar

Alias:

Gender: Male

Eye color: Black

Hair color: Bald

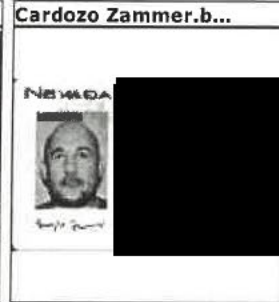
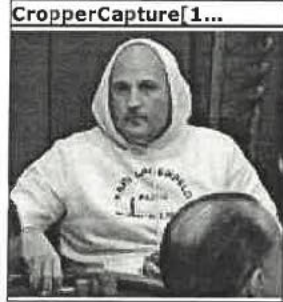
Height: 6'00" Inches

Weight: 225 Pounds

DOB: [REDACTED]

Street Address: 4155 W Twain AVE. Apt# 166 Las Vegas, NV. 89103

Players Club #: 466691



**Patron**

Name: Israel Davila-Rogue

Alias:

Gender: Male

Eye color: Black

Hair color: Black

Height: 5'10" Inches

DOB: [REDACTED]

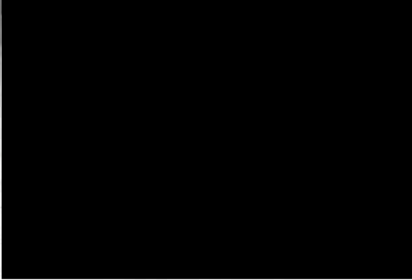
Street Address: 2913 S. Semoran BLVD. Apt# 214 Orlando, FL. 32822

Players Club #: 464566

CropperCapture[1...



Davila Roque.bmp







# THE BIG EASY CASINO

The Big Easy Casino

831 N Federal Hwy, Hallandale Beach, FL 33009  
www.thebigeasycasino.com

**SEC-23-0028 - Security - Exclusion Incident - Start Time 01/14/2023 22:46**

**Author:** Clinton Fogarty

**Report Number:** SEC-23-0028

**Start Time:** 01/14/2023 22:46

**End Time:**

**Report Group:** Security Reports

**Report Type:** Security - Exclusion Incident

**Note:** Two male patrons were banned for life, as per Poker Director, for cheating during a hand.

**Reported:** 01/14/2023 20:35

**Occurred:** 01/14/2023 20:35

**General Location:** 1st Floor

**Secondary Location:** Gaming Floor

**Specific Location:** Poker Room

**Narrative:** On Saturday, January 14, 2023, at approximately 2035 hrs., this writer, Security Shift Manager Clinton Fogarty, was advised by Poker Supervisor Tristen Nims that two patrons were being ejected from the Casino for cheating during a hand. Supervisor Nims advised this writer that two male patrons sitting at Table 22 seats 7& 8 were being issued an ejection from the casino, as per The Poker Director, for cheating during a hand. The two patrons were identified as Cardozo Zammar (Seat# 7) and Israel Davila-Rogue (Seat# 8). Both Patrons were advised they were being issued an ejection and were not allowed back. Both patrons departed property at 2047 hrs.

This writer conducted a review, and the following was observed. Both Mr. Zammar and Davila-rogue were sitting at Table 22. Mr. Davila-Rogue palms a card at which time he and Mr. Zammar put their hands under the table. Mr. Zammar then returns his hands to the top of the table, holding the card that Mr. Davila-Rogue had. A few seconds later, both patrons make a similar exchange, only this time Mr. Zammar giving a card to Mr. Davila-Rogue.

**Linked Reports:** SUR-23-0075

## Employee

**Name:** Clinton Fogarty

**Department:** Security

**Position:** Security Shift Manager

**Employee Num:** [REDACTED]

## Employee

**Name:** Tristen Nims

**Department:** Card Room

**Position:** Poker Shift Manager/Floor Rep.

**Employee Num:** [REDACTED]

## Patron

**Name:** Cardozo Zammar

**Alias:**

**Gender:** Male

**Eye color:** Black

**Hair color:** Bald

**Height:** 6'00" Inches

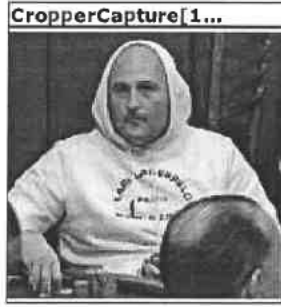
**Weight:** 225 Pounds

**DOB:** [REDACTED]

**Street Address:** 4155 W Twain AVE. Apt# 166 Las Vegas, NV. 89103

**Players Club #:** 466691

**EXHIBIT #** ( )  
**PAGE #** 5



**Patron**

**Name:** Israel Davila-Rogue

**Alias:**

**Gender:** Male

**Eye color:** Black

**Hair color:** Black

**Height:** 5'10" Inches

**DOB:** [REDACTED]

**Street Address:** 2913 S. Semoran BLVD. Apt# 214 Orlando, FL. 32822

**Players Club #:** 464566



**Smith, William**

---

**From:** Tammy McArthur <tammym@thebigeasycasino.com>  
**Sent:** Wednesday, February 1, 2023 9:48 AM  
**To:** Smith, William; Vila, Lisa; Jones, Bradford  
**Subject:** Ban  
**Attachments:** Security Report -0028- For Zammar and Davila.pdf; Patron\_464566.bmp; Patron\_466691.bmp

[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.

Good morning,

As per your request. An email advising Lifetime Ban was/ has been issued to:

- 1) Nagib Sleiman Zammar - Cardozo--- [REDACTED]
- 2) Israel Davila Roque - [REDACTED]

The above-named persons have been officially excluded from The Big Easy Casino for a period of Lifetime. The Exclusion was executed on January 14, 2023. The pair were caught cheating in the poker room by passing cards to each other while facing bet.

Any violation of this ban will result in the notification of the Hallandale Beach Police Department and may possibly lead to an arrest of the above named persons for trespassing.

Also, I have included another copy of the Security report that was previously given to you, just in case needed for your records again. In the report, it too states that the male parties were advised and issued the ejection. In addition, their names were placed on the Security Exclusion List that was emailed to you earlier. The names, as I said will appear at the very end of the list which is just a formality to indicate the ejection is recent for that particular month.

Hope this is hopefully. Feel free to contact me should you need anything further.

Kindest regards,



**Tammy McArthur – Security Director**  
831 North Federal Highway, Hallandale Beach, FL. 33009  
[REDACTED] 954-924-3200 Ext: [REDACTED]  
www.thebigeasycasino.com

**EXHIBIT # 2**  
**PAGE # 1**



State of Florida  
 Department of Business and Professional Regulation  
 Division of Pari-Mutuel Wagering  
 Investigations Section

**PROPERTY RECEIPT**


Complaint # 2023005131 2023005136 Date 02/01/23 Lab # \_\_\_\_\_

Item No.	Quantity	Description
1	1	Thumb Drive
		Two Cases / Cheat Team
		① Cardozo 2023005131
		② Davila Rogue 2023005136

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

Signature \_\_\_\_\_

  
 Signature - Impounding Investigator

**RETURNED PROPERTY RECEIPT**

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Received by: \_\_\_\_\_  
 Received by: \_\_\_\_\_  
 Received by: \_\_\_\_\_

Date: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Date: \_\_\_\_\_

Copies for: File, Transmittal, Laboratory, Property Receipt



## Surveillance Department Property/Chain of Custody Receipt

Incident Report # (if applicable) <b>SUR-23-0075</b>	Date/Time of occurrence <b>01.14.2023 @ 1602HRS</b>	Type of Incident <b>Cheating</b>
Surveillance Supervisor Name That Was on Duty: <b>David Ramirez</b>		
<b>Item #</b>	<b>Quantity</b>	<b>Description</b>
<b>N/A</b>	<b>1</b>	<b>USB Drive with Video Coverage of Cheating at Table #22</b>
<b>N/A</b>	<b>1</b>	<b>Printed Surveillance/Security Report</b>
I hereby acknowledge that the above list represents all property taken from my possession.	I hereby acknowledge that the above list represents all property received by me into the surveillance department.	
Supervisor Name <u>David Ramirez</u>	Supervisor Name _____	
Supervisor Signature	Supervisor Signature _____	

Received by: 	Reason: <u>Investigation</u>	Date/Time Received: <u>1/26/23 10:45am</u>
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**EXHIBIT # 3**  
**PAGE # 2**

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **Imuniz**

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Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>20 Under Investigation</b>	Status Date	<b>01/27/2023</b>
Complaint #	<b>2023005131</b>	Case Type	<b>CMP Complaint</b>	Disposition	
Docket#		Respondent	<b>CARDOZO, ZAMAR</b>	Responsible	<b>wsmith - SMITH, WILLIAM</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>	<input type="checkbox"/>	Parties	<input checked="" type="checkbox"/>	Activities
Form	<b>INTR - Internal</b>	Priority		<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Classification	<b>V-C - Cardroom Violations</b>	Complexity	<b>R Regular</b>	<input type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Security	<b>STND - Standard</b>	Incident	<b>01/14/2023</b>	<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Region	<b>SR - Southern Region</b>	Received	<b>01/27/2023</b>	<input type="checkbox"/>	Inspection		
Reference	<b>61D-11.005(4)(a-c) &amp; 550.0251</b>			<input type="checkbox"/>	Costs		
Entered	<b>01/27/2023</b>	Entered By	<b>Imuniz</b>	<input type="checkbox"/>	Time Tracking		Auto Assign
Summary	<b>144-831 Federal Highway Acquisition, LLC ----- / ----- . Prohibitions / Powers and duties of the Florida Gaming Control Commission: On January 14, 2023 CARDOZO engaged in cheating at Poker with accomplice, Israel Davila-Rogue. The duo mucked and passed cards between each other to form winning hands and as a result, defrauding other Players. The pair have been lifetime excluded from the Big Easy Casino.</b>			<input type="checkbox"/>	Attachments		History
Updated	<b>01/27/2023 14:26:23</b>	By	<b>Imuniz</b>	<input type="checkbox"/>	Work Notes		Print Report

<a href="#">Change</a>	<a href="#">Save</a>	<a href="#">OK</a>	<a href="#">Cancel</a>	<a href="#">Back</a>
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STATE OF FLORIDA  
 FLORIDA GAMING CONTROL COMMISSION  
 DIVISION OF PARI-MUTUEL WAGERING

**OPEN CASE REQUEST**

(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

INCIDENT DATE: 01-14-23

PMW     Cardroom     Slot

Violation     Incident     Complaint

FACILITY NAME: 831 FEDERAL HIGHWAY ACQUISITION, LLC    LIC #: 144

**RESPONDENT**

NAME: CARDOZO, ZAMAR		
Address: 4155 West Twain Avenue, Apt #166, Las Vegas, NV 89103		Tel: Unknown
LIC #: N/A	LIC TYPE: 1098	OCCUPATION: Unknown

**COMPLAINANT**

NAME:		Tel #:
Address:		
LIC #:	LIC TYPE:	OCCUPATION:

**VIOLATION(S) / TITLE(S): 61D-11.005(4) Prohibitions**

No person shall, either directly or indirectly:

- (a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.
- (b) Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator.
- (c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.

**F.S.S. 550.0251 (6) Powers and duties of the Florida Gaming Control Commission.**


In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

**DESCRIPTION:** On January 14, 2023 **CORDOZO** engaged in cheating at Poker with accomplice, Israel Davila-Rogue. The duo mucked and passed cards between each other to form winning hands and as a result, defrauding other Players. The pair have been lifetime excluded from the Big Easy Casino.

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other:

William J. Smith  
 (Print Name)

  
 (Signature)

01-26-23  
 (Date)



## Muniz, Luz

---

**From:** Jones, Bradford  
**Sent:** Friday, January 27, 2023 12:21 PM  
**To:** Muniz, Luz  
**Cc:** Smith, William; Kogan, Steven  
**Subject:** OPEN CASE REQUESTS  
**Attachments:** FGCC OPEN CASE REQUEST CARDOZO BIG EASY -EXCLUDED CARD CHEAT.DOCX;  
FGCC OPEN CASE REQUEST DAVILA-ROGUE BIG EASY -EXCLUDED CARD CHEAT.DOCX

Hello Luz,

These are approved. Please open cases for each and assign both to Bill Smith.

Thank you.



**Bradford D. Jones**

Investigations Supervisor  
Division of Pari-Mutual Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Phone: 954.202.3900 • Fax: 954.202.3930

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$
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**Nagib Zammar Cardozo**  
4155 West Twain Avenue, Apt. #16c  
Las Vegas, Nevada 89103  
AC - 2023005131 - PMW

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Nagib Zammar Cardozo**  
4155 West Twain Avenue, Apt. #160  
Las Vegas, Nevada 89103  
AC - 2023005131 - PMW



9590 9402 7793 2152 3499 83

2. Article Number (Transfer from service label)

7020 2450 0000 5093 2892

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X** *Zammar Nagib*  Agent  
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

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CONTROL COMMISSION

3. Service Type

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- Adult Signature Restricted Delivery
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- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

USPS TRACKING#



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First Class Mail  
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FLORIDA GAMING CONTROL COMMISSION

United States  
Postal Service

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Florida Gaming Control Commission  
Office of the General Counsel  
2601 Blair Stone Road  
Tallahassee, FL 32399

Attention: Ebonie Lanier, FGCC/PMW



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Yoan Perez Jimenez Case No. 2023-005439, Default Final Order  
Date: April 24, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Yoan Perez Jimenez (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the properly served administrative complaint seeking to exclude him, Respondent waived his right to request a hearing contesting the Division’s decision. Therefore, the Florida Gaming Control Commission should enter a final order excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

### *Background*

On January 15, 2023, Respondent was a designated player at The Casino at Dania Beach.<sup>1</sup> Respondent was seen engaged in theft with a patron while working as a designated player. Respondent was permanently excluded from The Casino at Dania Beach<sup>2</sup>, on January 19, 2023.

Based on his exclusion from The Casino at Dania Beach, the Division filed an administrative complaint against Respondent seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. The election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days<sup>3</sup> to file a written response to the administrative complaint. The Respondent was served on March 16, 2023 which means the Respondent had until April 6, 2023 to respond. He has never responded.

---

<sup>1</sup> The Casino at Dania Beach is operated by a pari-mutuel wagering permitholder that also possesses a slot machine and cardroom license.

<sup>2</sup> Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

<sup>3</sup> See Fla. Admin. Code R. 28-106.111(4) (“Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days waives the right to request a hearing on such matters.”)

*Analysis*

Respondent can be excluded from all pari-mutuel and slot machine facilities in this state. Section 550.0251(6), Florida Statutes, provides, in relevant part, that “[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state.” Likewise, section 551.112, Florida Statutes, provides, in relevant part “[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state.” The Casino at Dania Beach is both a pari-mutuel facility and slot machine licensee in this state. And Respondent was ejected from it. Accordingly, Respondent can be excluded from all pari-mutuel and slot machine facilities in this state.

Because Respondent failed to timely respond to the Administrative Complaint, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order excluding Respondent from all pari-mutuel and slot machine facilities in this state.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order permanently excluding Yoan Perez Jimenez from all pari-mutuel and slot machine facilities in this state.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-005439

YOAN PEREZ JIMENEZ,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Yoan Perez Jimenez (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent’s address was reported as 228 West 15th Street Hialeah, Florida 33010.
3. At all times material hereto, the Casino at Dania Beach was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the state of Florida.
4. On or about January 15, 2023, Respondent was working as a designated player at the Casino at Dania Beach.
5. On or about January 19, 2023, Respondent was permanently excluded from the Casino at Dania Beach.

6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.
7. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the state of Florida under sections 550.0251(6) and 551.112, Florida Statutes based on his permanent exclusion from the Casino at Dania Beach on or about January 19, 2023.



WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the state of Florida, along with any other remedy provided by chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-005439 is signed this 8th day of March 2023.

*/s/Emily A. Alvarado*

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

## NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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[Mass Status Update](#) | [Public Case Info](#)

Domain **10 - Division of Pari-Mutuel Wagering**

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Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>90 Closed</b>	Status Date	<b>02/24/2023</b>
Complaint #	<b>2023005439</b>	Case Type	<b>CMP - Complaint</b>	Disposition	
Docket#		Respondent	<b>PEREZ JIMENEZ, YOAN</b>	Responsible	<b>elanier - LANIER, EBONIE</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>	<input type="checkbox"/>	Parties	<input checked="" type="checkbox"/>	Activities
Form	<b>INET - Internet</b>	Priority		<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Classification	<b>V-C - Cardroom Violations</b>	Complexity	<b>R Regular</b>	<input type="checkbox"/>	Violation	<input type="checkbox"/>	Compliance
Security	<b>STND - Standard</b>	Incident	<b>01/15/2023</b>	<input checked="" type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Region	<b>SR - Southern Region</b>	Received	<b>01/30/2023</b>	<input type="checkbox"/>	Inspection		
Reference	<b>61D-11.005(4)(a-c) &amp; 550.0251</b>			<input type="checkbox"/>	Cost		
Entered	<b>01/30/2023</b>	Entered By	<b>Imuniz</b>	<input type="checkbox"/>	Time Tracking		Auto Assign
Summary	<p><b>274-Dania Entertainment Center, LLC ----- / ----- . Prohibitions / Powers and duties of the Florida Gaming Control Commission: On January 15, 2023 JIMENEZ while working as a Card Tech Designated Player the Casino@Dania Beach (CDB), engaged in a theft partnership with Patron/Player Hung Pham who was seated next to him. During gameplay JIMENEZ simply handed off chips to Pham which had an estimated value of approximately \$1,250.00. The partnership theft has resulted in both Pham and JIMENEZ being Lifetime Excluded from CDB.</b></p>			<input type="checkbox"/>	Attachment		History
Updated	<b>02/28/2023 12:15:19</b>	By	<b>Imuniz</b>	<input type="checkbox"/>	Work Note		Print Report

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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- [Delete Complaint](#)
- [Mass Activity Update](#)
- [Mass Discipline Update](#)

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **Imuniz**

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Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>90 Closed</b>	Status Date	<b>02/24/2023</b>
Complaint #	<b>2023005439</b>	Case Type	<b>CMP - Complaint</b>	Disposition	
Docket#		Respondent	<b>PEREZ JIMENEZ, YOAN</b>	Responsible	<b>elanier - LANIER, EBONIE</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>	<input type="checkbox"/>	Parties	<input checked="" type="checkbox"/>	Activities
Form	<b>INET - Internet</b>	Priority		<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
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Reference	<b>61D-11.005(4)(a-c) &amp; 550.0251</b>			<input type="checkbox"/>	Cost		
Entered	<b>01/30/2023</b>	Entered By	<b>Imuniz</b>	<input type="checkbox"/>	Time Tracking		Auto Assign
Summary	<p><b>274-Dania Entertainment Center, LLC ----- / ----- . Prohibitions / Powers and duties of the Florida Gaming Control Commission: On January 15, 2023 JIMENEZ while working as a Card Tech Designated Player the Casino@Dania Beach (CDB), engaged in a theft partnership with Patron/Player Hung Pham who was seated next to him. During gameplay JIMENEZ simply handed off chips to Pham which had an estimated value of approximately \$1,250.00. The partnership theft has resulted in both Pham and JIMENEZ being Lifetime Excluded from CDB.</b></p>			<input type="checkbox"/>	Attachment		History
Updated	<b>02/28/2023 12:15:19</b>	By	<b>Imuniz</b>	<input type="checkbox"/>	Work Note		Print Report

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: JANUARY 30, 2023	Case Number: 2023 00 5439
Respondent: <b>PEREZ JIMENEZ, YOAN</b> 288 WEST 15 <sup>TH</sup> STREET HIALEAH, FLORIDA 33010		Complainant: <b>DIVISION OF PARI-MUTUEL WAGERING</b> <b>OFFICE OF INVESTIGATIONS</b> 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309 TEL. - 954-202-3900	
License # and Type: N/A	Profession: DESIGNATED PLAYER	Report Date: JANUARY 30, 2023	
Period of Investigation: JANUARY 20, 2023 TO JANUARY 30, 2023		Type of Report: <b>FINAL</b>	
<p><b>VIOLATION(S) / TITLE(S): 61D-11.005(4)</b> No person shall, either directly or indirectly:</p> <p>(a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.</p> <p>(b) Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator.</p> <p>(c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.</p> <p><b>F.S.S. 550.0251 (6) Powers and duties of the Florida Gaming Control Commission.</b></p> <p>In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.</p>			
<p><b>Synopsis:</b> YOAN <b>PEREZ JIMENEZ</b> as a Designated Player for Card Tech engaged in a theft partnership with Hung Pham. <b>PHAM</b> positioned himself next to <b>PEREZ JIMENEZ</b> while Pompano Park 02-17-23 was acting as a DP at Casino Dania Beach. During card games, <b>PEREZ JIMENEZ</b> simply handed off chips to Pham totaling approximately \$1250 in value. This partnership theft has resulted in both Pham and <b>PEREZ JIMENEZ</b> being Lifetime Excluded from the facility.</p>			
<p><b>Related Case(s):</b> PHAM 2023 00 4357</p>			
Investigator / Date		Investigator Supervisor / Date	
 William Smith / January 30, 2023		 Bradford D. Jones / February 24, 2023	
Chief of Investigations / Date			
 Bradford D. Jones for Steven E. Kogan / February 24, 2023			



## CONTINUATION

Hung Pham engaged in a theft partnership with Card Tech Designated Player (DP) Yoan **PEREZ JIMENEZ**. On multiple occasions during January 15, 2023, Pham positioned himself next to **PEREZ JIMENEZ** while **PEREZ JIMENEZ** was acting as a DP at Casino Dania Beach. During card games, **PEREZ JIMENEZ** simply handed off chips to Pham totaling approximately \$1250 in value. The chips passed off to Pham were capital provided to **PEREZ JIMENEZ** from his employer, Card Tech. Video surveillance recordings confirmed the theft(s). This partnership theft has resulted in both Pham and **PEREZ JIMENEZ** being Lifetime Excluded from the facility (**EXHIBITS #1 & #2**).

Yoan **PEREZ JIMENEZ** was a "Designated Player" for Card Tech (CT) which is one of several organizations which finances players to operate on the organization's behalf. Designated Players are agents of the company they work for. This is a common relationship / activity in the state of Florida due to the prohibition of house (facility) backed table games. While acting as a Designated Player, **PEREZ JIMENEZ** would receive losing wagers and pay winning wagers on behalf of Card Tech using funds provided by Card Tech.

The facility Surveillance Report details the multiple theft events which occurred at four (4) different tables over the course of approximately six hours and thirty minutes. For simplicity of explanation, **PEREZ JIMENEZ'S** primary technique of transfer was to shuffle and play with chips in his right hand. Pham was positioned next to him. **PEREZ JIMENEZ** would periodically let go of the chips and Pham would take possession of them from his left. This Investigator reviewed the surveillance recordings (**EXHIBIT #3**) and confirmed the theft activity.

**Conclusion:** As a result of their actions both Pham and **PEREZ JIMENEZ** have been issued lifetime exclusions from the Casino@Dania Beach and are subject to exclusion from all pari-mutuel facilities in the state of Florida.

**Status:** Closed by Investigations and forwarded to Legal for review.

**CONTINUATION**

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**SIN-000021607 - Employee - Theft - Reported 01/18/2023 14:28**

**Author:** Travis Schneier

**Report Number:** SIN-000021607

**Start Time:** 01/18/2023 14:28

**End Time:** 01/19/2023 12:20

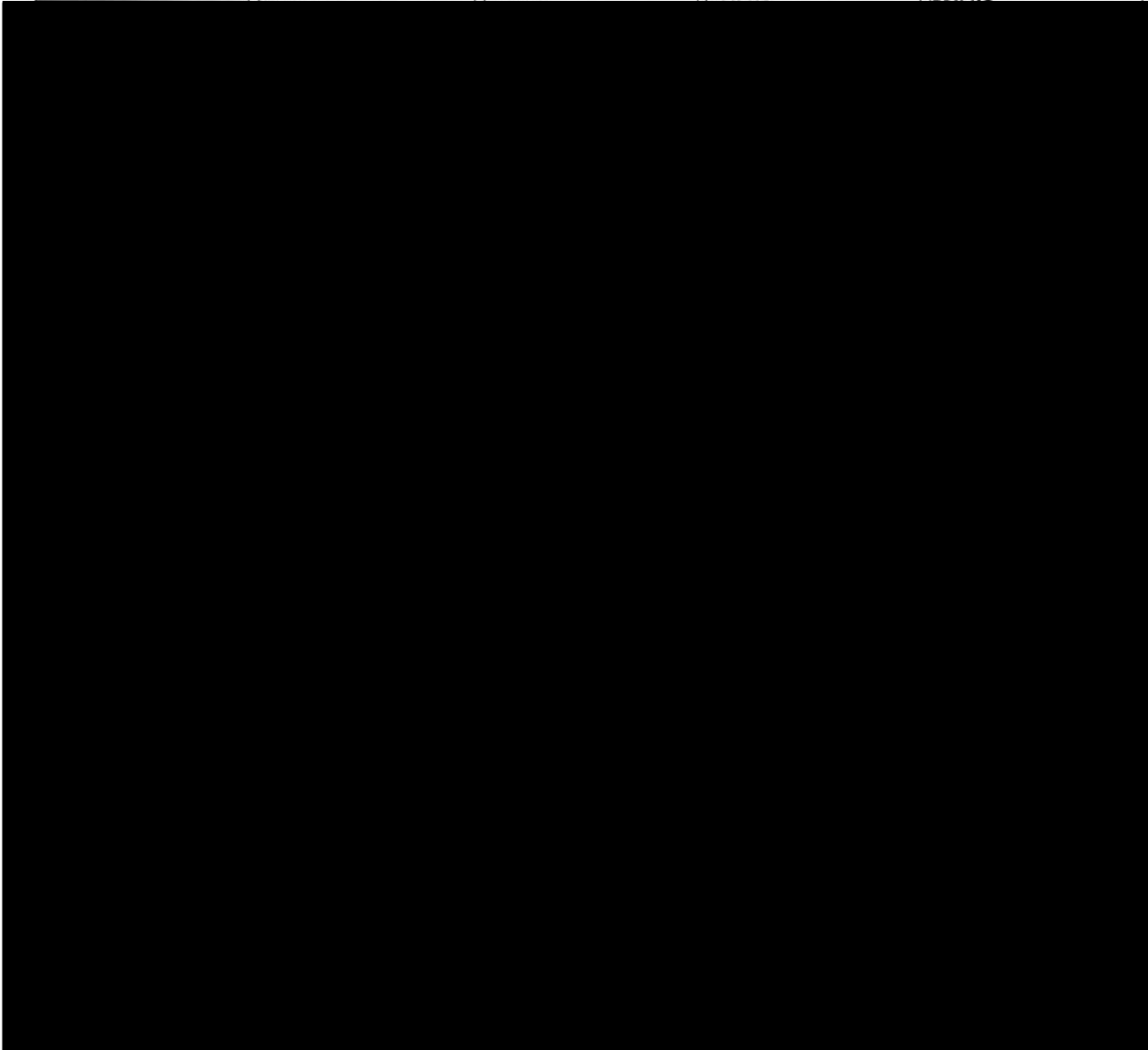
**Report Group:** Surveillance Reports

**Report Type:** Employee - Theft

**Note:** Designated Player Poker Games on January 15th, 2023

**Location / Origin:** Poker Room

21607.PNG	22.PNG	21.PNG	20.PNG	19.PNG
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3.PNG	2.PNG	1.PNG	thumbnail_Hung Q.	thumbnail_Hung Q.
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**EXHIBIT #**  
**PAGE #**



## Narrative

Author: Travis Schneier

Created: 01/18/2023 14:28

On January 18th, 2023, at 13:44 hrs, Surveillance was notified of an incident at Poker Table #19 on gaming day, January 15th, of an unknown A/M, later identified as Hung Q Pham at seat # 5 and was given cheques from Designated Player( Yoan Perez Jimenez) at seat # 6.

### Summary:

Yoan Perez Jimenez, throughout the time at each table, constantly played with the cheques in his hand after he would place the cheques between himself and Hung Q Pham. Pham had bought in at the Poker Cage for \$200 in cash for cheques. Pham left table # 17 \$1,200 to table #19, where Pham left with \$1,605 in cheques. Pham bought in for \$100 at Poker Cage before heading to The Grill dining area to eat. After Pham ate at The Grill, he arrived at the Poker Room, began wagering at table # 22, and left Poker Table # 22 with \$1,250. Jimenez and Pham conducted the same scam throughout the night until Pham left at 23:00.

The video revealed the following:

- At 11:49:04 hrs, Hung Q Pham entered the Fronton Entrance.
- At 11:59:36 hrs, Pham bought in at the Poker Cage for \$200 cash for cheques.
- At 11:59:56 hrs, Pham was observed leaving Poker Cage and entering the Poker room.
- At 12:00:12 hrs, Pham was observed approaching and speaking to the Designated Player (Yoan Perez Jimenez) at Poker Table # 17 in seat # 6.

### Table 17

- At 12:01:50 hrs, Poker Dealer Felix Alberto De Jesus was observed arriving at Deal at Poker Table # 17.
- At 12:01:55 hrs, Pham at Poker Table # 17, seat 6, was observed continually speaking to the Designated Player( Yoan Perez Jimenez) while seated at the table.
- At 12:03:03 hrs, the Designated Player was observed motioning with his right hand for Pham to place his wagering bets and where to place them.
- At 12:03:10 hrs, Pham was observed placing bets on Poker Table # 17, seat 6.
- At 12:03:19 hrs, Poker hands begin.

Note: the Designated Player( Yoan Perez Jimenez) was observed trying to slide over an undisclosed amount of green cheques to Hung Q Pham at Poker Table # 17, seat 6.

- At 12:11:38 hrs, the Designated Player was observed tossing 4 green cheque totaling \$100.00 to Pham after the poker hand was completed.
- At 12:13:31 hrs, Pham, on Poker Table # 17, seat 6, was observed handing the Designated Player 20 red cheques totaling \$100.00.
- At 12:13:45 hrs, the Designated Player was observed handing Pham an undisclosed amount of green cheques on Poker Table # 17, seat 6.
  - undisclosed amount appears clearly over \$100.00 in green cheques.
- At 12:18:47 hrs, Pham was observed handing the Designated Player 3 green cheques totaling \$75.00 at Poker Table # 17 seat 6.
- At 12:19:03 hrs, Designated Player was observed handing Pham 20 red cheques totaling \$100.00 and 2 green cheques totaling \$50.00 for a combined total of \$150.00 on Poker Table # 17, seat 6.
  - the Designated played gave Pham an extra \$75.00 in cheques.
- At 12:29:44 hrs, Poker Dealer Ricardo Hernandez was observed arriving at Deal at Poker Table # 17.
- At 12:30:04 hrs, Pham was observed handing the Designated Player 16 red cheques totaling \$80.00 at Poker Table # 17 seat 6.
- At 12:30:28 hrs, Designated Player was observed handing Pham 6 green cheques totaling \$150.00 on Poker Table

EXHIBIT #  
PAGE #

# 17, seat 6.

- the Designated Player gave Pham an extra \$ 70.00 in cheques.
- At 12:35:59 hrs, Pham was observed handing the Designated Player 4 green cheques totaling \$100.00 at Poker Table \$ 17 seat 6.
- At 12:36:26 hrs, Designated Player was observed handing Pham 15 red cheques totaling \$75.00 and 3 green cheques totaling \$75.00 for a combined total of \$150.00 on Poker Table # 17, seat 6.
  - the Designated Player gave Pham an extra \$50.00 in cheques.
- At 12:50:17 hrs, Pham was observed handing the Designated Player 4 green cheques totaling \$100.00 at Poker Table \$ 17 seat 6.
- At 12:50:32 hrs, Designated Player was observed handing Pham 20 red cheques totaling \$100.00 and 4 green cheques totaling \$100.00 for a combined total of \$200.00 on Poker Table # 17, seat 6.
  - the Designated Player gave Pham an extra \$100.00 in cheques.
- At 12:54:07 hrs, Pham was observed handing the Designated Player 3 green cheques totaling \$75.00 at Poker Table \$ 17 seat 6.
- At 12:54:20 hrs, Designated Player was observed handing Pham 15 red cheques totaling \$75.00 and 4 green cheques totaling \$100.00 for a combined total of \$175.00 on Poker Table # 17, seat 6.
  - the Designated Player gave Pham an extra \$100.00.
- At 13:00:00 hrs, Poker Dealer Barbara Hausman was observed arriving at Deal at Poker Table # 17.
- At 13:05:50 hrs, Designated Player was observed purposely spilling a complete stack of greens (20 green cheques totaling \$500.00) and pushing an undisclosed amount to Pham on Poker Table # 17, seat 6.
- At 13:05:56 hrs, Pham was observed retrieving an undisclosed amount of green cheques from Designated Player on Poker Table # 17, seat 6. The cheques were passed between the designated player and Pham.

Note: the undisclosed amount of cheques appear to be between \$200.00 to \$300.00. Between

- At 13:16:20 hrs, Designated Player was observed counting Pham green cheques on Poker Table # 17, seat 6, for \$550.00.
- At 13:30:29 hrs, Poker Dealer Anthony Larocca was observed arriving at Deal at Poker Table # 17.
- At 13:34:14 hrs, Anthony Larocca was observed tossing three red cheques totaling \$15.00 to the Designated player on Poker Table # 17.
- At 13:34:15, Pham was observed sliding the 3 red cheques over to the Designated player on Poker Table # 17, seat 6.
- At 13:34:20 hrs, Designated Player was observed retrieving the 3 red cheques and then placing them on top of Pham bet on Poker Table # 17, seat 6.
- At 13:34:23 hrs, Pham was observed retrieving the 3 red cheques from the top of the bet and combining them with his cheques on Poker Table # 17, seat 6.
- At 13:37:17 hrs, Designated Player was observed placing 3 green cheques totaling \$75.00 directly in front of Pham on Poker Table # 17, seat 6.
- At 13:37:30 hrs, Pham was observed retrieving the 3 green cheques and combining them with his cheques at Poker Table # 17, seat 6.
- At 13:40:03 hrs, Designated Player was observed taking Pair Plus and Tripp's bets off-hand and tossing the 2 red cheques toward Pham on Poker Table # 17, seat 6.
- At 13:46:46 hrs, Pham was observed leaving Poker Table # 17, seat 6 Simulcast, outside the balcony.
- At 13:47:52 hrs, Pham was observed on Simulcast outside the balcony.
- At 13:48:35 hrs, Designated Player was observed adding an undisclosed amount of green cheques to Pham cheques while the patron was away at Poker Table # 17, seat 6.
- At 13:49:31 hrs, Pham was observed leaving Simulcast outside balcony and walking towards Poker room Poker Table # 17.
- At 13:50:41 hrs, Pham was observed on Poker Table # 17, seat 6.
- At 13:58:56 hrs, Pham was observed handing the Designated Player 4 green cheques totaling \$100.00 at Poker Table \$ 17, seat 6.
- At 13:59:25 hrs, Designated Player was observed handing Pham 20 red cheques totaling \$100.00 and 4 green cheques totaling \$100.00 for a combined total of \$200.00 on Poker Table # 17, seat 6.
  - the Designated Player gave Pham an extra \$100.00.
- At 13:59:46 hrs, Poker Dealer Nathan Mann was observed arriving at Deal at Poker Table # 17.
- At 14:04:38 hrs, Designated Player was observed purposely spilling a stack of greens and pushing an undisclosed amount to Pham on Poker Table # 17, seat 6.
- At 14:04:46 hrs, Pham was observed retrieving an undisclosed amount of green cheques from Designated Player on Poker Table # 17, seat 6.
- At 14:09:34 hrs, Pham was observed handing the Designated Player 4 green cheques totaling \$100.00 at Poker Table \$ 17 seat 6.
- At 14:09:42 hrs, Designated Player was observed handing Pham 20 red cheques totaling \$100.00 and 4 green cheques totaling \$100.00 for a combined total of \$200.00 on Poker Table # 17, seat 6.

EXHIBIT # 1

PAGE #

3

- At 14:15:30 hrs, Pham on Poker Table # 17, seat 6 was observed handing the Designated Player 20 red cheques totaling \$100.00.
- At 14:15:45 hrs, Designated Player was observed handing Pham 8 green cheques totaling \$200.00 on Poker Table # 17, seat 6.
- At 14:17:32 hrs, Designated Player was observed leaving Poker Table # 17 to Poker Table # 19.
- At 14:24:07 hrs, Pham was observed leaving Poker Table # 17, seat 6, with \$1,200.00 in cheques and walking towards Poker Table # 19.

**Table 19**

- At 14:17:57 hrs, the Designated player was observed sitting at Poker Table # 19, seat # 7.
- At 14:24:20 hrs, Pham was observed placing bets on Poker Table # 19, seat 6, with \$1,200 in cheques.
- At 14:30:07 hrs, Poker Dealer Barbara Hausman was observed arriving at Deal at Poker Table # 19.
- At 14:40:56 hrs, Designated Player was observed handing Pham 4 green cheques totaling \$100.00 on Poker Table # 19, seat 6.
- At 14:40:58 hrs, Pham was observed retrieving 4 green cheques from Designated Player on Poker Table # 19, seat 6.
- At 14:40:58 hrs, Pham takes the cheques the designated player placed next to him.
- At 14:46:08 hrs, Designated Player was observed handing Pham 8 green cheques totaling \$200.00 on Poker Table # 19, seat 6, between him and Pham.
- At 14:46:10 hrs, Pham was observed retrieving 8 green cheques from Designated Player on Poker Table # 19, seat 6, that the designated player placed next to him.
- At 14:59:17 hrs, Designated Player set approximately \$150 in green cheques between him and Pham.
- At 14:59:26 hrs, Pham takes the cheques the designated player placed next to him.
- At 15:30:00 hrs, the Designated Player set an undisclosed amount of green cheques between him and Pham.
- At 15:30:26 hrs, the Designated Player slightly pushes the greens cheques toward Pham.
- At 15:30:47 hrs, the Designated Player takes back the undisclosed cheques.
- At 15:31:42 hrs, the Designated Player set approximately \$250 in green cheques between him and Pham.
- At 15:32:05 hrs, Pham takes the cheques the designated player placed next to him.
- At 15:33:34 hrs, Pham was observed handing the Designated Player 4 green cheques totaling \$100.00 at Poker Table # 19 seat 6.
- At 15:33:46 hrs, Designated Player was observed handing Pham 20 red cheques totaling \$100.00 and 2 green cheques totaling \$50.00 for a combined total of \$150.00 on Poker Table # 19, seat 6.
- At 15:38:48 hrs, the Designated Player set approximately \$300 in green cheques between him and Pham.
- At 15:39:30 hrs, the Designated Player knocked over the green cheques toward Pham.
- At 15:39:32 hrs, Pham takes an undisclosed amount of cheques the designated player knocked over.
- At 15:42:26 hrs, the Designated Player set approximately \$200 green cheques between him and Pham.
- At 15:42:36 hrs, Pham takes the cheques placed by the Designated Player.
- At 15:49:23 hrs, the Designated Player set approximately \$200 in green cheques between him and Pham.
- At 15:50:10 hrs, Pham takes the cheques placed by the Designated Player.
- At 15:55:12 hrs, the Designated Player set approximately \$400 in green cheques between him and Pham.
- At 15:55:17 hrs, Pham takes the cheques placed by the Designated Player.
- At 16:06:10 hrs, the Designated Player left Poker Table # 19.
- At 16:12:08 hrs, Pham Poker Table # 19 with \$1,605 in cheques.
- At 16:12:57 hrs, Pham redeemed \$1,605 cheques for cash from Cashier Jaseminse Myles at the Poker Cage.
- At 16:23:01 hrs, Pham buys \$200 in red cheques at the Poker Cage at walks to the Poker Floor.
  - Pham speaks with Jimenez while working as the Designated Player at Table #17 (the seat next to Jimenez is occupied). The A/M exits the Poker Room with his cheques.
- At 16:30:57 hrs, Pham begins play at Table #19.
- At 16:51:26 hrs, Pham buys \$100 in red cheques at the Poker Cage.
- At 16:55:40 hrs, the Designated Player was observed sitting in the Grill dining area.
- At 16:56:01 hrs, Pham was observed walking past the Grill to the Fronton restroom.
- At 16:56:09 hrs, Pham was observed entering the Fronton restroom.
- At 16:56:28 hrs, the Designated Player was observed entering the Fronton restroom.
- At 16:57:33 hrs, the Designated Player was observed exiting Fronton restroom.
- At 16:58:19 hrs, Pham was observed exiting the Fronton restroom.

**Table 22 / Table 4**

- At 17:03:52 hrs, Pham sits at Seat 5 at Table #22 and begins play.
- At 17:07:31 hrs, Pham ends play at Table #22 and walk to Table #4 and begins play.
- At 17:50:53 hrs, Pham gets up from Table #4

**Table 17**

- At 17:52:40 hrs, Pham sits at Seat 5 at Table #17.
- At 17:53:19 hrs, Pham sits at Seat 6.

**Table 22**

- At 18:00:00 hrs, the Designated Player was observed at Poker Table # 22.
- At 18:14:13 hrs, Pham was observed at Poker Table # 22, seat 6.
- At 18:16:30 hrs, Pham observed a buy-in for \$200.00 at Poker Table # 22.
- At 18:17:04 hrs, the Designated Player set approximately \$400 in green cheques between him and Pham.
- At 18:17:06 hrs, Pham takes the cheques placed by the Designated Player at Poker Table # 22, seat 6.
- At 18:17:59 hrs, Pham placed the \$400 in cheques inside his pocket.
- At 18:24:57 hrs, the Designated Player set approximately \$400 in green cheques between seats # 5 and # 6.
- At 18:25:05 hrs, Pham takes the cheques placed by the Designated Player.
- At 18:30:53 hrs, Designated Players left Poker Table # 22.

At 18:47:29 hrs, Designated Player left Poker Table # 22 with approximately \$1,250.

**Person**

**Name:** Hung Q Pham

**Alias:**

**Race:** Asian

**Gender:** Male

**Eye color:** Brown

**Hair color:** Black

**Height:** 5'02" Inches

**Weight:** 165 Pounds

**DOB:** [REDACTED]

**Keywords:** Ejection, Permanent

**Comments:** Hung Q Pham was permanently excluded from The Casino @ Dania beach per Upper Management.



Signature A

Date

Signature B

Date

**EXHIBIT # 1**  
**PAGE # 5**

**EXC-000001142 - Patron - Permanent Security Exclusion - Reported 01/20/2023 22:25**

Author: Ivan Carrero

Report Number: EXC-000001142

Start Time: 01/20/2023 22:25

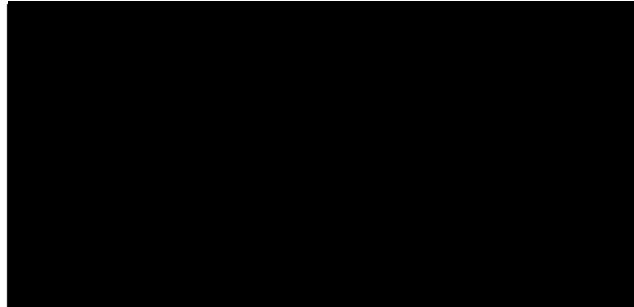
End Time: 01/21/2023 00:48

Report Group: Exclusion Reports

Report Type: Patron - Permanent Security Exclusion

Note: Hung Q Pham was permanently excluded from The Casino @ Dania beach per Upper Management.

Location / Origin: Poker Room



**Narrative**

Author: Ivan Carrero

Created: 01/21/2023 00:08

On Friday January at approximately 8:20pm Poker Supervisor Christopher Spencer advised Security Supervisor Ivan Carrero that the male patron now identified as Hung Q Pham that upper management wants permanently excluded was in the poker room. S/S Carrero advised Surveillance that I will be approaching Mr. Pham so that they can have visual. S/S Carrero advised Mr. Pham that he was being permanently excluded per upper management, and escorted him to the security office. S/S Carrero requested BSO to meet us at the security office. Mr. Pham was advised not to return to the property and a picture of his ID was taken. S/S Carrero escorted Mr. Pham to his car the he proceeded to leave the property. Nothing further to report at this time.

**Person**

Name: Hung Q Pham

Alias:

Race: Asian

Gender: Male

Eye color: Brown

Hair color: Black

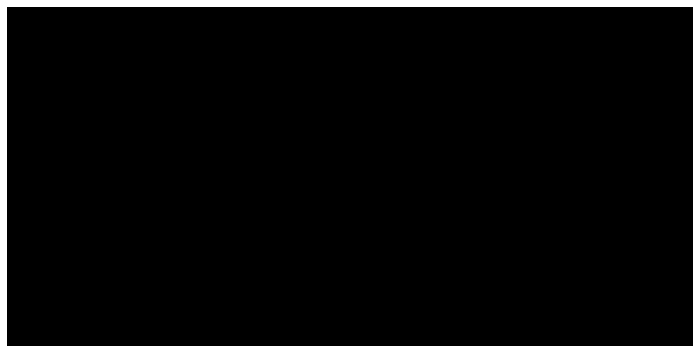
Height: 5'02" Inches

Weight: 165 Pounds

DOB: 

Keywords: Ejection, Permanent

Comments: Hung Q Pham was permanently excluded from The Casino @ Dania beach per Upper Management.





**EXC-000001144 - Patron - Permanent Security Exclusion - Reported 01/23/2023 11:10**

Author: Jean Maxineau

Report Number: EXC-000001144

Start Time: 01/23/2023 11:10

End Time: 01/23/2023 11:13

Report Group: Exclusion Reports

Report Type: Patron - Permanent Security Exclusion

Note: Yoan Perez Jimenez was caught cheating and passing chips to his accomplice Hung Q Pham

Location / Origin: Poker Room



**Narrative**

Author: Jean Maxineau

Created: 01/23/2023 11:10

On Thursday, January 19, 2023 at approximately 12:59 pm, a permanent banned was issued against former poker room banker Yoan Perez Jimenez as per upper management decision . Mr. Perez engaged in several poker chip theft while working for card tech company with an accomplice identified as Hung Q Pham. Mr. Perez was observed on multiple occasions, exchanging and passing poker chips to Mr. Pham using different techniques. Mr. Pham would immediately concealed and placed those given chips in his pockets. As a result of the investigation, Yoan Perez Jimenez, along with his accomplice Hung Q Pham, is permanently banned from the casino at Dania Beach. All the relevant document are attached to this report. Nothing further to report at this moment.

Mr. Yoan Perez Jimenez physical address is listed as followed:  
228 W 15th Street  
Hialeah, FL 33010

**Person**

Name: Yoan Perez

Alias:

Gender: Male

DOB: [REDACTED]

Keywords: Ejection, Patron, Theft

Yoan Perez Jimen...

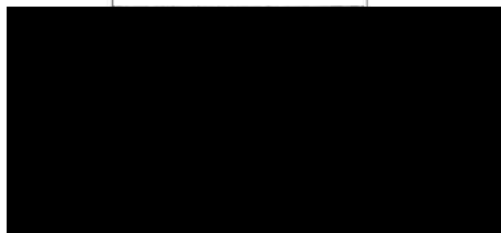


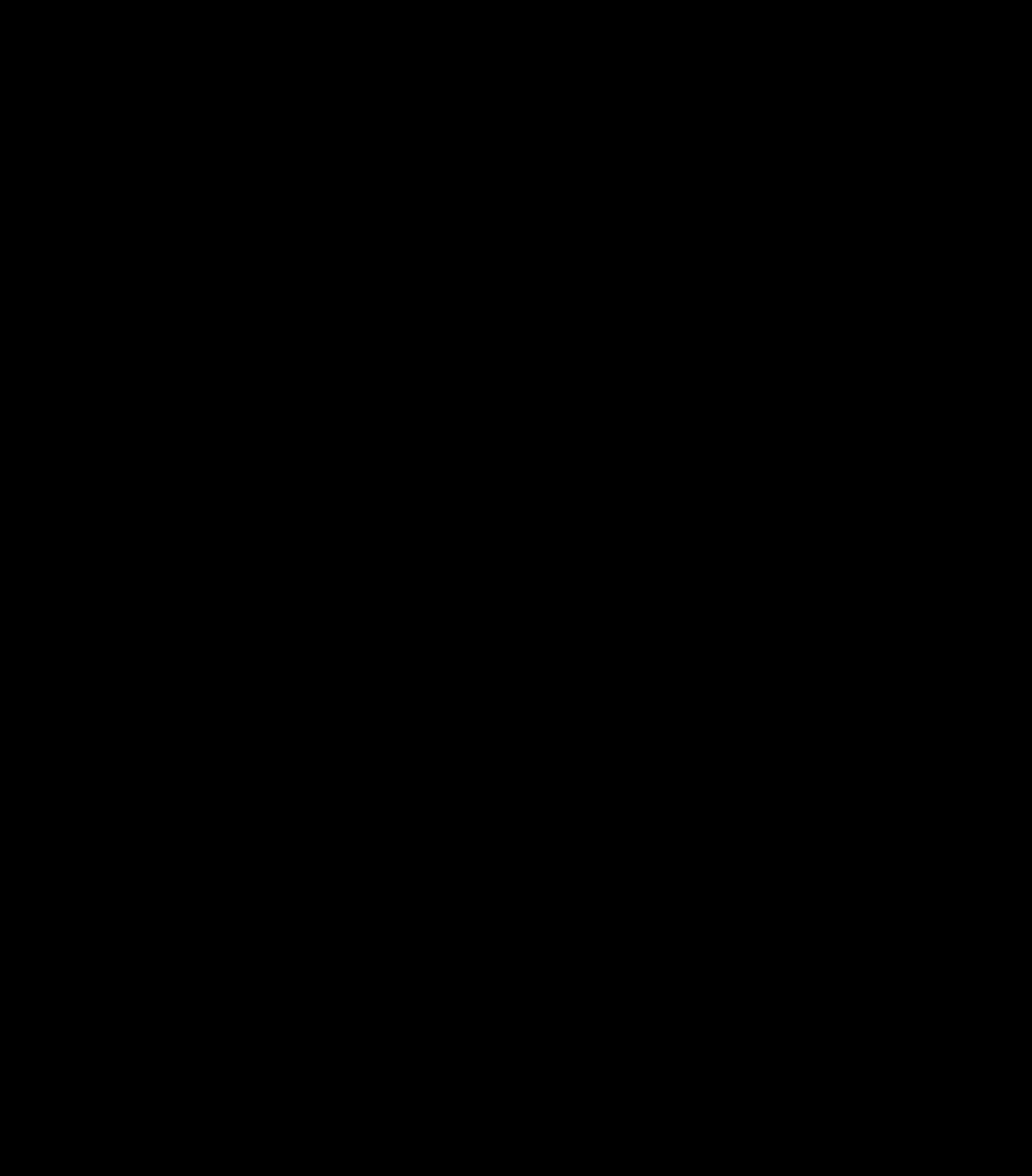
EXHIBIT # 1  
PAGE # 7

Signature A

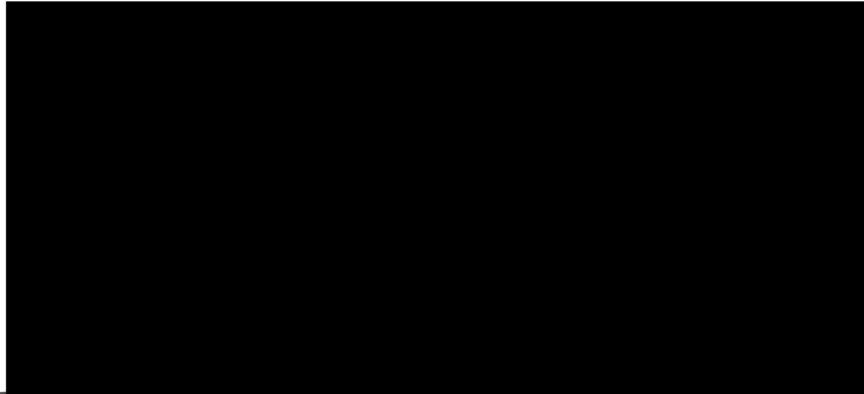
Date

Signature B

Date



## Cardroom Tech Employee



<b>Name:</b>	Perez, Yoan
<b>Hire Date:</b>	8/17/22
<b>Position:</b>	Dp
<b>Box Access:</b>	No



THE CASINO @  
DANIA BEACH

Exclusion

NAME / LAST NAME: Hung Pham

D.O.B. [REDACTED] PLAYER'S CLUB NUMBER N/A

PHONE NUMBER [REDACTED]

ADDRESS: 3160 SW 17th ST CITY: Fort Lauderdale ST: FL ZIP: 33312

RACE: Asian SEX: M HEIGHT: 5'2 WEIGHT: 165 HAIR: Black EYES: Brown

REASON FOR EXCLUSION: per Upper Management

The above-named person was advised to stay off THE CASINO @ DANIA BEACH property for a period of:

24 Hrs    3 Days    7 Days    30 Days    3 Months    6 Months    1 Year    2 Year    Permanent

Notification was given on Friday January 20, 2023 at 9:00pm hours.

If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes.

SUBJECT'S SIGNATURE: [Signature]

ARRESTED: YES  NO

SECURITY AGENT: [Signature] DATE: 1/20/23

EXHIBIT # 2  
PAGE # 1

THE CASINO @  
DANIA BEACH

Exclusion

NAME / LAST NAME: YOAN PEREZ JIMENE

D.O.B. [REDACTED] PLAYER'S CLUB NUMBER \_\_\_\_\_

PHONE NUMBER \_\_\_\_\_

ADDRESS: 228 W 15<sup>th</sup> Street CITY: Hialeah ST: FL ZIP: 33010

RACE: HISPANIC SEX: M HEIGHT: N/A WEIGHT: N/A HAIR: BLACK EYES: BRO

REASON FOR EXCLUSION: Cheating / Theft (Fired by Card Tech)

The above-named person was advised to stay off THE CASINO @ DANIA BEACH property for a period of:

24 Hrs    3 Days    7 Days    30 Days    3 Months    6 Months    1 Year    2 Year    Permanent

Notification was given on 01/19/2023 at 12:59 hours.

If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes.

SUBJECT'S SIGNATURE: X did not sign

ARRESTED:      YES      (NO)

SECURITY AGENT: Jean Maxineau      DATE: 01-19-2023

EXHIBIT # 2  
PAGE # 2



State of Florida  
 Department of Business and Professional Regulation  
 Division of Pari-Mutuel Wagering  
 Investigations Section

**PROPERTY RECEIPT**

Complaint # 2023 004357 2023005439 Date 1/30/23 Lab # \_\_\_\_\_

Item No.	Quantity	Description
1	1	Thumb Drive - A theft team
		consisting of
		Youn Perez Jimenez and
		Hung Pham
		2 cases
		Hung Pham 2023004357
		Perez Jimenez

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

\_\_\_\_\_  
 Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

*[Signature]*  
 \_\_\_\_\_  
 Signature - Impounding Investigator

**RETURNED PROPERTY RECEIPT**

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Copies for: File, Transmittal, Laboratory, Property Receipt

EXHIBIT # 3  
 PAGE # 1

Evidence Receipt

Date: 01/25/2023 M J  
Time: 12:14

Received By: William Smith Title: Investigator FGCC

Signature: [Handwritten Signature]

Description: USB & Paperwork

Supervisor: [Handwritten Signature] Employee #: 2121

EXHIBIT #  
PAGE #

Evidence Receipt

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

Received By: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Description: \_\_\_\_\_

Supervisor: \_\_\_\_\_ Employee #: \_\_\_\_\_

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
---------	-------	--------	-------------	---------	------	------	------------	-------------	--------

- [Complaint Search](#)
- [Mass Status Update](#)
- [Change Recording License Type](#)
- [Public Case Info](#)
- [Delete Complaint](#)
- [Mass Activity Update](#)
- [Mass Discipline Update](#)

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Immuniz

[VR Home](#) [Complaint Search](#) [Maintain Complaint](#)

Lic Type	1098 - Unlicensed Complaints		Status	20 Under Investigation		Status Date	01/30/2023	
Complaint #	2023005439		Case Type	CMP Complaint		Disposition	Disposition Date	
Docket#	Re pondent	PEREZ JIMENEZ, YOAN		Re pon ible	wsmith - SMITH, WILLIAM		Private Ca e	

Complaint	Re pondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	INTN - Internal	Security Level	1	<input type="checkbox"/>	Partie	<input checked="" type="checkbox"/>	Activite
Form	INET - Internet	Priority		<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Class'n	V-C - Cardroom Violations	Complexity	R - Regular	<input type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Security	STND - Standard	Incident	01/15/2023	<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Region	SR - Southern Region	Received	01/30/2023	<input type="checkbox"/>	Inspection		
Reference	61D-11.005(4)(a-c) & 550.0251			<input type="checkbox"/>	Costs		
Entered	01/30/2023	Entered By	Imuniz	<input type="checkbox"/>	Time Tracking		Auto Assign
Summary	<p>274-Dania Entertainment Center, LLC ----- / ----- . Prohibitions / Powers and duties of the Florida Gaming Control Commission: On January 15, 2023 JIMENEZ while working as a Card Tech Designated Player the Casino@Dania Beach (CDB), engaged in a theft partnership with Patron/Player Hung Pham who was seated next to him. During gameplay JIMENEZ simply handed off chips to Pham which had an estimated value of approximately \$1,250.00. The partnership theft has resulted in both Pham and JIMENEZ being Lifetime Excluded from CDB.</p>			<input type="checkbox"/>	Attachments		History
Updated	01/30/2023 14:28:11	By	Imuniz	<input type="checkbox"/>	Work Notes		Print Report

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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 [Get Adobe Reader.](#)





**STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING**

**OPEN CASE REQUEST**

(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

**INCIDENT DATE:** JANUARY 15, 2023

<input type="checkbox"/> PMW	<input checked="" type="checkbox"/> Cardroom	<input type="checkbox"/> Slot
------------------------------	--	-------------------------------

<input checked="" type="checkbox"/> Violation	<input checked="" type="checkbox"/> Incident	<input checked="" type="checkbox"/> Complaint
---	--	---

**FACILITY NAME:** DANIA ENTERTAINMENT CENTER, LLC **LIC #:** 274

**RESPONDENT**

<b>NAME:</b> Perez Jimenez, Yoan		
<b>Address:</b> 228 West 15 <sup>th</sup> Street, Hialeah, FL 33010		<b>Tel:</b>
<b>LIC #:</b> N/A	<b>LIC TYPE:</b> 1098	<b>OCCUPATION:</b> Designated Player

**COMPLAINANT**

<b>NAME:</b>		<b>Tel #:</b>
<b>Address:</b>		
<b>LIC #:</b>	<b>LIC TYPE:</b>	<b>OCCUPATION:</b>

**VIOLATION(S) / TITLE(S): 61D-11.005(4) Prohibitions**

No person shall, either directly or indirectly:

- (a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.
- (b) Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator.
- (c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.

**F.S.S. 550.0251 (6) Powers and duties of the Florida Gaming Control Commission.**

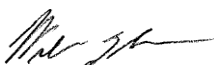
In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

**DESCRIPTION:** On January 15, 2023 **PEREZ JIMENEZ** while working as a Card Tech Designated Player the Casino@Dania Beach (CDB), engaged in a theft partnership with Patron/Player Hung Pham who was seated next to him. During gameplay **PEREZ JIMENEZ** simply handed off chips to Pham which had an estimated value of approximately \$1,250.00. The partnership theft has resulted in both Pham and **PEREZ JIMENEZ** being Lifetime Excluded from CDB.

**CASE DETAILS FILED BY:**

Chief Inspector    Judge/Steward    Investigator    Other:

William J. Smith  
(Print Name)

  
(Signature)

01-25-23  
(Date)

## Muniz, Luz

---

**From:** Jones, Bradford  
**Sent:** Friday, January 27, 2023 12:41 PM  
**To:** Muniz, Luz  
**Cc:** Kogan, Steven; Smith, William  
**Subject:** OPEN CASE REQUEST  
**Attachments:** FGCC OPEN CASE REQUEST JIMENEZ-DANIA EXCLUDED CARD CHEAT.docx

Hello Again Luz,

This is approved please open a case and assign it to Bill Smith.

Thank you.



**Bradford D. Jones**

Investigations Supervisor  
Division of Pari-Mutual Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Phone: 954.202.3900 • Fax: 954.202.3930

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## Muniz, Luz

---

**From:** Jones, Bradford  
**Sent:** Friday, February 24, 2023 1:35 PM  
**To:** Muniz, Luz  
**Cc:** Kogan, Steven; Smith, William; Futrell, Michelle  
**Subject:** RE: 2023 00 5439 - Perez Jimenez, Yoan - CARD  
**Attachments:** 2023 00 5439 - Perez Jimenez, Yoan - CARD - FINAL ROI.DOC

Hi Luz,

This report has been re-approved. Copies are in the usual places.



**Bradford D. Jones**  
Investigations Supervisor  
Division of Pari-Mutual Wagering

---

**From:** Muniz, Luz  
**Sent:** Thursday, February 23, 2023 2:48 PM  
**To:** Jones, Bradford  
**Cc:** Kogan, Steven; Smith, William; Futrell, Michelle  
**Subject:** RE: 2023 00 5439 - Perez Jimenez, Yoan - CARD

Hi Brad,

A Review was done on this Report of Investigation after was signed by you due to an error on the Respondents name. Inv. William Smith made some changes.

Please review the ROI once again, review the name changes and re-send this new ROI as a confirmation of your approval.

Thank you so much!!!

**Respectfully,**



**Luz E. Muniz**

**OPERATIONS ANALYST II** - Phone: (954) 202-6773  
Florida Gaming Control Commission



---

**From:** Jones, Bradford  
**Sent:** Wednesday, February 22, 2023 12:20 PM  
**To:** Muniz, Luz <Luz.Muniz@fgcc.fl.gov>  
**Cc:** Kogan, Steven <Steven.Kogan@fgcc.fl.gov>; Smith, William <William.Smith@fgcc.fl.gov>  
**Subject:** 2023 00 5439 - Perez Jimenez, Yoan - CARD

Completed.

PDF versions of the Investigative Report and all exhibits are in the investigative folder.

Theft By Patron – Forward to Legal



**Bradford D. Jones**  
Investigations Supervisor  
Division of Pari-Mutual Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Phone: 954.202.3900 • Fax: 954.202.3930

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The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. LARGER VIEW<<http://www.myfloridalicense.com/dbpr/pmw/documents/LinkDocuments/Confidential-PR-Statement.htm>>

7020 2450 0000 5096 4886

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

3/9/23  
Postmark  
Here

**Yoan Perez Jimenez**  
228 West 15<sup>th</sup> Street  
Hialeah, FL 33010  
AC – 2023005439 - PMW


Tracking Number:

Remove X

## 70202450000050964886

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Your item was delivered to an individual at the address at 10:42 am on March 16, 2023 in HIALEAH, FL 33010.

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#### Delivered

**Delivered, Left with Individual**

HIALEAH, FL 33010

March 16, 2023, 10:42 am

#### Departed USPS Regional Facility

OPA LOCKA FL DISTRIBUTION CENTER

March 15, 2023, 4:51 pm

#### Arrived at USPS Regional Facility

OPA LOCKA FL DISTRIBUTION CENTER

March 15, 2023, 5:41 am

#### In Transit to Next Facility

March 14, 2023

#### Arrived at USPS Regional Facility

TALLAHASSEE FL DISTRIBUTION CENTER

March 13, 2023, 10:54 pm

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**FAQs**



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. David Majella Fisher, Case Number 2023-007020; Default  
Final Order  
Date: April 24, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel seeks the issuance of a written warning to David Majella Fisher (“Respondent”) violation of section 550.2415(1)(a), Florida Statutes, and rule 75-6.008(2)(s), Florida Administrative Code. Section 550.2451(7)(c), Florida Statutes, requires the Commission to incorporate the classification system for drugs and substances and the corresponding penalty schedule from the Uniform Classification Guidelines for Foreign Substances, Version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. (“Guidelines”). The penalty for this violation is a written warning under the Guidelines. Therefore, the Florida Gaming Control Commission should enter a final order issuing a written warning to Respondent.

### *Background*

Respondent was the trainer of record for the racing horse Flag Woman, which was owned by Carole A. Rio. On January 4, 2023, Flag Woman finished 2nd place in the 2nd race of the performances held by Tampa Bay Downs A blood sample was taken from Flag Woman to test for any prohibited substances. The sample was sent to the University of Florida Lab (“UF Lab”) and subsequently tested. The UF Lab detected omeprazole sulfide<sup>1</sup> in the urine. Omeprazole sulfide was detected at a urinary concentration of 1.22 +/- 0.09 ng/mL.

The Division filed an administrative complaint alleging a violation of section 550.2415(1)(a), Florida Statutes, which makes it a violation of Florida law to race an animal that has been determined to have a prohibited substance present in its system. This is Respondent’s first violation of section 550.2415(1)(a), Florida Statutes in the last 365 days.

---

<sup>1</sup> Omeprazole sulfide is a gastric acid secretory depressant and Class 5 drug. See Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. Omeprazole sulfide is used to treat certain stomach and esophagus problems.

Rule 75-6.008(2)(s), Florida Administrative Code, provides that it is a violation if omeprazole sulfide exists at a urinary concentration greater than 1 ng/mL.

The penalty for this violation is a Class D penalty under the Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. (“Guidelines”).

The Division served Respondent with an administrative complaint, settlement agreement, and election of rights form. The election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days<sup>2</sup> to file a written response to the administrative complaint. The Respondent was served on March 20, 2022, which means the Respondent had until April 10, 2022 to respond. He has never responded.

### *Analysis*

The Commission is required to incorporate the classification system for drugs and substances and the corresponding penalty schedule from the Guidelines.<sup>3</sup> Because Respondent has no prior discipline in the last 365 days and Flag Woman’s urine sample from September 17, 2022 contained omeprazole sulfide over the urine concentration established in rule 75-6.008(2)(s), Florida Administrative Code, he is subject to issuance of a written warning.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order issuing a written warning.

---

<sup>2</sup> See Fla. Admin. Code R. 28-106.111(4) (“Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days waives the right to request a hearing on such matters.”)

<sup>3</sup> See Section 550.2451(7)(c), Fla. Stat.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-007020

DAVID MAJELLA FISHER,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against David Majella Fisher (“Respondent”), and alleges as follows:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.
2. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, 11261215-1021, issued by Petitioner.
3. At all times material hereto, Respondent was the trainer of record for the racing horse “Flag Woman,” with microchip number 981020033752735.
4. At all times material hereto, “Flag Woman” was owned by Carole A. Rio, who holds a Pari-Mutuel Wagering Professional Individual Occupational License, 9918070-1021, issued by Petitioner.
5. On January 4, 2023, “Flag Woman” participated in the 2nd race of the performances held by Tampa Bay Downs, Inc. (“TBD”).



6. On January 4, 2023, “Flag Woman” finished in 2nd place in the 2nd race of the performances held by TBD.

7. TBD is a facility operated by a permitholder authorized to conduct pari-mutuel wagering in this state under chapter 550, Florida Statutes.

8. On January 4, 2023, urine sample number 314027 was collected from “Flag Woman.”

9. Urine sample number 314027 was processed and forwarded to the University of Florida Racing Laboratory (“UF Lab”), for analysis.

10. The UF Lab tested urine sample number 314027 and found that it contained **omeprazole sulfide (a metabolite of omeprazole)**.

11. In urine sample number 314027, **omeprazole sulfide** was detected at a urinary concentration of 1.22 +/- 0.09 ng/mL.

12. Pursuant to section 550.2415(1)(a), Florida Statutes:

The racing of an animal that has been impermissibly medicated or determined to have a prohibited substance present is prohibited. It is a violation of this section for a person to impermissibly medicate an animal or for an animal to have a prohibited substance present resulting in a positive test for such medications or substances based on samples taken from the animal before or immediately after the racing of that animal.

13. According to rule 61D-6.008(2)(s), Florida Administrative Code, it is a violation of section 550.2415, Florida Statutes, if **omeprazole sulfide** exists at a urinary concentration greater than 1 ng/mL.

14. Section 550.2415(1)(c), Florida Statutes, states, “[t]he finding of a prohibited substance in a race-day specimen constitutes prima facie evidence that the substance was administered and was carried in the body of the animal while participating in the race.”

15. Rule 61D-6.002(1), Florida Administrative Code, provides that, "[t]he trainer of record shall be responsible for and be the absolute insurer of the condition of the horses...he/she enters to race."

16. Based on the foregoing, Respondent violated Section 550.2415(1)(a), Florida Statutes, and rule 61D-6.008(2)(s), Florida Administrative Code, by racing "Flag Woman" with an impermissible concentration of a permitted substance in its body on January 4, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in rule 61D-6.011, Florida Administrative Code, section 550.2415(3)(a), Florida Statutes, and/or any other relief that the Commission is authorized to impose pursuant to chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-007020 is signed this 13th day of February, 2023.

*/s/Emily A. Alvarado*

---

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

### NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

### NOTICE OF RIGHT TO REQUEST A SPLIT SAMPLE

Pursuant to rule 61D-6.006, Florida Administrative Code, you have the right to request a split sample with respect to each "Report of Positive Result" from the UF Lab. (Copy attached as Exhibit A). To request a split sample, use Form DBPR PMW-3290, Notification to Stewards/Judge of Split Sample Request (Form 3290).

You can obtain Form 3290, as well as a list of approved split samples laboratories, at the State Office located in any Florida pari-mutuel facility, or on the Division's website: <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/forms-and-publications/>. You must submit Form 3290 to the state steward, Division hearing officer, or office of the General Counsel, within 10 days from receipt of this Notice, or you will waive your right to request a split sample.

# EXHIBIT A

02-03-23;03:17PM;University of Florida

;352

# 3/ 4



College of Medicine  
Department of Pathology, Immunology and Laboratory Medicine  
Racing Laboratory

PO Box 100275  
Gainesville, FL 32610-0275  
352-392-2238  
352-846-1052 Fax

February 03, 2023

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL  
32399-1037

RE: Report of Positive Result


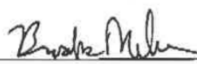
Sample 314027 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

**Omeprazole sulfide found in urine**

Omeprazole sulfide is a metabolite of Omeprazole (a gastric acid secretory depressant and Class 5 drug) - the concentration of Omeprazole sulfide is 1.22 +/- 0.09 ng/mL.

<u>E005264-FHU</u>	<u>Horse Urine</u>	<u>37.9 g</u>	<u>INTACT</u>
Laboratory Number	Specimen	Final Weight	Seal
<u>Tampa Bay Downs</u>		<u>01/04/2023</u>	<u>01/10/2023</u>
Collected From		Date Collected	Date Received

Pursuant to Chapter 550.2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 02/12/2023, or upon commencement of administrative action, whichever occurs first.

	
Dirk A Hunt	Brooks Nelson
Associate Director	Chemist III

RL 115

Page 1 of 1

23-40

University of Florida Racing Lab  
ISO/IEC 17025-2017  
Certificate # AT-1642



The Foundation for The Gator Nation  
An Equal Opportunity Institution



DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

314027 DATE 1.4.2023

TRACK 320

RACE 2 FINISH 2nd

NAME OF ANIMAL FLAG Woman  
NOMBRE DEL ANIMAL

COLOR B SEX F AGE 3

ID NUMBER 981020033752735

MICROCHIP  TATTOO  FREEZE-BRAND

BLOOD Richard Rock DVM  
SAMPLED BY

URINE Sandra Price  
SAMPLED BY

TRAINER David Fisher  
ENTRENADOR / ENTRENADORA

WITNESS SIGNATURE [Signature]  
FIRMA DE TESTIGO  
ESTUARDO MARTINEZ

WITNESS LICENSE # 10324181  
NÚMERO DE LICENCIA

RL-252-02





DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

314027 DATE 1.4.2023

TRACK 320

RACE 2 FINISH 2nd

NAME OF ANIMAL FLAG Woman  
NOMBRE DEL ANIMAL

COLOR B SEX F AGE 3

ID NUMBER 981020033752735

MICROCHIP  TATTOO  FREEZE-BRAND

BLOOD Richard Rock DVM  
SAMPLED BY

URINE Sandra Peices  
SAMPLED BY

TRAINER David Fisher  
ENTRENADOR / ENTRENADORA

WITNESS SIGNATURE [Signature]  
FIRMA DE TESTIGO  
ESTUARDO MARTINEZ

WITNESS LICENSE # 10326181  
NÚMERO DE LICENCIA

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VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Complaint Search Update	Change Recording License Type Public Case Info	Delete Complaint	Mass Activity Update	Mass Discipline
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Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: gricks

VR Home > Complaint Search > Maintain Complaint

Lic Type	1021 - Pari-Mutuel Wagering Individual Occupational	Status	10 Initial Review	Status Date	02/07/2023
Complaint #	2023007020	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	FISHER, DAVID MAJELLA	Responsible	elanier - LANIER, EBONIE	Private Case

Complaint	Respondent	Complainant	Add'l Info
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Source	LAB - UF Laboratory	Security Level	1	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Activities
Form	FAX - Fax	Priority	1	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n	V-X - Class V Drug Positive	Complexity	R - Regular	<input checked="" type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security	STND - Standard	Incident	01/04/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	CR - Central Region	Received	02/03/2023	<input type="checkbox"/> Inspection	
Reference	314027			<input type="checkbox"/> Costs	
Entered	02/07/2023	Entered By	gricks	<input type="checkbox"/> Time Tracking	Auto Assign
Summary	320 - Tampa Bay Downs, Horse FLAG WOMAN, Drug Omprazole sulfide (5), Sample # 314027, Lab #E005264-FHU			<input type="checkbox"/> Attachments	History
Updated	02/07/2023 15:44:49	By	gricks	<input type="checkbox"/> Work Notes	Print Report

Change	Save	OK	Cancel	Back
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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: gricks

VR Home > License Search > License Home

<b>License</b> Fed Tax # [REDACTED] Lic Type <b>1021 - PMW Professional Individual Occupational</b> Expires On <b>06/30/2025</b> File # <b>65064</b> Name <b>FISHER, DAVID MAJELLA</b> Extended To License # <b>11261215</b> Rank <b>PIND - Professional Individual Occupational</b> Renewed On Entity # <b>11261215</b> Lic Status <b>Current</b>		<input type="checkbox"/> Licensee <input type="checkbox"/> History <input checked="" type="checkbox"/> Notes <input type="checkbox"/> Notes History <input type="checkbox"/> Back																				
<b>Address</b> Street # Street <b>P.O. BOX 772181</b> Line 2 Line 3 City <b>OCALA</b> State <b>FL</b> Zip <b>34477</b> Routing																						
<b>Other</b> 1st License Date <b>07/22/2022</b> Rank Date <b>07/22/2022</b> Certificate # Method <b>I-S-1024</b> Status Date <b>07/22/2022</b> Certificate Date Fee Exempt <b>No</b> Birth Date [REDACTED] Renewal Sent																						
<b>Select</b> Action <input type="text"/>  																						
<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>C</td> <td>TRNR - Trainer</td> <td>12/03/2016</td> <td></td> </tr> <tr> <td>I</td> <td>TBRD - Thoroughbred</td> <td>12/03/2016</td> <td></td> </tr> <tr> <td>L</td> <td>321 - Gulfstream Park</td> <td>07/17/2022</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>12/03/2016</td> <td></td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	C	TRNR - Trainer	12/03/2016		I	TBRD - Thoroughbred	12/03/2016		L	321 - Gulfstream Park	07/17/2022		Y	3YR - 3 Year License	12/03/2016	
Type	Modifier	Effective Date	Additional Info																			
C	TRNR - Trainer	12/03/2016																				
I	TBRD - Thoroughbred	12/03/2016																				
L	321 - Gulfstream Park	07/17/2022																				
Y	3YR - 3 Year License	12/03/2016																				
<b>Alt Keys</b> BEST LIC NBR <b>11261215</b>																						

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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: gricks

VR Home > License Search > License Home

**License**

Fed Tax # [REDACTED] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2024**

File # **57826** Name **RIO, CAROLE A** Extended To

License # **9918070** Rank **PIND - Professional Individual Occupational** Renewed On **07/20/2021**

Entity # **9918070** Lic Status **Current**

- Licensee
- History
- Notes
- Notes History
- Back

**Address**

Street # **9526** Street **SW 71ST LOOP**

Line 2

Line 3

City **OCALA** State **FL** Zip **34481**

Routing



**Other**

1st License Date **07/19/2018** Rank Date **07/20/2021** Certificate #

Method **I-S-1024** Status Date **07/20/2021** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**


Action   

**Modifiers**

Type	Modifier	Effective Date	Additional Info
C	IOWN - Individual Animal Owner	05/25/2012	
I	TBRD - Thoroughbred	05/25/2012	
L	910 - TLH Licensing	07/19/2018	
Y	3YR - 3 Year License	05/25/2012	

**Alt Keys**

BEST LIC NBR **9918070**

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COMPARATIVE RANKINGS

Table with 8 columns: Wins At Distance, Last 3 Finishes, Lifetime Wins, In The Money, J/T Meet Wins, Class Rating, Avg Last 3 Speed, Best Overall. Rows include Astonishing Anabel, Glass Star, Flag Woman, Girl Afraid, and Elsa's Rocket.

Daily Double / Exacta / Trifecta (\$5.00 minimum) / Superfecta (\$10 minimum) / Pick 3 (\$5.00 minimum) (Races 2-3-4) / Pick 4 (\$5.00 minimum) (Races 2-3-4-5)

2 Tampa Bay Downs

3yo STARTER OPTIONAL CLAIMING 25,000

Purse \$23,500. (Includes \$1,500 from FOA) For Fillies Three Years Old Which Have Started For A Claiming Price Of \$25,000 Or Less or Optional Claiming Price Of \$25,000. Weight, 122 Lbs Non-winners Of A Race Since November 4 Allowed 2 Lbs. Since October 4 Allowed 4 Lbs. Claiming Price \$25,000 (Races Where Entered For \$16,000 Or Less Not Considered In Allowances). SEVEN FURLONGS



Track Record: Win Win Win(3), 120 lbs; 1:20.89 (1-19-19)

Table for horse 1 Binoche. Includes pedigree (Dk B/ Br f 3), owner (Strike Stable), and race history (80 Dec 22 Tam 4 ft 6x46, 25 Nov 22 Tam 2 ft 6f46, 02 Sep 22 GP 4 ft 5f105).

Table for horse 2 Astonishing Anabel. Includes pedigree (B f 3), owner (Lea Farms, LLC), and race history (17 Dec 22 Tam 3 ft 6f46, 03 Dec 22 Tam 4 ft 6f46, 16 Oct 22 GP 3 ft 5x30).

Table for horse 3 Girl Afraid. Includes pedigree (Dk B/ Br f 3), owner (Brian Kahn), and race history (17 Dec 22 Tam 5 ft 6f48, 19 Nov 22 CD 4 ft 6f200, 02 Nov 22 CD 10 ft 6x45).

Table for horse 4 Flag Woman. Includes pedigree (B f 3), owner (Carole A. Rio), and race history (17 Dec 22 Tam 3 ft 6f46, 25 Nov 22 Tam 2 ft 6f46, 24 Jun 22 GP 3 ft 5f25).

Handwritten number 3.4.2



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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Bradley Taylor Hooper Case No. 2023-009468, Default  
Final Order  
Date: April 24, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Bradley Taylor Hooper (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the properly served administrative complaint seeking to exclude him, Respondent waived his right to request a hearing contesting the Division’s decision. Therefore, the Florida Gaming Control Commission should enter a final order excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

### *Background*

On February 13, 2023, Respondent was a patron at The Casino at Dania Beach.<sup>1</sup> Respondent was seen violating an automated customer service kiosk.<sup>2</sup> Respondent was permanently excluded from The Casino at Dania Beach<sup>3</sup>, on February 13, 2023.

Based on his exclusion from The Casino at Dania Beach, the Division filed an administrative complaint against Respondent seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. The election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days<sup>4</sup> to file a written response to the administrative complaint. The Respondent was served on March 9, 2023 which means the Respondent had until March 30, 2023 to respond. He has never responded.

### *Analysis*

---

<sup>1</sup> The Casino at Dania Beach is operated by a pari-mutuel wagering permit holder that also possesses a slot machine and cardroom license.

<sup>2</sup> Respondent was seen inserting numerous items into the machine in order to open the kiosk including a “barbecue grill igniter.” Respondent’s actions caused significant damage to the machine.

<sup>3</sup> Pari-mutuel permit holders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

<sup>4</sup> See Fla. Admin. Code R. 28-106.111(4) (“Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days waives the right to request a hearing on such matters.”)

Respondent can be excluded from all pari-mutuel and slot machine facilities in this state. Section 550.0251(6), Florida Statutes, provides, in relevant part, that “[t]he Commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state.” Likewise, section 551.112, Florida Statutes, provides, in relevant part “[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state.” The Casino at Dania Beach is both a pari-mutuel facility and slot machine licensee in this state. And Respondent was ejected from it. Accordingly, Respondent can be excluded from all pari-mutuel and slot machine facilities in this state.

Because Respondent failed to file a timely response to the publication notice, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order excluding Respondent from all pari-mutuel and slot machine facilities in this state.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order permanently excluding Bradley Taylor Hooper from all pari-mutuel and slot machine facilities in this state.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-009468

BRADLEY TAYLOR HOOPER,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Bradley Taylor Hooper (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent’s address was reported as 805 Southwest 8th Avenue Dania, Florida 33004.
3. At all times material hereto, the Casino at Dania Beach was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the state of Florida.
4. On or about February 13, 2023, Respondent was a patron of the Casino at Dania Beach.
5. On or about February 13, 2023, Respondent was ejected and permanently excluded from the Casino at Dania Beach.

6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.
7. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the state of Florida under sections 550.0251(6) and 551.112, Florida Statutes based on his ejection from the Casino at Dania Beach on or about February 13, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the state of Florida, along with any other remedy provided by chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-009468 is signed this 8th day of March 2023.

*/s/Emily A. Alvarado*

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

## NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Comolaint 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

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VR Home | Complaint Search | Maintain Complaint

Lic Type	1098 - Unlicensed Complaints	Status	90 Closed	Status Date	02/23/2023
Complaint #	2023009468	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	HOOPER, BRADLEY TAYLOR	Responsible	bjones - JONES, BRADFORD	Private Case

Complaint | Respondent | Complainant | Add'l Info

Source	INTN - Internal	Security Level	1	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities	
Form	INET - Internet	Priority		<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline	
Class'n	V-C - Cardroom Violations	Complexity	R Regular	<input type="checkbox"/> Violation	<input type="checkbox"/> Compliance	
Security	STND - Standard	Incident	02/13/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition	
Region	SR - Southern Region	Received	02/17/2023	<input type="checkbox"/> Inspection		
Reference	550.0251(6)	Entered	02/20/2023	<input type="checkbox"/> Co t		
Entered	02/20/2023	Entered By	Imuniz	<input type="checkbox"/> Time Tracking	Auto A ign	
Summary	274-Dania Entertainment Center, LLC ----- / ----- . Powers and duties of the Florida Gaming Control Commission: On February 13, 2023 HOOPER was observed by Casino Dania Beach Surveillance/Security staff overtly vandalizing an automated customer service Kiosk on the casino floor. When confronted, HOOPER became confrontational, loud and disorderly. As a result, HOOPER was Lifetime Excluded from Casino Dania Beach, and placed under arrest by the Broward County Sheriff's Office. The approximate loss to the facility is \$1,000.00.				<input type="checkbox"/> Attachment	Hi tory
Updated	02/28/2023 11:31:55	By	Imuniz	<input type="checkbox"/> Work Note	Print Report	

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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: Imuniz

VR Home | Complaint Search | **Maintain Complaint**

Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>90 Closed</b>	Status Date	<b>02/23/2023</b>
Complaint #	<b>2023009468</b>	Case Type	<b>CMP - Complaint</b>	Disposition	
Docket#		Respondent	<b>HOOPER, BRADLEY TAYLOR</b>	Responsible	<b>bjones - JONES, BRADFORD</b>
					<b>Private Case</b>

Complaint | Respondent | Complainant | Add'l Info

Source	<b>INTN - Internal</b>	Security Level	<b>1</b>	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form	<b>INET - Internet</b>	Priority		<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Classification	<b>V-C - Cardroom Violations</b>	Complexity	<b>R Regular</b>	<input type="checkbox"/> Violation	<input type="checkbox"/> Compliance
Security	<b>STND - Standard</b>	Incident	<b>02/13/2023</b>	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	<b>SR - Southern Region</b>	Received	<b>02/17/2023</b>	<input type="checkbox"/> Inspection	
Reference	<b>550.0251(6)</b>	Entered	<b>02/20/2023</b>	<input type="checkbox"/> Court	
		Entered By	<b>Imuniz</b>	<input type="checkbox"/> Time Tracking	<input type="text" value="Auto Assign"/>
Summary	<p><b>274-Dania Entertainment Center, LLC ----- / ----- . Powers and duties of the Florida Gaming Control Commission: On February 13, 2023 HOOPER was observed by Casino Dania Beach Surveillance/Security staff overtly vandalizing an automated customer service Kiosk on the casino floor. When confronted, HOOPER became confrontational, loud and disorderly. As a result, HOOPER was Lifetime Excluded from Casino Dania Beach, and placed under arrest by the Broward County Sheriff's Office. The approximate loss to the facility is \$1,000.00.</b></p>			<input type="checkbox"/> Attachment	<input type="text" value="History"/>
Updated	<b>02/28/2023 11:31:55</b>	By	<b>Imuniz</b>	<input type="checkbox"/> Work Note	<input type="text" value="Print Report"/>






Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: FEBRUARY 20, 2023	Case Number: 2023 00 9468
Respondent: <b>HOOPER, BRADLEY TAYLOR</b> 805 SW 8 <sup>TH</sup> AVENUE DANIA, FLORIDA 33004		Complainant: <b>DIVISION OF PARI-MUTUEL WAGERING</b> <b>OFFICE OF INVESTIGATIONS</b> 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309 TEL. - 954-202-3900	
License # and Type: N/A	Profession: UNKNOWN	Report Date: FEBRUARY 20, 2023	
Period of Investigation: FEBRUARY 15, 2023, TO FEBRUARY 20, 2023		Type of Report: <b>FINAL</b>	
<b>VIOLATION(S) / TITLE(S)</b> <b>F.S.S. 550.0251 (6) Powers and duties of the Florida Gaming Control Commission.</b> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.			
<b>Synopsis:</b> On February 13, 2023 <b>HOOPER</b> was observed by Casino Dania Beach (CDB) Surveillance/Security staff overtly vandalizing an automated customer service kiosk on the casino floor. When confronted, <b>HOOPER</b> became confrontational, loud and disorderly. As a result, <b>HOOPER</b> was Lifetime Excluded from CDB, and placed under arrest by the Broward County Sheriff's Office. The approximate loss to the facility is \$1,000.00.			
<b>Related Case(s):</b>			
Investigator / Date  William Smith / February 20, 2023		Investigator Supervisor / Date  Bradford D. Jones / February 23, 2023	
Chief of Investigations / Date  Bradford D. Jones for Steven E. Kogan / February 23, 2023			

## CONTINUATION

The CDB Surveillance and Security Reports (**EXHIBIT #1**) related to Bradley Taylor **HOOPER** describe in detail the activity which eventually led to his arrest by the Broward County Sheriff's Office (BSO). In summary, **HOOPER** (for reasons unknown) believed that he was due \$20.00 from CDB Kiosk #1. This is an automated machine from which patrons can redeem slot tickets or break bill denominations. For an extended period of time on the evening of February 13, 2023, **HOOPER** attempted several different strategies to extract the perceived \$20.00 bill from the kiosk. In doing so he attempted to insert a number of objects into the orifices of the kiosk. As his effort escalated, one implement he used in his activity was subsequently identified as a "barbecue grill igniter." His actions ultimately caused significant damage to the machine.

As this saga unfolded **HOOPER** became confrontational with CDB Security Personnel and BSO Deputies (as noted in the CDB Security Report) were called to the scene; **HOOPER** was subsequently arrested. This Investigator reviewed the related surveillance recording and confirmed all noted actions (**EXHIBIT #3**). I noted on video as **HOOPER** was being placed in a BSO vehicle, the presence of an apparent ankle monitoring device<sup>1</sup>. I was advised that once inside the BSO vehicle, **HOOPER** promptly went to sleep. In interviewing CDB Security Personnel, their impression was that **HOOPER'S** irrational behavior may have been due to him being impaired. Incidentally, when an attendant was called to inspect the machine, the alleged \$20.00 bill was not found.

**Conclusion:** As a result of his vandalism and aggression, CDB lifetime excluded **HOOPER** (**EXHIBIT #2**) and will be pressing charges for the damage done to the kiosk. **HOOPER** should be considered for exclusion from all pari-mutuel facilities in the state of Florida.

**Status: Case closed by Investigations and forwarded to Legal for review.**

---

<sup>1</sup> *Comprehensive Case Information System (CCIS) records reveal that HOOPER has an extensive arrest history which includes multiple instances of Grand Theft, Burglary and Narcotics Possession. In fact HOOPER has three separate felony cases which are currently pending (EXHIBIT #4).*

CONTINUATION

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    3. Thumb Drive Video.....1-2

    4. Arrest Related Documentation..... 1-11

**SEC-000003845 - Incident - Vandalism - Reported 02/13/2023 22:32**

Author: Adewale Adesuyi

Report Number: SEC-000003845

Start Time: 02/13/2023 22:32

End Time: 02/14/2023 00:12

Report Group: Security Reports

Report Type: Incident - Vandalism

Note: Patron- Vandalism of kiosk #1

Location / Origin: Kiosk #1

kiosk #1.jpg

kiosk #1.jpg

kiosk #1.jpg

kiosk #1.jpg

kiosk #1.jpg

**Narrative**

Author: Adewale Adesuyi

Created: 02/13/2023 22:32

On Monday February 13, 2023 at approximately 8:00pm, security agent Chad Culmer requested the presence of a security supervisor to the south valet security post where he was located at the time. Security Supervisor Adewale Adesuyi arrived on the scene and made contact with Culmer, who in turn advised Adesuyi of a suspicious activity taking place at kiosk #1. Adesuyi proceeds to kiosk #1, then arrives there to observed a white male patron later identified as Bradly Taylor Hooper, digging a barbecue grill ignitor in the cash dispenser slot, while down on his knees. Adesuyi noticed a burning odor coming from the kiosk. Adesuyi asked Mr. Hooper why he was digging an object in the cash dispenser, to which he responded by stating, "I'm trying to get my \$20 dollar bill that is stuck in there". Cash Control Supervisor Jorge Ramos was contacted and requested to respond on the scene in order to assist with checking to see if there was in fact money stuck in there. Ramos arrived on the scene, then opened the kiosk and noticed a piece of a barbecue grill ignitor, along with a part from the cash dispenser on the floor inside the kiosk. He also noticed a burnt stain on a metal part of the cash dispenser. There was no loose cash to be found in there at all. Mr. Hooper was repeatedly told by Adesuyi to stop sticking objects in the cash dispenser to which he responded in an aggressive manner towards Adesuyi with words full of profanity following and as he moved in close proximity to him. Adesuyi contacted the security command post, so that Broward Sherriff Officers could come on property for assistance. Two BSO Officers arrived on property via the south valet entrance, then came to kiosk #01, where Adesuyi and Mr. Hooper stood. BSO and Adesuyi went to the video review room as part of an investigation to see what transpired with Mr. Hooper and the casino's kiosk #01. The review revealed that at approximately 7:44pm, Mr. Hooper was sticking what appeared to be a card and a barbecue grill ignitor in the kiosk cash dispenser numerous times until Adesuyi approached him at approximately 8:03pm, which was around 19 minutes before Adesuyi made contact with him. A nearby female guest, who smelled something burning, then alerted Culmer of the suspicious activity. Due to Mr. Hooper's action, Adesuyi made it clear to BSO and Hooper that he is now being permanently banned from the casino. BSO placed Mr. Hooper under arrest, then escorted him to their vehicles which was parked outside the south valet entrance. Adesuyi advised BSO that due to nature of the crime Mr. Hooper willingly acted upon against private property, we will be pressing charges against him. All relevant data related to this

EXHIBIT # 1

PAGE # 1

incident has been attached to this report. Nothing further to disclose at this time.

**Person**

**Name:** Bradley Taylor Hooper

**Alias:**

**Race:** White

**Gender:** Male

**Eye color:** Brown

**Hair color:** Salt and Pepper

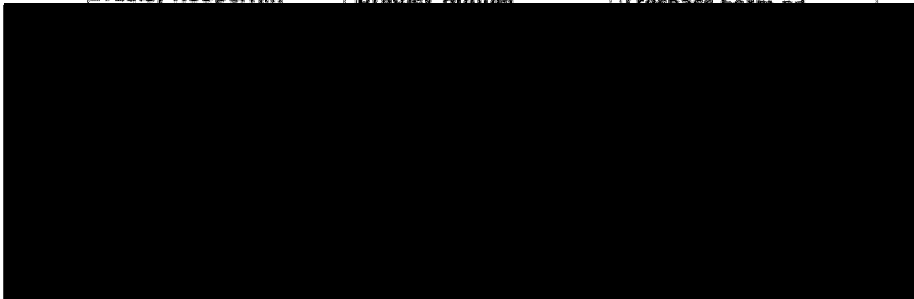
**Height:** 5'10" Inches

**Keywords:** Patron,Permanent,Property  
Damage,Trespass

Bradley Hooper, Inc.

Bradley Hooper

Trespass, Form 1



Signature A

Date

Signature B

Date

EXHIBIT # 1  
PAGE # 2

**SIN-000021885 - Arrest on Property - Reported 02/13/2023 21:37**

Author: Travis Schneier

Report Number: SIN-000021885

Start Time: 02/13/2023 21:37

End Time: 02/14/2023 07:43

Report Group: Surveillance Reports

Report Type: Arrest on Property

Note: Bradley Taylor Hooper tampered with Kiosk #1

Location / Origin: Kiosk #1

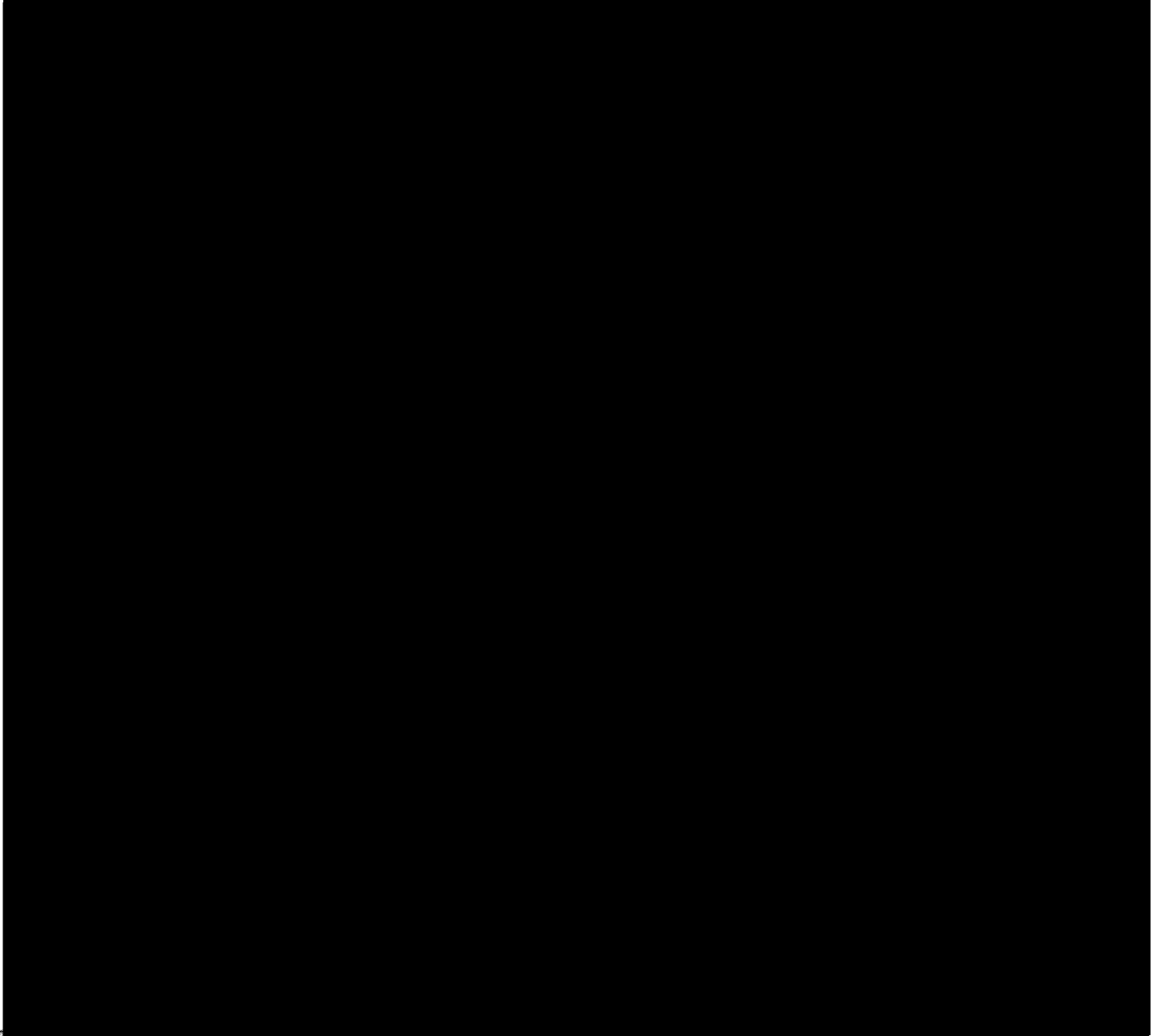
Hooper.PNG

2321885.PNG

Parts.jpg

Parts..jpg

kiosk #1.jpg



**Narrative**

Author: Travis Schneier

Created: 02/13/2023 21:37

EXHIBIT # 1  
PAGE # 3

On February 13th, 2023, at 20:03 hrs, Surveillance was notified by Security Supervisor Adewale Adesuyi of a W/M, later identified as Bradley Taylor Hooper(PC # 6670742). Hooper had told Adesuyi he lost \$20 inside Kiosk #1. After reviewing the video, Adesuyi, Cage Supervisor Jorge Ramos, and Broward Sheriff Deputy declared Hooper had tampered with Kiosk #1 and caused damage to the machine. Hooper was observed inserting a card, money, voucher, and pen-like object inside the cash dispenser part of the Kiosk. Broward Sheriff Deputies conducted an arrest on Hooper and escorted him out of the Valet Entrance and into their vehicles.

The video revealed the following:

- At 19:44:29 hrs, Hooper approached Kiosk #1, trying to place a card inside the cash dispenser area.
- At 19:44:57 hrs, Guest Floor Attendant Tracey Flock began helping Hooper at Kiosk #1.
- At 19:45:27 hrs, Hooper tried placing his card inside the cash dispenser area.
- At 19:48:15 hrs, Hooper inserted two vouchers into Kiosk #1.
- At 19:48:39 hrs, Hooper takes the voucher from Kiosk #1.
- At 19:51:01 hrs, Hooper placed two unknown bills into Kiosk #1.
- At 19:52:41 hrs, Hooper is stuffing his fingers inside the Kiosk dispenser area.
- At 19:51:57 hrs, the Kiosk screen shows out of service while Hooper tampering with the cash dispenser area.
- At 19:58:14 hrs, While still using his card on the dispenser area of the machine, Hooper took out a pen-like object and started using it on the Kiosk.
- At 20:03:23 hrs, Adesuyi arrived at Kiosk #1 and began speaking with Hooper. Hooper immediately stopped messing with the Kiosk.
- At 20:08:33 hrs, Ramos arrived at Kiosk #1 and began speaking with both Adesuyi and Hooper.
- At 20:14:51 hrs, Ramos advised opening Kiosk #1.
- At 20:17:28 hrs, Two Broward Sheriff Deputies arrived at Kiosk #1.
- At 20:55:40 hrs, Deputies placed Hooper under arrest.
- At 20:59:27 hrs, Hooper and the Deputies exit the Valet entrance.
- At 21:04:59 hrs, Hooper was placed inside the Deputies vehicle.
- At 22:24:52 hrs, Deputies and Hooper exit the property via Valet.

On February 13th, 2023, at 20:37 hrs, Ramos, Adesuyi, and Broward Sheriff Deputy reviewed the video inside the review room.

On February 13th, 2023, at 21:41 hrs, Broward Sheriff Detective and Adesuyi reviewed the video inside the review room.

**Person**

**Name:** Bradley Taylor Hooper

**Alias:**

**Race:** White

**Gender:** Male

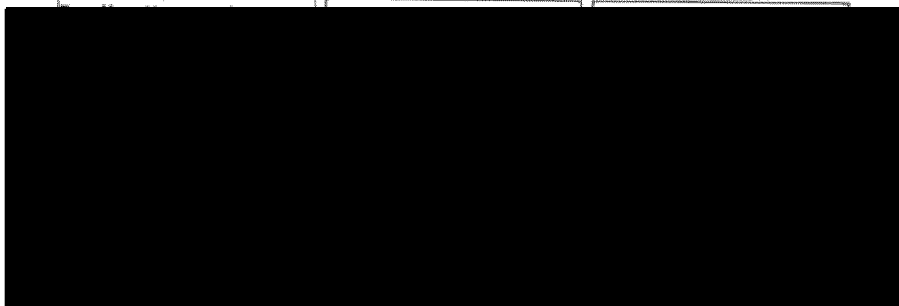
**Eye color:** Brown

**Hair color:** Salt and Pepper

**Height:** 5'10" Inches

**DOB:** [REDACTED]

**Keywords:** Patron, Permanent, Property Damage, Trespass



Signature A

Date

Signature B

EXHIBIT # 6

PAGE # 4

## Elisa Festa

---

**From:** Elisa Festa  
**Sent:** Wednesday, February 15, 2023 09:54 AM  
**To:** Kogan, Steven; Wadley Celian  
**Subject:** FW: SR - 21885 - Arrest on Property - Bradley Taylor Hooper tampered with Kiosk #1  
**Attachments:** cash dispenser...jpg; cash dispenser.jpg; cash dispenser.jpg; kiosk #1.jpg; kiosk #1.jpg; Parts.jpg; 2321885.PNG; Arrest 1.PNG; Arrest 2.PNG; Arrest 3.PNG; Arrest 4.PNG; Arrest 5.PNG; Arrest 6.PNG; Arrest 7.PNG; Arrest.PNG; Parts.jpg; Hooper.PNG

FYI

**Elisa Festa Tabasso, Ph.D. | Director of Compliance**  
The Casino @ Dania Beach

P: (954) 342-1278

**From:** Travis Surveillance <Travis.Surveillance@daniacasino.com>  
**Sent:** Tuesday, February 14, 2023 7:36 AM  
**To:** Elisa Festa <elisa.festa@daniacasino.com>; Richard Lackey <Richard.Lackey@daniacasino.com>; Arnaldo Suarez <arnaldo.suarez@daniacasino.com>; Juan Pablo Villamayor <juanpablo.villamayor@daniacasino.com>  
**Cc:** Surveillance <surveillance@daniacasino.com>; Surveillance Operators <surveillanceoperators@daniacasino.com>  
**Subject:** SR - 21885 - Arrest on Property - Bradley Taylor Hooper tampered with Kiosk #1

On February 13th, 2023, at 20:03 hrs, Surveillance was notified by Security Supervisor Adewale Adesuyi of a W/M, later identified as Bradley Taylor Hooper(PC # 6670742). Hooper had told Adesuyi he lost \$20 inside Kiosk #1. After reviewing the video, Adesuyi, Cage Supervisor Jorge Ramos, and Broward Sheriff Deputy declared Hooper had tampered with Kiosk #1 and caused damage to the machine. Hooper was observed inserting a card, money, voucher, and pen-like object inside the cash dispenser part of the Kiosk. Broward Sheriff Deputies conducted an arrest on Hooper and escorted him out of the Valet Entrance and into their vehicles.

The video revealed the following:

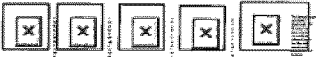
- At 19:44:29 hrs, Hooper approached Kiosk #1, trying to place a card inside the cash dispenser area.
- At 19:44:57 hrs, Guest Floor Attendant Tracey Flock began helping Hooper at Kiosk #1.
- At 19:45:27 hrs, Hooper tried placing his card inside the cash dispenser area.
- At 19:48:15 hrs, Hooper inserted two vouchers into Kiosk #1.
- At 19:48:39 hrs, Hooper takes the voucher from Kiosk #1.
- At 19:51:01 hrs, Hooper placed two unknown bills into Kiosk #1.
- At 19:52:41 hrs, Hooper is stuffing his fingers inside the Kiosk dispenser area.



- At 19:51:57 hrs, the Kiosk screen shows out of service while Hooper tampering with the cash dispenser area.
- At 19:58:14 hrs, While still using his card on the dispenser area of the machine, Hooper took out a pen-like object and started using it on the Kiosk.
- At 20:03:23 hrs, Adesuyi arrived at Kiosk #1 and began speaking with Hooper. Hooper immediately stopped messing with the Kiosk.
- At 20:08:33 hrs, Ramos arrived at Kiosk #1 and began speaking with both Adesuyi and Hooper.
- At 20:14:51 hrs, Ramos advised opening Kiosk #1.
- At 20:17:28 hrs, Two Broward Sheriff Deputies arrived at Kiosk #1.
- At 20:55:40 hrs, Deputies placed Hooper under arrest.
- At 20:59:27 hrs, Hooper and the Deputies exit the Valet entrance.
- At 21:04:59 hrs, Hooper was placed inside the Deputies vehicle.
- At 22:24:52 hrs, Deputies and Hooper exit the property via Valet.

## Travis Schneier

Surveillance Supervisor



301 E. Dania Beach Blvd.  
Dania Beach, FL 33004  
Office Phone (954) 920-1511 Ext: 1204  
[Travis.Surveillance@DaniaCasino.com](mailto:Travis.Surveillance@DaniaCasino.com)

THE CASINO @  
DANIA BEACH

TRESPASS WARNING

NAME / LAST NAME: BRADLEY TAYLOR HOOPER

DRIVER LICENSE # [REDACTED] D.O.B. [REDACTED]

ADDRESS: 805 SW 8th Ave CITY: Dania ST: FL ZIP: 33004

RACE: W SEX: M HEIGHT: 5'10" WEIGHT: \_\_\_\_\_ HAIR: SP EYES: BRN

REASON FOR TRESPASSING: Vandalism of Kiosk #1 (Tampering with Disorderly Conduct Kiosk machine)

The above-named person was advised to stay off THE CASINO @ DANIA BEACH property for a period of:

- 24 Hrs
- 3 Days
- 7 Days
- 30 Days
- 3 Months
- 6 Months
- 1 Year
- 2 Year
- Permanent

This warning was given on Feb 13, 2023 at 8:30 PM hours.

If the above-named person returns onto said property during the stated period of time, it may result in his/her **ARREST** for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes.

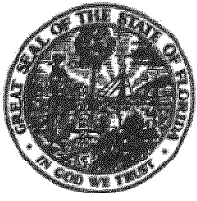
SUBJECT'S SIGNATURE: N/A

CASE #: 02-2302-001319 ARRESTED:  YES  NO

SECURITY AGENT: Adewale Adesuyi DATE: 02-13-2023

POLICE OFFICER / WITNESS: Deputy Rozenberg 18429

Warned by BSO referenced trespass after warning



State of Florida  
 Department of Business and Professional Regulation  
 Division of Pari-Mutuel Wagering  
 Investigations Section

**PROPERTY RECEIPT**

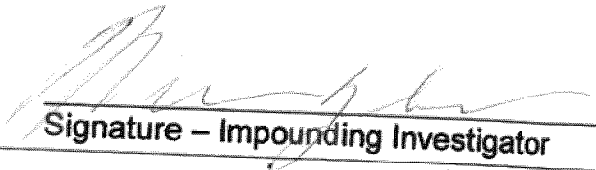
Complaint # 2023009468 Date 2/20/23 Lab # \_\_\_\_\_

Item No.	Quantity	Description
1	1	Flash Drive
		Bradley Taylor Cooper
		Lifetime Exclusion
		Wardelism / Disorderly Conduct
		Action to Arrest

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

Signature \_\_\_\_\_

  
 Signature - Impounding Investigator

**RETURNED PROPERTY RECEIPT**

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Received by: \_\_\_\_\_  
 Received by: \_\_\_\_\_  
 Received by: \_\_\_\_\_

Date: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Date: \_\_\_\_\_

Copies for: File, Transmittal, Laboratory, Property Receipt

Evidence Receipt

Date: 2/16/2023

Time: 12:16 PM

Received By:

William J Smith

Title:

FGCC Investigator

Signature:

[Signature]

Description:

Report 2085 USB + CIP Document

Supervisor:

[Signature]

Employee #:

1306

Evidence Receipt

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Received By: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Description: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Employee #: \_\_\_\_\_

EXHIBIT #  
PAGE #

2  
3



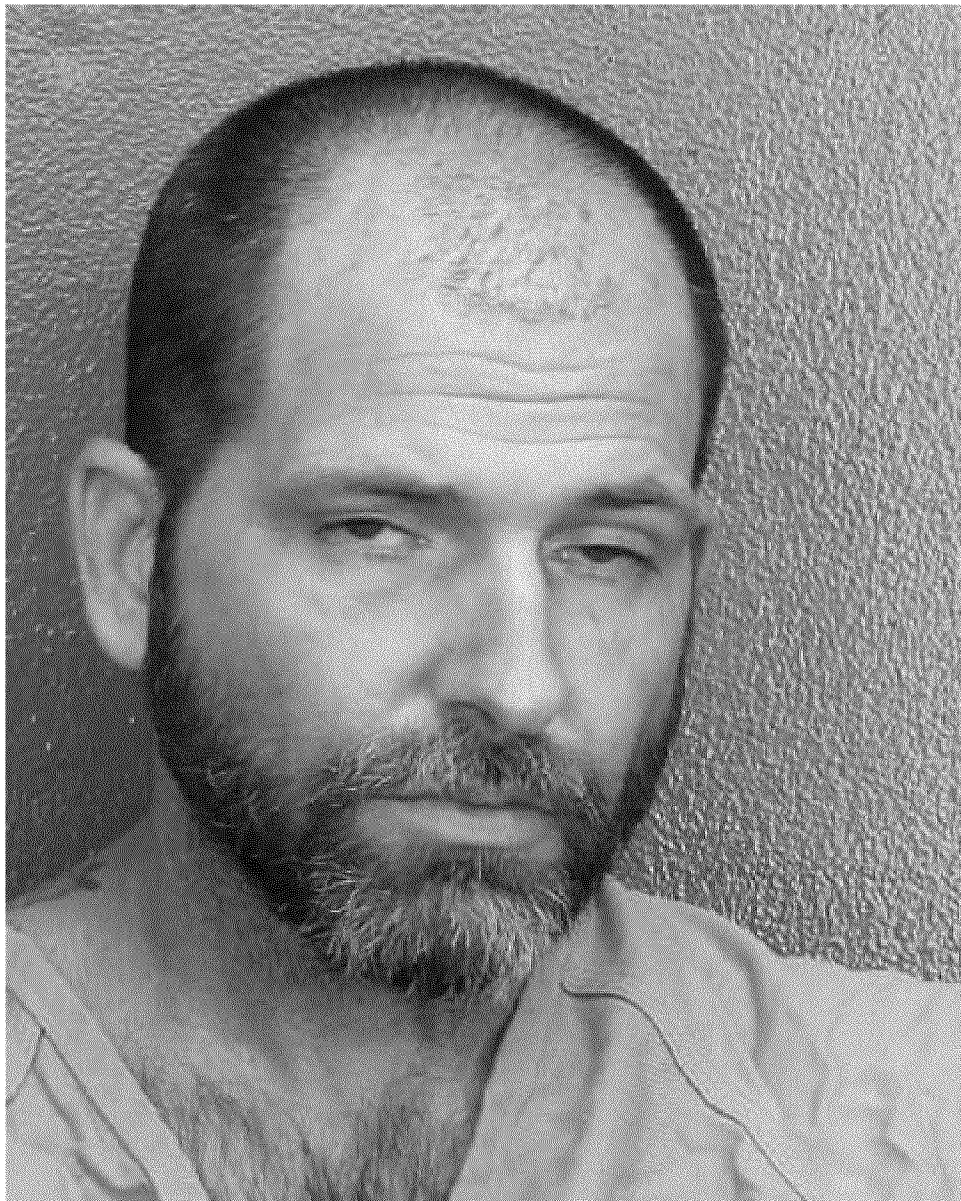




# HOOPER, BRADLEY TAYLOR

## Inmate Information

Click to Close



Charge

**Charge Number**

1

**Case Number**

**Statute**

806.13-1b3

**Description**



CRIMINAL MISCHIEF OVER 1000 DOLLARS

**Charge Comments**

**Charge Status**

PENDING TRIAL

**Bond Type**

BD

**Bond Amount**

\$1,000.00

**Disposition**

**Projected Sent End Date**

Charge

**Charge Number**

2

**Case Number**

**Statute**

893.13-6a(Alpr)

**Description**

POSSESSION OF ALPRAZOLAM (XANAX)

**Charge Comments**

**Charge Status**

PENDING TRIAL

**Bond Type**

BD

**Bond Amount**

\$1,000.00

**Disposition**

**Projected Sent End Date**

Charge

**Charge Number**

3

**Case Number**

22-6661CF10A

**Statute**

CRT-ORDER

**Description**

COURT ORDER

**Charge Comments**

BURGLARY/ DAMAGE TO STRUCTURE OVER \$1000

**Charge Status**

PENDING TRIAL

**Bond Type**

NB

**Bond Amount**

\$0.00

**Disposition****Projected Sent End Date**

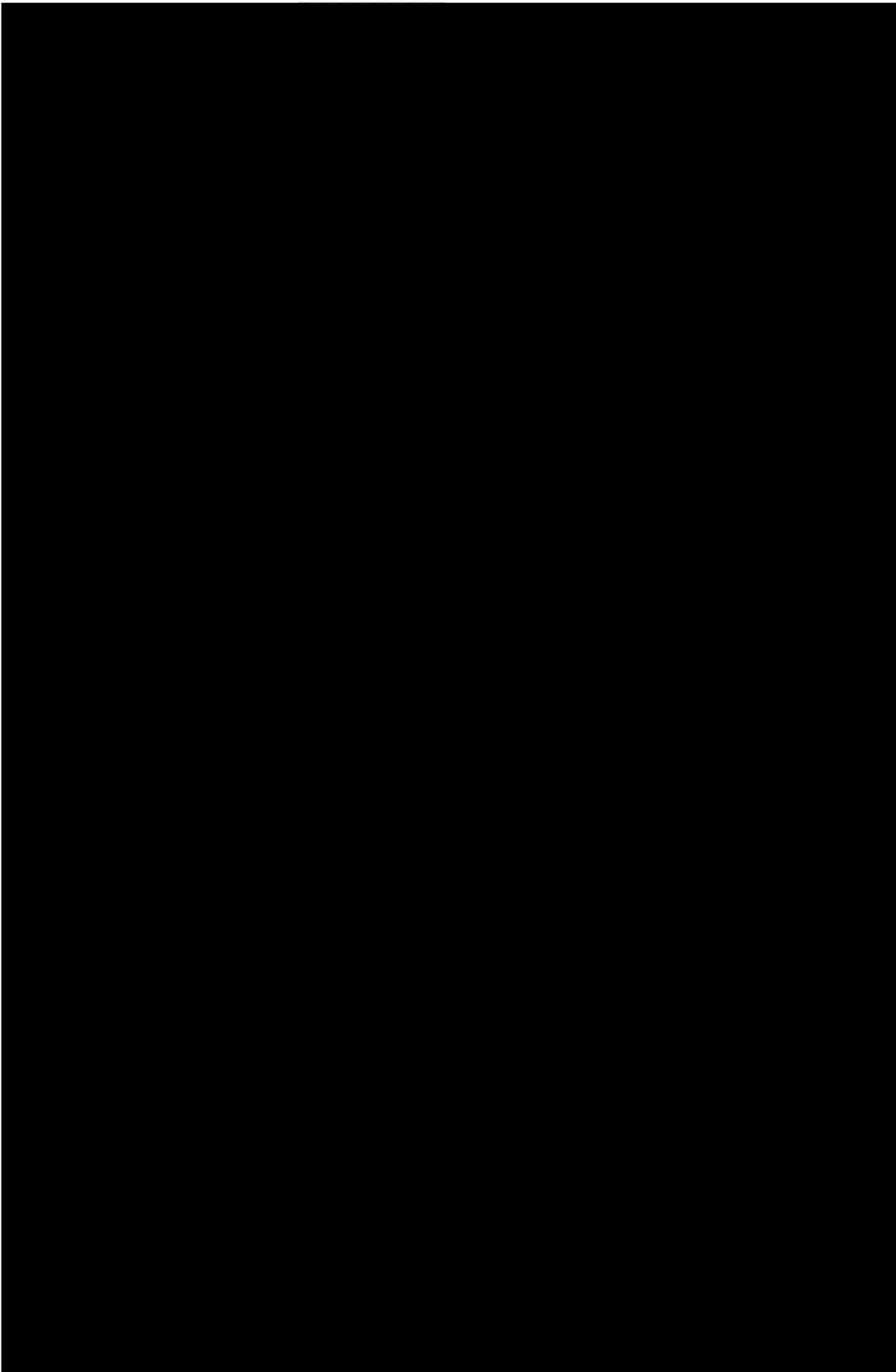
For information about BSO's jail facilities including addresses and phone numbers, click here (<http://www.sheriff.org/DOD/Pages/Jail-Facilities.aspx>).

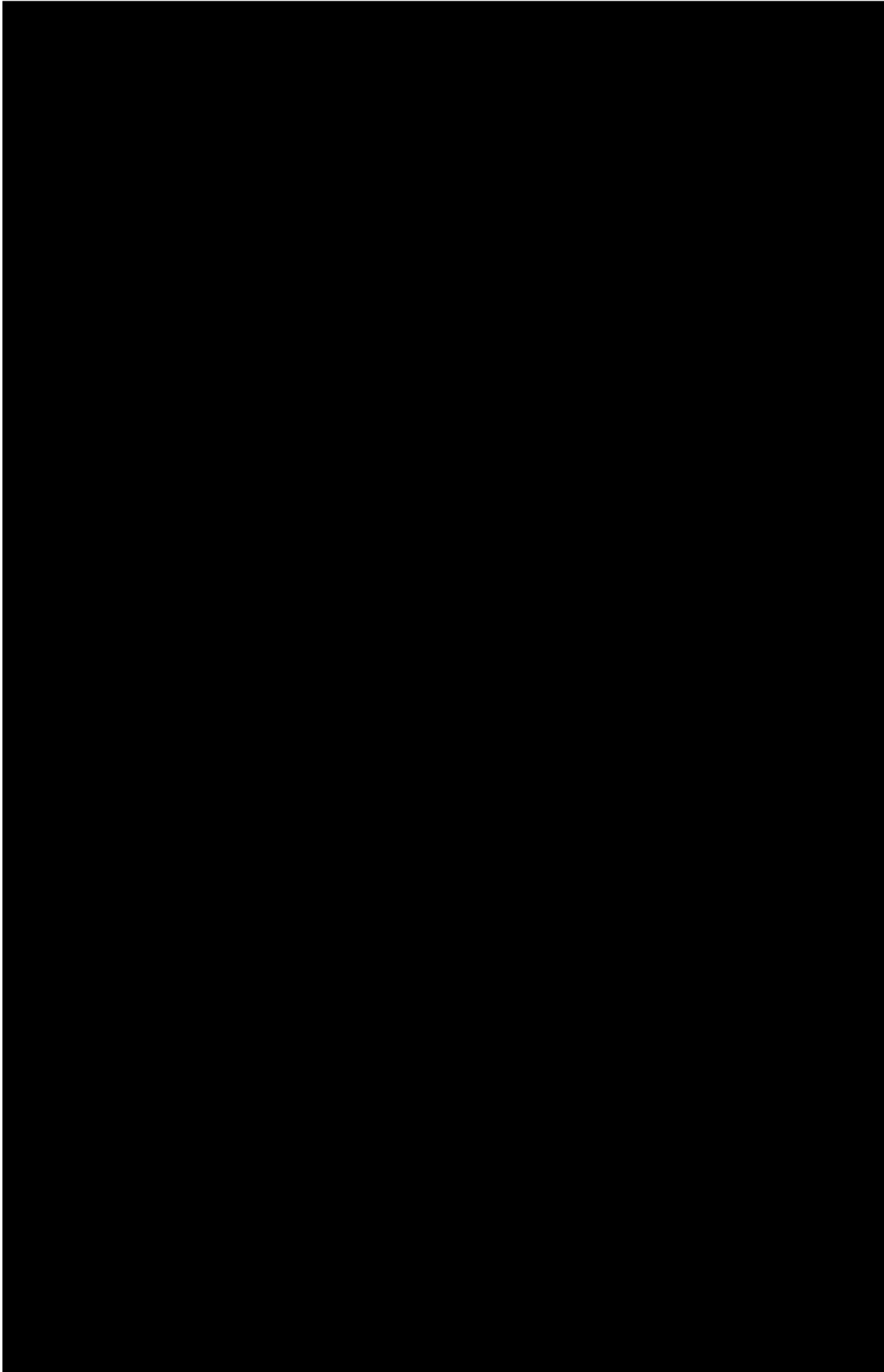
Click here (<http://www.sheriff.org/DOD/Pages/Inmate-Visitor-Info.aspx>) for general information about charges, bond, the arrest process and visiting and phoning incarcerated inmates in any Broward Sheriff's Office jail.

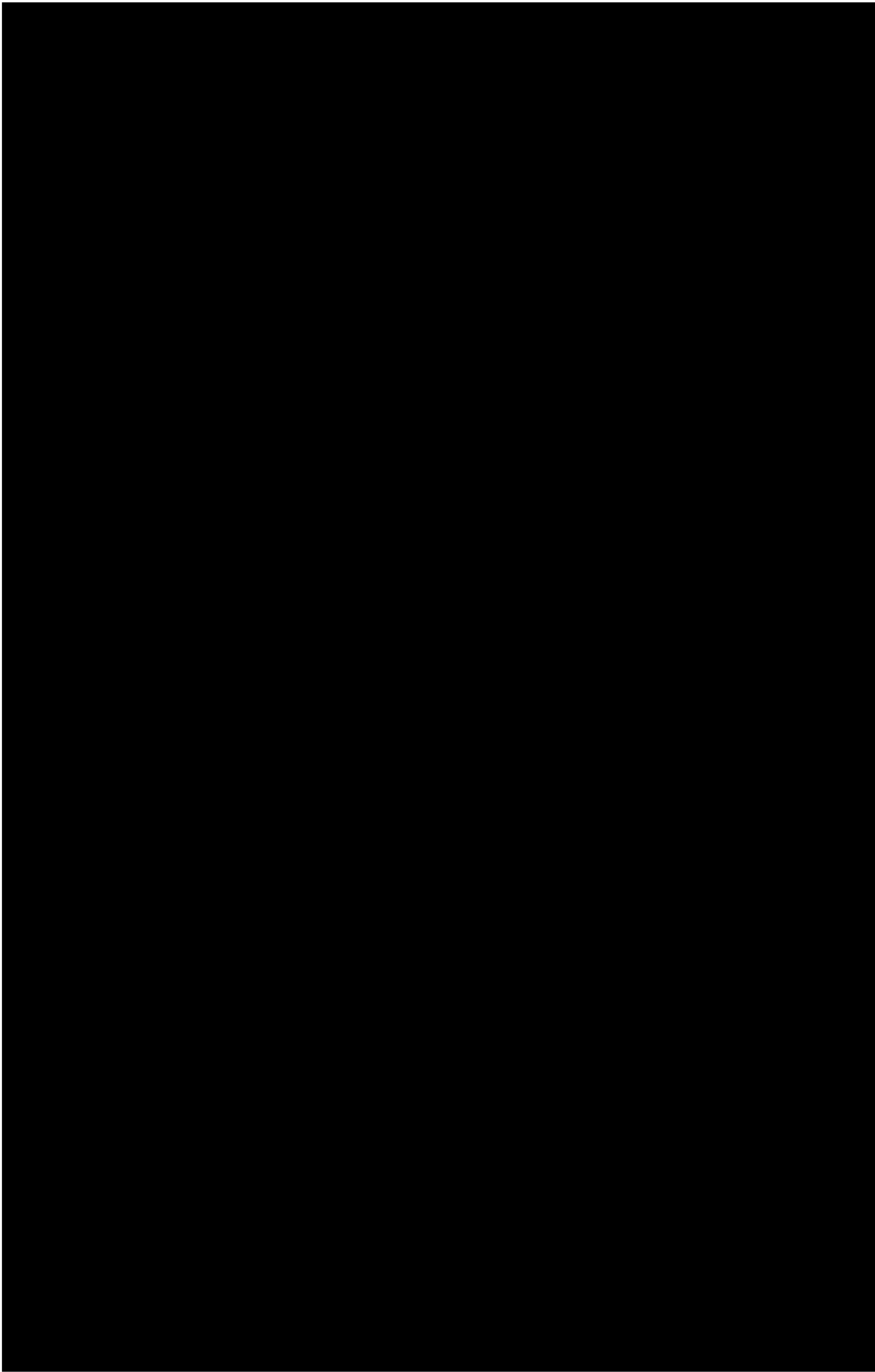
For information on specific court cases, please consult the Broward County Clerk of the Courts web site by clicking here (<http://www.browardclerk.org>).

**Disclaimer:** Information posted on this web site is provided for informational purposes only. It is subject to change and may be updated periodically. While every effort is made to ensure that the posted information is accurate, it may contain factual or other errors. Inmate information changes quickly, and the posted information may not reflect the current information. An arrest does not mean that the inmate has been convicted of the crime. Links to other sites are provided as a convenience to the user and no representation, warranty or endorsement of those sites is made by inclusion or exclusion of other web sites. The information on this web site should not be relied upon for any type of legal action. Unauthorized or illegal use of this information is strictly prohibited.











VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
---------	-------	--------	-------------	---------	------	------	------------	-------------	--------

Complaint Search Mass Status Update	Change Recording License Type Public Case Info	Delete Complaint	Mass Activity Update	Mass Discipline Update
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Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Imuniz

VR Home Complaint Search **Maintain Complaint**

Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>20 Under Investigation</b>	Status Date	<b>02/20/2023</b>
Complaint #	<b>2023009468</b>	Case Type	<b>CMP Complaint</b>	Disposition	
Docket#		Re pondent	<b>HOOPER, BRADLEY TAYLOR</b>	Re pon ible	<b>wsmith - SMITH, WILLIAM</b>
					<b>Private Ca e</b>

Complaint	Re pondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	<b>INTN - Internal</b>	Security Level	<b>1</b>	<input type="checkbox"/> Partie	<input checked="" type="checkbox"/> Activite
Form	<b>INET - Internet</b>	Priority		<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n	<b>V-C - Cardroom Violations</b>	Complexity	<b>R - Regular</b>	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security	<b>STND - Standard</b>	Incident	<b>02/13/2023</b>	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	<b>SR - Southern Region</b>	Received	<b>02/17/2023</b>	<input type="checkbox"/> Inspection	
Reference	<b>550.0251(6)</b>	Entered By	<b>Imuniz</b>	<input type="checkbox"/> Costs	
Entered	<b>02/20/2023</b>			<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	<p><b>274-Dania Entertainment Center, LLC ----- / ----- . Powers and duties of the Florida Gaming Control Commission: On February 13, 2023 HOOPER was observed by Casino Dania Beach Surveillance/Security staff overtly vandalizing an automated customer service Kiosk on the casino floor. When confronted, HOOPER became confrontational, loud and disorderly. As a result, HOOPER was Lifetime Excluded from Casino Dania Beach, and placed under arrest by the Broward County Sheriff's Office. The approximate loss to the facility is \$1,000.00.</b></p>				<input type="button" value="History"/>
Updated	<b>02/20/2023 14:28:37</b>	By	<b>Imuniz</b>	<input type="checkbox"/> Attachments	<input type="button" value="Print Report"/>
				<input type="checkbox"/> Work Notes	

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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STATE OF FLORIDA  
 FLORIDA GAMING CONTROL COMMISSION  
 DIVISION OF PARI-MUTUEL WAGERING

**OPEN CASE REQUEST**

(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

INCIDENT DATE: 02-13-23

<input type="checkbox"/> PMW	<input type="checkbox"/> Cardroom	<input checked="" type="checkbox"/> Slot	<input type="checkbox"/> Violation	<input checked="" type="checkbox"/> Incident	<input type="checkbox"/> Complaint
------------------------------	-----------------------------------	--	------------------------------------	--	------------------------------------

FACILITY NAME: DANIA ENTERTAINMENT CENTER, LLC LIC #: 274

**RESPONDENT**

NAME: Hooper, Bradley Taylor		
Address 805 SW 8 <sup>th</sup> Avenue, Dania, FL 33004		Tel:
LIC #:	LIC TYPE: 1098	OCCUPATION: Unknown

**COMPLAINANT**

NAME:		Tel #:
Address:		
LIC #:	LIC TYPE:	OCCUPATION:

**VIOLATION(S) / TITLE(S) F.S.S. 550.0251 (6) Powers and duties of the Florida Gaming Control Commission –**

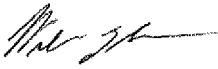
(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The commission may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permit holder to exclude absolutely a patron in this state.

**DESCRIPTION:** On February 13, 2023 **HOOPER** was observed by Casino Dania Beach Surveillance/Security staff overtly vandalizing an automated customer service Kiosk on the casino floor. When confronted, **HOOPER** became confrontational, loud and disorderly. As a result, **HOOPER** was Lifetime Excluded from Casino Dania Beach, and placed under arrest by the Broward County Sheriff's Office. The approximate loss to the facility is \$1,000.00.

**CASE DETAILS FILED BY: William J. Smith**

Chief Inspector  Judge/Steward  Investigator  Other:

Investigator Specialist II \_\_\_\_\_

<u>William J. Smith</u> (Print Name)	 (Signature)	(Title of State Employee) <u>02-16-23</u> (Date)
---	---	--

## Muniz, Luz

---

**From:** Jones, Bradford  
**Sent:** Friday, February 17, 2023 2:31 PM  
**To:** Muniz, Luz  
**Cc:** Kogan, Steven; Smith, William  
**Subject:** OPEN CASE REQUEST  
**Attachments:** FGCC OPEN CASE REQUEST HOOPER KIOSIK TAMPERING (3).docx

**Categories:** Opened

Hello Luz,

I hope you are feeling better.

This is approved, please open a case and assign it to Bill Smith.

(WOW! Won't be able to say that much longer - You will be missed.)



**Bradford D. Jones**

Investigations Supervisor  
Division of Pari-Mutual Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Phone: 954.202.3900 • Fax: 954.202.3930

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<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

3-17-23

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Here

Postage	
\$	
Total Post	
\$	

7020 2450 0000 5093 2915

**North Broward Bureau**  
 Bradley Taylor Hooper #592300110  
 PO Box 407037  
 Ft. Lauderdale, FL 33340  
 AC - 2023009468 - PMW

Tracking Number:

Remove X

## 70202450000050932915

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**FAQs**

# Discussion of License Denials

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Lisa N. LeDonne; Case No. . 2023-000559; License Denial  
Date: April 26, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Lisa N. LeDonne's ("Applicant") application for a Pari-Mutuel Professional Individual Occupational License. Applicant submitted a completed application for a Pari-Mutuel Professional Individual Occupational License on December 20, 2022, and applied for a waiver of her felony convictions. The Executive Director reviewed the file along with the waiver interview notes and declined to waive the felony convictions. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On December 20, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Pari-Mutuel Wagering Professional Individual Occupational License. Upon review of the completed application, Applicant answered "YES" to the question "Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you?" Applicant was convicted of the following:

- Aggravated Trafficking in Drugs in 1994
- Grand Theft in 1997
- Failure to Comply with Order or Signal of Police Officer in 1997
- Escape in 1997
- Felony DUI (3<sup>rd</sup> violation within 10 years) in 2006
- Five Counts of Forgery in 2016
- Making False statements in 2016
- Willful Obstruction of an Officer in 2016

Applicant applied for a waiver of the felony convictions and a waiver interview was subsequently scheduled. On February 9, 2023, Applicant attended the waiver interview with the Division and a report of that interview and supporting investigative documents were submitted to the Executive Director of the Florida Gaming Control Commission for consideration. On March 21, 2023, the Executive Director declined to waive the felony convictions.

### *Relevant Law*

Section 550.105(5)(b), Florida Statutes, provides in pertinent part that:

“. . . the commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.”

Section 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.”

Section 550.105(5)(c), Florida Statutes, provides in pertinent part that:

“[i]f the applicant establishes that she or he is of good moral character, that she or he has been rehabilitated, and that the crime she or he was convicted of is not related to pari-mutuel wagering and is not a capital offense, the restrictions excluding offenders may be waived by the director of the commission.”



Rule 75-5.006(1), Florida Administrative Code, requires the applicant to submit Form DBPR PMW-3180, Request for Waiver, and schedule a waiver interview with the Office of Investigations. Failure to participate in a waiver interview or to disclose any pertinent information regarding criminal convictions shall result in a denial of the request for waiver.

Rule 75-5.006(2), Florida Administrative Code, provides that “[t]he applicant shall establish proof of rehabilitation and demonstrate good moral character.”

Staff Recommendation: Because the Applicant's disqualifying criminal convictions were not 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.

# ROUTING SLIP REQUEST FOR WAIVER

RE: LEDONNE, LISA N. – 13277228  
(APPLICANT'S NAME – LICENSE #)

Case No: 2023 00 0559

1021 – Massage Therapist  
Occupation Code and Job Title

157 - St. Augustine Best Bet  
Facility (d/b/a name)

**90-DAY RESPONSE DEADLINE:** April 4, 2023  
(DATE)

**Investigations Section:**

Reviewed by Steve Kogan [Signature] March 1, 2023  
(Initial & Date)

The attached "Request for Waiver" file has been reviewed for completeness and accuracy, and has been forwarded to the Licensing Section.

**Licensing Section:** Reviewed by: DD 03/02/2023  
(Initial & Date)

[Signature] 3/3/23  
(Initial & Date)

Is the applicant currently under suspension, has unpaid fines, or has been refused a license by any gaming or racing jurisdiction?

Yes or  No If yes, in what jurisdiction? \_\_\_\_\_

**Executive Director:**

LT 3/21/23  
(Initial & Date)

Prepare Waiver or  Prepare File for Commission Review

Comments: \_\_\_\_\_

**Investigative Findings:**

June 2, 1994 Springfield Police Dept., OH – Aggravated Trafficking in Drugs – Felony – Pled Guilty – convicted on November 17, 1994 – Two years in Ohio State Reformatory for Women (Sentenced Suspended), placed on probation for 2 Years. Pay \$5208.50 in fines and court costs.

June 23, 1997 Clinton County Sheriff's Office, OH – Grand Theft, Failure to comply with Police and Escape – Felonies – Pled Guilty – Convicted on October 28, 1997 - 4 Years' Probation, Restitution of \$261.44, Complete Monday Program, Attend Alcohol-Drug Counseling - On 12/23/1999, Court orders Community Control revoked, defendant to serve 12 months in Ohio State Reformatory for Women.

\*Please attach Routing Slip to front of case file

**July 18, 2006**

**Jacksonville Sheriff's Office, FL - DUI – 3rd Violation within 10 years – Felony – Pled Guilty – Convicted on November 28, 2006 -1 Year Probation, Confined to Duval County Jail for 8 months with credit for 4 days served. Fines and costs totaling \$1446.**

**July 10, 2016**

**Glynn County Sheriff's Office, GA – Forgery (5 counts), Making a False Statement, Willful Obstruction of a LEO - Felonies – Pled Guilty – Convicted on September 9, 2016 - 10 years' probation, fined \$1500, and other special conditions.**

**\*Please attach Routing Slip to front of case file**






Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**WAIVER INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>NORTHERN</b>	Date of Complaint: <b>January 4, 2023</b>	Case Number: <b>2023 00 0559</b>
Respondent:  <b>LEDONNE, LISA N.</b> 818 North 11 <sup>th</sup> Street Palatka, FL 32177 [REDACTED] Cell Phone [REDACTED]		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING</b> <b>OFFICE OF INVESTIGATIONS</b> 1400 West Commercial Boulevard, Suite 165 Ft. Lauderdale, Florida 33309	
License # / Type: <b>13277228 / 1021</b>		Profession: <b>Massage Therapist</b>	Report Date: <b>February 15, 2023</b>
Period of Investigation: <b>January 4, 2023 through February 15, 2023</b>		Type of Report: <b>Final</b>	
<p><b>Basis of Investigation:</b> This investigation is predicated upon the submission of <b>LISA N. LEDONNE's</b> State of Florida Cardroom Occupational License Application dated July 21, 2022 and Request for Waiver dated August 31, 2022.</p> <p>On July 21, 2022, <b>LEDONNE</b> applied for a PMW Professional Employee Occupational License (1021) to work as a Massage Therapist at Best Bet St. Augustine. On her application, she answered "YES" to the question, "Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you?" She indicated she had too many Felonies to list so she included all prior court records in a separate packet of paperwork.</p> <p>Upon receipt of <b>LEDONNE's</b> FDLE Criminal History Report, PMW Licensing sent her a deficiency letter on August 22, 2022, requesting that she list and provide court disposition records for the following arrests:</p> <ul style="list-style-type: none"> <li>• Clinton County, Ohio arrest(s) – 12/23/1999, 06/23/1997</li> <li>• Clark County, Ohio arrest(s) – 08/13/1999, 07/04/1997, 06/02/1994</li> <li>• Montgomery County, Ohio arrest(s) – 07/18/1997</li> <li>• Glynn County, Georgia arrest(s) – 07/25/2016, 07/11/2016, 07/10/2016</li> <li>• Duval County, Florida arrest(s) – 11/28/2006, 07/18/2006</li> </ul> <p>On August 31, 2022, <b>LEDONNE</b> submitted an amended application listing the following disqualifying offenses:</p> <ul style="list-style-type: none"> <li>• 1999 Felony convictions for Disobeying an officer, Escape, and Theft in Clinton, OH</li> <li>• 2010 Felony conviction for DUI in Glynn County, GA</li> </ul>			
Related Case:			
Investigations Specialist II / Date  /s/  Charles W. Taylor / February 15, 2023		Approved by Investigator Supervisor / Date  /s/  C. Derek Washington / February 24, 2023	
Chief of Investigations / Date  /s/  Steven E. Kogan / March 1, 2023			

CONTINUATION

**CRIMINAL HISTORY**

Arrest 1					
<b>Date of Arrest:</b> 06/02/1994		<b>Arresting Agency:</b> Springfield Police Dept., Ohio			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1	Aggravated Trafficking in Drugs	Felony	Guilty	Adj. Guilty	11/17/1994
2					
3					
4					

SENTENCE
Two years in the Ohio State Reformatory for Women (Sentenced Suspended), placed on probation for 2 Years. Pay \$5, 208.50 in fines and court costs.

Additional Information:

Arrest 2					
<b>Date of Arrest:</b> 6/23/1997		<b>Arresting Agency:</b> Clinton County Sheriff's Office, Wilmington, OH			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1	Grand Theft	Felony	Guilty	Adj. Guilty	10/28/1997
2	Failure to comply with Police	Felony	Guilty	Adj. Guilty	10/28/1997
3	Escape	Felony	Guilty	Adj. Guilty	10/28/1997
4					

SENTENCE
4 Years' Probation, Restitution of \$261.44, Complete Monday Program, Attend Alcohol-Drug Counseling.

Additional Information:
On 12/23/1999, Court orders Community Control revoked, defendant to serve 12 months in Ohio State Reformatory for Women.

CONTINUATION

**CRIMINAL HISTORY**

Arrest 3					
<b>Date of Arrest:</b> 07/18/2006		<b>Arresting Agency:</b> Jacksonville Sheriff's Office, FL			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1	DUI – 3 <sup>rd</sup> Violation within 10 years	Felony	Guilty	Adj. Guilty	11/28/2006
2					
3					
4					

SENTENCE
1 Year Probation, Confined to Duval County Jail for 8 months with credit for 4 days served. Fines and costs totaling \$1446.

**Additional Information** Comprehensive Case Information System (CCIS) indicates that LEDONNE has a balance due of \$1.08 in fines.

Arrest 4					
<b>Date of Arrest:</b> 07/10/2016		<b>Arresting Agency:</b> Glynn County Police Department, Georgia			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1	Forgery (5 COUNTS)	Felony	Guilty	Adj. Guilty	09/09/2016
2	Making False Statements	Felony	Guilty	Adj. Guilty	09/09/2016
3	Willful Obstruction of LEO	Felony	Guilty	Adj. Guilty	09/09/2016
4	DUI	Misdemeanor	Guilty	Adj. Guilty	09/09/2016

SENTENCE
10 years' probation, fined \$1500, and other special conditions.

**Additional Information:**

CONTINUATION

**ADDITIONAL LICENSES**

	<b>YES</b>	<b>NO</b>
Has the Applicant ever possessed a Florida Pari-Mutuel Occupational License?		X
Does the Applicant possess an Occupational License from other jurisdictions?		X

<b>1. License Type:</b>				
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdiction:	
			<b>YES</b>	<b>NO</b>
Has License ever been suspended or revoked?				
Was any derogatory information received?				
Additional Comments:				

<b>2. License Type:</b>				
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdiction:	
			<b>YES</b>	<b>NO</b>
Has License ever been suspended or revoked?				
Was any derogatory information received?				
Additional Comments:				

<b>3. License Type:</b>				
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdiction:	
			<b>YES</b>	<b>NO</b>
Has License ever been suspended or revoked?				
Was any derogatory information received?				
Additional Comments:				

<b>4. License Type:</b>				
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdiction:	
			<b>YES</b>	<b>NO</b>
Has License ever been suspended or revoked?				
Was any derogatory information received?				
Additional Comments:				

CONTINUATION

**WAIVER INTERVIEW**

	<b>YES</b>	<b>NO</b>
Was a Waiver Interview Conducted?	<b>X</b>	
Date of Interview: February 9, 2023	Location of Interview: Office at Best Bet St. Augustine	
	<b>YES</b>	<b>NO</b>
Was the applicant cooperative?	<b>X</b>	
Additional Comments: <i>N/A</i>		

**SUMMARY OF INTERVIEW:**

During her interview, Ms. **LEDONNE** explained her multiple felony convictions for Forgery by saying that because she had lost her driving privileges due to multiple DUIs, she obtained a driver's license from another state using her sister's identification. Ultimately, she was caught and convicted and is currently serving ten years of probation.

Ms. **LEDONNE** also explained her felony conviction in 1997 was because she was very drunk and wanted to go home. She said when they placed her in the Police car, it did not have a cage, and she was able to get out of her handcuffs and run from the Police until they caught her.

Ms. **LEDONNE** concluded the interview by stating that she currently works as a massage therapist at a Chiropractor's Office and is looking to supplement her income by working at the poker room as a massage therapist on the weekends and her days off.

A check of the Florida Board of Massage Therapy website shows **LEDONNE** has been licensed since 7/28/2020, license MA95352 is clear/active until 8/31/2023 and there are no disciplines or public complaints on file.

**CONCLUSION:**

A check of the Association of Racing Commissioners International (ARCI) database showed no rulings against **LEDONNE**. (**EXHIBIT #4**)

Case Status: Investigations case closed and case forwarded to Licensing.



CONTINUATION

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**State of Florida**  
**Department of Business and Professional Regulation**  
**Chronology Report**

**Case #:** 2023000559      **Incident date:** 08/31/2022      **Status:** 106 - Sent to Directors office

**Lic Type:** 1021      **Disposition:**

**Case Type:** Complaint

**Responsible:** Itrombetta - TROMBETTA, LOUIS

**Complainant:** DIVISION OF PARI-MUTUEL WAGERING  
1400 W COMMERCIAL BLVD, STE 165, FORT LAUDERDALE, FL 33309

**Respondent:** LEDONNE, LISA N  
818 NORTH 11TH STREET, PALATKA, FL 32177

**Summary:** 02/09/2023 - Waiver interview conducted ----- / ----- . 148-Orange Park Kennel Club, Inc.

Chronology:	Effective Date	Type	Lic Type	Code	Description	Responsible Party	Respondent
	02/09/2023	A	10	50	Interview Respondent		LEDONNE, LISA N
	03/02/2023	A	79	70	Sent to Director for Review	ddonaldson	LEDONNE, LISA N
	02/09/2023	A	79	435	Telephone		LEDONNE, LISA N
	01/04/2023	A	79	440	Incoming Correspondence	Imuniz	LEDONNE, LISA N
	01/04/2023	A	10	15	Assigned to Investigator	cwtaylor	LEDONNE, LISA N
	02/02/2023	A	79	435	Telephone		LEDONNE, LISA N
	01/18/2023	A	79	435	Telephone		LEDONNE, LISA N
	01/19/2023	A	79	435	Telephone		LEDONNE, LISA N



**State of Florida**  
**Department of Business and Professional Regulation**  
**Chronology Report**

<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>
	01/25/2023	A	79	435	Telephone		LEDONNE, LISA N
	01/26/2023	A	79	425	Letter		LEDONNE, LISA N
	02/02/2023	A	79	195	Miscellaneous		LEDONNE, LISA N
	01/18/2023	A	79	415	E-Mail		LEDONNE, LISA N
	01/04/2023	R		cwtaylor	TAYLOR, CHARLES W	Imuniz	
	03/02/2023	R		ddonaldson	DONALDSON, DAVID	Imuniz	
	03/02/2023	R		ltrombetta	TROMBETTA, LOUIS	ddonaldson	
	03/02/2023	S	1021	104	Sent to Licensing Section	Imuniz	
	03/02/2023	S	1021	106	Sent to Directors office	ddonaldson	
	01/04/2023	S	1021	10	Initial Review	Imuniz	
	03/01/2023	S	1021	90	Closed	Imuniz	
	01/04/2023	S	1021	20	Under Investigation	Imuniz	

<b>Allegation:</b>	<b>Code</b>	<b>Description</b>
	WAVR	Waiver of Crim. Conv. or Other Offenses



**State of Florida**  
**Department of Business and Professional Regulation**  
**Chronology Report**

*DD*

[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: **Imuniz**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	<b>1021 - Pari-Mutuel Wagering Individual Occupational</b>	Status	<b>104 Sent to Licensing Section</b>	Status Date	<b>03/02/2023</b>
Complaint #	<b>2023000559</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent <b>LEDONNE, LISA N</b>	Responsible	<b>ddonaldson - DONALDSON, DAVID</b>	<b>Private Case</b>	

[Complaint](#) | 
 [Respondent](#) | 
 [Complainant](#) | 
 [Add'l Info](#)

Source	<b>LIC - Licensee</b>	Security Level	<b>1</b>	<input type="checkbox"/>	<a href="#">Parties</a>	<input checked="" type="checkbox"/>	<a href="#">Activities</a>
Form	<b>WALK - Walk-in</b>	Priority		<input checked="" type="checkbox"/>	<a href="#">Allegations</a>	<input type="checkbox"/>	<a href="#">Discipline</a>
Class'n	<b>IIIB - Waivers</b>	Complexity	<b>R - Regular</b>	<input type="checkbox"/>	<a href="#">Violations</a>	<input type="checkbox"/>	<a href="#">Compliance</a>
Security	<b>STND - Standard</b>	Incident	<b>08/31/2022</b>	<input type="checkbox"/>	<a href="#">Related</a>	<input checked="" type="checkbox"/>	<a href="#">Disposition</a>
Region	<b>CR - Central Region</b>	Received	<b>01/04/2023</b>	<input type="checkbox"/>	<a href="#">Inspection</a>		
Reference				<input type="checkbox"/>	<a href="#">Costs</a>		
Entered	<b>01/04/2023</b>	Entered By	<b>Imuniz</b>	<input type="checkbox"/>	<a href="#">Time Tracking</a>	<input type="checkbox"/>	<a href="#">Auto Assign</a>
Summary	<b>02/09/2023 - Waiver interview conducted ----- / ----- . 148-Orange Park Kennel Club, Inc.</b>			<input type="checkbox"/>	<a href="#">Attachments</a>	<input type="checkbox"/>	<a href="#">History</a>
Updated	<b>03/02/2023 09:58:32</b>	By	<b>Imuniz</b>	<input type="checkbox"/>	<a href="#">Work Notes</a>	<input type="checkbox"/>	<a href="#">Print Report</a>

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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: **ddonaldson**  
03/02/2023

VR Home > Complaint Search > Maintain Complaint > **License Home**

<b>License</b> Fed Tax # [REDACTED] Lic Type <b>1021 - PMW Professional Individual Occupational</b> Expires On File # <b>72111</b> Name <b>LEDONNE, LISA N</b> Extended To License # Rank Renewed On Entity # <b>13277228</b> Lic Status <b>Applicant</b>			Licensee History Notes Notes History Back								
<b>Address</b> Street # <b>818</b> Street <b>NORTH 11TH STREET</b> Line 2 Line 3 City <b>PALATKA</b> State <b>FL</b> Zip <b>32177</b> Routing			*New applicant, -No previous license, -No temp issued. *No ARCI findings. *CCIS findings. *No additional enforcement cases.								
<b>Other</b> 1st License Date Rank Date Certificate # Method - - Status Date Certificate Date Fee Exempt <b>No</b> Birth Date [REDACTED] Renewal Sent											
<b>Select</b> Action <input type="text"/>  											
<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td colspan="4">No items found.</td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	No items found.				
Type	Modifier	Effective Date	Additional Info								
No items found.											
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PMW-3180 - Request for Waiver



STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
www.fgcc.fl.gov

FLORIDA GAMING CONTROL COMMISSION

2022 AUG 31 PM 2:56

RECEIVED

TO: LISA N LEDONNE  
Full Legal Name of Applicant

[Redacted]  
Date of Birth

13277228  
Individual/Org. Number

If you are a new applicant to Florida and have been convicted of any felony, regardless of whether adjudication was withheld, or if you are renewing your pari-mutuel occupational license in Florida and have been convicted of any of the crimes listed below, you must first request and receive a waiver from the FGCC in order to receive a Florida Pan-Mutuel Wagering Occupational License or Cardroom License. Please check the appropriate box(es) below that best describes your situation:

For Pari-Mutuel and Cardroom Applicants:

- A conviction in this state, in any other state, or under the laws of the United States of a capital felony, a felony or an offense in any other state which would be a felony under the laws of Florida involving arson, trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance, or a crime involving a lack of good moral character. A felony or misdemeanor in this state, in any other state, or under the laws of the United States, if such felony or misdemeanor is related to gambling or bookmaking, as contemplated in Section 849.25, Florida Statutes, or involves cruelty to animals.
- Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Elected, Unpaid Fine, in this or any other racing jurisdiction. Specify discipline and jurisdiction.
- New applicant to Florida who has been convicted of any felony, regardless whether adjudication was withheld.

For Cardroom Applicants Only:

- A misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, in this state or any other state, or under the laws of the United States.

If you choose to request a waiver, please sign this form below and return it with your completed application, license, and fingerprint fees. After an investigation is conducted, the FGCC will either grant or deny the request for waiver. You will be notified of the decision by mail at the address provided on your application.

UNTIL YOU ARE LICENSED:

- 1) You are not permitted to engage in any activity which requires a pari-mutuel occupational license or a cardroom license at any pari-mutuel facility in Florida. If you are found to be working without a license, you will be subject to arrest for trespassing and your waiver request may be denied.
- 2) You are forbidden from accessing any of the restricted areas of any pari-mutuel facility in Florida.

I hereby request a waiver for the situation(s) or conviction(s) noted above, and acknowledge that license and fingerprint fees are non-refundable in the event the waiver request is denied. I hereby acknowledge that my failure to participate in a waiver interview or to disclose any pertinent information regarding convictions, rulings, revocations, or denials from other jurisdictions will result in a denial of the request for waiver. I hereby waive the Section 120.60, Florida Statutes, timeline requirement regarding the processing of this application.

*Lisa N Ledonne*

8/31/22

Signature of Applicant

Date

TO BE CONSIDERED FOR A WAIVER, APPLICANTS MUST COMPLETE FORM PMW-3180 - REQUEST FOR RELEASE OF INFORMATION AND AUTHORIZATION TO RELEASE INFORMATION, AND SCHEDULE A WAIVER INTERVIEW WITH THE OFFICE OF INVESTIGATIONS.



**Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
DBPR PMW-3120 – Individual Occupational License Application**

**Instructions:** Please review this application thoroughly and complete all sections that pertain to you and are not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION			
Social Security Number		Birth Date / (MM/DD/YYYY)	Gender <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female
Last Name	First	Middle	Suffix
LeDonno	Lisa	N.	Ms.
Have you used, been known as, or called by another name (example – maiden name, pseudonym, nickname) or alias other than the name used on the application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If yes, list the name or names used: _____			
Race/Ethnicity (optional) <input type="checkbox"/> Black or African American <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Native American or Alaskan Native <input checked="" type="checkbox"/> White or Caucasian <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other			
Current Mailing Address		Email Address (optional)	
818 N. 11th St.		[REDACTED]	
City	State	Zip Code (+4 optional)	Country, if other than USA
Palatka	FL	32177	
Primary Phone Number		Secondary/Cell Phone Number (optional)	
[REDACTED]		[REDACTED]	
Current Street Address			
818 N. 11th St.			
City	State	Zip Code (+4 optional)	Country, if other than USA
Palatka	FL	32177	
Type of Occupational License applying for: <input type="checkbox"/> Part-Mutuel General Individual <input checked="" type="checkbox"/> Part-Mutuel Professional Individual <input type="checkbox"/> Cardroom Employee		Facility where employed and/or doing business: Best Bet St. Augustine, FL	
Occupation: <u>massage therapist</u>		[REDACTED]	
Does your position require access to the Cardroom? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Is this your first time applying for a racing/gaming license in Florida? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Are you a Supervisor, Manager, or Shareholder of a business with a pari-mutuel permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Do you own or lease animals intended for racing in Florida? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, complete the following:			
Stable Name, Kennel Name, or Business Name <u>N/A</u>			
Trainer Name (horse or greyhound racing only) <u>N/A</u>			
TO BE COMPLETED BY DOCTORS, VETERINARIANS, NURSES, PARAMEDICS, AND EMTS ONLY			
Type of professional license (attach a copy of Florida professional license):		Florida License Number	
		EXHIBIT #1 Page 3 of 7	
FOR DIVISION USE ONLY			
License Code <u>1021</u>	License # <u>13277228</u>	File # <u>72111</u>	App # <u>238256</u>
Association Code <u>910</u>	Date Received <u>7/26/22</u>	Entered By <u>CH</u>	License Year <u>22/25</u>
License Fee <u>80.00</u>	FP Date <u>7/26/22</u>	FP Fee <u>37.25</u>	Total Fee <u>117.25</u>
Off Temp	Waiver Requested	<u>ARCI</u>	Enforcement
			Minor

*Insuff fees received  
NO FP Cards*

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

Yes  
 No  
 Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

Yes  
 No  
 Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE
I have too many to list here so I included all my prior arrest reports and/or court disposition copies within a packet of paperwork					

Yes  
 No  
 Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

Yes  
 No  
 Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:  
 I have had numerous dr. i's, arrest due to debt related incidents, I have either paid fines, went to jail or prison to pay my debt to society. I had a drinking problem.

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

Lo H. Lanna  
 Signature of Applicant

7/21/22  
 Date

Entry number 1327728

Amended application number 1

**REQUIREMENTS FOR APPLICATION CITY, ADDITIONAL FEES, AND INCESSARY**

Yes Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

No

Yes Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.

No

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE
12/23/99	Clinton	OH	Escapes	Felony	1 year State Prison
6/3/97	Clinton	OH	Theft	Felony	1 year Probation
07/18/97	Montgomery	OH	DUI	Misdemeanor	60 days
10/25/06	Wynn	GA	DUI	Felony	10-yr. Prob

Yes 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.

No

Yes Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine?

No If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

In  
L  
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Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 47, United States Code, Sections 653, 664, and Sections 409.2677, 409.2696, and 569.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to ensure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to send a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.B. 943.066 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Nonprosecution Jurisdiction Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 569.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

*Signature*  
Signature of Applicant

8/31/22  
Date

COPIES TO BE SENT TO: 5

RECEIVED



Entity number: \_\_\_\_\_

Amended application number: Z

**TRACING INFORMATION (SEE ADDITIONAL PAGE 5) HAS FORFEITED**

Yes  No Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

Yes  No Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below:

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE
<i>INT 07/11/2016</i>	<i>Glynn</i>	<i>GA</i>	<i>DUI</i>	<i>Misdemeanor</i>	
<i>INT 07/10/2016</i>	<i>Glynn</i>	<i>GA</i>	<i>DUI</i>	<i>Misdemeanor</i>	
<i>INT 11/28/2006</i>	<i>Duval</i>	<i>FL</i>	<i>DUI</i>	<i>Misdemeanor</i>	
<i>INT 7/18/2006</i>	<i>Duval</i>	<i>FL</i>	<i>DUI</i>	<i>Misdemeanor</i>	

Yes  No Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

Yes  No Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

*11/2/99 Duval FL DUI Misdemeanor*

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 47, United States Code, Sections 653, 654, and Sections 409.2577, 409.2596, and 659.76, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 164 Pub.L. 103, Sec. 517.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.36-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent error notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.059 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses, unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 659.76, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

*INT 07/11/2016*  
*INT 07/10/2016*  
*INT 11/28/2006*  
*INT 7/18/2006*  
*INT 11/2/99*

RECEIVED



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: Imuniz

VR Home > License Search > License Home

<b>License</b> Fed Tax # [REDACTED] Lic Type <b>1021 - PMW Professional Individual Occupational</b> Expires On File # <b>72111</b> Name <b>LEDONNE, LISA N</b> Extended To License # Rank Renewed On Entity # <b>13277228</b> Lic Status <b>Applicant</b>			<input type="button" value="Licensee"/> <input type="button" value="History"/> <input type="button" value="Notes"/> <input type="button" value="Notes History"/> <input type="button" value="Back"/>							
<b>Address</b> Street # <b>818</b> Street <b>NORTH 11TH STREET</b> Line 2 Line 3 City <b>PALATKA</b> State <b>FL</b> Zip <b>32177</b> Routing										
<b>Other</b> 1st License Date Rank Date Certificate # Method -- Status Date Certificate Date Fee Exempt <b>No</b> Birth Date [REDACTED] Renewal Sent										
<b>Select</b> Action <input type="text"/>  										
<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td colspan="4">No items found.</td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	No items found.			
Type	Modifier	Effective Date	Additional Info							
No items found.										
<b>Alt Keys</b> BEST LIC NBR										

 Get Adobe Reader.

Licensing Administrator Review – PMW Occupational License

RE: **LEDONNE, LISA N - 13277228**  
(APPLICANT'S NAME– LICENSE #)

Case No: 2023 00 0559

INITIAL APPLICATION RECEIVED:	7/26/2022
COMPLETE APPLICATION RECEIVED:	12/20/2022
<b>90-DAY DEADLINE:</b>	<b>3/19/2023</b>

**Randall Kitchens**  
Application Processor

**910 - Tallahassee**  
Facility (d/b/a name)

**1021 – Massage Therapist**  
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 : 9 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
08/13/1999	Springfield, Ohio	Failure to Comply With Police	F	Guilty
06/23/1997	Clinton County, Ohio	Escape 97-5-093-CR	F	Guilty
06/23/1997	Clinton County, Ohio	Failure to Comply with Police 97-5-093-CR	F	Guilty
06/23/1997	Clinton County, Ohio	Theft 97-5-093-CR	F	Guilty
06/23/1997	Clinton County, Ohio	DUI 97-5-093-CR	F	Guilty
07/25/2016	Glynn County, Ga	Forgery G16-31685	F	Guilty
07/10/2016	Glynn County, Ga	Willful Obstruction of LEO G16-31685	F	Guilty
06/16/2006	Jacksonville, Fl	DUI 3 <sup>rd</sup> Violation 162006CF008420A	F3	
06/13/1994	Clark County, Ohio	Possession of Drugs 94CR0305	F	Guilty

Disposition Unknown				
<input type="checkbox"/> Felony Arrest(s) :				
<input type="checkbox"/> Misdemeanor Arrest – Industry Related/Gambling Related/Bookmaking				
Comments:				
Arrest Date	Location	Charge	Level	Disposition
07/04/1997	Springfield, Ohio	Aggravated Trafficking	F	

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:
Comments:	

<b>Licensing Administrator Review</b>	
<b>Disposition Confirmation</b>	
Disqualifying Convictions/Arrests Confirmed?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> Approval
Forward to	<input checked="" type="checkbox"/> Investigations <input type="checkbox"/> Legal <input type="checkbox"/> Director Initials: 

licenses



Licensee Search

Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number:
Date of Birth:
First Name: Lisa
Middle Name:
Last Name: Ledonne
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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DD 03/02/2023

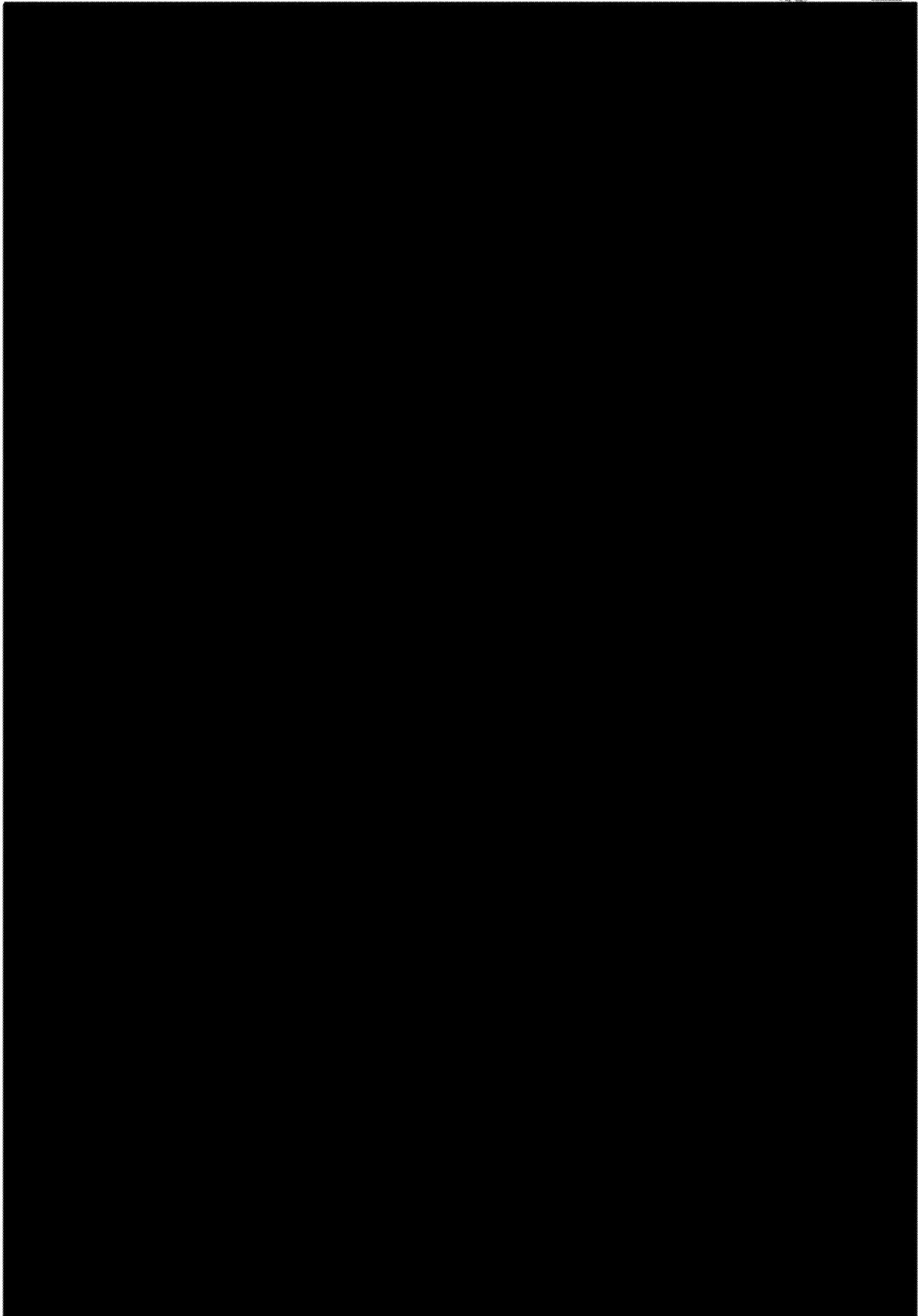
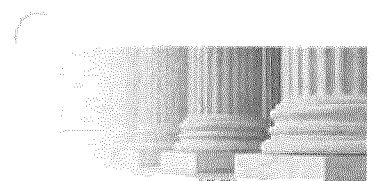


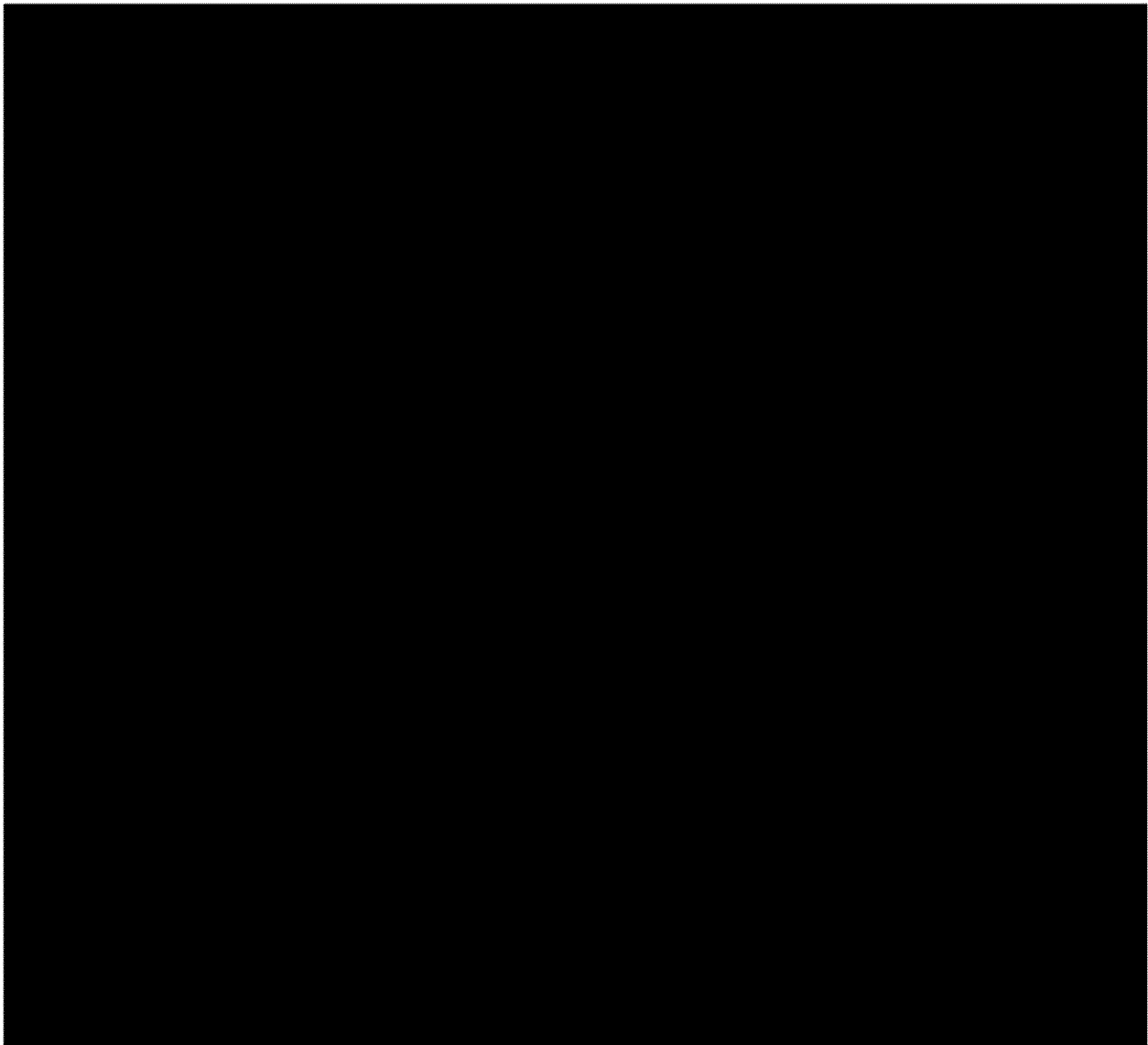


FLORIDA'S CLERKS OF COURT  
AND COMPTROLLERS

Bring You

**ccis** COMPREHENSIVE CASE  
INFORMATION SYSTEM







**DUVAL**  
COUNTY

**JODY PHILLIPS**  
CLERK OF THE CIRCUIT COURT



**FLORIDA'S CLERKS OF COURT  
AND COMPTROLLERS**

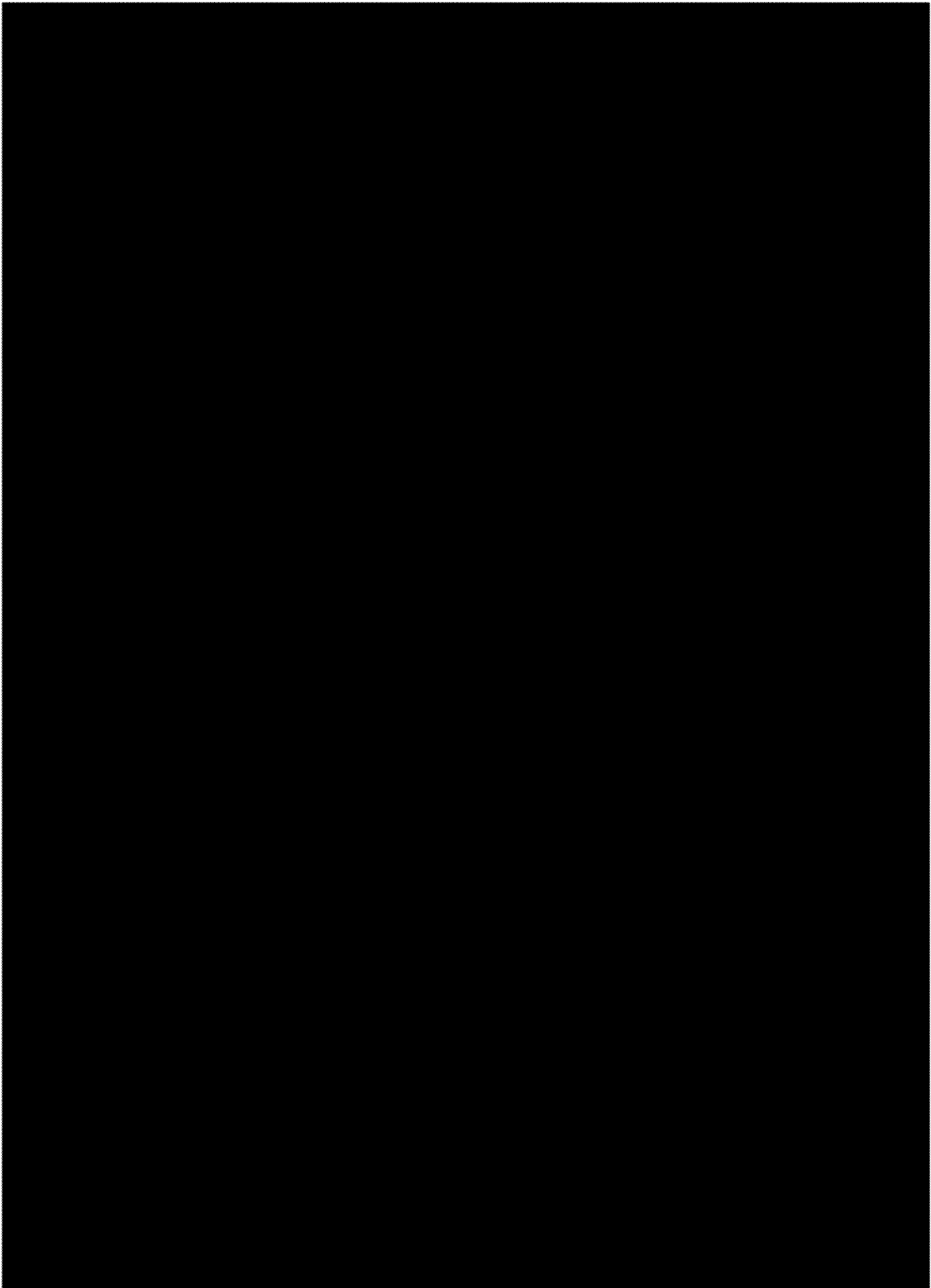
Bring You

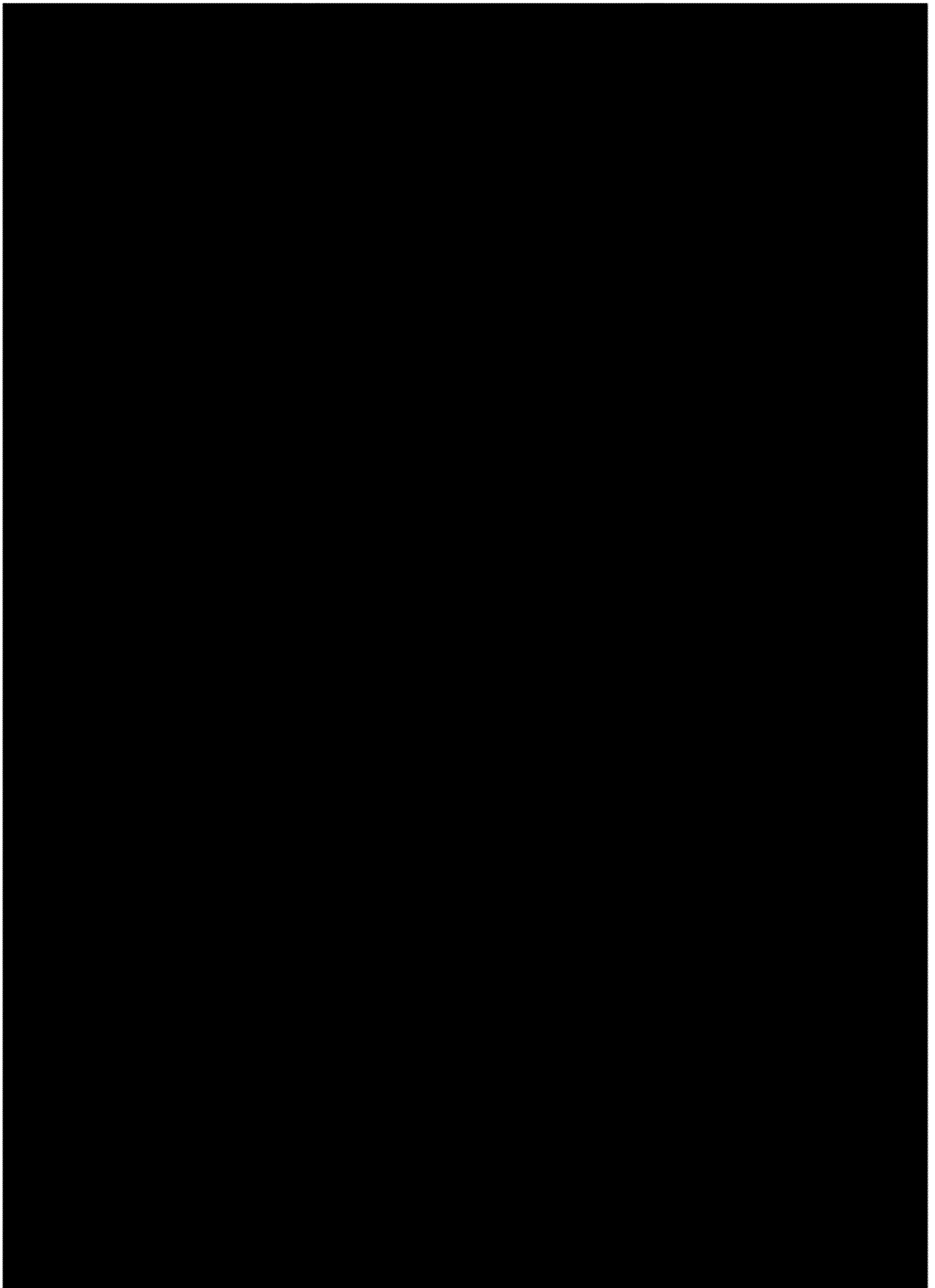
**ccis** COMPREHENSIVE CASE  
INFORMATION SYSTEM

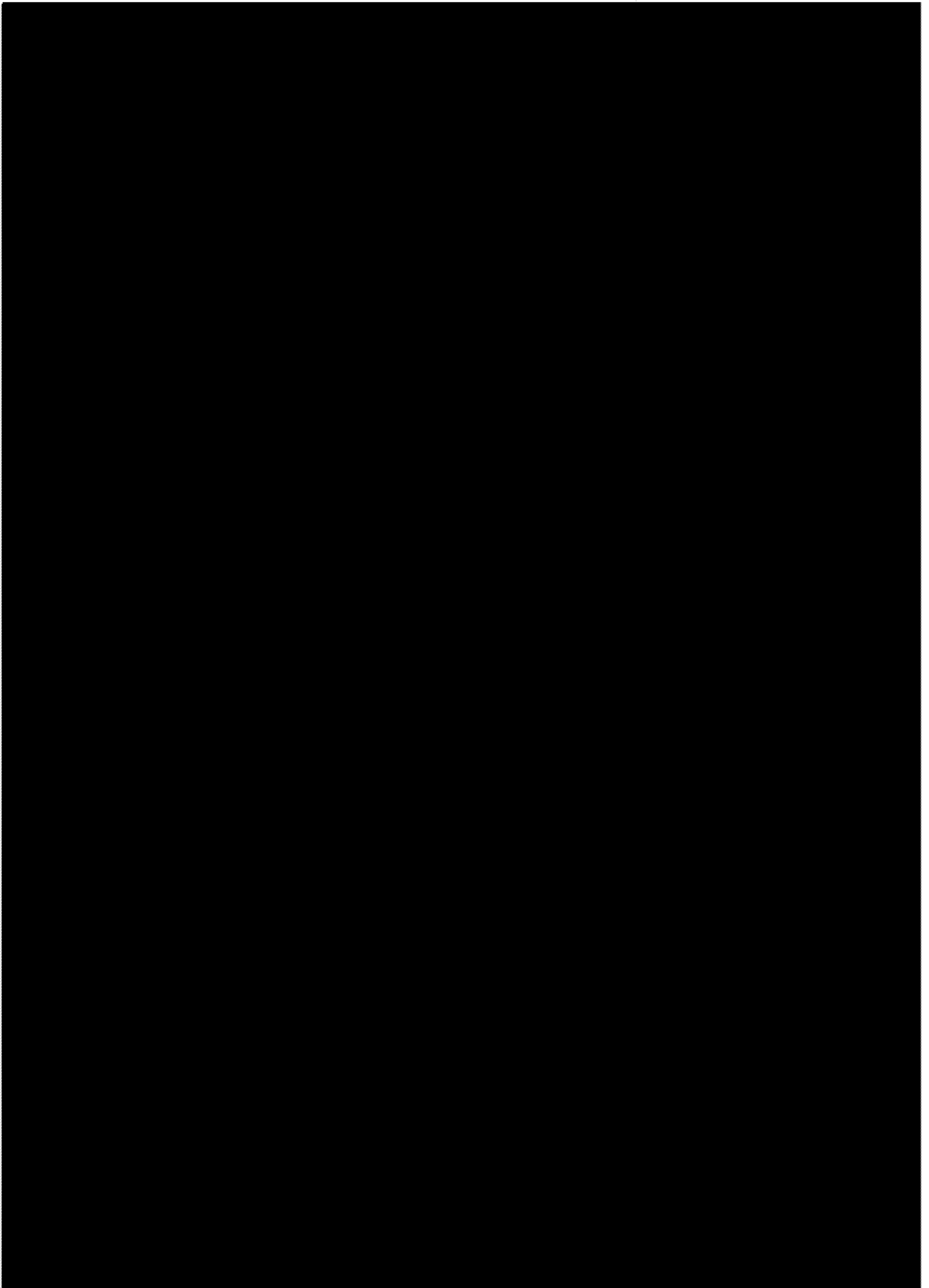
#sv4.dn@clerk.com

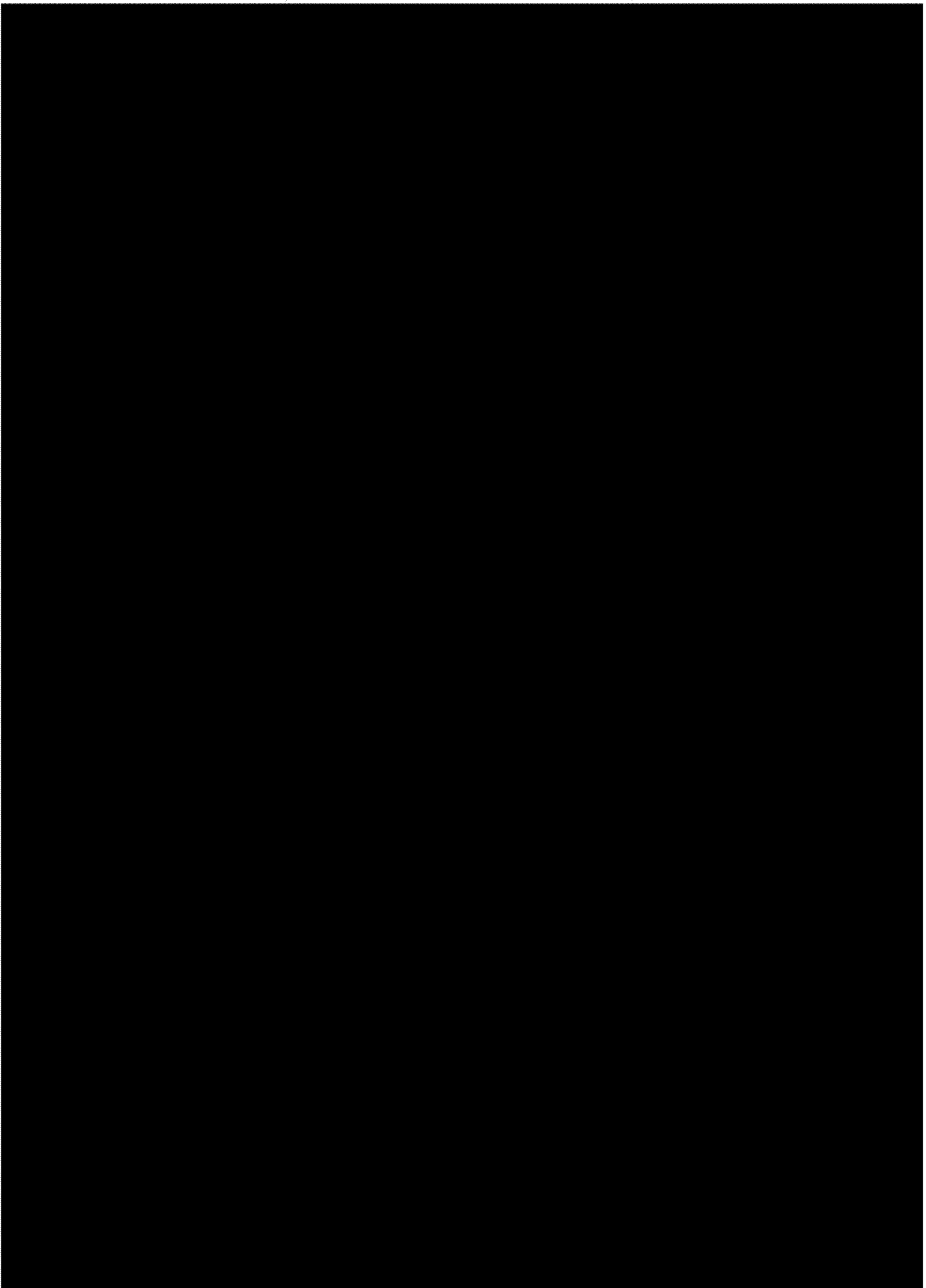
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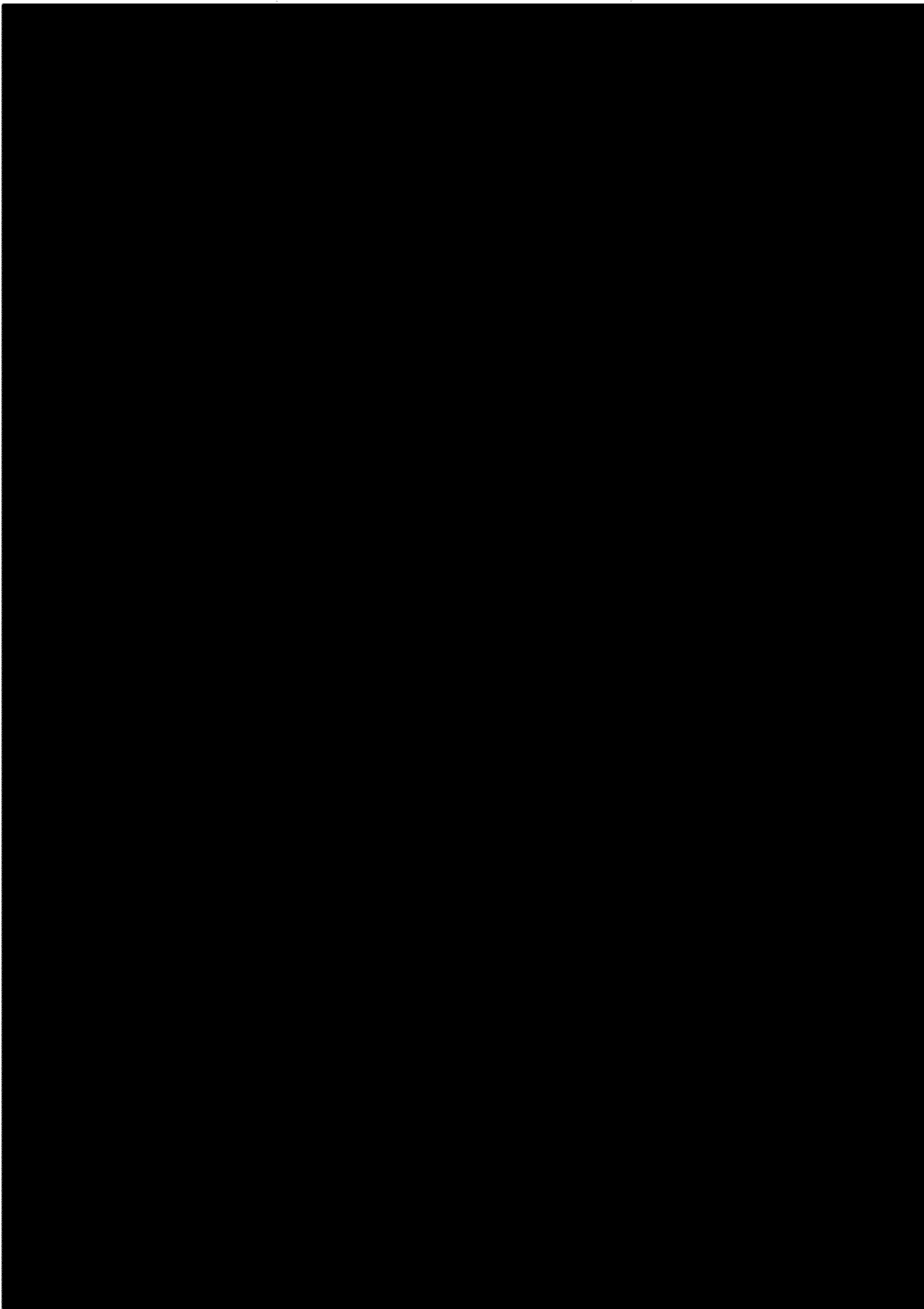
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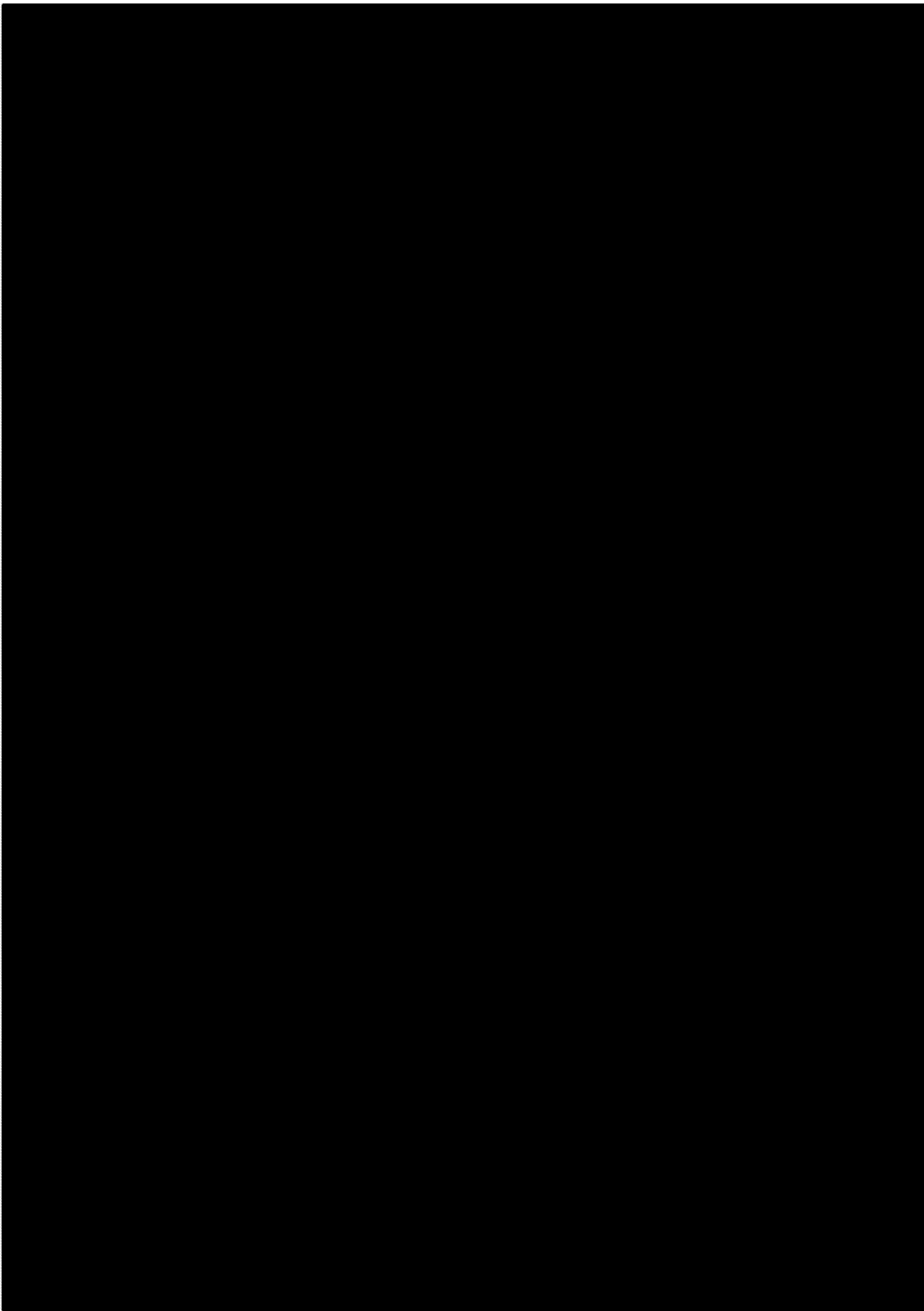














Division CR-G

Case Number 18 2006 CV 8420 AF XXX WA

- \_\_\_\_\_ Probation Violator
- \_\_\_\_\_ Community Control Violator
- \_\_\_\_\_ Retrial
- \_\_\_\_\_ Resentence

**FILED**  
 NOV 28 2006  
*Jim Fuller*  
 CLERK CIRCUIT COURT

State of Florida

v. Lisa Nadine Ledonne  
 Defendant

**JUDGMENT**

The defendant, Lisa Nadine Ledonne, being personally before this court represented by PA. J. Johnson, the attorney of record, and the state represented by E. Smith, and having

- been tried and found guilty by jury/by court of the following crime(s)
- entered a plea of guilty to the following crime(s)
- entered a plea of nolo contendere to the following crime(s)

Count	Crime	Offense Statute Number(s)	Degree of Crime	Case Number	OBTS Number
1	<u>Felony Driving Under The Influence</u>	<u>316.193(1), 316.193(2)(b)</u>	<u>3<sup>rd</sup> F</u>		

Doc # 2006426415, OR BK 13693 Page 2235,  
 Number Pages: 4  
 Filed & Recorded 12/11/2006 at 03:55 PM,  
 JIM FULLER CLERK CIRCUIT COURT DUVAL COUNTY

and no cause being shown why the defendant should not be adjudicated guilty, IT IS ORDERED that the defendant is hereby ADJUDICATED GUILTY of the above crime(s).

and having been convicted or found guilty of, or having entered a plea of nolo contendere or guilty, regardless of adjudication, to attempts or offenses relating to sexual battery (ch. 794), lewd and lascivious conduct (ch. 800), or murder (s. 782.04), aggravated battery (s. 784.045), burglary (s. 810.02), carjacking (s. 812.133), home invasion robbery (s. 812.135), robbery (s. 812.13), or robbery by sudden snatching (s. 812.131), chapter 787 kidnapping, false imprisonment, luring or enticing a child, and interference with custody; or any other offense specified in section 943.325, the defendant shall be required to submit blood specimens or other approved biological specimens.

and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD.

State of Florida  
v.

Lisa Nadine Ledonne  
Defendant

Case Number 16 2006 CF 8420 A XXX MA

Imposition of Sentence \_\_\_\_\_ The Court hereby stays and withholds the imposition of sentence as to count(s)  
Stayed and Withheld \_\_\_\_\_ and places the Defendant on probation/community control for a  
(Check if Applicable) period of \_\_\_\_\_ under the supervision of the Department  
of Corrections (conditions of probation/community control set forth in  
separate order.)

**FINGERPRINTS OF DEFENDANT**

1. Right Thumb	2. Right Index	3. Right Middle	4. Right Ring	5. Right Little

Fingerprints taken by: RB Boyto Name Baird Title

I HEREBY CERTIFY that the above and foregoing are the fingerprints of the  
defendant, Lisa Nadine Ledonne, and that they were placed thereon by the defendant  
in my presence in open court this date.

DONE AND ORDERED in open court in Jacksonville, Duval County, Florida,  
this 28 day of Nov, 06.

[Signature]  
Judge

Defendant Lisa Nadine Ledonne

Case Number

18 2006 CF

19-111 WA

OBTS Number

**SENTENCE**

(As to Count 1)

The defendant, being personally before this court, accompanied by the defendant's attorney of record PA. J. Johnson, and having been adjudicated guilty herein, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown.

(Check one if applicable.)

and the court having on \_\_\_\_\_ (date) deferred imposition of sentence until this date.

and the court having previously entered a judgment in this case on \_\_\_\_\_ (date) now resentsences the defendant

and the court having placed the defendant on probation/community control and having subsequently revoked the defendant's probation/community control.

**It Is The Sentence Of The Court That:**

The defendant pay a fine of \$ \_\_\_\_\_, pursuant to section 775.083, Florida Statutes plus \$ \_\_\_\_\_ as the 5% surcharge required by 938.04, Florida Statutes.

The defendant is hereby committed to the custody of the Department of Corrections.

The defendant is hereby committed to the custody of the Sheriff of Duval County, Florida.

The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

**To be Imprisoned (Check one; unmarked sections are inapplicable):**

For a term of natural life.

For a term of 8 months.

Said SENTENCE SUSPENDED for a period of \_\_\_\_\_ subject to conditions set forth in this order.

**DEFENDANT PLACED  
IN RIVER REGION  
MATRIX HOUSE PROGRAM  
w/NO early Release**

If "split" sentence, complete the appropriate paragraph.

Followed by a period of 1 year on ~~probation/community control~~ under the supervision of the Department of Corrections according to the terms and conditions of supervision set forth in a separate order entered herein.

However, after serving a period of \_\_\_\_\_ imprisonment in \_\_\_\_\_, the balance of the sentence shall be suspended and the defendant shall be placed on probation/community control for a period of \_\_\_\_\_ under supervision of the Department of Corrections according to the terms and conditions of probation/community control set forth in a separate order entered herein.

In the event the defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the defendant begins service of the supervision terms.

**OTHER PROVISIONS**

**Retention of Jurisdiction**

The court retains jurisdiction over the defendant pursuant to section 947.16(4), Florida Statutes.

**Jail Credit**

It is further ordered that the defendant shall be allowed a total of 4 days as credit for time incarcerated before imposition of this sentence.

**Prison Credit**

It is further ordered that the defendant be allowed credit for all time previously served on this count in the Department of Corrections prior to resentencing.

**Consecutive/ Concurrent As To Other Counts**

It is further ordered that the sentence imposed for this count shall run (check one) \_\_\_\_\_ consecutive to \_\_\_\_\_ concurrent with the sentence set forth in count \_\_\_\_\_ of this case.

Defendant Lisa Nadine Ledonne

Case Number 16 2006 CF 8420A XIX MA

**OTHER PROVISIONS**

**Consecutive/  
Concurrent  
As To Other  
Convictions**

\_\_\_ It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run

(check one) \_\_\_ consecutive to \_\_\_ concurrent

with the following:

(check one)

\_\_\_ any active sentence being served.

\_\_\_ specific sentences: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In the event the above sentence is to the Department of Corrections, the Sheriff of Duval County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the department together with a copy of this judgment and sentence and any other documents specified by Florida Statute.

The defendant in open court was advised of the right to appeal from this sentence by filing notice of appeal within 30 days from this date with the clerk of this court and the defendant's right to the assistance of counsel in taking the appeal at the expense of the State on showing of indigency.

In imposing the above sentence, the court further recommends \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DONE AND ORDERED in open court at Jacksonville, Duval County, Florida, this NOV 28 2006 day of \_\_\_\_\_, \_\_\_\_\_.

  
\_\_\_\_\_  
Judge

94CR0305 STATE OF OHIO vs. LEDONNE, LISA N DMR

Case Status:  
Closed  
File Date  
06/13/1994  
Action:  
TRAFFICKING IN DRUGS  
Case Judge:  
RASTATTER, DOUGLAS M  
Next Event:

All Information Party Charge Docket

Party Information

HOFFMAN, WILLIAM  
- ATTORNEY

DOB  
Disposition  
Disp Date

Address

Alias

Party Attorney

Attorney  
HOFFMAN, WILLIAM  
Address  
Phone

LEDONNE, LISA N  
- DEFENDANT

DOB  
Disposition  
Disp Date

Address

C/O ATTORNEY JAMES DOUGHT  
39 N FOUNTAIN AVENUE  
SPRINGFIELD, OH

Alias

Party Attorney

Attorney  
DOUGHTY, JAMES A  
Address  
Phone

Party Charge Information

LEDONNE, LISA N  
- DEFENDANT  
Charge # 1:  
2925.03 - TRAFFICKING IN DRUGS

Original Charge  
2925.03 TRAFFICKING IN DRUGS  
Indicted Charge  
Amended Charge

LEDONNE, LISA N  
- DEFENDANT  
Charge # 2:  
2925.11 - POSSESSION OF DRUGS

Original Charge  
2925.11 POSSESSION OF DRUGS  
Indicted Charge

- o Amended Charge
- o
- o **LEDONNE, LISA N**
- o - DEFENDANT
- o Charge # 3:
- o 2925.11 - POSSESSION OF DRUGS
- o
- o Original Charge
- o 2925.11 POSSESSION OF DRUGS
- o Indicted Charge
- o
- o Amended Charge
- o

**Docket Information**

<u>Date</u>	<u>Docket Text</u>	<i>Image Avail.</i>
01/01/1900	041833 1000.00 19940620 1 DR	
01/01/1900	041834 41.00 19940620 1 DR	
01/01/1900	041833 100.00 19941117 2 CL	
01/01/1900	041833 900.00 19941117 2 SU	
01/01/1900	041834 41.00 19941117 2 RO	
01/01/1900	A21199 1000.00 19970711 1 DR CC/BOND	
01/01/1900	A21769 500.00 19970801 1 DR CC/DEPOSI	
01/01/1900	A21769 69.00 19970801 2 CL CC/DEPOSI	
01/01/1900	A21769 23.50 19970801 2 SH CC/DEPOSI	
01/01/1900	A21769 75.00 19970801 2 CO CC/DEPOSI	
01/01/1900	A21769 332.50 19970801 2 MF CC/DEPOSI	
01/01/1900	A21199 100.00 19980521 2 CL CC/BOND	
01/01/1900	A21199 900.00 19980521 2 SU CC/BOND	
01/01/1900	016074 900.00 GUY A FERGUSON, CLERK 19941117	
01/01/1900	029643 900.00 TERRY SIMON 19980521	
06/13/1994	INDICTMENT AGAINST LISA N LEDONNE FOR THE CHARGE OF AGGRAVATED TRAFFICKING IN DRUGS AND DRUG ABUSE/2 CTS FILED.  REQUEST FILED AND SUMMONS TOGETHER WITH CERT COPY OF INDICTMENT ISSUED SHERIFF OF CLARK COUNTY, OHIO FOR PERSONAL SERVICE UPON THE DEFT. LISA N LEDONNE.	
06/20/1994	ORDERED---DEFT. LISA N. LEDONNE ARRAIGNED---READING OF INDICTMENT WAIVED---DEFT. PLEADS NOT GUILTY TO SAID INDICTMENT---BOND FIXED AT (\$10,000.00) 46 C3.  VOLUME # 673 PAGE # 308	
06/20/1994	RECOGNIZANCE OF ACCUSED FILED. (46C3 BOND)  RECEIVED \$1,000.00 46C3 BOND FROM GUY A FERGUSON, CLERK RECEIVED \$41.00 ROTARY DEPOSIT FROM LISA N LEDONNE RONALD E VINCENT, CLERK PAULA L JONES, DEPUTY	
06/21/1994	SUMMONS ON INDICTMENT RETURNED ENDORSED AS FOLLOWS: SHERIFF'S RETURN I MADE PERSONAL SERVICE UPON LISA N LEDONNE BY LOCATING HIM AND TENDERING A COPY OF SAID WRIT ON: 06/20/94 GENE A KELLY, SHERIFF \$3.50 BY /S/ DEPUTY JIM GOWER	
06/21/1994	REQUEST OF DEFENDANT FOR DISCOVERY AND DISCLOSURE FILED.	
06/21/1994	MOTION OF DEFENDANT FOR BILL OF PARTICULARS FILED.	
06/28/1994	BILL OF PARTICULARS FILED	
06/28/1994	DISCOVERY OF STATE OF OHIO FILED.	
06/28/1994	STENOGRAPHER'S BILL FOR \$25.00 TO BE PAID TO CLARK CO., OHIO FILED.	



Date	Docket Text	Image Avail.																		
06/30/1994	CRIMINAL JURY TRIAL SCHEDULED ON : 09/22/94 AT 09:00 AM																			
09/15/1994	CRIMINAL JURY TRIAL SCHEDULED ON : 10/20/94 AT 09:00 AM																			
10/26/1994	STENOGRAPHER'S BILL FOR \$25.00 TO BE PAID TO CLARK CO., OHIO FILED.																			
10/26/1994	CRIMINAL DISPOSITION SCHEDULED ON : 11/09/94 AT 08:30 AM																			
11/09/1994	STENOGRAPHER'S BILL FOR \$25.00 TO BE PAID TO CLARK CO., OHIO FILED.																			
11/17/1994	ORDERED---DEFT. ENTERED A PLEA OF GUILTY TO AGG. TRAFF, IN D RUGS--- DEFT BE IMPRISONED IN OHIO STATE REFORMATORY FOR WOM EN, MARYSVILLE, OHIO FOR (1) YEAR AND ASSESSED COURT COSTS, FOR WHICH EXECUTION IS AWARDED---DEFT., FINED (\$5,000.00) M ANDATORY FINE TO BE PAID: (\$2,500.00) TO CLARK COUNTY PROSEC UTOR'S OFFICE AND (\$2,500.00) TO CLARK COUNTY SHERIFF'S DEPT . ---SENTENCE SUSPENDED---DEFT. PLACED ON PROBATION FOR (2) YEARS---DEFT. TO ABIDE BY PROBATION REGULATIONS ATTACHED HER ETO---UPON COMPLYING, DEFT. DISCHARGED. VOLUME # 678 PAGE # 828-829																			
11/17/1994	<table border="0"> <tr> <td>COURT COST:</td> <td>ROTARY FUND</td> <td>\$41.00 X</td> </tr> <tr> <td>CLERK</td> <td>69.00</td> <td></td> </tr> <tr> <td>SHERIFF</td> <td>23.50</td> <td></td> </tr> <tr> <td>STENO</td> <td>75.00</td> <td></td> </tr> <tr> <td>MAND FINE</td> <td>5000.00</td> <td></td> </tr> <tr> <td colspan="2">TOTAL</td> <td>\$5208.50</td> </tr> </table>	COURT COST:	ROTARY FUND	\$41.00 X	CLERK	69.00		SHERIFF	23.50		STENO	75.00		MAND FINE	5000.00		TOTAL		\$5208.50	
COURT COST:	ROTARY FUND	\$41.00 X																		
CLERK	69.00																			
SHERIFF	23.50																			
STENO	75.00																			
MAND FINE	5000.00																			
TOTAL		\$5208.50																		
10/23/1996	ORDERED---CLERK TO CAUSE A CAPIAS TO BE ISSUED FOR ARREST OF DEFT. VOLUME # 693 PAGE # 00479																			
10/23/1996	AFFIDAVIT OF DAVID W ELLINGER, PROBATION OFFICER FILED.  REQUEST FILED AND CAPIAS ISSUED SHERIFF OF CLARK COUNTY, OHIO AND SPRINGFIELD POLICE DEPARTMENT FOR THE ARREST OF THE DEFT. LISA N LEDONNE.																			
07/07/1997	CAPIAS RETURNED ENDORSED AS FOLLOWS: SHERIFF'S RETURN I HAVE ARRESTED LISA N LEDONNE. GENE A KELLY, SHERIFF																			
07/09/1997	CAPIAS RETURNED ENDORSED AS FOLLOWS: POLICE RETURN I HAVE ARRESTED BY SHERIFF.* SPD/																			
07/09/1997	ORDERED---UPON APPLICTION OF DEFT., BOND FIXED AT (\$10,000.00) 46 C 3. VOLUME # 697 PAGE # 00832																			
07/10/1997	CAPIAS RETURNED ENDORSED AS FOLLOWS: SHERIFF'S RETURN I HAVE ARRESTED LISA N LEDONNE. GENE A KELLY, SHERIFF																			
07/11/1997	STENOGRAPHER'S BILL FOR \$25.00 TO BE PAID TO CLARK CO., OHIO FILED.																			
07/11/1997	RECOGNIZANCE OF ACCUSED FILED. (46C3 BOND - \$10,000.00) RECD. \$1,000.00 46C FROM TERRY SIMON RONALD E VINCENT, CLERK CAROL H CLARK, DEPUTY																			
07/11/1997	WARRANT TO DISCHARGE PRISONER ADMITTED TO BAIL ISSUED SHERIFF CLARK COUNTY, OHIO.																			
07/14/1997	SCHEDULED FOR 07/16/97 AT 8:30 AM - MISCELLANEOUS																			
07/15/1997	MOTION OF DEFT. TO CONTINUE W/EXHIBIT "A" FILED.																			
07/15/1997	ORDERED---UPON MOTION, THE PROBATION VIOLATION HEARING SET FOR JULY 14TH, 1997 IS CONTINUED TO LATER DATE MOST CONVENIENT TO THIS COURT. VOLUME # 698 PAGE # 00002																			
07/21/1997	SCHEDULED FOR 08/01/97 AT 8:30 AM - MISCELLANEOUS																			

Date	Docket Text	Image Avail.
12/16/1997	SCHEDULED FOR 12/30/97 AT 1:30 PM - MISCELLANEOUS	
01/09/1998	SCHEDULED FOR 01/16/98 AT 9:30 AM - MISCELLANEOUS	
05/13/1998	ORDERED---THE PROBATION PREVIOUSLY ORDERED IN THIS CASE BE ADMINISTRATIVELY TERMINATED---FURTHER RESTITUTION WILL NOT BE COLLECTED---ALL FINES AND COURT COSTS ARE SUSPENDED. VOLUME # 703 PAGE # 448	
05/13/2020	100% TO CLERK FEE Receipt: 311082 Date: 05/13/2020	
06/18/2020	100% TO CLERK FEE Receipt: 314086 Date: 06/18/2020 Reverse Receipt: 314086 Date: 06/18/2020 Reverse by: 314675 Receipt Reversal Reason: CLERICAL ERROR Reverse Amount: 2.25 Receipt: 314678 Date: 06/18/2020	
09/26/2022	100% to Clerk Fee  Cost Explanation: emailed copies Receipt: 349001 Date: 09/26/2022	

COURT OF COMMON PLEAS  
CLARK COUNTY, OHIO

State of Ohio

Plaintiff,

Case No. 94-CR-305

-vs-

Lisa N. LaDonne

JUDGMENT ENTRY OF  
CONVICTION

Defendant,

On October 26, 1994, Defendant appeared in Court with counsel and entered a plea of guilty to the charge of Aggravated Trafficking in Drugs (R.C. Section 2925.03), a felony of the third degree, as set forth in Count I of the Indictment. Counts II and III were dismissed.

On November 9, 1994, Defendant appeared in Court with counsel for sentencing. The Court reviewed its pre-sentence investigation report and afforded Defendant and her counsel the opportunity to speak in mitigation. No cause was shown why judgment should not be pronounced and accordingly,

IT IS THE JUDGMENT AND SENTENCE of this Court that the Defendant be imprisoned in the Ohio State Reformatory for Women, c/o Marysville, Orient, Ohio for a term of one (1) year, and be assessed the court costs of this prosecution for which execution is hereby awarded.

The Defendant is fined the sum of \$5,000.00 as a mandatory fine pursuant to R.C. 2925.03 (H)(4), to be paid to the law enforcement agencies responsible for the arrest and prosecution of the Defendant, to-wit: \$2,500.00 to the Clark County Prosecutor's Office and \$2,500.00 to the Clark County Sheriff's Department.

The sentence of imprisonment imposed herein shall be suspended and the defendant place on probation for a term of two (2) years, subject to the following conditions:

1. Defendant shall abide by the Clark County Adult Probation Department's Regulations of Probation which are attached hereto and incorporated herein as if fully rewritten.

Upon complying with the law and order of this Court, Defendant is discharged.

  
\_\_\_\_\_  
JUDGE GERALD F. LORIG

APPROVED:

  
\_\_\_\_\_  
STEPHEN A. SCHUMAKER  
PROSECUTING ATTORNEY

  
\_\_\_\_\_  
WILLIAM D. HOFFMAN  
ASSISTANT PROSECUTING ATTORNEY

MCI; F-3, F-4, F-4 MCC; F-3

Nov 17 10 08 AM '94  
RON VINCENT, CLERK  
COMMON PLEAS COURT  
CLARK COUNTY, OHIO

FILED

EXHIBIT #2  
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1997 case



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k=searchForm1404)

## Record Search



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Case Information: CRI975093

**Plaintiff(s)**





County Costs: \$25.00	\$0.00	\$25.00
State Treasurer: \$41.00	\$0.00	\$41.00
Sundries: \$52.06	\$0.00	\$52.06
Miscellaneous: \$16.00	\$0.00	\$16.00
Sheriff Fees: \$142.60	\$0.00	\$142.60

**Transactions (this case/charge only)**

<b>Total Owed: \$ 509.43</b>	<b>Last Payment: 06/22/2020</b>
<b>Paid to Date: \$ 80.00</b>	<b>Payment Type: Credit Card</b>
<b>Balance Due: \$ 429.43</b>	<b>Paid By: Lisa Ledonne</b>
<b>Deposit Amount: \$ 449.43</b>	<b>Receipt #: 2104898</b>
<b>Deposit \$ 0.00</b>	
<b>Refunded:</b>	
<b>Deposit \$ 429.43</b>	
<b>Available:</b>	

**Disposition Information**

**Conviction Date: 12/23/1999**

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k=searchForm1404)

## Record Search



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Docket Entries: CRI975093

06/22/2020

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- DEPOSIT - RECEIPT NO. 2104898 IN THE AMOUNT OF \$ 429.43
- REIMBURSEMENT PAYMENT IN THE AMOUNT OF \$ 261.44  
WAS APPLIED TO OHIO STATE HIGHWAY PATROL OUT OF RECEIPT NO 2

**07/11/2000**

- COURT DENIED DEFENDANT'S MOTION FOR ADDITION JAIL TIME CREDIT. JR. 233 P. 699 COPY TO PROSECUTOR, JOSEPH DENNIS

**05/04/2000**

- MOTION FOR ADDITIONAL JAIL CREDIT FILED.

**02/10/2000**

- MOTION FOR JUDICIAL RELEASE DENIED. JR. 228 P. 817 COPY TO PROSECUTOR, JOSEPH DENNIS, GEORGE KRAL
- STATE'S MOTION IN OPPOSITION TO DEFENDANT'S MOTION FOR JUDICIAL RELEASE FILED.

**02/04/2000**

- MOTION FOR JUDICIAL RELEASE FILED.

**12/30/1999**

- WARRANT TO CONVEY RETURNED & FILED-CLINTON CO.-LISA N. LEDONNE-PERS. SERV. 12/23/99

**12/23/1999**

- COURT ORDERS COMMUNITY CONTROL REVOKED. DEFENDANT TO SERVE  
12 MOS FOR GRAND THEFT,SECT 2913.02A1,F-4;12 MOS FOR FAILURE TO COMPLY WITH ORDER OR SIGNAL OF POLICE OFFICER,SECT 2921.331B,F-4;12 MOS FOR ESCAPE,SECT 2921.34,F-5 AT OH DEPT RE-
- WRITTEN REQUEST FILED.
- WARRANT TO CONVEY ISSUED - CLINTON COUNTY
- CERTIFIED COPY INDICTMENT, PROBATION ENTRY, AND ENTRY ISSUED HABILITATION & CORRECTIONS,MARYSVILLE,OH - SENTENCES TO RUN CONCURRENTLY WITH EACH OTHER. \$261.44 RESTITUTION TO OH ST PATROL. 171 DAYS JAIL TIME CREDIT. JR. 227 P. 065 COPY TO PROSECUTOR, JOE DENNIS, ELECTION BD, GEORGE KRAL (2)

**12/22/1999**

- CAPIAS RETURNED & FILED-CLINTON CO.-LISA N. LEDONNE-PERS. SERV. 12/21/99
- NOTICE TO SERVE RETURNED & FILED-CLINTON CO.-LISA N. LEDONNE-PERS. SERV. 12/21/99
- SUBPENA RETURNED & FILED-MONTGOMERY CO.-TOM SANDY-RES. SERV. 12/20/99
- SHERIFF OF-MONTGOMERY CO.
- TWO SUBPENAS RETURNED & FILED-CLARK CO.-DEP. JAMES HOLLOPETER-PERS. SERV. 12/17/99; TPR. H. T. MYERS-RES. SERV. 12/17/99.
- SHERIFF OF-MONTGOMERY CO.

**12/21/1999**

- WITNESS FEE FOR DEP. JAMES D. HOLLOPETER.

**12/15/1999**

- PRECIPE FOR SUBPOENA FILED.
- TWO SUBPENAS ISSUED - CLARK COUNTY
- ONE SUBPENA ISSUED - MONTGOMERY COUNTY

**12/03/1999**

- CAPIAS ORDERED. JR. 226 P. 403 COPY TO GEORGE KRAL
- WRITTEN REQUEST FILED.
- CAPIAS ISSUED - CLINTON COUNTY
- CERTIFIED COPY ENTRY ISSUED
- NOTICE TO SERVE WITH COPY MOTION TO REVOKE COMMUNITY CONTROL ISSUED - CLINTON COUNTY

**11/24/1999**

- MOTION TO REVOKE COMMUNITY CONTROL FILED.

**11/15/1999**

- CAPIAS RETURNED & FILED-CLINTON CO.-LISA N. LEDONNE-PERS. SERV. 11/12/99
- NOTICE TO SERVE RETURNED & FILED-CLINTON CO.-LISA N. LEDONNE PERS. SERV. 11/12/99

**08/30/1999**

- MOTION TO REVOKE COMMUNITY CONTROL FILED. COPY TO PROSECUTOR  
GEORGE KRAL
- CAPIAS ORDERED. JR. 223 P. 331 COPY TO PROSECUTOR,  
JOSEPH DENNIS, GEORGE KRAL
- WRITTEN REQUEST FILED.
- CAPIAS ISSUED.
- NOTICE TO SERVE WITH COPY OF MOTION TO REVOKE COMMUNITY CON-  
TROL ISSUED.

**02/16/1999**

- RECEIPT 9903409 AMOUNT 15.00 LISA LEDONNE

**11/10/1998**

- RECEIPT 9802752 AMOUNT 15.00 LISA LEDONNE

**07/21/1998**

- DEFENDANT'S PROBATION BEING MONITERED BY CLARK CO.; IT IS THE ORDER OF THIS COURT THAT DEFENDANT ATTEND 2 ALCOHOL ANONYMOUS MEETINGS PER WEEK & SUBMIT TO RANDOM DRUG AND/OR ALCOHOL TESTING; CLINTON CO. ADULT PROBATION TO BE NOTIFIED IF ANY POSITIVE TESTS WHILE ON PROBATION. JR. 208 P. 164 COPY TO PROSECUTOR, JOE DENNIS & GEORGE KRAL

**06/19/1998**

- DEFENDANT ORDERED TO ENROL WITH CLARK COUNTY COMMUNITY SUPERVISION PROGRAM. MATTER CONTINUED FOR REVIEW JULY 7, 1998 AT 9:00 A. M. JR207 P 205 COPY TO DEBORAH QUIGLEY AND JOE DENNIS

**06/08/1998**

- HEARING SET FOR 07/07/98 AT 9:00 AM REVIEW

**05/13/1998**

- HEARING SET FOR 06/08/98 AT 9:30 AM REVIEW HEARING

**05/05/1998**

- HEARING SET FOR 05/11/98 AT 9:00 AM REVIEW HEARING

**05/01/1998**

- DEFENDANT SHALL REIMBURSE THE COUNTY FOR THE COST OF ANY DRUG AND ALCOHOL TESTING. DEFENDANT SHALL BE RELEASED FROM CLINTON CO. JAIL ON MAY 4, 1998 AND REPORT FOR REVIEW ON 5/11/98 AT 9:00 A.M. TO REVIEW RULES OF COMMUNITY CONTROL. DEFENDANT TO CONTINUE ON COMMUNITY CONTROL.  
JR.205  
P. 369 COPY TO PROSECUTOR, JOSEPH DENNIS , SHERIFF,  
AND GEORGE KRAL

**04/27/1998**

- COURT TOOK MOTION TO REVOKE DEFENDANT'S COMMUNITY CONTROL UNDER ADVISEMENT. DEFENDANT REMANDED TO CUSTODY OF SHERIFF.  
JR. 205 P. 229 COPY TO PROSECUTOR, JOSEPH DENNIS

**04/02/1998**

- MEMORANDUM IN OPPOSITION TO REVOCATION OF PROBATION FILED.

**03/26/1998**

- HEARING SET FOR 04/02/98 AT 1:30 PM 2ND PROB. VIOLATION HEAR

**03/20/1998**

- RETURN RECEIPT RETURNED & FILED, ANDREA STEWART, SIGNED ILLEGIBLE, 3/18/98.

**03/19/1998**

- APPLIED

**03/18/1998**

- MOTION TO REVOKE DEFENDANT'S COMMUNITY CONTROL IS CONTINUED

UNTIL 3/27/98. JR. 203 P. 774 COPY TO PROSECUTOR & ELAINE FIFE

**03/16/1998**

- REVOCATION HEARING SCHEDULED FOR MARCH 27,1998 AT 1:00 P.M. CONTINUED UNTIL APRIL 2, 1998 AT 1:30 P. M. JR203P 686 COPY TO DEBORAH QUIGLEY AND ELAINE FIFE
- PRECIPE FOR SUBPOENA FILED
- SUBPENA ISSUED VIA CERTIFIED MAIL. RETURN RECEIPT REQUESTED
- POSTAGE CHARGED
- RETURN RECEIPT RETURNED & FILED, AMY STEWART, SIGNED DANE SUAWZ, 3/11/98.

**03/13/1998**

- MOTION FOR CONTINUANCE FILED.

**03/10/1998**

- PRECIPE FOR SUBPOENA FILED
- SUBPOENA ISSUED VIA CERTIFIED MAIL. RETURN RECEIPT REQUESTED.
- POSTAGE CHARGED

**03/05/1998**

- NOTICE TO SERVE RETURNED & FILED-CLINTON CO.-LISA N. LEDONNE PERS. SERV. 3/3/98.
- CAPIAS RETURNED & FILED-CLINTON CO.-LISA N. LEDONNE-PERS. SERV. 3/3/98.

**03/03/1998**

- RECEIPT 9800527 AMOUNT 5.00 LISA LEDONNE-MONDAY COMM MOTION TO REVOKE COMMUNITY CONTROL FILED
- CAPIAS ORDERED. JR. 203 P. 513 COPIES TO PROSECUTOR
- WRITTEN REQUEST FILED
- CAPIAS AND CERTIFIED COPY OF ENTRY ISSUED.



**02/25/1998**

- DEPOSIT 9800462 AMOUNT 5.00 L. LEDONNE - MONDAY PRO.

**02/17/1998**

- RECEIPT 9800375 AMOUNT 5.00 MONDAY CORR. (LEDONNE)

**02/06/1998**

- DEPOSIT 9800295 AMOUNT 5.00 LISA LEDONNE-MONDAY PRO.

**02/02/1998**

- RECEIPT 9800249 AMOUNT 5.00 LISA LEDONNE-MONDAY PROG

**01/29/1998**

- RECEIPT 9800224 AMOUNT 5.00 L. LEDONNE/MONDAY PROG.

**01/14/1998**

- RECEIPT 9800103 AMOUNT 5.00 L. LEDONNE-MONDAY PROGRAM

**01/09/1998**

- APPLIED

**01/02/1998**

- RECEIPT 9800005 AMOUNT 5.00 LISA LE DONNE

**12/26/1997**

- DEPOSIT 9703070 AMOUNT 5.00 MONDAY PROGRAM-L. LEDONNE

**12/03/1997**

- DEPOSIT 9702897 AMOUNT 5.00 MONDAY PROGRAM-L. LEDONNE

**10/31/1997**

- DEFENDANT BEFORE COURT 10/28/97; SENTENCED TO 4 YRS COMMUNITY CONTROL. SHE IS TO COMPLETE MONDAY PROGRAM; MAKE RESTITUTION TO OSHP IN THE AMOUNT OF \$261.44 & ATTEND ALCOHOL & DRUG COUNSELING. RULES OF PROBATION ATTACHED. JR. 201 P 462
- COURT ORDERS MONDAY PROGRAM TO TRANSPORT DEFENDANT FROM DAYTON WORKHOUSE TO MONDAY PROGRAM INSTITUTION TO BEGIN PROGRAM. JR. 201 P 465 COPY TO PROSECUTOR AND ELAINE FIFE.
- STENOGRAPHER FEES
- POUNDAGE - 1ST \$10,000 2% - RESTITUTION \$261.44

- MAKING COMPLETE RECORD - EACH PAGE COPY TO DEBORAH QUIGLEY AND ELAINE FIFE.

**10/15/1997**

- HEARING SET FOR 10/28/97 AT 8:15 AM SENTENCING

**09/17/1997**

- DEFENDANT BEFORE COURT 9/12/97; PLED "GUILTY" TO GRAND THEFT SEC 2913.02(A)(1), F-4, COUNT 1; "GUILTY" TO FAILURE TO COMPLY W/ORDER OF POLICE OFFICER, SEC 2921.331(B), F-4, COUNT 2; "GUILTY" TO ESCAPE, SEC 2921.34, F-5, COUNT 3 OF THE INDICT-
- PRESENTENCE INVESTIGATION AND EVALUATION BY MONDAY PROGRAM ORDERED. DEFENDANT REMANDED TO CUSTODY OF SHERIFF. JR 200 P 590 COPY TO DEBORAH QUIGLEY, ELAINE FIFE AND GEORGE KRAL. MENT. COURT ACCEPTS PLEA. JR. 200 P 591 COPY TO DEBORAH QUIGLEY, ELAINE FIFE.

**09/12/1997**

- CAPIAS ISSUED. CERTIFIED COPY OF ENTRY DON'T SERVE PER JUDGE.

**09/11/1997**

- DEFENDANT FAILED TO APPEAR, CAPIAS ORDERED. JR. 200 P. 540 COPY TO PROSECUTOR

**08/19/1997**

- HEARING SET FOR 08/28/97 AT 8:15 AM PLEA DISCLOSURE FILED.
- MOTION FILED.
- MOTION FOR SPEEDY TRIAL FILED.

**08/12/1997**

- WARRANT TO DISCHARGE RETURNED & FILED-CLINTON CO.-LISA N. LEDONNE-PERS. SERV. 7/24/97.

**08/11/1997**

- HEARING SET FOR 10/20/97 AT 9:00 AM JURY TRIAL

**07/31/1997**

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- DEFENDANT SAYS SHE IS NOT GUILTY TO FIRST,SECOND, THIRD COUNTS. PRE-TRIAL SCHEDULED FOR AUGUST 19,1997 AT 8:15 A.M. JR199P 621 COPY TO DEBORAH QUIGLEY AND ELAINE FIFE

**07/25/1997**

- WARRANT ON INDICTMENT RETURNED & FILED-CLINTON CO.- DEFENDANT  
PERS. SERV. 7/21/97

**07/24/1997**

- HEARING SET FOR 08/19/97 AT 8:15 AM PRE-TRIAL WARRANT TO DISCHARGE ISSUED.
- DISCOVERY LETTER FILED.
- LEDONNE, LISA N. ARRAIGNED 07/24/97
- LETTER OF DISCOVERY FILED

**07/14/1997**

- LEDONNE, LISA N. INDICTED 07/14/97
- 2913.02A1 GRAND THEFT;
- 2921.331B FAILURE TO COMPLY;
- 2921.34 ESCAPE;
- CLERK FEES : \$25.00; COMPUTER FEES \$10.00; LEGAL RES \$3.00  
VIC OF CRIME \$30.00; GEN. REVENUE \$11.00
- WARRANT TO ARREST WITH COPY OF INDICTMENT ISSUED.
- WRITTEN REQUEST FILED.

**07/08/1997**

- CASE FILED 07/08/97 BY CLINTON COUNTY
- CASE BOUNDOVER TO GRAND JURY 07/08/97
- 3 TRANSCRIPTS FROM CLINTON CO. MUNICIPAL COURT FILED.
- 16 ORIGINAL PAPERS AND ONE CASSETTE FROM CLINTON CO. MUNICIPAL COURT FILED. 97CRA760

- 11 ORIGINAL PAPERS FROM CLINTON CO. MUNICIPAL COURT FILED.  
97CRA761
- 10 ORIGINAL PAPERS FROM CLINTON CO. MUNICIPAL COURT FILED.  
97CRA762

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IN THE COURT OF COMMON PLEAS  
CLINTON COUNTY, OHIO

State of Ohio )  
PLAINTIFF )  
-vs- )  
Lisa N. Ledonne )  
DEFENDANT )

CASE NO. 97-5-093-CR  
ENTRY

Jr 201 7 462

This cause came on for defendant's sentencing hearing this 28th day of October, 1997, pursuant to Ohio Revised Code Section 2929.19. Elaine H. Fife, counsel for defendant, and Deborah S. Quigley, Assistant Prosecuting Attorney, appearing on behalf of the State of Ohio, were present as was the defendant who was afforded all rights pursuant to Criminal Rule 32. The Court has considered the record, oral statements, and presentence report prepared, and evaluation by the Monday Community Correctional Institution, as well as the principles and purposes of sentencing under Ohio Revised Code Section 2929.11, and has balanced the seriousness and recidivism factors of Ohio Revised Code Section 2929.12.

The Court finds that the defendant has been convicted of the following:

1. Grand Theft in violation of Section 2913.02 (A) (1) of the Ohio Revised Code, a felony of the fourth degree as contained in the first count of the indictment;
- (2) Failure to Comply with Order or Signal of Police Officer in violation of Section 2921.33T (B) of the Ohio Revised Code, a felony of the fourth degree, as contained in the second count of the indictment; and

FLORIDA GAMING  
CONTROL COMMISSION

2022 JUL 26 AM 11:28

RECEIVED

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(3) Escape in violation of Section 2921.34 of the Ohio Revised Code, a felony of the fifth degree, as contained in the third count of the indictment.

subject to division (B) of Section 2929.13 of the Ohio Revised Code.

The Court has considered the factors under Revised Code Section 2929.13 (B) and finds that the defendant was already under community control when she committed these offenses.

For reasons stated on the record and after consideration of the factors of Ohio Revised Code Section 2929.12, the Court also finds that a community control sanction is consistent with the purposes of Revised Code Section 2929.11.

It is therefore ORDERED that the defendant be sentenced to four (4) years of community control subject to the general supervision and control of the Adult Probation Department under any terms and conditions that they deem appropriate, including that the defendant shall be prohibited from leaving the state without permission of the Court or the Adult Probation Department. The defendant shall abide by all laws including, but not limited to, the laws related to firearms and dangerous ordinance and including the Rules of Community Control attached hereto and made a part hereof.

The Court further imposes specific sanctions and conditions as follows upon the defendant:

1. That the defendant successfully complete the Monday Community Correctional Program and follow any treatment and/or recommendations implemented for the defendant.

2. The defendant shall make restitution to the Ohio State Highway Patrol in the sum of Two Hundred Sixty-One Dollars Forty-Four Cents (\$261.44), payable through the Clerk of this Court.

3. Upon the defendant's release from the Monday Community Correctional Program, she shall attend alcohol and drug counseling.

Violation of any of this sentence shall lead to a more restrictive sanction, a longer sanction, or a prison term of the following:

(a) up to twelve (12) months at the Ohio Department of Rehabilitation and Corrections as to the charge of Grand Theft in violation of Section 2913.02 (A) (1) of the Ohio Revised Code, a felony of the fourth degree as contained in the first count of the indictment;

(b) up to twelve (12) months at the Ohio Department of Rehabilitation and Corrections as to the charge of Failure to Comply with Order or Signal of Police Officer in violation of Section 2921.331 (b) of the Ohio Revised Code, a felony of the fourth degree as contained in the second count of the indictment;

(c) up to twelve (12) months at the Ohio Department of Rehabilitation and Corrections as to the charge of Escape in violation of Section 2921.34 of the Ohio Revised Code, a felony of the fifth degree as contained in the third count of the indictment;

(d) Said sentences of imprisonment shall run concurrently with each other herein.

(e) The defendant shall be given jail credit of thirty-seven (37) days spent awaiting trial and sentencing herein.

Defendant is notified that if a prison term is imposed for violation of community control, the Parole Board may extend prison time up to one-half of the stated prison term in 15, 30, 60, or 90 day increments for certain violations committed while in prison. After prison release, if post release control is imposed, for violation of post release control conditions, the Adult



Parole Authority or Parole Board could impose a more restrictive or longer control sanction, or return defendant to prison for up to nine months for each violation, up to a maximum of one half of the stated prison term. If the violation is a new felony, defendant may receive a prison term of the greater of one year or the time remaining on post release control, in addition to any other prison term imposed for the new offense.

Defendant is hereby ordered to report to the Adult Probation Department upon completion of the Monday Community Correctional Program. Defendant is ordered to pay all costs of prosecution, court appointed counsel costs, and any supervision fee pursuant to Ohio Revised Code Section 2929.18-14 (4). The clerk shall release any and/or \$11 bonds posted herein upon the defendant entering the Monday Community Correctional Institution.

The defendant is hereby remanded to the custody of the Sheriff of Cuyahoga County, Ohio pending availability for the defendant of the Monday Community Correctional Program.

ENTER this 11th day of October, 1997.

  
William A. Holmbeck, Judge

  
Deborah S. Quigley, Judge  
Assistant Prosecuting Attorney

  
James H. King  
Attorney for Defendant



IN THE COURT OF COMMON PLEAS  
CLINTON COUNTY, OHIO

State of Ohio	)	
PLAINTIFF	)	CASE NO. CR1975093
-vs-	)	
Lisa N. Ledonne	)	
DEFENDANT	)	ENTRY

99 DEC 23 AM 9:02  
 CLINTON COUNTY  
 J. DAN M. CURLISS, CLERK

FILED-COMM PLEAS

This cause came on for hearing this 21st day of December, 1999, before the Honorable Judge S. Quigley, Assistant Prosecuting Attorney appearing on behalf of the State of Ohio and the defendant being in Court in custody of the Sheriff and with her counsel, Joseph H. Dennis, on the Motion to Revoke the defendant's community control filed by the State of Ohio.

The defendant admitted that she violated the conditions of her community control and the Court finds that the defendant violated the terms of her community control herein. It is therefore the ORDER of this Court that the defendant's community control be REVOKED and further ORDERS the following:

Ju. 227 p. 065

(a) that the defendant is hereby sentenced and ordered transported to the Ohio Department of Rehabilitation and Corrections, Marysville, Ohio, for assignment to an appropriate penal institution for a definite term of twelve (12) months for Grand Theft in violation of Section 2913.02 (A)(1) of the Ohio Revised Code, a felony of the fourth degree as contained in the first count of the indictment.

(b) that the defendant is hereby sentenced and ordered transported to the Ohio Department of Rehabilitation and Corrections, Marysville, Ohio, for assignment to an appropriate penal institution for a definite term of twelve (12) months for Failure to Comply with Order or Signal of Police Officer in violation of Section 2921.331 (B) of the Ohio Revised Code, a felony of the fourth degree as contained in the second count of the indictment.

RECEIVED  
 SEP 16 PM 4:16  
 CLINTON COUNTY  
 J. DAN M. CURLISS, CLERK

(c) that the defendant is hereby sentenced and ordered transported to the Ohio Department of Rehabilitation and Corrections, Marysville, Ohio, for assignment to an appropriate penal institution for a definite term of twelve (12) months for Escape in violation of Section 2921.34 of the Ohio Revised Code, a felony of the fifth degree as contained in the third count of the indictment.

(d) Said sentences are to run concurrently with each other herein.

(e) That the defendant is to be given credit of one hundred seventy-one (171) days spent confined prior to and including the day of imposition of sentence, plus all days accrued up to the date of defendant's conveyance to the state correctional institution.

(f) The defendant shall pay the costs of prosecution for which execution is awarded, including costs of transportation and shall pay restitution to Ohio State Highway Patrol in the sum of Two Hundred Sixty-One Dollars Forty-Four Cents (\$261.44) payable through the Clerk of this Court.

The Court has notified the defendant that bad time may be imposed by the Parole Board under Revised Code Section 2967.11 for certain rule violations committed while in prison. The defendant is ordered to serve as part of this sentence any bad time imposed.

The Court has further notified the defendant that post release control is optional in this case up to a maximum of three (3) years, as well as the consequences for violating conditions of post release control imposed by the Parole Board under Revised Code Section 2967.28. The defendant is ordered to serve as part of this sentence any term of post release control imposed by the Parole Board, and any prison term for violation of that post release control.

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FLORIDA GAMING  
CONTROL COMMISSION  
EXHIBIT #2  
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The defendant shall be remanded to the custody of the Sheriff of Clinton County, Ohio for conveyance to the Ohio Department of Rehabilitation and Corrections, Marysville, Ohio.

ENTER this 23 day of December, 1999

William B. McCracken  
William B. McCracken, JUDGE

Deborah S. Quigley  
Deborah S. Quigley, #0055485  
Assistant Prosecuting Attorney

REFUSED <sup>JMS</sup> 12-23-99  
Joseph H. Dennis  
Attorney for Defendant

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FLORIDA STATE  
CONTROL COMMISSION

2006 Case

**FELONY**

First Appearance: 7/11	Continued: 7/31	Continued:	Continued:	Continued:
Continued:	Continued:	Continued:	Continued:	Continued:



**Arrest And Booking Report**  
**Jacksonville Sheriff's Office**  
**Jacksonville Florida**

**ADULT**

Yr: 2006	Incident # 619724	Amend #
Jail # 2006028246	7/18/2006 10:16	File Direct: NO
JSO ID #	Court: Circuit	
SSN	OBTS #	

Day/Date/Time Arrested: Tuesday 7/18/2006 09:00

Arresting Agency: Jacksonville Sheriff's Office

Name: LEDONNE, LISA NADINE

Aliases: NONE

Nickname(s): NONE

Subject's Home Address: 201 SCRANTON RD Apt./Lot #:  
 City: BRUNSWICK State: GEORGIA Zip: 31520  
 Race: WHITE Sex: Female DOB: [REDACTED] Age: 44 Eye Color: BLUE  
 Hair Color: BROWN Complexion: DARK Height: 5' Weight: Build:  
 Drivers License # State: Subject's Resident Type: OUT OF STATE  
 Hm Phone # Bus. Phone # Phone Ext.  
 Subject's Residence Status: NON-RESIDENT Armed With: NOT APPLICABLE (NONE)  
 Distinguishing Marks: NONE  
 Employer: Place of Birth: CHARLESTOWN SOUTH CAROLINA  
 School Last Attended: ARLINGTON SCHOOL OF MASSAGE

Sub-Sector of Residence:  
 OC deployed prior to/during Arrest: NO

**ORIGINAL COPY**  
**FILED**  
 JUL 24 2006  
 CLEAR CIRCUIT COURT

**FILED**  
 How long until...  
 Arrest Made On: CALL

Domestic Violence Involved: NO Children under 18 Present: If No is it Domestic Related: NO

Day/Date/Time of Incident-From: Tuesday 7/18/2006 09:30

Incident Address: 500 ADAMS ST E Apt./Lot #:

Offense Location Type: Jail / Prison Interviewed by:

Where Arrested: 500 ADAMS ST E Apt./Lot #:

Involved in Traffic Accident: NO Injuries from Accident:

Is Incident Gang Related: NO

Is Arrestee a Gang member? NO

**Statute or Ordinance Number(s):**

#1 Statute No: S316.193(2)(B) Degree: F3 UCR Code: 5400 Attempt Code: Commit  
 DUI / FELONY 3RD VIOLATION WITHIN TEN YEARS

7/18/2006-10:01

Citation # NONE	SA# NONE
Capias/Warrant # 1170864	Case # 16-2006CF8420AXXMA

Warrant Type: Local Capias

No. of Counts: 1

Jurisdiction: Jacksonville Sheriff's Office

CT. Location/Div.: DIV-G

Bond Amount: \$25,003.

Date of Issue: 6/16/2006

Date of Return: 7/18/2006

Judge: FRYEFIELD

Disposition:

Disposition Date:

#2 Statute No: S316.193(2)(B) Degree: F3 UCR Code: 5400 Attempt Code: Commit  
 DUI / FELONY 3RD VIOLATION WITHIN TEN YEARS

7/18/2006-10:01

Citation # NONE	SA# NONE
Capias/Warrant # 1170864	Case # 16-2006CF8420AXXMA

Warrant Type: Local Capias

No. of Counts: 1

Jurisdiction: Jacksonville Sheriff's Office

CT. Location/Div.: DIV-G

Bond Amount: \$25,003.

Date of Issue: 6/16/2006

Date of Return: 7/18/2006

Judge: FRYEFIELD

Disposition:

Disposition Date:

EXHIBIT #2  
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#3 Statute No: S316.1939(1)(E) Degree: M1 UCR Code: 540A Attempt Code: Commit  
DUI / REFUSAL TO SUBMIT TO TESTING

7/18/2006-10:01

Citation # NONE	SA# NONE
Capias/Warrant # 1170864	Case # 16-2006CF8420AXXXMA

Warrant Type: Local Capias

No. of Counts: 1

Jurisdiction: Jacksonville Sheriff's Office

CT. Location/Div.: DIV-G

Bond Amount: \$25,003.

Date of Issue: 6/16/2006

Date of Return: 7/18/2006

Judge: FRYEFIELD

Disposition:

Disposition Date:

#4 Statute No: S322.34(2) Degree: CM UCR Code: 540A Attempt Code: Commit  
LICENSE; KNOWINGLY OPER VEH W/ DL SUSP, CANCELLED, REVOKED

7/18/2006-10:01

Citation # NONE	SA# NONE
Capias/Warrant # 1170864	Case # 16-2006CF8420AXXXMA

Warrant Type: Local Capias

No. of Counts: 1

Jurisdiction: Jacksonville Sheriff's Office

CT. Location/Div.: DIV-G

Bond Amount: \$25,003.

Date of Issue: 6/16/2006

Date of Return: 7/18/2006

Judge: FRYEFIELD

Disposition:

Disposition Date:

### Blanket Bond:

#### ADDITIONAL INFORMATION 1

Reporting Officer: L.D.WILLIAMS 5340

THE SUBJECT WAS TAKEN INTO CUSTODY PER JUDGE FRYEFIELD SEE CASE #16-2006CF8420AXXXMA

Transported By: L.D.WILLIAMS #5340

Approving Supervisor: L.D.WILLIAMS #5340

Arresting Officer(s) #1: L.D.WILLIAMS #5340

#2: #0

Div/Zone or Unit: DETECTIVE

# of Cases Cleared:

State of Florida, County of Duval

Arresting / Transporting Officer's Signature: *L.D. Williams*

Sworn to (or affirmed) and subscribed before me this 18 day of July, 2006, by SS40

Personally Known  or Produced Identification  Type of Identification produced:

Print Name or Stamp, Commissioned name of Notary Public

Signature of Notary, State of Florida Certified Law Enforcement Officer or Corrections Officer:

#### Investigative Time:

#1 Hours: 1 Minutes: 0 Cost Amount: \$14.46

Drug Activity: NOT APPLICABLE  
Alcohol Related: UNKNOWN (OR N/A)

Drug Type: NOT APPLICABLE  
Drug Related: UNKNOWN (OR N/A)

#### Jail Information (Back Door)

Jail # 2006028246

Date and Time Admitted: 7/18/2006 10:16

Juvenile/Court Clerk #

#### Triage Questions:

Involved in Traffic Accident: NO Injuries from Accident:  
OC deployed prior to/during Arrest: NO Was a hobble restraint used on the arrestee? NO  
Does the arrestee exhibit any signs of suicidal behavior or attempts? NO Does the arrested have any observable medical/mental health problems? NO  
Has the arrestee shown any escape potential or violence propensity behaviors? NO  
Is there any other information about the arrestee that jail personnel need to know? NO  
If yes, what?

### Part II of Arrest And Booking Report:

#### Arrestee Personal Information:

Special Needs:

EXHIBIT #2  
PAGE 32/63

SOCIAL SECURITY #		OBTS #	
Corrected Name of Suspect:		Corrected DOB:	
Place of Birth: <u>South Carolina</u>		Religion: <u>Christian</u>	
Height: <u>5-9</u>	Weight: <u>140</u>	Build: <u>MED</u>	Defense Attorney:
Marital Status: <u>SINGLE</u>		Length of Present Emploment: Yrs.    Months <u>4</u>	
Education (# of years) <u>16 yrs</u>		Occupation: <u>MASSAGE THER</u>	
Employer: <u>ST SIMONS HEALTH &amp; FITNESS</u>		How long in Jax: <u>6 yrs</u>	Local Prior Arrests: <u>YES</u>
Employer Address: <u>St. Simons Island</u>			
Next of Kin, Name: <u>Richard Morgan</u>		Relationship: <u>Sister</u>	
Next of Kin Address & Ph #: <u>2050 PEARL ST.</u> [REDACTED]			

Admission Officer ID #: <u>J.A. WOOD #7207</u>		Searching Officer ID #:	
Property Officer ID #: <u>60344</u>		Fingerprinting Officer ID #: <u>6026</u>	
Booking Officer ID #: <u>6025 WMB</u>		Date & Time Booked: <u>7-18-06 1105</u>	
Arraignment:		Trial:	
Date Exp. Sentence:	Gain Time:	Bond Hearing:	
Blanket Bond:	Court Cost:	Reduced Bond:	By:
How Prisoner Released: <u>SUR</u>		BOR or Bonded by: <u>3:00 @ 3:00</u>	
Releasing Officer ID#: <u>6867</u>		Release Date & Time: <u>7/19/06</u>	
Releasing Sergeant ID#:			

Continued:	Continued:	Continued:	Continued:
Continued:	Continued:	Continued:	Continued:
Continued:	Continued:	Continued:	Continued:
Continued:	Continued:	Continued:	Continued:

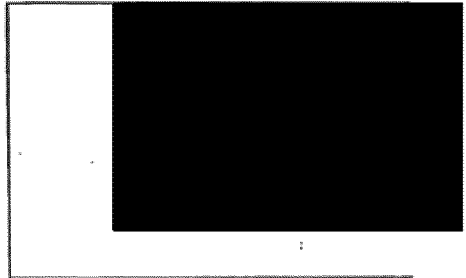
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EXHIBIT #2  
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Jail Remarks:	Chemical Test Data				
	Specimen:				
	Blood	Breath	Urine	Urine	Nose
	Analysis Results:			Refused:	
	1st	g/210L	TIME:	Blood:	
	2nd	g/210L	TIME:	Urine:	
	3rd	g/210L	TIME:	Breath:	
	Breath Test Instrument:				
	Type:	Machine #			
	Operator Name and I.D.#		Date:		

DETAINER/HOLD FOR:
AGENCY:
LOCATION:
CHARGES:
BOND:
JUDGE:
REMARKS:

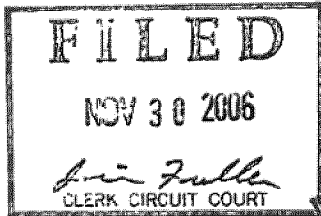
Verification By: \_\_\_\_\_



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EXHIBIT #2  
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FILED  
BY COMPUTER  
L.F.

IN THE CIRCUIT COURT, 4<sup>TH</sup> JUDICIAL  
CIRCUIT, IN AND FOR DUVAL  
COUNTY, FLORIDA

CASE NO.: 16-2006-CF-8420-AXXX

DIVISION: CR-G

STATE OF FLORIDA

vs.

LISA N. LEDONNE

**ORDER OF PROBATION**

**THIS CAUSE** coming on this day to be heard before me, and the defendant being present, and having

**Plea of Guilty**  
to/of the offense(s) of

**Felony DUI (ct 1)**

**Judgment:**

The Court hereby adjudges you to be guilty of the above offense(s).

The Court withholds adjudication of guilt.

**Sentence:**

Now therefore, it is Ordered and Adjudged that you be placed on Probation for a period of 1 year under the supervision of the Department of Corrections, subject to Florida law.

It is further ordered and adjudged that you be

committed to the Department of Corrections

confined in the County Jail

for a term of 8 months DCJ with 4 days credit with credit for jail time. After you have served 8 months DCJ with 4 days credit of the term you shall be placed on Probation for a

period of 1 year under the supervision of the Department of Corrections, subject to Florida law.

It is further ordered that you shall comply with the following conditions of Probation during the Probation period:

- (1) Not later than the fifth day of each month, unless otherwise directed by your officer, you will make a full and truthful report to your Officer on the form provided for that purpose.
- (2) You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
- (3) You will not possess, carry or own any firearm. You will not possess, carry or own any weapon without first procuring the consent of your officer.
- (4) You will live without violating any law. A conviction in a court of law shall not be necessary in order for such a violation to constitute a violation of your Probation.
- (5) You will not associate with any person engaged in any criminal activity.
- (6) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
- (7) You will work diligently at a lawful occupation, advise your employer of your probationary status and support any other dependents to the best of your ability, as directed by your officer.
- (8) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
- (9) You will perform 00 hours of community service at the rate of not less than five (5) hours per month as directed by your officer.
- (11) You will be subject to random urinalysis at the discretion of your officer. You will pay the reasonable costs of such testing.
- (12) You will pay the following monetary obligations (plus a 4 percent surcharge) to the Department of Corrections, as directed by your Probation Officer by and through the Department of Corrections:

Restitution in the amount of \$00 to \*\*.

\$5.00 leea; \$50.00 CCT fund; \$200.00 felony cost; \$20.00 CSTF; \$3.00 TCTF;  
\$65.00 per Fla. Statute; \$50.00 SOCIF; \$1,000.00 fine; \$50.00 5%SC

Public Defender Lien in the amount of \$50.00, if Public Defender Appointed.

Public Defender Application Fee in the amount of \$40.00, if Public Defender Appointed.

State Processing Fee in the amount of \$40.00 per check if your offense is worthless check.

Cost of Supervision at a rate of \$40.00 for each month of supervision.

The total amount due for all monetary obligations, plus a 4 percent surcharge, shall be paid in accordance with the priority schedule established by Administrative Order 94-22, issued by the Chief Judge of the Fourth Judicial Circuit.

All monetary obligations of your probation/community control will be paid in regular monthly installments amortized over the term of your probation/community control with the last payment due no later than 30 days prior to the scheduled termination of your supervision. Failure to meet the payment obligation will be a violation of your probation/community control.

#### **SPECIAL CONDITIONS**

(13) Drivers license revoked for life; 90 day vehicle impoundment; early termination upon completion of special conditions.

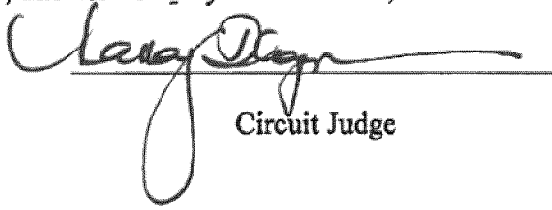
If you have entered a plea of guilty or no contest or have been convicted or previously convicted in the State of Florida for an offense specified in Section 943.325 Florida Statutes, you are required to submit two biological specimens to the Florida Department of Law Enforcement. These specimens shall be collected in an approved manner as directed by Department of Corrections staff within thirty (30) days, unless otherwise directed by the court.

You are hereby placed on notice that the court may at any time rescind or modify any of the conditions of your Probation, or may extend the period of Probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your Probation, you may be arrested and the court may revoke your Probation, adjudicate you guilty if adjudication was withheld, and impose any sentence which it might have imposed before placing you on Probation or require you to serve the balance of said sentence.

It is further ordered that the Clerk of the Court file this order in the clerk's office and provide certified copies of same to the officer for use in compliance with the requirements of law.

EXHIBIT #2  
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DONE AND ORDERED, this the 28<sup>th</sup> day of November, 2006.

  
Circuit Judge

I acknowledge receipt of a copy of this order. The conditions have been explained to me and I agree to abide by them.

Date \_\_\_\_\_

Probationer \_\_\_\_\_

Instructed by \_\_\_\_\_

Original: Clerk of the Court

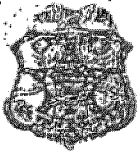
Copies: Probationer

Florida Department of Corrections  
Probation and Parole Services

2006-CF-8420-AXXX

EXHIBIT #2  
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# 2016 Case



# Glynn County Police Department

## Public Release Incident Report for G16-31685

**Nature:** Traffic Stop  
**Reporting Area:** Chapel Park

**Address:** FOREST CIR & SCRANTON RD  
 Brunswick GA 31520

**Complainant:**

<b>Last:</b>	<b>First:</b>	<b>Mid:</b>
<b>DOB:</b>	<b>Dr Lic:</b>	<b>Address:</b>
<b>Race:</b>	<b>Sex:</b>	<b>Phone:</b>
		<b>City:</b> ,

**Offense(s)**

**Reported:** - **Observed:** DUI - DUI Alcohol or Drugs  
**Offense:** DUI - DUI Alcohol or Drugs

**Circumstances**

FEL Felony

**Responding Officers:**

**Unit :**

172 S.Nolen	172
134 Yarborough	134

**Responsible Officer:** 134 Yarborough

**Agency:** GCPD

**Received By:** L Viola

**Last Radio Log:** 01:33:21 07/10/16 CMPLT

**How Received:** O Officer Report

**Clearance:** I Incident Report -> Active

**When Reported:** 00:23:12 07/10/16

**Disposition:** CAA Date: 07/10/16

**Judicial Status:**

**Occurred between:** 00:23:12 07/10/16

**Misc Entry:**

**and:** 00:23:12 07/10/16

**Modus Operandi:**

**Description :**

**Method :**

**Involvements**

<b>Date</b>	<b>Type</b>	<b>Description</b>	
07/27/16	Booking	Booking#: 25827	Arrested
07/10/16	Booking	Booking#: 25689	Arrested
07/19/16	Name	Ledonne, Renee Laurel	Victim
07/19/16	Name	Keiser, John F	Other
07/10/16	Name	Ledonne, Lisa N	Arrested
07/14/16	Citation	Moving Violation	Citation
07/14/16	Citation	Moving Violation	Citation

**Booking Information:**

Booking Number: 25827

Name Number: CS327097

Name: Ledonne, Lisa N

Address: 243 N GOODBREAD RD  
Brunswick, GA 31525

Booking Date: 07/27/16

**Arrest Details # 4953**

Time/Date: 20:43:56 07/27/16      Agency: GCPD  
Age at Arrest: 54      Arrest Loc: CDC      Arresting Ofc: 134 Yarborough  
Arrest Type: CRIM      Arrest Area: GP      Reference:  
Disposition: RCDC

**Offense # 8414**

Statute: 16-9-1 Forgery in the First Degree      NCIC:  
Offense: FORG Counterfeiting or Forgery      Crime Class: F  
Offense Reference:  
Related Incident: G16-31685

**Booking Information:**

Booking Number: 25689

Name Number: CS327097

Name: Ledonne, Lisa N

Address: 243 N GOODBREAD RD  
Brunswick, GA 31525

Booking Date: 07/10/16

**Arrest Details # 4814**

Time/Date: 10:54:41 07/10/16      Agency: GCPD  
Age at Arrest: 54      Arrest Loc: Scranton Road      Arresting Ofc: 134 Yarborough  
Arrest Type: CRIM      Arrest Area: GP7      Reference:  
Disposition: RCDC

**Offense # 8169**

Statute: 40-6-391A.1 DUI of Alcohol      NCIC:  
Offense: DUI      Crime Class: M  
Offense Reference:  
Related Incident: G16-31685

**Offense # 8170**

Statute: 40-8-20 Headlights on Before Sunrise      NCIC:  
Offense: TOFF Traffic Offense      Crime Class: M  
Offense Reference:  
Related Incident: G16-31685

**Offense # 8171**

EXHIBIT #2  
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Public Release Incident Report for G16-31685

---

**Statute:** 40-5-121 Drivers License -  
Suspended Or

**NCIC:**

**Offense:** TOFF Traffic Offense

**Crime Class:** M

**Offense Reference:**

**Related Incident:** G16-31685

**Offense # 8172**

**Statute:** 16-10-2 Bribery

**NCIC:**

**Offense:** BIBY Bribery

**Crime Class:** F

**Offense Reference:**

**Related Incident:** G16-31685

**Offense # 8173**

**Statute:** 16-11-37 Terroristic Threats & Acts

**NCIC:**

**Offense:** THRE Threatening

**Crime Class:** M

**Offense Reference:**

**Related Incident:** G16-31685

**Offense # 8174**

**Statute:** 16-10-24 Obstructing Law  
Enforcement Of

**NCIC:**

**Offense:** OBSP Obstructing, Other, Police

**Crime Class:** M

**Offense Reference:**

**Related Incident:** G16-31685

**Offense # 8175**

**Statute:** 16-10-24 Obstructing Law  
Enforcement Of

**NCIC:**

**Offense:** OBSP Obstructing, Other, Police

**Crime Class:** F

**Offense Reference:**

**Related Incident:** G16-31685

EXHIBIT #2  
PAGE 42/63



**Vehicles**

Vehicle Number: [REDACTED]

License Plate: [REDACTED]

State: [REDACTED]

Vehicle Year: 1997

Make: CHEV Chevrolet

Color: BLK /

Vehicle Type:

License Type: PC Regular Passenger Automobile

Expires: 08/26/16

VIN: [REDACTED]

Model: S10

Doors: 0

Value: \$0.00

Owner:

Last: Simon

First: Terry

Mid:

Address: 110 Gaye Street

Race: W

Sex: M

Phone:

City: Brunswick, GA 31520

Agency:

Date Recov/Revd: \*\*/\*\*/\*\*

Officer:

Area:

UCR Status:

Wrecker Service:

Local Status:

Storage Location:

Status Date: \*\*/\*\*/\*\*

Release Date: \*\*/\*\*/\*\*

Comments:

EXHIBIT #2  
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**Public Release Incident Report for G16-31685**

---

07/14/16	Citation	Moving Violation	Citation
07/25/16	Offense	16-9-1: Forgery in the First Degree (F) - 7 counts	Charged With
07/10/16	Offense	40-6-391A.1: DUI of Alcohol (M) - 1 count	Charged With
07/10/16	Offense	40-8-20: Headlights on Before Sunrise (M) - 1 count	Charged With
07/10/16	Offense	40-5-121: Drivers License - Suspended Or (M) - 1 count	Charged With
07/10/16	Offense	16-10-2: Bribery (F) - 1 count	Charged With
07/10/16	Offense	16-11-37: Terroristic Threats & Acts (M) - 1 count	Charged With
07/10/16	Offense	16-10-24: Obstructing Law Enforcement Of (M) - 1 count	Charged With
07/10/16	Offense	16-10-24: Obstructing Law Enforcement Of (F) - 1 count	Charged With
07/10/16	Vehicle	BLK 1997 CHEV S10	Towed
07/10/16	Cad Call	00:23:12 07/10/16 Traffic Stop	Initiating Call
07/14/16	Property	Video File Axon 2 0	Property
07/10/16	Property	Video File Axon 2 0	Property

EXHIBIT #2  
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**Property**

Property Number: 16-09059

Item: Video File

Brand: Axon 2

Year: 0

Meas:

Total Value: \$0.00

Owner: Glynn County Police Department 78

Agency: GCPD Glynn County Police Department

Accum Amt Recov: \$0.00

UCR:

Local Status: OCV

Crime Lab Number:

Date Released: \*\*/\*\*/\*\*

Released By:

Released To:

Reason:

Comments:

Property Number: 16-08892

Item: Video File

Brand: Axon 2

Year: 0

Meas:

Total Value: \$0.00

Owner: Glynn County Police Department 78

Agency: GCPD Glynn County Police Department

Accum Amt Recov: \$0.00

UCR:

Local Status: OCV

Crime Lab Number:

Date Released: \*\*/\*\*/\*\*

Released By:

Released To:

Reason:

Comments:

Owner Applied Nbr:

Model:

Quantity: 2

Serial Nbr:

Color:

Tag Number:

Officer: 134 Yarborough

UCR Status:

Storage Location:

Status Date: 07/13/16

Date Recov/Rcvd: \*\*/\*\*/\*\*

Amt Recovered: \$0.00

Custody: \*\*/\*\*/\*\* \*\*/\*\*/\*\*

Owner Applied Nbr:

Model:

Quantity: 2

Serial Nbr:

Color:

Tag Number:

Officer: 134 Yarborough

UCR Status:

Storage Location:

Status Date: 07/10/16

Date Recov/Rcvd: \*\*/\*\*/\*\*

Amt Recovered: \$0.00

Custody: \*\*/\*\*/\*\* \*\*/\*\*/\*\*

**IN THE SUPERIOR COURT OF GLYNN COUNTY, STATE OF GEORGIA**

GLYNN CO. CLERK'S OFFICE

2016 SEP 15 PM 3 05

STATE OF GEORGIA versus

Clerk to complete if incomplete:

**LISA LEDONNE**

OTN(s): 88404999911

Ga. ID#: 01009451

CRIMINAL ACTION #:

**CR-1600425-063**

**MARCH Term of 2016**

Final Disposition:

**FELONY with PROBATION**

First Offender/Conditional Discharge

created under:

O.C.G.A. § 42-8-60  O.C.G.A. § 16-13-2

PLEA:

VERDICT:

Repeat Offender as imposed below

Negotiated  Non-negotiated

Jury  Non-jury

Repeat Offender waived

**The Court enters the following judgment:**

Case	Charge (as indicted or accused)	Disposition (Guilty, Not Guilty, Guilty-Alford, Guilty- Lesser Incl, Nolo, Not Pros, Dead Docket)	Sentence	Fine	Concurrent/ Consecutive, Merged, Suspended
1	FORGERY 1 <sup>ST</sup> DEGREE	GUILTY	5 YEARS W 60 DAYS IN GCDC	1500.00	
2	FORGERY 1 <sup>ST</sup> DEGREE	GUILTY	5 YEARS		CONS TO CT 1
3,4,5	FORGERY 1 <sup>ST</sup> DEGREE	GUILTY	5 YEARS		ALL CONC
6	MAKING FALSE STATEMENTS	GUILTY	5 YEARS		CONC TO CT 2,4
7	OBSTRUCTION OF AN OFFICER	GUILTY	5 YEARS		CONC TO CT 1,3
8	D.O.	GUILTY	12 MONTHS		CONC TO 1,3,7

The Defendant is adjudged guilty or sentenced under First Offender/Conditional Discharge for the above stated offense(s); the Court sentences the Defendant to confinement in such institution as the Commissioner of the State Department of Corrections may direct, with the period of confinement to be computed as provided by law.

**Sentence Summary:** The Defendant is sentenced for a total of 10 YEARS,  with the first \_\_\_\_\_ to be served in confinement and the remainder to be served on probation; or  to be served on probation.

The Defendant is to receive credit for time served in custody:  from \_\_\_\_\_; or  as determined by the custodian.

1. The above sentence may be served on probation provided the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

2. Upon service of \_\_\_\_\_, the remainder of the sentence may be served on probation; PROVIDED, that the Defendant shall comply with the Conditions of Probation imposed by the Court as part of this sentence.

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3. The Court sentences the Defendant as a recidivist under O.C.G.A.:

§ 17-10-7(a);  § 17-10-7(c);  § 16-7-1(b);  § 16-8-14(b); or  § \_\_\_\_\_

### GENERAL CONDITIONS OF PROBATION

The Defendant is subject to arrest for any violation of probation. If probation is revoked, the Court may order incarceration. The Defendant shall comply with the following General Conditions of Probation: 1) Do not violate the criminal laws of any governmental unit and be of general good behavior. 2) Avoid injurious and vicious habits. 3) Avoid persons or places of disreputable or harmful character. 4) Report to the Probation Officer as directed and permit the Probation Officer to visit you at home or elsewhere. 5) Work faithfully at suitable employment insofar as may be possible. 6) Do not change your place of abode, move outside the jurisdiction of the Court, or leave Georgia without permission of the Probation Officer. If permitted to move or travel to another state, you agree to waive extradition from any jurisdiction where you may be found and not contest any effort by any jurisdiction to return you to this State. 7) Support your legal dependents to the best of your ability. 8) When directed, in the discretion of the Probation Officer: (a) submit to evaluations and testing relating to rehabilitation and participate in and successfully complete rehabilitative programming; (b) wear a device capable of tracking location by means including electronic surveillance or global positioning satellite systems; (c) complete a residential or nonresidential program for substance abuse or mental health treatment; and/or (d) agree to the imposition of graduated sanctions as defined by law. 9) Make restitution as ordered by the Court.

**FINE SURCHARGES or ADD-ONS:** The Court assesses all fine surcharges or add-ons as required by the laws of the State of Georgia and as are applicable to offense(s) for which the Defendant has been convicted.

- 1) The Court orders that:  the Defendant shall pay the probation supervision fee as required by law; or  the probation supervision fee is waived.
- 2) If counsel was provided under the Georgia Indigent Defense Act:  the Defendant shall pay the \$50 Public Defender Application Fee; or  the Public Defender Application Fee is waived.
- 3) If counsel was provided at public expense:  the Defendant shall pay attorney's fees of \$\_\_\_\_\_ to GLYNN County; or  attorney's fees are waived.
- 4) The Defendant shall pay the Crime Lab Fee as required by law.

### SPECIAL CONDITIONS OF PROBATION

The Defendant is advised that violation of any Special Condition of Probation may subject the Defendant to a revocation of probation and the Court may require the Defendant to serve up to the balance of the sentence in confinement. The Defendant shall comply with all Special Conditions of Probation:  as designated on the attached Inventory of Special Conditions of Probation; or  as follows:

\*SC3: The Defendant shall perform 100 hours of community service at the discretion of the Probation Officer.

\*SC10: Fourth Amendment waiver. The Defendant shall submit to a search of person, residence, papers, vehicle, and/or effects at any time of day or night without a search warrant, whenever requested to do so by a Probation Officer or other law enforcement officer upon reasonable cause to believe that the Defendant is in violation of probation or otherwise acting in violation of the law, and the Defendant shall specifically consent to the use of anything seized as evidence in any judicial proceedings or trial.

\*SC16: Evaluation and treatment. The Defendant shall provide verification of evaluation and/or treatment for:  mental health  substance abuse  clinical evaluation  anger management  cognitive skills training  educational training or  alcohol at a State- or Court-approved provider at his/her own expense, and shall cooperate and comply with all rules and regulations of the treatment or program, including any aftercare deemed necessary, at the probation officers discretion.

\*SC17: 12-step meetings. The Defendant shall provide verification of attendance as deemed necessary by any treatment recommended by CAC/substance abuse/drug and alcohol evaluation or at the officers discretion.

\*SC19: Curfew. The Defendant shall abide by any curfew established by the Probation Officer.

\*SC32: Avoid alcohol, drug use. The Defendant shall:  not consume alcoholic beverages, and not use narcotics or dangerous drugs unless lawfully (STRICTLY ENFORCE NO ALCOHOL) prescribed.

\*SC34: Other special condition(s). The Defendant shall abide by the following additional special condition(s):  
No firearms/ Legal weapons: Notify the PO of any new arrest w/in 24 hours. Any violation of special conditions could result in full revocation/prison. Do not violate any criminal laws. BANISHED FROM BRUNSWICK JUDICIAL CIRCUIT AFTER 60 DAYS FOR PENDING ICOTS TRANSFER. MUST NOT REPRESENT HERSELF AS ANYONE ELSE.  
FINES AND FEES ARE ALSO IMPOSED IN SPECIAL CONDITIONS

For Court's Use:

The Hon. COPPAGE, Attorney at Law, represented the Defendant by:  employment; or  appointment.

SO ORDERED this 9TH day of SEPTEMBER, 2016.

  
STEPHEN D. KELLEY, Judge of Superior Court  
Brunswick Judicial Circuit

**FIREARMS** – If you are convicted of a crime punishable by imprisonment for a term exceeding one year, or of a misdemeanor crime of domestic violence where you are or were a spouse, intimate partner, parent, or guardian of the victim, or are or were involved in another similar relationship with the victim, it is unlawful for you to possess or purchase a firearm including a rifle, pistol, or revolver, or ammunition, pursuant to federal law under 18 U.S.C. § 922(g)(9) and/or applicable state law.

**Acknowledgment:** I have read the terms of this sentence or had them read and explained to me. If all or any part of this sentence is probated I certify that I understand the meaning of the order of probation and the conditions of probation. I understand that violation of a special condition of probation could result in revocation of all time remaining on the period of probation.

\_\_\_\_\_  
Probation Officer

\_\_\_\_\_  
Defendant/LISA LEDONNE

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**Public Release Incident Report for G16-31685**

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**Narrative**

Subject: Driving Under the Influence Officer: K. Yarborough

Date: 12/25/2015

Report:

**Initial Observations & Contact:**

On July 10, 2016 at approximately 00:23 hours, I received a phone call from Ofc. S. Roberts with the Glynn County Police, who was working an off duty security job at the Blue Martini. He stated he was approached by a female who appeared to be highly intoxicated as she exited the business. According to Ofc. S. Roberts, this female admitted to him that she was drunk and she did not care what he said, but she was going to drive home anyway because she only lived 3 miles away.

He attempted to have the female call a cab or have someone pick her up, but she had a cocky attitude and walked towards a black Chevy S10 pickup truck with a Georgia registration of PTP6115. While on the phone with me, he described the female and the vehicle and direction of travel. He also stated the vehicle did not have it's headlights on and nearly struck another vehicle as it left the mall parking lot heading towards Trade Street.

Because I was approximately 6 miles away, I contacted Ofc. S. Nolen and requested his assistance in locating and stopping the vehicle. While speaking with Ofc. S. Nolen via police radio about the vehicle, he stated he observed the vehicle on Scranton Road crossing over Golden Isles Parkway without any headlights. He then conducted a traffic stop with the vehicle on Scranton Road near Forest Circle.

When I arrived on scene, I observed Ofc. S. Nolen speaking with a white female in a black Chevy S10 pickup truck. The female was still seated in the driver seat of the vehicle. I approached the vehicle as Ofc. Nolen directed the female to exit the vehicle. While exiting the vehicle, Ofc. Nolen asked her how much had she drank this evening and she replied, "Nothing, sir." While exiting the vehicle, I observed the female appeared to be highly intoxicated. Her eyes were bloodshot red and she appeared to be unsteady on her feet. Even though I was approximately 5 feet from the vehicle, I detected the strong odor of a consumed alcoholic beverage coming from within the vehicle.

I asked the female for her name and she stated Lisa. While telling me her name, she took sideways steps away from the driver door. I directed her to stand in front of the patrol vehicle which she appeared to have a hard time comprehending. Each time I asked her to stand in front of the patrol vehicle, she only took a couple sideways steps. While standing near the bed of her truck, Ms. Lisa Ledonne had to hold on to the bed of the vehicle to keep her balance.

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**Public Release Incident Report for G16-31685**

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Ofc. S. Nolen then asked her for her driver's license and she stated she believed it was in her purse but she wasn't sure. She then stated she had the wrong purse on her and that the license was in a different purse probably at her home. Ofc. Nolen asked if she mind if he checked her purse for her license which she complied with. She then gave Ofc. Nolen consent to go inside of her purse. I again directed Ms. Ledonne to step to the front of the patrol vehicle and while walking sideways again, she kept her hand on the bed of the truck to maintain her balance as she walked.

After multiple times of showing her where I wanted her to sit, she finally got to the front of the patrol vehicle by taking the same sideways steps. She then refused to sit on the patrol vehicle as directed. Ms. Ledonne was unsteady on her feet when she got away from the truck, which she was using to keep her balance. She then asked Ofc. Nolen what was he looking for. She later admitted her license was at her home.

She then stated, "I'm sorry, I didn't know I was speeding." Was I told her she wasn't stopped because she was speeding, she stated, " Oh, I had my lights off." She then continued by stating she just left the Blue Martini and was trying to get to her house which was 3 miles away. When I explained to her why she was being stopped and the transaction of events with Ofc. S. Roberts prior to her leaving the Blue Martini, she yell, "He profiled me."

She stated she left the bar and was going home which was now only a mile from where we were. I asked if she was okay to drive and she stated, "Yes sir, I think I am." Ms. Ledonne then got very defensive and took an aggressive stance while taking a step in my face. I directed her to step back and not to yell at me. She then stated, "Here's what it is. I'm a woman. I'm on my way home. I'm a mile from my house. Why yall gonna give me a ticket?" I explained to her that she did not have her headlights on and she replied, " I forgot to turn my damn headlights on baby." I asked if she would be willing to do field sobriety and she stated, " Yes, do whatever you want baby." I directed Ms. Ledonne to stay at the front of Ofc. Nolen' patrol vehicle and walked to the driver side window of Ofc. Nolen's patrol vehicle.

While speaking to Ofc. Nolen, he stated Ms. Ledonne driver's license were suspended due to fraudulent activity by the Department of Driver Services. Ms. Ledonne followed me to the window of Ofc. Nolen's patrol vehicle and I directed her to stand back at the front of the vehicle like she was told to do and even walked her back to where she was supposed to stand.

I returned back to the front of the patrol vehicle with Ms. Ledonne and asked her to sit down so I could start SFST, she then walked approximately 6 feet from the vehicle and began to rant and rave about me needing to go catch the crack heads instead of messing with her. After letting her vent, I asked Ms. Ledonne if she was finished, and she stated, "I'm ready when you are, baby." and walked back to the driver side window of Ofc. Nolen's patrol vehicle while he

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**Public Release Incident Report for G18-31685**

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sat in the driver's seat running her information.

I immediately grabbed Ms. Ledonne by her shirt and pulled her away from Ofc. Nolen's vehicle. While pulling her back to the front of the patrol vehicle, Ms. Ledonne swung her right elbow around with force and intentionally struck me on the right side of my neck and face. I immediately regained control of Ms. Ledonne by placing my right hand on the back of her neck and forcing her head down on the hood of Ofc. Nolen's patrol vehicle. Ofc. Nolen assisted by holding her down while I attempted to free her left hand from the push bumper of the patrol vehicle.

Once her hands were in our control, she was handcuffed with both hands double locked behind her back and placed under arrest for obstruction with violence. Due to the following physical indicators: odor of a consumed alcohol beverage coming from her breath, thick slurred speech, unsteadiness on her feet, and blood shot eyes, it is my professional opinion as a Drug Recognition Expert that Mr. Ledonne is under the influence of a CNS Depressant (ETOH) and unsafe to operate a motor vehicle.

**Arrest / Search / Implied Consent:**

Ms. Ledonne was advised she was also being placed under arrest for Driving Under the Influence. She was searched with nothing of evidentiary value located. Prior to reading Implied Consent to Ms. Ledonne, I confirmed that she was to fully understand exactly what I was reading to her and before consenting or refusing, she was to ask me questions if needed to understand what I had read her. After agreeing she understood, I confirmed Ms. Ledonne's age and read her the Georgia Implied Consent Notice for Suspects 21 Years and Older and requested a breath test. She agreed to take the breath test.

I confirmed Ms. Ledonne was fully aware and making her decision willingly and freely. Ms. Ledonne was placed in the rear seat of my patrol vehicle where she was buckled and then transported to the Glynn County Detention Center.

**Vehicle Search:**

A vehicle search revealed nothing of relevance.

**Disposition of Arrestee and Vehicle:**

While en roue to the Glynn County Detention Center, Ms. Ledonne made the following statements while in the rear of my patrol vehicle and without any questioning. "I know I don't deserve this, but I will get you the maximum right now of at least \$500.00. I know you got to do your job, but sweetie I don't deserve this. If you approach my ATM right now I will give you at least a, and you know what? I'm not trying to be a pervert but it would be more profitable for you to get at least \$500.00 for not getting me arrested. I'm not trying to bribe you; I don't think you're cheap or nothing like that, but dude. I

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**Public Release Incident Report for G16-31685**

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**Supplement**

Subject: Final Disposition and Closure of Case  
Officer: Kevin Yarborough  
Date: 07/24/2016  
Case: G16-31685  
Report:

On July 10, 2016, Lisa Nadine Ledonne was arrested for driving under the influence, headlights on after dark, suspended driver's license, bribery, obstruction without violence, obstruction with violence, and terroristic threats. During the investigation of the DUI arrest, there was a notation on her Georgia's drivers license return from GCIC that stated, if any contact was made with this driver, the officer was to notify Investigator John Keiser with the Georgia Department of Driver Services. After speaking with the investigator I learned that Lisa Ledonne's driver's license had been suspended by the Department of Driver Services due to fraudulent activity. Due to her name, date of birth, and social security number matching up to a suspended Georgia driver's license number, she was arrested under that name, date of birth, and social security number and later booked into the Glynn County Detention Center.

On July 12, 2016, I received a Glynn County Police e-mail from Lieutenant Ricky Evans. This e-mail stated the fingerprint return given by Lisa Ledonne on the night I arrested her for DUI, later return from The Automated Fingerprint Identification System (AFIS) as belonging to Renee Laurel Ledonne with a date of birth of [REDACTED] 1960. Due to the already flagged fraudulent activity associated with her driver's license I contacted Investigator Kaiser and made him aware of the fingerprint return. He then decided to set up an appointment to speak with Lisa Ledonne at the Glynn County Police Department headquarters for a formal audio and video recorded interview.

On July 13, 2016 at approximately 15:00 hours, investigator Kaiser started his interview with Lisa Ledonne. I was present during the interview and witnessed the entire conversation between both Investigator Keiser and Lisa Ledonne. A supplemental report was written in reference to the interview.

On July 20, 2016, I contacted the Glynn County Clerk of Courts office in reference to obtaining possible copies of any citations that were written in the name of Renee Laurel Ledonne. I also contacted the Glynn County Sheriff's Office in reference to obtaining possible copies of any fingerprint cards, booking photos, or forms that had Renee Laurel Ledonne's signature. Both offices confirmed that they were in possession of multiple legal government documents that were signed by Renee Laura Ledonne. All of these copies were then personally picked up by Officer Kevin Yarborough and scanned into the Spillman files of this report. See supplement report pertaining to this inquiry.

Furthermore I have obtained driver's license photos of Lisa and Renee Ledonne

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Public Release Incident Report for G16-31685

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**Supplement**

ARREST WARRANT REQUEST  
Glynn County Police Department

Date: 07/10/2016 Time: 09:00 hours Case Incident Number: G16-31685

Defendant Information:

Last Name: Ledonne, First: Lisa Middle: Nadine  
Race: White Sex: Female Hgt: 509 Wgt: 150 SSN: [REDACTED] DOB: [REDACTED] 1962  
Home Address: 243 North Goodbread Road Brunswick, Ga 31525  
Work Place/Address: None  
GA Offense Code: 16-10-2 and 16-10-24(B)  
Offense Date: 07/10/2016 Time: 00:39 hours  
Offense Location: Scranton Road @ Forrest Circle  
Charge: (X Block) Felony: XXX Misd: \_\_\_ Family Violence: \_\_\_  
Charges: Bribery and Obstruction of LEO with Violence

Items Taken & Value: N/A  
Property Owner: N/A

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Victim # 1 Information:

Last Name: State of Georgia

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Probable Cause for Arrest Warrant--(Provide information that includes all elements of the crime, identifies the accused as the person that committed the crime and justifies the initial contact with the accused; include the facts that are currently known about the crime and how those facts came to be known by you):

On July 10, 2016 at approximately 00:23 hours located at Scranton Road and Forrest Circle in Glynn County, Ga. Lisa Nadine Ledonne violated O. C. G. A. 16-10-2 Bribery when, he or she gives or offers to give to any person acting for or on behalf of the state or any political subdivision thereof, or of any agency of either, any benefit, reward, or consideration to which he or she is not entitled with the purpose of influencing him or her in the performance of any act related to the functions of his or her office or employment

On July 10, 2016 at approximately 00:23 hours located at Scranton Road and Forrest Circle in Glynn County, Ga. Lisa Nadine Ledonne violated O. C. G. A. 16-10-24(B) Obstruction of Law Enforcement Officer with Violence when, whoever knowingly and willfully resists, obstructs, or opposes any law enforcement officer, prison guard, correctional officer, probation supervisor, parole supervisor, or conservation ranger in the lawful discharge of his official duties by offering or doing violence to the person of such officer or legally authorized person is guilty of a felony.

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cbashlor 05/04/20

**Public Release Incident Report for G16-31685**

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**Supplement**

**Subject:** Agency Assist and Interview with Department of Driver Services

**Officer:** K. Yarborough

**Date:** 07/13/2016

**Case:** G16-31685

**Report:**

On July 12, 2016 I received an e-mail from Lt. R. Evans in regards to the Glynn County Detention Center stating the fingerprints from Lisa LeDonne ran through AFIS, returned back belonging to Renee Laurel Ledonne.

I contacted Inv. John Keiser of the Department of Driver Services and made him aware of the fingerprint return. Inv. Keiser and myself met on Wednesday, July 13, 2016 at the Glynn County Police Department. I transported Lisa Ledonne from the Glynn County Detention Center to the Glynn County Police Department for the formal interview with investigator Kaiser. Department of Driver Services Investigator Kaiser was the only officer asking questions during the interview.

During the interview, Investigator Kaiser repeatedly showed Lisa Ledonne multiple pictures of herself where she had applied or had attempted to apply for a Georgia driver's license. Lisa only admitted to a couple of those photos being her while the others were supposedly her sister, Renee LeDonne.

As a result of this formal interview, the victim, Renee Laurel Ledonne stated she did not give her sister, Lisa Nadine Ledonne permission to use any of her identity for any purposes of fraudulent or false identification. During a phone interview with Inv. Keiser, Ms. Renee Ledonne stated she has been living in Texas for approximately 6 years and has never lived in Georgia nor has she ever had a Georgia's issuance of any driver's license nor Identification Card. She became aware of the fraudulent activity when she tried to apply for disability, which was denied due to all of Lisa Ledonne's transactions under the false identity of Renee Laurel Ledonne. Lisa Ledonne would never explain or admit to any of the accusations.

Once the interview was concluded, Inv. Keiser left the room, went into the adjacent room, and called Renee Ledonne on his cell phone. During his conversation with Renee, Lisa opened the door to the room she was sitting in and yelled for Renee not to talk or say anything to Inv. Keiser. Mr. Keiser quickly left the area to continue his conversation with Renee LeDonne.

This interview was video and audio recorded and placed on a CD-ROM. A copy of the CD-ROM was released to Inv. John Keiser. Another copy was submitted into evidence at GCPD. The moments before and after the interview were recorded on Ofc. Kevin Yarborough's body camera and those videos were uploaded into the Spillman Files of this report.

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**Public Release Incident Report for G16-31685**

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Nothing Further.

Ofc. K. Yarborough #134

HEAT / Drug Recognition Expert

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Public Release Incident Report for G16-31685

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Requesting Officer Signature: \_\_\_\_\_

Officer Signing for Warrant: \_\_\_\_\_  
Glynn County Police Department

I have reviewed the above request and/or any attachments hereto. To the best of my knowledge and belief they are true, as they were provided to me by a certified police officer.

Supervisor's Signature: \_\_\_\_\_  
Accused (X one) Was XXX Was not \_\_\_ Arrested.

Important: Fill in all blanks, or N/A if not used, and attach a copy of the Case Incident Report.

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**Public Release Incident Report for G16-31685**

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and placed into the case file and attached to her citation for the DUI Refusal. Due to her additional actions, she is charged with Bribery, Terroristic Threats and Obstruction of LEO without Violence, Obstruction of LEO without Violence were added to this case. The vehicle was towed by The Body Shop.

The rear seat of my patrol vehicle was searched before and after Ms. Ledonne's presence with nothing located. The video of this incident was submitted into the Spillman Files reporting area.

Violator arrested for what offense: DUI Less Safe, Obstruction of LEO with Violence, Obstruction of LEO without Violence, Terroristic Threats, and Bribery	
Violator informed of arrest offense:	----- Yes
Violator handcuffed:	----- Yes
Handcuffs Double locked:	----- Yes
Violator Searched:	----- Yes
Contraband located:	----- No
Violator placed in seatbelt during transport:	----- Yes
Patrol car searched Pre- transport:	----- Yes
Patrol car searched Post- transport:	----- Yes
Contraband located:	----- No
Incident video recorded:	----- Yes
Video in evidence:	----- Yes

Nothing Further.  
Ofc. K. Yarborough #134  
H. E. A. T. / Drug Recognition Expert

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**Public Release Incident Report for G16-31685**

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Items Taken & Value: N/A  
Property Owner: N/A

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Victim # 1 Information:  
Last Name: State of Georgia

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Probable Cause for Arrest Warrant-(Provide information that includes all elements of the crime, identifies the accused as the person that committed the crime and justifies the initial contact with the accused; include the facts that are currently known about the crime and how those facts came to be known by you):

On 09/10/2011 at approximately 20:02 hours located at the Glynn County Detention Center in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree when, A person commits the offense of forgery in the first degree when with intent to defraud he knowingly makes, alters, or possesses any writing in a fictitious name or in such manner that the writing as made or altered purports to have been made by another person, at another time, with different provisions, or by authority of one who did not give such authority and utters or delivers such writing.

On 09/10/2011 at approximately 20:02 hours located at the Glynn County Detention Center in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree to wit: Lisa Ledonne was arrested and fingerprinted for a DUI and Speeding offense. After she submitted her fingerprints, she signed the name of Renee Laurel Ladonne on the Federal Bureau of Investigation, United States Department of Justice Criminal Justice Information Services Division Fingerprint Card and the Glynn County Inmate Property Sheet.

On 09/10/2011 at approximately 19:09 hours located at Scranton Road and Old Jesup Road in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree when, A person commits the offense of forgery in the first degree when with intent to defraud he knowingly makes, alters, or possesses any writing in a fictitious name or in such manner that the writing as made or altered purports to have been made by another person, at another time, with different provisions, or by authority of one who did not give such authority and utters or delivers such writing.

On 09/10/2011 at approximately 19:09 hours located at Scranton Road and Old Jesup Road in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree to wit: Lisa Ledonne was issued a Uniform Traffic Citation #177468 (Speeding) from Glynn County Police Officer Shane Nolen and signed the name of Renee Laurel Ladonne.

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**Public Release Incident Report for G16-31685**

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On 09/10/2011 at approximately 19:09 hours located at Scranton Road and Old Jesup Road in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree when, A person commits the offense of forgery in the first degree when with intent to defraud he knowingly makes, alters, or possesses any writing in a fictitious name or in such manner that the writing as made or altered purports to have been made by another person, at another time, with different provisions, or by authority of one who did not give such authority and utters or delivers such writing.

On 09/10/2011 at approximately 19:09 hours located at Scranton Road and Old Jesup Road in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree to wit: Lisa Ledonne was issued a Uniform Traffic Citation #177469 (Driving Under the Influence Alcohol) from Glynn County Police Officer Shane Nolen and signed the name of Renee Laurel Ladonne.

On 12/20/2007 at approximately 16:18 hours located at Scranton Road and Golden Isles Parkway in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree when, A person commits the offense of forgery in the first degree when with intent to defraud he knowingly makes, alters, or possesses any writing in a fictitious name or in such manner that the writing as made or altered purports to have been made by another person, at another time, with different provisions, or by authority of one who did not give such authority and utters or delivers such writing.

On 12/20/2007 at approximately 16:18 hours located at Scranton Road and Golden Isles Parkway in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree to wit: Lisa Ledonne was issued a Uniform Traffic Citation #104792 (Failure to Obey Traffic Control Device) from Glynn County Police Officer Michelle Hunt and signed the name of Renee Laurel Ladonne.

On 07/24/2011 at approximately 20:13 hours located at Old Cypress Mill Road and Altama Connector in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree when, A person commits the offense of forgery in the first degree when with intent to defraud he knowingly makes, alters, or possesses any writing in a fictitious name or in such manner that the writing as made or altered purports to have been made by another person, at another time, with different provisions, or by authority of one who did not give such authority and utters or delivers such writing.

On 07/24/2013 at approximately 08:18 hours located at Old Cypress Mill Road and Altana Connector in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree to wit: Lisa Ledonne was issued a Uniform Traffic Citation #174814 (Failure to Obey Traffic Control Device) from Glynn County Police Officer William Duggan and signed the name of Renee Laurel Ledonne.

On 09/14/2013 at approximately 12:54 hours located at Old Jesup Road and B&W Grade Road in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree when, A person commits the offense of forgery in the first degree when with intent to defraud he knowingly makes, alters, or possesses any writing in a fictitious name or in such manner that the writing as made or altered purports to have been made by another person, at another time, with different provisions, or by authority of one who did not give such authority and utters or delivers such writing.

On 09/26/2013 at approximately 12:54 hours located at Old Jesup Road and B&W Grade Road in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree to wit: Lisa Ledonne was issued a Uniform Traffic Citation #215863 (Failure to Stop at Stop Sign) from Glynn County Police Officer Kevin Yarborough and signed the name of Renee Laurel Ledonne.

On 01/15/2009 at approximately 09:00 hours located at Ga 27 and Norwich Street in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree when, A person commits the offense of forgery in the first degree when with intent to defraud he knowingly makes, alters, or possesses any writing in a fictitious name or in such manner that the writing as made or altered purports to have been made by another person, at another time, with different provisions, or by authority of one who did not give such authority and utters or delivers such writing.

On 01/15/2009 at approximately 09:00 hours located at Ga 27 and Norwich Street in Glynn County, Ga., but not discovered until 07/13/2016; Lisa Nadine Ledonne violated O.C.G.A. 16-9-1 Forgery in the First Degree to wit: Lisa Ledonne was issued a Uniform Traffic Citation #211372G from Georgia State Patrol Trooper C.K. Crews and signed the name of Renee Laurel Ledonne.

Requesting Officer: Kevin Yarborough, Glynn County Police Department

Requesting Officer Signature: \_\_\_\_\_

EXHIBIT #2  
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cbashlor 05/04/20

**Public Release Incident Report for G16-31685**

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from the state of Georgia Texas and Florida. I discovered Lisa Ledonne has a suspended Georgia's drivers license (053839713), Renee Ledonne has a Texas driver's license (36838695), and a Florida Driver's License (L350732608430). Looking at driver's license photo all three drivers licenses it is apparent and obvious that the picture of the person on the Georgia and Florida driver's license photographs are Lisa Ledonne. On the Texas driver's license photo, the person is obviously someone different and confirmed by Investigator Keiser that the female picture is in fact Renee Laura Ledonne. Comparing the photographs of the booking photos from The Glynn County Sheriff's Office of the person arrested under the name of Renee Laura Ledonne, it is obvious that Lisa Ledonne is the person pictured as Renee Ledonne. Lisa Ledonne had successfully managed to obtain both a Georgia and Florida driver's license using her sisters identity. Comparing the signatures on both fingerprint cards identifying fingerprints for Renee L. Ledonne, I observed on the fingerprint card dated for 01/09/2014, the signature actually reads Lisa N. Ledonne instead of Renee L. Ledonne.

On the following citations received from The Glynn County Clerk of Courts office, the Georgia drivers license illegally obtained with the name Renee Ledonne was used on Georgia State Patrol citation number 211372G, Glynn County Police citations numbered 177468, 177469, 104792, and 174904. Both the Georgia and Florida number was used on Glynn County citation number 215863. As a result of my investigation I have come to the conclusion that Lisa Nadine Ledonne unlawfully applied and obtained a Georgia and Florida driver's license under her sister's name and identification of Renee Laurel Ledonne, without her consent. She has accumulated multiple traffic citations under the fraudulent name of Renee Ledonne since 2007, which ultimately suspended her sister's driving privileges in multiple states. In 2016, she was arrested for DUI using her legal name (Lisa Ledonne) which resulted in her actual fingerprints coming back through AFIS as her sister Renee, due to her forging her name on the fingerprint cards taking during a previous arrest in 2011.

A warrant request for a total of 7 separate charges of forgery in the first degree has been requested on behalf of Officer Kevin Yarborough of the Glynn County Police Department. Each of these additional charges stem from each of the six citations and the fingerprint card previously mentioned, signed by Lisa Ledonne under the name of Renee Ledonne. I am currently waiting on a return phone call from Investigator Keiser to obtain the phone number of Renee Ledonne, who currently lives in Fort Worth, Texas. I intend on doing a formal recorded interview with her over the phone in reference to my independent investigation separate from the Georgia Department of Driver Services.

Nothing Further.  
Ofc. K. Yarborough #134  
HEAT / Drug Recognition Expert

EXHIBIT #2  
PAGE 61/63

**Public Release Incident Report for G16-31685**

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Detention Center in Glynn County, Ga. Lisa Nadine Ledonne violated O. C. G. A 16-10-24 Obstruction of LEO without Violence and O. C. G. A 16-11-37 Terroristic Threats to wit: After being placed under arrest for DUI and transported to the Glynn County Detention Center, Ms. Ledonne asked when could she go and I replied, "If you just give me 5 minutes of silence, you can go. Can you do that?" Ms. Ledonne then stood up and stated, "Probably not." And walked out of the door. I followed her outside of the booking room and told her that her actions has now forced me to put hands on her. I grabbed her by the left arm and pulled her back into the booking room. While pulling her, she resisted by shifting her body weight, locking her legs, and grabbing onto the door frame to prevent going back into the room. After forcefully getting her to sit back down on the bench, she used her left hand and forcefully pushed against the left side of my head as resistance, while I handcuffed her to the bench to prevent further actions. While handcuffed to the bench, Ms. Ledonne made the statement, "I'll kick your fucking ass. If I didn't have these mother fucking handcuffs on, I'll kick your fucking ass."

Requesting Officer: Kevin Yarborough, Glynn County Police Department

Requesting Officer Signature: \_\_\_\_\_

Officer Signing for Warrant: \_\_\_\_\_  
Glynn County Police Department

I have reviewed the above request and/or any attachments hereto. To the best of my knowledge and belief they are true, as they were provided to me by a certified police officer.

Supervisor's Signature: \_\_\_\_\_  
Accused (X one) Was  Was not  Arrested.

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Important: Fill in all blanks, or N/A if not used, and attach a copy of the Case Incident Report.

FLORIDA GAMING  
CONTROL COMMISSION

2022 JUL 26 AM 11:29

RECEIVED

**Public Release Incident Report for G16-31685**

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guarantee you right freaking now, I'll get you \$500.00 freaking dollars. I'll kiss your ass and paint it green. But sir, I didn't have my lights on. I promise you I'll give you whatever you want."

While exiting the vehicle in the sally port at the jail, I observed Ms. Ledonne had removed her left handcuffed from her hand. Her bracelet was located in the rear seat which I verified was hers and immediately returned it to her. After walking under her own power into the jail, I directed her to sit on the bench inside the booking room where I could finish up the booking paperwork. I attempted to ask Ms. Ledonne standard questions to include if she was aware and still willing to take the state administered breath test, that she initially agreed to take.

While speaking with her, she continued to cut me off by speaking above me. I calmly asked Ms. Ledonne if she was going to let me talk and she stated, "No! Once you pulled my arm up, you ain't talking to me no more. Get out of my fucking face bitch." I asked her if she was still willing to take the state administered breath test, which she initially agreed to take. She replied, "No. No sir, I ain't got no test for you."

I continued to complete paperwork while Ms. Ledonne continued to vent and voice her emotions out. She made the comment, "I bet your dick's little because you're so fucking mean; stupid ass mother fucking piece of shit!" She then stood up, walked towards the door, and stated, "I'm getting out of here and you ain't touching me again." When she got to the door, I grabbed her left arm and stopped her from walking out of the booking room. I gave her direct orders to sit and not to stand back up unless I told her otherwise. She replied, "Don't you touch me again. Don't you touch me again. You better shut my fucking ass up bitch, because you ain't touching me again." She then walked back to the bench and sat down like she was told. Her conduct was quickly gaining the attention of nearby jail officers.

Ms. Ledonne asked when could she go and I replied, "If you just give me 5 minutes of silence, you can go. Can you do that?" Ms. Ledonne then stood up and stated, "Probably not." And walked out of the door. I followed her outside of the booking room and told her that her actions has now forced me to put hands on her. I grabbed her by the left arm and pulled her back into the booking room. While pulling her, she resisted by shifting her body weight, locking her legs, and grabbing onto the door frame to prevent going back into the room. After forcefully getting her to sit back down on the bench, she used her left hand and forcefully pushed against the left side of my head as resistance, while I handcuffed her to the bench to prevent further actions. While handcuffed to the bench, Ms. Ledonne made the statement, "I'll kick your fucking ass. If I didn't have these mother fucking handcuffs on, I'll kick your fucking ass."

Ms. Ledonne was removed from the booking room shortly after by the jail staff, who immediately took her into custody. A Intox9000 refusal was printed

EXHIBIT #2  
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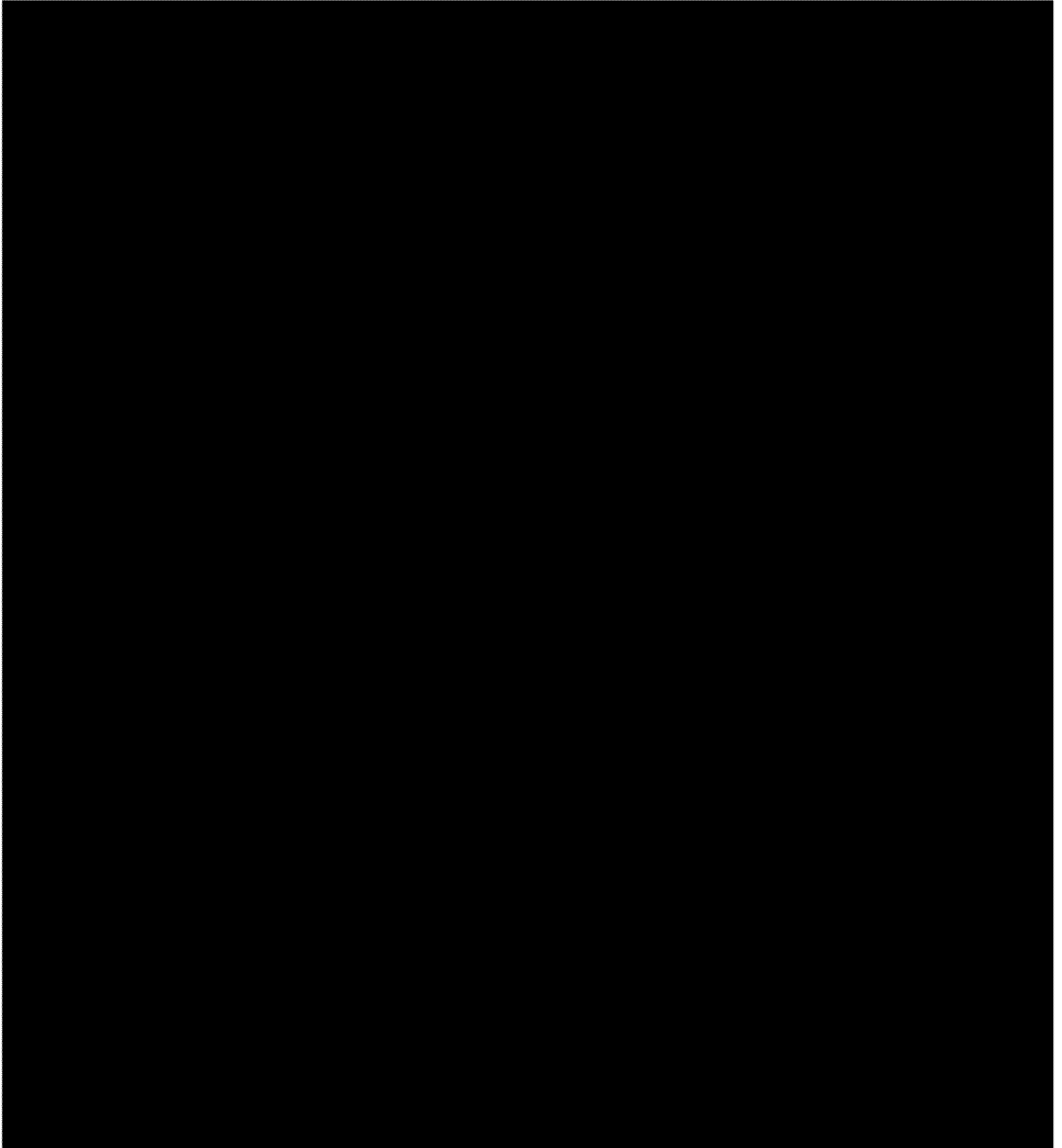
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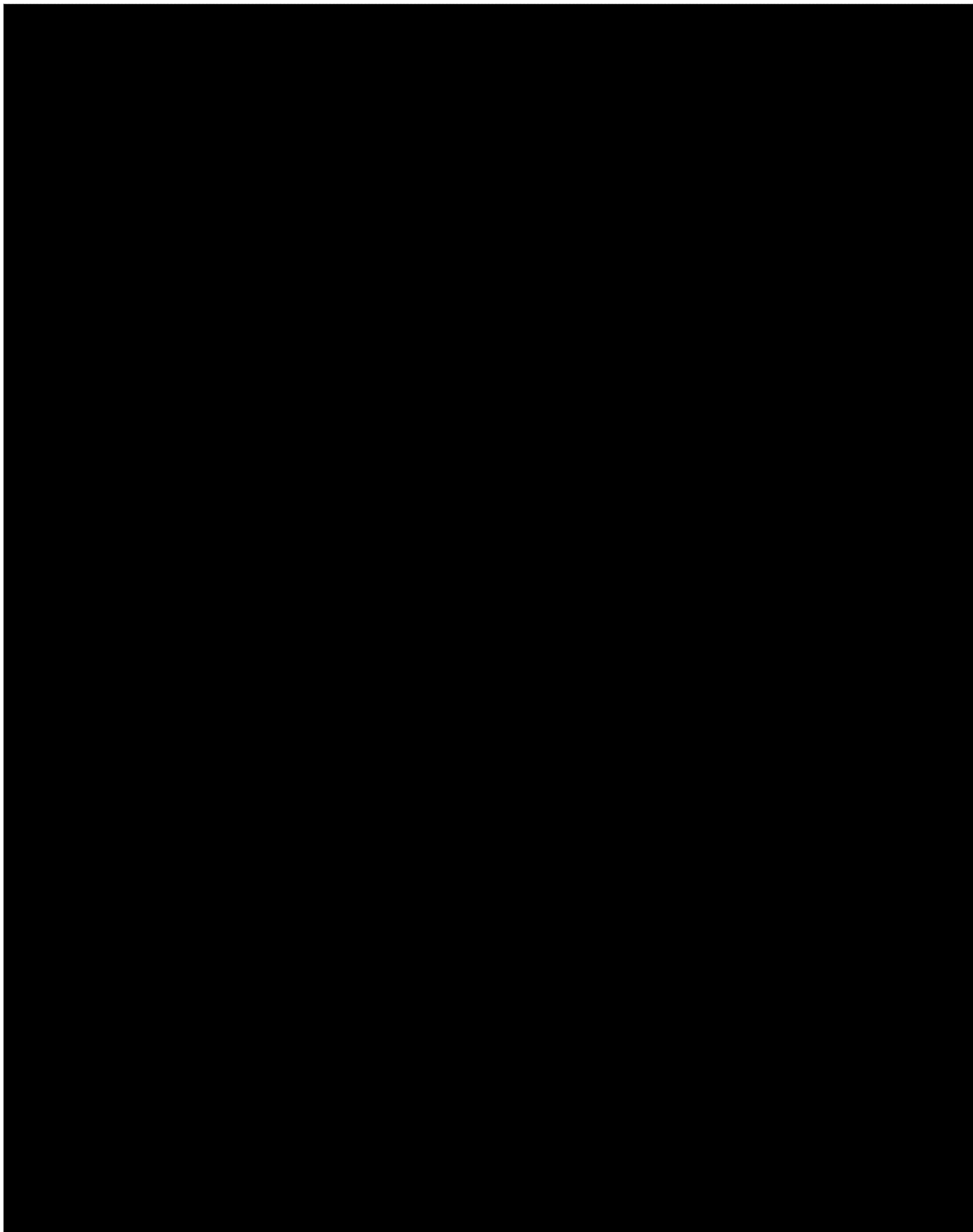
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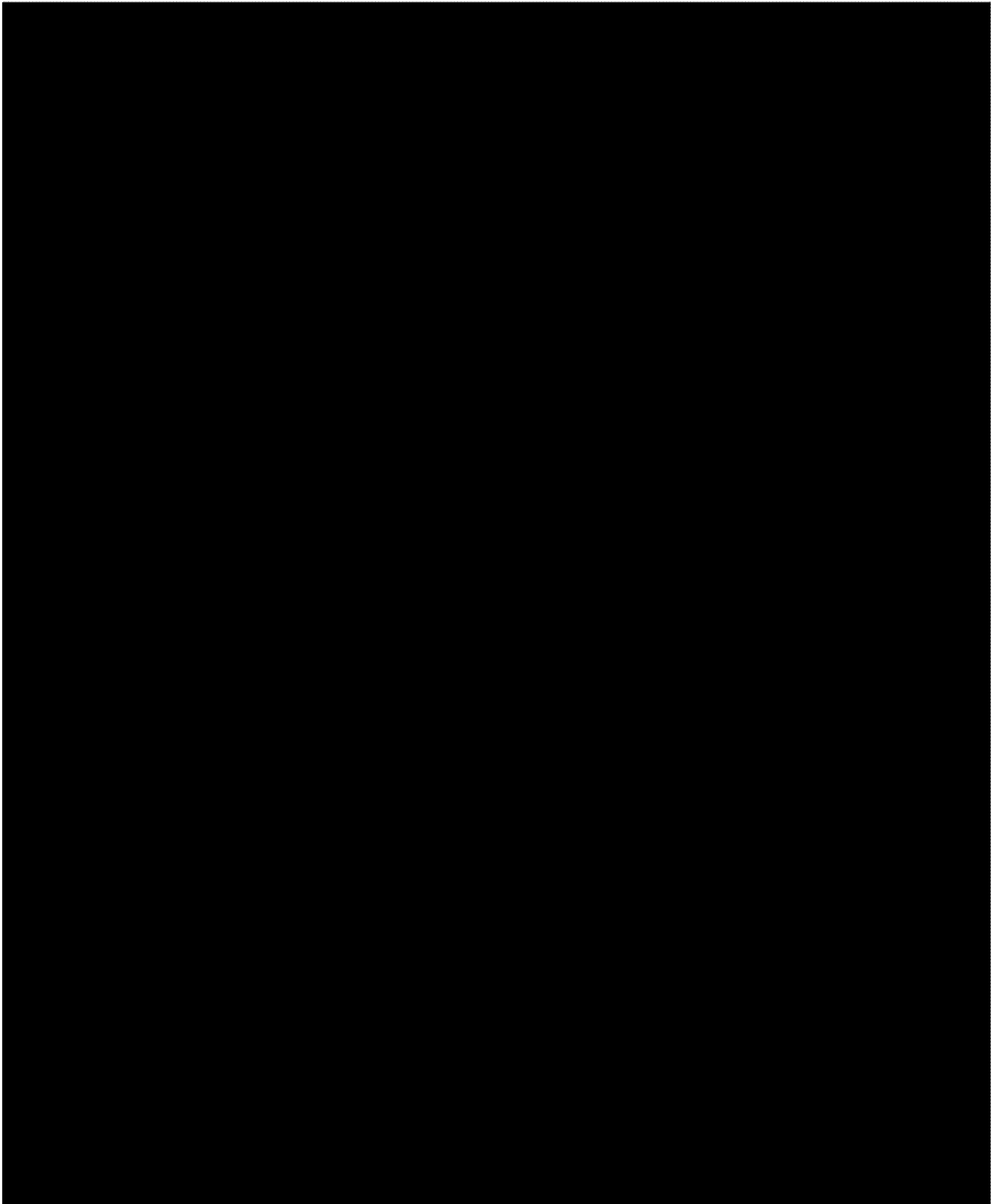
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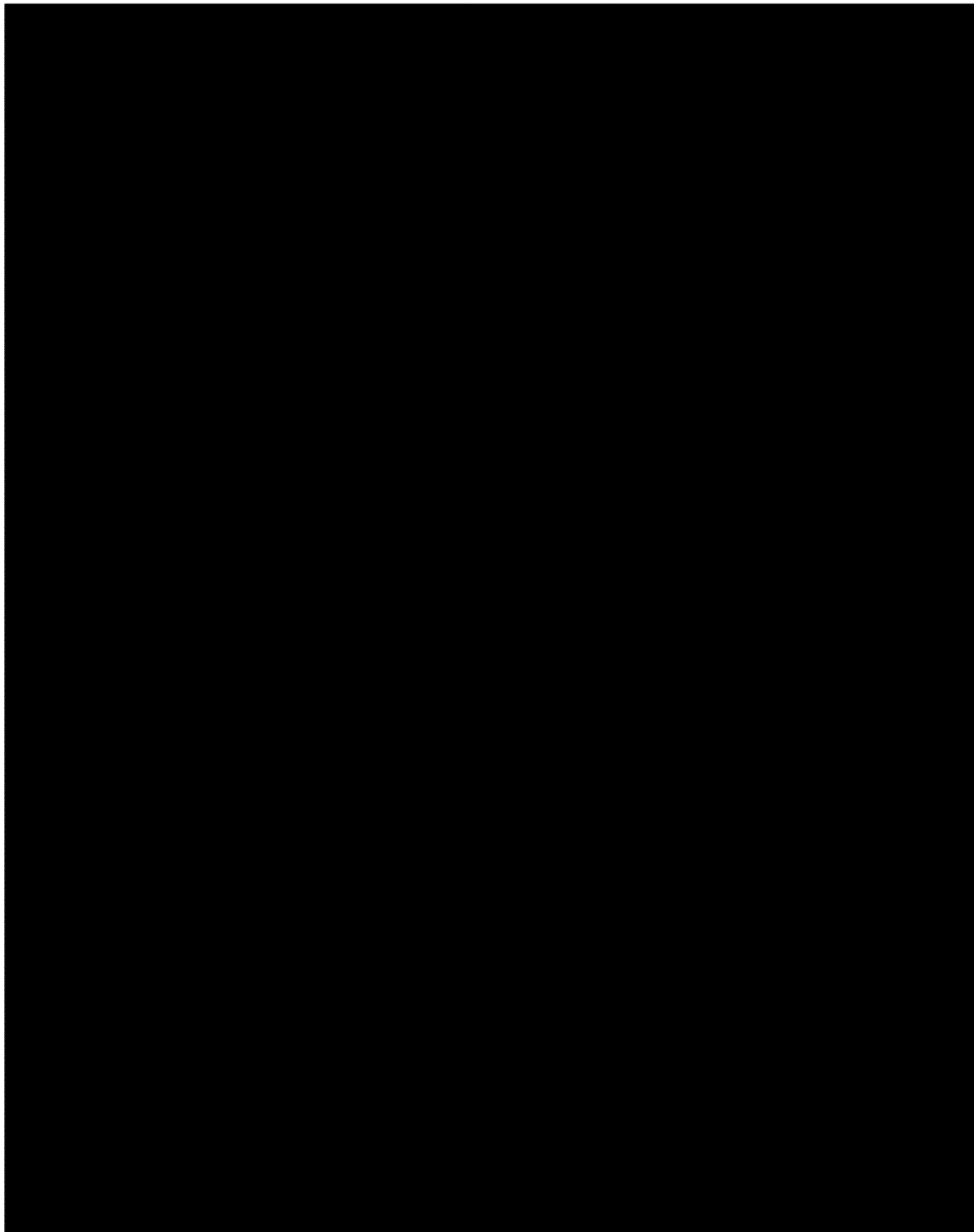


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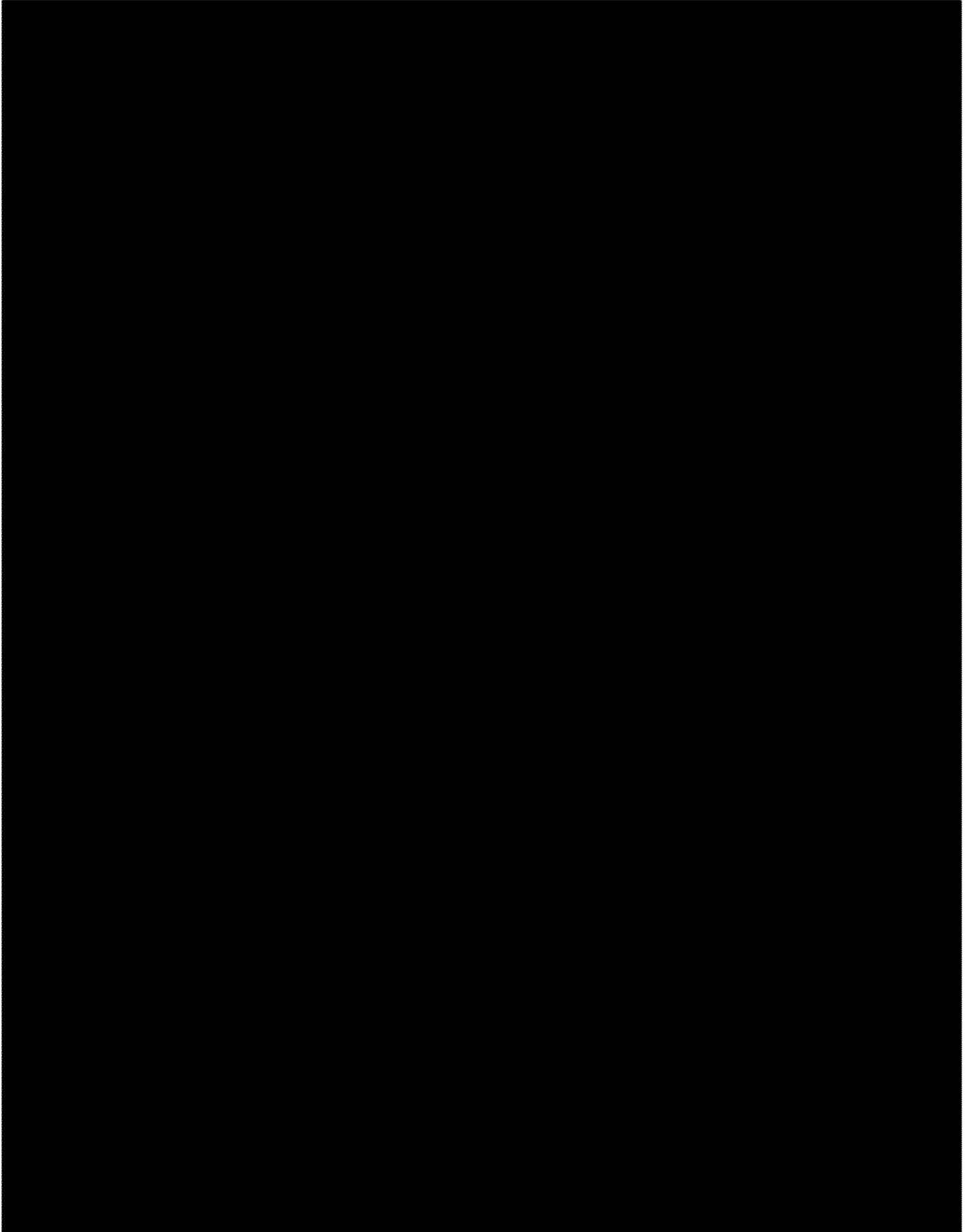




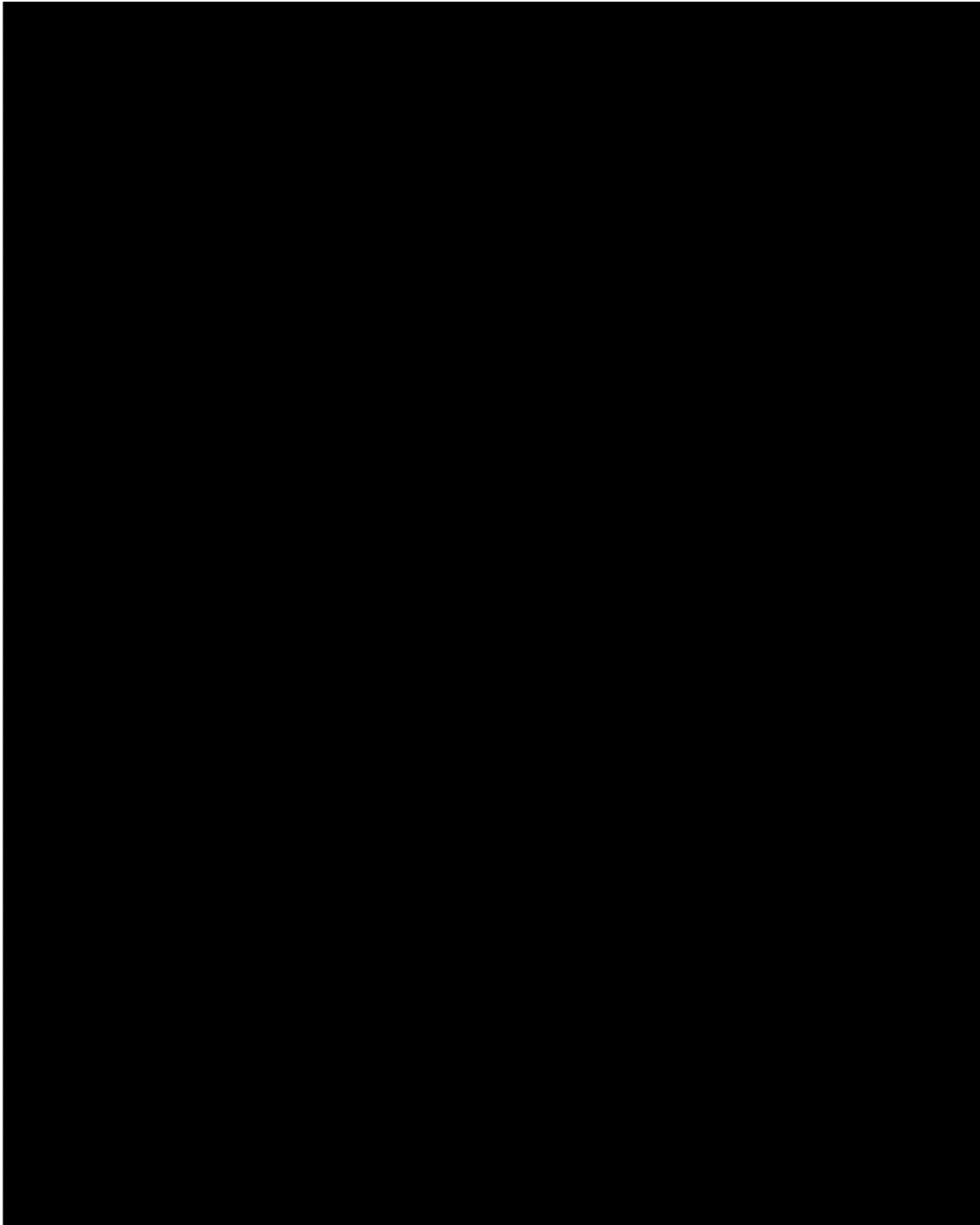
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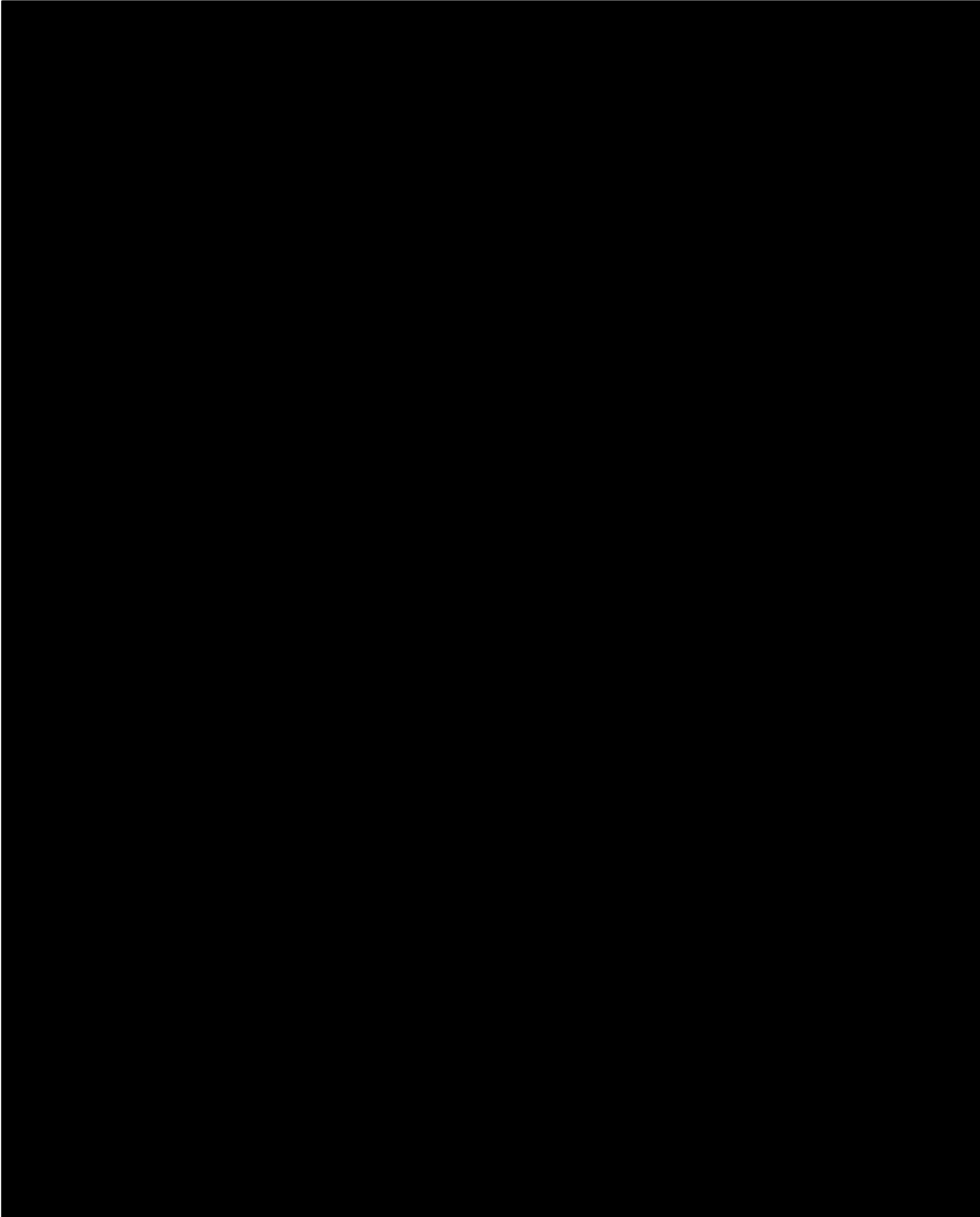
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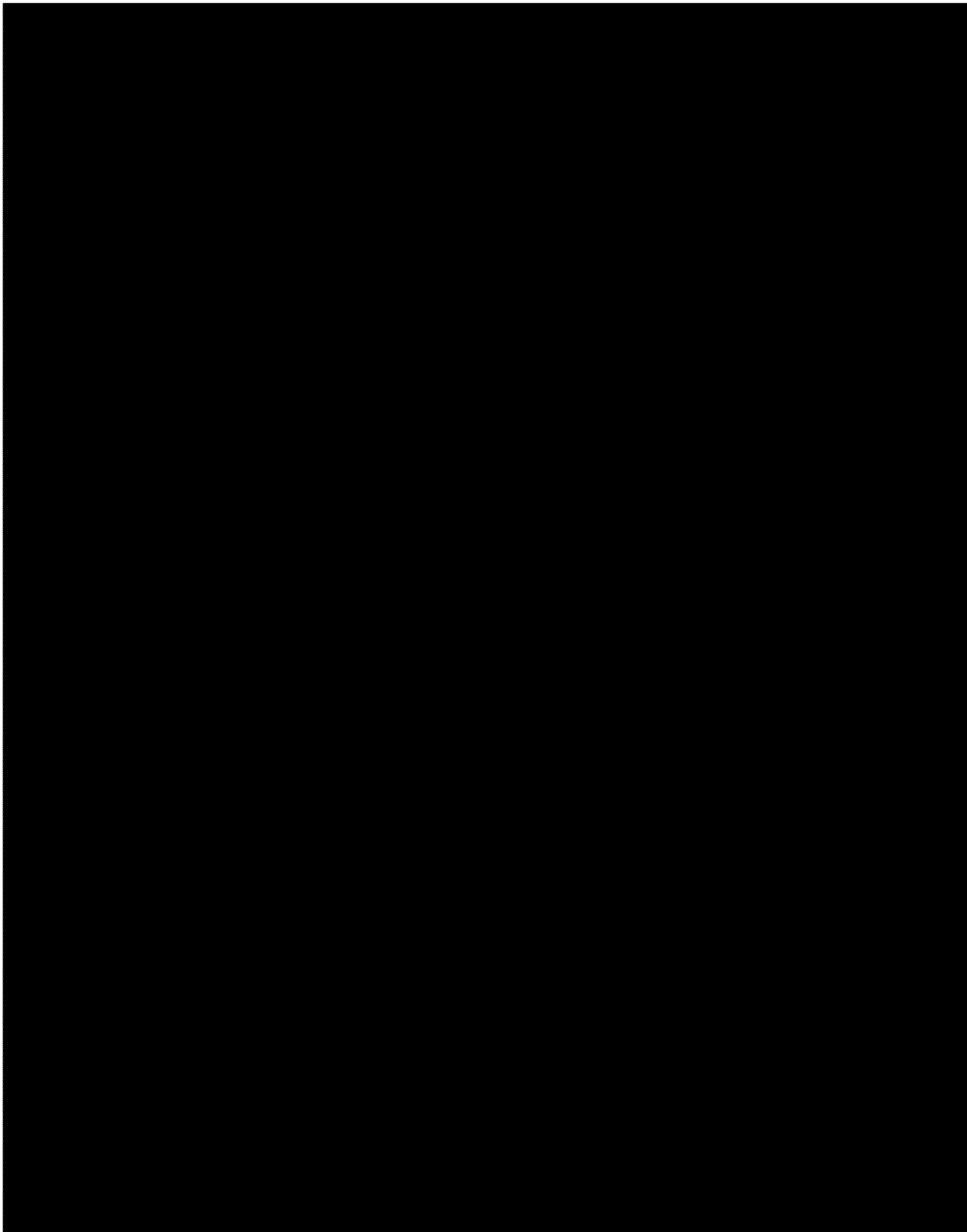
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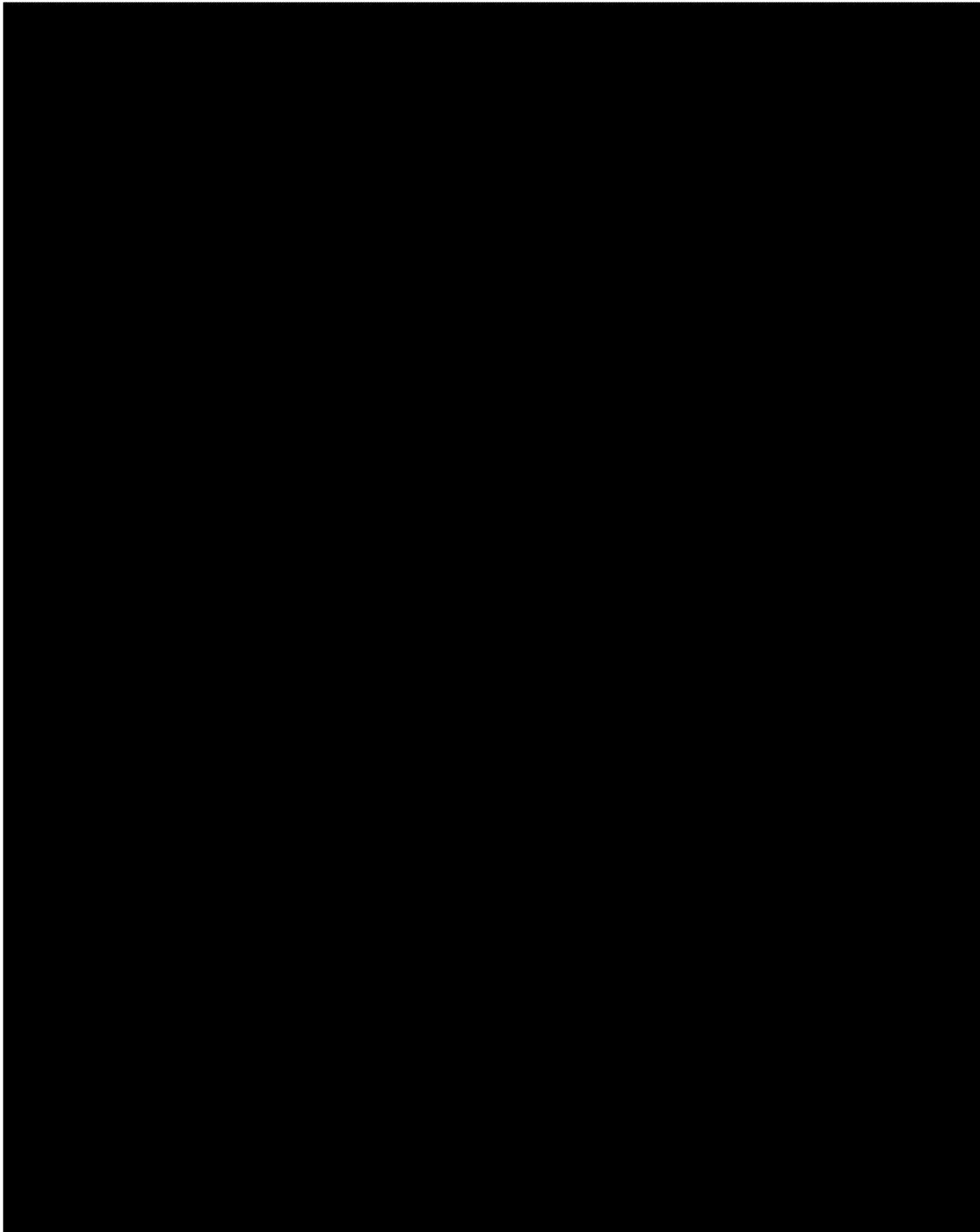
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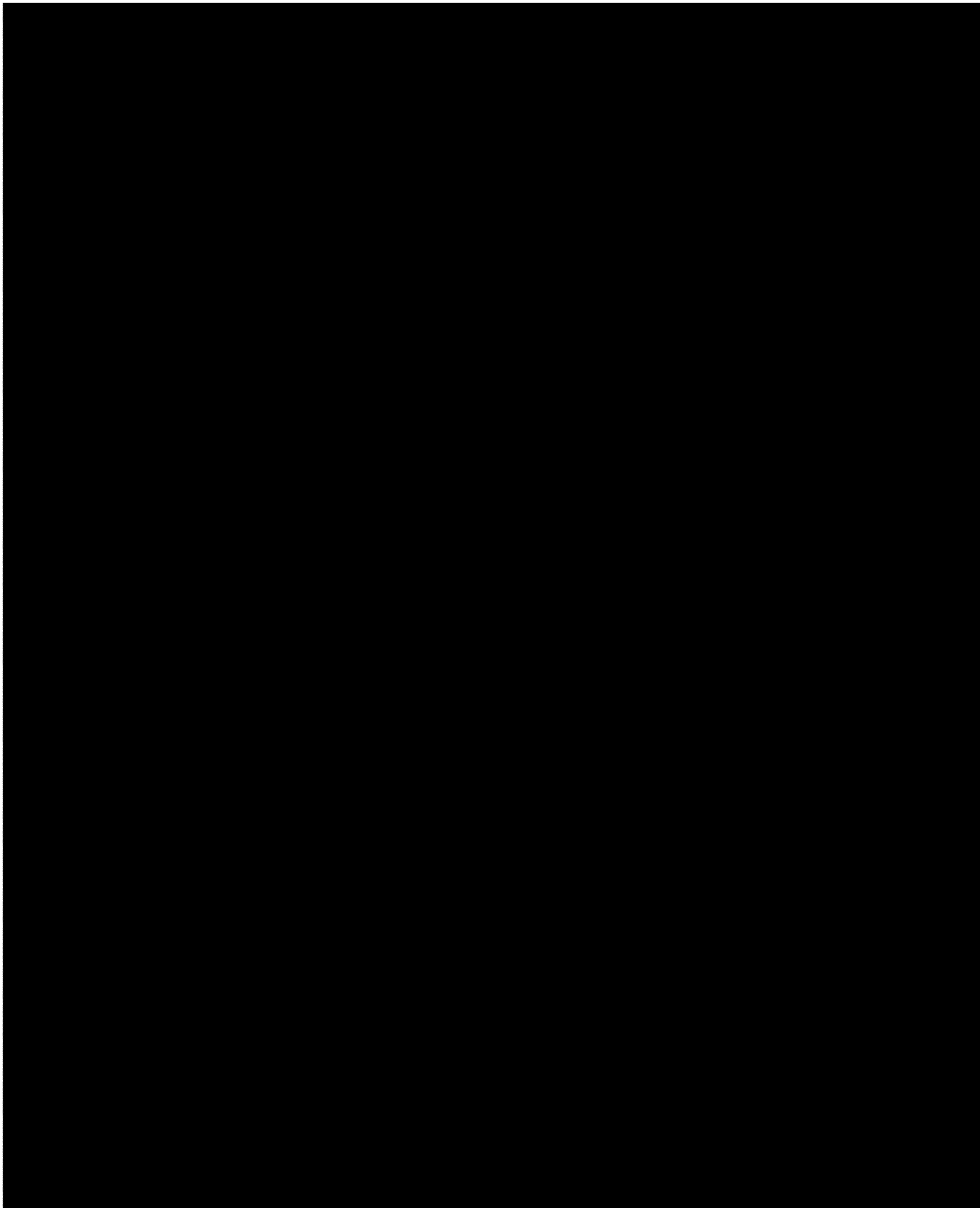
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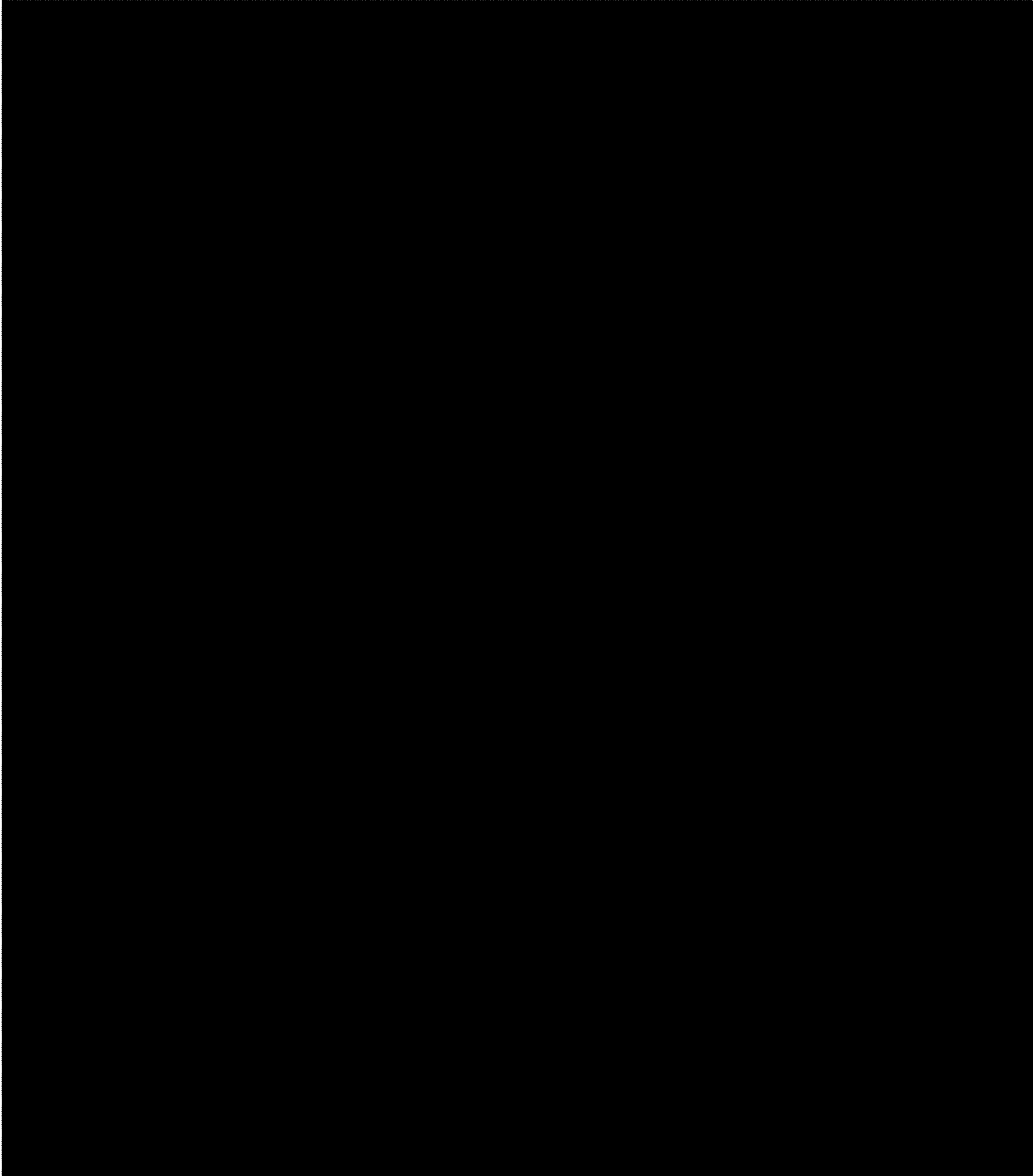
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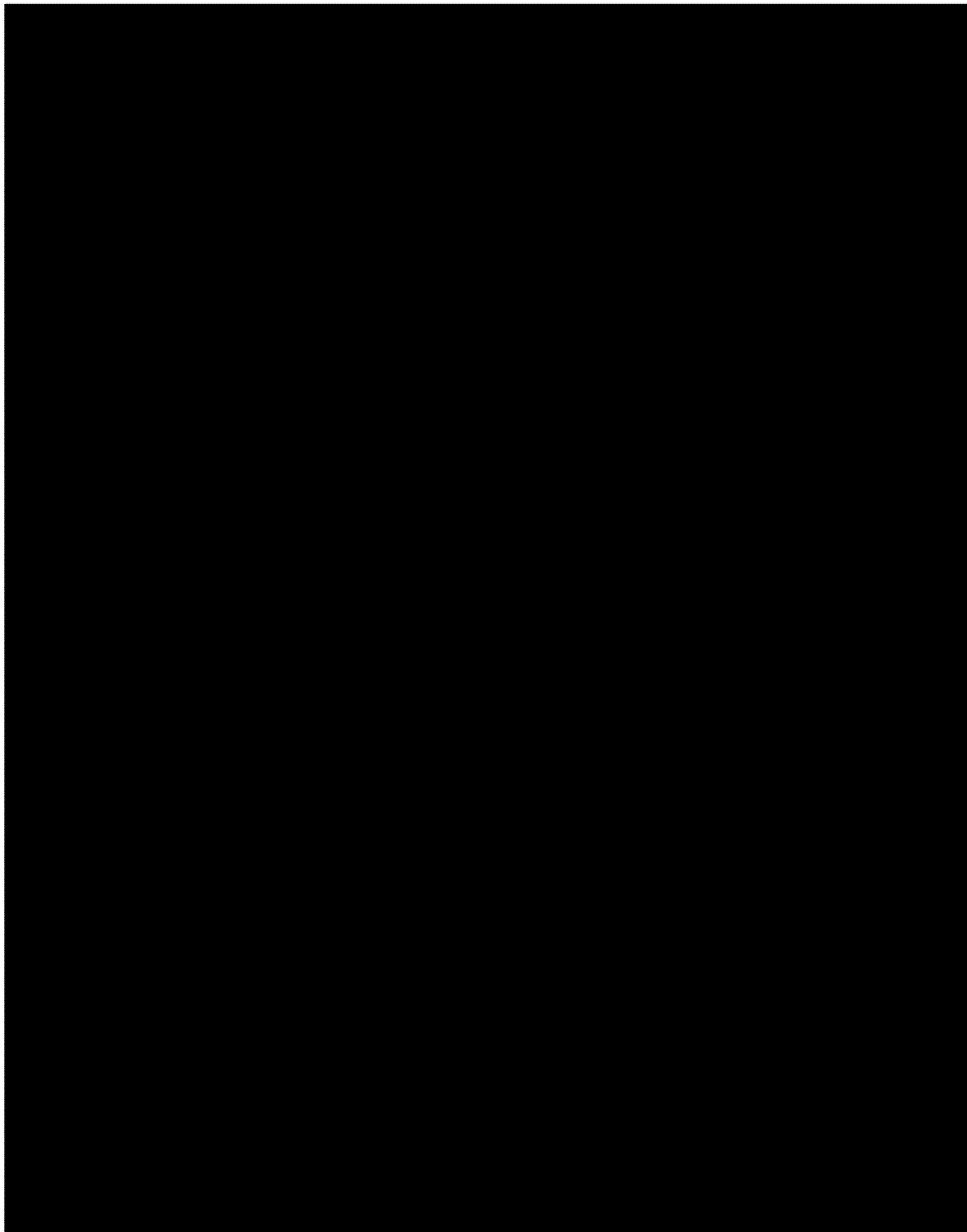


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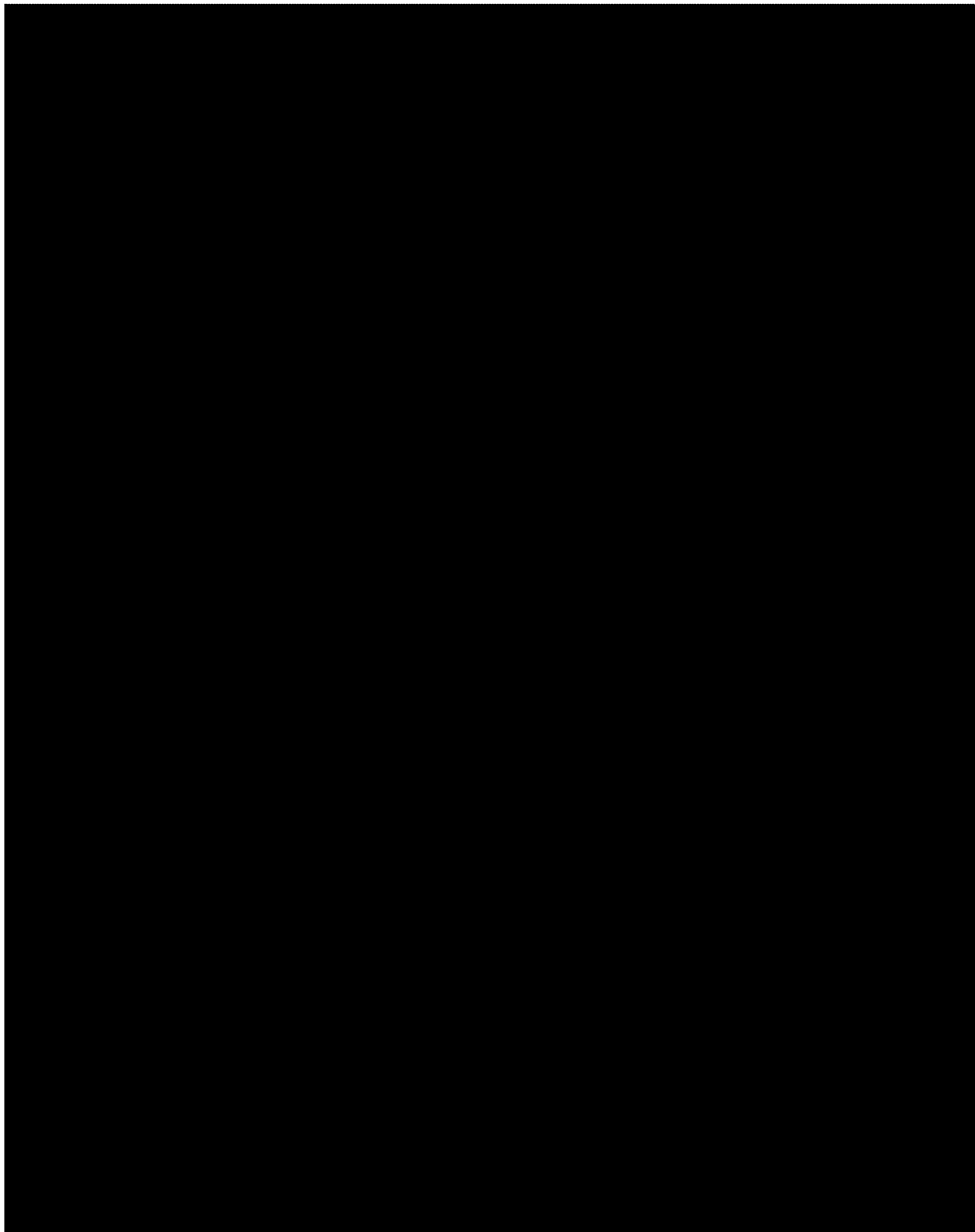




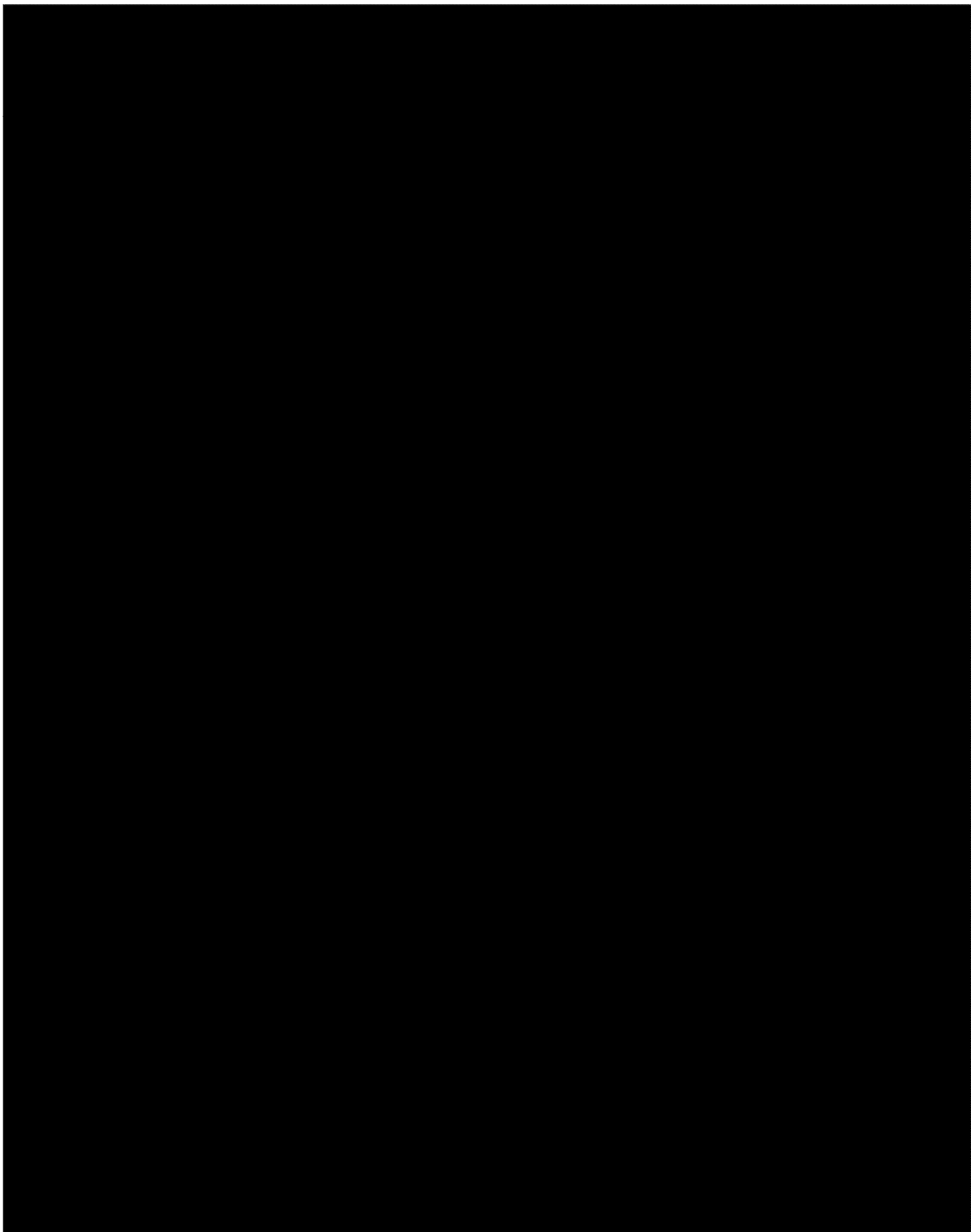
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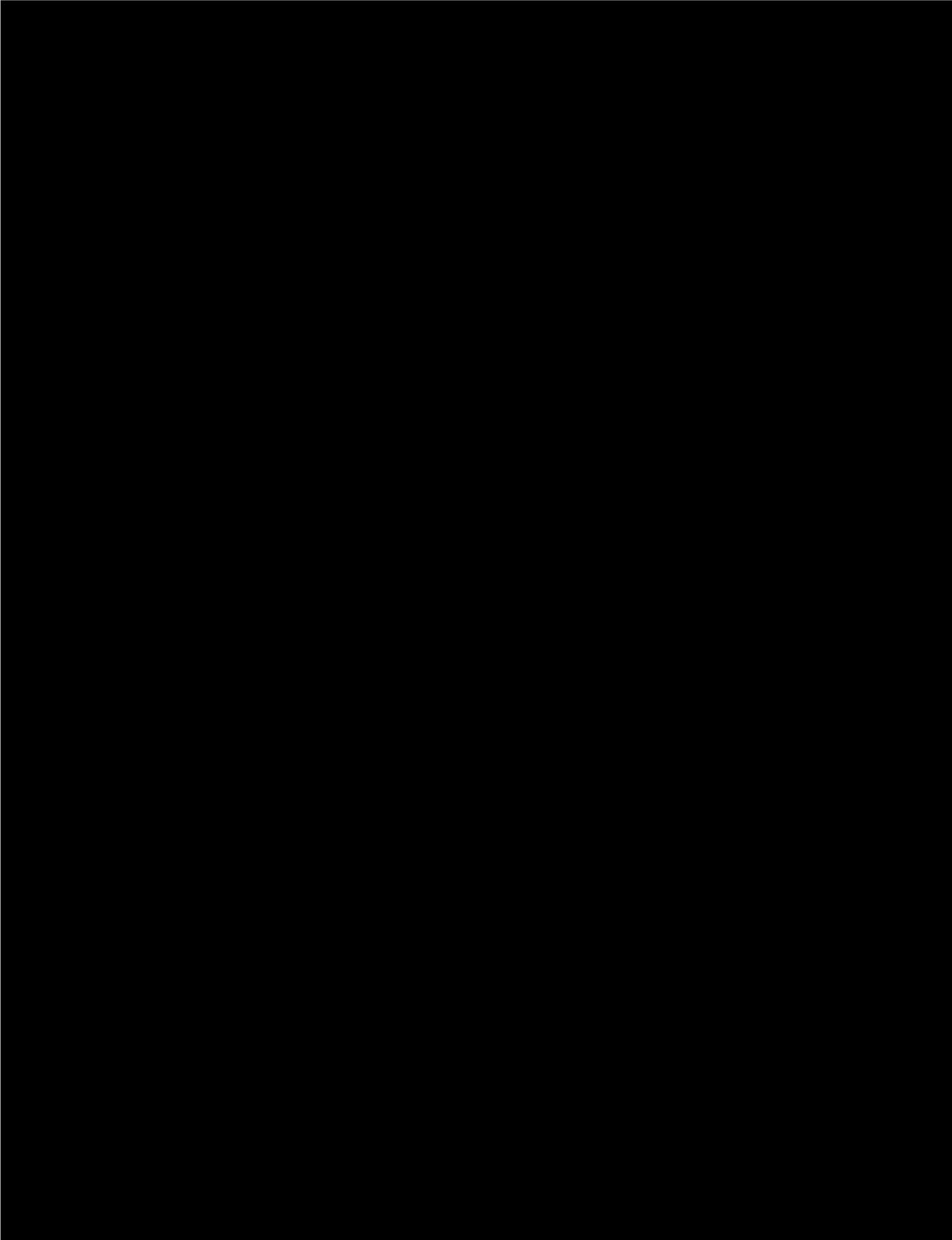
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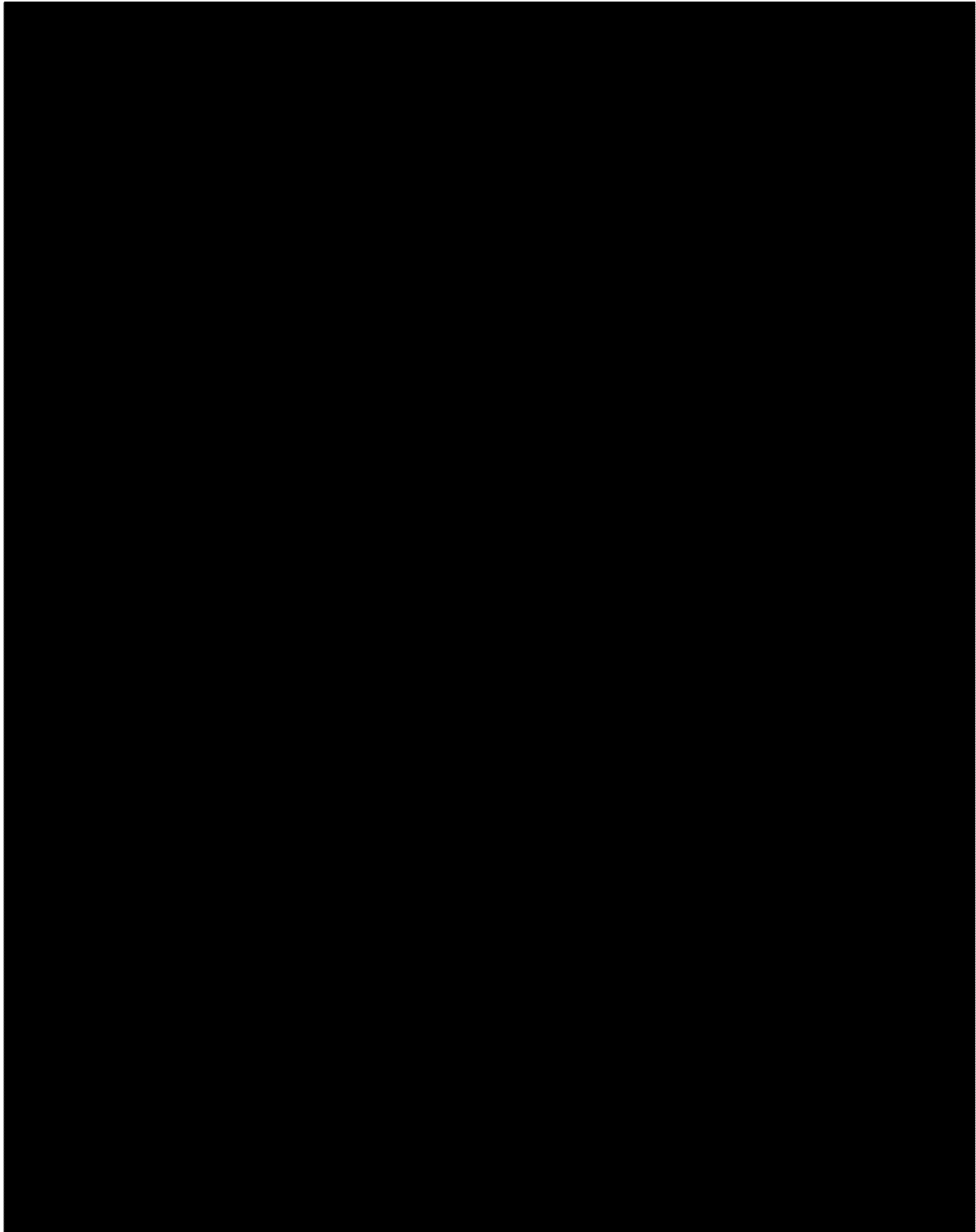
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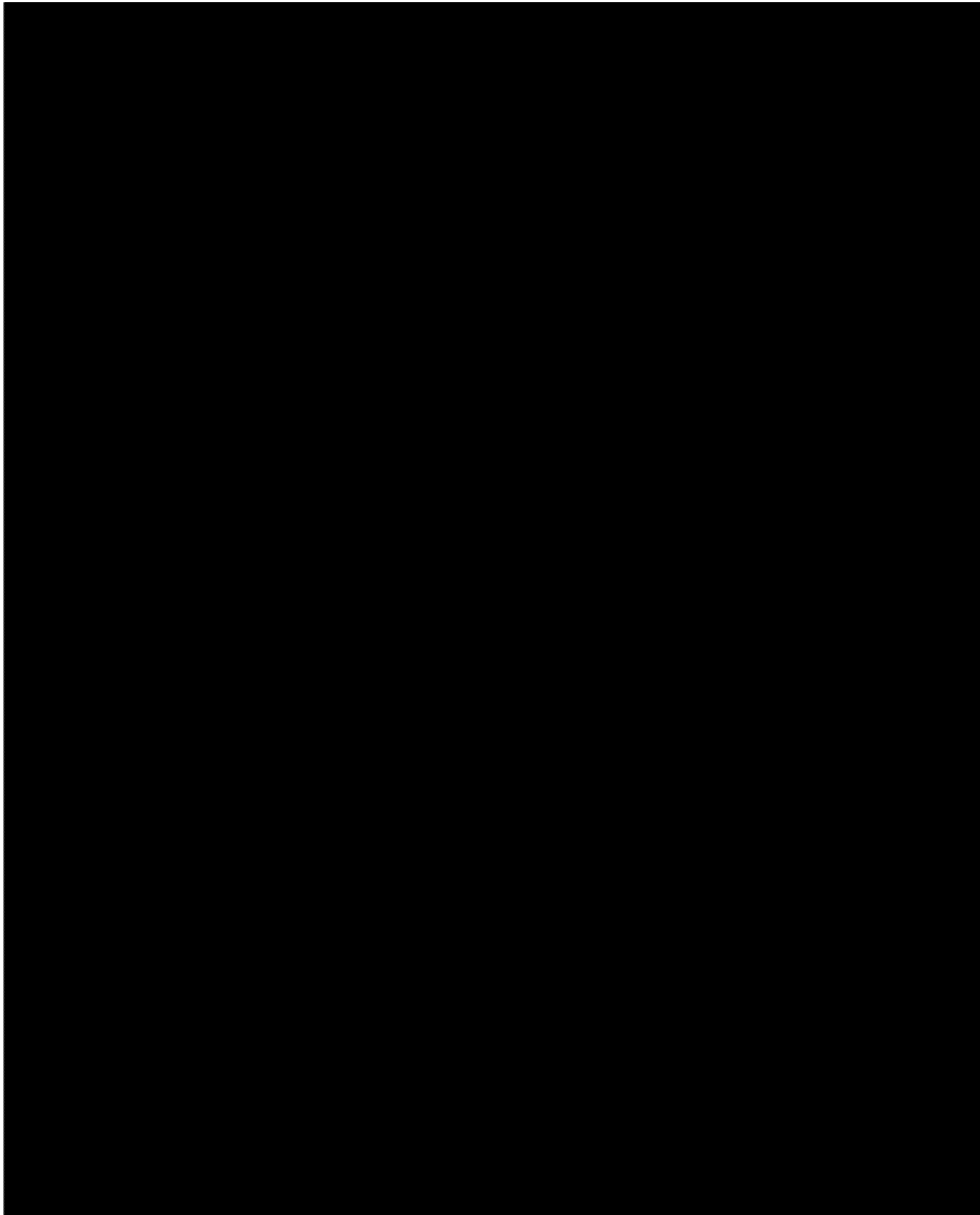
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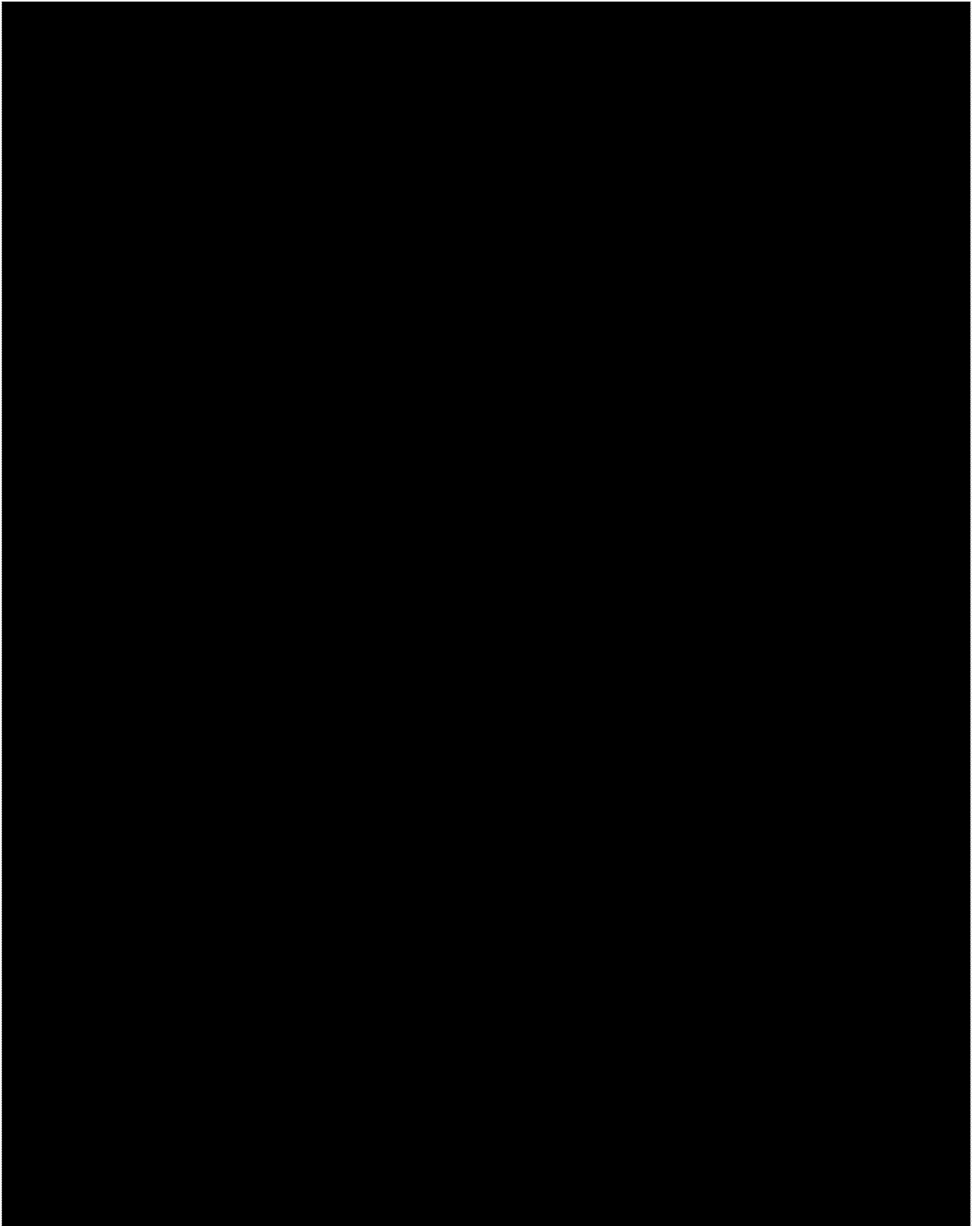
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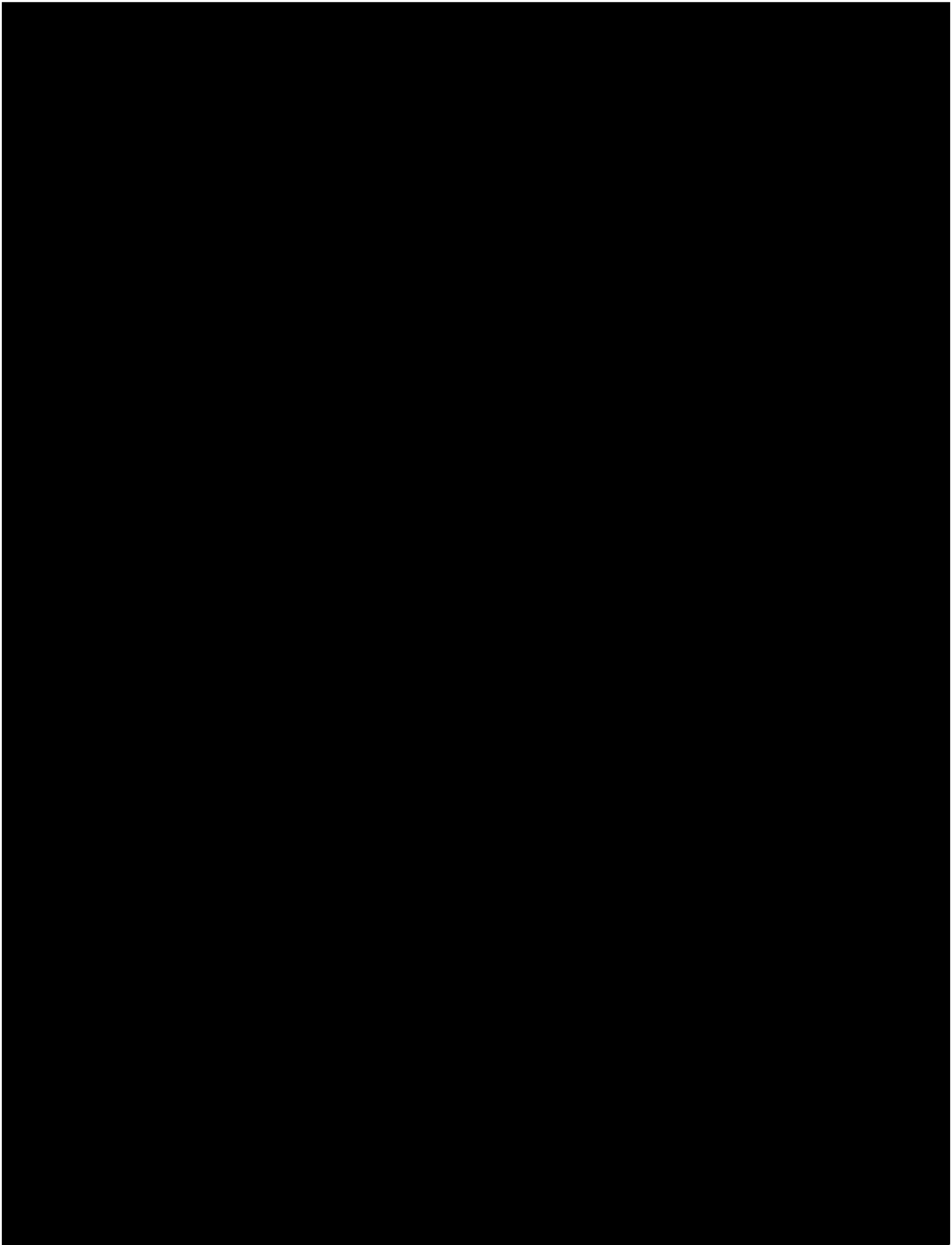
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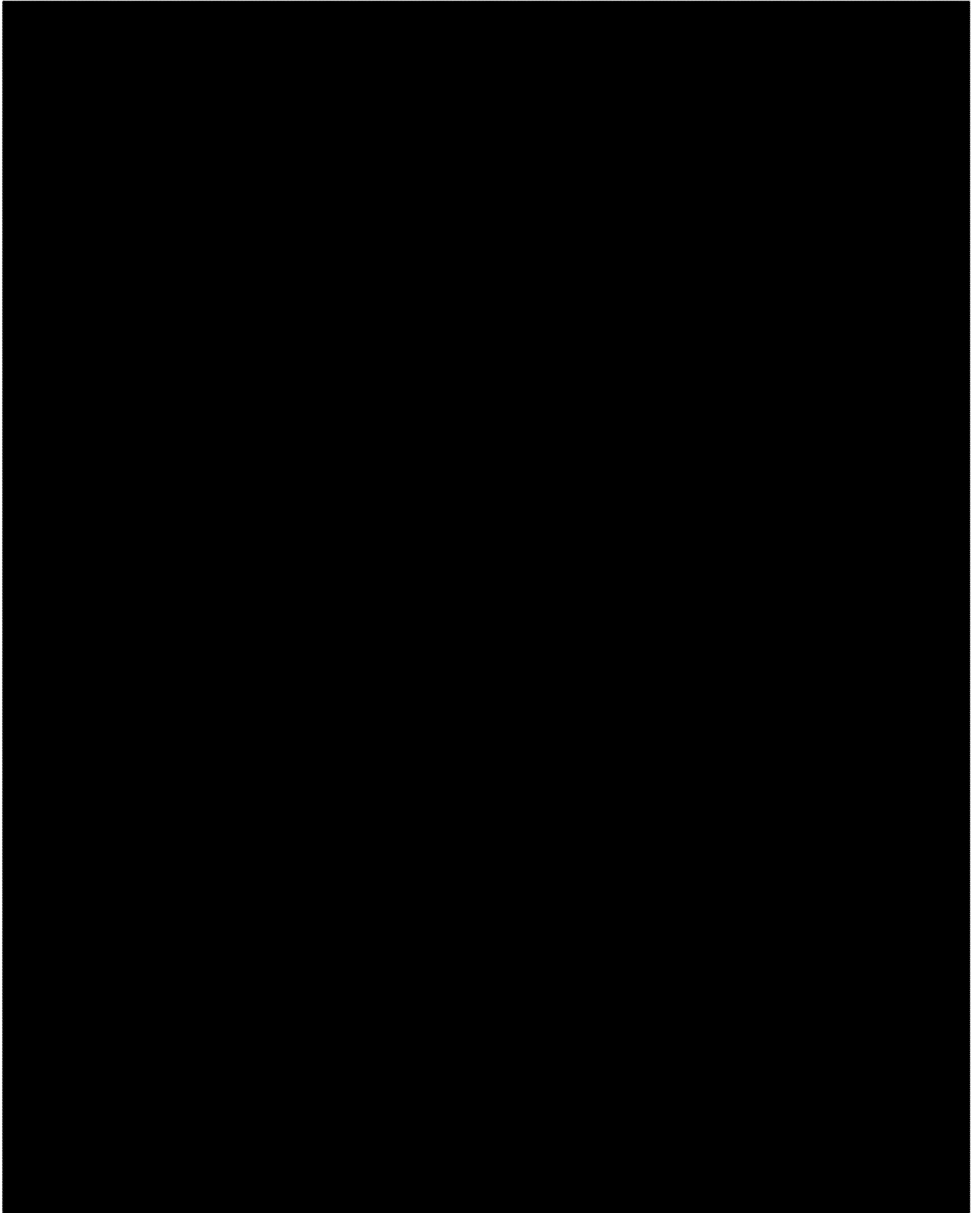


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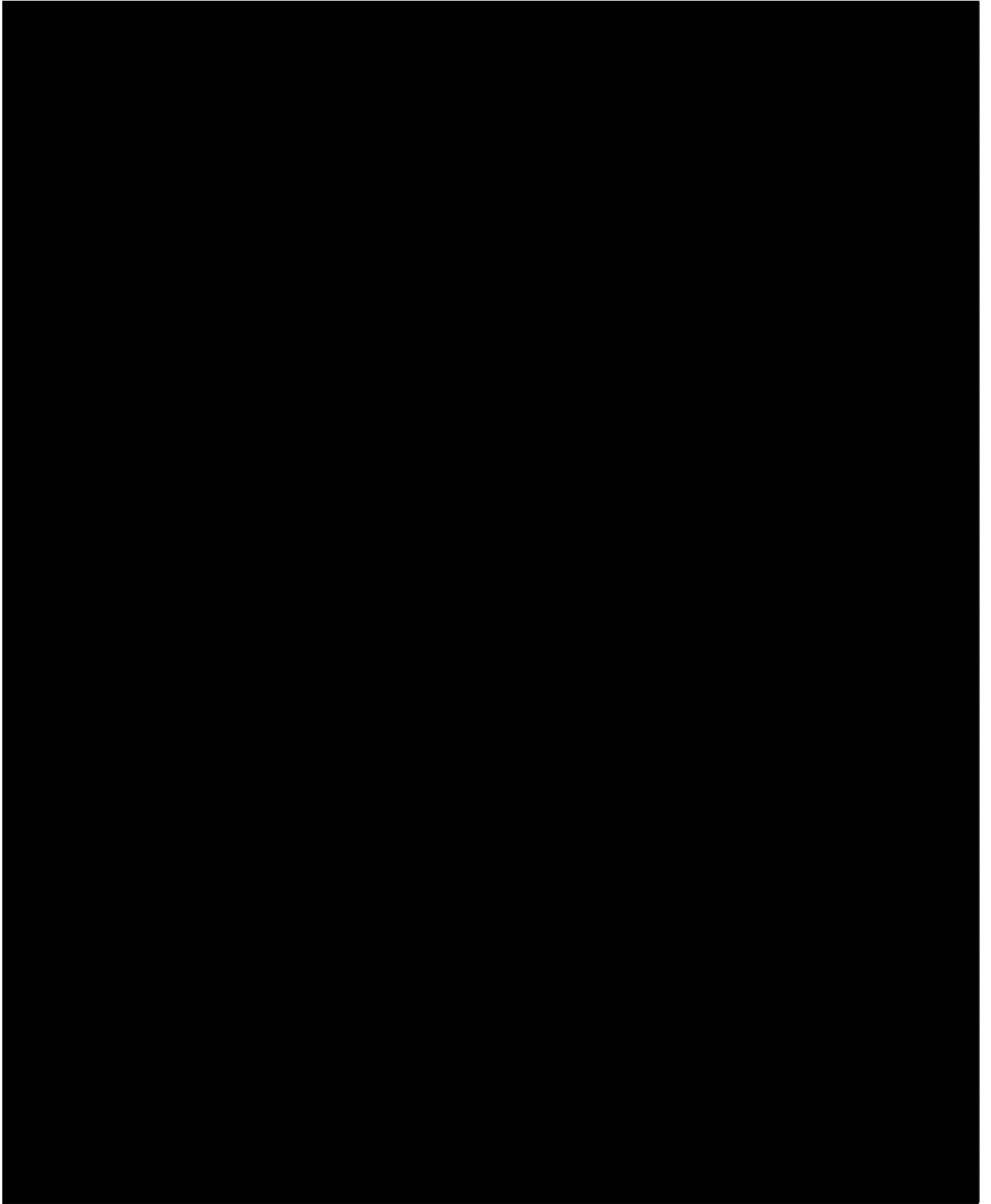




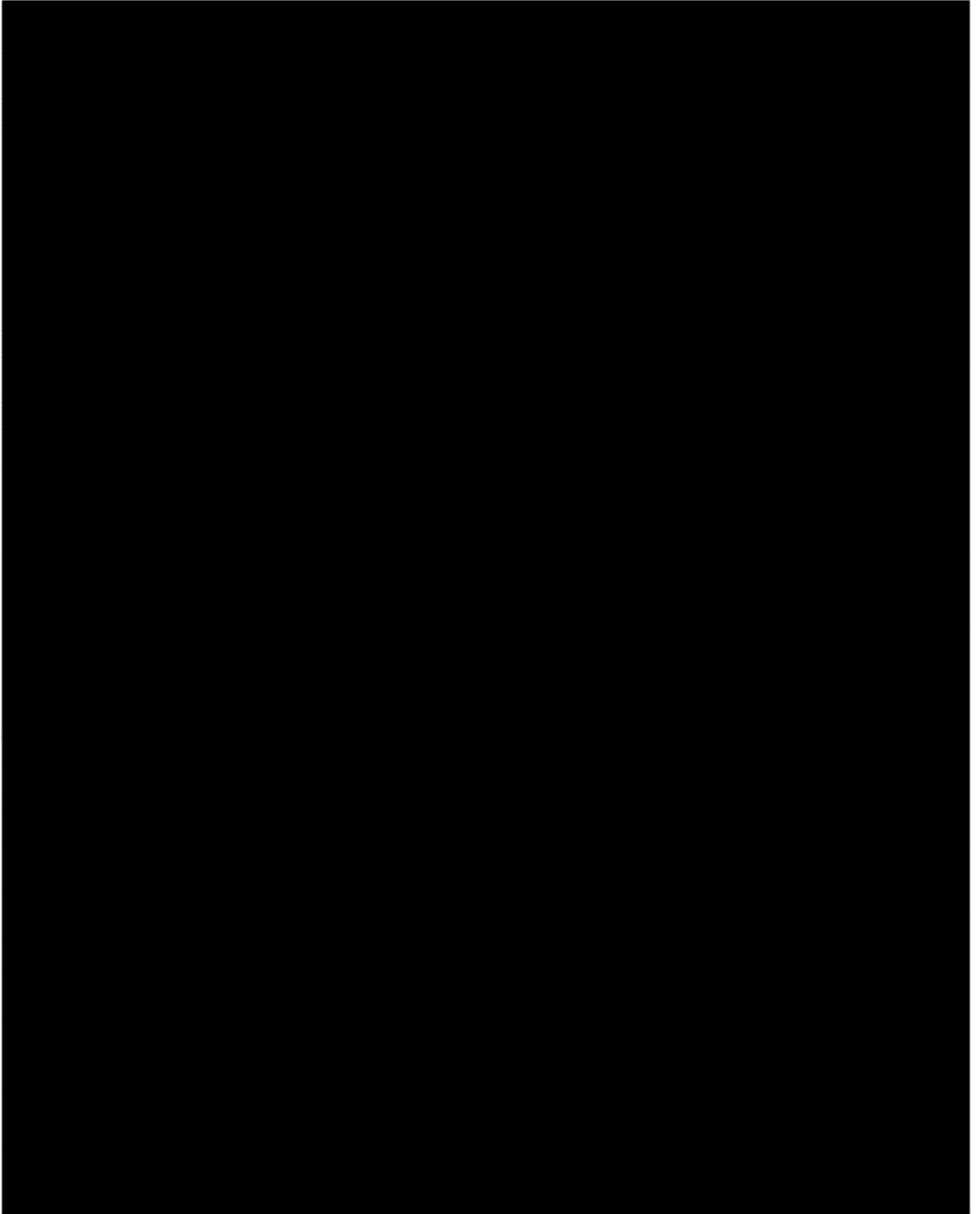
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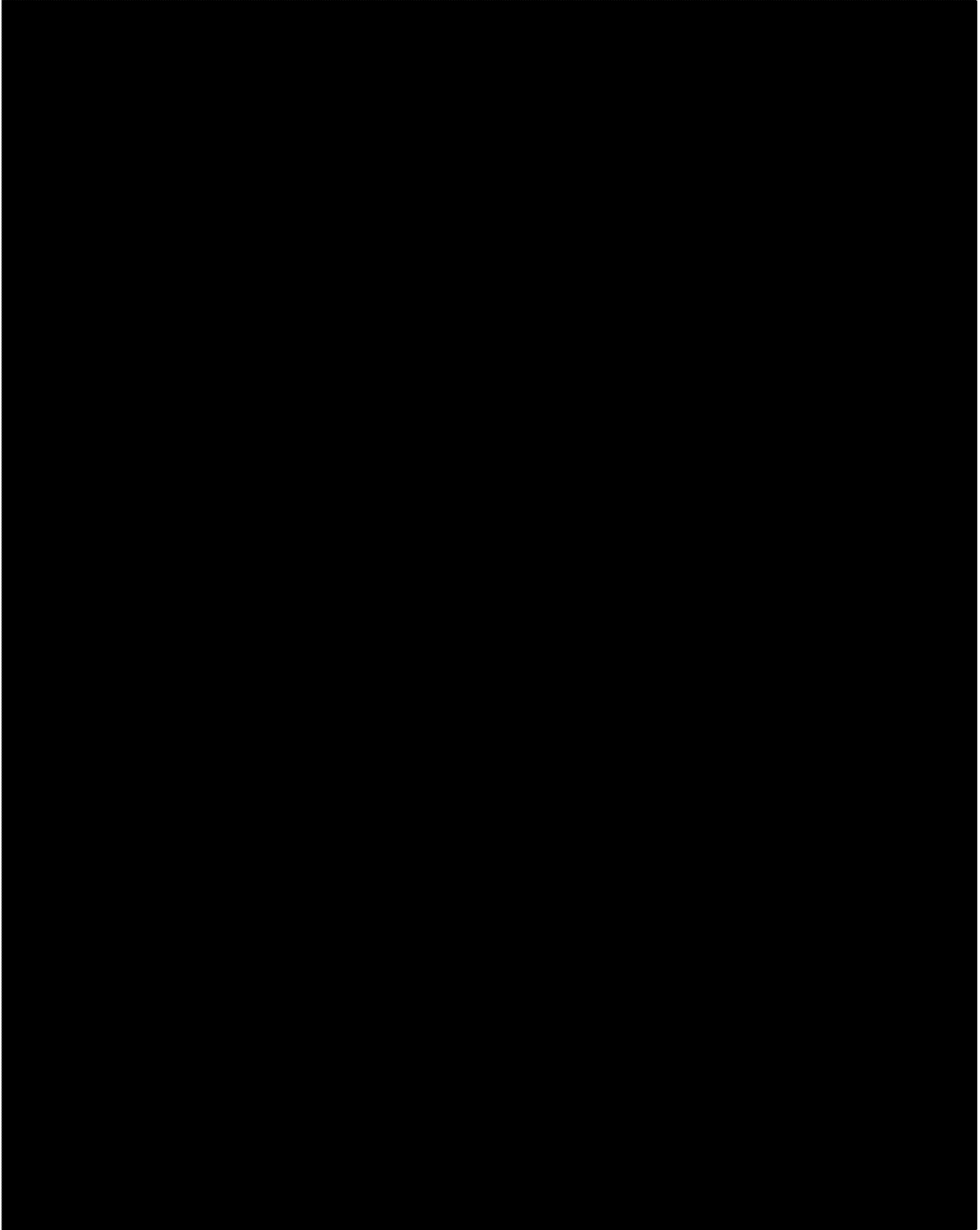
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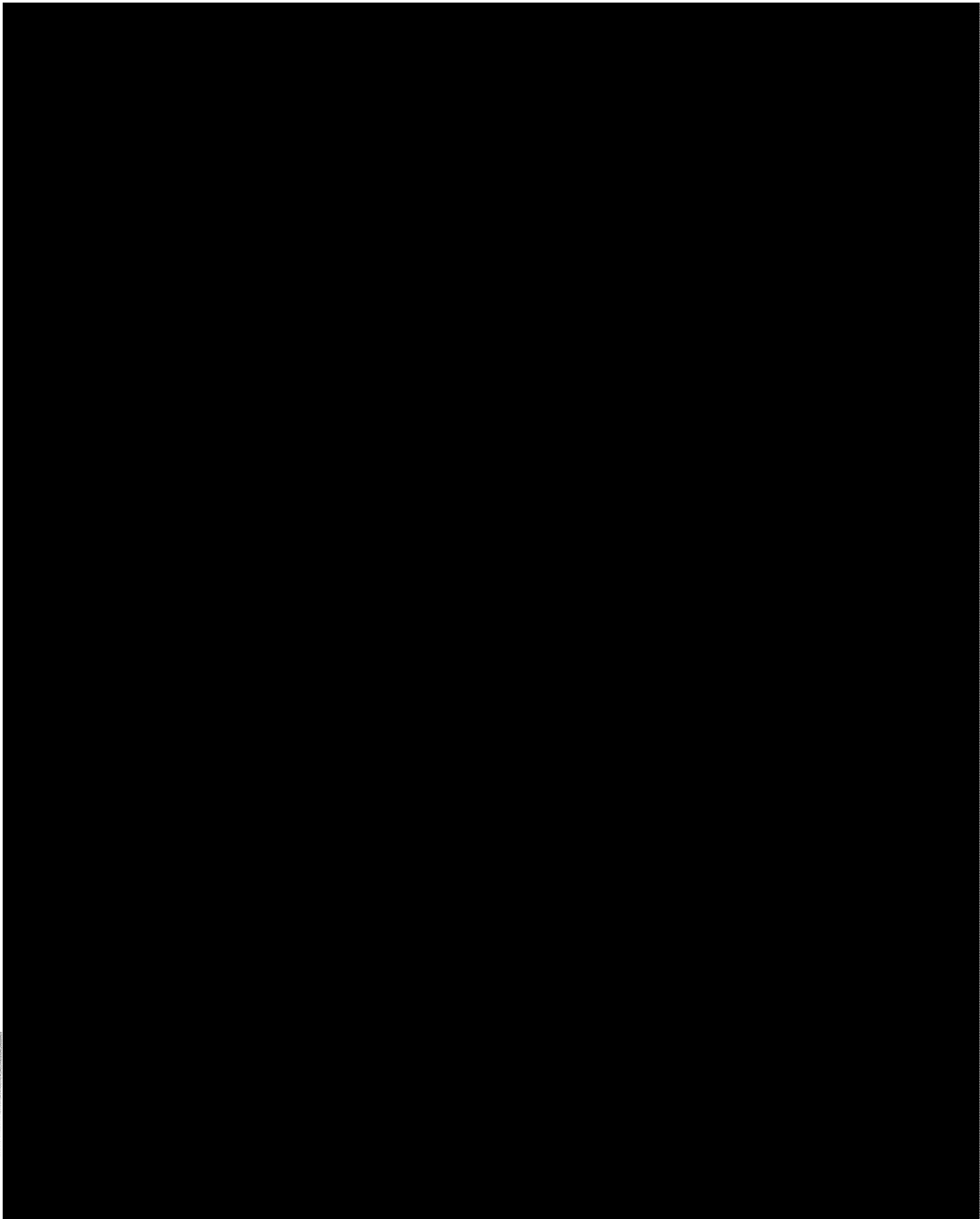
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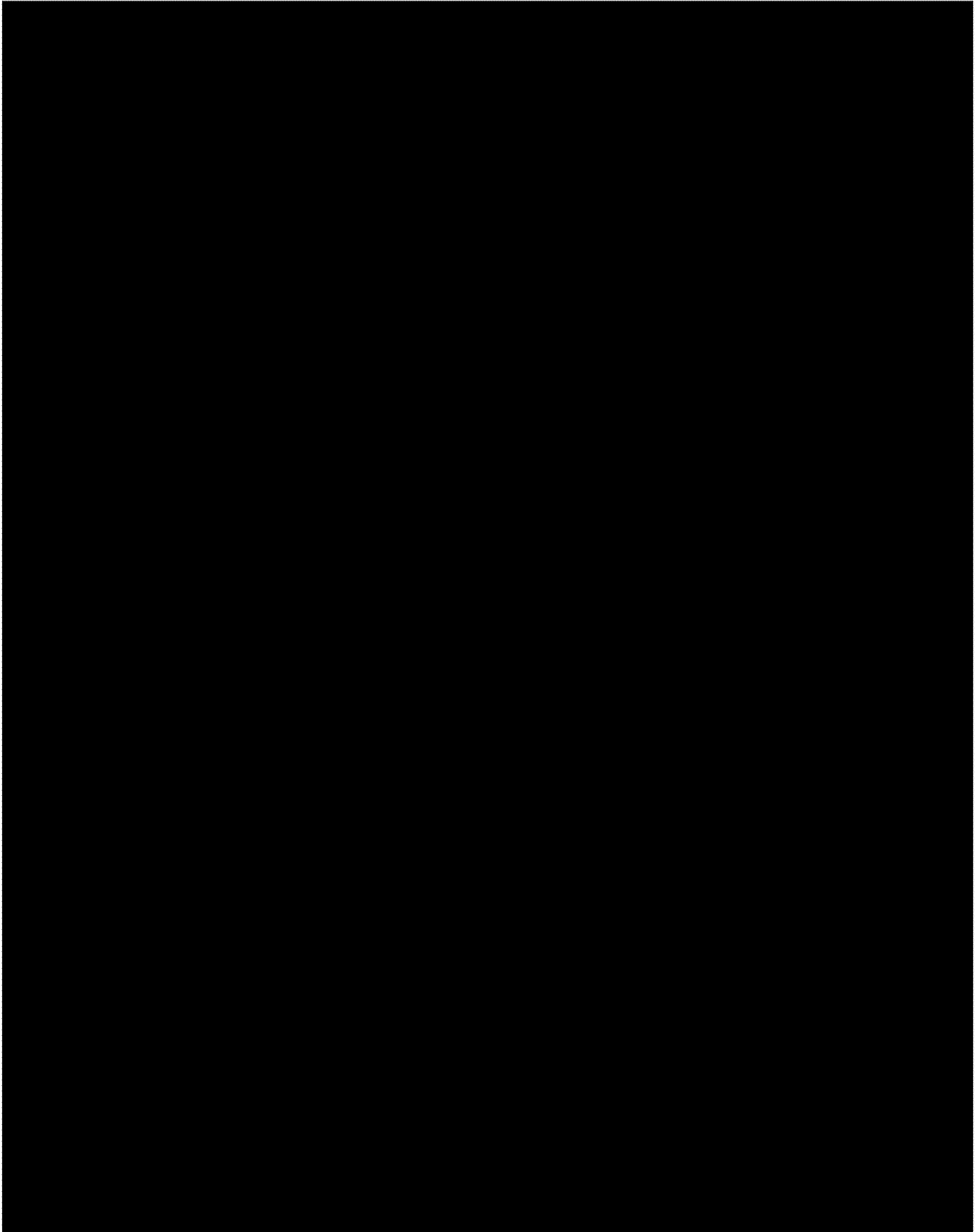
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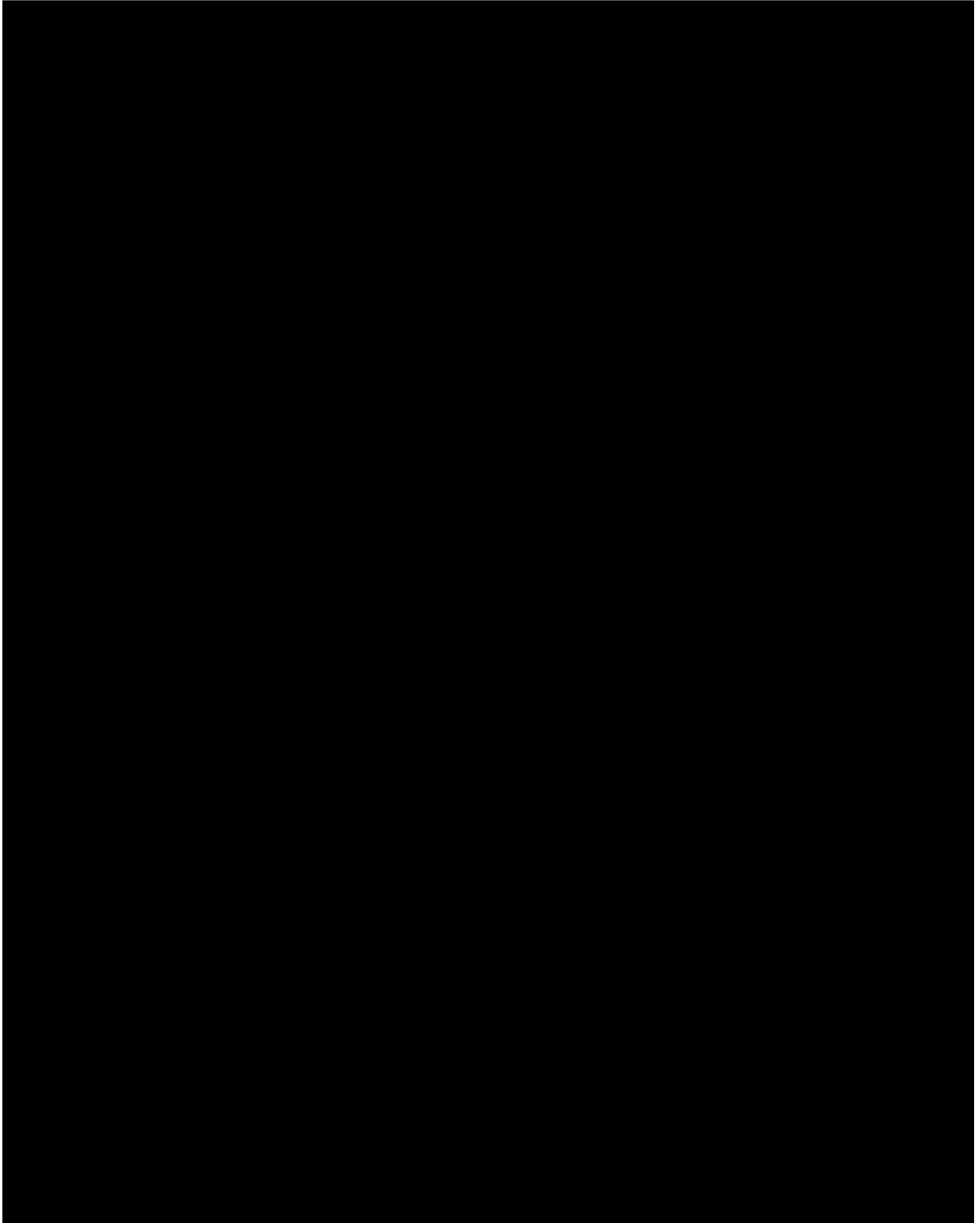
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Subject : *Results of check for LEDONNE, LISA NADINE (70CS08000000001980201)*



licenses



Licensee  
Search

Page 1 of 1. 0 total matches.

<b>Search Parameters</b>
Govt. Number: [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: LEDONNE
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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[Admin](#) [Licensees](#) [Rulings](#) [Horse Tracking](#) [Bulletin Board](#) [Preferences](#) [Log Off](#)

EXHIBIT #4  
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JOHN MACIVER, CHAIRMAN  
MICHAEL YAWORSKY, VICE CHAIR  
JULIE I. BROWN, COMMISSIONER  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER

August 22, 2022

Ms. Lisa N Ledonne  
818 North 11th Street  
Palatka, Florida 32177

RE: Application No. 238256, Entity 13277228  
1021 - PMW Professional Individual Occupational

Dear Ms. Ledonne:

We have received the additional information you submitted, however, we are still unable to complete the processing of your application. The item(s) checked below is either missing or requires correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 2 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section and provide court disposition records. Please initial and date any changes made to your application.

You must list the information on your application for the following charges:

- Clinton County, Ohio Arrest(s) – 12/23/1999, 06/23/1997
- Clark County, Ohio Arrest(s) – 08/13/1999, 07/04/1997, 06/02/1994
- Montgomery County, Ohio Arrest(s) – 07/18/1997
- Glynn County, Georgia Arrest(s) – 07/25/2016, 07/11/2016, 07/10/2016
- Duval County, Florida Arrest(s) 11/28/2006, 07/18/2006, 11/02/1999

You must provide the court disposition records for the following charges:

- Clinton County, Ohio Arrest(s) – 12/23/1999
- Clark County, Ohio Arrest(s) – 08/13/1999, 07/04/1997
- Duval County, Florida Arrest(s) 11/28/2006, 07/18/2006

Note: If you cannot obtain the requested court disposition records, please submit a certified statement from the Clerk of Court for the relevant jurisdiction stating the status of records or that the records are not available. All aliases must be listed, if applicable.

OFFICE OF OPERATIONS  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399

EXHIBIT #4  
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PMW 3180 - Request for Waiver, if you have you ever been convicted of or had adjudication withheld for a felony or other disqualifying offense (form enclosed).

PMW-3195 - Request for Release of Information and Authorization to Release Information (form enclosed).

**To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.**

**If you fail to provide the Florida Gaming Control Commission with a complete application by 11/25/2022, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.**

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided above, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

Randall Kitchens  
Operations Analyst II

EXHIBIT #4  
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reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. Return the missing document and/or information to the address provided above, attention Office of Operations. If you have any questions please call 850.488.3211.

Thank you,

Randall Kitchens  
Operations Analyst II

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EXHIBIT # 4  
PAGE # 6-12

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Division of Pari-Mutuel Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Phone: 954.202.3900 • Fax: 954.202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

January 26, 2023

Lisa N. LeDonne  
818 N. 11<sup>th</sup> Street  
Palatka, FL 32177

Re: Case # 2023 00 0559  
Waiver Request

Dear Ms. LeDonne:

Regarding your Pari-Mutuel Wagering Individual Occupational License Application and Request for Waiver, please contact Investigator Chuck Taylor at 850-274-3217 as soon as possible in order to process your request for a Waiver and to set up a waiver interview with the Investigation Section. The application will be considered incomplete until the waiver interview has been completed.

As per Pari-Mutuel Wagering Rule 61D-5.006 (1), Florida Administrative Code, failure to participate in a waiver interview or to disclose any pertinent information regarding convictions, rulings, revocations or denials from other jurisdictions shall result in a denial of the request for waiver.

Please contact this office between the hours of 8:00 a.m. and 5:00 p.m.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bradford D. Jones".

Bradford D. Jones for  
Steven E. Kogan  
Chief of Investigations



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Carlos Martinez; Case No. 2023-008508; License Denial  
Date: April 26, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Carlos Martinez's ("Applicant") application for a Pari-Mutuel Wagering General Individual Occupational License. Applicant submitted a completed application for a Pari-Mutuel Wagering General Individual Occupational License on February 8, 2023 and applied for a waiver of his felony conviction. The Executive Director reviewed the file along with the waiver interview notes and declined to waive the felony conviction. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On February 8, 2023 Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Pari-Mutuel Wagering General Individual Occupational License. Upon review of the completed application, it appears the Applicant was convicted of felonies in the state of Florida. Specifically, the Applicant was convicted of Grand Theft and Dealing in Stolen Property in 2014.

Applicant applied for a waiver for the felony conviction and a waiver interview was subsequently scheduled. On February 28, 2023, Applicant spoke with an investigator on the phone for the waiver interview, and a report was drafted of that interview which was submitted to the Executive Director of the Florida Gaming Control Commission for consideration. On April 10, 2023, the Executive Director declined to waive the felony conviction.

### *Relevant Law*

Section 550.105(5)(b), Florida Statutes, provides in pertinent part that:

“. . . the commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been

convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.”

Section 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.”

Section 550.105(5)(c), Florida Statutes, provides in pertinent part that:

“[i]f the applicant establishes that she or he is of good moral character, that she or he has been rehabilitated, and that the crime she or he was convicted of is not related to pari-mutuel wagering and is not a capital offense, the restrictions excluding offenders may be waived by the director of the commission.”

Rule 75-5.006(1), Florida Administrative Code, requires the applicant to submit Form DBPR PMW-3180, Request for Waiver, and schedule a waiver interview with the Office of Investigations. Failure to participate in a waiver interview or to disclose any pertinent information regarding criminal convictions shall result in a denial of the request for waiver.

Rule 75-5.006(2), Florida Administrative Code, provides that “[t]he applicant shall establish proof of rehabilitation and demonstrate good moral character.”

Staff Recommendation: Because the Applicant's disqualifying criminal conviction was not 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.



VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
---------	-------	--------	-------------	---------	------	------	------------	-------------	--------

- [Complaint Search](#)
- [Mass Status Update](#)
- [Change Recording License Type](#)
- [Public Case Info](#)
- [Delete Complaint](#)
- [Mass Activity Update](#)
- [Mass Discipline Update](#)

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **icampbell**

[VR Home](#) > [Complaint Search](#) > **Maintain Complaint**

Lic Type	<b>1022 - Pari-Mutuel General Individual Occupational</b>	Status	<b>90 Closed</b>	Status Date	<b>03/16/2023</b>
Complaint #	<b>2023008508</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent	<b>MARTINEZ, CARLOS</b>	Responsible	<b>bjones - JONES, BRADFORD</b>	<b>Private Case</b>

Complaint	Respondent	Complainant	Addt'l Info
-----------	------------	-------------	-------------

Source <b>LIC - Licensee</b>	Security Level <b>1</b>	<input type="checkbox"/>	Parties	<input checked="" type="checkbox"/>	Activities
Form <b>WALK - Walk-in</b>	Priority <b>1</b>	<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Class'n <b>IIIB - Waivers</b>	Complexity <b>R - Regular</b>	<input checked="" type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Security <b>STND - Standard</b>	Incident <b>12/22/2022</b>	<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Region <b>SR - Southern Region</b>	Received <b>02/09/2023</b>	<input type="checkbox"/>	Inspection		
Reference		<input type="checkbox"/>	Costs		
Entered <b>02/15/2023</b>	Entered By <b>gricks</b>	<input type="checkbox"/>	Time Tracking		Auto Assign
Summary <b>321 - Gulfstream Park Racing Association</b>		<input type="checkbox"/>	Attachments		History
Updated <b>03/16/2023 12:33:01</b>	By <b>icampbell</b>	<input type="checkbox"/>	Work Notes		Print Report

<b>28</b>	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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# ROUTING SLIP REQUEST FOR WAIVER

RE: MARTINEZ, CARLOS – 2011966  
(APPLICANT'S NAME – LICENSE #)

Case No: 2023 00 8508

1022 – Exercise Rider  
Occupation Code and Job Title

Gulfstream Park  
Facility (d/b/a name)

**90-DAY RESPONSE DEADLINE:**

**MAY 29, 2023**  
(DATE)

---

### Investigations Section:

Reviewed by Bradford D. Jones for  
Steven E. Kogan

 March 16, 2023  
\_\_\_\_\_  
(Initial & Date)

The attached "Request for Waiver" file has been reviewed for completeness and accuracy, and has been forwarded to the Licensing Section.

---

Licensing Section: Reviewed by: \_\_\_\_\_  
(Initial & Date) (Initial & Date)

Is the applicant currently under suspension, has unpaid fines, or has been refused a license by any gaming or racing jurisdiction?

[ ] Yes or [ ] No If yes, in what jurisdiction? \_\_\_\_\_

---

Executive Director: \_\_\_\_\_  
(Initial & Date)

[ ] Prepare Waiver or [ ] Prepare File for Commission Review

Comments: \_\_\_\_\_

---

### Investigative Findings:




February 8, 2011 Hollywood Police Department, FL. – Grand Theft – Dealing in Stolen Property - Felonies – Adjudicated Guilty on both charges and sentenced on January 22, 2014 to 16 months State Prison, \$4,977.00 in restitution, and \$1,243.15 in Court costs and Fines of which \$1,227.15 remains unpaid.

\*Please attach Routing Slip to front of case file

Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**  
**WAIVER INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>Southern</b>	Date of Complaint: <b>February 9, 2023</b>	Case Number: <b>2023 00 8508</b>
Respondent:  <b>MARTINEZ, CARLOS</b> <b>1188 NW 44 AVENUE</b> <b>LAUDERHILL, FLORIDA 33313</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING</b> <b>OFFICE OF INVESTIGATIONS</b> <b>1400 W. COMMERCIAL BLVD. SUITE 165</b> <b>FORT LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>2011966-1022 (Temporary)</b>	Profession: <b>Exercise Rider</b>	Report Date: <b>March 6, 2023</b>	
Period of Investigation: <b>February 17-February 28, 2023</b>		Type of Report: <b>FINAL</b>	
<p><b>Basis of Investigation:</b> This investigation is based upon submission of <b>MARTINEZ'</b> Florida Pari-Mutuel Application dated December 22, 2022, his amended application dated February 8, 2023 and his Waiver Request Form, which he signed on January 28, 2023.</p> <p>On his amended application, <b>MARTINEZ</b> answered "Yes" to the questions concerning prior criminal convictions and noted a Felony Grand Theft conviction in 2011 and a Misdemeanor theft in 2022, both of which occurred in Broward County, Florida.</p> <p>As confirmed per FDLE Criminal History Report (<b>EXHIBIT #3</b>), <b>MARTINEZ</b> was arrested for Grand Theft in 2011. He was also arrested for a Petit Theft charge in 2022.</p> <p>Application(s) and Request for Waiver are attached herein and are as assigned (<b>EXHIBIT #1</b>).</p>			
Investigations Specialist II / Date   Lisa Vila/ March 1, 2023		Approved by Investigator Supervisor / Date   Bradford D. Jones / March 16, 2023	
Chief of Investigations / Date   Bradford D. Jones for Steven E. Kogan / March 16, 2023			

**CRIMINAL HISTORY**

Arrest 1					
<b>Date of Arrest:</b> 02/08/2011		<b>Arresting Agency:</b> Hollywood Police Department, Florida			
OFFENSE					
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE	
1 Grand Theft	Felony	Not Guilty	Adj. Guilty	01/22/2014	
2 Dealing /Stolen Property	Felony	Not Guilty	Adj. Guilty	01/22/2014	
3					
4					

SENTENCE
18 months State prison (36 days CTS - after failing to appear in court on 2 occasions <b>MARTINEZ</b> was held without bond when ultimately apprehended), - \$ 1,243.15 Court fees (\$1,227.15 currently unpaid) – \$4,977.46 restitution to Invicta Watch.

Arrest 2					
<b>Date of Arrest:</b> 02/18/2022		<b>Arresting Agency:</b> Davie Police Department			
OFFENSE					
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE	
1 Petit Theft	Misdemeanor	Guilty	Guilty	06/22/2022	
2					
3					
4					

SENTENCE
ACF Shoplifters Program – 12 Hours, \$293.00 - No return to Wal-Mart, 6-month probation.

**FGCC INVESTIGATIVE REPORT  
CRIMINAL HISTORY**

**Case Number - 2023 00 8508**

<b>Arrest 3</b>				
<b>Date of Arrest:</b>	<b>Arresting Agency:</b>			
<b>OFFENSE</b>				
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1				
2				
3				
4				

<b>SENTENCE</b>

<b>Arrest 4</b>				
<b>Date of Arrest:</b>	<b>Arresting Agency:</b>			
<b>OFFENSE</b>				
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1				
2				
3				
4				

<b>SENTENCE</b>

<b>Arrest 5</b>				
<b>Date of Arrest:</b>	<b>Arresting Agency:</b>			
<b>OFFENSE</b>				
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1				
2				
3				

<b>SENTENCE</b>

**CRIMINAL HISTORY**

<b>Arrest 6</b>				
<b>Date of Arrest:</b>	<b>Arresting Agency:</b>			
<b>OFFENSE</b>				
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1				
2				
3				
4				

<b>SENTENCE</b>				
<b>Arrest 7</b>				
<b>Date of Arrest:</b>	<b>Arresting Agency:</b>			
<b>OFFENSE</b>				
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1				
2				
3				
4				
<b>SENTENCE</b>				

**ADDITIONAL LICENSES**

	YES	NO
Has the Applicant ever possessed a Florida Pari-Mutuel Occupational License?	X	
Does the Applicant possess an Occupational License from other jurisdictions?	X	

<b>1. License Type: Exercise Person</b>				
Date Licensed: 05/22/2010	Expiration Date: 06/30/2011	License #: 2011966	Agency or Jurisdiction: Florida Division of PMW	
			<b>YES</b>	<b>NO</b>
Has License ever been suspended or revoked?				X
Was any derogatory information received?				X
<b>2. License Type: Exercise Person</b>				
Date Licensed: 08/01/2008	Expiration Date: 07/31/2009	License #: 1374823	Agency or Jurisdiction: New York Racing & Wagering Board	
			<b>YES</b>	<b>NO</b>
Has License ever been suspended or revoked?				X
Was any derogatory information received?				X
Additional Comments:				

<b>3. License Type: Exercise person</b>				
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdiction:	
			<b>YES</b>	<b>NO</b>
Has License ever been suspended or revoked?				
Was any derogatory information received?				
Additional Comments:				

<b>4. License Type:</b>				
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdiction:	
			<b>YES</b>	<b>NO</b>
Has License ever been suspended or revoked?				
Was any derogatory information received?				
Additional Comments:				

**WAIVER INTERVIEW**

	<b>YES</b>	<b>NO</b>
Was a Waiver Interview Conducted?	<b>X</b>	
Date of Interview: February 28, 2023	Location of Interview: Telephone	
	<b>YES</b>	<b>NO</b>
Was the applicant cooperative?	<b>X</b>	
<b>Additional Comments:</b>		

**SUMMARY OF INTERVIEW:**

After a few contact attempts with negative results, **MARTINEZ**' waiver interview was conducted via telephone on February 28, 2023. I introduced myself to him and explained the nature of my call; **MARTINEZ** provided the following information.

During the interview, **MARTINEZ** was asked about his criminal history, he stated that he was arrested for a felony theft charge (Arrest #1) in 2011. **MARTINEZ** did not recall any specific details other than he was working at the Invicta Watch headquarters in Hollywood, Florida. During his employment, he was asked by a coworker to "store" several discontinued watches and other merchandise at his residence. Subsequently a group of his business associates were investigated for taking merchandise and they indicated **MARTINEZ** had also taken merchandise. An investigation of that allegation was launched and **MARTINEZ** was later arrested.

**MARTINEZ** admitted he missed a few court dates; however he ultimately appeared in court where he pled guilty and was placed on probation for sixteen months. According to information obtained from the Comprehensive Case Information System (CCIS) and the Florida Department of Corrections, (**EXHIBIT 2**) after failing to appear in court on 2 occasions **MARTINEZ** was apprehended on a warrant in 2013 and held without bond until his January, 2014 sentencing. **MARTINEZ** received 18 months in state prison with 36 days credit for time served in jail prior to the sentencing hearing.

**MARTINEZ** also stated he was arrested for a shopping lifting charge in 2022, because he forgot to pay for groceries that were underneath his shopping cart. He was given a Promise to Appear Summons and was later found guilty. **MARTINEZ** could not provide any specific details or information concerning this arrest either.

**MARTINEZ** further advised he was recently working as an Exercise Rider at Gulfstream Park under his temporary PMW license. **MARTINEZ** also held a license from the New York Racing & Wagering Board, which expired on July 31, 2009. A search of the Association of Racing Commissioners International (ARCI) database (**EXHIBIT #5**), also indicates **MARTINEZ** previously held a prior Florida PMW license which expired in 2011. ARCI also shows that **MARTINEZ** has no rulings against him.

On February 28, 2023, I spoke to Assistant Trainer Lilian Klesaris, at Gulfstream Park, who verified **MARTINEZ** has been working for her intermittently over the past few years. She further stated she was aware of issues with **MARTINEZ**' license, however he is a hard worker and a valuable member of her team. She went on to say **MARTINEZ** is a family man and believes while he may have had issues in the past, he deserves a chance to provide for his family. PMW license information for Klesaris is attached herein as **EXHIBIT #4**.

Based on the representations on his initial application, **MARTINEZ** was issued a temporary PMW license-#2011966/1021 that expires on March 22, 2023.



**MARTINEZ** is requesting his waiver be granted so he can obtain permanent work as an Exercise Rider at Gulfstream Park. **MARTINEZ** further stated that he has not had any encounters with law enforcement since his last arrest (February, 2022) in Florida<sup>1</sup>.

**Case Status: Closed by Investigations and forwarded to Licensing.**

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<sup>1</sup> *Comprehensive Case Information System (CCIS) shows that MARTINEZ has (4) traffic violations from 2005 through 2022 as well as a misdemeanor Domestic Violence charge in 2021.*

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EXHIBIT # /  
PAGE # /

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STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
www.myfloridalicense.com

2023 JAN 30 AM 7:17  
FLORIDA GAMING  
CONTROL COMMISSION

TO: Carlos Ambulco Martinez 7/31/83  
Full Legal Name of Applicant Date of Birth

201966  
Individual/Org. Number

If you are a new applicant to Florida and have been convicted of any felony, regardless of whether adjudication was withheld, or if you are renewing your pari-mutuel occupational license in Florida and have been convicted of any of the crimes listed below, you must first request and receive a waiver from the Division Director in order to receive a Florida Pari-Mutuel Wagering Occupational License or Cardroom License. Please check the appropriate box(es) below that best describes your situation:

For Pari-Mutuel and Cardroom Applicants:

A conviction in this state, in any other state, or under the laws of the United States of a capital felony, a felony or an offense in any other state which would be a felony under the laws of Florida involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character. A felony or misdemeanor in this state, in any other state, or under the laws of the United States, if such felony or misdemeanor is related to gambling or bookmaking, as contemplated in Section 849.25, Florida Statutes, or involves cruelty to animals.

Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction. Specify discipline and jurisdiction:

New applicant to Florida who has been convicted of any felony, regardless whether adjudication was withheld.

For Cardroom Applicants Only:

A misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, in this state or any other state, or under the laws of the United States.

If you choose to request a waiver, please sign this form below and return it with your completed application, license, and fingerprint fees. After an investigation is conducted, the Division Director will either grant or deny the request for waiver. You will be notified of the decision by mail at the address provided on your application.

UNTIL YOU ARE LICENSED:

- 1) You are not permitted to engage in any activity which requires a pari-mutuel occupational license or a cardroom license at any pari-mutuel facility in Florida. If you are found to be working without a license, you will be subject to arrest for trespassing and your waiver request may be denied.
- 2) You are forbidden from accessing any of the restricted areas of any pari-mutuel facility in Florida.

I hereby request a waiver for the situation(s) or conviction(s) noted above, and acknowledge that license and fingerprint fees are non-refundable in the event the waiver request is denied. I hereby acknowledge that my failure to participate in a waiver interview or to disclose any pertinent information regarding convictions, rulings, revocations, or denials from other jurisdictions will result in a denial of the request for waiver. I hereby waive the Section 120.80, Florida Statutes, timeline requirement regarding the processing of this application.

[Signature]  
Signature of Applicant

01/28/23  
Date

TO BE CONSIDERED FOR A WAIVER, APPLICANTS MUST COMPLETE FORM DBPR PMW-3185 - REQUEST FOR RELEASE OF INFORMATION AND AUTHORIZATION TO RELEASE INFORMATION, AND SCHEDULE A WAIVER INTERVIEW WITH THE OFFICE OF INVESTIGATIONS.



EXHIBIT # 1  
PAGE # 2

SIGN & DATE

INITIAL HERE

E# 2011966

RECEIVED  
DEC 22

CM

2/8/2011  
2/18/2023

Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving fraud, forgery, embezzlement, conspiracy to defraud, or filing false reports to a governmental agency, taxing 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 adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the exact disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	INDICTMENT OR FELONY?	SENTENCE
2/8/2011	Alachua	FL	gross 1st Degree in stolen property	Felony	18 months
2/18/2023	Alachua	FL	Theft	misd	10 months

Have you ever had a gaming or gaming license revoked or do not in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure to which you are not eligible to apply.

Have you ever had a gaming or gaming license suspended or subject to other discipline, such as, an order of suspension, in any state or jurisdiction? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

RECEIVED  
FEB 23  
PM 2:20  
FLORIDA GAMING CONTROL COMMISSION

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654, and Sections 400, 6077, 400, 6080, and 600.75, Florida Statute. Social Security numbers are used to allow efficient processing of applications and licenses by a Title IV-D child support agency to ensure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for license identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Public Law, Sec. 917.

I hereby authorize the Department of Business and Professional Regulation, Division of Professional Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to the identity from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Section 16.50-16.54. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent event notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.058 and Title 28, CFR, Section 16.54. I may obtain a prompt determination as to the validity of my challenge from the Division under a final determination about my status as a licensee. A copy of the Nevada Judicial Branch's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive officer of the applicant without the need for affidavit unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 659.75, Florida Statute. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Professional Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Director, within 60 days of being convicted of or entering a plea of guilty or nolo contendere to any charge involving crimes, regardless of a probation.

[Signature]  
Signature of Applicant

12/23/22  
Date

FD-204 (Rev. 03/05) Effective September 2011, Pub. 010-6801, PAC.

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2023 FEB -9 AM 11:47

FLORIDA GAMING CONTROL COMMISSION

FLORIDA GAMING CONTROL COMMISSION

2023 FEB -6 PM 8:48

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EXHIBIT # 3  
PAGE #



Department of Business and Professional Regulation  
 Division of Pari-Mutuel Wagering  
 DBPR PMW-3120 - Individual Occupational License Application

RECEIVED  
 DEC 22 2022  
 BY: .....

Instructions: Please review this application thoroughly and complete all sections that pertain to you and are not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION			
Social Security Number	Birth Date (MM/DD/YYYY)	Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	
Last Name	First	Middle	Suffix
Martinez	Carla		
Have you used, been known as, or called by another name (example - maiden name, pseudonym, nickname) or alias other than the name used on the application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If yes, list the name or names used: _____			
Race/Ethnicity (optional)			
<input type="checkbox"/> Black or African American		<input type="checkbox"/> Asian or Pacific Islander	
<input type="checkbox"/> White or Caucasian		<input checked="" type="checkbox"/> Hispanic/Latino	
		<input type="checkbox"/> Native American or Alaskan Native	
		<input type="checkbox"/> Other	
Current Mailing Address		Email Address (optional)	
1188 NW 44th Ave.			
City	State	Zip Code (+4 optional)	Country, if other than USA
Lauderhill	FL	33313	
Primary Phone Number		Secondary/Cell Phone Number (optional)	
[REDACTED]			
Current Street Address			
SOMA			
City	State	Zip Code (+4 optional)	Country, if other than USA
Type of Occupational License applying for:		Facility where employed and/or doing business:	
<input checked="" type="checkbox"/> Pari-Mutuel General Individual <input type="checkbox"/> Pari-Mutuel Professional Individual			
<input type="checkbox"/> Cardroom Employee			
Occupation: <u>Ex Rider</u>		Gulfstream	
Does your position require access to the Cardroom?		Is this your first time applying for a racing/gaming license in Florida?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Are you a Supervisor, Manager, or Shareholder of a business with a pari-mutuel permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Do you own or lease animals intended for racing in Florida? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, complete the following:			
Stable Name, Kennel Name, or Business Name _____			
Trainer Name (horse or greyhound racing only) _____			
TO BE COMPLETED BY DOCTORS, VETERINARIANS, NURSES, PARAMEDICS, AND EMTS ONLY			
Type of professional license (attach a copy of Florida professional license):		Florida License Number	
FOR DIVISION USE ONLY			
License Code <u>1022</u>	License # <u>2011966</u>	File # <u>60874</u>	App # <u>190853</u>
Association Code <u>321</u>	Date Received <u>12-22-22</u>	Entered By <u>[Signature]</u>	License Year <u>2025</u>
License Fee <u>15</u>	FP Date _____	FP Fee <u>37.25</u>	Total Fee <u>52.25</u>
Off Temp	Waiver Requested	<input checked="" type="checkbox"/> ARC	<input type="checkbox"/> Enforcement
			Minor

RECEIVED  
 DEC 21 PM 2:22  
 FLORIDA RACING  
 GAMBING COMMISSION

4

RECEIVED  
 BY: DEC 22

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

Yes  
 No Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

Yes  
 No Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE

Yes  
 No Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

Yes  
 No Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

RECEIVED  
 DEC 27 PM 2:22  
 FLORIDA GAMING CONTROL COMMISSION

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 569.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 183, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.066 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 569.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

[Signature]  
 Signature of Applicant

12/22/23  
 Date





**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 Ackhurst, Esq.

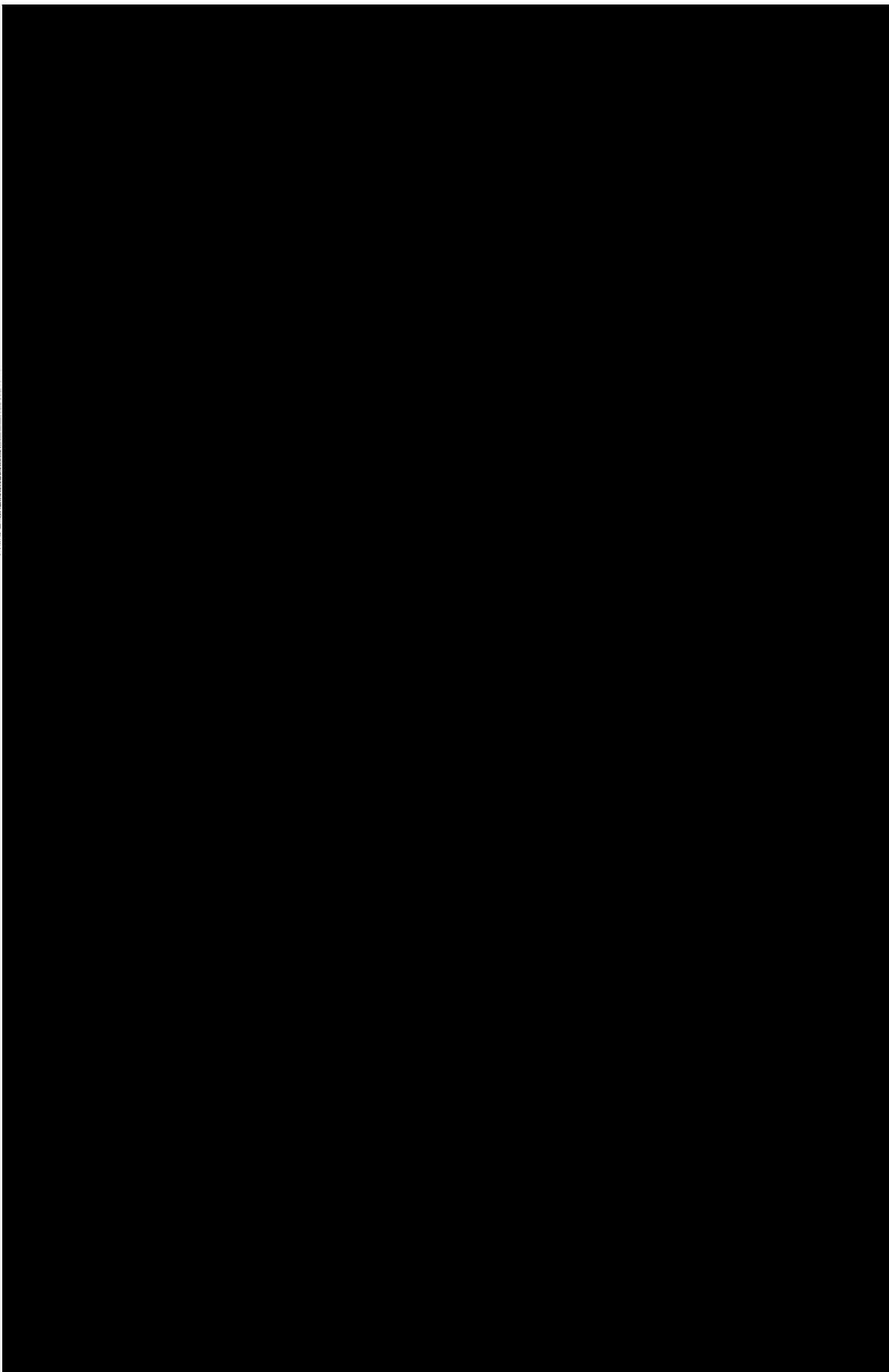


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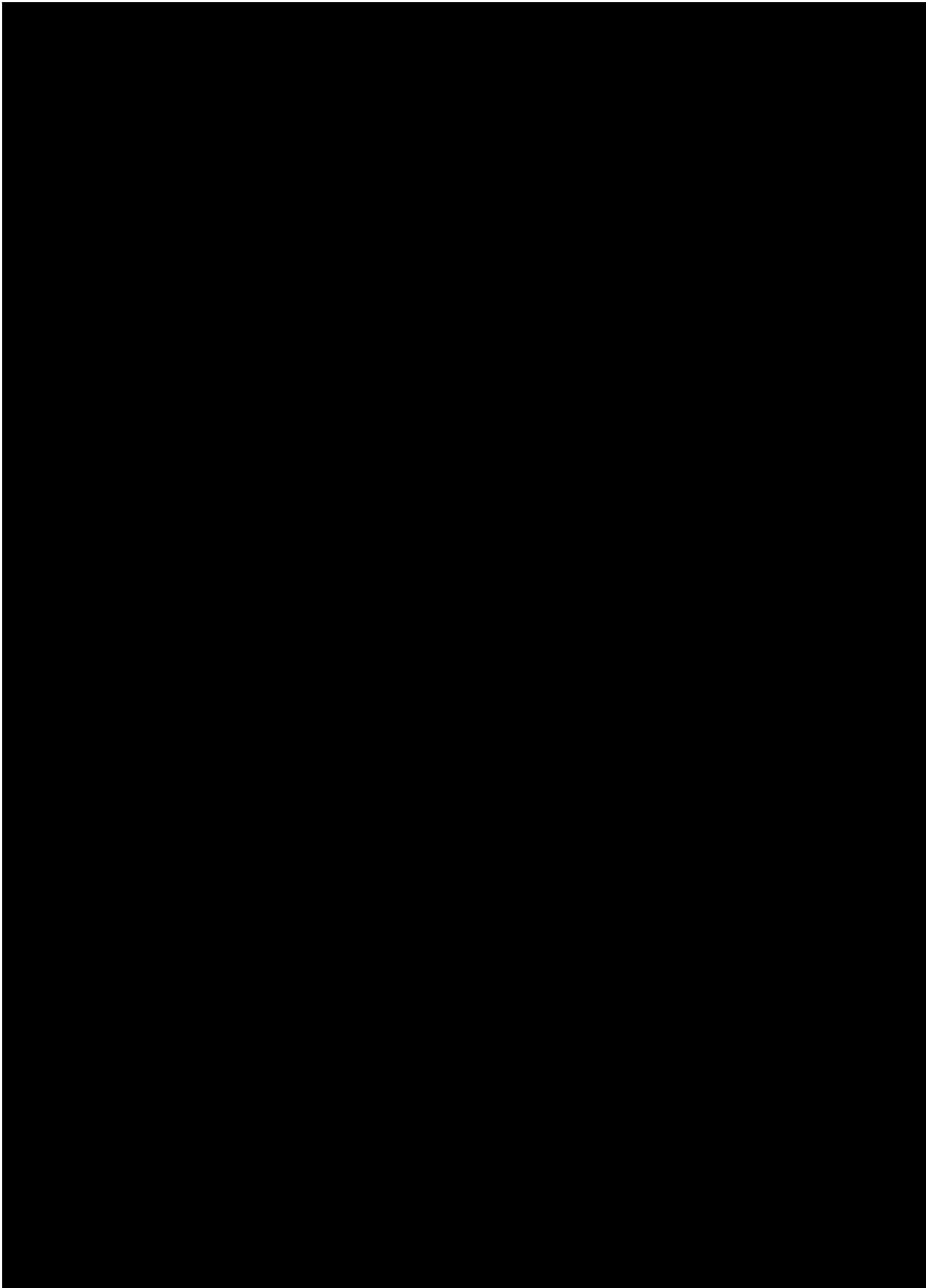


EXHIBIT # 2  
PAGE # 2



**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

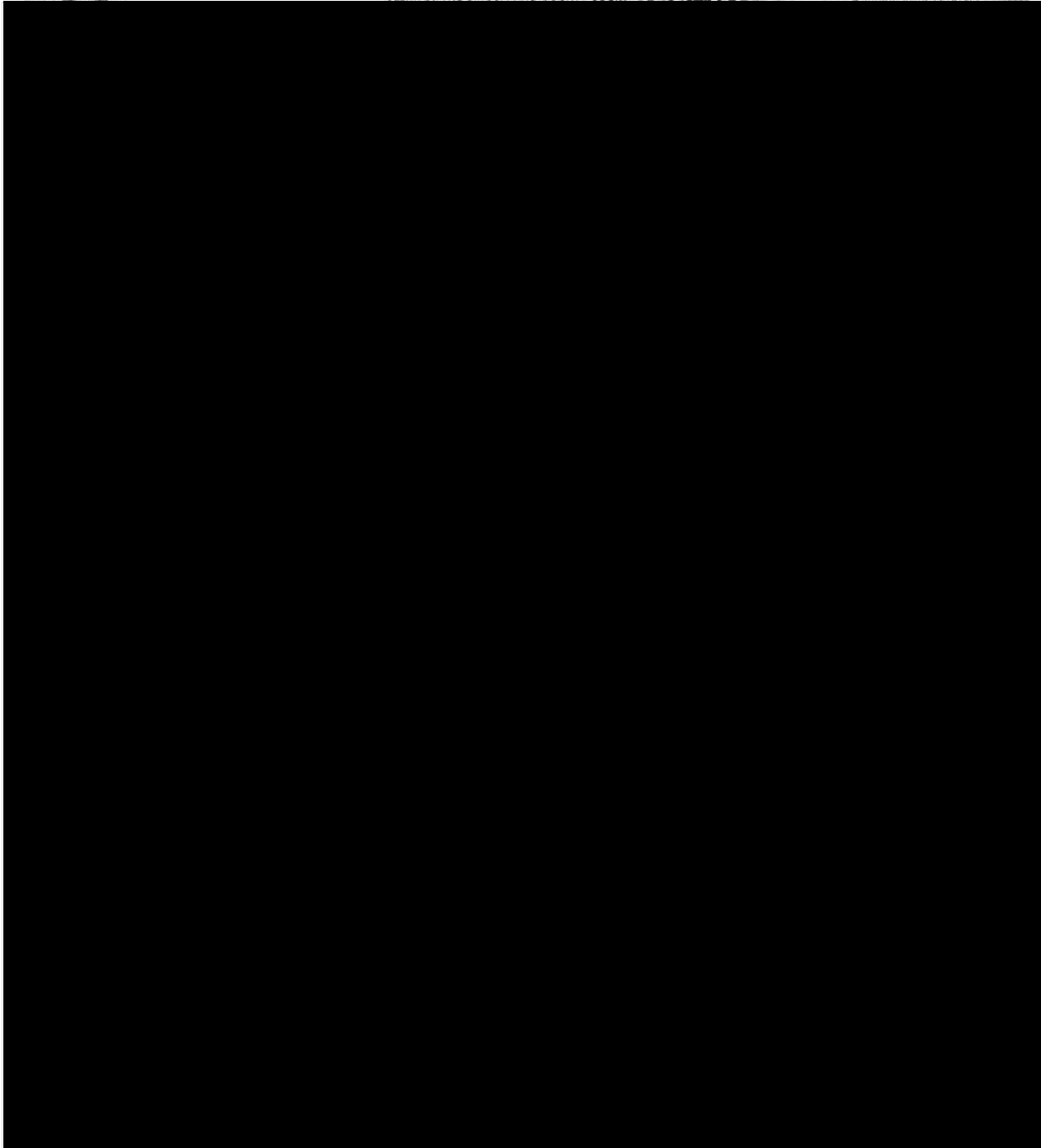


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PAGE # 3

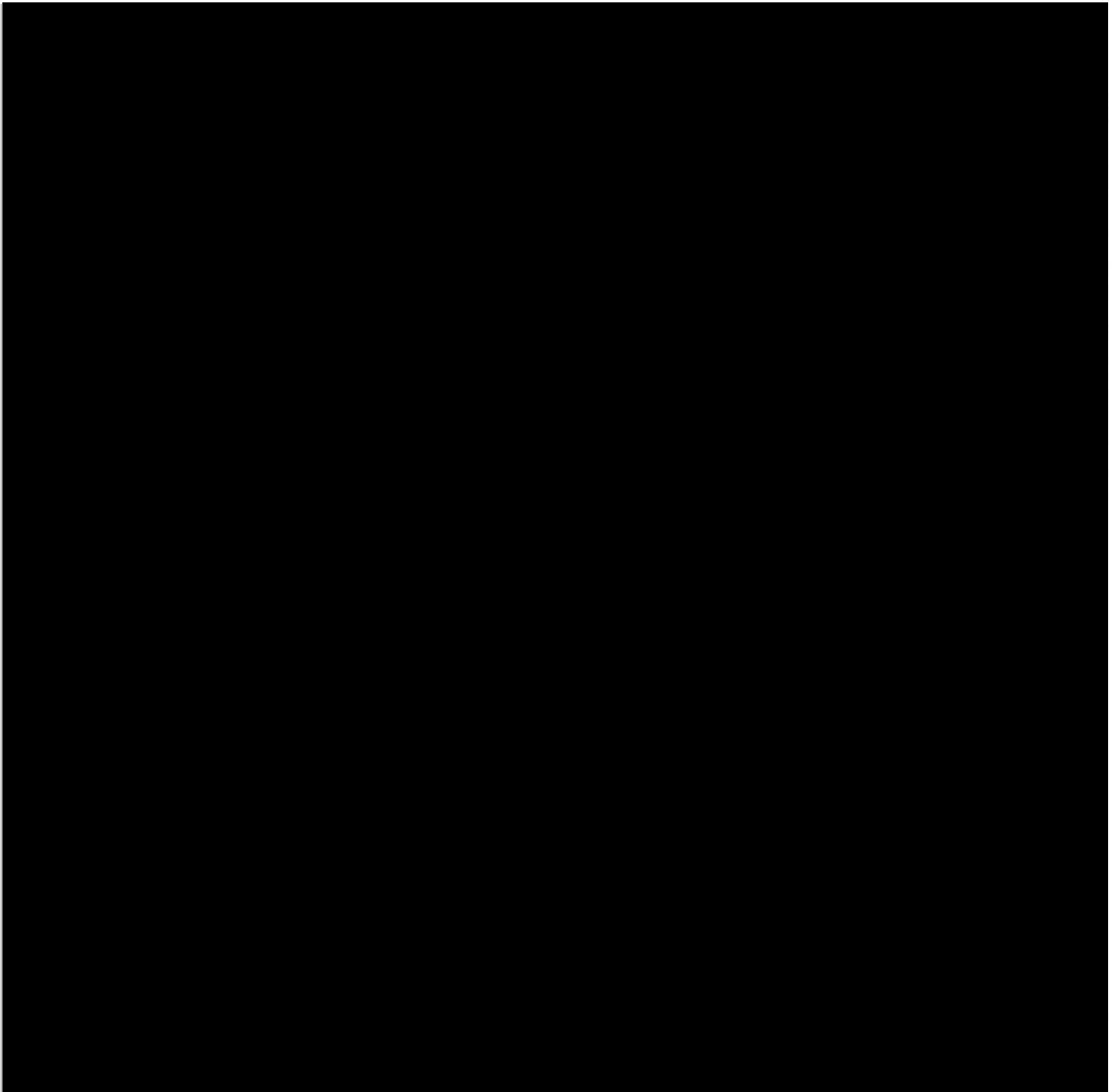


**BRENDA D. FORMAN**  
**CLERK OF THE COURTS**

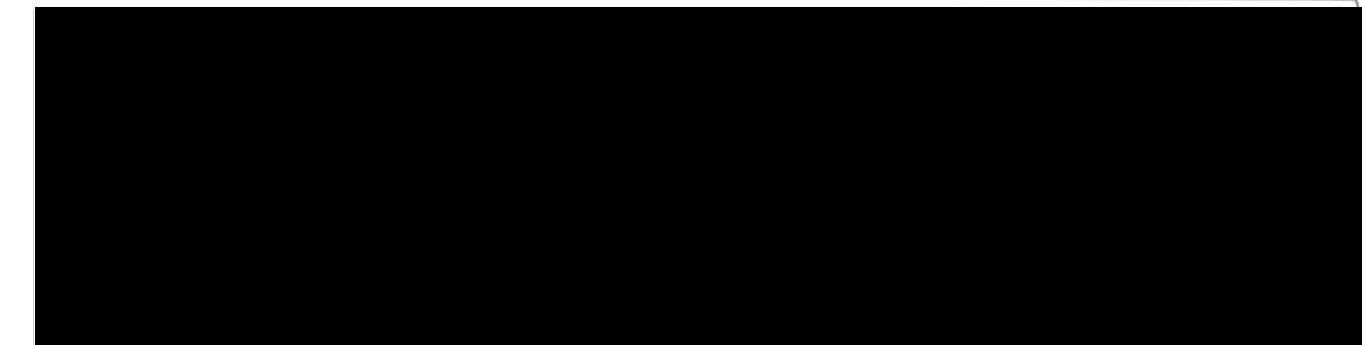
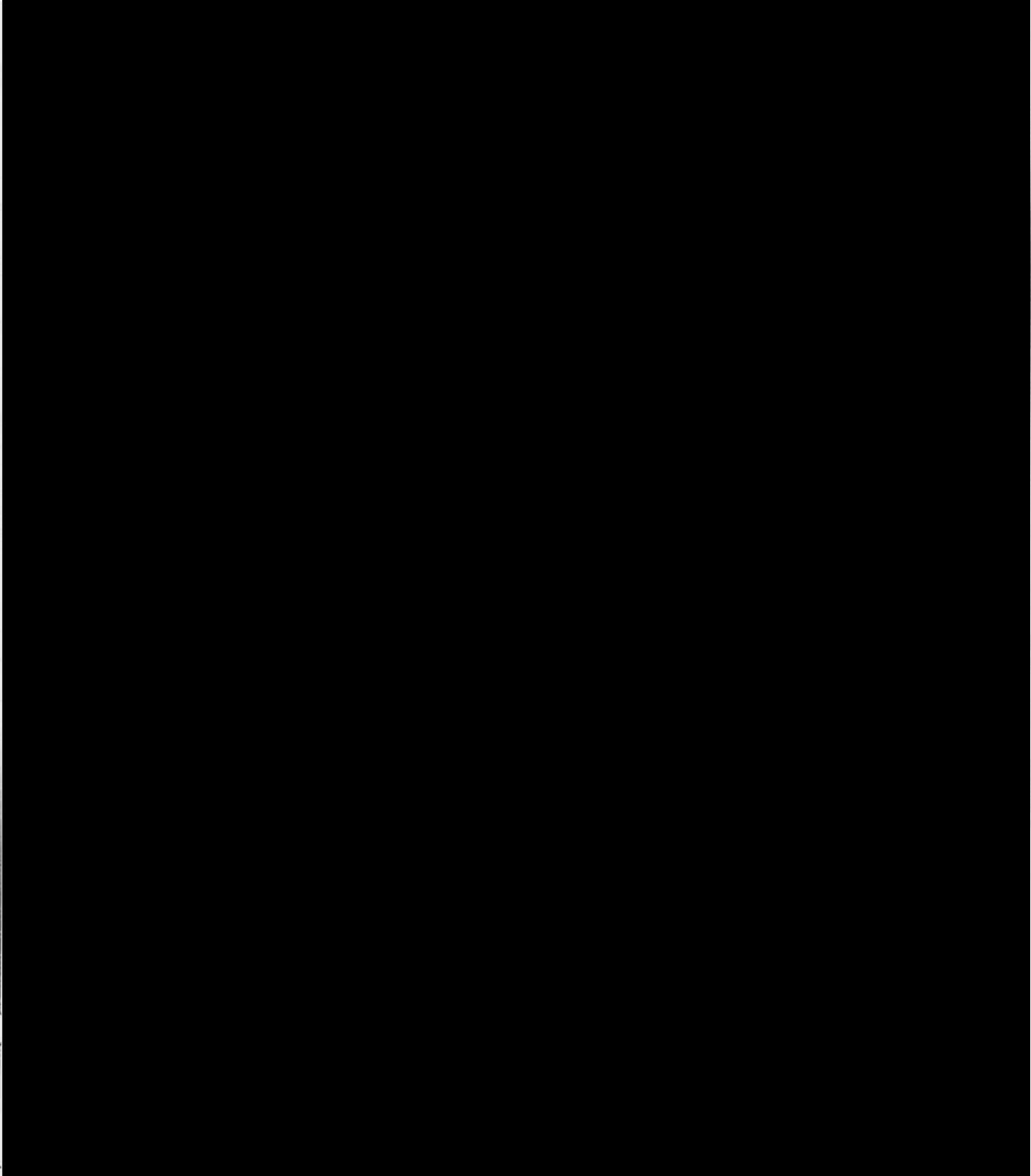
[browardclerk.org](http://browardclerk.org) ■ BROWARD COUNTY, FLORIDA



**Is your court hearing being held via Zoom? Learn more about Remote Court Hearings by Zoom. ([/GeneralInformation/Miscellaneous#RemoteHearingsbyZoom](#))**



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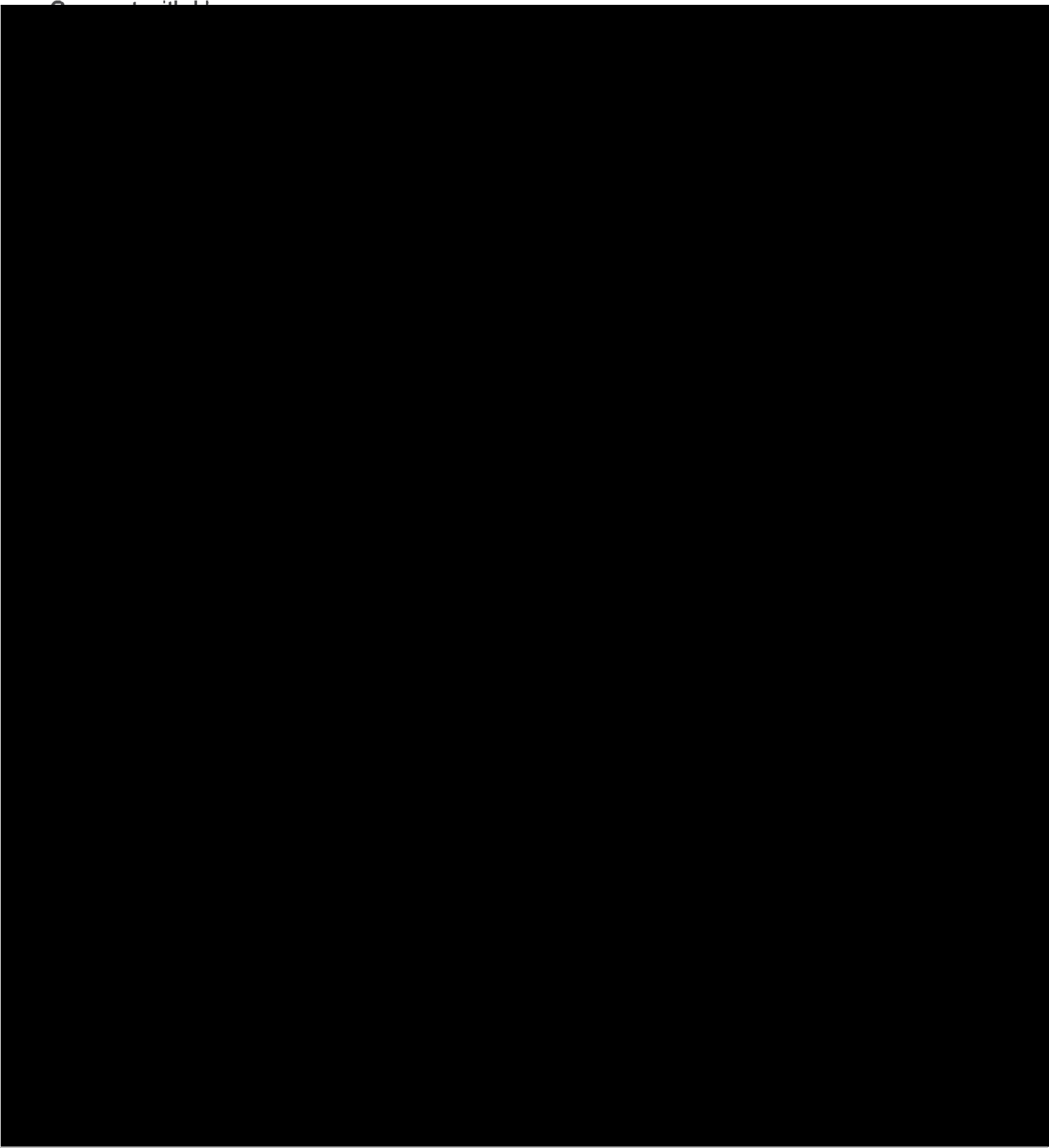
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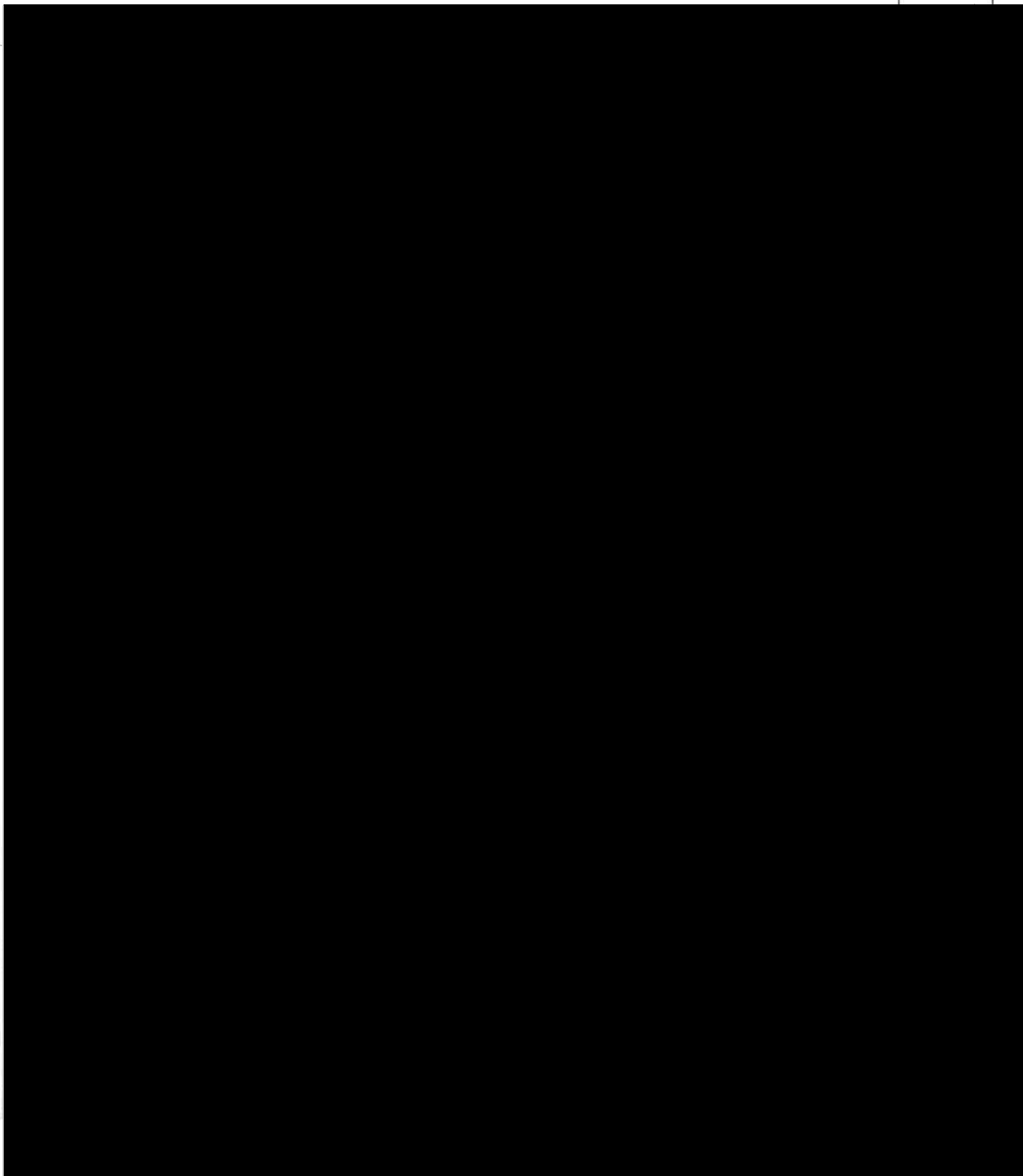
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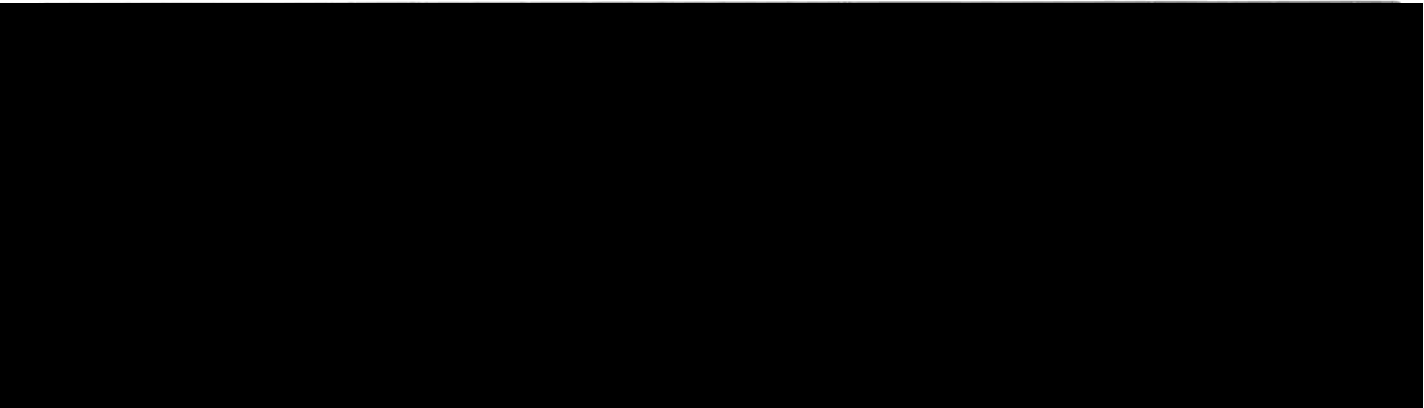
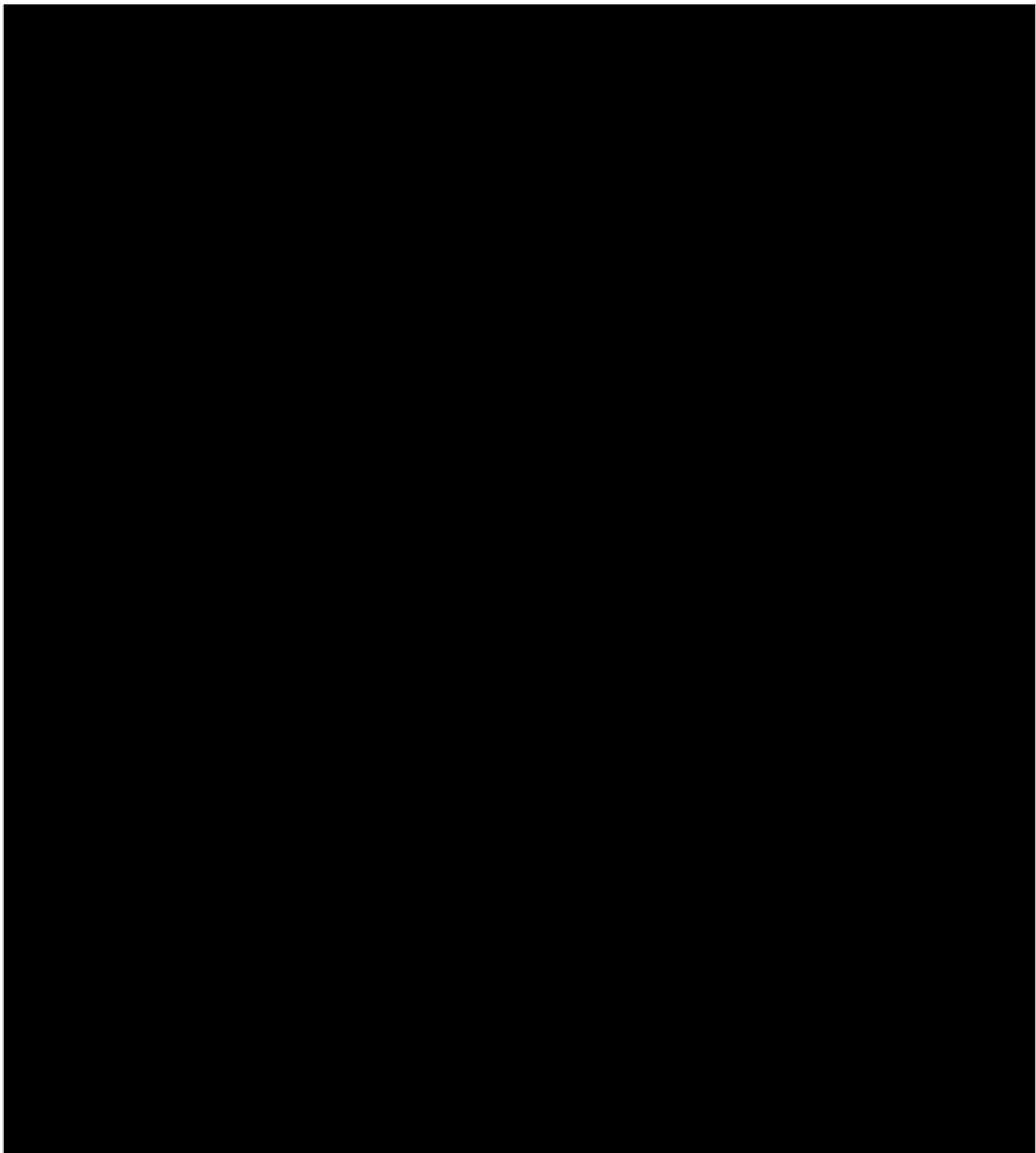


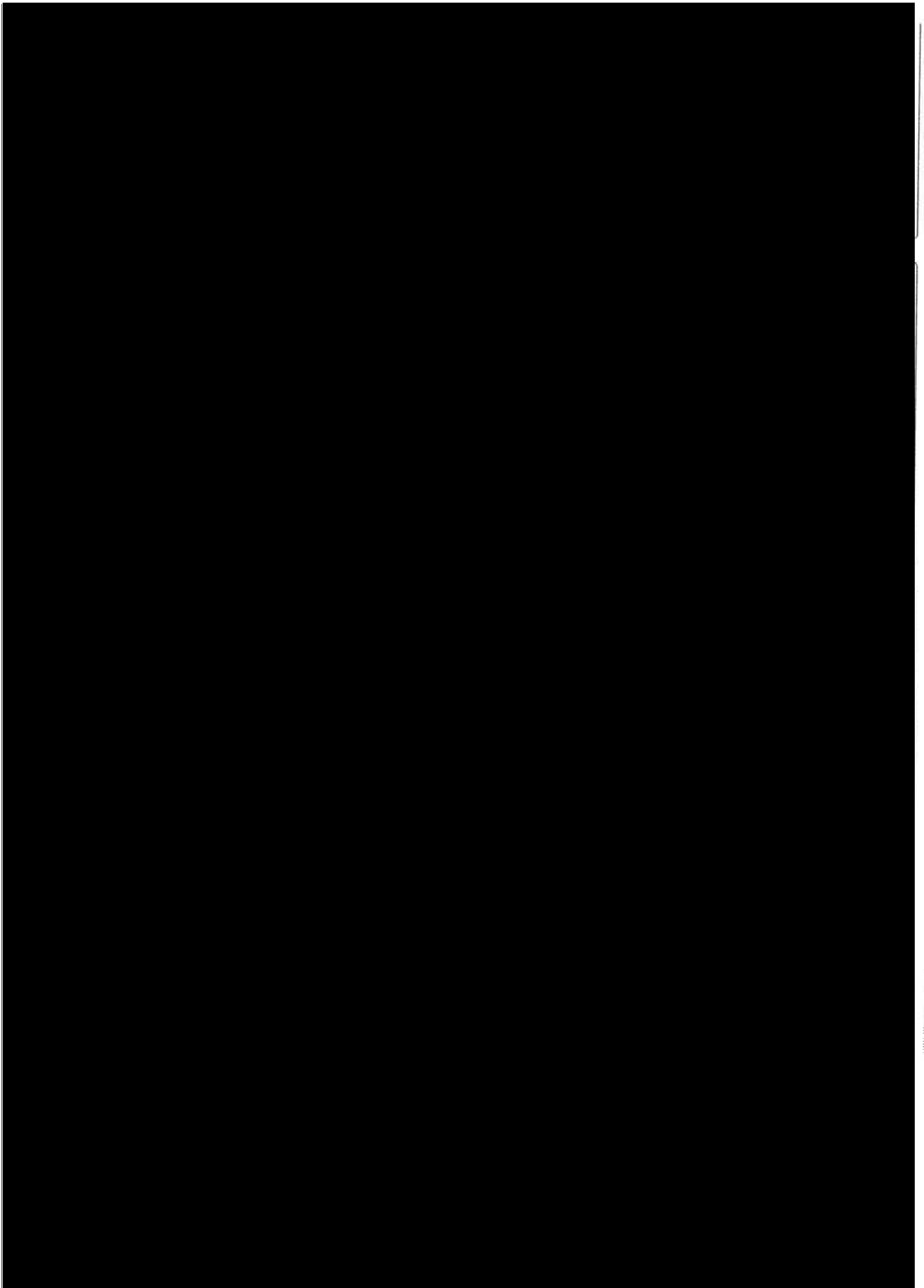
**BRENDA D. FORMAN**  
**CLERK OF THE COURTS**

[browardclerk.org](http://browardclerk.org) ■ BROWARD COUNTY, FLORIDA









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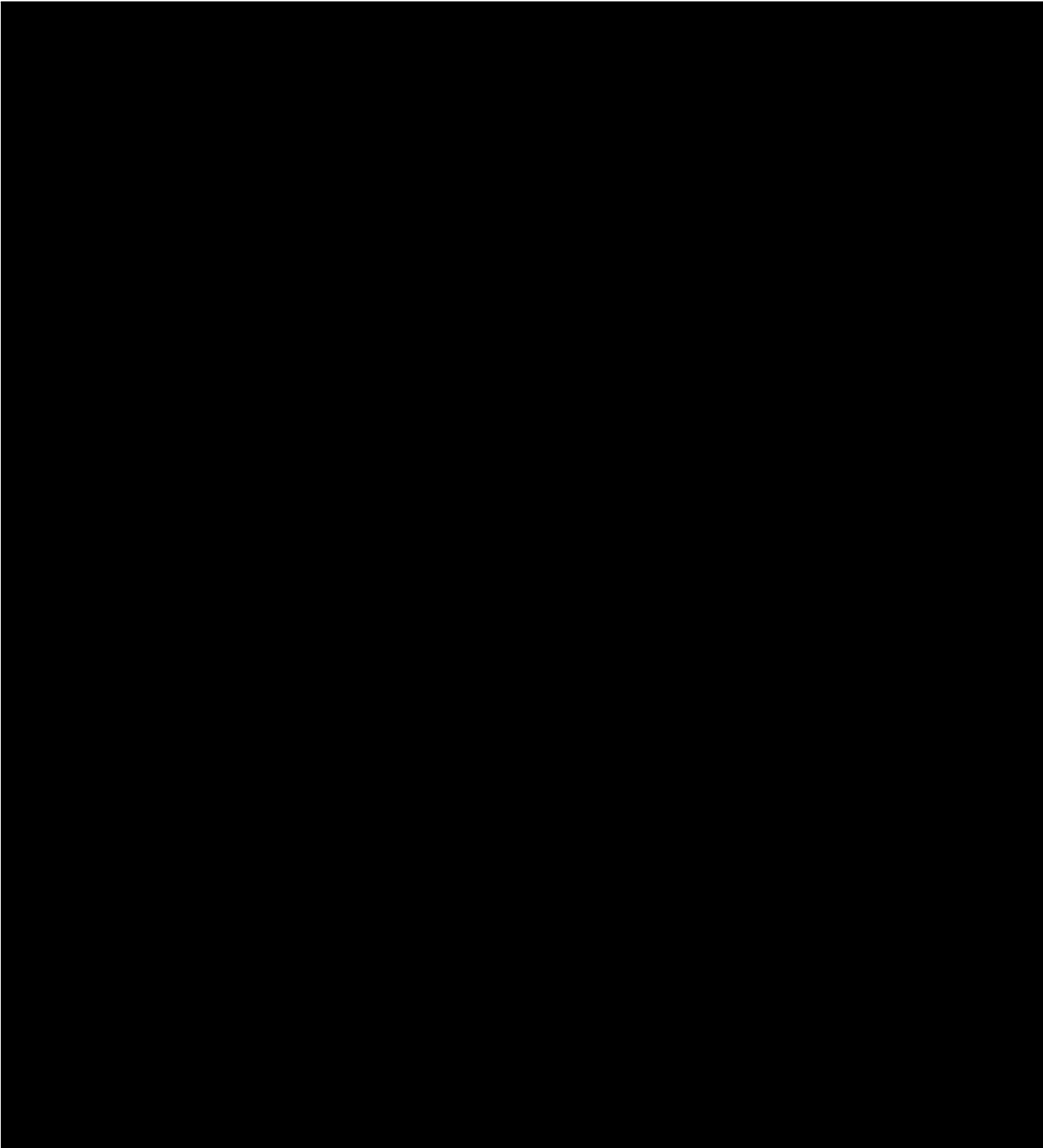


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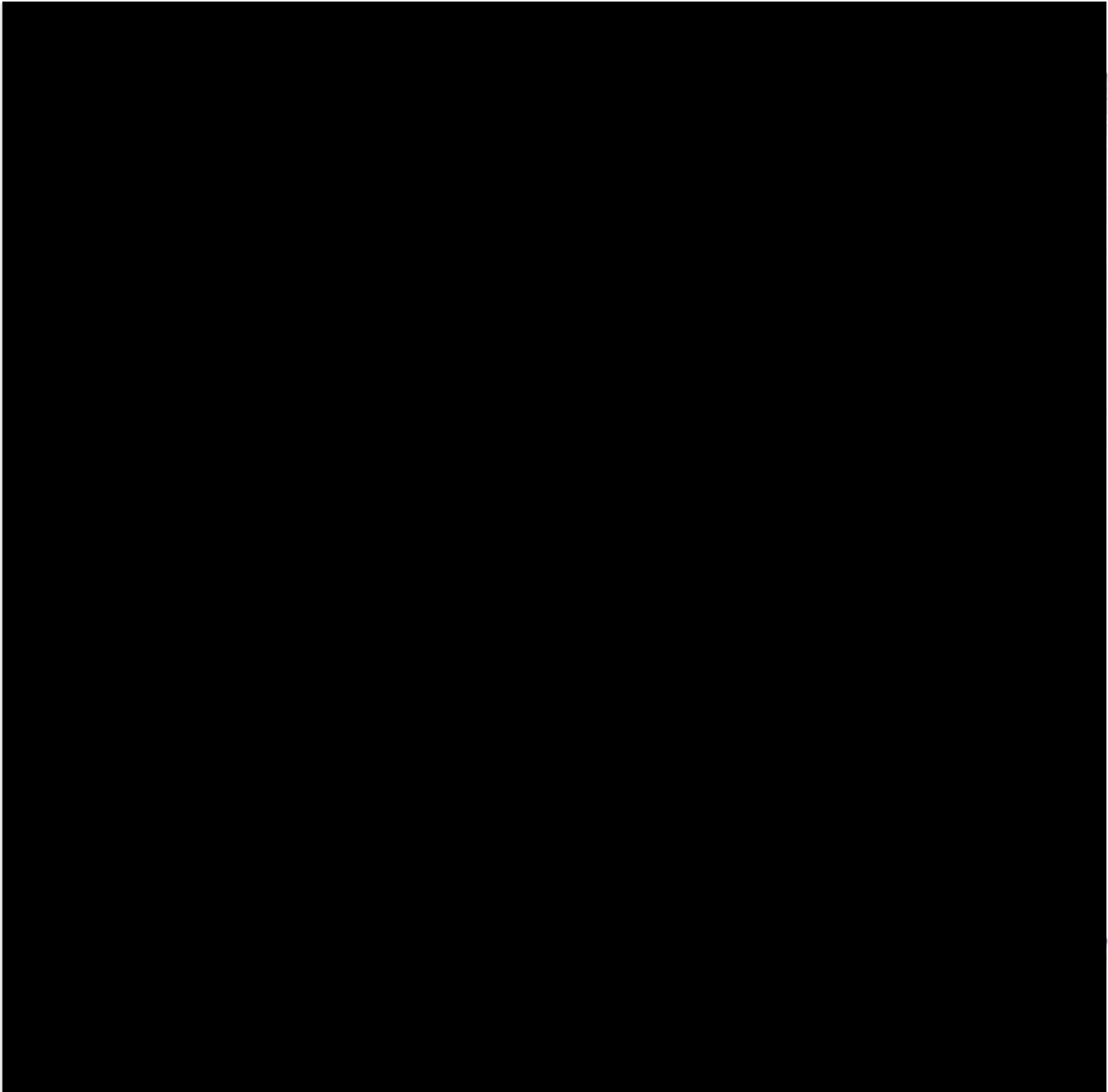
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**CLERK OF THE COURTS**

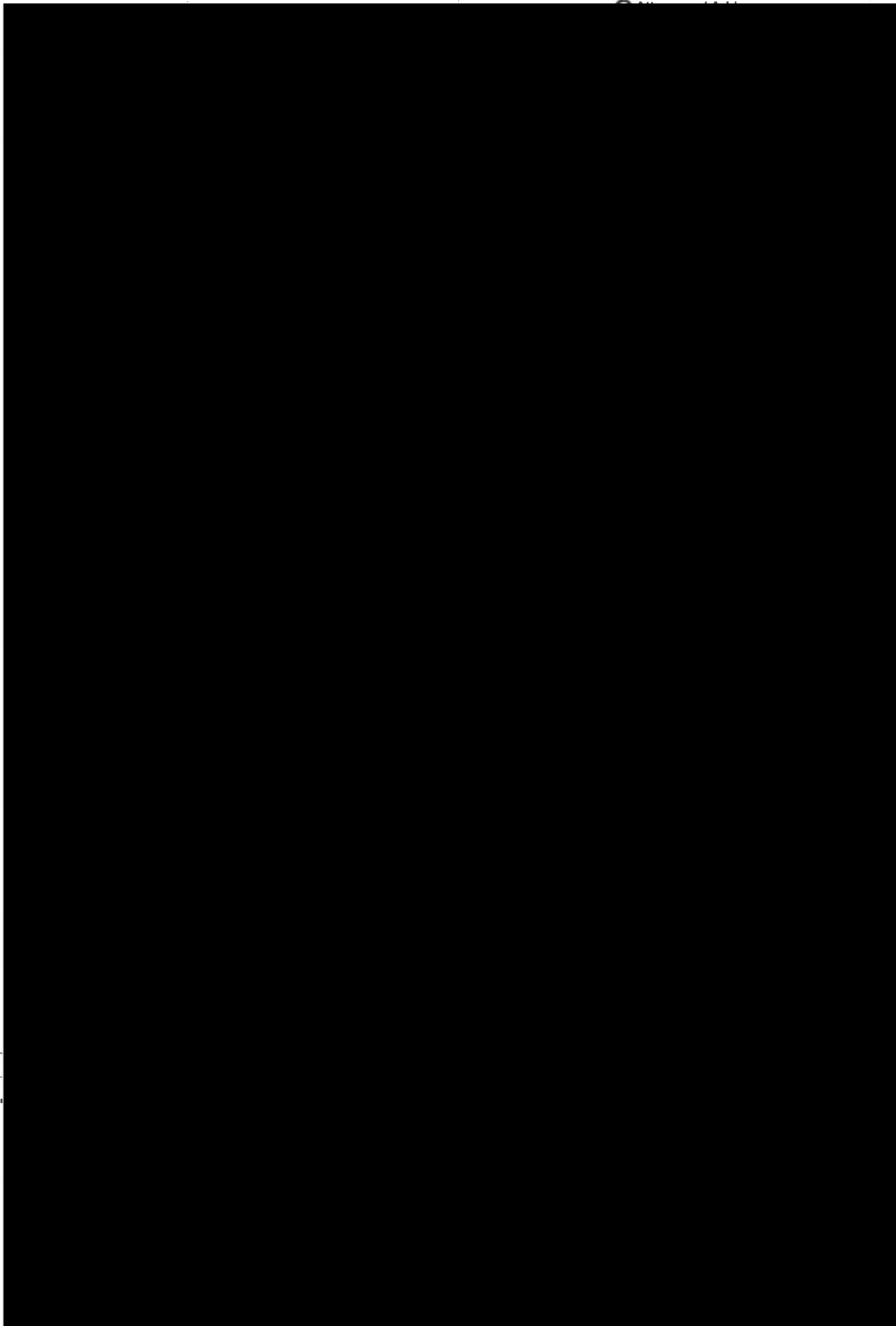
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Menu 

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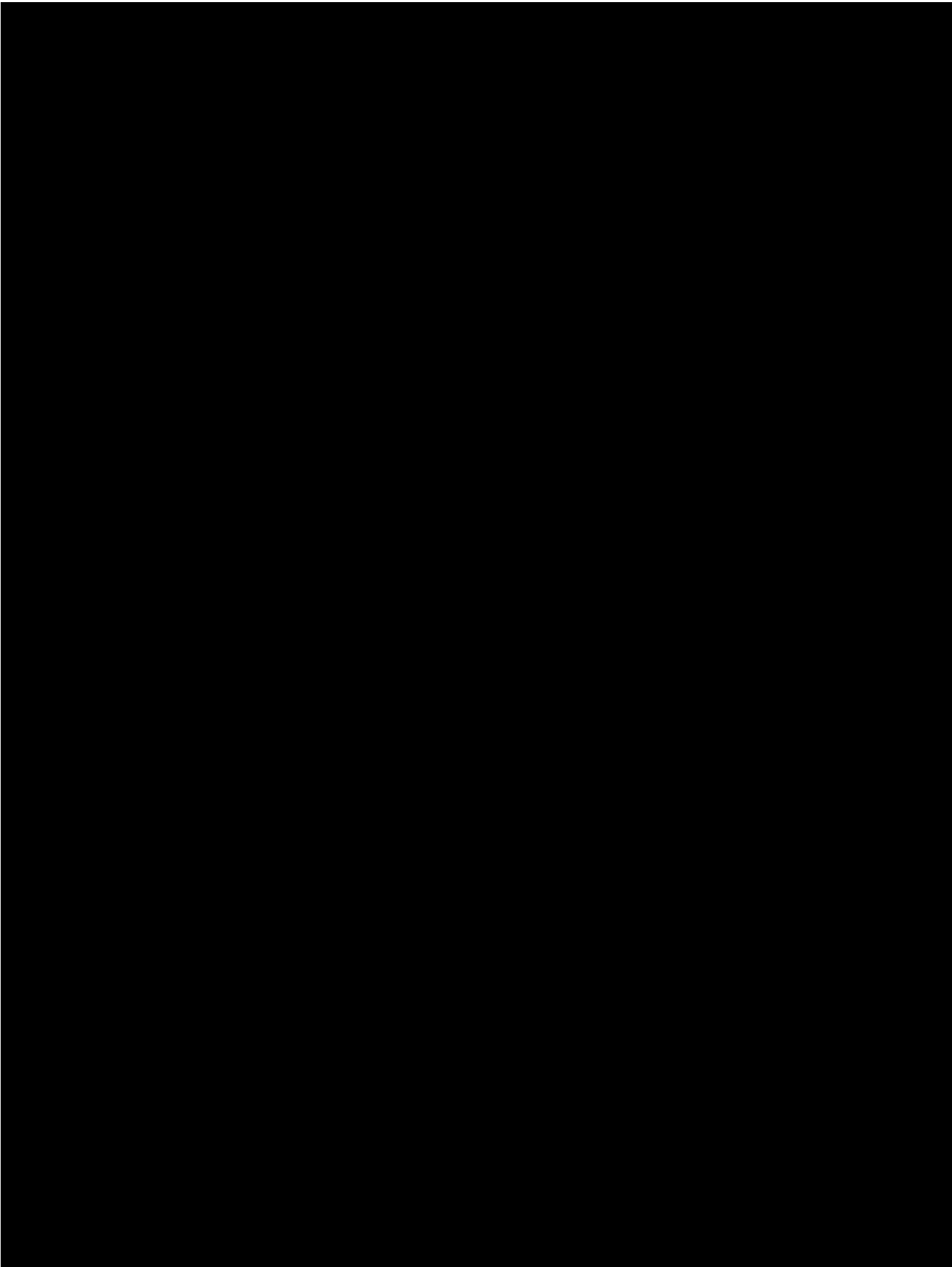
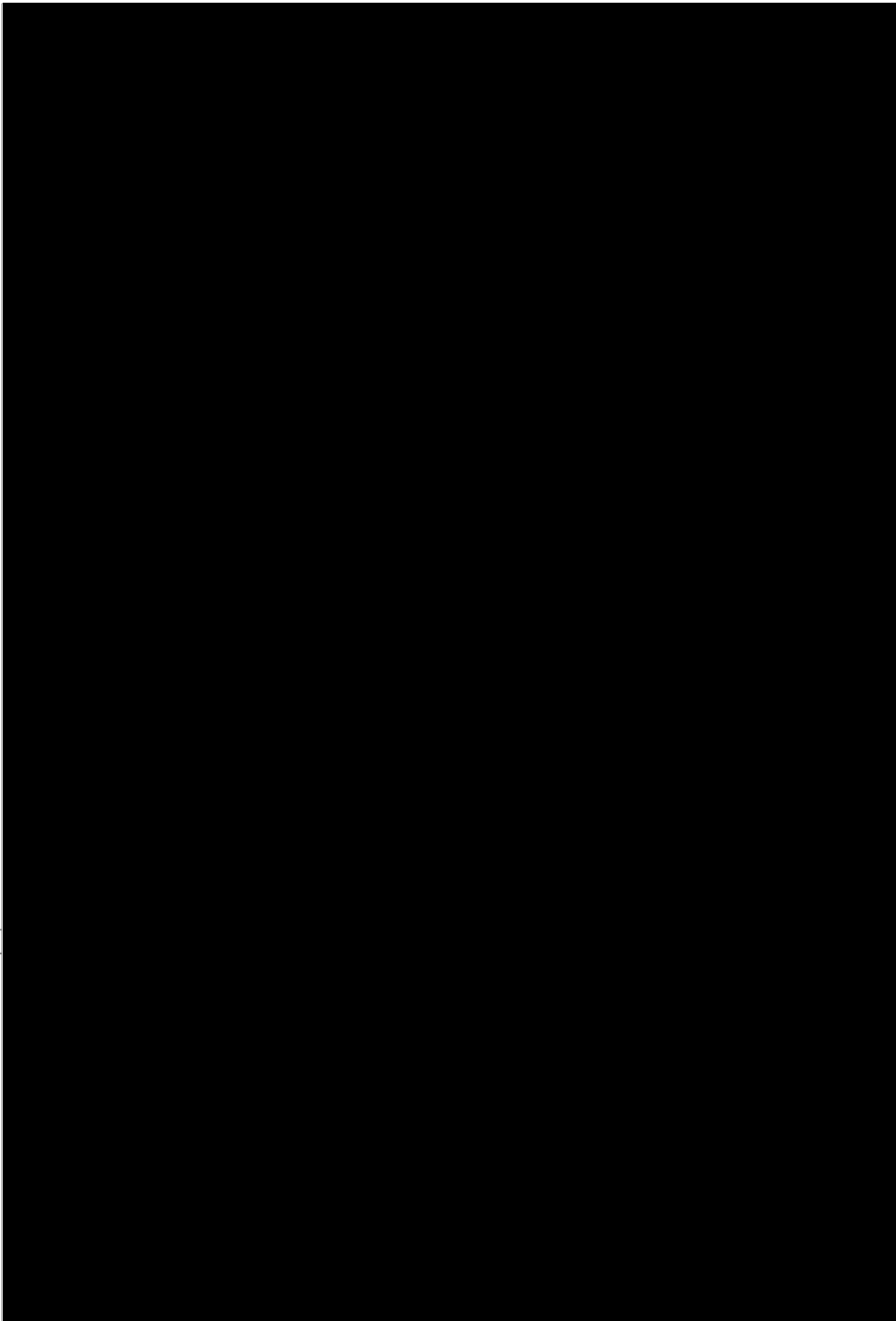
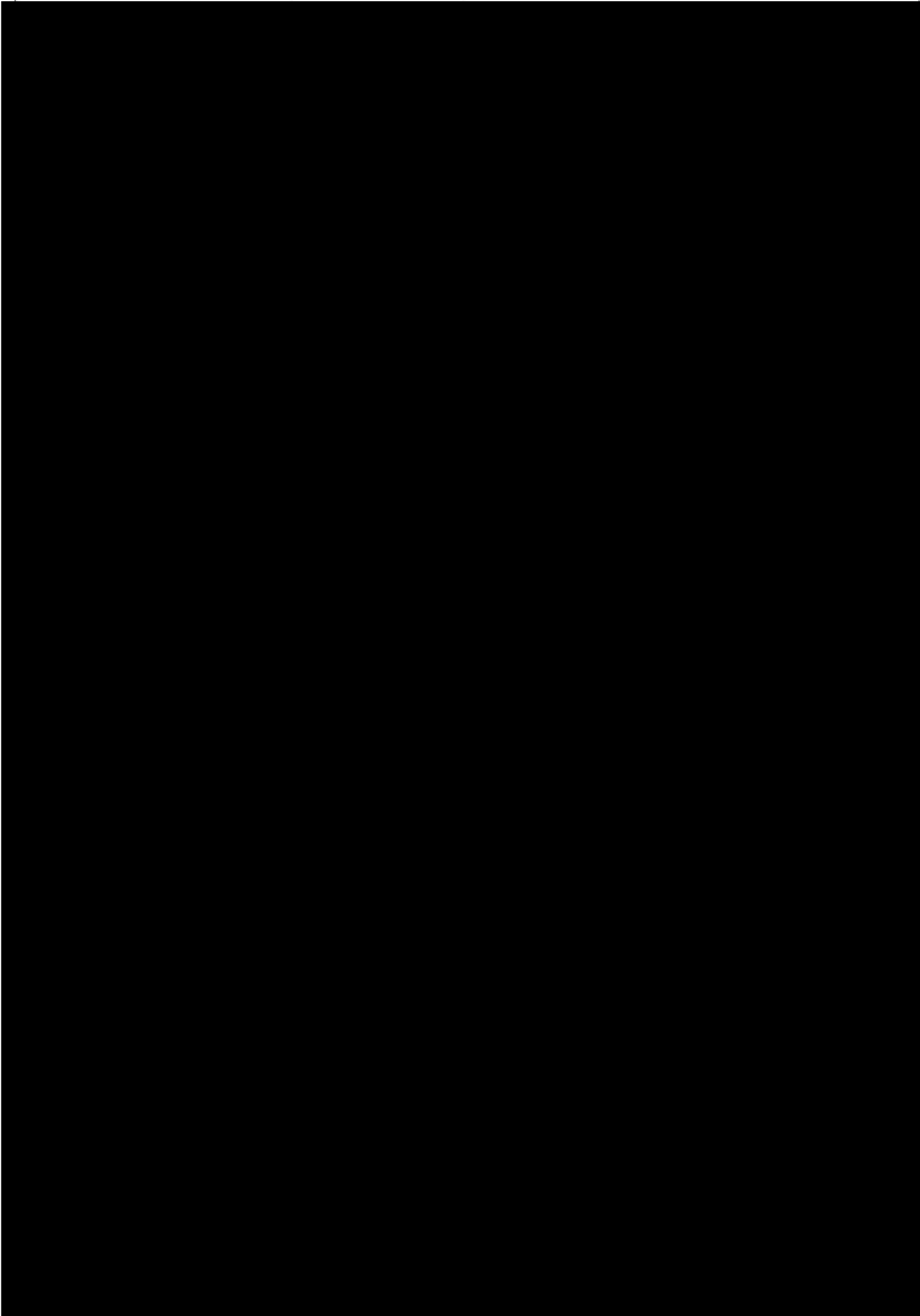


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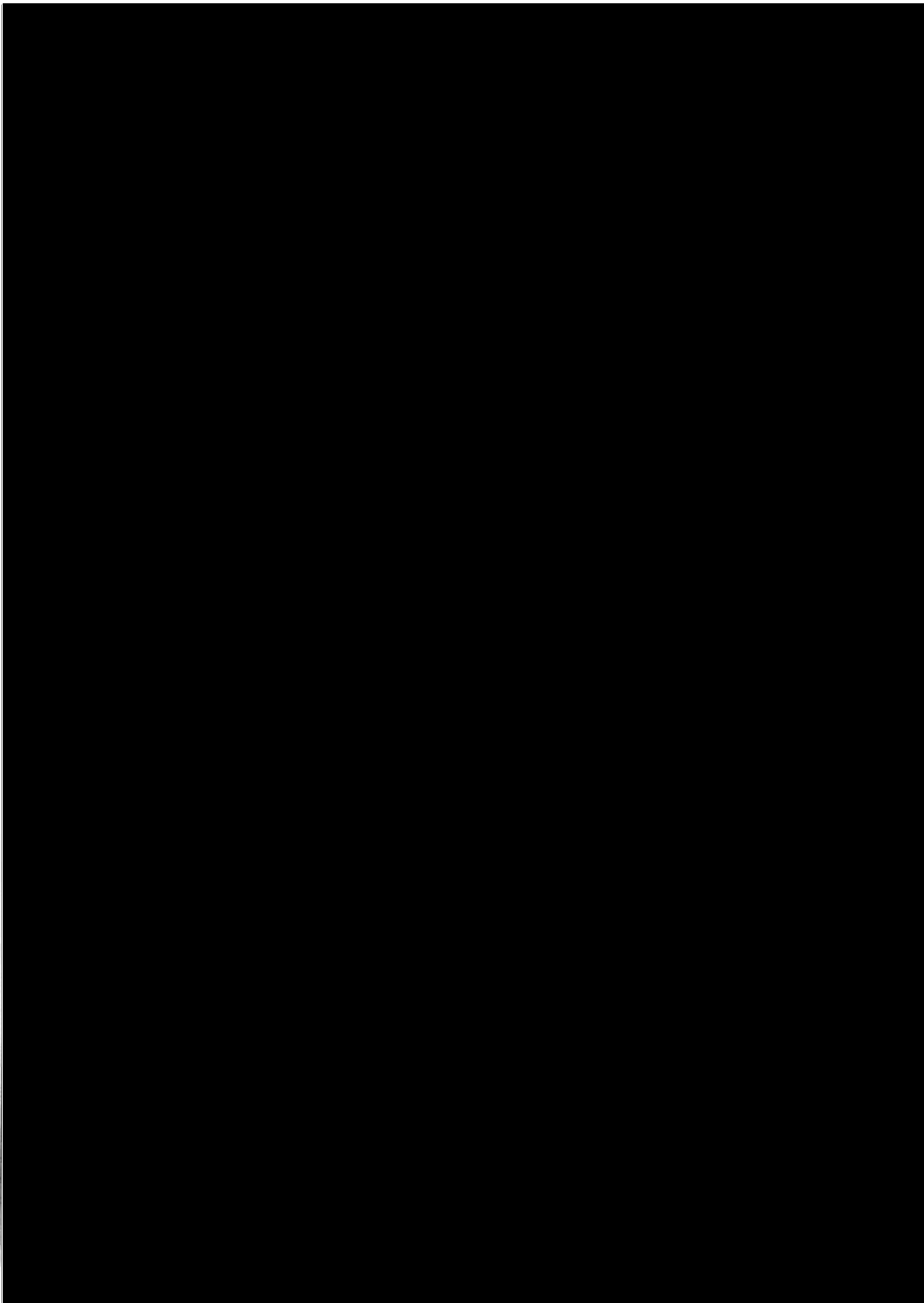
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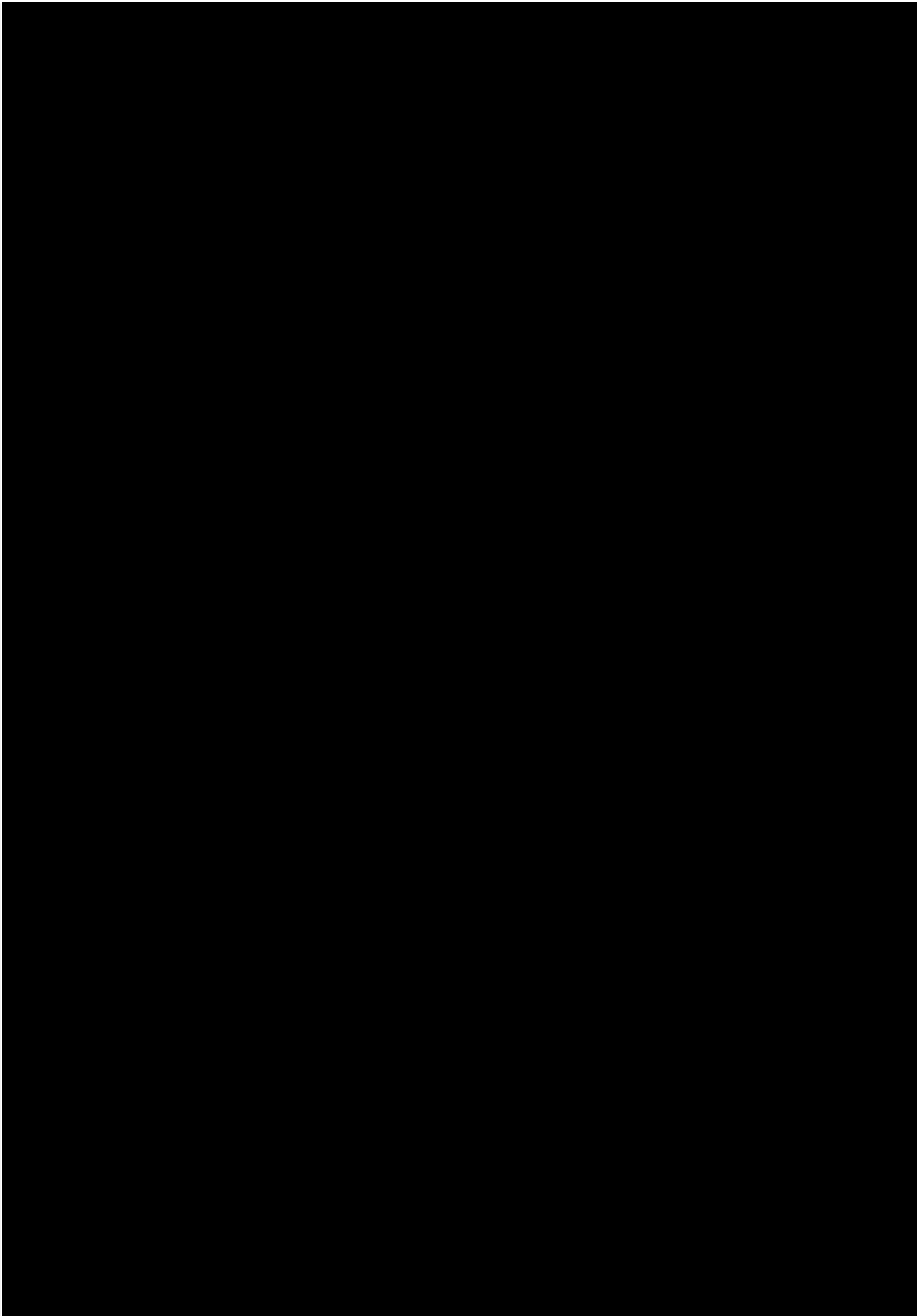
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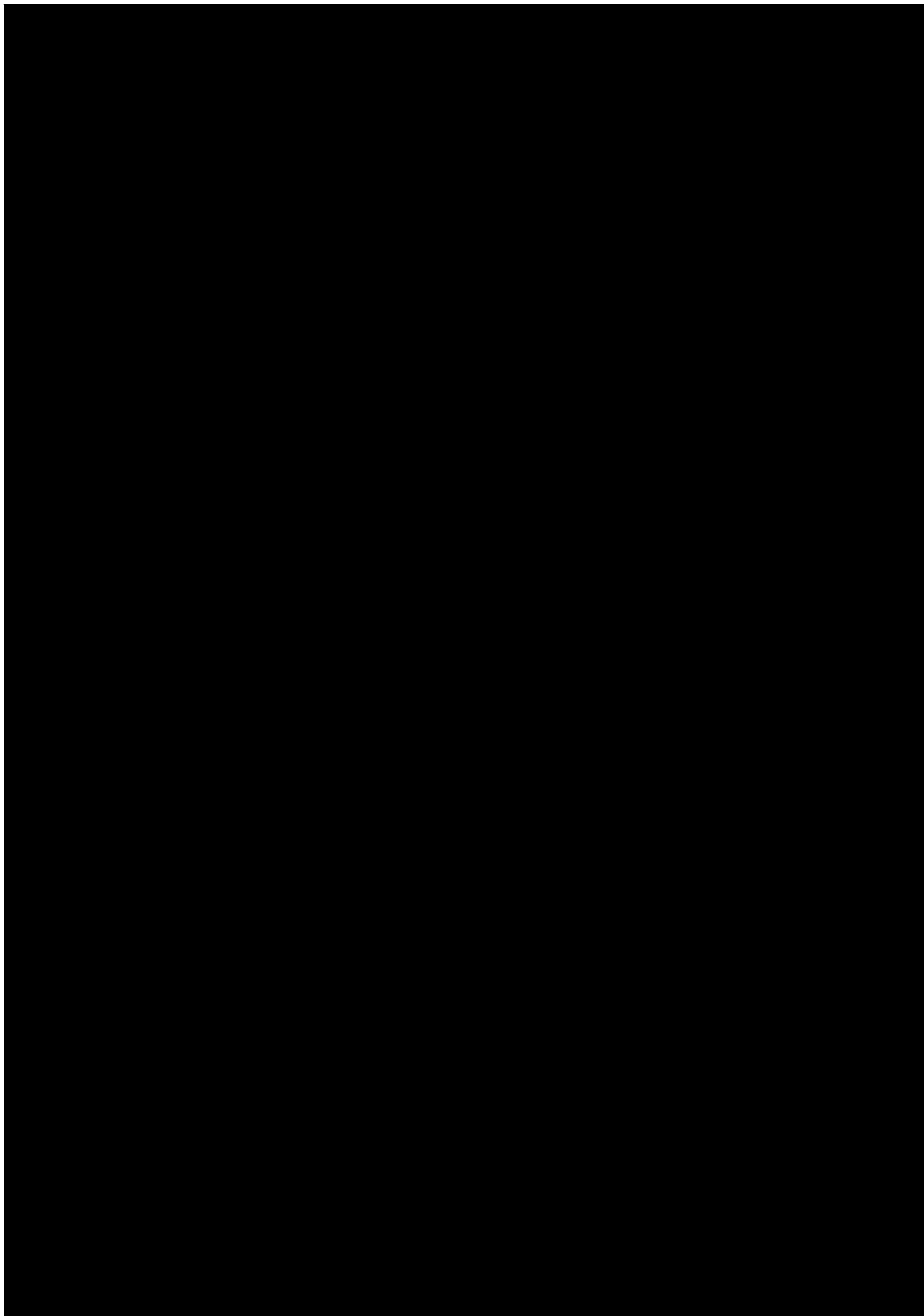


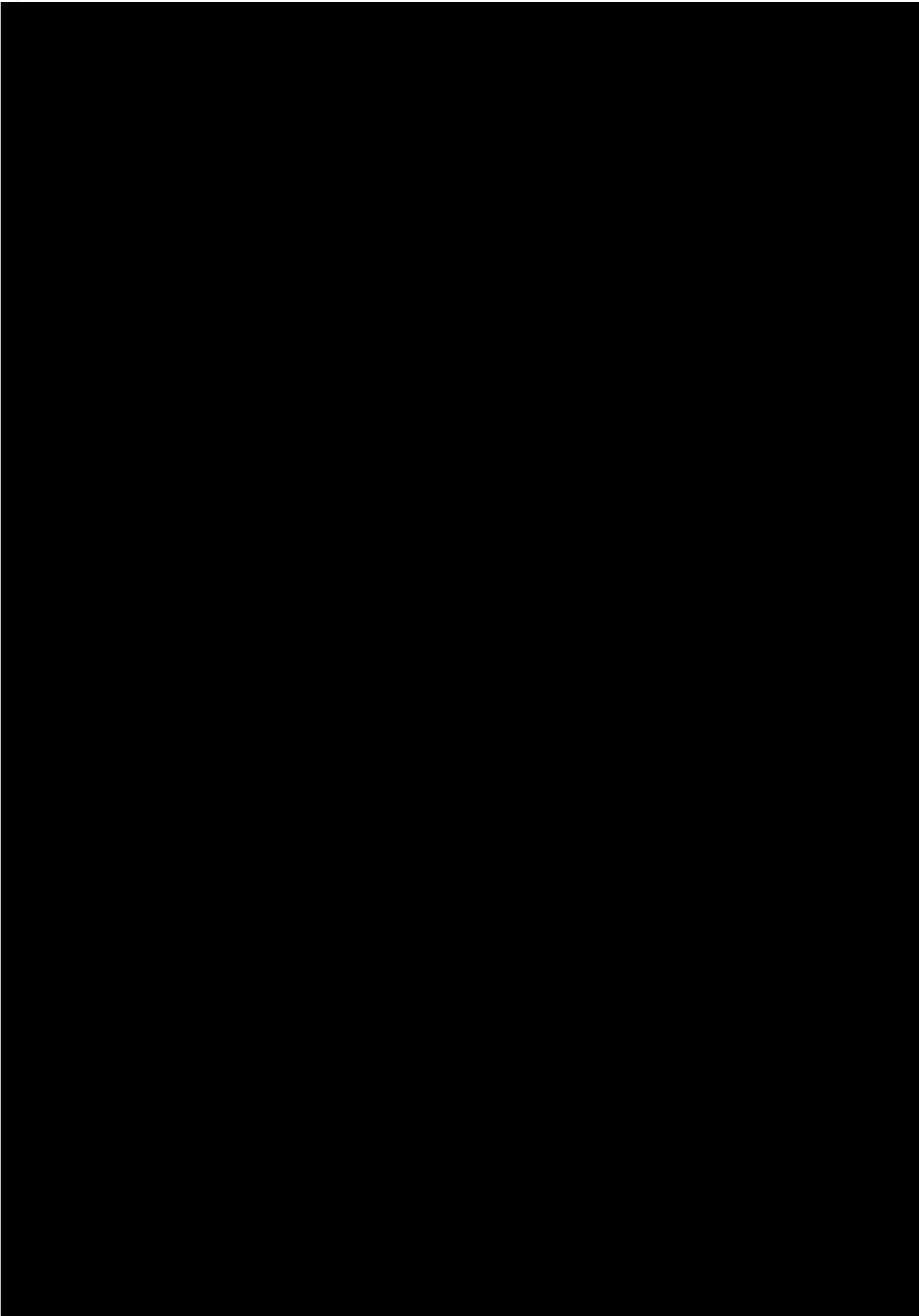
CONFIDENTIAL - SECURITY INFORMATION

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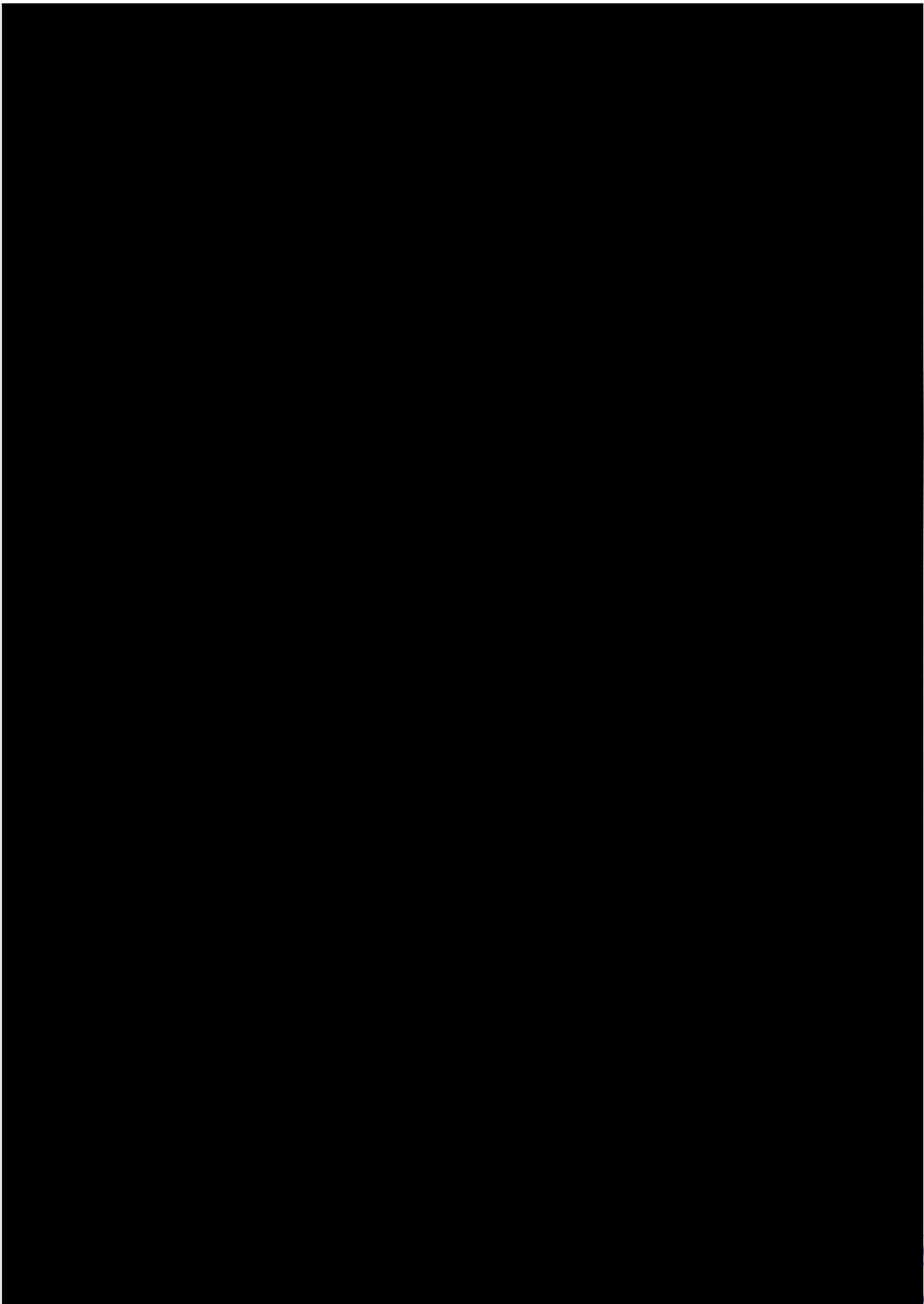


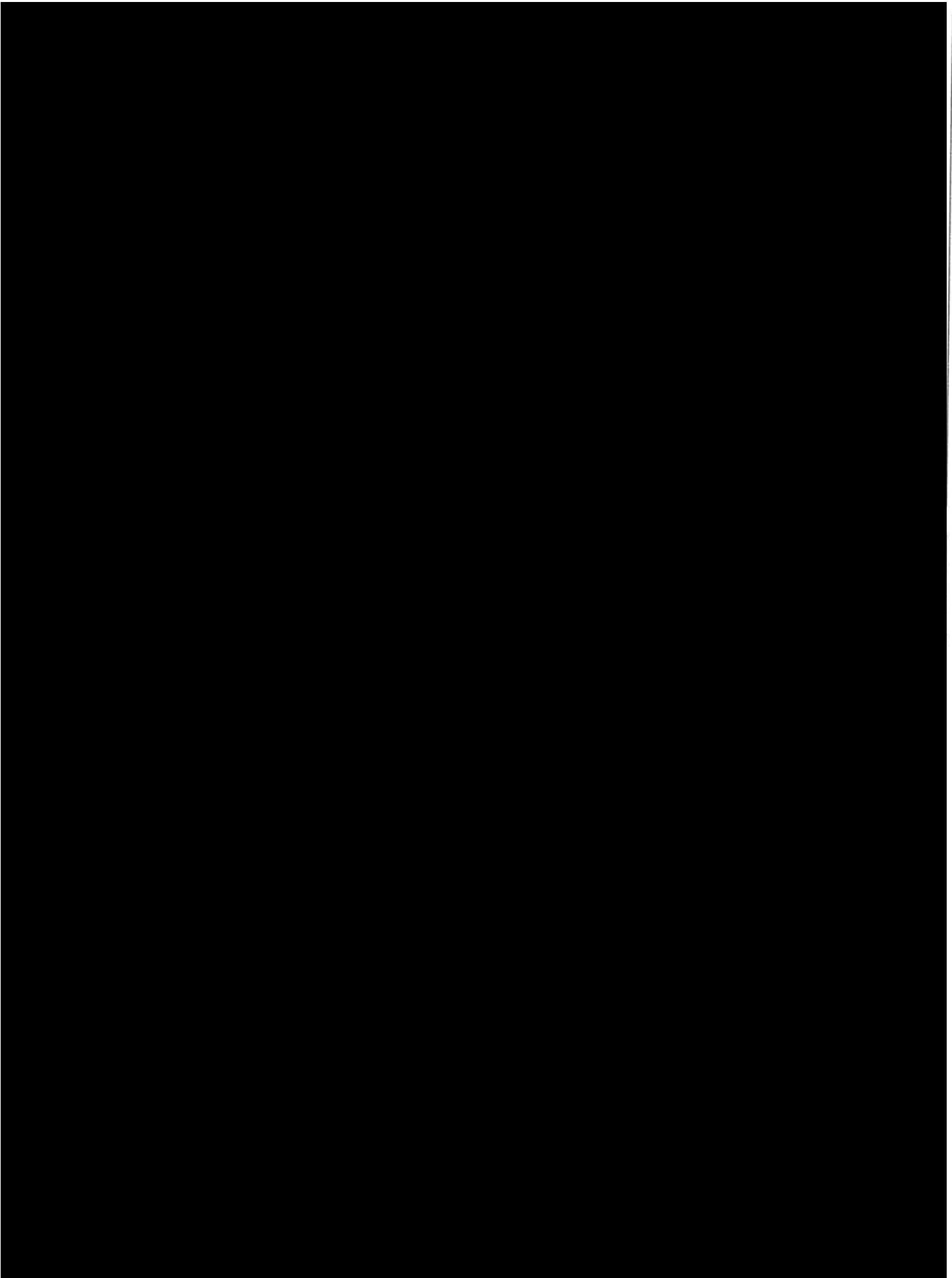
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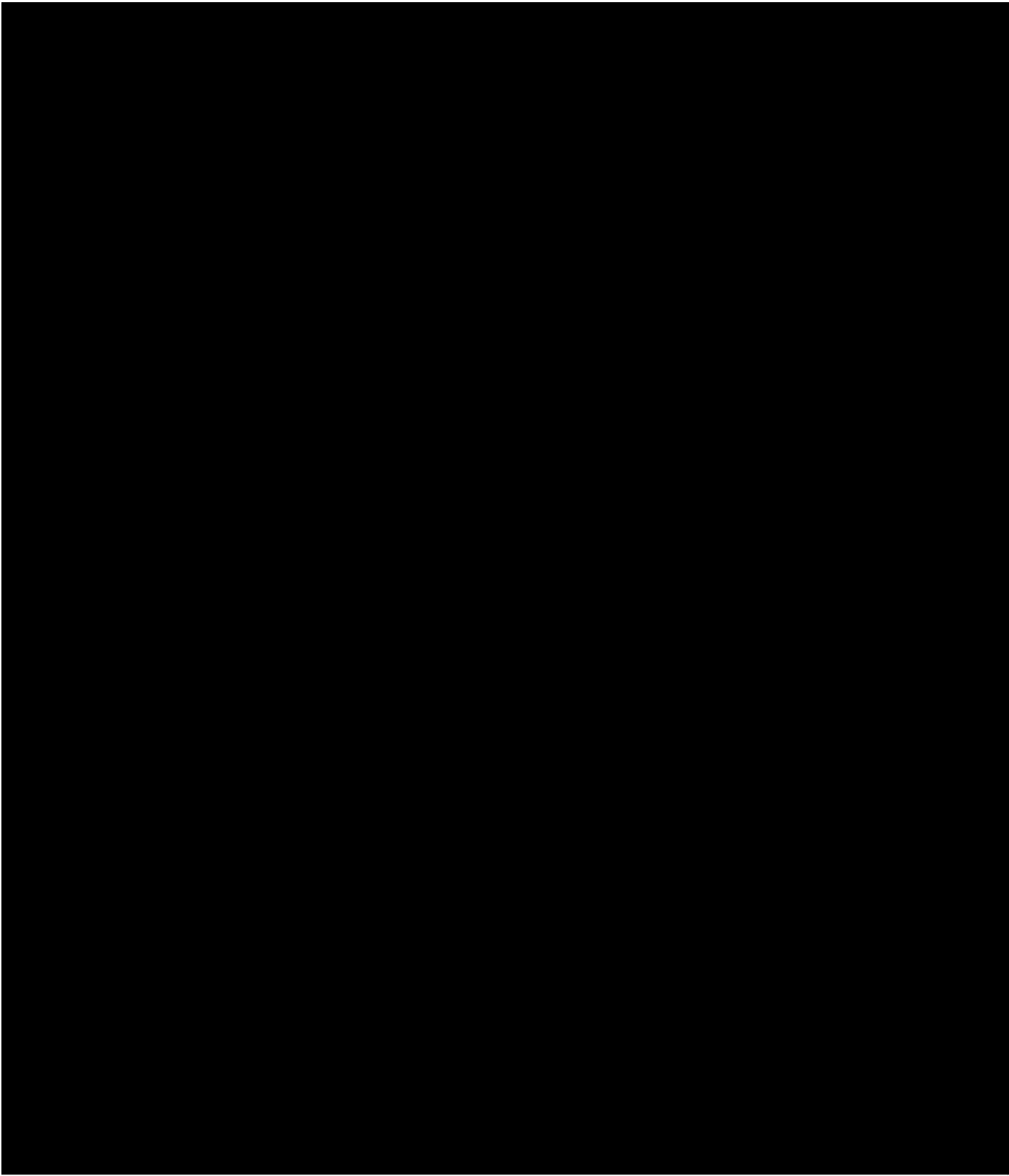


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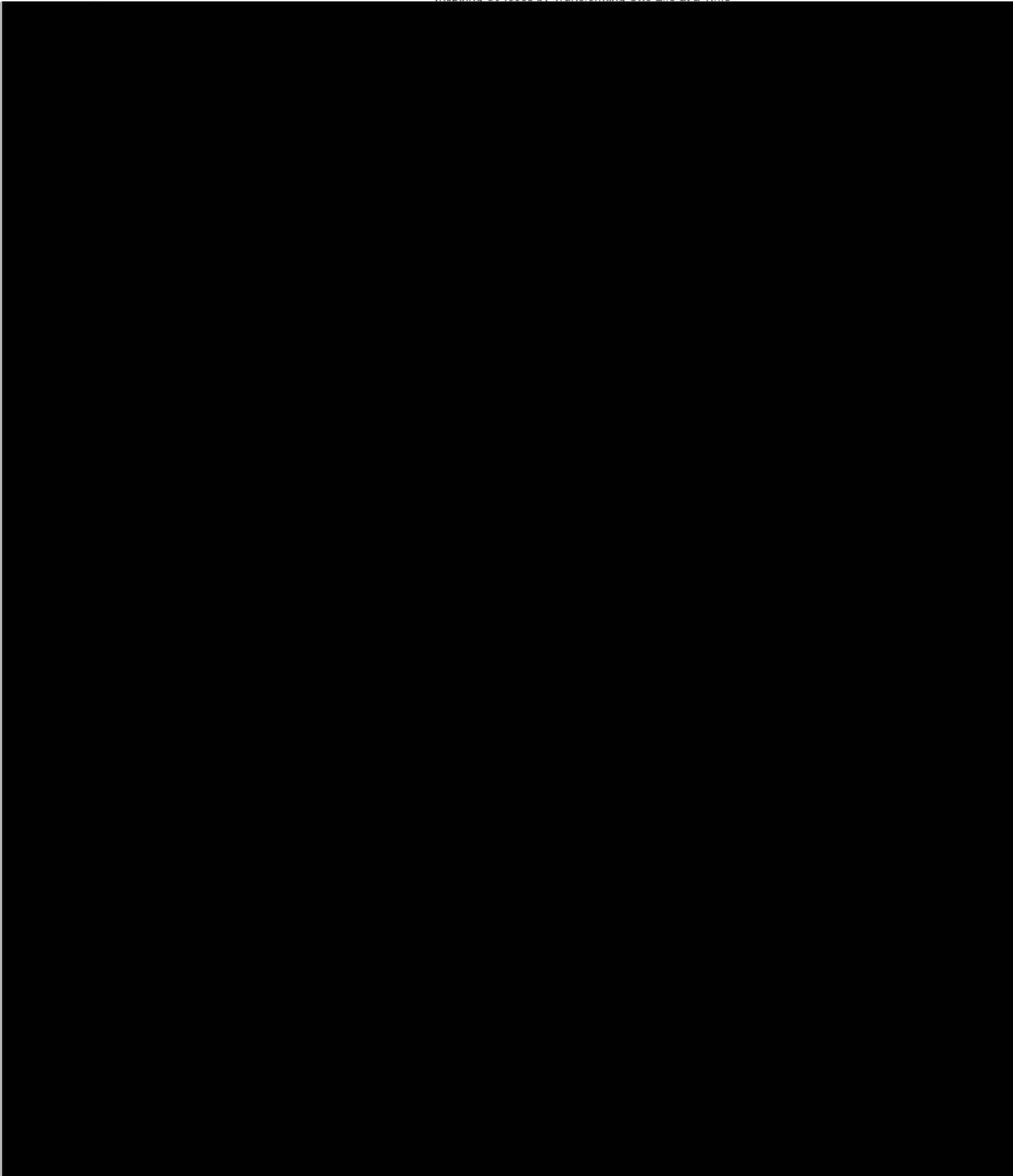
<http://www.dc.state.fl.us/index.html>

**Florida Department of Corrections**  
<http://www.dc.state.fl.us/index.html>



**Ron DeSantis, Governor**  
**Ricky D. Dixon, Secretary**

"Inspiring Success by Transforming One Life at a Time"



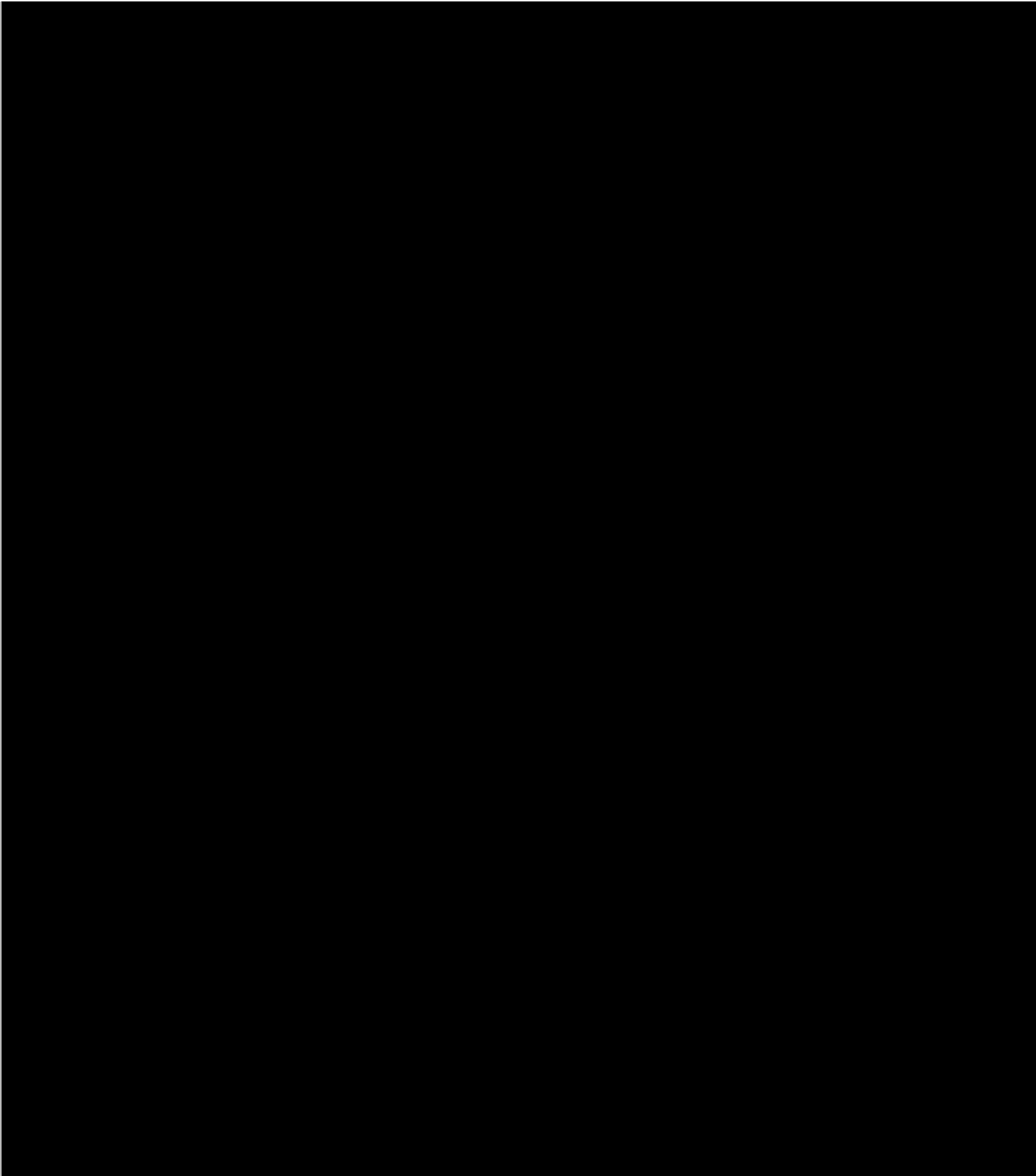


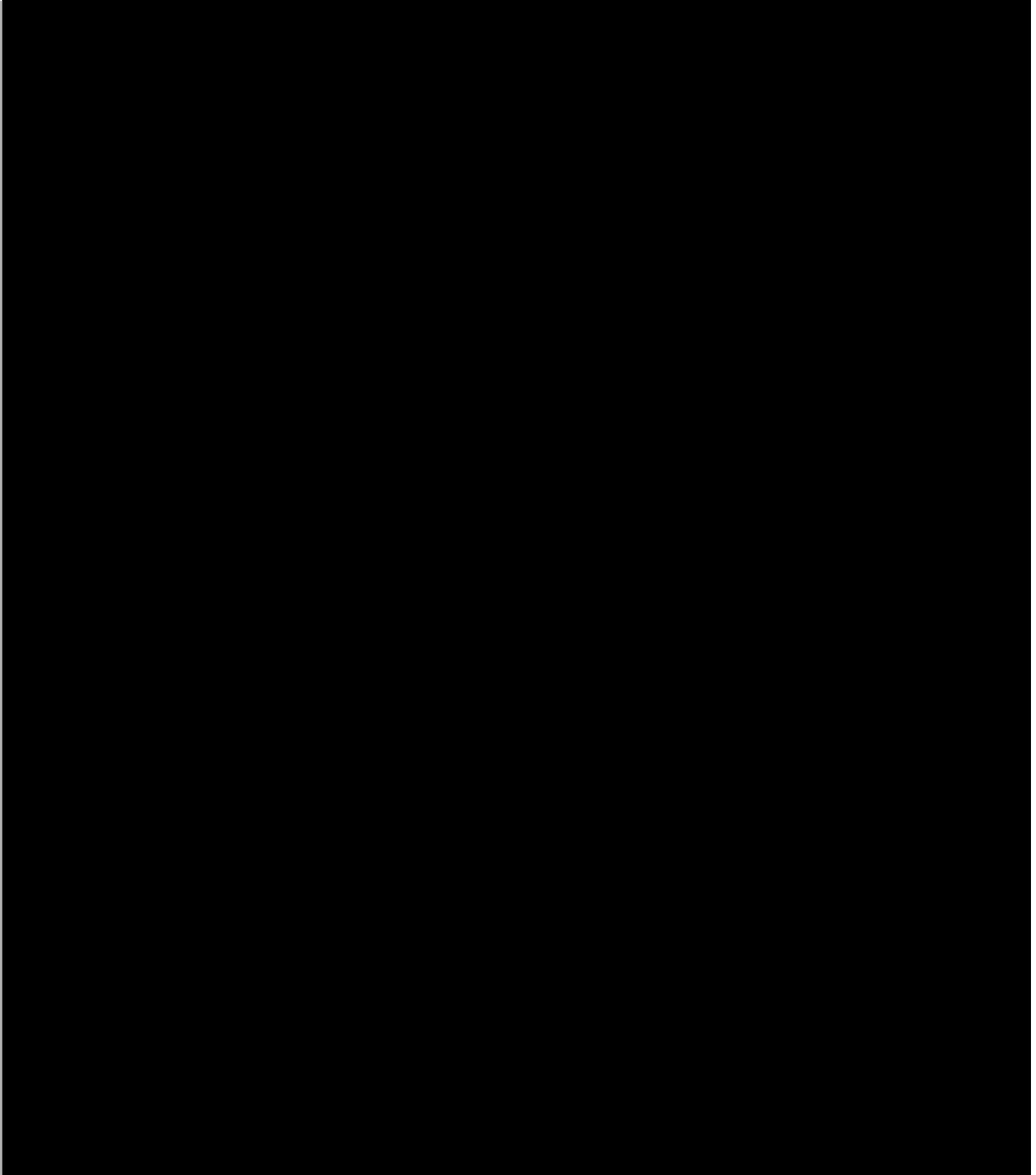
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PAGE # 20

## FDLE Information Notification System

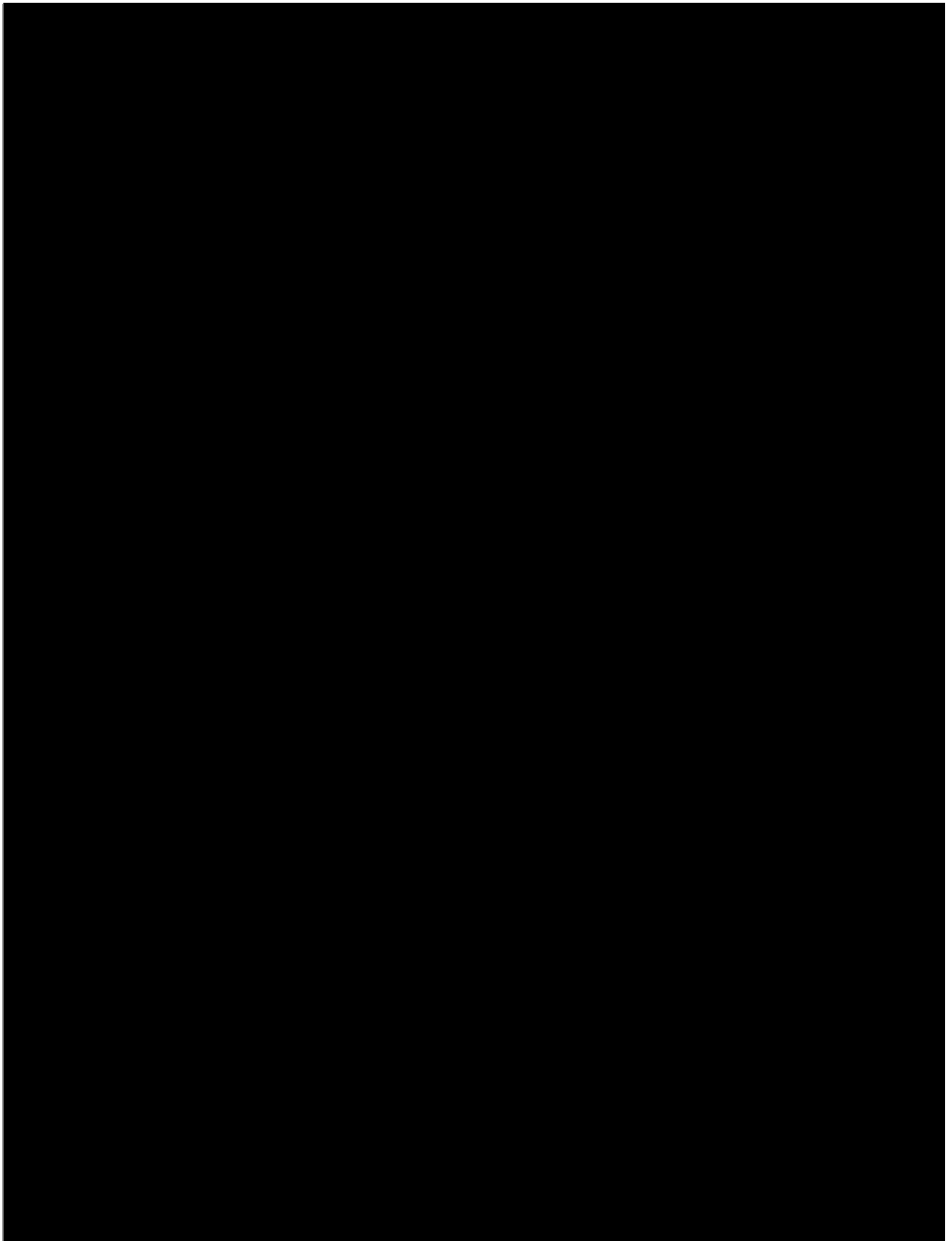
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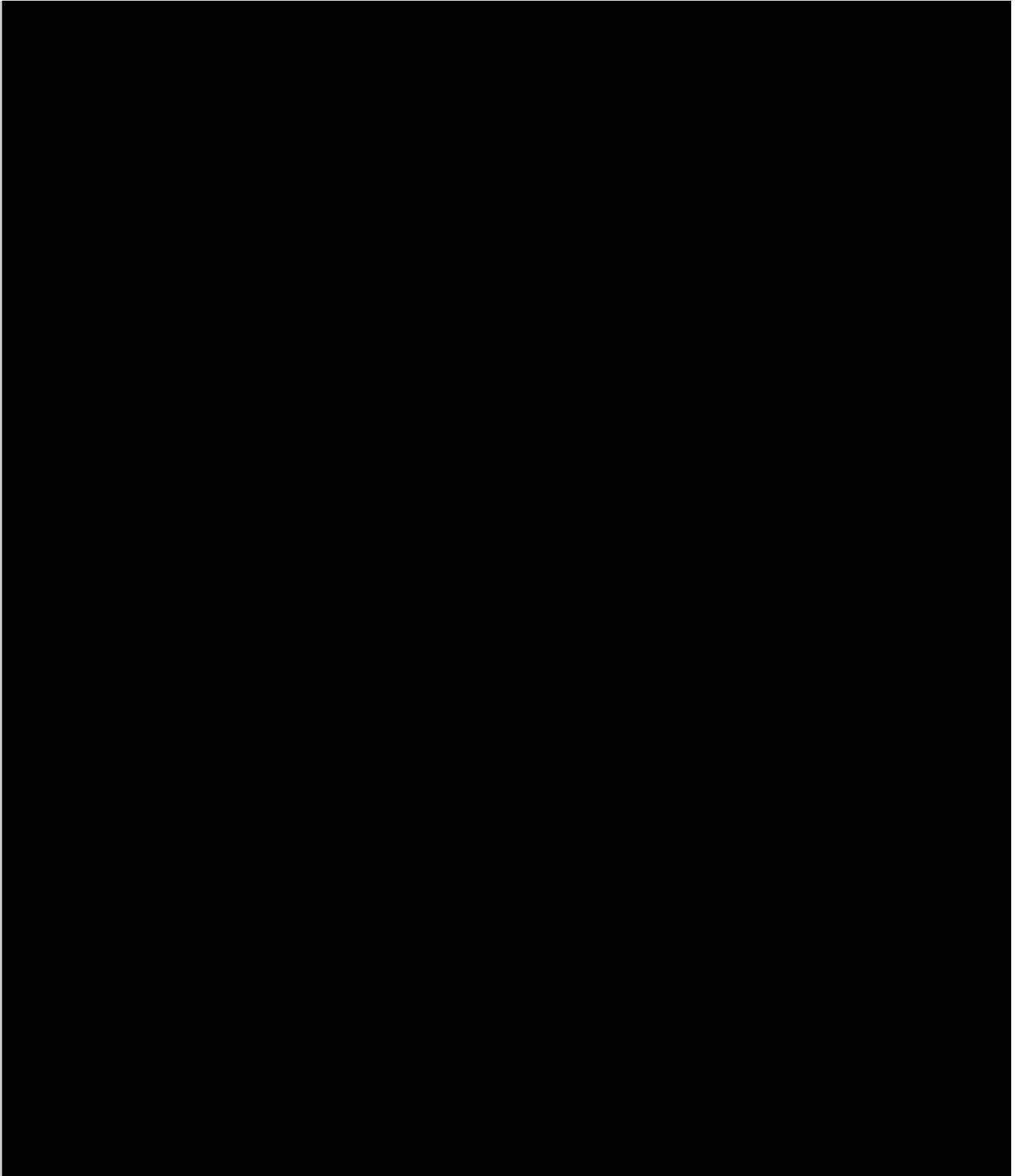
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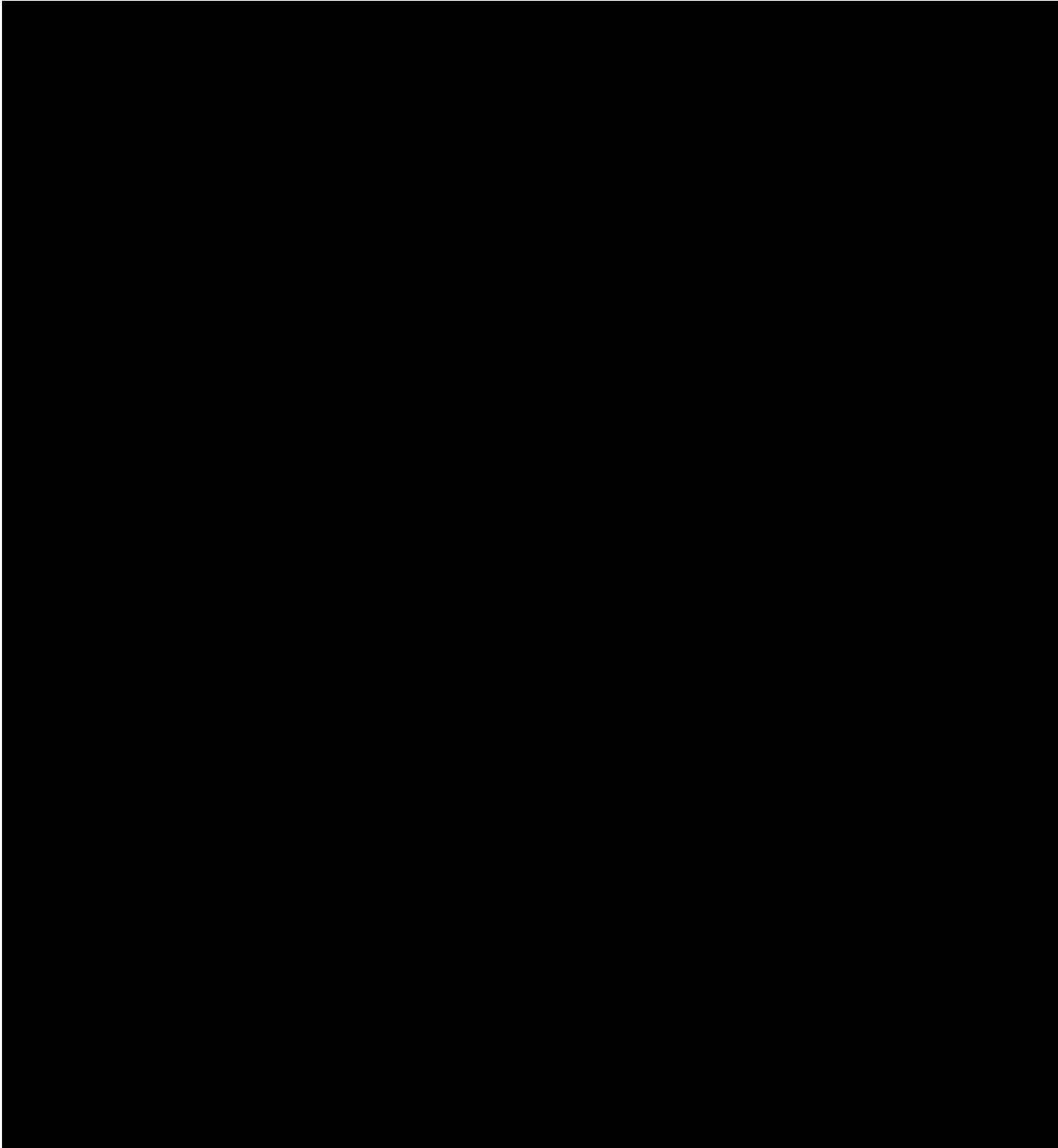
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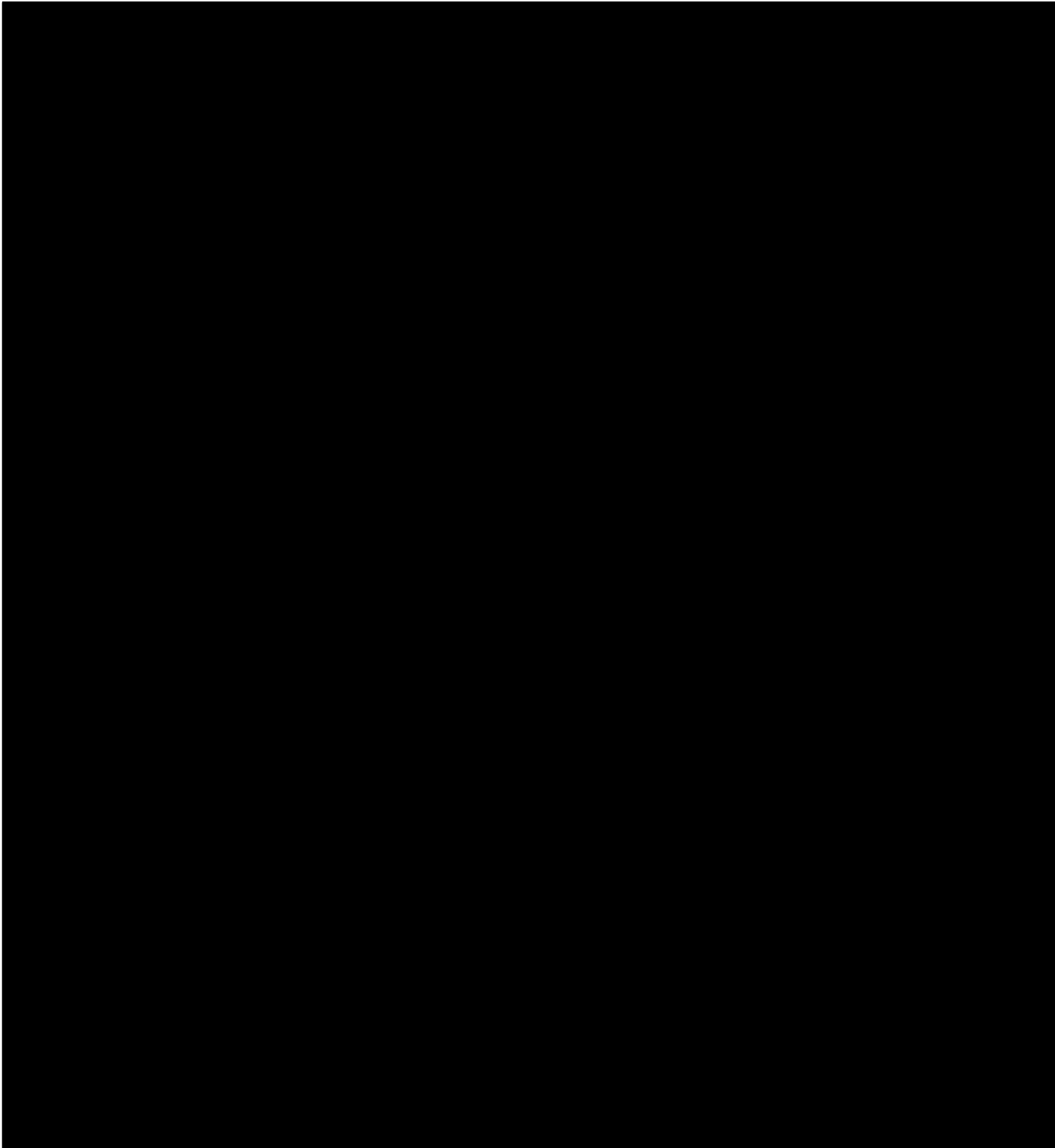
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Subject : *Results of check for MARTINEZ, CARLOS (80GBPR040000094910)*

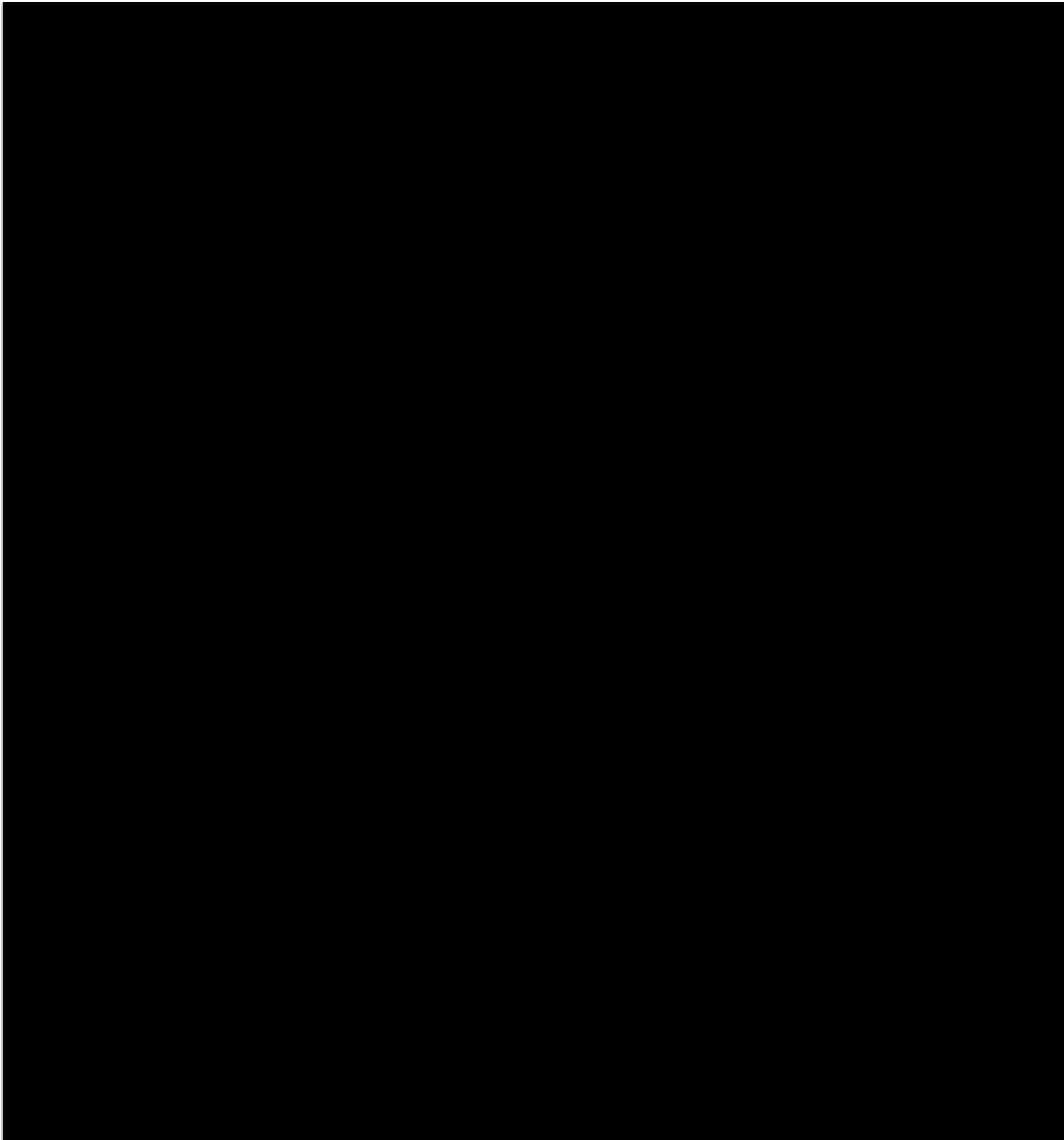


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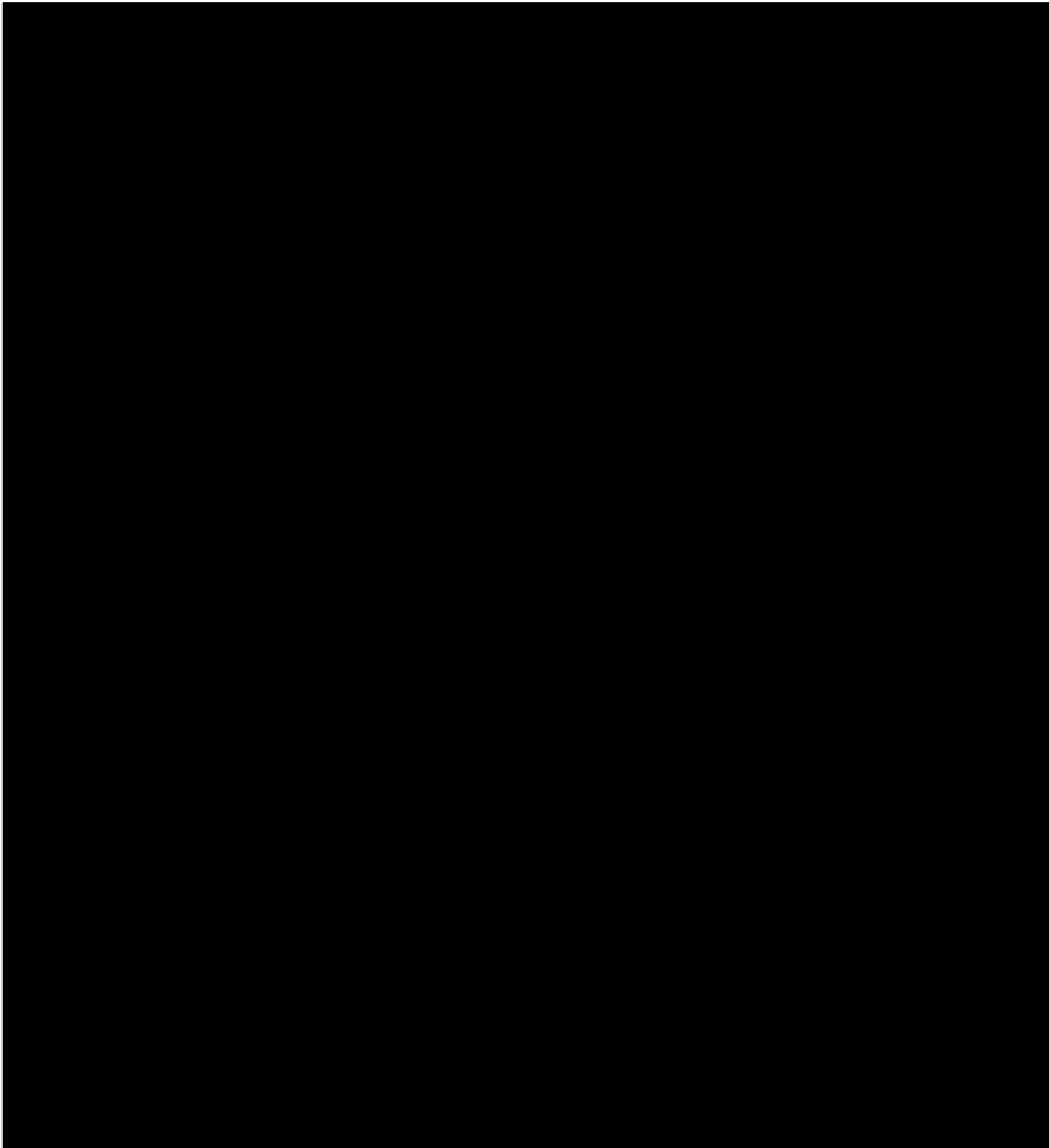




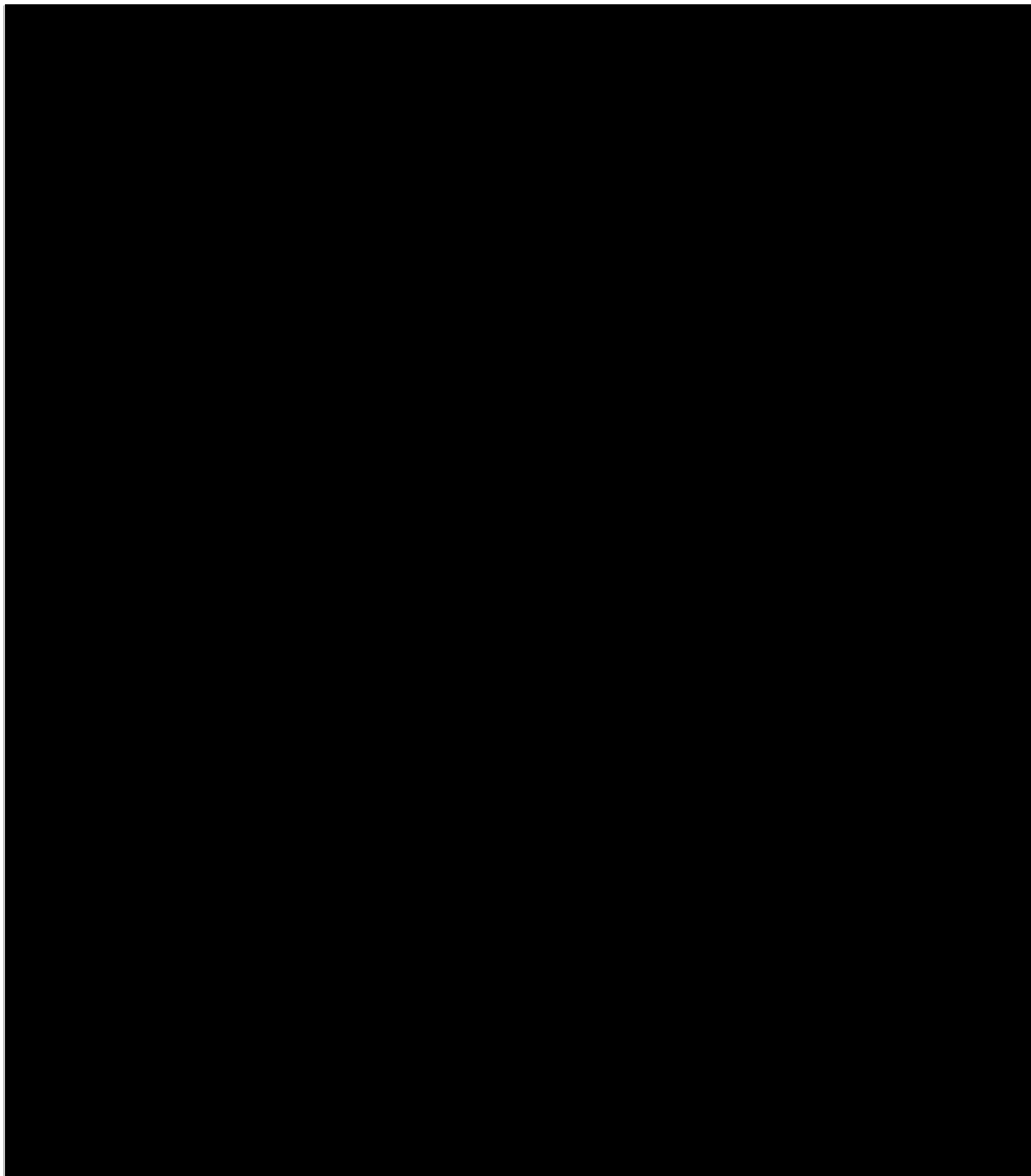
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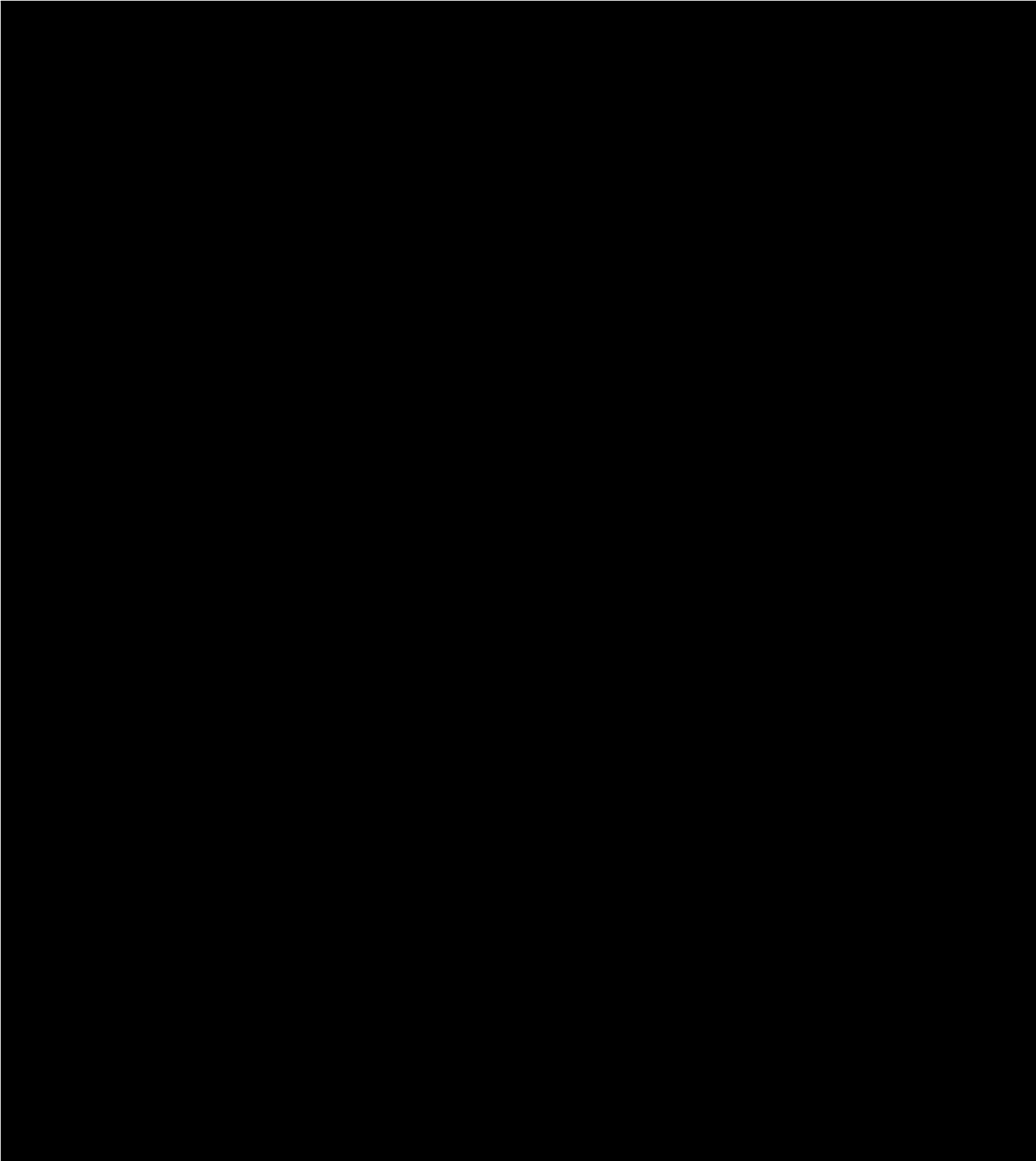
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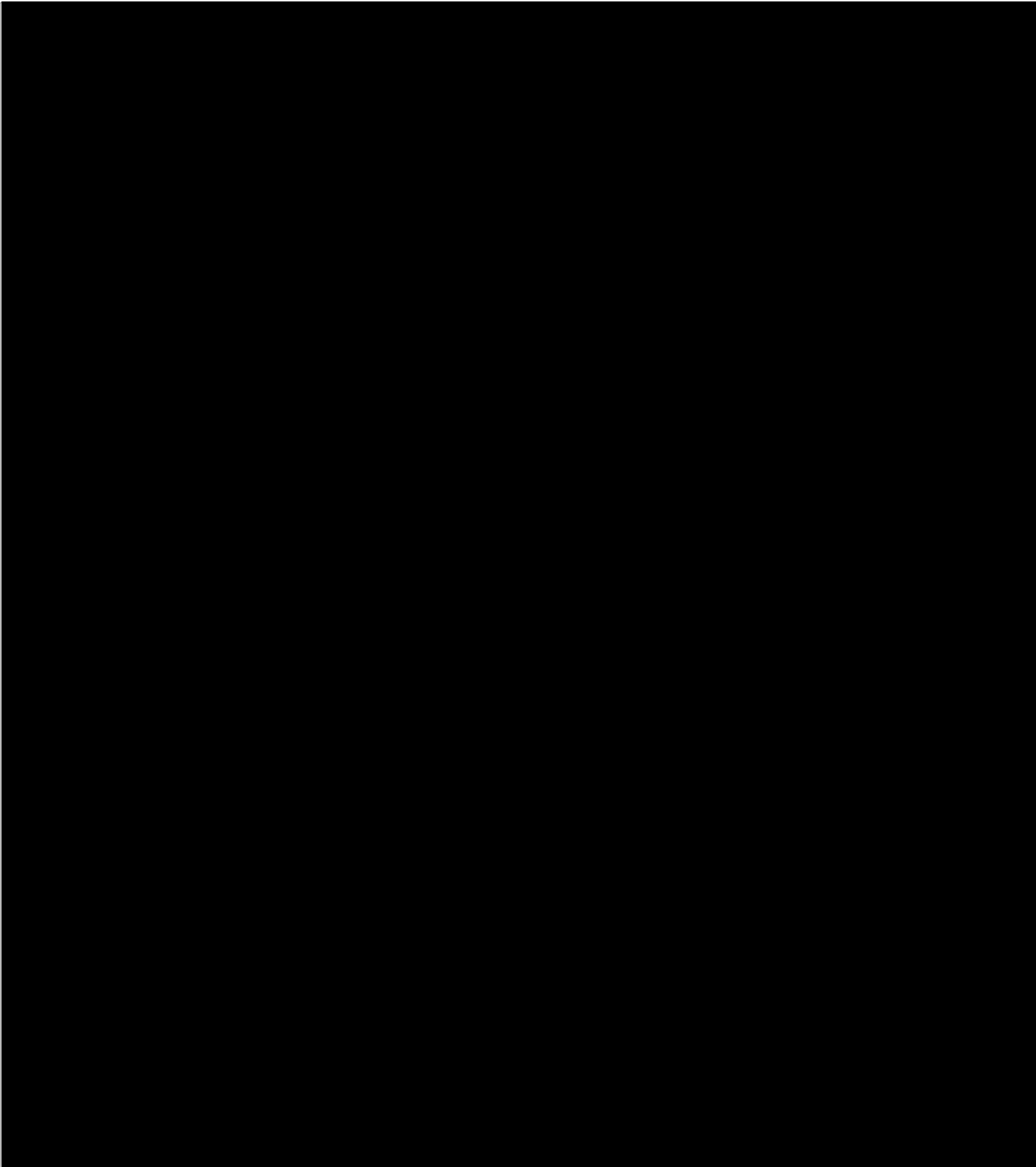


Subject : *Results of check for MARTINEZ, CARLOS (80GBPR040000094910)*



3/22

Subject : *Results of check for MARTINEZ, CARLOS (80GBPR040000094910)*



Subject : *Results of check for MARTINEZ, CARLOS (80GBPR040000094910)*

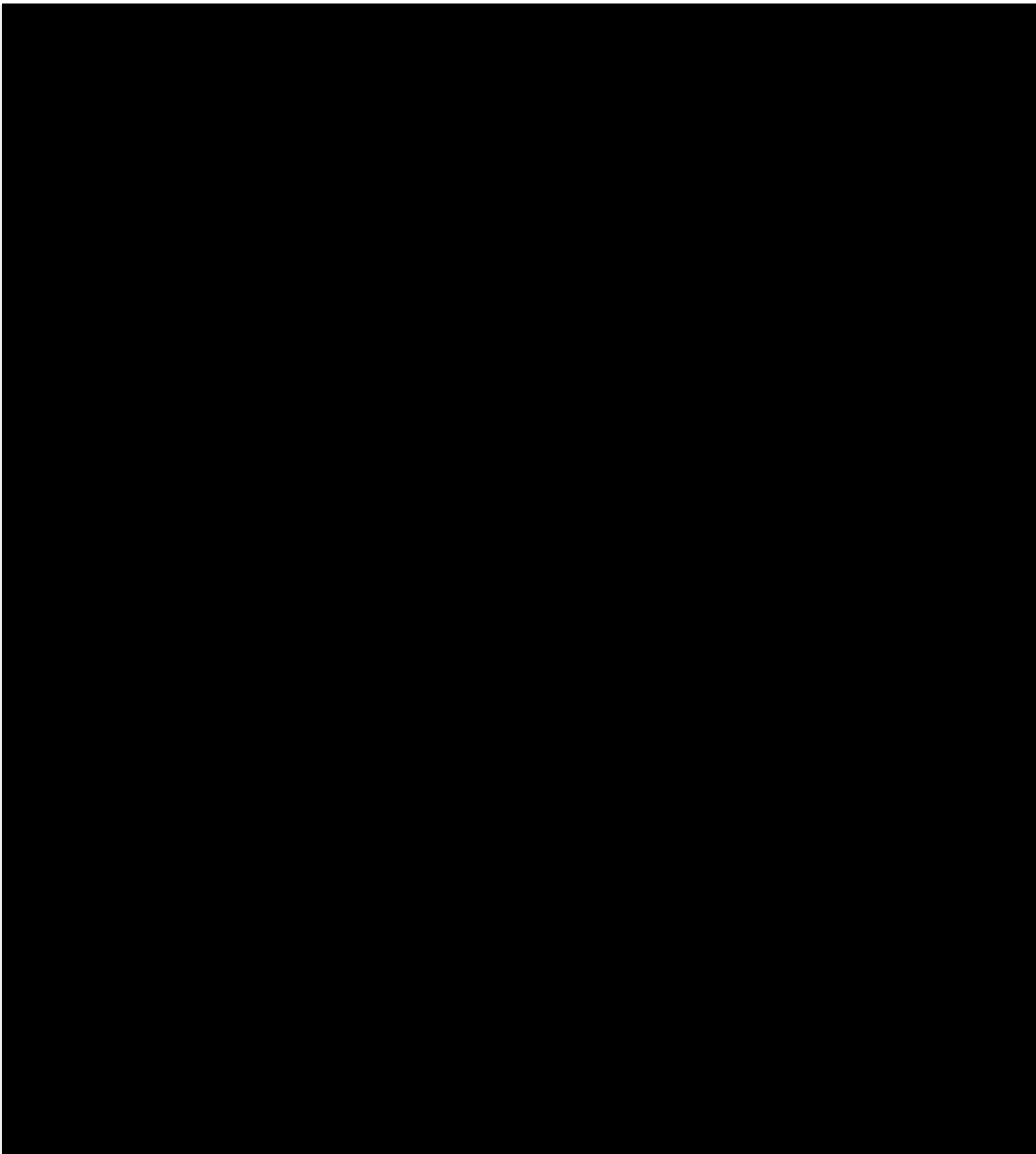
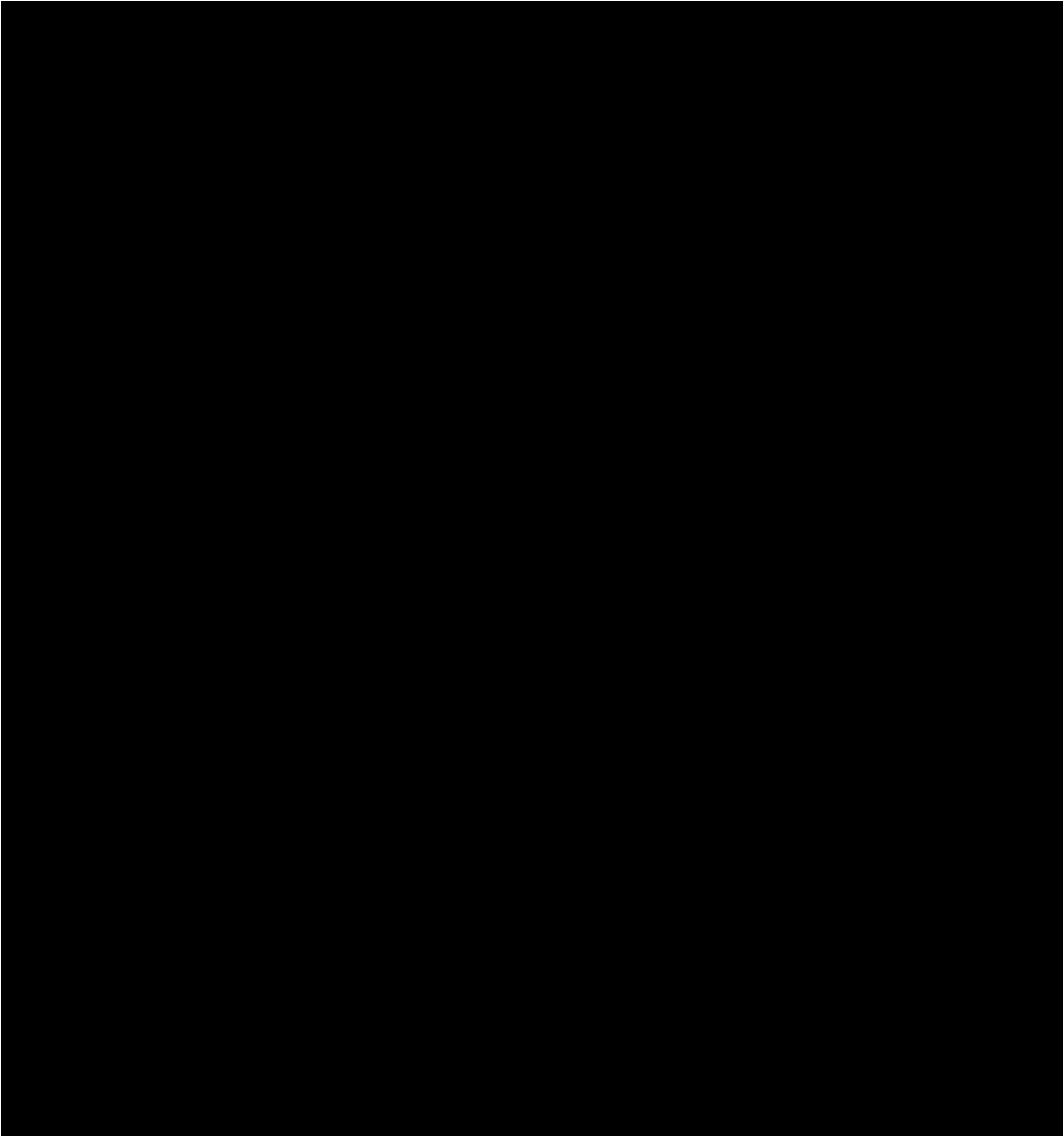
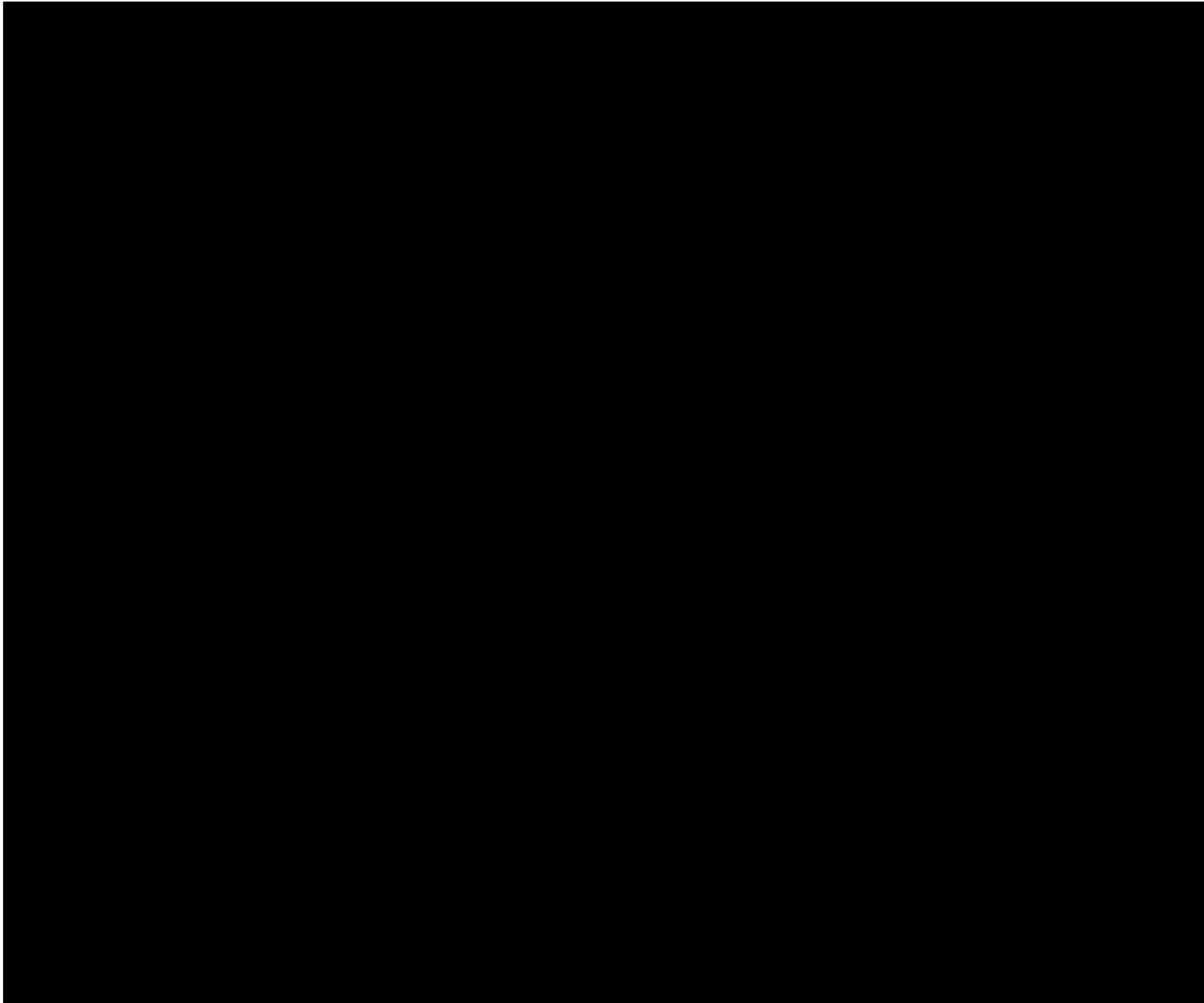


EXHIBIT # 5  
PAGE # 11

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Subject : *Results of check for MARTINEZ, CARLOS (80GBPR040000094910)*



Page 13 of 13

EXHIBIT #  
PAGE #

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13



**APPLICANT**  
See Privacy Act Notice on Back

LEAVE BLANK

TYPE OR PRINT ALL INFORMATION IN BLACK  
LAST NAME NAM FIRST NAME MIDDLE NAME

FBI LEAVE BLANK

FD-256 (Rev. 5-15-17) 1110-0046

*Martinez Carlos*

SIGNATURE OF PERSON FINGERPRINTED

ALIASES AKA

O  
R  
I

RESIDENCE OF PERSON FINGERPRINTED

*1188 NW 44th Ave  
Lauderhill FL 33313*

DATE OF BIRTH DOB

DATE SIGNATURE OF OFFICIAL TAKING FINGERPRINTS

*12/22/22 [Signature]*

CITIZENSHIP CTZ

*Panama*

SEX RACE HGT. WGT. EYES HAIR PLACE OF BIRTH POB

*M H 5'4 145 B/K B/K Panama*

YOUR NO. OCA

EMPLOYER AND ADDRESS

UNIVERSAL CONTROL NO. UCN

ARMED FORCES NO. MNU

REASON FINGERPRINTED

SOCIAL SECURITY NO. SOC

MISCELLANEOUS NO. MNU

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CLASS

REF.

*142*

*1228*

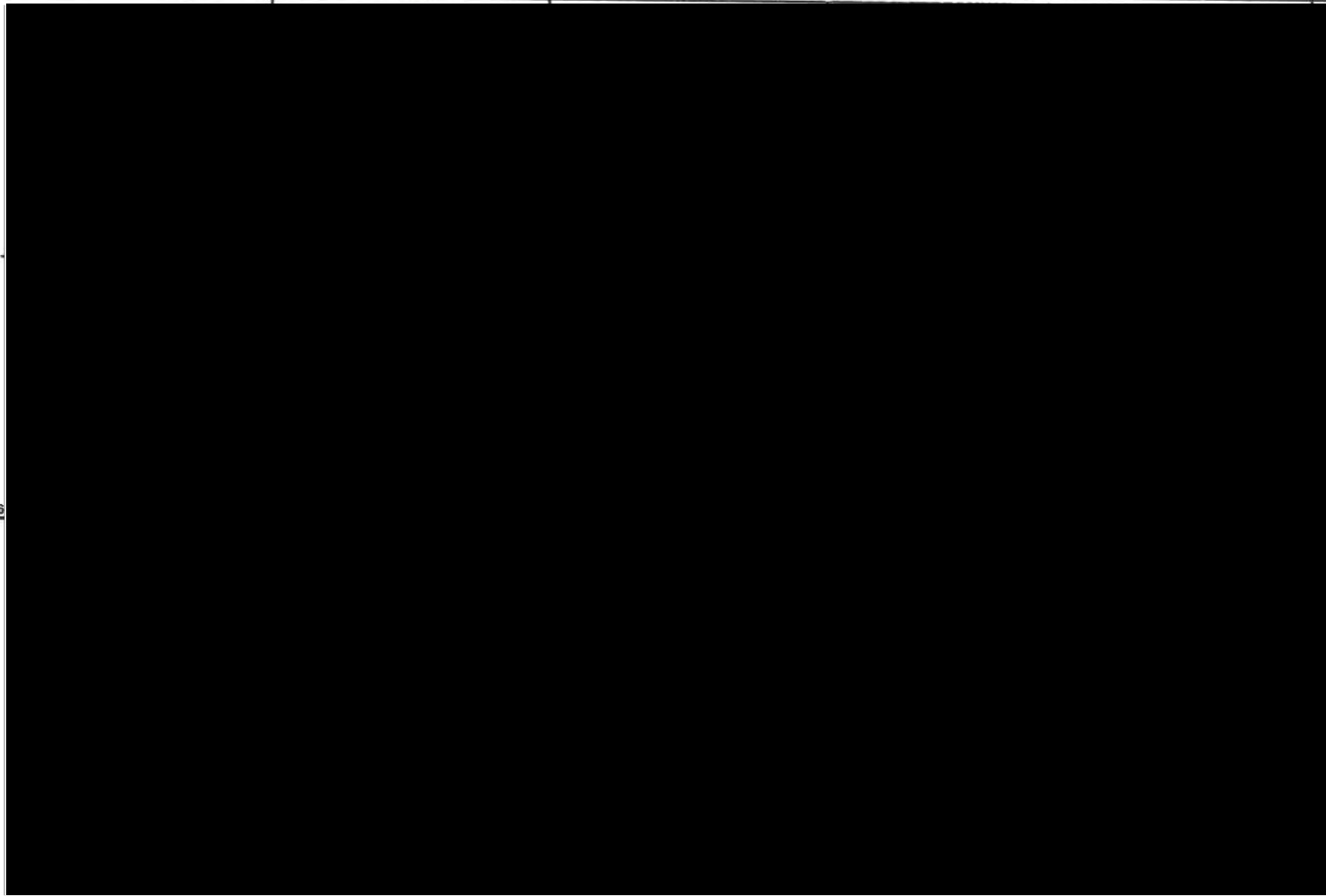


EXHIBIT #  
PAGE #

*3  
14*

FEDERAL BUREAU OF INVESTIGATION  
 UNITED STATES DEPARTMENT OF JUSTICE  
 CJIS DIVISION/CLARKSBURG, WV 26306

1110-0046

RECEIVED  
 BY: DEC 22 2022

APPLICANT

THIS CARD FOR USE BY:

1. LAW ENFORCEMENT AGENCIES IN FINGERPRINTING APPLICANTS FOR LAW ENFORCEMENT POSITIONS.
2. OFFICIALS OF STATE AND LOCAL GOVERNMENTS FOR PURPOSES OF EMPLOYMENT, LICENSING, AND PERMITS, AS AUTHORIZED BY STATE STATUTES AND APPROVED BY THE ATTORNEY GENERAL OF THE UNITED STATES. LOCAL AND COUNTY ORDINANCES, UNLESS SPECIFICALLY BASED ON APPLICABLE STATE STATUTES DO NOT SATISFY THIS REQUIREMENT.
3. U.S. GOVERNMENT AGENCIES AND OTHER ENTITIES REQUIRED BY FEDERAL LAW.
4. OFFICIALS OF FEDERALLY CHARTERED OR INSURED BANKING INSTITUTIONS TO PROMOTE OR MAINTAIN THE SECURITY OF THOSE INSTITUTIONS.

Please review this helpful information to aid in the successful processing of hard copy civil fingerprint submissions in order to prevent delays or rejections. Hard copy fingerprint submissions must meet specific criteria for processing by the Federal Bureau of Investigation. Ensure all information is typed or legibly printed using blue or black ink. Enter data within the boundaries of the designated field or block. Complete all required fields. (If a required field is left blank, the fingerprint card may be immediately rejected without further processing.)

- The required fields for hard copy civil fingerprint cards are: ORI, Date of Birth, Place of Birth, NAM, Sex, Date fingerprinted, Reason Fingerprinted, and proper completion of fingerprint impression boxes.

Do not use highlighters on fingerprint cards.  
 Do not enter data or labels within 'Leave Blank' areas.  
 Ensure fingerprint impressions are rolled completely from nail to nail.  
 Ensure fingerprint impressions are in the correct sequence.  
 Ensure notations are made for any missing fingerprint impression (i.e. amputation).  
 Do not use more than two retabs per fingerprint impression block.  
 Ensure no stray marks are within the fingerprint impression blocks.

Training aids can be ordered online via the Internet by accessing the FBI's website at: [fbi.gov](http://fbi.gov), click on 'Fingerprints', then click on 'Ordering Fingerprint Cards & Training Aids'. Direct questions to the Biometric Services Section's Customer Service Group at (304) 625-5590 or by e-mail at [identity@fbi.gov](mailto:identity@fbi.gov).

**Social Security Account Number (SSAN):** Pursuant to the Privacy Act of 1974, any Federal, state, or local government agency that requests an individual to disclose his or her SSAN, is responsible for informing the person whether disclosure is mandatory or voluntary, by what statutory or other authority the SSAN is solicited, and what uses will be made of it. In this instance, the SSAN is solicited pursuant to 28 U.S.C. 534 and will be used as a unique identifier to confirm your identity because many people have the same name and date of birth. Disclosure of your SSAN is voluntary; however, failure to disclose your SSAN may affect completion or approval of your application.

PRIVACY ACT STATEMENT

**Authority:** The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub.L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

**Principal Purpose:** Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprints repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

**Routine Uses:** During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

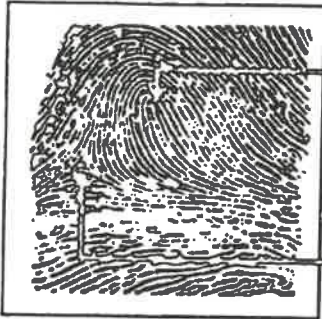
PAPERWORK REDUCTION ACT NOTICE

According to the Paperwork Reduction Act of 1995, no persons are required to provide the information requested unless a valid OMB control number is displayed. The valid OMB control number for this information collected is 1110-0046. The time required to complete this information collected is estimated to be 10 minutes, including time reviewing instructions, gathering, completing, reviewing and submitting the information collection. If you have any comments concerning the accuracy of this time estimate or suggestions for reducing this burden, please send to: Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Washington, DC 20530.

INSTRUCTIONS:

1. PRINTS MUST GENERALLY BE CHECKED THROUGH THE APPROPRIATE STATE IDENTIFICATION BUREAU, AND ONLY THOSE FINGERPRINTS FOR WHICH NO DISQUALIFYING RECORD HAS BEEN FOUND LOCALLY SHOULD BE SUBMITTED FOR FBI SEARCH.
2. IDENTITY OF PRIVATE CONTRACTORS SHOULD BE SHOWN IN SPACE 'EMPLOYER AND ADDRESS'. THE CONTRIBUTOR IS THE NAME OF THE AGENCY SUBMITTING THE FINGERPRINT CARD TO THE FBI. UNIVERSAL CONTROL NUMBER, IF KNOWN, SHOULD ALWAYS BE FURNISHED IN THE APPROPRIATE SPACE.
3. MISCELLANEOUS NO. RECORD: OTHER ARMED FORCES NO. PASSPORT NO. (FP), ALIEN REGISTRATION NO. (AR), PORT SECURITY CARD NO. (PS), SELECTIVE SERVICE NO. (SS) VETERANS' ADMINISTRATION CLAIM NO. (VA).

1. LOOP

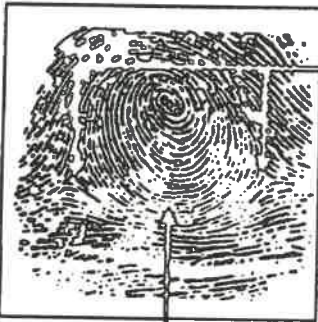


CENTER OF LOOP

DELTA

THE LINES BETWEEN CENTER OF LOOP AND DELTA MUST SHOW

2. WHORL



DELTA

THESE LINES RUNNING BETWEEN DELTAS MUST BE CLEAR

3. ARCH



ARCHES HAVE NO DELTAS

FD-258 (REV. 5-15-17)

U.S. GOVERNMENT PUBLISHING OFFICE: 07/05/2018 12:11:07

EXHIBIT #  
 PAGE #

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 15

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

License Search | Entity Search | Modify License Standing | Maintain License CE Control

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Ivila

VR Home > License Search > License Home

**License**

Fed Tax # [REDACTED] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2025**

File # **9193** Name **KLESARIS, LILLIAN** Extended To

License # **644756** Rank **PIND - Professional Individual Occupational** Renewed On **10/19/2022**

Entity # **644756** Lic Status **Current**

- 
- 
- 
- 
- 

**Address**

Street # **19801** Street **EAST COUNTRY CLUB DRIVE**

Line 2 **APT #404**

Line 3

City **AVENTURA** State **FL** Zip **33180**

Routing



**Other**

1st License Date **05/07/2019** Rank Date **10/19/2022** Certificate #

Method **I-S-1024** Status Date **10/19/2022** Certificate Date **01/31/2000**

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action   

**Modifiers**

Type	Modifier	Effective Date	Additional Info
C	ATRN - Asst. Trainer	10/19/2022	
C	TRNR - Trainer	05/02/2019	
I	TBRD - Thoroughbred		
L	321 - Gulfstream Park	05/02/2019	
Y	3YR - 3 Year License		

**Alt Keys**

BEST LIC NBR **PIN644756**

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EXHIBIT # 4  
PAGE # 1



**FLORIDA**  
GAMING CONTROL  
COMMISSION

JOHN MACIVER, CHAIRMAN  
MICHAEL YAWORSKY, VICE CHAIR  
JULIE I. BROWN, COMMISSIONER  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER

January 6, 2023

Mr. Carlos Martinez  
1188 Northwest 44th Avenue  
Lauderhill, Florida 33313

RE: Application No. 191253, Entity 2011966  
1022 - PMW General Individual Occupational

Dear Mr. Martinez:

Your application for an occupational license with the Office of Operations has been received. The item(s) checked below are either missing or require correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 3 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section and provide court disposition records. **Please initial and date any changes made to your application.**

**You must list the information on your application for the following charges:**

- Broward County, Florida Arrest - 2/8/2011, 2/18/2022
- Any individual or business applicant may request a waiver of disqualifying factors in an application that would otherwise be grounds for denial. DBPR PMW 3180 - Request for Waiver and DBPR PMW-3195 - Request for Release of Information and Authorization to Release Information (forms enclosed). The Division will process a request for waiver upon receipt of a complete application.

**To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.**

**If you fail to provide the Florida Gaming Control Commission with a complete application by 4/21/2023, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to**

OFFICE OF OPERATIONS  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399

**EXHIBIT # 5**  
**PAGE # 1**

**reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule. Please note that your Temporary License will expire on: 03/22/2023.**

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided above, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

MA/  
Operations Analyst II

EXHIBIT # 5  
PAGE # 2





JOHN MACIVER, CHAIRMAN  
MICHAEL YAWORSKY, VICE CHAIR  
JULIE I. BROWN, COMMISSIONER  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER

January 30, 2023

Mr. Carlos Martinez  
1188 Northwest 44th Avenue  
Lauderhill, Florida 33313

RE: Application No. 191253, Entity 2011966  
1022 - PMW General Individual Occupational

Dear Mr. Martinez:

We have received the additional information you submitted, however, we are still unable to complete the processing of your application. The item(s) checked below is either missing or requires correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). **You must initial and date any changes made to your application.**

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 4/21/2023, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule. Please note that your Temporary License will expire on: 03/22/2023.

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. Return the missing document and/or information to the address provided above, attention Office of Operations. If you have any questions please call 850.488.3211.

Thank you,

MA/  
Operations Analyst II

OFFICE OF OPERATIONS  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399

EXHIBIT # 5  
PAGE # 3

RECEIVED

2023 FEB -9 AM 11:47

FLORIDA GAMING CONTROL COMMISSION

DBPR FORM 3183 - Request for Release of Information and Authorization to Release Information



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
www.myfloridalicense.com

FLORIDA GAMING CONTROL COMMISSION

2023 FEB -6 AM 8:40

RECEIVED

**PERSONAL INFORMATION**

Social Security Number/Federal Employer ID Number: [REDACTED]

**INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION**

Last Name: MARTINEZ  
First Name: CARLOS  
Middle: [REDACTED]  
Title: [REDACTED]  
Suffix: [REDACTED]

**PLEASE COMPLETE THE FOLLOWING SECTION**

Representative's Name Last: [REDACTED] First: [REDACTED] Middle: [REDACTED] Title: [REDACTED] Suffix: [REDACTED]

Permit/holder Name: [REDACTED]

Official Capacity: [REDACTED]

**ATTEST STATEMENT**

I, Carlos Martinez Ambulo (name of applicant/representative) do hereby instruct all law enforcement or criminal justice agencies, present and former employers or institutions with whom I or my businesses have a present or past business relationship, as well as all present or past social associates to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Additionally, I do release such individuals or entities from any and all liability due to the release of information requested.

[Signature]  
(If individual applicant - legal name and any nickname or alias in parentheses)

Applicant/Representative Signature: [Signature] Date: 1/28/23

**NOTARIZATION**

The foregoing application was sworn to and subscribed before me this 28 Day of Jan, 2023  
by Carlos Ambulo Martinez [Signature]  
Type or print name of applicant Signature of applicant

who is personally known to me as the [REDACTED] identification.

[Signature]  
Signature of person taking acknowledgment  
Notary Seal (Rubber Stamp and Expiration)

**MARTHA PACHECO**  
Notary Public - State of Florida  
Commission # 98418930  
My Commission Expires July 25, 2025

CM

INITIAL HERE

CM

[Signature]  
2/8/23

EXHIBIT #  
PAGE #

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Florida Gaming Control Commission

Licensing Administrator Review – PMW Occupational License

RE: **MARTINEZ, CARLOS- E# 2011966**  
 (APPLICANT'S NAME- LICENSE #)

Case No: \_\_\_\_\_

INITIAL APPLICATION RECEIVED:	12/22/2022
COMPLETE APPLICATION RECEIVED:	2/8/2023
<b>90-DAY DEADLINE:</b>	<b>5/9/2023</b>

**Miriam Achens**  
 Application Processor

**321 - Gulfstream Park**  
 Facility (d/b/a name)

**EXRD - Exercise Rider/ 1022**  
 Occupation/Job Title/ Lic Type

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				
<b>Conviction</b>				
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
2/8/2011	Broward Co, FL	Case 06211CF002375A88810 -Dealing in Stolen Property -Grand Theft in the 3 <sup>rd</sup> Degree	F2  F3	Adjudicated  Adjudicated
<b>Disposition Unknown</b>				
<input type="checkbox"/> Felony Arrest(s) :				
<input type="checkbox"/> Misdemeanor Arrest – Industry Related/Gambling Related/Bookmaking				
<input type="checkbox"/> Animal Cruelty				
<b>Enforcement/Jurisdiction Offenses</b>				
<input type="checkbox"/> Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction.				
<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"/> 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:		
<b>Licensing Administrator Review</b>				
<b>Disposition Confirmation</b>				
Disqualifying Convictions/Arrests Confirmed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Approval <input type="checkbox"/>				
Forward to	<input checked="" type="checkbox"/> Investigations	<input type="checkbox"/> Legal	<input type="checkbox"/> Director	Initials:  2/9/23
Comments:				

EXHIBIT # 5  
 PAGE # 5





FLORIDA'S CLERKS OF COURT  
AND COMPTROLLERS

Bring You  
**ccis** COMPREHENSIVE CASE  
INFORMATION SYSTEM

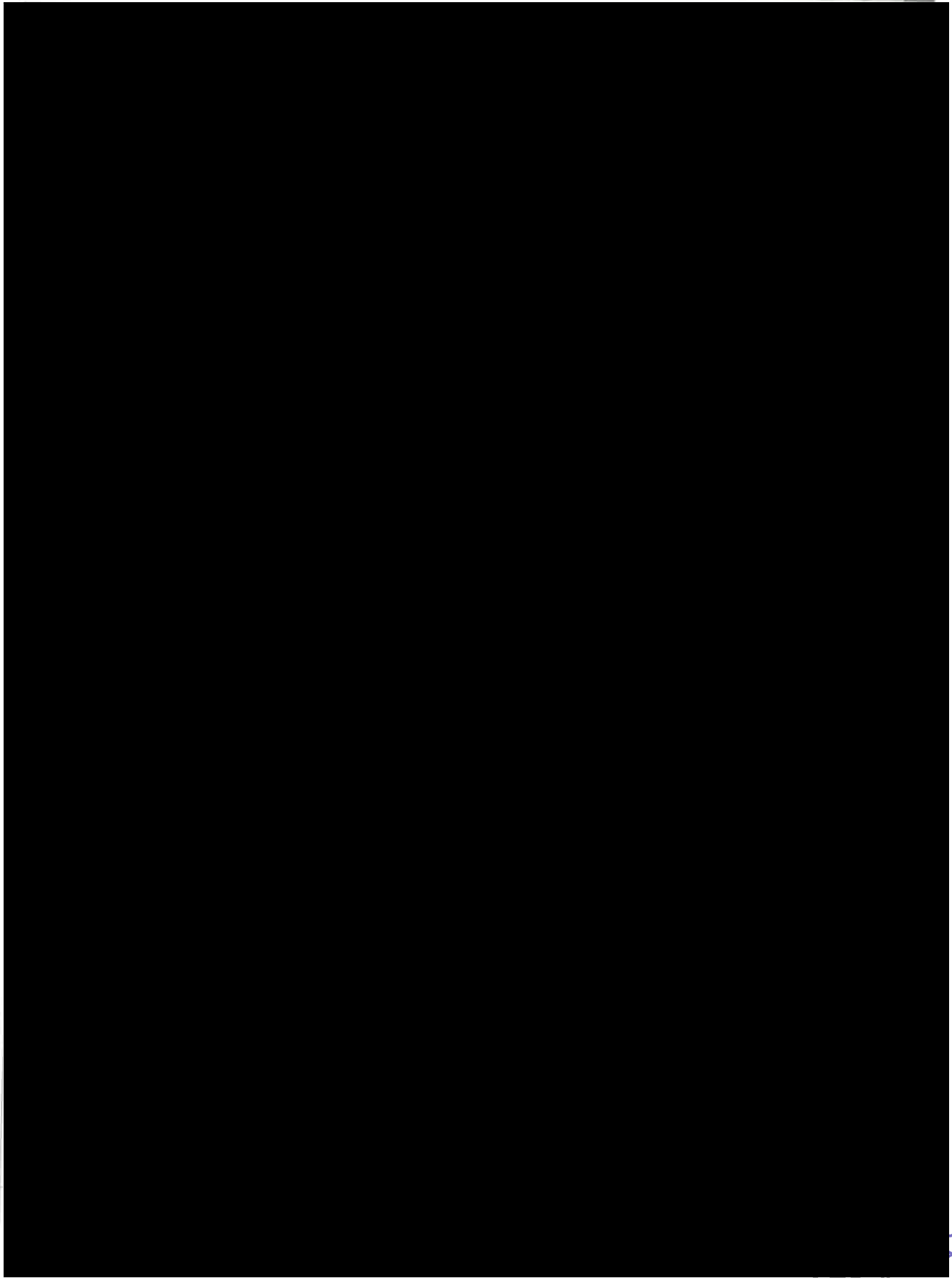




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licenses

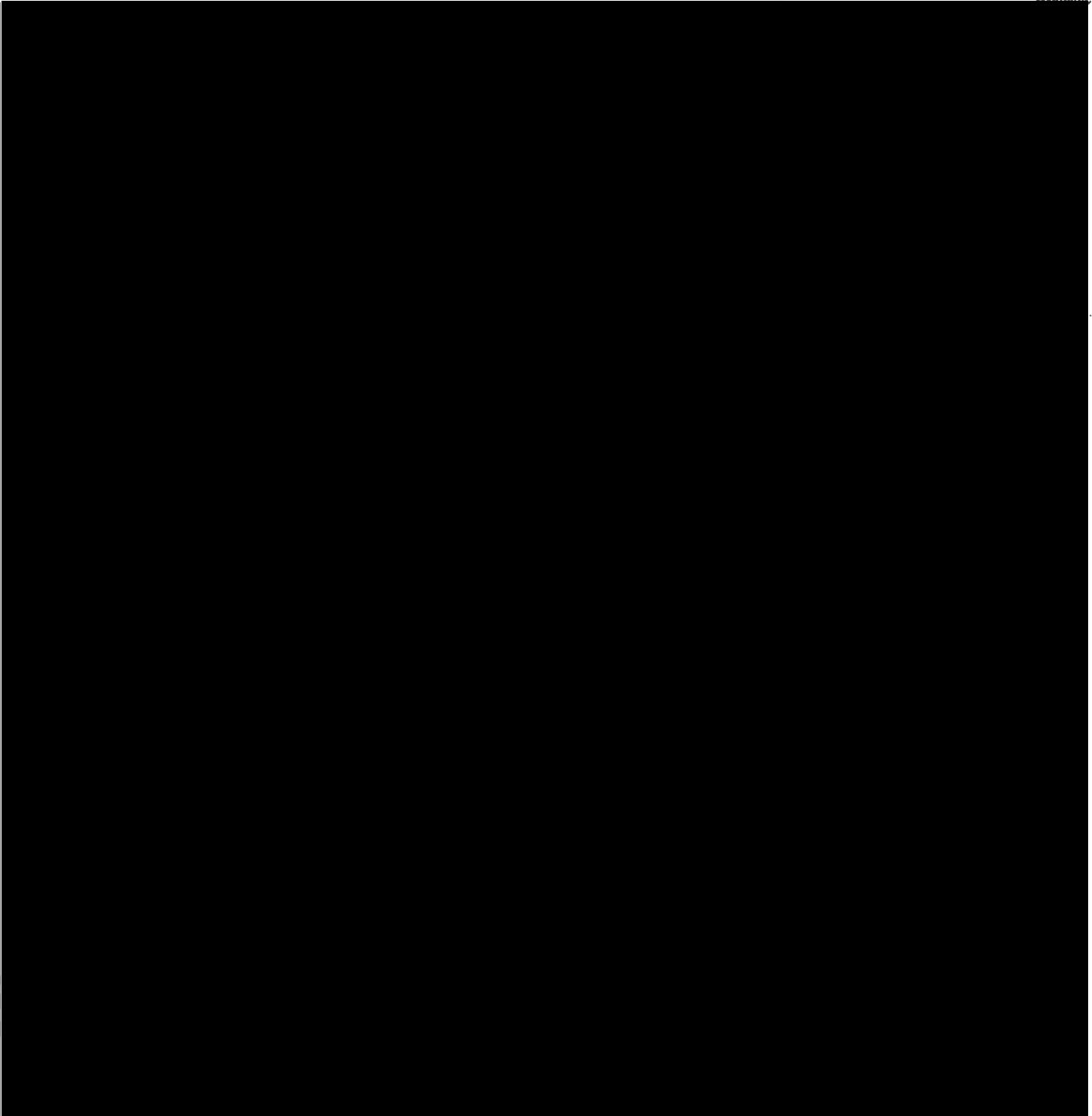


RECEIVED  
DEC 22 2022  
BY: .....

Licensee  
Search

Licensee: CARLOS MARTINEZ

No  
Picture  
Available





VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
---------	-------	--------	-------------	---------	------	------	------------	-------------	--------

Complaint Search Mass Status Update	Change Recording License Type Public Case Info	Delete Complaint	Mass Activity Update	Mass Discipline Update
--	---	------------------	----------------------	------------------------

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **icampbell**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type <b>1012 - Cardroom Employee Occupational</b>	Status <b>90 Closed</b>	Status Date <b>03/10/2023</b>
Complaint # <b>2023009161</b>	Case Type <b>CMP - Complaint</b>	Disposition
Docket#	Respondent <b>JAQSON, ANTHONY HEZEKIAH</b>	Responsible <b>rsamson - SAMSON, RANDA</b>
		<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source <b>LIC - Licensee</b>	Security Level <b>1</b>	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form <b>WALK - Walk-in</b>	Priority	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n <b>IIIB - Waivers</b>	Complexity <b>R - Regular</b>	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security <b>STND - Standard</b>	Incident <b>01/20/2023</b>	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region <b>CR - Central Region</b>	Received <b>02/14/2023</b>	<input type="checkbox"/> Inspection	
Reference		<input type="checkbox"/> Costs	
Entered <b>02/17/2023</b>	Entered By <b>Imuniz</b>	<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary <b>02/24/2023 - Waiver interview conducted ----- / ----- . 143-Daytona Beach Kennel Club, Inc.</b>		<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated <b>03/10/2023 15:49:04</b>	By <b>icampbell</b>	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>

<b>21</b>	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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Get Adobe Reader.

LICENSER



RECEIVED  
DEC 22 2022  
BY: ..... Licensee Search

# Licensee: CHARLIE MARTINEZ



## Reports on CHARLIE MARTINEZ

- Comprehensive Ruling Report
- Drug Ruling Report (Last 5 Years)
- Comprehensive Licensee Report

### Identification Information

Date of Birth [REDACTED] Federal ID/SSN [REDACTED]

Add a New Identification Record  
Country Sex

### Name Information

Name Type	Prefix	First Name	Middle Name	Last Name	Suffix
Current Legal Name		CHARLIE		MARTINEZ	
Previous Legal		CHARLIE		MARTINEZ	

Add a New Name Record

### Address Information

Address Type Street Address City State Zip Code

### Phone Information

Phone Number Type Phone Number

### License Information

License Number	License Type	Issued Date	Expiration Date	Licensing Commission
<span style="background-color: black; color: black;">[REDACTED]</span>	Exercise Person	5/22/2010	6/30/2011	Florida Division of Pari-Mutuel Wagering
	Exercise Person	5/13/2010	6/12/2010	Florida Division of Pari-Mutuel Wagering
	Exercise Person	7/11/2005	6/30/2008	Florida Division of Pari-Mutuel Wagering
	Exercise Person	2/24/2005	6/30/2005	Florida Division of Pari-Mutuel Wagering
1281910	Exercise Person	10/12/2001	1/31/2003	New York Racing & Wagering Board
*N*1151916	Exercise Person	10/12/2001	1/31/2003	New York Racing & Wagering Board
2011966	Other/OTB/Casino	2/16/2001	6/30/2001	Florida Division of Pari-Mutuel Wagering
*N*1111818	Miscellaneous/Permittee	2/16/2001	6/30/2001	Florida Division of Pari-Mutuel Wagering
00-1082-2011966	Unknown	11/23/2000	6/30/2001	Florida Division of Pari-Mutuel Wagering

Add a New License Record

EXHIBIT # 5  
PAGE # 10

**Fingerprint Information**

**Add a New Fingerprint Record**

Processing Commission

Date Taken

Status

Notes

RCI Card Submitted Date

Florida Division of Pari-Mutuel Wagering

11/23/2000

Unknown

Ruling Number

Ruling Type

Ruling Date

Fine

Fine Paid?

Suspension Start

Suspension End

**Applicable Reports**

Comprehensive Ruling Report

Comprehensive Licensee Report

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[Licenses](#) [Rulings](#) [Horse Tracking](#) [Bulletin Board](#) [Preferences](#) [Log Off](#)

EXHIBIT #  
PAGE #

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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: **Imuniz**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type	<b>1022 - Pari-Mutuel General Individual Occupational</b>	Status	<b>20 Under Investigation</b>	Status Date	<b>02/15/2023</b>
Complaint #	<b>2023008508</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent <b>MARTINEZ, CARLOS</b>	Responsible	<b>Ivira - VILA, LISA</b>		<b>Private Case</b>

Complaint | Respondent | Complainant | Add'l Info

Source	<b>LIC - Licensee</b>	Security Level	<b>1</b>	<input type="checkbox"/>	Parties	<input checked="" type="checkbox"/>	Activities
Form	<b>WALK - Walk-in</b>	Priority	<b>1</b>	<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Class'n	<b>IIIB - Waivers</b>	Complexity	<b>R - Regular</b>	<input checked="" type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Security	<b>STND - Standard</b>	Incident	<b>12/22/2022</b>	<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Region	<b>SR - Southern Region</b>	Received	<b>02/09/2023</b>	<input type="checkbox"/>	Inspection		
Reference				<input type="checkbox"/>	Costs		
Entered	<b>02/15/2023</b>	Entered By	<b>gricks</b>	<input type="checkbox"/>	Time Tracking		Auto Assign
Summary	<b>321 - Gulfstream Park Racing Association</b>			<input type="checkbox"/>	Attachments		History
Updated	<b>02/15/2023 10:56:57</b>	By	<b>gricks</b>	<input type="checkbox"/>	Work Notes		Print Report

Change | Save | OK | Cancel | Back

Get Adobe Reader.

**EXHIBIT # 3**  
**PAGE # 12**





## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Anthony Hezeliah Jaqson; Case No. 2023-009161; License Denial  
Date: April 26, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Anthony Hezeliah Jaqson's ("Applicant") application for a Cardroom Employee Occupational License. Applicant submitted a completed application for Cardroom Employee Occupational License on January 17, 2023, and applied for a waiver of his felony conviction. The Executive Director reviewed the file along with the waiver interview notes and declined to waive the felony conviction. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On January 17, 2023, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Cardroom Employee Occupational License. Upon review of the completed application, it appears the Applicant was convicted of a felony in the state of Florida. Specifically, the Applicant was convicted of Grand Theft in 2020.

Applicant applied for a waiver of the felony conviction and a waiver interview was subsequently scheduled. On February 24, 2023, Applicant attended the waiver interview which was submitted to the Executive Director of the Florida Gaming Control Commission for consideration. On April 10, 2023 the Executive Director declined to waive the felony conviction.

### *Relevant Law*

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.”

Section 550.105(5)(c), Florida Statutes, provides in pertinent part that:

“[i]f the applicant establishes that she or he is of good moral character, that she or he has been rehabilitated, and that the crime she or he was convicted of is not related to pari-mutuel wagering and is not a capital offense, the restrictions excluding offenders may be waived by the director of the commission.”

Rule 75-5.006(1), Florida Administrative Code, requires the applicant to submit Form DBPR PMW-3180, Request for Waiver, and schedule a waiver interview with the Office of Investigations. Failure to participate in a waiver interview or to disclose any pertinent information regarding criminal convictions shall result in a denial of the request for waiver.

Rule 75-5.006(2), Florida Administrative Code, provides that “[t]he applicant shall establish proof of rehabilitation and demonstrate good moral character.”

Staff Recommendation: Because the Applicant's disqualifying criminal conviction was not 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.

# ROUTING SLIP REQUEST FOR WAIVER

RE: JAQSON, ANTHONY HEZELIAH – 13428812  
(APPLICANT'S NAME – LICENSE #)


Case No: 2023 00 9161

1012 – Drop Team  
Occupation Code and Job Title

143- Daytona Beach Kennel Club  
Facility (d/b/a name)

**90-DAY RESPONSE DEADLINE:** April 17, 2023  
(DATE)

**Investigations Section:**

Reviewed by Steve Kogan  March 10, 2023  
(Initial & Date)

The attached "Request for Waiver" file has been reviewed for completeness and accuracy, and has been forwarded to the Licensing Section.

**Licensing Section:** Reviewed by: \_\_\_\_\_  
(Initial & Date) (Initial & Date)

Is the applicant currently under suspension, has unpaid fines, or has been refused a license by any gaming or racing jurisdiction?

Yes or  No If yes, in what jurisdiction? \_\_\_\_\_

**Executive Director:** \_\_\_\_\_  
(Initial & Date)

Prepare Waiver or  Prepare File for Commission Review

Comments: \_\_\_\_\_

**Investigative Findings:**

March 19, 2020 Volusia County Sheriff's Office, FL – Grand Theft (Motor Vehicle) – Felony – Pled Nolo Contendere – Adjudication Withheld on August 26, 2020 – Twelve (12) months' probation and pay \$718 in Court Cost and Fines - All fines paid.


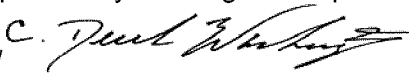

\*Please attach Routing Slip to front of case file

Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**WAIVER INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>CENTRAL</b>	Date of Complaint: <b>FEBRUARY 14, 2023</b>	Case Number: <b>2023 00 9161</b>
Respondent:  <b>JAQSON, ANTHONY HEZELIAH</b> <b>521 ELIZABETH PL.</b> <b>SOUTH DAYTONA, FL 32119</b> [REDACTED]		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING</b> <b>OFFICE OF INVESTIGATIONS</b> <b>1400 West Commercial Boulevard, Suite 165</b> <b>Ft. Lauderdale, Florida 33309</b>	
License # / Type: <b>13428812 / 1012</b>		Profession: <b>"DROP TEAM"</b>	Report Date: <b>March 1, 2023</b>
Period of Investigation: <b>FEBRUARY 14, 2023 – March 1, 2023</b>		Type of Report: <b>FINAL</b>	
<p>This investigation is based upon submission of Anthony Hezekiah <b>JAQSON'S</b> State of Florida Pari-Mutuel Wagering Occupational License Application dated December 14, 2022 and Waiver Request Form dated January 20, 2023. <b>(EXHIBIT #1)</b></p> <p>On December 14, 2022, <b>JAQSON</b> applied for a PMW Cardroom Employee Occupational License (1012) to work as a Drop Team member at Daytona Beach Kennel Club. On his application, he answered "YES" to the question, "Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you?" <b>JAQSON</b> disclosed a 2021 Felony conviction for Grand Theft in Volusia County, Florida. <b>(EXHIBIT #1)</b></p> <p>Upon receipt of <b>JAQSON'S</b> FDLE Criminal History Report, PMW Licensing sent him a deficiency letter on January 5, 2023 requesting that he provide the court disposition records for the following charge listed above.</p>			
Related Case:			
Investigations Specialist II / Date  /s/  Randa Samson / March 1, 2023		Approved by Investigator Supervisor / Date  /s/  C. Derek Washington / March 10, 2023	
Chief of Investigations / Date   Steven E. Kogan / March 10, 2023			

CONTINUATION

**CRIMINAL HISTORY**

Arrest 1					
<b>Date of Arrest:</b> 3/19/2020		<b>Arresting Agency:</b> Volusia County Sheriff Office, FL			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1	Grand Theft (Motor Vehicle)	Felony	Nolo Contendre	Adj Withheld	8/26/2020
2					
3					
4					

SENTENCE
Twelve (12) months' probation and pay \$718 in Court Cost and Fines. <b>EXHIBIT #2</b>

**Additional Information: All Fines paid in full**

Arrest 2					
<b>Date of Arrest:</b>		<b>Arresting Agency:</b>			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1					
2					
3					
4					

SENTENCE

**Additional Information:**

CONTINUATION

**CRIMINAL HISTORY**

Arrest 3					
Date of Arrest:		Arresting Agency:			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1					
2					
3					
4					

SENTENCE					

Additional Information:
-------------------------

Arrest 4					
Date of Arrest:		Arresting Agency:			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1					
2					
3					
4					

SENTENCE					

Additional Information:
-------------------------



CONTINUATION

**ADDITIONAL LICENSES**

	YES	NO
Has the Applicant ever possessed a Florida Pari-Mutuel Occupational License?		X
Does the Applicant possess an Occupational License from other jurisdictions?		X

<b>1. License Type:</b>				
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdiction:	
			YES	NO
Has License ever been suspended or revoked?				
Was any derogatory information received?				
Additional Comments:				

<b>2. License Type:</b>				
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdiction:	
			YES	NO
Has License ever been suspended or revoked?				
Was any derogatory information received?				
Additional Comments:				

<b>3. License Type:</b>				
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdiction:	
			YES	NO
Has License ever been suspended or revoked?				
Was any derogatory information received?				
Additional Comments:				

<b>4. License Type:</b>				
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdiction:	
			YES	NO
Has License ever been suspended or revoked?				
Was any derogatory information received?				
Additional Comments:				

CONTINUATION

**WAIVER INTERVIEW**

	<b>YES</b>	<b>NO</b>
Was a Waiver Interview Conducted?	<b>X</b>	
Date of Interview: February 24, 2023	Location of Interview: Daytona Beach State Office	
	<b>YES</b>	<b>NO</b>
Was the applicant cooperative?	<b>X</b>	
Additional Comments:		

**SUMMARY OF INTERVIEW:**

During **the JAQSON** interview, he explained that his 2020 felony conviction for Grand Theft was the result of him going thru a divorce, financial matters and medical issues. **JAQSON** stated he rented a car from a friend of a friend, but the car turned out to be stolen.

**JAQSON** now lives in South Dayton, Florida, with a friend and has turned to God and has a lot of spiritual faith. **JAQSON** also stated he has not been in trouble since his 2020 arrest. He further said that he's trying to work two jobs to get back on his feet.

**CONCLUSION:**

A check of the Association of Racing Commissioners International (ARCI) database showed no rulings against **JAQSON**.

**Case Status:** Investigations case closed and case forwarded to Licensing.

CONTINUATION

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DBPR PMW-3180 – Request for Waiver



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
www.myfloridalicense.com

RECEIVED  
FEB 13 PM 12:25

TO: Anthony Jackson  
Full Legal Name of Applicant

[Redacted]  
Date of Birth

Individual/Org. Number

If you are a new applicant to Florida and have been convicted of any felony; regardless of whether adjudication was withheld, or if you are renewing your pari-mutuel occupational license in Florida and have been convicted of any of the crimes listed below, you must first request and receive a waiver from the Division Director in order to receive a Florida Pari-Mutuel Wagering Occupational License or Cardroom License. Please check the appropriate box(es) below that best describes your situation:

For Pari-Mutuel and Cardroom Applicants:

- A conviction in this state, in any other state, or under the laws of the United States of a capital felony, a felony or an offense in any other state which would be a felony under the laws of Florida involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character. A felony or misdemeanor in this state, in any other state, or under the laws of the United States, if such felony or misdemeanor is related to gambling or bookmaking, as contemplated in Section 849.25, Florida Statutes, or involves cruelty to animals.
- Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction. Specify discipline and jurisdiction:
- New applicant to Florida who has been convicted of any felony, regardless whether adjudication was withheld.

For Cardroom Applicants Only:

- A misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, in this state or any other state, or under the laws of the United States.

If you choose to request a waiver, please sign this form below and return it with your completed application, license, and fingerprint fees. After an investigation is conducted, the Division Director will either grant or deny the request for waiver. You will be notified of the decision by mail at the address provided on your application.

UNTIL YOU ARE LICENSED:

- 1) You are not permitted to engage in any activity which requires a pari-mutuel occupational license or a cardroom license at any pari-mutuel facility in Florida. If you are found to be working without a license, you will be subject to arrest for trespassing and your waiver request may be denied.
- 2) You are forbidden from accessing any of the restricted areas of any pari-mutuel facility in Florida.

I hereby request a waiver for the situation(s) or conviction(s) noted above, and acknowledge that license and fingerprint fees are non-refundable in the event the waiver request is denied. I hereby acknowledge that my failure to participate in a waiver interview or to disclose any pertinent information regarding convictions, rulings, revocations, or denials from other jurisdictions will result in a denial of the request for waiver. I hereby waive the Section 120.60, Florida Statutes, timeline requirement regarding the processing of this application.

[Signature]  
Signature of Applicant

1.20.23  
Date

TO BE CONSIDERED FOR A WAIVER, APPLICANTS MUST COMPLETE FORM DBPR PMW-3195 – REQUEST FOR RELEASE OF INFORMATION AND AUTHORIZATION TO RELEASE INFORMATION, AND SCHEDULE A WAIVER INTERVIEW WITH THE OFFICE OF INVESTIGATIONS.



RECEIVED

2022 DEC 20 PM 12:15

TCN: 70CK84000000000040

RECEIVED  
DEC 14 2022

Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
DBPR PMW-3120 - Individual Occupational License Application

Instructions: Please review this application thoroughly and complete all sections that pertain to you and are not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION				
Social Security Number		Birth Date (MM/DD/YYYY)		Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female
Last Name		First	Middle	Suffix
Jagson		Anthony	Hezekiah	
Have you used, been known as, or called by another name (example - maiden name, pseudonym, nickname) or alias other than the name used on the application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
If yes, list the name or names used: <u>Anthony Mayhew</u>				
Race/Ethnicity (optional) <input checked="" type="checkbox"/> Black or African American <input type="checkbox"/> White or Caucasian <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Native American or Alaskan Native <input type="checkbox"/> Other				
Current Mailing Address			Email Address (optional)	
<u>521 Elizabeth Pl.</u>				
City	State	Zip Code (+4 optional)	Country, if other than USA	
<u>South Daytona</u>	<u>FL</u>	<u>32119</u>		
Primary Phone Number		Secondary/Cell Phone Number (optional)		
Current Street Address				
<u>Same as mailing</u>				
City	State	Zip Code (+4 optional)	Country, if other than USA	
Type of Occupational License applying for: <input type="checkbox"/> Part-Mutuel General Individual <input type="checkbox"/> Part-Mutuel Professional Individual <input checked="" type="checkbox"/> Cardroom Employee			Facility where employed and/or doing business:	
Occupation: <u>Drop tea</u>			<u>DB</u>	
Does your position require access to the Cardroom? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			Is this your first time applying for a racing/gaming license in Florida? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Are you a Supervisor, Manager, or Shareholder of a business with a pari-mutuel permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Do you own or lease animals intended for racing in Florida? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, complete the following: Stable Name, Kennel Name, or Business Name _____ Trainer Name (horse or grayhound racing only) _____				
TO BE COMPLETED BY DOCTORS, VETERINARIANS, NURSES, PARAMEDICS, AND EMTS ONLY				
Type of professional license (attach a copy of Florida professional license):			Florida License Number	
FOR DIVISION USE ONLY				
License Code <u>1012</u>	License # <u>13429812</u>	File # <u>14394</u>	App # <u>70865</u>	
Association Code <u>143</u>	Date Received <u>12/14/22</u>	Entered By <u>[Signature]</u>	License Year <u>22/23</u>	
License Fee <u>100.00</u>	FP Date <u>12/14/22</u>	FP Fee <u>[Signature]</u>	Total Fee <u>100.00</u>	
Off Temp	Waiver Requested	<u>ARCI</u>	<u>Enforcement</u>	Minor

**BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)**

- Yes  
 No Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?
- Yes  
 No Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or not guilty to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE
8/21	Volusia	FL	Grand theft	Felony	Adj. withheld

- Yes  
 No Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.
- Yes  
 No Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

A car I borrowed was found to be stolen

**PLEASE READ AND SIGN BELOW**

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension, or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or not guilty to any disqualifying offense, regardless of adjudication.

Signature of Applicant

Date 27 DEC 20 PM 12:15

RECEIVED



VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
---------	-------	--------	-------------	---------	------	------	------------	-------------	--------

License Search    Entity Search    Modify License Standing    Maintain License CE Control

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: **Imuniz**

VR Home > Complaint Search > License Search > License Home

<b>License</b> Fed Tax # [REDACTED]    Lic Type <b>1012 - Cardroom Employee Occupational</b> Expires On File # <b>14394</b> Name <b>Jaqson, Anthony Hezekiah</b> Extended To License #    Rank    Renewed On Entity # <b>13428812</b> Lic Status <b>Applicant</b>			<input type="button" value="Licensee"/> <input type="button" value="History"/> <input type="button" value="Notes"/> <input type="button" value="Notes History"/> <input type="button" value="Back"/>							
<b>Address</b> Street # <b>521</b> Street <b>ELIZABETH STREET</b> Line 2 Line 3 City <b>SOUTH DAYTONA</b> State <b>FL</b> Zip <b>32119</b> Routing										
<b>Other</b> 1st License Date    Rank Date    Certificate # Method --    Status Date    Certificate Date Fee Exempt <b>No</b> Birth Date [REDACTED]    Renewal Sent										
<b>Select</b> Action:  										
<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td colspan="4">No items found.</td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	No items found.			
Type	Modifier	Effective Date	Additional Info							
No items found.										
<b>Alt Keys</b> BEST LIC NBR										

Get Adobe Reader.



**7th. Judicial Circuit 707  
Charging Affidavit - Volusia**

Arrest # \_\_\_\_\_ Bk # \_\_\_\_\_ Pg # 1 of 3

ARREST <input checked="" type="checkbox"/> NOTICE TO APPEAR <input type="checkbox"/> AFFIDAVIT <input type="checkbox"/> C.C. <input type="checkbox"/> ADULT <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/>		Court Case Number: <b>2020 301498 CFDB</b>	
(ORI) FL: FL0640100		Agency Name: DAYTONA BEACH POLICE DEPARTMENT	
Agency Case Number: 200005425		Date Arrested: 03-19-2020	
FCIC/NCIC Check? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		OBTS # _____	
U.C.R. _____		Time of Arrest: 1843	
ADDRESS OF ARREST (Street, City, State, Zip): 600 block Earl Street DAYTONA BEACH FL 32118		Arrested By: Raynor, Jason	
ID Number: D80953		Sex: M Race: B	
<b>DEFENDANT</b>		NAME (Last) (First) (Middle) Jaqson Anthony Hezekiah	
DOB: _____		A.K.A.: _____	
Age: 29 Driver's Lic./ID No.: _____		State: FL Year Expires: 2027 S.S.#: _____	
Height: 5' 10 Weight: 140 Hair: BLK Eyes: BRO		P.O.B. (City, State, Country): Orlando FL Orange	
Scars, Marks, Tattoos: SC L ARM Scars Narc Related		Business & Occupation: _____	
Statement: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Citizenship: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Sexual Predator: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Address - Mailing/Permanent (STREET, APT. NUMBER) 500 Bill France Blvd		(CITY) (STATE) ZIP CODE RESIDENCE PHONE DAYTONA BEACH FL 32118	
Address - Local (STREET, APT. NUMBER)		(CITY) (STATE) ZIP CODE RESIDENCE PHONE	
Address - Other (Employer/School) (STREET, APT. NUMBER)		(CITY) (STATE) ZIP CODE BUS/SCHOOL PHONE	

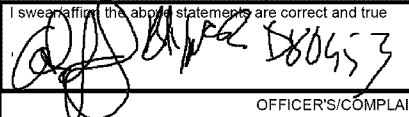
<b>CHARGES</b>		DOMESTIC VIOLENCE? Yes <input type="checkbox"/>		Attachments: Affidavit(s)? <input type="checkbox"/>		Statement(s) <input type="checkbox"/>		NTA Schedule <input type="checkbox"/>		Report <input type="checkbox"/>		Traffic Infraction(s) <input type="checkbox"/>		DUI <input type="checkbox"/>		Total Charges: 1	
#1	Charge: Grand Theft - Motor Veh. < \$100,000	FEL <input checked="" type="checkbox"/>	MISD <input type="checkbox"/>	ORD <input type="checkbox"/>	FS/ORD: 812.014(2)(C)6	Citation No.:		Bond: 2500									
#2	Charge:	FEL <input type="checkbox"/>	MISD <input type="checkbox"/>	ORD <input type="checkbox"/>	FS/ORD:	Citation No.:		Bond:									
#3	Charge:	FEL <input type="checkbox"/>	MISD <input type="checkbox"/>	ORD <input type="checkbox"/>	FS/ORD:	Citation No.:		Bond:									

<b>CO-DEFENDANT</b>		Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>				Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>			
#1	NAME (Last) (First) (Middle)	Race:		Sex:		DOB:		Age:	
#2	NAME (Last) (First) (Middle)	Race:		Sex:		DOB:		Age:	

**NARRATIVE** The undersigned certifies and swears that there is probable cause to believe the above-named defendant, on the 19 day of March, 2020, at approximately 0623  a.m.  p.m. at 600 block Earl Street DAYTONA BEACH within Volusia County, violated the law and did then and there:

1 have possession of a stolen vehicle in the presence of law enforcement.  
 2  
 3 On 03/19/2020 at approximately 1823 hours, I was in the 600 block of Earl Street, when I observed a dark in color BMW 2-door, bearing FL TAG  
 4 #EXYF16. Upon stating the license plate over the radio to VCSO dispatch, I was notified that the vehicle was reported stolen out of Daytona Beach  
 5 (Case #200005425). While setting up a perimeter on the vehicle, while conducting surveillance on the aforementioned vehicle, I observed a male  
 6 (who I know from prior interactions as Anthony Jaqson \*D1\*) looking around the vehicle. I then observed D1 Jaqson reach into the open driver side  
 7 window of this same vehicle. I then made contact with D1 Jaqson, who was detained without incident. D1 Jaqson said that the keys were in the  
 8 vehicle, and that there was a "For Sale" sign on the vehicle. Upon checking the VIN through VCSO Teletype (WBABD53494PD97066), which showed  
 9 the following results:  
 10  
 11 A 2004 BMW 2D, Dark Blue in Color, bearing FL TAG #EXYF16. This same vehicle was reported stolen on 03/19/2020 (under this same case #) from  
 12 the address of 218 South Caroline Street Apartment A. This status was confirmed through VCSO Teletype Operator Danhart #8128, with a hard copy  
 13 received.  
 14  
 15 I then read D1 Jaqson his Miranda Rights, utilizing a department issued card. D1 Jaqson advised he understood his rights, and would speak to law

<b>NOTICE TO APPEAR</b>		MANDATORY APPEARANCE <input type="checkbox"/>		YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/>		FINE, AND COSTS AMOUNT: _____	
I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED, I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED.							
SIGNATURE OF DEFENDANT _____				Date _____		RELATIONSHIP TO JUVENILE _____	
				SIGNATURE OF JUVENILE PARENT OR CUSTODIAN _____		JUVE DISP. CITATION No. _____	

Sworn to and subscribed before me, the undersigned this <u>19</u> day of <u>March</u> , <u>2020</u>		I swear/affirm the above statements are correct and true		Rt Thumb	
Name: <u>DC J JAMES 20183</u>				OFFICER'S/COMPLAINANT'S SIGNATURE	
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/>		PERSONALLY KNOWN <input checked="" type="checkbox"/> PRODUCED IDENTIFICATION <input type="checkbox"/>		NAME (PRINTED) ID NUMBER	
Type of Identification: _____		RAYNOR, JASON D80953		EXHIBIT #2 PAGE 1/16	
<b>OFFICIAL USE ONLY</b>		Inmate Number & Facility: _____			

Volusia

Notice to Appear Instruction Sheet
Follow these instructions according to the boxes checked.

Court Case Number:
Agency Case Number:

- Mandatory Court Appearance -- You MUST appear at COURT. You will receive a Notice of Arraignment from the County Clerk's Office at the mailing address you have given. Failure to appear at the time and place designated, will result in a warrant being issued for your arrest.
Court Appearance Not Mandatory -- You MUST comply with EITHER A or B:

PAYMENTS SHOULD BE MADE PAYABLE TO:
CLERK OF THE COURT.

A. Pay the Fine: You must complete the waiver information below and either mail or personally present this citation at the Clerk's Office checked below, from 8:00 a.m. to 4:30 p.m., Monday through Friday within 15 days of the issuance of this Notice to Appear. Fines may be paid in cash, personal check, money order or certified check made payable to: Clerk of the Court. (DO NOT MAIL CASH.)

Total fine and costs you must pay: \$

B. Contest the Citation: You MUST request that a court date be set within 15 days of the issuance of this Notice to Appear (if the 15th day falls on a Saturday, Sunday or legal holiday, the period is extended to the next working day) by either appearing between the hours of 8:00 a.m. and 10:00 a.m. at the Clerk's Office checked below, or by mailing your written request to the Clerk of the Court at the address checked below.

COUNTY CLERK'S OFFICES:

- Volusia County Courthouse, room B155, 101 N. Alabama Avenue, Deland, FL, 32724
Court House Annex, room 109, 125 E. Orange Avenue, Daytona Beach, FL, 32114
Volusia County Courthouse, room 6, 124 N. Riverside Drive, New Smyrna Beach, FL, 32169

I agree to appear at the time and place as designated above to answer the listed charge(s) or pay the fine and costs. I understand that if I willfully fail to request a court date and/or fail to appear before the court as required by this Notice to Appear, or fail to pay the indicated fine and costs on or before the date set forth above, I may be held in contempt of court and a warrant for my arrest will be issued.

DEFENDANT'S SIGNATURE (MANDATORY):

ATTENTION: PERSONS WITH DISABILITIES

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 125 E. Orange Avenue, Ste.300, Daytona Beach, FL 32114; Telephone: 386-257-6096 within two (2) working days of your receipt of this notice: If you are hearing or voice impaired, call 1-800-955-8771 or 1-800-955-8770. THIS IS NOT A COURT INFORMATION LINE.

Plea and Waiver Information

If this notice indicates that you have the option to pay a fine or appear in court and you choose to pay the fine, follow the instructions in paragraph A above. Read and sign this page. This page MUST be returned to the clerk's office with your fine payment.

- 1. In consideration of my not appearing in court, I enter my plea on the affidavit in this case, for the offense charged, waiving my right to be present and the reading of the affidavit. I understand the nature of the charge(s) against me and hereby enter my plea of guilty or nolo contendere (no contest).
2. In doing so, I understand the nature of the charge(s) against me, I understand that I waive my right to counsel, the right to a trial before a judge or jury, the right to a continuance, and the right to appeal. Payment of this fine will result in adjudication of guilt to this charge being withheld.
3. By my signature, I acknowledge that I understand the above statements. I am not under the influence of alcohol or drugs. I also certify that my address listed below is correct.

Defendant's Signature: Date:

Defendant's Name (print):

EXHIBIT #2
PAGE 2/16

Defendant's Address:

**Narrative Supplement 707-B**

Arrest  
 Affidavit  
 Notice to Appear  
 Adult  
 Juvenile

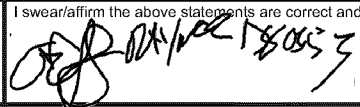
Court Case Number:

Defendant Name: Jaqson	(Last)	(First)	(Middle)	Agency Case Number: 200005425
------------------------	--------	---------	----------	-------------------------------

CHARGES	DOMESTIC VIOLENCE? Yes <input type="checkbox"/>	Attachments: Affidavit(s)? <input type="checkbox"/>	Statement(s) <input type="checkbox"/>	NTA Schedule <input type="checkbox"/>	Report <input type="checkbox"/>	Traffic Infraction(s) <input type="checkbox"/>	Total Charges: 1
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.:	Bond:		
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.:	Bond:		
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.:	Bond:		

16 enforcement. D1 Jaqson advised that he purchased the vehicle from a male he did not know, for approximately \$500. When I explained that the  
 17 vehicle was stolen, D1 Jaqson stated that he no longer wished to speak to law enforcement.  
 18  
 19 Upon conducting an inventory of the vehicle, a backpack with identification belonging to D1 Jaqson was discovered in the back seat. Also the keys  
 20 were in the ignition to this vehicle.  
 21  
 22 D1 Jaqson was placed under arrest at this time for Grand Theft Motor Vehicle.  
 23  
 24 While talking to D1 Jaqson's ex-wife (identified as Stevie Bechtel). Officer A. Dickens was shown numerous posts on a Facebook account, with the  
 25 name "Tony Jaqson". Additionally, this same Facebook had not only the same name as D1 Jaqson, but also the same aforementioned stolen vehicle  
 26 being pictured on the account. It appeared as though the Facebook account was attempting to sell the aforementioned stolen vehicle. Additionally,  
 27 there was a post from this same Facebook account, stating, "About to steal a car and shoot someone". A total of 6 photographs were taken of the  
 28 posts and a picture of the Facebook profile picture, clearly showing D1 Jaqson alone in the picture.  
 29  
 30 It should also be noted that earlier in the shift on 03/19/2020, I was dispatched to 209 Congress Avenue, in reference to a Trespasser. The call notes  
 31 advised that a known male (D1 Jaqson) was harassing Stevie Bechtel, and was operating a dark in color BMW. The call came out at 1743 hours  
 32 (Event #P200791956). Stevie Bechtel completed a sworn witness statement, advising that she saw D1 Jaqson as the driver of a dark in color BMW  
 33 passenger car during this incident.  
 34  
 35 D1 Jaqson had a medical complaint of chest pains while in my back seat, therefore he was transported to Halifax Hospital by EVAC 37, with me  
 36 following. D1 Jaqson was later transported to the Daytona Beach Police Department, and ultimately to the Volusia County Branch Jail.  
 37  
 38 AXON was utilized throughout this investigation.  
 39  
 40 The registered owner of the aforementioned vehicle (identified as Eugene Wass) responded to the scene and took custody of the vehicle.  
 41  
 42 Case cleared by arrest.

EXHIBIT #2  
PAGE 3/16

Sworn to and subscribed before me, the undersigned this <u>19</u> day of <u>March</u> , 2020 Name: <u>DECI DUNNE OUS 3</u>	I swear/affirm the above statements are correct and true  OFFICER'S/COMPLAINANT'S SIGNATURE RAYNOR, JASON D80953 NAME (PRINTED) ID NUMBER	Right Thumb
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:		

CLASSIFICATION: FELONY

STATE OF FLORIDA

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT, IN AND FOR VOLUSIA COUNTY, FLORIDA, IN THE YEAR TWO THOUSAND TWENTY

VS.

CASE NO: 2020 301498 CFDB

ANTHONY HEZEKIAH JAQSON

AGENCY: DBPD/200005425

B/M; DOB: [REDACTED] SS# [REDACTED]

INFORMATION

CHARGE(S):

I) GRAND THEFT (MOTOR VEHICLE)

R.J. LARIZZA, State Attorney for the Seventh Judicial Circuit of the State of Florida and as such prosecuting attorney for this Court, in the name of and by the authority of the State of Florida charges that:

COUNT I: ANTHONY HEZEKIAH JAQSON, on or about March 19, 2020 , in the County of VOLUSIA and State of Florida, did knowingly obtain or use, or endeavor to obtain or use a motor vehicle which was the property of EUGENE WASS, or any other person not the defendant(s), with the intent to permanently or temporarily deprive EUGENE WASS or any other person not the defendant(s) of the property or benefit therefrom or to appropriate the property to the use of ANTHONY HEZEKIAH JAQSON or to the use of any person not entitled thereto, contrary to Florida Statute 812.014(2)(c)6 and 812.014(1). (3 DEG FEL)

FOR THE STATE ATTORNEY

*[Handwritten Signature]*

JOSEPH LEDONNE  
Bar No. 101529  
ASSISTANT STATE ATTORNEY  
SEVENTH JUDICIAL CIRCUIT OF THE  
STATE OF FLORIDA  
251 NORTH RIDGEWOOD AVENUE  
DAYTONA BEACH, FL 321  
(386) 239-7710  
ESERVICEVOLUSIA@SAO.FL.GOV

FILED  
20 APR 14 AM 11:35  
CLERK OF THE CIRCUIT  
IN AND FOR VOLUSIA COUNTY,  
FLORIDA

COUNTY OF VOLUSIA

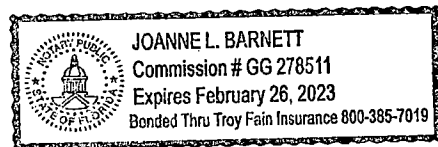
STATE OF FLORIDA

Personally appeared before me JOSEPH LEDONNE, Assistant State Attorney, for the Seventh Judicial Circuit of the State of Florida, known to me to be the foregoing prosecuting officer, who being duly sworn, says that the allegations set forth in the foregoing information are based upon facts that have been sworn to as true, and which, if true, would constitute the offense therein charged. Subscribed in good faith. Said facts based on testimony of material witnesses.

SWORN to and subscribed before me this 14 day of April, 2020.

Submitted to the Clerk of the CIRCUIT Court, Seventh Judicial Circuit, in and For VOLUSIA County, Florida, on the 14 day of April, 2020.

*[Handwritten Signature]*  
NOTARY PUBLIC AT LARGE  
STATE OF FLORIDA



IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT  
IN AND FOR VOLUSIA COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO: 2020 301498 CFDR

vs.

Anthony Jackson  
DEFENDANT

PLEA

1. I, Anthony Jackson, the defendant herein, withdraw my previously entered plea(s) of Not Guilty, and enter plea(s) as follows:

( ) Guilty (X) Nolo Contendere to Grand Theft, a 3 degree felony/misdemeanor

( ) Guilty ( ) Nolo Contendere to \_\_\_\_\_, a \_\_\_\_\_ degree felony/misdemeanor

2. I understand that if the Court accepts my plea(s) I give up my right to a trial, at which I would have the following rights: (1) to have a jury determine whether I am guilty or not guilty, or to have a judge make such a determination in a non-jury hearing; (2) to see and hear witnesses testify and to have my lawyer question them for me; (3) to subpoena and present witnesses and items in evidence in my defense and to present any defense I might have to a jury or judge; (4) to testify or remain silent; (5) to require the prosecutor to prove my guilt by admissible evidence beyond a reasonable doubt before I can be found guilty. I further understand that I give up my right to appeal all matters except court rulings entered after this plea is entered, an illegal sentence, or the court's authority (jurisdiction) to hear my case, and I agree to pay all costs and attorneys fees of any appeal which I attempt to pursue on any other subject. My lawyer has explained to me what an appeal is, and I understand that changing my mind about entering this plea, after it is accepted, will not require the court to let me withdraw it, nor will it make the court's sentence illegal or deprive the court of authority to sentence me.

3. I understand that a plea of "Not Guilty" denies that I committed the crime charged. I also understand that a plea of "Guilty" admits I committed the crime charged, a "Best Interest Guilty" plea and a plea of "Nolo Contendere" mean I do not contest the state's evidence against me. By entering the above plea(s) I am voluntarily submitting myself to the court's sentencing authority. I understand that if the court accepts my plea(s), there will be no trial, and the court will impose sentence based on my plea(s). I agree that a factual basis for the court to accept my plea(s) is contained in documents in the court file, including the complaint affidavit(s). I understand that if I am not a citizen of the United States, I may be deported. I understand that the court may impose monetary penalties/assessments to include fines, courts costs, restitution (if applicable) and/or other fees.

4. I have read the Information or Indictment in this case, and I understand the charges to which I am pleading. I stipulate that there is a factual basis described in court documents to support the charge(s) against me. My lawyer has explained to me: the maximum and minimum penalty(ies) for the charges against me, including enhanced sentencing laws for which the state has given my lawyer notice; the essential elements of the crime(s) I am charged with, and all defenses I might have. I understand that if I am on parole or probation in any other case, this plea can cause that parole or probation to be revoked and I can receive a separate sentence up to the maximum allowed by law for that (those) case(s).

5. No one has promised me anything to get me to enter this (these) plea(s), except as stated herein. My lawyer has not promised me that I will receive a specific sentence. The judge has made no promises as to what sentence I will receive, other than a lawful sentence. Unless the judge accepts this plea as a "conditional plea" and those words appear in the space below, the judge is not required to follow any state or defense recommendation regarding sentence. If I receive a sentence of probation, I may be required to serve time in the county jail as a condition of probation. The state recommends the following sentence:

WH, 12m Probation, METX and recommended  
treatment, No victim contact, no return to victim  
residence, \$100 prosecution, \$100 cot

**FILED**  
IN OPEN COURT  
AUG 26 2020

Clerk of the Circuit Court  
Volusia County, Florida

- 6. No one has pressured or forced me to enter this (these) plea(s). I am entering this (these) plea(s) because I am guilty of the crimes charged or I believe it is in my best interest to do so. I am doing this voluntarily and of my own free will.
- 7. I understand that my sentence will be imposed under the Sentencing Guidelines that apply to my case, unless I qualify for enhanced penalties under Chapter 775, Florida Statutes, or other statutes. If no enhanced sentence is requested or applies, I understand that the court can impose a sentence exceeding the guideline range only by stating clear and convincing reasons under the guidelines law. If the court imposes a sentence exceeding the guidelines range, I will have the right to withdraw my plea(s) or appeal the sentence, unless enhanced penalties apply and are lawfully imposed. No representations or promises have been made to me regarding "gain time," "good time," "early release," or any credit toward my sentence, which I understand the court and my lawyer cannot affect. Only the Department of Corrections can calculate a release date.
- 8. This paragraph applies if this or another case against me involves a sex-related charge (even if a reduced charge). My lawyer has explained the mandatory, statutory conditions of sex-offender probation, including the requirement to wear a GPS monitor at all times, and the law of involuntary civil commitment under the Involuntary Civil Commitment of Sexually Violent Predators Act, or similar statutes.

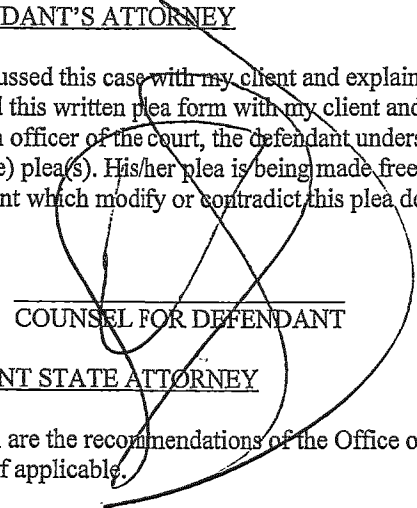
9. I understand and agree that if the judge permits me to remain at liberty pending sentencing, I must notify my lawyer, my bondsman and/or pretrial services officer (if any), and the Clerk of Court of any change of my address. I also understand that if a Pre-Sentence Investigation (PSI) is ordered and I fail to appear for an appointment with the Department of Corrections for the PSI interview, the court can revoke my release and place me in jail until the PSI is completed or until sentencing.
10. I understand that if I willfully fail to appear for sentencing, any conditions of a "conditional plea" will no longer be binding upon the judge, and that I may be sentenced to any lawful sentence that could be imposed without the conditions.
11. I can read, write, speak and understand the English language or have had an interpreter read this document to me in my native language with my lawyer present. I have 12 years, or equivalent, of education (example: high school or GED = 12 years). I am not under the influence of any drug, medicine or alcohol at the time I sign this plea form. I am not suffering from any mental problems at this time that affect my understanding of this document, other than as explained to the judge on the record in open court, or as reflected in the court file.
12. I have read and understand every printed or handwritten word in this plea form and have discussed it with my lawyer. I am fully satisfied with the services of my lawyer and have had ample opportunity to discuss this case and my plea(s) with my lawyer. I have told my lawyer everything I know about my case. No one, including my lawyer, has made any promises or representations to me which modify or contradict this plea document, other than what I have told the judge in open court.

SIGNED, or acknowledged, in open court in Volusia County, Florida on 8/26/2020 (Date)

  
 DEFENDANT

CERTIFICATE OF DEFENDANT'S ATTORNEY

I hereby certify that as counsel for the Defendant, I have discussed this case with my client and explained the rights, defenses and evidence relating to it with him/her. I have discussed this written plea form with my client and have answered all of his/her questions regarding it. In my professional opinion, as an officer of the court, the defendant understands everything in this plea form, his/her rights, and the consequences of this(these) plea(s). His/her plea is being made freely, voluntarily and knowingly. I have made no promises or representations to my client which modify or contradict this plea document.

  
 COUNSEL FOR DEFENDANT

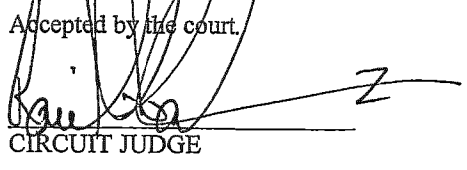
CERTIFICATE OF ASSISTANT STATE ATTORNEY

I confirm that the recommendations set forth in this plea form are the recommendations of the Office of the State Attorney. The State has complied with the Victim Rights statute, if applicable.

VIDEO  
 ASSISTANT STATE ATTORNEY

ORDER ACCEPTING PLEA

The foregoing plea document was received and accepted in open court. The Defendant signed, or acknowledged signing, this document while under oath and subject to the penalties of perjury. The court finds the plea to be freely and voluntarily entered and that a factual basis exists in the record for the court to accept it. By accepting this plea(s), the court is not required to follow any state or defense recommendation stated herein, unless a "Conditional Plea" is fully described in paragraph 5, above.

Accepted by the court.  
  
 CIRCUIT JUDGE

Revised: November 2012



STATE OF FLORIDA

IN THE SEVENTH JUDICIAL  
CIRCUIT COURT, IN AND FOR  
VOLUSIA COUNTY

-VS-

CASE NUMBER 2020-301498CFDB  
COUNT I

ANTHONY HEZEKIAH JAQSON  
Defendant

DC NUMBER N40876

Local Jurisdiction Identification Number: \_\_\_\_\_

**ORDER OF PROBATION**

This cause coming before the Court to be heard, and you, the defendant, being now present before the court, and you having

- entered a plea of guilty to
- been found guilty by jury verdict of
- entered a plea of nolo contendere to
- been found guilty by the court trying the case without a jury of

Count I GRAND THEFT, (MOTOR VEHICLE, A THIRD DEGREE FELONY)

**SECTION 1: JUDGMENT OF GUILT**

- The court hereby adjudges you to be guilty of the above offense(s).

Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld and that you be placed on Probation for a period of \_\_\_\_\_ under the supervision of the Department of Corrections, subject to Florida law.

**SECTION 2: ORDER WITHHOLDING ADJUDICATION**

- Now, therefore, it is ordered and adjudged that the adjudication of guilt is hereby withheld and that you be placed on Probation for a period of 12 months under the supervision of the Department of Corrections, subject to Florida law.

**SECTION 3: INCARCERATION DURING PORTION OF SUPERVISION SENTENCE**

It is hereby ordered and adjudged that you be:

- committed to the Department of Corrections for a term of \_\_\_\_\_ prison with credit for \_\_\_\_\_ jail time, followed by Probation for a period of \_\_\_\_\_ under the supervision of the Department of Corrections, subject to Florida law.
- or
- confined in the County Jail for a term of \_\_\_\_\_ with credit for \_\_\_\_\_ jail time. After you have served \_\_\_\_\_ of the term, you shall be placed on Probation for a period of \_\_\_\_\_ under the supervision of the Department of Corrections, subject to Florida law.
- or
- confined in the County Jail for a term of \_\_\_\_\_ with credit for \_\_\_\_\_ jail time, as a special condition of supervision.



**IT IS FURTHER ORDERED** that you shall comply with the following standard conditions of supervision as provided by Florida law:

- (1) You will report to the probation officer as directed.
- (2) You will pay the State of Florida the amount of \$waived per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes.
- (3) You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
- (4) You will not possess, carry or own any firearm. You will not possess, carry, or own any weapon without first procuring the consent of your officer.
- (5) You will live without violating any law. A conviction in a court of law is not necessary for such a violation of law to constitute a violation of your probation, community control, or any other form of court ordered supervision.
- (6) You will not associate with any person engaged in any criminal activity.
- (7) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
- (8) You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
- (9) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
- (10) You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
- (11) You will submit to random testing as directed by your officer or the professional staff of the treatment center where you are receiving treatment to determine the presence or use of alcohol or controlled substances.
- (12) You will submit a DNA sample, as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
- (13) You will submit to the taking of a digitized photograph by the department. This photograph may be displayed on the department's website while you are on supervision, unless exempt from disclosure due to requirements of s. 119.07, F.S.
- (14) You will report in person within 72 hours of your release from incarceration to the probation office in VOLUSIA County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 on the previous page is checked.) Otherwise, you must report immediately to the probation office located at 1023 Mason Avenue, Daytona Beach, FL 32117.

EXHIBIT #2  
PAGE 9/16

**SPECIAL CONDITIONS**

- 19. Pay **\$1 per month** during the term of probation or community control to supplement rehabilitative efforts through First Step Funds, pursuant to s. 948.039(2), F.S.
- 27. Other: This period of **Probation** is to run **CONCURRENT** with any active sentence.
- 29. Other: MENTAL HEALTH EVALUATION AND ANY RECOMMENDED TREATMENT**
- 30. Other: NO CONTACT WITH VICTIM**
- 31. Other: DO NOT RETURN TO VICTIM'S PROPERTY OR RESIDENCE**
- 32. Other: ELIGIBLE FOR EARLY TERM AT HALFWAY POINT IF NO VIOLATIONS**
- 33. Other: PAY FINES/COSTS ON PROBATION**

**Effective for offenders whose crime was committed on or after September 1, 2005**, there is hereby imposed, in addition to any other provision in this section, mandatory electronic monitoring as a condition of supervision for those who:

- Are placed on supervision for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older; or
- Are designated as a sexual predator pursuant to s. 775.21; or
- Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older.

**You are hereby placed on notice that should you violate your probation or community control, and the conditions set forth in s. 948.063(1) or (2) are satisfied**, whether your probation or community control is revoked or not revoked, you shall be placed on electronic monitoring in accordance with F.S. 948.063.

**Effective for offenders who are subject to supervision for a crime that was committed on or after May 26, 2010**, and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in s. 943.0435(1)(h)1.a.(l), or a similar offense in another jurisdiction, against a victim who was under the age of 18 at the time of the offense; the following conditions are imposed in addition to all other conditions:

(a) A prohibition on visiting schools, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. The court may also designate additional locations to protect a victim. The prohibition ordered under this paragraph does not prohibit the offender from visiting a school, child care facility, park, or playground for the sole purpose of attending a religious service as defined in s. 775.0861 or picking up or dropping off the offender's children or grandchildren at a child care facility or school.

(b) A prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas; wearing an Easter Bunny costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume; without prior approval from the court.

**Effective for offenders whose crime was committed on or after October 1, 2014**, and who is placed on probation or community control for a violation of chapter 794, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, in addition to all other conditions imposed, is prohibited from viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material unless otherwise indicated in the treatment plan provided by a qualified practitioner in the sexual offender treatment program. Visual or auditory material includes, but is not limited to, telephone, electronic media, computer programs, and computer services.

**YOU ARE HEREBY PLACED ON NOTICE** that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if

adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

**IT IS FURTHER ORDERED** that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody, and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

**IT IS FURTHER ORDERED** that you pay:  
**Court Costs, Fees, and Fines, as imposed at sentencing, in the total amount of: \$ 718.00**

Payments processed through the Department of Corrections will be assessed a 4% surcharge pursuant to s. 945.31, F.S. Pursuant to s. 948.09, F.S., you will be assessed an amount of \$2.00 per month for each month of supervision for the Training Trust Fund Surcharge.

- Court Costs/Fines Waived
- Court Costs/Fines in the amount of \_\_\_\_\_ converted to \_\_\_\_\_ community service hours
- Court Costs/Fines in the amount of \$\_\_\_\_\_ reduced to civil judgment.

**SPECIFIC INSTRUCTIONS FOR PAYMENT:** \_\_\_\_\_

**IT IS FURTHER ORDERED** that the clerk of this court file this order in the clerk's office and provide certified copies of same to the officer for use in compliance with the requirements of law.

**NUNC PRO TUNC 08-26-2020**

Done And Ordered on the \_\_\_\_\_ day of \_\_\_\_\_, 2020

9/1/2020 3:40 PM 2020 301498  
CFDB



e-Signed 9/1/2020 3:40 PM 2020 301498 CFDB  
CIRCUIT JUDGE

I acknowledge receipt of a certified copy of this order and that the conditions have been explained to me and I agree to abide by them.

Date: \_\_\_\_\_

\_\_\_\_\_  
Defendant

Instructed by: \_\_\_\_\_  
Supervising Officer

STATE OF FLORIDA  
I HEREBY ATTEST the following is a true copy  
of the original filed in this office. The  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
Clerk of Circuit and County Court

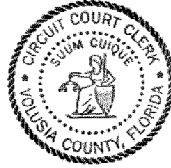
By \_\_\_\_\_  
Deputy Clerk

**Copies To:**

Counsel for the state:    \_\_\_ hand delivery open court    \_\_\_ U.S. Mail    \_\_\_ interoffice/hand delivery  
 Counsel for the defendant:    \_\_\_ hand delivery open court    \_\_\_ U.S. Mail    \_\_\_ interoffice/hand delivery

I do certify that a copy hereof has been furnished to counsel for the state and the defendant by the method indicated above, done this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

LAURA E. ROTH  
 CLERK OF CIRCUIT COURT



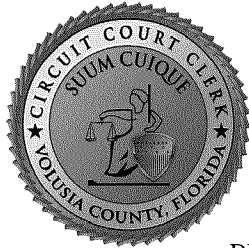
By: \_\_\_\_\_  
 Deputy Clerk

**COPIES TO:**

Counsel for the state: eService

Counsel for the defendant: eService

I do certify that a copy hereof has been furnished to counsel for the state and the defendant by the method indicated above, done this 2 day of September, 2020.



Laura E. Roth

CLERK OF CIRCUIT COURT

09/02/2020 07:21 AM 2020 301498 CFDB

*Laura Carilli*  
09/02/2020 07:21 AM 2020 301498 CFDB

09/02/2020 07:21 AM 2020 301498 CFDB

BY: Laura Carilli

eSigned: 09/02/2020 07:21 AM 2020 301498 CFDB

In The Circuit Court Seventh Judicial Circuit,  
In and For Volusia County, Florida

STATE OF FLORIDA  
v.  
ANTHONY HEZEKIAH JAQSON

Case No. 2020 301498 CFDB  
Division: 43

Defendant Address:  
521 ELIZABETH PLACE  
SOUTH DAYTONA, FL 32119

**Order/Final Judgment for Charges, Costs, & Fees**

SS # [REDACTED] (Costs are assessed by case)

The above named defendant is hereby ordered to pay the following sums, if checked:

**Mandatory Costs (Select one)**

- \$ 418.00 Felony Standard § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.06
- \$ 770.00 Felony Assault & Battery § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.08, 938.085, 938.06
- \$ 451.00 Felony Traffic § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 318.18(17), 318.18(13)(a), 938.06
- \$ 586.00 Felony DUI § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.07, 318.18(17), 318.18(13)(a), 938.06
- \$ 569.00 Felony Crime Agst.Minor § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.10(1), 938.06
- \$ 613.00 Felony BUI § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.07, 327.35(9), 938.06
- \$ 921.00 Felony Asslt/Battery-Minor § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.08, 938.085, 938.10(1), 938.06
- \$ 521.00 Felony Reckless Driv. § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 316.192, 318.18(17), 318.18(13)(a), 318.18(20), 938.06
- \$ 569.00 Felony Standard & Rape Crisis § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.085, 938.06
- \$ 720.00 Felony Crime Agst.Minor & Rape Crisis § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.10(1), 938.085, 938.06

**Additional Mandatory Costs (Select all that apply)**

- \$ 50.00 Indigency Application Fee/Public Defender § 27.52(2)(a)
- \$ 5000.00 Prostitution- Additional Civil Penalty § 796.07(6)
- \$ 500.00 BUI Refusal-Civil Penalty § 327.35215(1)
- \$ 100.00 Indigent Defense Cost/Fee (No less than \$100.00) § 938.29
- \$ 100.00 State Attorney Cost of Prosecution (No less than \$100.00) § 938.27
- \$ Mandatory Costs/Surcharges-Not Primary Offense §§ 938.08, and/or 938.085, and/or 938.10(1)

**Fines: (Select all that apply – Enter Amount)**

- \$ Fine & 5% surcharge § 316.193, 327.35, 775.083(1), 893.13, 893.135, 938.04
- \$ Fine (Crime result death/injury-not exceed \$10,000) § 775.0835(1), 938.04
- \$ Fine & 5% surcharge – Other (explain)

**Discretionary Costs: (Select all that apply – Enter Amount)**

- \$ 100.00 Drug Related – FDLE Operating Trust Fund § 938.055
- \$ Alcohol and Drug Abuse Additional Cost (up to amount of fine) § 938.21, 938.23
- \$ 100.00 Investigation Costs to Daytona Beach Police Department § 938.27
- \$ Other (explain)

**Restitution (Select one)**

- No restitution ordered.  Jurisdiction is reserved to determine restitution upon motion of the State.
- Restitution Ordered. To be paid in accordance with separate Restitution Order.

**Payment of charges, costs, and fees are due immediately and are payable to the Clerk of Court for Distribution unless otherwise noted :**

- A condition of probation/community control, payable to FL DOC, Probation & Parole, pursuant to probation/community control order.
- Due within \_\_\_\_\_ days following release from jail/prison and is payable to the Clerk of Court for distribution.
- Due within \_\_\_\_\_ days and is payable to the Clerk of Court for distribution.
- Convert costs, fines, and fees to Civil Judgment.

Unless payment is ordered as a condition of probation, it is further ordered that Judgment is hereby entered in favor of the State of Florida, and/or Clerk of Court, and victim(s) for the sum of the above amounts, together with interest at the lawful rate, for which let execution issue. (§ 55.10, 960.295, Fla. Stat.) **This judgment shall supersede any previous judgment that may have been entered against the defendant in the above referenced case only. Fines/Costs/Fees which remain unpaid for 90 days or more may be turned over to a collection agency for further action. Failure to pay as ordered may result in the suspension of your Florida Driver's License.**

DONE AND ORDERED in Volusia County, Florida, this 26 day of August, 2020.

CC: State Attorney  
Defense Counsel  
Probation & Parole (if applicable)

e-Signed 8/26/2020 5:09 PM  
RAUL A ZAMBRANO  
Judge

EXHIBIT #2  
PAGE 14/16

Officer E. Mays  
Office Location 077  
Judge/Division Raul A. Zambrano

STATE OF FLORIDA

VS

Anthony Hezekiah Jaqson  
Defendant

In the Circuit Court

Volusia County, Florida

DC No. N40876  
Docket/UC No. 2020-301498 CFDB

### **COURT ORDER TERMINATING PROBATION**

On 08/26/20, defendant was placed on probation for a period of 1 year. Having given due consideration to the court file and the argument of the parties, the court, on its own motion, has determined that defendant should be discharged from supervision by the Department of Corrections, and it is

**ORDERED** that defendant's Probation be terminated, that defendant shall be hereby released from Probation, and that proceedings on this case be terminated pursuant to section 948.04, Florida Statutes.

**Pro Se motion for early termination of probation: Granted**

**IT IS FURTHER ORDERED**, that the clerk of the court file this order in the official records of the court and provide certified copies of the order to the Department of Corrections for its use in carrying out its duties as required by law.

(nunc pro tunc 03/25/2021)

EXHIBIT #2  
PAGE 15/16

Done And Ordered on the      day of      , 2021

3/29/2021 10:59 AM 2020  
301498 CFDB



e-Signed 3/29/2021 10:59 AM 2020 301498 CFDB  
CIRCUIT JUDGE

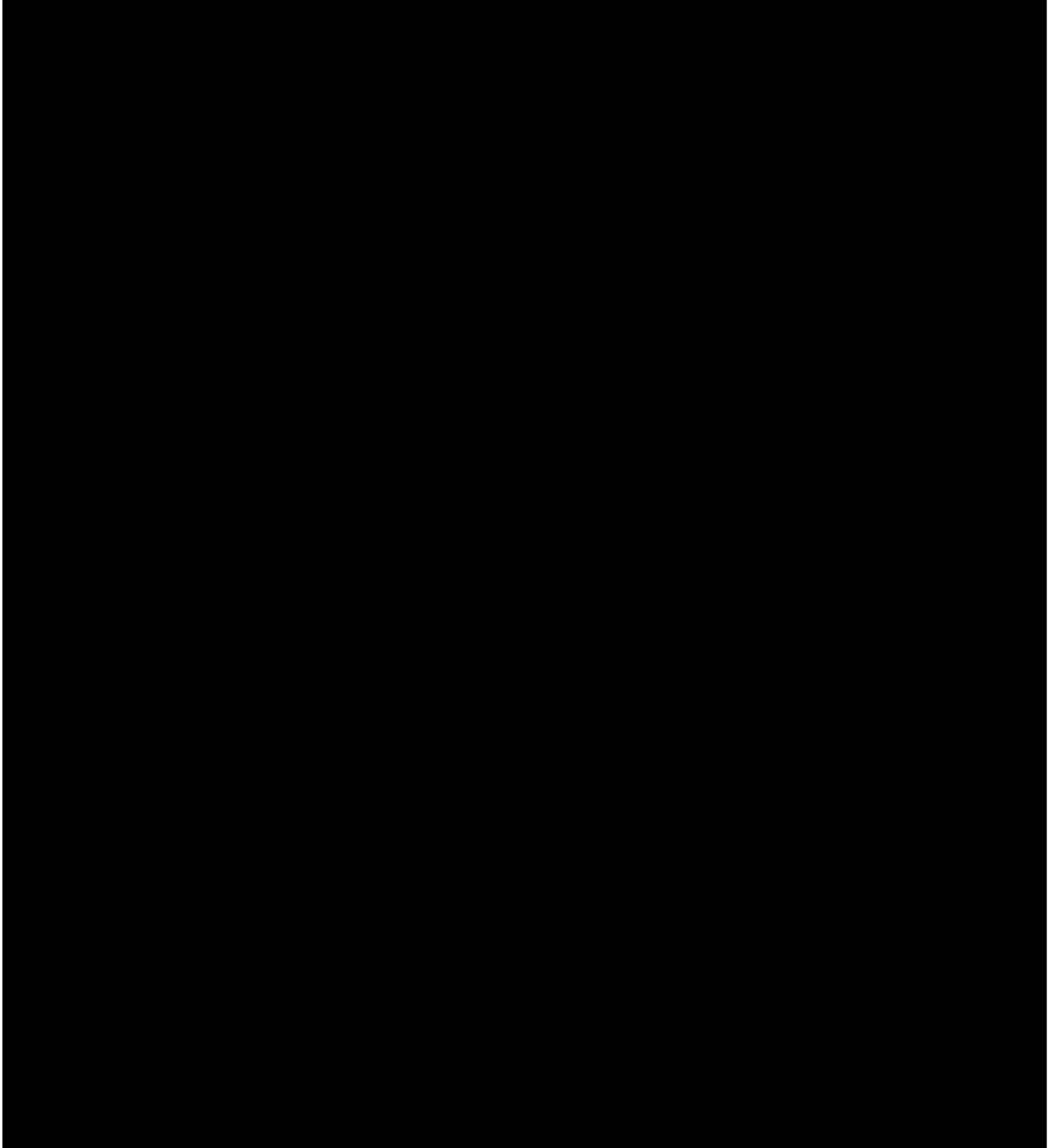
EXHIBIT #2  
PAGE 16/16



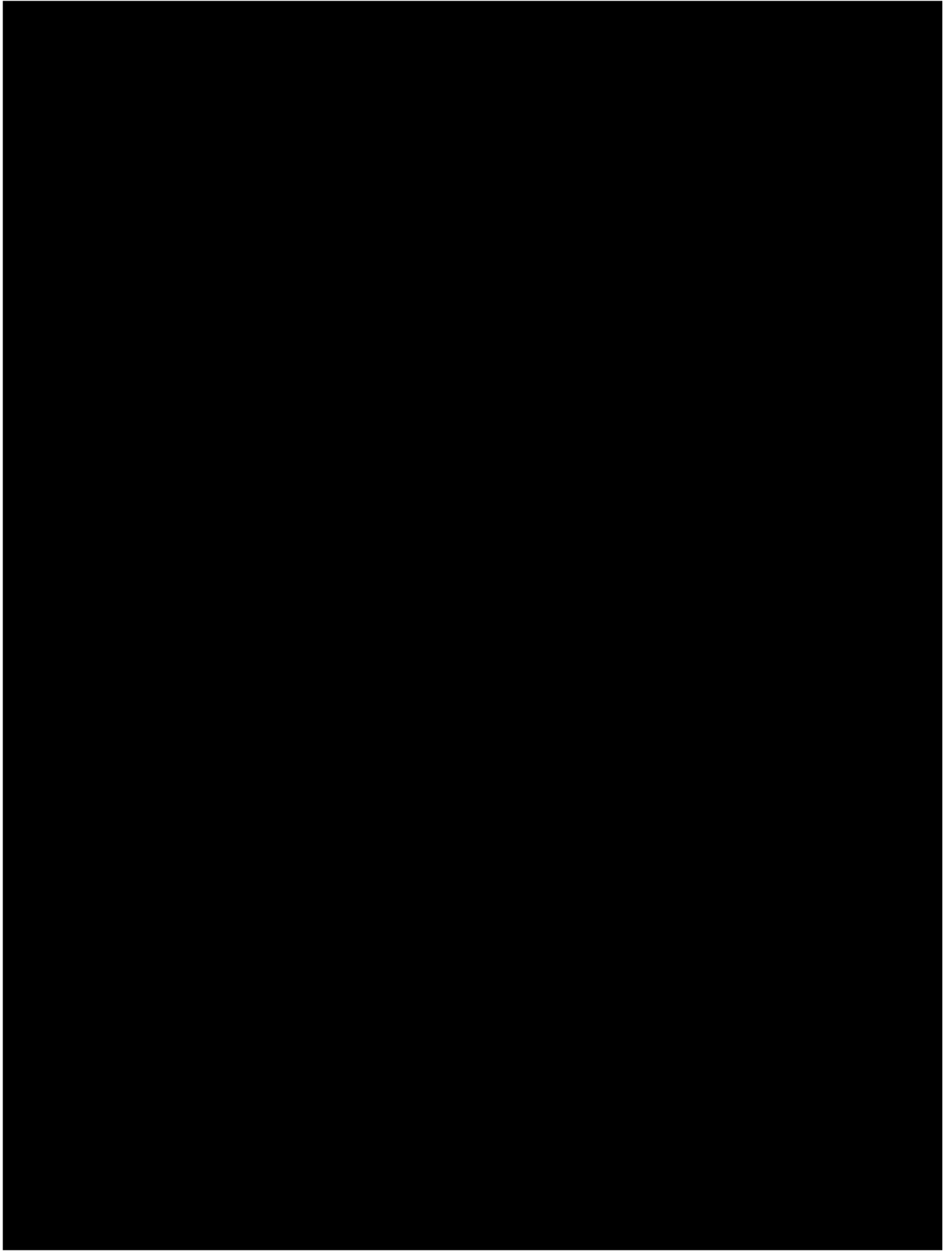
# FDLE Information Notification System

Sent Date: 12/14/22 7:01 PM    Purge Date: 6/12/23 7:01 PM    Mail Ref.No: ORG002044-7165810

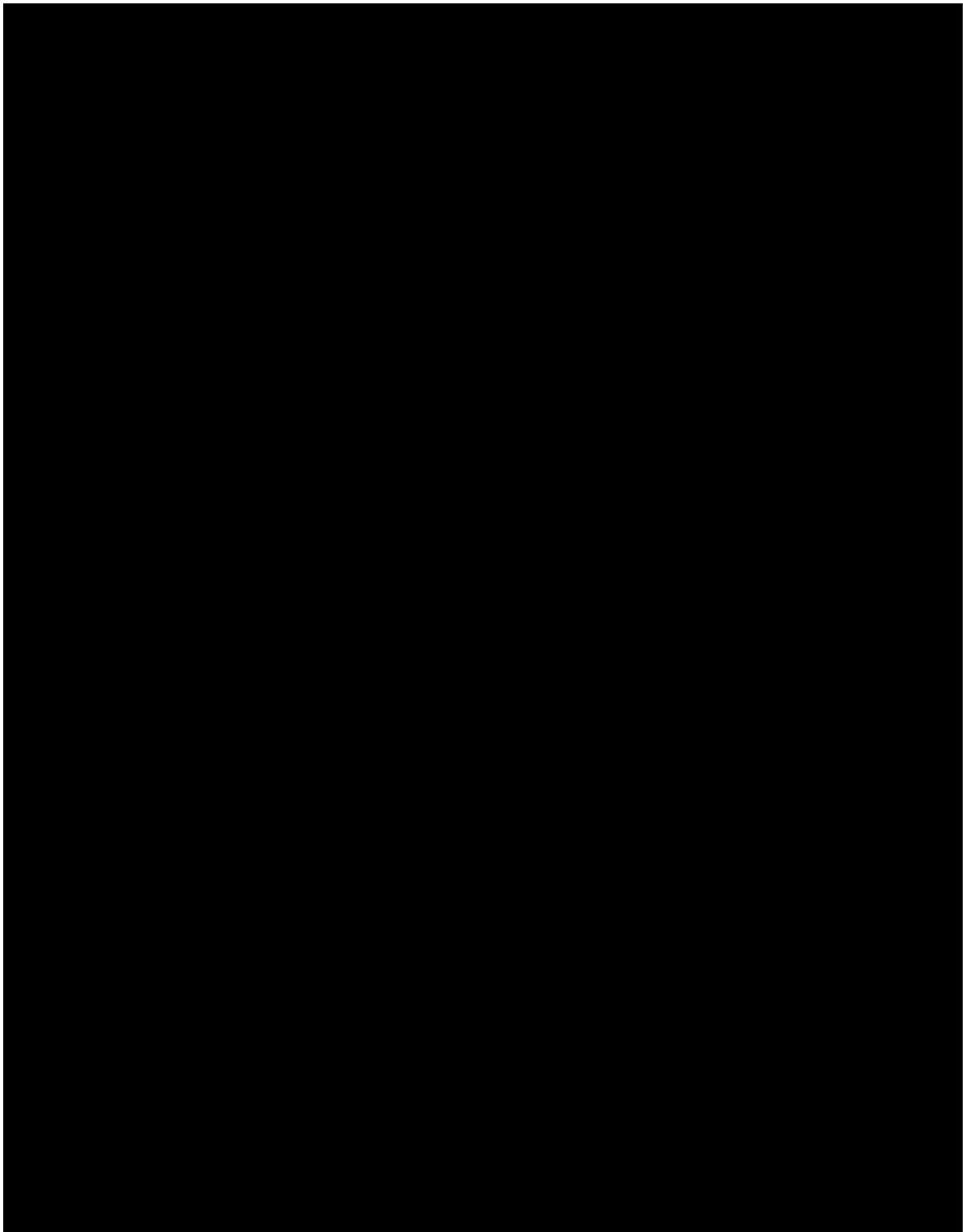
Subject : *Results of check for JAQSON, ANTHONY HEZEKIAH (70CK84000000000040)*



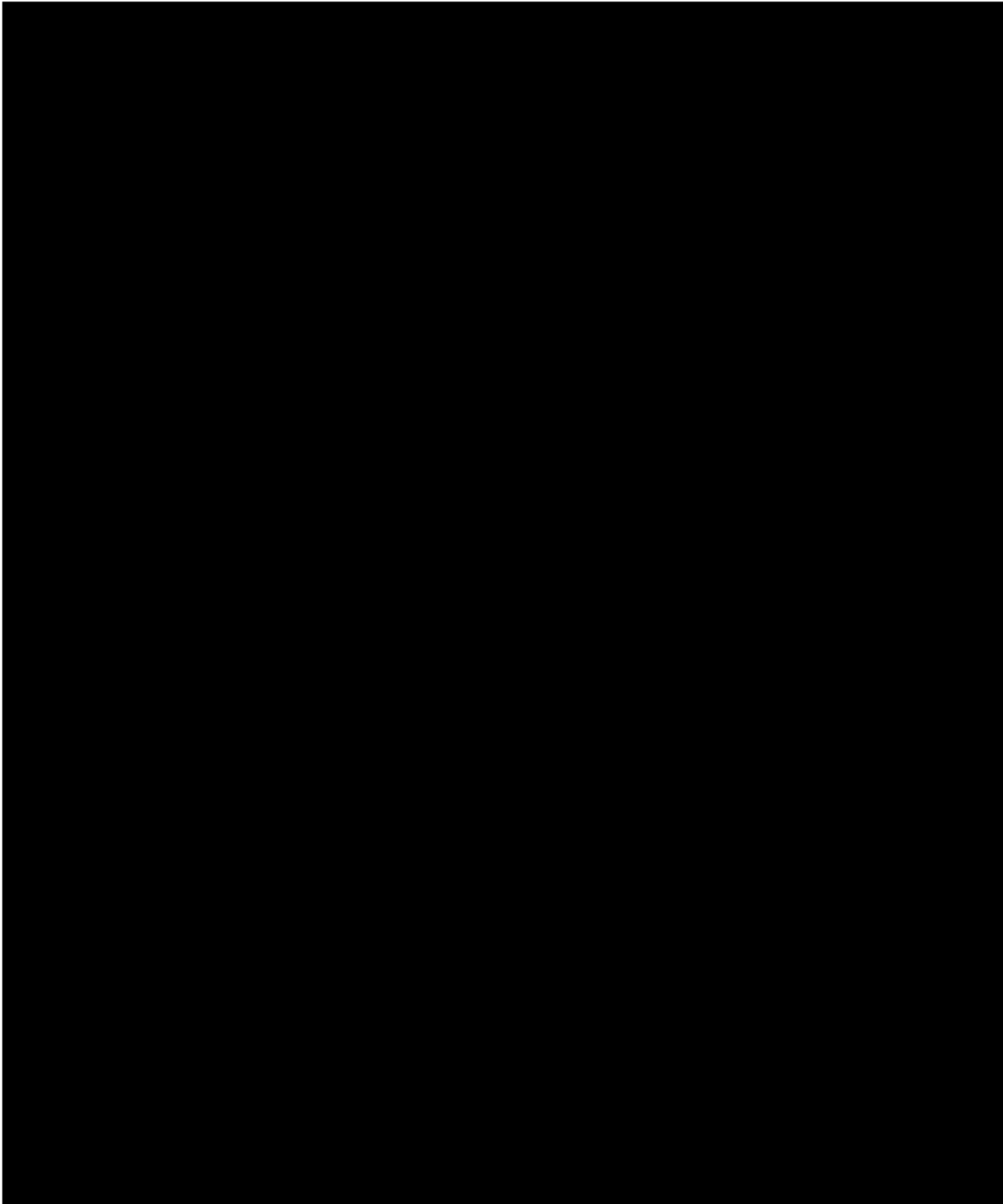
Subject : *Results of check for JAQSON, ANTHONY HEZEKIAH (70CK8400000000040)*



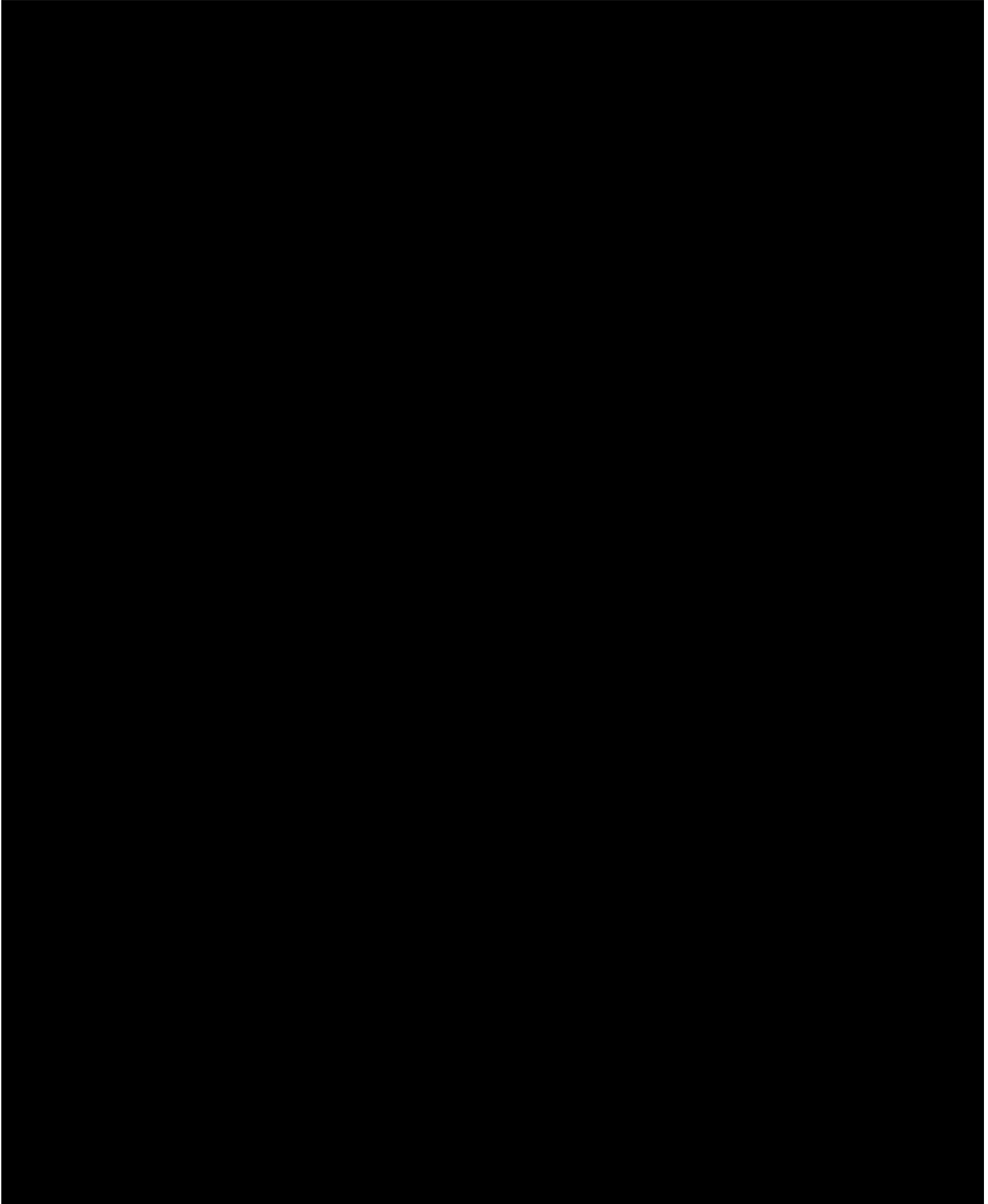
Subject : *Results of check for JAQSON, ANTHONY HEZEKIAH (70CK8400000000040)*



Subject : *Results of check for JAQSON, ANTHONY HEZEKIAH (70CK8400000000040)*



Subject : *Results of check for JAQSON, ANTHONY HEZEKIAH (70CK8400000000040)*



Subject : *Results of check for JAQSON, ANTHONY HEZEKIAH (70CK8400000000040)*

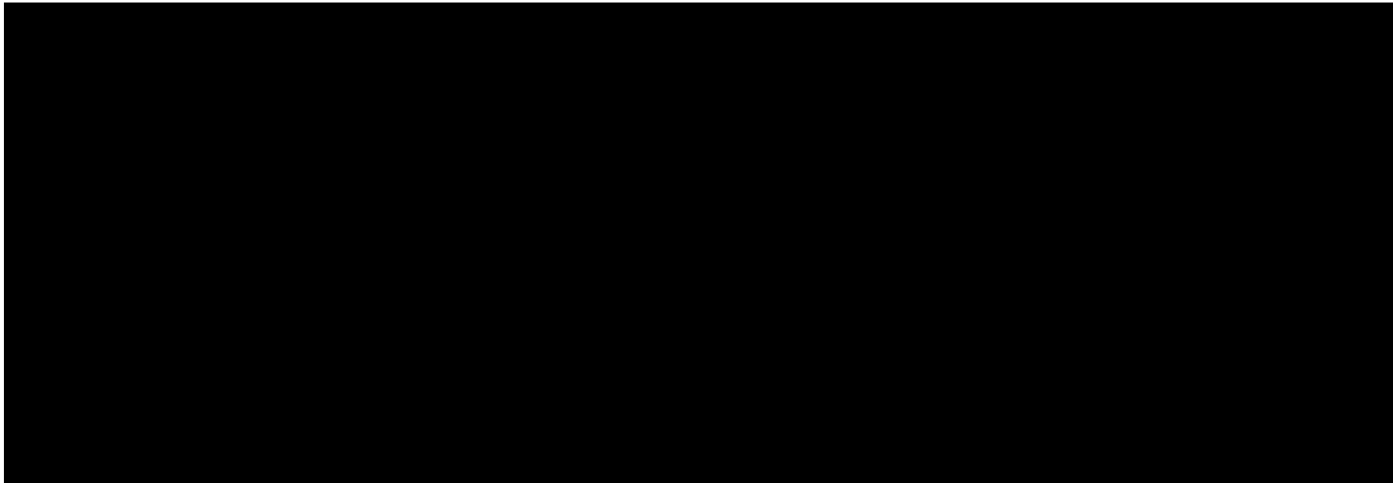
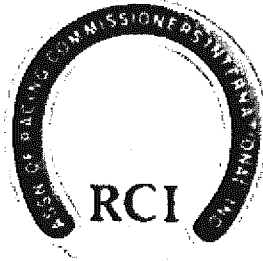


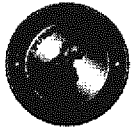
EXHIBIT #3  
PAGE 6/6



Page 1 of 1. 0 total matches.

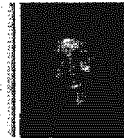
Search Parameters
Govt. Number: [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: jaqson
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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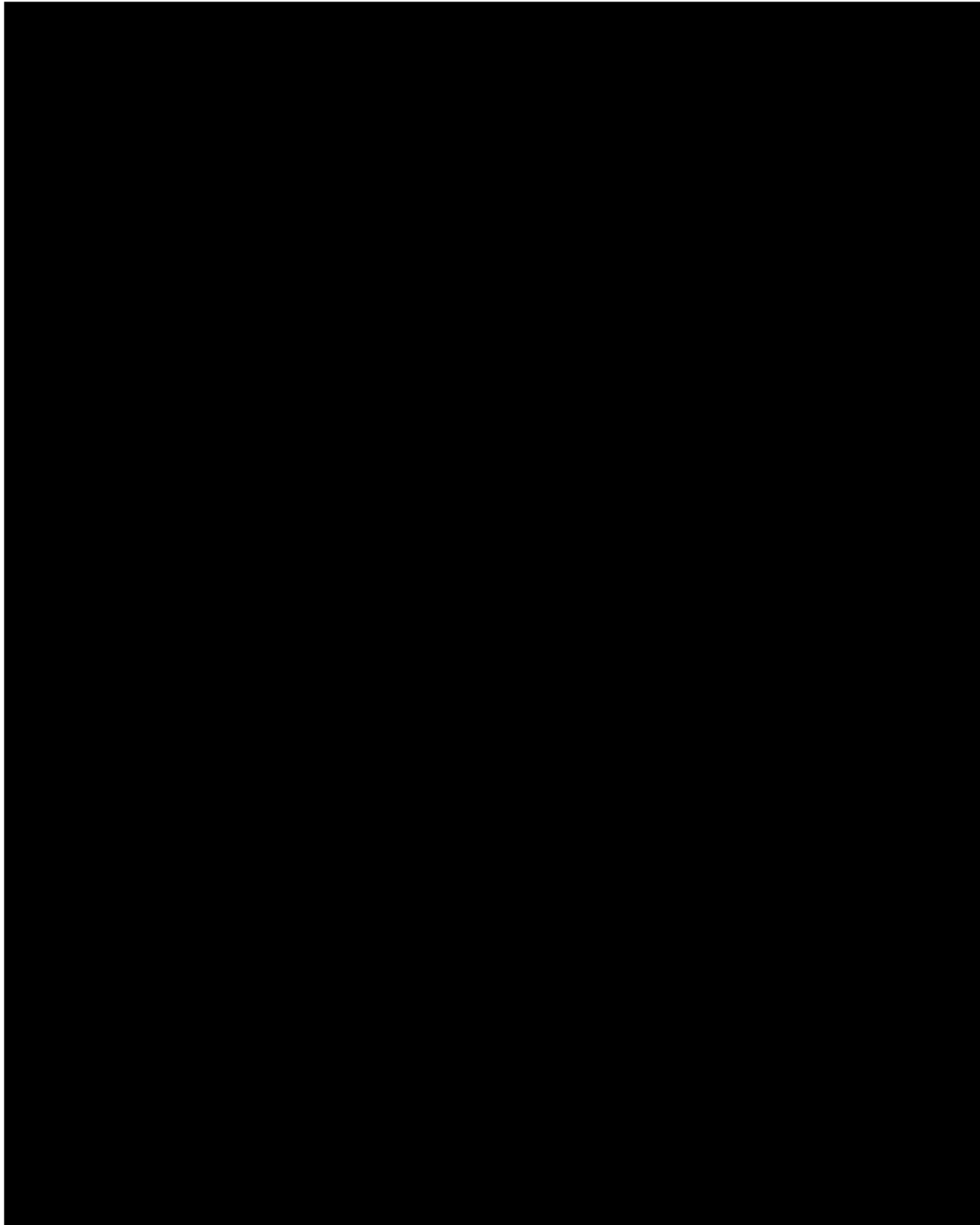
**VOLUSIA**  
COUNTY

**Laura E. Roth, Esq.**  
CLERK OF THE CIRCUIT COURT



FLORIDA'S CLERKS OF COURT  
AND COMPTROLLERS

Bring You  
**ccis** COMPREHENSIVE CASE  
INFORMATION SYSTEM







JOHN MACIVER, CHAIRMAN  
MICHAEL YAWORSKY, VICE CHAIR  
JULIE I. BROWN, COMMISSIONER  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER

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January 5, 2023

Mr. Anthony Hezekiah Jaqson  
521 Elizabeth Street  
South Daytona, Florida 32119

RE: Application No. 70862, Entity 13428812  
1012 - Cardroom Employee Occupational

Dear Mr. Jaqson:

Your application for an occupational license with the Office of Operations has been received. The item(s) checked below are either missing or require correction before the processing of your application can be completed:

- Application is incomplete: You must provide the court disposition records for the following charges:
  - Volusia County, Florida – 03/20/2020
- Note: If you cannot obtain the requested court disposition records, please submit a certified statement from the Clerk of Court for the relevant jurisdiction stating the status of records or that the records are not available. All aliases must be listed, if applicable
- Any individual or business applicant may request a waiver of disqualifying factors in an application that would otherwise be grounds for denial. DBPR PMW 3180 - Request for Waiver and DBPR PMW-3195 - Request for Release of Information and Authorization to Release Information (forms enclosed). The Division will process a request for waiver upon receipt of a complete application.

**To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.**

OFFICE OF OPERATIONS  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399

EXHIBIT #4  
PAGE 3/4

**If you fail to provide the Florida Gaming Control Commission with a complete application by 05/05/2022, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.**

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided above, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

CM  
Operations Analyst II



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Christopher Brown; Case No. 2023-017967; License Denial  
Date: April 26, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Christopher Brown's ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a completed application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on March 27, 2023. Upon review of the application, it appears Applicant has been convicted of felony crimes. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On March 27, 2023, 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 the Applicant was convicted of several felony crimes in the state of Florida. Specifically, the Applicant was convicted of the following:

- Battery of a Police Officer/Corrections/Firefighter in 2017; and
- Resisting an Officer with Violence in 2017.<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.

### *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

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<sup>1</sup> Applicant failed to disclose both criminal convictions on his application.

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.”

Rule 75-14.009, Florida Administrative Code, provides that:

“[t]he [commission] shall deny the application for a slot machine occupational license if a review of the application or the investigation of the applicant demonstrates . . . [t]he applicant has been convicted of any disqualifying offense under Section 551.107(6), F.S.”

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, and because Applicant was convicted of disqualifying offenses under section 551.107(6), Florida Statutes, the Florida Gaming Control Commission shall deny Applicant's application for a slot combination 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: **BROWN, CHRISTOPHER – 13538580**

Case No: **2023017967**

(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	3/27/2023
COMPLETE APPLICATION RECEIVED:	3/27/2023
<b>90-DAY DEADLINE:</b>	<b>6/25/2023</b>

**Randall Kitchens**  
 Application Processor

**910 – Tallahassee**  
 Facility (d/b/a name)

**1055 – Slot Technician**  
 Occupation/Job Title

Pursuant to Section 550.105(5)(a): The division may deny a license of any person who has been refused a license by any other state racing commission or racing authority; under suspension or has unpaid fines in another jurisdiction. The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

**Licensing Administrator Review**

**Conviction**

Did the application accurately reflect the Criminal History Record?  Yes  No

- Felony : 2 Count(s)
- Misdemeanor – Industry Related/Gambling Related/Bookmaking
- Animal Cruelty
- Forgery, Larceny Extortion, Conspiracy to Defraud (Cardroom Professions Only)

**Comments:**

Arrest Date	Location	Charge	Level	Disposition
07/13/2016	Miami Dade, Fl	Battery Pol Off/Corrections/FF F16014616A	F3	Adj Withheld
07/13/2016	Miami Dade, Fl	Resist Off W Violence to Person F16014616A	F3	Adj Withheld

**Disposition Unknown**

- Felony Arrest(s) :
- Misdemeanor Arrest – Industry Related/Gambling Related/Bookmaking
- Animal Cruelty

**Enforcement/Jurisdiction Offenses**

Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction.

**Related Licenses**

**Check VR License Relations to Determine if Applicant is Related to a Business.**

Is the individual applicant related to a business? Yes  No  **If yes, complete sections below.**

Business License Number: \_\_\_\_\_ Business Name: \_\_\_\_\_  
 Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes  No   
 Date Deficiency Letter Issued: \_\_\_\_\_ Initials: \_\_\_\_\_

**Licensing Administrator Review**

**Disposition Confirmation**

Disqualifying Convictions/Arrests Confirmed? Yes  No   Approval  
 Forward to  Investigations  Legal  Director Initials:  3/29/23

**Comments:**

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>03/29/2023</b>
Complaint #	<b>2023017967</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent <b>BROWN, CHRISTOPHER</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>03/27/2023</b>	<a href="#">Related</a>	<a href="#">Disposition</a>
Region	<b>NR - Northern Region</b>	Received	<b>03/27/2023</b>	<a href="#">Inspection</a>	
Reference				<a href="#">Costs</a>	
Entered	<b>03/29/2023</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 - 910 - Tallahassee.</b>			<a href="#">Attachments</a>	<a href="#">History</a>
Updated	<b>03/29/2023 13:15:27</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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**Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
DBPR PMW-3410 – Slot Machine Individual Occupational License Application**

**Instructions:** Please review this application thoroughly and complete all sections not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION			
Social Security Number		Birth Date (MM/DD/YYYY)	Gender <input type="checkbox"/> Male <input type="checkbox"/> Female
Last Name Brown	First Christopher	Middle	Suffix
Have you used, been known as, or called by another name (example – maiden name, pseudonym, nickname) or alias other than the name used on the application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If yes, list the name or names used: N/A			
Race/Ethnicity (check only one): <input checked="" type="checkbox"/> Black or African American <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Native American or Alaskan Native <input type="checkbox"/> White or Caucasian <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other			
Are you a United States citizen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, provide the name of the country of which you are a citizen: N/A			
Current Mailing Address 4832 Hawthorne Street, Apt. 3		Email Address (optional)	
City Philadelphia	State PA	Zip Code (+4 optional) 19124	Country USA
Primary Phone Number		Secondary/Cell Phone Number (optional)	
Current Street Address 4832 Hawthorne Street, Apt. 3			
City Philadelphia	State PA	Zip Code (+4 optional) 19124	Country USA
Type of Slot Machine Occupational License applying for: <input type="checkbox"/> General Individual <input type="checkbox"/> Professional Individual <input checked="" type="checkbox"/> Slot Machine/Cardroom/PMW Combination		Is this your first time applying for a racing/gaming license in Florida? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Job title(s)*: Technician		Facility where employed and/or doing business: Various Pari-Mutuel facilities	
*Applicants for a Combo license should disclose all job titles		Employer name: KGM Gaming, LLC	
<b>FOR DIVISION USE ONLY</b>			
License Code <u>1055</u>	License # <u>13538580</u>	File # <u>11343</u>	App # <u>40251</u>
Association Code <u>910</u>	Date Received <u>3/27/23</u>	Entered By <u>CH</u>	License Year <u>22/25</u>
License Fee <u>100.00</u>	FP Date <u>3/27/23</u>	FP Fee <u>37.25</u>	Total Fee <u>137.25</u>
Waiver Requested (Combo Only)		<u>ARC</u>	<u>Enforcement</u>

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**EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

**Yes**    Have you previously worked for a gaming-related employer?  
 **No**      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
KGM Gaming, LLC	2944 Samuel Drive Bensalem, PA 19020	9/2021 - present	Slot Tech Kurt Szombathy	N/A
Rivers Casino	1001 N. Delaware Avenue Philadelphia PA 19125	9/2019 - 9/2021	Slot Tech	Better Opp.
Horseshoe Casino	1525 Russell Street, Baltimore MD 21230	1/2015 - 1/2016	Slot Attendant	Better Opp.
Oceans Down Casino	10218 Racetrack Road Berlin, MD 21811	1/2014 - 1/2015	Slot Attendant	Better Opp.

**PREVIOUS LICENSING HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

**Yes**    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.  
 **No**

State(s) or Jurisdiction(s) Where Licensed	Date of Expiration	Is this license currently suspended or subject to fines or other discipline? Explain why.
See attached Gaming Licenses list.		<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

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**Yes**    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.  
 **No**

If you answered yes to the question above, provide details here:  
 N/A

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**CURRENT LICENSES OF CHRIS BROWN**

Name & Address of Licensing Agency/Organization (Including Country, State/Province, County or Municipality/Town)	Type of License, Permit, Approval or Registration	Date of Application	Disposition (Granted, Denied or Pending, Etc.)	License, Permit Approval or Registration Number	Expiration Date
Pennsylvania Gaming Control Board, 303 Walnut Street, Strawberry Square, 303 Walnut Street, Strawberry Square, Verizon Tower Harrisburg, PA 17101	Gaming License	transferred from previous email 9/14/2021	Granted	G-117029-1	9/5/2024
State of Connecticut - Department of Consumer Protection, 16 Capitol Avenue, Hartford, CT, 06106-1630	Vendor Employee	11/16/2021	Temporary Authorization Received 11/17/2021	For Mohegan Sun and Foxwoods - GSPT.0000123.F & GSPT.0000122.M	TEMP
West Virginia Lottery, PO Box 2067, Charleston, West Virginia	Service Technician	11/16/2021	Granted	CTR/ST-RTO#06916	6/30/2023
New York Gaming Commission - New York Lottery, 1 Broadway Center, Schenectady, NY, 12305	Technician	submitted Jan. 2022	Granted	CX8655836	temp (waiting on perm. license)
Maryland Lottery and Gaming Control Agency, Montgomery Business Park, 1800 Washington Boulevard, Suite 300, Baltimore, MD, 21230	Technician	submitted Jan. 2022	in review		NOT GETTING LICENSED for personal matters
Massachusetts Gaming Commission, 101 Federal Street - 23rd Floor, Boston, Massachusetts, 02110	Gaming Employee License	submitted Jan. 2022	Granted	GEL001127	7/31/2027
Arkansas Racing Commission Casino Gaming Section PO Box 1272, Little Rock, AR 72203 1816 West 7th Street - Room 1450 Little Rock, AR 72201	Technician	submitted Dec. 2022	Granted		12/1/2025
Division of Pari-Mutuel Wagering State of Florida, 1940 North Monroe Street, Tallahassee, FL 32309	Slot Business Employee				

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**BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  
 No  
 Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, or filing false reports to government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

Yes  
 No  
 Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the section provided below.

Date of Disposition	County	State	Offense	Misdemeanor or Felony?	Sentence
7/4/2003	Dover	DE	Disorderly Conduct	Misdemeanor	Paid Fines and probation
3/12/2012	Queen's Anne	MD	Possession of Marijuana	Misdemeanor	nolle prosequi and fines
7/23/2016	Doral	FL	Disorderly Conduct	Misdemeanor	Paid fines.

Yes  
 No  
 Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee? I work for KGM Gaming as slot tech. I have no financial interest in KGM Gaming.

Yes  
 No  
 Do you currently own or have a financial interest in a Florida licensed slot machine facility or in any business owned by a Florida licensed slot machine facility?  
 N/A

**ADDITIONAL INFORMATION**

N/A

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PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging the FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.


Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

**AUTHORIZATION FOR RELEASE OF INFORMATION:**

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation or the Florida Department of Law Enforcement.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

Christopher Brown  
\_\_\_\_\_  
Print Legal Name (First Middle Last)  
\_\_\_\_\_  
Social Security Number  
  
\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Birth Date (MM/DD/YYYY)  
KGM Gaming, LLC  
\_\_\_\_\_  
Name of Employer  
03/20/23  
\_\_\_\_\_  
Date

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STATE OF FLORIDA  
 DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 DIVISION OF PARI-MUTUEL WAGERING  
 www.myfloridalicense.com

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PERSONAL INFORMATION

Social Security Number/Federal Employer ID Number:

IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION

Last Name: **Brown** First: **Christopher** Middle: Title: Suffix:

Birth Date: (MM/DD/YYYY)

Name of Employer:  
**KGM Gaming, LLC**

IF BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION

Representative's Name: Last: First: Middle: Title: Suffix:

Business Entity Name:

Official Capacity:

ALL APPLICANTS PLEASE READ AND SIGN BELOW

I, **Christopher Brown**, do hereby instruct all law enforcement or criminal justice agencies to  
 (name of applicant/representative)  
 release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation or the Florida Department of Law Enforcement.

I, **Christopher Brown**, do hereby instruct all law enforcement, gaming commissions, tribal  
 (name of applicant/representative)  
 gaming regulatory agencies and/or commissions, state agencies and/or commissions responsible for gaming regulation or criminal justice agencies to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation or the Florida Department of Law Enforcement.

I further authorize any financial or public institution 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. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

**Christopher Brown**  
 (if individual applicant - legal name and any nickname or alias in parentheses)

Applicant/Representative Signature: *CBrown* Date: 3/20/23



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
[www.myfloridalicense.com](http://www.myfloridalicense.com)

APPLICATION CHECKLIST – IMPORTANT – Submit all items on the checklist below to ensure faster processing.

ALL License Applicants must submit:

- Completed Form DBPR PMW-3410 – Print clearly and complete all sections that are not optional in black or blue ink.
- Provide Identification – Required by Rule 61D-14.010, Florida Administrative Code.
  - Provide a copy of one of the items below:
    - US Passport
    - Certificate of US Citizenship or Naturalization
    - Permanent Resident Card
  - OR, Provide a copy of two of the items below:
    - Birth Certificate (Certified Copy)
    - Driver's License
    - Military ID Card
    - Student ID Card
    - Country ID Card
    - Foreign Passport
    - Government issued Credential
    - Immigration ID Card
- Additional Pages – If necessary to respond to any application questions. *N/A*
- Supporting Legal Documentation – If necessary to respond to background information questions in application.
- Three (3) Year Licensing Fee – Make checks or money orders payable to DBPR.
  - Slot Machine General Occupational License - \$100.00\* \*does not include fingerprint fee
  - Slot Machine Professional Occupational License - \$100.00\*
  - Slot Machine/Cardroom/PMW Combination Occupational License - \$100.00\*
- Fingerprints – Choose One Option:
  - Electronic Fingerprints: Electronic fingerprints must be submitted to the Division through a law enforcement agency or an FDLE approved Livescan Service Provider. Submit electronic fingerprints with the following ORI number: FL923230Z.  
 IMPORTANT: Electronic fingerprint processing fees must be paid directly to the law enforcement agency or FDLE approved Livescan Service Provider.
  - Fingerprint Card: Fingerprint cards (FD-258) can be mailed to applicants upon request by contacting the Division at the address or phone number below. Completed fingerprint cards must be mailed to the Division with your application.  
 IMPORTANT: Fingerprint card processing fees must be paid to the Division. Please see <http://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx> for the current fee amount.
  - Fingerprint Resubmission for Renewal and Upgrade Applicants: Applicants timely renewing or upgrading a license need only provide the Division a fingerprint resubmission processing fee. Visit our website or contact us for the current fee amount.  
 IMPORTANT: Timely submission of renewals must occur within one year of the expiration of applicant's license.

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Please mail your completed application, documentation and required fee(s) to:  
Department of Business and Professional Regulation  
Pari-Mutuel Wagering; Licensing Section  
2601 Blair Stone Road, Tallahassee, Florida 32399-1037  
Phone: 850.487.1395

**KGM Gaming, LLC/Operating Account**

**Department of Business & Professional Reg**

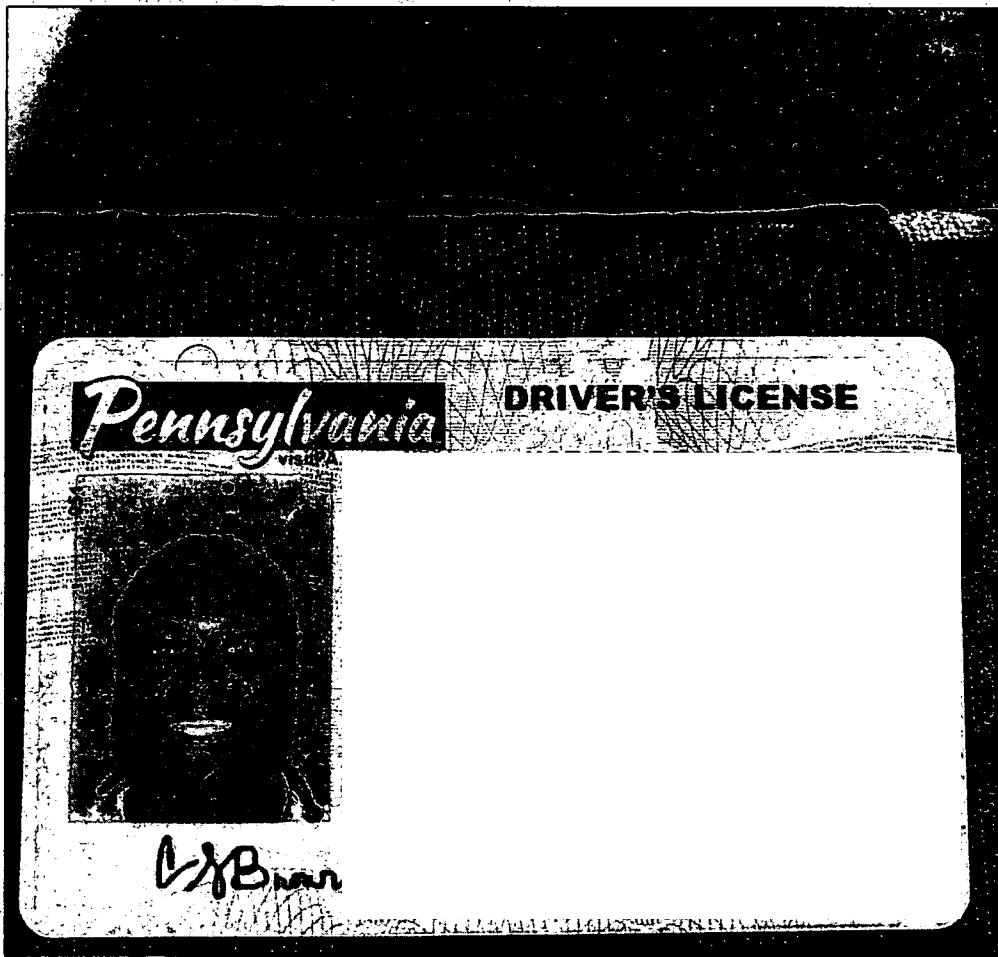
Date	Type	Reference	Original Amt.	Balance Due	3/20/2023 Discount	Payment
3/20/2023	Bill	KGM	137.25	137.25		137.25
					Check Amount	137.25

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Orrstown Bank - Chec KGM -Christopher Brown

137.25





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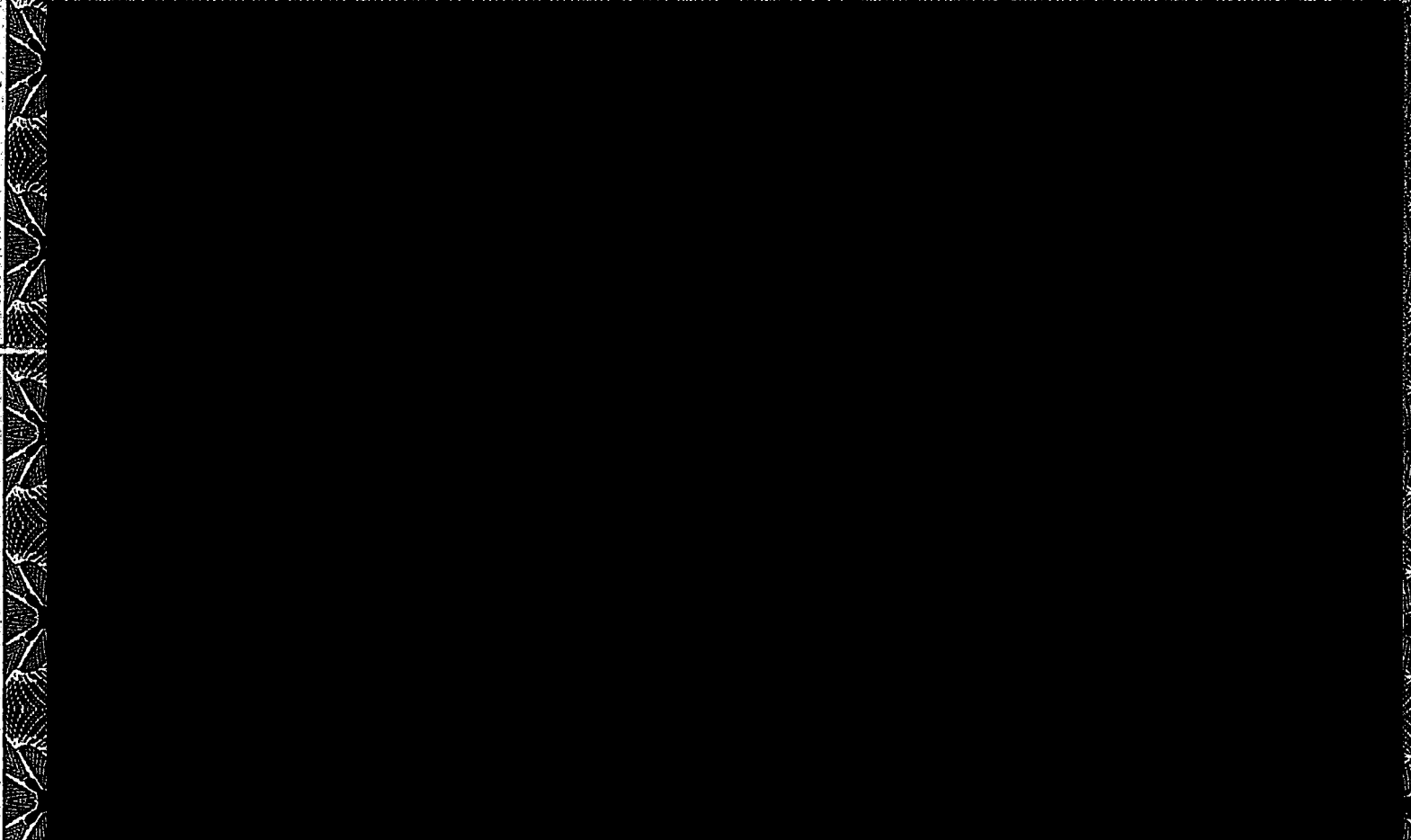
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COMMONWEALTH OF PENNSYLVANIA • DEPARTMENT OF HEALTH  
VITAL STATISTICS

*Certification of Birth*



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March 20, 2023

DBPR-PMW  
Attn: Licensing  
2601 Blair Stone Rd.  
Tallahassee, Florida, 32399-1037

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Re: KGM - Employee License Application - Christopher Brown

To Whom It May Concern:

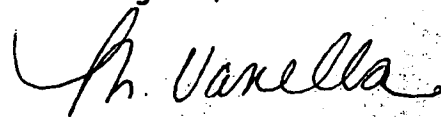
Enclosed please find the license application materials for KGM's technician, Christopher Brown.

Enclosed are the following items:

- Completed Slot Machine Individual Occupational License Application;
- Fingerprint card; and
- (1) Check in the amount of \$137.25 made payable to "DBPR".

Kindly let me know if you need anything else or have any questions regarding the enclosed.

Regards,



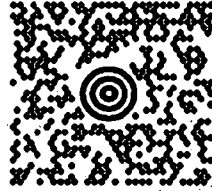
Melissa Vanella  
Compliance Officer

MELISSA ZICCARDI  
2672384914  
KGM GAMING  
2944 SAMUEL DRIVE  
BENSALEM PA 19020

1 LBS

1 OF 1

**SHIP TO:**  
PARI-MUTUEL WAGERING  
9542026791  
DBPR LICENSING  
2601 BLAIR STONE ROAD  
**TALLAHASSEE FL 32399**

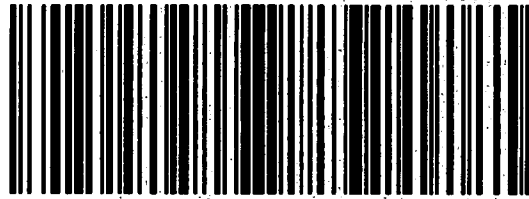


**FL 323 0-01**



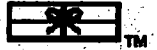
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BILLING: P/P

Reference No.1: Brown (C) - Initial app and fees



XOL 23.02.02 NV45 12.0A 03/2023\*

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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: **charris**

VR Home > Complaint Search

Search Criteria	Results
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Case Type	Complaint #	Status	Reference	Incident	Respondent	Complainant	Lic Type	Public Case	View	Process
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No items found.

Total: 0

Print	Back
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 Get Adobe Reader.



Page 1 of 1. 0 total matches.

<b>Search Parameters</b>
<b>Govt. Number:</b> [REDACTED]
<b>Date of Birth:</b>
<b>First Name:</b>
<b>Middle Name:</b>
<b>Last Name: BROWN</b>
<b>Sex:</b>
<b>Commission:</b>
<b>License Type:</b>

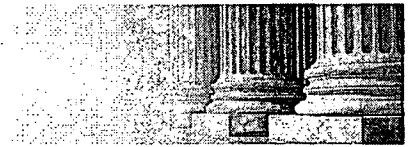
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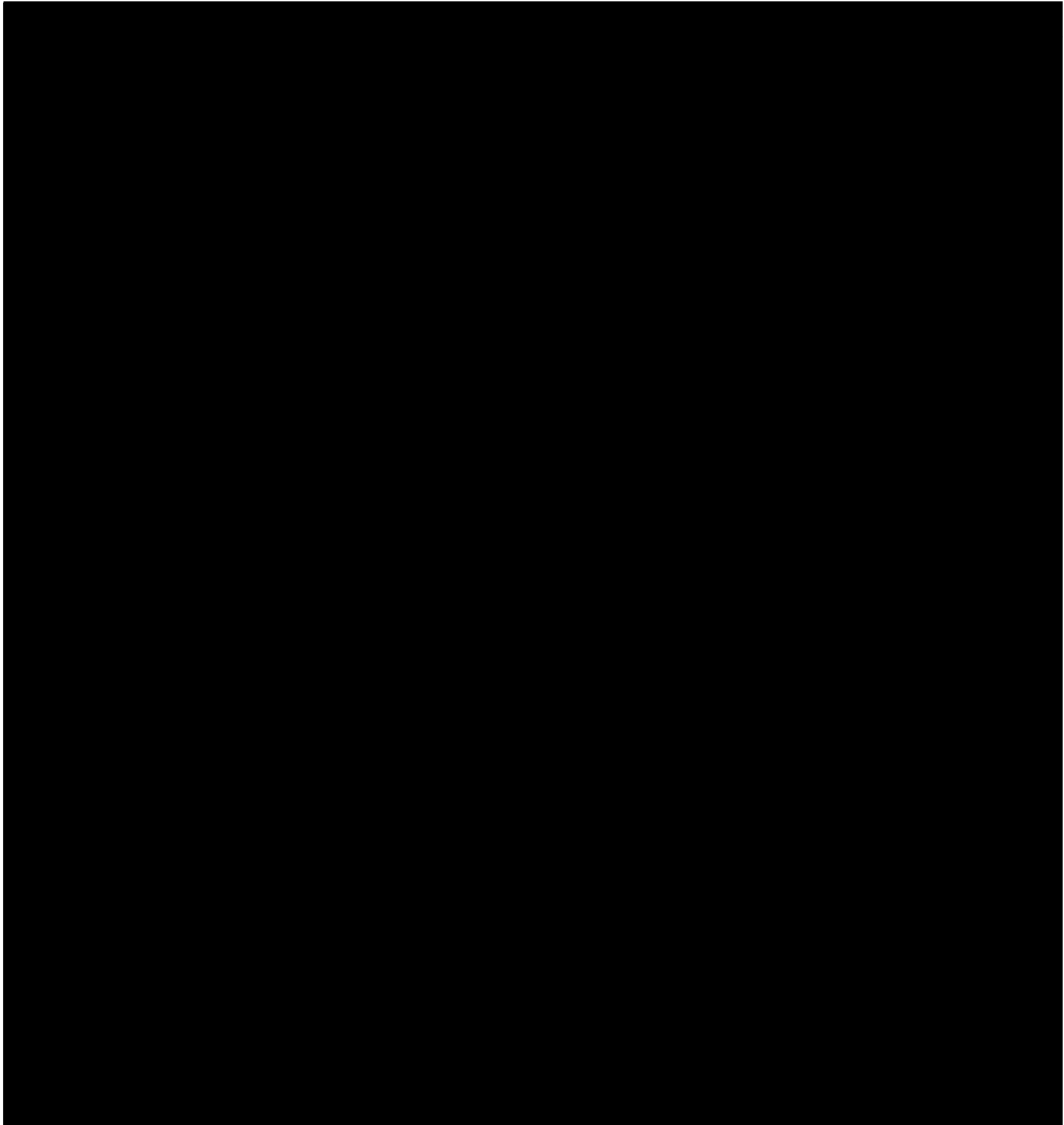
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Cynthia.Harris@flcourts.com





































## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Maryann Frances Manganiello; Case No. 2023-018311; License Denial  
Date: April 26, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Maryann Francis Manganiello's ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a completed application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on March 28, 2023. Upon review of the application, it appears Applicant has been convicted of several crimes. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On March 28, 2023, 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 the Applicant was convicted of several crimes in the state of Florida. Specifically, the Applicant was convicted of the following:

- Fraud-Insufficient Funds Check in 1990;
- Forgery in 1991;
- Grant Theft in the 3rd Degree in 1991;
- Petit Theft in 1991;
- Petit Theft in 1991;
- Grand Theft in the 3rd Degree in 1999;
- Fraud-Impersonation in 1999; and
- Fraud-Impersonation in 1999.<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 criminal convictions 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.”

Rule 75-14.009, Florida Administrative Code, provides that:

“[t]he [commission] shall deny the application for a slot machine occupational license if a review of the application or the investigation of the applicant demonstrates . . . [t]he applicant has been convicted of any disqualifying offense under Section 551.107(6), F.S.”

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, and because Applicant was convicted of disqualifying offenses under section 551.107(6), Florida Statutes, the Florida Gaming Control Commission shall deny Applicant's application for a slot combination 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: MANGANIELLO, MARYANN FRANCES-  
13508385

Case No: 2023018311

(APPLICANT'S NAME- LICENSE #)

INITIAL APP RECEIVED:	<u>3/2/2023</u> (Date)
COMPLETE APP RECEIVED:	<u>3/28/2023</u> (Date)
90-DAY DEADLINE:	<u>6/26/2023</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:**

Cleari Maglioni  
Application Processor

430- Pompano Park  
Facility (d/b/a name)

Security  
Occupation/Job Title

Reviewed by David Donaldson



3/31/23

(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.

**CASE FILE ROUTING SLIP  
SLOT MACHINE APPLICATION**

---

**\*Please attach Routing Slip to front of case file.**

Licensing Administrator Review – Slot Machine Occupational License

RE: **MANGANIELLO, MARYANN FRANCES-  
13508385**

Case No: **2023018311**

(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	3/2/2023
COMPLETE APPLICATION RECEIVED:	3/28/2023
<b>90-DAY DEADLINE:</b>	<b>6/26/2023</b>

**Clari Maglioni**  
Application Processor

**430- Pompano Park**  
Facility (d/b/a name)

Security **1055**  
Occupation/Job Title

Pursuant to Section 551.107(6)(c) Conviction is defined as being found guilty, with or without adjudication of guilt, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere. Any misdemeanor conviction to include fraud and theft which are defined for purposes of slot machine gaming licensure as involving dishonesty, misrepresentation, deceit, and lack of truthful conduct in transaction with another.

**Licensing Section Review**

Did the application accurately reflect the Criminal History Record?  Yes  No

**Conviction**

- Felony :6 Count(s)  
 Misdemeanor – Gambling Related/Bookmaking  
 Two or more misdemeanor convictions that involve theft, fraud, or burglary  
 Forgery, Larceny, Theft, Extortion, Conspiracy to Defraud (Slot Combo Professions Only)

**Comments:**

Arrest Date	Location	Charge	Level	Disposition
10/15/1990	Broward County, Florida	Fraud-Insuff Funds Check- 90021299CF10A	F	Adjudication Withheld
10/15/1990	Broward County, Florida	Petit Theft Habitual Offender- 90021299CF10A	F	Adjudication Withheld
10/15/1990	Broward County, Florida	Petit Theft Habitual Offender- 90021299CF10A	F	Adjudication Withheld
10/27/1998	Broward County, Florida	Grand Theft In The 3 <sup>rd</sup> Degree- 98021799CF10A	F	Adjudication Withheld
12/16/1998	Broward County, Florida	Fraud-Imperson- 98016882CF10A	F	Adjudication Withheld
12/16/1998	Broward County, Florida	Fraud-Imperson- 98016882CF10A	F	Adjudication Withheld

**Disposition Unknown**

- Felony Arrest(s) :  
 Misdemeanor Arrest – Gambling Related/Bookmaking  
 Two or more misdemeanor arrests/counts that involve theft, fraud, or burglary

**Comments:**

Arrest Date	Location	Charge	Level	Disposition
06/21/1990	Broward County, Florida	Fraud-Insuff Funds Check	M	Unknown

**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  Investigations

Legal

Director

Initials.



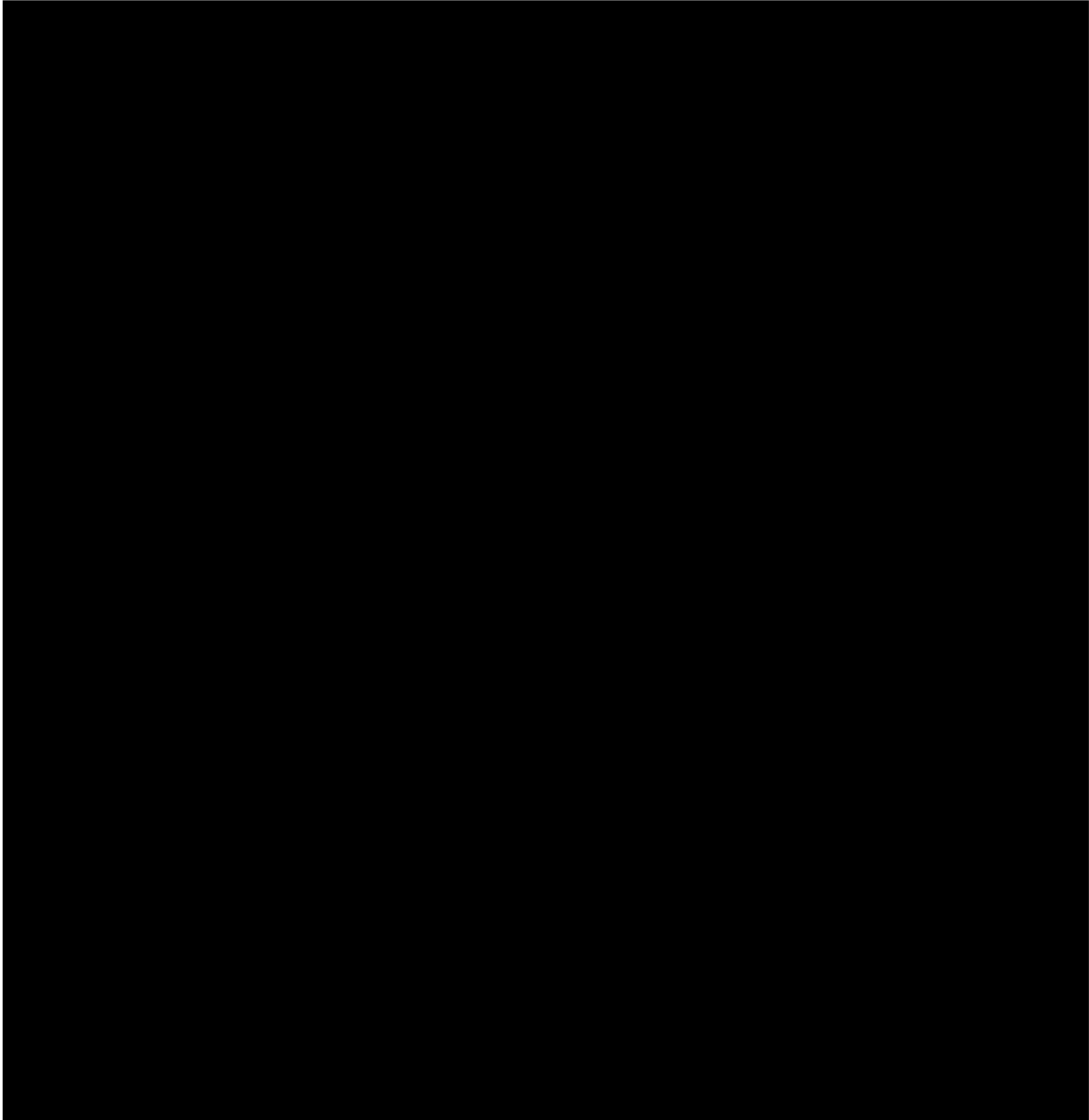
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Comments:

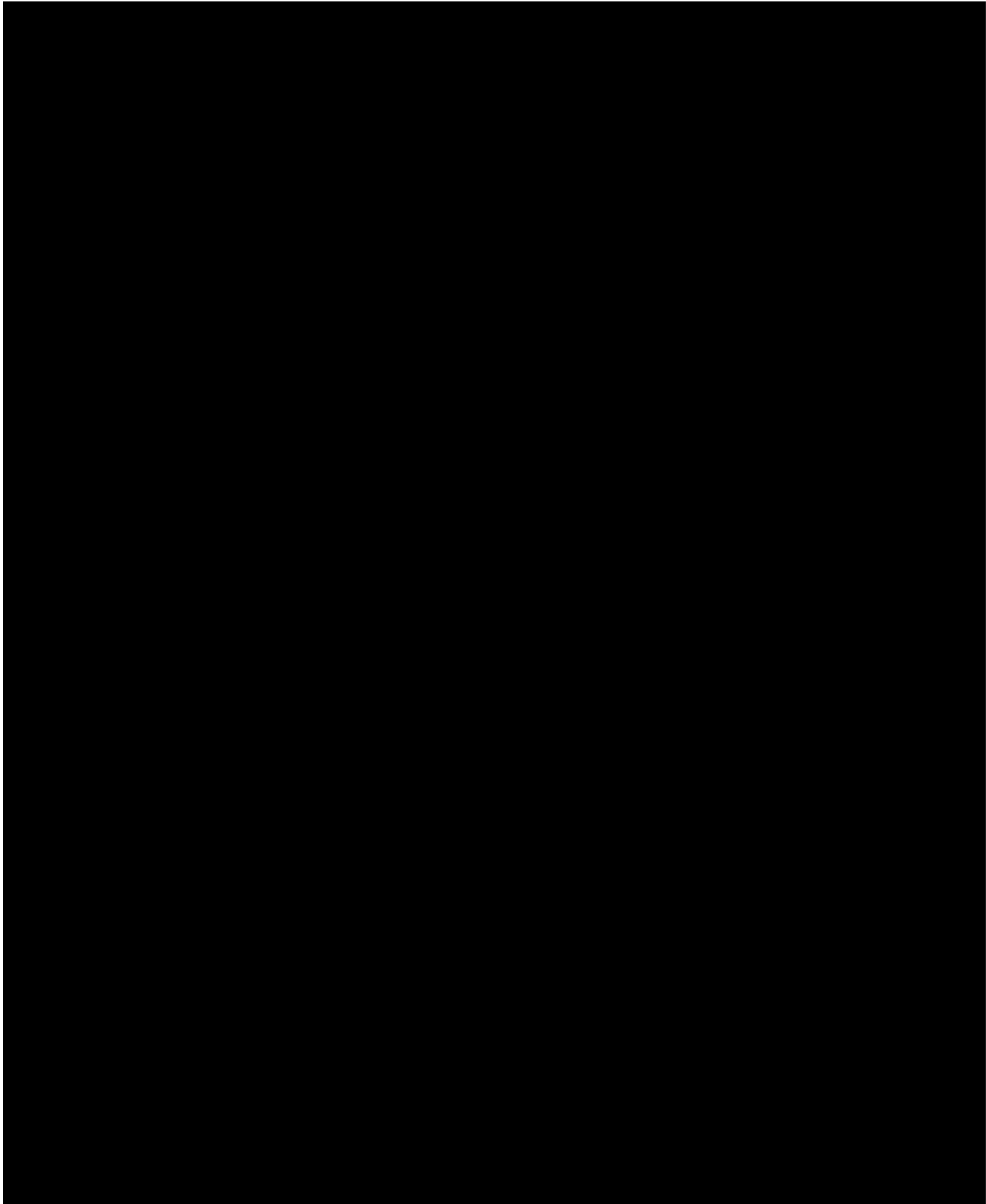
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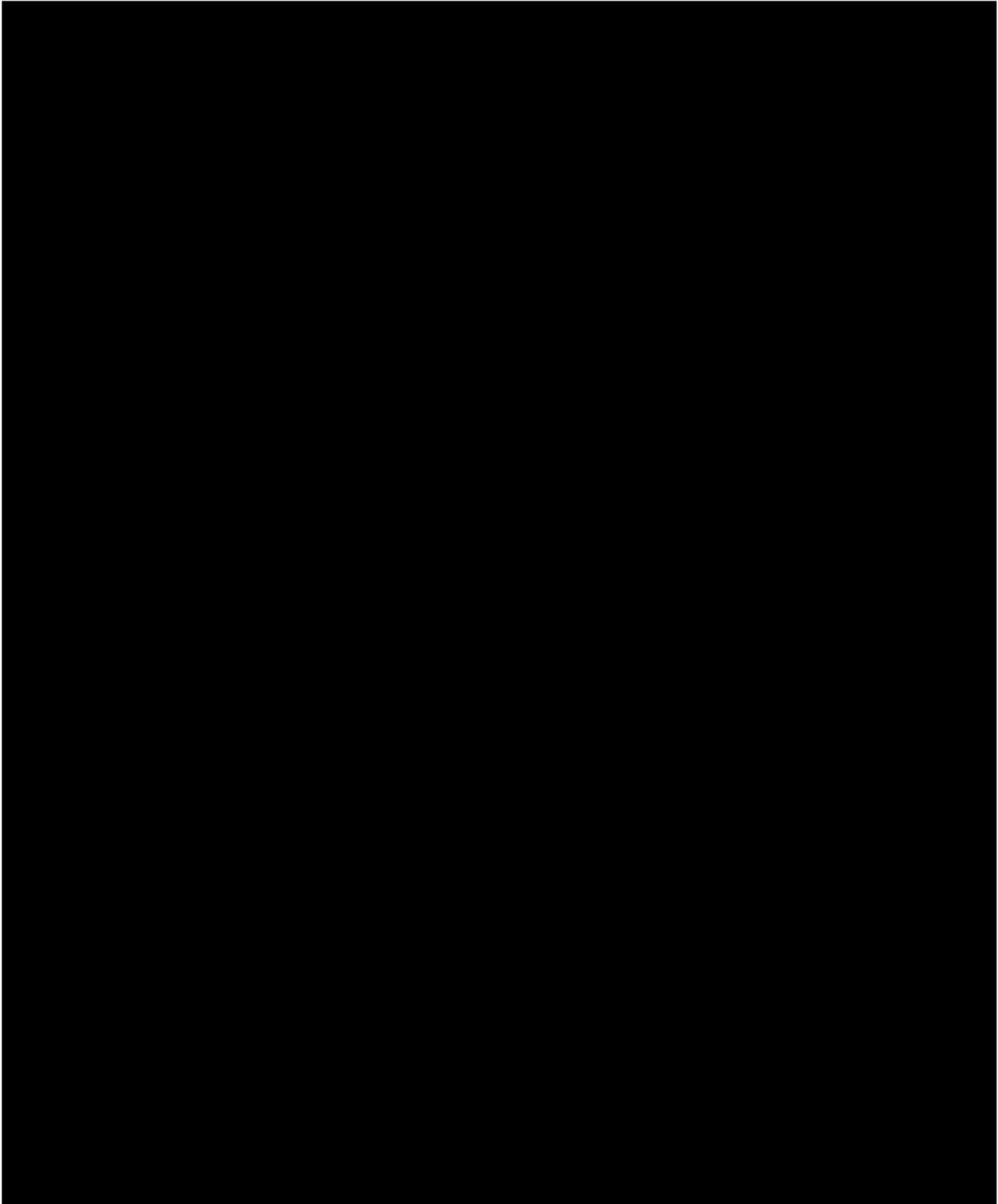


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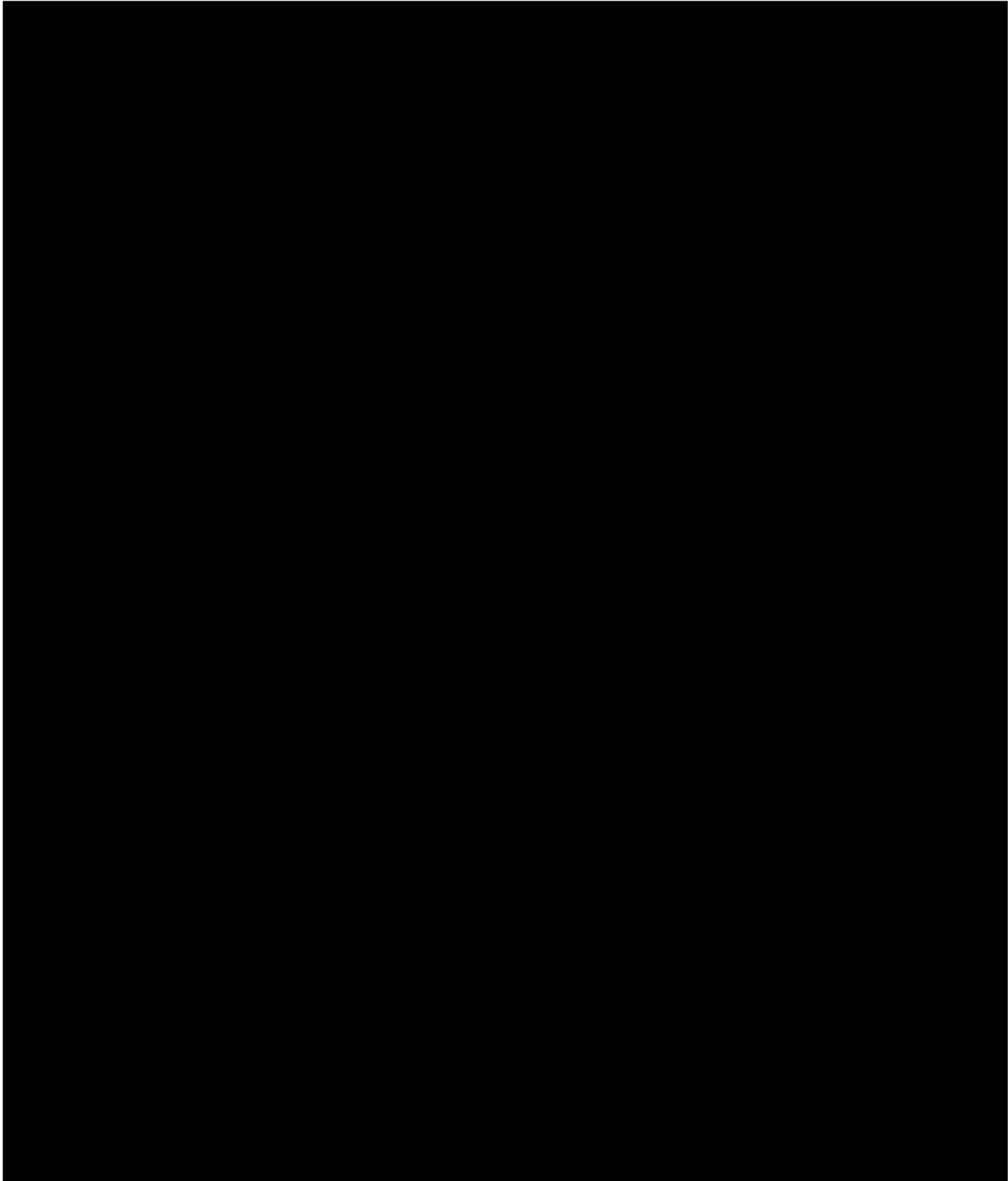




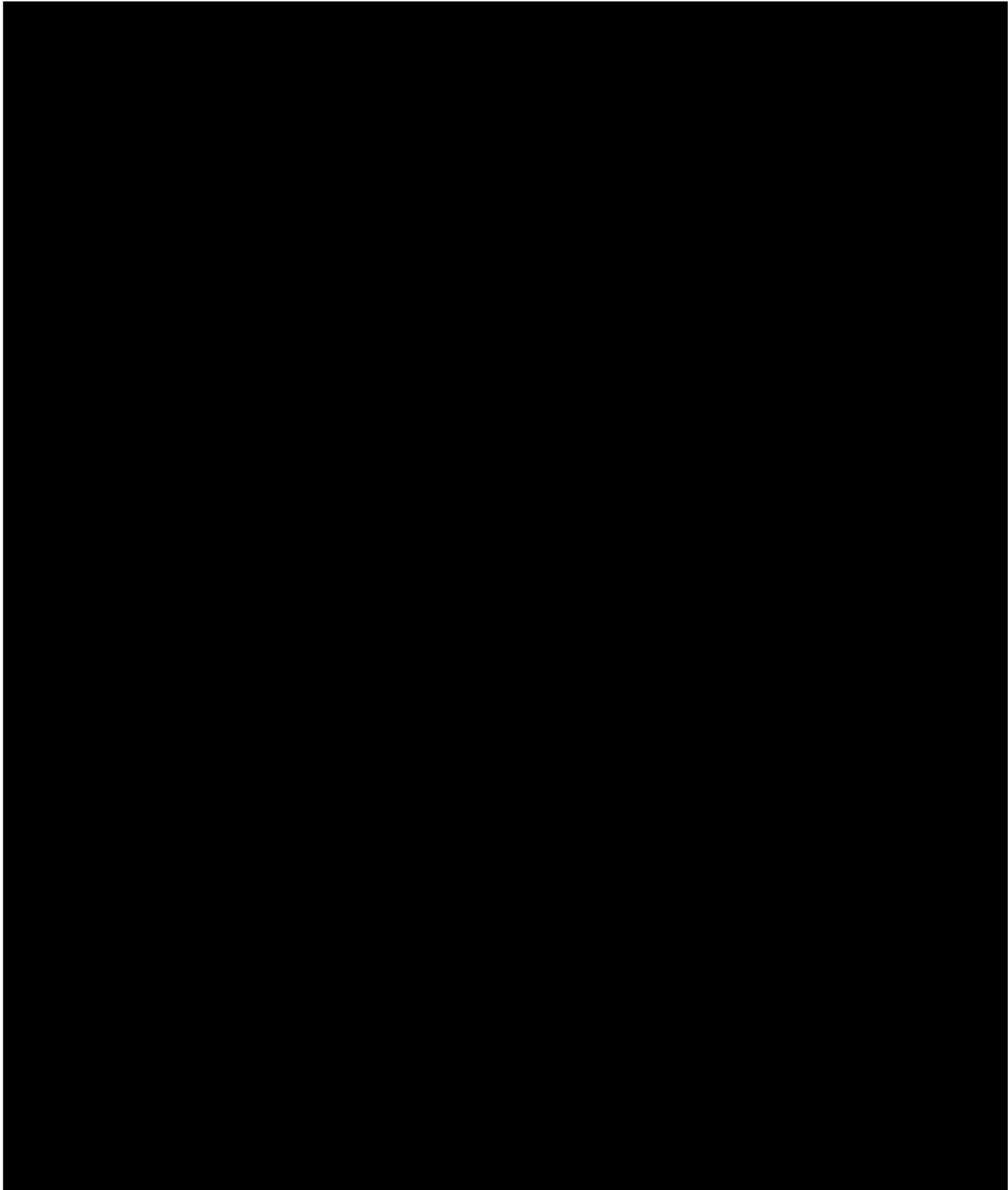
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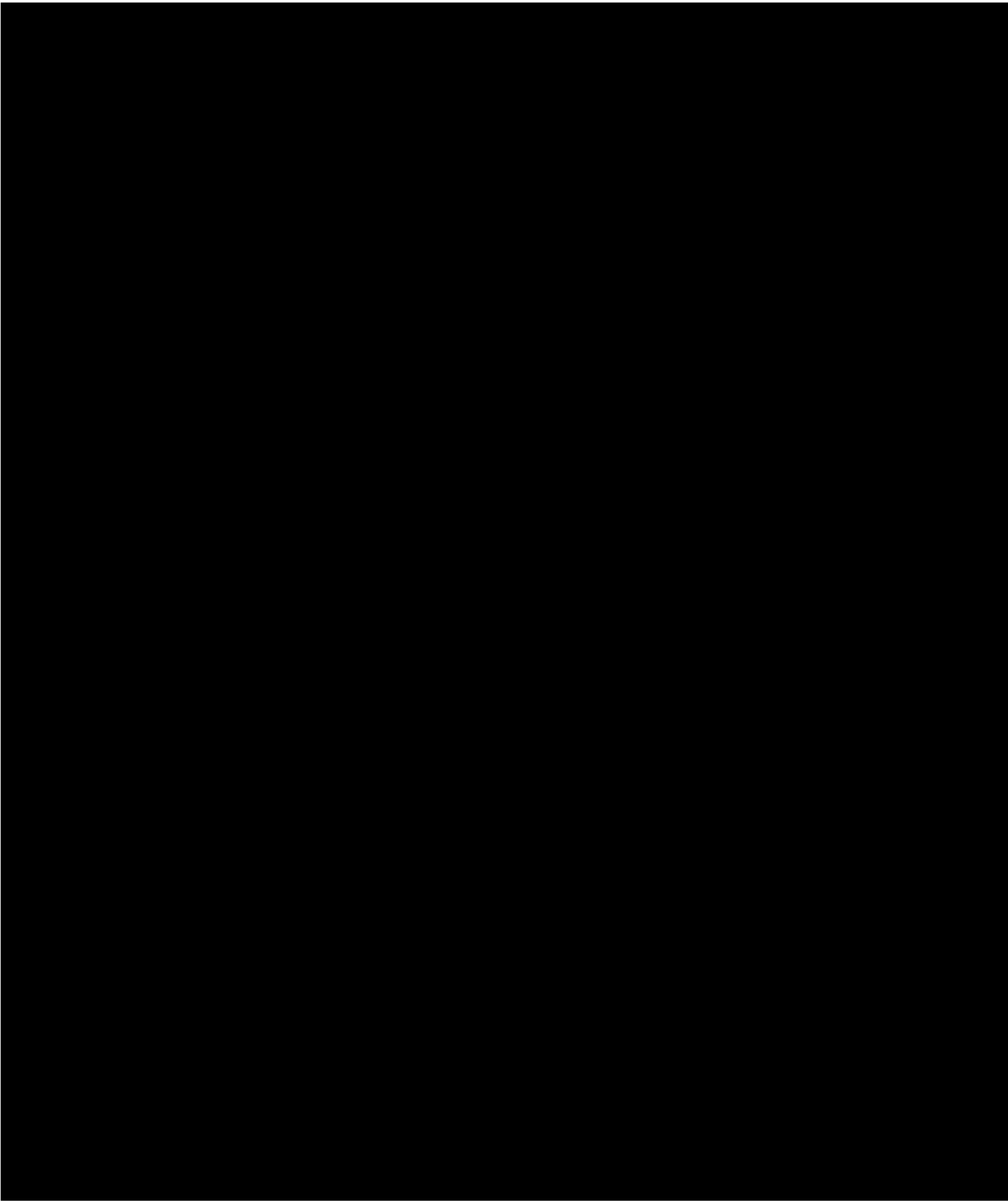


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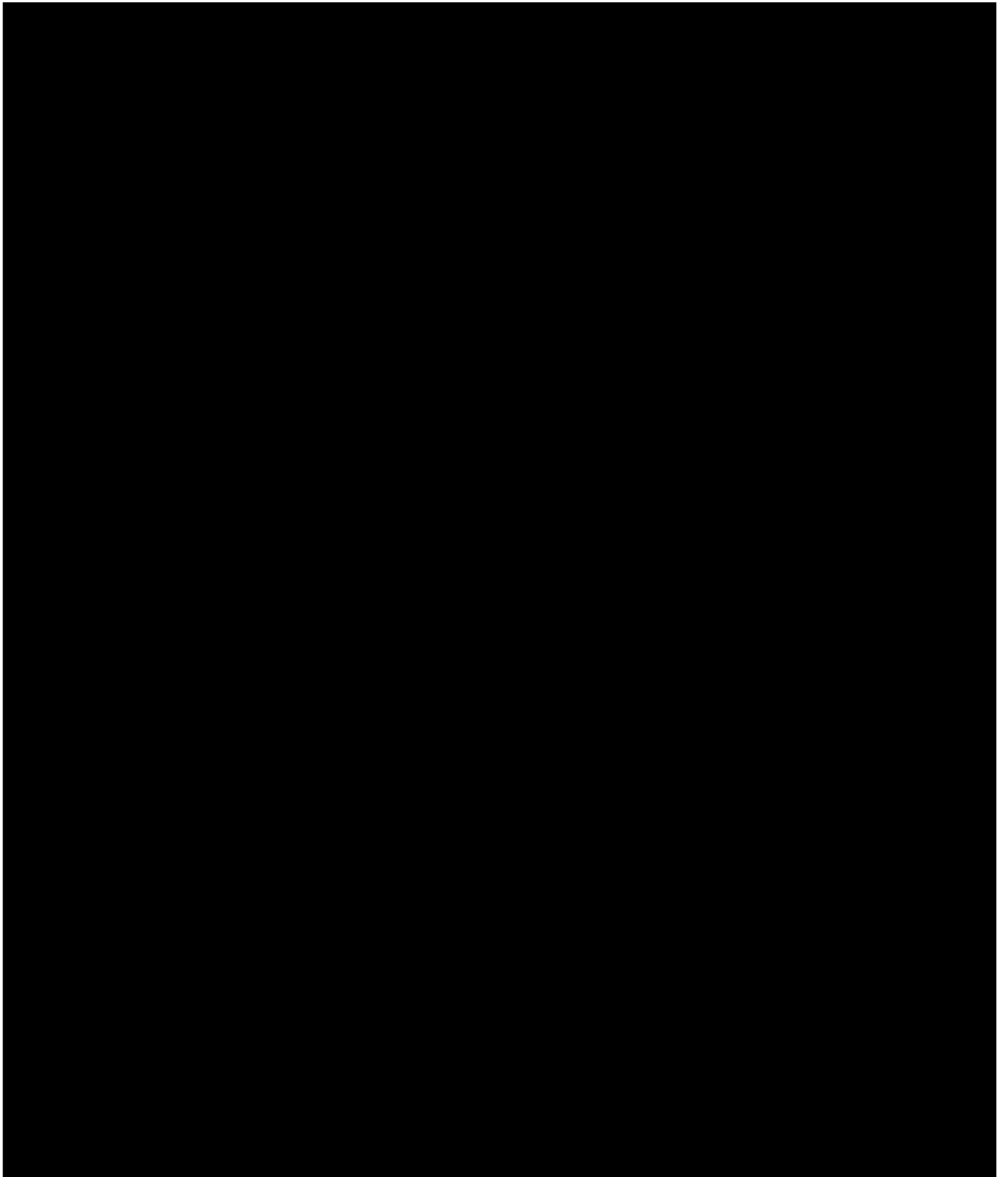


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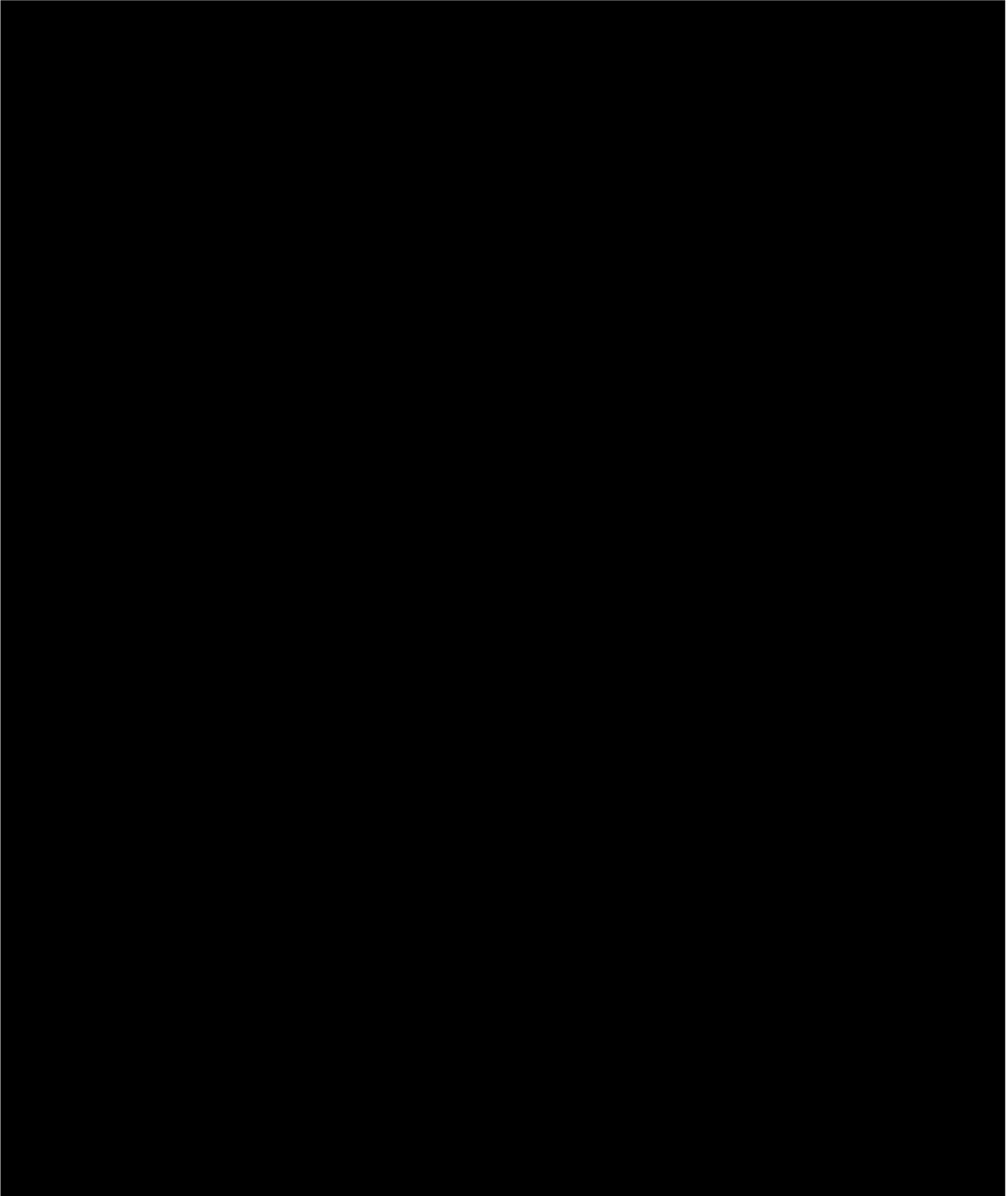


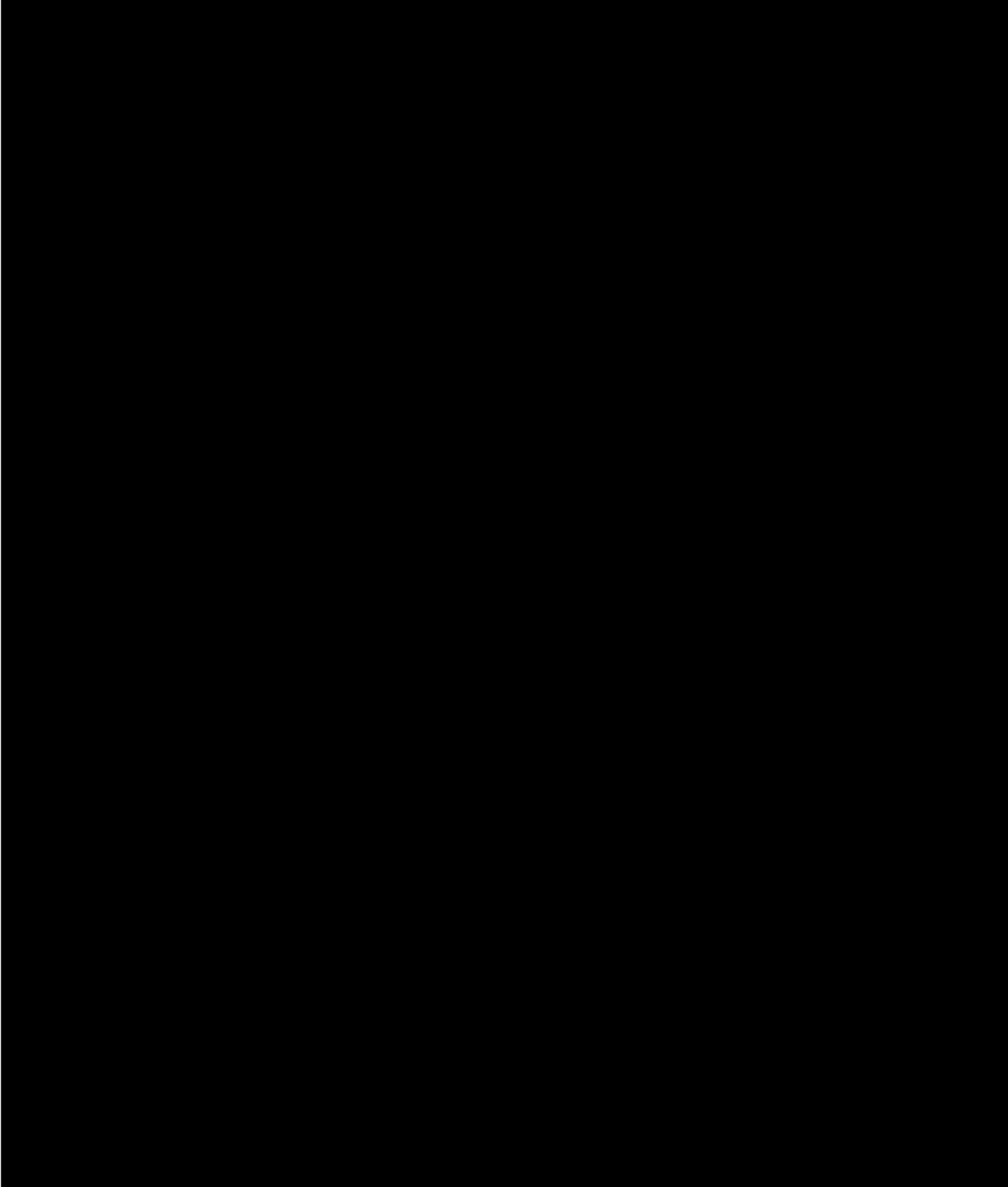


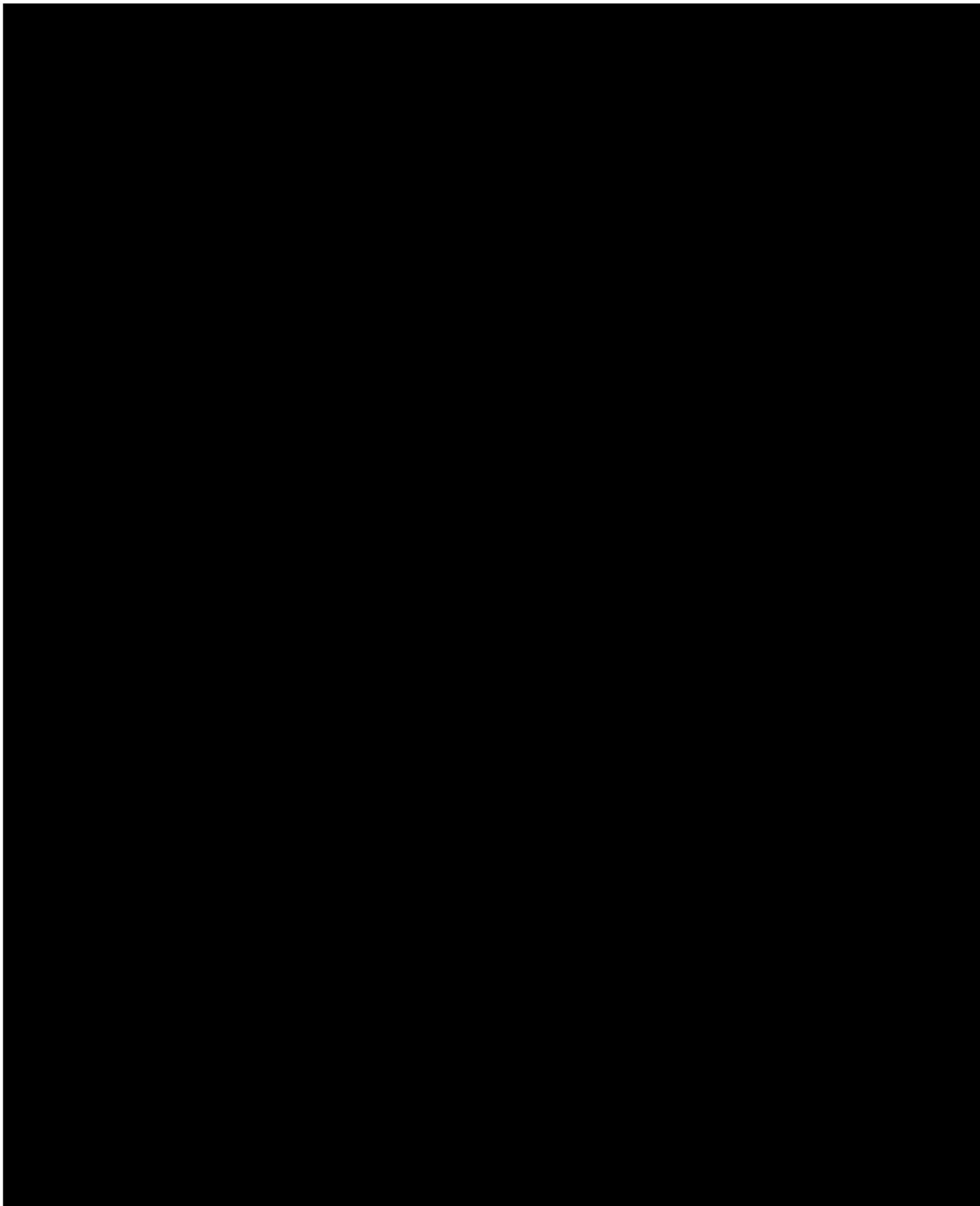
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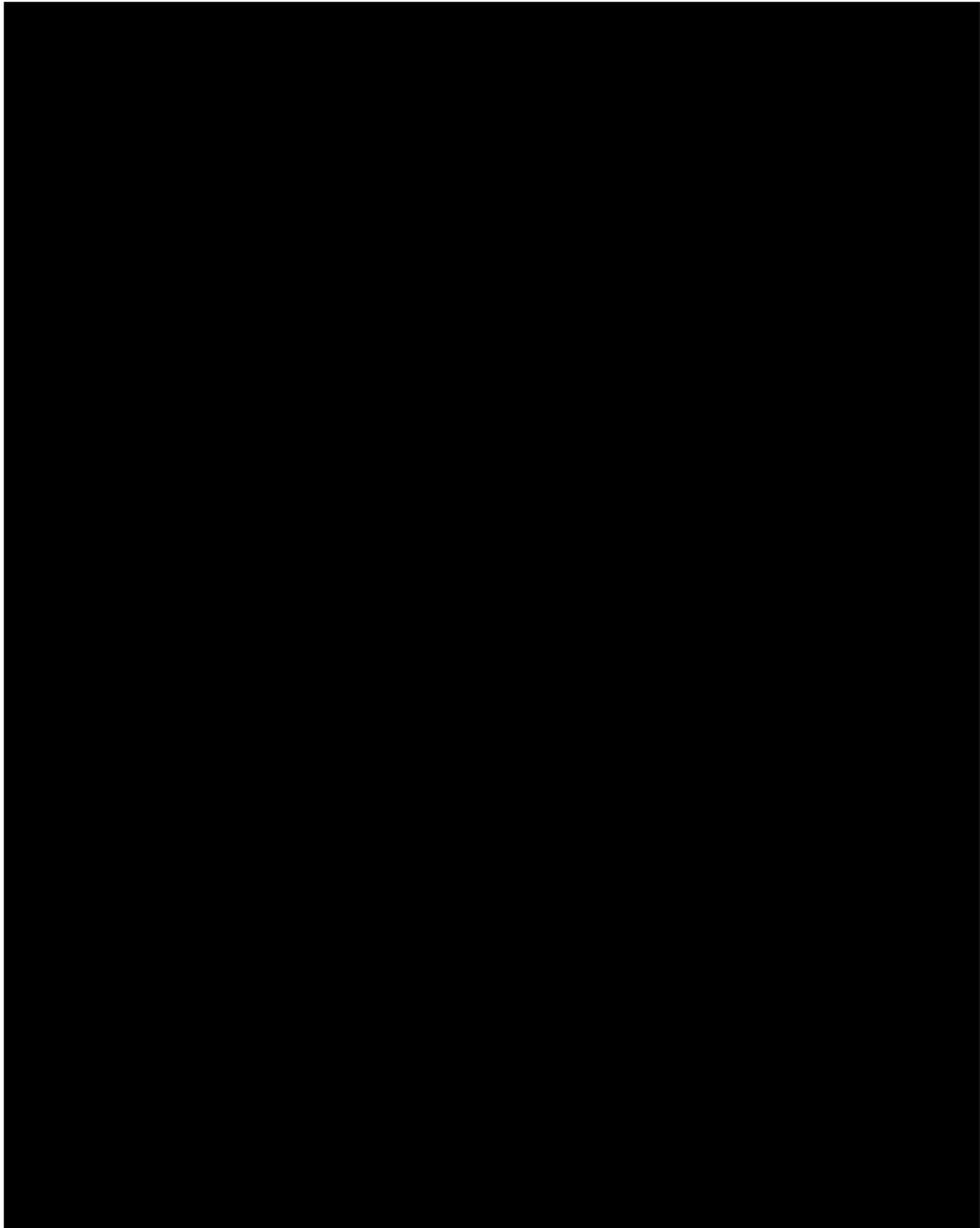




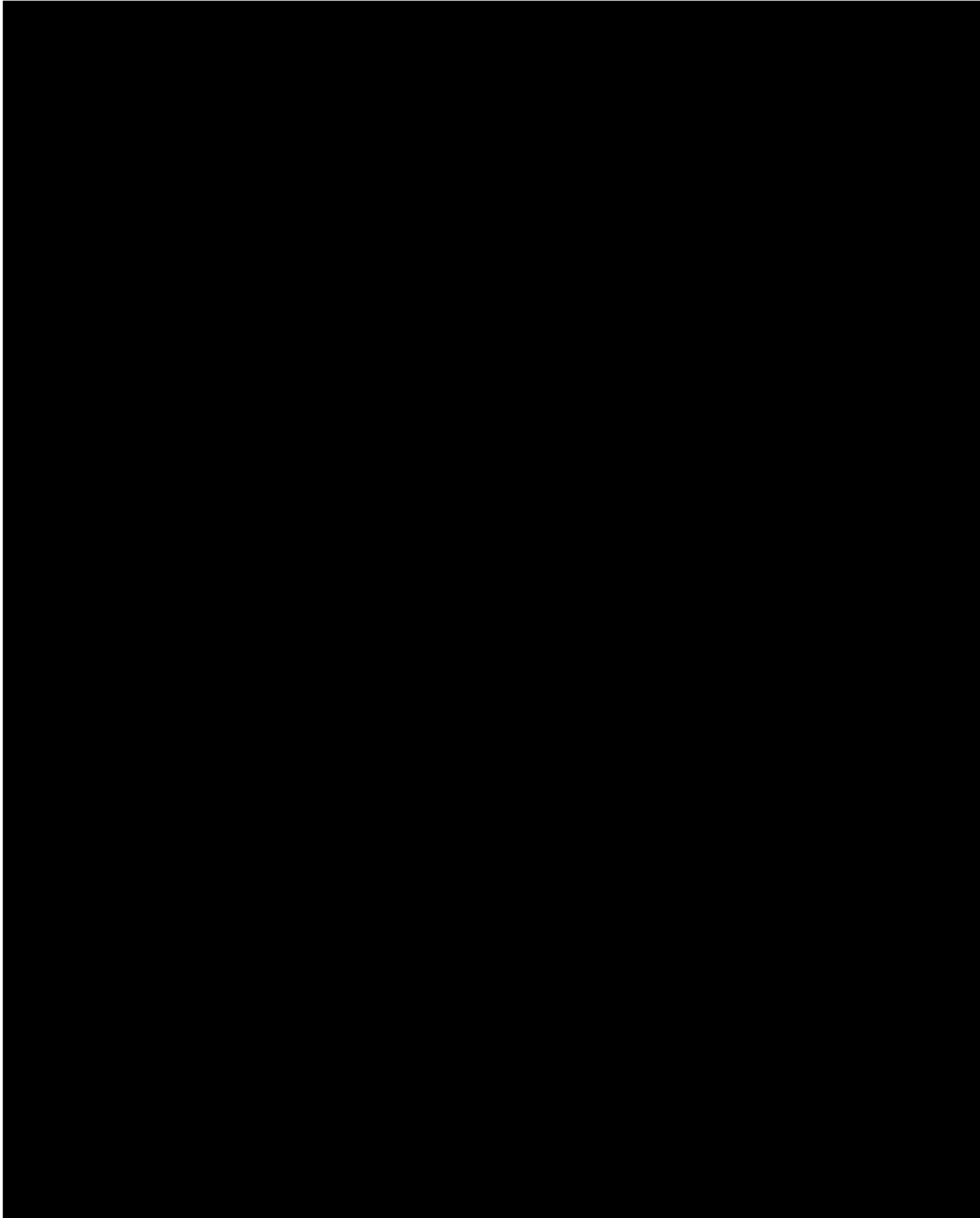




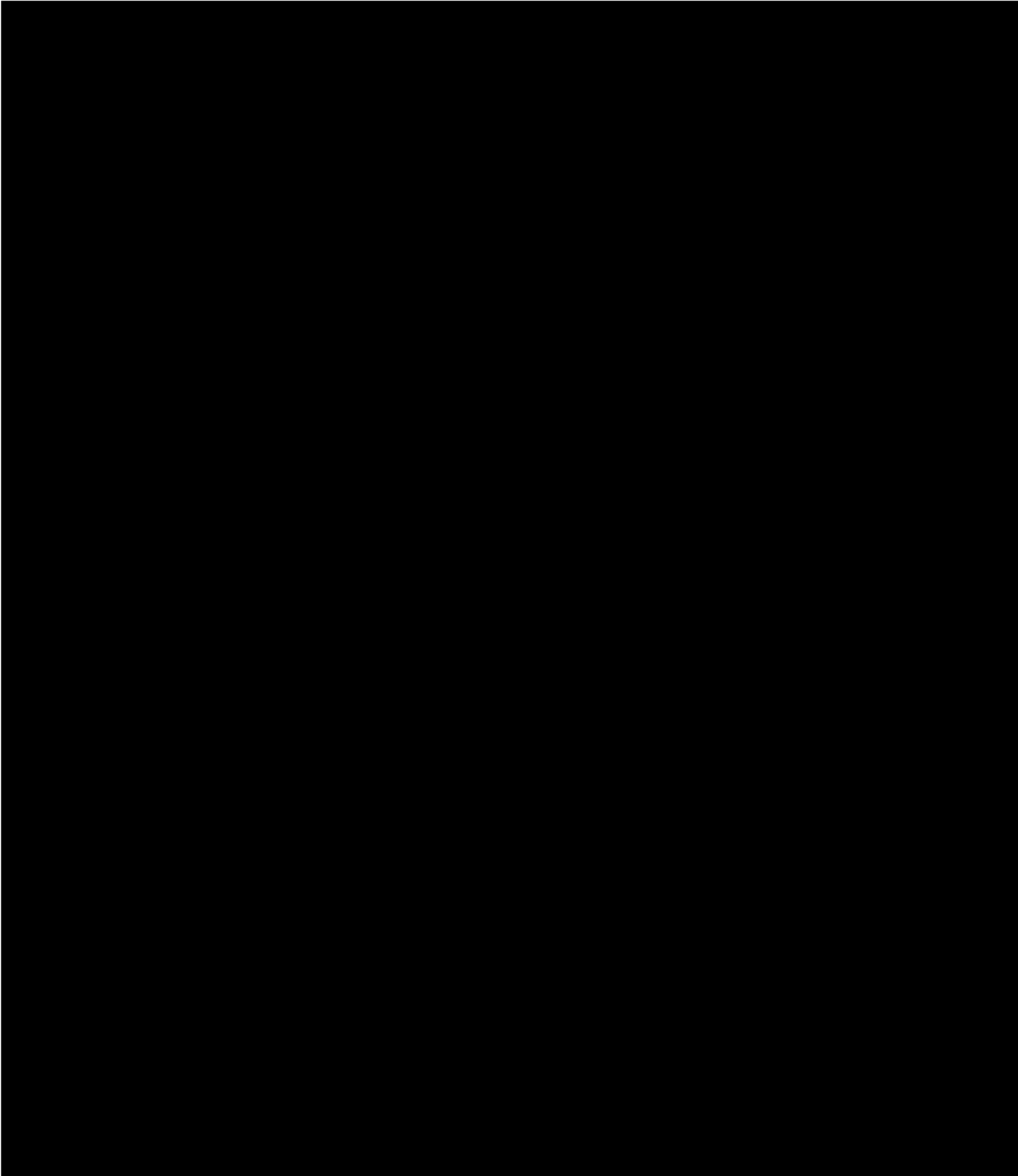
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Subject : *Results of check for MANGANIELLO, MARYANN (70CD56000000000001886)*



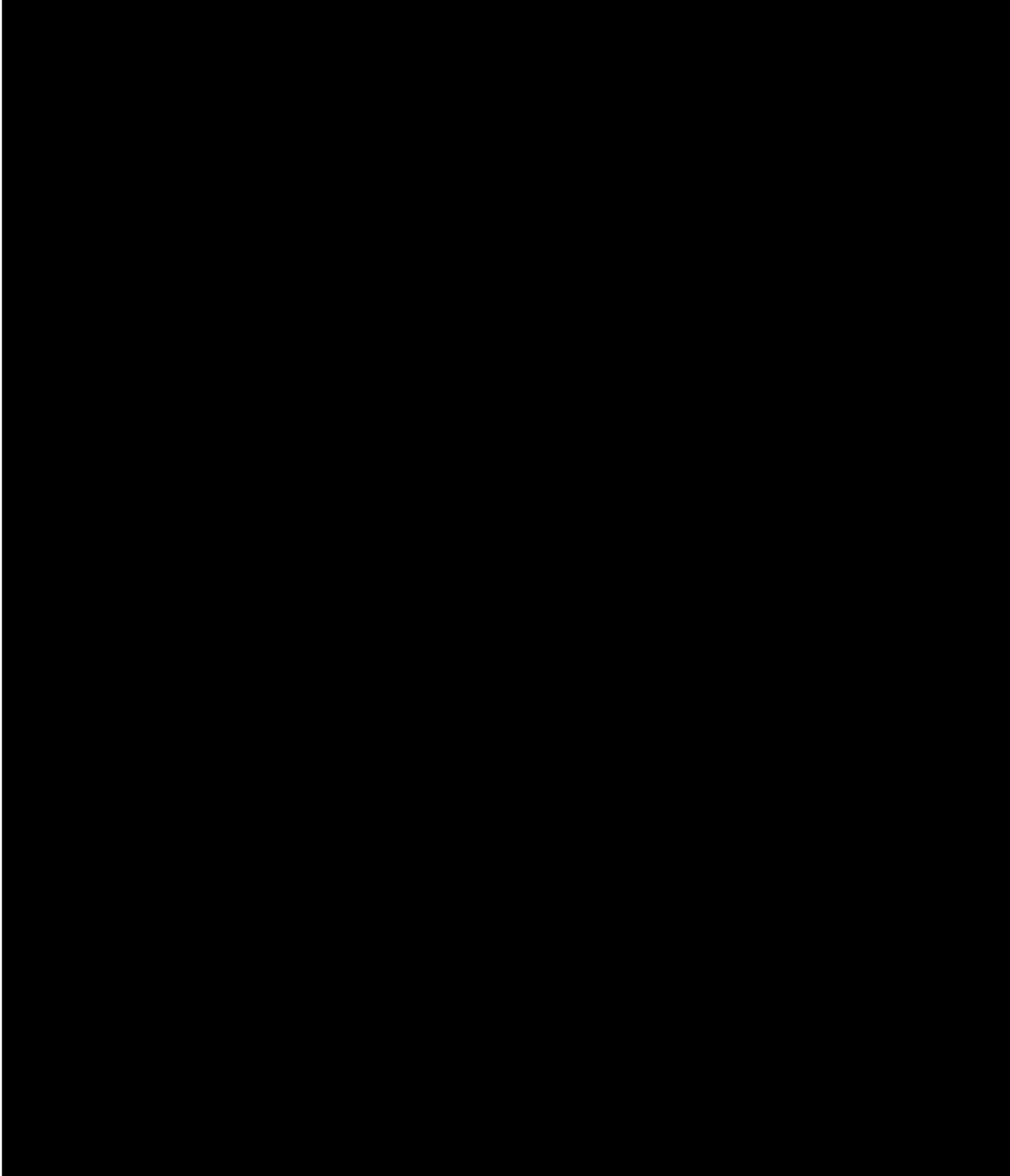
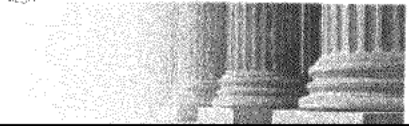
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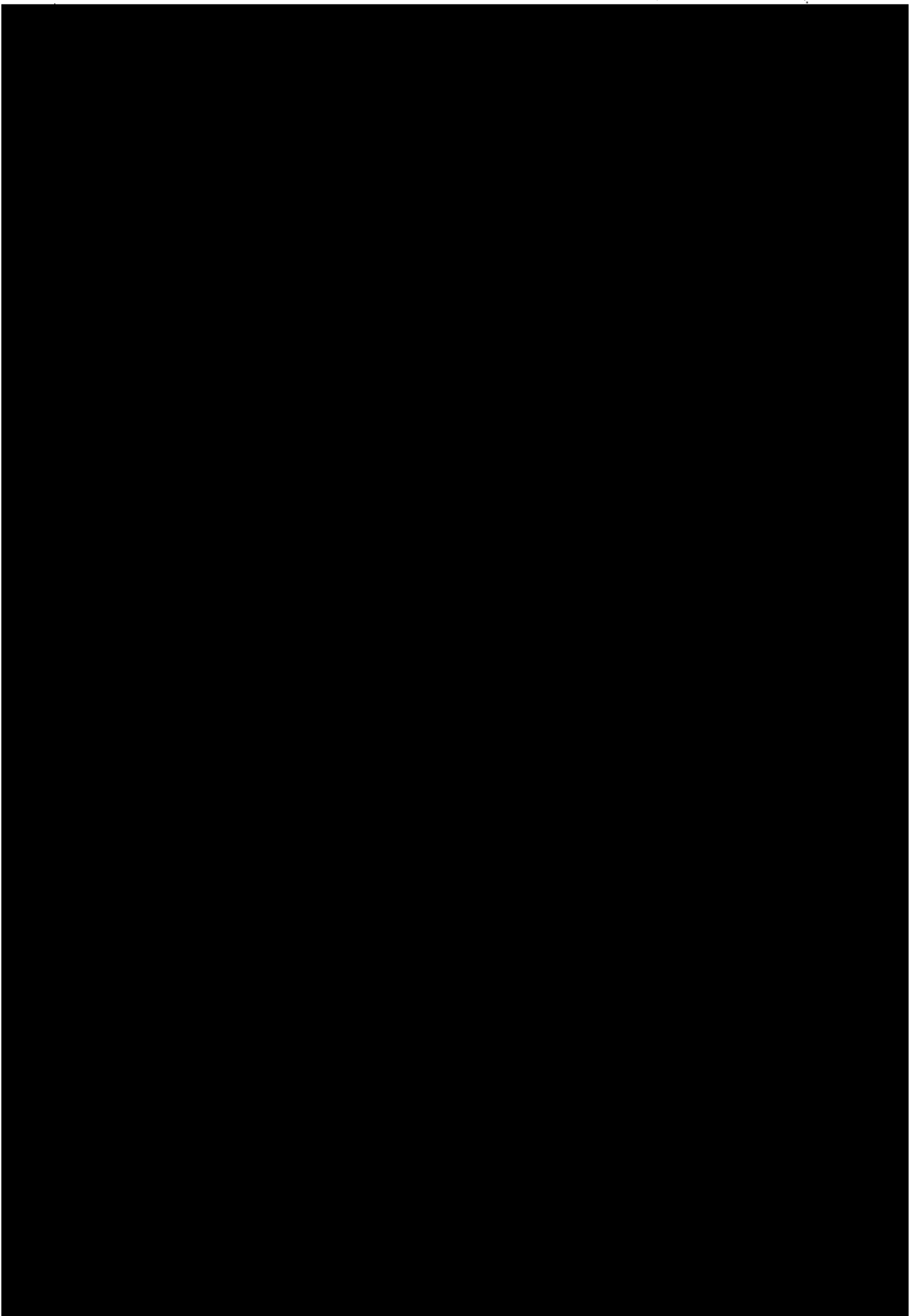


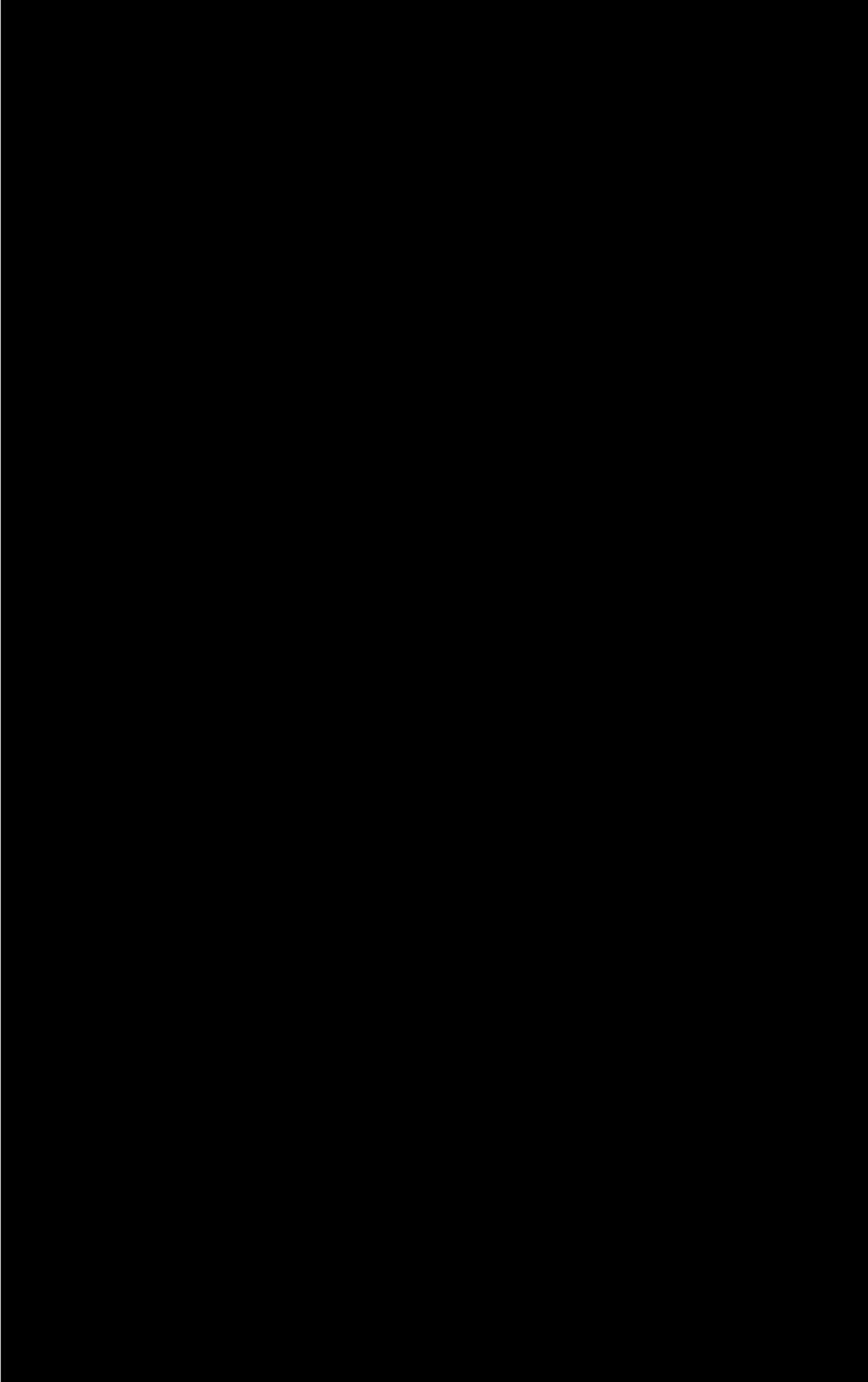


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**ccis** COMPREHENSIVE CASE  
INFORMATION SYSTEM





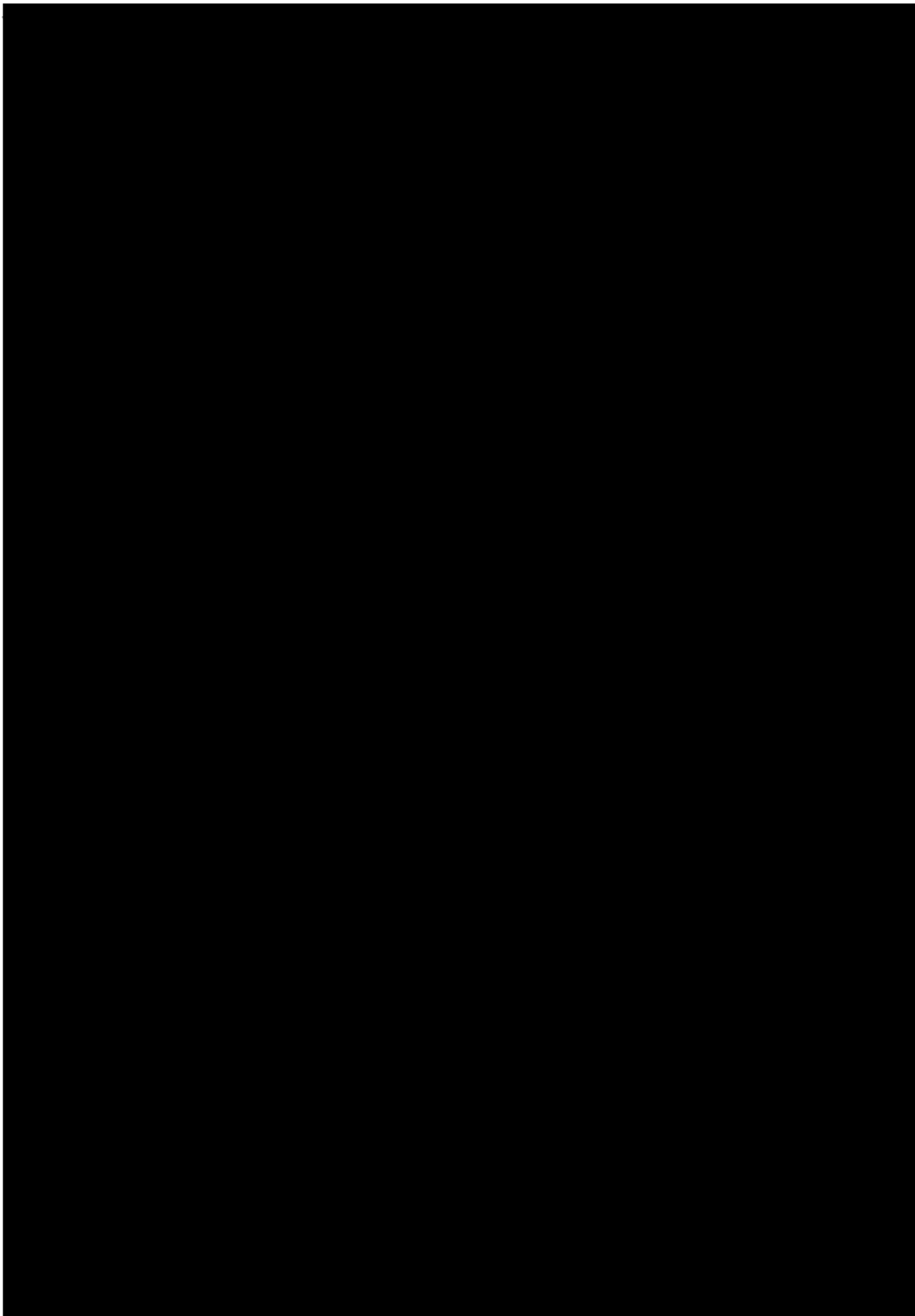


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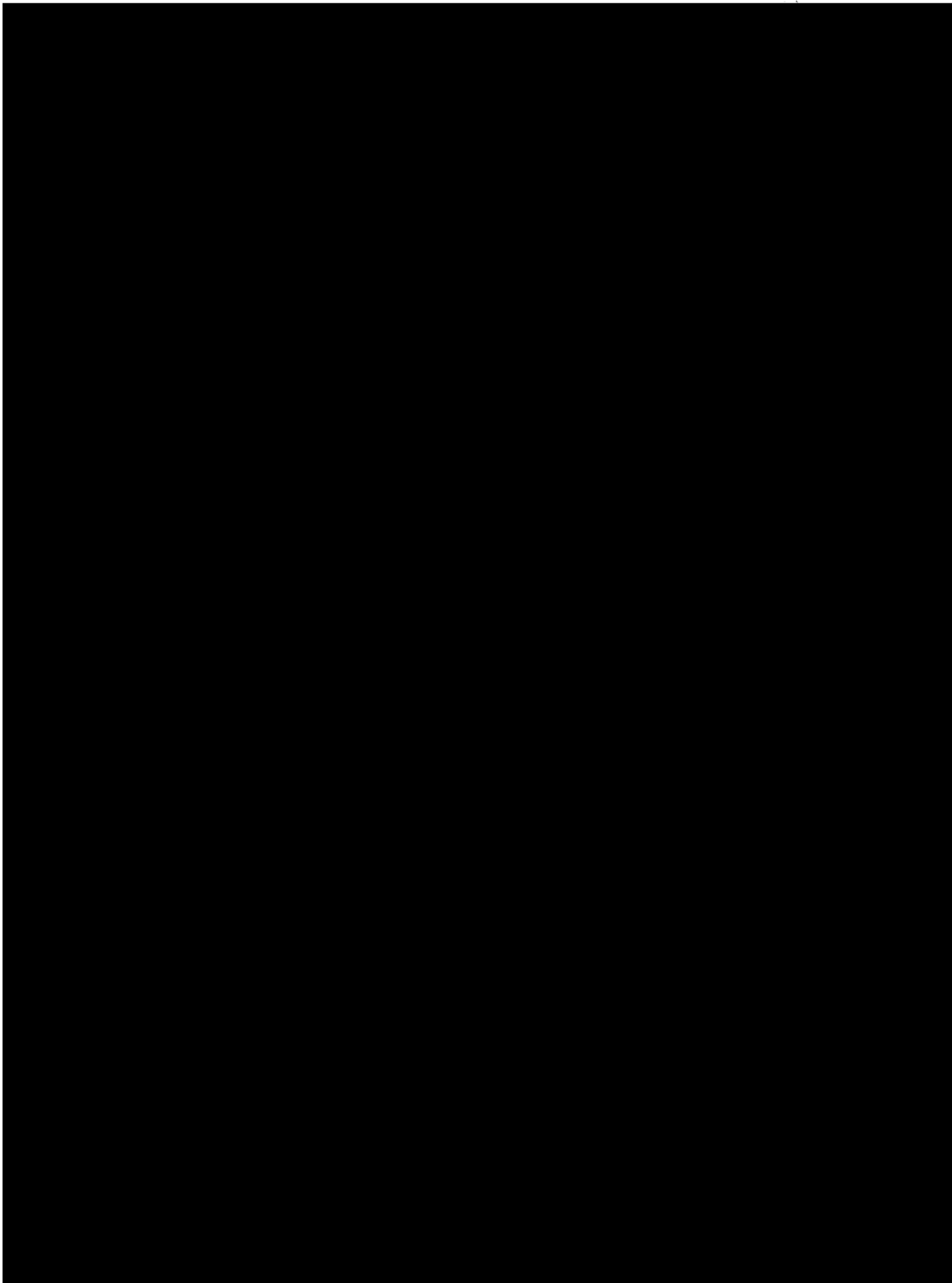


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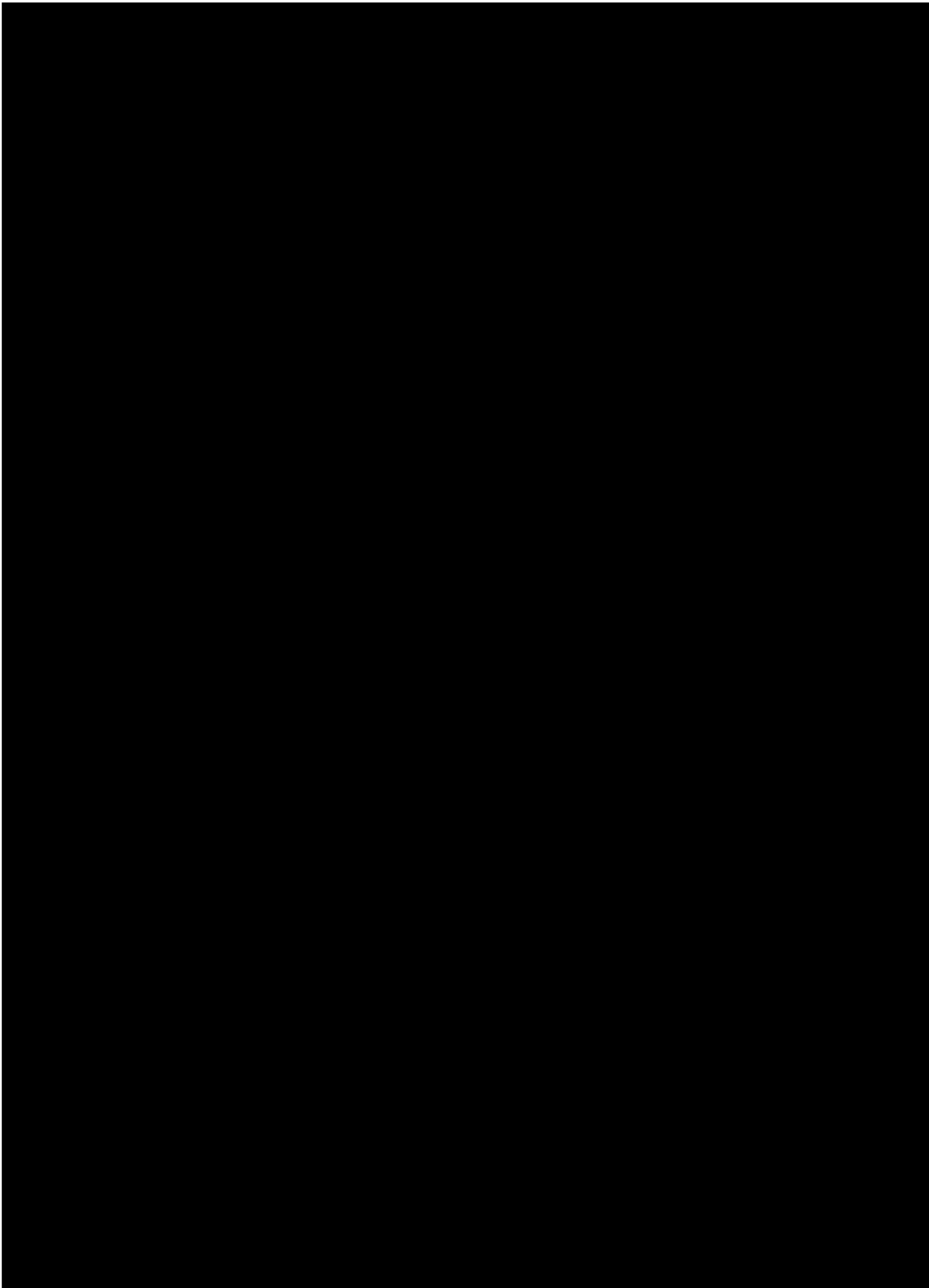
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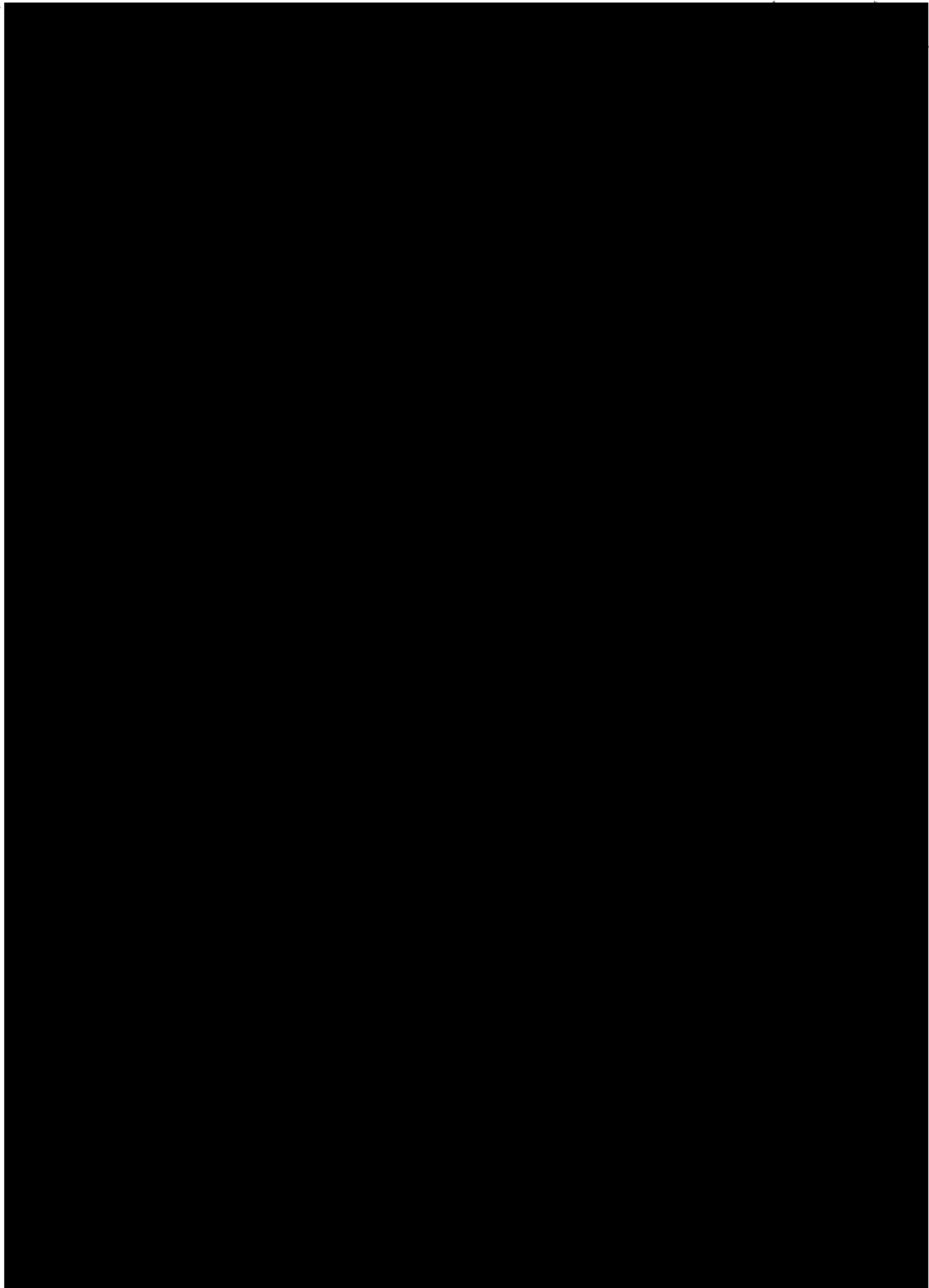
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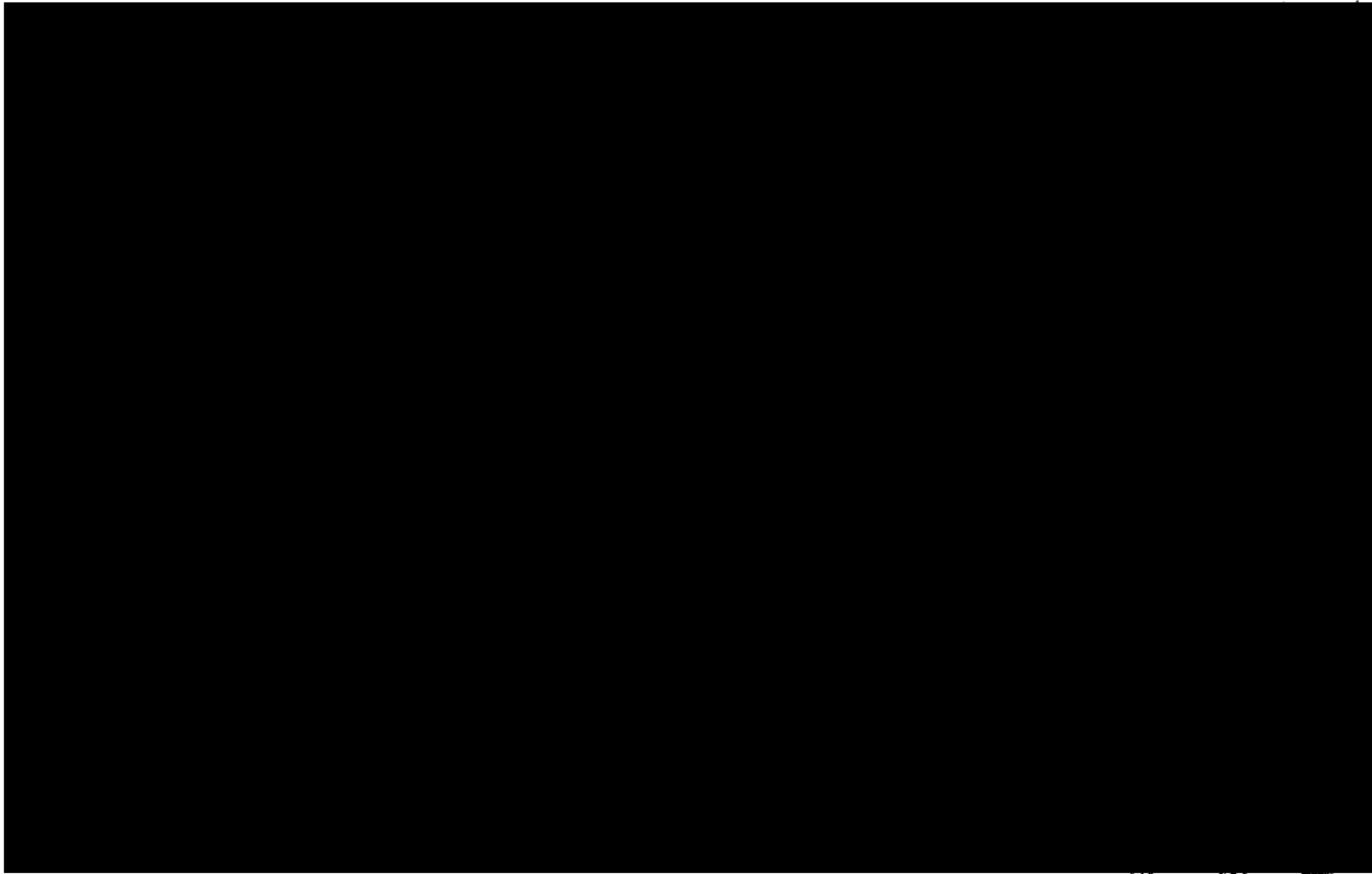
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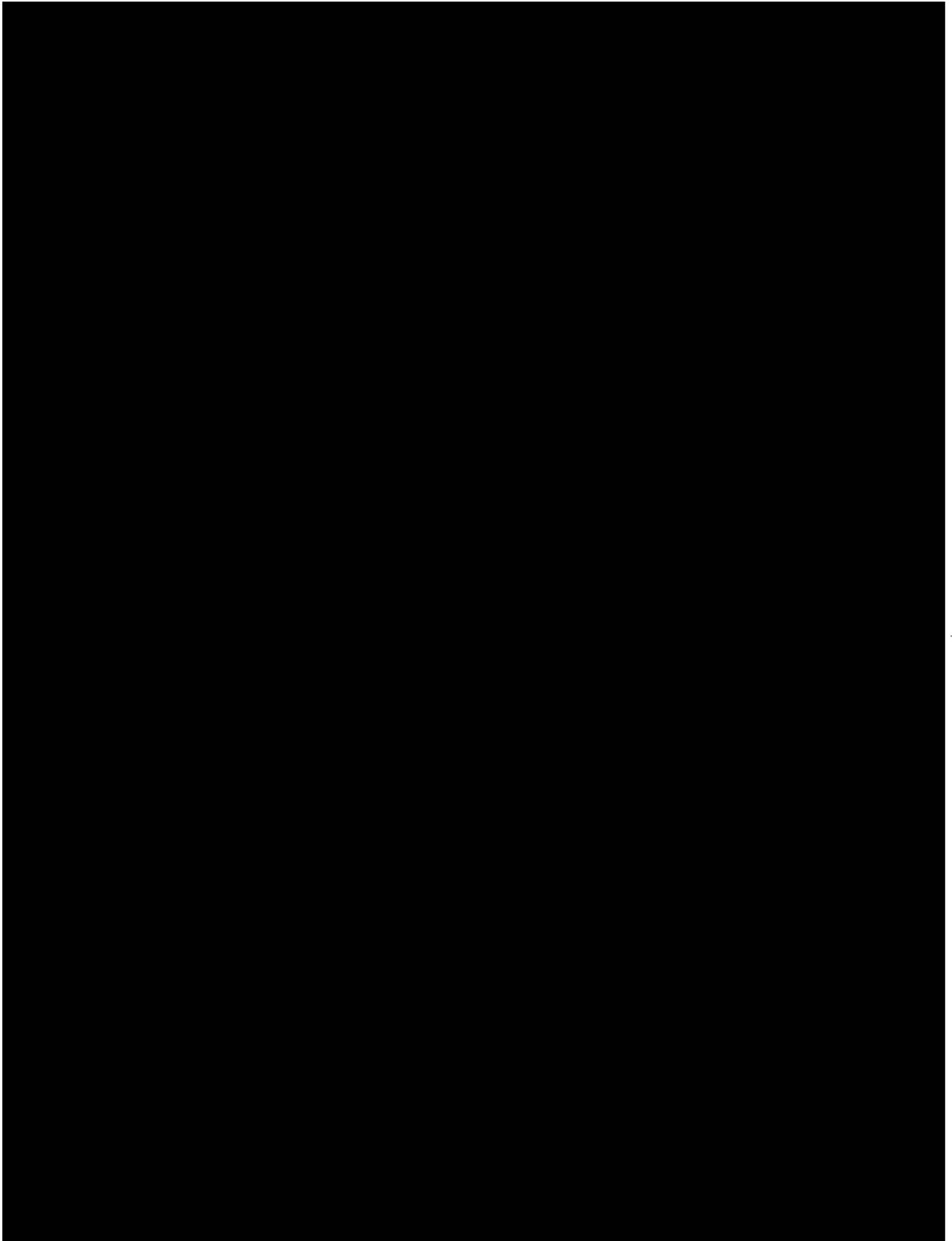


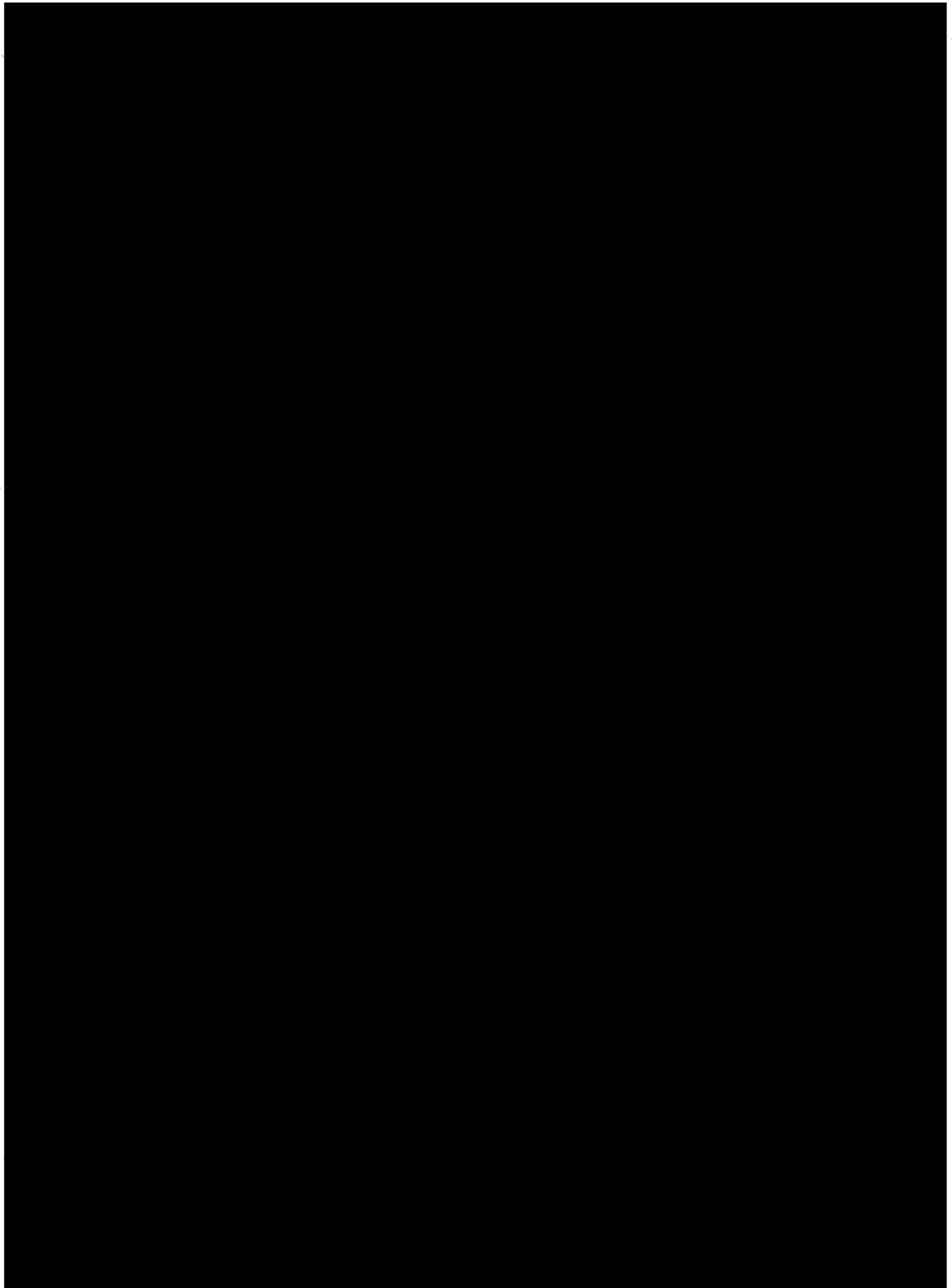


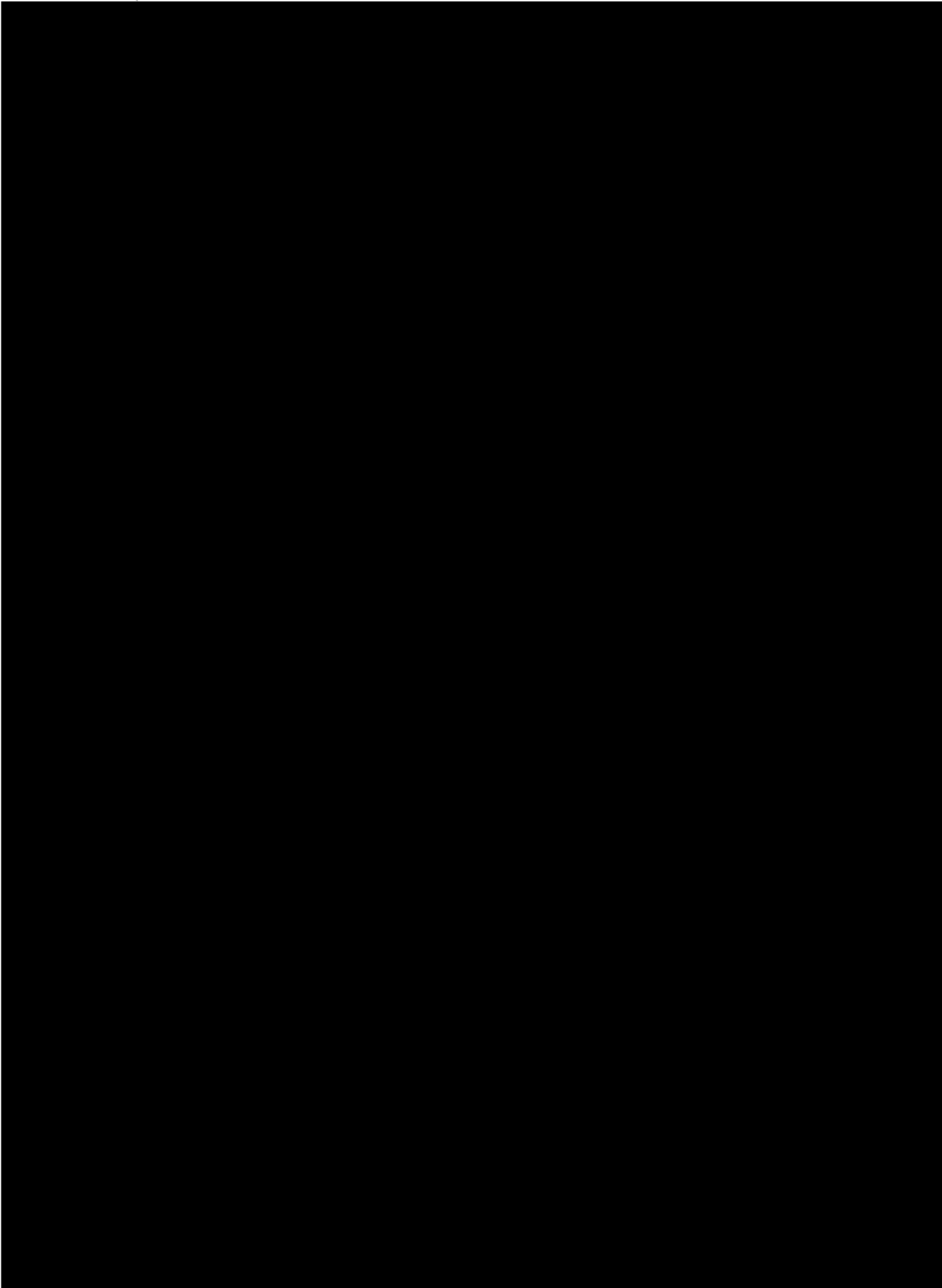
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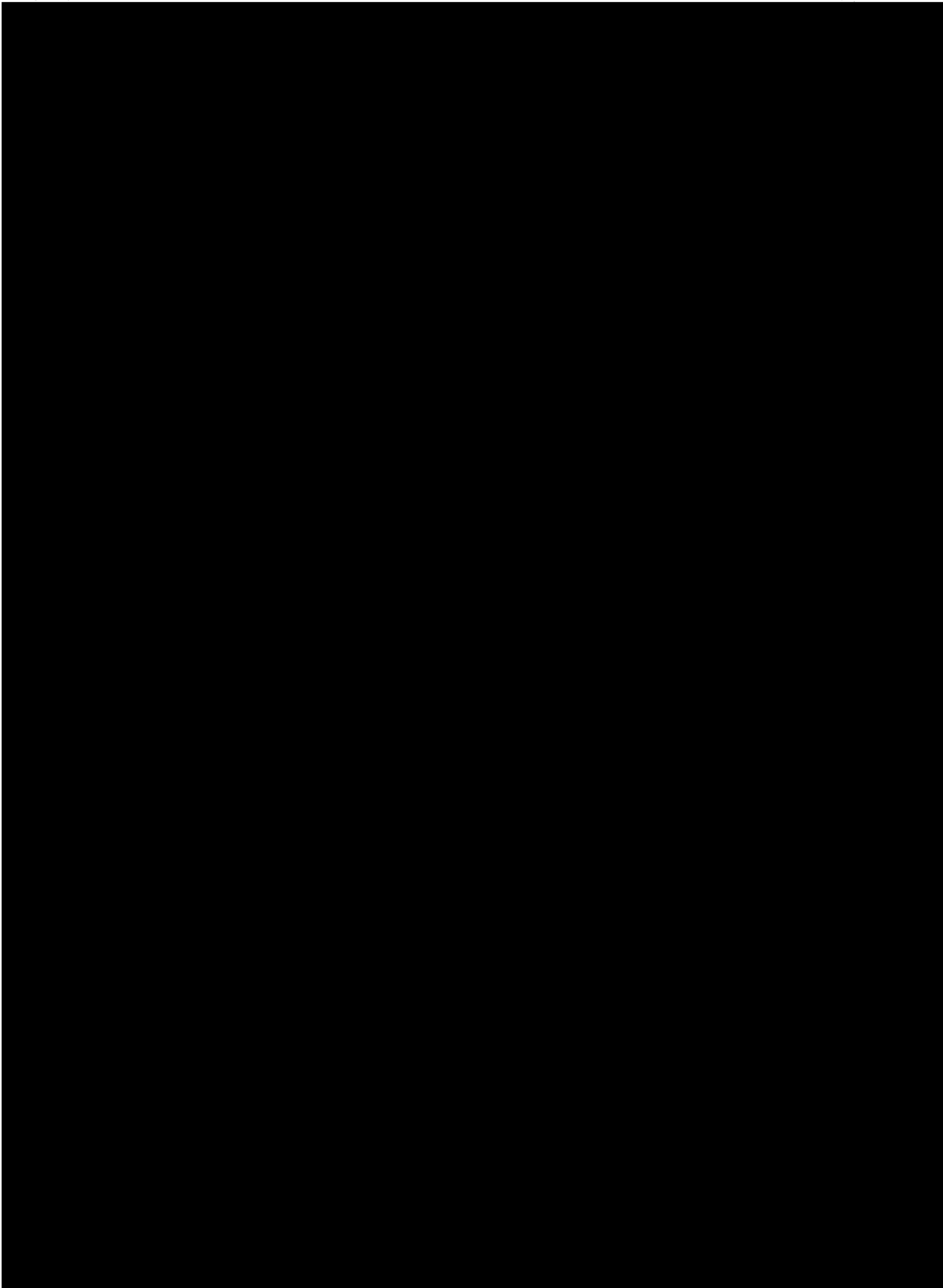
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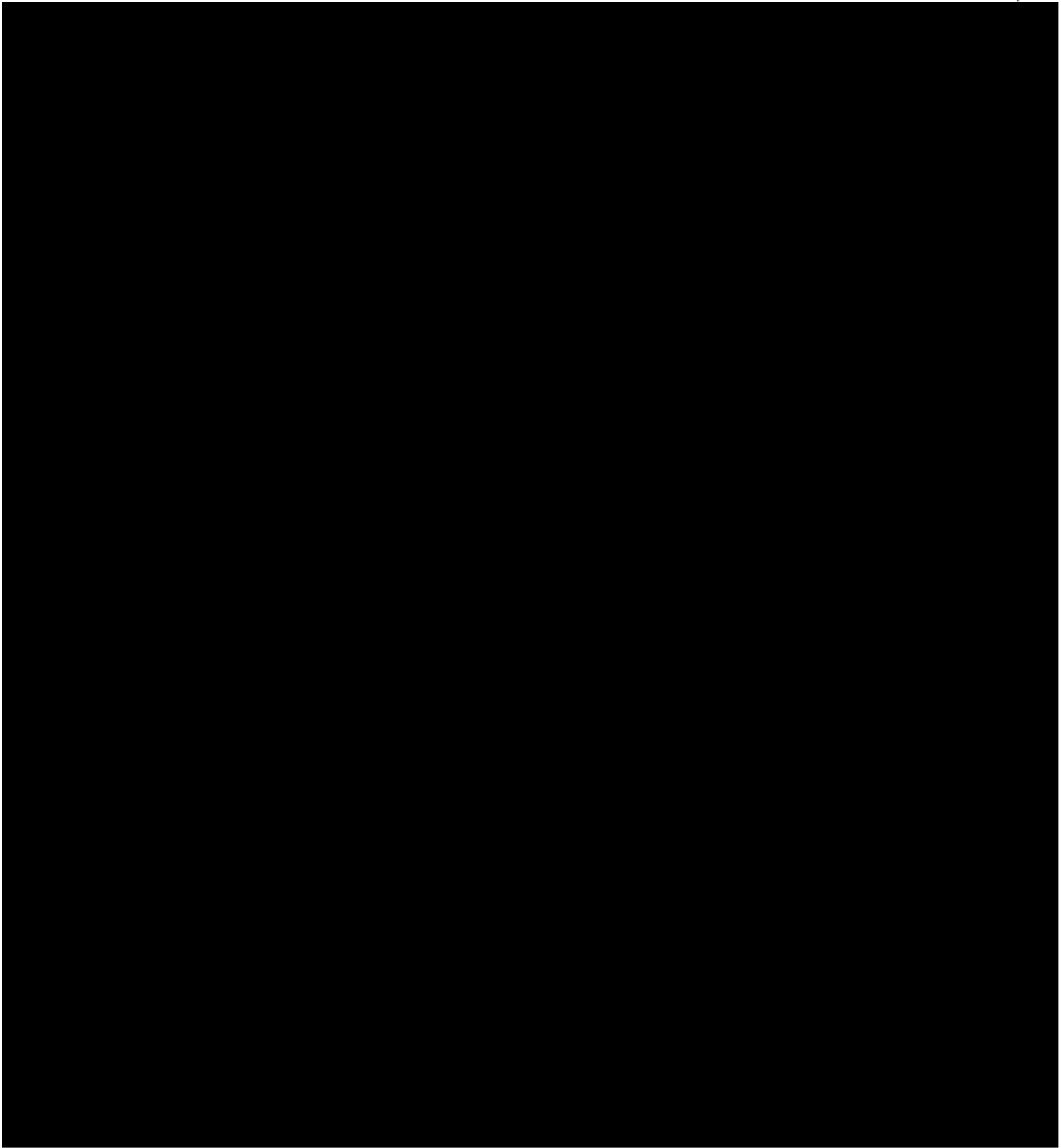




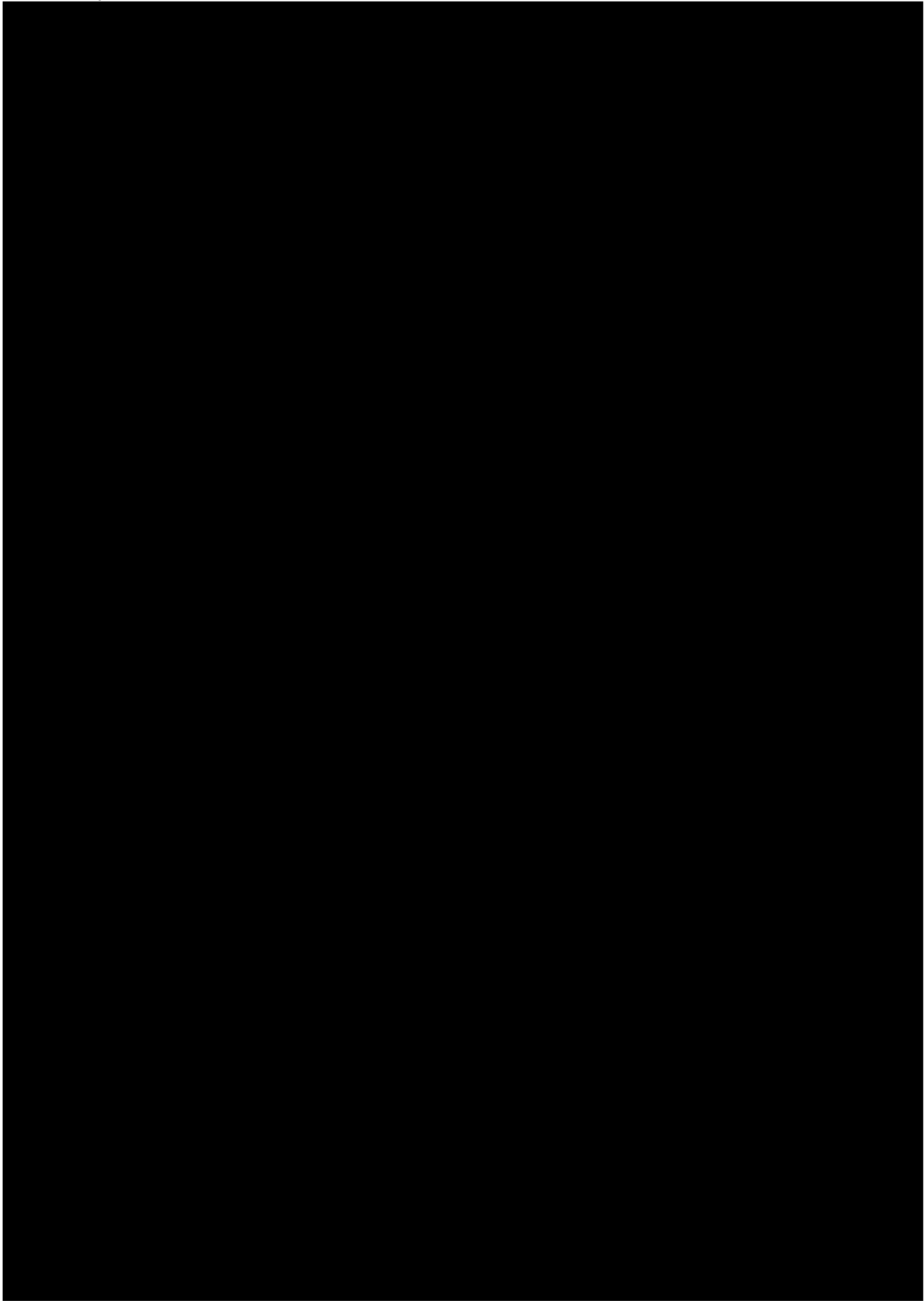


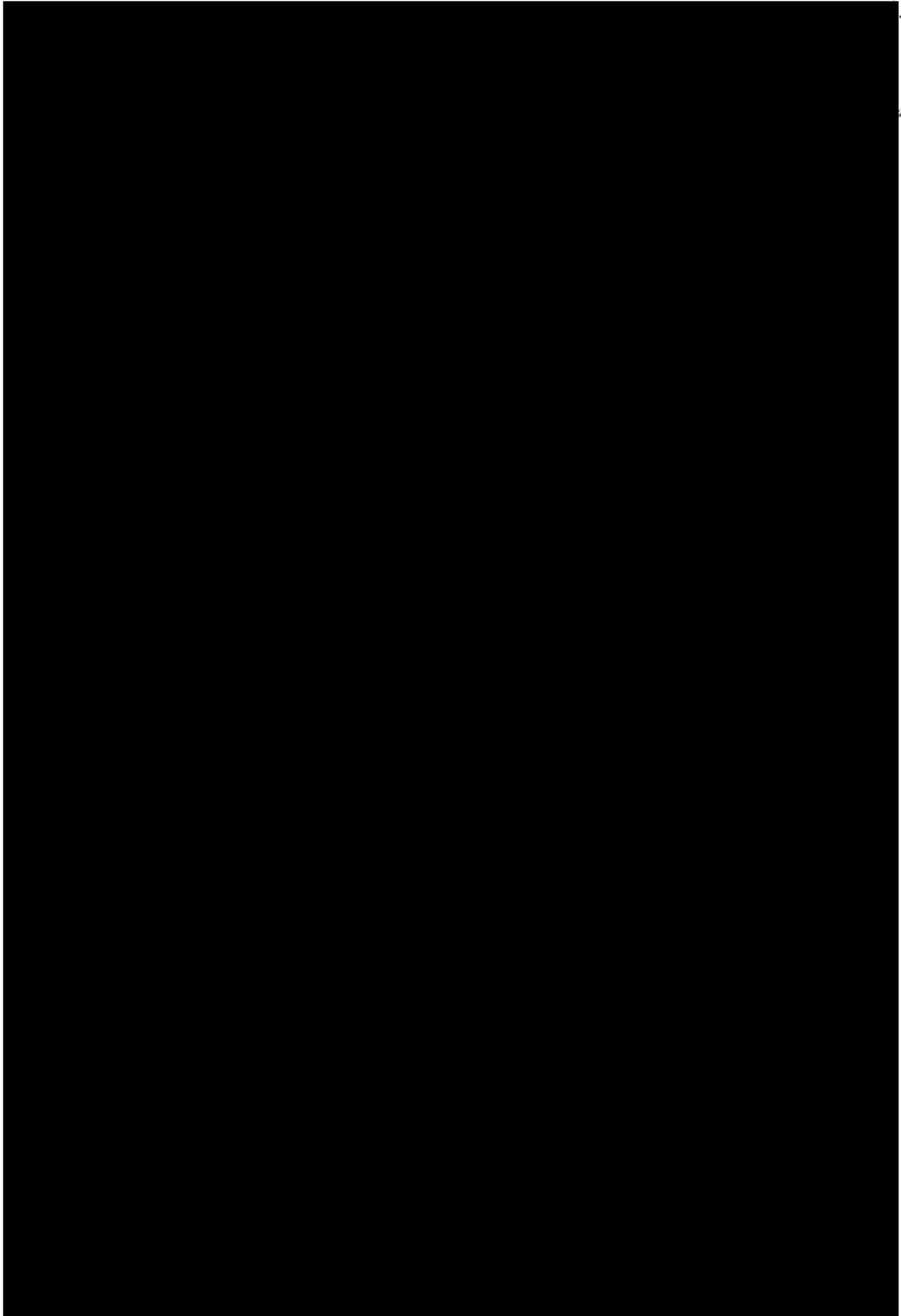


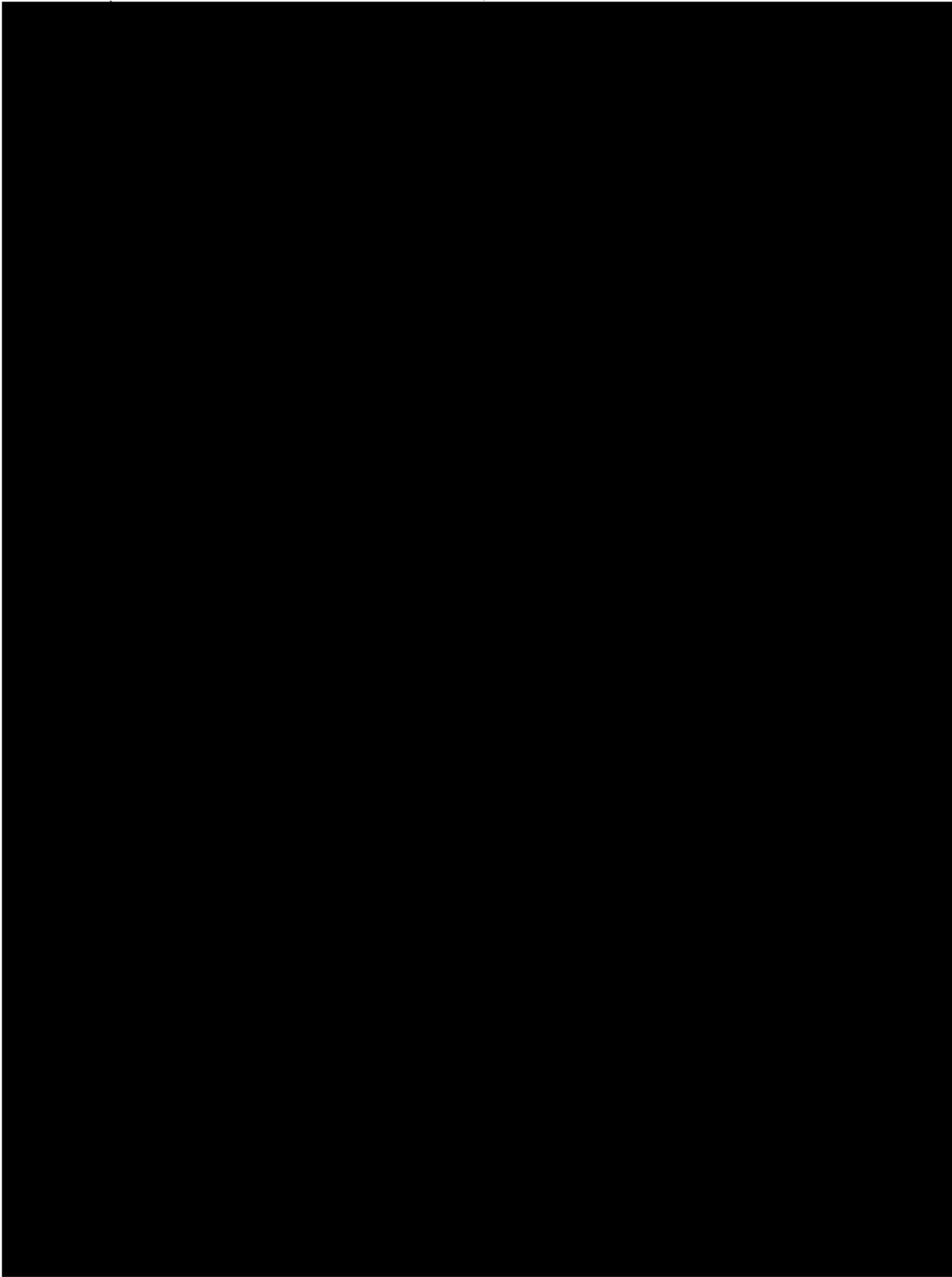


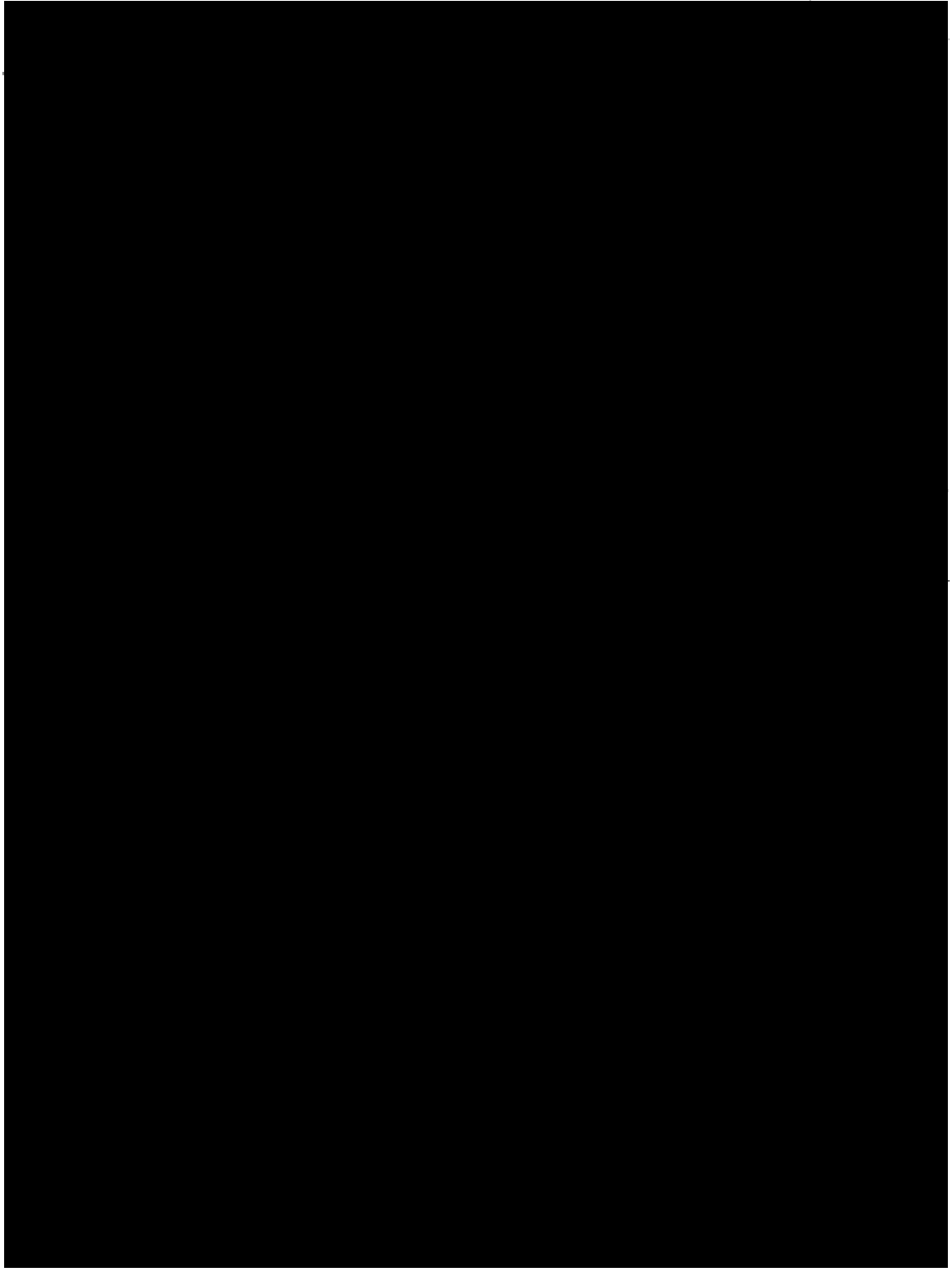










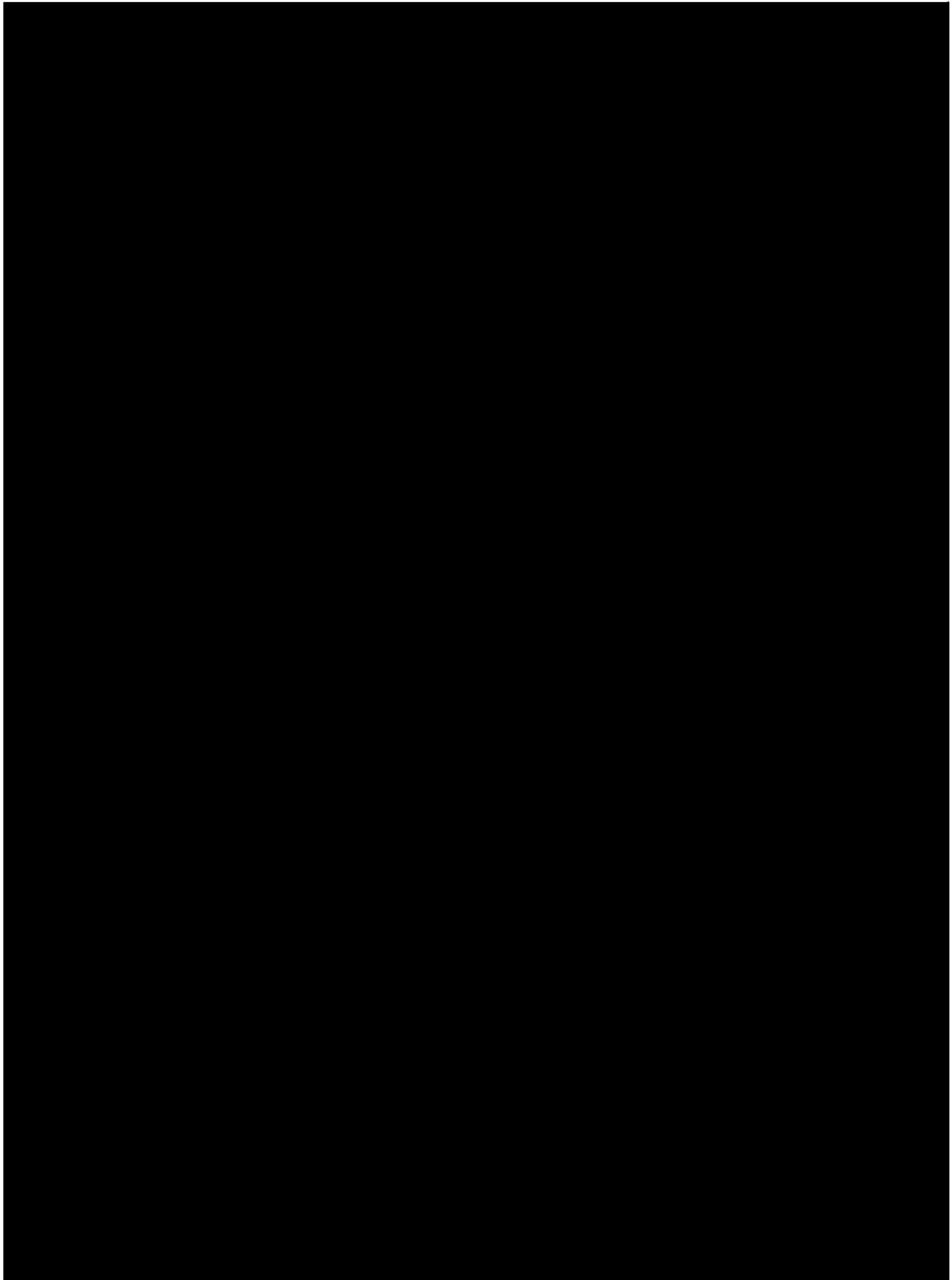


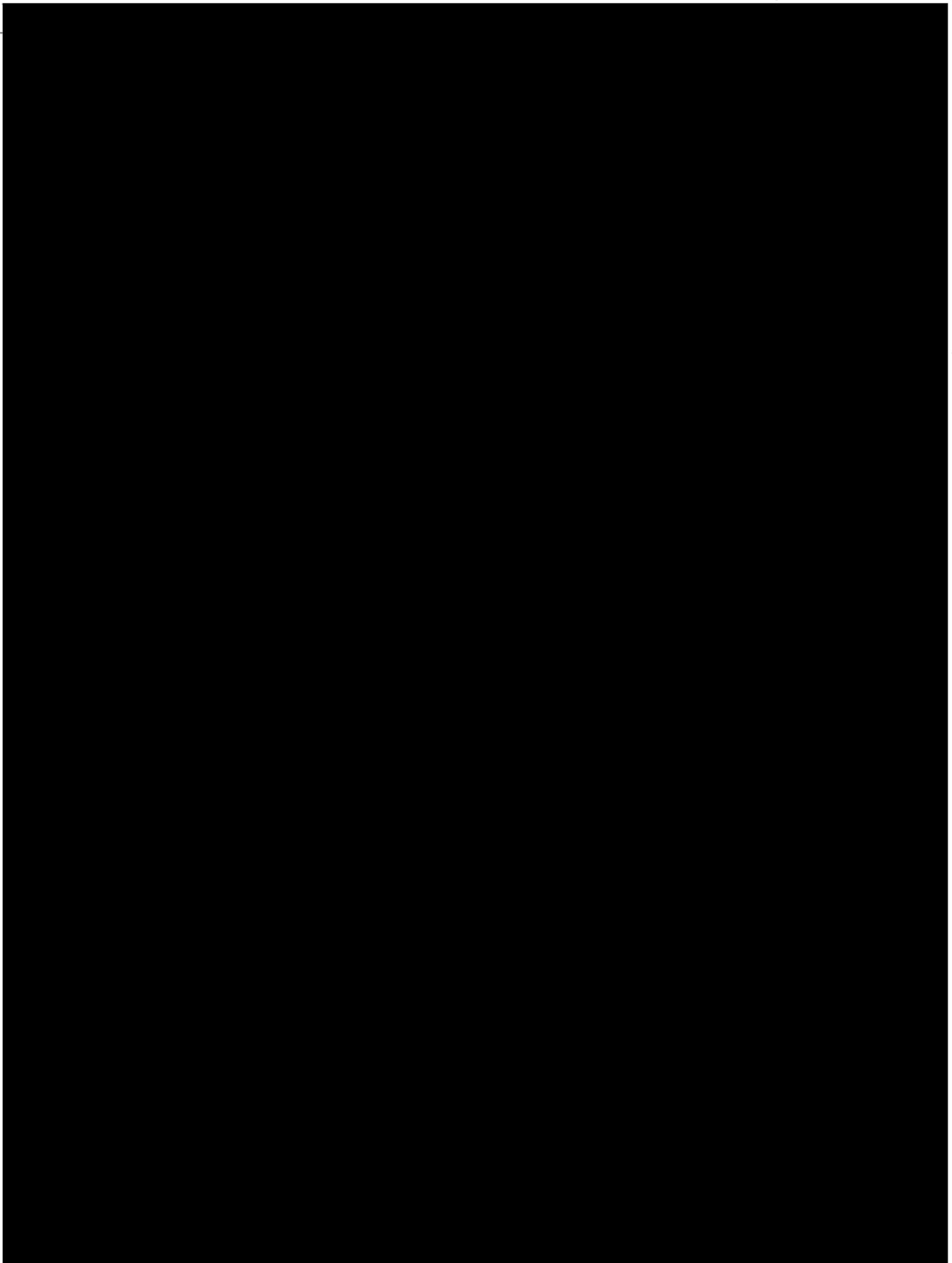


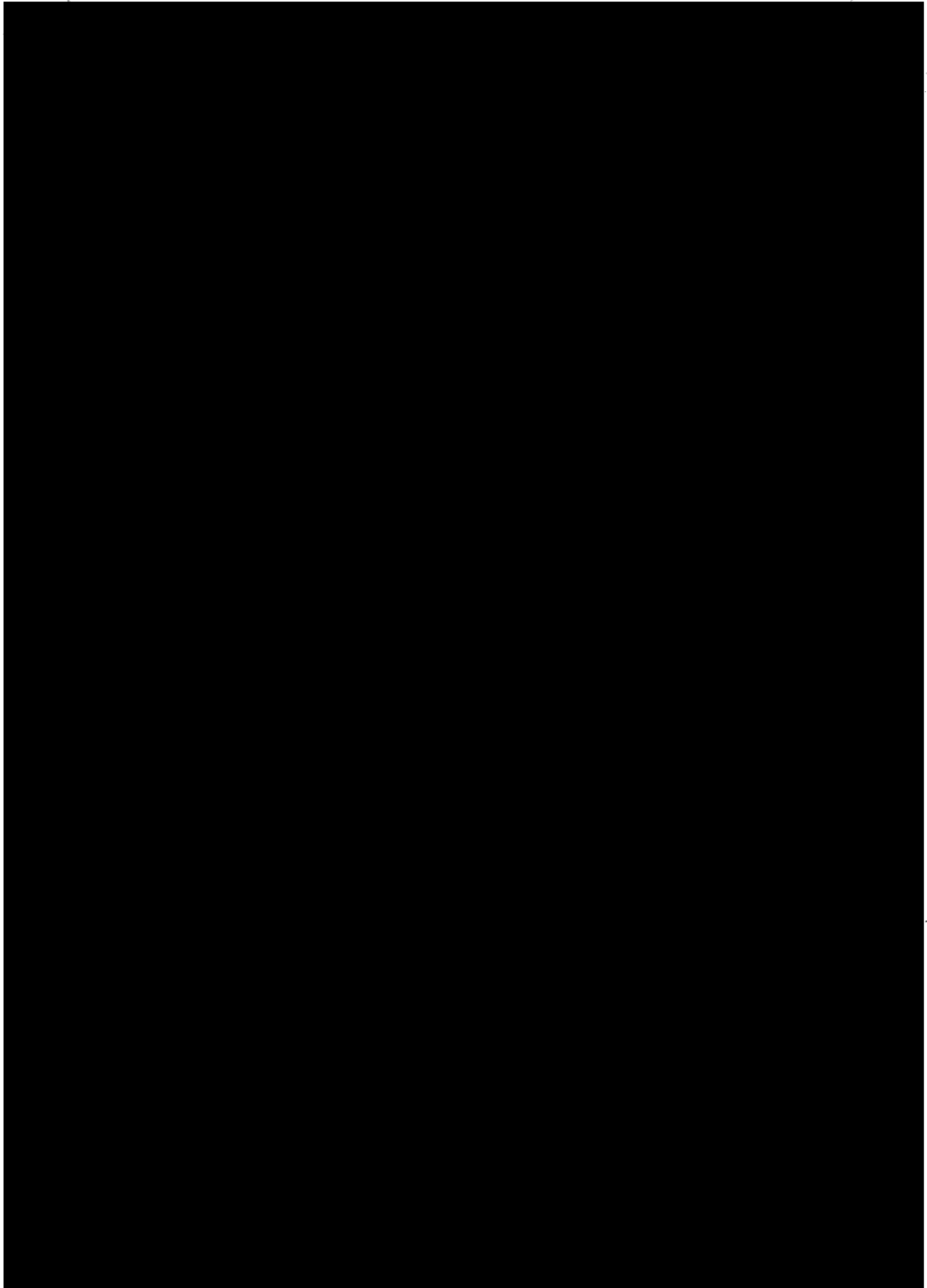
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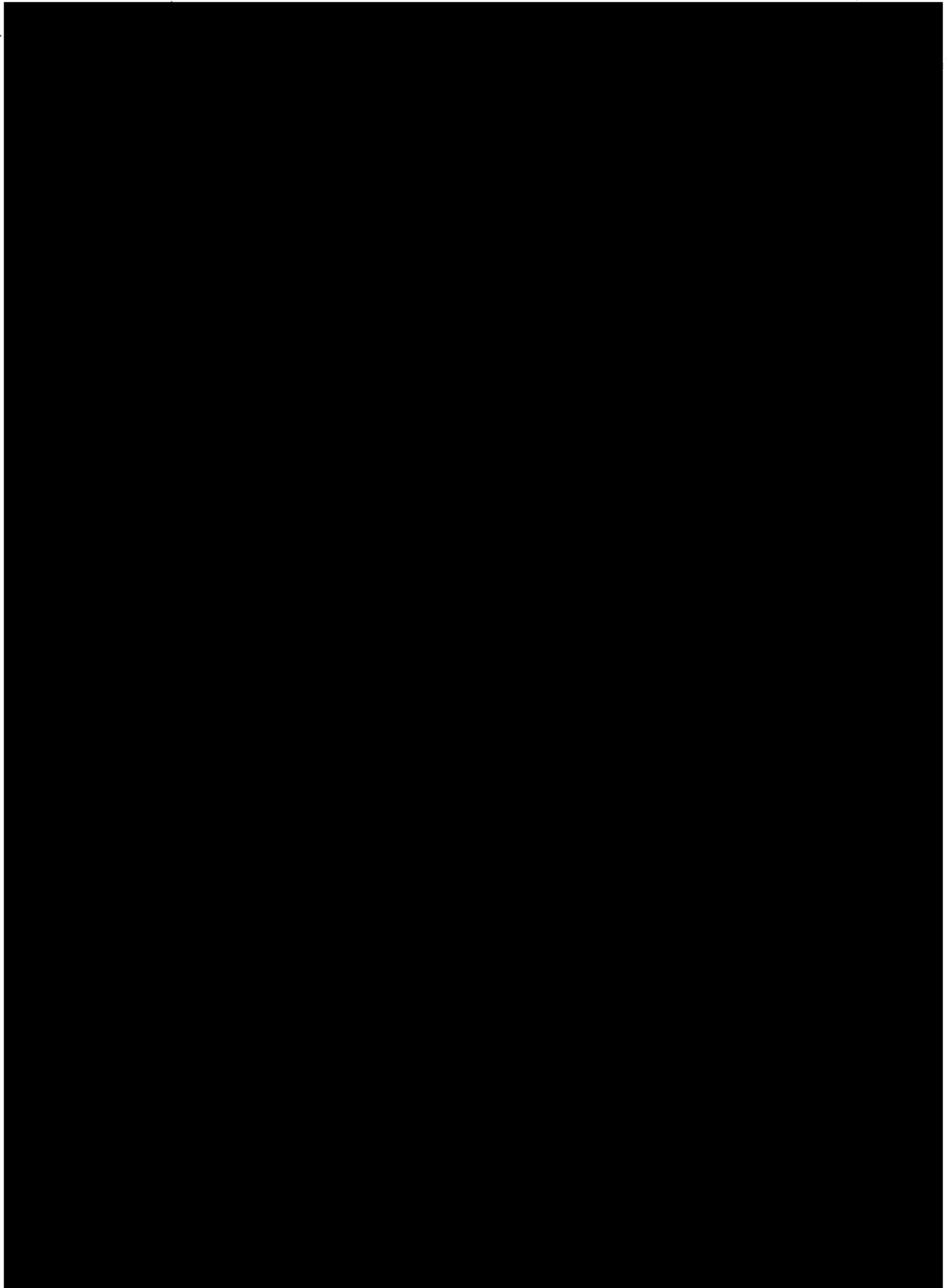
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JOHN MACIVER, CHAIRMAN  
 MICHAEL YAWORSKY, VICE CHAIR  
 JULIE I. BROWN, COMMISSIONER  
 CHUCK DRAGO, COMMISSIONER  
 JOHN D'AQUILA, COMMISSIONER

March 3, 2023

Ms. Maryann Manganiello  
 8040 Hampton Boulevard  
 North Lauderdale, Florida 33068

RE: Application No. 40005, Entity 13508385  
 1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Dear Ms. Manganiello:

Your application for an occupational license with the Office of Operations has been received. The item(s) checked below are either missing or require correction before the processing of your application can be completed:

- We received the online application for a Slot Machine Individual Occupational License with the Florida Gaming Control Commission. Please submit PMW-3410 - Slot Machine Individual Occupational License Application form is required. (form enclosed). ✓
- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 3 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section and provide court disposition records. Please initial and date any changes made to your application.
- You must list the information on your application and provide court disposition records for the following charges: ✓
  - Broward County, Florida - 06/21/1990, 10/15/1990, 10/27/1998, 12/16/1998

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 07/01/2023, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to

OFFICE OF OPERATIONS  
 2601 BLAIR STONE ROAD  
 TALLAHASSEE, FLORIDA 32399

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**reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.**

**Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. Return the missing document and/or information to the address provided above, attention Office of Operations. If you have any questions please call 850.488.3211.**

Thank you,

CM  
Operations Analyst II

The UPS Store  
7154 N University Dr  
Tamarac, FL 33321  
954.722.9995 fax



**FAX**

Florida Gaming Control Commission

To: Division of Pari-Mutuel Wagering  
office of operations

From: Maryann F. Danganello

Company: Phone number:

Fax number: 850-410-5350 Fax number:

Date: 03/28/2023 Total pages: 30

Job number:

Address - 2601 Blair Stone Road  
Tallahassee, FL 32399-1037

Message: Text area within text box

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## DBPR PMW-3410 – Slot Machine Individual Occupational License Application



**STATE OF FLORIDA**  
**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**  
**DIVISION OF PARI-MUTUEL WAGERING**  
[www.myfloridalicense.com](http://www.myfloridalicense.com)

**APPLICATION CHECKLIST – IMPORTANT – Submit all items on the checklist below to ensure faster processing.**

**ALL License Applicants must submit:**

- Completed Form DBPR PMW-3410 – Print clearly and complete all sections that are not optional in black or blue ink.
- Provide Identification – Required by Rule 61D-14.010, Florida Administrative Code.
- |   |   |
|---|---|
| Provide a copy of one of the items below:   | OR, Provide a copy of two of the items below:   |
| <ul style="list-style-type: none"> <li>• US Passport</li> <li>• Certificate of US Citizenship or Naturalization</li> <li>• Permanent Resident Card</li> </ul> | <ul style="list-style-type: none"> <li>• Birth Certificate (Certified Copy)</li> <li>• Driver's License</li> <li>• Military ID Card</li> <li>• Student ID Card</li> <li>• Country ID Card</li> <li>• Foreign Passport</li> <li>• Government Issued Credential</li> <li>• Immigration ID Card</li> </ul> |
- Additional Pages – If necessary to respond to any application questions.
- Supporting Legal Documentation – If necessary to respond to background information questions in application.
- Three (3) Year Licensing Fee – Make checks or money orders payable to DBPR.
- |   |                                   |
|---|-----------------------------------|
| <input type="checkbox"/> Slot Machine General Occupational License - \$100.00*                  | *does not include fingerprint fee |
| <input type="checkbox"/> Slot Machine Professional Occupational License - \$100.00*             |                                   |
| <input type="checkbox"/> Slot Machine/Cardroom/PMW Combination Occupational License - \$100.00* |                                   |
- Fingerprints – Choose One Option:
- Electronic Fingerprints: Electronic fingerprints must be submitted to the Division through a law enforcement agency or an FDLE approved Livescan Service Provider. Submit electronic fingerprints with the following ORI number: FL923230Z.
- IMPORTANT: Electronic fingerprint processing fees must be paid directly to the law enforcement agency or FDLE approved Livescan Service Provider.**
- Fingerprint Card: Fingerprint cards (FD-258) can be mailed to applicants upon request by contacting the Division at the address or phone number below. Completed fingerprint cards must be mailed to the Division with your application.
- IMPORTANT: Fingerprint card processing fees must be paid to the Division. Please see <http://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx> for the current fee amount.**
- Fingerprint Resubmission for Renewal and Upgrade Applicants: Applicants timely renewing or upgrading a license need only provide the Division a fingerprint resubmission processing fee. Visit our website or contact us for the current fee amount.
- IMPORTANT: Timely submission of renewals must occur within one year of the expiration of applicant's license.**

Please mail your completed application, documentation and required fee(s) to:  
**Department of Business and Professional Regulation**  
**Pari-Mutuel Wagering; Licensing Section**  
**2601 Blair Stone Road, Tallahassee, Florida 32399-1037**  
**Phone: 850.487.1395**

**Department of Business and Professional Regulation  
 Division of Pari-Mutuel Wagering  
 DBPR PMW-3410 – Slot Machine Individual Occupational License Application**

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**Instructions:** Please review this application thoroughly and complete all sections not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION			
Social Security Number [REDACTED]	Birth Date (MM/DD/YYYY) [REDACTED]	Gender <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female	
Last Name MANGANIello	First MARYANN	Middle FRANCIS	Suffix --
Have you used, been known as, or called by another name (example – maiden name, pseudonym, nickname) or alias other than the name used on the application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If yes, list the name or names used: --			
Race/Ethnicity (check only one): <input type="checkbox"/> Black or African American <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Native American or Alaskan Native <input checked="" type="checkbox"/> White or Caucasian <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other			
Are you a United States citizen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, provide the name of the country of which you are a citizen:			
Current Mailing Address 8040 Hampton Blvd. # 409		Email Address (optional) [REDACTED]	
City North Lauderdale	State FL	Zip Code (+4 optional) 33068	Country USA
Primary Phone Number [REDACTED]		Secondary/Cell Phone Number (optional) --	
Current Street Address 8040 Hampton Blvd. # 409			
City North Lauderdale	State FL	Zip Code (+4 optional) 33068	Country USA
Type of Slot Machine Occupational License applying for: <input type="checkbox"/> General Individual <input type="checkbox"/> Professional Individual <input checked="" type="checkbox"/> Slot Machine/Cardroom/PMW Combination		Is this your first time applying for a racing/gaming license in Florida? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Job title(s): Security Officer I full time		Facility where employed and/or doing business: HARRAH'S Pompano Beach	
*Applicants for a Combo license should disclose all job titles		Employer name: HARRAH'S	
FOR DIVISION USE ONLY			
License Code _____	License # _____	File # _____	App # _____
Association Code _____	Date Received _____	Entered By _____	License Year _____
License Fee _____	FP Date _____	FP Fee _____	Total Fee _____
Waiver Requested (Combo Only)	ARCI	Enforcement	

EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)				
<input type="checkbox"/> Yes Have you previously worked for a gaming-related employer? <input checked="" type="checkbox"/> No 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
Door Dash Inc.	303 3rd Street Suite 800 San Francisco, CA 94107	04/2021 Present	Door Dash Delivery SELF	working part time until I start at MARRA'S
Publix Supermarkets	1465 S. Federal Hwy Pompano Beach, FL 33062	04/2017 04/2021	Deli Clerk Khandia Lawson	not receiving enough hours.
MACYS	2314 E. Sunrise Blvd Ft. Lauderdale, FL 33304	08/2016 01/2017	Sale Associate Fine Jewelry John Campioni	Seasonal Position
BLAST OFF Sandblasting	770 SW 12th Avenue Pompano Beach, FL 33062	02/2015 04/2017	DINO SACCO Office Manager	owner decreased business unviable
MACYS	9120 W Atlantic Blvd Coral Springs, FL 33071	08/2014 03/2015	Sale Associate Bonnie Donish	Salary negotiated was not finalized
Advantage Sales Marketing	950 N University Ave Coral Springs, FL 33071	05/2010 08/2014	Event Specialist DINA Culmo	Received an existing job offer
PREVIOUS LICENSING HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)				
<input type="checkbox"/> Yes Have you ever been licensed in any other racing or gaming jurisdiction? If yes, you must list all current and previous <input checked="" type="checkbox"/> No 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 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 <input checked="" type="checkbox"/> No 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:				
<hr/> <hr/> <hr/>				

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BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

Yes  No Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, or filing false reports to government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

Yes  No Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the section provided below.

Date of Disposition	County	State	Offense	Misdemeanor or Felony?	Sentence
10/27/1998	Broward	FL	Felony	Felony	DISPOSED
12/16/1998	Broward	FL	Felony	Felony	DISPOSED
6/21/1990	Broward	FL	3rd Degree Felony	Felony	DISPOSED
10/15/1990	Broward	FL	3rd Degree Felony	Felony	DISPOSED

Yes  No Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?

Yes  No Do you currently own or have a financial interest in a Florida licensed slot machine facility or in any business owned by a Florida licensed slot machine facility?

ADDITIONAL INFORMATION

Empty space for additional information.

FLORIDA GAMING CONTROL COMMISSION

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PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging the FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

AUTHORIZATION FOR RELEASE OF INFORMATION:

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation or the Florida Department of Law Enforcement.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

Maryann Frances Manganiello  
Print Legal Name (First Middle Last)

[Redacted]  
Birth Date (MM/DD/YYYY)

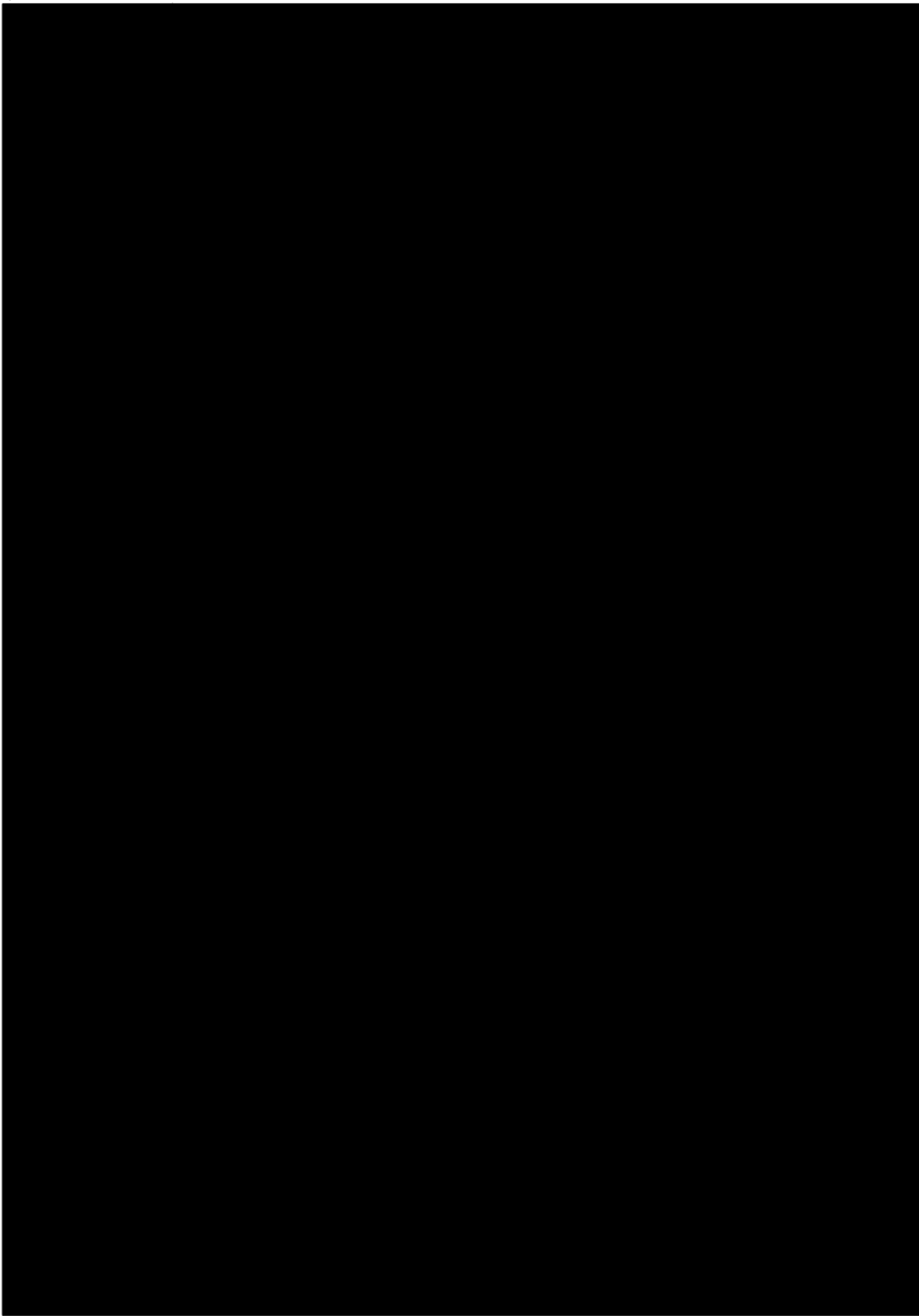
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Social Security Number

HARDY'S Pompano Casino  
Name of Employer

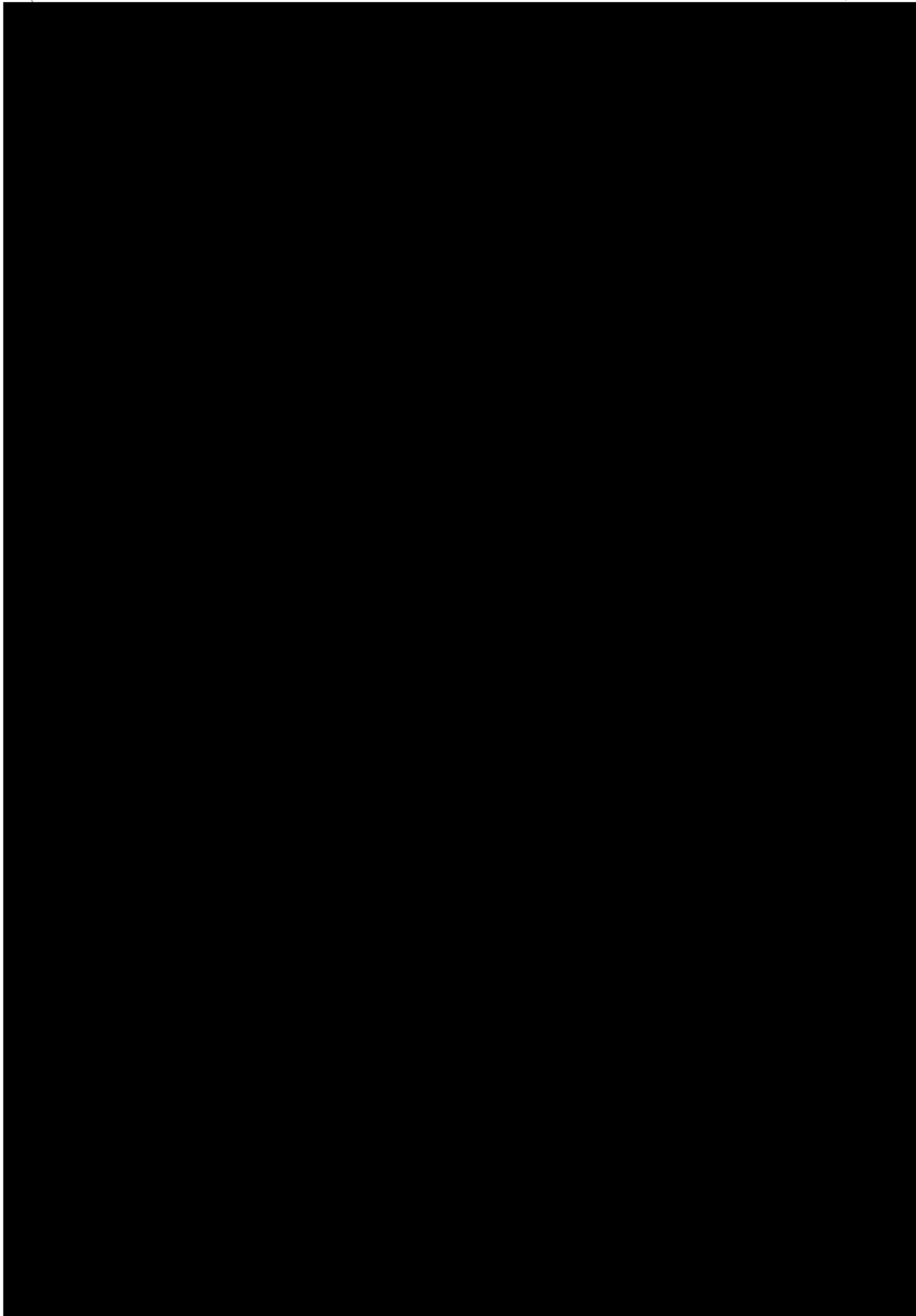
Maryann Frances Manganiello  
Signature of Applicant

03/28/2023  
Date

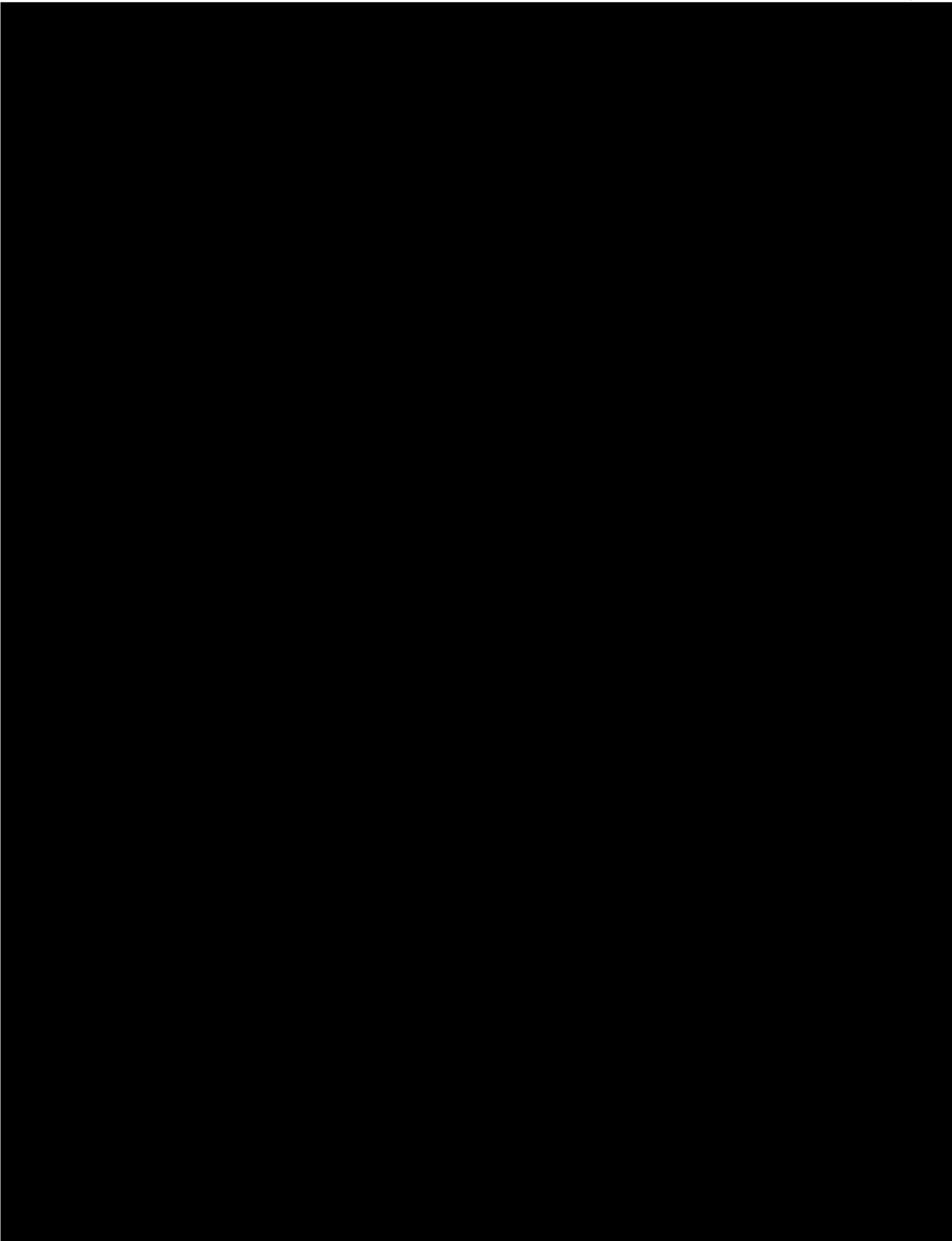
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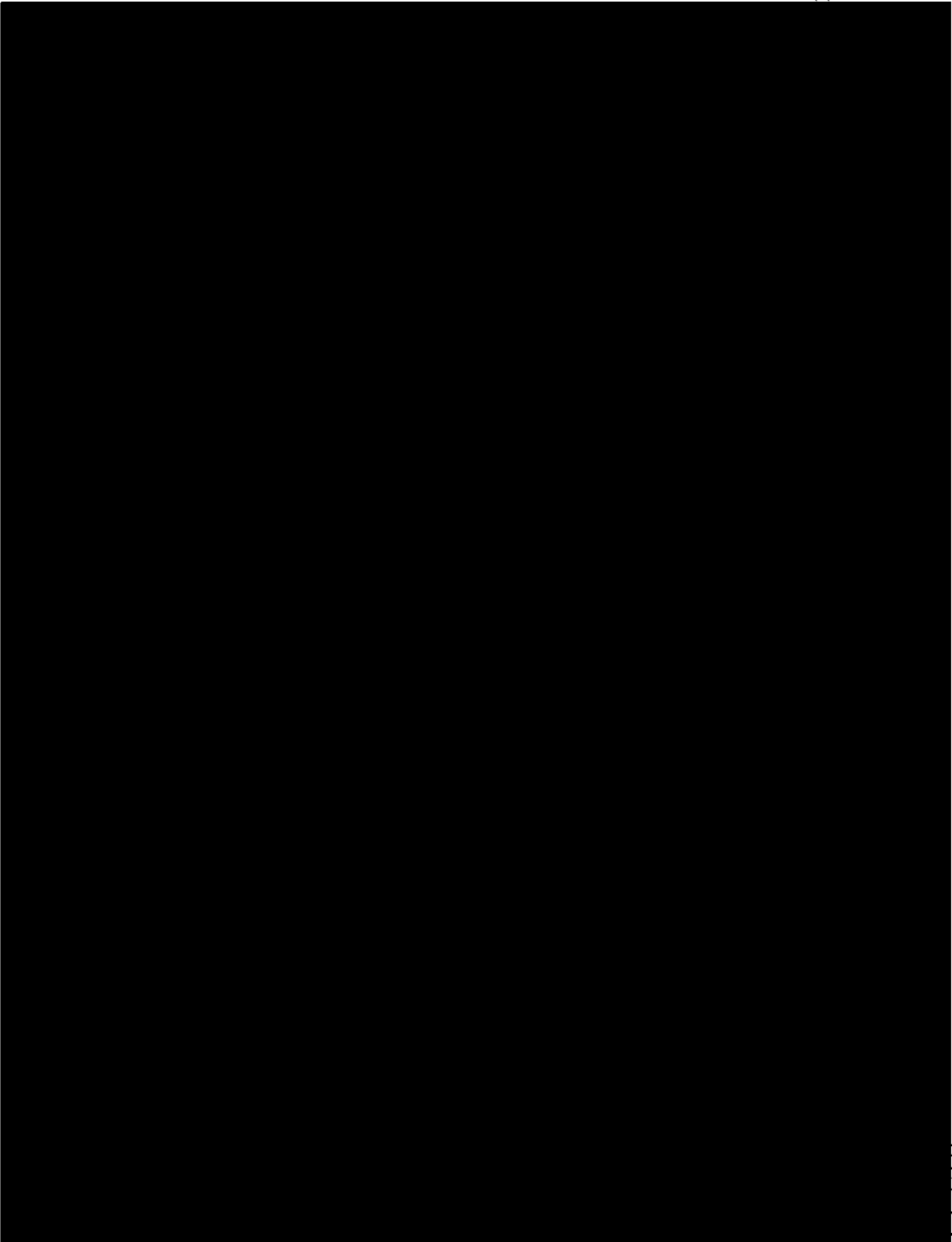
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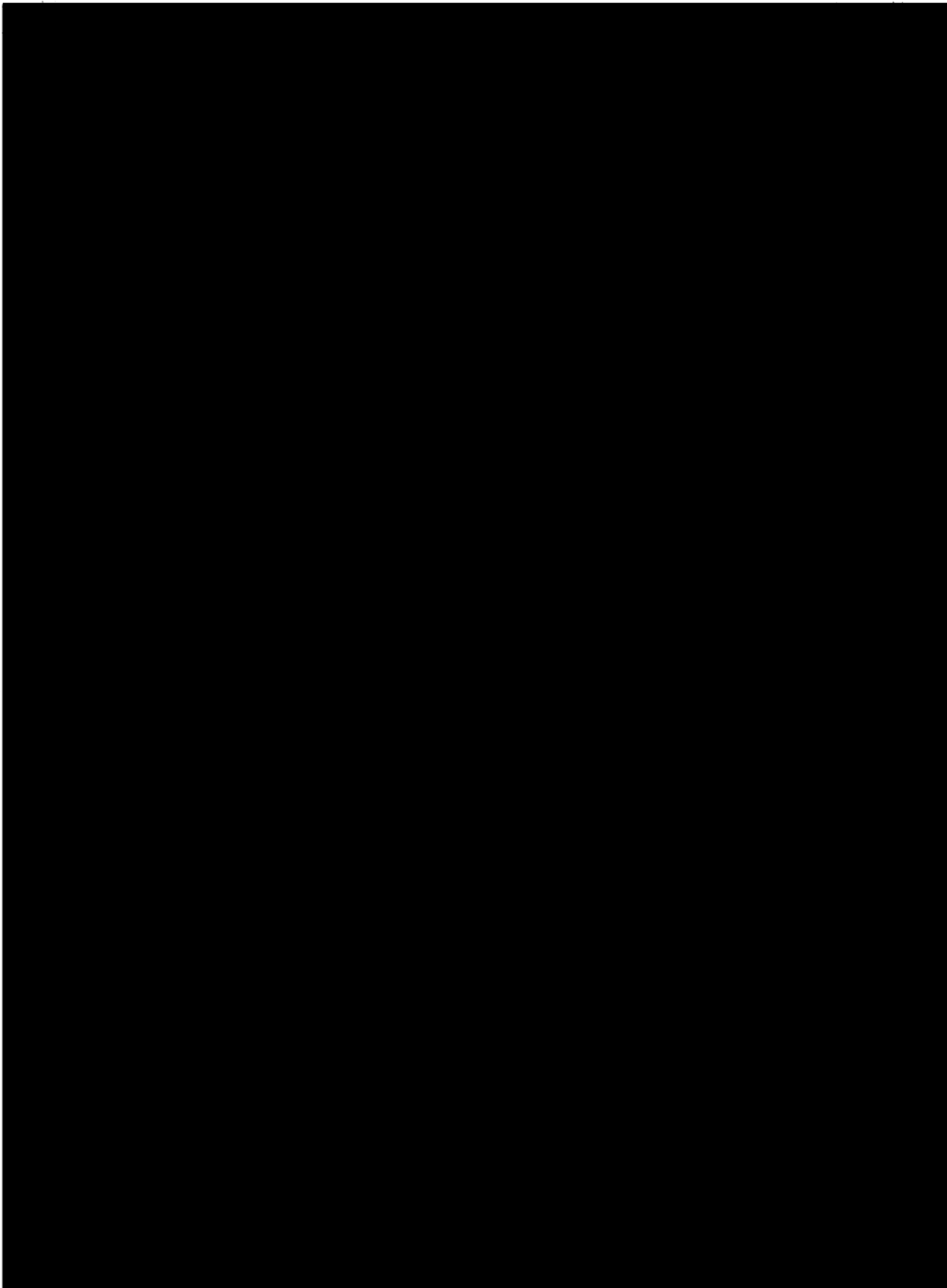
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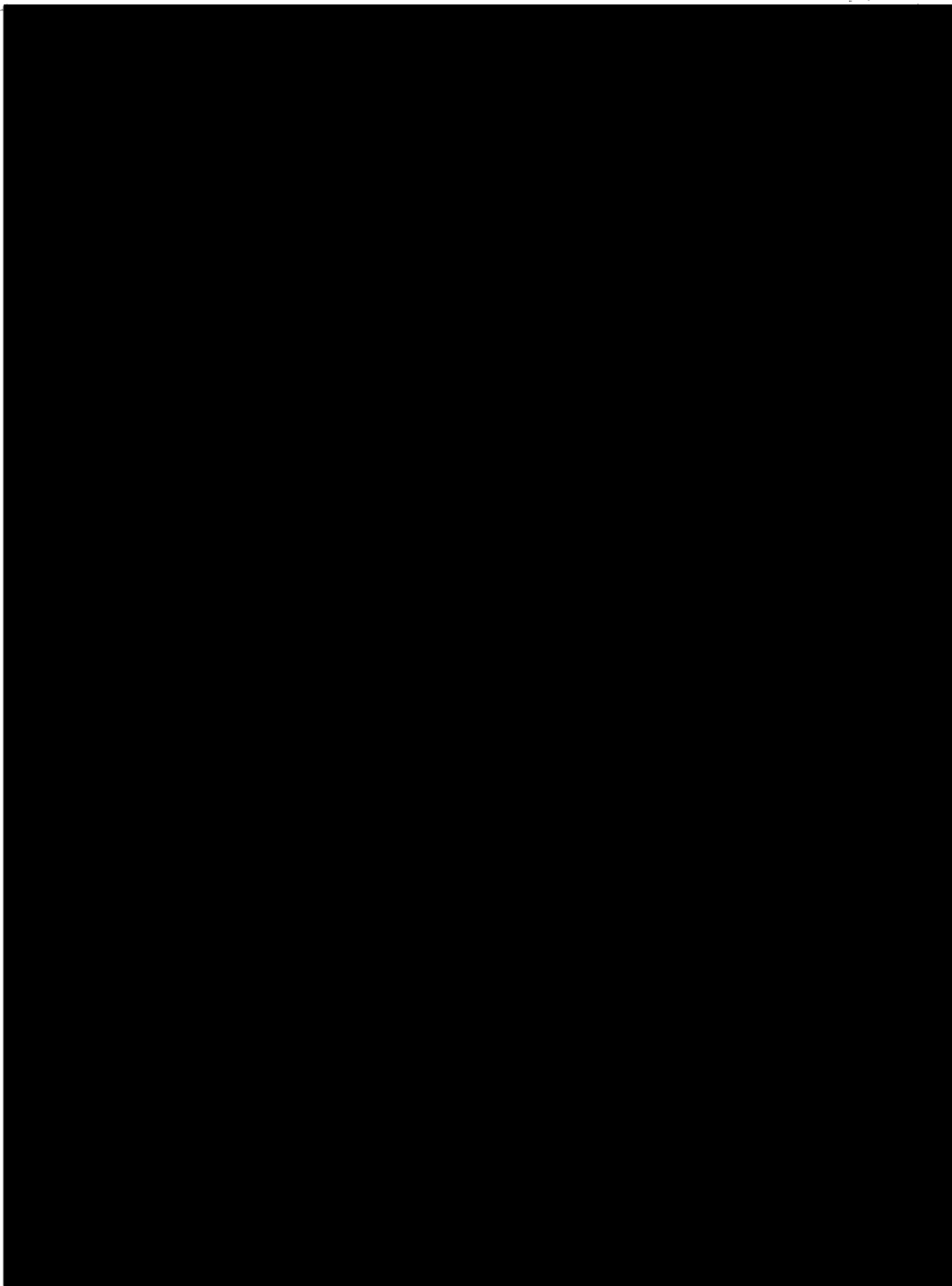


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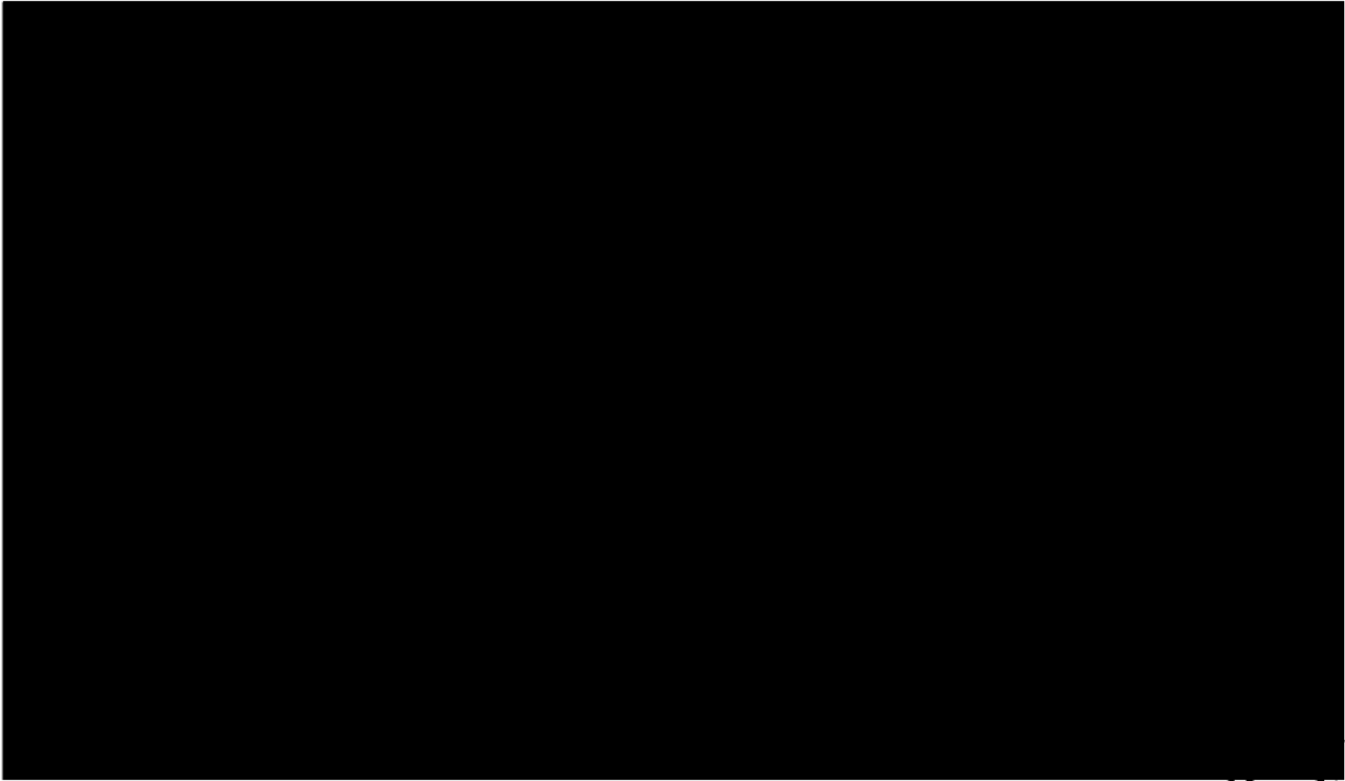
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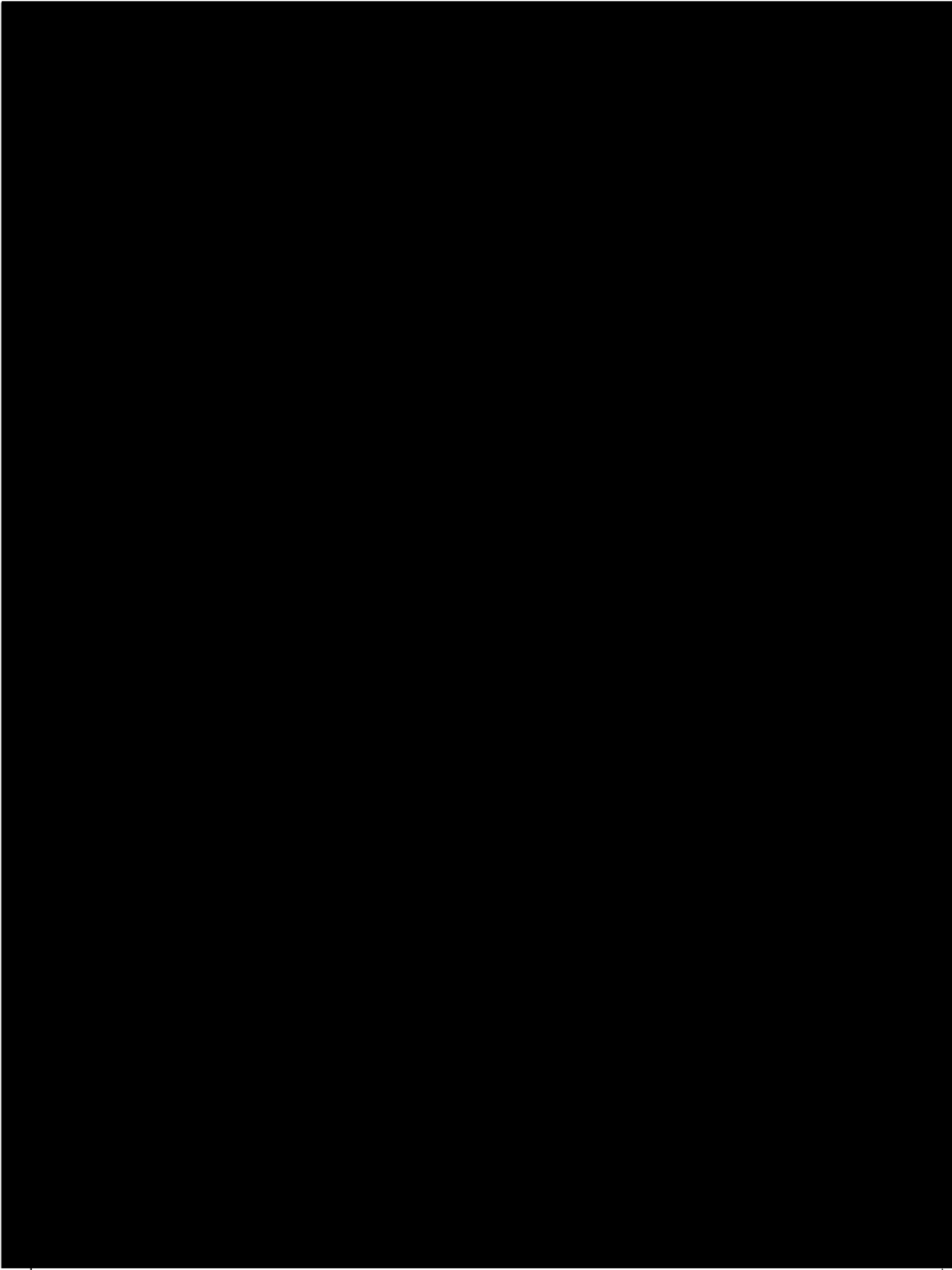




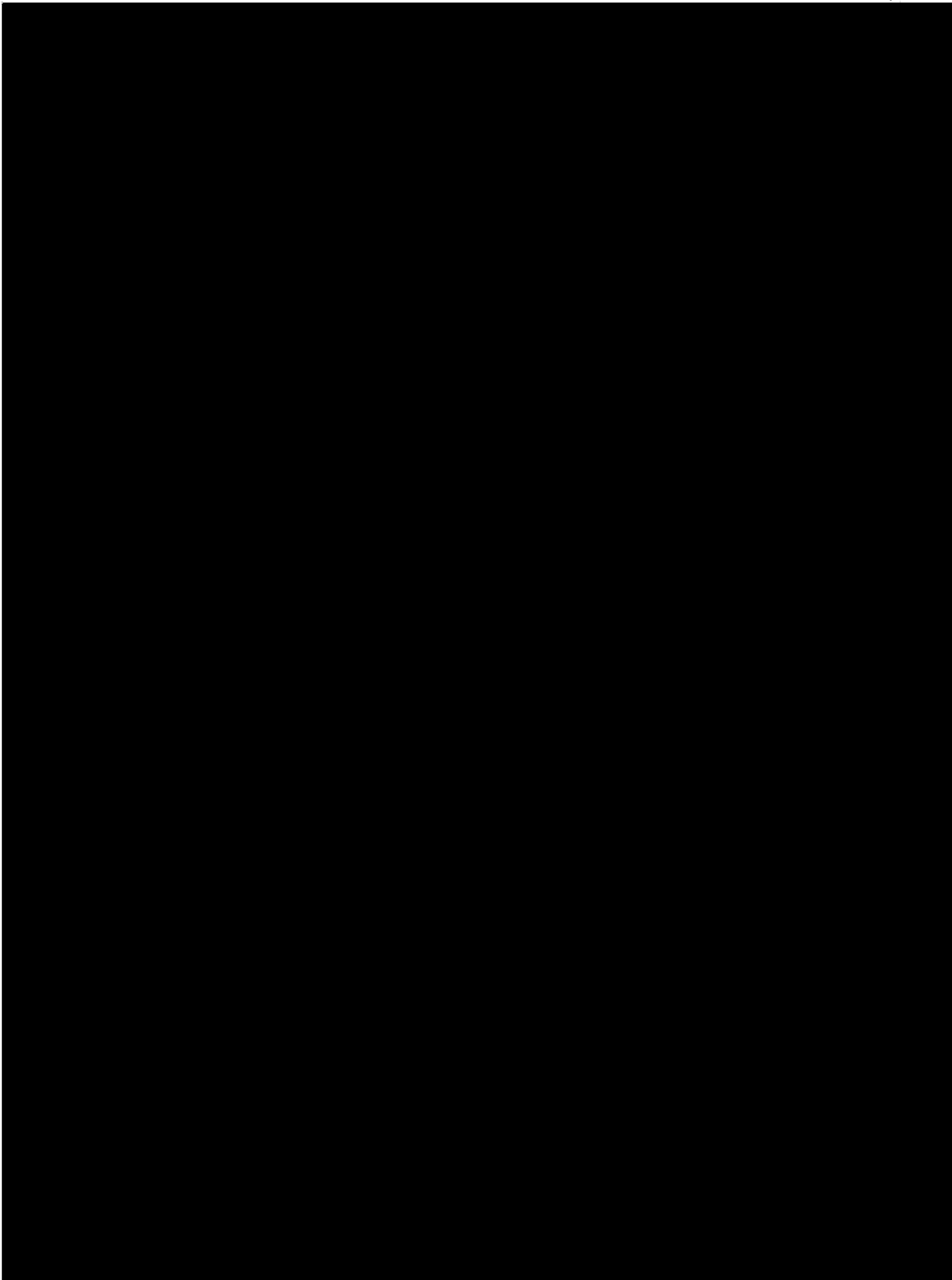
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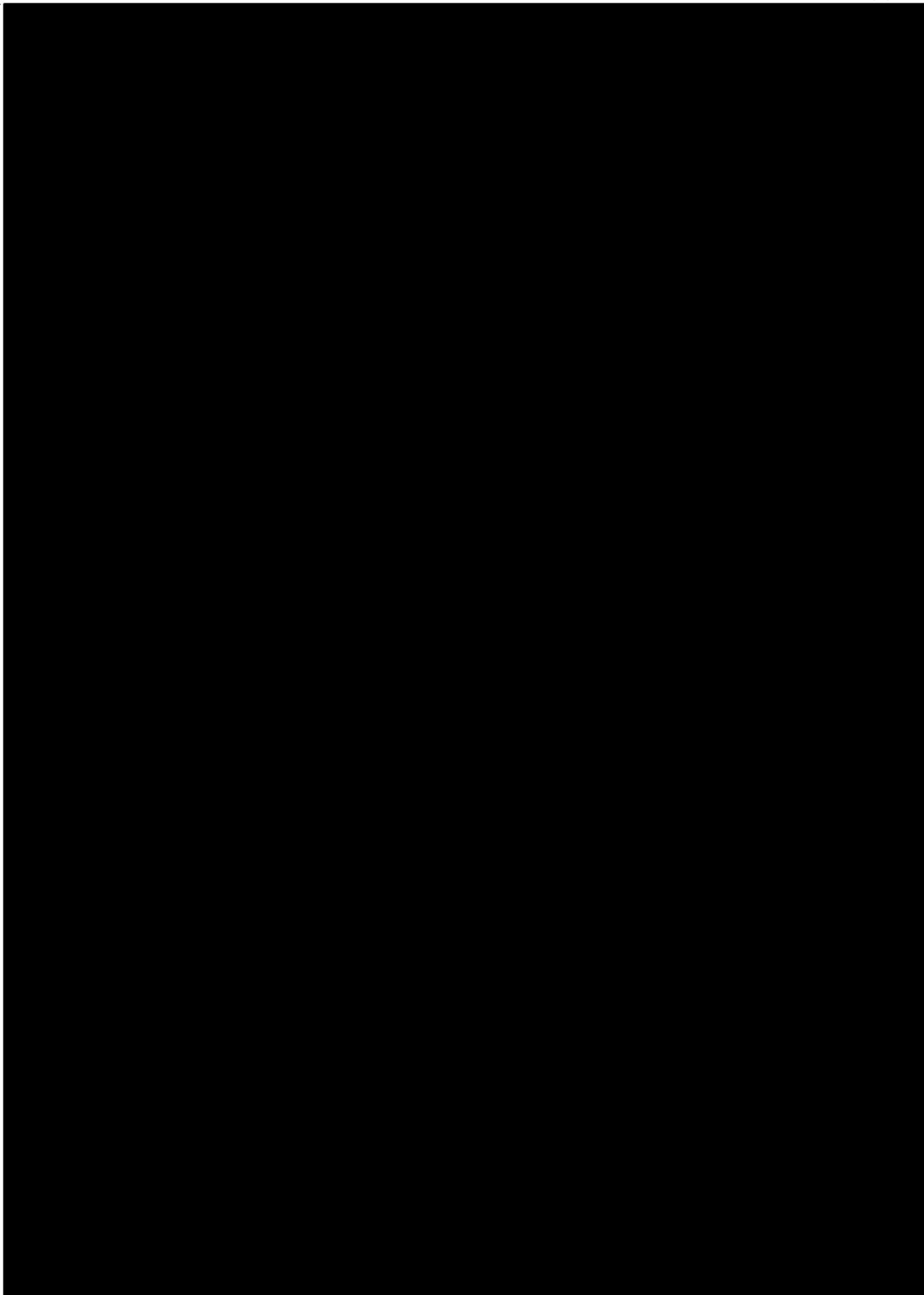
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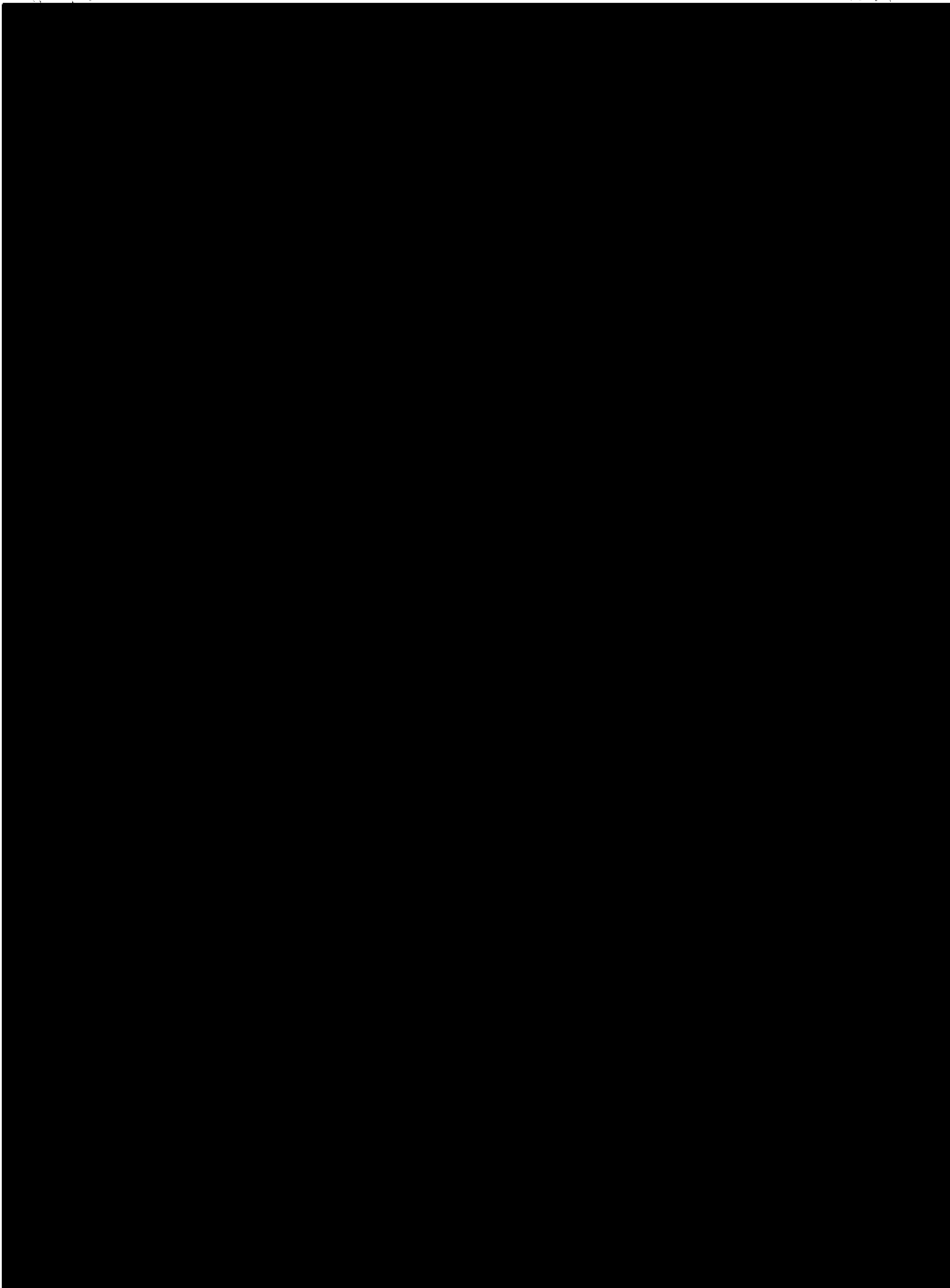


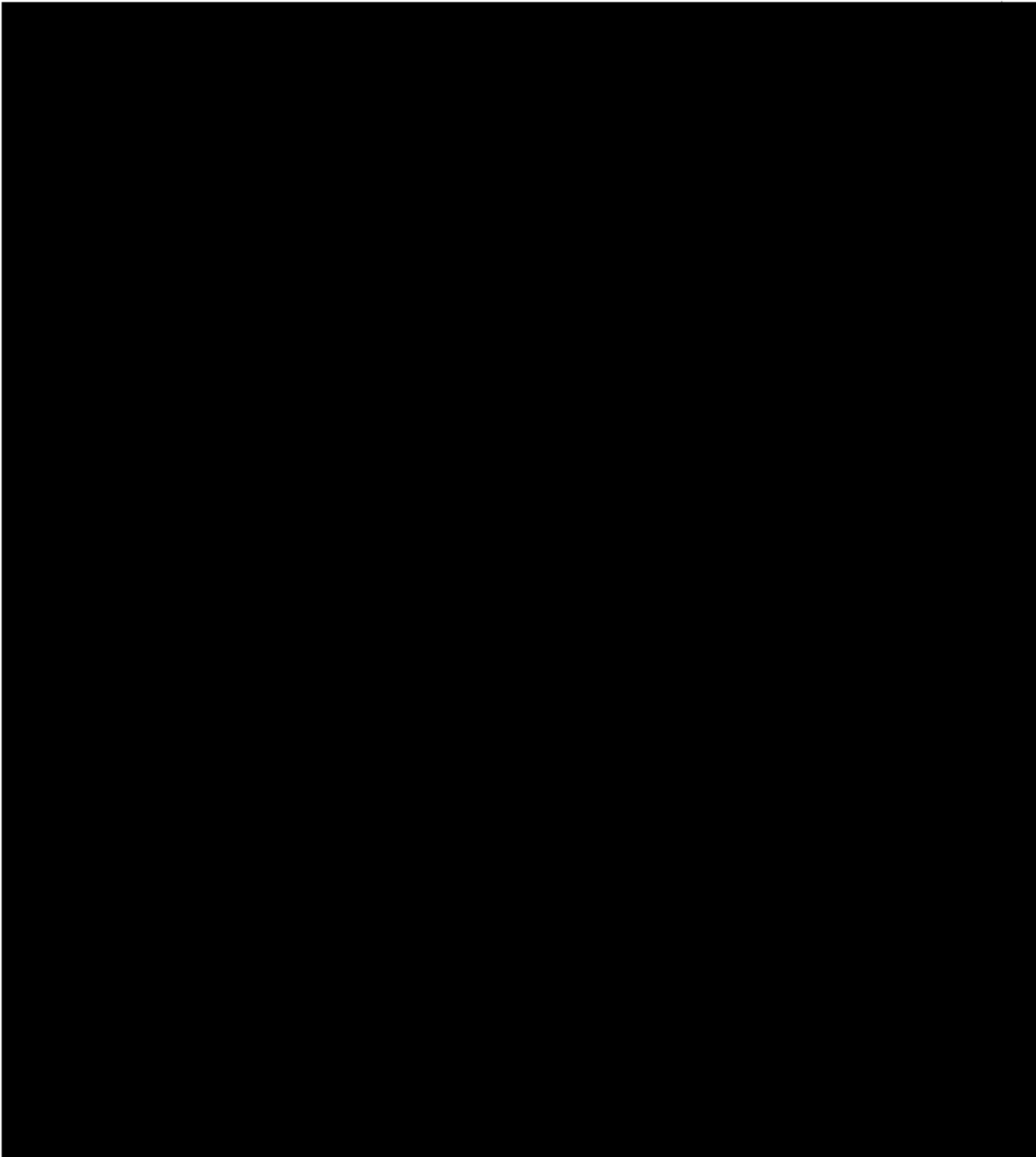
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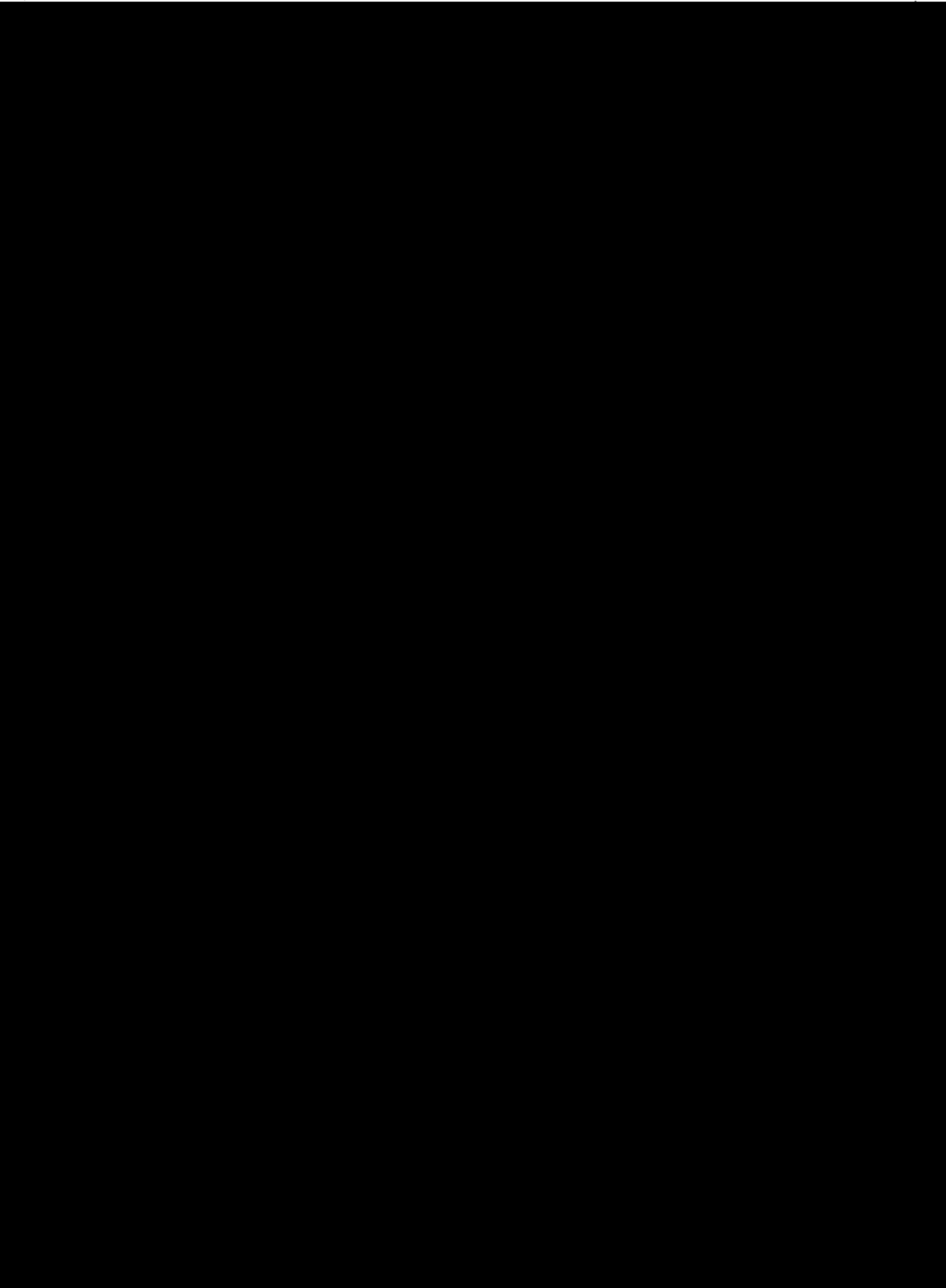


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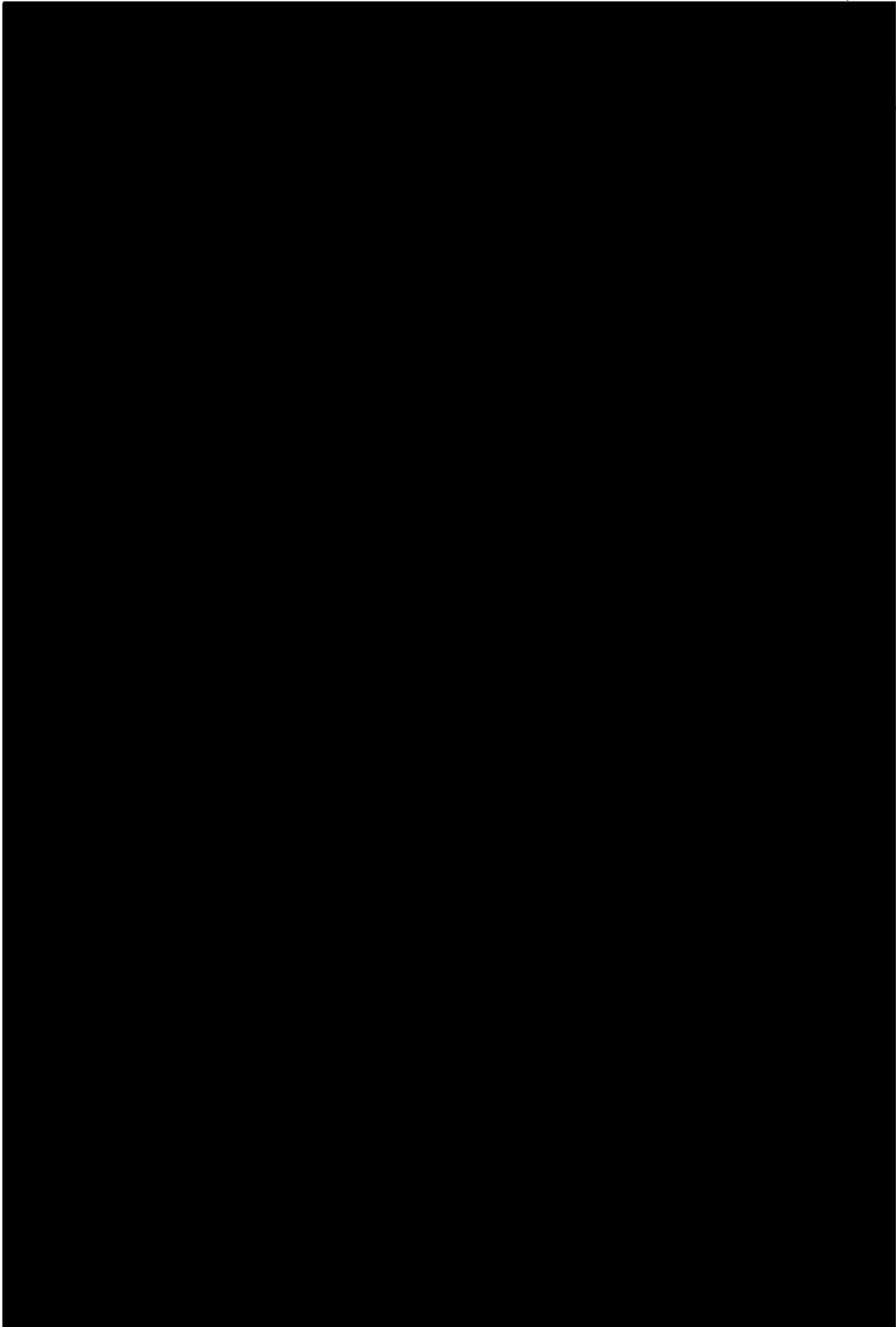




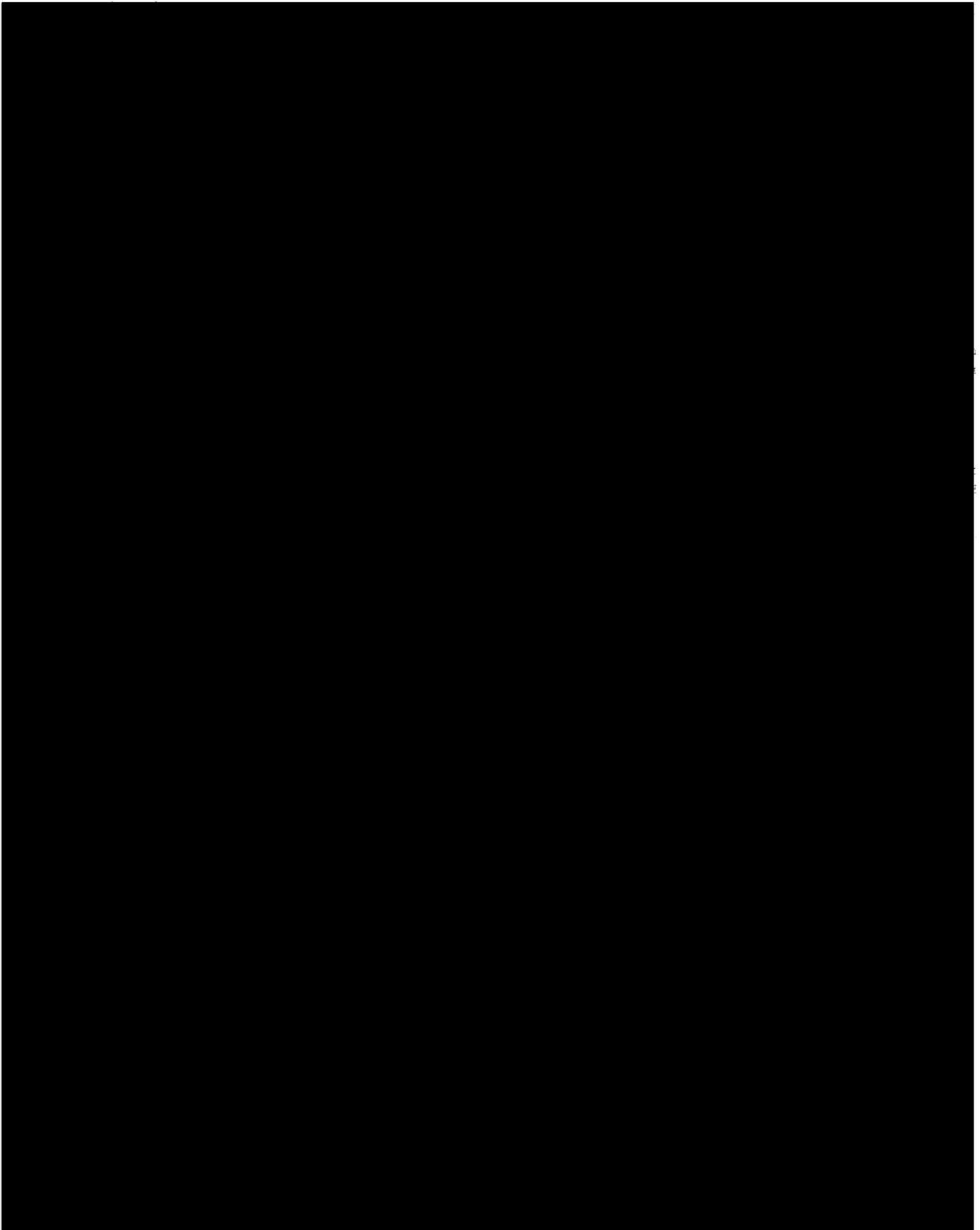


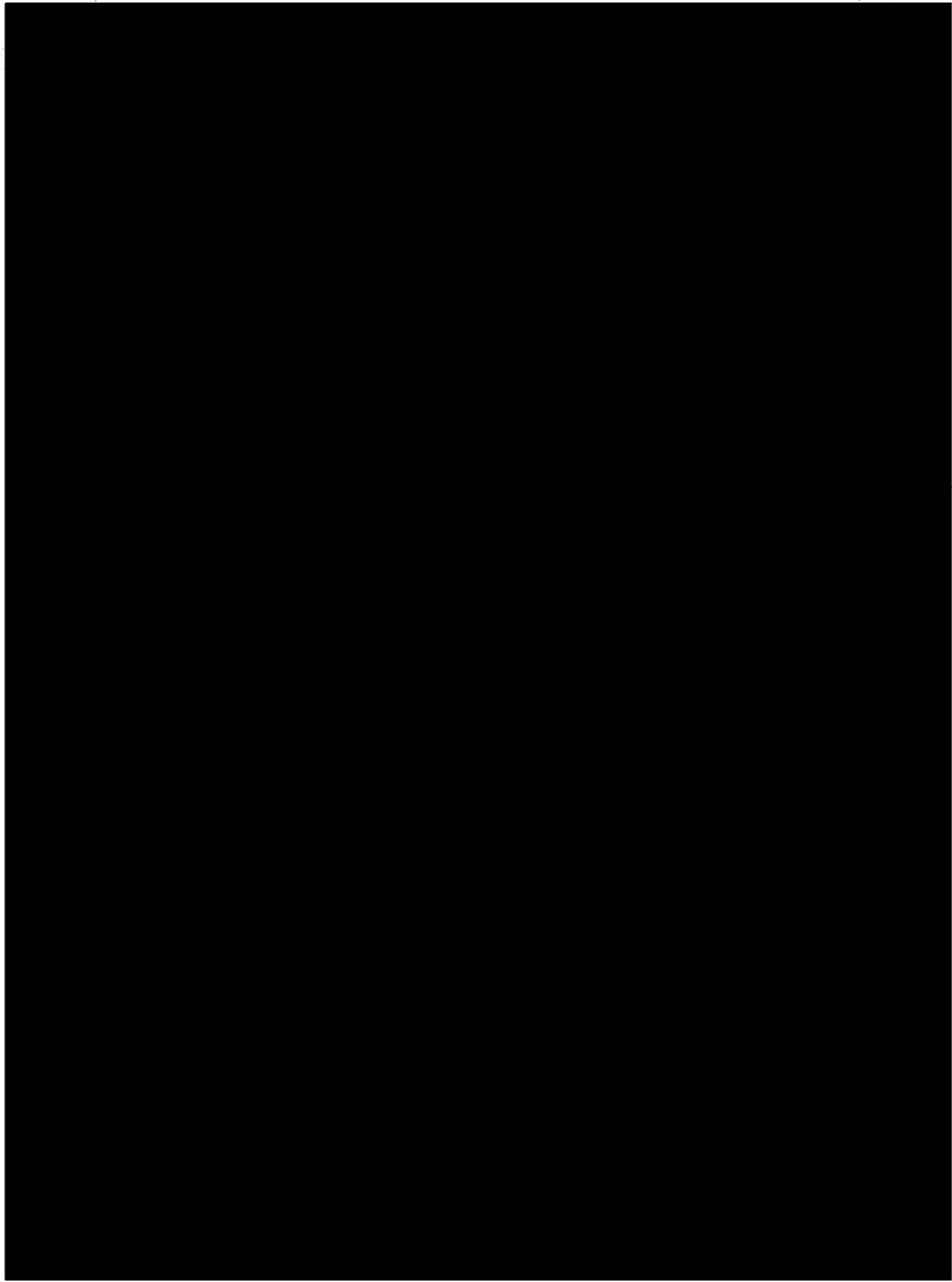


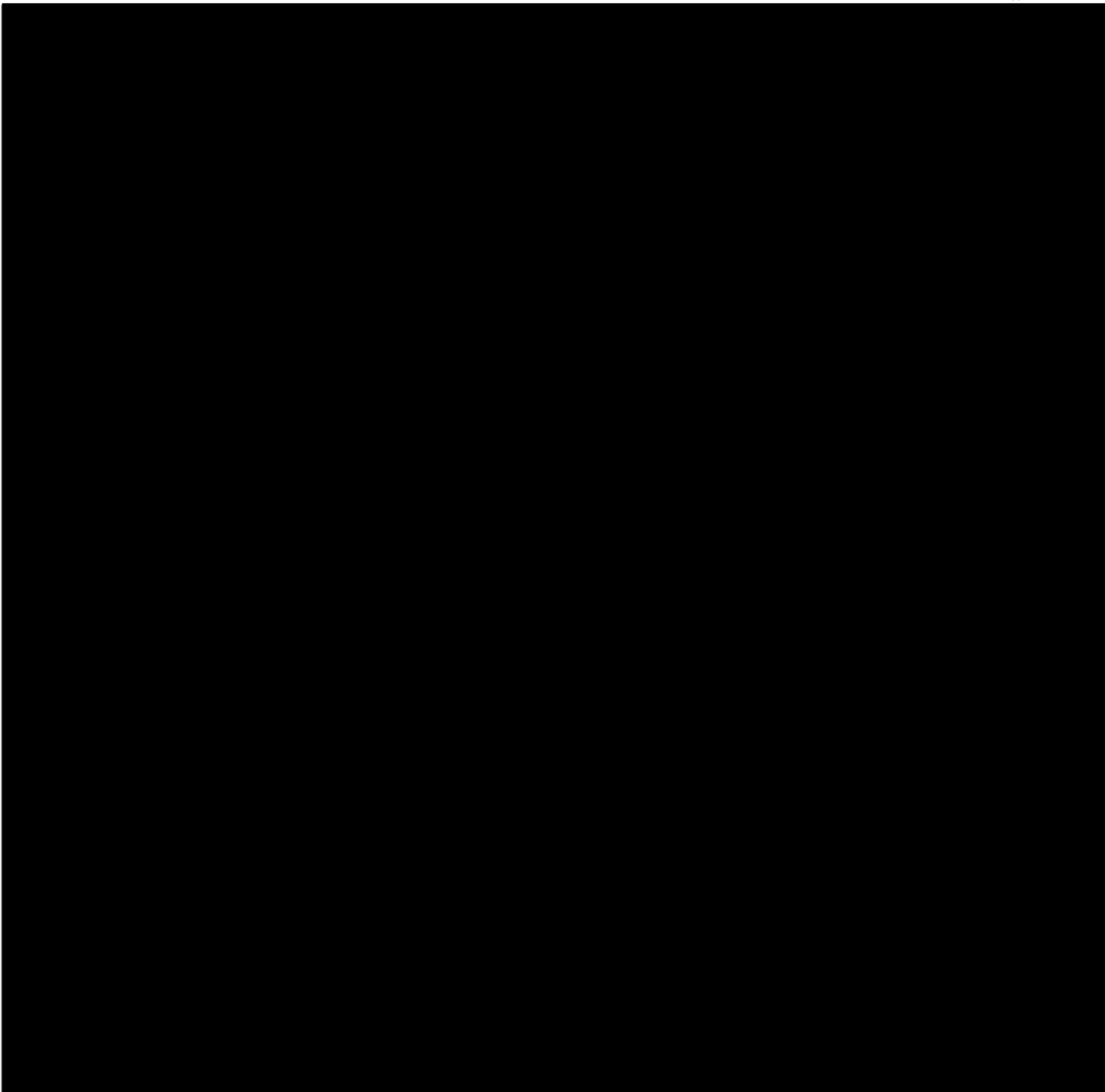
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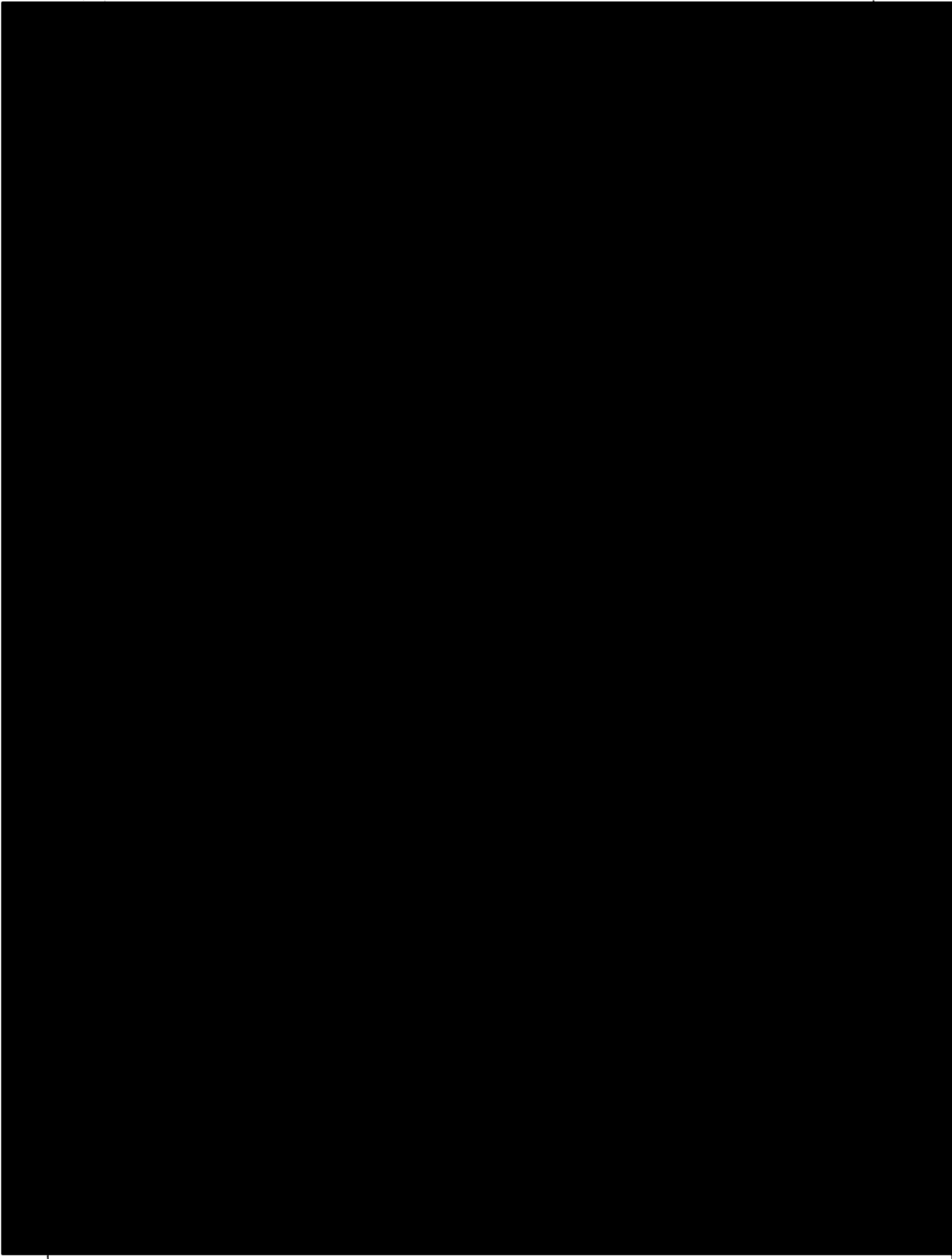




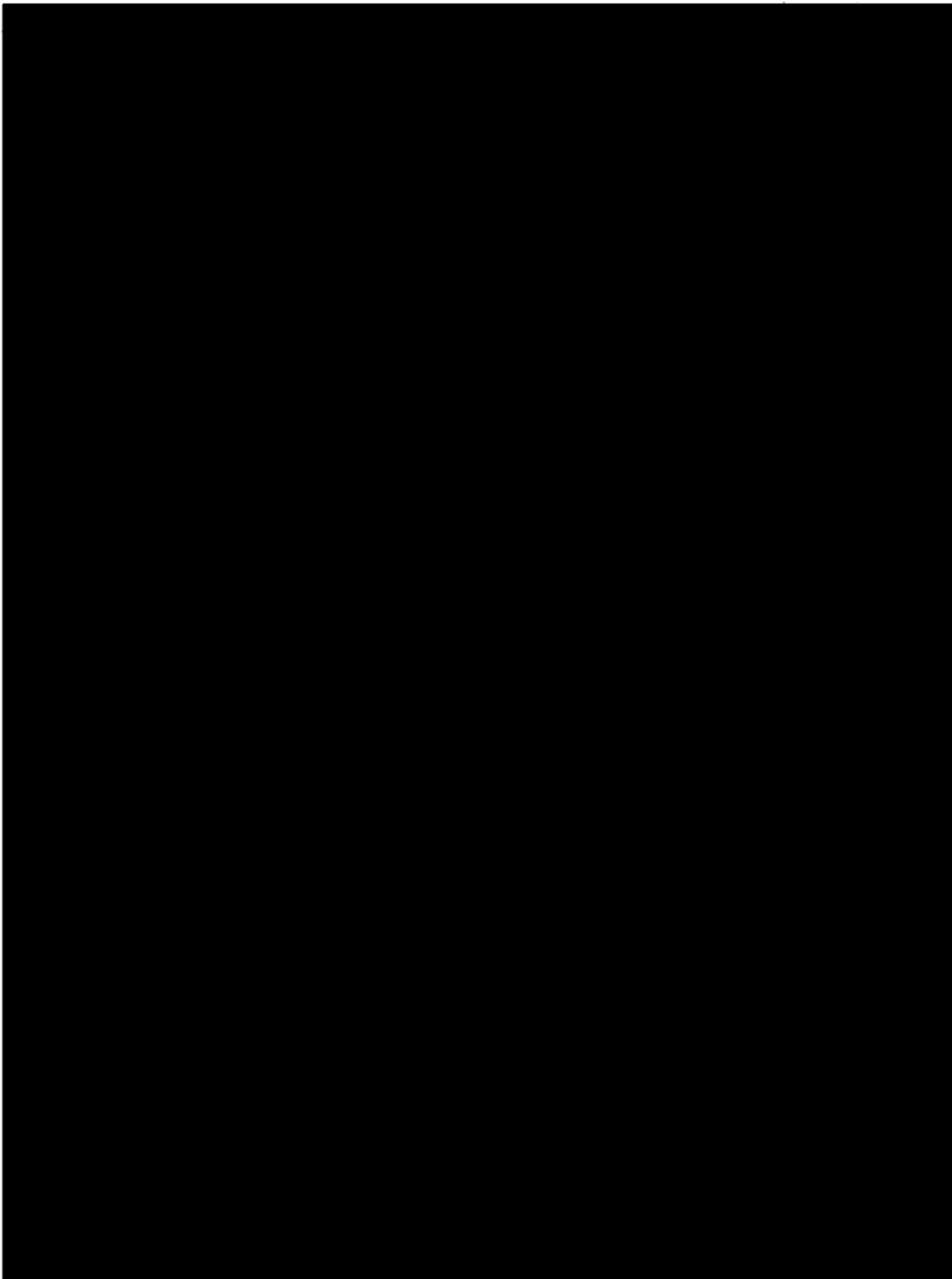
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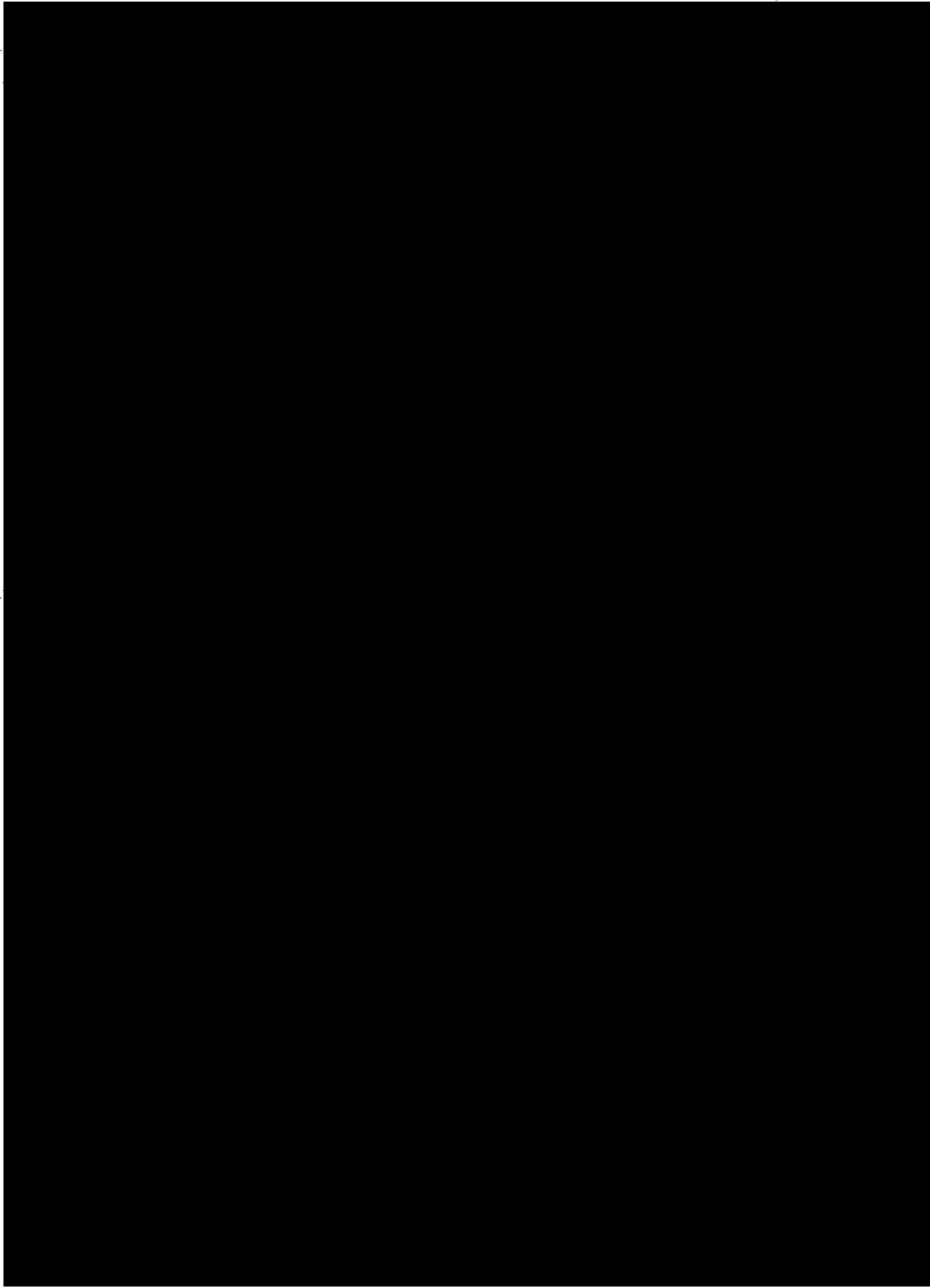
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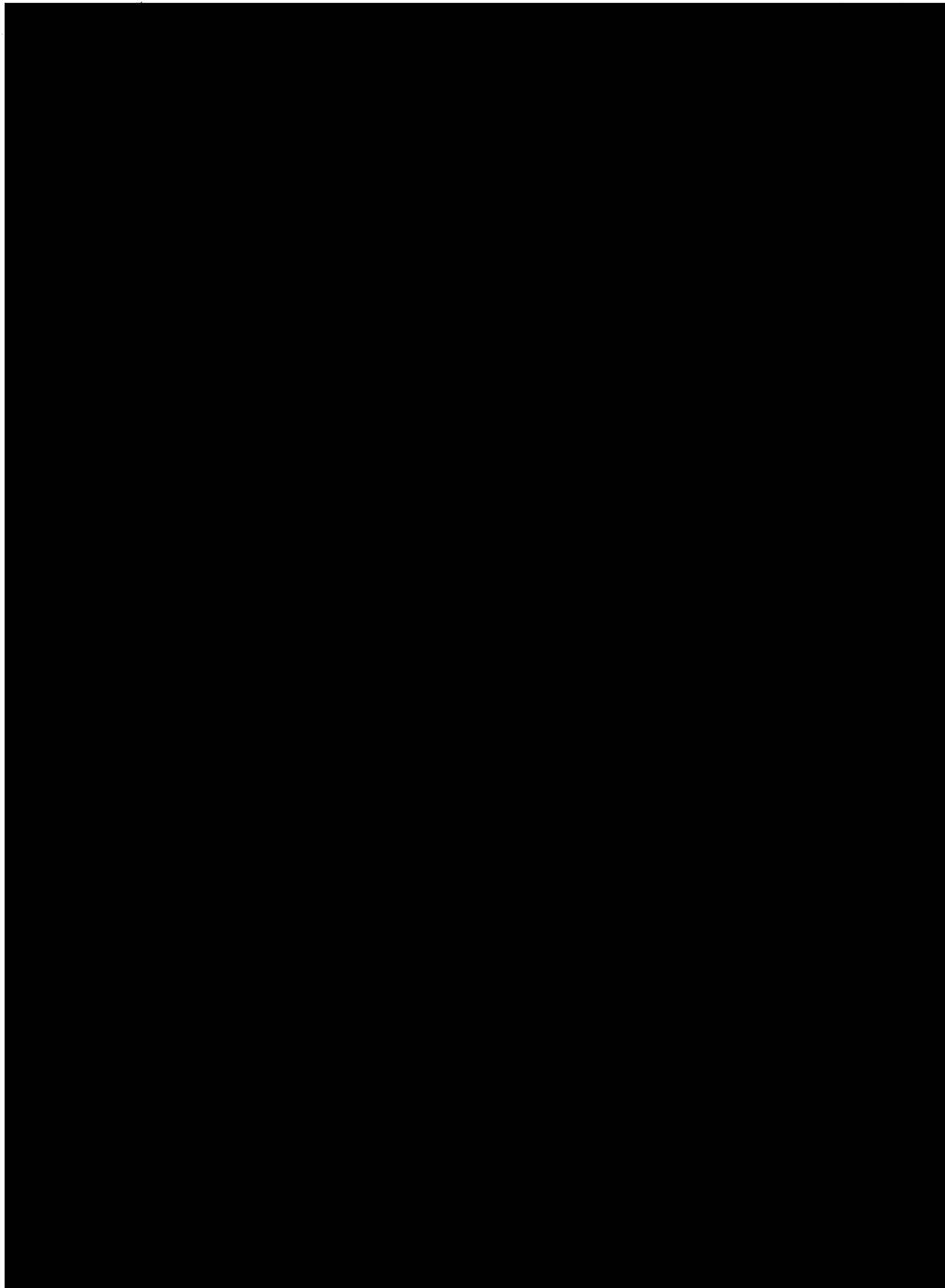


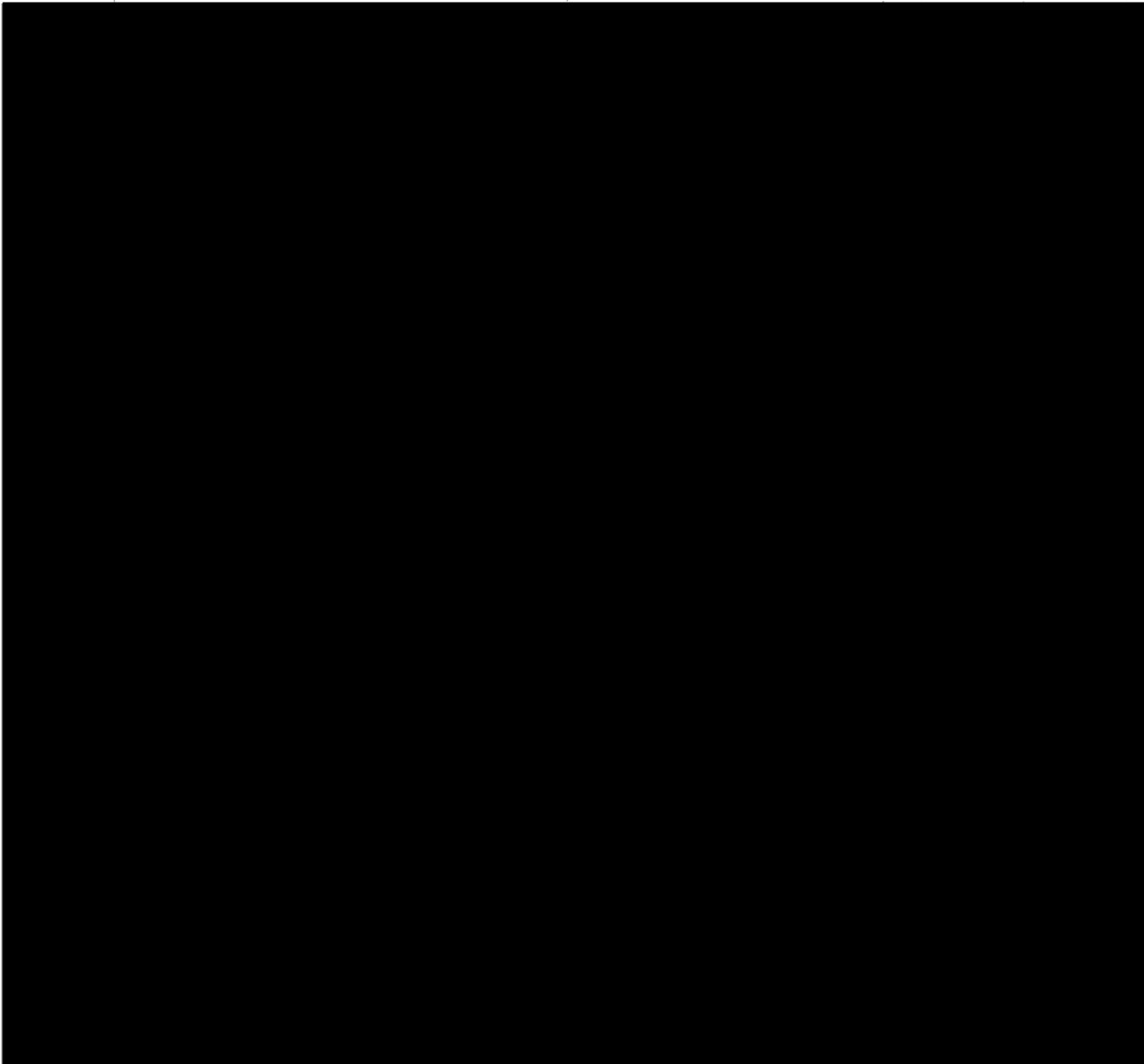
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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Miguel Joseph; Case No. 2023-018983; License Denial  
Date: April 26, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Miguel Joseph's ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a completed application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on March 29, 2023. Upon review of the application, it appears Applicant has been convicted of felony crimes. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On March 29, 2023, 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 the Applicant was convicted of several felony crimes in the state of Florida. Specifically, the Applicant was convicted of the following:

- Grand Theft of a Firearm in 2010;
- Unlicensed Carry of a Concealed Firearm in 2010; and
- Discharge of a Firearm from a Vehicle in 2010.<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 three criminal convictions 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.”

Rule 75-14.009, Florida Administrative Code, provides that:

“[t]he [commission] shall deny the application for a slot machine occupational license if a review of the application or the investigation of the applicant demonstrates . . . [t]he applicant has been convicted of any disqualifying offense under Section 551.107(6), F.S.”

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, and because Applicant was convicted of disqualifying offenses under section 551.107(6), Florida Statutes, the Florida Gaming Control Commission shall deny Applicant's application for a slot combination 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: JOSEPH, MIGUEL – 13540977  
 (APPLICANT'S NAME– LICENSE #)

Case No: 2023018983

INITIAL APPLICATION RECEIVED:	<u>3/29/2023</u>
COMPLETE APPLICATION RECEIVED:	<u>3/29/2023</u>
<b>90-DAY DEADLINE:</b>	<b><u>6/27/2023</u></b>

Randall Kitchens  
 Application Processor

144 – Big Easy  
 Facility (d/b/a name)

1055 – Food Runer  
 Occupation/Job Title

Pursuant to Section 550.105(5)(a): The division may deny a license of any person who has been refused a license by any other state racing commission or racing authority; under suspension or has unpaid fines in another jurisdiction. The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

**Licensing Administrator Review**

**Conviction**

Did the application accurately reflect the Criminal History Record?  Yes  No

- Felony : 3 Count(s)
- Misdemeanor – Industry Related/Gambling Related/Bookmaking
- Animal Cruelty
- Forgery, Larceny Extortion, Conspiracy to Defraud (Cardroom Professions Only)

**Comments:**

Arrest Date	Location	Charge	Level	Disposition
04/11/2010	Miami Dade, Fl	Firearm Discharge From Veh F10-010809	F2	Guilty
04/11/2010	Miami Dade, Fl	Grand Theft 3 <sup>rd</sup> Firearm F10-010809	F3	Guilty
04/11/2010	Miami Dade, Fl	Concealed Firearm/Carry/Attempt F10-010809	F3	Guilty

**Disposition Unknown**

- Felony Arrest(s) :
- Misdemeanor Arrest – Industry Related/Gambling Related/Bookmaking
- Animal Cruelty

**Enforcement/Jurisdiction Offenses**

Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction.

**Related Licenses**

**Check VR License Relations to Determine if Applicant is Related to a Business.**

Is the individual applicant related to a business? Yes  No  **If yes, complete sections below.**

Business License Number: \_\_\_\_\_ Business Name: \_\_\_\_\_

Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes  No

Date Deficiency Letter Issued: \_\_\_\_\_ Initials: \_\_\_\_\_

**Licensing Administrator Review**

**Disposition Confirmation**

Disqualifying Convictions/Arrests Confirmed? Yes  No   Approval

Forward to  Investigations  Legal  Director Initials:                     

Comments:

4/4/23

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>04/04/2023</b>
Complaint #	<b>2023018983</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent <b>JOSEPH, MIGUEL</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>	<input type="button" value="Parties"/>	<input type="button" value="Activities"/>
Form	<b>INTR - Internal</b>	Priority		<input type="button" value="Allegations"/>	<input type="button" value="Discipline"/>
Class'n	<b>CHIS - Criminal History</b>	Complexity	<b>R - Regular</b>	<input type="button" value="Violations"/>	<input type="button" value="Compliance"/>
Security	<b>STND - Standard</b>	Incident	<b>03/29/2023</b>	<input type="button" value="Related"/>	<input type="button" value="Disposition"/>
Region	<b>SR - Southern Region</b>	Received	<b>03/29/2023</b>	<input type="button" value="Inspection"/>	
Reference				<input type="button" value="Costs"/>	
Entered	<b>04/04/2023</b>	Entered By	<b>rkitchens</b>	<input type="button" value="Time Tracking"/>	<input type="button" value="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>			<input type="button" value="Attachments"/>	<input type="button" value="History"/>
Updated	<b>04/04/2023 08:52:34</b>	By	<b>rkitchens</b>	<input type="button" value="Work Notes"/>	<input type="button" value="Print Report"/>

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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<p><b>DIVISION</b></p> <p><input checked="" type="checkbox"/> CRIMINAL</p> <p><input type="checkbox"/> TRAFFIC</p> <p><input type="checkbox"/> OTHER</p>	<p><b>FINDING OF GUILT AND ORDER OF WITHHOLDING ADJUDICATION/SPECIAL CONDITIONS</b></p>
<p><b>PLAINTIFF(S)</b></p> <p>THE STATE OF FLORIDA</p>	<p><b>VS. DEFENDANT(S)</b></p> <p>MIGUEL F JOSEPH</p>
<p><b>CASE NUMBER: F10-010809</b></p>	
<p>CLERK IN CHARGE                  30 AUG 31 AM 10:29                  COUNTY CLERK                  MIAMI-DADE COUNTY, FLA</p>	

IT APPEARING UNTO THE COURT that the defendant being personally before the court accompanied by his/her attorney,

ROBIN PIMENTEL, PA has been found guilty of the charge of

<u>Count</u>	<u>Crime</u>	<u>Degree</u>
1	RESISTING OFFICER WITHOUT VIOLENCE TO HIS PERSON	1/M
2	FIREARM/DISCHARGE FROM A VEHICLE	2/F
3	GRAND THEFT 3RD FIREARM	3/F
4	CONCEALED FIREARM/CARRY/ATTEMPT	3/F

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 that 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
- Other

PROBATION/DNA TAKEN PURSUANT TO F.S. 943.325

IT IS ORDERED THAT the defendant be fingerprinted pursuant to F.S. 921.241(1).

DIVISION

CRIMINAL

CHARGES/COSTS/FEEs

CASE NUMBER: F10-010809

PLAINTIFF(S)

THE STATE OF FLORIDA

VS. DEFENDANT(S)

MIGUEL F JOSEPH

The Defendant is hereby ordered to pay the following sum indicated:

\$50.00	Pursuant to F.S. 938.03(4) (Crimes Compensation Trust Fund).
\$3.00	Three dollars as a court cost pursuant to F.S. 938.01 (1) \$3.00 (Criminal Justice Trust & Education Funds).
\$3.00	Pursuant to F.S. 938.19 (Teen Courts).
\$50.00	Pursuant to F.S. 775.083(2) (Crime Prevention Programs).
\$2.00	Two dollars as a court cost pursuant to F.S. 938.15 \$2.00 (Criminal Justice Trust & Education Funds).
\$25.00	Pursuant to F.S. 28.24(26)(c) Payment Plan Fee
\$65.00	Pursuant to F.S. 939.185(1)(a) (Assessment of Additional Court Costs as adopted by Ordinance 04-116)
\$85.00	Pursuant to F.S. 939.185(1)(b) (Surcharge as adopted by Ordinance 05-123)
\$100.00	COST OF PROSECUTION FSS 938.27(8)
\$225.00	ADDITIONAL COST FINE AND FORFEITURE FSS 938.05
\$608.00 -	TOTAL

OTHER COMMENTS: STAY DUE DATE 07/19/2014

DONE AND ORDERED in Open Court in Miami-Dade County, Florida this 19th day of August, 2010.

  
 \_\_\_\_\_  
 JUDGE YVONNE LEODNY

(W=WAIVED/S=SUSPENDED)





RENEWAL OCCUPATIONAL LICENSE FEE VOUCHER

Date: 3/28/23

14349

Applicant Name: Miguel Joseph  
(Please Print)

Position/Title: Food Runner / Expeditor  
(Please Print)

This voucher must be submitted with the applicant's completed Slot Machine Individual Occupational License Application form to the DBPR Licensing and Compliance Office.

Upon receipt of an authorized voucher, The Big Easy Casino agrees to remit to the Division:

*Raula Arteta*  
Human Resources Authorized Signature

\$ 50 (1-year license)

\$ 100 (3-year license)

For Accounting only.



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
[www.myfloridalicense.com](http://www.myfloridalicense.com)

APPLICATION CHECKLIST – IMPORTANT – Submit all items on the checklist below to ensure faster processing.

**ALL License Applicants must submit:**

- Completed Form DBPR PMW-3410 – Print clearly and complete all sections that are not optional in black or blue ink.
- Provide Identification – Required by Rule 61D-14.010, Florida Administrative Code.
  - Provide a copy of one of the items below:
  - OR, Provide a copy of two of the items below:
  - US Passport
  - Certificate of US Citizenship or Naturalization
  - Permanent Resident Card
  - Birth Certificate (Certified Copy)
  - Driver's License
  - Military ID Card
  - Student ID Card
  - Country ID Card
  - Foreign Passport
  - Government Issued Credential
  - Immigration ID Card
- Additional Pages – If necessary to respond to any application questions.
- Supporting Legal Documentation – If necessary to respond to background information questions in application.
- Three (3) Year Licensing Fee – Make checks or money orders payable to DBPR.
  - Slot Machine General Occupational License - \$100.00\*      \*does not include fingerprint fee
  - Slot Machine Professional Occupational License - \$100.00\*
  - Slot Machine/Cardroom/PMW Combination Occupational License - \$100.00\*
- Fingerprints – Choose One Option:
  - Electronic Fingerprints: Electronic fingerprints must be submitted to the Division through a law enforcement agency or an FDLE approved Livescan Service Provider. Submit electronic fingerprints with the following ORI number: FL923230Z.  

IMPORTANT: Electronic fingerprint processing fees must be paid directly to the law enforcement agency or FDLE approved Livescan Service Provider.
  - Fingerprint Card: Fingerprint cards (FD-258) can be mailed to applicants upon request by contacting the Division at the address or phone number below. Completed fingerprint cards must be mailed to the Division with your application.  

IMPORTANT: Fingerprint card processing fees must be paid to the Division. Please see <http://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx> for the current fee amount.
  - Fingerprint Resubmission for Renewal and Upgrade Applicants: Applicants timely renewing or upgrading a license need only provide the Division a fingerprint resubmission processing fee. Visit our website or contact us for the current fee amount.  

IMPORTANT: Timely submission of renewals must occur within one year of the expiration of applicant's license.

Please mail your completed application, documentation and required fee(s) to:  
Department of Business and Professional Regulation  
Pari-Mutuel Wagering; Licensing Section  
2601 Blair Stone Road, Tallahassee, Florida 32399-1037  
Phone: 850.487.1395

**Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
DBPR PMW-3410 – Slot Machine Individual Occupational License Application**

**Instructions:** Please review this application thoroughly and complete all sections not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION					
Social Security Number [REDACTED]		Birth Date (MM/DD/YYYY) [REDACTED]		Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	
Last Name <u>Joseph</u>		First <u>Miguel</u>	Middle	Suffix	
Have you used, been known as, or called by another name (example – maiden name, pseudonym, nickname) or alias other than the name used on the application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
If yes, list the name or names used: _____					
Race/Ethnicity (check only one):					
<input checked="" type="checkbox"/> Black or African American		<input type="checkbox"/> Asian or Pacific Islander		<input type="checkbox"/> Native American or Alaskan Native	
<input type="checkbox"/> White or Caucasian		<input type="checkbox"/> Hispanic/Latino		<input type="checkbox"/> Other	
Are you a United States citizen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
If no, provide the name of the country of which you are a citizen: _____					
Current Mailing Address <u>17850 NE 6<sup>TH</sup> ct</u>				Email Address (optional) [REDACTED]	
City <u>North Miami Beach</u>	State <u>FL</u>	Zip Code (+4 optional) <u>33162</u>	Country <u>USA</u>		
Primary Phone Number [REDACTED]			Secondary/Cell Phone Number (optional)		
Current Street Address <u>17850 NE 6<sup>TH</sup> ct</u>					
City <u>North Miami Beach</u>	State <u>FL</u>	Zip Code (+4 optional) <u>33162</u>	Country <u>USA</u>		
Type of Slot Machine Occupational License applying for:				Is this your first time applying for a racing/gaming license in Florida?	
<input type="checkbox"/> General Individual <input type="checkbox"/> Professional Individual				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input checked="" type="checkbox"/> Slot Machine/Cardroom/PMW Combination				Facility where employed and/or doing business:	
Job title(s): <u>Food Runner / Expeditor</u>				<u>BIG EASY CASINO</u>	
*Applicants for a Combo license should disclose all job titles				Employer name: <u>BIG EASY CASINO</u>	
<b>FOR DIVISION USE ONLY</b>					
License Code <u>1055</u>	License # <u>13540977</u>	File # <u>11355</u>	App # <u>40274</u>		
Association Code <u>144</u>	Date Received <u>3-29-23</u>	Entered By <u>MURPHY</u>		License Year <u>22-25</u>	
License Fee <u>100</u>	FP Date <u>3-29-23</u>	FP Fee <u>0</u>	Total Fee <u>100</u>		
Waiver Requested (Combo Only)		ARCI <input checked="" type="checkbox"/>		Enforcement <input checked="" type="checkbox"/>	
MAR 29 2023					

**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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**BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  No Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, or filing false reports to government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

Yes  No Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the section provided below.

Date of Disposition	County	State	Offense	Misdemeanor or Felony?	Sentence
6/24/14	Broward	F.C.	DUI	Misdemeanor	Probation

Yes  No Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?

Yes  No Do you currently own or have a financial interest in a Florida licensed slot machine facility or in any business owned by a Florida licensed slot machine facility?

**ADDITIONAL INFORMATION**

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PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging the FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

AUTHORIZATION FOR RELEASE OF INFORMATION:

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation or the Florida Department of Law Enforcement.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

Michael F. Joseph  
Print Legal Name (First Middle Last)

[Redacted]  
Birth Date (MM/DD/YYYY)

[Redacted]  
Social Security Number

Big Easy Casino  
Name of Employer

[Signature]  
Signature of Applicant

03/28/2023  
Date

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: mwarren

VR Home > Complaint Search

### System Messages

- Fed Tax # not found

Search Criteria | Results

#### Complaint

Board	<input type="text"/>	Complaint #	<input type="text"/>
Lic Type	<input type="text"/>	Reference	<input type="text"/>
Case Type	<input type="text"/>	Status	<input type="text"/>
Assigned To	<input type="text"/>		
Incident From	<input type="text"/>	Incident To	<input type="text"/>
Key Phrase in Summary <input type="text"/>			

- 
- 
- 
- 

#### Respondent

Fed Tax #	<input type="text"/>	Street #	<input type="text"/>
File #	<input type="text"/>	Street	<input type="text"/>
License #	<input type="text"/>	City	<input type="text"/>
Entity #	<input type="text"/>	Postal/Zip	<input type="text"/>
Key Name	<input type="text"/>	State	<input type="text"/>
		County	<input type="text"/>
<input type="radio"/> Complainant	Key Name	<input type="text"/>	
<input type="radio"/> Involved Party	Key Name	<input type="text"/>	

*No record found.*





Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number: [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: JOSEPH
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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COUNTY COURT DISPOSITION ORDER IN AND FOR BROWARD COUNTY, FLORIDA

DATE 03/13/15 CASE NO 14024292muloA ARREST NO 1401609 PCN NO 840182 **35**

State of Florida vs. Joseph Miguel  
Cash Bond/Surety 10k Amount \$ 10k Estreated        Vacated        Return to Dep         
Cash Bond/Surety        Amount \$        Estreated        Vacated        Return to Dep       

- Magistrate  First VOP  Convicted by Jury  Adj. Guilty I
- Arraignment  Final VOP  Convicted by Court  Adj. Withheld
- Change of Plea  Admits/Denies Allegations  Acq. by Jury  Dismissed 12
- Trial by Jury  Guilty  Acq. by Court  Nolle Pros 213,45
- Trial by Court  No Contest  Directed Verdict  No Info
- Judgment of Acquittal

CHARGES: 1-4 DUI property damage / Injury  
5-Driving under the influence  
12-Careless Driving

Discharged Bond

SENTENCE: I Reporting Administrative Probation: 12 months with special conditions:

- DUI School Level I (one)
- License suspended 12 Month
- 10 Days immobilization by: Best Immobilization, Inc
- Random breath/urine analysis at defendant's expense
- May work off fine/costs at \$        per hour
- May buy out community service at \$ 10.00 per hour
- Hours of community service 50
- 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
- All fines/costs are separate and apart from probation
- All fines/costs imposed are a condition of probation on Count(s):
- All special conditions of probation must be met by the        month of probation
- DHSMV is directed to revoke defendant's license for 2 years pursuant to F.S 322.055
- Anger Management
- Interlock Device
- SSATE  PTE  Shoplifter's Program
- \$        COS waived/imposed
- Partial payments accepted
- Fines/cost converted to civil lien/judgment
- Probation: Revoked-Terminated-Reinstated
- Early termination of probation upon completion of all conditions
- DDS        hours
- Other: VIP

Restitution Ordered and Reserved as to the amount  
Merge all victims into Count I

JUDGE: Kevin Gottlieb

DEPUTY CLERK: [Signature]

ORDER ASSESSING CHARGES/COSTS/FEES

The defendant is hereby ordered to pay the following sums if checked:

FINES

(Fine) I 500, II, III, IV, V, VI, VII, VIII F.S. 775.083

(5% Surcharge) (if fine assessed) I 25, II, III, IV, V, VI, VII, VIII F.S. 938.04

MANDATORY FEES

Count I 450, 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 26 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) (ACDH/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

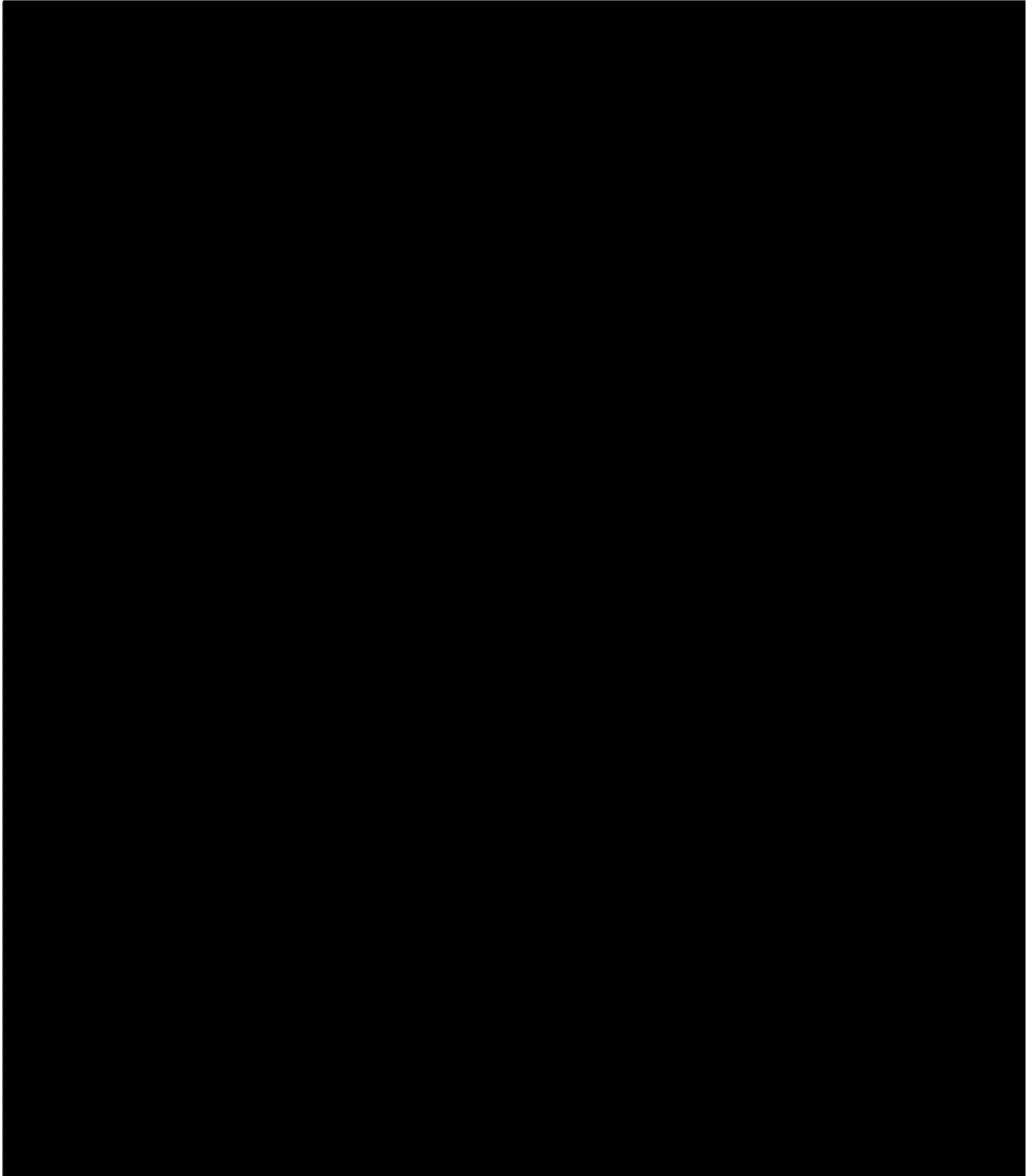
TOTAL AMOUNT DUE: \$ 1001.00 MUST BE PAID BY: 02-13-16

JUDGE: K. GOTTIER DEPUTY CLERK: [Signature]

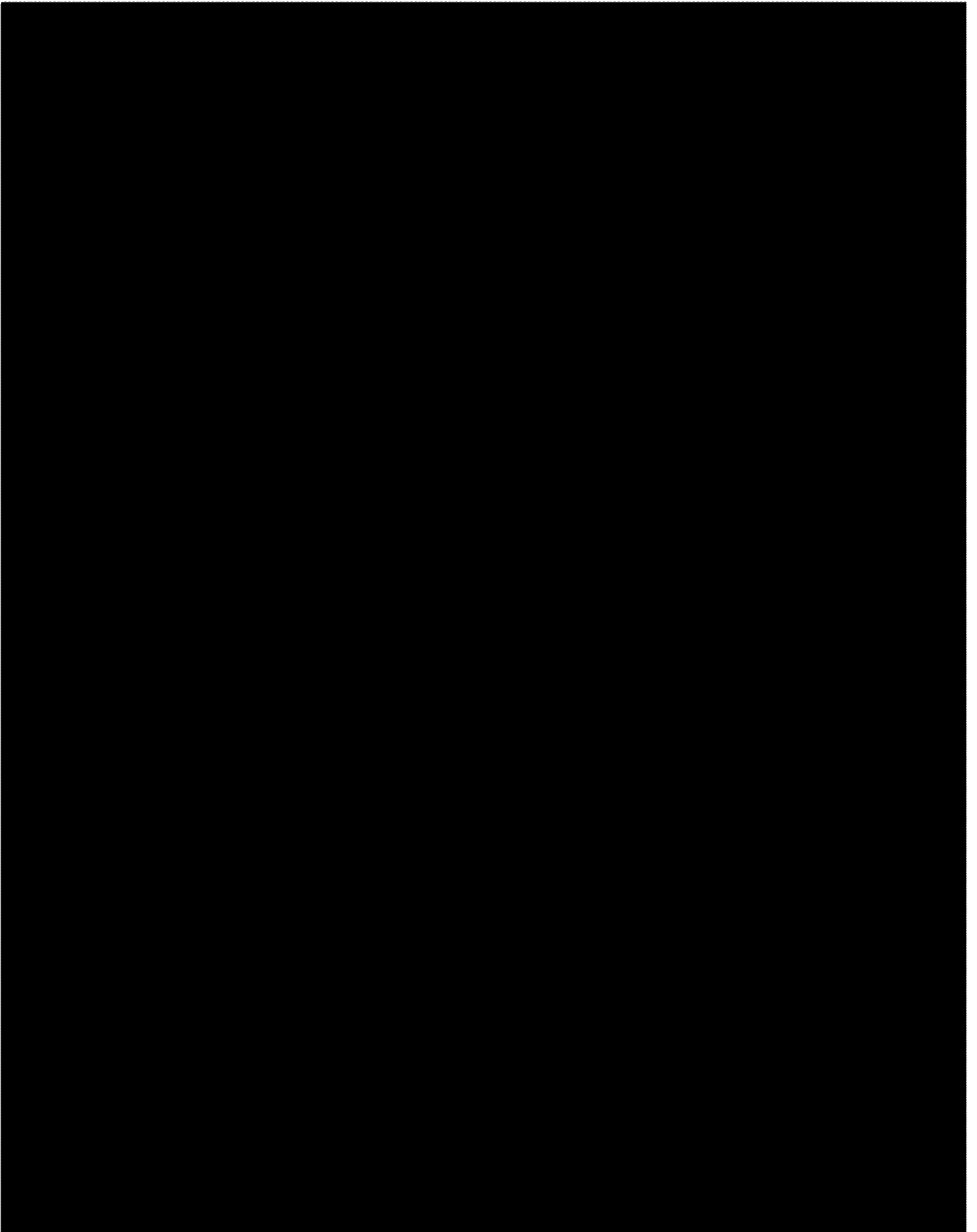
# FDLE Information Notification System

Sent Date: 3/30/23 1:30 PM    Purge Date: 9/26/23 1:30 PM    Mail Ref.No: ORG002044-7941175

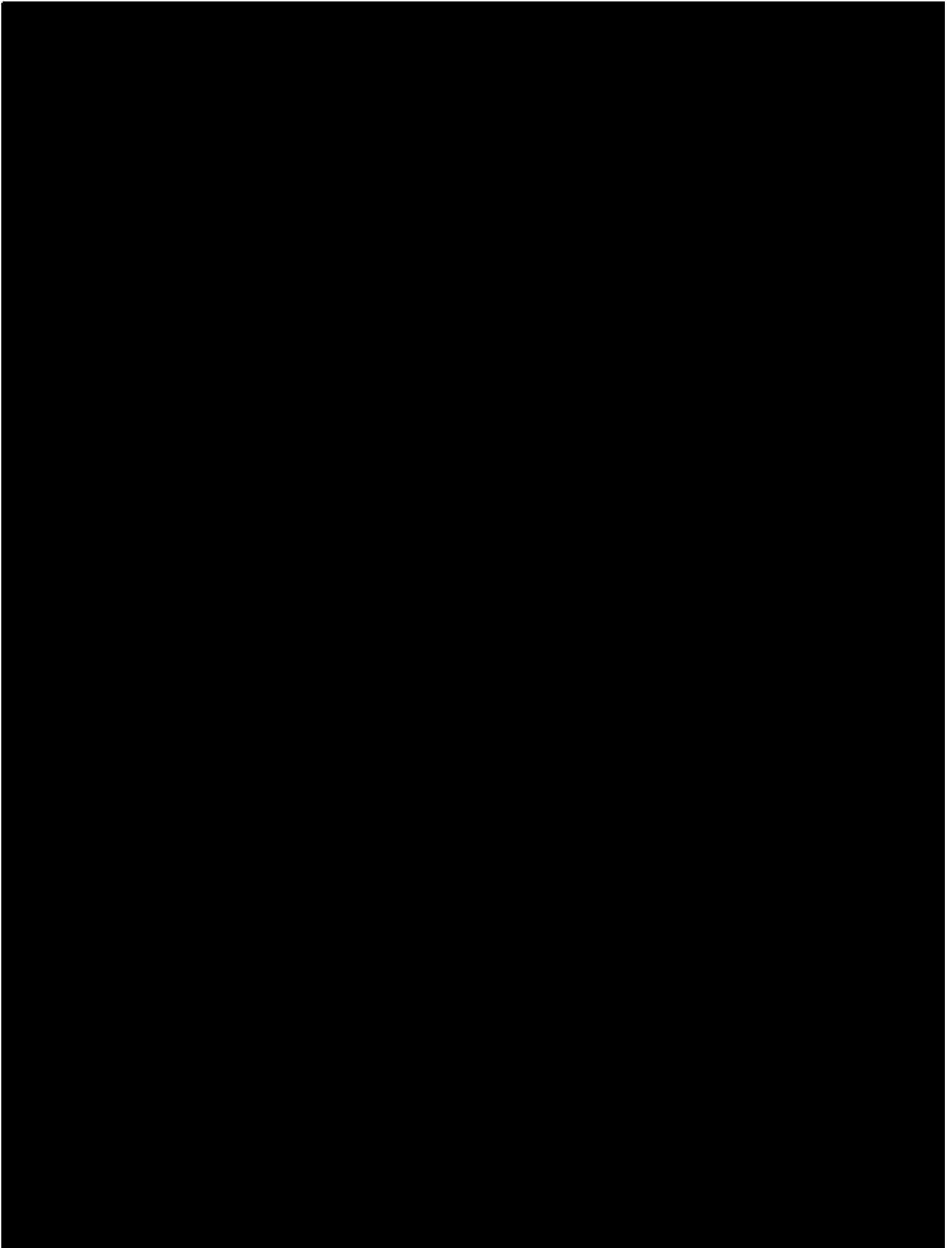
Subject : *Results of check for JOSEPH, MIGUEL (70CF290000000513)*



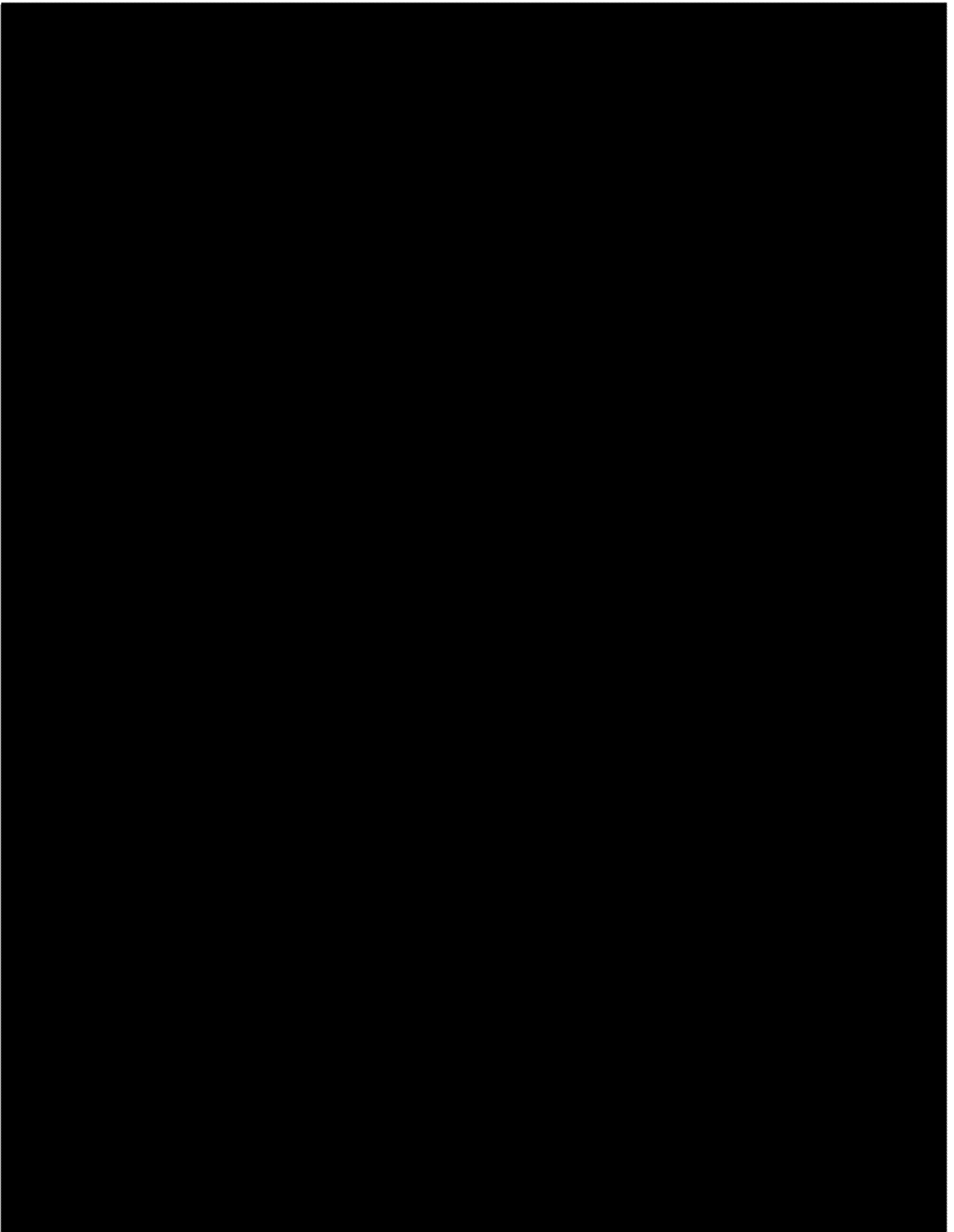
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Subject : *Results of check for JOSEPH, MIGUEL (70CF290000000513)*

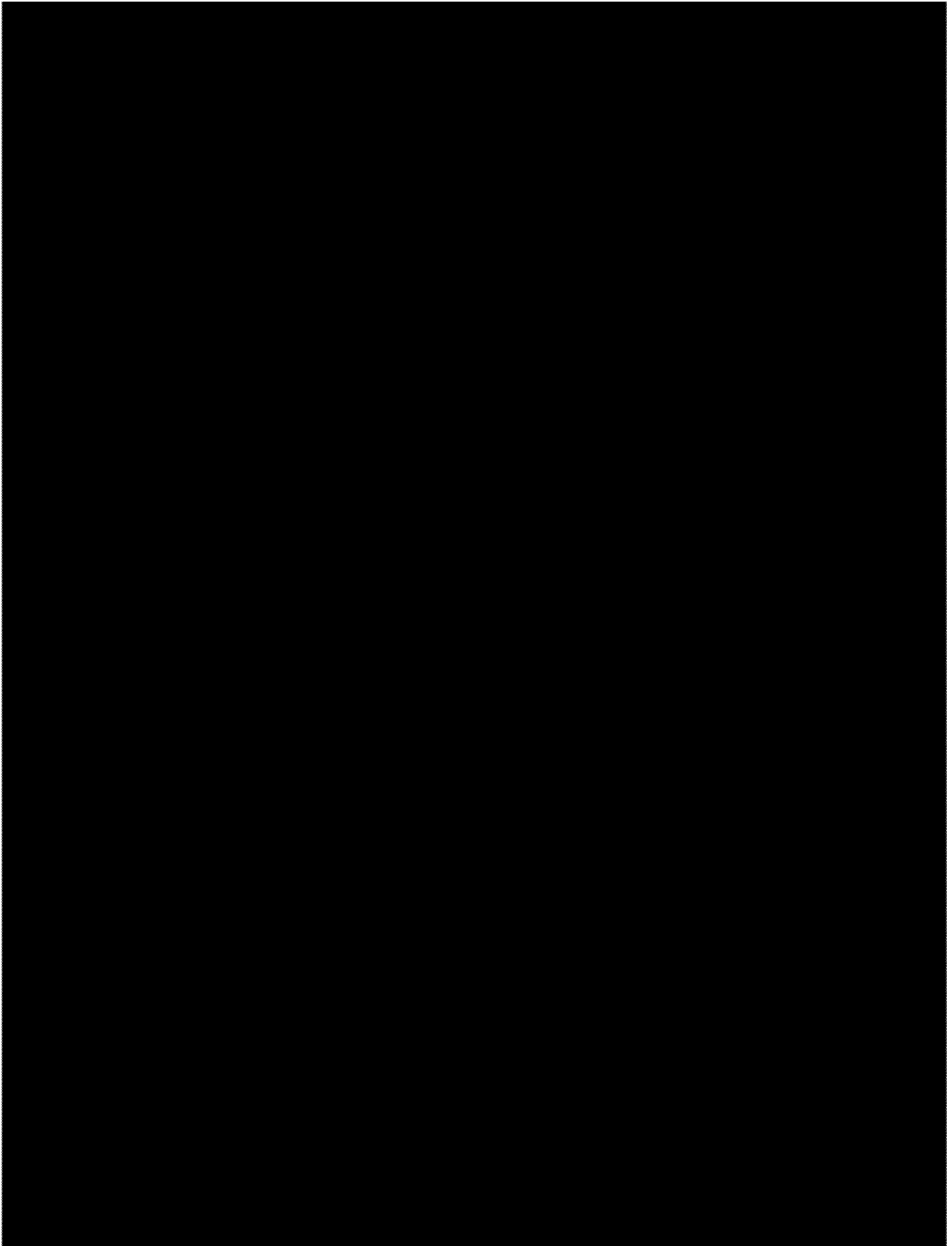


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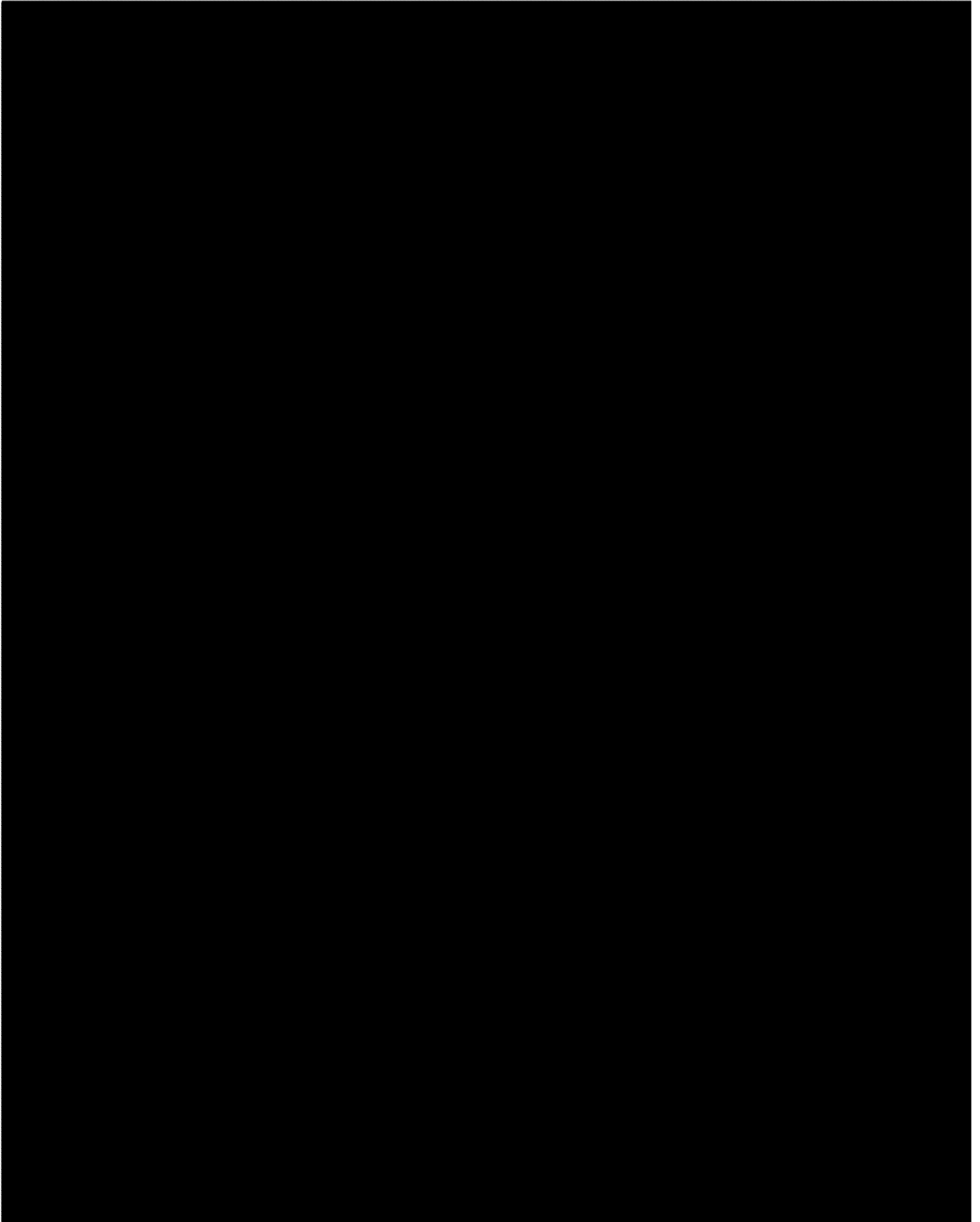




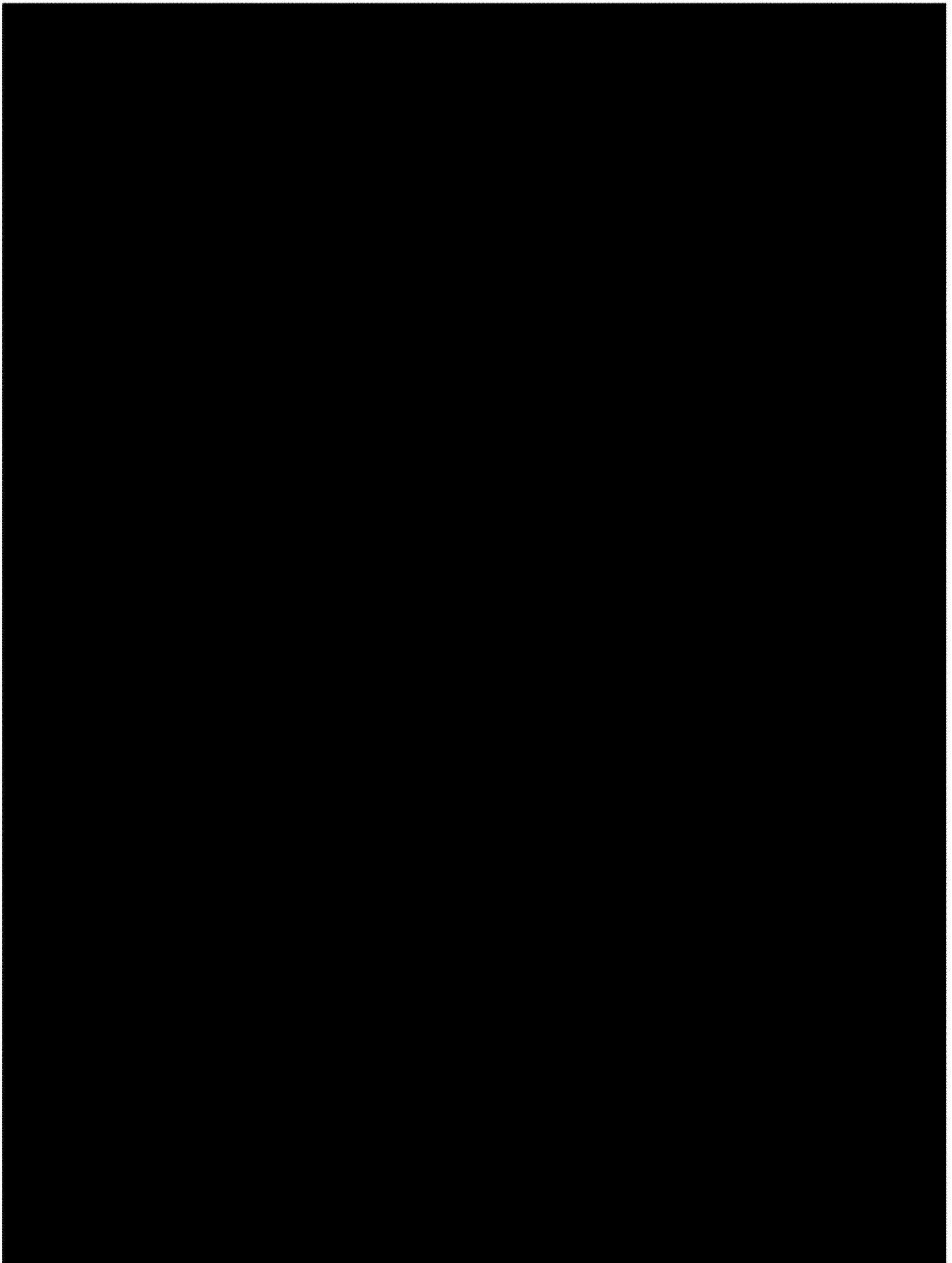
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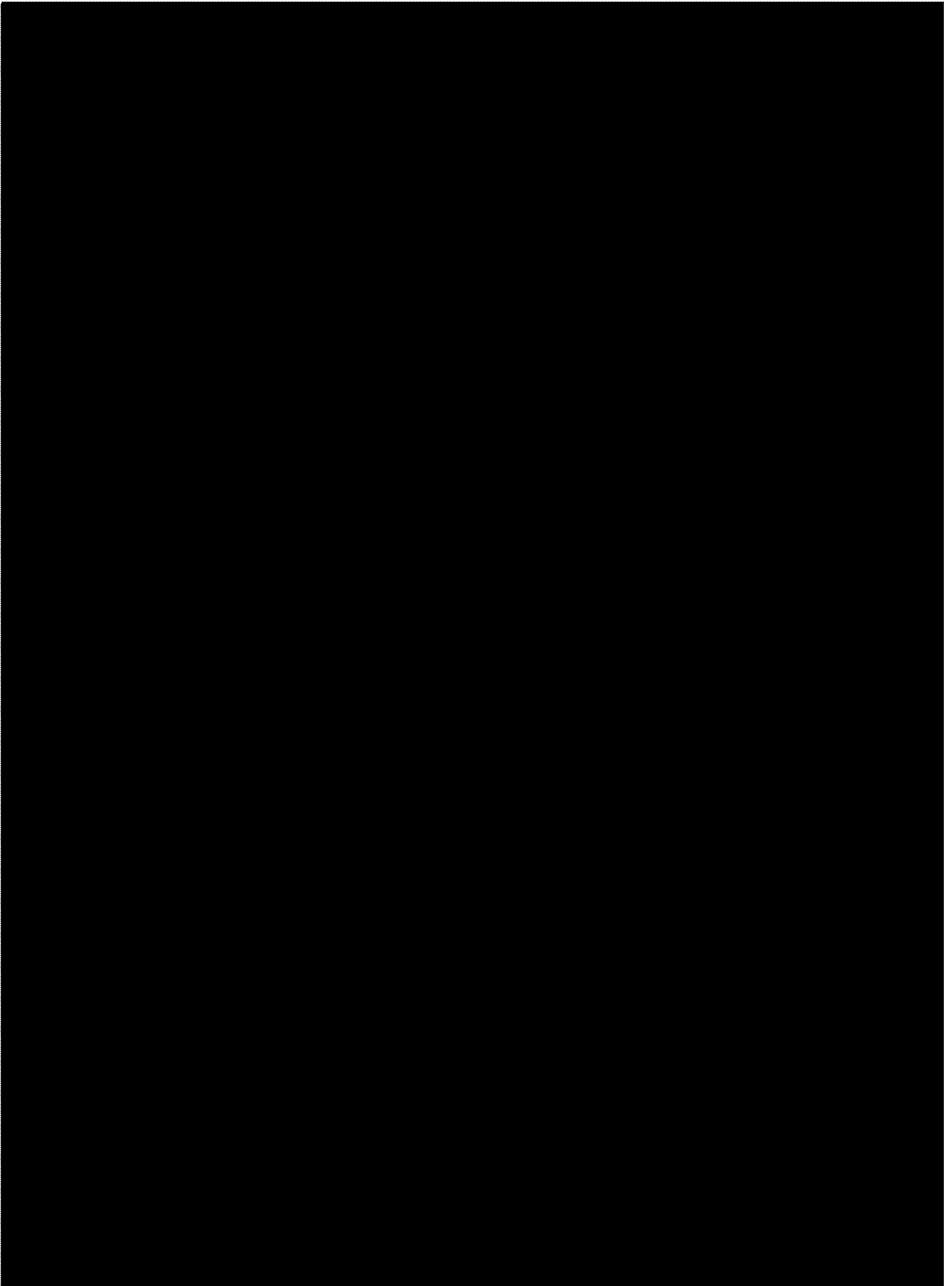
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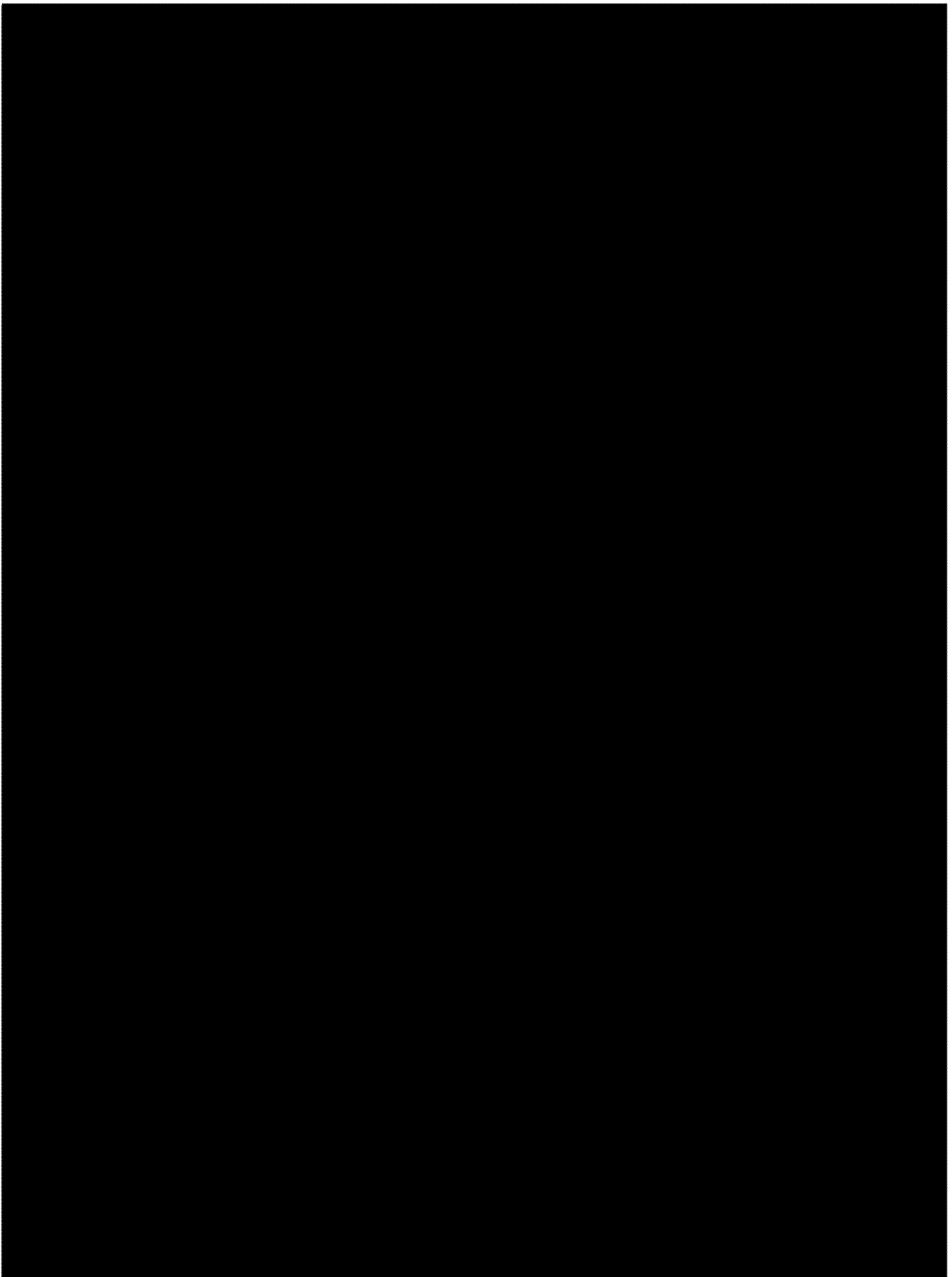
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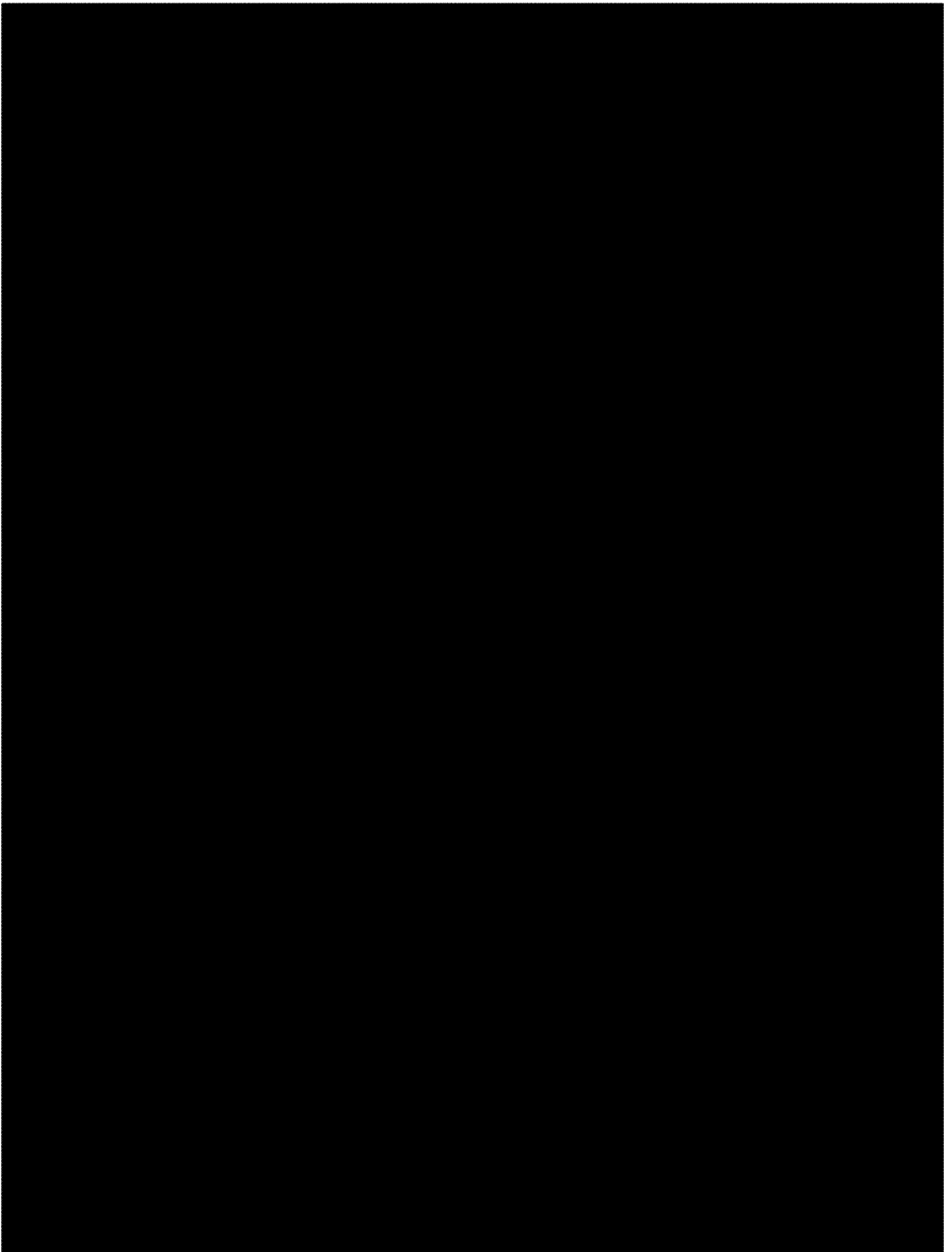
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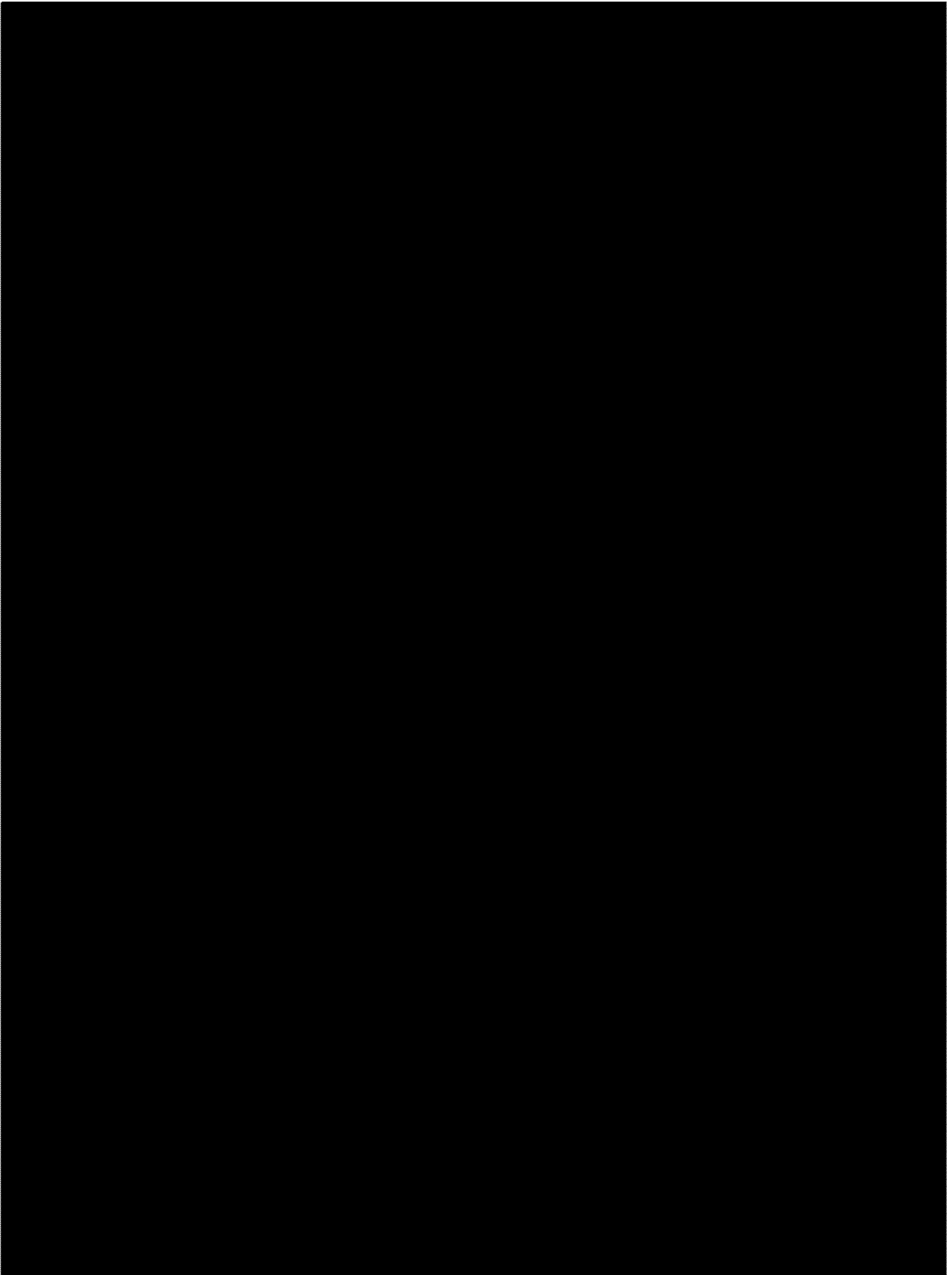
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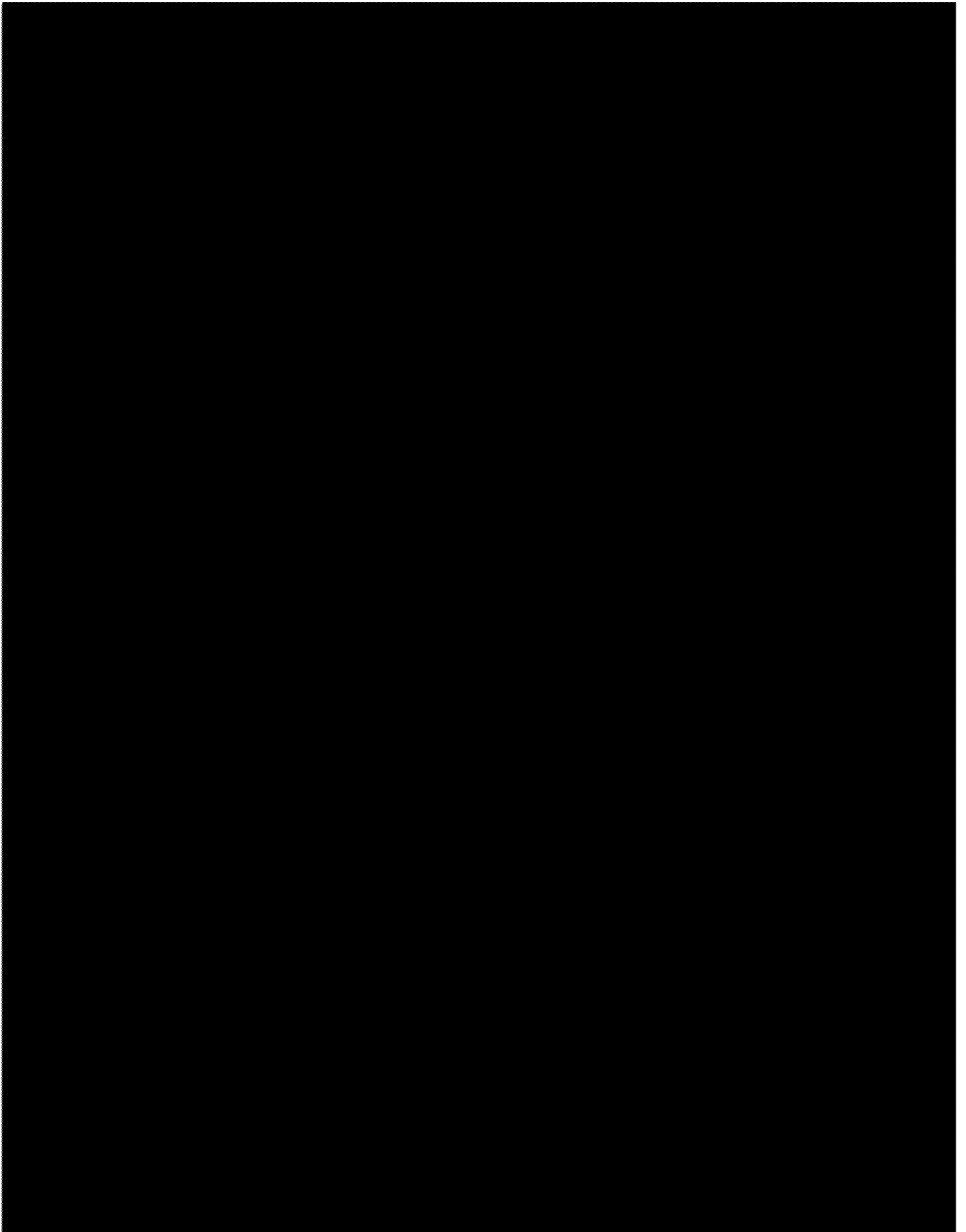
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Subject : *Results of check for JOSEPH, MIGUEL (70CF290000000513)*

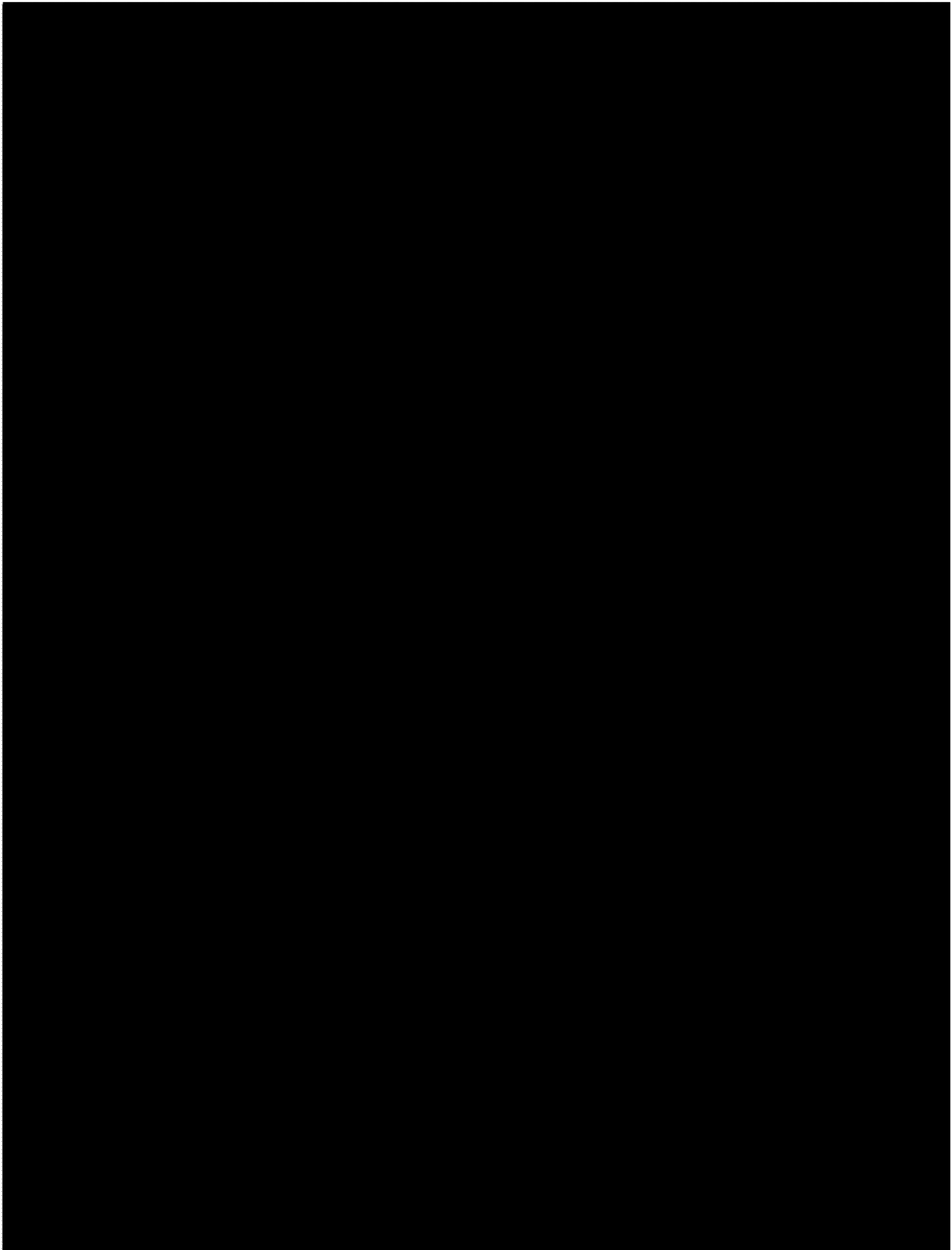


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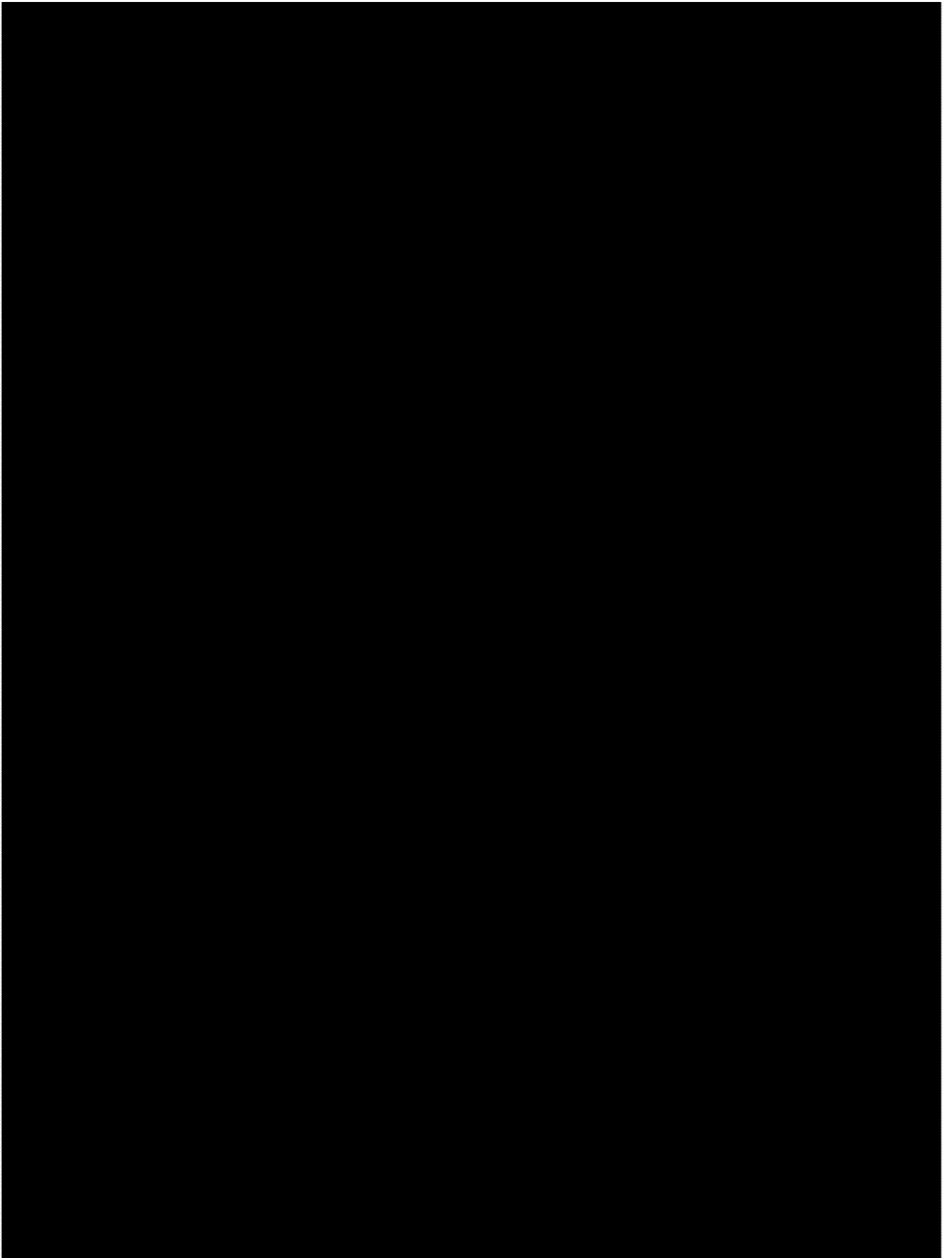




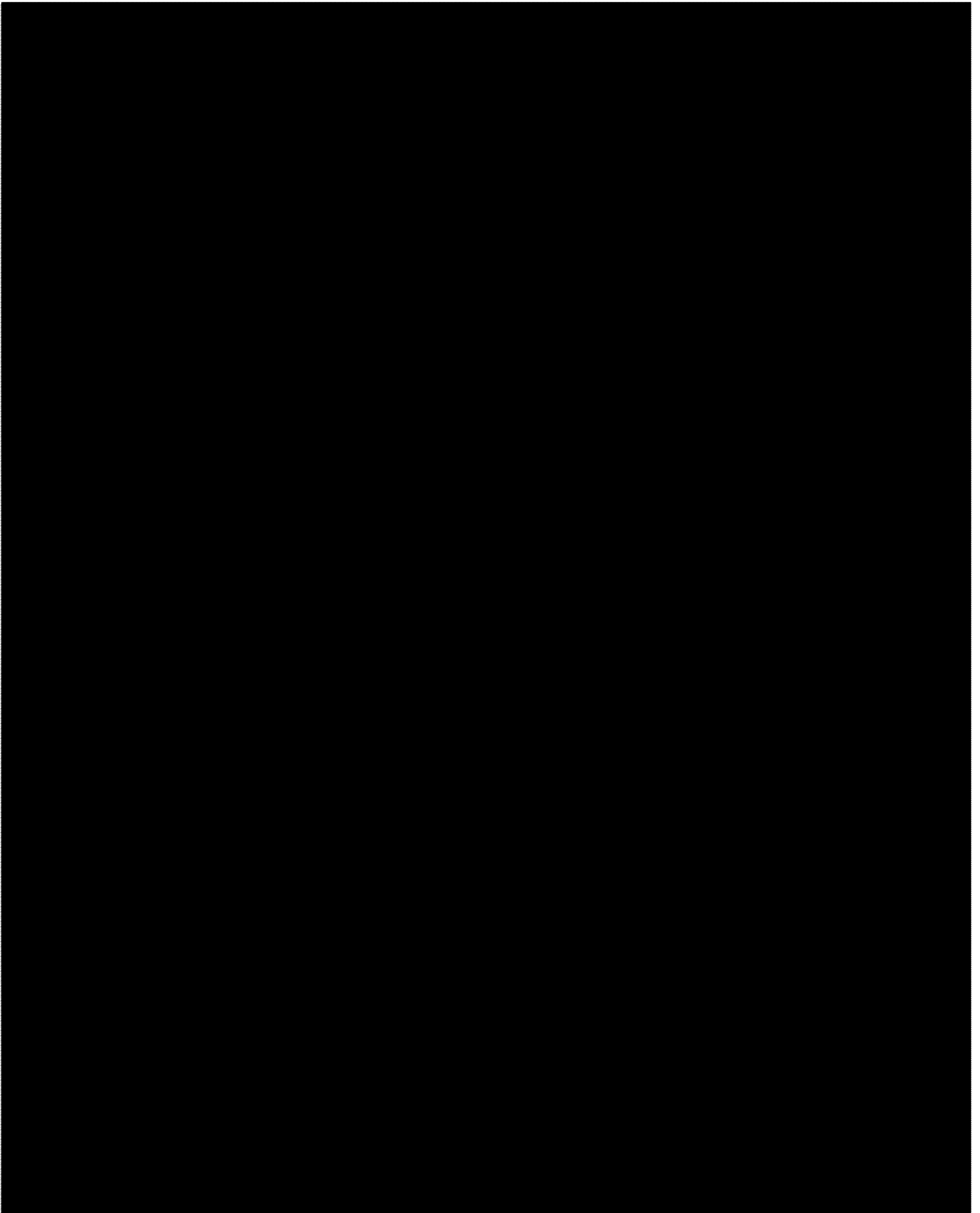
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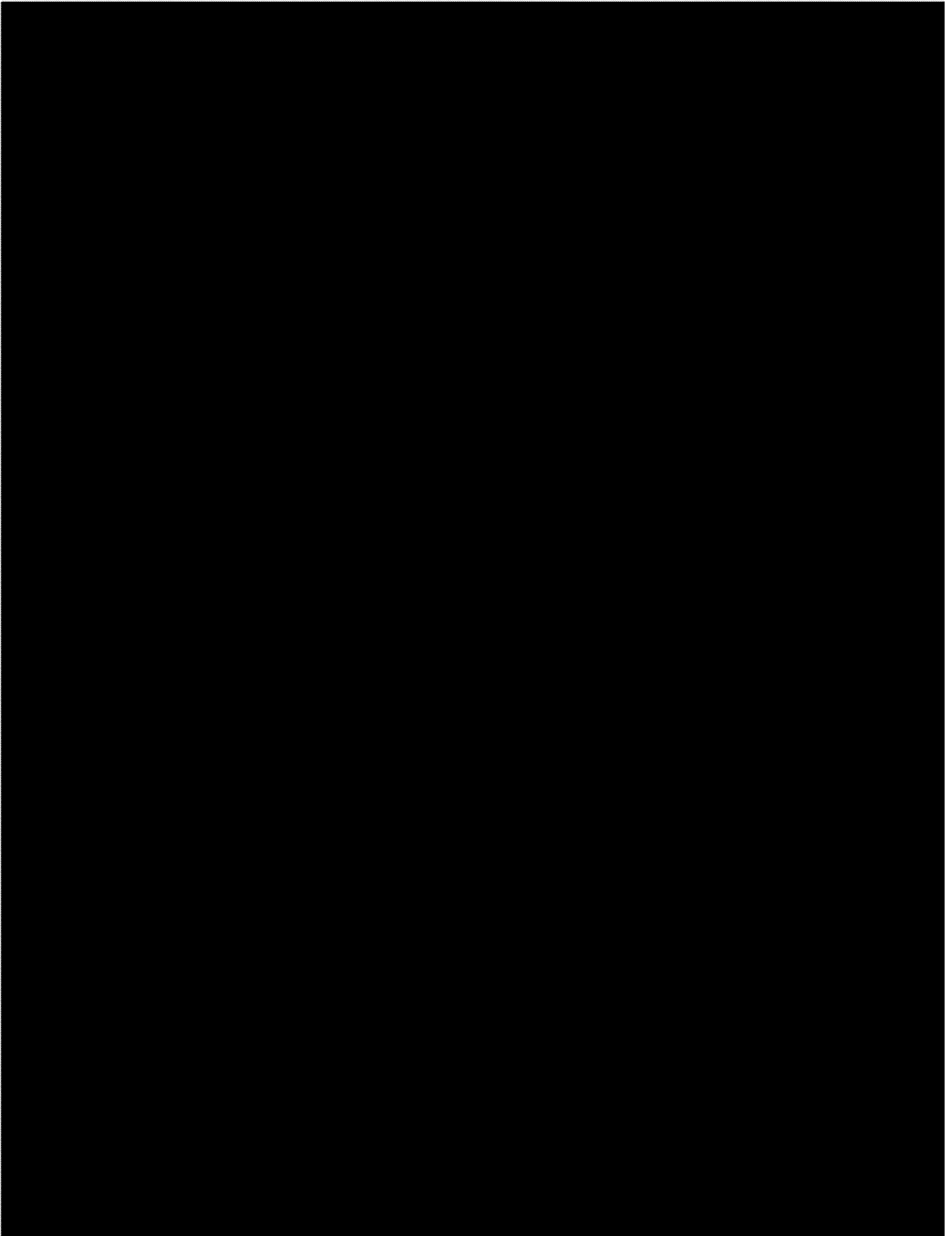
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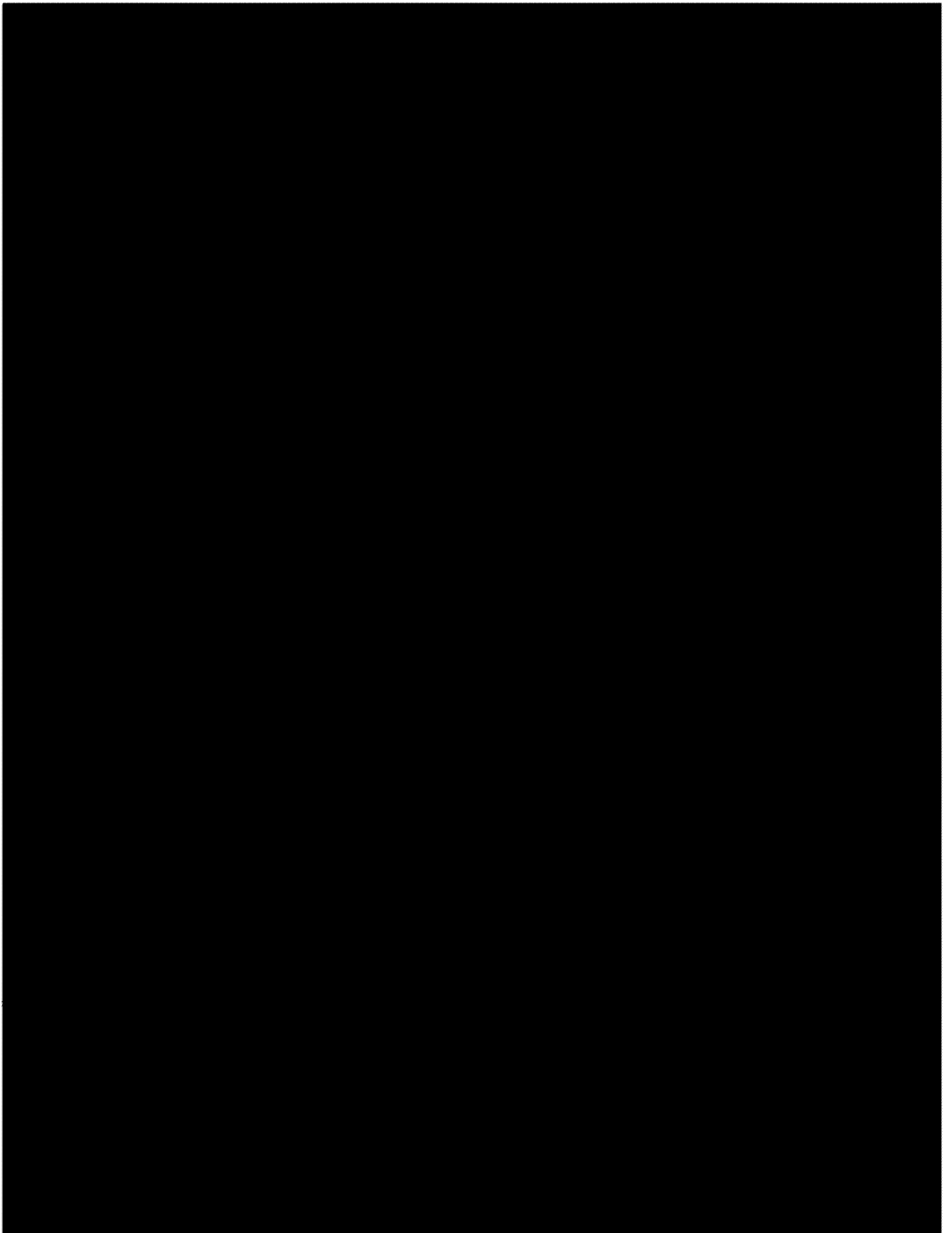
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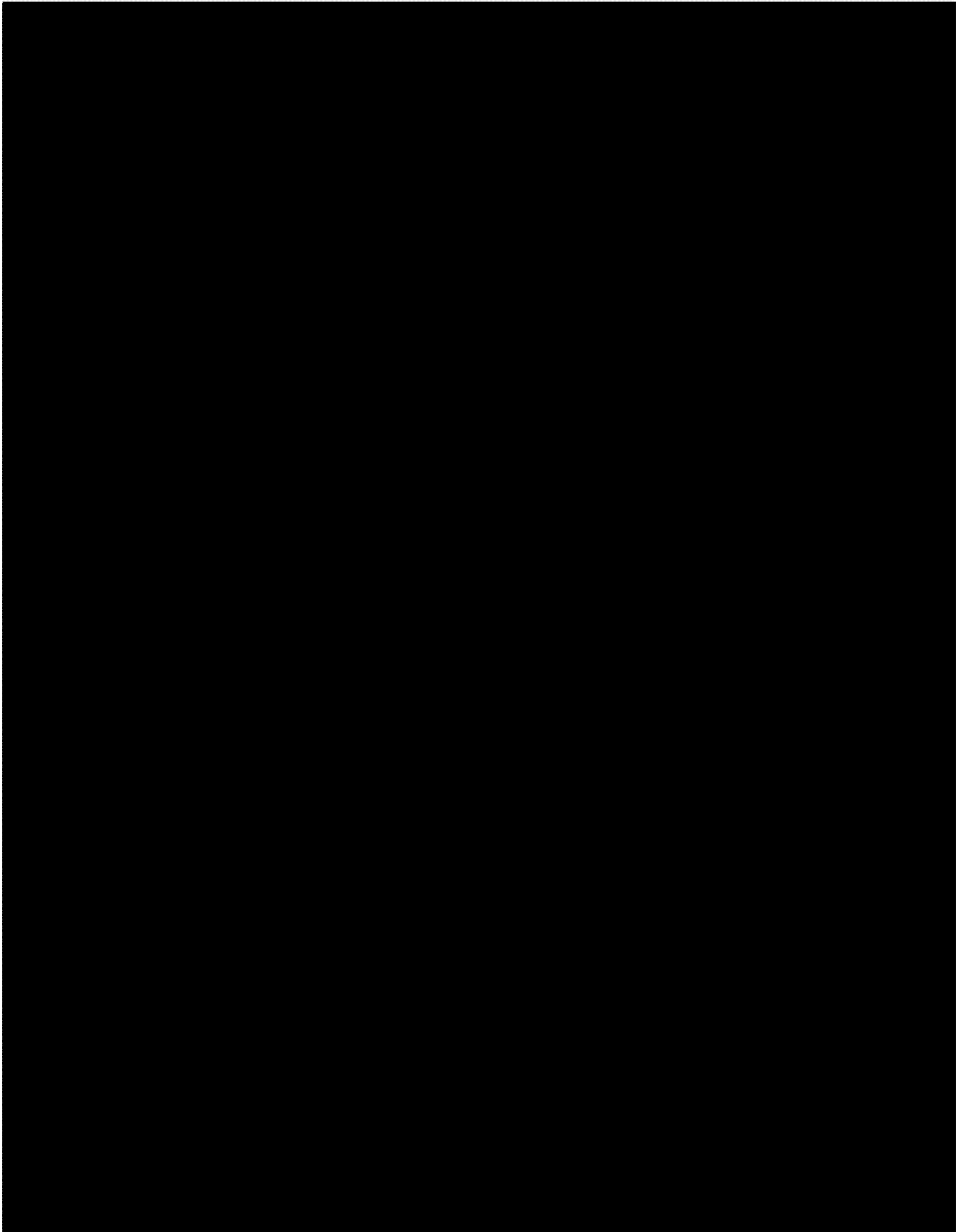
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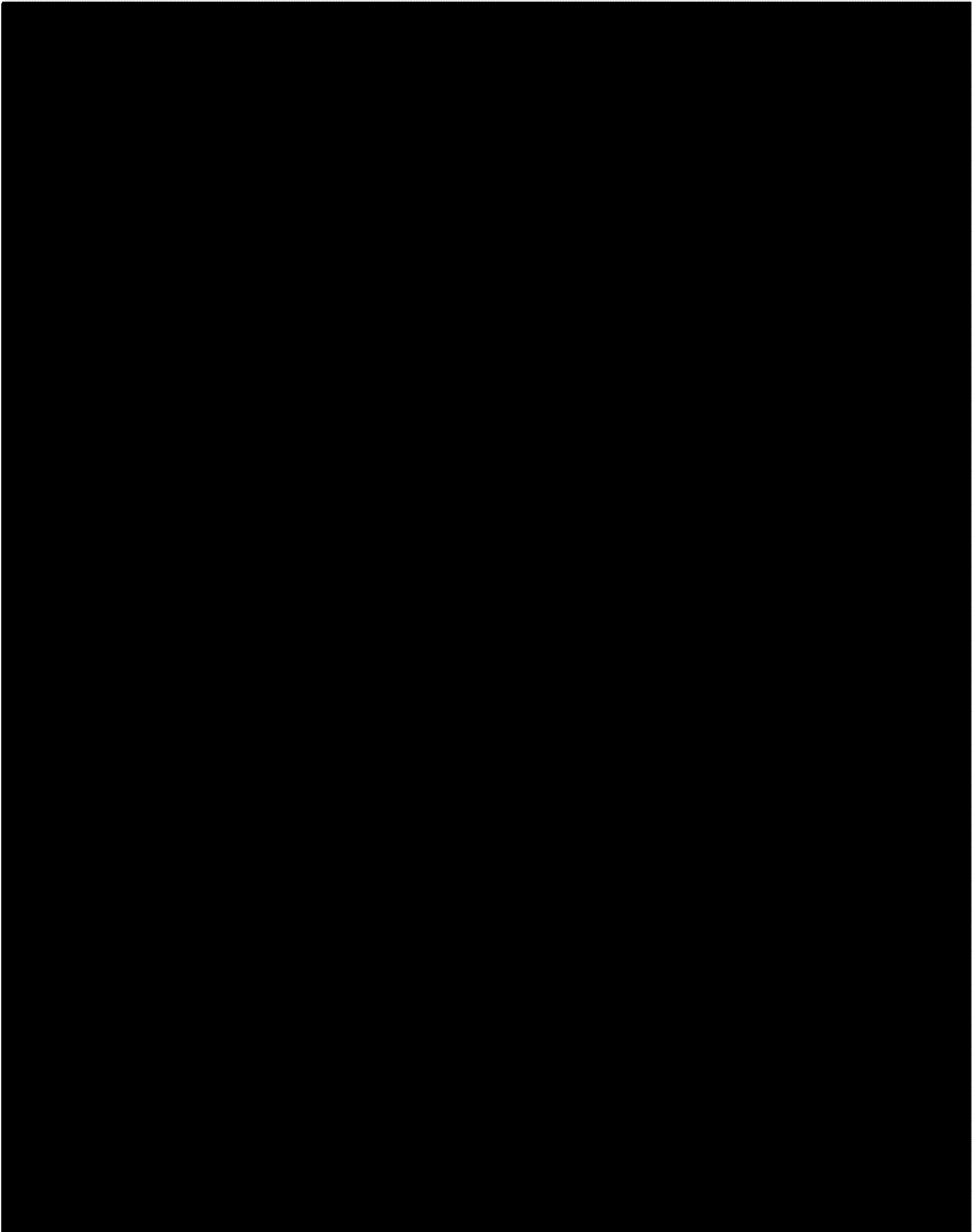
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Subject : *Results of check for JOSEPH, MIGUEL (70CF290000000513)*

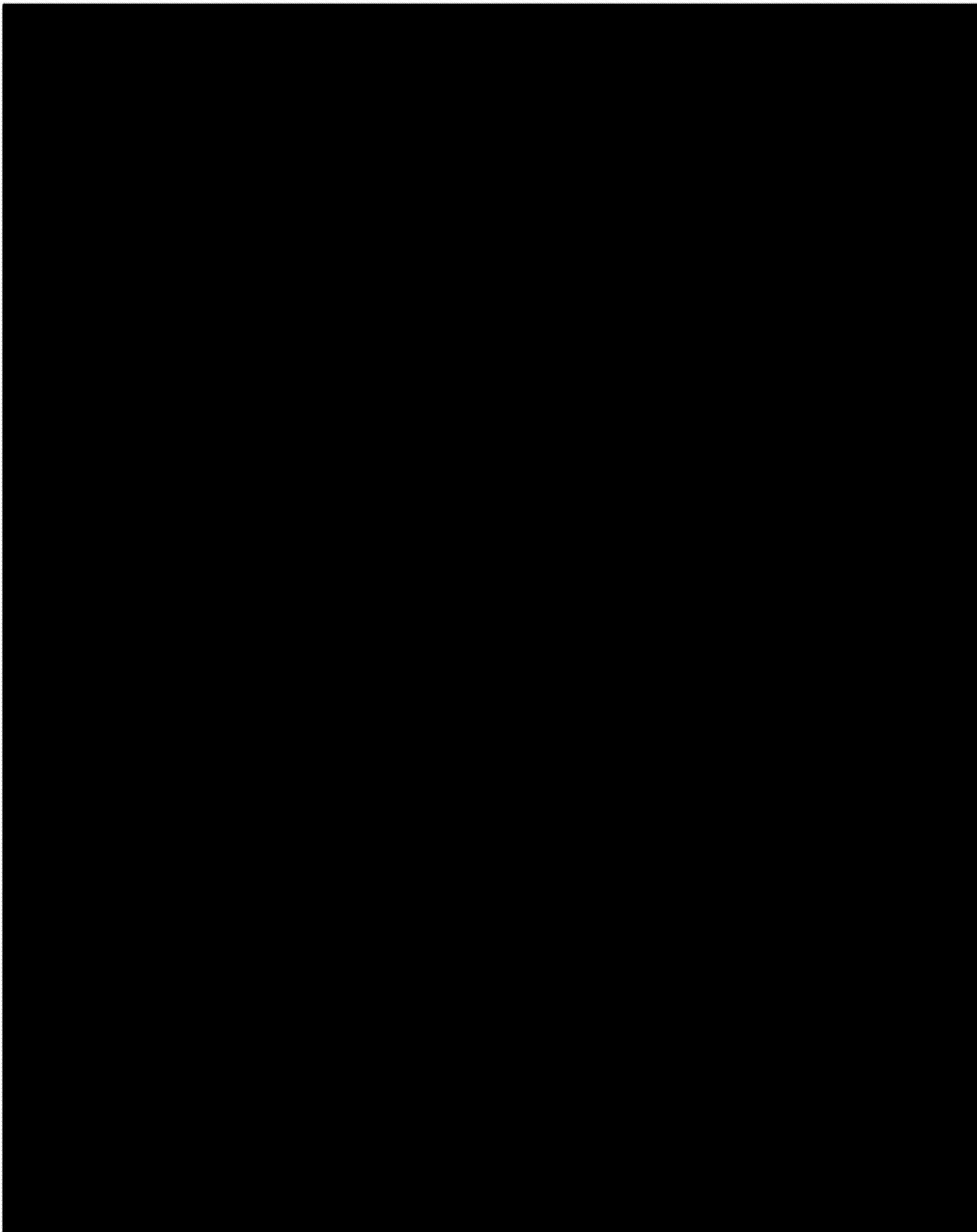


Subject : *Results of check for JOSEPH, MIGUEL (70CF290000000513)*



Page 1 of 1

Subject : *Results of check for JOSEPH, MIGUEL (70CF290000000513)*





Subject : *Results of check for JOSEPH, MIGUEL (70CF290000000513)*

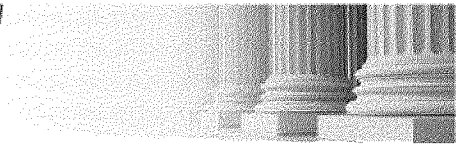




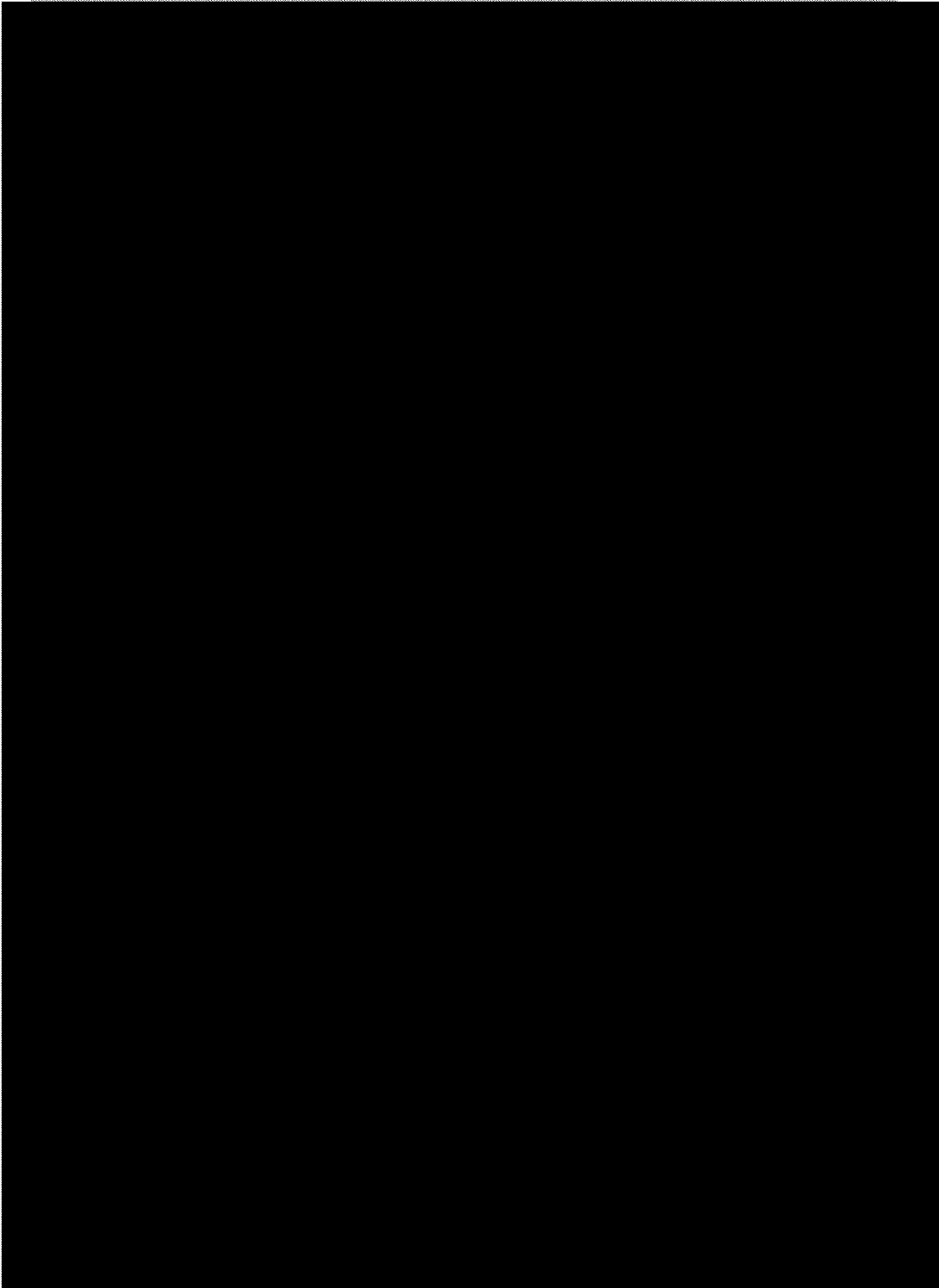
**FLORIDA'S CLERKS OF COURT  
AND COMPTROLLERS**

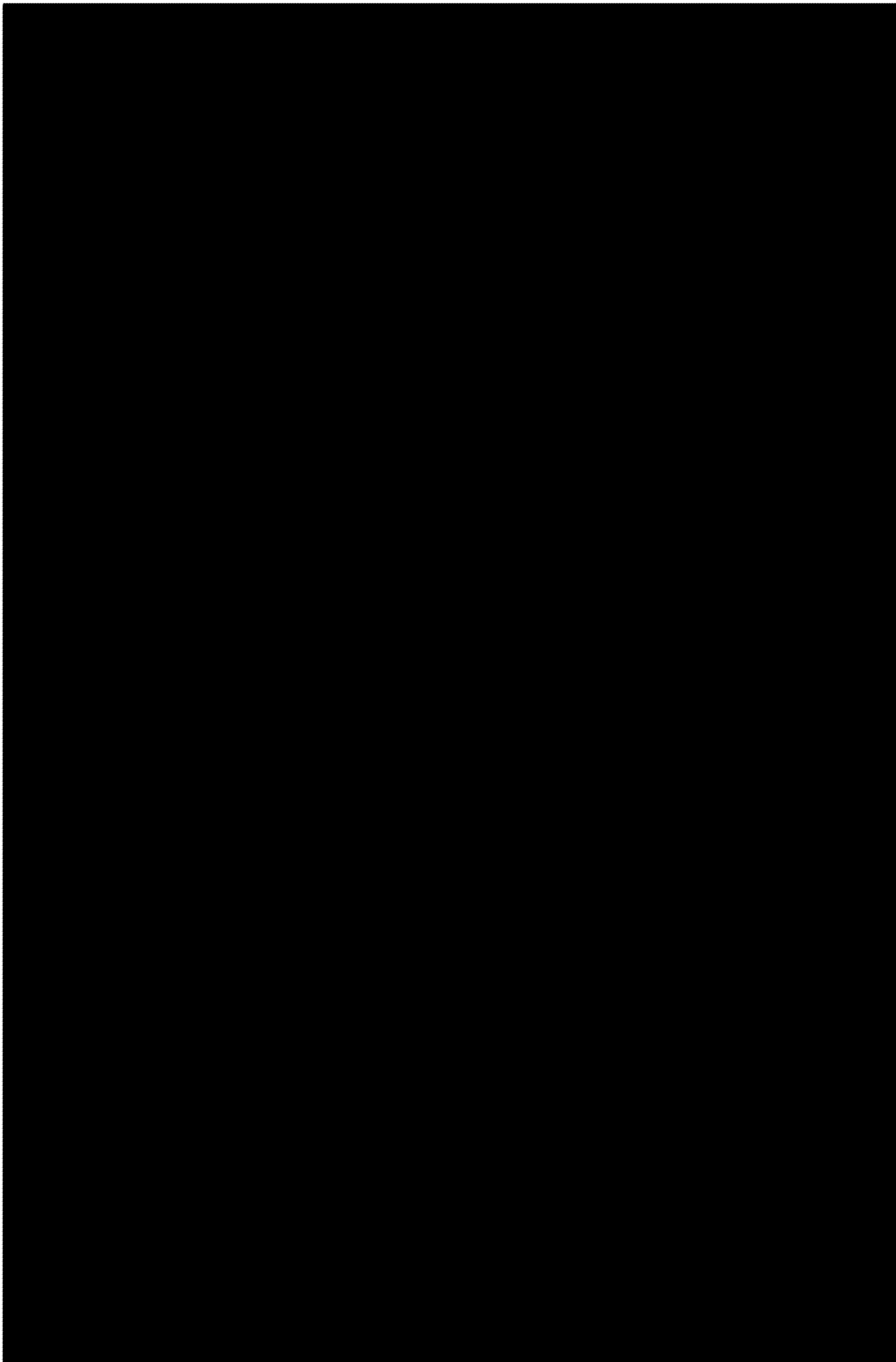
*Bring You*

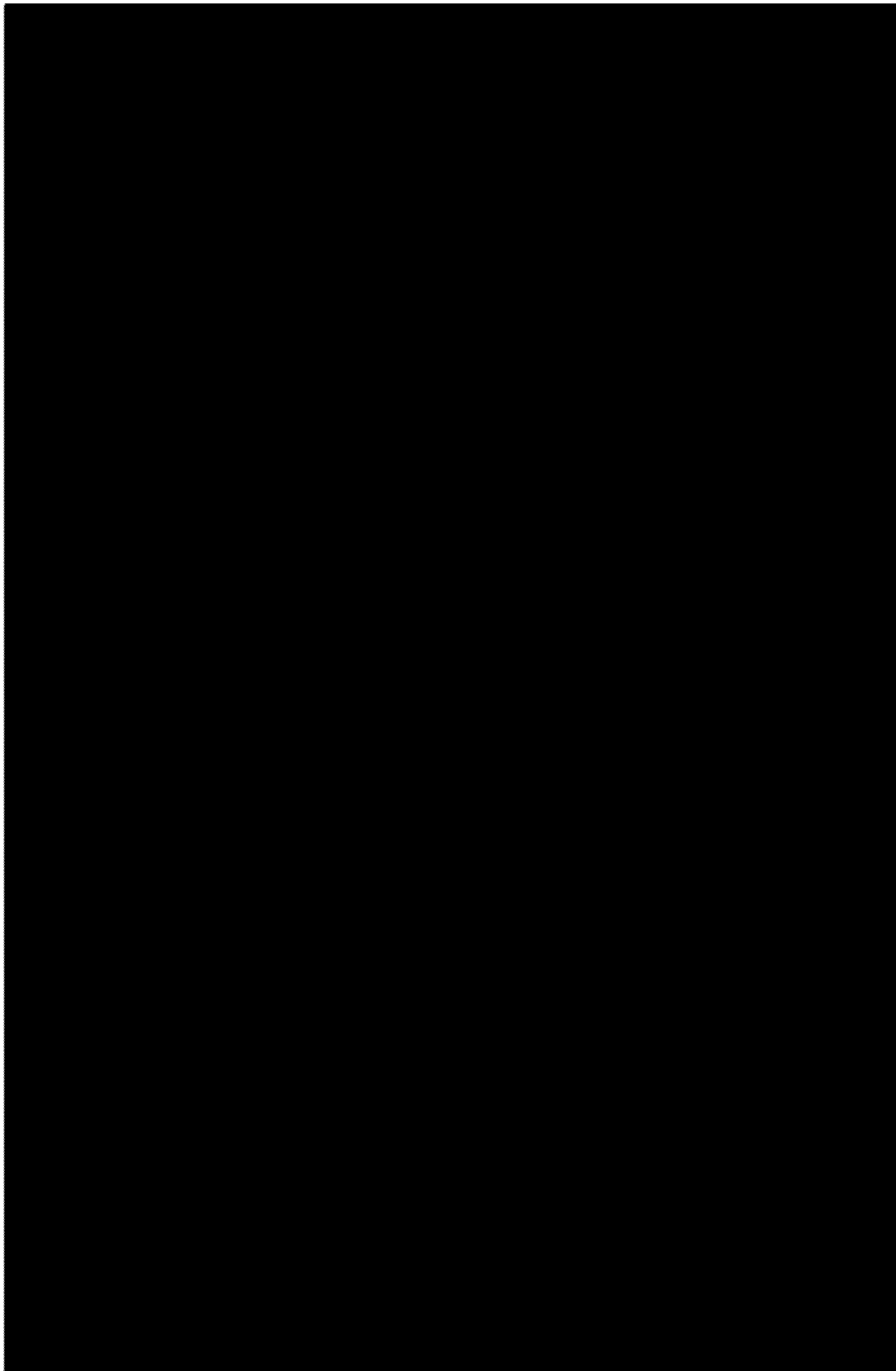
**ccis** COMPREHENSIVE CASE  
INFORMATION SYSTEM



Randall K. Kuchera/Agri









<b>DIVISION</b> <input checked="" type="checkbox"/> CRIMINAL <input type="checkbox"/> TRAFFIC <input type="checkbox"/> OTHER		<b>FINDING OF GUILT AND ORDER OF WITHHOLDING ADJUDICATION/SPECIAL CONDITIONS</b>	
<b>PLAINTIFF(S)</b>  THE STATE OF FLORIDA		<b>VS. DEFENDANT(S)</b>  MIGUEL F JOSEPH	
<b>CASE NUMBER: F10-010809</b>			
		CHECK IN 29 AUG 31 AM 10:29 DEPT. OF COURT & COUNTY CLERK MIAMI-DADE COUNTY, FLORIDA	

IT APPEARING UNTO THE COURT that the defendant being personally before the court accompanied by his/her attorney, ROBIN PIMENTEL, PA has been found guilty of the charge of

<u>Count</u>	<u>Crime</u>	<u>Degree</u>
1	RESISTING OFFICER WITHOUT VIOLENCE TO HIS PERSON	1/M
2	FIREARM/DISCHARGE FROM A VEHICLE	2/F
3	GRAND THEFT 3RD FIREARM	3/F
4	CONCEALED FIREARM/CARRY/ATTEMPT	3/F

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 that 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  
Other

PROBATION/DNA TAKEN PURSUANT TO F.S. 943.325

IT IS ORDERED THAT the defendant be fingerprinted pursuant to F.S. 921.241(1).



# MIAMI-DADE

COUNTY

**LUIS G. MONTALDO, CLERK AD INTERIM**  
CLERK OF THE COURTS

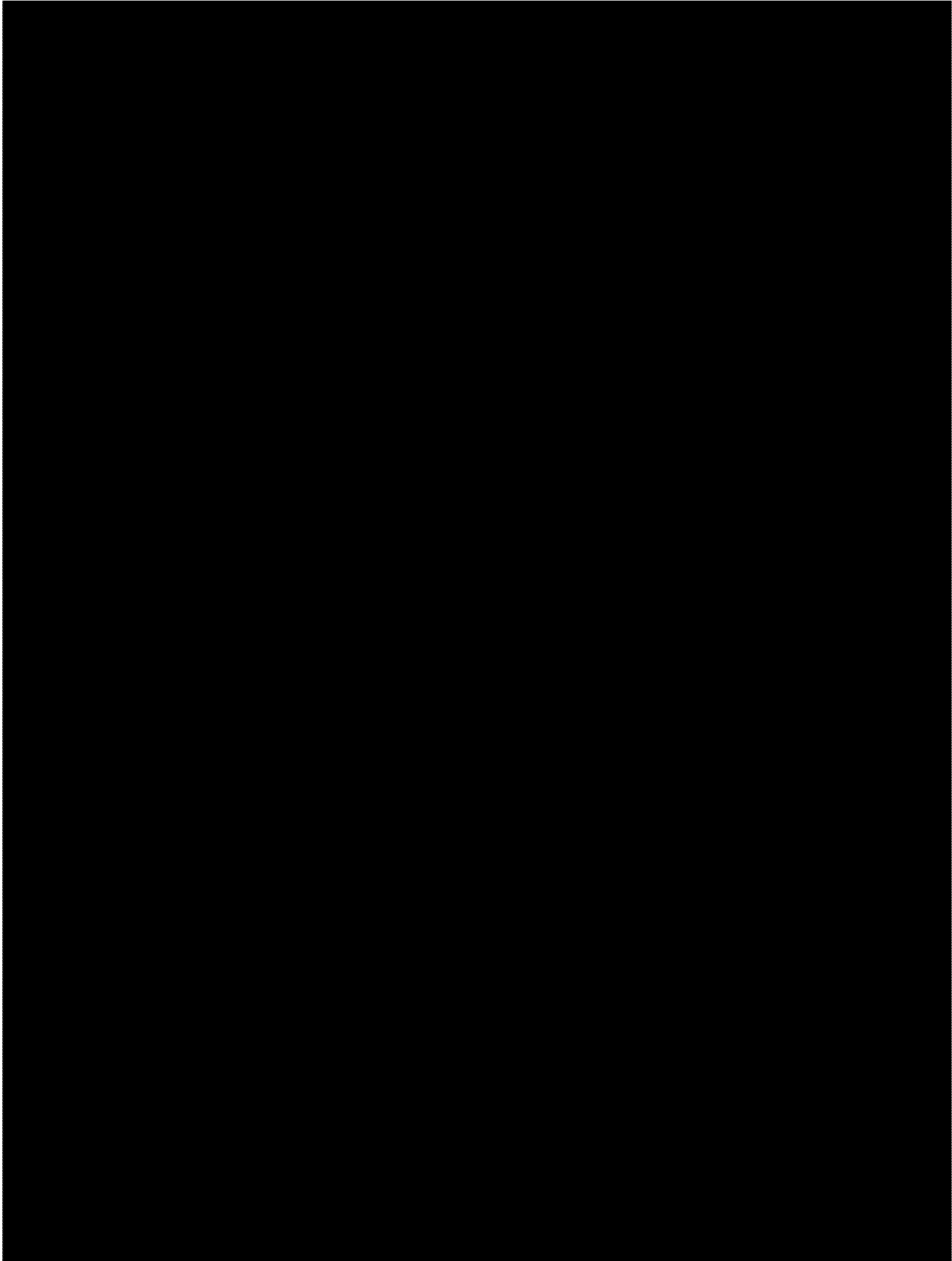
**FLORIDA'S CLERKS OF COURT  
AND COMPTROLLERS**

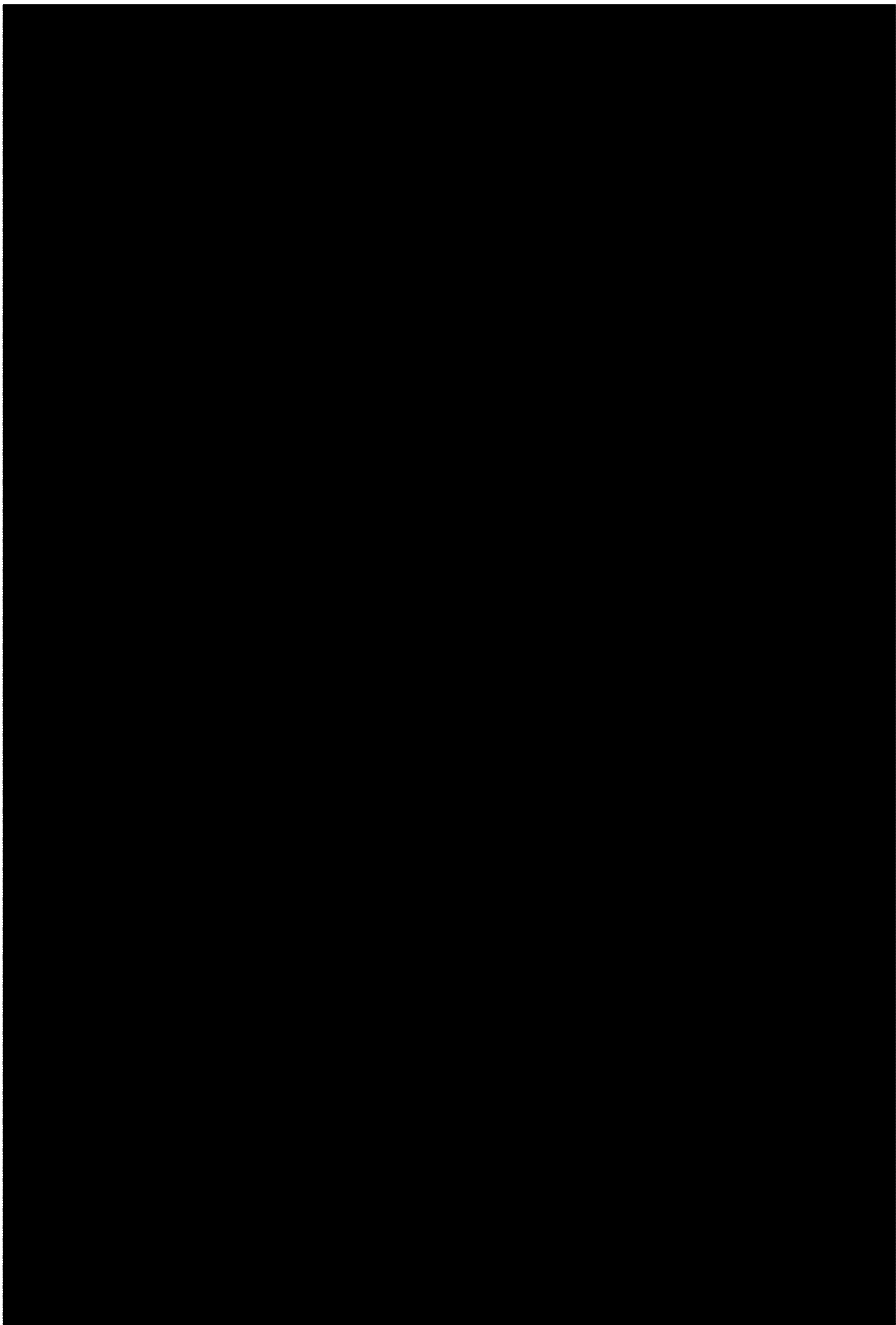
Bring You

**ccis** COMPREHENSIVE CASE  
INFORMATION SYSTEM

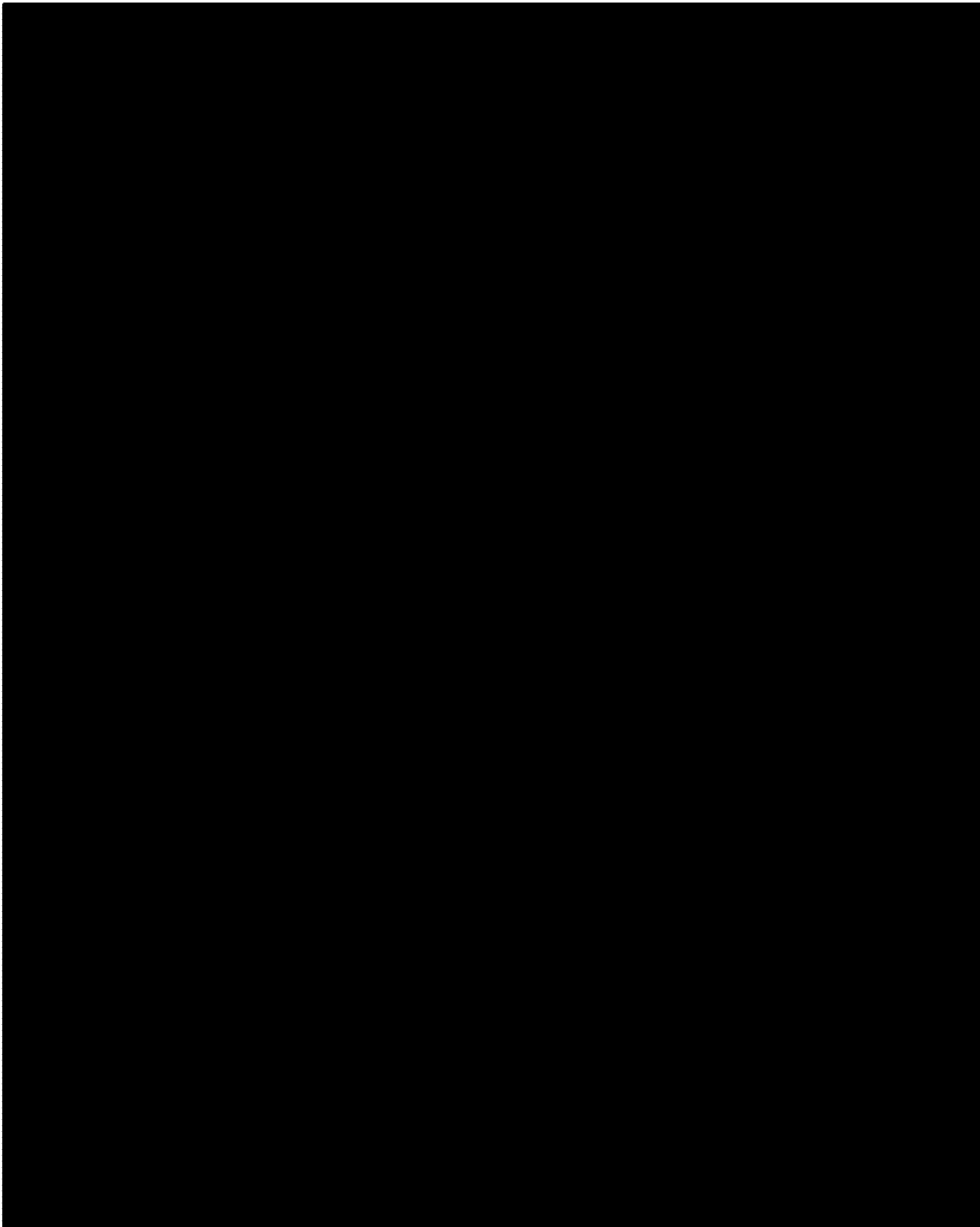
Randall.Kerchensky@gcc

Export All











## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Sharon Maria Cortes; Case No. 2023-019361; License Denial  
Date: April 26, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Sharon Maria Cortes' ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a completed application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on April 3, 2023. 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 April 3, 2023, 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 the Applicant was convicted of a felony crime in the state of Florida. Specifically, the Applicant was convicted of Resisting Officer with Violence in 2000.<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.

### *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

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<sup>1</sup> Applicant failed to disclose her criminal conviction on her application.

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.”

Rule 75-14.009, Florida Administrative Code, provides that:

“[t]he [commission] shall deny the application for a slot machine occupational license if a review of the application or the investigation of the applicant demonstrates . . . [t]he applicant has been convicted of any disqualifying offense under Section 551.107(6), F.S.”

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, and because Applicant was convicted of a disqualifying offense under section 551.107(6), Florida Statutes, the Florida Gaming Control Commission shall deny Applicant's application for a slot combination 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: CORTES, SHARON MARIA – 13546931

Case No: 2023019361

(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	4/3/2023
COMPLETE APPLICATION RECEIVED:	4/3/2023
<b>90-DAY DEADLINE:</b>	<b>7/2/2023</b>

Randall Kitchens  
Application Processor

544 – Hialeah  
Facility (d/b/a name)

1055 – Maintenance  
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)				
Comments:				
Arrest Date	Location	Charge	Level	Disposition
11/07/2000	Miami Dade, Fl	Resist Off W Violence 13-2000-CF-035840	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"/> <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 <u>4/5/23</u>				
Comments:				

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>04/05/2023</b>
Complaint #	<b>2023019361</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent	<b>CORTES, SHARON MARIA</b>	Responsible	<b>ddonaldson - DONALDSON, DAVID</b>	<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
-----------	------------	-------------	------------

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>04/03/2023</b>	Related	Disposition
Region	<b>SR - Southern Region</b>	Received	<b>04/03/2023</b>	Inspection	
Reference				Costs	
Entered	<b>04/05/2023</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 - 544 - Hialeah.</b>			Attachments	History
Updated	<b>04/05/2023 10:45:11</b>	By	<b>rkitchens</b>	Work Notes	Print Report

Change	Save	OK	Cancel	Back
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Get Adobe Reader.

## CASE INFORMATION

Court Case No.: F00035840	State Case No.: 132000CF0358400001XX	Date of Birth: [REDACTED]
Name: CORTES, SHARON MARIA	Date Filed: 11/08/2000	Date Closed: 12/20/2000
Assessment Amount: \$0.00	Balance Due: \$0.00	Warrant Type:
Previous Case:	Next Case:	Stay Due Date:
Judge: TBA	Defense Attorney: PUBLIC DEFENDER APPOINTMENT, ASSIGN	
File Section: F017	File Location: SCANNED	Box Number:

### HEARING

There are no scheduled hearings.

### CHARGES

Seq No.	Charge	Charge Type	Disposition
1	RESIST OFF W/VIO	FELONY	WH ADJ-PROB SP COND
2	BATTERY	MISDEMEANOR	WH ADJ-PROB SP COND
3	BATTERY	MISDEMEANOR	WH ADJ-PROB SP COND
4	BATTERY	MISDEMEANOR	WH ADJ-PROB SP COND
1	BATTERY/AGGRAVATED	FELONY	NO ACTION

### DOCKETS

Seq. No.	Date	Book/Page	Docket
49	06/02/2003		COURT FEE PAYMENT 0.10 RECEIPT # 0849930
48	11/27/2001		COURT FEE PAYMENT 93.27 RECEIPT # 0337460
47	10/16/2001		COURT FEE PAYMENT 96.15 RECEIPT # 0334108
46	06/07/2001		MOTION TO WAIVE COST OF SUPERVISION FILED 06/07/2001 ORAL SET FOR 06/07/2001 AT 14:49 GRANTED
45	06/07/2001		MOTION TO MODIFY PROBATION/COMMUNITY CONTROL FILED 06/07/2001 ORAL SET FOR 06/07/2001 AT 14:49 GRANTED
44	06/05/2001		REPORT RE: PROBATION SET FOR 06/07/2001 AT 09:00
43	04/24/2001		COURT FEE PAYMENT 7.19 RECEIPT # 0336211
42	04/23/2001		COURT FEE PAYMENT 65.62 RECEIPT # 0336147
41	04/04/2001		COURT FEE PAYMENT 11.94 RECEIPT # 0334328
40	04/03/2001		COURT FEE PAYMENT 63.42 RECEIPT # 0334200
39	03/05/2001		COURT FEE PAYMENT 10.87 RECEIPT # 0330842
38	03/05/2001		COURT FEE PAYMENT 58.56 RECEIPT # 0330730
34	02/07/2001		COURT FEE PAYMENT 10.00 RECEIPT # 0337960
33	02/06/2001		COURT FEE PAYMENT 53.88 RECEIPT # 0337822
37	01/23/2001	019456/02969	FINGERPRINTS FILED
36	01/23/2001	019466/02967	FINDING OF GUILT/ORDER W/H ADJUDICATION & SPECIAL CONDITIONS COSTS, PROBATION
32	01/22/2001		NOTICE OF FAILURE TO PAY SENT
31	12/21/2000		ORDER OF PROBATION
30	12/21/2000		DEFENSE ATTY PDEF/RILEY, BONNIE J
27	12/21/2000		DEFENSE ATTY PDEF/PUBLIC DEFENDER APPOINTMENT, AS
25	12/21/2000		TRIAL PROS. ASSIGNED: MARTINEZ, JORGE
24	12/21/2000		TRIAL PROS. ASSIGNED: MARTINEZ, JORGE
22	12/21/2000		DISCHARGE CERTIFICATE ISSUED IC260192
29	12/20/2000		ORDER ADJUDGING DEFENDANT INDIGENT AND APPOINTING PUB. DEFN
28	12/20/2000		FINANCIAL AFFIDAVIT TO DETERMINE PUBLIC DEFENDER ELIGIBILITY
26	12/20/2000		SENTENCING GUIDELINES SCORE SHEET
23	12/20/2000		DISCOVERY RESP: STATE'S DEMAND FOR DISCOVERY & DEMAND FOR AL
21	12/20/2000		MEMORANDUM OF COSTS AMOUNT 471.00
20	12/20/2000		PUBLIC DEFENDER APPLICATION FEE/AFFIDAVIT TO BE PAID IN FULL AMOUNT 40.00
18	12/20/2000		CLOSING JUDGE PLATZER, VICTORIA
17	12/20/2000		AMT/ 5000 DISCHARGED 12/20/2000 POWER/IC260192
16	12/12/2000		INTAKE UNIT ASSIGNED: FELONY DIVISION 17
14	12/08/2000		INFORMATION FILED
13	12/08/2000		ARRAIGNMENT HEARING SCHEDULED FOR 12/20/2000 AT 09:00
11	11/28/2000		ARRAIGNMENT HEARING SCHEDULED FOR 12/08/2000 AT 09:00
10	11/27/2000		INTAKE UNIT ASSIGNED: FELONY DOMESTIC CRIMES
9	11/27/2000		INTAKE PROS. ASSIGNED: HENGHOLD-PL MARGARET-MG



Seq. No.	Date	Book/Page	Docket
8	11/14/2000		NOTICE OF DEFENDANT'S RIGHT TO COUNSEL
7	11/09/2000		BOND RECEIVED POWER/RECEIPT #IC260192
5	11/09/2000		AMT/ 5000 ISSUED 11/09/2000 POWER/IC260192
4	11/08/2000		REPORT RE: BOND REVIEW - NONMONETARY SET FOR 11/13/2000 AT 09:00
3	11/08/2000		FIRST APPEARANCE/BOND HEARING - P.M.
2	11/08/2000		ATTORNEY TYPE APPOINTED AT BOND HEARING PUBLIC DEFENDER
1	11/08/2000		ARRAIGNMENT HEARING SCHEDULED FOR 11/28/2000 AT 09:00

DBPR PMW-3410 – Slot Machine Individual Occupational License Application

Instructions: Please review this application thoroughly and complete all sections not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION			
Social Security Number [REDACTED]	Birth Date (MM/DD/YYYY) [REDACTED]	Gender <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female	
Last Name <u>CORTES</u>	First <u>SHARON</u>	Middle <u>MARIA</u>	Suffix
Have you used, been known as, or called by another name (example – maiden name, pseudonym, nickname) or alias other than the name used on the application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If yes, list the name or names used: _____			
Race/Ethnicity (check only one): <input type="checkbox"/> Black or African American <input type="checkbox"/> White or Caucasian <input checked="" type="checkbox"/> Asian or Pacific Islander <input checked="" type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Native American or Alaskan Native <input type="checkbox"/> Other			
Are you a United States citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, provide the name of the country of which you are a citizen: _____			
Current Mailing Address <u>7500 NW 74 ave</u>		Email Address (optional)	
City <u>Medley</u>	State <u>FL</u>	Zip Code (+4 optional) <u>33144</u>	Country <u>USA</u>
Primary Phone Number [REDACTED]		Secondary/Cell Phone Number (optional)	
Current Street Address <u>7500 NW 74 ave</u>			
City <u>Medley</u>	State <u>FL</u>	Zip Code (+4 optional) <u>33144</u>	Country <u>USA</u>
Type of Slot Machine Occupational License applying for: <input type="checkbox"/> General Individual <input type="checkbox"/> Professional Individual <input checked="" type="checkbox"/> Slot Machine/Cardroom/PMW Combination		Is this your first time applying for a racing/gaming license in Florida? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Job title(s): <u>Janitorial</u>		Facility where employed and/or doing business: <u>HRT Casino</u>	
*Applicants for a Combo license should disclose all job titles		Employer name: <u>STH Janitorial Services LLC</u>	
FOR DIVISION USE ONLY			
License Code <u>1055</u>	License # <u>13546931</u>	File # <u>11375</u>	App # <u>40317</u>
Association Code <u>910</u>	Date Received <u>4/3/23</u>	Entered By <u>CH</u>	License Year <u>23/26</u>
License Fee <u>100.00</u>	FP Date <u>4/3/23</u>	FP Fee <u>37.25</u>	Total Fee <u>137.25</u>
Waiver Requested (Combo Only)	<input checked="" type="checkbox"/> <b>ARC</b>	<input type="checkbox"/> <b>Enforcement</b>	

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No | 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

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 CONTROL COMMISSION

**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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**BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  
 No  
 Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, or filing false reports to government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

Yes  
 No  
 Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the section provided below.

Date of Disposition	County	State	Offense	Misdemeanor or Felony?	Sentence

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Yes  
 No  
 Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?

Yes  
 No  
 Do you currently own or have a financial interest in a Florida licensed slot machine facility or in any business owned by a Florida licensed slot machine facility?

**ADDITIONAL INFORMATION**

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Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging the FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

**AUTHORIZATION FOR RELEASE OF INFORMATION:**

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation or the Florida Department of Law Enforcement.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

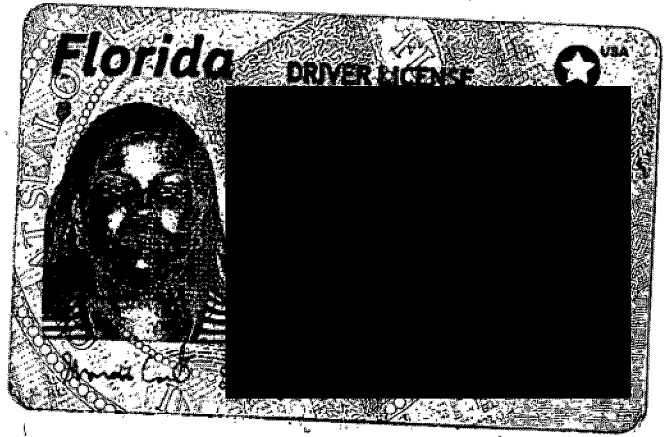
<u>SHARON maria Cortes</u> Print Legal Name (First Middle Last)	<u>[REDACTED]</u> Birth Date (MM/DD/YYYY)
<u>[REDACTED]</u> Social Security Number	<u>SFM Janitorial Services LLC</u> Name of Employer
<u>[Signature]</u> Signature of Applicant	<u>03-14-2023</u> Date

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CONTROL COMMISSION

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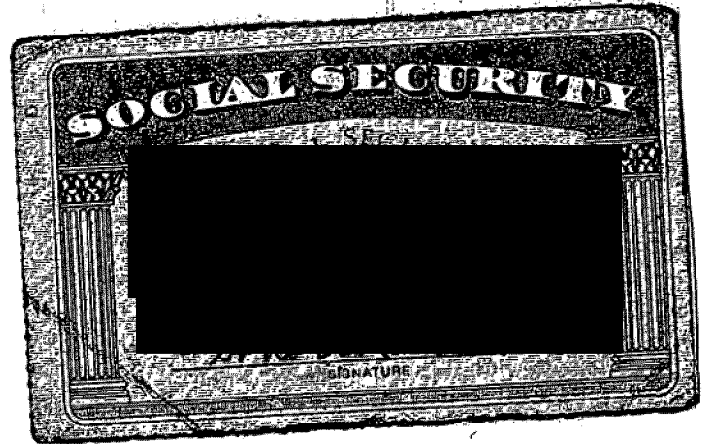
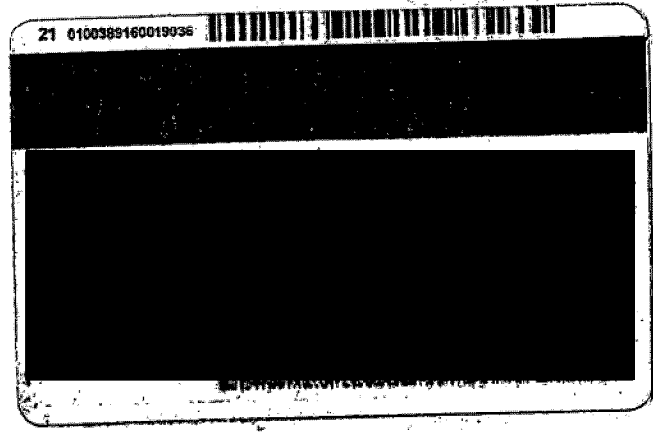
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VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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[Complaint Search](#) | [Change Recording License Type](#) | [Delete Complaint](#) | [Mass Activity Update](#) | [Mass Discipline Update](#)  
[Mass Status Update](#) | [Public Case Info](#)

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: **charris**

VR Home > **Complaint Search**

Search Criteria	Results
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Case Type	Complaint #	Status	Reference	Incident	Respondent	Complainant	Lic Type	Public Case	View	Process
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No items found.

Total: 0

 Get Adobe Reader.

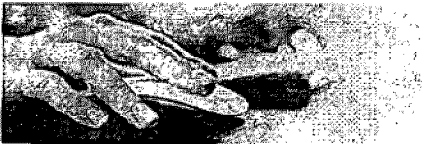




Page 1 of 1. 0 total matches.

<b>Search Parameters</b>
Govt. Number: [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: CORTES
Sex:
Commission:
License Type:

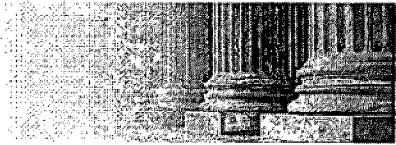
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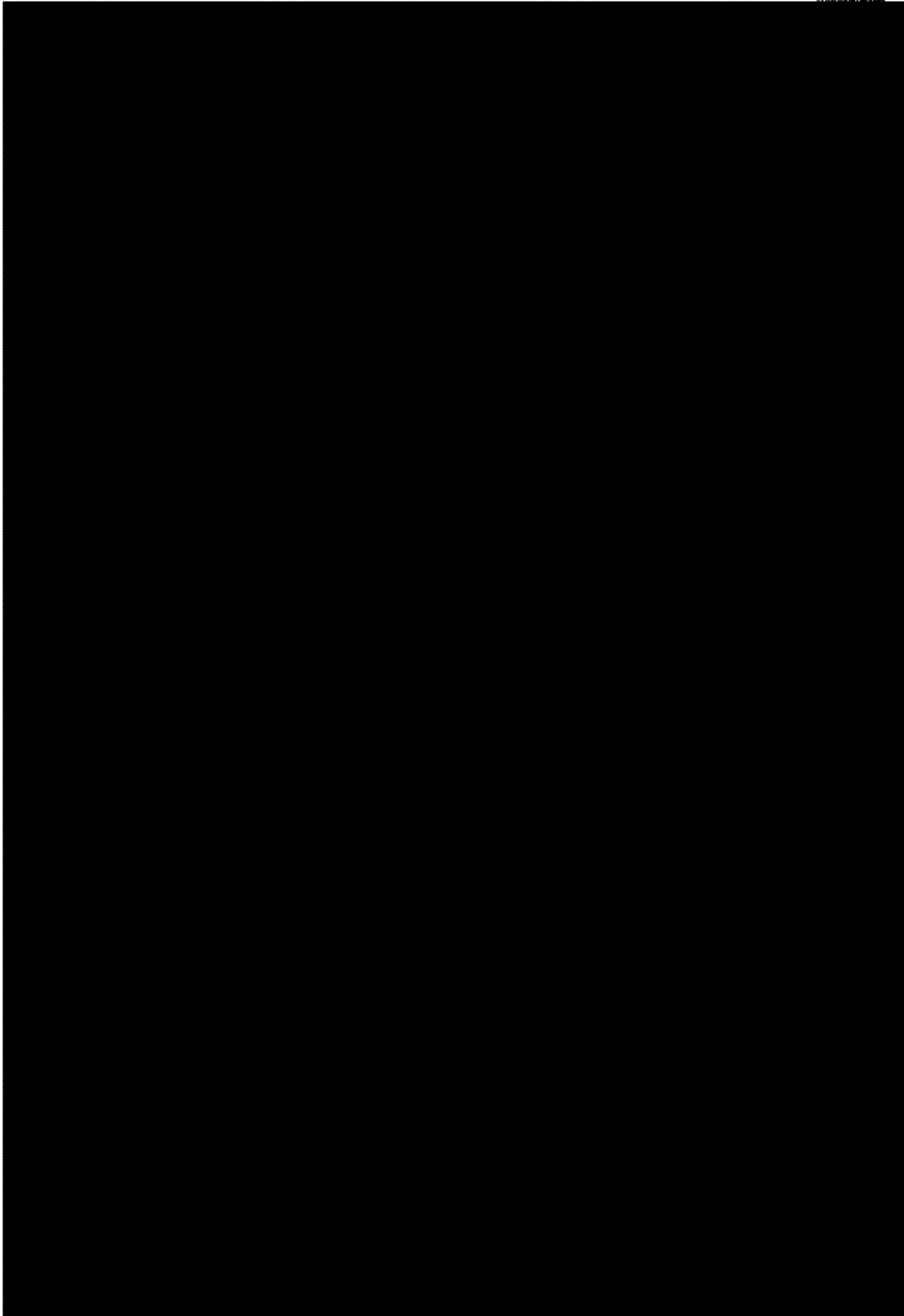
FLORIDA'S CLERKS OF COURT  
AND COMPTROLLERS

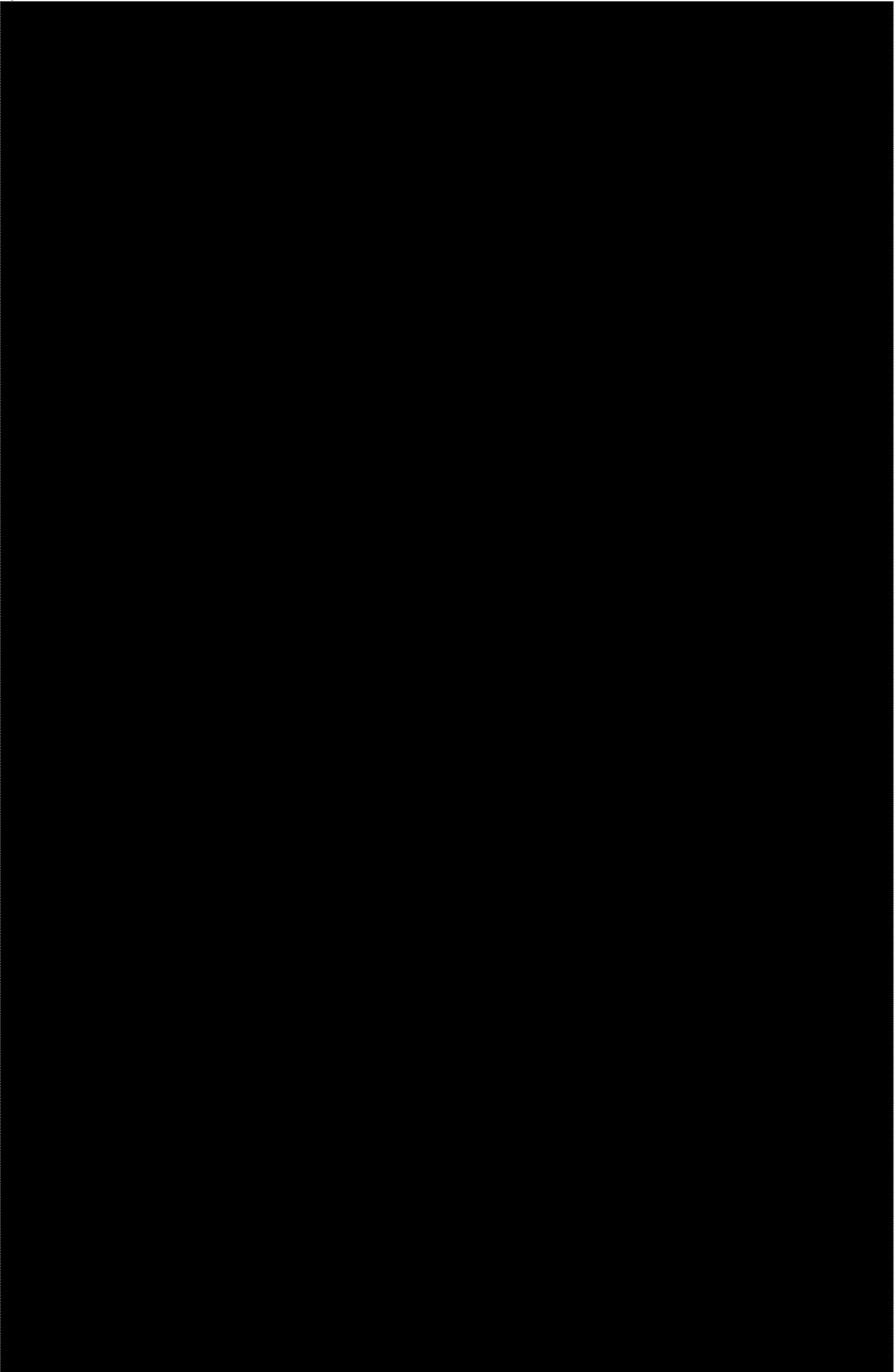
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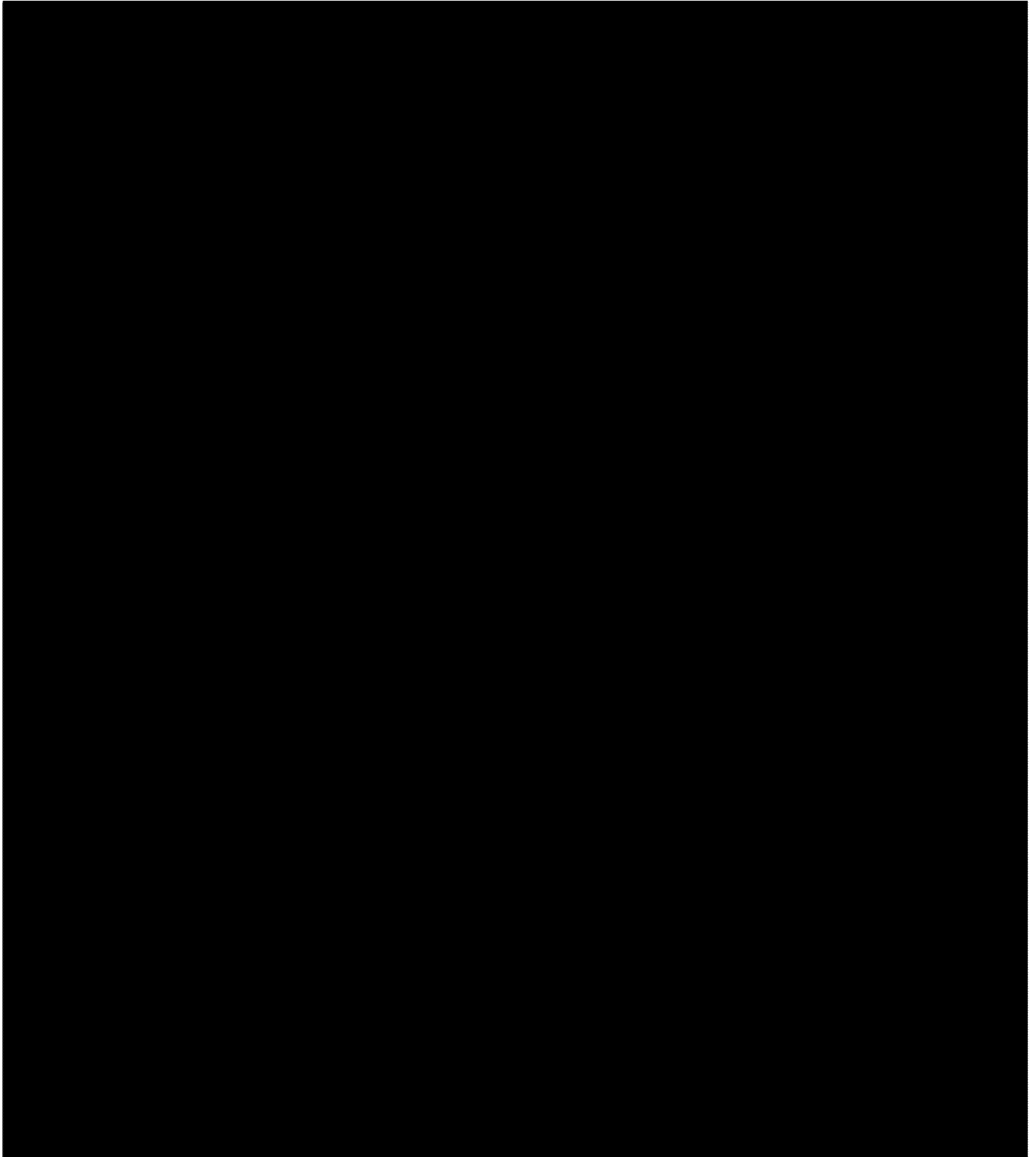
# FDLE Information Notification System

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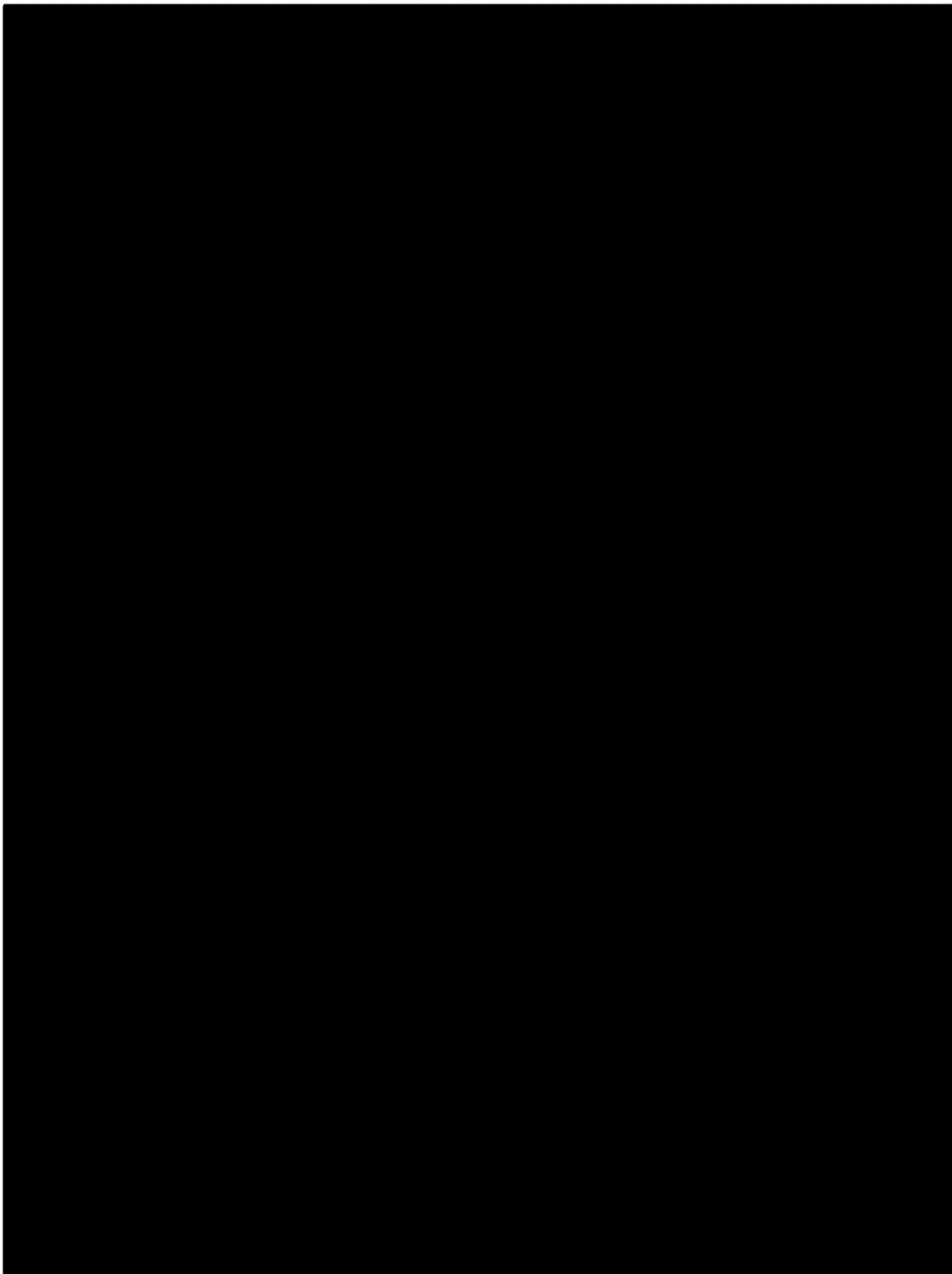
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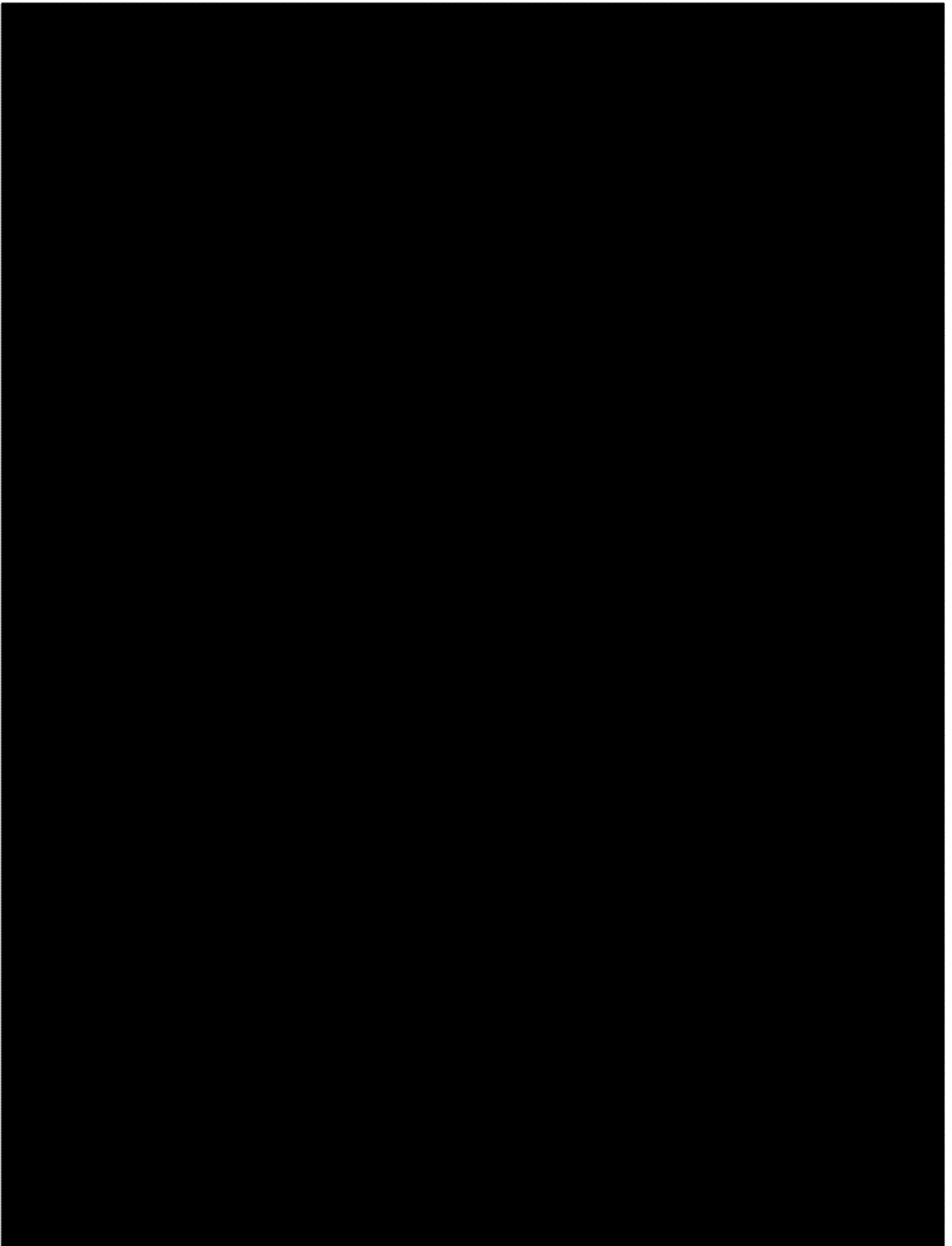
Subject : *Results of check for CORTES, SHARON MARIA (80GBPR040000096378)*



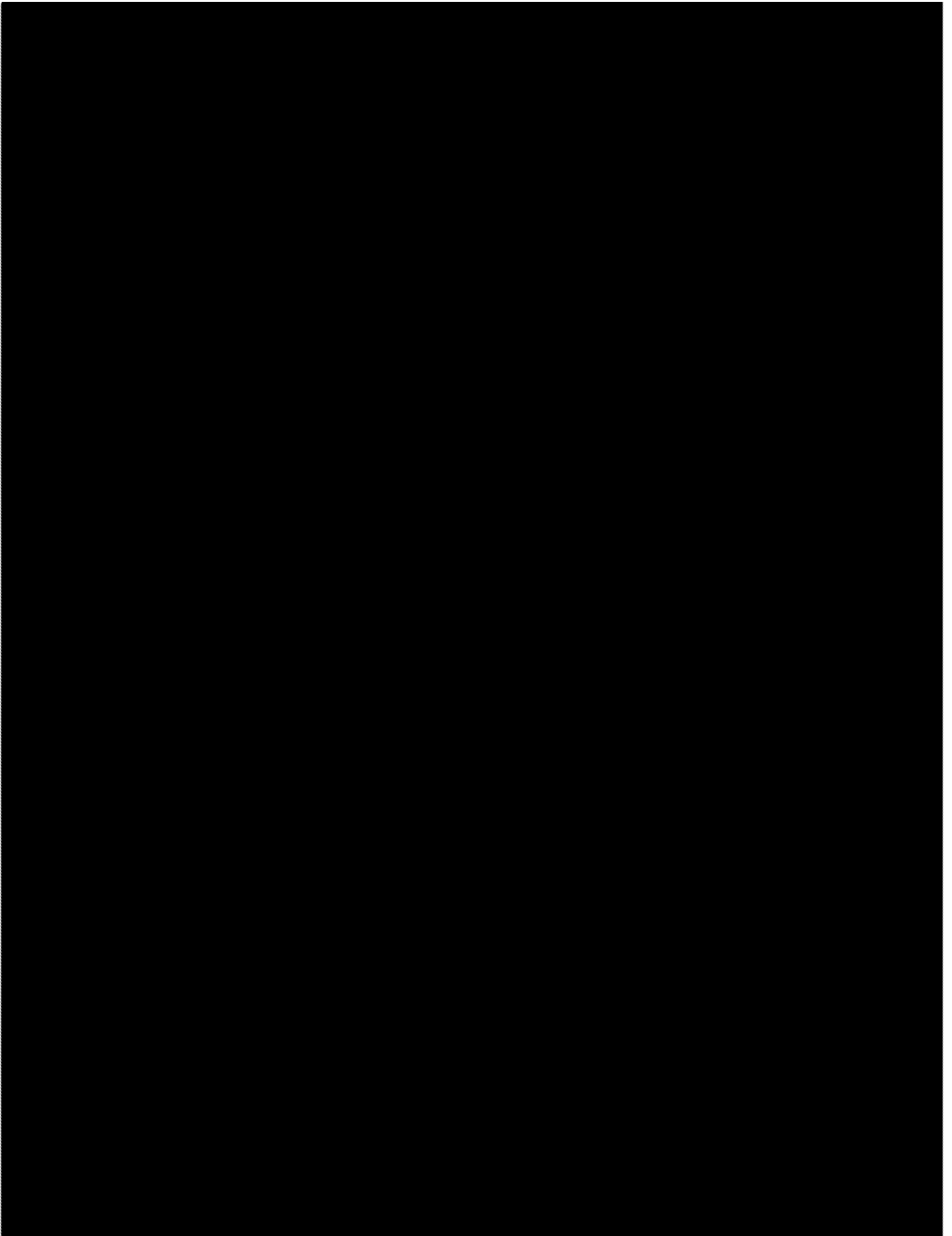
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Subject : *Results of check for CORTES, SHARON MARIA (80GBPR040000096378)*

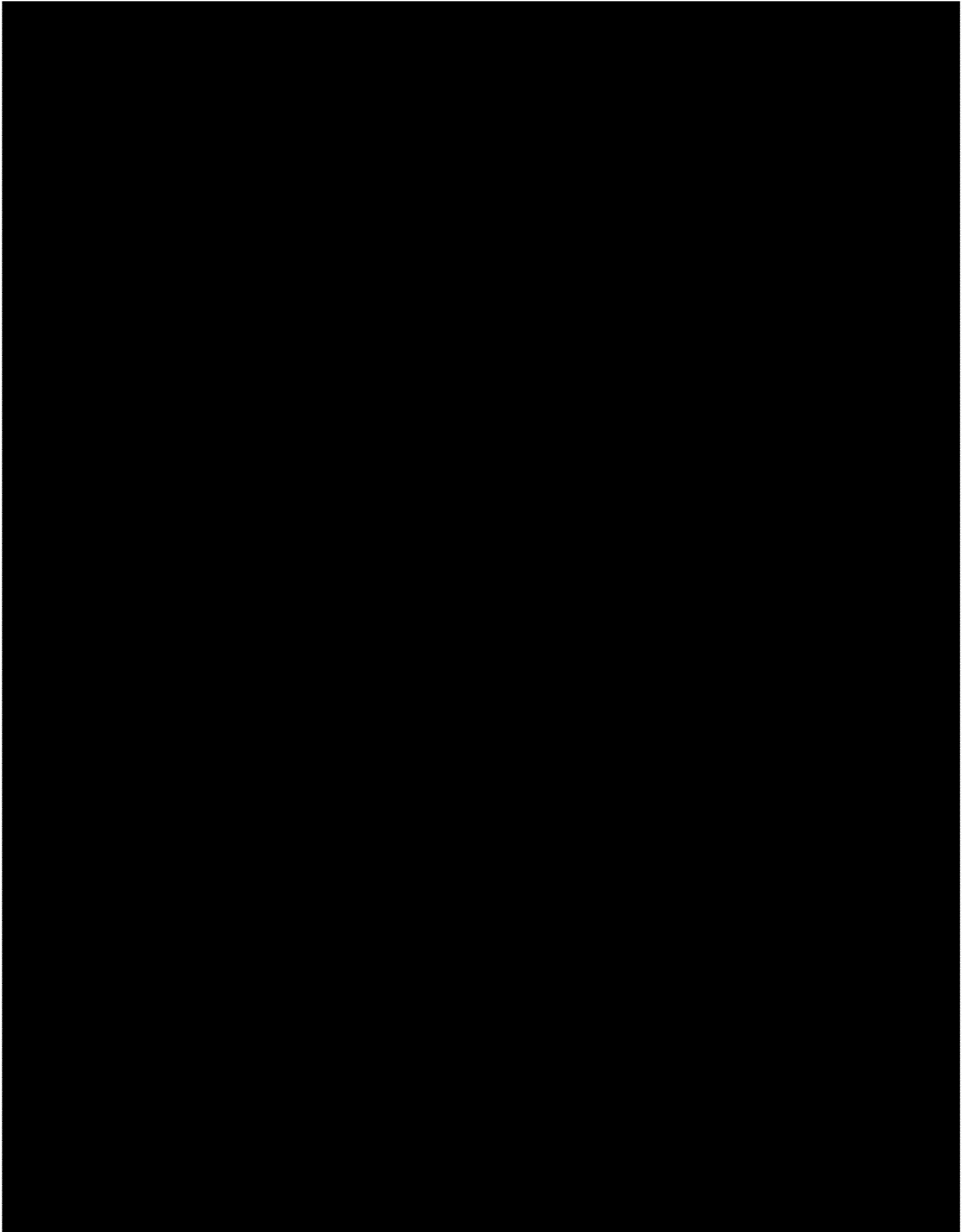


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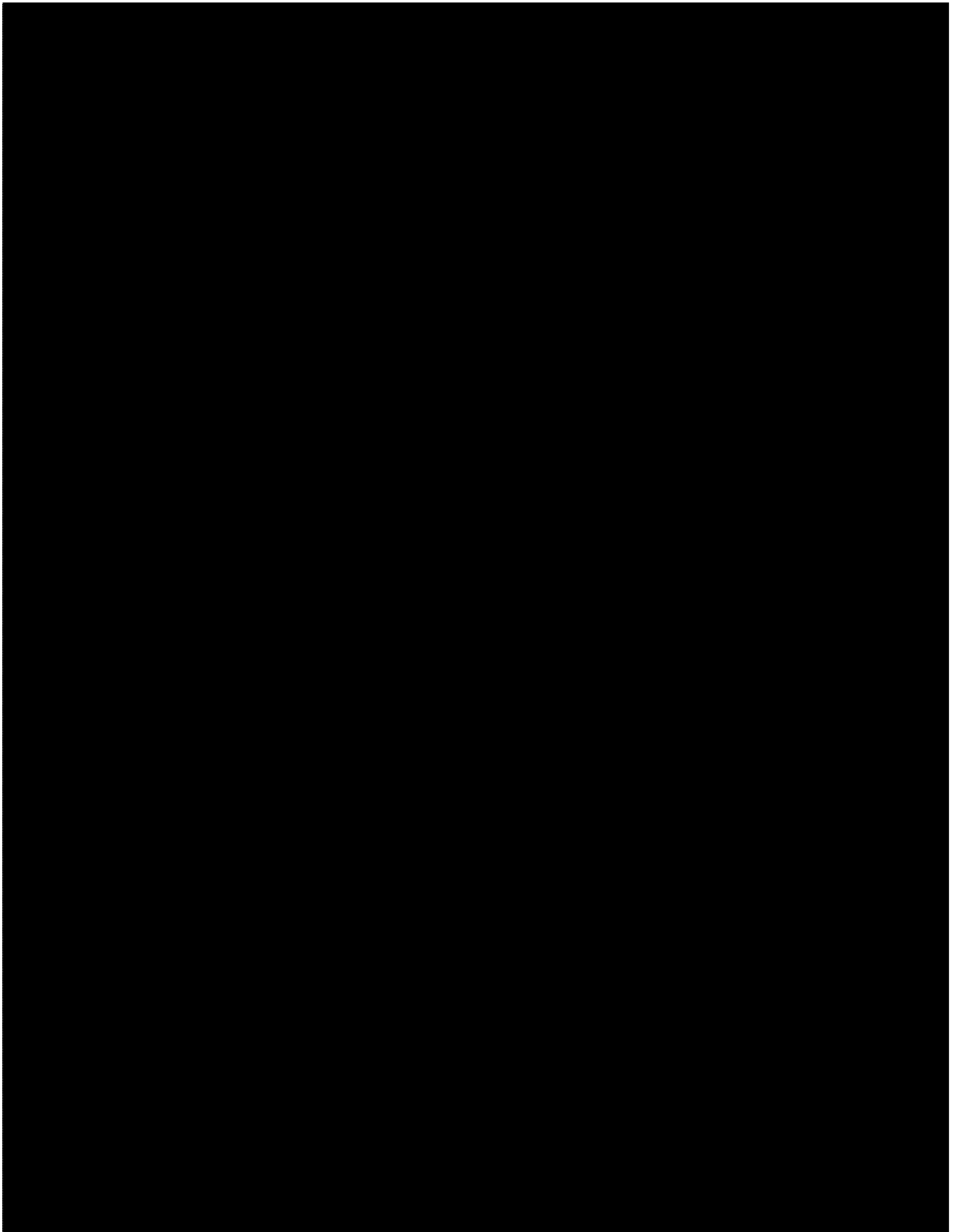




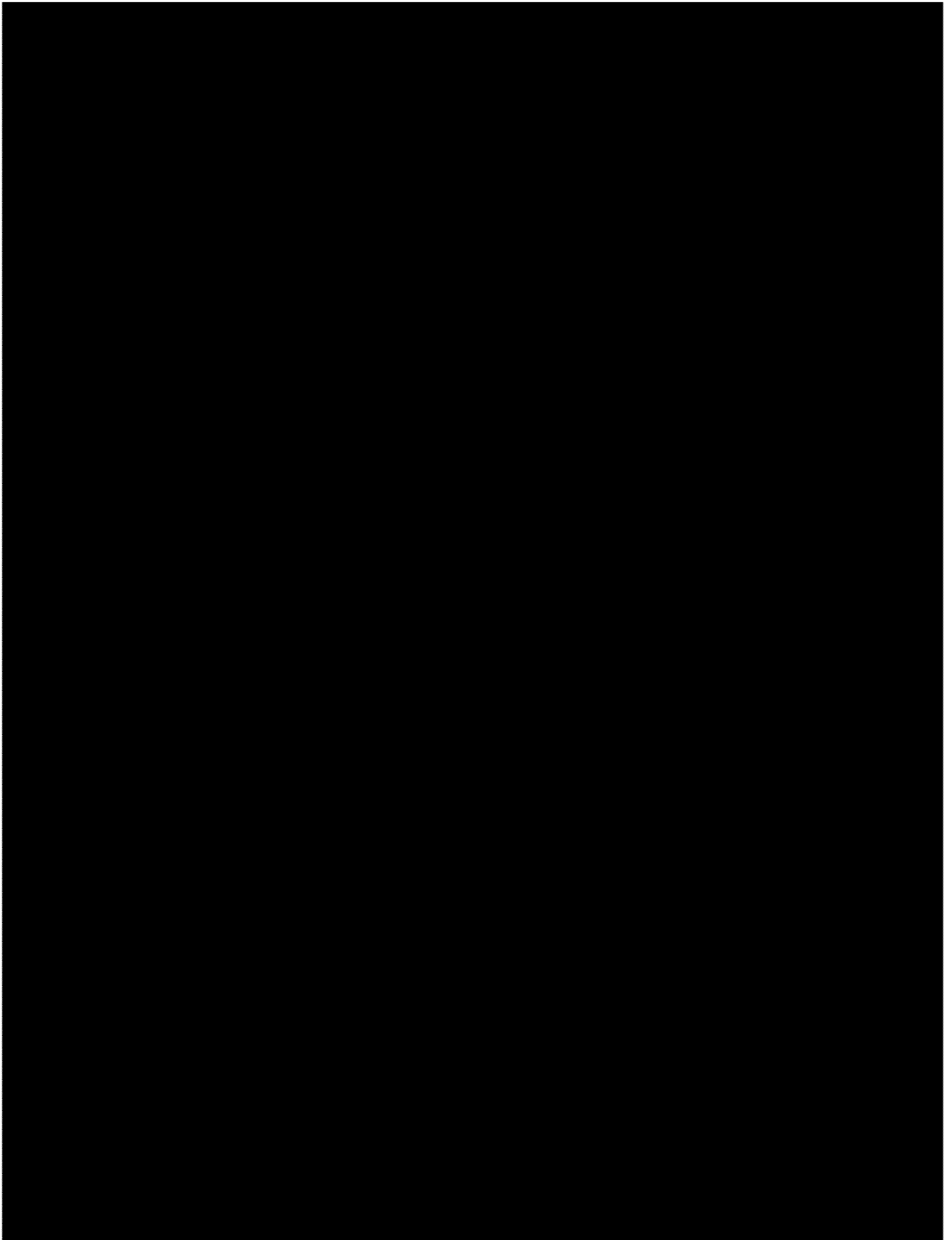
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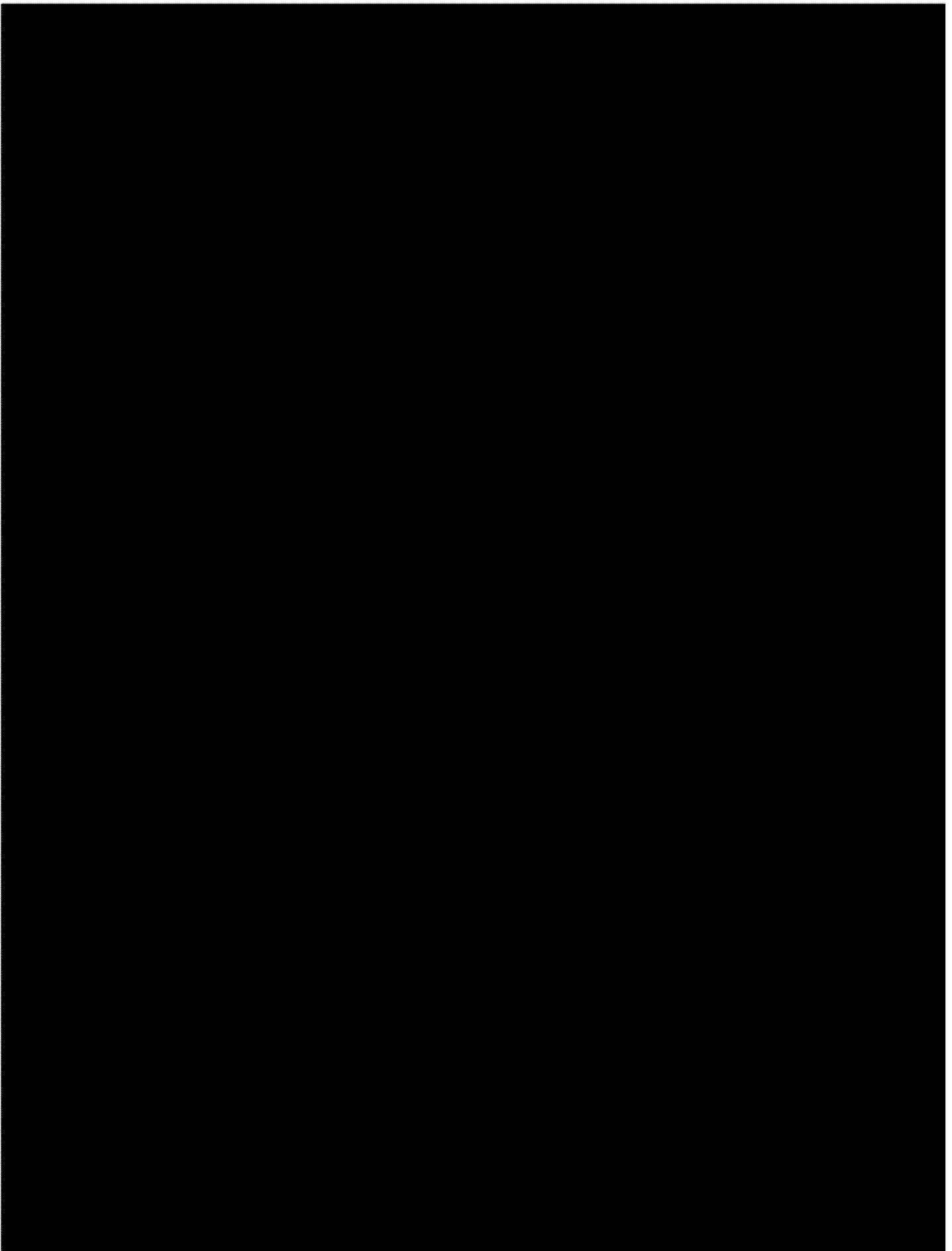
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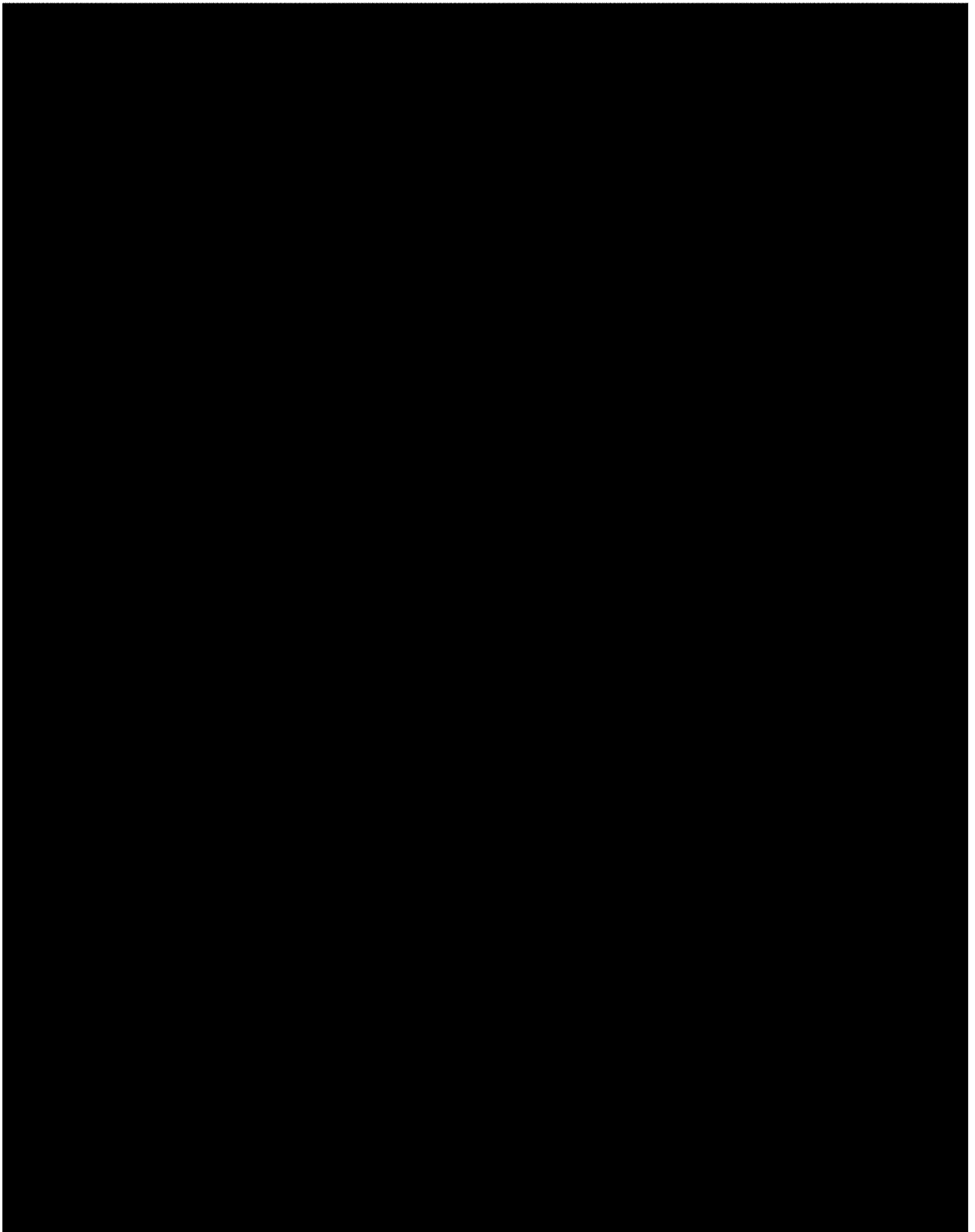
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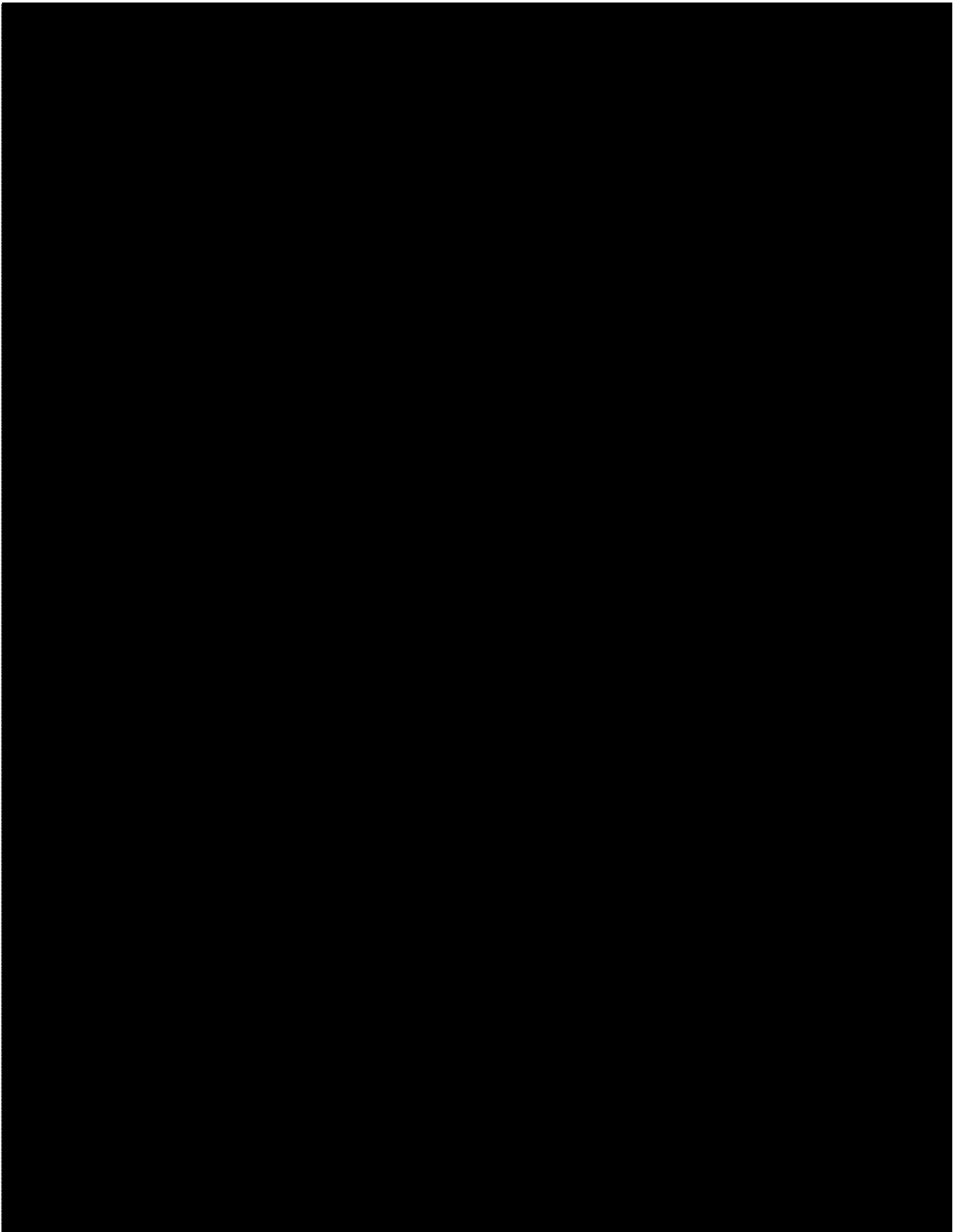
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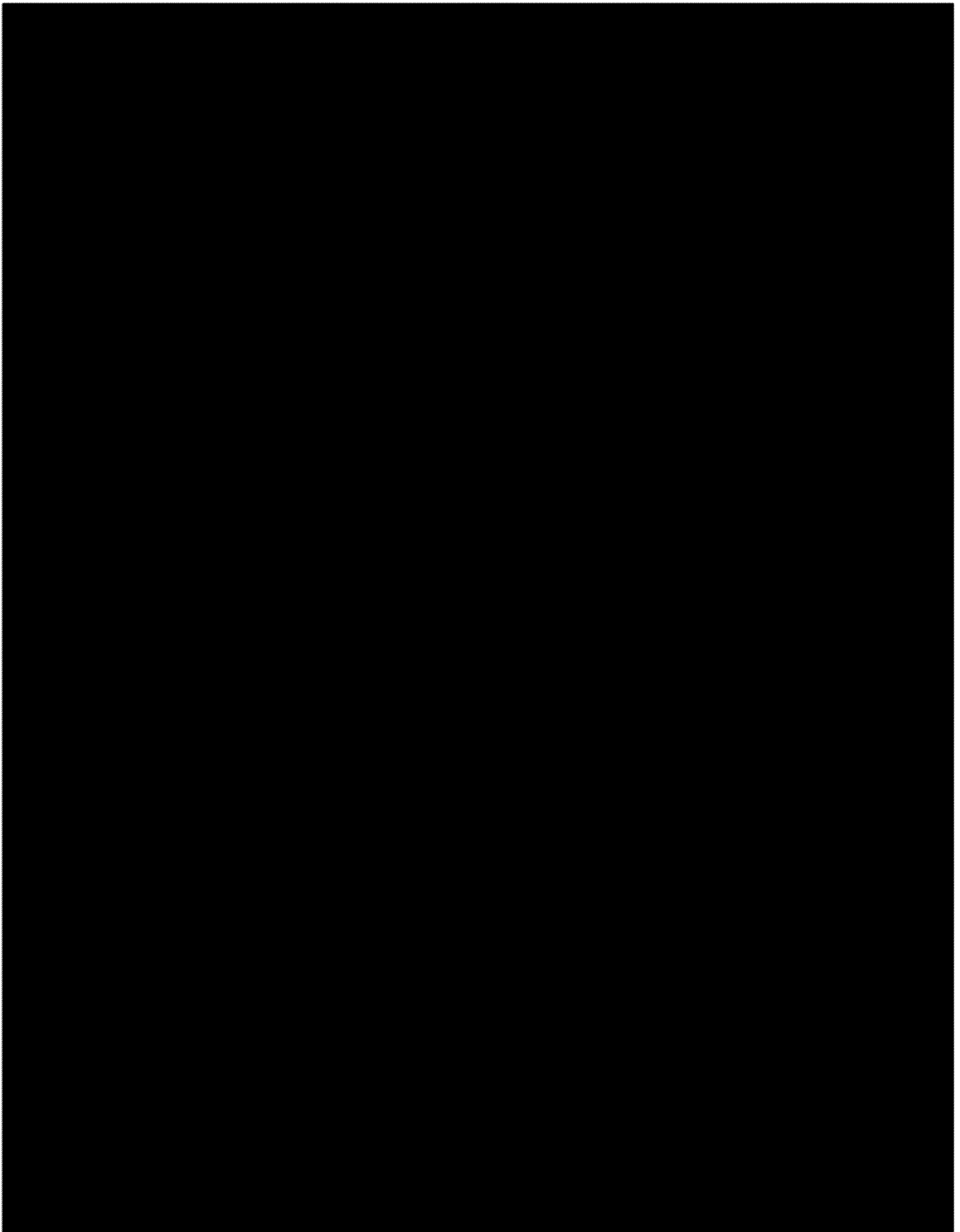
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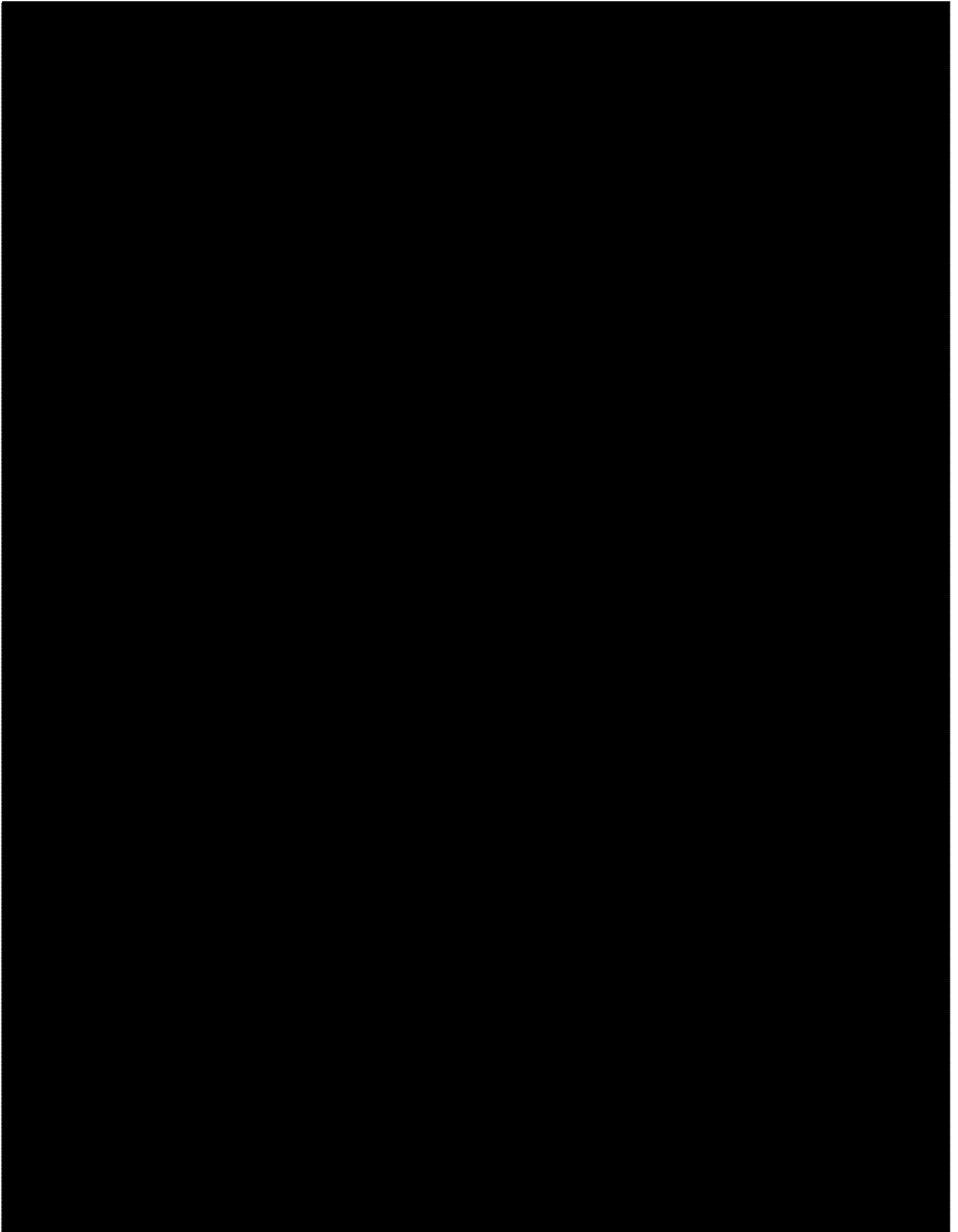
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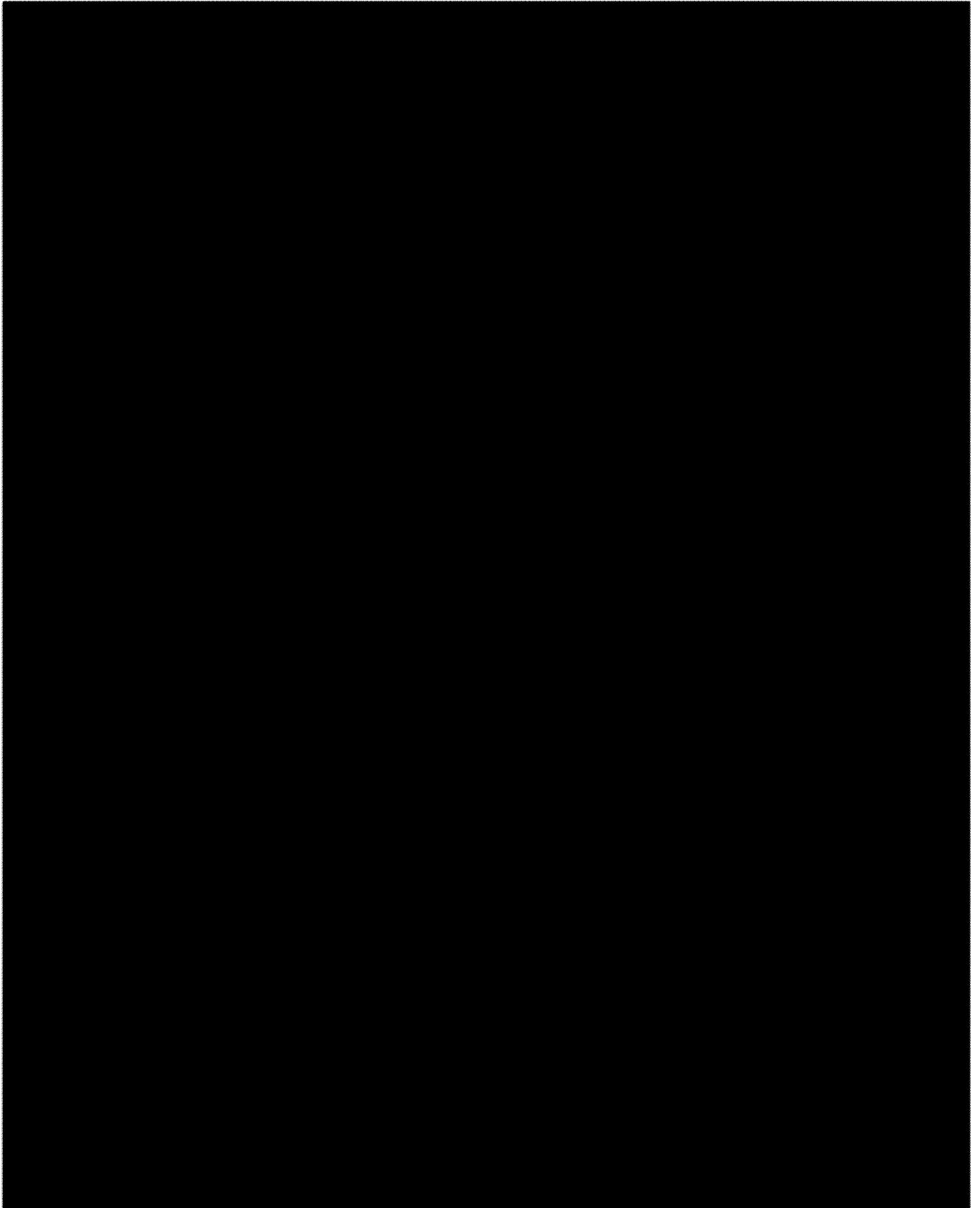


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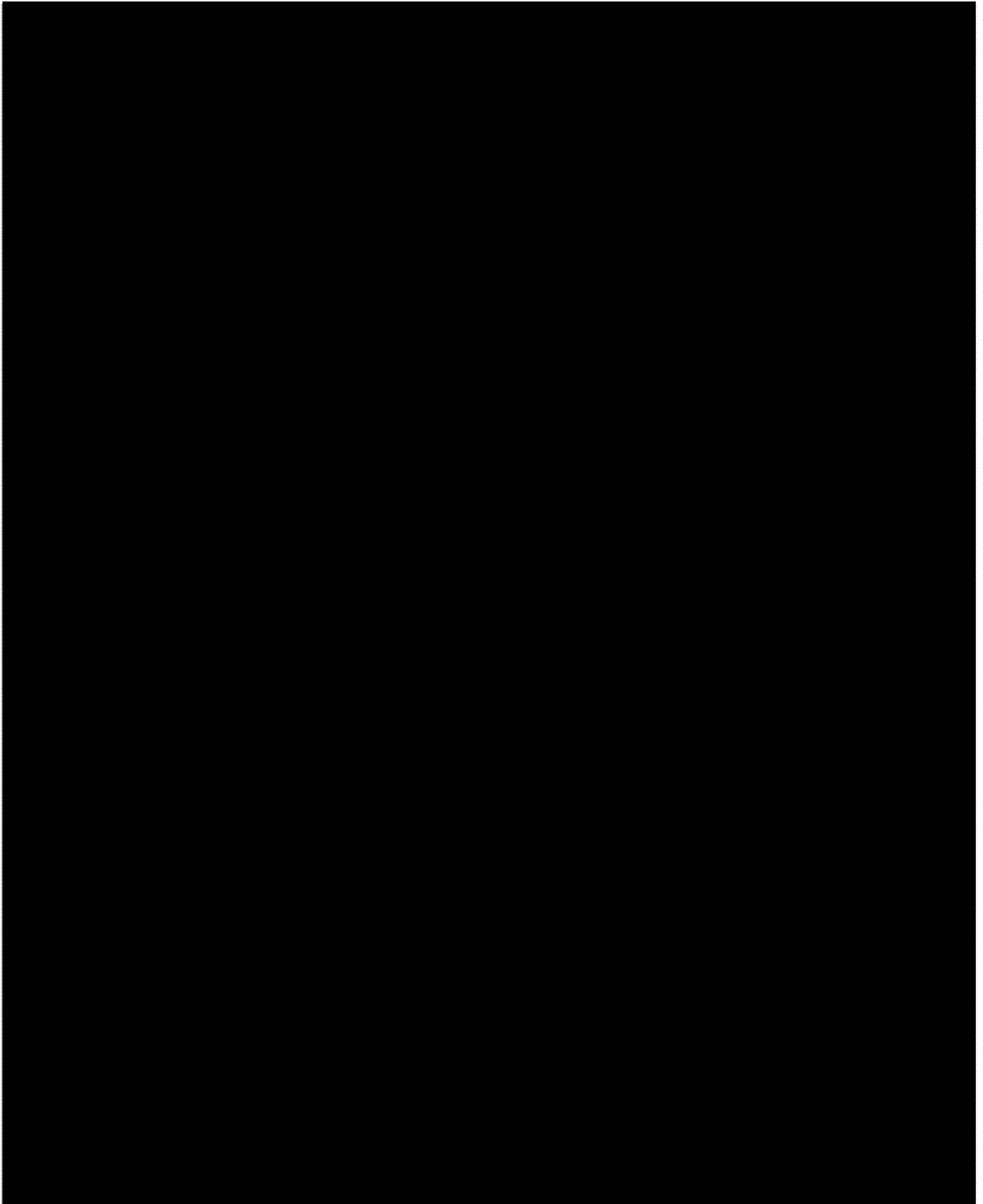




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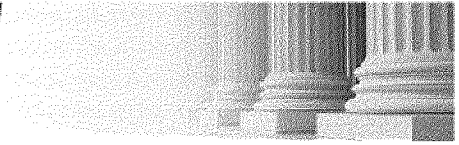




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Randall Kershner/Getty





## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Jamil Watson; Case No. 2023-021423; License Denial  
Date: April 26, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Jamil Watson's ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a completed application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on April 12, 2023. 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 April 12, 2023, 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 the Applicant was convicted of a felony crime in the state of Pennsylvania. Specifically, the Applicant was convicted of Fleeing or Attempting to Elude Officer in 2011.<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 laws of the United States of a capital felony, a felony, or an offense in

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<sup>1</sup> Applicant failed to disclose his criminal conviction on his application.

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.”

Rule 75-14.009, Florida Administrative Code, provides that:

“[t]he [commission] shall deny the application for a slot machine occupational license if a review of the application or the investigation of the applicant demonstrates . . . [t]he applicant has been convicted of any disqualifying offense under Section 551.107(6), F.S.”

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, and because Applicant was convicted of a disqualifying offense under section 551.107(6), Florida Statutes, the Florida Gaming Control Commission shall deny Applicant's application for a slot combination 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: WATSON, JAMIL – 13468024  
 (APPLICANT'S NAME– LICENSE #)

Case No: 2023021423

INITIAL APPLICATION RECEIVED:	<u>1/27/2023</u>
COMPLETE APPLICATION RECEIVED:	<u>4/12/2023</u>
<b>90-DAY DEADLINE:</b>	<b><u>7/11/2023</u></b>

<u>Randall Kitchens</u>	<u>273 – Casino Miami</u>	<u>1055 – Security</u>
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>
12/28/2009	Philadelphia, Pa	Fleeing or Attempt to Elude Off CP-51-CR-0008053-2010	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: 
Comments:	

4/14/23



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>04/14/2023</b>
Complaint #	<b>2023021423</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent <b>WATSON, JAMIL</b>	Responsible	<b>ddonaldson - DONALDSON, DAVID</b>	<b>Private Case</b>	

Complaint	Respondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	<b>INTN - Internal</b>	Security Level	<b>1</b>	<input type="button" value="Parties"/>	<input type="button" value="Activities"/>
Form	<b>INTR - Internal</b>	Priority		<input type="button" value="Allegations"/>	<input type="button" value="Discipline"/>
Class'n	<b>CHIS - Criminal History</b>	Complexity	<b>R - Regular</b>	<input type="button" value="Violations"/>	<input type="button" value="Compliance"/>
Security	<b>STND - Standard</b>	Incident	<b>01/27/2023</b>	<input type="button" value="Related"/>	<input type="button" value="Disposition"/>
Region	<b>SR - Southern Region</b>	Received	<b>04/14/2023</b>	<input type="button" value="Inspection"/>	
Reference				<input type="button" value="Costs"/>	
Entered	<b>04/14/2023</b>	Entered By	<b>rkitchens</b>	<input type="button" value="Time Tracking"/>	<input type="button" value="Auto Assign"/>
Summary	<b>Application and rap sheet reviewed. Applicant's criminal history resulted in felony conviction(s) or an industry related offense. Facility - 273 - Casino Miami.</b>			<input type="button" value="Attachments"/>	<input type="button" value="History"/>
Updated	<b>04/14/2023 08:42:05</b>	By	<b>rkitchens</b>	<input type="button" value="Work Notes"/>	<input type="button" value="Print Report"/>

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
---------------------------------------	-------------------------------------	-----------------------------------	---------------------------------------	-------------------------------------

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First Judicial District of Pennsylvania  
Court Summary

Styles, Jamil A.  
Philadelphia, PA 19141  
Aliases:  
Jamil A. Styles  
Jamil A. Watson  
Jamil Styles  
Jamil Watson

Sex: Male  
Eyes: Brown  
Hair: Black  
Race: Black

Closed

Chester

CP-15-CR-0004865-2008

Proc Status: Sentenced/Penalty Imposed

DC No:

OTN:K 695214-2

Arrest Dt: Disp Date: 02/10/2009 Disp Judge: Nagle, Ronald C.  
Def Atty: Dewese, Susanna E. - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>
1	35 § 780-113 §§ A31	M	Poss Of Marijuana	Guilty Plea
	02/10/2009	Probation	Other	Min: 30 Day(s) Max: 30 Day(s)

CP-15-CR-0004581-2009

Proc Status: Sentenced/Penalty Imposed

DC No:

OTN:K 903685-6

Arrest Dt: Disp Date: 05/10/2010 Disp Judge: Bortner, David F.  
Def Atty: Crichton, Stuart Rolf - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>
4	35 § 780-113 §§ A32	M	Use/Poss Of Drug Paraph	Guilty Plea
	05/10/2010	Probation	1 Year	Min: 1 Year(s) Max: 1 Year(s)
7	35 § 780-113 §§ A16	M	Int Poss Contr Subst By Per Not Reg	Guilty Plea
	05/10/2010	Probation	1 Year	Min: 1 Year(s) Max: 1 Year(s)

Philadelphia

CP-51-CR-0008053-2010

Proc Status: Sentenced/Penalty Imposed

DC No: 0939083606

OTN:N 656445-6

Arrest Dt: 12/28/2009 Disp Date: 04/06/2011 Disp Judge: Patrick, Paula A.  
Def Atty: Weaver, Sandjai - (PR)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>
1	18 § 3304 §§ A2	M2	Crim1 Misch-Tamper W/Property	Guilty
	06/28/2011	No Further Penalty		
6	75 § 3733 §§ A	F3	Fleeing or Attempting to Elude Officer	Guilty
	06/28/2011	Probation	3 years	Max: 3 Year(s)
7	18 § 2705	M2	Recklessly Endangering Another Person	Guilty
	06/28/2011	No Further Penalty		
8	18 § 4914 §§ A	M3	False Identification To Law Enforcement Officer	Guilty
	06/28/2011	No Further Penalty		

CPCMS 3541

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Please note that if the offense disposition information is blank, this only means that there is not a "final disposition" recorded in the Common Pleas Criminal Court Case Management System for this offense. In such an instance, you must view the public web docket sheet of the case wherein the offense is charged in order to determine what the most up-to-date disposition information is for the offense.



**First Judicial District of Pennsylvania  
Court Summary**

**Styles, Jamil A. (Continued)**  
**Closed (Continued)**  
**Philadelphia (Continued)**

**CP-51-MD-0006815-2010** Proc Status: Completed DC No: OTN:K 903685-6  
 Arrest Dt: Disp Date: Disp Judge:  
 Def Atty: Crichton, Stuart Rolf - (PD)  

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
4	35 § 780-113		Use/Poss Of Drug Paraph	
7	35 § 780-113		Int Poss Contr Subst By Per Not Reg	

**CP-51-MD-0008308-2011** Proc Status: Completed DC No: OTN:K 903685-6  
 Arrest Dt: Disp Date: Disp Judge:  
 Def Atty: Crichton, Stuart Rolf - (PD)  

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
4	35 § 780-113		Use/Poss Of Drug Paraph	
7	35 § 780-113		Int Poss Contr Subst By Per Not Reg	

**MC-51-CR-0058689-2009** Proc Status: Completed DC No: 0939083606 OTN:N 656445-6  
 Arrest Dt: 12/28/2009 Disp Date: 06/18/2010 Disp Judge: Moore, Jimmie  
 Def Atty: Whittington, Jay M. - (PR)  

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 3304 §§ A4		Criminal Mischief	Held for Court

**MC-51-CR-0058690-2009** Proc Status: Completed DC No: 0939083606 OTN:N 656445-6  
 Arrest Dt: 12/28/2009 Disp Date: 06/18/2010 Disp Judge: Moore, Jimmie  
 Def Atty: Whittington, Jay M. - (PR)  

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 3304 §§ A4		Criminal Mischief	Held for Court

**MC-51-CR-0058691-2009** Proc Status: Completed DC No: 0939083606 OTN:N 656445-6  
 Arrest Dt: 12/28/2009 Disp Date: 06/18/2010 Disp Judge: Moore, Jimmie  
 Def Atty: Whittington, Jay M. - (PR)  

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 3304 §§ A4		Criminal Mischief	Held for Court

**MC-51-CR-0058692-2009** Proc Status: Completed DC No: 0939083606 OTN:N 656445-6  
 Arrest Dt: 12/28/2009 Disp Date: 06/18/2010 Disp Judge: Moore, Jimmie  
 Def Atty: Whittington, Jay M. - (PR)  

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 3304 §§ A4		Criminal Mischief	Held for Court

**MC-51-CR-0058693-2009** Proc Status: Completed DC No: 0939083606 OTN:N 656445-6



First Judicial District of Pennsylvania  
Court Summary

Styles, Jamil A. (Continued)

Closed (Continued)

Philadelphia (Continued)

Arrest Dt: 12/28/2009

Disp Date: 06/18/2010

Disp Judge: Moore, Jimmie

Def Atty: Whittington, Jay M. - (PR)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 2705	M2	Recklessly Endangering Another Person	Held for Court
2	75 § 3733 §§ A	F3	Fleeing or Attempting to Elude Officer	Held for Court
3	18 § 4914 §§ A	M3	False Identification To Law Enforcement Officer	Held for Court
5	18 § 6106 §§ A1	F3	Firearms Not To Be Carried W/O License	Held for Court
6	18 § 6110.2 §§ A	F2	Posses Firearm W/Manufacturer Number Altered, Etc	Held for Court

MC-51-CR-0058694-2009

Proc Status: Completed

DC No: 0939083606

OTN:N 656445-6

Arrest Dt: 12/28/2009

Disp Date: 06/18/2010

Disp Judge: Moore, Jimmie

Def Atty: Whittington, Jay M. - (PR)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 3304 §§ A4		Criminal Mischief	Held for Court

CPCMS 3541

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**STATE OF FLORIDA**  
 FLORIDA GAMING CONTROL COMMISSION  
 2601 Blair Stone Road  
 Tallahassee, FL 32399-1037

WATSON, JAMIL  
 7771 NW 7TH ST  
 MIAMI, FL 33126

FILE NUMBER 11132

AMOUNT PAID \$100.00

INITIAL PIN 0369

APPROVAL DATE JANUARY 27, 2023



STATE OF FLORIDA **AC#T 0087745**  
 FLORIDA GAMING CONTROL  
 COMMISSION

LIC NO. 13468024 01/27/2023

TEMPORARY SLOT/CARDROOM/PARI-MUTUEL  
 INDIV COMBO (1055)  
 WATSON, JAMIL

IS LICENSED UNDER THE PROVISIONS OF CH. 551 F.S.  
 EXPIRATION DATE: **PENDING APPLICATION ACTION**

DETACH HERE

THIS DOCUMENT HAS A COLORED BACKGROUND • MICROPRINTING • LINEMARK™ PATENTED PAPER

**AC#T 0087745**

**STATE OF FLORIDA**  
 FLORIDA GAMING CONTROL COMMISSION

SEQ# 23012713468024

DATE	LICENSE FEE	LICENSE NUMBER	FILE NUMBER 11132
01/27/2023	AMOUNT PD \$100.00	13468024	

TEMPORARY SLOT/CARDROOM/PARI-MUTUEL INDIV COMBO LICENSEE  
 NAMED BELOW IS LICENSED UNDER THE PROVISIONS OF CH. 551 F.S.  
**EXPIRATION DATE: PENDING APPLICATION ACTION**

WATSON, JAMIL  
 7771 NW 7TH ST  
 MIAMI, FL 33126

RON DESANTIS  
 GOVERNOR

DISPLAY AS REQUIRED BY LAW



**Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
DBPR PMW-3410 – Slot Machine Individual Occupational License Application**

JAN 27 2023  
**RECEIVED**

**Instructions:** Please review this application thoroughly and complete all sections not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION					
Social Security Number [REDACTED]		Birth Date (MM/DD/YYYY)		Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	
Last Name Watson		First Jami	Middle	Suffix	
Have you used, been known as, or called by another name (example – maiden name, pseudonym, nickname) or alias other than the name used on the application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
If yes, list the name or names used: _____					
Race/Ethnicity (check only one):					
<input checked="" type="checkbox"/> Black or African American	<input type="checkbox"/> Asian or Pacific Islander	<input type="checkbox"/> Hispanic/Latino	<input type="checkbox"/> Native American or Alaskan Native	<input type="checkbox"/> Other	<input type="checkbox"/> White or Caucasian
Are you a United States citizen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
If no, provide the name of the country of which you are a citizen: _____					
Current Mailing Address 7771 NW 7th St			Email Address (optional)		
City Miami	State FL	Zip Code (+4 optional) 33126	Country U.S.A.		
Primary Phone Number [REDACTED]		Secondary/Cell Phone Number (optional)			
Current Street Address 7771 NW 7th St					
City Miami	State F	Zip Code (+4 optional) 33126	Country U.S.A.		
Type of Slot Machine Occupational License applying for:			Is this your first time applying for a racing/gaming license in Florida?		
<input type="checkbox"/> General Individual	<input type="checkbox"/> Professional Individual	<input checked="" type="checkbox"/> Slot Machine/Cardroom/PMW Combination	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Job title(s): Security Supervisor			Facility where employed and/or doing business: Casino Miami		
_____			Employer name: Casino Miami		
*Applicants for a Combo license should disclose all job titles					
FOR DIVISION USE ONLY					
License Code 1055	License # 13408024	File # 11132	App # 391075	Association Code 273	Date Received 01/27/23
License Fee \$100.00	FP Date 01/27/23	FP Fee \$0.00	License Year 22-25	Entered By JR	Total Fee \$100.00
Waiver Requested (Combo Only)	ARCI <input checked="" type="checkbox"/>	Enforcement <input checked="" type="checkbox"/>			

**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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PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging the FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

AUTHORIZATION FOR RELEASE OF INFORMATION:

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation or the Florida Department of Law Enforcement.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

Jamill Watson

Print Legal Name (First Middle Last)

Birth Date (MM/DD/YYYY)

Social Security Number

Name of Employer

Signature of Applicant

Date





Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number: 0369
Date of Birth:
First Name: Jamil
Middle Name:
Last Name: Watson
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
-----------	-----------	------------	-------------	----------------	---------	------------	------	-------

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Complaint Search Public Case Info | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: jrodriguez

VR Home > Complaint Search

Search Criteria | Results

**Complaint**

Board  Complaint #

Lic Type  Reference

Case Type  Status

Assigned To

Incident From  Incident To

Key Phrase in Summary

- 
- 
- 
- 

**Respondent**

Fed Tax #  Watson, Jamil Street #

File # 11132 Slot/Cardroom/Pari-Mutuel Indiv Combo Street

License # 13468024 Temporary City

Entity # 13468024 Expires 02/26/2023 Postal/Zip

Key Name  State

County

Complainant Key Name

Involved Party Key Name

AM 3/21/2023

**BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  
 No  
Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, or filing false reports to government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

Yes  
 No  
Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the section provided below.

Date of Disposition	County	State	Offense	Misdemeanor or Felony?	Sentence
2/10/2009	Chester	PA	Poss of marijuana	M	Probation 30 days
6/18/2010	Phila.	PA	False Identification Reckless endangering	M2bF3	Held for court
11/10/2009	Chester	PA	Use/Poss drug paraph	M	Fine

Yes  
 No  
Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?

Yes  
 No  
Do you currently own or have a financial interest in a Florida licensed slot machine facility or in any business owned by a Florida licensed slot machine facility?

**ADDITIONAL INFORMATION**

APR 12 2023  
RECEIVED

9/12/2008

COURT OF COMMON PLEAS OF CHESTER COUNTY

DOCKET



Docket Number: CP-15-CR-0004865-2008
CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Jamil Styles

Page 1 of 5

CASE INFORMATION

Judge Assigned: Nagle, Ronald C. Date Filed: 12/17/2008 Initiation Date: 09/24/2008
OTN: K 695214-2 LOTN: Originating Docket No: MJ-15101-CR-0000259-2008
Initial Issuing Authority: Mark A. Bruno Final Issuing Authority: Mark A. Bruno
Arresting Agency: W Chester Univ Police Dept Arresting Officer: Paris, Matthew J.
Complaint/Citation No.: Incident Number: WC0802560
County: Chester Township: W Chester Boro
Case Local Number Type(s) Case Local Number(s)

STATUS INFORMATION

Table with columns: Case Status, Status Date, Processing Status, Complaint Date. Rows show status changes from Closed to Awaiting Original Papers.

CALENDAR EVENTS

Table with columns: Case Calendar, Schedule, Start, Room, Judge Name, Schedule. Rows for Formal Arraignment and Criminal Trial.

DEFENDANT INFORMATION

Date Of Birth: 03/06/1987 City/State/Zip: Philadelphia, PA 19120

CASE PARTICIPANTS

Participant Type Name
Defendant Styles, Jamil

BAIL INFORMATION

Styles, Jamil Nebbia Status: None
Bail Action Date Bail Type Originating Court Percentage Amount
Set 11/18/2008 ROR Common Pleas \$0.00
Surety Type Surety Name Posting Status Posting Date Security Type Security Amt
Self Styles, Jamil Posted 11/18/2008 Bond Signature \$0.00

CHARGES

Table with columns: Seq., Orig Seq., Grade, Statute, Statute Description, Offense Dt., OTN. Row 1: 1, 1, M, 35 § 780-113 §§ A31, Poss Of Marijuana, 09/12/2008, K 695214-2

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# COURT OF COMMON PLEAS OF CHESTER COUNTY

## DOCKET



Docket Number: CP-15-CR-0004865-2008

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

Page 2 of 5

v.

Jamil Styles

## DISPOSITION SENTENCING/PENALTIES

Disposition

<u>Case Event</u>	<u>Disposition Date</u>	<u>Final Disposition</u>	
<u>Sequence/Description</u>	<u>Offense Disposition</u>	<u>Grade</u>	<u>Section</u>
<u>Sentencing Judge</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>	
<u>Sentence/Diversion Program Type</u>	<u>Incarceration/Diversionary Period</u>	<u>Start Date</u>	
<u>Sentence Conditions</u>			
<b>Lower Court Proceeding (generic)</b>			
Lower Court Disposition	12/16/2008	Not Final	
1 / Poss Of Marijuana	Waived for Court (Lower Court)	M	35 § 780-113 §§ A31
<b>Guilty Plea</b>			
Trial	02/10/2009	Final Disposition	
1 / Poss Of Marijuana	Guilty Plea	M	35 § 780-113 §§ A31
Nagle, Ronald C.	02/10/2009		
Probation	Min of 30.00 Days		
	Max of 30.00 Days		
	Other		

### COMMONWEALTH INFORMATION

Name: Deborah S. Ryan  
District Attorney

Supreme Court No: 082302

Phone Number(s):  
610-344-6801 (Phone)

Address:  
PO Box 2746  
West Chester, PA 19380-0989

Name: Andrea M. Cardamone  
District Attorney

Supreme Court No: 084383

Phone Number(s):  
610-344-6801 (Phone)

Address:  
Chester County District Attorney's Office  
17 N Church St PO Box 2748  
West Chester, PA 19380

### ATTORNEY INFORMATION

Name: Susanna E. Dewese  
Public Defender

Supreme Court No: 089647

Rep. Status: Active

Phone Number(s):  
610-344-6940 (Phone)

Address:  
201 W Market PO Box 2746  
West Chester, PA 19380-0989

Representing: Styles, Jamil

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	11/18/2008		Styles, Jamil
Bail Posted - Styles, Jamil			



# COURT OF COMMON PLEAS OF CHESTER COUNTY

## DOCKET



Docket Number: CP-15-CR-0004865-2008

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

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v.

Jamil Styles

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
2	11/18/2008		Bruno, Mark A.
Bail Set - Styles, Jamil			
1	12/18/2008		MDJ-15-1-01
Original Papers Received from Lower Court			
1	01/12/2009	01/12/2009	Redmond, P. J.
Ready for Trial - Waived Arraignment			
2	01/12/2009	01/12/2009	Commonwealth of Pennsylvania
Information Filed			
1	01/23/2009		Court of Common Pleas - Chester County
Hearing Notice			
1	01/29/2009		Dewese, Susanna E.
Entry of Appearance			
1	02/10/2009		Nagle, Ronald C.
Plea Agreement			
2	02/10/2009		Nagle, Ronald C.
Guilty Plea			
3	02/10/2009		Nagle, Ronald C.
Disposition Filed			
4	02/10/2009		Nagle, Ronald C.
Order - Sentence/Penalty Imposed			
5	02/10/2009		Court of Common Pleas - Chester County
Trial Chronology			
1	02/11/2009		Peters, Teena A.
DL-21D prepared			

# COURT OF COMMON PLEAS OF CHESTER COUNTY

## DOCKET



Docket Number: CP-15-CR-0004865-2008

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

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### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
2	02/11/2009		Court of Common Pleas - Chester County
Penalty Assessed			
1	02/13/2009		Court of Common Pleas - Chester County
Payment Plan Introduction Letter			
1	03/27/2009		Chester County Adult Probation Unit
Vop Hearing Notice			
1	04/29/2009		Court of Common Pleas - Chester County
Delinquency Notice Filed - 50 Days Overdue			
1	05/29/2009		Court of Common Pleas - Chester County
Delinquency Notice Filed - 80 Days Overdue			
1	06/17/2009		Chester County Adult Probation Unit
VOP Hearing Notice			
1	07/29/2009		Chester County Adult Probation Unit
VOP Hearing Notice			
1	10/20/2009		Chester County Adult Probation Unit
VOP Hearing Notice			
1	12/22/2009		Chester County Adult Probation Unit
VOP Hearing Notice			
1	02/02/2010		Nagle, Ronald C.
Order to Close Case - Fines, Costs and/or Restitution Uncollectible			
1	02/04/2010		Styles, Jamil
Penalty Satisfied			

# COURT OF COMMON PLEAS OF CHESTER COUNTY

## DOCKET



Docket Number: CP-15-CR-0004865-2008

## CRIMINAL DOCKET

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### CASE FINANCIAL INFORMATION

Last Payment Date:

Total of Last Payment:

Styles, Jamil Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
<b>Costs/Fees</b>					
State Court Costs (Act 204 of 1976)	\$10.30	\$0.00	(\$10.30)	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$8.90	\$0.00	(\$8.90)	\$0.00	\$0.00
County Court Cost (Act 204 of 1976)	\$28.80	\$0.00	(\$28.80)	\$0.00	\$0.00
Crime Victims Compensation (Act 96 of 1984)	\$35.00	\$0.00	(\$35.00)	\$0.00	\$0.00
Domestic Violence Compensation (Act 44 of 1988)	\$10.00	\$0.00	(\$10.00)	\$0.00	\$0.00
Victim Witness Service (Act 111 of 1998)	\$25.00	\$0.00	(\$25.00)	\$0.00	\$0.00
Crime Lab User Fee - State Police	\$365.00	\$0.00	(\$365.00)	\$0.00	\$0.00
Firearm Education and Training Fund	\$5.00	\$0.00	(\$5.00)	\$0.00	\$0.00
Judicial Computer Project	\$8.00	\$0.00	(\$8.00)	\$0.00	\$0.00
ATJ	\$2.00	\$0.00	(\$2.00)	\$0.00	\$0.00
Clerks Cost (Chester)	\$75.00	\$0.00	(\$75.00)	\$0.00	\$0.00
Clerk of Courts UDS Automation Fee (Chester)	\$5.00	\$0.00	(\$5.00)	\$0.00	\$0.00
Costs/Fees Totals:	\$578.00	\$0.00	(\$578.00)	\$0.00	\$0.00
<b>Fines</b>					
Crimes Code, etc.	\$25.00	\$0.00	(\$25.00)	\$0.00	\$0.00
Fines Totals:	\$25.00	\$0.00	(\$25.00)	\$0.00	\$0.00
Grand Totals:	\$603.00	\$0.00	(\$603.00)	\$0.00	\$0.00

\*\* - Indicates assessment is subrogated

12/9/2008

### Magisterial District Judge 15-1-01

#### DOCKET

Docket Number: MJ-15101-CR-0000235-2009

### Criminal Docket



Commonwealth of Pennsylvania  
v.  
Jamil Styles

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#### CASE INFORMATION

<u>Judge Assigned:</u>	Marc J. Lieberman	<u>Issue Date:</u>	09/03/2009
<u>OTN:</u>	K 903685-6	<u>File Date:</u>	09/03/2009
<u>Arresting Agency:</u>	West Chester, University PD	<u>Arrest Date:</u>	
<u>Complaint No.:</u>	WC0804041	<u>Incident No.:</u>	
<u>Disposition:</u>	Held for Court	<u>Disposition Date:</u>	11/10/2009
<u>County:</u>	Chester	<u>Township:</u>	West Chester Borough
<u>Case Status:</u>	Closed		

#### STATUS INFORMATION

<u>Case Status</u>	<u>Status Date</u>	<u>Processing Status</u>
Closed	11/12/2009	Case Transferred to Court of Common Pleas
	11/10/2009	Completed
	10/13/2009	Awaiting Preliminary Hearing
	09/04/2009	Awaiting Preliminary Hearing
	09/03/2009	Awaiting Preliminary Hearing

#### CALENDAR EVENTS

<u>Case Calendar</u>	<u>Schedule</u>	<u>Start Time</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule Status</u>
Preliminary Hearing	10/13/2009	10:30 am	Courtroom: MDJ-15-1-01	Magisterial District Judge Mark A. Bruno	Continued
Preliminary Hearing	11/10/2009	10:00 am	Courtroom: MDJ-15-1-01	Magisterial District Judge Mark A. Bruno	Scheduled

#### DEFENDANT INFORMATION

<u>Name:</u>	Styles, Jamil	<u>Sex:</u>	Male
<u>Date of Birth:</u>	03/06/1987	<u>Race:</u>	Black
<u>Address(es):</u>			
<b>Other</b>			
Philadelphia, PA 19120			

Advised of His Right to Apply for Assignment of Counsel?	No
Public Defender Requested by the Defendant?	Yes
Application Provided for Appointment of Public Defender?	Yes
Has the Defendant Been Fingerprinted?	Yes

#### CASE PARTICIPANTS

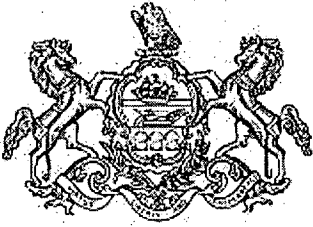
<u>Participant Type</u>	<u>Participant Name</u>
Arresting Officer	Paris, Matthew J.
Defendant	Styles, Jamil

# Magisterial District Judge 15-1-01

## DOCKET

Docket Number: MJ-15101-CR-0000235-2009

## Criminal Docket



Commonwealth of Pennsylvania

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## BAIL

### Bail Set:

Nebbia Status: None

<u>Bail Action Type</u>	<u>Bail Action Date</u>	<u>Bail Type</u>	<u>Court</u>	<u>Percentage</u>	<u>Amount</u>
Set	11/10/2009	ROR	Magisterial District Court		\$0.00

### Bail Posted:

<u>Surety Type</u>	<u>Surety Name</u>	<u>Posting Status</u>	<u>Posted Dt</u>	<u>Security Type</u>	<u>Security Amt</u>
Self	Styles, Jamil 800 Wellens Philadelphia, PA 19120	Posted	11/10/2009	Bond Signature	\$0.00

### Bail Depositor(s):

<u>Depositor Name</u>	<u>Amount</u>
-----------------------	---------------

## CHARGES

<u># Charge</u>	<u>Grade</u>	<u>Description</u>	<u>Offense Dt.</u>	<u>Disposition</u>
4 35 § 780-113 §§ A32	M	Use/Poss Of Drug Paraph	12/09/2008	Held for Court

## DISPOSITION / SENTENCING DETAILS

<u>Case Disposition</u>	<u>Disposition Date</u>	<u>Was Defendant Present?</u>
Held for Court	11/10/2009	Yes

<u>Offense Seq./Description</u>	<u>Offense Disposition</u>
4 Use/Poss Of Drug Paraph	Held for Court

## ATTORNEY INFORMATION

### District Attorney

Name: Chester County District Attorney's Office

Representing: Commonwealth of Pennsylvania

Counsel Status: Active

Supreme Court No.:

Phone No.: 610-344-6801

Address: 17 N Church St Ste 218  
Box 2748  
West Chester, PA 19380-0991

### Public Defender

Name: James Patrick Green, Esq.

Representing: Styles, Jamil

Counsel Status: Active

Supreme Court No.: 045666

Phone No.: 610-344-6940

Address: Chester Co Public Defender  
201 W Market PO Box 2746  
West Chester, PA 19380-0989

# Magisterial District Judge 15-1-01

## DOCKET

Docket Number: MJ-15101-CR-0000235-2009

## Criminal Docket



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## DOCKET ENTRY INFORMATION

Filed Date	Entry	Filer	Applies To
11/10/2009	Held for Court	Magisterial District Judge Mark A. Bruno	Jamil Styles, Defendant
09/14/2009	First Class Summons Accepted	Magisterial District Court 15-1-01	Jamil Styles, Defendant
09/14/2009	Certified Summons Accepted	Magisterial District Court 15-1-01	Jamil Styles, Defendant
09/04/2009	Summons Issued	Magisterial District Court 15-1-01	Jamil Styles, Defendant
09/04/2009	First Class Summons Issued	Magisterial District Court 15-1-01	Jamil Styles, Defendant
09/04/2009	Certified Summons Issued	Magisterial District Court 15-1-01	Jamil Styles, Defendant
09/03/2009	Criminal Complaint Filed	Magisterial District Court 15-1-01	Jamil Styles, Defendant

12/28/2009

# MUNICIPAL COURT OF PHILADELPHIA COUNTY

## DOCKET



Docket Number: MC-51-CR-0058693-2009

### CRIMINAL DOCKET

Court Case

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v.

Jamil A. Styles

## CASE INFORMATION

Cross Court Docket Nos: CP-51-CR-0008053-2010

Judge Assigned:

Date Filed: 12/29/2009

Initiation Date: 12/28/2009

OTN: N 656445-6

LOTN:

Originating Docket No: MC-51-CR-0058693-2009

Initial Issuing Authority:

Final Issuing Authority:

Arresting Agency: Philadelphia Pd

Arresting Officer: Affiant

Complain/Citation No.:

Incident Number: 0939083606

County: Philadelphia

Township: Philadelphia City

Case Local Number Type(s)

Case Local Number(s)

District Control Number

0939083606

## RELATED CASES

<u>Related Docket No</u>	<u>Related Case Caption</u>	<u>Related Court</u>	<u>Association Reason</u>
<b>Consolidated Defendant Cases</b>			
MC-51-CR-0058689-2009	Comm. v. Styles, Jamil A.	MC-01-51-Crim	Same District Control Number and Primary Participant
MC-51-CR-0058690-2009	Comm. v. Styles, Jamil A.	MC-01-51-Crim	Same District Control Number and Primary Participant
MC-51-CR-0058691-2009	Comm. v. Styles, Jamil A.	MC-01-51-Crim	Same District Control Number and Primary Participant
MC-51-CR-0058692-2009	Comm. v. Styles, Jamil A.	MC-01-51-Crim	Same District Control Number and Primary Participant
MC-51-CR-0058694-2009	Comm. v. Styles, Jamil A.	MC-01-51-Crim	Same District Control Number and Primary Participant

## STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>
Closed	06/18/2010	Completed	12/28/2009
	06/18/2010	Awaiting Preliminary Hearing	
	01/28/2010	Awaiting Trial	
	12/29/2009	Awaiting Status Listing	
	12/29/2009	Awaiting Preliminary Hearing	
			<u>Complaint Date:</u> 12/29/2009

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

# MUNICIPAL COURT OF PHILADELPHIA COUNTY

## DOCKET



Docket Number: MC-51-CR-0058693-2009

## CRIMINAL DOCKET

Court Case

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### CALENDAR EVENTS

<u>Case Calendar</u> <u>Event Type</u>	<u>Schedule</u> <u>Start Date</u>	<u>Start</u> <u>Time</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule</u> <u>Status</u>
Preliminary Arraignment	12/29/2009	9:02 am	B08	Arraignment Court Magistrate Sheila M. Bedford	Scheduled
Arraignment Status	01/28/2010	10:00 am	404	Senior Judge Marsha H. Neifield	Scheduled
Trial	04/12/2010	8:30 am	903	President Judge Patrick F. Dugan	Scheduled
Preliminary Hearing	06/18/2010	8:30 am	903	Senior Judge Jimmie Moore	Scheduled
Formal Arraignment	07/09/2010	11:00 am	505		Cancelled

### DEFENDANT INFORMATION

Date Of Birth: 03/06/1987      City/State/Zip: Philadelphia, PA 19141

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Styles, Jamil A.

### BAIL INFORMATION

**Styles, Jamil A.** **Nebbia Status: None**

<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Originating Court</u>	<u>Percentage</u>	<u>Amount</u>
Set	12/29/2009	ROR	Municipal Court		\$0.00

<u>Surety Type</u>	<u>Surety Name</u>	<u>Posting Status</u>	<u>Posting Date</u>	<u>Security Type</u>	<u>Security Amt</u>
Self	Styles, Jamil A.	Posted	12/29/2009	Bond Signature	\$0.00

### CHARGES

<u>Seq.</u>	<u>Orig Seq.</u>	<u>Grade</u>	<u>Statute</u>	<u>Statute Description</u>	<u>Offense Dt.</u>	<u>OTN</u>
1	1	M2	18 § 2705	Recklessly Endangering Another Person	12/28/2009	N 656445-6
2	2	F3	75 § 3733 §§ A	Fleeing or Attempting to Elude Officer	12/28/2009	N 656445-6
3	3	M3	18 § 4914 §§ A	False Identification To Law Enforcement Officer	12/28/2009	N 656445-6
5	6	F3	18 § 6106 §§ A1	Firearms Not To Be Carried W/O License	12/28/2009	N 656445-6
6	7	F2	18 § 6110.2 §§ A	Posses Firearm W/Manufacturer Number Altered, Etc	12/28/2009	N 656445-6

### DISPOSITION SENTENCING/PENALTIES

<u>Disposition</u>	<u>Disposition Date</u>	<u>Final Disposition</u>
<u>Case Event</u>	<u>Offense Disposition</u>	<u>Grade</u> <u>Section</u>
<u>Sequence/Description</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>
<u>Sentencing Judge</u>	<u>Incarceration/Diversionary Period</u>	<u>Start Date</u>
<u>Sentence/Diversion Program Type</u>		
<u>Sentence Conditions</u>		



# MUNICIPAL COURT OF PHILADELPHIA COUNTY

## DOCKET



Docket Number: MC-51-CR-0058693-2009

## CRIMINAL DOCKET

Court Case

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### DISPOSITION SENTENCING/PENALTIES

Disposition

<u>Case Event</u>	<u>Disposition Date</u>	<u>Final Disposition</u>	
<u>Sequence/Description</u>	<u>Offense Disposition</u>	<u>Grade</u>	<u>Section</u>
<u>Sentencing Judge</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>	
<u>Sentence/Diversion Program Type</u>	<u>Incarceration/Diversionary Period</u>	<u>Start Date</u>	
<u>Sentence Conditions</u>			

**Proceed to Court**

Preliminary Arraignment	12/29/2009	Not Final	
1 / Recklessly Endangering Another Person	Proceed to Court	M2	18 § 2705
2 / Fleeing or Attempting to Elude Officer	Proceed to Court	F3	75 § 3733 §§ A
3 / False Identification To Law Enforcement Officer	Proceed to Court	M3	18 § 4914 §§ A

**Held for Court**

Preliminary Hearing	06/18/2010	Final Disposition	
1 / Recklessly Endangering Another Person	Held for Court	M2	18 § 2705
2 / Fleeing or Attempting to Elude Officer	Held for Court	F3	75 § 3733 §§ A
3 / False Identification To Law Enforcement Officer	Held for Court	M3	18 § 4914 §§ A
5 / Firearms Not To Be Carried W/O License	Held for Court	F3	18 § 6106 §§ A1
6 / Posses Firearm W/Manufacturer Number Altered, Etc	Held for Court	F2	18 § 6110.2 §§ A

**COMMONWEALTH INFORMATION**

Name: Philadelphia County District Attorney's Office  
Prosecutor

Supreme Court No:  
Phone Number(s): 215-686-8000 (Phone)

Address:  
3 South Penn Square  
Philadelphia, PA 19107

**ATTORNEY INFORMATION**

Name: Jay M. Whittington  
Private

Supreme Court No: 092669

Rep. Status: Active

Phone Number(s):

Address:

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	12/29/2009		Municipal Court - Philadelphia County
-----			
2	12/29/2009		Bedford, Sheila M.
-----			
3	12/29/2009		Styles, Jamil A.
-----			

# MUNICIPAL COURT OF PHILADELPHIA COUNTY

## DOCKET



Docket Number: MC-51-CR-0058693-2009

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## ENTRIES

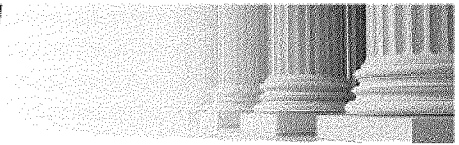
<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	01/28/2010		Municipal Court - Philadelphia County
Trial Scheduled 4/12/2010 8:30AM			
1	04/12/2010		Dugan, Patrick F.
Trial			
3	06/18/2010		Court of Common Pleas - Philadelphia County
Formal Arraignment Scheduled Jul 9 2010 12:00AM 11:00AM			
4	06/18/2010		Moore, Jimmie
Held for Court			
5	06/18/2010		Moore, Jimmie
Disposition Filed			
1	06/21/2010		Active Criminal Records Department
Formal Arraignment Cancelled			
2	06/21/2010		Ford, Jaclyn
Common Pleas Case Created			



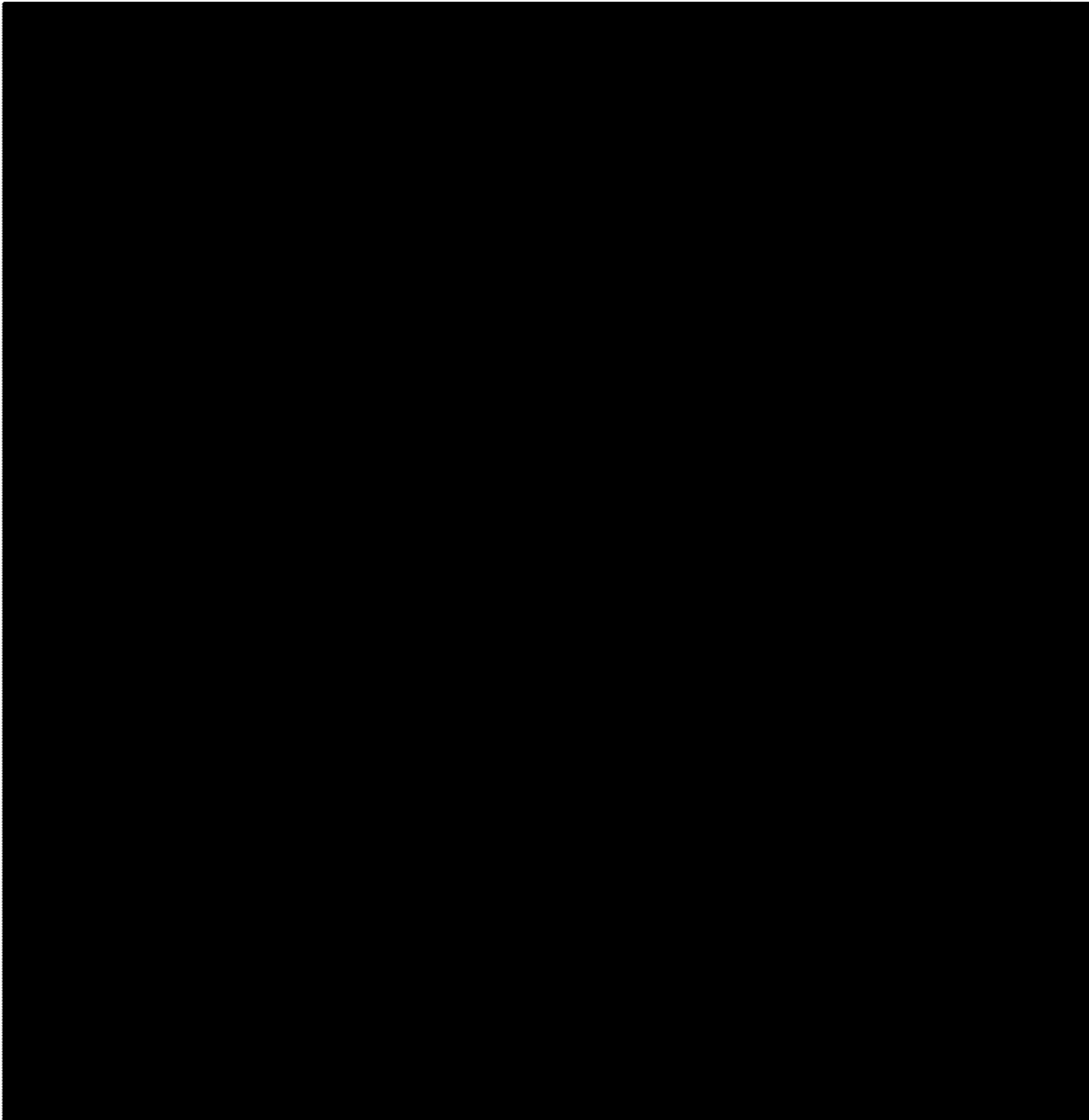
**FLORIDA'S CLERKS OF COURT  
AND COMPTROLLERS**

*Bring You*

**ccis** COMPREHENSIVE CASE  
INFORMATION SYSTEM



Miriam.Ashenoff@cc

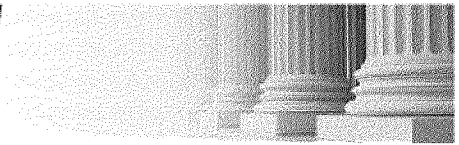




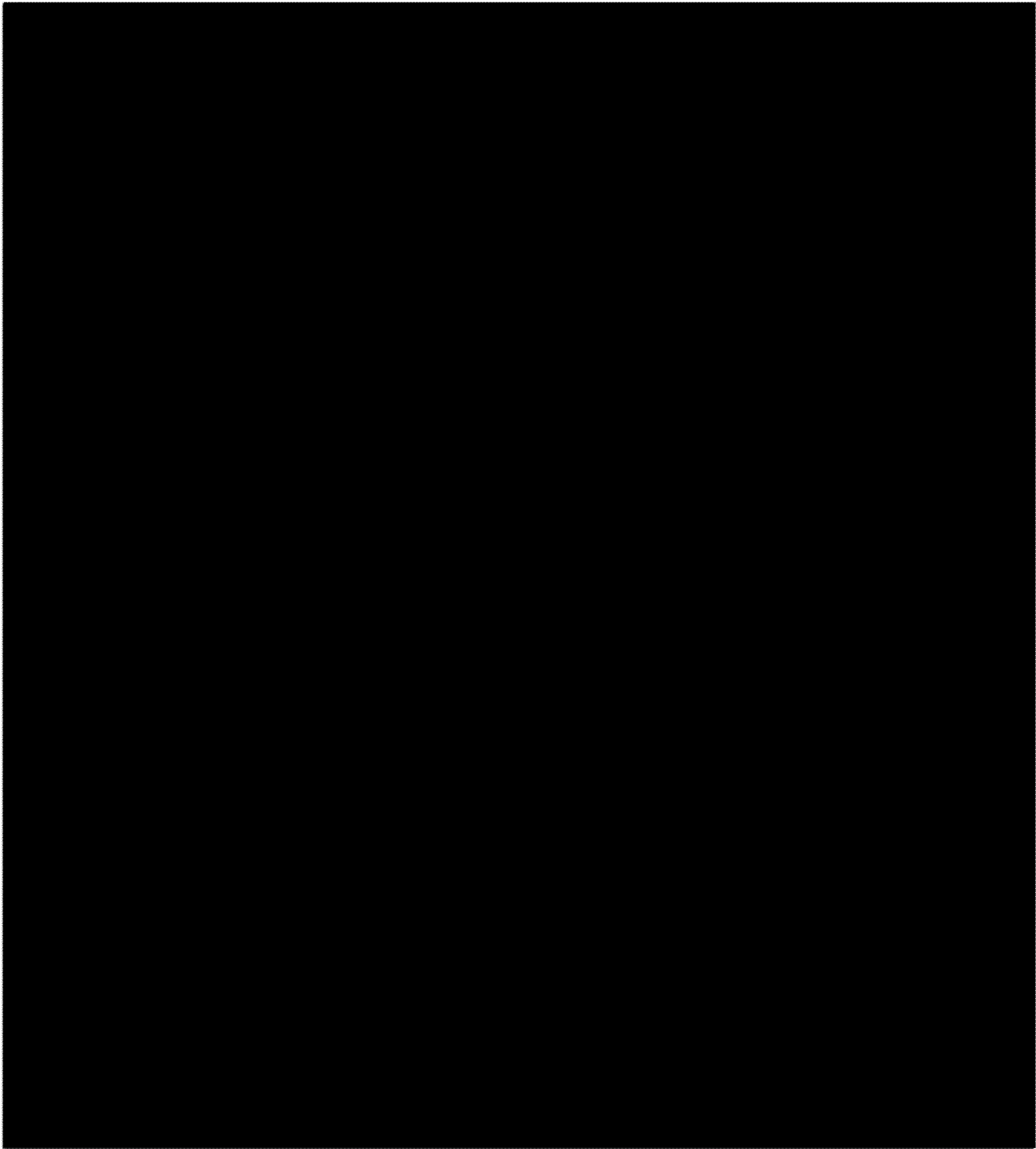
**FLORIDA'S CLERKS OF COURT  
AND COMPTROLLERS**

*Bring You*

**ccis** COMPREHENSIVE CASE  
INFORMATION SYSTEM



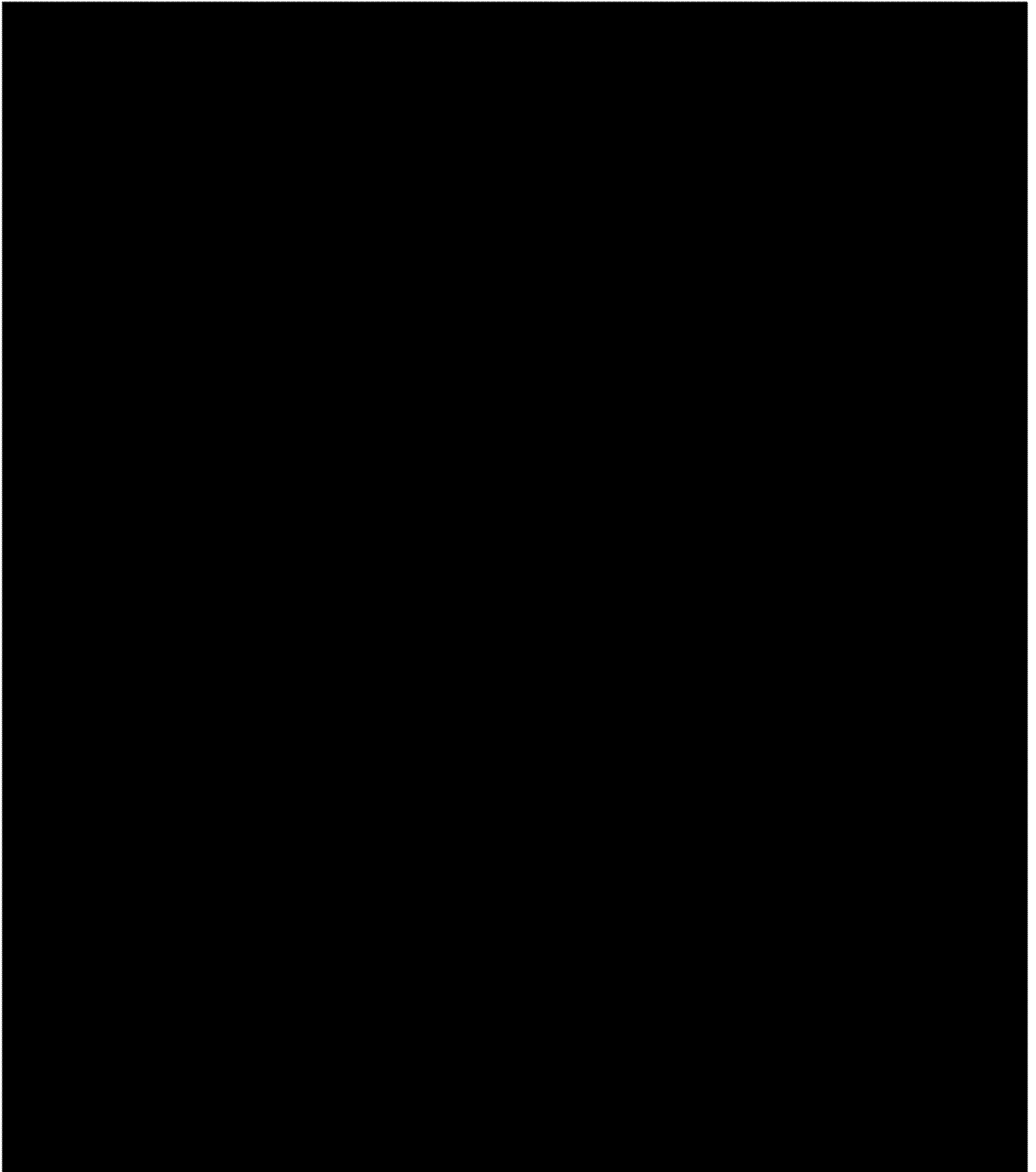
Miriam.Ashworth@gcc



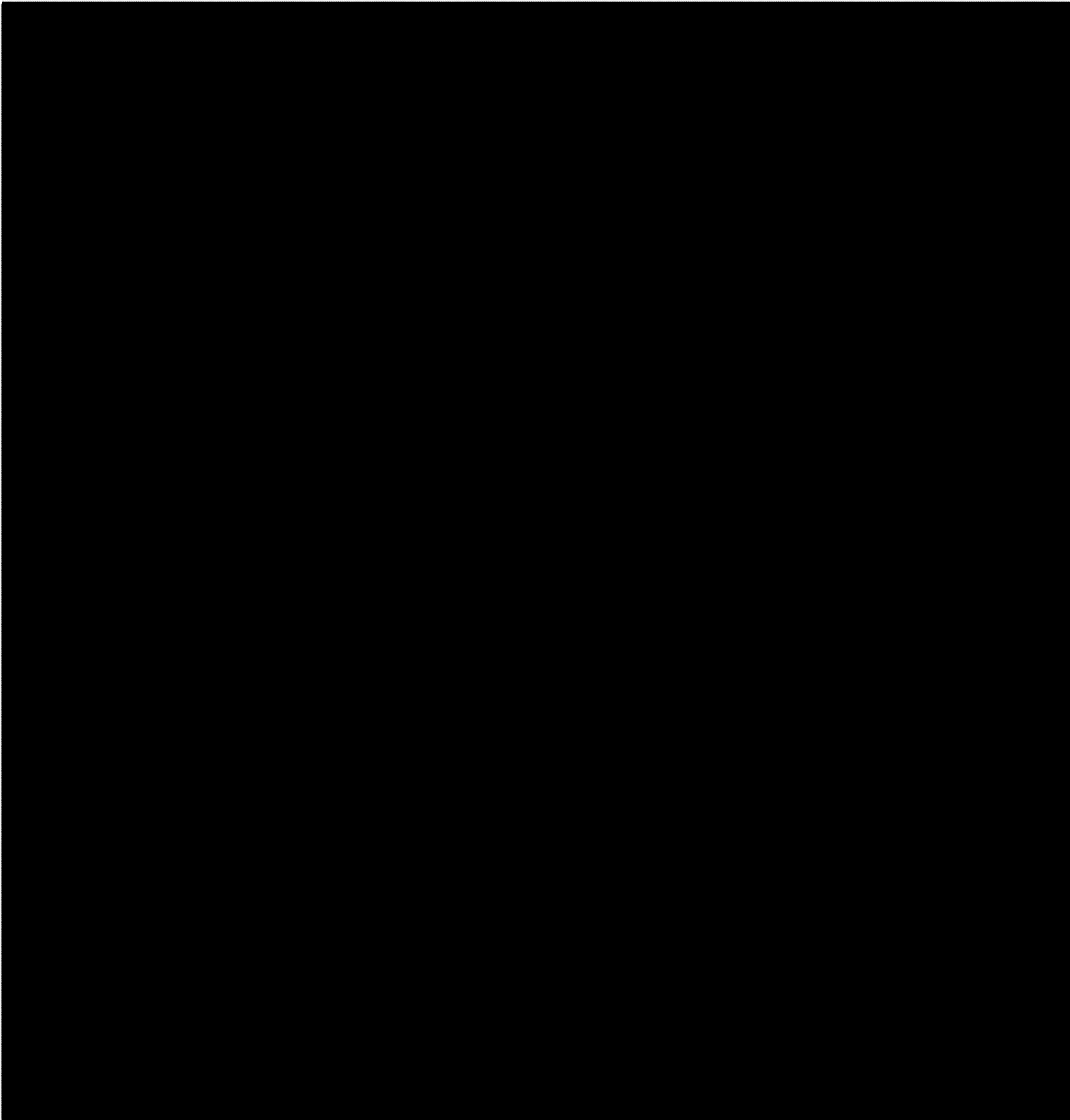
# FDLE Information Notification System

Sent Date: 1/30/23 1:15 PM    Purge Date: 7/29/23 1:15 PM    Mail Ref.No: ORG002044-7474591

Subject : *Results of check for WATSON, JAMIL (70CF880000000582)*

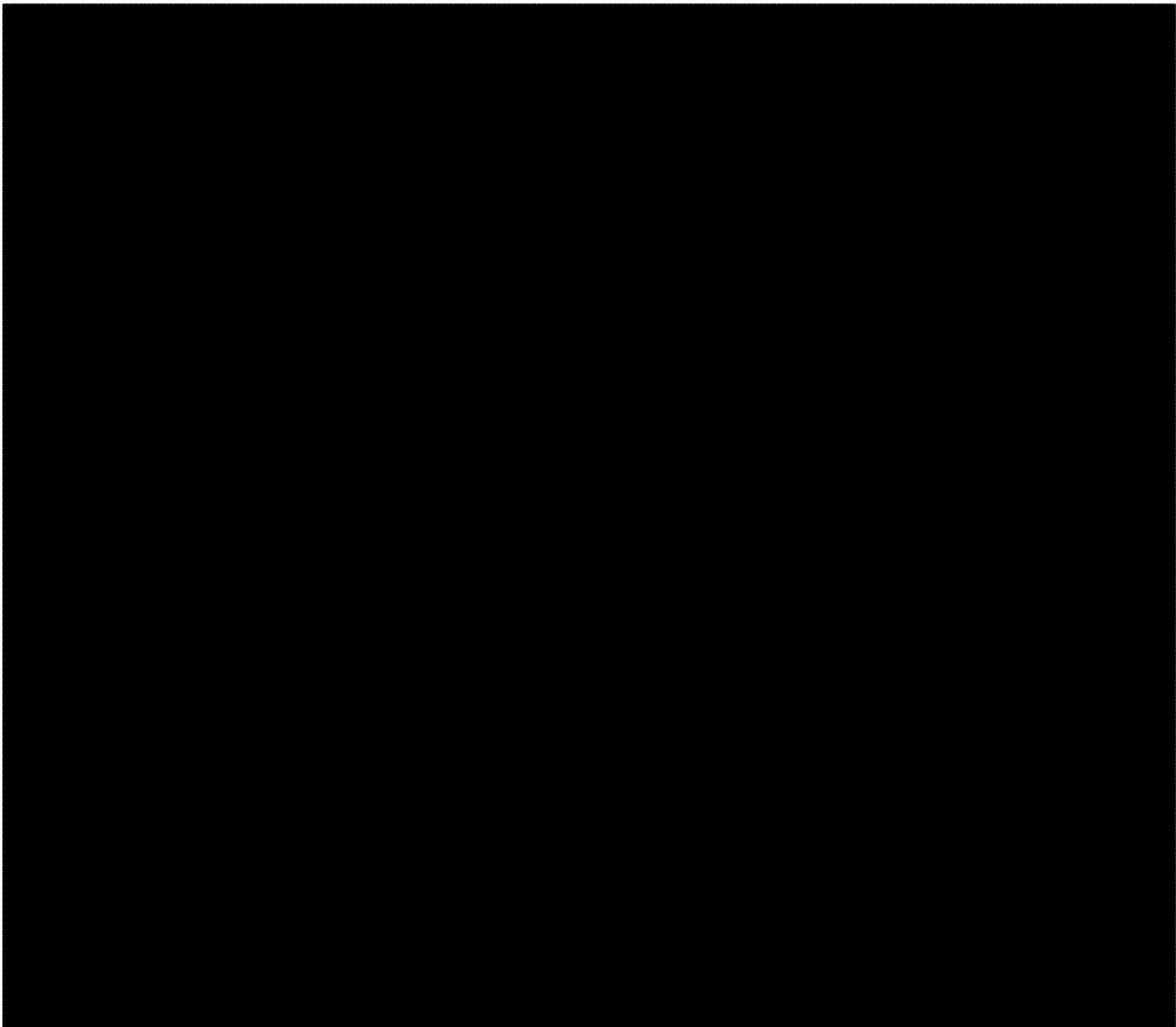


Subject : *Results of check for WATSON, JAMIL (70CF88000000582)*



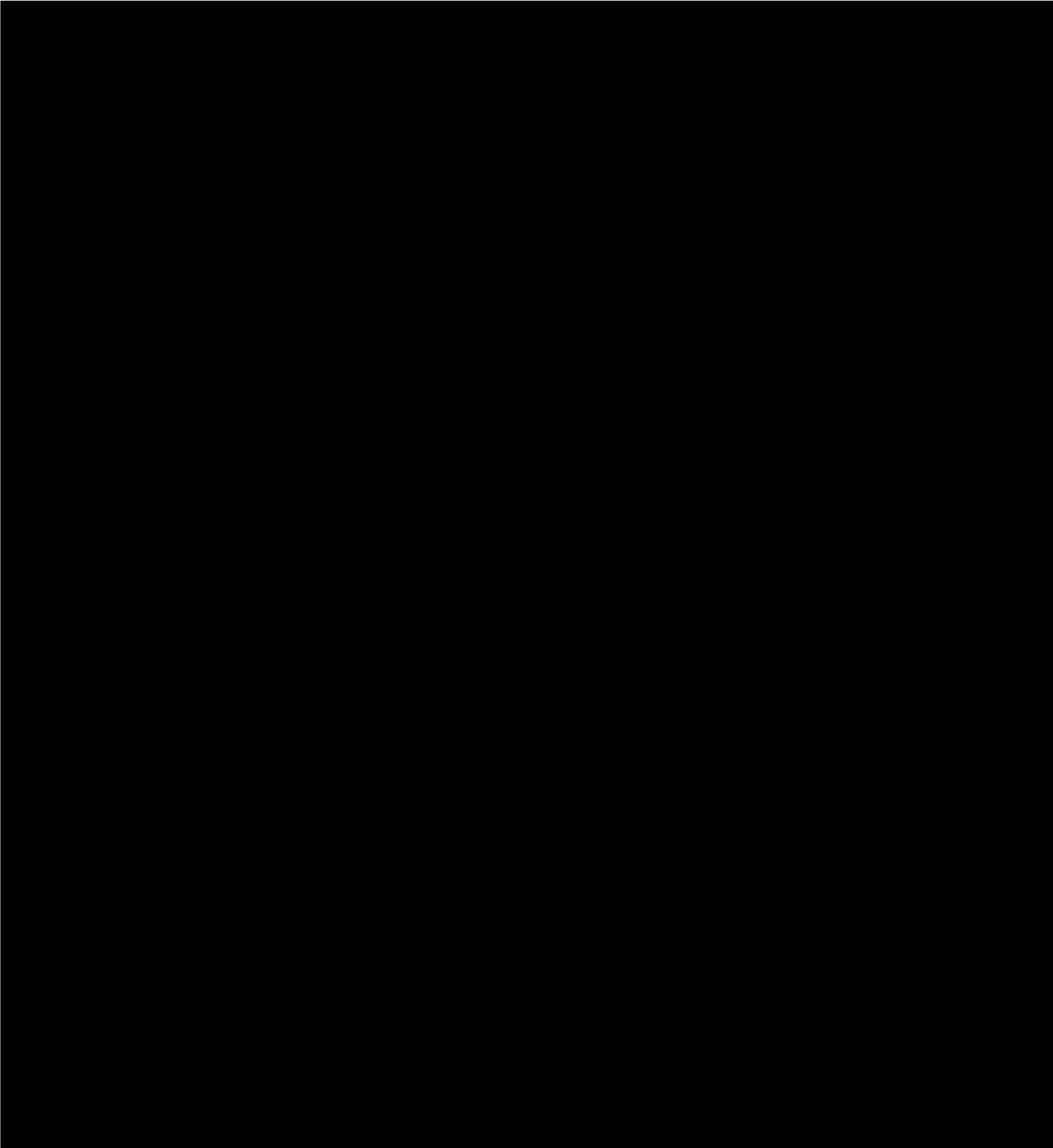
UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION

Subject : *Results of check for WATSON, JAMIL (70CF88000000582)*



END OF PART 1 - PART 2 TO FOLLOW

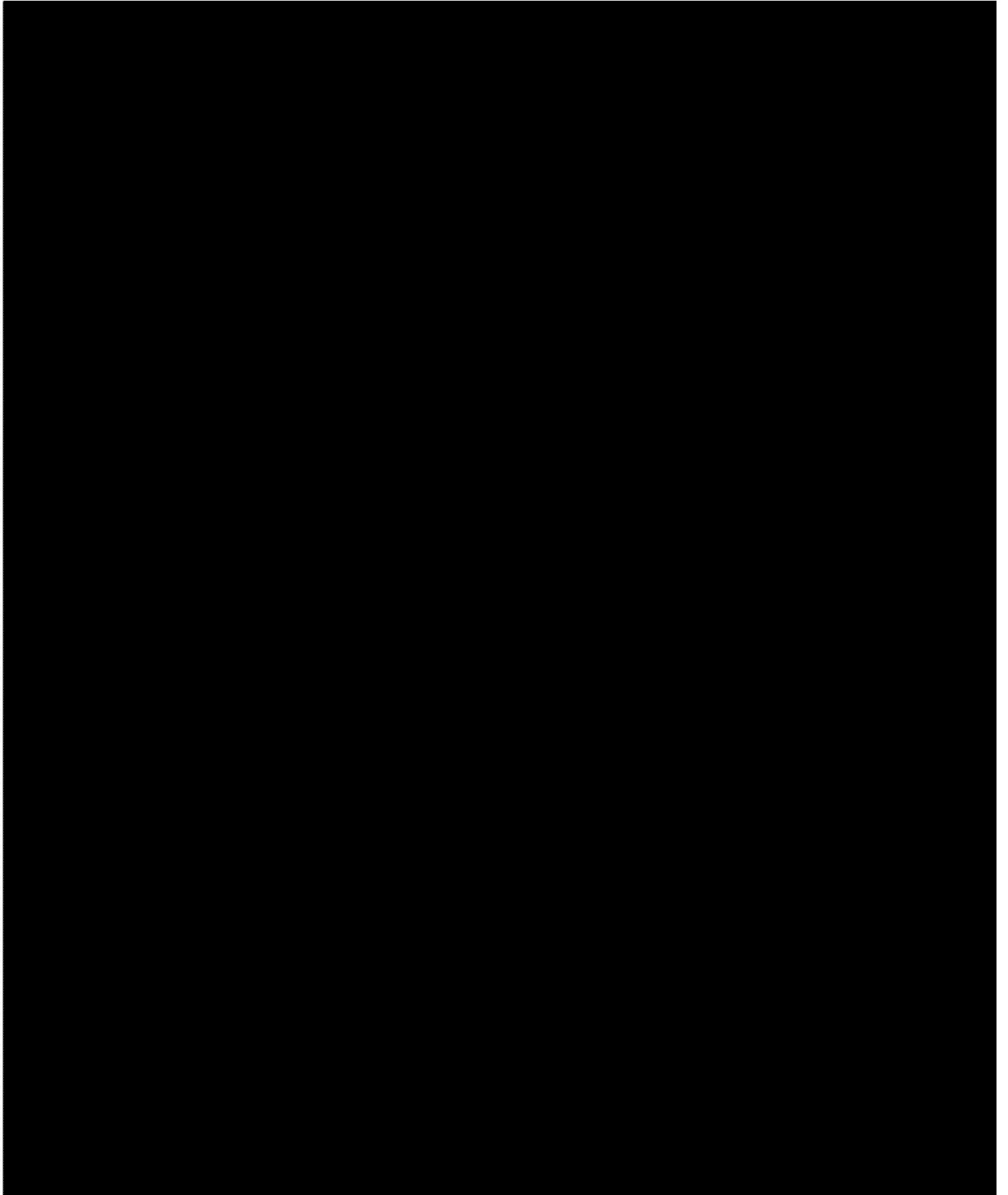
Subject : *Results of check for WATSON, JAMIL (70CF88000000582)*



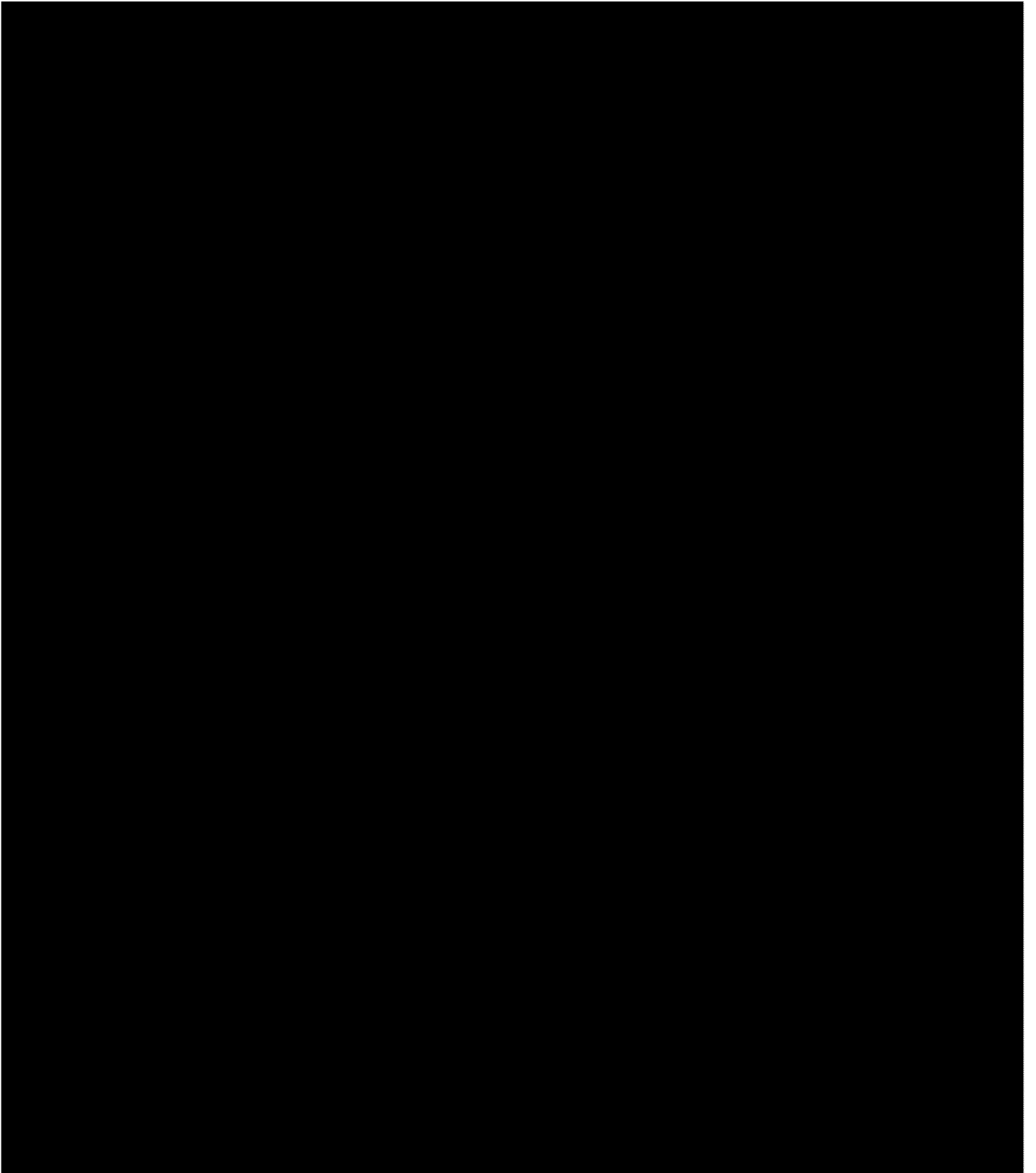
END OF PART 2 - PART 3 TO FOLLOW



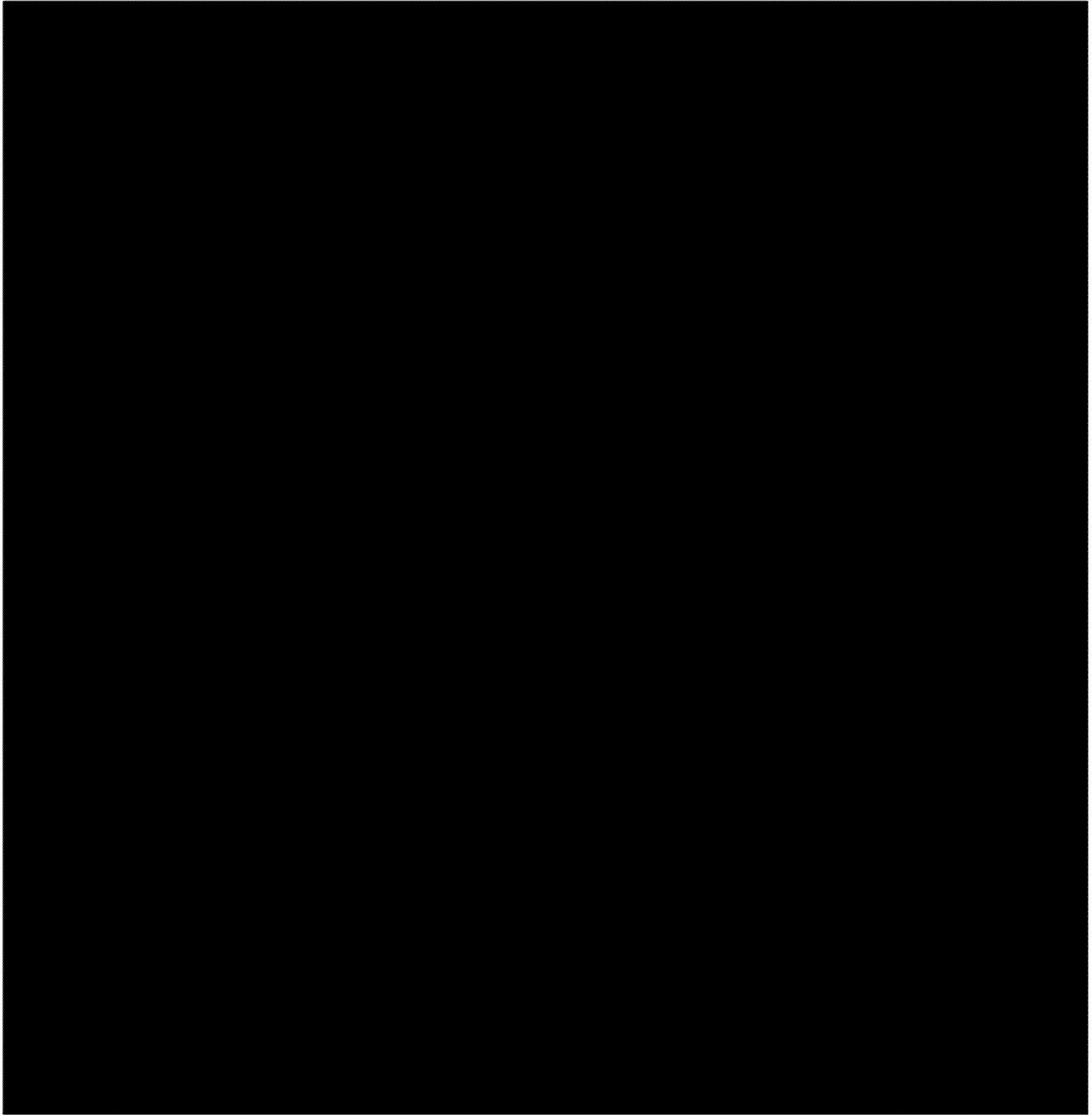
Subject : *Results of check for WATSON, JAMIL (70CF88000000582)*



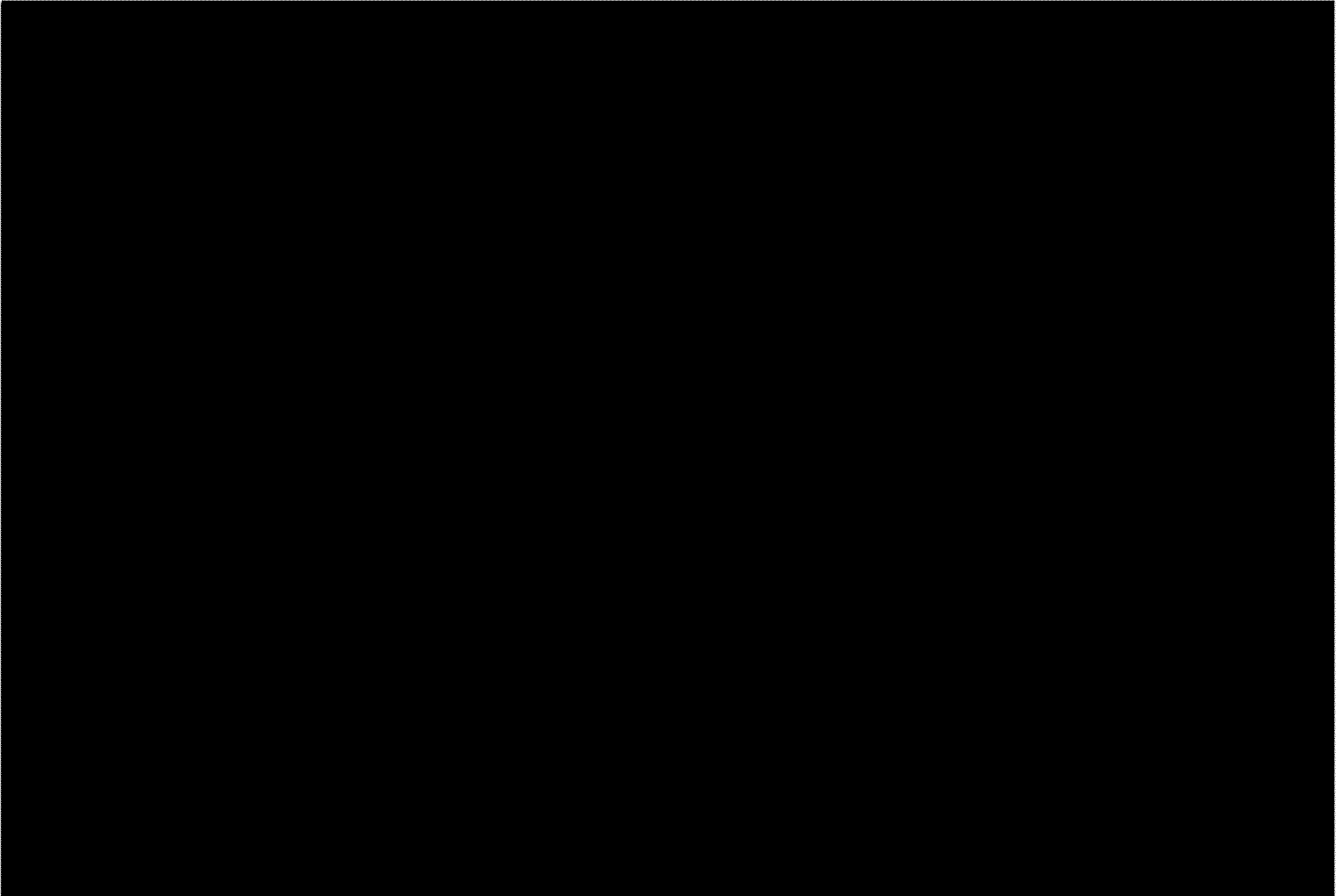
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Subject : *Results of check for WATSON, JAMIL (70CF88000000582)*



Subject : *Results of check for WATSON, JAMIL (70CF88000000582)*



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Licensee  
Search

Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number:
Date of Birth:
First Name: JAMIL
Middle Name:
Last Name: WATSON
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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# Discussion of HISA and HIWU Agreement

# Discussion of Rule Making

# Executive Director Update





**FLORIDA GAMING CONTROL COMMISSION  
ADMINISTRATIVE POLICIES AND PROCEDURES**

**TITLE:** Family and Medical Leave Act

**POLICY NUMBER**

**03.07.01**

**EFFECTIVE DATE:**

**FGCC Section**

Human Resource Management

**REVISED:**

**AUTHORITY**

Section 110.219, Florida Statutes (F.S.).

Section 110.221, F.S.

Chapter 60L-34, Florida Administrative Code (F.A.C.).

29 Code of Federal Regulations (C.F.R.)  
Sections 825.100 – 825.803, Family and  
Medical Leave Act of 1993.

U. S. Department of Labor, Wage and Hour  
Division (WHD) Publication 1420, Employee  
Rights and Responsibilities Under the Family  
and Medical Leave Act (found at  
<http://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf>).

29 C.F.R. Part 1630.

**I. STATEMENT OF POLICY**

- 1) This policy provides the Florida Gaming Control Commission (FGCC) with uniform guidelines for the request and approval of leave as it relates to the federal Family Medical Leave Act (FMLA).

- 2) This policy applies to all FGCC employees who qualify for FMLA in accordance with the criteria set forth by the FMLA.
- 3) FGCC shall have the authority and responsibility to designate qualifying leave, including Workers' Compensation, as FMLA for eligible Commission employees. An employee cannot waive their prospective rights under FMLA.

## II. DEFINITIONS:

- 1) **Child:** Except as otherwise noted in this policy, "child" means a biological adopted or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis (in the place of a parent) and who is either under the age of 18, or if older than the age of 18, is incapable of self-care because of a mental or physical disability.
- 2) **Covered Active Duty:** In the case of a member of a regular component of the armed forces, duty during the deployment of the member with the armed forces to a foreign country; and in the case of a member of a reserve component of the armed forces, duty during the deployment of the member with the armed forces to a foreign country under a call or order to active duty in support of a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code.
- 3) **Family and Medical Leave Act of 1993:** A federal law that allows eligible employees to take a specified amount of unpaid job-protected leave, or to substitute appropriate paid leave, for certain family and medical reasons.
- 4) **Intermittent Leave:** Leave taken in separate periods of time due to a single illness or injury, rather than for one continuous period of time, and may include leave of periods from an hour or more to several weeks.
- 5) **Mental or Physical Disability:** A physical or mental impairment that substantially limits one or more of the major life activities of an individual.
- 6) **Military Caregiver Leave:** Leave taken to care for a covered service member with a serious injury or illness under the Family and Medical Leave Act of 1993.
- 7) **Next of Kin:** The "next of kin" of a military service member means the nearest blood relative other than the military service member's spouse, parent, or child, in the following order of priority (unless the military service member has specifically designated in writing another blood relative as his nearest blood relative for purposes of military caregiver):
  - A. Blood relatives who have been granted legal custody of the military service member;
  - B. Brothers and sisters;

C. Grandparents;

D. Aunts and uncles; and

E. First cousins.

8) **Parent:** "Parent" means a biological, adoptive, step, or foster parent, or any other individual who stood in loco parentis (in the place of a parent) to the employee when the employee was a child. Parent does not include parents "in-law."

9) **Qualifying Exigency:** A "qualifying exigency" includes leave taken for any of the following reasons:

A. To address any issue resulting from an impending call to active duty deployment on less than seven days' notice;

B. To attend military events and related activities (such as a military ceremony, briefing, family support program, etc.);

C. To make arrangements relating to childcare and school activities;

D. To make financial and legal arrangements;

E. To attend counseling;

F. To spend time with a covered military member who is on a short-term, temporary rest and recuperation leave during the period of deployment;

G. To attend post-deployment activities (such as a military ceremony, event, reintegration briefing, etc.); and

H. Any other exigency agreed upon by FGCC and the employee.

10) **Serious Health Condition:** A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves either:

A. Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity (i.e., the inability to work attend school, or perform other regular daily activities), or any subsequent treatment in connection with the inpatient care; or

B. Continuing treatment by a health care provider, as defined by the FMLA and the pertinent regulations.

11) **Spouse:** A husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law.

### III. PROCEDURES

#### 1) Eligibility Criteria and Reasons

A. An employee (including Other Personal Services (OPS) and part-time) is eligible for family and medical leave if he/she has:

1. Worked for at least 12 months with the State of Florida, and
2. Worked at least 1,250 hours in the preceding 12 months with an agency in the State Personnel System.

B. An eligible employee may take up to 12 weeks (480 hours) of unpaid leave in a 12-month period for the following reasons<sup>1</sup>:

1. The birth of the employee's child and to care for the newborn child;
2. The placement of a child with the employee for adoption or foster care;
3. In order to care for the employee's spouse, where applicable, registered domestic partner, child, or parent (but not a parent "in-law") who has a serious health condition;
4. A serious health condition which renders the employee unable to perform the essential functions of his/her job; or
5. Any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in a foreign country. Employees with a family member who is either in a regular component of the Armed Forces or a reserve component of the Armed Forces will be entitled to leave. Coverage is extended for exigency leave to the family of all active-duty service members who are deployed in a foreign country.

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<sup>1</sup> Career Service employees may be granted up to 6 months of parental or family medical leave under the Family Supportive Work Program (FSWP). Refer to the Leave of Absence policy for FSWP benefits granted to Career Service employees.

- C. An eligible employee who is a covered service member's spouse, child (of any age), parent, or next of kin may take up to 26 weeks of unpaid leave in a single 12-month period in order to care for the covered service member who is undergoing medical treatment, recuperation, or therapy, or who is in outpatient status, or who is otherwise on the temporary disability retired list for a serious injury or illness incurred in the line of duty while on active duty in the Armed Forces.

Coverage is extended to include caring for a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy. The caregiver would be able to take up to 26 weeks of leave to care for a veteran for up to five years after he/she leaves military service if the veteran suffered a qualifying injury or illness in the line of active duty (or had an existing injury or illness aggravated in the line of duty). Under the legislation, the injury or illness could manifest itself before or after the member became a veteran.

## 2) Measuring the 12-Month Period and Counting FMLA Leave

- A. In determining whether the employee has the required length of service or work hours in the preceding 12 months, only employment with the State Personnel System (SPS) employers will be counted.
- B. For leave taken for any of the reasons listed, the 12-month period in which eligible employees may take 12 weeks of leave will be calculated using a 12-month period measured forward from the date of the employee's first FMLA leave usage.
- C. The single 12-month period for calculating leave needed to care for a military service member begins when the employee first starts taking leave for that reason and ends 12 months after that date. Leave taken to care for a service member or veteran, as described above, may not exceed 26 weeks in any single 12-month period when combined with other FMLA-qualifying leave under any section of this policy.
- D. For leave taken for the birth of a child or placement of a child for adoption or foster care, the entitlement to leave under this policy expires 12 months from the date of the child's birth or placement.
- E. To the extent allowed by law, in the event an absence is for a reason covered by this policy, FGCC reserves the right to count it as FMLA leave whether the employee has requested FMLA leave or not. Leaves covered by workers' compensation and/or a

disability plan will also be counted as FMLA leave to the extent the leave qualifies under this policy.

- F. Family Supportive Work Program Leave (“FSWP”), provided for in Florida Administrative Code Rule 60L-34.0051, will run concurrently with leave entitlement provided for in the FMLA.

### 3) Intermittent Leave

Employees may take intermittent leave or leave on a reduced schedule basis (in quarter-hour increments), because of their own or a relative’s serious health condition, if this is medically necessary, as determined and documented by the treating physician. Where employees have some control over the timing of their leave, they are expected to consult with their supervisor to try to arrange a mutually acceptable time.

- A. In the case of leave based upon a serious health condition of the employee, spouse, child, or parent, or for the care of a covered service member’s serious injury or illness, leave may be taken intermittently or on a reduced schedule basis, but only if such leave is medically necessary and the medical need can be best accommodated by intermittent leave or a reduced schedule. If intermittent leave or leave on a reduced schedule is required for planned medical treatment, the employee is required to make reasonable efforts to schedule the treatment so as not to unduly disrupt FGCC’s operations.
- B. In the case of leave for the birth or placement of a child in adoption or foster care, intermittent leave or working a reduced schedule is permitted.
- C. In the case of leave based upon a qualifying exigency, leave may be taken intermittently or on a reduced schedule.
- D. If intermittent leave or leave on a reduced schedule is required or provided, FGCC may, in its sole discretion, temporarily transfer the employee to another position for which the employee is qualified with equivalent pay and benefits that better accommodate that type of leave.
- E. **Reinstatement of employee.** When an employee who is taking leave intermittently or on a reduced leave schedule and has been transferred to an alternative position no longer needs to continue on leave and is able to return to full-time work, the employee must be placed in the same or equivalent job as the job he or she left when the leave commenced. An employee may not be required to take more leave than necessary to address the circumstance that precipitated the need for leave.

#### 4) Employee Notice, Certification Requirements, and Responsibilities

- A. For leave that is foreseeable, the employee must provide at least 30 days' advance notice. If the need for leave is not foreseeable, the employee is required to provide as much notice as practicable, which will be determined as the same or next business day following the date the employee is aware of the need for FMLA leave.
- B. Medical documentation substantiating that the employee is absent for medical reasons and the dates the employee is unable to work must be submitted to the Office of Human Resource Management (HRM) immediately.
- C. If medical documentation has not been submitted and an employee has been absent for three (3) consecutive days for a medical reason, or if an employee is out intermittently for ongoing treatment of a medical condition, the immediate supervisor shall contact the employee to request medical documentation and notify the HRM immediately. If medical documentation is not received or not sufficient to determine whether the absence qualifies for FMLA leave, the HRM will send the employee the US Department of Labor's Certification of Health Care Provider, WH-380-E (employee) or WH-380-F (family member), which must be completed by the employee's or family member's treating physician and returned within 15 calendar days, unless it is not practicable to do so, despite the employee's good faith efforts.
- D. FGCC will require that leave based upon a serious health condition, or a military service member's serious injury or illness, be supported by a medical certification from a health care provider. In accordance with applicable regulations, for leave based upon a serious health condition, FGCC may request, at FGCC's expense, a second opinion from a health care provider of FGCC's choice (as well as a third opinion, if the second opinion conflicts with the first opinion). The second or third opinion provision does not apply to an ill or injured military service member. The employee must cooperate fully with all FGCC requests and take prompt action for evaluation.

If the Commission seeks a second or third opinion, the employee agrees to cooperate fully with the request and take prompt action to be evaluated by a second or third health care provider.

- E. If the employee has a serious health condition, the certification must state that the employee cannot perform the functions of his/her job.
- F. FGCC will require that medical certification be submitted showing that a request for intermittent leave or leave on a reduced schedule is medically necessary. If the employee is needed to care for a spouse, child, parent, or covered service member, the certification must so state along with an estimate of the amount of time the employee's presence will be needed. The employee may use family sick leave providing the use of the leave complies with Rule 60L-34.002(3)(c), F.A.C.

- G. FGCC may require subsequent medical recertification of an ongoing condition from the employee's health care provider every 30 days in conjunction with an absence, or more often to the extent permitted by applicable law.
- H. FGCC will require that leave based upon a qualifying exigency also be supported by certification and supporting documentation, including a copy of the military member's active duty orders or other similar documentation.
- I. If an employee's certification or recertification is deemed by FGCC to be incomplete, the HRM will notify the employee of the deficiency and the employee will be provided seven days to cure the deficiency. A failure to complete the certification may result in the denial of leave for the period of time until the completed certification is submitted.
- J. During leaves under this policy, the employee must periodically (at least every 30 days) report on his or her medical status and intent to return to work. In addition, it is the employee's responsibility to notify his or her supervisor and the HRM within two business days, where feasible, of any changed circumstances that will shorten or extend the leave.
- K. Employees do not have to share a medical diagnosis but must provide enough information to the HRM so the HRM can determine if the leave qualifies for FMLA protection.
- L. In all cases, an employee requesting FMLA leave must provide the HRM a completed "Application for Family or Medical Leave/Military Family Leave." The application and the applicable certification form must indicate the reason for the leave, provide sufficient information to establish an FMLA-qualifying reason, and include the beginning and ending dates of the leave.

#### 5) Benefits Coverage During Leave

- A. During a period of family or medical leave, an employee will be retained on the state health insurance plan under the same conditions that applied before the leave commenced.
- B. If the employee is on Leave Without Pay, to continue insurance coverage(s), the employee must timely pay the employee's portion of the insurance premiums which were previously paid via payroll deductions. However, if the employee has sufficient personal leave balances he/she may use their accrued leave to continue to cover their insurance premiums via payroll deduction.



- C. Failure of the employee to timely pay his/her portion of the insurance premiums may result in loss of coverage. If coverage is cancelled due to non-payment of premiums, all delinquent payments must be brought current in order for coverage to be reinstated.
- D. An employee approved for FMLA leave has the option to decrease their health and/or any supplemental insurance election(s) or cancel their State Group Insurance.

#### 6) Effect on Accrued Leave

Taking FMLA leave will not result in the loss of any employee benefit accrued prior to the date on which the leave began. An employee will not accrue any right, benefit or position of employment other than one which he/she would have been entitled to had leave not been taken. Therefore, when an employee uses accrued leave to cover unpaid FMLA leave, he/she will accrue normal leave benefits.

#### 7) Substitution of Accrued Paid Leave

- A. FMLA is unpaid leave, however, an employee may choose to use their accrued personal leave. This means that the employee's FMLA leave under this policy will run concurrently with the use of any accrued paid leave. The employee will be notified of the designation when the leave begins.
- B. Where leave is not unpaid, but the employee is not receiving his or her full pay (such as when on workers' compensation leave or leave under a disability plan), accrued leave may be used to supplement the employee's pay to bring him/her up to his/her full salary.

#### 8) Job Restoration Upon Return from FMLA Leave

Employees who return to work from a FMLA leave of absence, within or on the business day following the expiration of the leave, are entitled to return to their job or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

#### 9) Employee Responsibility and Failure to Cooperate

- A. Employees on intermittent FMLA will ensure that absences due to FMLA are coded as FMLA and/or FMLA/FSWP on their timesheets for proper tracking of leave usage.
- B. Employees who fail to provide information or who provide false information to, or otherwise refuse to cooperate with FGCC in administering this policy, or who fail to follow the requirements of this policy, may have their leave delayed and/or be subject to discipline up to, and including, dismissal as permitted by law.

## 10) Supervisor Responsibilities

- A. Notify the HRM of the employee's request for leave immediately, but no later than 24 hours from being noticed.
- B. Sign the employee's Application for Family or Medical Leave/Military Family Leave, the latest version of Form #03.007. If the employee is not available for signature, indicate such on the employee's signature line.
- C. For intermittent leave usage, ensure that the employee's timesheet is submitted accurately and approved timely at the end of each pay period. Absences due to FMLA should be coded as FMLA regardless of the leave type used (i.e., sick, annual, or special compensatory).
- D. Notify the HRM within 24 hours of the employee's return to work or need for additional leave time.

## 11) The Office of Human Resources (HRM) Responsibilities

- A. THE HRM will provide the following to the employee:
  - i. Application for Family or Medical Leave/Military Family Leave, the latest version of Form # 03.007.
  - ii. One of the following medical certification forms, applicable to the employee's situation:
    - 1. Certification of Health Care Provider for Employee's Serious Health Condition under the Family and Medical Leave Act, WH-380-E;
    - 2. Certification of Health Care Provider for Family Member's Serious Health Condition under the Family and Medical Leave Act, WH-380-F;
    - 3. Certification for Military Family Leave for Qualifying Exigency under the Family and Medical Leave Act, WH-384;
    - 4. Certification for Serious Injury or Illness of a Current Service member for Military Caregiver Leave under the Family and Medical Leave Act, WH-385; or
    - 5. Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave under the Family and Medical Leave Act, WH-385-V.
  - iii. Notice of Eligibility
    - 1. After determining the employee's eligibility, the HRM will send the employee a "Notice of Eligibility and Rights & Responsibilities," WH-381.
    - 2. If an employee is not eligible for FMLA, the employee may request a leave of absence, which will be approved or disapproved by the delegated authority.

3. Eligibility will be determined for each FMLA request, even if the request is submitted for the same 12-month period as another request.
  - a) All FMLA absences for the same qualifying reason are considered a single leave and employee eligibility as to that reason for leave does not change during the applicable 12-month period.
  - b) If, at the time an employee provides notice of a subsequent need for FMLA leave during the applicable 12-month period due to a different FMLA-qualifying reason, and the employee's eligibility status has not changed, no additional eligibility notice will be provided. If, however, the employee's eligibility status has changed (e.g., if the employee has not met the hours of service requirement in the 12 months preceding the commencement of leave), the HRM will notify the employee of the change in eligibility status within five business days, absent extenuating circumstances.

- B. Within five (5) business days of receipt of a medical certification and Application for Family or Medical Leave/Military Family Leave from the employee, the HRM will review the documentation for completeness and provide the "Designation Notice under the Family and Medical Leave Act," WH-382, to the employee and supervisor.
- C. The HRM will notify the supervisor of the estimated frequency and duration of absences that may be listed on the medical documentation.
- D. The HRM will process timesheets in People First for employees out on continuous FMLA leave and monitor FMLA leave usage for all employees.

## 12) Return from Leave

- A. For leave taken because of the employee's own serious health condition, the employee may be required to furnish a medical certification from his/her health care provider advising that the employee is able to safely resume performing the essential functions of his/her position before the employee will be allowed to return to work.
- B. If an employee wishes to return to work prior to the expiration of a family or medical leave of absence, he/she must notify his/her supervisor at least two working days prior to the employee's planned return.
- C. The failure of an employee to return to work upon the expiration of a family or medical leave of absence may subject the employee to disciplinary action up to and including dismissal, unless an extension is granted.
- D. If the employee's medical certification has no return to work date stated, a fitness for duty determination may be required.

### 13)Non-Waiver

Nothing in this policy is intended to waive any immunity provided by law, including, but not limited to, immunities provided by the Eleventh Amendment to the U.S. Constitution.





**FLORIDA GAMING CONTROL COMMISSION  
ADMINISTRATIVE POLICIES AND PROCEDURES**

**TITLE:** Perquisites

**POLICY NUMBER**

**03.09.01**

Human Resource Management

**EFFECTIVE DATE:**

**REVISED:**

**AUTHORITY**

[Section 216.262\(1\)\(f\) and \(g\), Florida Statutes \(F.S.\)](#)

[Section 60L-32.004, Florida Administrative Code \(F.A.C.\)](#)

[IRS Publication 15-B](#)

## **STATEMENT OF POLICY**

The Department of Management Services (DMS) has delegated authority to agency heads for perquisite approvals that fall under pre-approved DMS categories. The primary criteria for approval are the ultimate benefit to the state and the exceptional or unique requirements of the position.

## **SCOPE AND PURPOSE**

To establish guidelines and a process relating to approval of perquisites or the sale of goods and services, and the procedures to be followed to ensure consistency in the request, approval, and reporting of perquisites.

### **I. DEFINITIONS**

- 1) **Perquisites:** Those things, or the use thereof, or services of a kind that confer on the officers or employees receiving some benefit that is in the nature of additional compensation, or that reduce to some extent the normal personal expenses of the officer or

employee receiving them, and shall include but not be limited to such things as quarters, subsistence, utilities, laundry service, medical services, use of state owned vehicles for other than state purposes, paid by the state, and other similar items.

2) **Accountable Plan:** A detailed policy to manage and track reimbursements or expenses paid by the Florida Gaming Control Commission (FGCC) on behalf of the employee. For payments to be considered made under an accountable plan, the employee must:

- Incur the expenses in the performance of work;
- Account for the expenses within a reasonable time period; and
- Return any amounts in excess of expenses within a reasonable time period.

The value of perquisites paid according to an accountable plan is excluded from reporting to the IRS as a fringe benefit.

3) **Goods and Services:** Those things which are either the property of the commission, or provided as a service by the commission, which are sold to an officer or employee of the FGCC in lieu of being provided as a perquisite.

4) **Household Goods:** The personal effects and property used or to be used in the employee's dwelling.

5) **Moving Expenses:** Moving expenses means, and is limited to, the cost of packing and shipping of household goods or a mobile home.

6) **Request for Approval of Perquisites or Sale of Goods and Services:** The form used to request approval to pay for perquisite expenses, F# 03.012.01.

7) **Section Directors:** An employee in a Senior Management Service position (e.g. Executive Director, Director of Law enforcement, Director of Administration, Director of Pari-mutuel Wagering, Inspector General, or General Counsel).

8) **Taxable Fringe Benefit:** An item reportable and taxable under the IRS tax code as a part of an employee's gross income.

## II. GENERAL

A. Perquisites must be approved by the agency head or designee during each fiscal year.

B. By August 1 of each year, agencies in the executive branch shall report to the Department of Management Services (DMS) all perquisites, including dollar value, approved by the agency during the preceding fiscal year.

C. Perquisite Categories/Codes – to include:

1. Paid Parking (A10): Monetary allowance provided to an employee when employer provided parking is not available.
2. Formal Clothing Allowance (D10): Payment provided to an employee for rental of formal wear when required by the position.
3. Clothing – Identification (D40): Issue of identifying clothing or items (e.g. shirts, identification badges, caps, etc.) when required by the position for the representation of the FGCC.
4. Uniform/Clothing/Footwear Maintenance Allowance (D55): Monetary allowance provided to employees pursuant to collective bargaining agreements for maintaining and cleaning uniforms and plain clothes and repair/replacement of footwear.
5. Clothing – Protective Outer Wear (D72): Issue of protective clothing when required by the position for the protection of the employee or the employee's personal clothing.
6. Equipment – Diving Gear (E20): Issue of diving gear when required by the position.
7. Equipment – Safety Equipment (E40): Issue of specific equipment (glasses, footwear, gloves, belts, back braces, hardhats, etc.) when required by the position for the protection of the employee.
8. Monetary Allowance – Other (I10): Payment provided to an employee for items not covered by other prerequisite categories. Monetary Reimbursement – Personal Property Replacement (I20): Payment provided to an employee to replace personal property lost or damaged in performing the duties of the position.
10. Licenses (L10): Payment of fees for licenses that are newly required during employment to meet minimum position requirements. Ongoing license renewal fees are not provided.
11. Physicals/Immunizations (P10): Periodic medical examinations and/or immunizations for employees whose positions include exposure or potential exposure to contagions, diseases, etc.
12. Uniform – With Footwear, No Allowance or Laundry Service (U10): Issue of uniform including footwear and required accessories (e.g. belts, holsters, protective vests, caps, hats, ties, name plates, etc.) when the position requires specific identification or a uniform appearance of the employee. No monetary allowance or laundry service is provided to maintain uniform.



13. Uniform – With Footwear, With Allowance or Laundry Service (U11): Issue of uniform including footwear and required accessories (e.g. belts, holsters, protective vests, caps, hats, ties, name plates, etc.) when the position requires specific identification or a uniform appearance of the employee. Monetary allowance or laundry service may also be provided to maintain uniform.
14. Uniform – No Allowance or Laundry Service (U30): Issue of uniform including required accessories (e.g. belts, holsters, protective vests, caps, hats, ties, name plates, etc.) when the position requires specific identification or a uniform appearance of the employee. No monetary allowance or laundry service is provided to maintain uniform.
15. Uniform – With Allowance or Laundry Service (U32): Issue of uniform including required accessories (e.g. belts, holsters, protective vests, caps, hats, ties, name plates, etc.) when the position requires specific identification or a uniform appearance of the employee. Monetary allowance or laundry service may also be provided to maintain uniform.

### **III. STANDARDS/PROCEDURES**

#### **A. Requesting a Perquisite or Sale of Goods and Services:**

1. The section directors or equivalent shall determine that a perquisite is needed for his/her employees.
2. The section directors shall contact the Bureau of Human Resource Management (HRM) to determine if a new perquisite is necessary or if an existing approved perquisite may be used.
3. If a new perquisite is needed, the section director shall submit a written request at least ninety-days prior to the requested effective date, attaching the completed “Request for Approval of Perquisites or Sale of Goods and Services” Request, F# 03.012.01, with documentation of how costs were derived, as associated with the perquisite or sale of goods and services.
4. The section directors shall complete the “Request for Approval of Perquisites or Sale of Goods and Services”, F# 03.012.01, in its entirety
5. The section directors shall receive and review the Request for Approval of Perquisites or Sale of Goods and Services form, along with documentation of costs.

### **IV. FGCC RESPONSIBILITY**

- A. The section directors will send their respective new and/or revised perquisite requests on the “Request for Approval of Perquisites or Sale of Goods and Services”,

F# 03.012.01, to HRM for approval of perquisites for the upcoming fiscal year by the designated deadline date.

- B. The section directors will send the “Request for Approval of Perquisites or Sale of Goods and Services” form to HRM throughout the fiscal year, as necessary, to add, delete or revise a perquisite request.
- C. After approval by HRM, the Director of Administration will authorize support staff to submit a purchase requisition for perquisite items. A purchase order will not be issued if the approved and signed perquisite form is not scanned.
- D. The Bureau of HRM will determine which requested perquisite items are taxable fringe benefits that must be reported to the IRS, and which items are not taxable fringe benefits.
  - 1. Items that are required by the FGCC for safety, security, or health purposes, such as uniforms, safety equipment, special footwear, and protective clothing, and are issued or purchased by the FGCC are considered non-reportable.
  - 2. To be non-reportable, uniforms must be required as a condition of employment by the FGCC and must not be suitable for everyday wear, i.e., must not be suitable for taking the place of regular clothing. Note: It is not enough that the clothing is distinctive, nor is it enough that the clothing, in fact, is not worn away from work.
  - 3. Providing allowances, advances or reimbursements for the original purchase, maintenance or replacement of such items is reportable unless the section director maintains an accountable plan.
  - 4. Providing lodging is non-reportable if:
    - a. It is provided for the FGCC’s convenience; and
    - b. The employee must accept it as a condition of employment.
  - 5. Providing meals on the premises is non-reportable if the annual revenue from the FGCC’s facility equals or exceeds the direct costs of the facility (meals are provided at cost or above).

Providing meals is also non-reportable if they are provided on the FGCC’s premises and they are provided for the FGCC’s convenience.
  - 6. Providing physical examinations is reportable, even if they are mandatory.
- E. When processing payments for perquisites the divisions must include the employee’s social security number in the sub-vendor field and the perquisite category in the project ID field in the FLAIR transaction.

- F. The Chief of Purchasing shall review the requisitions for compliance with purchasing policies and procedures, obtain approval for CMBE exemption requests, and verify that all approval documentation is attached to electronic requisitions. The Chief of Purchasing shall approve the requisitions, creating the My Florida Market Place direct orders.
- G. The My Florida Market Place direct order is then electronically sent to the Vendor via email or facsimile.

#### **IV. BUREAU OF HUMAN RESOURCE MANAGEMENT (HRM) RESPONSIBILITY**

- A. HRM will assign the request numbers for new requests for approval of perquisites or sale of goods and services.
- B. HRM will send an email to the section directors in May of each year that outlines the perquisite approval process and includes an attached spreadsheet of all approved perquisites for the current fiscal year.
- C. HRM will review and approve or disapprove the requested perquisite(s) and send a copy of the signed form to Director of Administration for processing.
- D. HRM will update the perquisites spreadsheet according to perquisites approved for the upcoming fiscal year and maintain the spreadsheet throughout the year as new requests and/or revisions to existing perquisite approvals are received and approved.
- E. HRM will compile the perquisites information on the DMS form and send the completed report to DMS annually by the due date (typically in August).

#### **V. REPORTING TO THE IRS**

- A. The reporting period for perquisites is November 1 through October 31.
- B. Some perquisites (e.g., uniform maintenance which is not paid under an accountable plan) are processed through the payroll system and are automatically included in the employee's W-2 and reported to the IRS.
- C. For any perquisites processed outside the payroll system and deemed to be reportable, the Bureau of Finance and Accounting will work with the divisions to summarize the expenditure information by employee and provide it to HRM in December.
- D. The Bureau of Human Resource Management will process the information received from the Bureau of Finance and Accounting as a non-cash adjustment in the payroll system. This information will be included on the employee's W-2 and reported to the IRS.





**FLORIDA GAMING CONTROL COMMISSION  
ADMINISTRATIVE POLICIES AND PROCEDURES**

**TITLE:** Forms Management Program

**POLICY NUMBER**

**03.15.01**

Human Resource Management

**EFFECTIVE DATE:**

**AUTHORITY**

**REVISED:**

[Section 20.05 and 120.52\(16\), Florida Statutes](#)

## **I. STATEMENT OF POLICY**

The Florida Gaming Control Commission (FGCC) shall establish and maintain an effective Forms Management Program. Forms management is the design, production, and use of forms to promote economy and efficiency. Any employee of the FGCC may recommend the creation, revision, consolidation, or elimination of a form. The Division of Gaming Enforcement will manage forms separately and are not subject to this policy.

## **II. PURPOSE**

To establish throughout the FGCC a uniform procedure for creating, tracking, revising, consolidating, or eliminating forms.

## V. DEFINITIONS

- A. **FGCC Forms Coordinator:** The person responsible for coordinating the management of forms within their division. This person will assist division employees in all matters relating to forms and forms management and will be responsible for reviewing and updating FGCC forms at the designated time of review.
- B. **Form:** A document created, revised, or reproduced which has a space for insertion of information, and is exchanged for review or use.
- C. **Form Number:** A unique, identifiable number assigned to a form. Form numbers are used for inventory, ordering, tracking, and reference in written procedures and rules.
- D. **FGCC Forms Management Coordinator (FMC):** The person responsible for coordinating the Forms Management Program and is responsible for approval/disapproval as to format, design, and usability of proposed new forms and revisions of existing forms, and assigning all form numbers for the FGCC. Additionally, the Coordinator shall ensure that forms are organized in a clear and logical manner and are easily accessible by employees on the FGCC's intranet site and/or by the public on the FGCC's internet site.
- E. **Division Forms Coordinator (DFC):** The person designated within the Administration, Pari-mutuel Wagering and Law Enforcement divisions to access the need, format, design, and usability of proposed or revised forms for their respective division. Additionally, this person is responsible for annually reviewing forms they manage to ensure completeness and accuracy.
- F. **Forms Management Program:** A program designed for the planned and systematic control of all FGCC forms from creation through completion. The Division of Administration maintains responsibility over this Program.

## VI. ELECTRONIC FORMS APPROVAL PROCEDURES

- A. The DFC and/or division staff will prepare a legible, working copy of the new or revised form. A completed Forms Identification and Authorization to Print Form, together with the new or revised form should be submitted to the Division Director for review and approval.
- B. Upon approval from Division Director, the Division Forms Coordinator will then forward the form and a completed Forms Identification and Authorization to Print Form to the DFC for review to ensure the proposed form or revision meets the established guidelines for formatting and usability. The guidelines are as follows:

1. All forms must be formatted in the version of MS Word or Excel widely used by the FGCC.
2. All forms should be properly formatted with form fields that can be completed on the computer without compromising the integrity of the form.
3. The font used on the form should be Arial or Times New Roman with a point size no greater than 12 pt. and no smaller than 10 pt. Times New Roman or 8 pt. Arial.
4. The forms header should include the FGCC logo, agency name, and the applicable division name in a point size no greater than 16 pt. and no smaller than 10 pt. Times New Roman and should be flushed left at the top of all forms.
5. The title, containing eight words or less and which indicates the purpose and function of the form, should be readily identifiable without interfering with the form's data. This title is to be placed at the top of the form, centered in a font size no greater than 14pt. on the first page, and placed in the header of each additional page of the form in a 10 pt. font.

The form must have an appropriately formatted form number (FGCC-##.###.##) assigned, inserted with the date (month/year) published or revised, and the Rule number, if applicable, in the lower left corner (footer) of each page. The first two numbers represent division, the middle three numbers represent form number, which is the numerical sequence of the form and the last two characters represent the version.

**Example: FGCC-01.001.00**

**FGCC – Form Numerical Sequence – First two digits**

01	Commission/Executive Direction
02	Administration
03	Human Resource Management
04	Procurement and Contracts
05	Financial Services/Budget
06	General Counsel
07	Information Technology
08	Inspector General

6. Forms should not include color images or color text and the amount of gray/black boxes/highlighting should be limited.

7. Page numbers should be placed in the middle of the footer (Example: 1 page of 5) for each additional page.
  8. The form's margins should be no less than  $\frac{3}{4}$  inch and no more than  $1\frac{1}{2}$  inch.
  9. The forms must be paginated.
  10. Adequate spacing should be provided for each field, whether a form is filled out online or downloaded and filled out manually.
  11. All references and dates should be accurate.
  12. All forms should be checked for accurate spelling and grammar. Do not rely solely on spell or grammar check.
  13. Sufficient space should be provided for signatures, date lines, certifications, notarizing, etc., as needed.
- C. If the form does not meet the guidelines, the FMC will work with the DFC to meet agency specifications.
- D. The Forms Management Coordinator will then forward the form to the General Counsel for assignment to an attorney for legal review.

The attorney will review the form to determine if the form requires a rule. If the form requires a rule, the attorney will then work with the DFC or the originator of the form in conjunction with the respective Division Director to develop the rule and get the form approved.

If the new or revised form does not require a rule, it will be approved by Legal for immediate use and returned electronically to the FMC and DFC, for use and publication to the FGCC's intranet/internet site(s).

## **VII. MINOR REVISIONS**

Approval of minor revisions to a form already in use will require only the approval of the affected Division Director and FMC through the electronic approval process. These minor revisions include updating references to the CFO, dates, and FGCC/division/name changes, etc., but do not affect the actual content of the form or create any changes to the requested information.