



## Meeting Agenda

December 1, 2022

9:30 AM

W.V. Knott Building at the Capitol Complex, 4<sup>th</sup> Floor, Room 412

1. Discussion of Seminole Tribe of Florida MOU
2. Discussion of HISA and HIWU agreements for 2023
3. Discussion of Florida Gaming Control Commission's policies and procedures
4. Discussion of application for ownership transfer
  - 4.1 2022-048451 West Flagler Associates, LTD
5. Discussion of renewal applications for slot machine license
  - 5.1 2022-052214 Casino Miami, LLC
  - 5.2 2022-052289 South Florida Racing Associates, LLC
6. Discussion of applications for transfer of permitholder tax credit/exemption
  - 6.1 2022-052210 West Volusia Racing, Inc.
7. Discussion of informal hearings
  - 7.1 2022-009682 Kivela, Kevin D
  - 7.2 2022-021401 Maman, Shlomo
  - 7.3 2022-027510 Brown, Alisha
  - 7.4 2022-027613 Borgella, Brunel
  - 7.5 2022-037934 Jones, Kelly Delaynes
8. Discussion of default final orders
  - 8.1 2022-020885 Jones, Hunter Steven
  - 8.2 2022-024921 Rodriguez Luque, Ricardo
  - 8.3 2022-034261 Oliva, Erwin Oscar
  - 8.4 2022-041767 Siliato, Joe
  - 8.5 2022-046353 Richards, Renaldo Mario
  - 8.6 2022-049258 Hunt, Donald F

9. Discussion of consent orders
  - 9.1. 2022-033589 Tampa Bay Downs, Inc.
  - 9.2. 2022-035114 TBD Entertainment, LLC
  - 9.3. 2022-043911 TBD Entertainment, LLC
  - 9.4. 2022-046363 Walder, Peter
10. Discussion of license denials
  - 10.1. 2022-045263 Vasques Feliz, Yohanni Mariana
  - 10.2. 2022-046547 Wadley, Walisha Janceess
  - 10.3. 2022-048911 Kenon, Adrian
  - 10.4. 2022-051304 Joseph, Romy
  - 10.5. 2022-054557 Flanders, Kallen Edward
11. Discussion of final order pursuant to request from respondent
  - 11.1. 2022-037245 Ly, Tai Van
12. Executive Director update
  - 12.1. Date of Commissioner's meeting for January 2023
13. Public comment

PERSONS WISHING TO ADDRESS  
THE COMMISSION ON ANY OF THE AGENDA ITEMS  
SHOULD EMAIL [CONTACT@FGCC.FL.GOV](mailto:CONTACT@FGCC.FL.GOV)  
NO LESS THAN 24 HOURS BEFORE THE  
START OF THE MEETING



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1.

Seminole Tribe  
of Florida  
MOU

**MEMORANDUM OF UNDERSTANDING PURSUANT TO  
GAMING COMPACT BETWEEN THE SEMINOLE TRIBE OF FLORIDA AND  
THE STATE OF FLORIDA**

This Memorandum of Understanding (MOU) is entered into pursuant to the 2010 Gaming Compact for Class III Gaming (2010 Compact) between the Seminole Tribe of Florida (Tribe) and the State of Florida (State). The parties to this document are the Seminole Tribal Gaming Commission (Commission) and the State Compliance Agency (SCA), which is the Florida Gaming Compliance Commission (FGCC).

**I. PURPOSE AND GOALS**

WHEREAS, the Seminole Tribe of Florida, a federally recognized Indian tribe, operates Class III gaming at Facilities located on the Tribe's Indian Lands; and

WHEREAS, the Tribe's Class III gaming operations are governed by a Compact signed by the Chairman of the Tribe and Governor of the State on April 7, 2010, and approved by the Secretary of the Interior on June 24, 2010; and

WHEREAS, the Seminole Tribal Gaming Commission is the tribal governmental agency that has the authority to carry out the Tribe's regulatory and oversight responsibilities under the Compact; and

WHEREAS, the Florida Gaming Compliance Commission (FGCC) is the "State Compliance Agency" designated by the Florida Legislature as the entity that has the authority to carry out the State's oversight responsibilities under the Compact; and

WHEREAS, Part VII.B of the Compact requires that the Commission and the SCA enter into an MOU with respect to report requirements under the Compact; and

WHEREAS, this MOU, which addresses reporting and other matters covered in the 2010 Compact, is evidence of the good will and cooperative spirit between the Seminole Tribe of Florida and the State of Florida and represents an effective government-to-government and regulator-to-regulator relationship;

NOW THEREFORE, the Commission and the FGCC, consistent with the provisions of the Indian Gaming Regulatory Act, the 2010 Compact and the laws of the Tribe and the State, enter into this MOU.

## II. REPORTING REQUIREMENTS

Part VII.B of the 2010 Compact provides that the Commission investigative reports concerning suspected or reported violations of Part VII of the 2010 Compact shall be forwarded by the Commission to FGCC within thirty (30) calendar days of filing. For purposes of this provision, the Commission agrees to forward to the FGCC a summary of investigations considered by the Commission and, upon request, shall forward the complete investigative packet considered by the Commission. The Commission shall forward the summary within thirty (30) calendar days of final action by the Commission, which shall not be unreasonably delayed. The summary forwarded to the FGCC shall indicate the action taken on the reports by the Commission, which could include, but is not limited to, forwarding the matter to local law enforcement, license revocation or suspension and changing internal controls and procedures.

## III. RELEASE OF DOCUMENTS BY THE FGCC

- A. Part VIII.D of the 2010 Compact provides that if the State receives a request under Chapter 119, Florida Statutes, for documents marked by the Tribe as “Trade Secret, Confidential and Proprietary,” then “the State shall promptly notify the Tribe of such a request and the Tribe shall promptly notify the State about its intent to seek judicial protection from disclosure.” To implement this provision, the FGCC agrees to provide the Commission with notice of any request that could result in the release of documents that were obtained or which contain information that was obtained from the Tribe within ten (10) business days from the receipt of such request. With said notice, the FGCC shall provide copies of all documents that it has determined to be responsive to the request.
- B. The Commission shall have thirty (30) business days to review the documents and advise the FGCC which, if any, documents will be the subject of an action by the Tribe to seek judicial protection from disclosure. The FGCC shall not disclose any such documents until the Tribe’s action for judicial protection has been resolved.

## IV. SEPARATION OF FUNCTIONS

To avoid the possibility of real or perceived conflicts of interest, the FGCC agrees that staff members, not including administrative support staff, used to perform regulatory activities for State-licensed pari-mutuel facilities (Pari-Mutuel Regulation Unit) shall not be used to perform any of the State’s oversight responsibilities over the Tribe’s facilities (Tribal Compliance Unit). Further, only those staff members performing oversight responsibilities for the Tribe’s Facilities shall have access to non-public information (financial, technical or otherwise) obtained from or about those Facilities and shall keep such information confidential to the maximum extent permitted by law. However, all staff members, including administrative support staff, shall be required to sign confidentiality agreements with respect to information obtained from or about the Tribe’s Facilities.

## V. THE SCA'S OVERSIGHT RESPONSIBILITIES

- A. The FGCC agrees to perform oversight functions as agreed to by the parties in the 2010 Compact. This oversight shall include the following:
1. Inspection of Facilities and Covered Games for compliance with Tribal internal control standards. Tribal internal control standards must meet or exceed those set forth in the National Indian Gaming Commission's Minimum Internal Control Standards, 25 C.F.R. Part 542 (2009).
  2. Review of record retention practices for compliance with the requirements set forth in the Commission approved Record Retention Policies and Procedures.
  3. Review of the Tribe's program to combat problem gambling for compliance with the 2010 Compact requirements.
  4. Verify that summaries of rules for playing Covered Games and promotional contests are visibly displayed and made available to patrons upon request.
  5. Verify that the Tribe engages and maintains measures to prevent improper alcohol sales, drunk driving, and underage drinking.
  6. Verify that the Tribe employs measures to prevent underage patrons from participating in Covered Games.
  7. Verify that all payments to the State of Florida is in compliance with Part XI of the 2010 Compact.
  8. Verify that Tribe has paid an annual \$250,000 donation the Florida Council on Compulsive Gaming for each of its seven Facilities.
  9. Verify that the average minimum pay-out of all slot machines in each Facility is not less than 85 percent.
  10. Verify that gaming employees are licensed in accordance with the Seminole Tribal Gaming Code.
  11. Review all reports submitted by the Commission to the FGCC.
  12. Review the Tribe's efforts to protect the physical safety of patrons, employees and any person while in a facility.



13. Review the Tribe's efforts to combat illegal activity through maintenance of employee procedures and a surveillance system.
  14. Review construction and maintenance of Facilities for compliance with applicable requirements.
  15. Verify that the Tribe's emergency plans have been prepared.
  16. Verify that non-smoking areas are established during new construction.
- B. The parties agree that the FGCC's oversight responsibilities shall be conducted in compliance with the Tribe's internal control standards and procedures, including but not limited to the requirements applicable to opening slot machine cabinets and entering a count room.

## VI. NOTIFICATION OF VISITS BY FGCC

- A. As specified in Part VIII.C of the 2010 Compact, agents of the FGCC shall have reasonable access to all public areas of the Facilities related to the conduct of Covered Games and no advance notice is required when the inspection is limited to public areas of the Facility. However, representatives of the FGCC shall provide notice and photographic identification to the Commission agent on duty at the Facility of their presence before beginning any such inspections. The notice provided by the FGCC shall be in writing and shall set forth the areas that are to be inspected, the names and job titles of the FGCC staff conducting the inspection and the expected duration of the inspection. FGCC staff will notify the Commission agent on duty at the Facility when they have concluded their inspection.
- B. Before FGCC staff may enter any nonpublic area of a Facility, they shall provide one (1) hour notice and photographic identification to the Commission agent on duty at the Facility. Notice of at least one (1) hour by FGCC to the Commission is required to assure that a Commission agent is available to accompany the FGCC staff members at all times. The notice provided by the FGCC shall be in writing and shall set forth the areas that are to be inspected, the names and job titles of the FGCC staff conducting the inspection and the expected duration of the inspection. After being issued access badges, FGCC staff members may enter nonpublic areas of the Facility accompanied by a Commission agent.
- C. FGCC staff may, pursuant to Part VIII.C.3(a) of the 2010 Compact, conduct inspections of more than ten (10) hours spread over two (2) consecutive calendar days, but only if they provide the Commission's Executive Director with a written notification of the need for additional hours and a summary of the substantial non-compliance issues that need to be addressed during the additional inspection

hours. FGCC staff will notify the Commission agent on duty at the Facility when they have concluded their inspection.

## VII. LIMIT ON LENGTH AND NUMBER OF INSPECTIONS

The time available for FGCC inspections is limited by Part XIII.C.3 of the 2010 Compact. In calculating the length of an inspection, only actual hours spent at a Facility by FGCC staff shall be counted. Travel time and off-site preparation time will not be included. At the conclusion of any inspection, the FGCC staff shall provide the Commission agent at the Facility with a written statement setting forth the number of hours spent at the Facility.

## VIII. ANNUAL OVERSIGHT ASSESSMENTS

- A. Part XI.C of the 2010 Compact provides that the Tribe will reimburse the State “for the actual and reasonable costs of the State Compliance Agency to perform its monitoring functions set forth under the Compact,” subject to a cap of \$250,000 per year indexed for inflation as determined by the Consumer Price Index. The 2010 Compact further provides that the assessment will be paid in quarterly installments and that the Tribe shall pay such amounts within thirty (30) calendar days of receiving an invoice from the FGCC.
- B. In order to provide an established and orderly procedure for assessment of costs incurred by the FGCC under the 2010 Compact and this MOU, the parties agree that the FGCC will furnish to the Commission an itemized statement of the salaries, benefits and overhead of FGCC employees assigned to oversight responsibilities, as well as an accounting of all direct expenses incurred by the FGCC for its oversight responsibilities, including reasonable travel and per diem expenses.
- C. If a dispute arises as to the correctness of an assessment, the Tribe will pay any undisputed amount and that the parties will follow the dispute resolution process set forth in Part XIII of the 2010 Compact.

## IX. NOTICES

All notices required or authorized under this Memorandum of Understanding shall be sent by certified mail (return receipt requested), facsimile, commercial overnight courier service or by personal delivery to the following:

State Compliance Agency:

Florida Gaming Control Commission  
4070 Esplanade Way  
Suite 250  
Tallahassee, FL 32399

With a copy to:

Compact Audit Administrator  
Division of Pari-Mutuel Wagering  
1400 W. Commercial Blvd., Suite 165  
Ft. Lauderdale, FL 33309-3787

Commission:

Executive Director  
Seminole Tribal Gaming Commission  
6300 Stirling Road  
Hollywood, FL 33024

With a copy to:

General Counsel  
Seminole Tribe of Florida  
6300 Stirling Road  
Hollywood, FL 33024

## X. AUTHORITY TO EXECUTE

The persons signing this MOU on behalf of the Commission and the FGCC represent that they have the authority to bind the respective parties to its terms.

## XI. ENTIRE AGREEMENT

This MOU between the Commission and the FGCC constitutes the entire agreement of the parties and shall not be construed to amend the 2010 Compact. This agreement shall be governed by and construed in accordance with the applicable laws of the United States, the Tribe and the State. Upon approval, this MOU will replace and supersede the MOU entered by the SCA DBPR and STGC on the effective date [EDIT].

XII. INTERPRETATION

The FGCC and the Commission have agreed to use the particular language in this MOU and no ambiguity in this agreement shall be construed against either party. Terms in this agreement that are not defined shall have the meaning given to them in the 2010 Compact.

XIII. EFFECTIVE PERIOD

This MOU shall become effective upon execution by the parties and shall remain in effect unless amended or terminated by either party with a sixty (60) day notification.

XIV. OTHER REQUIREMENTS

Both parties agree to comply with all applicable requirements in the 2010 Compact, whether or not those requirements are addressed in this MOU.

XV. MODIFICATIONS

This MOU may be amended and modified only in writing in a document signed by both parties.

APPROVED BY:

FLORIDA GAMING CONTROL COMMISSION

\_\_\_\_\_

Date: \_\_\_\_\_

SEMINOLE TRIBAL GAMING COMMISSION

\_\_\_\_\_

Date: \_\_\_\_\_

2.

HISA and  
HIWU  
Agreements for  
2023

Horseracing Integrity and Safety Authority  
401 W Main Street, Suite 222  
Lexington, Kentucky 40507

Joe Dillmore  
Florida Department of Pari-Mutuel Wagering  
Via email – joe.dillmore@fgcc.fl.gov

Dear Mr. Dillmore,

I am writing to advise you of Florida's HISA financial assessment for 2023 and all related details.

As indicated in the state-by-state assessment document attached to this email, Florida's 2023 HISA assessment is \$6,445,226, with the potential to be decreased by over \$1,690,000 as detailed below.

The assessment represents Florida's gross total obligation for 2023 in accordance with the HISA cost assessment methodology approved by the Federal Trade Commission. The assessment includes financial support for:

- The Anti-Doping and Medication Control (ADMC) Program that will be administered nationally by the Horseracing Integrity and Welfare Unit (HIWU);
- HISA's Racetrack Safety Program;
- HISA's technology build and maintenance to support all of its Programs; and
- HISA administration, including staff salaries and organizational operations.

The assessment also includes funding to defend the four lawsuits that have been filed challenging the constitutionality of HISA. To date, federal courts in both Texas and Kentucky have dismissed these claims as meritless. These cases have been appealed by the plaintiffs; further, there are additional cases pending in Louisiana and Texas alleging largely the same claims as asserted in the appealed cases. To date, HISA has spent over \$2.0 million defending these claims.

We have attached as Addendum 1 HISA's 2023 budget so that you may review the specific investments designated for each area of HISA's mandate.

Florida is eligible for the following monetary credits against the assessment if it chooses to provide services to HISA/HIWU:

- \$1,300,000 for HIWU-Authorized Collection Personnel in your state. The Florida Department of Pari-Mutuel Wagering (FDPMW) will be eligible to receive this full credit so long as it ensures that HIWU-Authorized Collection Personnel are provided to perform Race Day testing, as agreed to in a Voluntary Implementation Agreement with HIWU. Race Day Testing includes, but is not limited to, Post-Race Samples and TCO<sub>2</sub> testing and may include other collections conducted by HIWU-Authorized Collection Personnel on Race Days. This amount is calculated based on the current projections for the number of 2023 Race Days, thus may be adjusted if the number of Race Days changes.

- Please note that this credit may be reduced by HISA on a pro-rata basis if it has been determined by HIWU that the FDPMW has failed to materially satisfy its obligations in connection with the ADMC Program under any voluntary agreement entered into among HISA, HIWU and the FDPMW.
- An estimated potential of \$390,000 for additional HIWU-Authorized Collection Personnel in your state to conduct out-of-competition testing, not collected on Race Day. The FDPMW will be credited for the amount of out-of-competition testing conducted by HIWU-Authorized Collection Personnel, as agreed to by the FDPMW and HIWU.
- For the use of FDPMW investigative staff, costs and expenses in an amount agreed to between HIWU and the FDPMW. This can either be in the form of a credit or a direct reimbursement to the FDPMW.

Please take note of the fact that HISA's full jurisdiction over anti-doping and medication control enforcement means that, starting January 1, 2023, your state will not have any direct fiscal responsibilities related to anti-doping and medication control procedures for thoroughbred horses at Gulfstream Park and Tampa Bay Downs. For example, the FDPMW will not be responsible for laboratory fees or any legal expenses associated with prosecuting anti-doping and medication control violations or defending challenges to the ADMC Program. To put that in context, HIWU has budgeted \$1,675,000 in laboratory fees for samples collected at Florida racetracks (which is inclusive of associated sample collection equipment, shipping, and laboratory analysis).

HISA is committed to delivering a cost-effective world-class anti-doping and medication control program that takes advantage of efficiencies derived from a national, uniform approach. The budget approved by the HISA Board represents a careful balance between cost sensitivity and the fact that as an industry we have historically underinvested in safety and integrity. Nonetheless, we will approach the deployment of the ADMC Program with the appropriate fiscal conservatism and any overall budget surplus remaining at the end of the calendar year will be rolled over as a credit for 2024. In addition, HISA is seeking funding sources outside of the industry with the goal of easing the industry's burden for future years.

Finally, we recognize that HISA preempting and assuming the administration of Florida's anti-doping and medication control program is a monumental change for racing in Florida and we appreciate your support during the transition. Both HISA and HIWU wish to work collaboratively with your state to make the new arrangement a success, providing the quality of services the sport needs and deserves as efficiently as possible.

The deadline to advise HISA whether the state will opt-in to the financial assessment is November 16, 2022. Please be advised that while we would prefer that the state fully opt-in, HISA will accept partial payments from the state if that is your preference. Should Florida choose not to opt in, we will need the racetracks referenced above to submit their proposed Covered Person allocation for paying the assessment by December 10, 2022. Regardless of whether Florida opts in, HISA will accept payment in installments should that be preferred.

The attached Addendum 2 contains the specific amounts that would fall to each racetrack in Florida to cover should the FDPMW choose to opt-out and pass the financial assessments to the individual racetracks.



Addendum 3 provides a breakdown of all of the assessment costs by state and Addendum 4 provides a breakdown of all of the assessment costs by racetrack.

Should you wish to discuss any of these matters, I am available at your convenience.

Thank you for your kind consideration of the above.

Sincerely,

A handwritten signature in blue ink that reads 'Lisa J. Lazarus'.

Lisa Lazarus  
HISA CEO

cc: Joshua Adams, Gulfstream Park, [Joshua.adams@gulfstreampark.com](mailto:Joshua.adams@gulfstreampark.com)  
Peter Berube, Tampa Bay Downs, [pnb@tampabaydowns.com](mailto:pnb@tampabaydowns.com)



## VOLUNTARY IMPLEMENTATION AGREEMENT

THIS VOLUNTARY IMPLEMENTATION AGREEMENT (this “Agreement”) is entered into as of \_\_\_ day of \_\_\_\_\_ 2022, by and among the Horseracing Integrity and Safety Authority, Inc., a Delaware non-profit corporation whose mailing address is 401 West Main Street, Unit 222, Lexington, Kentucky 40507 (the “Authority”), the Horseracing Integrity & Welfare Unit, a division of Drug Free Sport, LLC (“Drug Free Sport”), a Delaware limited liability company whose mailing address is 2537 Madison Avenue, Kansas City, Missouri 64108 (the “Agency”), and the [name of entity] Commission, an agency of the [add state] state government whose mailing address is [add address] (the “Commission”). As used herein, the “Parties” shall mean the Authority, the Agency and the Commission, collectively; and a “Party” shall mean the Authority, the Agency or the Commission individually.

**WHEREAS** the Authority is a private, independent, self-regulatory, nonprofit corporation that was recognized for the purpose of developing and implementing a horseracing anti-doping and medication control program and a racetrack safety program for covered horses, covered persons, and covered horseraces by the Horseracing Integrity and Safety Act of 2020 (the “Act”);

**WHEREAS** Drug Free Sport, a worldwide leader in the sport drug testing industry who administers comprehensive drug testing programs, manages national and international collections, and develops drug testing policies for a wide range of organizations around the world, created an entity to act as the anti-doping and medication control enforcement agency under the Act and to develop and enforce an independent and uniform thoroughbred anti-doping and medication control program (“ADMC Program”);

**WHEREAS** the Agency was created to act as the anti-doping and medication control enforcement agency under the Act and to develop and enforce the ADMC Program;

**WHEREAS** the Commission is the independent agency of state government vested with jurisdiction to regulate the conduct of horse racing and pari-mutuel wagering on horse racing and related activities within the state of [add state] (the “State”);

**WHEREAS** 15 USC § 3054(e)(2) of the Act permits the Authority to enter into agreements with state racing commissions for services consistent with the enforcement of the racetrack safety program (the “Racetrack Safety Program”), and 15 USC § 3060 permits the Authority to enter into agreements with state racing commissions for services consistent with the enforcement of the ADMC Program;

**WHEREAS** 15 USC § 3054(e)(2)(A) of the Act permits the Agency to enter into agreements with state racing commissions for services consistent with the enforcement of the ADMC Program; and

**WHEREAS** the Authority has determined that the Commission has the ability to implement certain areas of the Racetrack Safety Program in accordance with the rules, standards, and requirements established by the Act and the Authority; and

**WHEREAS** the Authority and the Agency have determined that the Commission has the ability to implement certain areas of the ADMC Program in accordance with the rules, standards, and requirements established by the Act, the Authority, and the Agency.

**NOW THEREFORE**, in consideration of the covenants herein contained and other good and valuable consideration, the sufficiency of which is acknowledged, the Parties agree as follows:

**I. Racetrack Safety Program**

A. Medical Director OR Intentionally Omitted<sup>1</sup>. The **Commission/Executive Director of the Commission** names and appoints \_\_\_\_\_ as Medical Director of the State (the “Medical Director”). The Authority and the State agree that the Medical Director shall carry out the duties and responsibilities of the Medical Director set forth in the Racetrack Safety Program, including, but not limited to, the duties and responsibilities set forth in Rule 2132 of the Racetrack Safety Program. Any person named to replace the individual named as Medical Director herein shall possess the qualifications set forth in Rule 2132(a) Racetrack Safety Program.

B. Safety Director. The **Commission/Executive Director of the Commission** names and appoints \_\_\_\_\_ as Safety Director of the State (the “Safety Director”). The Authority and the State agree that the Safety Director shall carry out the duties and responsibilities of the Safety Director set forth in the Racetrack Safety Program, including, but not limited to, the duties and responsibilities set forth in Rule 2131 of the Racetrack Safety Program. Any person named to replace the individual named as Safety Director herein shall possess the necessary qualifications to perform the duties and responsibilities set forth in Rule 2131 of the Racetrack Safety Program.

C. Stewards. The **Commission/Executive Director of the Commission** agrees that the stewards [**tailor to specific jurisdictions**] shall enforce the safety regulations set forth in the Rule 2200 Series of the Racetrack Safety Program. The Commission further agrees that the stewards shall also serve in the adjudicatory capacities set forth in the Rule Series 8000, “Enforcement Rules.”

D. Regulatory Veterinarian. The **Commission/Executive Director of the Commission** names and appoints \_\_\_\_\_ as

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<sup>1</sup> The Medical Director position is optional for the Commission to furnish. If the Commission does not elect to name and appoint a qualified individual, then the applicable jurisdiction can utilize the Authority’s Medical Director program.

Regulatory Veterinarian of the State (the “Regulatory Veterinarian”). The Authority and the State agree that the Regulatory Veterinarian shall carry out the duties and responsibilities of the Regulatory Veterinarian set forth in the Racetrack Safety Program, including, but not limited to, the duties and responsibilities set forth in Rule 2135 of the Racetrack Safety Program. Any person named to replace the individual named as Regulatory Veterinarian herein shall possess the qualifications set forth in Rule 2134(a) Racetrack Safety Program.

E. Emergency Warning Systems. The Commission agrees to inspect and approve the racetrack emergency warning systems in use on all racing and training tracks at each racetrack under the jurisdiction of the Commission, as set forth in Rule 2153 of the Racetrack Safety Program. The Commission further agrees to provide the Authority with periodic reports concerning the racetrack emergency warning systems on forms prescribed by the Authority.

F. Trainers Test. The Commission agrees to require the use of the Authority’s uniform National Trainers Test, as set forth in Rule 2181. Upon request by the Authority, the Commission shall provide documentation of satisfactory completion of the test for individual licensees.

G. Training Opportunities. The Commission agrees to identify existing, or provide locally, training opportunities for all Racetrack employees having roles in Racetrack safety or direct contact with Covered Horses, as set forth in Rule 2182 of the Racetrack Safety Program. The Commission further agrees that the Authority may request and review information pertaining to the training opportunities available to racetrack employees as specified in Rule 2182 of the Racetrack Safety Program.

H. Testing Program. The Commission agrees to maintain a testing program for drugs and alcohol for Jockeys, as set forth in Rule 2191 of the Racetrack Safety Program. The Commission further agrees to submit the protocol for the testing program to the Authority. Upon request by the Authority, the Commission shall share with the Authority information pertaining to positive tests of individual Jockeys and shall make periodic reports concerning the testing program as directed by and on forms prescribed by the Authority.

I. Concussion Management. The Commission agrees to implement a concussion management program for Jockeys, as set forth in Rule 2192 of the Racetrack Safety Program. The Commission further agrees to submit the protocol for the concussion management program to the Authority.

J. Racetrack Safety Program Scope of Work. The scope of work and reporting obligations for the Racetrack Safety Program under this Agreement are those set forth in the Rule 2000 Series, “Racetrack Safety and Accreditation,” and any additional policies and procedures implemented by the Authority which are consistent with the Act and any regulations approved by the Federal Trade Commission pursuant to the Act (“HISA Policies”). Copies of HISA Policies will be communicated to the Commission. The Commission agrees to provide

performance metrics in reasonable detail and at reasonable intervals on forms to be prescribed by the Authority.

K. Indemnification. The Authority expressly agrees to indemnify and hold harmless the Commission and its agents or employees from and against any and all claims, loss, damages, injury, liability and costs, including but not limited to reasonable attorneys' fees and court costs, resulting from, or arising out of, the Racetrack Safety Program Scope of Work as defined in this Agreement, except to the extent that such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by, or result from, the breach of this Agreement by, or the negligence, willful misconduct, or intentional acts or omissions of, the Commission or its employees or agents. Any enforcement actions related to the Racetrack Safety Program Scope of Work will be the responsibility of and will be defended by the Authority. Any appeals or challenges to actions taken by Commission agents or employees when enforcing the Act or federal rules or regulations promulgated pursuant to the Act will proceed pursuant to the enforcement rules of the Act and will be defended by the Authority. Notwithstanding anything set forth in this Agreement to the contrary, this Agreement shall not be construed to waive any immunity under applicable state law, including, but not limited to, sovereign immunity, possessed by the Commission and its agents, contractors, or employees.

## II. ADMC Program

### A. ADMC Program Testing.

(1) The Commission agrees that the personnel currently used to conduct collections for thoroughbred race horses in the State (including, but not limited to, its employees and/or contractors) will conduct Sample collections in the State for, and under the authority of, the Agency pursuant to Rule Series 3000, "Equine Anti-Doping and Controlled Medication Protocol," including, but not limited to, the regulations under Rule 3130 (Testing & Investigations), and Rule Series 5000, "Equine Testing and Investigation Standards," of the ADMC Program, including, but not limited to, Post-Race Samples, Post-Work Samples, and [Out-of-Competition Samples] (the "Agency Samples"). Pursuant to Rule 5450, the Agency will authorize these personnel (the "Agency-Authorized Collection Personnel") to conduct sample collections for the ADMC Program.

(2) Testing Liaison. The Commission/Executive Director of the Commission names and appoints \_\_\_\_\_ as HIWU Testing Liaison of the State (the "HIWU Testing Liaison"). The Agency and the State agree that the Testing Liaison shall be the point-of-contact with the Agency for (a) the scheduling of the collections of Agency Samples by Agency-Authorized Collection Personnel, (b) any problems or issues that arise during collections of Agency Samples by Agency-Authorized Collection Personnel, and (c) the delivery of any notice required under Rule Series 3000, "Equine Anti-Doping and Controlled Medication Protocol," to individuals present at racetracks or training facilities in the State. Any

person named to replace the individual named as HIWU Testing Liaison shall be confirmed in written notice to the Agency.

(3) The Commission agrees that Agency-Authorized Collection Personnel will comply with the policies, procedures and instructions of the Agency while conducting the Sample collections for Agency Samples. With the exception of scheduling for Agency-Authorized Collection Personnel and monitoring Agency-Authorized Collection Personnel when they are carrying out responsibilities in accordance with the ADMC Program, the Commission agrees that it will not, in any way, be involved in the collection of Agency Samples, including, but not limited to, instructing or directing such State Sample Collection Personnel on which horses should be selected for testing at a given race or event, unless authorized by the Agency to do so. The Commission agrees that only Agency-Authorized Collection Personnel will be involved in the collection of Agency Samples, including giving directions and instructions to other Agency-Authorized Collection Personnel with respect to how to conduct any portion of a Sample collection.

(3) The Commission understands that, under the Act, no testing of thoroughbred horses will occur in the State unless it is at the direction of the Agency or has been authorized in advance and in writing by the Agency. No testing will occur pursuant to this Agreement prior to January 1, 2023.

B. ADMC Program Investigations.

(1) The Commission agrees that personnel currently used to conduct investigations in the State (including, but not limited to, its employees and/or contractors) will conduct investigations in the State (the “State Investigative Personnel”) for, and at the direction of, the Agency pursuant to Rule Series 3000, “Equine Anti-Doping and Controlled Medication Protocol,” including, but not limited to, the regulations under Rule 3130 (Testing & Investigations), and Rule Series 5000, “Equine Testing and Investigation Standards,” including the regulations under Rule 5700 (Standards for Investigations) of the ADMC Program (the “Agency Investigations”).

(2) Investigations Liaison. The **Commission/Executive Director of the Commission** names and appoints \_\_\_\_\_ as Investigations Liaison of the State (the “Investigations Liaison”). The Agency and the State agree that the Investigations Liaison shall be the point-of-contact with the Agency for the scheduling of any investigatory work requested by the Agency pursuant to subparagraph (1) above. Any person named to replace the individual named as Investigations Liaison shall be confirmed in written notice to the Agency.

(3) The Commission agrees that State Investigative Personnel will comply with the policies, procedures and instructions of the Agency while conducting these Agency Investigations, and the Commission will not, in any way, be involved in decision-making in

connection with these Agency Investigations, including, but not limited to, instructing or directing such State Investigative Personnel on which individuals or horses should be investigated, or when or where to conduct an Agency Investigation.

(3) The Commission understands that, under the Act, no investigation, including, but not limited to, any interviews or searches of any kind, will be conducted in the State relating to any thoroughbred horse unless it is at the direction of the Agency. No Agency Investigations will occur pursuant to this Agreement prior to January 1, 2023.

C. Access to Racetracks. The Commission agrees that any individual who presents a credential or letter of authorization issued by the Agency will be permitted access to any racetrack in the State at which thoroughbred horses compete, and such access will include all areas of the racetracks, including, but not limited to, the backside.

D. Regulatory Veterinarian. As set forth in Paragraph I.D above, the Commission names and appoints **[add name of veterinarian]** as the Regulatory Veterinarian. The Parties agree that the Regulatory Veterinarian shall carry out the duties and responsibilities of the Regulatory Veterinarian set forth in the ADMC Program, including, but not limited to, the duties and responsibilities set forth in Rule Series 3000, “Equine Anti-Doping and Controlled Medication Protocol,” and Rule Series 5000, “Equine Testing and Investigation Standards.” Any person named to replace the individual named as Regulatory Veterinarian herein shall possess the qualifications set forth in Rule 2134(a) of the Racetrack Safety Program under the Act, and such replacement requires the prior written approval of the Agency.

E. Additional Testing.

(1) In addition to any Agency Samples collected at the direction of the Agency, the Commission may, under Rule 3132 (Authority to Test), request additional samples be collected from thoroughbred horses present in the State. Any such request must be made in writing to the Agency (attention: Kate Mittelstadt, Chief of Operations at HIWU@hiwu.org) and must include all the specific details of the requested testing (e.g., sample types, dates, location, rationale).

(2) The Agency may, in its absolute discretion, approve or reject the request. If the request is rejected, the Commission agrees that the requested testing will not be conducted by any person, organization, or entity within its authority or control. If the request is granted, (i) the Agency will determine which sample collection personnel will conduct the testing (i.e., Agency-Authorized Collection Personnel or personnel retained by the Agency), (ii) the collections will comply with Rule Series 3000, “Equine Anti-Doping and Controlled Medication Protocol,” and Rule Series 5000, “Equine Testing and Investigation Standards,” and (iii) all of the results of such testing will be sent to, and processed by, the Agency pursuant to Rule Series 3000, “Equine Anti-Doping and Controlled Medication Protocol,” including all of the regulations in Rules 3240 and 3340 (Results Management)

(3) For each calendar year in which additional testing in the State is approved and conducted pursuant to this Paragraph II.E, the Commission agrees to cover the following expenses for such additional testing: the actual cost for collection personnel, equipment, shipping, and laboratory expenses, plus an administrative fee of 7%.

F. Testing Laboratories.

(1) For the 2023 calendar year, the Commission agrees that Agency Samples will be sent to, and the Agency Samples which are “A” samples will be analyzed by, [add laboratory] (the “State-Appointed Testing Laboratory”). For each subsequent year of this Agreement, the Commission will appoint the State-Appointed Testing Laboratory by the September 30 of the prior year (e.g., September 30, 2023 for 2024) by providing written notice of the appointment to the Agency. The State-Appointed Testing Laboratory must be a laboratory accredited by the Agency.

(2) The Commission understands that, under the Act, any analysis performed on Agency Samples which are “B” Samples will be sent to, and analyzed by, a laboratory selected by the Agency that is different from the State-Appointed Testing Laboratory.

(3) Notwithstanding any laboratory selection made by the Commission pursuant to subparagraph (1) above, if the laboratory selected by the Commission cannot adequately analyze any Agency Sample for any specific substance or method requested by the Agency, the Commission understands that, under the Act, the Agency may have the Samples (both “A” and “B”) sent to a different laboratory of the Agency’s choosing. The Commission also understands that the Agency has the authority to direct further analysis on all Agency Samples at its discretion.

G. Credits/Reimbursement [term used to be discussed] for Testing.

(1) The Commission agrees that, for the 2023 calendar year, it will receive the credit/reimbursement established by the Authority in its 2023 assessment to the Commission, dated October 17, 2022, which will be applied to the amount paid to the Authority for that calendar year in connection with the funding required to be paid by the State to the Authority under the Act (the “State Testing Credit/Reimbursement”). The State Testing Credit/Reimbursement is an estimated amount for costs, including the costs of Agency-Authorized Collection Personnel required for the guaranteed minimum of Race Day testing, including Post-Race and TCO2 testing, as well as additional Post-Work, Vet’s List and/or out-of-competition testing all conducted on Race Days. These costs include travel, per diem and other direct and actual costs associated with the collections conducted by Agency-Authorized Personnel

(2) The Commission shall be eligible to receive an additional credit/reimbursement reflecting the costs for any Agency-Authorized Collection Personnel who conduct additional out-of-competition testing outside of Race Day for the Agency during the term of this Agreement.

(3) In each subsequent year of this Agreement, the Agency will provide the State with the annual State Testing Credit/Reimbursement by the November 1 of the previous year (e.g., November 1, 2023 for 2024).

(4) The Commission agrees that by October 1 of each calendar year of the Agreement it will provide the Agency with a list of the thoroughbred racing days to be held in its State in the subsequent calendar year, including dates, locations, and number of races each day. The Commission also agrees to provide the Agency with prompt notice of any changes to this list.

H. Reimbursement for Investigations. The Agency agrees to reimburse the Commission for any actual costs or expenses incurred in connection with any Agency Investigation in the State conducted pursuant to Paragraph II.B above. The Commission agrees to invoice the Agency quarterly for such costs and expenses. [Or an additional credit]

I. Training Opportunities. The Commission agrees to identify existing, or provide locally, training opportunities for all Agency-Authorized Collection Personnel and State Investigations Personnel to be organized in conjunction with the Agency. The Commission further agrees that the Agency may request and review information pertaining to the training opportunities available to Agency-Authorized Collection Personnel and State Investigations Personnel.

J. Arbitration Procedures. The Commission understands that, under the Act, any anti-doping rule or controlled medication rule violations alleged to have occurred in the State will be processed pursuant to Rule Series 7000, "Arbitration Procedures," and that, under these regulations, alleged anti-doping rule violations will be heard by the Arbitral Body and alleged controlled medication rule violations will be heard by the Internal Adjudication Panel. The Commission agrees that its employees, consultants and other agents (including, but not limited to, Agency-Authorized Collection Personnel and State Investigative Personnel) will cooperate with any process or proceeding conducted pursuant to the Arbitration Procedures, including, but not limited to, providing documents and testimony in connection with the case or matter.

K. ADMC Program Scope of Work.

(1) The scope of work and reporting obligations for the ADMC Program ("State Requirements") under this Agreement are those set forth in the Rule Series 3000, "Equine Anti-Doping and Controlled Medication Protocol," Rule Series 5000, "Equine Testing and Investigation Standards," and any additional policies and procedures implemented by the Agency which are consistent with the Act and any regulations approved by the Federal Trade Commission pursuant to the Act ("HIWU Policies"). Copies of HIWU Policies will be



communicated to the Commission. General State Requirements are set forth on Exhibit A to this Agreement.

(2) The Commission understands that Agency-Authorized Collection Personnel must acquire and maintain certification from the Agency in order to be permitted to conduct collections of Agency Samples. The Commission agrees to provide information relating to the compliance of its Agency-Authorized Collection Personnel with the Rule Series 3000, “Equine Anti-Doping and Controlled Medication Protocol,” Rule Series 5000, “Equine Testing and Investigation Standards,” and HIWU Policies at reasonable intervals and on forms to be specified by the Agency.

(3) The Commission agrees to provide the Agency with (a) a certification that all Agency-Authorized Collection Personnel have satisfactorily completed a background check within a completion date no earlier than January 1, 2022, and (b) completed conflict of interest statements (in a form specified by the Agency) from all Agency-Authorized Collection Personnel. The Commission understands that the requirements of subparagraphs (a) and (b) are a condition of certification of Agency-Authorized Collection Personnel by the Agency.

(4) If at any time during the term of this Agreement, the Agency, with good cause, believes that any individual Agency-Authorized Collection Personnel or State Investigative Personnel is not satisfying the requirements set forth in this Agreement, it shall notify the Commission of the reasons for its good faith basis in writing. The Commission agrees to take any necessary action to promptly correct the non-compliant conduct or prevent any future non-compliance to the satisfaction of the Agency. If the individual at issue continues to be non-compliant, or if the initial conduct was so egregious as to warrant removal (as determined by the Agency in its sole discretion), then the Agency may revoke the individual’s certification and require the Commission to cease assigning said individual to perform further services under this Agreement. The Commission shall promptly comply with such request. Any action by the Agency under this Paragraph shall in no way affect the employment status of any individual and shall in no way impair the Commission’s right to continue to employ such individual. The Agency acknowledges that Agency-Authorized Collection Personnel and State Investigative Personnel are not employees of the Agency.

L. Information Sharing.

(1) The Commission agrees that it will provide the Agency, on a timely basis, with any information, documentation, or evidence that it receives or discovers relating to possible violations of the ADCM Program.

(2) The Agency agrees that it will provide the Commission, on a timely basis, with any information, documentation, or evidence that it receives or discovers relating to possible violations of the State’s laws, regulations, or rules applicable to racing horses other than thoroughbred racehorses.

(3) In addition to any notifications required by the Act to be made by the Agency to the Commission, the Agency will make its best efforts to notify the Commission of negative tests from the Agency Samples that are “A” Samples for a specific Race Day within three (3) business days of the Agency’s receipt of those results from the State-Appointed Testing Laboratory. This notification will be made by email to [add state individual and email address] once all of the results for that day have been received by the Agency. To the extent that the Commission has any authority concerning the purse account, the Commission agrees that all purses will be held until this notification of results is received by the Commission from the Agency.

M. Confidentiality. The Commission agrees that the content of any notices, including EAD Notices under Rule 3245 and ECM Notices under Rule 3345, received by it from the Agency pursuant to the Rule Series 3000, “Equine Anti-Doping and Controlled Medication Protocol,” (the “Confidential Information”) will not be publicly disclosed by the Commission or its officers, directors, employees, or agents unless and until (a) that information has been publicly disclosed by the Agency pursuant to the requirements of the Act, or (b) the Agency has given written consent for the information to be disclosed. In addition, the Commission agrees not to disclose the Confidential Information to any person other than to such of its officers, directors, employees, or agents who have a need to know and who agree to be bound by the confidentiality provisions hereof. The Commission agrees that it will be responsible for any breach of this Agreement by its officers, directors, employees, or agents.

N. Indemnification. The Authority expressly agrees to indemnify and hold harmless the Commission and its employees or agents from and against any and all claims, loss, damages, injury, liability and costs, including, but not limited to, reasonable attorneys’ fees and court costs, resulting from, or arising out of, the ADMC Program Scope of Work as defined in Paragraph II.K above, except to the extent that such liability, loss, expense, attorneys’ fees, or claims for injury or damages are caused by, or result from, the breach of this Agreement by, or the negligence, willful misconduct, or intentional acts or omissions of, the Commission or its employees or agents. Any enforcement actions related to the ADMC Program Scope of Work will be the responsibility of, and will be defended by, the Authority and the Agency. Any appeals or challenges to actions taken by Commission employees or agents when enforcing the Act or federal rules or regulations promulgated pursuant to the Act will proceed pursuant to the enforcement rules of the Act and will be defended by the Authority and the Agency. Notwithstanding anything set forth in this Agreement to the contrary, this Agreement shall not be construed to waive any immunity under applicable state law, including, but not limited to, sovereign immunity, possessed by the Commission and its agents, contractors, or employees.

### **III. General Provisions**

#### **A. Term and Termination.**

(1) This Agreement shall be effective (the “Effective Date”) on the first business day following the full execution of this Agreement by the Parties, or if further approvals are required under applicable state law, the later to occur of: (i) the approval of this Agreement by the Commission; and (ii) the approval of any other state agency, commission, board or authority for which approval is required under state law. If the Effective Date does not occur on or before January 1, 2023, this Agreement shall terminate and be of no force or effect.

(2) This Agreement may be terminated by any Party upon one hundred twenty (120) days written notice.

(3) This Agreement may be terminated by the Agency upon sixty (60) days written notice if the Agency has determined, in good faith, that the Commission, Agency-Authorized Collection Personnel, or State Investigative Personnel have failed to substantially comply with the requirements of Rule Series 3000, “Equine Anti-Doping and Controlled Medication Protocol,” Rule Series 5000, “Equine Testing and Investigation Standards,” or any HIWU Policy. Any written notice provided pursuant to this subparagraph shall include the basis for the Agency’s determination.

(4) If any Party defaults in a material obligation under this Agreement and continues in default for a period of thirty (30) days after written notice of default is given to it by another Party, the other Party may terminate and cancel this Agreement, immediately upon written notice of termination given to the defaulting Party.

(5) If this Agreement is terminated pursuant to this Paragraph III.A, (a) any State Testing Credit/Reimbursement provided to the Commission pursuant to Paragraph II.G above will be reduced on a pro-rata basis, (b) the certification of all Agency-Authorized Collection Personnel will be revoked by the Agency, and (c) the Agency will, pursuant to the Act, take direct control of all anti-doping and controlled medication testing and investigative operations in the State with respect to Covered Horses.

B. Notices. All notices required to be provided hereunder shall be in writing and shall be deemed delivered if (1) sent by facsimile, upon confirmation of faxing, (2) if sent by overnight courier, by the date after mailing, (3) if by hand delivery, upon actual receipt or (4) if by certified mail, return receipt requested and postage prepaid, on the third business day after deposit in the mails, to the addressee set forth below (with a copy emailed to the email addresses set forth below) or at such other location as such Party notifies the other pursuant to this provision.

If to the Authority:

401 West Main Street, Unit 222  
Lexington, Kentucky 40507  
Attention: Lisa Lazarus  
lisa.lazarus@hisaus.org

with a copy to:

Ransdell Roach & Royse PLLC  
176 Pasadena Drive, Building One  
Lexington, Kentucky 40502  
Attention: John C. Roach  
john@rrrfirm.com

If to the Agency:

2537 Madison Avenue  
Kansas City, MO 64108  
Attention: Ben Mosier,  
Executive Director  
bmosier@hiwu.org

with a copy to:

Michelle Pujals,  
HIWU General Counsel  
mpujals@hiwu.org

If to the Commission:

\_\_\_\_\_  
\_\_\_\_\_

Attention: \_\_\_\_\_

with a copy to:

\_\_\_\_\_  
\_\_\_\_\_

Attention: \_\_\_\_\_

C. Severability. If any part of this Agreement is determined to be invalid or illegal by any court or agency of competent jurisdiction, then that part shall be limited or curtailed to the extent necessary to make such provision valid, and all other remaining terms of this Agreement shall remain in full force and effect.

D. Entire Agreement. This Agreement constitutes the entire agreement among the Parties and supersedes all prior and contemporaneous agreements and understandings, whether written or oral, among the Parties with respect to the subject matter hereof.

E. Amendment and Waiver. This Agreement may be modified or amended only in a writing signed by all Parties. A Party's failure to act hereunder shall not indicate a waiver of its rights hereto. No waiver of any provision of this Agreement shall be valid unless made in writing and signed by the waiving Party. The failure of any Party to require the performance of any term or obligation of this Agreement or the waiver by any Party of any breach of this Agreement shall not prevent any subsequent enforcement of such term and shall not be deemed a waiver of any subsequent breach.

F. Governing Law. This Agreement shall be governed by, and construed and interpreted in accordance with, the laws of the state of **[add State]**, without regard to its conflicts of laws principles.

G. Assignability. The Agency may assign this Agreement to an affiliate, a successor in connection with a merger, acquisition, or consolidation, or to the purchaser in connection with the sale of all or substantially all of Service Provider's assets without notice to the Commission. This Agreement and all of the terms and provisions hereof will be binding upon, enforceable against, and will inure to the benefit of, the Parties hereto and their respective successors and assigns.

H. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one instrument. Any signature page delivered by facsimile, telecopy machine, portable document format (.pdf) or email shall be binding to the same extent as an original.

I. Headings; Interpretation. The headings in this Agreement have been included solely for ease of reference and shall not be considered in the interpretation or construction of this Agreement. All references herein to the masculine, neuter or singular shall be construed to include the masculine, feminine, neuter or plural, as appropriate.

IN WITNESS WHEREOF, the undersigned have executed this Voluntary Implementation Agreement as of date first written above.

HORSERACING INTEGRITY AND SAFETY AUTHORITY, INC.

By: \_\_\_\_\_

Name: Lisa Lazarus  
Title: Chief Executive Officer

HORSERACING INTEGRITY & WELFARE UNIT,  
A DIVISION OF DRUG FREE SPORT, LLC

By: \_\_\_\_\_

Name: Ben Mosier  
Title: Executive Director

**[Add State Entity]**

By: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

## EXHIBIT A

### STATE REQUIREMENTS

The State Requirements set forth below are general in nature and for illustrative purposes only. More specific requirements will be set forth in the HIWU Policies.

[List of responsibilities will be finalized before execution]

- Race Day collection personnel (at a minimum, 1 Vet, 1 Vet Tech, 1 Test Barn Supervisor, and 5 assistants (with responsibilities including notifications, urine collections, and chaperoning))
- Security guard for Test Barn
- Collection personnel for Vets' List and Post-Workout Testing (including at least 1 Vet)
- Scheduling of personnel for Race Day, Vets' List and Post-Workout Testing
- Notification (within 48 hours) to Agency of Vets' List and Post-Workout Testing
- Collection personnel for Out-of-Competition Testing (if applicable)
- Coordination of shipping of Agency Samples to selected laboratories
- Investigative staff for service of notices and accompanying searches
- Investigative staff for other tasks as requested by the Agency
- Coordination of Stewards to assist with directing the selection of horses to the Test Barn on Race Days pursuant to HIWU Policies
- Coordination of training and certification of collection personnel
- Coordination of training and certification of investigations personnel
- Minimum employment and workers' compensation insurance policies required by law
- Required work permits/authorizations for collection and investigations personnel]

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE FLORIDA DIVISION OF PARI-MUTUEL WAGERING AND  
THE HORSERACING INTEGRITY AND SAFETY AUTHORITY, INC.**

This Memorandum of Understanding (this "Agreement") is entered into as of 28 day of June 2022, (the "Effective Date"), by and between the Horseracing Integrity and Safety Authority, Inc., a Delaware nonprofit corporation, whose mailing address is 401 West Main Street, Unit 222, Lexington, Kentucky 40507 (the "Authority"), and the Florida Division of Pari-Mutuel Wagering, whose mailing address is 2601 Blair Stone Road, Tallahassee, Florida 32399 (the "Division"). As used herein, the term "Parties" shall mean the Authority and the Division, collectively; and a "Party" shall mean either the Authority or the Division individually.

**WHEREAS** the Authority is a private, independent, self-regulatory, nonprofit corporation that was recognized for the purpose of developing and implementing a horseracing anti-doping and medication control program and a racetrack safety program for covered horses, covered persons, and covered horseraces by the Horseracing Integrity and Safety Act of 2020 (the "Act");

**WHEREAS** the Division is the authority vested with jurisdiction to regulate the conduct of horseracing and pari-mutuel wagering on horseracing and related activities within the state of Florida (the "State");

**WHEREAS** 15 U.S.C § 3054(e)(2)(A)(i) of the Act permits the Authority to enter into agreements with state racing authorities for services consistent with the enforcement of the racetrack safety program; and

**WHEREAS** the Authority has determined, in accordance with 15 U.S.C. § 3060(a)(1), that the Division has the ability to implement certain areas of the racing safety program in accordance with the rules, standards, and requirements established by the Authority.

**NOW THEREFORE**, in consideration of the covenants herein contained and other good and valuable consideration, the sufficiency of which is acknowledged, the Parties agree as follows:

1. **Purpose and Definitions.** The terms used in this Agreement shall mean the same as they are defined in Horseracing and Integrity and Safety Act, 15 U.S.C. §§ 3051-3060, and the Authority's proposed Racetrack Safety Rule, 87 Fed. Reg. 435-459 (Jan. 5, 2022).<sup>1</sup> The Authority and Division hereby enter into this Agreement, described in 15 U.S.C. §

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<sup>1</sup> In this Agreement, references to individual rules of the Authority's proposed Racetrack Safety Rule are designated "Rule" followed by the appropriate number(s), e.g., Rule 1234.



3054(e)(2)(A)(i), to delineate the guidelines under which the Parties will cooperate to enforce specified portions of the Authority's racetrack safety program.

2. Medical Director. The Authority shall appoint and employ a Medical Director for the State who shall carry out the duties and responsibilities set forth in Rule 2132 of the Racetrack Safety Program.

3. Safety Director. On or before July 1, 2022, the Racetracks shall implement the requirements of Rule 2131, and name and appoint a Safety Director who shall carry out the duties and responsibilities set forth in Rule 2131 of the Racetrack Safety Program. The appointment of a Safety Director by the Racetracks shall be subject to approval of the Racetrack Safety Committee in accordance with Rule 2131(b).

4. Stewards. The Division names and appoints its current stewards as the stewards for the state of Florida under Rule 2133. The Division reserves the right to hire additional stewards, if needed, which will also serve as stewards for purposes of Rule 2133. Any steward hired by the Division after the effective date of this agreement shall have the same authority as those stewards that were named and appointed previously. The Division will ensure that all stewards meet the requirements of Rule 2133(a)-(c), as well as enforce the safety regulations set forth in Rules 2200 through 2293. The Authority agrees to provide training and guidance to the stewards at the Authority's expense, on the enforcement of Rules 2200 through 2293. The Authority agrees that any steward hired by the Division after the effective date of this agreement will not need to be approved and this agreement will not need to be amended. The Racetracks shall name and appoint stewards, subject to approval of the Racetrack Safety Committee, to serve with the Division steward making up a board of three. The enforcement of Rules 2200 through 2293 by the stewards shall constitute action of the Authority. The Division will not take final agency action regarding the enforcement of Rules 2200 through 2293.

5. Regulatory Veterinarian. The Division names and appoints its current veterinarians as the Regulatory Veterinarians for the state of Florida under Rule 2134. The Division reserves the right to hire additional veterinarians, if needed, which will also serve as Regulatory Veterinarians for purposes of Rule 2134. Any veterinarian hired by the Division after the effective date of this agreement shall be deemed a Regulatory Veterinarian under Rule 2134. The Authority agrees that any veterinarian hired by the Division after the effective date of this agreement will not need to be approved and this agreement will not need to be amended. The Division will ensure that all Regulatory Veterinarians meet the requirements of Rule 2134(a)(1)-(5), as well as carry out only the specific duties enumerated in Rule 2135(a) (1), (5) and (11). In accordance with Rule 2135(b), the Association Veterinarian will perform the specific duties outlined in Rule 2135(a) (2)-(4), and (6)-(10).

6. Emergency Warning Systems. Once the Authority, or the Racetrack Safety and Welfare Committee, approves a covered racetrack's emergency warning system, as described in

Rule 2153(d), the Division shall ensure the covered racetrack maintains the approved emergency warning system. Furthermore, the Division agrees to ensure that the covered racetrack tests its approved emergency warning system as described in Rule 2153(d)(2). The Division shall report its findings regarding a covered racetrack's maintenance and testing of its approved emergency warning system as described in Section 11 of this Agreement.

7. Uniform National Trainers Test. The Authority agrees to develop and provide the Division with a uniform National Trainers Test ("test") as described in Rule 2181. The Division agrees to encourage the covered racetracks to administer the test and make successful passage of the test a condition for entry of a covered horse.

8. Training Opportunities. The Division agrees to provide reasonable notice of training opportunities made available by the Authority or industry organizations to all Florida licensed racetrack employees that have roles in racetrack safety or direct contact with covered horses.

9. Jockey Drug and Alcohol Testing. Once the Authority, or the Racetrack Safety Committee, approves a covered racetrack's jockey drug and alcohol testing program ("testing program"), as described in Rule 2191, the Division shall ensure the covered racetrack abides by the terms of the approved testing program. The Division shall report its findings regarding a covered racetrack's compliance with its approved testing program as described in Section 11 of this Agreement.

10. Concussion Management. Once the Authority, or the Racetrack Safety Committee, approves a covered racetrack's concussion management program ("concussion program"), as described in Rule 2192, the Division shall ensure the covered racetrack abides by the terms of the approved concussion program. The Division shall report its findings regarding a covered racetrack's compliance with its approved concussion program as described in Section 11 of this Agreement.

11. Reports. The Division shall report its findings, as described in Sections 6, 9, 10, supra, to the Authority, on a routine basis. The Division agrees to make every reasonable effort to notify the Authority as soon as possible of any immediate and serious danger to the public health, safety, or welfare caused by the continued operation of a covered racetrack.

12. Term and Termination.

(a) This Agreement may be terminated by either Party upon 60 days written notice.

(b) If either Party defaults in a material obligation under this Agreement and continues in default for a period of 30 days after written notice of default is given to it by the other Party, the other Party may terminate and cancel this Agreement, immediately upon written notice of termination given to the defaulting Party.

13. Notices. All notices required to be provided hereunder shall be in writing and shall be deemed delivered if (a) sent by facsimile, upon confirmation of faxing, (b) if sent by overnight courier, by the date after mailing, (c) if by hand delivery, upon actual receipt or (d) if by certified mail, return receipt requested and postage prepaid, on the third business day after deposit in the mails, to the addressee as follows or at such other location as such Party notifies the other pursuant to this provision:

If to the Authority:

401 West Main Street, Unit 222  
Lexington, Kentucky 40507  
Attention: Lisa Lazarus

If to the Division:

2601 Blair Stone Rd.  
Tallahassee, Florida 32303  
Attention: Joe Dillmore

14. Severability and Invalidation. If any part of this Agreement is determined to be invalid or illegal by any court or agency of competent jurisdiction, then that part shall be limited or curtailed to the extent necessary to make such provision valid, and all other remaining terms of this Agreement shall remain in full force and effect. If any portion of the Authority's proposed Racetrack Safety Rule is not formally adopted in the Code of Federal Regulations or if any portion of the Racetrack Safety Rule, after it is codified in the Code of Federal Regulations, is invalidated in any way, the Division will have no obligation to carry out any duties specified in this Agreement related to that portion.

15. Amendment and Waiver. This Agreement may be modified or amended only in a writing signed by both Parties. A Party's failure to act hereunder shall not indicate a waiver of its rights. No waiver of any provision of this Agreement shall be valid unless made in writing and signed by the waiving Party. The failure of either Party to require the performance of any term or obligation of this Agreement or the waiver by either Party of any breach of this Agreement shall not prevent any subsequent enforcement of such term and shall not be deemed a waiver of any subsequent breach.

16. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one instrument. Any signature page delivered by facsimile, telecopy machine, portable document format (.pdf) or email shall be binding to the same extent as an original

17. Entire Agreement. This Agreement constitutes the entire agreement between the Parties and supersedes all prior and contemporaneous agreements and understandings, whether written or oral, between the Parties with respect to the subject matter hereof.

18. Headings; Interpretation. The headings in this Agreement have been included solely for ease of reference and shall not be considered in the interpretation or construction of this Agreement. All references herein to the masculine, neuter or singular shall be construed to include the masculine, feminine, neuter or plural, as appropriate.

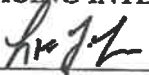
19. Governing Law and Venue. This Agreement shall be governed by, and construed and interpreted in accordance with, the laws of the State of Florida, without regard to its conflicts of laws principles.

20. Indemnification. The Authority agrees to indemnify the Division for any and all costs associated with litigation or liability related to the discharge of the Division's duties as described in this Agreement, so long as the acts for which indemnity is sought are not negligent or beyond the scope of this Agreement. These costs may include, but are not limited to, civil or administrative challenges to the Division's authority to act in accordance with the provisions of this Agreement.

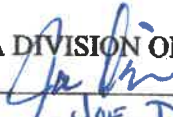
[Signature page follows]

IN WITNESS WHEREOF, the undersigned have executed this Services Agreement as of date first written above.

HORSERACING INTEGRITY AND SAFETY AUTHORITY, INC.

By:   
Name: LISA LAZARUS  
Title: CEO

FLORIDA DIVISION OF PARI-MUTUEL WAGERING

By:   
Name: JOE DILLMORE  
Title: DIRECTOR

# HISA

## 2023 Summary Budget

| Acct #                            | Account Name                       |    |              |
|-----------------------------------|------------------------------------|----|--------------|
| <b>Revenue</b>                    |                                    |    |              |
| 4810                              | Investment Interest & Dividends    | \$ | -            |
| 4200                              | State Racetrack Fees               | \$ | -            |
| Total Revenue                     |                                    | \$ | -            |
| <b>Expenses</b>                   |                                    |    |              |
| 5200                              | Salaries                           | \$ | 4,106,500    |
| 5210                              | Payroll Tax Expense                | \$ | 322,745      |
| 5290                              | Other Employee Benefits            | \$ | 393,860      |
| 5300                              | Temporary Staffing                 | \$ | -            |
| 5310                              | Board & Committee Compensation     | \$ | 36,000       |
| 5410                              | Rent                               | \$ | 97,200       |
| 5420                              | Telecommunications                 | \$ | 12,000       |
| 5430                              | Meeting Expenses                   | \$ | 161,000      |
| 5440                              | Travel                             | \$ | 463,000      |
| 5480                              | Interest Expense                   | \$ | -            |
| 5490                              | Bank & Credit Card Fees            | \$ | 2,640        |
| 5500                              | Supplies                           | \$ | 176,150      |
| 5810                              | Accounting                         | \$ | 63,000       |
| 5815                              | Public Relations Services          | \$ | 360,000      |
| 5820                              | Legal - General                    | \$ | 800,000      |
| 5821                              | Legal - Lawsuits                   | \$ | 1,000,000    |
| 5825                              | Technology                         | \$ | 802,109      |
| 5830                              | Organizational Insurance           | \$ | 115,000      |
| 5840                              | Payroll                            | \$ | 24,000       |
| 5890                              | Other Professional Services        | \$ | 6,266,178    |
| 5910                              | DFS/HIWU                           | \$ | 37,367,280   |
| 5915                              | Accreditation Services             | \$ | 386,000      |
| 5920                              | Racetrack Surface Testing          | \$ | 780,000      |
| 5925                              | Science, Lab & Research            | \$ | 18,775,000   |
| 5930                              | Results Mgt. & Investigation Svcs. | \$ | -            |
| 5935                              | Other Testing                      | \$ | -            |
| Total Expenses                    |                                    | \$ | 72,509,662   |
| <b>Total Change in Net Assets</b> |                                    | \$ | (72,509,662) |

**HISA**  
**2023 Budget**  
**Racetrack Safety Dept.**

| <b>Account</b> |                           |              |                  |
|----------------|---------------------------|--------------|------------------|
| <b>#</b>       | <b>Name</b>               | <b>Total</b> |                  |
| 5200           | Salaries                  | \$           | 1,404,000        |
| 5210           | Payroll Tax Expense       | \$           | 112,320          |
| 5290           | Other Employee Benefits   | \$           | 142,560          |
| 5430           | Meetings                  | \$           | 155,000          |
| 5440           | Travel                    | \$           | 105,800          |
| 5500           | Supplies                  | \$           | 29,150           |
| 5890           | Professional Services     | \$           | 540,000          |
| 5915           | Accreditation Services    | \$           | 386,000          |
| 5920           | Racetrack Surface Testing | \$           | 780,000          |
|                |                           | <u>\$</u>    | <u>3,654,830</u> |

**HISA**  
**2023 Budget**  
**ADMC**

| <b>Account</b> |                         |           |                   |
|----------------|-------------------------|-----------|-------------------|
| <b>#</b>       | <b>Name</b>             |           | <b>Total</b>      |
| 5200           | Salaries                | \$        | 220,000           |
| 5210           | Payroll Tax Expense     | \$        | 17,600            |
| 5290           | Other Employee Benefits | \$        | 17,600            |
| 5440           | Travel                  | \$        | 15,000            |
| 5500           | Supplies                | \$        | 2,500             |
| 5890           | Professional Services   | \$        | 1,693,778         |
| 5910           | HIWU                    | \$        | 37,367,280        |
| 5925           | Lab Testing             | \$        | 18,775,000        |
|                |                         | <u>\$</u> | <u>58,108,758</u> |



**Horseracing Integrity & Welfare Unit  
2023 Budget**

|                          |    |                   |
|--------------------------|----|-------------------|
| Salaries                 | \$ | 5,493,440         |
| Payroll Tax Expense      | \$ | 360,732           |
| Other Employee Benefits  | \$ | 897,810           |
| Rent                     | \$ | 97,150            |
| Office Expense           | \$ | 112,250           |
| Telecommunications       | \$ | 34,760            |
| Travel                   | \$ | 771,500           |
| Supplies                 | \$ | 25,000            |
| Professional Services    | \$ | 2,718,650         |
| Technology               | \$ | 769,950           |
| Organizational Insurance | \$ | 262,375           |
| Resources and Education  | \$ | 47,500            |
| Taxes - Other            | \$ | 13,750            |
| ADMC Collection Costs    | \$ | 23,317,825        |
| Management Fees          | \$ | 2,444,588         |
|                          | \$ | <u>37,367,280</u> |

**HISA**  
**2023 Budget**  
**Technology Dept.**

| <b>Account</b> |                         |    |                  |
|----------------|-------------------------|----|------------------|
| <b>#</b>       | <b>Name</b>             |    | <b>Total</b>     |
| 5200           | Salaries                | \$ | 635,000          |
| 5210           | Payroll Tax Expense     | \$ | 63,500           |
| 5290           | Other Employee Benefits | \$ | 102,200          |
| 5440           | Travel                  | \$ | 161,000          |
| 5500           | Supplies                | \$ | 126,500          |
| 5825           | Technology              | \$ | 802,109          |
| 5890           | Professional Services   | \$ | 3,576,400        |
|                |                         | \$ | <u>5,466,709</u> |

**HISA**  
**2023 Budget**  
**Admin**

| <b>Account</b> |                              |           |                  |
|----------------|------------------------------|-----------|------------------|
| <b>#</b>       | <b>Name</b>                  |           | <b>Total</b>     |
| 5200           | Salaries                     | \$        | 1,847,500        |
| 5210           | Payroll Tax Expense          | \$        | 129,325          |
| 5290           | Other Employee Benefits      | \$        | 131,500          |
| 5310           | Board/Committee Compensation | \$        | 36,000           |
| 5410           | Rent                         | \$        | 97,200           |
| 5420           | Phone                        | \$        | 12,000           |
| 5430           | Meetings                     | \$        | 6,000            |
| 5440           | Travel                       | \$        | 181,200          |
| 5480           | Interest Exp.                | \$        | -                |
| 5490           | Bank Fees                    | \$        | 2,640            |
| 5500           | Supplies                     | \$        | 18,000           |
| 5810           | Accounting Svcs.             | \$        | 63,000           |
| 5815           | P/R Svcs.                    | \$        | 360,000          |
| 5820           | Legal-Gen'l                  | \$        | 800,000          |
| 5821           | Legal-Lawsuits               | \$        | 1,000,000        |
| 5830           | Insurance                    | \$        | 115,000          |
| 5840           | Payroll Svcs.                | \$        | 24,000           |
| 5890           | Professional Services        | \$        | 456,000          |
|                |                              | <u>\$</u> | <u>5,279,365</u> |

**Horseracing Integrity and Safety Authority  
2023 Assessments by Track  
Florida**

| <b>Track</b>    | <b>2023<br/>Assessment</b> |
|-----------------|----------------------------|
| Gulfstream Park | \$ 5,207,048               |
| Tampa Bay Downs | \$ 1,238,178               |
| Total           | <u>\$ 6,445,226</u>        |

## 2023 Assessments by State

| State | Purses (Paid) | Starts  | Purses/<br>Start | % of<br>Starts | % of<br>Purses | % Purses/<br>% Starts | Start Fee for<br>Projected<br>Starts | Start Fee<br>for<br>Projected<br>Purse<br>Starts | Total Start<br>Fee | Initial State<br>Total | 10% Cap<br>Adjustment | Revised State<br>Total with 10%<br>of Purse Cap |
|-------|---------------|---------|------------------|----------------|----------------|-----------------------|--------------------------------------|--|--------------------|------------------------|-----------------------|---|
| AR    | \$ 44,867,150 | 5,520   | \$8,128          | 2.4%           | 3.8%           | 1.62                  | \$155.56                             | \$251.31   | \$406.86           | \$2,245,879            | \$ (8,852)            | \$ 2,254,732                                    |
| AZ    | 19,076,265    | 7,712   | \$2,474          | 3.3%           | 1.6%           | 0.49                  | \$155.56                             | \$76.48  | \$232.03           | \$1,789,448            | \$ (7,053)            | \$ 1,796,501                                    |
| CA    | 131,726,512   | 20,845  | \$6,319          | 8.9%           | 11.2%          | 1.26                  | \$155.56                             | \$195.38   | \$350.94           | \$7,315,305            | \$ (28,834)           | \$ 7,344,139                                    |
| CO    | \$ 3,496,215  | 1,865   | \$1,875          | 0.8%           | 0.3%           | 0.37                  | \$155.56                             | \$57.96  | \$213.52           | \$398,208              | \$ 48,586             | \$ 349,622                                      |
| DE    | \$ 19,797,533 | 4,415   | \$4,484          | 1.9%           | 1.7%           | 0.89                  | \$155.56                             | \$138.64   | \$294.20           | \$1,298,882            | \$ (5,120)            | \$ 1,304,002                                    |
| FL    | 96,412,404    | 22,108  | \$4,361          | 9.5%           | 8.2%           | 0.87                  | \$155.56                             | \$134.83   | \$290.39           | \$6,419,921            | \$ (25,305)           | \$ 6,445,226                                    |
| IA    | \$ 15,406,291 | 3,601   | \$4,278          | 1.5%           | 1.3%           | 0.85                  | \$155.56                             | \$132.28   | \$287.83           | \$1,036,490            | \$ (4,085)            | \$ 1,040,576                                    |
| IL    | 18,000,152    | 6,606   | \$2,725          | 2.8%           | 1.5%           | 0.54                  | \$155.56                             | \$84.25  | \$239.80           | \$1,584,132            | \$ (6,244)            | \$ 1,590,376                                    |
| IN    | \$ 30,547,280 | 6,946   | \$4,398          | 3.0%           | 2.6%           | 0.87                  | \$155.56                             | \$135.97   | \$291.53           | \$2,024,956            | \$ (7,981)            | \$ 2,032,938                                    |
| KY    | 162,108,703   | 15,453  | \$10,490         | 6.6%           | 13.8%          | 2.09                  | \$155.56                             | \$324.35   | \$479.90           | \$7,415,914            | \$ (29,230)           | \$ 7,445,145                                    |
| LA    | 70,528,364    | 20,693  | \$3,408          | 8.9%           | 6.0%           | 0.68                  | \$155.56                             | \$105.38   | \$260.93           | \$5,399,521            | \$ (21,283)           | \$ 5,420,804                                    |
| MD    | 67,214,562    | 11,475  | \$5,857          | 4.9%           | 5.7%           | 1.16                  | \$155.56                             | \$181.10   | \$336.66           | \$3,863,155            | \$ (15,227)           | \$ 3,878,381                                    |
| MN    | \$ 13,536,314 | 3,867   | \$3,500          | 1.7%           | 1.2%           | 0.70                  | \$155.56                             | \$108.23   | \$263.78           | \$1,020,052            | \$ (4,021)            | \$ 1,024,072                                    |
| NE    | 2,618,095     | 2,665   | \$982            | 1.1%           | 0.2%           | 0.20                  | \$155.56                             | \$30.37  | \$185.93           | \$495,502              | \$ 233,693            | \$ 261,810                                      |
| NJ    | 32,106,218    | 4,878   | \$6,582          | 2.1%           | 2.7%           | 1.31                  | \$155.56                             | \$203.50   | \$359.05           | \$1,751,467            | \$ (6,904)            | \$ 1,758,371                                    |
| NM    | 23,510,811    | 6,531   | \$3,600          | 2.8%           | 2.0%           | 0.72                  | \$155.56                             | \$111.30   | \$266.86           | \$1,742,845            | \$ (6,870)            | \$ 1,749,715                                    |
| NY    | 181,741,126   | 19,333  | \$9,401          | 8.3%           | 15.5%          | 1.87                  | \$155.56                             | \$290.65   | \$446.20           | \$8,626,469            | \$ (34,002)           | \$ 8,660,471                                    |
| OH    | 50,445,055    | 16,111  | \$3,131          | 6.9%           | 4.3%           | 0.62                  | \$155.56                             | \$96.81  | \$252.36           | \$4,065,826            | \$ (16,026)           | \$ 4,081,851                                    |
| OK    | 23,584,217    | 7,391   | \$3,191          | 3.2%           | 2.0%           | 0.63                  | \$155.56                             | \$98.66  | \$254.21           | \$1,878,893            | \$ (7,406)            | \$ 1,886,298                                    |
| PA    | 94,568,863    | 23,539  | \$4,018          | 10.1%          | 8.1%           | 0.80                  | \$155.56                             | \$124.22   | \$279.77           | \$6,585,522            | \$ (25,957)           | \$ 6,611,479                                    |
| VA    | \$ 14,563,863 | 2,055   | \$7,087          | 0.9%           | 1.2%           | 1.41                  | \$155.56                             | \$219.12   | \$374.67           | \$769,955              | \$ (3,035)            | \$ 772,990                                      |
| WA    | \$ 7,059,483  | 2,679   | \$2,635          | 1.1%           | 0.6%           | 0.52                  | \$155.56                             | \$81.47  | \$237.03           | \$635,000              | \$ (2,503)            | \$ 637,503                                      |
| WV    | 49,687,633    | 16,779  | \$2,961          | 7.2%           | 4.2%           | 0.59                  | \$155.56                             | \$91.56  | \$247.11           | \$4,146,319            | \$ (16,343)           | \$ 4,162,662                                    |
|       | 1,172,603,109 | 233,067 |                  | 100.0%         | 100.0%         |                       |                                      |  |                    | \$ 72,509,662          | \$ 0                  | \$ 72,509,662                                   |

Note 1: this excludes states that don't have tracks conducting Covered Horseraces, including Idaho, Montana, Nevada, North Dakota, Oregon, Texas, & Wyoming.

Note 2: the above Purses Paid and Starts data is for the period Oct. 1, 2021 thru Sep. 30, 2022. This excludes Breeders' Cup at Del Mar.

## 2023 Assessments by Track

| State | Track                          | Starts  | Purses Paid   | % of purses in state | HISA fee per start | HISA annual cost |
|-------|--------------------------------|---------|---------------|----------------------|--------------------|------------------|
| AR    | Oaklawn                        | 5,520   | \$ 44,867,150 | 100.0%               | \$ 408.47          | \$ 2,254,732     |
| AZ    | Ariz. Downs                    | 920     | \$ 1,909,550  | 10.0%                | \$ 195.47          | \$ 179,831       |
| AZ    | Rillito                        | 307     | \$ 492,316    | 2.6%                 | \$ 151.02          | \$ 46,364        |
| AZ    | Turf Paradise                  | 6,485   | \$ 16,674,399 | 87.4%                | \$ 242.14          | \$ 1,570,306     |
| CA    | Del Mar                        | 3,557   | \$ 32,582,744 | 24.7%                | \$ 510.71          | \$ 1,816,583     |
| CA    | Ferndale                       | 193     | \$ 362,021    | 0.3%                 | \$ 104.58          | \$ 20,184        |
| CA    | Fresno                         | 267     | \$ 925,909    | 0.7%                 | \$ 193.34          | \$ 51,622        |
| CA    | Golden Gate                    | 7,144   | \$ 25,435,742 | 19.3%                | \$ 198.50          | \$ 1,418,117     |
| CA    | Los Alamitos TB                | 924     | \$ 1,417,600  | 1.1%                 | \$ 85.54           | \$ 79,035        |
| CA    | Los Alamitos TB during QH meet | 1,345   | \$ 8,064,954  | 6.1%                 | \$ 334.31          | \$ 449,645       |
| CA    | Pleasanton                     | 628     | \$ 2,167,704  | 1.6%                 | \$ 192.45          | \$ 120,856       |
| CA    | Santa Anita                    | 6,126   | \$ 58,190,668 | 44.2%                | \$ 529.60          | \$ 3,244,300     |
| CA    | Sacramento                     | 372     | \$ 1,407,144  | 1.1%                 | \$ 210.89          | \$ 78,452        |
| CA    | Santa Rosa                     | 289     | \$ 1,172,026  | 0.9%                 | \$ 226.10          | \$ 65,344        |
| CO    | Arapahoe                       | 1,865   | \$ 3,496,215  | 100.0%               | \$ 187.46          | \$ 349,622       |
| DE    | Delaware Park                  | 4,415   | \$ 19,797,533 | 100.0%               | \$ 295.36          | \$ 1,304,002     |
| FL    | Gulfstream                     | 15,540  | \$ 77,890,830 | 80.8%                | \$ 335.07          | \$ 5,207,048     |
| FL    | Tampa                          | 6,568   | \$ 18,521,574 | 19.2%                | \$ 188.52          | \$ 1,238,178     |
| IA    | Prairie Meadows                | 3,601   | \$ 15,406,291 | 100.0%               | \$ 288.97          | \$ 1,040,576     |
| IL    | Fanduel (Fairmount)            | 2,511   | \$ 5,623,791  | 31.2%                | \$ 197.88          | \$ 496,882       |
| IL    | Hawthorne                      | 4,095   | \$ 12,376,361 | 68.8%                | \$ 267.03          | \$ 1,093,495     |
| IN    | Horseshoe (Indiana Grand)      | 6,946   | \$ 30,547,280 | 100.0%               | \$ 292.68          | \$ 2,032,938     |
| KY    | Churchill Downs                | 6,171   | \$ 84,870,172 | 52.4%                | \$ 631.64          | \$ 3,897,821     |
| KY    | Ellis Park                     | 1,528   | \$ 9,482,710  | 5.8%                 | \$ 285.02          | \$ 435,511       |
| KY    | KY Downs                       | 776     | \$ 17,863,298 | 11.0%                | \$ 1,057.22        | \$ 820,405       |
| KY    | Keeneland                      | 2,676   | \$ 32,181,241 | 19.9%                | \$ 552.31          | \$ 1,477,984     |
| KY    | Turfway                        | 4,302   | \$ 17,711,282 | 10.9%                | \$ 189.08          | \$ 813,424       |
| LA    | Delta Downs                    | 6,201   | \$ 19,600,565 | 27.8%                | \$ 242.94          | \$ 1,506,498     |
| LA    | Evangeline Downs               | 4,763   | \$ 12,007,830 | 17.0%                | \$ 193.77          | \$ 922,921       |
| LA    | Fair Grounds                   | 5,779   | \$ 29,997,299 | 42.5%                | \$ 398.96          | \$ 2,305,590     |
| LA    | Louisiana Downs                | 3,950   | \$ 8,922,670  | 12.7%                | \$ 173.62          | \$ 685,796       |
| MD    | Laurel                         | 9,598   | \$ 53,798,326 | 80.0%                | \$ 323.43          | \$ 3,104,244     |
| MD    | Pimlico                        | 1,510   | \$ 11,421,349 | 17.0%                | \$ 436.44          | \$ 659,029       |
| MD    | Timonium                       | 367     | \$ 1,994,887  | 3.0%                 | \$ 313.65          | \$ 115,108       |
| MN    | Canterbury                     | 3,867   | \$ 13,536,314 | 100.0%               | \$ 264.82          | \$ 1,024,072     |
| NE    | Columbus                       | 326     | \$ 358,623    | 13.7%                | \$ 110.01          | \$ 35,862        |
| NE    | Fonner                         | 2,339   | \$ 2,259,472  | 86.3%                | \$ 96.60           | \$ 225,947       |
| NJ    | Meadowlands                    | 485     | \$ 1,615,629  | 5.0%                 | \$ 182.44          | \$ 88,484        |
| NJ    | Monmouth                       | 4,393   | \$ 30,490,589 | 95.0%                | \$ 380.12          | \$ 1,669,887     |
| NM    | Albuquerque                    | 1,522   | \$ 5,088,659  | 21.6%                | \$ 248.82          | \$ 378,707       |
| NM    | Ruidoso                        | 587     | \$ 1,595,627  | 6.8%                 | \$ 202.30          | \$ 118,749       |
| NM    | SunRay Park                    | 888     | \$ 3,381,264  | 14.4%                | \$ 283.38          | \$ 251,639       |
| NM    | Sunland                        | 2,009   | \$ 8,051,188  | 34.2%                | \$ 298.25          | \$ 599,183       |
| NM    | Zia Park                       | 1,525   | \$ 5,394,073  | 22.9%                | \$ 263.24          | \$ 401,436       |
| NY    | Aqueduct                       | 5,521   | \$ 47,754,000 | 26.3%                | \$ 412.17          | \$ 2,275,611     |
| NY    | Belmont at Aqueduct            | 751     | \$ 9,381,350  | 5.2%                 | \$ 595.27          | \$ 447,047       |
| NY    | Belmont                        | 4,824   | \$ 59,577,960 | 32.8%                | \$ 588.53          | \$ 2,839,056     |
| NY    | Finger Lakes                   | 5,009   | \$ 15,724,896 | 8.7%                 | \$ 149.60          | \$ 749,335       |
| NY    | Saratoga                       | 3,228   | \$ 49,302,920 | 27.1%                | \$ 727.83          | \$ 2,349,422     |
| OH    | Belterra Park                  | 4,832   | \$ 12,334,200 | 24.5%                | \$ 206.55          | \$ 998,044       |
| OH    | Mahoning Valley                | 5,911   | \$ 17,715,610 | 35.1%                | \$ 242.51          | \$ 1,433,490     |
| OH    | Thistledown                    | 5,368   | \$ 20,395,245 | 40.4%                | \$ 307.44          | \$ 1,650,318     |
| OK    | Fair Meadows                   | 708     | \$ 1,391,875  | 5.9%                 | \$ 157.24          | \$ 111,324       |
| OK    | Remington                      | 5,049   | \$ 17,977,468 | 76.2%                | \$ 284.78          | \$ 1,437,863     |
| OK    | Will Rogers Downs              | 1,634   | \$ 4,214,874  | 17.9%                | \$ 206.31          | \$ 337,111       |
| PA    | Penn National                  | 7,297   | \$ 23,289,645 | 24.6%                | \$ 223.14          | \$ 1,628,221     |
| PA    | Presque Isle Downs             | 4,607   | \$ 16,643,418 | 17.6%                | \$ 252.57          | \$ 1,163,571     |
| PA    | Parx                           | 11,635  | \$ 54,635,800 | 57.8%                | \$ 328.29          | \$ 3,819,687     |
| VA    | Colonial                       | 2,055   | \$ 14,563,863 | 100.0%               | \$ 376.15          | \$ 772,990       |
| WA    | Emerald Downs                  | 2,679   | \$ 7,059,483  | 100.0%               | \$ 237.96          | \$ 637,503       |
| WV    | Charles Town                   | 10,095  | \$ 35,992,800 | 72.4%                | \$ 298.70          | \$ 3,015,355     |
| WV    | Mountaineer                    | 6,684   | \$ 13,694,833 | 27.6%                | \$ 171.65          | \$ 1,147,307     |
|       |                                | 233,067 | 1,172,603,109 |                      |                    | \$72,509,662     |

Note 1: this excludes states that don't have tracks conducting Covered Horseraces, including Idaho, Montana, Nevada, North Dakota, Oregon, Texas, & Wyoming. It also excludes individual tracks that aren't conducting Covered Horseraces.

Note 2: the above Purses Paid and Starts data is for the period Oct. 1, 2021 thru Sep. 30, 2022. This excludes Breeders' Cup at Del Mar.

3.

Florida Gaming  
Control  
Commission's  
Policies &  
Procedures

4.

# Transfer of Ownership



**MEMORANDUM**

To: The Florida Gaming Control Commission  
 From: Jamie Pouncey, Program Administrator, Division of Pari-Mutuel Wagering  
 Re: West Flagler Associates, Ltd. (GHND155)  
 2022-048451 Ownership Transfer  
 Date: November 23, 2022

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*Executive Summary*

Wind Creek Miami, LLC (“Wind Creek,”) has submitted an application to transfer a permit from one existing permitholder to another (“Application.”) Specifically, the Application seeks to transfer pari-mutuel permit 155 from West Flagler Associates, Ltd. (“West Flagler,”) to Wind Creek. Upon review of the Application, it appears that all necessary requirements have been met. Therefore, the Commission should approve the Application.

*Background*

Permit 155 (“Permit”) was originally issued on August 11, 1931 for the conduct of greyhound racing. PCI Gaming Authority (“PCI”), an unincorporated, chartered instrumentality of the Porch Band of Creek Indians, a federally recognized Indian tribe, through its wholly owned subsidiary Wind Creek, has entered into an asset purchase agreement with West Flagler.<sup>1</sup> Pursuant to the asset purchase agreement, Wind Creek will acquire one hundred percent ownership interest and equity interest in the Permit. Because it is acquiring the Permit, Wind Creek will also acquire a pari-mutuel operating license, cardroom license, and slot machine license for the 2022-2023 Fiscal Year.

Commission staff received the Application on October 6, 2022. The Application was deemed complete as of November 18, 2022.<sup>2</sup>

<sup>1</sup> PCI Gaming Authority has an ownership interest in other permits:

|                   |   |   |
|-------------------|---|---|
| Permit number 150 | Pensacola Greyhound Permit issued 06/30/1939        | The permit is held by Pensacola Greyhound Racing, LLP (“PGR”). PCI Gaming Authority owns 79% of PGR. 65% Interest acquired on 02/16/2010 via final order case #2010-005643<br>Additional 14% acquired 05/01/2012  |
| Permit number 542 | Creek Entertainment Gretna Permit issued 08/12/2008 | The permit is held by Gretna Racing, LLC d/b/a Creek Entertainment Gretna (“CEG”). CEG is wholly owned by PCI Gaming Authority. 60% Interest acquired on 12/02/2010 via Final Order case #2010-052027<br>Additional 10% acquired 01/31/2011<br>Additional 30% acquired 10/25/2018 |

<sup>2</sup> Applications for a pari-mutuel permit are exempt from the typical 90-day licensing requirement of section 120.60, Florida Statutes. § 550.054(1), Fla. Stat. Instead, the Commission has 120 days to grant or deny the application for a permit. *Id.*

*Pertinent Law and Analysis*

Section 550.054(11)(b), Florida Statutes, provides that:

If a permit to conduct pari-mutuel wagering is held by a corporation or business entity other than an individual, the transfer of 10 percent or more of the stock or other evidence of ownership or equity in the permitholder may not be made without the prior approval of the transferee by the commission pursuant to s. 550.1815.

Section 550.1815(1), Florida Statutes, provides that:

A corporation, general or limited partnership, sole proprietorship, business trust, joint venture, or unincorporated association, or other business entity may not hold any horseracing or greyhound permit or jai alai fronton permit in this state if any one of the persons or entities specified in paragraph (a) has been determined by the commission not to be of good moral character or has been convicted of any offense specified in paragraph (b).

Pursuant to section 550.1815(1)(a), Florida Statutes, the following persons and entities are subject to Section 550.1815(1)(b):

1. The permitholder;
2. An employee of the permitholder;
3. The sole proprietor of the permitholder;
4. A corporate officer or director of the permitholder;
5. A general partner of the permitholder;
6. A trustee of the permitholder;
7. A member of an unincorporated association permitholder;
8. A joint venturer of the permitholder;
9. The owner of more than 5 percent of any equity interest in the permitholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary; or
10. An owner of any interest in the permit or permitholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the permitholder, who by virtue thereof is able to control the business of the permitholder.

Section 550.1815(1)(b), Florida Statutes, prohibits persons and entities enumerated in Section 550.1815(1)(a) from holding a permit if they have been convicted of any of the following offenses:

1. A felony in this state;
2. Any felony in any other state which would be a felony if committed in this state under the laws of this state;
3. Any felony under the laws of the United States;
4. A felony under the laws of another state if related to gambling which would be a felony under the laws of this state if committed in this state; or
5. Bookmaking as defined in s. 849.25.

PCI currently holds interests in other pari-mutuel permits meaning it and its persons and entities listed in Section 550.1815(1)(a) have already been vetted through the permitting requirements set forth in Sections 550.054 and 550.1815. Thus, Wind Creek, a wholly owned subsidiary of PCI, is qualified to obtain an ownership interest in the Permit.

Recommendation: The Florida Gaming Control Commission should approve the request to transfer one hundred percent ownership interest in permit number 155 from West Flagler Associates, Ltd., to Wind Creek, LLC, a wholly owned subsidiary of PCI Gaming Authority, to be effective on the closing date of the asset purchase agreement.

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: **jpouncey**

VR Home > Complaint Search > **Maintain Complaint**

**System Messages**

- Complaint created. New Complaint # 2022048451.

|   |  |  |
|---|--|--|
| Lic Type <b>1000 - Permit to Conduct Pari-Mutuel Wagering</b> | Status <b>10 Initial Review</b>              | Status Date <b>10/07/2022</b>                |
| Complaint # <b>2022048451</b>                                 | Disposition                                  | Disposition Date                             |
| Docket#   | Case Type <b>CMP - Complaint</b>             | Responsible <b>jpouncey - POUNCEY, JAMIE</b> |
| Respondent <b>FGCC, PARI-MUTUEL WAGERING</b>                  | Responsible <b>jpouncey - POUNCEY, JAMIE</b> | <b>Private Case</b>                          |

Complaint | Respondent | Complainant | Addtl Info

Source **LIC - Licensee** Security Level **1**

Form **LTR - Letter** Priority

Class'n **I-A - Permit/Investigations/failure to Submit** Complexity **R - Regular**

Security **STND - Standard** Incident **10/06/2022**

Region **SR - Southern Region** Received **10/06/2022**

Reference

Entered **10/07/2022** Entered By **jpouncey**

Summary **Ownership transfer - 155 West Flagler associates, d/b/a Magic Casino transfer to Wind Creek Miami**

Updated **10/07/2022 14:47:04** By **jpouncey**

- Parties
- Allegations
- Violations
- Related
- Inspection
- Costs
- Time Tracking
- Attachments
- Work Notes
- Activities
- Discipline
- Compliance
- Disposition
- Auto Assign
- History
- Print Report

Change | Save | OK | Cancel | Back

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DBPR PMW-3040 – Permit Transfer Application From One Existing Permitholder to Another Existing Permitholder



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

www.myfloridalicense.com

If you have any questions or need assistance in completing this application, please contact the Department of Business and Professional Regulation, Customer Contact Center, at .850.487.1395.



| INSTRUCTIONS  |  |  |
|---|--|--|
| This application shall only be used when an existing licensed permitholder transfers the permit to another existing licensed permitholder. All others must comply with the permit application procedure as provided for in Section 550.054, Florida Statutes. |  |  |

| PERMITTED FACILITY INFORMATION                   |             |                                 |
|--|-------------|---------------------------------|
| Facility Name<br>Magic City Casino               |             |                                 |
| ADDRESS OF PERMITTED FACILITY                    |             |                                 |
| Street Address or P.O. Box<br>450 NW 37th Avenue |             |                                 |
| City<br>Miami                                    | State<br>FL | Zip Code (+4 optional)<br>33125 |
| County<br>Miami-Dade                             |             |                                 |

| TRANSFEROR INFORMATION                                   |             |                                 |
|--|-------------|---------------------------------|
| Permitholder/Transferor<br>West Flagler Associates, Ltd. |             |                                 |
| D/B/A of Transferor Facility<br>Magic City Casino        |             |                                 |
| BUSINESS ADDRESS OF TRANSFEROR                           |             |                                 |
| Street Address or P.O. Box<br>450 NW 37th Avenue         |             |                                 |
| City<br>Miami  | State<br>FL | Zip Code (+4 optional)<br>33125 |
| County<br>Miami-Dade                                     |             |                                 |

| APPLICANT INFORMATION   |             |                                 |
|---|-------------|---------------------------------|
| Applicant(s)/Permitholder(s)/Transferee(s)<br>Wind Creek Miami, LLC   |             |                                 |
| D/B/A of Transferee Facility<br>Magic City Casino                     |             |                                 |
| BUSINESS ADDRESS OF TRANSFEREE  |             |                                 |
| Street Address or P.O. Box<br>c/o PCI Gaming Authority, P.O. Box 1027 |             |                                 |
| City<br>Atmore  | State<br>AL | Zip Code (+4 optional)<br>36504 |
| County<br>Escambia (Alabama)  |             |                                 |

| ADDITIONAL INFORMATION  |
|---|
| List the physical location where racing/jai alai will be conducted.<br><u>450 NW 37th Avenue, Miami, FL 33125</u>   |
| Does applicant(s) currently hold an ownership interest of 5 percent or more in a permitholder, licensed to conduct racing/jai alai, in the State of Florida? <u>Yes</u>   |
| If yes, list ownership or equity interest in permitholder and facility.   |
| <u>Please see the attached Exhibit 1</u>  |
| What percentage of ownership or equity interest will be transferred?<br><u>Please see the attached Exhibit 2</u>  |
| Attach a copy of all agreements for the purchase or transfer of the ownership interest.<br><u>The Asset Purchase Agreement is attached as Exhibit 3</u>   |
| Note: If there is more than one applicant or transferee, list the ownership interest that each will acquire.  |
| <u>NA</u>   |
| Disclose the source of financing, including the terms and parties of such financing for the acquisition of the ownership interest or equity in the transferor.<br><u>Please see the attached Exhibit 4</u>  |
| If the financing will result in the refinancing of the transferee's(s') facility, attach the addresses of any mortgagee or creditor, and a copy of all financial agreements between the parties.  |
| If the transfer results in a shared ownership interest or equity interest in the permitholder, the applicant(s) shall submit an affidavit that the transferee(s) and transferor agree that they would be jointly and severally liable "for any infractions of the pari-mutuel laws and rules and regulations of the State of Florida, as same arises from the use of the permit." <u>NA</u> |
| Attach a schedule disclosing all ownership interests of 5 percent or more in the permitholder, upon completion of the transfer. <u>Please see the attached Exhibit 5</u>  |
| Disclose any action pending by the Division of Pari-Mutuel Wagering involving the Transferor or the Transferee.   |
| <u>None</u>   |

| NOTARIZATION  |
|---|
| The foregoing application was sworn to and subscribed before me this <u>4<sup>th</sup></u> day of <u>Oct.</u> 20 <u>22</u>  |
| by <u>JAY DORRIS</u><br>Type or print name of applicant's representative  |
| <br>Signature of applicant's representative                                     |
| who is personally known to me or who has produced the following as identification.  |
| <u>Lynn Woodcock</u><br>Type of identification  |
| Signature of person taking acknowledgement<br>(Rubber Stamp and Expiration)   |
|  <b>LYNN WOODCOCK</b><br><b>My Commission Expires</b><br><b>February 5, 2025</b> |







































































































































































































































5.

# Slot Machine License

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Re: Casino Miami, LLC (JLAI273)  
2022-052214 Annual Slot Machine License  
Date: November 14, 2022

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### Executive Summary

A slot machine licensee has submitted an application to renew its annual slot machine license. The Commission should approve this request.

### Background

Slot machine gaming is authorized in Miami-Dade and Broward Counties at certain pari-mutuel facilities.<sup>1</sup> One such facility is Casino Miami, LLC d/b/a Casino Miami, Miami Jai-Alai, and/or Casino Miami Jai-Alai (“Casino Miami”). Casino Miami is located in Miami-Dade County and possesses a valid jai alai permit. Casino Miami was issued a pari-mutuel operating license and cardroom license for the 2022-2023 Fiscal Year.

Commission staff received Casino Miami’s application to renew its slot machine license on August 31, 2022. The application was complete as of November 18, 2022.

### Analysis

In addition to submitting a complete application, a slot machine licensee must satisfy numerous requirements to be entitled to a renewed slot machine license.<sup>2</sup> Casino Miami has satisfied all of these requirements.

**Recommendation:** The Florida Gaming Control Commission should approve Casino Miami, LLC d/b/a Casino Miami, Miami Jai-Alai, and/or Casino Miami Jai-Alai’s application for renewal of its slot machine license effective December 7, 2022 through December 6, 2023.

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<sup>1</sup> See generally Art. X, § 23, Fla. Const.; § 551.101, Fla. Stat.

<sup>2</sup> See, e.g., §§ 551.103(1)(f) (mandating \$2,000,000.00 surety bond for slot machine licensees); 551.106(1)(a) (requiring payment of annual nonrefundable \$2,000,000.00 license fee); 551.118 (requiring payment of annual nonrefundable regulatory fee of \$250,000.00 to fund compulsive or addictive gambling prevention program); see also Fla. Admin. Code R. 61D-14 (“Pari-Mutuel Wagering Facility Slot Machine Operations”).



## FLORIDA LICENSE FOR SLOT MACHINE OPERATIONS

**WHEREAS Casino Miami, LLC**, d/b/a Casino Miami, Miami Jai-Alai, and/or Casino Miami Jai-Alai, is the holder of a valid, active pari-mutuel permit to conduct jai-alai games at its facility located in Miami-Dade County, granted pursuant to Chapter 550, Florida Statutes.

**WHEREAS** Casino Miami is authorized to conduct Pari-Mutuel Wagering activities at its facility pursuant to the Laws of Florida, on approved dates.

**WHEREAS** the majority of voters of Miami-Dade County, Florida authorized slot machines at pari-mutuel facilities within Miami-Dade County in a county-wide referendum conducted on January 28, 2008.

**WHEREAS** Casino Miami has made application for licensure to conduct Slot Machine Gaming from December 7, 2022, through December 6, 2023, pursuant to Florida Statutes and Administrative Rules adopted pursuant thereto. It has been found that Casino Miami has fulfilled all the statutorily required conditions for licensure and is therefore qualified to hold a license to conduct Slot Machine Gaming as authorized under the Laws of Florida.

**WHEREAS** Casino Miami has furnished and shall maintain in effect during the term of this license, the appropriate bond as required under Chapter 551, Florida Statutes.

**NOW THEREFORE BE IT KNOWN** that Casino Miami is granted a non-transferable license, number **SM273**, under which it may, exclusively at the slot machine facility located at **Casino Miami, LLC**, 3500 Northwest 37<sup>th</sup> Avenue, Miami, Florida, 33142, receive, possess, operate and ship approved slot machine equipment, and conduct Slot Machine Gaming.

**BY RECEIVING THIS LICENSE** Casino Miami agrees to, at all times during the term of this license, conduct its Slot Machine Gaming operation and maintain its Slot Machine Gaming facility in accordance with applicable Florida Statutes and Administrative Rules adopted pursuant thereto.

**LICENSURE GRANTED** this \_\_\_\_\_ of December 2022, in Tallahassee, Florida.

**FOR THE STATE OF FLORIDA:**

\_\_\_\_\_  
**Louis Trombetta, Executive Director**  
**Florida Gaming Control Commission**



**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING**

**PERMITHOLDER APPLICATION FOR ANNUAL SLOT MACHINE LICENSE CHECKLIST**

| APPLICATION INFORMATION                             |  |                                      |                             |   |
|---|--|--------------------------------------|-----------------------------|---|
| <b>Permitholder Name:</b> MIAMI CASINO – 273 – 1003 |  | <b>Case#:</b> 2022-052214            |                             |   |
| <b>Date Received:</b> August 31, 2022               |  | <b>Reviewer Name:</b> La'Kesha Jelks |                             |   |
| SLOT MACHINE LICENSE REQUIREMENTS                   |  |                                      |                             |   |
|   | Requirement Description  | Requirement Met? Y/N                 | Date Deficiency Letter Sent | Date Deficiency Resolved                          |
| 1   | Original application form DBPR PMW 3405.   | Y                                    |                             |   |
| 2   | Original Authorization for Release of Information form DBPR PMW 3460/3195.   | Y                                    |                             |   |
| 3   | List of all ownership interests of five percent or greater as described in Rule 61D-14.002(b)(c)(d) and (e), FAC, Form DBPR 0040.  | Y                                    |                             |   |
| 4   | A copy of the binding written agreements between the facility and respective associations as required by Section 551.104(10), Florida Statutes (thoroughbred only).  | N/A                                  |                             |   |
| 5   | Evidence of a current surety bond in the amount of \$2,000,000, payable to the Governor of the State of Florida, as specified in s. 551.103(1)(f), FS.   | Y<br>Aug. 31,<br>2023                |                             |   |
| 6   | Payment of the non-refundable \$2,000,000 application fee for a Slot Machine License as required by Section 551.106(1), FS submitted via EFT.<br>Payment of the non-refundable \$250,000 regulatory fee for the Compulsive or Addictive Gambling Prevention Program as required by Section 551.118, FS, made payable to the Division, submitted via EFT. | Y                                    | 10/31/2022                  | 11/14/2022  |
| 7   | A list of slot machine business occupational licensees (i.e. vendors, manufacturers, distributors, service companies, etc.) with whom the permitholder intends to do business.   | Y                                    |                             | <i>Rev. 11/18/22</i>                              |
| 8   | Disclosure of the applicant's internal control procedures required by Rule 61D-14.058, Florida Administrative Code.  | Y                                    | 10/31/2022                  | Expecting Letter on 11/18/2022 (review complete). |

**90-day deadline:** \_\_\_\_\_

**Application approved by:**

*[Signature]*

Permitholder Administrator

*[Signature]*

Second Review

November *18*, 2022

Date

November *15*, 2022

Date



**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
www.myfloridalicense.com**

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2022 SEP - 1 PM 12:20  
FLORIDA GAMING  
CONTROL COMMISSION

| INSTRUCTIONS  |  |                                    |                                      |
|---|--|------------------------------------|--------------------------------------|
| This form is to be submitted in conjunction with Form DBPR PMW-3460, Authorization for Release of Information, and Form DBPR PMW-3190, Officers and Directors. All three forms must be submitted to the division one month prior to the expiration of the current slot machine license. |  |                                    |                                      |
| ORGANIZATION INFORMATION  |  |                                    |                                      |
| Federal Employer ID Number: [REDACTED]  |  |                                    |                                      |
| Permitholder's Legal Name: <b>CASINO MIAMI, LLC</b>   |  |                                    |                                      |
| Doing Business As (D/B/A) Name: <b>CASINO MIAMI</b>   |  |                                    |                                      |
| MAILING ADDRESS   |  |                                    |                                      |
| Street Address or P.O. Box: <b>3500 NW 37th Avenue</b>  |  |                                    |                                      |
| City: <b>Miami</b>  |  | State: <b>FL</b>                   | Zip Code: <b>33142</b>               |
| County: <b>Miami-Dade</b>   |  | Country: <b>USA</b>                |                                      |
| CONTACT INFORMATION   |  |                                    |                                      |
| Contact Name: <b>Daniel J. Licciardi</b>  |  | Title: <b>VP &amp; GM</b>          |                                      |
| Primary Phone Number: [REDACTED]  |  | Primary E-Mail Address: [REDACTED] |                                      |
| PHYSICAL ADDRESS  |  |                                    |                                      |
| Street Address: <b>3500 NW 37th Avenue</b>  |  |                                    |                                      |
| City: <b>Miami</b>  |  | State: <b>FL</b>                   | Zip Code (+4 optional): <b>33142</b> |
| County: <b>Miami-Dade</b>   |  |                                    |                                      |
| ADDITIONAL CONTACT INFORMATION  |  |                                    |                                      |
| Alternate Phone Number: [REDACTED]  |  | Fax Number: <b>305 638-8077</b>    |                                      |
| Alternate E-Mail Address: [REDACTED]  |  |                                    |                                      |
| SLOT MACHINE AREA INFORMATION   |  |                                    |                                      |
| Short Description of Physical Location of Slot Machine Area(s): <b>~68,00 Sq Ft located in the northwest area of the building</b>   |  |                                    |                                      |
| What is the number of slot machines you intend to operate during the license period?  |  |                                    | <b>1,000-1,100</b>                   |
| Name and license number of Slot Machine Operations Manager or Slot Machine Management Company:<br><b>Neal Elliott #8333787</b>  |  |                                    |                                      |
| Name and address of the Custodian of Records in Florida: <b>Daniel J Licciardi</b>  |  |                                    |                                      |

List the dates and hours of slot machine operations:

**24 hrs. daily**

|  |                              |  |
|--|------------------------------|--|
| Does the applicant have any ownership interest in another Florida permit? If yes, disclose the name of the permit: _____   | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Does the applicant have any ownership interest in a slot machine testing laboratory company? If yes, disclose the name of the testing laboratory: _____                                | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Does the applicant have any ownership interest in a slot machine manufacturer and/or distributor? If yes, disclose the name of the slot machine manufacturer/distributor: _____        | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Has any other jurisdiction taken action regarding the applicant's gaming license? If yes, provide the name of the jurisdiction, the reason for the action, and the action taken: _____ | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

**Additional requirements to be submitted to the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, Office of Operations, 1940 North Monroe Street, Tallahassee, Florida 32399-1037:**

- 1) Submission of a list of all ownership interests of five percent or greater. If a corporation, the name of the state in which incorporated and the names and addresses of the officers, directors, and shareholders holding five percent or more equity or, if a business entity other than a corporation, the names and addresses of the principals, partners, shareholders or any other person holding five percent or more equity as described in Rule 61D-14.002(1)(d), (e) and (f), Florida Administrative Code (F.A.C.), on Form DBPR PMW-3190.
- 2) Submission of a copy of the binding written agreements between the facility and respective associations as required by Section 551.104(10), Florida Statutes.
- 3) Evidence of a current surety bond in the amount of \$2,000,000, payable to the Governor of the State of Florida, as specified in Section 551.103(1)(f), Florida Statutes.
- 4) Submission of a list of slot machine business occupational licensees (i.e., vendors, manufacturers, distributors, service companies, etc.) with whom you intend to do business.
- 5) Disclosure of any administrative, civil or criminal proceedings, and/or any judgments initiated by any governmental agency or any other state or federal agency that would affect the license status of the applicant or any affiliate of the applicant pursuant to Sections 550.054 and 550.1815, Florida Statutes.

**Additional requirements to be submitted to the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, Office of Slot Operations, North Broward Regional Service Center, 1400 West Commercial Blvd., Suite 165, Ft. Lauderdale, Florida 33309:**

- 1) Submission of the slot machine applicant's employee training plan for the Compulsive or Addictive Gambling Prevention Program.
- 2) A copy of the facility's written policy for creating opportunities to purchase from minority vendors in Florida, creating employment opportunities for minority residents in Florida, opportunities for construction services provided by minority contractors, and ensuring opportunities for employment are offered on an equal, nondiscriminatory basis.
- 3) A copy of the licensee's current internal controls.
- 4) A copy of the licensee's current Surveillance Plan and Security Plan.
- 5) A current version of the licensee's Floor Plan as described in Rule 61D-14.050, F.A.C.

RECEIVED  
 2022 SEP -1 PM 12:2  
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 CONTROL COMMISSION

**ATTEST STATEMENT**

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as if made under oath. To the best of my knowledge, all information contained on this application is true and correct. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida, pursuant to Section 551.107, Florida Statutes.

  
 \_\_\_\_\_  
 Signature of Applicant or Applicant's Representative

**8/12/2022**  
 \_\_\_\_\_  
 Date

Casino Miami, LLC (JAI273) License Verifications

| License   |            |            |   |             |            |
|-----------|------------|------------|---|-------------|------------|
| Fed Tax # | ██████████ | Lic Type   | 1055 - Slot/Cardroom/Pari-Mutuel Indiv<br>Combo | Expires On  | 06/30/2025 |
| File #    | 922        | Name       | ELLIOTT, NEAL JEFFREY                           | Extended To |            |
| License # | 8333787    | Rank       | SCPL - Slot/Cardroom/Pari-Mutuel Indiv<br>Combo | Renewed On  | 04/08/2022 |
| Entity #  | 8333787    | Lic Status | Current   |             |            |

| Address  |            |         |                      |     |       |
|----------|------------|---------|----------------------|-----|-------|
| Street # | 3610       | Street  | PINE OAK CIRCLE #104 |     |       |
| Line 2   |            |         |                      |     |       |
| Line 3   |            |         |                      |     |       |
| City     | FORT MYERS | State   | FL                   | Zip | 33916 |
|          |            | Routing |                      |     |       |

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 CONTROL COMMISSION



STATE OF FLORIDA  
 DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 DIVISION OF PARI-MUTUEL WAGERING  
 www.myfloridalicense.com

| PERSONAL INFORMATION   |                   |  |                        |        |        |
|--|-------------------|--|------------------------|--------|--------|
| Social Security Number/Federal Employer ID Number  |                   |  |                        |        |        |
| IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION   |                   |  |                        |        |        |
| Last Name  | First             | Middle   | Title                  | Suffix |        |
| Birth Date (MM/DD/YYYY)  |                   |  |                        |        |        |
| IF BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION   |                   |  |                        |        |        |
| Representative's Name  | Last              | First  | Middle                 | Title  | Suffix |
|  | Ruffin            | Phillip  | Gene                   |        |        |
| Permitholder Name  | Casino Miami, LLC |  |                        |        |        |
| Official Capacity  | Owner             |  |                        |        |        |
| ATTEST STATEMENT   |                   |  |                        |        |        |
| I, <u>Phillip G. Ruffin</u> , do hereby instruct all law enforcement   |                   |  |                        |        |        |
| (name of applicant/representative)   |                   |  |                        |        |        |
| or criminal justice agencies, present and former employers or institutions with whom I or my businesses have a present or past business relationship, as well as all present or past social associates to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation. |                   |  |                        |        |        |
| 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.  |                   |  |                        |        |        |
| <u>Phillip G. Ruffin</u>   |                   |  |                        |        |        |
| (if individual applicant - legal name and any nickname or alias in parentheses)  |                   |  |                        |        |        |
| Applicant/Representative Signature: <u>[Signature]</u>   |                   |  | Date: <u>8/12/2022</u> |        |        |
| NOTARIZATION   |                   |  |                        |        |        |
| The foregoing application was sworn to and subscribed before me this <u>12<sup>th</sup></u> Day of <u>August</u> 20 <u>22</u>  |                   |  |                        |        |        |
| by <u>PHILIP RUFFIN</u>  |                   | <u>[Signature]</u>   |                        |        |        |
| Type or print name of applicant  |                   | Signature of applicant   |                        |        |        |
| who is personally known to me or who has produced the following as identification.   |                   |  |                        |        |        |
| Type of identification   |                   |  |                        |        |        |
| <u>[Signature]</u>   |                   | Signature of person taking acknowledgement   |                        |        |        |
|  |                   | Notary Seal<br>(Rubber Stamp and Expiration)   |                        |        |        |
|  |                   | <p><b>ALICIA CROCKETT</b><br/>                 Notary Public, State of Nevada<br/>                 No. 16-3281-1<br/>                 My Appt. Exp. Sep. 2, 2024</p> |                        |        |        |

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**STATE OF FLORIDA**  
**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**  
**DIVISION OF PARI-MUTUEL WAGERING**  
[www.myfloridalicense.com](http://www.myfloridalicense.com)

Please provide information on the partners, managers, officers, or directors for your business entity below.

| ORGANIZATION NAME                         |              |
|---|--------------|
| Name of Organization<br>Casino Miami, LLC | Permit # 273 |
| D/B/A or Trade Name                       |              |

| LIMITED LIABILITY CORPORATION QUESTIONS   |
|---|
| If your corporation is a limited liability corporation (LLC), is the corporation member managed or manager managed? You can check your Articles of Incorporation for this information.<br>Member Managed <input type="checkbox"/> Manager Managed <input checked="" type="checkbox"/> |

Please list below all Officers, Directors, Managers, and/or Shareholders with 5 percent or more interest in the business:  
 Attach additional sheets as necessary.

| MANAGEMENT INFORMATION                                    |                       |                                 |                                 |        |
|---|-----------------------|---------------------------------|---------------------------------|--------|
| Last Name<br>Ruffin                                       | First<br>Phillip      | Middle<br>Gene                  | Title                           | Suffix |
| Office Held<br>Owner                                      | License #<br>11847428 | Percentage of Ownership<br>100% |                                 |        |
| RESIDENCE ADDRESS   |                       |                                 |                                 |        |
| Street Address or P.O. Box<br>3300 Las Vegas Blvd., South |                       |                                 |                                 |        |
| City<br>Las Vegas   |                       | State<br>NV                     | Zip Code (+4 optional)<br>89109 |        |
| County<br>(if Florida address)                            |                       | Country<br>USA                  |                                 |        |

| MANAGEMENT INFORMATION                            |                    |                                 |                                 |        |
|---|--------------------|---------------------------------|---------------------------------|--------|
| Last Name<br>Licciardi                            | First<br>Daniel    | Middle<br>Joseph                | Title                           | Suffix |
| Office Held<br>VP & GM                            | License #<br>79835 | Percentage of Ownership<br>0.00 |                                 |        |
| RESIDENCE ADDRESS                                 |                    |                                 |                                 |        |
| Street Address or P.O. Box<br>1915 Westward Drive |                    |                                 |                                 |        |
| City<br>Miami Springs                             |                    | State<br>FL                     | Zip Code (+4 optional)<br>33166 |        |
| County<br>(if Florida address)<br>Miami-Dade      |                    | Country<br>USA                  |                                 |        |

Casino Miami, LLC (JAI273) License Verifications

**License**

Fed Tax # [REDACTED] Lic Type **1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo** Expires On **06/30/2024**  
File # **6902** Name **RUFFIN, PHILLIP** Extended To  
License # **11847428** Rank **SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo** Renewed On **05/21/2021**  
Entity # **11847428** Lic Status **Current**

**Address**

Street # **3300** Street **LAS VEGAS BLVD S**  
Line 2  
Line 3  
City **LAS VEGAS** State **NV** Zip **89109**  
Routing

**License**

Fed Tax # [REDACTED] Lic Type **1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo** Expires On **06/30/2024**  
File # **2300** Name **LICCIARDI, DANIEL JOSEPH** Extended To  
License # **79835** Rank **SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo** Renewed On **04/09/2021**  
Entity # **79835** Lic Status **Current**

**Address**

Street # **1915** Street **WESTWARD DRIVE**  
Line 2  
Line 3  
City **MIAMI SPRINGS** State **FL** Zip **33166**  
Routing

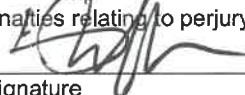
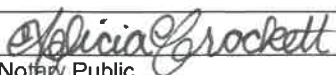
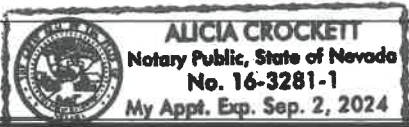
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CONTROL COMMISSION

| MANAGEMENT INFORMATION         |           |                         |                        |        |
|--------------------------------|-----------|-------------------------|------------------------|--------|
| Last Name                      | First     | Middle                  | Title                  | Suffix |
| Office Held                    | License # | Percentage of Ownership |                        |        |
| RESIDENCE ADDRESS              |           |                         |                        |        |
| Street Address or P.O. Box     |           |                         |                        |        |
| City                           |           | State                   | Zip Code (+4 optional) |        |
| County<br>(if Florida address) |           | Country                 |                        |        |

| MANAGEMENT INFORMATION         |           |                         |                        |        |
|--------------------------------|-----------|-------------------------|------------------------|--------|
| Last Name                      | First     | Middle                  | Title                  | Suffix |
| Office Held                    | License # | Percentage of Ownership |                        |        |
| RESIDENCE ADDRESS              |           |                         |                        |        |
| Street Address or P.O. Box     |           |                         |                        |        |
| City                           |           | State                   | Zip Code (+4 optional) |        |
| County<br>(if Florida address) |           | Country                 |                        |        |

| MANAGEMENT INFORMATION         |           |                         |                        |        |
|--------------------------------|-----------|-------------------------|------------------------|--------|
| Last Name                      | First     | Middle                  | Title                  | Suffix |
| Office Held                    | License # | Percentage of Ownership |                        |        |
| RESIDENCE ADDRESS              |           |                         |                        |        |
| Street Address or P.O. Box     |           |                         |                        |        |
| City                           |           | State                   | Zip Code (+4 optional) |        |
| County<br>(if Florida address) |           | Country                 |                        |        |

| OATH   |                      |  |           |
|--|----------------------|--|-----------|
| I swear or affirm that the information provided in this application is true and complete. I understand that knowingly providing false information on this application could subject the applicant to criminal penalties relating to perjury or other offenses. |                      |  |           |
| Phillip Ruffin   | Owner                |              | 8/12/2022 |
| Name (Please Print)  | Title (Please Print) | Signature  | Date      |
| State of <del>Florida</del> <b>Nevada</b>  |                      |  |           |
| County of <b>Clark</b>   |                      |  |           |
| Sworn to (or affirmed) and subscribed before me this <b>12<sup>th</sup></b> day of <b>August</b> , 20 <b>22</b> ,  |                      |  |           |
| <b>PHILIP RUFFIN</b> , who is personally known to me or produced the following as identification:  |                      |  |           |
|   |                      |              |           |
| Notary Public  |                      | ALICIA CROCKETT<br>Notary Public, State of Nevada<br>No. 16-3281-1<br>My Appt. Exp. Sep. 2, 2024 |           |
| My Commission Expires: <b>Sept. 2, 2024</b>  |                      |  |           |



75D-4.005 Annual Notification of Permitholder Ownership Interest



STATE OF FLORIDA  
 FLORIDA GAMING CONTROL COMMISSION  
 DIVISION OF PARI-MUTUEL WAGERING

**Instructions:** This is an OPTIONAL form created for the convenience of pari-mutuel permitholders to aid in the submission of the information required by Rule 75D-4.005, Florida Administrative Code, between July 1 and July 31 of each state fiscal year. Please review this form thoroughly and complete all sections that pertain to you and are not marked optional. Print clearly in black or blue ink.

| PERMITHOLDER INFORMATION  |   |   |  |  |
|---|---|---|--|--|
| Permitholder Name<br>CASINO MIAMI, LLC  |   | Permit #<br>273   | FEID# or SSN<br>[REDACTED]                         |  |
| Doing Business As (D/B/A) Name (if applicable)<br>CASINO MIAMI, MIAMI JAI-ALAI, CASINO MIAMI JAI-ALAI   |   |   |  |  |
| Select all that apply:<br><input type="checkbox"/> Sole Proprietorship <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Partnership<br><input type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Other |   |   |  |  |
| Current Mailing Address<br>3500 NW 37TH AVENUE  |   |   | Email Address (optional)<br>[REDACTED]             |  |
| City<br>MIAMI   | State<br>FL                               | Zip Code (+4 optional)<br>33142                           | Country, if other than USA                         |  |
| Primary Phone Number<br>[REDACTED]  |   | Secondary/Cell Phone Number (optional)<br>[REDACTED]      |  |  |
| Current Street Address<br>3500 NW 37TH AVENUE   |   |   |  |  |
| City<br>MIAMI   | State<br>FL                               | Zip Code (+4 optional)<br>33142                           | Country, if other than USA                         |  |
| Contact Person Name and Title<br>DANIEL J. LICCIARDI  |   |   |  |  |
| Contact Person Primary Phone Number<br>[REDACTED]   | Contact Person Fax Number<br>305 638-8077 |   | Contact Person Primary Email Address<br>[REDACTED] |  |
| Fiscal Year   |   |   |  |  |
| Previous Fiscal Year<br>July 1, 2021 through June 30, 2022  |   | Current Fiscal Year<br>July 1, 2022 through June 30, 2023 |  |  |
| ALL PERMITHOLDERS must provide a ledger that reflects transfers of five (5) percent or more of the stock or equity of any principals, partners, or shareholders for all times during the PREVIOUS fiscal year.<br>(ATTACH ADDITIONAL PAGES AS NEEDED)                           |   |   |  |  |
| A   |   |   |  |  |

NOTE

If a CORPORATION, provide the following information for all shareholders holding five (5) percent or more equity on July 1st of the PREVIOUS fiscal year.

(ATTACH ADDITIONAL PAGES AS NEEDED)

| NAME | ADDRESS | NUMBER OF SHARES |
|------|---------|------------------|
|      |         |                  |
|      |         |                  |
|      |         |                  |

If a CORPORATION, provide the following information for all shareholders holding five (5) percent or more equity on June 30th of the PREVIOUS fiscal year.

(ATTACH ADDITIONAL PAGES AS NEEDED)

| NAME | ADDRESS | NUMBER OF SHARES |
|------|---------|------------------|
|      |         |                  |
|      |         |                  |
|      |         |                  |

If a BUSINESS ENTITY other than a corporation, provide the following information for all principals, partners, or shareholders holding five (5) percent or more equity on July 1st of the PREVIOUS fiscal year.

(ATTACH ADDITIONAL PAGES AS NEEDED)

| NAME | ADDRESS | AMOUNT OF OWNERSHIP EQUITY |
|------|---------|----------------------------|
|      | (B)     |                            |
|      |         |                            |
|      |         |                            |

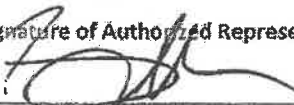
If a BUSINESS ENTITY other than a corporation, provide the following information for all principals, partners, or shareholders holding five (5) percent or more equity on June 30th of the PREVIOUS fiscal year.

(ATTACH ADDITIONAL PAGES AS NEEDED)

| NAME | ADDRESS | AMOUNT OF OWNERSHIP EQUITY |
|------|---------|----------------------------|
|      | (C)     |                            |
|      |         |                            |
|      |         |                            |

SIGNATURE

Signature of Authorized Representative



Date (MM/DD/YYYY) 7/25/2022

Print Authorized Representative Name

PHILLIP G RUFFIN [REDACTED]

OWNER

Print Title

CASINO MIAMI, LLC

Federal Employer ID Number; or  
Social Security Number (Sole Proprietors Only)

Print Name of Permitholder

Please mail your completed form and any additional documentation to:

Florida Gaming Control Commission  
Pari-Mutuel Wagering; Auditing Section  
2601 Blair Stone Road, Tallahassee, Florida 32399-1037  
Phone: 850.487.1083

A

Phillip G. Ruffin transferred 100% of his interest in Ruffin Acquisition II, LLC (the sole member of Casino Miami, LLC) to the Phillip G. Ruffin Florida Gaming Trust on February 1, 2022. Please see attached Assignment of Interest and the State of Florida, Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, Final Order Approving Transfer of Interests of Permit.

**FILED**

Department of Business and Professional Regulation

Senior Deputy Agency Clerk

CLERK Brandon Nichols

Date 1/12/2022

File # 2022-00328

**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING**

**IN RE: APPLICATION FOR APPROVAL OF  
TRANSFER OF OWNERSHIP INTEREST IN  
PARI-MUTUEL PERMIT #273, FROM RUFFIN  
ACQUISITION II, LLC TO THE PHILLIP G.  
RUFFIN FLORIDA GAMING TRUST.**

**DBPR CASE NO.: 2021-052876**

**FINAL ORDER APPROVING TRANSFER OF INTERESTS OF PERMIT**

Pursuant to the provisions of Chapter 550, Florida Statutes, and the rules promulgated thereunder, the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Division") is responsible for the investigation and approval of the transfer of any ownership interest in a permit for pari-mutuel wagering.

On November 12, 2021, Ruffin Acquisition II, LLC, the owner and holder of Pari-Mutuel Wagering Permit #273, submitted documentation requesting that the Division approve the transfer of 100% of its ownership interest in Pari-Mutuel Wagering Permit #273 to The Phillip G. Ruffin Florida Gaming Trust.

The Division has received and reviewed the pertinent records and supporting documentation concerning the transfer of the ownership interests and after proper consideration thereof,

**NOW, THEREFORE**, be it known that:

Pursuant to the requirements of Section 550.054, Florida Statutes, the Division hereby approves the transfer of 100% of Pari-Mutuel Wagering Permit #273, as provided in the transfer documentation submitted to the Division.

**DONE AND ORDERED** this 3 day of January, 2022, in Tallahassee,  
Florida.



**LOUIS TROMBETTA, DIRECTOR**  
Division of Pari-Mutuel Wagering  
Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1035

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the Final Order Approving Transfer of Interests of Permit in DBPR Case Number 2021-052876 has been furnished by electronic and U.S. mail to: The Phillip G. Ruffin Florida Gaming Trust c/o Tana D. Storey, Esq., 119 South Monroe Street, Suite 202, Tallahassee, Florida 32301 and tana@rutledge-ecenia.com this 12<sup>th</sup> day of January, 2022.

*Brandi M. Nichols*

**AGENCY CLERK'S OFFICE**  
Department of Business and Professional Regulation

CC: Ebonie Lanier, Kimberly Ferree

B

| Name                       | Address  | Amount of Ownership Equity |
|----------------------------|--|----------------------------|
| Ruffin Acquisition II, LLC | 3300 Las Vegas BLVD., South<br>Las Vegas, NV 89109 | 100% - Directly            |
| Phillip G Ruffin           | 7030 Tomiyasu Lane<br>Las Vegas, NV 89120          | 100% - Indirectly          |

C

|  |  |                   |
|--|--|-------------------|
| Ruffin Acquisition II, LLC             | 3300 Las Vegas BLVD., South<br>Las Vegas, NV 89109 | 100% - Directly   |
| Phillip G. Ruffin Florida Gaming Trust | 3300 Las Vegas BLVD., South<br>Las Vegas, NV 89109 | 100% - Indirectly |
| Phillip G Ruffin                       | 7030 Tomiyasu Lane<br>Las Vegas, NV 89120          | 100% - Indirectly |

**PLATTE RIVER INSURANCE COMPANY**

**CONTINUATION CERTIFICATE**

**PLATTE RIVER INSURANCE COMPANY** (hereinafter called the Surety), hereby continues in force its **Surety Bond for Florida Slot Machine Licensee** bond numbered **41301082** on behalf of **Casino Miami, LLC (Principal)** in favor of **Governor of the State of Florida**, (Obligee) in the amount of **Two Million and 00/100 Dollars (\$2,000,000.00)** for the extended period, beginning on the **31st** day of **August 2022** and ending on the **31st** day of **August 2023**, subject to the terms, conditions and limitations of said bond.

This continuation certificate is executed upon the express condition that the Surety's liability under said bond, together with this and all previous continuation certificates shall not be cumulative and shall in no event exceed the amount specifically set forth in said bond or any existing certificate changing the amount of said bond.

Signed, sealed and dated: **May 12, 2022.**

Surety: **PLATTE RIVER INSURANCE COMPANY**

By:  \_\_\_\_\_  
Richard Covington, Attorney-in-Fact

J:ContTerm(Term)

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CONTROL COMMISSION

PLATTE RIVER INSURANCE COMPANY  
POWER OF ATTORNEY

41301082

Bond Number

KNOW ALL MEN BY THESE PRESENTS, That the PLATTE RIVER INSURANCE COMPANY, a corporation of the State of Nebraska, having its principal offices in the City of Middleton, Wisconsin, does make, constitute and appoint

-----JOSEPH R. AULBERT; MARC W. BOOTS; RICHARD COVINGTON; VICKIE LACY; MARIA D. ZUNIGA-----  
-----RYAN VARELA; ASHLEY KOLETAR-----

its true and lawful Attorney(s)-in-fact, to make, execute, seal and deliver for and on its behalf, as surety, and as its act and deed, any and all bonds, undertakings and contracts of suretyship, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

----- ALL WRITTEN INSTRUMENTS IN AN AMOUNT NOT TO EXCEED: \$20,000,000.00-----

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PLATTE RIVER INSURANCE COMPANY at a meeting duly called and held on the 8th day of January, 2002.

“RESOLVED, that the President, Executive Vice President, Vice President, Secretary or Treasurer, acting individually or otherwise, be and they hereby are granted the power and authorization to appoint by a Power of Attorney for the purposes only of executing and attesting bonds and undertakings, and other writings obligatory in the nature thereof, one or more resident vice-presidents, assistant secretaries and attorney(s)-in-fact, each appointee to have the powers and duties usual to such offices to the business of this company; the signature of such officers and seal of the Company may be affixed to any such power of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company, and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking or other writing obligatory in the nature thereof to which it is attached. Any such appointment may be revoked, for cause, or without cause, by any of said officers, at any time.”

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner – Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

IN WITNESS WHEREOF, the PLATTE RIVER INSURANCE COMPANY has caused these presents to be signed by its officer undersigned and its corporate seal to be hereto affixed duly attested, this 1st day of January, 2020.

Attest:

*RJ Byrnes*  
Ryan J. Byrnes  
Senior Vice President,  
Chief Financial Officer and Treasurer  
*Suzanne M Broadbent*  
Suzanne M. Broadbent  
Assistant Secretary

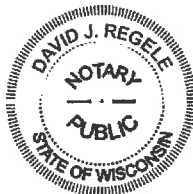


PLATTE RIVER INSURANCE COMPANY

*John L Sennott Jr.*  
John L. Sennott, Jr.  
Chief Executive Officer and President

STATE OF WISCONSIN }  
COUNTY OF DANE } S.S.:

On the 1st day of January, 2020 before me personally came John L. Sennott, Jr., to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is Chief Executive Officer and President of PLATTE RIVER INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.



*David J. Regele*  
David J. Regele  
Notary Public, Dane Co., WI  
My Commission Is Permanent

STATE OF WISCONSIN }  
COUNTY OF DANE } S.S.:

I, the undersigned, duly elected to the office stated below, now the incumbent in PLATTE RIVER INSURANCE COMPANY, a Nebraska Corporation, authorized to make this certificate, DO HEREBY CERTIFY that the foregoing attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolution of the Board of Directors, set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Middleton, State of Wisconsin this 12th day of May, 2022



*Andrew B. Diaz-Matos*  
Andrew B. Diaz-Matos  
Senior Vice President, General Counsel and Secretary



**PLATTE RIVER INSURANCE COMPANY**

**CONTINUATION CERTIFICATE**

**PLATTE RIVER INSURANCE COMPANY** (hereinafter called the Surety), hereby continues in force its **Surety Bond for Florida Pari-Mutuel Wagering** bond numbered **41301081** on behalf of **Casino Miami, LLC** (Principal) in favor of **State of Florida** , (Obligee) in the amount of **Fifty-Thousand Dollars and 00/100 (\$50,000.00)** for the extended period, beginning on the **31st** day of **August 2022** and ending on the **31st** day of **August 2023** , subject to the terms, conditions and limitations of said bond.

This continuation certificate is executed upon the express condition that the Surety's liability under said bond, together with this and all previous continuation certificates shall not be cumulative and shall in no event exceed the amount specifically set forth in said bond or any existing certificate changing the amount of said bond.

Signed, sealed and dated: **May 12, 2022.**

Surety: **PLATTE RIVER INSURANCE COMPANY**

By:   
Richard Covington, Attorney-in-Fact

PLATTE RIVER INSURANCE COMPANY  
POWER OF ATTORNEY

41301081

Bond Number

KNOW ALL MEN BY THESE PRESENTS, That the PLATTE RIVER INSURANCE COMPANY, a corporation of the State of Nebraska, having its principal offices in the City of Middleton, Wisconsin, does make, constitute and appoint

-----JOSEPH R. AULBERT; MARC W. BOOTS; RICHARD COVINGTON; VICKIE LACY; MARIA D. ZUNIGA-----  
-----RYAN VARELA; ASHLEY KOLETAR-----

its true and lawful Attorney(s)-in-fact, to make, execute, seal and deliver for and on its behalf, as surety, and as its act and deed, any and all bonds, undertakings and contracts of suretyship, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

----- ALL WRITTEN INSTRUMENTS IN AN AMOUNT NOT TO EXCEED: \$20,000,000.00-----

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PLATTE RIVER INSURANCE COMPANY at a meeting duly called and held on the 8th day of January, 2002.

“RESOLVED, that the President, Executive Vice President, Vice President, Secretary or Treasurer, acting individually or otherwise, be and they hereby are granted the power and authorization to appoint by a Power of Attorney for the purposes only of executing and attesting bonds and undertakings, and other writings obligatory in the nature thereof, one or more resident vice-presidents, assistant secretaries and attorney(s)-in-fact, each appointee to have the powers and duties usual to such offices to the business of this company; the signature of such officers and seal of the Company may be affixed to any such power of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company, and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking or other writing obligatory in the nature thereof to which it is attached. Any such appointment may be revoked, for cause, or without cause, by any of said officers, at any time.”

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner - Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

IN WITNESS WHEREOF, the PLATTE RIVER INSURANCE COMPANY has caused these presents to be signed by its officer undersigned and its corporate seal to be hereto affixed duly attested, this 1st day of January, 2020.

Attest:

*RJ Byrnes*  
Ryan J. Byrnes  
Senior Vice President,  
Chief Financial Officer and Treasurer  
*Suzanne M Broadbent*  
Suzanne M. Broadbent  
Assistant Secretary

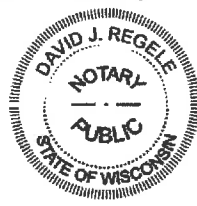


PLATTE RIVER INSURANCE COMPANY

*John L. Sennott, Jr.*  
John L. Sennott, Jr.  
Chief Executive Officer and President

STATE OF WISCONSIN }  
COUNTY OF DANE } S.S.:

On the 1st day of January, 2020 before me personally came John L. Sennott, Jr., to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is Chief Executive Officer and President of PLATTE RIVER INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.



*David J. Regele*  
David J. Regele  
Notary Public, Dane Co., WI  
My Commission Is Permanent

STATE OF WISCONSIN }  
COUNTY OF DANE } S.S.:

I, the undersigned, duly elected to the office stated below, now the incumbent in PLATTE RIVER INSURANCE COMPANY, a Nebraska Corporation, authorized to make this certificate, DO HEREBY CERTIFY that the foregoing attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolution of the Board of Directors, set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Middleton, State of Wisconsin this 12th day of May, 2022



*Andrew B. Diaz-Matos*  
Andrew B. Diaz-Matos  
Senior Vice President, General Counsel and Secretary

## Jelks, La'Kesha

---

**From:** Jelks, La'Kesha  
**Sent:** Monday, October 31, 2022 11:10 AM  
**To:** 'Beatrice Perez'; 'Daniel Licciardi@playcasinomiami.com'  
**Subject:** Casino Miami, LLC (JLAI273) Slot Machine License 22/23

Greetings,

The Slot Renewal Application submitted for Casino Miami, LLC (JLAI273) was received, however, the application remains incomplete for:

- Payment of the non-refundable \$2 million application fee and payment of the non-refundable \$250k regulatory fee for the Compulsive or Addictive Gambling Prevention Program as required by Section 551.118, FS. \*\*\*  
Please submit payment on or before November 15, 2022 due to the new deadlines with the Florida Gaming Control Commission \*\*\*

The item listed requires submission to complete the Slot Renewal application. If you have any questions regarding the deficiency, please contact me at your earliest convenience.

Best,

*La'Kesha Jelks*



La'Kesha Jelks  
Operations Review Specialist  
Florida Gaming Control Commission  
Pari-Mutuel Wagering  
Phone: (850) 717-1095

The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. [LARGER VIEW](#)



**State of Florida**  
**Department of Business and Professional Regulation**  
**Cash Listing Report**

**Client:** 79 - Department of Business & Professional Regulation

**Batch #:** 22010368

**# Receipt:** 1

**Total \$ Entered:** \$ 2,250,000.00

**Receipts Entered:** 1

**Origin:** EFT

**Deposit #:** AD0093

**Total:** \$ 2,250,000.00

**Fiscal Year:** 2022

**Deposit Date:** 2022-11-14

**Status:** Deposited

| Receipt #     | DLN | Received        | Disp            | Pmt | Note | Unassigned      | Prof | Remitted By / Beneficiary | File # | License # | Assigned |
|---------------|-----|-----------------|-----------------|-----|------|-----------------|------|---------------------------|--------|-----------|----------|
| 220073056     |     | \$ 2,250,000.00 | DEP             | EFT |      | \$ 2,250,000.00 | 1003 | CASINO MIAMI, LLC         | 9      | 273       | \$ 0.00  |
| <b>Total:</b> |     |                 | \$ 2,250,000.00 |     |      | \$ 2,250,000.00 |      |                           |        |           | \$ 0.00  |

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Application Home | Change Application

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: ljelks

VR Home > Application Search > Transaction Check List > Transaction Header

|                      |   |  |                                |
|----------------------|---|--|--------------------------------|
| Fed Tax # [REDACTED] | Name <b>CASINO MIAMI, LLC</b>                       | Lic Type <b>1003 - Permitholder App for Annual Slot Licens</b> |                                |
| File # <b>9</b>      | Rank <b>Permit holder Appl Annual Slot Mach Lic</b> | App # <b>128</b>   | Trans Class <b>I - Initial</b> |
| License # <b>273</b> | Lic Status <b>Current</b>                           | Status <b>Open</b>   | Sec Class <b>S - Standard</b>  |
| Entity # <b>273</b>  | Expires On <b>12/06/2022</b>                        | Trans Code <b>1020 - Slot Machine License</b>                  |                                |

| <p>App Date <input type="text" value="11/14/2022"/> </p> <p>Normal Expiration Date <input type="text" value="11/15/2023"/></p> <p>Override Expiration Date <input type="text"/> </p> <p>Application Disposition <input type="text"/></p> <p>1st Reminder</p> <p>2nd Reminder</p> <p>Total Fee \$ <b>2,250,000.00</b></p> <p>Paid \$ <b>2,250,000.00</b></p> <p>Released \$ <b>2,250,000.00</b></p> <p>Due \$ <b>0.00</b></p> <p>Notes</p> <p>Set License Expiry</p> | <p><b>Application For</b></p> <p>Rank <b>Permit holder Appl Annual Slot Mach Lic</b></p> <p>Lic Status <b>Current</b></p> <p><b>Modifiers</b></p> <p>Type <input type="text"/> Code <input type="text"/> Additional Info <input type="text"/> <input type="button" value="Add"/></p> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Additional Info</th> <th>Actions</th> </tr> </thead> <tbody> <tr> <td colspan="4">No items found.</td> </tr> </tbody> </table> | Type            | Modifier | Additional Info | Actions | No items found. |  |  |  | <input type="button" value="Dpsit History"/><br><input type="button" value="History"/><br><input type="button" value="Deficiencies"/><br><input type="button" value="Regenerate"/><br><input type="button" value="Notes"/><br><input type="button" value="Notes History"/><br><input type="button" value="Cancel"/><br><input type="button" value="OK"/> |
|---|---|-----------------|----------|-----------------|---------|-----------------|--|--|--|--|
| Type  | Modifier  | Additional Info | Actions  |                 |         |                 |  |  |  |  |
| No items found.   |   |                 |          |                 |         |                 |  |  |  |  |

Checklist | Release | Transfer | Approve | Exit

Get Adobe Reader.

Slots Machine Business License

Lic

|  |                                    |                 |    |            |            |             |
|--|------------------------------------|-----------------|----|------------|------------|-------------|
| ✓AGS, LLC ✓                                  | 5475 South Decatur Blvd. Suite 100 | Las Vegas       | NV | 89118      | 8281949 ✓  | 6/30/2023 ✓ |
| ✓Ainsworth Game Technology, INC ✓            | 5800 Rafael Rivera Way             | Las Vegas       | NV | 89118      | 8069830 ✓  | 6/30/2024 ✓ |
| ✓Andren LLC ✓                                | 8362 Pines Blvd # 301              | Pembroke Pines  | FL | 33024      | 10426209 ✓ | 6/30/2024 ✓ |
| ✓Aristocrat Technologies, INC ✓              | 10220 Aristocrat Way               | Las Vegas       | NV | 89135      | 7830421 ✓  | 6/30/2024 ✓ |
| ✓Bally Gaming, INC ✓                         | 6601 South Bermuda RC              | Las Vegas       | NV | 89119-3605 | 7805891 ✓  | 6/30/2024 ✓ |
| ✓Cummins-Allison Corp ✓                      | 852 Feehanville DR                 | Mt. Prospect    | IL | 60056      | 7934408 ✓  | 6/30/2025 ✓ |
| ✓Gaming Laboratories International LLC ✓     | 600 Airport Road                   | Lakewood        | NJ | 8701       | 8237912 ✓  | 6/30/2023 ✓ |
| ✓Graphic Controls LLC ✓                      | 400 Exchange Street                | Buffalo         | NY | 14204      | 7793413 ✓  | 6/30/2024 ✓ |
| ✓IGT (INC) ✓                                 | 6355 S. Buffalo Drive              | Las Vegas       | NV | 89113-2133 | 7800936 ✓  | 6/30/2024 ✓ |
| ✓KGM Gaming, LLC ✓                           | 4250 Wissahickon Aveni             | Philadelphia    | PA | 19129      | 8915860 ✓  | 6/30/2023 ✓ |
| ✓Konami Gaming, INC ✓                        | 585 Konami Circle                  | Las Vegas       | NV | 89119      | 7883140 ✓  | 6/30/2024 ✓ |
| ✓Reel Games ✓                                | 1501 NE 13 Ave                     | Fort Lauderdale | FL | 33304      | 7830710 ✓  | 6/30/2024 ✓ |
| ✓Service Central INC. ✓                      | 3321 Louis Sherman Drive           | Steger          | IL | 60475      | 8566232 ✓  | 6/30/2024 ✓ |
| ✓Aruze Gaming America, INC. ✓                | 955 Grier Drive Suite A            | Las Vegas       | NV | 89119      | 8587586 ✓  | 6/30/2025 ✓ |
| ✓NRT Technologies Services, INC. ✓           | 744 Pilot Road                     | Las Vegas       | NV | 89118      | 10749126 ✓ | 6/30/2024 ✓ |
| ✓Bluberi Gaming USA INC ✓                    | 2120 Rue Letendre Street           | Drummondville   | QC | J2C 7E9    | 11105033 ✓ | 6/30/2025 ✓ |
| ✓Everi Games, INC. ✓                         | 7250 S Tenaya Way Suite 100        | Las Vegas       | NV | 89113      | 9943621 ✓  | 6/30/2024 ✓ |
| ✓Incredible Technologies Casino Games, INC ✓ | 200 Corporate Woods Parkway        | Vernon Hills    | IL | 60061      | 8801896 ✓  | 6/30/2024 ✓ |
| ✓Hayes International Inc ✓                   | 7550 S.W. 42ND COURT               | Davie           | FL | 33314      | 11018137 ✓ | 6/30/2024 ✓ |
| ✓Sky Gaming LLC ✓                            | 1320 Stirling Road Suite 9B        | Dania Beach     | FL | 33004      | 8966651 ✓  | 6/30/2023 ✓ |
| ✓Interblock ✓                                | 1106 Palms Airport Drive           | Las Vegas       | NV | 89119      | 8759471 ✓  | 6/30/2025 ✓ |
| ✓Lighting Slot Machines LLC ✓                | 23 Creek Circle Suite, 400         | Boothwyn        | PA |            | 9823078 ✓  | 6/30/2024 ✓ |

Casino Miami, LLC (JAI273) License Verifications

**License**

|                          |  |                              |
|--------------------------|--|------------------------------|
| Fed Tax # [REDACTED]     | Lic Type <b>1058 - Slot Combo Business</b>     | Expires On <b>06/30/2023</b> |
| File # <b>45</b>         | Name <b>AGS, LLC</b>                           | Extended To                  |
| License # <b>8281949</b> | Rank <b>SCBL - Slot Combo Business License</b> | Renewed On <b>06/08/2020</b> |
| Entity # <b>8281949</b>  | Lic Status <b>Current</b>                      |                              |

**Address**

Street # **5475** Street **SOUTH DECATUR BLVD SUITE 100**

Line 2

Line 3

City **LAS VEGAS** State **NV** Zip **89118**

Routing

**License**

|                          |  |                              |
|--------------------------|--|------------------------------|
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>84</b>         | Name <b>AINSWORTH GAME TECHNOLOGY INC</b>                | Extended To                  |
| License # <b>8069830</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/25/2021</b> |
| Entity # <b>8069830</b>  | Lic Status <b>Current</b>                                |                              |

**Address**

Street # **5800** Street **RAFAEL RIVERA WAY**

Line 2

Line 3

City **LAS VEGAS** State **NV** Zip **89118**

Routing

**License**

|                           |  |                              |
|---------------------------|--|------------------------------|
| Fed Tax # [REDACTED]      | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>202</b>         | Name <b>ANDREN LLC</b>                                   | Extended To                  |
| License # <b>10426209</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>07/02/2021</b> |
| Entity # <b>10426209</b>  | Lic Status <b>Current</b>                                |                              |

**Address**

Street # **8362** Street **PINES BLVD #301**

Line 2

Line 3

City **PEMBROKE PINES** State **FL** Zip **33024**

Routing

Casino Miami, LLC (JAI273) License Verifications

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>13</b>         | Name <b>ARISTOCRAT TECHNOLOGIES INC</b>                  | Extended To                  |
| License # <b>7830421</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>05/07/2021</b> |
| Entity # <b>7830421</b>  | Lic Status <b>Current</b>                                |                              |

|                       |                              |                  |
|-----------------------|------------------------------|------------------|
| <b>Address</b>        |                              |                  |
| Street # <b>10220</b> | Street <b>ARISTOCRAT WAY</b> |                  |
| Line 2                |                              |                  |
| Line 3                |                              |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>              | Zip <b>89135</b> |
|                       | Routing                      |                  |

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>9</b>          | Name <b>SG GAMING INC</b>                                | Extended To                  |
| License # <b>7805891</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/22/2012</b> |
| Entity # <b>7805891</b>  | Lic Status <b>Current</b>                                |                              |

|                       |                                  |                  |
|-----------------------|----------------------------------|------------------|
| <b>Address</b>        |                                  |                  |
| Street # <b>6601</b>  | Street <b>SOUTH BERMUDA ROAD</b> |                  |
| Line 2                |                                  |                  |
| Line 3                |                                  |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>                  | Zip <b>89119</b> |
|                       | Routing                          |                  |

|                        |                   |                       |                                   |
|------------------------|-------------------|-----------------------|-----------------------------------|
| <b>Events</b>          |                   |                       |                                   |
| <b>SG GAMING, INC.</b> |                   |                       |                                   |
| <b>Document Number</b> | F94000000354      |                       |                                   |
| <b>Date Filed</b>      | 01/25/1994        |                       |                                   |
| <b>Effective Date</b>  | None              |                       |                                   |
| <b>Status</b>          | Active            |                       |                                   |
| <b>Event Type</b>      | <b>Filed Date</b> | <b>Effective Date</b> | <b>Description</b>                |
| NAME CHANGE AMENDMENT  | 01/06/2020        |                       | OLD NAME WAS : BALLY GAMING, INC. |



Casino Miami, LLC (JAI273) License Verifications

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2025</b> |
| File # <b>58</b>         | Name <b>CUMMINS-ALLISON CORP</b>                         | Extended To                  |
| License # <b>7934408</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>07/22/2022</b> |
| Entity # <b>7934408</b>  | Lic Status <b>Current</b>                                |                              |

|                         |                              |                  |
|-------------------------|------------------------------|------------------|
| <b>Address</b>          |                              |                  |
| Street # <b>852</b>     | Street <b>FEEHANVILLE DR</b> |                  |
| Line 2                  |                              |                  |
| Line 3                  |                              |                  |
| City <b>MT PROSPECT</b> | State <b>IL</b>              | Zip <b>60090</b> |
| Routing                 |                              |                  |

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2023</b> |
| File # <b>99</b>         | Name <b>GAMING LABORATORIES INTERNATIONAL LLC</b>        | Extended To                  |
| License # <b>8237912</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/30/2020</b> |
| Entity # <b>8237912</b>  | Lic Status <b>Current</b>                                |                              |

|                     |                            |                  |
|---------------------|----------------------------|------------------|
| <b>Address</b>      |                            |                  |
| Street # <b>600</b> | Street <b>AIRPORT ROAD</b> |                  |
| Line 2              |                            |                  |
| Line 3              |                            |                  |
| City <b>LAKWOOD</b> | State <b>NJ</b>            | Zip <b>08701</b> |
| Routing             |                            |                  |

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>1</b>          | Name <b>GRAPHIC CONTROLS ACQUISITION CORP</b>            | Extended To                  |
| License # <b>7793413</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/22/2021</b> |
| Entity # <b>7793413</b>  | Lic Status <b>Current</b>                                |                              |

|                     |                               |                  |
|---------------------|-------------------------------|------------------|
| <b>Address</b>      |                               |                  |
| Street # <b>400</b> | Street <b>EXCHANGE STREET</b> |                  |
| Line 2              |                               |                  |
| Line 3              |                               |                  |
| City <b>BUFFALO</b> | State <b>NY</b>               | Zip <b>14204</b> |
| Routing             |                               |                  |

Casino Miami, LLC (JAI273) License Verifications

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>7</b>          | Name <b>IGT INC</b>                                      | Extended To                  |
| License # <b>7800936</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/02/2021</b> |
| Entity # <b>7800936</b>  | Lic Status <b>Current</b>                                |                              |

|                       |                               |                  |
|-----------------------|-------------------------------|------------------|
| <b>Address</b>        |                               |                  |
| Street # <b>6355</b>  | Street <b>S BUFFALO DRIVE</b> |                  |
| Line 2                |                               |                  |
| Line 3                |                               |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>               | Zip <b>89113</b> |
|                       | Routing                       |                  |

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2023</b> |
| File # <b>152</b>        | Name <b>KGM GAMING, LLC</b>                              | Extended To                  |
| License # <b>8915860</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>07/31/2020</b> |
| Entity # <b>8915860</b>  | Lic Status <b>Current</b>                                |                              |

|                          |                                  |                  |
|--------------------------|----------------------------------|------------------|
| <b>Address</b>           |                                  |                  |
| Street # <b>4250</b>     | Street <b>WISSAHICKON AVENUE</b> |                  |
| Line 2                   |                                  |                  |
| Line 3                   |                                  |                  |
| City <b>PHILADELPHIA</b> | State <b>PA</b>                  | Zip <b>19129</b> |
|                          | Routing                          |                  |

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>30</b>         | Name <b>KONAMI GAMING INC</b>                            | Extended To                  |
| License # <b>7883140</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>05/30/2018</b> |
| Entity # <b>7883140</b>  | Lic Status <b>Current</b>                                |                              |

|                       |                             |                  |
|-----------------------|-----------------------------|------------------|
| <b>Address</b>        |                             |                  |
| Street # <b>585</b>   | Street <b>KONAMI CIRCLE</b> |                  |
| Line 2                |                             |                  |
| Line 3                |                             |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>             | Zip <b>89119</b> |
|                       | Routing                     |                  |

Casino Miami, LLC (JAI273) License Verifications

**License**  
Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2024**  
File # **14** Name **REEL GAMES INC** Extended To  
License # **7830710** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **06/15/2021**  
Entity # **7830710** Lic Status **Current**

**Address**  
Street # **1501** Street **NE 13TH AVENUE**  
Line 2  
Line 3  
City **FORT LAUDERDALE** State **FL** Zip **33304**  
Routing

**License**  
Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2024**  
File # **121** Name **SERVICE CENTRAL INC** Extended To  
License # **8566232** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **07/30/2021**  
Entity # **8566232** Lic Status **Current**

**Address**  
Street # **3321** Street **LOUIS SHERMAN DRIVE**  
Line 2  
Line 3  
City **STEGER** State **IL** Zip **60475**  
Routing

**License**  
Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2025**  
File # **123** Name **ARUZE GAMING AMERICA INC** Extended To  
License # **8587586** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **07/15/2022**  
Entity # **8587586** Lic Status **Current**

**Address**  
Street # **6900** Street **S. DECATUR BLVD. SUITE 100**  
Line 2  
Line 3  
City **LAS VEGAS** State **NV** Zip **89118**  
Routing

Casino Miami, LLC (JAI273) License Verifications

**License**

|                           |  |                              |
|---------------------------|--|------------------------------|
| Fed Tax # [REDACTED]      | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>217</b>         | Name <b>NRT TECHNOLOGIES INC</b>                         | Extended To                  |
| License # <b>10749126</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>07/19/2021</b> |
| Entity # <b>10749126</b>  | Lic Status <b>Current</b>                                |                              |

**Address**

Street # **10** Street **COMPASS COURT**

Line 2

Line 3

City **TORONTO** State **ON** Zip **M1S 5R3**

Routing

**License**

|                           |  |                              |
|---------------------------|--|------------------------------|
| Fed Tax # [REDACTED]      | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2025</b> |
| File # <b>227</b>         | Name <b>BLUBERI GAMING USA INC</b>                       | Extended To                  |
| License # <b>11105033</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/30/2022</b> |
| Entity # <b>11105033</b>  | Lic Status <b>Current</b>                                |                              |

**Address**

Street # **7370** Street **DEAN MARTIN DRIVE SUITE 407**

Line 2

Line 3

City **LAS VEGAS** State **NV** Zip **89139**

Routing

**License**

|                          |  |                              |
|--------------------------|--|------------------------------|
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>174</b>        | Name <b>EVERI GAMES, INC.</b>                            | Extended To                  |
| License # <b>9943621</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/25/2021</b> |
| Entity # <b>9943621</b>  | Lic Status <b>Current</b>                                |                              |

**Address**

Street # **7250** Street **S TENAYA WAY, SUITE 100**

Line 2

Line 3

City **LAS VEGAS** State **NV** Zip **89113**

Routing

Casino Miami, LLC (JAI273) License Verifications

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>140</b>        | Name <b>INCREDIBLE TECHNOLOGIES CASINO GAMES INC</b>     | Extended To                  |
| License # <b>8801896</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/30/2021</b> |
| Entity # <b>8801896</b>  | Lic Status <b>Current</b>                                |                              |

|                          |                                       |                  |
|--------------------------|---------------------------------------|------------------|
| <b>Address</b>           |                                       |                  |
| Street # <b>200</b>      | Street <b>CORPORATE WOODS PARKWAY</b> |                  |
| Line 2                   |                                       |                  |
| Line 3                   |                                       |                  |
| City <b>VERNON HILLS</b> | State <b>IL</b>                       | Zip <b>60061</b> |
| Routing                  |                                       |                  |

|                           |  |                              |
|---------------------------|--|------------------------------|
| <b>License</b>            |  |                              |
| Fed Tax # [REDACTED]      | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>225</b>         | Name <b>HAYES INTERNATIONAL INC</b>                      | Extended To                  |
| License # <b>11018137</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>07/12/2021</b> |
| Entity # <b>11018137</b>  | Lic Status <b>Current</b>                                |                              |

|                      |                             |                  |
|----------------------|-----------------------------|------------------|
| <b>Address</b>       |                             |                  |
| Street # <b>7550</b> | Street <b>SW 42ND COURT</b> |                  |
| Line 2               |                             |                  |
| Line 3               |                             |                  |
| City <b>DAVIE</b>    | State <b>FL</b>             | Zip <b>33314</b> |
| Routing              |                             |                  |

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2023</b> |
| File # <b>154</b>        | Name <b>SKY GAMING, LLC</b>                              | Extended To                  |
| License # <b>8966651</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>05/30/2017</b> |
| Entity # <b>8966651</b>  | Lic Status <b>Current</b>                                |                              |

|                         |                                       |                  |
|-------------------------|---------------------------------------|------------------|
| <b>Address</b>          |                                       |                  |
| Street # <b>1340</b>    | Street <b>STIRLING ROAD SUITE 10B</b> |                  |
| Line 2                  |                                       |                  |
| Line 3                  |                                       |                  |
| City <b>DANIA BEACH</b> | State <b>FL</b>                       | Zip <b>33004</b> |
| Routing                 |                                       |                  |

Casino Miami, LLC (JAI273) License Verifications

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2025</b> |
| File # <b>134</b>        | Name <b>INTERBLOCK USA L. C.</b>                         | Extended To                  |
| License # <b>8759471</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/29/2022</b> |
| Entity # <b>8759471</b>  | Lic Status <b>Current</b>                                |                              |

|                       |                                   |                       |
|-----------------------|-----------------------------------|-----------------------|
| <b>Address</b>        |                                   |                       |
| Street # <b>1106</b>  | Street <b>PALMS AIRPORT DRIVE</b> |                       |
| Line 2                |                                   |                       |
| Line 3                |                                   |                       |
| City <b>LAS VEGAS</b> | State <b>NV</b>                   | Zip <b>89119-3730</b> |
|                       | Routing                           |                       |

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>164</b>        | Name <b>LIGHTNING SLOT MACHINES LLC</b>                  | Extended To                  |
| License # <b>9823078</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/24/2021</b> |
| Entity # <b>9823078</b>  | Lic Status <b>Current</b>                                |                              |

|                      |                                      |                  |
|----------------------|--------------------------------------|------------------|
| <b>Address</b>       |                                      |                  |
| Street # <b>23</b>   | Street <b>CREEK CIRCLE SUITE 400</b> |                  |
| Line 2               |                                      |                  |
| Line 3               |                                      |                  |
| City <b>BOOTHWYN</b> | State <b>PA</b>                      | Zip <b>19061</b> |
|                      | Routing                              |                  |

August 25, 2022

RECEIVED  
2022 SEP - 1 PM 12: 21  
FLORIDA GAMING  
CONTROL COMMISSION

The below signed individuals hereby attest that the submitted Internal Controls for Casino Miami conform to the requirements of Chapter 551, F.S., and Chapter 61-D-14, F.A.C., attested to by:

  
\_\_\_\_\_  
Daniel J. Licciardi – VP & General Manager


8/25/2022  
Date

  
\_\_\_\_\_  
Julio Cesar Torres – CFO

8/25/22  
Date

  
\_\_\_\_\_  
Daniel J. Licciardi – Chief Gaming Officer, VP & GM


8/25/2022  
Date

  
\_\_\_\_\_  
William Hutcheson – Director of Surveillance

8/25/2022  
Date

  
\_\_\_\_\_  
Eugene Tellez – Director of Security

8/24/22  
Date

  
\_\_\_\_\_  
Neal Elliott – Director of Slots

8/25/2022  
Date



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**MEMORANDUM**

**TO:** Jamie Pouncey, Program Administrator  
**FROM:** Bill Crafts, Chief of Slot Operations  
**SUBJECT:** Casino Miami, LLC d/b/a Casino Miami – Annual Internal Controls Review  
**DATE:** November 18, 2022

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The office of Slot Operations has completed our annual review of the Internal Controls of Casino Miami, LLC. At this time, our assessment has shown full compliance with 551, Fla. Stat. (2005) and Fla. Admin. Code R. 61D-14. We strive to continuously review all our licensed facilities systems of control, and work closely with the property's management and compliance officers to ensure rigorous adherence to Florida Statute and Administrative Code. Our annual review involves a more comprehensive and robust examination of all Internal Controls as adopted by the facility.

This review was conducted by the Tax & Audit Group of the Office of Slot Operations, with their report SOIC-2023-273 being issued on November 18, 2022.

As always, should you have any questions or concerns pertaining to this matter, please do not hesitate to contact me.

Bill Crafts  
Chief of Slot Operations





**State of Florida**  
**Department of Business and Professional Regulation**  
**Chronology Report**

**Case #:** 2022052214                      **Incident date:** 08/31/2022                      **Status:** 10 - Initial Review

**Lic Type:** 1003                      **Disposition:**

**Case Type:** Complaint

**Responsible:** ljelks - JELKS, LA'KESHA

**Complainant:** CASINO MIAMI JAI-ALAI  
 3500 NW 37TH AVENUE, MIAMI, FL 33142

**Respondent:** FGCC, PARI-MUTUEL WAGERING  
 2601 BLAIR STONE ROAD, TALLAHASSEE, FL 32399

**Summary:** PERMITHOLDER APPLICATION FOR ANNUAL SLOT MACHINE LICENSE

| <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> |
|--------------------|-----------------------|-------------|-----------------|-------------|--------------------|--------------------------|-------------------|
|                    | 10/31/2022            | R           |                 | ljelks      | JELKS, LA'KESHA    | ljelks                   |                   |
|                    | 10/31/2022            | S           | 1003            | 10          | Initial Review     | ljelks                   |                   |



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Re: South Florida Racing Association, LLC (QHRS544)  
2022-052289 Annual Slot Machine License  
Date: November 2, 2022

---

### Executive Summary

A slot machine licensee has submitted an application to renew its annual slot machine license. The Commission should approve this request.

### Background

Slot machine gaming is authorized in Miami-Dade and Broward Counties at certain pari-mutuel facilities.<sup>1</sup> One such facility is South Florida Racing Association, LLC d/b/a Hialeah Park, Hialeah Park Casino and/or Hialeah Park Racing & Casino (“Hialeah Park”). Hialeah Park is located in Miami-Dade County and possesses a valid quarter horse permit. Hialeah Park was issued a pari-mutuel operating license and cardroom license for the 2022-2023 Fiscal Year.

Commission staff received Hialeah Park’s application to renew its slot machine license on September 22, 2022. The application was complete as of November 18, 2022.

### Analysis

In addition to submitting a complete application, a slot machine licensee must satisfy numerous requirements to be entitled to a renewed slot machine license.<sup>2</sup> Hialeah Park has satisfied all of these requirements.

**Recommendation:** The Florida Gaming Control Commission should approve South Florida Racing Association, LLC d/b/a Hialeah Park, Hialeah Park Casino and/or Hialeah Park Racing & Casino’s application for renewal of its slot machine license effective December 22, 2022 through December 21, 2023.

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<sup>1</sup> See generally Art. X, § 23, Fla. Const.; § 551.101, Fla. Stat.

<sup>2</sup> See, e.g., §§ 551.103(1)(f) (mandating \$2,000,000.00 surety bond for slot machine licensees); 551.106(1)(a) (requiring payment of annual nonrefundable \$2,000,000.00 license fee); 551.118 (requiring payment of annual nonrefundable regulatory fee of \$250,000.00 to fund compulsive or addictive gambling prevention program); see also Fla. Admin. Code R. 61D-14 (“Pari-Mutuel Wagering Facility Slot Machine Operations”).



## **FLORIDA LICENSE FOR SLOT MACHINE OPERATIONS**

**WHEREAS** South Florida Racing Association, LLC, d/b/a Hialeah Park, Hialeah Park Casino, and/or Hialeah Park Racing & Casino, is the holder of a valid, active pari-mutuel permit to conduct quarter horse racing at its facility located in Miami-Dade County, granted pursuant to Chapter 550, Florida Statutes.

**WHEREAS** Hialeah Park is authorized to conduct Pari-Mutuel Wagering activities at its facility pursuant to the Laws of Florida, on approved dates.

**WHEREAS** the majority of voters of Miami-Dade County, Florida authorized slot machines at pari-mutuel facilities within Miami-Dade County in a county-wide referendum conducted on January 28, 2008.

**WHEREAS** Hialeah Park has made application for licensure to conduct Slot Machine Gaming from December 22, 2022, through December 21, 2023, pursuant to Florida Statutes and Administrative Rules adopted pursuant thereto. It has been found that Hialeah Park has fulfilled all the statutorily required conditions for licensure and is therefore qualified to hold a license to conduct Slot Machine Gaming as authorized under the Laws of Florida.

**WHEREAS** Hialeah Park has furnished and shall maintain in effect during the term of this license, the appropriate bond as required under Chapter 551, Florida Statutes.

**NOW THEREFORE BE IT KNOWN** that Hialeah Park is granted a non-transferable license, number **SM544**, under which it may, exclusively at the slot machine facility located at **South Florida Racing Association, LLC**, 2200 East 4<sup>th</sup> Avenue, Hialeah, Florida, 33013, receive, possess, operate and ship approved slot machine equipment, and conduct Slot Machine Gaming.

**BY RECEIVING THIS LICENSE** Hialeah Park agrees to, at all times during the term of this license, conduct its Slot Machine Gaming operation and maintain its Slot Machine Gaming facility in accordance with applicable Florida Statutes and Administrative Rules adopted pursuant thereto.

**LICENSURE GRANTED** this \_\_\_\_\_ of December 2022, in Tallahassee, Florida.

**FOR THE STATE OF FLORIDA:**

\_\_\_\_\_  
**Louis Trombetta, Executive Director  
Florida Gaming Control Commission**

**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING**

**PERMITHOLDER APPLICATION FOR ANNUAL SLOT MACHINE LICENSE CHECKLIST**

| APPLICATION INFORMATION                       |   |                      |                             |   |
|---|---|----------------------|-----------------------------|---|
| Permitholder Name: South Florida – 544 – 1003 |   | File 8               |                             |   |
| Date Received: September 21, 2022             |   | Case# 2022-052289    |                             |   |
| Reviewer Name: La’Keshia Jelks                |   |                      |                             |   |
| SLOT MACHINE LICENSE REQUIREMENTS             |   |                      |                             |   |
|   | Requirement Description   | Requirement Met? Y/N | Date Deficiency Letter Sent | Date Deficiency Resolved  |
| 1   | Original application form DBPR PMW 3405.  | Y                    |                             |   |
| 2   | Original Authorization for Release of Information form DBPR PMW 3195.   | Y                    |                             |   |
| 3   | List of all ownership interests of five percent or greater as described in Rule 61D-14.002(b)(c)(d) and (e), FAC, Form DBPR 0040.   | Y                    | 11/2/2022                   | 11/17/2022  |
| 4   | A copy of the binding written agreements between the facility and respective associations as required by Section 551.104(10), Florida Statutes (thoroughbred only).   | N/A                  |                             |   |
| 5   | Evidence of a current surety bond in the amount of \$2,000,000, payable to the Governor of the State of Florida, as specified in s. 551.103(1)(f), FS.  | Y<br>12/31/2022      |                             |   |
| 6   | Payment of the non-refundable \$2,000,000 application fee for a Slot Machine License as required by Section 551.106(1), FS submitted via EFT.<br>Payment of the non-refundable \$250,000 regulatory fee for the Compulsive or Addictive Gambling Prevention Program as required by Section 551.118, FS, made payable to the Division, submitted via EFT.  | Y                    | 11/2/2022                   | 11/3/2022   |
| 7   | A list of slot machine business occupational licensees (i.e. vendors, manufacturers, distributors, service companies, etc.) with whom the permitholder intends to do business.  | Y                    | 11/2/2022                   | 11/2/2022   |
| 8   | Disclosure of the applicant’s internal control procedures required by Rule 61D-14.058, Florida Administrative Code. Which includes:<br>A copy of the Compulsive or Addictive Gambling Prevention Program as required by S. 551.118, FS & A copy of the facility’s written policy for creating opportunities to purchase from minority vendors in Florida. | Y                    | 11/2/2022                   | Expecting Letter on Friday, 11/18/2022<br><i>REV - 11/18/22</i> |

**90-day deadline:** \_\_\_\_\_

Application approved by: *Sammy Poncez*  
Permitholder Administrator

November 18, 2022  
Date

*Henry Swann*  
Second Review

November 18, 2022  
Date

## Jelks, La'Kesha

---

**From:** Jelks, La'Kesha  
**Sent:** Wednesday, November 2, 2022 9:49 AM  
**To:** 'Paul A. '; 'Paul S.'  
**Subject:** South Florida Racing Association, LLC 22/23 Slots Renewal Application

Greetings,

The Slot Renewal Application submitted for South Florida Racing Association, LLC (QHRS544) was received, however, the application remains incomplete for:

- Payment of the non-refundable \$2 million application fee and payment of the non-refundable \$250k regulatory fee for the Compulsive or Addictive Gambling Prevention Program as required by Section 551.118, FS. \*\*\* Please submit payment on or before November 15, 2022 due to the new deadlines with the Florida Gaming Control Commission \*\*\*
- Aldercrest of Florida, Inc., license number 8818794 (30% ownership) license expired on 06/30/2022
- Vendor SFM Janitorial Services, LLC license expired on 06/30/2022

The items listed require submission and/or correction to complete the renewal application. Please be mindful that these deficiencies must be complete before the deadline (November 15<sup>th</sup>) to be reviewed and approved by the Commissioner's at the December 1<sup>st</sup> Meeting. If you have any questions regarding the deficiencies, please contact me at your earliest convenience.

Best,

*La'Kesha Jelks*



La'Kesha Jelks  
Operations Review Specialist  
Florida Gaming Control Commission  
Pari-Mutuel Wagering  
Phone: (850) 717-1095

The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

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RECEIVED  
2022 SEP 22 AM 11:49  
FLORIDA GAMING  
CONTROL COMMISSION

September 21, 2022

**SEND VIA FEDEX**

Ms. Jaime Pouncey  
Program Administrator  
Florida Gaming Control Commission  
2601 Blair Stone Road,  
Tallahassee, FL 32399-1035

Re: **2022 – 2023 Slot License Renewal for South Florida Racing Association**

Dear Ms. Pouncey:

Attached is our slot license renewal package from South Florida Racing Association, DBA Hialeah Park Racing & Casino. Please note:

1. Included are the original signed forms 3190, 3195, and 3405.
2. The facility has opted not to run live racing for the 2022 – 2023 license period.
3. Our current surety bond is valid thru December 31, 2022. The continuation certificate for 2023 will be sent via FedEx separately once received from the underwriter.
4. The list of business vendors, compulsive gambling program, equal opportunity policies, current internal controls, current Surveillance Plan, current Security Plan, and Floor Plan, have been uploaded via the FGCC FTP portal.
5. There are no adverse factors affecting the application.

Sincerely,

Paul Schlaffer  
Director of AML and Casino Compliance

DBPR PMW-3405 – Permitholder Renewal Application for Annual Slot Machine License



**STATE OF FLORIDA**  
**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**  
**DIVISION OF PARI-MUTUEL WAGERING**  
 www.myfloridalicense.com

RECEIVED  
 2022 SEP 22 AM 11:49  
 FLORIDA GAMING  
 CONTROL COMMISSION

| INSTRUCTIONS  |                                    |  |
|---|------------------------------------|--|
| This form is to be submitted in conjunction with Form DBPR PMW-3460, Authorization for Release of Information, and Form DBPR PMW-3190, Officers and Directors. All three forms must be submitted to the division one month prior to the expiration of the current slot machine license. |                                    |  |
| ORGANIZATION INFORMATION  |                                    |  |
| Federal Employer ID Number: [REDACTED]  |                                    |  |
| Permitholder's Legal Name: South Florida Racing Association, LLC  |                                    |  |
| Doing Business As (D/B/A) Name: Hialeah Park Racing & Casino  |                                    |  |
| MAILING ADDRESS   |                                    |  |
| Street Address or P.O. Box: Post Office Box 158   |                                    |  |
|   |                                    |  |
| City: Hialeah   | State: FL                          | Zip Code: 33011                            |
| County: Miami-Dade  | Country: USA                       |  |
| CONTACT INFORMATION   |                                    |  |
| Contact Name: Stephen R. Calabro  |                                    | Title: Executive VP & GM Gaming Operations |
| Primary Phone Number: [REDACTED]  | Primary E-Mail Address: [REDACTED] |  |
| PHYSICAL ADDRESS  |                                    |  |
| Street Address: 100 East 32nd Street, 2nd Floor Executive Offices   |                                    |  |
|   |                                    |  |
| City: Hialeah   | State: FL                          | Zip Code (+4 optional) 33013               |
| County: Miami-Dade  |                                    |  |
| ADDITIONAL CONTACT INFORMATION  |                                    |  |
| Alternate Phone Number: [REDACTED]  | Fax Number: 305-889-5397           |  |
| Alternate E-Mail Address  |                                    |  |
| SLOT MACHINE AREA INFORMATION   |                                    |  |
| Short Description of Physical Location of Slot Machine Area(s): Approximately 30,000 Square feet  |                                    |  |
| of gaming area within the existing area of Hialeah Park Race Course in Hialeah, FL.   |                                    |  |
| What is the number of slot machines you intend to operate during the license period? 816  |                                    |  |
| Name and license number of Slot Machine Operations Manager or Slot Machine Management Company:<br>Stephen R. Calabro Lic# 8167486   |                                    |  |
| Name and address of the Custodian of Records in Florida:<br>HIALEAH PARK RACING & CASINO 100 EAST 32ND STREET, HIALEAH FL 33013   |                                    |  |



South Florida Racing Association, LLC (QHRS544) License Verifications

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo</b> | Expires On <b>06/30/2024</b> |
| File # <b>881</b>        | Name <b>CALABRO, STEPHEN R</b>                               | Extended To                  |
| License # <b>8167486</b> | Rank <b>SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>     | Renewed On <b>04/21/2021</b> |
| Entity # <b>8167486</b>  | Lic Status <b>Current</b>                                    |                              |

|                             |                                 |                  |
|-----------------------------|---------------------------------|------------------|
| <b>Address</b>              |                                 |                  |
| Street # <b>2810</b>        | Street <b>NE 30TH ST APT. A</b> |                  |
| Line 2                      |                                 |                  |
| Line 3                      |                                 |                  |
| City <b>FORT LAUDERDALE</b> | State <b>FL</b>                 | Zip <b>33306</b> |
|                             | Routing                         |                  |

List the dates and hours of slot machine operations:  
**Monday - Thursday 9:00am-4:00am; Friday & Saturday 24 hours, Sunday 9:00am - 4:00am**

|  |   |
|--|---|
| Does the applicant have any ownership interest in another Florida permit? If yes, disclose the name of the permit: _____   | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Does the applicant have any ownership interest in a slot machine testing laboratory company? If yes, disclose the name of the testing laboratory: _____                                | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Does the applicant have any ownership interest in a slot machine manufacturer and/or distributor? If yes, disclose the name of the slot machine manufacturer/distributor: _____        | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Has any other jurisdiction taken action regarding the applicant's gaming license? If yes, provide the name of the jurisdiction, the reason for the action, and the action taken: _____ | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |

**Additional requirements to be submitted to the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, Office of Operations, 1940 North Monroe Street, Tallahassee, Florida 32399-1037:**

- 1) Submission of a list of all ownership interests of five percent or greater. If a corporation, the name of the state in which incorporated and the names and addresses of the officers, directors, and shareholders holding five percent or more equity or, if a business entity other than a corporation, the names and addresses of the principals, partners, shareholders or any other person holding five percent or more equity as described in Rule 61D-14.002(1)(d), (e) and (f), Florida Administrative Code (F.A.C.), on Form DBPR PMW-3190.
- 2) Submission of a copy of the binding written agreements between the facility and respective associations as required by Section 551.104(10), Florida Statutes.
- 3) Evidence of a current surety bond in the amount of \$2,000,000, payable to the Governor of the State of Florida, as specified in Section 551.103(1)(f), Florida Statutes.
- 4) Submission of a list of slot machine business occupational licensees (i.e., vendors, manufacturers, distributors, service companies, etc.) with whom you intend to do business.
- 5) Disclosure of any administrative, civil or criminal proceedings, and/or any judgments initiated by any governmental agency or any other state or federal agency that would affect the license status of the applicant or any affiliate of the applicant pursuant to Sections 550.054 and 550.1815, Florida Statutes.

**Additional requirements to be submitted to the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, Office of Slot Operations, North Broward Regional Service Center, 1400 West Commercial Blvd., Suite 165, Ft. Lauderdale, Florida 33309:**


- 1) Submission of the slot machine applicant's employee training plan for the Compulsive or Addictive Gambling Prevention Program.
- 2) A copy of the facility's written policy for creating opportunities to purchase from minority vendors in Florida, creating employment opportunities for minority residents in Florida, opportunities for construction services provided by minority contractors, and ensuring opportunities for employment are offered on an equal nondiscriminatory basis.
- 3) A copy of the licensee's current internal controls.
- 4) A copy of the licensee's current Surveillance Plan and Security Plan.
- 5) A current version of the licensee's Floor Plan as described in Rule 61D-14.050, F.A.C.

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**ATTEST STATEMENT**

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as if made under oath. To the best of my knowledge, all information contained on this application is true and correct. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida, pursuant to Section 551.107, Florida Statutes.

  
 Signature of Applicant or Applicant's Representative

9/20/2022  
 Date



**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
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| PERSONAL INFORMATION  |                  |               |                        |              |               |
|---|------------------|---------------|------------------------|--------------|---------------|
| Social Security Number/Federal Employer ID Number   |                  |               |                        |              |               |
| IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION  |                  |               |                        |              |               |
| Last Name   | First            | Middle        | Title                  | Suffix       |               |
| Birth Date (MM/DD/YYYY)   |                  |               |                        |              |               |
| IF BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION  |                  |               |                        |              |               |
| Representative's Name   | Last<br>Brunetti | First<br>John | Middle<br>Joseph       | Title<br>Mr. | Suffix<br>Jr. |
| Permitholder Name<br>South Florida Racing Association, LLC D/B/A: Hialeah Park Racing & Casino  |                  |               |                        |              |               |
| Official Capacity<br>President & CEO  |                  |               |                        |              |               |
| ATTEST STATEMENT  |                  |               |                        |              |               |
| <p>I, <u>John Joseph Brunetti, Jr.</u>, do hereby instruct all law enforcement<br/>(name of applicant/representative)<br/>or criminal justice agencies, present and former employers or institutions with whom I or my businesses have a present or past business relationship, as well as all present or past social associates to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation.</p> <p>I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Additionally, I do release such individuals or entities from any and all liability due to the release of information requested.</p> <p><u>John Joseph Brunetti, Jr.</u><br/>(if individual applicant - legal name and any nickname or alias in parentheses)</p> <p>Applicant/Representative Signature: <u></u> Date: <u>9/12/22</u></p> |                  |               |                        |              |               |
| NOTARIZATION  |                  |               |                        |              |               |
| The foregoing application was sworn to and subscribed before me this <u>12<sup>th</sup></u> Day of <u>Sept</u> , 20 <u>22</u>   |                  |               |                        |              |               |
| by <u>John J. Brunetti, Jr.</u>   |                  |               | <u></u>                |              |               |
| Type or print name of applicant   |                  |               | Signature of applicant |              |               |
| who is <u>personally known</u> to me or who has produced the following as identification.   |                  |               |                        |              |               |
| Type of identification  |                  |               |                        |              |               |
| <u></u>   |                  |               |                        |              |               |
| Signature of person taking acknowledgement<br>Notary Seal<br>(Rubber Stamp and Expiration)  |                  |               |                        |              |               |



**STATE OF FLORIDA**  
**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**  
**DIVISION OF PARI-MUTUEL WAGERING**  
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Please provide information on the partners, managers, officers, or directors for your business entity below.

| ORGANIZATION NAME   |              |
|---|--------------|
| Name of Organization<br>South Florida Racing Association, LLC | Permit # 544 |
| D/B/A or Trade Name<br>Hialeah Park Racing & Casino           |              |

| LIMITED LIABILITY CORPORATION QUESTIONS   |
|---|
| If your corporation is a limited liability corporation (LLC), is the corporation member managed or manager managed? You can check your Articles of Incorporation for this information.<br>Member Managed <input checked="" type="checkbox"/> Manager Managed <input type="checkbox"/> |

Please list below all Officers, Directors, Managers, and/or Shareholders with 5 percent or more interest in the business:

Attach additional sheets as necessary.

| MANAGEMENT INFORMATION                       |                    |                                |                                 |               |
|--|--------------------|--------------------------------|---------------------------------|---------------|
| Last Name<br>Brunetti                        | First<br>John      | Middle<br>Joseph               | Title<br>Mr.                    | Suffix<br>Jr. |
| Office Held<br>President & CEO               | License #<br>27305 | Percentage of Ownership<br>20% |                                 |               |
| RESIDENCE ADDRESS                            |                    |                                |                                 |               |
| Street Address or P.O. Box 18630 N. Bay Road |                    |                                |                                 |               |
| City<br>Sunny Isles Beach                    |                    | State<br>FL                    | Zip Code (+4 optional)<br>33160 |               |
| County<br>(if Florida address) Miami-Dade    |                    | Country USA                    |                                 |               |

| MANAGEMENT INFORMATION                           |                     |                                |                                 |        |
|--|---------------------|--------------------------------|---------------------------------|--------|
| Last Name<br>Brunetti                            | First<br>Stephen    | Middle<br>Patrick              | Title<br>Mr.                    | Suffix |
| Office Held<br>Senior Vice President             | License #<br>431942 | Percentage of Ownership<br>20% |                                 |        |
| RESIDENCE ADDRESS                                |                     |                                |                                 |        |
| Street Address or P.O. Box 9510 Bent Grass Court |                     |                                |                                 |        |
| City<br>Delray Beach                             |                     | State<br>FL                    | Zip Code (+4 optional)<br>33446 |        |
| County<br>(if Florida address) Palm Beach        |                     | Country USA                    |                                 |        |

South Florida Racing Association, LLC (QHRS544) License Verifications

|                        |  |                              |
|------------------------|--|------------------------------|
| <b>License</b>         |  |                              |
| Fed Tax # [REDACTED]   | Lic Type <b>1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo</b> | Expires On <b>06/30/2023</b> |
| File # <b>2183</b>     | Name <b>BRUNETTI, JOHN JOSEPH JR</b>                         | Extended To                  |
| License # <b>27305</b> | Rank <b>SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>     | Renewed On <b>06/18/2020</b> |
| Entity # <b>27305</b>  | Lic Status <b>Current</b>                                    |                              |

|                     |                          |                  |
|---------------------|--------------------------|------------------|
| <b>Address</b>      |                          |                  |
| Street #            | Street <b>PO BOX 158</b> |                  |
| Line 2              |                          |                  |
| Line 3              |                          |                  |
| City <b>HIALEAH</b> | State <b>FL</b>          | Zip <b>33011</b> |
|                     | Routing                  |                  |

|                         |  |                              |
|-------------------------|--|------------------------------|
| <b>License</b>          |  |                              |
| Fed Tax # [REDACTED]    | Lic Type <b>1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo</b> | Expires On <b>06/30/2024</b> |
| File # <b>2185</b>      | Name <b>BRUNETTI, STEPHEN PATRICK</b>                        | Extended To                  |
| License # <b>431942</b> | Rank <b>SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>     | Renewed On <b>04/19/2021</b> |
| Entity # <b>431942</b>  | Lic Status <b>Current</b>                                    |                              |

|                          |                                |                  |
|--------------------------|--------------------------------|------------------|
| <b>Address</b>           |                                |                  |
| Street # <b>9510</b>     | Street <b>BENT GRASS COURT</b> |                  |
| Line 2                   |                                |                  |
| Line 3                   |                                |                  |
| City <b>DELRAY BEACH</b> | State <b>FL</b>                | Zip <b>33446</b> |
|                          | Routing                        |                  |

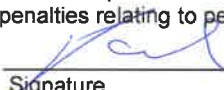
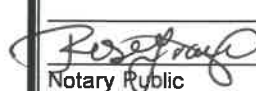

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| MANAGEMENT INFORMATION                          |                      |                                |             |                                 |
|---|----------------------|--------------------------------|-------------|---------------------------------|
| Last Name                                       | First                | Middle                         | Title       | Suffix                          |
| Aldercrest of Florida, Inc.                     |                      |                                |             |                                 |
| Office Held                                     | License #<br>8818794 | Percentage of Ownership<br>30% |             |                                 |
| RESIDENCE ADDRESS                               |                      |                                |             |                                 |
| Street Address or P.O. Box 2200 East 4th Avenue |                      |                                |             |                                 |
| City<br>Hialeah                                 |                      |                                | State<br>FL | Zip Code (+4 optional)<br>33013 |
| County<br>(if Florida address) Miami-Dade       |                      | Country USA                    |             |                                 |

| MANAGEMENT INFORMATION                          |                       |                                |             |                                 |
|---|-----------------------|--------------------------------|-------------|---------------------------------|
| Last Name                                       | First                 | Middle                         | Title       | Suffix                          |
| John J. Brunetti, Sr. Revocable Trust           |                       |                                |             |                                 |
| Office Held                                     | License #<br>12595681 | Percentage of Ownership<br>30% |             |                                 |
| RESIDENCE ADDRESS                               |                       |                                |             |                                 |
| Street Address or P.O. Box 2200 East 4th Avenue |                       |                                |             |                                 |
| City<br>Hialeah                                 |                       |                                | State<br>FL | Zip Code (+4 optional)<br>33013 |
| County<br>(if Florida address) Miami-Dade       |                       | Country USA                    |             |                                 |

| MANAGEMENT INFORMATION         |           |                         |       |                        |
|--------------------------------|-----------|-------------------------|-------|------------------------|
| Last Name                      | First     | Middle                  | Title | Suffix                 |
|                                |           |                         |       |                        |
| Office Held                    | License # | Percentage of Ownership |       |                        |
| RESIDENCE ADDRESS              |           |                         |       |                        |
| Street Address or P.O. Box     |           |                         |       |                        |
| City                           |           |                         | State | Zip Code (+4 optional) |
| County<br>(if Florida address) |           | Country                 |       |                        |

| OATH   |   |   |                   |
|--|---|---|-------------------|
| I swear or affirm that the information provided in this application is true and complete. I understand that knowingly providing false information on this application could subject the applicant to criminal penalties relating to perjury or other offenses. |   |   |                   |
| Name (Please Print)<br>Paul Schlafter  | Title (Please Print)<br>Director of AML/Casino Compliance & Internal Audit          | Signature<br> | Date<br>9-20-2022 |
| State of Florida,<br>County of <u>Dade</u>   |   |   |                   |
| Sworn to (or affirmed) and subscribed before me this <u>20th</u> day of <u>September</u> , 20 <u>22</u> ,  |   |   |                   |
| _____, who is <u>personally</u> known to me or produced the following as identification:   |   |   |                   |
| <br>Notary Public<br>My Commission Expires:  |  |   |                   |

**License**

Fed Tax # [REDACTED]  
File # 142

Lic Type **1050 - Slot Machine Business**  
Name **ALDERCREST OF FLORIDA INC.**  
Rank **SBUS - Slot Machine Bus Occupational License**  
Lic Status **Current**

Expires On **06/30/2025**  
Extended To  
Renewed On **05/13/2013**

**Address**

Street # Street **PO BOX 158**

Line 2  
Line 3

City **HIALEAH**

State **FL**

Zip **33011**

Routing

South Florida Racing Association, LLC (QHRS544) License Verifications

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1058 - Slot Combo Business</b>     | Expires On <b>06/30/2022</b> |
| File # <b>35</b>         | Name <b>ALDERCREST OF FLORIDA INC.</b>         | Extended To                  |
| License # <b>8818794</b> | Rank <b>SCBL - Slot Combo Business License</b> | Renewed On <b>05/21/2019</b> |
| Entity # <b>8818794</b>  | Lic Status <b>Current</b>                      |                              |

|                     |                          |                  |  |
|---------------------|--------------------------|------------------|--|
| <b>Address</b>      |                          |                  |  |
| Street #            | Street <b>PO BOX 158</b> |                  |  |
| Line 2              |                          |                  |  |
| Line 3              |                          |                  |  |
| City <b>HIALEAH</b> | State <b>FL</b>          | Zip <b>33011</b> |  |
|                     | Routing                  |                  |  |

|                           |  |                              |
|---------------------------|--|------------------------------|
| <b>License</b>            |  |                              |
| Fed Tax # [REDACTED]      | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2023</b> |
| File # <b>275</b>         | Name <b>JOHN J. BRUNETTI, SR. REVOCABLE TRUST</b>        | Extended To                  |
| License # <b>12595681</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On                   |
| Entity # <b>12595681</b>  | Lic Status <b>Current</b>                                |                              |

|                     |                          |                  |  |
|---------------------|--------------------------|------------------|--|
| <b>Address</b>      |                          |                  |  |
| Street #            | Street <b>PO BOX 158</b> |                  |  |
| Line 2              |                          |                  |  |
| Line 3              |                          |                  |  |
| City <b>HIALEAH</b> | State <b>FL</b>          | Zip <b>33011</b> |  |
|                     | Routing                  |                  |  |



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Dear Ms. Pouncey,

Included are the surety bond renewal certificates for the \$2m Slot bond LPM9029453 for 12/31/2022 - 20/31/2023, and the \$50k Pari-Mutuel bond LPM9029453 for 11/28/2022 – 11/28/2023.

Sincerely,

Paul Schlaffer

Director of AML/Casino Compliance/Internal Audit

*Office: 786-615-5111*

*Email: [pschlaffer@hialeahpark.com](mailto:pschlaffer@hialeahpark.com)*

100 East 32<sup>nd</sup> Street. Hialeah, FL 33013



# The Fidelity and Deposit Companies

Surety Service Center Underwriting Unit  
Surety Service Center  
Suite 300-S  
11411 Red Run Boulevard  
Owings Mills, MD 21117-3248

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Bond No LPM9029453

## CONTINUATION CERTIFICATE

For Miscellaneous Term Bonds

South Florida Racing Association, LLC as Principal, and the Fidelity and Deposit Company of Maryland, as Surety in a certain Bond No. LPM9029453 in the penalty of Two Million Dollars (\$2,000,000.00), in favor of the Governor of the State of Florida do hereby continue said bond in force for the further term of One (1) Year beginning on the 31<sup>st</sup> day of December, 2022 and ending on the 31<sup>st</sup> day of December, 2023.

### Surety Bond for Florida Slot Machine License

PROVIDED, however, that said bond, as continued hereby, shall be subject to all its terms and conditions, except as herein modified, and that the liability of the said Fidelity and Deposit Company of Maryland under said bond and any and all continuations thereof shall in no event exceed in the aggregate the above named penalty, and that this certificate shall not be valid unless signed by said Principal.

Signed, sealed and dated this 26<sup>th</sup> day of October, 2022.

South Florida Racing Association, LLC

  
LILLIAN M. ARMELY

(SEAL)

Witness



Principal

(SEAL)

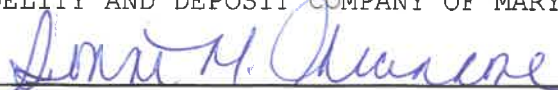
Principal

(SEAL)

Principal

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By:

  
Donna M. Chiancone, Attorney-in-Fact

A member of the  Zurich Financial Services Group

[www.fidelityanddeposit.com](http://www.fidelityanddeposit.com)

**ZURICH AMERICAN INSURANCE COMPANY  
 COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
 FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
 POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint, **Travis W. SHAFFER, Lori N. BAYBUTT, Donna M. CHIANCONE and Laurie KURTZ, all of Philadelphia, Pennsylvania, EACH**, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland, in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 13th day of March, A.D. 2020.



**ATTEST:  
 ZURICH AMERICAN INSURANCE COMPANY  
 COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
 FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: *Robert D. Murray*  
 Vice President

By: *Dawn E. Brown*  
 Secretary

**State of Maryland  
 County of Baltimore**

On this 13th day of March, A.D. 2020, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Constance A. Dunn*

Constance A. Dunn, Notary Public  
 My Commission Expires: July 9, 2023

**EXTRACT FROM BY-LAWS OF THE COMPANIES**

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

**CERTIFICATE**

I, the undersigned, Secretary of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 26th day of October 2022



By: Brian M. Hodges  
Vice President

**TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:**

Zurich Surety Claims  
1299 Zurich Way  
Schaumburg, IL 60196-1056  
[www.reportsfclaims@zurichna.com](mailto:www.reportsfclaims@zurichna.com)  
800-626-4577

# THE FIDELITY AND DEPOSIT COMPANY

OF MARYLAND  
1299 Zurich Way Schaumburg, IL 60196

## Statement of Financial Condition As Of December 31, 2021

### ASSETS

|                                       |                       |
|---------------------------------------|-----------------------|
| Bonds.....                            | \$ 237,467,504        |
| Stocks .....                          | 18,985,762            |
| Cash and Short-Term Investments ..... | 7,415,852             |
| Reinsurance Recoverable .....         | 25,735,324            |
| Federal Income Tax Recoverable.....   | 0                     |
| Other Accounts Receivable.....        | 24,479,233            |
| <b>TOTAL ADMITTED ASSETS.....</b>     | <b>\$ 314,083,675</b> |

### LIABILITIES, SURPLUS AND OTHER FUNDS

|   |                       |
|---|-----------------------|
| Reserve for Taxes and Expenses .....          | \$ 378,101            |
| Ceded Reinsurance Premiums Payable .....      | 48,876,599            |
| Remittances and Items Unallocated .....       | 0                     |
| Payable to parents, subs and affiliates ..... | 0                     |
| Securities Lending Collateral Liability.....  | 0                     |
| <b>TOTAL LIABILITIES .....</b>                | <b>\$ 49,254,700</b>  |
| Capital Stock, Paid Up .....                  | \$ 5,000,000          |
| Surplus.....                                  | 264,828,975           |
| Surplus as regards Policyholders.....         | 264,828,975           |
| <b>TOTAL .....</b>                            | <b>\$ 314,083,675</b> |

Securities carried at \$78,561,855 in the above statement are deposited with various states as required by law.

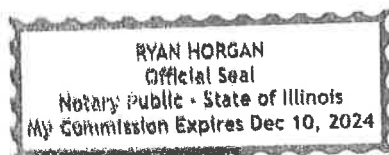
Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of market quotations for all bonds and stocks owned, the Company's total admitted assets at December 31, 2021 would be \$319,561,762 and surplus as regards policyholders \$270,307,062.

I, LAURA J. LAZARCZYK, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2021.

DocuSigned by:  
*Laura J. Lazarczyk*  
42DF6DB47137490...  
\_\_\_\_\_  
Corporate Secretary

State of Illinois }  
City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15<sup>th</sup> day of March, 2022.



*Ryan Horgan*  
\_\_\_\_\_  
Notary Public



# The Fidelity and Deposit Companies

Surety Service Center Underwriting Unit  
Surety Service Center  
Suite 300-S  
11411 Red Run Boulevard  
Owings Mills, MD 21117-3248

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CONTROL COMMISSION

Bond No LPM8966220

## CONTINUATION CERTIFICATE

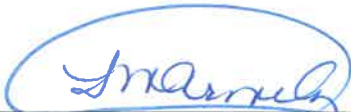
For Miscellaneous Term Bonds

South Florida Racing Association, LLC as Principal, and the Fidelity and Deposit Company of Maryland, as Surety in a certain Bond No. LPM8966220 in the penalty of Fifty Thousand Dollars (\$50,000.00), in favor of the Governor of the State of Florida do hereby continue said bond in force for the further term of One (1) Year beginning on the 28<sup>th</sup> day of November, 2022 and ending on the 28<sup>th</sup> day of November, 2023.

### Miscellaneous – License & Permit Bond for Pari-Mutuel Wagering

PROVIDED, however, that said bond, as continued hereby, shall be subject to all its terms and conditions, except as herein modified, and that the liability of the said Fidelity and Deposit Company of Maryland under said bond and any and all continuations thereof shall in no event exceed in the aggregate the above named penalty, and that this certificate shall not be valid unless signed by said Principal.

Signed, sealed and dated this 26<sup>th</sup> day of October, 2022.

  
\_\_\_\_\_  
(SEAL) LILLIAN M. CARMODY  
Witness

**South Florida Racing Association, LLC**  
  
\_\_\_\_\_  
Principal

\_\_\_\_\_  
(SEAL)

\_\_\_\_\_  
Principal

\_\_\_\_\_  
(SEAL)

\_\_\_\_\_  
Principal

FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
By:   
\_\_\_\_\_  
**Donna M. Chiancone, Attorney-in-Fact**

A member of the  Zurich Financial Services Group

[www.fidelityanddeposit.com](http://www.fidelityanddeposit.com)

**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint, **Travis W. SHAFFER, Lori N. BAYBUTT, Donna M. CHIANCONE and Laurie KURTZ, all of Philadelphia, Pennsylvania, EACH**, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland, in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 13th day of March, A.D. 2020.



**ATTEST:  
ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: *Robert D. Murray*  
Vice President

By: *Dawn E. Brown*  
Secretary

**State of Maryland  
County of Baltimore**

On this 13th day of March, A.D. 2020, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn, Notary Public  
My Commission Expires: July 9, 2023

**EXTRACT FROM BY-LAWS OF THE COMPANIES**

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

**CERTIFICATE**

I, the undersigned, Secretary of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 26th day of October 2022



*Brian M. Hodges*

By: Brian M. Hodges  
Vice President

**TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:**

Zurich Surety Claims  
1299 Zurich Way  
Schaumburg, IL 60196-1056  
[www.reportsfclaims@zurichna.com](mailto:www.reportsfclaims@zurichna.com)  
800-626-4577



**THE FIDELITY AND DEPOSIT COMPANY**

OF MARYLAND  
1299 Zurich Way Schaumburg, IL 60196

**Statement of Financial Condition**  
As Of December 31, 2021

**ASSETS**

|                                       |                       |
|---------------------------------------|-----------------------|
| Bonds.....                            | \$ 237,467,504        |
| Stocks .....                          | 18,985,762            |
| Cash and Short-Term Investments ..... | 7,415,852             |
| Reinsurance Recoverable .....         | 25,735,324            |
| Federal Income Tax Recoverable.....   | 0                     |
| Other Accounts Receivable.....        | 24,479,233            |
| <b>TOTAL ADMITTED ASSETS.....</b>     | <b>\$ 314,083,675</b> |

**LIABILITIES, SURPLUS AND OTHER FUNDS**

|   |                       |
|---|-----------------------|
| Reserve for Taxes and Expenses .....          | \$ 378,101            |
| Ceded Reinsurance Premiums Payable .....      | 48,876,599            |
| Remittances and Items Unallocated .....       | 0                     |
| Payable to parents, subs and affiliates ..... | 0                     |
| Securities Lending Collateral Liability.....  | 0                     |
| <b>TOTAL LIABILITIES .....</b>                | <b>\$ 49,254,700</b>  |
| Capital Stock, Paid Up .....                  | \$ 5,000,000          |
| Surplus.....                                  | 264,828,975           |
| Surplus as regards Policyholders.....         | 264,828,975           |
| <b>TOTAL .....</b>                            | <b>\$ 314,083,675</b> |

Securities carried at \$78,561,855 in the above statement are deposited with various states as required by law.

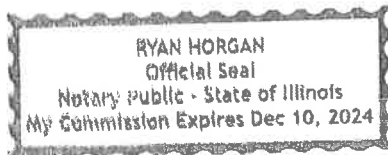
Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of market quotations for all bonds and stocks owned, the Company's total admitted assets at December 31, 2021 would be \$319,561,762 and surplus as regards policyholders \$270,307,062.

I, LAURA J. LAZARCZYK, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2021.

DocuSigned by:  
*Laura J. Lazarczyk*  
42DF0DB47137450...  
Corporate Secretary

State of Illinois }  
City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15<sup>th</sup> day of March, 2022.



*Ryan Horgan*  
Notary Public



# The Fidelity and Deposit Companies

Surety Service Center Underwriting Unit  
Surety Service Center  
Suite 300-S  
11411 Red Run Boulevard  
Owings Mills, MD 21117-3248

Bond No LPM9029453

## CONTINUATION CERTIFICATE

For Miscellaneous Term Bonds

South Florida Racing Association, LLC as Principal, and the Fidelity and Deposit Company of Maryland, as Surety in a certain Bond No. LPM9029453 in the penalty of Two Million Dollars (\$2,000,000.00), in favor of the Governor of the State of Florida do hereby continue said bond in force for the further term of One (1) Year beginning on the 31<sup>st</sup> day of December, 2021 and ending on the 31<sup>st</sup> day of December, 2022.

### Surety Bond for Florida Slot Machine License

PROVIDED, however, that said bond, as continued hereby, shall be subject to all its terms and conditions, except as herein modified, and that the liability of the said Fidelity and Deposit Company of Maryland under said bond and any and all continuations thereof shall in no event exceed in the aggregate the above named penalty, and that this certificate shall not be valid unless signed by said Principal.

Signed, sealed and dated this 12<sup>th</sup> day of November, 2021.

(Signature)  
\_\_\_\_\_  
(SEAL) Witness  
Principal

South Florida Racing Association, LLC

(Signature)  
\_\_\_\_\_  
Principal

\_\_\_\_\_  
(SEAL) \_\_\_\_\_  
Principal

\_\_\_\_\_  
(SEAL) \_\_\_\_\_  
Principal

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By: (Signature)  
\_\_\_\_\_  
Donna M. Chiancone, Attorney-in-Fact

A member of the  Zurich Financial Services Group

[www.fidelityanddeposit.com](http://www.fidelityanddeposit.com)

**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint, **Travis W. SHAFFER, Lori N. BAYBUTT, Donna M. CHIANCONE and Laurie KURTZ, all of Philadelphia, Pennsylvania, EACH**, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland, in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 13th day of March, A.D. 2020.



**ATTEST:**  
ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By: **Robert D. Murray**  
Vice President

By: **Dawn E. Brown**  
Secretary

**State of Maryland  
County of Baltimore**

On this 13th day of March, A.D. 2020, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn, Notary Public  
My Commission Expires: July 9, 2023

**EXTRACT FROM BY-LAWS OF THE COMPANIES**

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

**CERTIFICATE**

I, the undersigned, Secretary of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 12th day of November 2021



*Brian M. Hodges*

By: Brian M. Hodges  
Vice President

**TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:**

Zurich Surety Claims  
1299 Zurich Way  
Schaumburg, IL 60196-1056  
[www.reportsfclaims@zurichna.com](mailto:www.reportsfclaims@zurichna.com)  
800-626-4577

# THE FIDELITY AND DEPOSIT COMPANY

OF MARYLAND  
1299 Zurich Way Schaumburg, IL 60196

**Statement of Financial Condition**  
As Of December 31, 2020

| <b>ASSETS</b>                         |                              |
|---------------------------------------|------------------------------|
| Bonds.....                            | \$ 262,624,334               |
| Stocks .....                          | 19,715,392                   |
| Cash and Short-Term Investments ..... | 3,219,781                    |
| Reinsurance Recoverable.....          | 17,293,466                   |
| Federal Income Tax Recoverable.....   | 114,253                      |
| Other Accounts Receivable.....        | 29,083,530                   |
| <b>TOTAL ADMITTED ASSETS.....</b>     | <b>\$ <u>332,050,756</u></b> |

| <b>LIABILITIES, SURPLUS AND OTHER FUNDS</b>  |                              |
|--|------------------------------|
| Reserve for Taxes and Expenses .....         | \$ 539,588                   |
| Ceded Reinsurance Premiums Payable .....     | 43,847,005                   |
| Remittances and Items Unallocated .....      | 0                            |
| Payable to parents, subs and affiliates..... | 0                            |
| Securities Lending Collateral Liability..... | 0                            |
| <b>TOTAL LIABILITIES.....</b>                | <b>\$ <u>44,413,593</u></b>  |
| Capital Stock, Paid Up .....                 | \$ 5,000,000                 |
| Surplus.....                                 | <u>282,637,163</u>           |
| Surplus as regards Policyholders.....        | 287,637,163                  |
| <b>TOTAL.....</b>                            | <b>\$ <u>332,050,756</u></b> |

Securities carried at \$165,065,329 in the above statement are deposited with various states as required by law.

Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of market quotations for all bonds and stocks owned, the Company's total admitted assets at December 31, 2020 would be \$346,439,970 and surplus as regards policyholders \$302,026,377.

I, LAURA J. LAZARCZYK, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2020.

DocuSigned by:  
*Laura J. Lazarczyk*  
42BF6DB47437480  
\_\_\_\_\_  
Corporate Secretary

State of Illinois }  
City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15<sup>th</sup> day of March, 2021.



*Ryan Horgan*  
\_\_\_\_\_  
Notary Public

## Jelks, La'Kesha

---

**From:** Schlaffer, Paul <pschlaffer@hialeahpark.com>  
**Sent:** Wednesday, November 2, 2022 12:09 PM  
**To:** Jelks, La'Kesha  
**Subject:** RE: South Florida Racing Association, LLC 22/23 Slots Renewal Application  
**Attachments:** SFRA Slot Business Vendors (Updated).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.

Good Morning,

Attached is the updated list of vendors. SFM's license number had changed, and I've updated accordingly. The other two deficiencies are being addressed.

| License Type             | Name                        | Name Type | License Number/<br>Rank    | Status/Expires        |
|--------------------------|-----------------------------|-----------|----------------------------|-----------------------|
| Slot Machine<br>Business | SFM JANITORIAL SERVICES LLC | Primary   | 10143241<br>Slots Business | Current<br>06/30/2025 |

**Main Address\*:** 9700 NW 78TH AVENUE HIALEAH GARDENS, FL 33018

Thank you,

*Paul Schlaffer*  
*Director of AML/Casino Compliance & Internal Audit*  
*Hialeah Park Racing & Casino*  
*100 E. 32<sup>nd</sup> Street*  
*Hialeah, FL 33013*  
*Office: (786) 615-5111*

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---

**From:** Jelks, La'Kesha <La'Kesha.Jelks@fgcc.fl.gov>  
**Sent:** Wednesday, November 2, 2022 9:49 AM  
**To:** Ascolese, Paul <pascolese@hialeahpark.com>; Schlaffer, Paul <pschlaffer@hialeahpark.com>  
**Subject:** South Florida Racing Association, LLC 22/23 Slots Renewal Application

Greetings,

The Slot Renewal Application submitted for South Florida Racing Association, LLC (QHRS544) was received, however, the application remains incomplete for:

- Payment of the non-refundable \$2 million application fee and payment of the non-refundable \$250k regulatory fee for the Compulsive or Addictive Gambling Prevention Program as required by Section 551.118, FS. \*\*\* Please submit payment on or before November 15, 2022 due to the new deadlines with the Florida Gaming Control Commission \*\*\*
- Aldercrest of Florida, Inc., license number 8818794 (30% ownership) license expired on 06/30/2022
- Vendor SFM Janitorial Services, LLC license expired on 06/30/2022

The items listed require submission and/or correction to complete the renewal application. Please be mindful that these deficiencies must be complete before the deadline (November 15<sup>th</sup>) to be reviewed and approved by the Commissioner's at the December 1<sup>st</sup> Meeting. If you have any questions regarding the deficiencies, please contact me at your earliest convenience.

Best,

*La'Kesha Jelks*



La'Kesha Jelks  
Operations Review Specialist  
Florida Gaming Control Commission  
Pari-Mutuel Wagering  
Phone: (850) 717-1095

The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. [LARGER VIEW](#)



November 2, 2022

**VIA E-MAIL**

Jaime Pouncey  
 Program Administrator  
 Florida Gaming Control Commission  
 2601 Blair Stone Road  
 Tallahassee, Florida 32399-1035

**RE: South Florida Racing Association List of Slot Business Vendors**

Dear Ms. Pouncey:

Below is the (updated) list of slot machine vendor business licensees with whom SFRA will be doing business.

| Slot Vendors  | Florida License | Expiration |
|---|-----------------|------------|
| Ainsworth Game Technology Inc                       | 8069830         | 6/30/2024  |
| American Gaming System (AGS, LLC)                   | 8281949         | 6/30/2023  |
| Apogee Gaming USA Inc                               | 11936144        | 6/30/2024  |
| Aristocrat Technologies Inc                         | 7830421         | 6/30/2024  |
| Aruze Gaming  | 8587586         | 6/30/2025  |
| Bally Gaming Technologies (Scientific Games)        | 7805891         | 6/30/2024  |
| Bluberi Gaming USA, Inc.                            | 11105033        | 6/30/2025  |
| Cummins-Allison Corp                                | 7934408         | 6/30/2025  |
| Empire Technological Group, LTD                     | 11725077        | 6/30/2024  |
| Everi Games, Inc.                                   | 9943621         | 6/30/2024  |
| Everi Payments Inc.                                 | 9993721         | 6/30/2024  |
| Gaming Arts, LLC                                    | 11905567        | 6/30/2024  |
| Giesecke+Devrient Currency Technology America, Inc. | 7945830         | 6/30/2024  |
| Incredible Technologies Casino Games, Inc.          | 8801896         | 6/30/2024  |
| International Gaming Technologies (IGT)             | 7800936         | 6/30/2024  |
| KGM Gaming, LLC                                     | 8915860         | 6/30/2023  |
| Konami Gaming, Inc.                                 | 7883140         | 6/30/2024  |
| Lightning Slot Machines, LLC                        | 9823078         | 6/30/2024  |
| Maverick International                              | 11938935        | 6/30/2024  |
| Modern Gaming, Inc.                                 | 8523052         | 6/30/2024  |
| Patriot Gaming & Electronics, Inc.                  | 8605145         | 6/30/2025  |
| Reel Games, Inc.                                    | 7830710         | 6/30/2024  |
| SFM Janitorial Service, LLC                         | 10143241        | 6/30/2025  |
| Service Central, Inc                                | 8566232         | 6/30/2024  |

100 East 32<sup>nd</sup> Street, 2<sup>nd</sup> Floor Executive Offices Hialeah, Florida 33013 305 885-8000





|                     |          |           |
|---------------------|----------|-----------|
| Vector Gaming       | 10168958 | 6/30/2023 |
| VSR Industries, Inc | 1499535  | 6/30/2024 |
| Zitro USA Inc.      | 10019307 | 6/30/2024 |



September 6, 2022

**VIA E-MAIL**

Jaime Pouncey  
 Program Administrator  
 Florida Gaming Control Commission  
 2601 Blair Stone Road  
 Tallahassee, Florida 32399-1035

**RE: South Florida Racing Association List of Slot Business Vendors**

Dear Ms. Pouncey:

Below is the list of slot machine vendor business licensees with whom SFRA will be doing business.

| Slot Vendors  | Florida License | Expiration  |
|---|-----------------|-------------|
| Ainsworth Game Technology Inc ✓                       | 8069830 ✓       | 6/30/2024 ✓ |
| American Gaming System (AGS, LLC) ✓                   | 8281949 ✓       | 6/30/2023 ✓ |
| Apogee Gaming USA Inc ✓                               | 11936144 ✓      | 6/30/2024 ✓ |
| Aristocrat Technologies Inc ✓                         | 7830421 ✓       | 6/30/2024 ✓ |
| Aruze Gaming ✓  | 8587586 ✓       | 6/30/2025 ✓ |
| Bally Gaming Technologies (Scientific Games) ✓        | 7805891 ✓       | 6/30/2024 ✓ |
| Bluberi Gaming USA, Inc. ✓                            | 11105033 ✓      | 6/30/2025 ✓ |
| Cummins-Allison Corp ✓                                | 7934408 ✓       | 6/30/2025 ✓ |
| Empire Technological Group, LTD ✓                     | 11725077 ✓      | 6/30/2024 ✓ |
| Everi Games, Inc. ✓                                   | 9943621 ✓       | 6/30/2024 ✓ |
| Everi Payments Inc. ✓                                 | 9993721 ✓       | 6/30/2024 ✓ |
| Gaming Arts, LLC ✓                                    | 11905567 ✓      | 6/30/2024 ✓ |
| Giesecke+Devrient Currency Technology America, Inc. ✓ | 7945830 ✓       | 6/30/2024 ✓ |
| Incredible Technologies Casino Games, Inc. ✓          | 8801896 ✓       | 6/30/2024 ✓ |
| International Gaming Technologies (IGT) ✓             | 7800936 ✓       | 6/30/2024 ✓ |
| KGM Gaming, LLC ✓                                     | 8915860 ✓       | 6/30/2023 ✓ |
| Konami Gaming, Inc. ✓                                 | 7883140 ✓       | 6/30/2024 ✓ |
| Lightning Slot Machines, LLC ✓                        | 9823078 ✓       | 6/30/2024 ✓ |
| Maverick International ✓                              | 11938935 ✓      | 6/30/2024 ✓ |
| Modern Gaming, Inc. ✓                                 | 8523052 ✓       | 6/30/2024 ✓ |
| Patriot Gaming & Electronics, Inc. ✓                  | 8605145 ✓       | 6/30/2025 ✓ |
| Reel Games, Inc. ✓                                    | 7830710 ✓       | 6/30/2024 ✓ |
| SFM Janitorial Service, LLC ✓                         | 10455199 ✓      | 6/30/2022 ✓ |
| Service Central, Inc ✓                                | 8566232 ✓       | 6/30/2024 ✓ |

100 East 32<sup>nd</sup> Street, 2<sup>nd</sup> Floor Executive Offices Hialeah, Florida 33013 305 885-8000



|                       |            |             |
|-----------------------|------------|-------------|
| Vector Gaming ✓       | 10168958 ✓ | 6/30/2023 ✓ |
| VSR Industries, Inc ✓ | 1499535 ✓  | 6/30/2024 ✓ |
| Zitro USA Inc. ✓      | 10019307 ✓ | 6/30/2024 ✓ |

South Florida Racing Association, LLC (QHRS544) License Verifications

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>84</b>         | Name <b>AINSWORTH GAME TECHNOLOGY INC</b>                | Extended To                  |
| License # <b>8069830</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/25/2021</b> |
| Entity # <b>8069830</b>  | Lic Status <b>Current</b>                                |                              |

|                       |                                 |                  |
|-----------------------|---------------------------------|------------------|
| <b>Address</b>        |                                 |                  |
| Street # <b>5800</b>  | Street <b>RAFAEL RIVERA WAY</b> |                  |
| Line 2                |                                 |                  |
| Line 3                |                                 |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>                 | Zip <b>89118</b> |
| Routing               |                                 |                  |

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1058 - Slot Combo Business</b>     | Expires On <b>06/30/2023</b> |
| File # <b>45</b>         | Name <b>AGS, LLC</b>                           | Extended To                  |
| License # <b>8281949</b> | Rank <b>SCBL - Slot Combo Business License</b> | Renewed On <b>06/08/2020</b> |
| Entity # <b>8281949</b>  | Lic Status <b>Current</b>                      |                              |

|                       |  |                  |
|-----------------------|--|------------------|
| <b>Address</b>        |  |                  |
| Street # <b>5475</b>  | Street <b>SOUTH DECATUR BLVD SUITE 100</b> |                  |
| Line 2                |  |                  |
| Line 3                |  |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>                            | Zip <b>89118</b> |
| Routing               |  |                  |

|                           |  |                              |
|---------------------------|--|------------------------------|
| <b>License</b>            |  |                              |
| Fed Tax # [REDACTED]      | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>243</b>         | Name <b>APOGEE GAMING USA INC</b>                        | Extended To                  |
| License # <b>11936144</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>08/19/2021</b> |
| Entity # <b>11936144</b>  | Lic Status <b>Current</b>                                |                              |

|                          |                               |                    |
|--------------------------|-------------------------------|--------------------|
| <b>Address</b>           |                               |                    |
| Street # <b>19</b>       | Street <b>OCEAN VIEW ROAD</b> |                    |
| Line 2                   |                               |                    |
| Line 3                   |                               |                    |
| City <b>BAS CAP PELE</b> | State <b>NB</b>               | Zip <b>E4N 2X5</b> |
| Routing                  |                               |                    |

South Florida Racing Association, LLC (QHRS544) License Verifications

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>13</b>         | Name <b>ARISTOCRAT TECHNOLOGIES INC</b>                  | Extended To                  |
| License # <b>7830421</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>05/07/2021</b> |
| Entity # <b>7830421</b>  | Lic Status <b>Current</b>                                |                              |

|                       |                              |                  |
|-----------------------|------------------------------|------------------|
| <b>Address</b>        |                              |                  |
| Street # <b>10220</b> | Street <b>ARISTOCRAT WAY</b> |                  |
| Line 2                |                              |                  |
| Line 3                |                              |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>              | Zip <b>89135</b> |
| Routing               |                              |                  |

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2025</b> |
| File # <b>123</b>        | Name <b>ARUZE GAMING AMERICA INC</b>                     | Extended To                  |
| License # <b>8587586</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>07/15/2022</b> |
| Entity # <b>8587586</b>  | Lic Status <b>Current</b>                                |                              |

|                       |  |                  |
|-----------------------|--|------------------|
| <b>Address</b>        |  |                  |
| Street # <b>6900</b>  | Street <b>S. DECATUR BLVD. SUITE 100</b> |                  |
| Line 2                |  |                  |
| Line 3                |  |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>                          | Zip <b>89118</b> |
| Routing               |  |                  |

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>9</b>          | Name <b>SG GAMING INC</b>                                | Extended To                  |
| License # <b>7805891</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/22/2012</b> |
| Entity # <b>7805891</b>  | Lic Status <b>Current</b>                                |                              |

|                       |                                  |                  |
|-----------------------|----------------------------------|------------------|
| <b>Address</b>        |                                  |                  |
| Street # <b>6601</b>  | Street <b>SOUTH BERMUDA ROAD</b> |                  |
| Line 2                |                                  |                  |
| Line 3                |                                  |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>                  | Zip <b>89119</b> |
| Routing               |                                  |                  |

|                             |
|-----------------------------|
| <b>DBA Name</b>             |
| DBA <b>SCIENTIFIC GAMES</b> |

South Florida Racing Association, LLC (QHRS544) License Verifications

**License**

Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2025**  
File # **227** Name **BLUBERI GAMING USA INC** Extended To  
License # **11105033** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **06/30/2022**  
Entity # **11105033** Lic Status **Current**

**Address**

Street # **7370** Street **DEAN MARTIN DRIVE SUITE 407**  
Line 2  
Line 3  
City **LAS VEGAS** State **NV** Zip **89139**  
Routing

**License**

Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2025**  
File # **58** Name **CUMMINS-ALLISON CORP** Extended To  
License # **7934408** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **07/22/2022**  
Entity # **7934408** Lic Status **Current**

**Address**

Street # **852** Street **FEEHANVILLE DR**  
Line 2  
Line 3  
City **MT PROSPECT** State **IL** Zip **60090**  
Routing

**License**

Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2024**  
File # **236** Name **EMPIRE TECHNOLOGICAL GROUP LTD** Extended To  
License # **11725077** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **06/30/2021**  
Entity # **11725077** Lic Status **Current**

**Address**

Street # **7175** Street **W POST ROAD**  
Line 2  
Line 3  
City **LAS VEGAS** State **NV** Zip **89113**  
Routing

South Florida Racing Association, LLC (QHRS544) License Verifications

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>174</b>        | Name <b>EVERI GAMES, INC.</b>                            | Extended To                  |
| License # <b>9943621</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/25/2021</b> |
| Entity # <b>9943621</b>  | Lic Status <b>Current</b>                                |                              |

|                       |                                       |                  |
|-----------------------|---------------------------------------|------------------|
| <b>Address</b>        |                                       |                  |
| Street # <b>7250</b>  | Street <b>S TENAYA WAY, SUITE 100</b> |                  |
| Line 2                |                                       |                  |
| Line 3                |                                       |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>                       | Zip <b>89113</b> |
| Routing               |                                       |                  |

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>178</b>        | Name <b>EVERI PAYMENTS INC</b>                           | Extended To                  |
| License # <b>9993721</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>07/15/2021</b> |
| Entity # <b>9993721</b>  | Lic Status <b>Current</b>                                |                              |

|                       |                                      |                  |
|-----------------------|--------------------------------------|------------------|
| <b>Address</b>        |                                      |                  |
| Street # <b>7250</b>  | Street <b>S TENAYA WAY SUITE 100</b> |                  |
| Line 2                |                                      |                  |
| Line 3                |                                      |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>                      | Zip <b>89113</b> |
| Routing               |                                      |                  |

|                           |  |                              |
|---------------------------|--|------------------------------|
| <b>License</b>            |  |                              |
| Fed Tax # [REDACTED]      | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>241</b>         | Name <b>GAMING ARTS, LLC</b>                             | Extended To                  |
| License # <b>11905567</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/30/2021</b> |
| Entity # <b>11905567</b>  | Lic Status <b>Current</b>                                |                              |

|                       |                                    |                  |
|-----------------------|------------------------------------|------------------|
| <b>Address</b>        |                                    |                  |
| Street # <b>323</b>   | Street <b>ORVILLE WRIGHT COURT</b> |                  |
| Line 2                |                                    |                  |
| Line 3                |                                    |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>                    | Zip <b>89119</b> |
| Routing               |                                    |                  |

South Florida Racing Association, LLC (QHRS544) License Verifications

|                          |   |                              |
|--------------------------|---|------------------------------|
| <b>License</b>           |   |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>                  | Expires On <b>06/30/2024</b> |
| File # <b>60</b>         | Name <b>GIESECKE+DEVRIENT CURRENCY TECHNOLOGY AMERICA INC</b> | Extended To                  |
| License # <b>7945830</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b>      | Renewed On <b>07/19/2021</b> |
| Entity # <b>7945830</b>  | Lic Status <b>Current</b>                                     |                              |

|                       |                               |                  |
|-----------------------|-------------------------------|------------------|
| <b>Address</b>        |                               |                  |
| Street # <b>45925</b> | Street <b>HORSESHOE DRIVE</b> |                  |
| Line 2                |                               |                  |
| Line 3                |                               |                  |
| City <b>DULLES</b>    | State <b>VA</b>               | Zip <b>20166</b> |
| Routing               |                               |                  |

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>140</b>        | Name <b>INCREDIBLE TECHNOLOGIES CASINO GAMES INC</b>     | Extended To                  |
| License # <b>8801896</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/30/2021</b> |
| Entity # <b>8801896</b>  | Lic Status <b>Current</b>                                |                              |

|                          |                                       |                  |
|--------------------------|---------------------------------------|------------------|
| <b>Address</b>           |                                       |                  |
| Street # <b>200</b>      | Street <b>CORPORATE WOODS PARKWAY</b> |                  |
| Line 2                   |                                       |                  |
| Line 3                   |                                       |                  |
| City <b>VERNON HILLS</b> | State <b>IL</b>                       | Zip <b>60061</b> |
| Routing                  |                                       |                  |

|                          |  |                              |
|--------------------------|--|------------------------------|
| <b>License</b>           |  |                              |
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>7</b>          | Name <b>IGT INC</b>                                      | Extended To                  |
| License # <b>7800936</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/02/2021</b> |
| Entity # <b>7800936</b>  | Lic Status <b>Current</b>                                |                              |

|                       |                               |                  |
|-----------------------|-------------------------------|------------------|
| <b>Address</b>        |                               |                  |
| Street # <b>6355</b>  | Street <b>S BUFFALO DRIVE</b> |                  |
| Line 2                |                               |                  |
| Line 3                |                               |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>               | Zip <b>89113</b> |
| Routing               |                               |                  |



South Florida Racing Association, LLC (QHRS544) License Verifications

| License                  |  |                              |
|--------------------------|--|------------------------------|
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2023</b> |
| File # <b>152</b>        | Name <b>KGM GAMING, LLC</b>                              | Extended To                  |
| License # <b>8915860</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>07/31/2020</b> |
| Entity # <b>8915860</b>  | Lic Status <b>Current</b>                                |                              |

| Address                  |                                  |                  |
|--------------------------|----------------------------------|------------------|
| Street # <b>4250</b>     | Street <b>WISSAHICKON AVENUE</b> |                  |
| Line 2                   |                                  |                  |
| Line 3                   |                                  |                  |
| City <b>PHILADELPHIA</b> | State <b>PA</b>                  | Zip <b>19129</b> |
| Routing                  |                                  |                  |

| License                  |  |                              |
|--------------------------|--|------------------------------|
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>30</b>         | Name <b>KONAMI GAMING INC</b>                            | Extended To                  |
| License # <b>7883140</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>05/30/2018</b> |
| Entity # <b>7883140</b>  | Lic Status <b>Current</b>                                |                              |

| Address               |                             |                  |
|-----------------------|-----------------------------|------------------|
| Street # <b>585</b>   | Street <b>KONAMI CIRCLE</b> |                  |
| Line 2                |                             |                  |
| Line 3                |                             |                  |
| City <b>LAS VEGAS</b> | State <b>NV</b>             | Zip <b>89119</b> |
| Routing               |                             |                  |

| License                  |  |                              |
|--------------------------|--|------------------------------|
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>164</b>        | Name <b>LIGHTNING SLOT MACHINES LLC</b>                  | Extended To                  |
| License # <b>9823078</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/24/2021</b> |
| Entity # <b>9823078</b>  | Lic Status <b>Current</b>                                |                              |

| Address              |                                      |                  |
|----------------------|--------------------------------------|------------------|
| Street # <b>23</b>   | Street <b>CREEK CIRCLE SUITE 400</b> |                  |
| Line 2               |                                      |                  |
| Line 3               |                                      |                  |
| City <b>BOOTHWYN</b> | State <b>PA</b>                      | Zip <b>19061</b> |
| Routing              |                                      |                  |

South Florida Racing Association, LLC (QHRS544) License Verifications

**License**

|                           |  |                              |
|---------------------------|--|------------------------------|
| Fed Tax # [REDACTED]      | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>244</b>         | Name <b>NAO VENTURES INC</b>                             | Extended To                  |
| License # <b>11938935</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/18/2021</b> |
| Entity # <b>11938935</b>  | Lic Status <b>Current</b>                                |                              |

**Address**

|                      |                         |                  |
|----------------------|-------------------------|------------------|
| Street # <b>6155</b> | Street <b>NW 72 AVE</b> |                  |
| Line 2               |                         |                  |
| Line 3               |                         |                  |
| City <b>MIAMI</b>    | State <b>FL</b>         | Zip <b>33166</b> |
|                      | Routing                 |                  |

**DBA Name**

DBA **MAVERICK INTERNATIONAL**

**License**

|                          |  |                              |
|--------------------------|--|------------------------------|
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>114</b>        | Name <b>MODERN GAMING INC</b>                            | Extended To                  |
| License # <b>8523052</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/04/2013</b> |
| Entity # <b>8523052</b>  | Lic Status <b>Current</b>                                |                              |

**Address**

|                            |                         |                  |
|----------------------------|-------------------------|------------------|
| Street # <b>20415</b>      | Street <b>LA HWY 16</b> |                  |
| Line 2                     |                         |                  |
| Line 3                     |                         |                  |
| City <b>DENHAM SPRINGS</b> | State <b>LA</b>         | Zip <b>70726</b> |
|                            | Routing                 |                  |

**License**

|                          |  |                              |
|--------------------------|--|------------------------------|
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2025</b> |
| File # <b>124</b>        | Name <b>PATRIOT GAMING &amp; ELECTRONICS, INC.</b>       | Extended To                  |
| License # <b>8605145</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>07/18/2022</b> |
| Entity # <b>8605145</b>  | Lic Status <b>Current</b>                                |                              |

**Address**

|                      |                           |                  |
|----------------------|---------------------------|------------------|
| Street # <b>217</b>  | Street <b>N. LINDBERG</b> |                  |
| Line 2               |                           |                  |
| Line 3               |                           |                  |
| City <b>GRIFFITH</b> | State <b>IN</b>           | Zip <b>46319</b> |
|                      | Routing                   |                  |

South Florida Racing Association, LLC (QHRS544) License Verifications

| License                     |  |                              |
|-----------------------------|--|------------------------------|
| Fed Tax # [REDACTED]        | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>14</b>            | Name <b>REEL GAMES INC</b>                               | Extended To                  |
| License # <b>7830710</b>    | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/15/2021</b> |
| Entity # <b>7830710</b>     | Lic Status <b>Current</b>                                |                              |
| Address                     |  |                              |
| Street # <b>1501</b>        | Street <b>NE 13TH AVENUE</b>                             |                              |
| Line 2                      |  |                              |
| Line 3                      |  |                              |
| City <b>FORT LAUDERDALE</b> | State <b>FL</b>  | Zip <b>33304</b>             |
| Routing                     |  |                              |

| License                     |  |                              |
|-----------------------------|--|------------------------------|
| Fed Tax # [REDACTED]        | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2025</b> |
| File # <b>185</b>           | Name <b>SFM JANITORIAL SERVICES, LLC</b>                 | Extended To                  |
| License # <b>10143241</b>   | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On                   |
| Entity # <b>10143241</b>    | Lic Status <b>Current</b>                                |                              |
| Address                     |  |                              |
| Street # <b>9700</b>        | Street <b>NW 79TH AVENUE</b>                             |                              |
| Line 2                      |  |                              |
| Line 3                      |  |                              |
| City <b>HIALEAH GARDENS</b> | State <b>FL</b>  | Zip <b>33016</b>             |
| Routing                     |  |                              |

| License                  |  |                              |
|--------------------------|--|------------------------------|
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>121</b>        | Name <b>SERVICE CENTRAL INC</b>                          | Extended To                  |
| License # <b>8566232</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>07/30/2021</b> |
| Entity # <b>8566232</b>  | Lic Status <b>Current</b>                                |                              |
| Address                  |  |                              |
| Street # <b>3321</b>     | Street <b>LOUIS SHERMAN DRIVE</b>                        |                              |
| Line 2                   |  |                              |
| Line 3                   |  |                              |
| City <b>STEGER</b>       | State <b>IL</b>  | Zip <b>60475</b>             |
| Routing                  |  |                              |

South Florida Racing Association, LLC (QHRS544) License Verifications

| License                   |  |                              |
|---------------------------|--|------------------------------|
| Fed Tax # [REDACTED]      | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2023</b> |
| File # <b>187</b>         | Name <b>VECTOR GAMING, INC.</b>                          | Extended To                  |
| License # <b>10168958</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>09/08/2020</b> |
| Entity # <b>10168958</b>  | Lic Status <b>Current</b>                                |                              |

| Address                 |                        |                  |
|-------------------------|------------------------|------------------|
| Street # <b>12240</b>   | Street <b>SW 53 ST</b> |                  |
| Line 2 <b>SUITE 503</b> |                        |                  |
| Line 3                  |                        |                  |
| City <b>COOPER CITY</b> | State <b>FL</b>        | Zip <b>33330</b> |
|                         | Routing                |                  |

| License                  |  |                              |
|--------------------------|--|------------------------------|
| Fed Tax # [REDACTED]     | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>29</b>         | Name <b>VSR INDUSTRIES INC</b>                           | Extended To                  |
| License # <b>1499535</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>06/15/2021</b> |
| Entity # <b>1499535</b>  | Lic Status <b>Current</b>                                |                              |

| Address               |                               |                  |
|-----------------------|-------------------------------|------------------|
| Street # <b>6190</b>  | Street <b>MT VISTA STREET</b> |                  |
| Line 2                |                               |                  |
| Line 3                |                               |                  |
| City <b>HENDERSON</b> | State <b>NV</b>               | Zip <b>89014</b> |
|                       | Routing                       |                  |

| License                   |  |                              |
|---------------------------|--|------------------------------|
| Fed Tax # [REDACTED]      | Lic Type <b>1050 - Slot Machine Business</b>             | Expires On <b>06/30/2024</b> |
| File # <b>182</b>         | Name <b>ZITRO USA INC.</b>                               | Extended To                  |
| License # <b>10019307</b> | Rank <b>SBUS - Slot Machine Bus Occupational License</b> | Renewed On <b>07/15/2021</b> |
| Entity # <b>10019307</b>  | Lic Status <b>Current</b>                                |                              |

| Address                 |  |                  |
|-------------------------|--|------------------|
| Street # <b>1671</b>    | Street <b>WEST HORIZON RIDGE PARKWAY</b> |                  |
| Line 2 <b>SUITE 220</b> |  |                  |
| Line 3                  |  |                  |
| City <b>HENDERSON</b>   | State <b>NV</b>                          | Zip <b>89012</b> |
|                         | Routing                                  |                  |



**State of Florida**  
**Department of Business and Professional Regulation**  
**Cash Listing Report**

**Client:** 79 - Department of Business & Professional Regulation  
**Batch #:** 22009850                      **Total \$ Entered:** \$ 2,250,000.00  
**# Receipt:** 1                                **Receipts Entered:** 1

**Origin:** EFT                                **Fiscal Year:** 2022  
**Deposit #:** AD0087                      **Deposit Date:** 2022-11-04  
**Total:** \$ 2,250,000.00                **Status:** Deposited

| Receipt #     | DLN | Received        | Disp | Pmt | Note | Unassigned      | Prof | Remitted By / Beneficiary             | File # | License # | Assigned |
|---------------|-----|-----------------|------|-----|------|-----------------|------|---------------------------------------|--------|-----------|----------|
| 220068244     |     | \$ 2,250,000.00 | DEP  | EFT |      | \$ 2,250,000.00 | 1003 | SOUTH FLORIDA RACING ASSOCIATION, LLC | 8      | 544       | \$ 0.00  |
| <b>Total:</b> |     |                 |      |     |      | \$ 2,250,000.00 |      |                                       |        |           | \$ 0.00  |

VR Home | **Inbox** | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Application Home | Change Application

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: ljelks

VR Home > Application Search > Transaction Check List > **Transaction Header**

|                      |   |  |                                |
|----------------------|---|--|--------------------------------|
| Fed Tax # [REDACTED] | Name <b>SOUTH FLORIDA RACING ASSOCIATION, LLC</b>   | Lic Type <b>1003 - Permitholder App for Annual Slot Licens</b> | Trans Class <b>I - Initial</b> |
| File # <b>8</b>      | Rank <b>Permit holder Appl Annual Slot Mach Lic</b> | App # <b>127</b>   | Sec Class <b>S - Standard</b>  |
| License # <b>544</b> | Lic Status <b>Current</b>                           | Status <b>Open</b>   |                                |
| Entity # <b>544</b>  | Expires On <b>12/21/2022</b>                        | Trans Code <b>1020 - Slot Machine License</b>                  |                                |

| <p>App Date <b>11/03/2022</b> </p> <p>Normal Expiration Date <b>11/04/2023</b></p> <p>Override Expiration Date </p> <p>Application Disposition <input type="text"/></p> <p>1st Reminder</p> <p>2nd Reminder</p> <p>Total Fee \$ <b>2,250,000.00</b></p> <p>Paid \$ <b>2,250,000.00</b></p> <p>Released \$ <b>2,250,000.00</b></p> <p>Due \$ <b>0.00</b></p> <p>Notes </p> <p>Set License Expiry</p> | <p><b>Application For</b></p> <p>Rank <b>Permit holder Appl Annual Slot Mach Lic</b></p> <p>Lic Status <b>Current</b></p> <p><b>Modifiers</b></p> <p>Type <input type="text"/> Code <input type="text"/></p> <p>Additional Info <input type="text"/> <input type="button" value="Add"/></p> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Additional Info</th> <th>Actions</th> </tr> </thead> <tbody> <tr> <td colspan="4">No items found.</td> </tr> </tbody> </table> | Type            | Modifier | Additional Info | Actions | No items found. |  |  |  | <p><input type="button" value="Dpsit History"/></p> <p><input type="button" value="History"/></p> <p><input type="button" value="Deficiencies"/></p> <p><input type="button" value="Regenerate"/></p> <p><input type="button" value="Notes"/></p> <p><input type="button" value="Notes History"/></p> <p><input type="button" value="Cancel"/></p> <p><input type="button" value="OK"/></p> |
|---|--|-----------------|----------|-----------------|---------|-----------------|--|--|--|---|
| Type  | Modifier   | Additional Info | Actions  |                 |         |                 |  |  |  |   |
| No items found.   |  |                 |          |                 |         |                 |  |  |  |   |
| <p><input type="button" value="Checklist"/> <input type="button" value="Release"/> <input type="button" value="Transfer"/> <input type="button" value="Approve"/> <input type="button" value="Exit"/></p>   |  |                 |          |                 |         |                 |  |  |  |   |

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**MEMORANDUM**

**TO:** Jamie Pouncey, Program Administrator  
**FROM:** Bill Crafts, Chief of Slot Operations  
**SUBJECT:** South Florida Racing Association, LLC, d/b/a Hialeah Park Racing & Casino – Annual Internal Controls Review  
**DATE:** November 18, 2022

---

The office of Slot Operations has completed our annual review of the Internal Controls of South Florida Racing Association, LLC, d/b/a Hialeah Park Racing & Casino. At this time, our assessment has shown full compliance with 551, Fla. Stat. (2005) and Fla. Admin Code R. 61D-14. We strive to continuously review all our licensed facilities systems of control, and work closely with the property's management and compliance officers to ensure rigorous adherence to Florida Statute and Administrative Code. Our annual review involves a more comprehensive and robust examination of all Internal Controls as adopted by the facility.

This review was conducted by the Tax & Audit Group of the Office of Slot Operations, with their report SOIC-2023-544 being issued on December 18, 2022.

As always, should you have any questions or concerns pertaining to this matter, please do not hesitate to contact me.

Bill Crafts  
Chief of Slot Operations

OFFICE OF SLOT OPERATIONS  
1400 WEST COMMERCIAL BOULEVARD, SUITE 165  
FT. LAUDERDALE, FLORIDA 33309



**State of Florida**  
**Department of Business and Professional Regulation**  
**Chronology Report**

**Case #:** 2022052289      **Incident date:** 09/21/2022      **Status:** 10 - Initial Review

**Lic Type:** 1003      **Disposition:**

**Case Type:** Complaint

**Responsible:** ljelks - JELKS, LA'KESHA

**Complainant:** SOUTH FLORIDA RACING ASSOCIATION, LLC  
100 EAST 32ND STREET, HIALEAH, FL 33013

**Respondent:** FGCC, PARI-MUTUEL WAGERING  
2601 BLAIR STONE ROAD, TALLAHASSEE, FL 32399

**Summary:** PERMITHOLDER APPLICATION FOR ANNUAL SLOT MACHINE LICENSE

| <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> |
|--------------------|-----------------------|-------------|-----------------|-------------|--------------------|--------------------------|-------------------|
|                    | 10/31/2022            | R           |                 | ljelks      | JELKS, LA'KESHA    | ljelks                   |                   |
|                    | 10/31/2022            | S           | 1003            | 10          | Initial Review     | ljelks                   |                   |



6.

# Transfer Tax Credit

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Re: Request to Transfer Tax Credit  
Date: October 31, 2022

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### *Executive Summary*

A greyhound racing permitholder request approval to transfer \$360,000.00 in tax credits to another greyhound racing permitholder. The Commission should approve this request.

### *Background*

West Volusia Racing, Inc. (“Volusia”) possesses a greyhound racing permit.<sup>1</sup> Volusia has been issued a pari-mutuel operating license for the 2022-2023 Fiscal Year.<sup>2</sup> Daytona Beach Kennel Club, d/b/a Daytona Beach Racing and Card Club (“Daytona”) also possesses a greyhound racing permit. Daytona has also been issued a pari-mutuel operating license for the 2022-2023 Fiscal Year.

Volusia request to transfer \$360,000.00 of their tax credits to Daytona. For purposes of intertrack wagering,<sup>3</sup> Daytona acts as a host track<sup>4</sup> for Volusia. Volusia has \$360,000.00 of tax credits available for transfer. Additionally, Volusia has not previously elected to transfer these tax credits. Neither Volusia nor Daytona owe any unpaid taxes.

---

<sup>1</sup> Permitting is a prerequisite for gaming in this state. § 550.054, Fla. Stat.

<sup>2</sup> A permit-holder must apply for and be issued an annual operating license before conducting any gaming activities. § 550.01215, Fla. Stat.

<sup>3</sup> See § 550.002(17), Fla. Stat. (defining “intertrack wagering.”).

<sup>4</sup> See §§ 550.002(12) & (16), Fla. Stat. (defining “guest track” and “host track.”).

## *Analysis*

A greyhound racing permitholder may receive tax credits from another greyhound racing permitholder if certain requirements are satisfied.<sup>5</sup> First, the receiving greyhound racing permitholder must act as the host track for the other greyhound racing permitholder for purposes of intertrack wagering.<sup>6</sup> Second, the transferring greyhound racing permit-holder can only make this election once per state fiscal year.<sup>7</sup> Third, the transferring greyhound racing permitholder must have available unused tax credits to transfer.<sup>8</sup> Lastly, neither the receiving nor transferring greyhound racing permit-holder can owe any unpaid taxes to the state.<sup>9</sup>

Daytona and Volusia meet these requirements. First, Daytona acts as a host track for Volusia. Second, Volusia has not elected to transfer its available tax credits this state fiscal year. Third, Volusia has \$360,000.00 in available tax credits that they seek to transfer to Daytona. Lastly, neither Volusia nor Daytona owe any unpaid taxes. Therefore, Volusia should be permitted to transfer \$360,000.00 of their tax credits to Daytona.

Recommendation: The Florida Gaming Control Commission should approve West Volusia Racing, Inc. request to transfer \$360,000.00 in tax credits to Daytona Beach Kennel Club, d/b/a Daytona Beach Racing and Card Club.

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<sup>5</sup> See § 550.0951(1)(b), Fla. Stat. (outlining requirements for such a transfer).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

**System Messages**

- Complaint created. New Complaint # 2022052210.

|  |  |                                 |                               |
|--|--|---------------------------------|-------------------------------|
| Lic Type <b>1001 - Permitholder Application for Annual License and Operating Day</b> | Case Type <b>CMP - Complaint</b>             | Status <b>10 Initial Review</b> | Status Date <b>10/31/2022</b> |
| Complaint # <b>2022052210</b>  | Respondent <b>FGCC, PARI-MUTUEL WAGERING</b> | Disposition                     | Disposition Date              |
| Docket#  | Responsible                                  |                                 | <b>Private Case</b>           |

| Complaint                  | Respondent   | Complainant                          | Add'l Info                              |
|----------------------------|--|--------------------------------------|---|
| <input type="radio"/> Indv |  | <input checked="" type="radio"/> Org |   |
| Org Name                   | West Volusia Racing, Inc.  |                                      | Security Level 1                        |
| Street #                   | Street   | 960 S. WILLIAMSON BLVD.              | Correspondence <input type="checkbox"/> |
| Line 2                     |  |                                      | Fed Tax # [REDACTED]                    |
| Line 3                     |  |                                      |   |
| City                       | DAYTONA BEACH  | State FL - Florida                   | County 74 - Volusia                     |
| Zip                        | 32114  |                                      | Country US - United States              |
| Routing                    |  | Ext                                  | E-Mail                                  |
| Phone #                    |  |                                      |   |
| Lic Type                   | 1001 - Permitholder Application for Annual License and Operating Day |                                      |   |
| File #                     | 63   | Rank                                 | PM Operate Lic                          |
| License #                  | 175  | Status                               | Current Expires On 06/30/2023           |
| Updated                    | 10/31/2022 09:51:32  | By                                   | kstelter                                |

- License
- Replace
- Letter
- Letter History
- Entity View
- Attachments

Change Save OK Cancel Back

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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Re: Request to Transfer Tax Credit  
Date: October 31, 2022

---

### *Executive Summary*

A greyhound racing permit holder request approval to transfer \$360,000.00 in tax credits to another greyhound racing permit holder. The Commission should approve this request.

### *Background*

West Volusia Racing, Inc. (“Volusia”) possesses a greyhound racing permit.<sup>1</sup> Volusia has been issued a pari-mutuel operating license for the 2022-2023 Fiscal Year.<sup>2</sup> Daytona Beach Kennel Club, d/b/a Daytona Beach Racing and Card Club (“Daytona”) also possesses a greyhound racing permit. Daytona has also been issued a pari-mutuel operating license for the 2022-2023 Fiscal Year.

Volusia request to transfer \$360,000.00 of their tax credits to Daytona. For purposes of intertrack wagering,<sup>3</sup> Daytona acts as a host track<sup>4</sup> for Volusia. Volusia has \$360,000.00 of tax credits available for transfer. Additionally, Volusia has not previously elected to transfer these tax credits. Neither Volusia nor Daytona owe any unpaid taxes.

---

<sup>1</sup> Permitting is a prerequisite for gaming in this state. § 550.054, Fla. Stat.

<sup>2</sup> A permit-holder must apply for and be issued an annual operating license before conducting any gaming activities. § 550.01215, Fla. Stat.

<sup>3</sup> See § 550.002(17), Fla. Stat. (defining “intertrack wagering.”).

<sup>4</sup> See §§ 550.002(12) & (16), Fla. Stat. (defining “guest track” and “host track.”).

## *Analysis*

A greyhound racing permitholder may receive tax credits from another greyhound racing permitholder if certain requirements are satisfied.<sup>5</sup> First, the receiving greyhound racing permitholder must act as the host track for the other greyhound racing permitholder for purposes of intertrack wagering.<sup>6</sup> Second, the transferring greyhound racing permit-holder can only make this election once per state fiscal year.<sup>7</sup> Third, the transferring greyhound racing permitholder must have available unused tax credits to transfer.<sup>8</sup> Lastly, neither the receiving nor transferring greyhound racing permit-holder can owe any unpaid taxes to the state.<sup>9</sup>

Daytona and Volusia meet these requirements. First, Daytona acts as a host track for Volusia. Second, Volusia has not elected to transfer its available tax credits this state fiscal year. Third, Volusia has \$360,000.00 in available tax credits that they seek to transfer to Daytona. Lastly, neither Volusia nor Daytona owe any unpaid taxes. Therefore, Volusia should be permitted to transfer \$360,000.00 of their tax credits to Daytona.

Recommendation: The Florida Gaming Control Commission should approve West Volusia Racing, Inc. request to transfer \$360,000.00 in tax credits to Daytona Beach Kennel Club, d/b/a Daytona Beach Racing and Card Club.

---

<sup>5</sup> See § 550.0951(1)(b), Fla. Stat. (outlining requirements for such a transfer).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

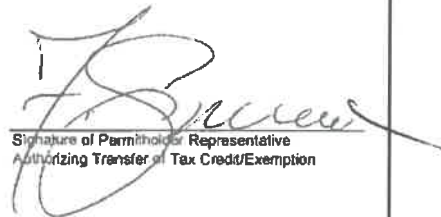
**FLORIDA GAMING CONTROL COMMISSION  
 DIVISION OF PARI-MUTUEL WAGERING  
 OFFICE OF REVENUE AND FINANCIAL ANALYSIS**

**TRANSFER OF GREYHOUND PERMITHOLDER  
 TAX CREDIT/EXEMPTION**

Guest Greyhound Permitholder Transferring  
 Credit/Exemption:

West Volusia Racing, Inc. (Permit 175)

| Host Greyhound Permitholder(s) Receiving Credit                                     | Signature of Host Permitholder Representative Receiving Tax Credit                 | Requested Effective Date of Transfer | Dollar Amount To Be Transferred |
|---|--|--------------------------------------|---------------------------------|
| Daytona Beach Kennel Club, Inc. d/b/a Daytona Beach Racing & Card Club (Permit 143) |  | 1/1/2023                             | \$ 360,000.00                   |
|   |  |                                      |                                 |
|   |  |                                      |                                 |
|   |  |                                      |                                 |

  
 Signature of Permitholder Representative  
 Authorizing Transfer of Tax Credit/Exemption

  
 Revenue Program Administrator  
 Office of Revenue and Financial Analysis

7.

# Informal Hearings



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Kevin D. Kivela v. FGCC; Case No. 2022-009682; License Denial  
Date: November 22, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to adopt the hearing officer's recommended order granting Kevin D. Kivela's ("Applicant") application for a Cardroom Employee Occupational License. Applicant applied for a Pari-Mutuel Wagering Individual Occupational License on November 30, 2021. Applicant has one felony conviction. On June 16, 2022, the Commission issued a notice of intent to deny. Applicant requested an informal hearing pursuant to section 120.57(2), Florida Statutes. A hearing was held on September 22, 2022. The hearing officer recommended granting Applicant's license. Therefore, the Florida Gaming Control Commission should adopt the hearing officer's recommended order.

### *Pertinent Facts*

On November 30, 2021, 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 that Applicant was convicted of a felony crime in the state of Florida. Specifically, Applicant was convicted of Operating a Vehicle While Intoxicated (3<sup>rd</sup> Offense) in 2007.

At the informal hearing held on September 22, 2022, Applicant testified to the circumstances that led to this denial and provided four recommendation letters. Following the hearing, the hearing officer issued a recommended order granting Applicant's license.

### *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 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:

“The 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.”

Staff Recommendation: Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission adopt the hearing officer’s recommended order in case number 2022-009682.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

KEVIN D. KIVELA

Petitioner,

v.

FGCC Case No.: 2022-009682

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Respondent.

\_\_\_\_\_ /

RECOMMENDED ORDER

THIS MATTER came before Elizabeth K. Stinson, designated Hearing Officer for the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Commission” or “Respondent”), on September 22, 2022, in Tallahassee, Florida, in accordance with the provisions of Sections 120.569 and 120.57(2), Florida Statutes, for consideration of Mr. Kevin D. Kivela’s (“Petitioner”) petition for a hearing in response to the Commissioner’s Letter of License Denial filed in DBPR Case Number 2022-009682. The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Petitioner appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, offer items into evidence, and otherwise fully participate in the hearing.

PROCEDURAL HISTORY

1. On or about November 30, 2021, Petitioner submitted to the Commission a Cardroom Employee Occupational License application.
2. On February 19, 2022, Petitioner submitted an amended application and request for waiver.

3. On or about June 16, 2022, the Commission filed a Letter of License Denial, seeking to deny Petitioner's license application based on his criminal record, which includes one felony conviction.

4. On or about August 1, 2022, Petitioner sent an email to the Commission requesting a hearing, not disputing any issues of material fact, and briefly explaining why he believes he should be granted a license.

5. Prior to the hearing, the Commission received four letters of recommendation from a past employer, a previous co-worker, and friends of Petitioner.

6. A hearing pursuant to Section 120.57(2), Florida Statutes, was held on September 22, 2022, during which the Commission presented the issues raised in the Letter of License Denial. Petitioner testified and explained the circumstances that led to this denial.

7. The Commission's motion to accept the findings of fact in the Letter of License Denial as the undisputed facts in the case and accepted the investigative report into the record was granted.

8. After the hearing, the Commission submitted a Proposed Recommended Order requesting that the undersigned enter a recommended order granting Petitioner's application for a Cardroom Employee Occupational License.

#### FINDINGS OF FACT

9. On January 30, 2007, Petitioner was convicted of Operating a Vehicle While Intoxicated- Third Offense, a class D felony, out of Hancock County, Iowa in Case Number 02411-OWCR008522.

10. At the informal hearing, Petitioner explained that he has not been convicted of any other alcohol related offenses since the 2007 disqualifying conviction.

11. During the hearing, Petitioner testified on a variety of topics:
- a. Petitioner apologized for not including the offense on his original application and explained that when he was applying for licenses in other states, they only required disclosure of offenses from ten years prior.
  - b. Petitioner confirmed that he has completed his probation and has made payments towards the cost and fees from his criminal conviction.
  - c. Petitioner credibly testified that he has changed his life since the incident and is almost eleven years sober.
  - d. Petitioner explained that he frequently attends Alcoholics Anonymous and enjoys assisting in preparation for the meetings.
  - e. One letter of recommendation submitted on behalf of Petitioner and admitted into the record as part of the investigative packet discussed Petitioner's role as a leader in an Alcoholics Anonymous group in Florida. During his testimony at the hearing, Petitioner passionately discussed his role in this group, speaking about how he especially liked to help the new members.
  - f. Petitioner stated that he has been a licensed cardroom dealer for over 20 years in many states, such as Nevada, Iowa, and Minnesota.
  - g. Petitioner has recently purchased a home in Florida and would like to continue his career as a cardroom dealer in this state.

#### CONCLUSIONS OF LAW

12. The Hearing Officer has jurisdiction over this matter and the parties pursuant to Section 120.57(2), Florida Statutes.

13. The Commission has jurisdiction over this matter pursuant to Chapters 120, 550, and 849, Florida Statutes.

14. Section 550.105(5)(b), Florida Statutes, states, in pertinent part:

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.

15. Pursuant to Section 550.105(5)(b), Florida Statutes, Petitioner's felony conviction is a disqualifying offense.

16. However, section 550.105(5)(c), Florida Statutes, states, 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."

17. Section 849.086(6)(f), states, in pertinent part that "[t]he provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses."

18. Overall, Petitioner's testimony was credible. At the informal hearing, he expressed understanding for the Commission sending him a Letter of License Denial, while expressing remorse and accountability for his past actions.

19. Petitioner established good moral character or rehabilitation as set out in Section 550.105(5)(c).

20. There is competent substantial evidence to support the conclusions of law.

RECOMMENDED ORDER

WHEREFORE, based upon the Findings of Fact and Conclusions of Law, it is hereby requested that the Commission enter a Final Order GRANTING Petitioner's application for a Cardroom Employee Occupational License.

Respectfully submitted this 21<sup>st</sup> day of November 2021.

*s/Elizabeth K. Stinson*

---

Elizabeth K. Stinson, Hearing Officer  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202

CERTIFICATE OF SERVICE

I hereby certify this 21<sup>st</sup> day of November, 2022, that a true copy of the foregoing has been provided by mail to:

**Kevin D. Kivela**  
3915 Beverly Avenue  
Jacksonville, Florida 32208



\_\_\_\_\_  
Clerk of the Commission



STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

KEVIN D. KIVELA

Petitioner,

v.

FGCC Case No.: 2022-009682

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Respondent.

\_\_\_\_\_ /

RESPONDENT’S PROPOSED RECOMMENDED ORDER

THIS MATTER came before Elizabeth Stinson, designated Hearing Officer for the Florida Gaming Control Commission (“Commission”), on September 22, 2022, in Tallahassee, Florida, in accordance with the provisions of Sections 120.569 and 120.57(2), Florida Statutes, for consideration of Mr. Kevin D. Kivela’s (“Petitioner”) petition for a hearing in response to the Commission’s Letter of License Denial filed in DBPR Case Number 2022-009682. The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, offer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about November 30, 2021, Petitioner submitted to the Commission a Cardroom Employee Occupational License application.
2. On February 19, 2022, Petitioner submitted an amended application and request for waiver.

3. On or about June 16, 2022, the Commission filed a Letter of License Denial, seeking to deny Petitioner's license application based on his criminal record, which includes one felony conviction.

4. On or about August 1, 2022, Petitioner sent an email to the Commission requesting a hearing, not disputing any issues of material fact, and briefly explaining why he believes he should be granted a license.

5. Prior to the hearing, the Commission received four letters of recommendation from a past employer, a previous co-worker, and friends of Petitioner.

6. A hearing pursuant to Section 120.57(2), Florida Statutes, was held on September 22, 2022, during which the Commission presented the issues raised in the Letter of License Denial. Petitioner testified and explained the circumstances that led to this denial.

7. Petitioner explained that he has not been convicted of any other alcohol related offenses since the 2007 disqualifying conviction.

8. Petitioner confirmed that he has completed his probation and has made payments towards the cost and fees from his criminal conviction.

9. Petitioner stated that he has changed his life since the incident and is almost eleven years sober.

10. Petitioner explained that he frequently attends Alcoholics Anonymous and enjoys assisting in preparation for the meetings.

11. Petitioner stated that he has been a licensed cardroom dealer for over 20 years in many states, such as Nevada, Iowa, and Minnesota.

12. Petitioner has recently purchased a home in Florida and would like to continue his career as a cardroom dealer in this state.

13. Petitioner apologized for not including the offense on his original application and explained that when he was applying for licenses in other states, they only required disclosure of offenses from ten years prior.

14. The Hearing Officer granted the Commission's motion to accept the findings of fact in the Letter of License Denial as the undisputed facts in the case and accepted the investigative report into the record.

#### FINDINGS OF FACT

15. On January 30, 2007, Petitioner was convicted of Operating a Vehicle While Intoxicated- Third Offense, a class D felony, out of Hancock County, Iowa in Case Number 02411-OWCR008522.

#### CONCLUSIONS OF LAW

16. The Hearing Officer has jurisdiction over this matter and the parties pursuant to Section 120.57(2), Florida Statutes.

17. The Commission has jurisdiction over this matter pursuant to Chapters 120, 550, and 849, Florida Statutes.

18. Section 550.105(5)(b), Florida Statutes, states, in pertinent part:

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.

19. Pursuant to Section 550.105(5)(b), Florida Statutes, Petitioner's felony conviction is a disqualifying offense.

20. Section 550.105(5)(c), Florida Statutes, states, 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.”

21. Section 849.086(6)(f), states, in pertinent part that “[t]he provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses.”

22. There is competent substantial evidence to support the conclusions of law.

PROPOSED RECOMMENDED ORDER

WHEREFORE, based upon the Findings of Fact and Conclusions of Law, it is hereby requested that the Hearing Officer enter a Recommended Order GRANTING Petitioner’s application for a Cardroom Employee Occupational License.

This Proposed Recommended Order in FGCC Case Number 2022-009682 is submitted this 26th day of September, 2022.

*s/ Emily A. Alvarado*

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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

CERTIFICATE OF SERVICE

I hereby certify this 26th day of September, 2022, that a true copy of the foregoing  
“Respondent’s Proposed Recommended Order” has been provided by mail to:

**Kevin D. Kivela**  
3915 Beverly Avenue  
Jacksonville, Florida 32208



September 2, 2022

Kevin D. Kivela  
3915 Beverly Avenue  
Jacksonville, Florida 32208

RE: Kevin D. Kivela v. FGCC  
Case No.: 2022-009682

Dear Mr. Kivela:

Enclosed please find a Notice of Hearing for the informal hearing that has been scheduled in the above-referenced case. **Your hearing is scheduled to be heard on Thursday, September 22, 2022.** Please read the Notice of Hearing for more details about the date, time, location and instructions for the hearing. A copy of the Commission's case file has been mailed to your address of record. Please ensure that you have this case file available during the hearing, as you may need to refer to it throughout the hearing.

You may also provide written or oral evidence or have witnesses testify on your behalf. If you wish to provide any written evidence, please ensure it is provided to the Commission at least one week prior to the hearing date, so the Hearing Officer may have the opportunity to review it prior to the hearing. Please also provide the names and phone numbers of any witnesses you wish to speak on your behalf, if any.

**Please note:** We will be conducting the hearing telephonically; therefore, you will be contacted **between 1:00 PM and 3:00 PM (EST) at the following number: 904-917-3869.** If that number is incorrect, please contact me as soon as possible to notify me of the correct number at which to reach you. Failure to answer the telephone, promptly return a voicemail, or hold an open line will result in the hearing proceeding without you.

Below please find information about the informal hearing process:

1. The Informal Hearing is held on the date and time noted in the Notice of Hearing;
2. Approximately 14 to 21 days after the hearing, Proposed Recommended Orders, or recommendations for what the Hearing Officer's ruling should be, are sent to Hearing Officer;
3. Approximately 21 to 45 days after the Proposed Recommended Orders are submitted, the Hearing Officer will submit his or her recommended ruling to the Clerk of the Commission's office;
4. A Final Order will be issued within approximately 90 days after the date of the hearing. The Final Order is final agency action and will describe the resolution of your case.

Should you have any questions or need any assistance, please feel free to contact me via telephone or email at 850-717-1663 or [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov).

Sincerely,

/s/ Ebonie Lanier  
Ebonie Lanier  
Administrative Assistant III

Enclosures: Notice of Hearing and Case File

**Documents Included in Case File**

- Exhibit 1 ..... Notice of Hearing
- Exhibit 2 ..... Election of Rights
- Exhibit 3 ..... Letters of References
- Exhibit 4 ..... License Denial
- Exhibit 5 ..... Report of Investigation

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

KEVIN D. KIVELA,

Petitioner,

v.

FGCC Case No.: 2022-009682

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Respondent.

---

NOTICE OF TELEPHONIC HEARING

TO: Kevin D. Kivela  
3915 Beverly Avenue  
Jacksonville, Florida 32208  
Kevin777kivela@gmail.com

YOU ARE HEREBY NOTIFIED that the Commission's designated Hearing Officer will conduct a hearing in this matter, pursuant to Section 120.57(2), Florida Statutes. If you wish to present oral or written evidence, you must attend the hearing. The hearing is scheduled for **Thursday, September 22, 2022, at 1:00 p.m. (Eastern Time). The Hearing Officer will call you at (904) 917-3869 sometime between 1:00 p.m. – 3:00 p.m. (EST).** Please be available to take the Hearing Officer's call. Failure to keep a telephone line open may result in the hearing proceeding without you.

You may elect to attend the hearing by video conference via GoToMeeting. To attend by video conference, you must contact the Commission by email at [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov) or telephone at (850) 717-1663, at least five (5) days prior to your hearing date to set up the video conference. If you do not elect to attend by video conference, the hearing will automatically be held by telephone only.

If you cannot attend the hearing and wish to request a continuance for good cause, you must notify the Commission by email at [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov) or telephone at (850) 717-1663 at least



five (5) days prior to your hearing date. Continuance requests made within five (5) days of the hearing can only be granted for emergencies.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to: the above-named parties via email and certified mail, on this 7th day of September, 2022.

By: /s/ Ebonie Lanier  
Ebonie N. Lanier  
Administrative Assistant III  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1663  
Facsimile: (850) 921-1311  
Ebonie.Lanier@fgcc.fl.gov

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Ebonie Lanier at (850) 717-1663. If you are hearing or speech impaired, please contact the agency by calling 1-800-955-8771.

**Fleming, Donna**

---

**From:** AGC Filing  
**Sent:** Wednesday, August 3, 2022 9:43 AM  
**To:** Kevin Kivela  
**Cc:** Fleming, Donna  
**Subject:** RE: judicial review section 120.68

Dear Mr. Kivela,

As of July 1, 2022, the Florida Gaming Control Commission assumed all statutory powers, including those matters currently within the scope of the jurisdiction of the Division of Pari-Mutuel Wagering. Therefore, I am forwarding your request to the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering staff for response.

Please advise me if I can assist you further.

Sincerely,

*Ronda L. Bryan*

Agency Clerk  
Office of the General Counsel  
Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Office (850) 717-1186  
[ronda.bryan@myfloridalicense.com](mailto:ronda.bryan@myfloridalicense.com)



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**Vision:** We make DBPR and Florida great places to do business. To that end we will invest in our employees, treat our licensees as valued customers and partners, and uphold laws that protect the public and Florida's competitive marketplace.

**Please note:** Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public record and are available to the public/media upon request. Your e-mail communications may therefore be subject to public disclosure.

**From:** Kevin Kivela [mailto:kevin777kivela@gmail.com]

**Sent:** Monday, August 1, 2022 2:34 PM

**To:** AGC Filing

**Subject:** judicial review section 120.68

FGCC Case # 2022-009682

**[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.**

kevin kivela  
license: 13019657

phone: 904-917-3869

please allow my a opportunity to appeal my case,  
i received letter of denial on 7-29-2022 and please let me speak on my behalf, i only want to work hard a job im  
good at and they like me. i know my dwi in 2006 was a terrible thing but i have paid for it please let me have a  
appeal

## Track Another Package +

**Tracking Number:** 70062150000568466462

Remove X

Your item could not be delivered on July 20, 2022 at 2:17 pm in JACKSONVILLE, FL 32208. It was held for the required number of days and is being returned to the sender.

**USPS Tracking Plus® Available** ✓

## Unclaimed/Being Returned to Sender

July 20, 2022 at 2:17 pm  
JACKSONVILLE, FL 32208

Feedback

**Get Updates** ✓

---

**Text & Email Updates**



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**Tracking History**



**July 20, 2022, 2:17 pm**

Unclaimed/Being Returned to Sender  
JACKSONVILLE, FL 32208

Your item could not be delivered on July 20, 2022 at 2:17 pm in JACKSONVILLE, FL 32208. It was held for the required number of days and is being returned to the sender.

**June 27, 2022**

Reminder to Schedule Redelivery of your item

**June 21, 2022, 6:26 pm**  
Notice Left (No Authorized Recipient Available)  
JACKSONVILLE, FL 32208

**June 21, 2022**  
In Transit to Next Facility

**June 18, 2022, 1:14 am**  
Departed USPS Regional Facility  
JACKSONVILLE FL DISTRIBUTION CENTER

**June 17, 2022, 12:55 pm**  
Arrived at USPS Regional Facility  
JACKSONVILLE FL DISTRIBUTION CENTER

**June 16, 2022, 11:18 pm**  
Departed USPS Regional Facility  
TALLAHASSEE FL DISTRIBUTION CENTER

**June 16, 2022, 7:47 pm**  
Arrived at USPS Regional Facility  
TALLAHASSEE FL DISTRIBUTION CENTER

Feedback

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**USPS Tracking Plus®**



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**Product Information**



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**See Less** ^

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Go to our FAQs section to find answers to your tracking questions.

**Fleming, Donna**

---

**From:** Kevin Kivela <kevin777kivela@gmail.com>  
**Sent:** Wednesday, August 17, 2022 10:49 AM  
**To:** Fleming, Donna  
**Subject:** Fwd: reference

**[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.**

----- Forwarded message -----

**From:** Henry Copeland <henry123copeland@yahoo.com>  
**Date:** Tue, Aug 16, 2022 at 9:26 AM  
**Subject:** reference  
**To:** kevin777kivela@gmail.com <kevin777kivela@gmail.com>

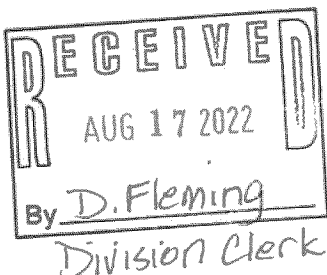
# 2022-009682  
Kivela, Kevin

To whom it may concern ,

my name is Henry and I am writing this letter of reference on behalf of Kevin Kivela. I have known him for about a year and see him at the Beaches Unity AA Club, he is an active member and helps make coffee and clean up after meetings. My favorite thing i see him do is greet new members give them reading materials and show take them to meetings, this is very important to a new person cause they are usually scared and shy. He also brings his dog often and everybody loves him cause he is so gentle, i always believe a good dog owner is a good person. I hope this helps and he gets the job because i am sure he will be a strong asset to your team.

thank you

Henry Copeland



August 16th 2022

Case # 2022-009682  
Kivela, Kevin

To whom it may concern,

I have known Kevin Kivela for approximately 7 1/2 years. We were neighbors in Brooklyn Park, Minnesota and I convinced him to move to Florida as it offers many great opportunities both business and personal.

I have never known him to drink or do drugs and am looking forward to joining him for dinner on October 18th to celebrate his 11 year of sobriety, that is an amazing thing and I am proud to be his friend.

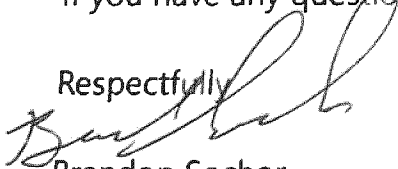
In Minnesota, I owned a company called R.A.D.E. (Recovery Aid for Drug/Drinking Education) which is a nationally licensed drug and alcohol education course from 2014 until 2020. We have not re-opened a Florida location as multiple of my other businesses have thrived over the past few years. Kevin was not part of my classes as he was already sober. We met under other circumstances and became friends.

I know him to be very good at construction as he bought a house in Jacksonville and put a new roof on it and cleaned up the yard so it is a nice house. He has also done multiple construction jobs for me such as installing doors and drywall work to name a few; quality workmanship and takes pride in a job well done.

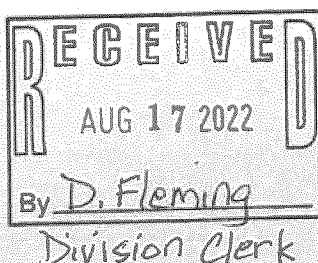
Kevin has also become like family since we moved here 3 years ago. He flew and drove in to visit over 8 times before he personally moved to Florida. He is good to my kids and takes time to teach them things like bouncing on a trampoline, skateboarding, building forts, taking them to the beach, and encouraging them in math, music, and art. He's lovingly known as "uncle Kevin" by all 4 kids. Always welcome and trusted in our home.

If you have any questions, please do not hesitate to call me.

Respectfully



Brandon Sochor  
(850) 960-0443



## Fleming, Donna

---

**From:** Kevin Kivela <kevin777kivela@gmail.com>  
**Sent:** Wednesday, August 17, 2022 10:50 AM  
**To:** Fleming, Donna  
**Subject:** Fwd: letter  
**Attachments:** 1.jpg

**[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.**

----- Forwarded message -----

**From:** **Brandon Sochor** <basochor@yahoo.com>  
**Date:** Tue, Aug 16, 2022 at 11:51 AM  
**Subject:** letter  
**To:** [Kevin777kivela@gmail.com](mailto:Kevin777kivela@gmail.com) <Kevin777kivela@gmail.com>

Brandon Sochor  
Owner of CGMN  
850-960-0443



RE: Reference Letter, FGCC Case # 2022-009682, Kivela

To Whom It May Concern in the great state of Florida

I Have known Kevin Kivela for more the 15 years. He and I met at the Fridley Alano in Minnesota. We became acquaintances though visiting in the common area. His wit is sharp and inventively creative. We rapidly became friends.

Kevin is an open and engaging friendly person to all people. I seen this as scared strangers came through the doors for the first time to an AA meeting. Kevin would welcome them and made them feel at ease. While being invited by Kevin to attend one of his home groups, Squad 20 men's Big Book study. I found quickly that he was solidly grounded in the AA program. This was important to me as I wanted to stick with the winners and build my own program and stay sober.

I also had the pleasure to work with him. He earned his living as a roofer at one time and I needed mine done. I knew very little about doing this. I knew he had a strong work ethic and an eye for detail. Yet when you see someone actually practice it along side you, you get a deeper understanding and respect for the true nature of his character. Of witch one of Kevin's strong points is he means what he says and says what he means. This built trust and reliability. Being said this also speaks to Kevin's honesty.

Without going into detail. Honesty, openness, willingness and practicing this in all our affairs are cornerstones to our recovery.

For these reasons, I recommend Kevin for the Poker Dealer position. I believe Kevin would be a valuable asset to any organization fortunate to have him on their team.

If you have any questions, please feel free to reach out to me.

Sincerely



Scott Matson

763.535.5844

[bemeupscotty@hotmail.com](mailto:bemeupscotty@hotmail.com)

RECEIVED  
2022 AUG -5 PM 12:27  
FLORIDA GAMING  
CONTROL COMMISSION

**Fleming, Donna**

---

**From:** Kevin Kivela <kevin777kivela@gmail.com>  
**Sent:** Friday, August 5, 2022 10:07 AM  
**To:** Fleming, Donna  
**Subject:** Re: judicial review section 120.68  
**Attachments:** image002.png; image003.png; image004.jpg; Scan\_20220804.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.**

On Wed, Aug 3, 2022, 10:22 AM Fleming, Donna <[Donna.Fleming@fgcc.fl.gov](mailto:Donna.Fleming@fgcc.fl.gov)> wrote:

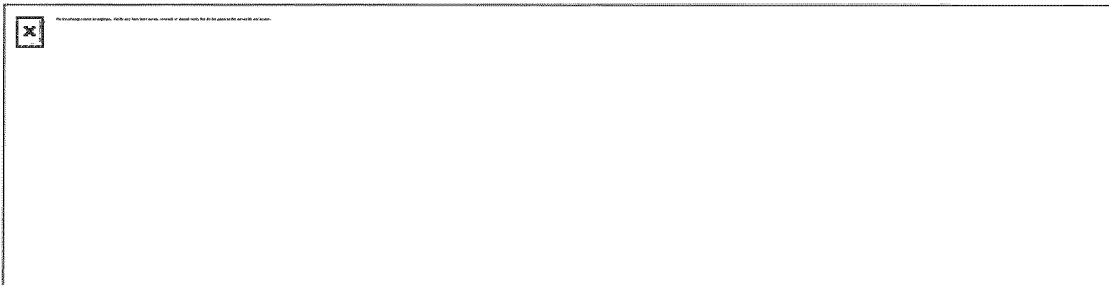
Good Morning Mr. Kivela,

I am confirming that I have received your email requesting an Informal Hearing and have forwarded it to our legal department. If you have any questions, please feel free to contact me via email or by phone.

Have a wonderful day!

Respectfully,

Donna



## Fleming, Donna

---

**From:** Kevin Kivela <kevin777kivela@gmail.com>  
**Sent:** Thursday, August 4, 2022 12:49 PM  
**To:** Fleming, Donna  
**Subject:** Fwd: Letter of Reference - Case # 2022-009682, Kivela, Kevin

[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.

----- Forwarded message -----

**From:** **Tristan Wilberg** <[twilberg@runaces.com](mailto:twilberg@runaces.com)>  
**Date:** Thu, Aug 4, 2022, 12:10 PM  
**Subject:** Letter of Reference  
**To:** [kevin777kivela@gmail.com](mailto:kevin777kivela@gmail.com) <[kevin777kivela@gmail.com](mailto:kevin777kivela@gmail.com)>

To whom it may concern,

Kevin was an employee of Running Aces Casino, Hotel & Racetrack from late in 2018 until we were shut down for a few months due to Covid in 2020. During that time, he was a great employee. He was always positive and upbeat, had a great attitude, and stayed on task. Perfect for a guest service role. He was also punctual and had good attendance during his employment.

Thank you,

Tristan

**Tristan Wilberg**  
Casino Manager/Marketing Advisor  
P• 651-925-4567  
E• [twilberg@runaces.com](mailto:twilberg@runaces.com)



**RUNNING ACES CASINO • HOTEL • RACETRACK**  
15201 Running Aces Blvd. Columbus, MN 55025  
[RunAces.com](http://RunAces.com) | (651) 925-4600  
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Melanie S. Griffin, Secretary

Ron DeSantis, Governor

June 13, 2022

Mr. Kevin D. Kivela  
3915 Beverly Avenue  
Jacksonville, Florida 32208

Letter of License Denial

Dear Mr. Kivela:

This Letter of License Denial ("Denial") serves to inform you that your application for a Pari-Mutuel Wagering Cardroom Employee Occupational License and request for waiver is denied in accordance with the provisions of Chapters 550 and 849, Florida Statutes, and the rules promulgated thereto. This Denial is based upon your following criminal disposition:

01/30/2007 – Operating Vehicle with Intent/ Third Offense (F) – Adjudicated  
Guilty – Hancock County, Iowa (Case No. 02411-OWCR008522)

This conviction is a disqualifying offense under Sections 550.105(5) and 849.086(6)(g), Florida Statutes. A withheld adjudication of guilt is considered a conviction for licensing under Sections 550.105(5) and 849.086(6)(f), Florida Statutes. Failure to disclose convictions as required by a license application is a basis for denial of the application under Section 559.791, Florida Statutes.

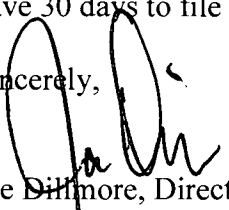
Your Request for Waiver has been denied based on your failure to meet the requirements of Section 550.105(5)(c), Florida Statutes.

You are advised you may not work in any position requiring licensure or be within a restricted area at a pari-mutuel facility without an appropriate valid occupational license.

Pursuant to Section 120.57, Florida Statutes, you may request a hearing to challenge the Division's decision within twenty-one (21) days of receipt of this Denial, as provided for in Rule 28-106, Florida Administrative Code, and the attached Notice of Rights.

If you do not request a hearing within twenty-one (21) days of your receipt of this Denial, this Denial will become the Agency's Final Order. If this Denial becomes a Final Order, you will have 30 days to file for an appeal pursuant to Section 120.68, Florida Statutes.

Sincerely,

  
Joe Dillmore, Director  
Division of Pari-Mutuel Wagering

Attachment: Notice of Rights

CERTIFICATE OF SERVICE

I hereby certify this 16 day of June, 2022, that a true copy of the foregoing has been furnished by U.S. mail to:

**Kevin D. Kivela**  
3915 Beverly Avenue  
Jacksonville, Florida 32208

*Erin A. Proctor*  
**AGENCY CLERK'S OFFICE**  
Department of Business and Professional Regulation

Case No. 2022-009682

7006 2150 0005 6846 6462

|   |                             |  |
|---|-----------------------------|--|
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| Restricted Delivery Fee (Endorsement Required) <i>009682</i>  |                             |  |
| Total Postage & Fees \$   |                             |  |
| Sent  | Mr. Kevin D. Kivela         |  |
| Street or PO Box  | 3915 Beverly Avenue         |  |
| City, State, ZIP+4®   | Jacksonville, Florida 32208 |  |
| PS Form 3800, October 2019  | Instructions                |  |

## NOTICE OF RIGHTS

This is an action that may affect your substantial interests. Mediation of this administrative dispute is not available. However, pursuant to Sections 120.569 and 120.57, Florida Statutes, you may request a hearing on this matter, provided a written request is filed with the agency. The request must comply with the requirements of Rules 28-106.111, and 28-106.201 or 28-106.301, Florida Administrative Code. The written request must be received by the Division within 21 days of your receipt of this notice.

If the Division determines there are disputed issues of material fact, the case will be forwarded to the Division of Administrative Hearings for a formal hearing. If there are no disputed issues of material fact, the Division will schedule an informal hearing. You will be notified of the date, time and place of the hearing. In either case, you have the burden of establishing entitlement to the license.

In a formal hearing, you have the right to appear in person on your own behalf, to be represented by an attorney, to bring witnesses and present evidence, to cross-examine any witnesses produced against you by the State, and to have subpoenas issued on your behalf.

In an informal hearing, you have the right to appear in person on your own behalf, to be represented by an attorney, and to submit whatever information you desire to show entitlement to the license.

If a hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, is not requested within 21 days, the foregoing Letter of License Denial will become a Final Order. Any party adversely affected by this Final Order has the right to seek its judicial review under Section 120.68, Florida Statutes, by the filing of an original Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Agency Clerk, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202 (Email: [AGC.Filing@myfloridalicense.com](mailto:AGC.Filing@myfloridalicense.com)), and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Florida District Court of Appeal. The Notice of Appeal must be filed (received) in the Office of the Agency Clerk within thirty (30) days after the date this Order is filed with the Clerk.

In all the above proceedings, practice is governed by Chapter 120, Florida Statutes, and Rule 28-106, Florida Administrative Code.

|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| 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: **icampbell**

VR Home > Complaint Search > **Maintain Complaint**

|   |                                   |   |
|---|-----------------------------------|---|
| Lic Type <b>1012 - Cardroom Employee Occupational</b> | Status <b>90 Closed</b>           | Status Date <b>03/23/2022</b>                   |
| Complaint # <b>2022009682</b>                         | Case Type <b>CMP - Complaint</b>  | Disposition                                     |
| Docket#   | Respondent <b>KIVELA, KEVIN D</b> | Responsible <b>cwtaylor - TAYLOR, CHARLES W</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>02/19/2022</b>    | <input type="checkbox"/> Related                | <input checked="" type="checkbox"/> Disposition |
| Region <b>CR - Central Region</b>   | Received <b>03/01/2022</b>    | <input type="checkbox"/> Inspection             |   |
| Reference   |                               | <input type="checkbox"/> Costs                  |   |
| Entered <b>03/01/2022</b>   | Entered By <b>rmahalinga</b>  | <input type="checkbox"/> Time Tracking          | <input type="button" value="Auto Assign"/>      |
| Summary <b>90-DAY DEADLINE: June 16, 2022 ----- / ----- . 03/18/2022</b>              |                               | <input type="checkbox"/> Attachments            | <input type="button" value="History"/>          |
| <b>- Waiver Interview conducted ----- / ----- . 148-Orange Park Kennel Club, Inc.</b> |                               | <input type="checkbox"/> Work Notes             | <input type="button" value="Print Report"/>     |
| Updated <b>03/23/2022 14:28:21</b>  | By <b>icampbell</b>           |   |   |



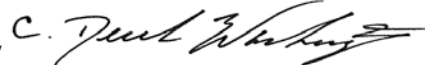
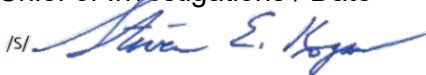
|           |                                       |                                     |                                   |                                       |                                     |
|-----------|---------------------------------------|-------------------------------------|-----------------------------------|---------------------------------------|-------------------------------------|
| <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"/> |
|-----------|---------------------------------------|-------------------------------------|-----------------------------------|---------------------------------------|-------------------------------------|

Get Adobe Reader.

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS  
 WAIVER INVESTIGATIVE REPORT

|  |                            |  |                                       |
|--|----------------------------|--|---------------------------------------|
| Office:<br><b>PMW</b>  | Region:<br><b>NORTHERN</b> | Date of Complaint:<br><b>March 1, 2022</b>   | Case Number:<br><b>2022 00 9682</b>   |
| Respondent:<br><br><b>KIVELA, KEVIN D.</b><br>3915 Beverly Avenue<br>Jacksonville, FL 32208<br><br>   |                            | Complainant:<br><br><b>DIVISION OF PARI-MUTUEL WAGERING<br/>OFFICE OF INVESTIGATIONS<br/>1400 West Commercial Boulevard, Suite 165<br/>Ft. Lauderdale, Florida 33309</b>           |                                       |
| License # / Type:<br><b>13019657 / 1012</b>  |                            | Profession:<br><b>Poker Dealer</b>   | Report Date:<br><b>March 18, 2022</b> |
| Period of Investigation:<br><b>March 1, 2022 through March 18, 2022</b>  |                            | Type of Report:<br><b>Final</b>  |                                       |
| <p><b>Basis of Investigation:</b> This investigation is predicated upon <b>KEVIN D. KIVELA's</b> application dated November 30, 2021, for a Cardroom Employee Occupational License to work as a Poker Dealer at <b>ORANGE PARK KENNEL CLUB</b>.</p> <p>On the application, <b>KIVELA</b> initially answered "No" to the question, "Have you ever been convicted of or had adjudication withheld for any crime, or plead guilty or nolo contendere to any criminal charges against you?"</p> <p>Upon receipt of his application, PMW Licensing sent <b>KIVELA</b> a deficiency letter on December 9, 2021, requesting that he list his criminal offenses from Minnesota and Iowa on his application and provides court disposition records. On February 14, 2022, another deficiency letter was sent to <b>KIVELA</b>. On February 19, 2022, <b>KIVELA</b> submitted an amended application and provided a list of his offenses. A Request for Waiver was also submitted.</p> |                            |  |                                       |
| Related Case:  |                            |  |                                       |
| Investigations Specialist II / Date<br><br>/s/ <br>Charles W. Taylor / March 18, 2022   |                            | Approved by Investigator Supervisor / Date<br><br>/s/ <br>C. Derek Washington / March 21, 2022 |                                       |
| Chief of Investigations / Date<br><br>/s/ <br>Steven E. Kogan / March 23, 2022  |                            |  |                                       |



CONTINUATION

**CRIMINAL HISTORY**

| Arrest 1                            |   |  |        |             |                 |
|-------------------------------------|---|--|--------|-------------|-----------------|
| <b>Date of Arrest:</b><br>5/27/2006 |   | <b>Arresting Agency:</b><br>Garner Police Department, Hancock County, Iowa |        |             |                 |
| OFFENSE                             |   |  |        |             |                 |
|                                     |   | CLASSIFICATION   | PLEA   | DISPOSITION | CONVICTION DATE |
| 1                                   | Operating a Vehicle While Intoxicated (OWI) – 3 <sup>rd</sup> Offense | Felony   | Guilty | Adj. Guilty | 1/30/2007       |
| 2                                   |   |  |        |             |                 |
| 3                                   |   |  |        |             |                 |
| 4                                   |   |  |        |             |                 |

| SENTENCE   |
|--|
| 5 Year Prison suspended, Jail for 30 days, 5 Year Probation, Fine of \$2500, and Driver's License Revoked. |

|                                |
|--------------------------------|
| <b>Additional Information:</b> |
|--------------------------------|

| Arrest 2               |  |                          |      |             |                 |
|------------------------|--|--------------------------|------|-------------|-----------------|
| <b>Date of Arrest:</b> |  | <b>Arresting Agency:</b> |      |             |                 |
| OFFENSE                |  |                          |      |             |                 |
|                        |  | CLASSIFICATION           | PLEA | DISPOSITION | CONVICTION DATE |
| 1                      |  |                          |      |             |                 |
| 2                      |  |                          |      |             |                 |
| 3                      |  |                          |      |             |                 |
| 4                      |  |                          |      |             |                 |

| SENTENCE              |
|-----------------------|
| Pay Court Cost \$190. |

|                                |
|--------------------------------|
| <b>Additional Information:</b> |
|--------------------------------|

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**

|  |            |           |
|--|------------|-----------|
|  | <b>YES</b> | <b>NO</b> |
| Has the Applicant ever possessed a Florida Pari-Mutuel Occupational License? | <b>X</b>   |           |
| Does the Applicant possess an Occupational License from other jurisdictions? |            | <b>X</b>  |

|  |                                     |                               |   |
|--|-------------------------------------|-------------------------------|---|
| <b>1. License Type: Cardroom Employee 1012 (**TEMPORARY**)</b>   |                                     |                               |   |
| Date Licensed:<br><b>12/1/2021</b>   | Expiration Date:<br><b>3/1/2022</b> | License #:<br><b>13019657</b> | Agency or Jurisdiction:<br><b>Florida PMW</b> |
|  |                                     | <b>YES</b>                    | <b>NO</b>                                     |
| Has License ever been suspended or revoked?  |                                     |                               | <b>X</b>                                      |
| Was any derogatory information received?   |                                     | <b>X</b>                      |   |
| Additional Comments: <b>This license was issued in the field office because the applicant did not disclose any convictions on his initial application.</b> |                                     |                               |   |

|   |                  |            |                         |
|---|------------------|------------|-------------------------|
| <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:<br>March 18, 2022 | Location of Interview:<br>Best Bet Jacksonville |            |           |
|                                      |   | <b>YES</b> | <b>NO</b> |
| Was the applicant cooperative?       |   | <b>X</b>   |           |
| Additional Comments: N/A             |   |            |           |

**SUMMARY OF INTERVIEW:**

During the interview, **Kivela** acknowledged that he has a problem with alcohol and he knows he cannot drink. He stated that is why he has been clean and sober for over 10 years. He talked a great deal about directing his energies toward constructive goals, rather than negative ones, and has found faith and places his entire future in God's hands.

He went on to say he has had many jobs but dealing poker is what he likes best and is best at. He just wants to work dealing poker in Florida where the weather is so much better than Minnesota, where he was dealing. He stated he has been working at Best Bet for the last 3 months and really enjoys it. He also stated that he has bought a house.

**CONCLUSION:**

A check of the Association of Racing Commissioners International (ARCI) database showed no rulings against **KIVELA. (EXHIBIT #4)**

Case Status: Case forwarded to Director for review.

CONTINUATION

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**ROUTING SLIP  
REQUEST FOR WAIVER**

RE: KIVELA, KEVIN D. – 13019657  
(APPLICANT'S NAME – LICENSE #)

Case No: 2022 00 9682

**90-DAY DEADLINE**

**JUNE 16, 2022**  
(DATE)

**Investigations Section:**  
Reviewed by Steve Kogan



\_\_\_\_\_  
(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:**

\_\_\_\_\_  
Application Processor

\_\_\_\_\_  
Facility (d/b/a name)

\_\_\_\_\_  
Occupation/Job Title

Reviewed by David Donaldson

\_\_\_\_\_  
(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 \_\_\_\_\_

**Office of Director:**

Reviewed by Director

\_\_\_\_\_  
(Initial & Date)

Prepare Waiver \_\_\_\_\_

Prepare Denial \_\_\_\_\_

Comments: \_\_\_\_\_

**Investigative Findings:**

May 27, 2006

Garner Police Dept., Hancock County, IA – Operating a Vehicle With Intent – Felony – Pled Guilty – Convicted on January 30, 2007 – 5 Year Prison suspended, 30 days in Jail, 5 Year Probation, Fine of \$2500, and Driver's License Revoked.

Cardroom Dealer

lem

\*Please attach Routing Slip to front of case file



EXHIBIT #1  
PAGE 1-8

RECEIVED



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
www.myfloridalicense.com

TO: KEVIN KIVELA  
Full Legal Name of Applicant

6-24-1966  
Date of Birth

13019657  
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.

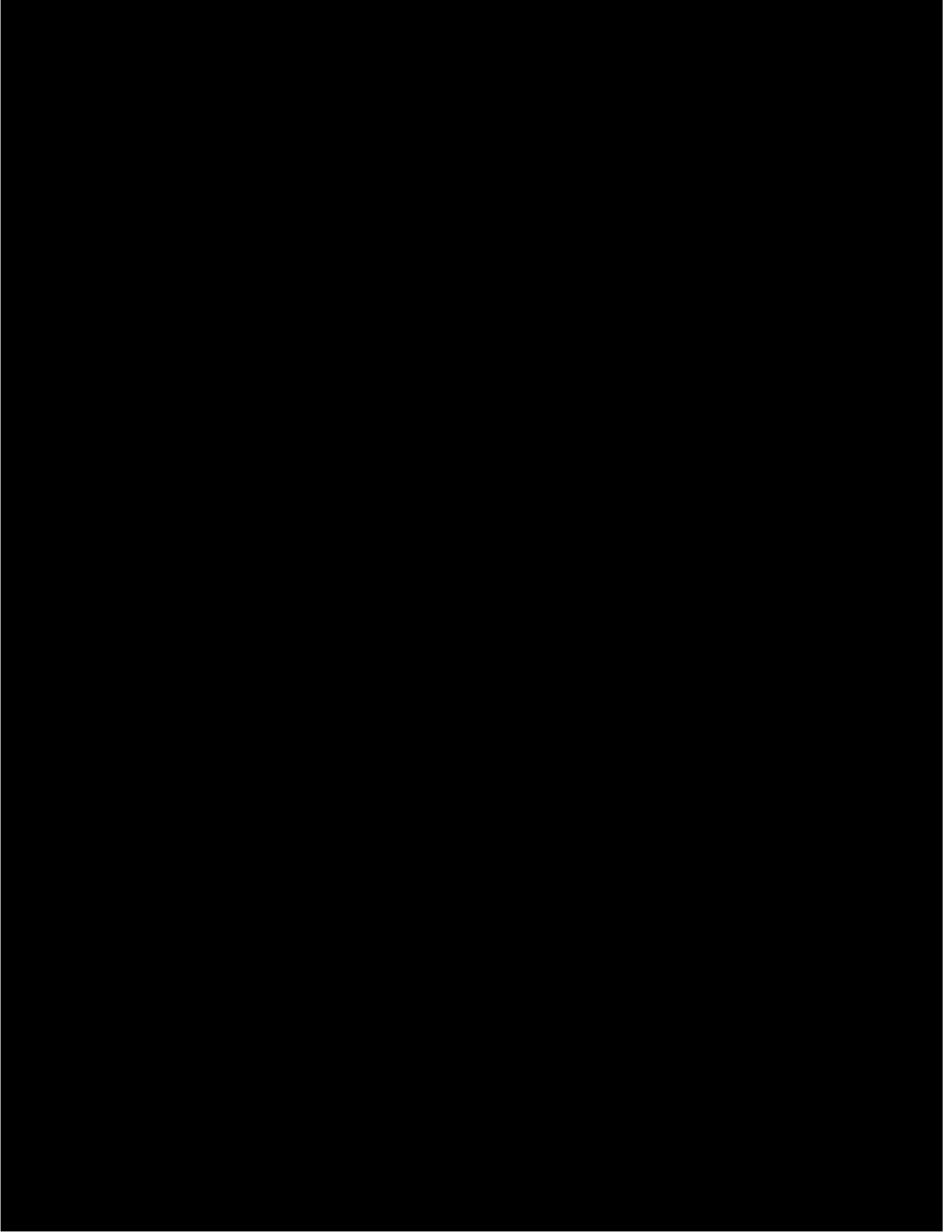
I hereby request a waiver for the situation(s) or conviction(s) noted above, and acknowledge that license and fingerprint fees are non-refundable in the event the waiver request is denied. I hereby acknowledge that my failure to participate in a waiver interview or to disclose any pertinent information 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.

Kevin Kivela  
Signature of Applicant

2-19-22  
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.





**BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  
 No Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?

Yes  
 No Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.

| DATE OF DISPOSITION | COUNTY | STATE | OFFENSE | MISDEMEANOR OR FELONY? | SENTENCE |
|---------------------|--------|-------|---------|------------------------|----------|
|                     |        |       |         |                        |          |
|                     |        |       |         |                        |          |
|                     |        |       |         |                        |          |

Yes  
 No Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.

Yes  
 No Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:  
 \_\_\_\_\_  
 \_\_\_\_\_

**PLEASE READ AND SIGN BELOW**

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1998 (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. 943.058 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.

*Alan Howe*  
Signature of Applicant

11-30-2021  
Date

Entity# 13019657

NO

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 disciplines, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 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. 943.056 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.

*Kevin Givels*  
Signature of Applicant

2-19-22  
Date

ATTN MIRIAM ACHENS

EMP# 10953

LICENSE # 13019657 RECEIVED

KEVIN KIVELA ADDRESS REDACTED

HENNEPIN COUNTY

1-30-1994 = DRIVING NO LICENSE

~~7-14-1998 = DWI~~

RAMSEY COUNTY

10-15-2011 = DWI

PALO ALTO COUNTY

4-25-2006 = DWI

CLAY COUNTY

4-28-2006 = ASSULT GRMS

HANCOCK COUNTY

5-27-2006 = DWI

DAKOTA COUNTY

6-30-2006 = DWI

ANOKA COUNTY

3-18-1999 = RECORD DESTROYED

5-29-2009 = DRIVING AFTER CANCELLATION

5-17-2012 = ASSULT MISDEMEANOR

PLEASE LET ME KNOW WHAT ELSE

I CAN DO TO BE GOOD EMPLOYEE

KEVIN KIVELA

651-347-8683

|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| 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: **rmahalinga**

VR Home > License Search > **License Home**

**License**

Fed Tax # [REDACTED] Lic Type **1012 - Cardroom Employee Occupational** Expires On **03/01/2022**  
 File # **13357** Name **KIVELA, KEVIN D** Extended To  
 License # **13019657** Rank **CEMP - Cardroom Employee Occupational** Renewed On  
 Entity # **13019657** Lic Status **Closed Upgrade**

- Licensee
- History
- Notes
- Notes History
- Back


**Address**

Street # **3915** Street **BEVERLY AVE**  
 Line 2  
 Line 3  
 City **JACKSONVILLE** State **FL** Zip **32208**  
 Routing

**Other**

1st License Date **12/01/2021** Rank Date **12/01/2021** Certificate #  
 Method **I-S-1018** Status Date **12/07/2021** Certificate Date  
 Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action   

**Modifiers**

| Type | Modifier                            | Effective Date | Additional Info |
|------|-------------------------------------|----------------|-----------------|
| C    | DEAL - Dealer                       | 12/01/2021     |                 |
| I    | GHND - Greyhound                    | 12/01/2021     |                 |
| L    | 148 - Orange Park Kennel Club, Inc. | 12/01/2021     |                 |

EXHIBIT #1  
PAGE 7-8

|   |                      |            |
|---|----------------------|------------|
| Y | 3YR - 3 Year License | 12/01/2021 |
|---|----------------------|------------|

**Alt Keys**

BEST LIC NBR **13019657**

 Get Adobe Reader.

EXHIBIT #1  
PAGE 8-8





































































































































Julie I. Brown, Secretary

Ron DeSantis, Governor

December 9, 2021

Mr. Kevin D. Kivela  
3915 Beverly Avenue  
Jacksonville, Florida 32208

RE: Application No. 66702, Entity 13019657  
1012 - Cardroom Employee Occupational

Dear Mr. Kivela:

Your application for an occupational license with the Division of Pari-Mutuel Wagering 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:

- Hennepin County, Minnesota Arrests - 01/30/1994, 07/14/1998
- Ramsey County Arrest - 10/15/2011
- Palo Alto County, Iowa Arrest - 04/25/2006
- Clay County, Iowa Arrest - 04/28/2006
- Hancock County, Iowa Arrest - 05/27/2006
- Dakota County, Minnesota Arrest - 06/30/2006
- Anoka County, Minnesota Arrests - 03/18/1999, 05/29/2009, 05/17/2012

You must provide the court disposition records for the following charge:

- Anoka County, Minnesota Arrest - 3/18/1999

Note: If you cannot obtain the requested court disposition records, please submit a certified statement from the Clerk of Court for the relevant jurisdiction stating the status of records or that the records are not available. All aliases must be listed, if applicable.

- DBPR PMW 3180 - Request for Waiver is required, if you have ever been convicted of or had adjudication withheld for a felony or other disqualifying offense (form enclosed).

Julie I. Brown, Secretary

Ron DeSantis, Governor

- DBPR 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 850.487.1395.

If you fail to provide the Division with a complete application within 120 days of this notice your application shall lapse and no longer be processed by the Division. 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 Division Rule. Please note that your Temporary License will expire on: 03/01/2022.

Checks or money orders should be made payable to the Department of Business and Professional Regulation or DBPR. Return the missing document and/or information to the address provided above, attention PMW Licensing Section. If you have any questions please call 850.487.1395.

Thank you,

Miriam Achens  
Operations Analyst II



Julie I. Brown, Secretary

Ron DeSantis, Governor

February 14, 2022

Mr. Kevin D. Kivela  
3915 Beverly Avenue  
Jacksonville, Florida 32208

RE: Application No. 66702, Entity 13019657  
1012 - Cardroom Employee Occupational

Dear Mr. Kivela:

Your application for an occupational license with the Division of Pari-Mutuel Wagering 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:

- Hennepin County, Minnesota Arrests - 01/30/1994, 07/14/1998
- Ramsey County Arrest - 10/15/2011
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- Clay County, Iowa Arrest - 04/28/2006
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- Anoka County, Minnesota Arrests - 03/18/1999, 05/29/2009, 05/17/2012
- DBPR PMW 3180 – Request for Waiver is required, if you have ever been convicted of or had adjudication withheld for a felony or other disqualifying offense (form enclosed).
- DBPR 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 850.487.1395.**



Julie I. Brown, Secretary

Ron DeSantis, Governor

RECEIVED

2022 FEB 24 PM 12:34

If you fail to provide the Division with a complete application within 120 days of this notice your application shall lapse and no longer be processed by the Division. 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 Division Rule. Please note that your Temporary License will expire on: 03/01/2022.

Checks or money orders should be made payable to the Department of Business and Professional Regulation or DBPR. Return the missing document and/or information to the address provided above, attention PMW Licensing Section. If you have any questions please call 850.487.1395.

Thank you,

Miriam Achens  
Operations Analyst II

RECEIVED

2022 FEB 24 PM 12:34

DEAR LICENSING OF FLORIDA

DIVISION OF  
VEHICLE REGISTRATION

I KEVIN KIVEIA AM  
REQUESTING A WAIVER ON THE  
DUI FELONY I GOT IN 2006.  
I AM AN ALCOHOLIC AND  
HAVE SEVERAL DWI'S AND THE  
5TH ONE RESULTED IN FELONY IN IOWA.  
ALTHOUGH I HAVE 10 YEARS SOBER  
I KNOW THAT I AM ONE DRINK  
AWAY FROM DISASTER. I WISH TO  
WORK HARD AS AN EMPLOYEE AND  
BE A PRODUCTIVE MEMBER OF  
SOCIETY. PLEASE ALLOW ME  
THIS OPPORTUNITY.

RESPECTFULLY SUBMITTED

2-22-22 KEVIN KIVEIA

Kevin Kiveia



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Shlomo Maman Case Number 2022-021401; Final Order  
Date: November 23, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to adopt the hearing officer's recommended order recommending permanent exclusion of Shlomo Maman ("Respondent") from all pari-mutuel and slot facilities in the state of Florida. On July 7, 2022, Respondent requested an informal hearing pursuant to section 120.57(2), Florida Statutes. A hearing was held on September 22, 2022. Following the hearing, the hearing officer recommended permanent exclusion from all pari-mutuel and slot machine facilities. 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 April 26, 2022, Respondent was a patron of PPI, Inc.<sup>1</sup> Respondent was seen removing chips from a cardroom table at an improper time. Respondent has had two prior incidents with PPI, Inc. Respondent was permanently excluded from PPI, Inc.<sup>2</sup>, on April 26, 2022.

Based on his exclusion from PPI, Inc., the Division served Respondent with an administrative complaint seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. Respondent requested an informal hearing pursuant to 120.57(2), Florida Statutes, which was held on September 22, 2022. The hearing officer issued their recommended order on November 21, 2022 recommending permanent exclusion from all pari-mutuel facilities and all facilities of a slot machine licensee.

### *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

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<sup>1</sup> PPI, Inc. 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.

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.” PPI, Inc. 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. Therefore, the Florida Gaming Control Commission may enter a final order adopting the hearing officer’s recommended order and 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 adopting the hearing officer’s recommended order in case number 2022-021401.



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.: 2022-021401

SHLOMO MAMAN,

Respondent.

\_\_\_\_\_ /

RECOMMENDED ORDER

THIS MATTER came before Elizabeth K. Stinson, designated Hearing Officer for the Florida Gaming Control Commission (“Commission”), on September 22, 2022, in Tallahassee, Florida, in accordance with the provisions of Sections 120.569 and 120.57(2), Florida Statutes, for consideration of the Commission’s Administrative Complaint filed against Shlomo Maman (“Respondent”), in FGCC Case Number 2022-021401 (“Administrative Complaint”). The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PROCEDURAL HISTORY

1. On June 14, 2022, the Commission filed an Administrative Complaint against Respondent alleging that on April 26, 2022, Respondent was permanently excluded from PPI, Inc., that he is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida based on his permanent exclusion from PPI, Inc.

2. On July 7, 2022, Respondent requested an informal hearing pursuant to Section 120.57(2), Florida Statutes.

3. At the informal hearing on September 22, 2022, the Commission presented the issues raised in its Administrative Complaint. The undersigned granted the Commission's motion to accept the Findings of Fact in the Administrative Complaint as the undisputed facts in the case, and accepted the investigative report into the record.

4. During the informal hearing, Respondent testified on a variety of topics:

- a. Respondent explained the incident that led to his exclusion at PPI, Inc.
- b. Respondent stated that he was at a poker table and took chips off the table. He stated that he has done this before, and it was not an issue.
- c. On this occasion, Respondent stated that the dealer explained Respondent was not allowed to remove the chips and Respondent stated that he did not know this prior to being told by the dealer.
- d. Respondent stated that he has never had a problem at PPI, Inc. prior to this incident.
- e. When asked if Respondent recalled the incidents that occurred in November 2017 and October 2019, he stated that he did remember what happened and confirmed he was asked to leave on both occasions.
- f. When Respondent was asked if he believes this constitutes having a problem at PPI, Inc. prior to the permanent exclusion, Respondent stated that the incidents were misunderstandings which could be proven with surveillance footage.

#### FINDINGS OF FACT

5. At all times pertinent to the allegations contained herein, Respondent was a patron at PPI, Inc.

6. On or about April 26, 2022, Respondent was permanently excluded from PPI, Inc.

#### CONCLUSIONS OF LAW

7. The Hearing Officer has jurisdiction over this matter and the parties pursuant to Section 120.57(2), Florida Statutes.

8. The Commission has jurisdiction over this matter pursuant to Chapters 120, 550, and 551, Florida Statutes.

9. At all times material, PPI, Inc. was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, cardroom, and slot machine operations in the State of Florida.

10. 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 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).

11. 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).

12. Respondent is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida based on his ejection and permanent exclusion from PPI, Inc. on April 26, 2022. *See* § 550.0251(6), and § 551.112 Fla. Stat.

13. Respondent's testimony neither mitigates the fact that Respondent was permanently excluded from PPI, Inc., nor precludes the Commission from excluding Respondent from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida. *See Id.*

14. There is competent substantial evidence to support the conclusions of law.

#### RECOMMENDED ORDER

Based upon the Findings of Fact and Conclusions of Law, it is hereby recommended that the Commission issue a Final Order permanently excluding Respondent from all pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida.

Respectfully submitted this 21st day of November 2022.

*s/Elizabeth K. Stinson*

---

Elizabeth K. Stinson, Hearing Officer  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202

CERTIFICATE OF SERVICE

I hereby certify this 21<sup>st</sup> day of November, 2022, that a true copy of the foregoing has been provided by mail to:

**Shlomo Maman**  
18601 Northeast 14<sup>th</sup> Avenue  
Miami, Florida 33179

  
Clerk of the Commission

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2022-021401

SHLOMO MAMAN,

Respondent.

\_\_\_\_\_ /

PROPOSED RECOMMENDED ORDER

THIS MATTER came before Elizabeth Stinson, designated Hearing Officer for the Florida Gaming Control Commission (“Commission”), on September 22, 2022, in Tallahassee, Florida, in accordance with the provisions of Sections 120.569 and 120.57(2), Florida Statutes, for consideration of the Commission’s Administrative Complaint filed against Shlomo Maman (“Respondent”), in FGCC Case Number 2022-021401 (“Administrative Complaint”). The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, offer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On June 14, 2022, the Commission filed an Administrative Complaint against Respondent alleging that on April 26, 2022, Respondent was permanently excluded from PPI, Inc. and that he is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida.

2. On July 7, 2022, Respondent requested an informal hearing pursuant to Section 120.57(2), Florida Statutes.

3. At the informal hearing on September 22, 2022, the Division presented the issues raised in its Administrative Complaint. The Hearing Officer granted the Division's motion to accept the Findings of Fact in the Administrative Complaint as the undisputed facts in the case, and accepted the investigative report into the record.

4. At the hearing, Respondent explained the incident that led to his exclusion at PPI, Inc.

5. Respondent stated that he was at a poker table and took chips off the table. He stated that he has done this before and it was not an issue.

6. On this occasion, Respondent stated that the dealer explained he cannot remove the chips and he stated that he did not know this prior to being told by the dealer.

7. Respondent stated that he has never had a problem at PPI, Inc. prior to this incident.

8. When asked if he recalled the incidents that occurred in November 2017 and October 2019, he stated that he did remember what happened and confirmed he was asked to leave on both occasions.

9. When asked if he believes this constitutes having a problem at PPI, Inc. prior to the permanent exclusion, he stated that the incidents were misunderstandings which could be proven with surveillance footage.

#### FINDINGS OF FACT

10. At all times pertinent to the allegations contained herein, Respondent was a patron at PPI, Inc.

11. On or about April 26, 2022, Respondent was ejected and permanently excluded from PPI, Inc.

## CONCLUSIONS OF LAW

12. The Hearing Officer has jurisdiction over this matter and the parties pursuant to Section 120.57(2), Florida Statutes.

13. The Commission has jurisdiction over this matter pursuant to Chapters 120, 550, and 551, Florida Statutes.

14. At all times material, PPI, Inc. was a facility operated by a permit holder authorized to conduct pari-mutuel wagering, cardroom, and slot machine operations in the State of Florida.

15. 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).

16. 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 division 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 division. The division 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).

17. Respondent is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida based on his ejection and permanent exclusion from PPI, Inc. on April 26, 2022. *See* § 550.0251(6), and § 551.112 Fla. Stat.

18. Respondent's testimony neither mitigates the fact that Respondent was permanently excluded from PPI, Inc., nor precludes the Commission from excluding Respondent from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida. *See Id.*

19. There is competent substantial evidence to support the conclusions of law.

#### PROPOSED RECOMMENDED ORDER

Based upon the Findings of Fact and Conclusions of Law, it is hereby requested that the Hearing Officer issue a Recommended Order permanently excluding Respondent from all pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida.

This Proposed Recommended Order in FGCC Case Number 2022-021401 is submitted this 26th 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

CERTIFICATE OF SERVICE

I hereby certify this 26th day of September, 2022, that a true copy of the foregoing  
“Petitioner’s Proposed Recommended Order” has been provided by mail to:

**Maman Shlomo**  
18601 Northeast 14<sup>th</sup> Avenue  
Miami, Florida 33179



September 2, 2022

Shlomo Maman  
18601 Northeast 14<sup>th</sup> Avenue  
Miami, Florida 33179

RE: FGCC v. Shlomo Maman  
Case No.: 2022-021401

Dear Mr. Maman:

Enclosed please find a Notice of Hearing for the informal hearing that has been scheduled in the above-referenced case. **Your hearing is scheduled to be heard on Thursday, September 22, 2022.** Please read the Notice of Hearing for more details about the date, time, location and instructions for the hearing. A copy of the Commission's case file has been mailed to your address of record. Please ensure that you have this case file available during the hearing, as you may need to refer to it throughout the hearing.

You may also provide written or oral evidence or have witnesses testify on your behalf. If you wish to provide any written evidence, please ensure it is provided to the Commission at least one week prior to the hearing date, so the Hearing Officer may have the opportunity to review it prior to the hearing. Please also provide the names and phone numbers of any witnesses you wish to speak on your behalf, if any.

**Please note:** We will be conducting the hearing telephonically; therefore, you will be contacted **between 1:00 PM and 3:00 PM (EST) at the following number: 305-370-9477.** If that number is incorrect, please contact me as soon as possible to notify me of the correct number at which to reach you. Failure to answer the telephone, promptly return a voicemail, or hold an open line will result in the hearing proceeding without you.

Below please find information about the informal hearing process:

1. The Informal Hearing is held on the date and time noted in the Notice of Hearing;
2. Approximately 14 to 21 days after the hearing, Proposed Recommended Orders, or recommendations for what the Hearing Officer's ruling should be, are sent to Hearing Officer;
3. Approximately 21 to 45 days after the Proposed Recommended Orders are submitted, the Hearing Officer will submit his or her recommended ruling to the Clerk of the Commission's office;
4. A Final Order will be issued within approximately 90 days after the date of the hearing. The Final Order is final agency action and will describe the resolution of your case.

Should you have any questions or need any assistance, please feel free to contact me via telephone or email at 850-717-1663 or [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov).

Sincerely,

/s/ Ebonie Lanier  
Ebonie Lanier  
Administrative Assistant III

Enclosures: Notice of Hearing and Case File

**Documents Included in Case File**

Exhibit 1 ..... Notice of Hearing  
Exhibit 2 ..... Election of Rights  
Exhibit 4 ..... Administrative Complaint  
Exhibit 5 ..... Report of Investigation

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.: 2022-021401

SHLOMO MAMAN,

Respondent.

---

NOTICE OF TELEPHONIC HEARING

TO: Shlomo Maman  
18601 Northeast 14<sup>th</sup> Avenue  
Miami, Florida 33179

YOU ARE HEREBY NOTIFIED that the Commission's designated Hearing Officer will conduct a hearing in this matter, pursuant to Section 120.57(2), Florida Statutes. If you wish to present oral or written evidence, you must attend the hearing. The hearing is scheduled for **Thursday, September 22, 2022, at 1:00 p.m. (Eastern Time). The Hearing Officer will call you at (305) 370-9477 sometime between 1:00 p.m. – 3:00 p.m. (EST).** Please be available to take the Hearing Officer's call. Failure to keep a telephone line open may result in the hearing proceeding without you.

You may elect to attend the hearing by video conference via GoToMeeting. To attend by video conference, you must contact the Commission by email at [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov) or telephone at (850) 717-1663, at least five (5) days prior to your hearing date to set up the video conference. If you do not elect to attend by video conference, the hearing will automatically be held by telephone only.

If you cannot attend the hearing and wish to request a continuance for good cause, you must notify the Commission by email at [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov) or telephone at (850) 717-1663 at least

five (5) days prior to your hearing date. Continuance requests made within five (5) days of the hearing can only be granted for emergencies.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to: the above-named parties via certified mail, on this 2nd day of September, 2022.

By: /s/ *Ebonie Lanier*  
Ebonie N. Lanier  
Administrative Assistant III  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1663  
Facsimile: (850) 921-1311  
Ebonie.Lanier@fgcc.fl.gov

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Ebonie Lanier at (850) 717-1663. If you are hearing or speech impaired, please contact the agency by calling 1-800-955-8771.

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

ELECTION OF RIGHTS

DBPR v. MAMAN SHLOMO

CASE NO.: 2022-021401

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option (1)  I do not dispute the allegations of material fact in the Administrative Complaint. I wish to submit oral and written evidence in mitigation at a hearing pursuant to Section 120.57(2), Florida Statutes ("informal hearing") and that this oral and written evidence be considered before any penalty and fines are imposed.

Option (2)  I do dispute the allegations of material fact in the Administrative Complaint. This is a petition for a hearing involving disputed material facts pursuant to Sections 120.569(2)(a) and 120.57(1), Florida Statutes, ("formal hearing") before an Administrative Law Judge of the Division of Administrative Hearings. I specifically dispute the following paragraphs in the Administrative Complaint (attach extra pages or write on the back if needed):

I Request a Hearing for 305 370 9477  
To Explain Circumstances of what Happen

In addition to the above election for formal hearing, if you wish to enter into settlement negotiations, check the box below:

Section 120.569(2)(a), Florida Statutes, requires the Department to send this case to the Division of Administrative Hearings (DOAH) for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement in order to enter into settlement negotiations with the Department.

Option (3)  I do not dispute the allegations of material fact in the Administrative Complaint and waive my right to any form of hearing. I request that a Final Order imposing a penalty and fines be entered in this case.

THIS IS A LEGALLY BINDING DOCUMENT. SEEK LEGAL ADVICE BEFORE SIGNING IF YOU DO NOT FULLY UNDERSTAND THE TERMS.

Shlomo Maman  
PRINTED NAME

\_\_\_\_\_  
ATTORNEY OR QUALIFIED REPRESENTATIVE

18601 NE 14 Ave  
Street Address

\_\_\_\_\_  
Street Address (where service shall be made)

miami FL 33179  
City State Zip

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Telephone Number Facsimile Number (if any)

\_\_\_\_\_  
Telephone Number Facsimile Number (if any)

\_\_\_\_\_  
E-mail  
shlomo maman  
SIGNATURE

\_\_\_\_\_  
E-mail

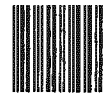
THE ELECTION OF RIGHTS FORM AND ANY ATTACHMENTS SHOULD BE RECEIVED BY THE DEPARTMENT WITHIN 21 DAYS AND SENT TO:

Office of the General Counsel  
Department of Business and Professional Regulation  
2601 Blair Stone Road, Tallahassee, FL 32399-2202  
**Attention: Ebonie N. Lanier, Administrative Assistant II**  
Telephone: (850) 717-1663 Fax: (850) 921-1311  
Email: Ebonie.Lanier@MyFloridaLicense.com

RECEIVED  
2022 JUL -7 PM 2:51  
FLORIDA GAMING  
CONTROL COMMISSION



1020



32399

U.S. POSTAGE PAID  
FCM US ENV  
HOLLYWOOD, FL  
33025  
JUN 30, 22  
AMOUNT  
**\$1.76**  
R2304H107878-24

PREMIER  
Shlomo Maman

18601 ne 14 ave #205  
miami fla 33179

TO:  
State of Florida  
Department of business and professional regulatpn

2601 blair stone road  
tallahassee, florida 32399

Photo Document Mailer  
9 3/4" x 12 1/4"

Ready Post

RECEIVED  
2022 JUL -7 PM 2:51  
FLORIDA GAMING  
CONTROL COMMISSION

FORWARDED FROM CIU

JUL 06 2022



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.: 2022-021401

v.

SHLOMO MAMAN,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Shlomo Maman (“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 18601 Northeast 14th Street, Apt. 305, North Miami, Florida 33179.
3. At all times material hereto, PPI, Inc. 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 4/21/2022, Respondent was a patron of PPI, Inc.
5. On or about April 21, 2022, Respondent was ejected from PPI, Inc.
6. On or about April 26, 2022, Respondent was permanently excluded from PPI, Inc.
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 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).

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 division 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 division. The division 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 violated Sections 550.0251(6) and 551.112, Florida Statutes and is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida based on his ejection from PPI, Inc. on or about April 21, 2022.

WHEREFORE, Petitioner respectfully requests the Division Director 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 DBPR Case Number 2022-021401 is signed this 13th day of June 2022.

/s/ Eric Saccomanno

Eric Saccomanno

Assistant General Counsel

FBN: 1032559

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) 717-1786

Facsimile: (850) 921-1311

Primary: Eric.Sacomanno@MyFloridaLicense.com

Secondary: Ebonic.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.

[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>1098 - Unlicensed Complaints</b> | Status      | <b>90 Closed</b>                | Status Date         | <b>05/06/2022</b> |
| Complaint # | <b>2022021401</b>                   | Case Type   | <b>CMP - Complaint</b>          | Disposition         | Disposition Date  |
| Docket#     | Respondent <b>MAMAN, SHLOMO</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>           |
| Form      | <b>INTR - Internal</b>   | Priority       |                    |
| Class'n   | <b>UNLI - Unlicensed Activity Investigations</b>   | Complexity     | <b>R - Regular</b> |
| Security  | <b>STND - Standard</b>   | Incident       | <b>04/23/2022</b>  |
| Region    | <b>SR - Southern Region</b>  | Received       | <b>04/28/2022</b>  |
| Reference | <b>61D-11.005(4)</b>   |                |                    |
| Entered   | <b>05/02/2022</b>  | Entered By     | <b>icampbell</b>   |
| Summary   | <b>430 - PPI, Inc. - On April 23, 2022 MAMAN was observed removing Poker Chips off the table after placing an "ALL IN" bet. Such action is deemed "cheating" and as a result MAMAN was issued permanent exclusion from Pompano Park.</b> |                |                    |
| Updated   | <b>05/06/2022 13:36:14</b>   | By             | <b>Imuniz</b>      |

|                                     |               |                                     |             |
|-------------------------------------|---------------|-------------------------------------|-------------|
| <input type="checkbox"/>            | Parties       | <input checked="" type="checkbox"/> | Activities  |
| <input checked="" type="checkbox"/> | Allegations   | <input type="checkbox"/>            | Discipline  |
| <input checked="" 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                        |             |

|          |                                       |                                     |                                   |                                       |                                     |
|----------|---------------------------------------|-------------------------------------|-----------------------------------|---------------------------------------|-------------------------------------|
| <b>4</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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Melanie S. Griffin, Secretary

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

|   |                              |   |                                     |
|---|------------------------------|---|-------------------------------------|
| Office:<br><b>PMW</b>   | Region:<br><b>SOUTH</b>      | Date of Complaint:<br><b>MAY 2, 2022</b>  | Case Number:<br><b>2022 02 1401</b> |
| Respondent:<br><b>MAMAN, SHLOMO</b><br>18601 NE 14 <sup>TH</sup> STREET<br>NORTH MIAMI, FLORIDA 33179   |                              | Complainant:<br><b>DIVISION OF PARI-MUTUEL WAGERING</b><br><b>OFFICE OF INVESTIGATIONS</b><br>1400 WEST COMMERCIAL BOULEVARD, SUITE 165<br>FORT LAUDERDALE, FLORIDA 33309 |                                     |
| License # and Type:<br><b>N/A</b>   | Profession:<br><b>PATRON</b> | Report Date:<br><b>MAY 3, 2022</b>  |                                     |
| Period of Investigation:<br><b>APRIL 27, 2022, – MAY 03, 2022</b>   |                              | Type of Report:<br><b>FINAL</b>   |                                     |
| <p><b>Alleged Violation: 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. &amp;</p> <p><b>F.S.S. 550.0251 (6) The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. –</b></p> <p>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 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> On April 23, 2022 <b>MAMAN</b> was observed removing Poker Chips off the table after placing an "ALL IN" bet. Such action is deemed "cheating" and as a result <b>MAMAN</b> was issued permanent exclusion from Pompano Park (PPI). This Investigator was able to confirm said activity on video.</p>   |                              |   |                                     |
| <b>Related Case:</b>  |                              |   |                                     |
| Investigator / Date<br><br>William Smith / May 3, 2022   |                              | Investigator Supervisor / Date<br><br>Bradford D. Jones / May 6, 2022                 |                                     |
| Chief of Investigations / Date<br><br>Bradford D. Jones for<br>Steven E. Kogan / May 6, 2022   |                              |   |                                     |

## CONTINUATION

On April 23, 2022 **MAMAN** was observed removing poker chips from a poker table after placing an "ALL IN" bet. Such action is deemed "cheating" and as a result, **MAMAN** was issued a permanent exclusion from Pompano Park. This Investigator was able to confirm **MAMAN'S** activity which was captured on PPI surveillance video.

This investigation revealed that **MAMAN** has a history of disruptive behavior at PPI and prior short-term ejections from the facility. On October 19, 2019 he received a 24 hour ejection for throwing cards at a Dealer. Additionally on November 21, 2017 **MAMAN** was involved in another incident where he removed chips from a poker table; that event also resulted in a 24 hour exclusion.

On April 23, 2022 **MAMAN** was observed removing poker chips from a table following his own "ALL IN" wager which are required to remain in play until the active poker hand is settled. In the game of Poker, such action is considered to be a form of cheating because an "ALL IN" bet automatically (and literally) commits all of the chips the Bettor has on the table to the current wager. By trying to hold back some of his chips, **MAMAN** was attempting to mitigate any potential loss he might have incurred had the wager not been resolved in his favor. This activity coupled with his previous history, resulted in the issuance of a lifetime exclusion from PPI. PPI Surveillance Reports documenting **MAMAN'S** current and prior actions are attached herein as **EXHIBIT #1**.

**Conclusion:** As a result of his actions **MAMAN** has been permanently excluded from Pompano Park (**EXHIBIT #3**). The Investigation clearly determined **MAMAN** violated 61D-11.005(4) by committing an act of cheating. Having been permanently excluded by a gaming facility licensed by this Division, **MAMAN** should be considered for statewide exclusion from all Florida Pari-Mutuel facilities under **F.S.S. 550.0251(6)**.

**Status: Closed by Investigations and forwarded to Legal for review.**

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I. INVESTIGATIVE REPORT COVERSHEET .....

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III. EXHIBITS

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2. Thumb Drive.....1-2

3. Lifetime Exclusion.....1-1



**Isle Casino - Pompano**  
**Guest - Barrment**  
**Surveillance Incident: po-SUR-32519**

**Log ID:** po-SUR-32519  
**Report Type:** Guest  
**Incident Date/Time:** Apr 23, 2022 12:16  
**Location:** Poker Room

**Entering Agent:**  
**Regarding:** Barrment  
**Reported Date/Time:** Apr 23, 2022 12:26  
**House (Loss)/Gain:**  
**Loss Gain Type:**

**Exact Location:** Table #19  
**Brief Description:** Patron ejected for not following house rules.

**Description**

For the purpose of this report. All times are approximate.

On Saturday April 23, 2022 at 12:26 hours, this department received a phone call from Poker Manager Alfred Berchielli who reported that patron Shlomo Maman removed poker chips off the table after placing an all in bet. Berchielli requested a review of table #19 of the Poker Room.

A review of the table was conducted and the following was observed. At 12:16 hours Maman was observed placing an all in bet. Maman then clutch an unknown amount of poker chips into his left hand and then placed them in his front left pants pocket. Poker Dealer Anne Governale called out Maman on his actions and then notified management. At 13:12 Berchielli met with Maman and asked him to leave for the day.

As a Management Decision Shlomo Maman will be issued a Permanent Exclusion from the property due to his multiple infractions at the poker tables. A letter will be mailed to Maman notifying him of his exclusion status.

Available footage was dubbed, saved, and titled PO-32519.

**Entered by:**  
**Entered on:** Apr 28, 2022 10:36

**Video Composite Entries**

| Name                  | Added On           |
|-----------------------|--------------------|
| Evictions/Ejections-0 | Apr 28 2022, 10:36 |

**Subject(s) Arrested:** No  
**Subject(s) Ejected:** Yes

**Subject(s) Trespassed:** No  
**Length of Ejection:** Permanent

**Subject(s)**

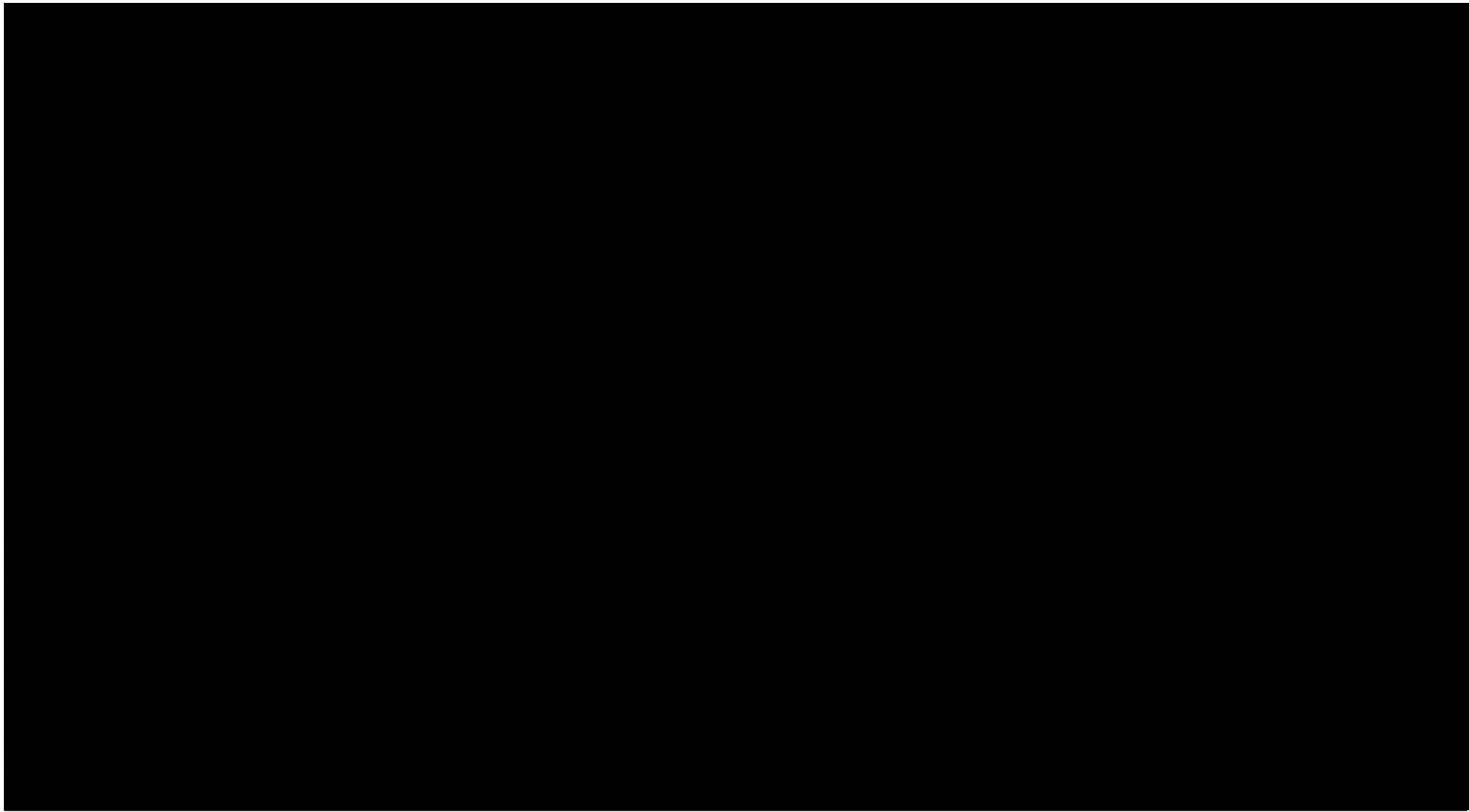
| Dossier ID | Team Member # | Name         | Role  |
|------------|---------------|--------------|-------|
| 125935     |               | Shlomo Maman | Guest |

\_\_\_\_\_  
**Surveillance Representative** **Date:** \_\_\_\_\_

**EXHIBIT #** /  
**PAGE #** /

**Isle Casino - Pompano**  
**Guest - Barrment**  
**Surveillance Incident: po-SUR-32519**

**Incident Subject**



**SSN:**

**IsleOne:** 600249046

**Last Name:** Maman  
**First Name:** Shlomo  
**Middle Name:**  
**Suffix:**

**Occupation Information**

**Occupation:**

**Contact Information**

**Mailing Address:**

**Phone Number:** [REDACTED]

**Physical Information**

**Gender:** Male  
**Height:**  
**Hair color:**  
**Complexion:**  
**Mustache:** Unknown  
**Beard:** Unknown

**Race:**  
**Weight:**  
**Hair length:**

**EXHIBIT # 1**  
**PAGE # 2**

**Goatee:** Unknown  
**Clean Shaven:** Unknown



**Isle Casino - Pompano**  
**Guest - Barrment**  
**Surveillance Incident: po-SUR-32519**

**Description:**  
**Identifying Features:**

**Drivers License Information**

**State:**  
**Type:**

**Drivers License Number:**  
**Expiration:**

**EXHIBIT # 1**  
**PAGE # 3**







**State of Florida  
Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
Investigations Section**

**PROPERTY RECEIPT**

Complaint # 2022021401 Date 05-03-22 Lab # \_\_\_\_\_

| Item No. | Quantity | Description        |
|----------|----------|--------------------|
| 1        | 1        | DVD Sklowsko Mahan |
|          |          | Poker Cheat        |
|          |          |                    |
|          |          |                    |
|          |          |                    |
|          |          |                    |
|          |          |                    |
|          |          |                    |
|          |          |                    |

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

\_\_\_\_\_  
Signature

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

\_\_\_\_\_  
Signature - Impounding Investigator

**RETURNED PROPERTY RECEIPT**

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Copies for: File, Transmittal, Laboratory, Property Receipt

**Isle Casino Racing Pompano Park**  
**Video Release and Chain of Custody Receipt: po-1076**

Video Released Opened: Apr 28, 2022 14:18  
Authorized By: Miguel Gonzalez  
Video(s) Released: PO32519

Video Release Closed: Apr 28, 2022 14:18  
Dup/Orig: Duplicate

**Subjects**

| Dossier ID | Team Member # | Name |
|------------|---------------|------|
|------------|---------------|------|

**Surveillance Report(s):**

**Coverage Description:** Incident that involved Shlomo Maman

**Coverage Location:**

**Coverage Started:**

**Reporting Agent:** Miguel Gonzalez

**Coverage Ended:**

All video listed on this Release and Chain of Custody Receipt, is proprietary to the Isle of Capri Casinos. The video presented is in original and unedited format and may not be duplicated in any manner. The date and time stamp on the video is an accurate representation of when the events took place. All video must be returned to the Isle of Capri Casinos Surveillance Department upon completion of legal proceedings.

Released By: Miguel Gonzalez  
M. Gonzalez

Date: 4.28.2022

Released To: DBPR Smith  
DBPR Smith

Date: 5-3-22

Re-Released By: \_\_\_\_\_

Date: \_\_\_\_\_

Re-Released To: \_\_\_\_\_

Date: \_\_\_\_\_

Returned By: \_\_\_\_\_

Date: \_\_\_\_\_

Returned To: \_\_\_\_\_

Date: \_\_\_\_\_

Re-Returned By: \_\_\_\_\_

Date: \_\_\_\_\_

Re-Returned To: \_\_\_\_\_

Date: \_\_\_\_\_

**EXHIBIT #**  
**PAGE #**



POMPANO PARK

### NOTICE OF EXCLUSION

To: Shlomo Maman Date of Birth: [REDACTED]

SSN: \_\_\_\_\_ DL#: [REDACTED] DL State: FL DL expire: \_\_\_\_\_

Height: 6' 2" Weight: \_\_\_\_\_ Race: Caucasian

Hair Color: Black Eye Color: Hazel Gender: Male

You have been excluded for a specific period of time per the Management of the Isle Casino Racing Pompano Park.

On this 26th day of April, 2022, you are hereby ordered to leave the property of Isle Casino Racing Pompano Park. You are further advised that you are not to enter or remain at any time on property. Prior written consent must be obtained from the General Manager in order to be allowed back onto the property.

Your removal and denial of access complies with state applicable laws and is not founded on race, creed, color or national origin.

You are further advised that if in the future you knowingly enter or retain in or upon the grounds or facilities of Isle Casino Racing Pompano Park, you will be considered a trespasser and may be subject to arrest.

Reason for Exclusion: Management Decision

Address: 18601 NE 14th Ave Apt 305 Incident Report Number: PO-SEC-28625

N Miami Beach Fan Club Number: CR # 1048543

Length of Exclusion:

30 Days

90 Days

1 Year

3 Years

Permanent

Other: \_\_\_\_\_

Acknowledged by: \_\_\_\_\_

(Customer Signature)

Issued by: [Signature] 83410

Witness: \_\_\_\_\_

**EXHIBIT # 3**  
**PAGE # 1**



|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|

|  |   |                  |                      |                        |
|--|---|------------------|----------------------|------------------------|
| Complaint Search<br>Mass Status Update | Change Recording License Type<br>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>1098 - Unlicensed Complaints</b> | Status <b>20 Under Investigation</b> | Status Date <b>05/02/2022</b>              |
| Complaint # <b>2022021401</b>                | Case Type <b>CMP - Complaint</b>     | Disposition                                |
| Docket#                                      | Respondent <b>MAMAN, SHLOMO</b>      | Responsible <b>wsmith - SMITH, WILLIAM</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>UNLI - Unlicensed Activity Investigations</b>   | Complexity <b>R - Regular</b> | <input checked="" type="checkbox"/> Violations  | <input type="checkbox"/> Compliance             |
| Security <b>STND - Standard</b>  | Incident <b>04/23/2022</b>    | <input type="checkbox"/> Related                | <input checked="" type="checkbox"/> Disposition |
| Region <b>SR - Southern Region</b>   | Received <b>04/28/2022</b>    | <input type="checkbox"/> Inspection             |   |
| Reference <b>61D-11.005(4)</b>   |                               | <input type="checkbox"/> Costs                  |   |
| Entered <b>05/02/2022</b>  | Entered By <b>icampbell</b>   | <input type="checkbox"/> Time Tracking          | <input type="button" value="Auto Assign"/>      |
| Summary <b>430 - PPI, Inc. - On April 23, 2022 MAMAN was observed removing Poker Chips off the table after placing an "ALL IN" bet. Such action is deemed "cheating" and as a result MAMAN was issued permanent exclusion from Pompano Park.</b> |                               | <input type="checkbox"/> Attachments            | <input type="button" value="History"/>          |
| Updated <b>05/02/2022 12:07:42</b>   | By <b>icampbell</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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**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:** APRIL 23, 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 |
|---|-----------------------------------|------------------------------------|

**FACILITY NAME:** POMPANO PARK **LIC #:** 430

**RESPONDENT**

|  |                      |                            |
|--|----------------------|----------------------------|
| <b>NAME:</b> SHLOMO MAMAN  |                      |                            |
| <b>Address:</b> 18601 NE 14 <sup>TH</sup> AVENUE NORTH MIAMI 33179 |                      | <b>Tel</b> UNKNOWN         |
| <b>LIC #:</b> N/A  | <b>LIC TYPE:</b> N/A | <b>OCCUPATION:</b> UNKNOWN |

**COMPLAINANT**

|                 |                  |                    |
|-----------------|------------------|--------------------|
| <b>NAME:</b>    |                  | <b>Tel #:</b>      |
| <b>Address:</b> |                  |                    |
| <b>LIC #:</b>   | <b>LIC TYPE:</b> | <b>OCCUPATION:</b> |

**VIOLATION(S) / TITLE(S): SPECIFIC RULE:**

**61D-11.005(4)** No person shall, either directly or indirectly:


- (a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.
- (b) Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator.
- (c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.

**DESCRIPTION:** On April 23, 2022 **MAMAN** was observed removing Poker Chips off the table after placing an "ALL IN" bet. Such action is deemed "cheating" and as a result **MAMAN** was issued permanent exclusion from Pompano Park.

**CASE DETAILS FILED BY:**

Chief Inspector    Judge/Steward    Investigator    Other: \_\_\_\_\_  
(Title of State Employee)

William Smith  
\_\_\_\_\_  
(Print Name)

  
\_\_\_\_\_  
(Signature)

04-28-22  
\_\_\_\_\_  
(Date)

## Campbell, Ian

---

**From:** Jones, Bradford  
**Sent:** Thursday, April 28, 2022 4:17 PM  
**To:** Muniz, Luz  
**Cc:** Mahalingam, Rajani; Campbell, Ian; Kogan, Steven; Smith, William  
**Subject:** OPEN CASE REQUEST  
**Attachments:** OPEN CASE REQUEST- MAMAN SHLOMO ALL IN VIOLATOR.docx

Hi Luz,

This is approved. Please open a case and assign it to Bill Smith.

Thank you.



**Bradford D. Jones**

Investigations Supervisor  
Florida Department of Business and Professional Regulation  
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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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Alisha Brown v. FGCC; Case No. 2022-027510; License Denial  
Date: November 22, 2022

---

### *Executive Summary*

Applicant applied for a Pari-Mutuel Wagering Individual Occupational License on January 19, 2022. Applicant has four felony convictions. On January 25, 2022, Applicant submitted a request for waiver. On June 29, 2022, a notice of intent to deny was sent to Applicant. On July 25, 2022, Applicant requested an informal hearing pursuant to section 120.57(2), Florida Statutes. A hearing was held on September 22, 2022. Following the hearing, the Division recommended denying Applicant's license. On November 22, 2022, the hearing officer recommended granting Applicant's license.

### *Pertinent Facts*

On January 19, 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, it appears that Applicant was convicted of four felony crimes in the state of Florida. Specifically, she was convicted of Carrying a Concealed Firearm in 1998, Possession of a Controlled Substance in 1998, Possession of Methamphetamine in 1998, and Grand Theft Less than \$500 in 2010.

At the informal hearing held on September 22, 2022, Applicant testified to the circumstances that led to this denial and provided two witnesses to testify to her character. Following the hearing, the hearing officer issued a recommended order granting Applicant's license.

### *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.”

Staff Recommendation: The Division recommended denying Applicant’s Pari-Mutuel Wagering Professional Individual Occupational License. The hearing officer recommended granting Applicant’s Pari-Mutuel Wagering Professional Individual Occupational License.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

ALISHA MICHELLE BROWN

Petitioner,

v.

FGCC Case No.: 2022-027510

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Respondent.

\_\_\_\_\_ /

RECOMMENDED ORDER

THIS MATTER came before Elizabeth K. Stinson, designated Hearing Officer for the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Commission”), on September 27, 2022, in Tallahassee, Florida, in accordance with the provisions of Sections 120.569 and 120.57(2), Florida Statutes, for consideration of Ms. Alisha Michelle Brown’s (“Petitioner”) petition for a hearing in response to the Commission’s Letter of License Denial filed in DBPR Case Number 2022-027510. The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared represented by William Spicola, Esq. and the hearing was held via GoToMeeting. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PROCEDURAL HISTORY

1. On or about January 19, 2022, Petitioner submitted to the Commission a Pari-Mutuel Wagering Professional Individual Occupational License application.
2. On or about January 25, 2022, Petitioner submitted a request for waiver.
3. On or about February 21, 2022, Petitioner submitted an amended application for a Pari-Mutuel Wagering Professional Individual Occupational License.

4. On or about June 29, 2022, the Commission filed a Letter of License Denial, seeking to deny Petitioner's license application based on her criminal record, which includes four felony convictions.

5. On or about July 25, 2022, Petitioner's attorney sent an email to the Commission requesting a hearing, not disputing any issues of material fact, and briefly explaining why she should be granted a license.

6. Prior to the hearing, the Commission received two letters of recommendation from Petitioner.

#### The September 27, 2022 Hearing

7. A hearing pursuant to Section 120.57(2), Florida Statutes, was held on September 27, 2022, during which the Commission presented the issues raised in the Letter of License Denial.

8. At the hearing, Petitioner testified, and presented two witnesses to testify to her character, Amy Griffith ("Ms. Griffith") and Renee Morse ("Ms. Morse").

9. Ms. Morse testified to her relationship with Petitioner stating that she has known Petitioner for over twenty five years.

10. Ms. Morse stated that was surprised to hear about the convictions because she does not believe those convictions reflect Petitioner's character.

11. Ms. Morse stated that Petitioner has helped her with many fundraising events, including the annual corn maze in Sumter County, Florida.

12. Ms. Morse also stated that Petitioner has come to her for advice and ideas regarding her business, the Hachetbury in Gainesville.

13. Lastly, Ms. Morse stated that she has always trusted Petitioner and believes her to be a trusted businesswoman.

14. Ms. Griffith testified that she has known Petitioner for six years and considers her



a friend and prior work colleague.

15. Ms. Griffith explained that she has worked with Petitioner on many fundraisers in Sumter County including the “Junk in the Trunk Fundraiser.”

16. Ms. Griffith stated that she knows Petitioner to be very involved with the community.

17. Petitioner testified that she has a desire to get a license because her family owns shares in Oxford Downs and she would like to be involved with the facility.

18. Petitioner stated she is currently working to expand her family farm and continue her family business.

19. Petitioner further stated that she has a current 2COP License for her business, the Hatchetbury, issued by the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco.

20. When asked what lead to the disqualifying offenses, she stated that she was around the wrong crowd of people and made poor choices.

21. Petitioner stated that she has not been convicted of any other drug related offenses since the 2010 disqualifying conviction nor has she used drugs since this incident.

22. Petitioner confirmed that she has completed her probation and completed a 10 week drug rehabilitation following the 2010 conviction.

23. The Hearing Officer granted the Commission’s motion to accept the findings of fact in the Letter of License Denial as the undisputed facts in the case and accepted the investigative report into the record.

#### FINDINGS OF FACT

24. On October 12, 1998, Petitioner was convicted of Carrying a Concealed Firearm, a felony in Sumter County, Florida in Case No. 60-1997-CF-000069-CFAXFX.

25. On October 12, 1998, Petitioner was convicted of Possession of a Controlled Substance, a felony in Sumter County, Florida in Case No. 60-1997-CF-000069-CFAXFX.

26. On May 7, 1998, Petitioner was convicted of Possession of Methamphetamine, a felony in Lake County, Florida in Case No. 35-1998-CF-000383-AXXXXX.

27. On September 7, 2010, Petitioner was convicted of Grand Theft Value Less than \$5000, a felony in Sumter County, Florida in Case No. 06-2010-CFR-000489-CFAXFX.

28. At the informal hearing, Petitioner testified that she has a desire to get a license because her family owns shares in Oxford Downs and she would like to be involved with the facility.

29. Petitioner stated she is currently working to expand her family farm and continue her family business.

30. Petitioner further stated that she has a current 2COP License for her business, the Hatchetbury, issued by the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco.

31. At the informal hearing, two witnesses testified on Petitioner's behalf. These witnesses presented testimony regarding Petitioner's involvement in her community and her business activities.

#### CONCLUSIONS OF LAW

32. The Hearing Officer has jurisdiction over this matter and the parties pursuant to Section 120.57(2), Florida Statutes.

33. The Commission has jurisdiction over this matter pursuant to Chapters 120 and 550, Florida Statutes.

34. Section 550.105(5)(b), Florida Statutes, states, in pertinent part:

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.

35. Pursuant to Section 550.105(5)(b), Florida Statutes, Petitioner's felony convictions are disqualifying offenses.

36. Section 550.105(5)(c), Florida Statutes, states, 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."

37. The crimes Petitioner was convicted of are not related to pari-mutuel wagering, and are not capital offenses.

38. Petitioner's testimony and the testimony of Petitioner's two witnesses at the September 27, 2022 hearing were credible.

39. Petitioner presented evidence that she has operated a successful business with a 2COP license issued by the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco.

40. Petitioner presented evidence that she is an active member of her community.

41. Petitioner established good moral character and rehabilitation as set out in Section 550.105(5)(c), Florida Statutes.

42. There is competent substantial evidence to support the conclusions of law.

RECOMMENDED ORDER

Based upon the Findings of Fact and Conclusions of Law, it is hereby RECOMMENDED that the Florida Gaming Control Commission enter a Final Order GRANTING Petitioner's application for a Pari-Mutuel Wagering Professional Individual Occupational License.

Respectfully submitted this 22nd day of November 2022.

*s/Elizabeth K. Stinson*

---

Elizabeth K. Stinson  
Hearing Officer  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202

CERTIFICATE OF SERVICE

I hereby certify this 22<sup>nd</sup> day of November, 2022, that a true copy of the foregoing has been provided by mail to:

**Alisha Michelle Brown**  
**c/o William Spicola, Esq.**  
P.O. Box 664  
Tallahassee, Florida 32302



\_\_\_\_\_  
Clerk of the Commission

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

ALISHA MICHELLE BROWN

Petitioner,

v.

FGCC Case No.: 2022-027510

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Respondent.

\_\_\_\_\_ /

PETITIONER'S PROPOSED RECOMMENDED ORDER

THIS MATTER came before Elizabeth Stinson, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on September 22, 2022, in Tallahassee, Florida, per the provisions of Sections 120.569 and 120.57(2), Florida Statutes, for consideration of Ms. Alisha Michelle Brown's ("Ms. Brown") petition for a hearing in response to the Commission's Letter of License Denial filed in DBPR Case Number 2022-027510. The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. William N. Spicola represented Ms. Brown, who appeared on her behalf. The hearing was held via GoToMeeting. Both sides were permitted to present witnesses, offer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about January 19, 2022, Ms. Brown submitted a Pari-Mutuel Wagering Professional Individual Occupational License application to the Commission.
2. On January 25, 2022, Ms. Brown submitted a request for a waiver.

3. On or about June 29, 2022, the Commission filed a Letter of License Denial, seeking to deny Ms. Brown's license application based on her criminal record.

4. On or about July 25, 2022, Ms. Brown's attorney sent an email to the Commission requesting a hearing, not disputing any issues of material fact, and briefly explaining why the Commission should grant her a license.

5. Before the hearing, the Commission received two character references attesting to Ms. Brown's "good judgment and mature outlook" as well as her being "very trustworthy, hard working and a trusted business woman."

6. A hearing under Section 120.57(2), Florida Statutes was held on September 22, 2022, during which the Commission presented the issues raised in the Letter of License Denial.

7. The Hearing Officer granted the Commission's motion to accept the findings of fact in the Letter of License Denial as the undisputed facts in the case and received the investigative report into the record.

8. The investigator noted in his report that Ms. Brown cooperated during the waiver interview.

9. In his report, the investigator noted Ms. Brown's testimony that what has changed since her application for licensure in 2016 was that her business, THE HATCHETBURY, LLC, was granted a beer and wine license from the State, and the license is currently active.

10. At the hearing, Ms. Brown presented two witnesses to testify to her character, Amy Griffith ("Ms. Griffith") and Renee Morse ("Ms. Morse").

11. Ms. Morse testified to her relationship with Ms. Brown, stating that she has known Ms. Brown for over twenty-five years.

12. Ms. Morse stated that Ms. Brown's convictions were surprising because they do not

reflect her current character.

13. Ms. Morse stated that Ms. Brown had helped her with many fundraising events.

14. Ms. Morse stated that Ms. Brown holds an annual corn maze in Sumter County, Florida, at her family's farm, which is a massive event for the entire area's kids, parents, and grandparents.

15. Ms. Morse testified Ms. Brown has come to her for advice and ideas about her business, the Hachetbury in Gainesville, which is doing well despite starting during the covid pandemic.

16. Ms. Morse stated that she has always trusted Ms. Brown and was impressed by how she transformed the family farm into a thriving business destination for the community.

17. Ms. Griffith testified that she has known Ms. Brown for six years and considers her a friend since being a work colleague.

18. Ms. Griffith explained that she has worked with Ms. Brown on many fundraisers in Sumter County, including the "Junk in the Trunk Fundraiser."

19. Ms. Griffith stated that she knows Ms. Brown to be very involved with the community.

20. Ms. Griffith stated that the Ms. Brown is "faithful steward of the family-owned business and entities entrusted to her, often working 12-15 hour days to maintain and grow her families legacy."

21. Ms. Brown testified that she wants a license because her family owns shares in Oxford Downs and would like to protect her family's interest in the facility.

22. Ms. Brown stated she is currently working on expanding her family farm and continuing her family business.



23. Ms. Brown further stated that she has a current 2COP License for her other business, the Hatchetbury, issued by the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco.

24. When asked what led to her criminal offenses, she stated that she made poor choices around the wrong crowd of people, but she decided to change and has never looked back.

25. Ms. Brown stated that she had not been convicted of any other drug-related offenses since 1998, and no crimes since 2010, nor has she used drugs since.

26. Ms. Brown confirmed that she completed her probation and completed a 10-week drug rehabilitation following the 2010 conviction.

27. Ms. Brown testified that her father was the person who called the Sherriff to arrest her in 2010, and it saved her life.

28. Ms. Morse stated she was most impressed by how Ms. Brown cared for her father.

#### FINDINGS OF FACT

29. On October 12, 1998, Ms. Brown was convicted of Carrying a Concealed Firearm, a felony in Sumter County, Florida in Case No. 60-1997-CF-000069-CFAXFX

30. On October 12, 1998, Ms. Brown was convicted of Possession of a Controlled Substance, a felony in Sumter County, Florida in Case No. 60-1997-CF-000069-CFAXFX

31. On May 7, 1998, Ms. Brown was convicted of Possession of Methamphetamine, a felony in Lake County, Florida in Case No. 35-1998-CF-000383-AXXXXX

32. On September 7, 2010, Ms. Brown was convicted of Grand Theft Value Less than \$5000, a felony in Sumter County, Florida in Case No. 06-2010-CFR-000489-CFAXFX

#### CONCLUSIONS OF LAW

33. The Hearing Officer has jurisdiction over this matter and the parties pursuant to

Section 120.57(2), Florida Statutes.

34. The Commission has jurisdiction over this matter pursuant to Chapters 120 and 550, Florida Statutes.

35. Section 550.105(5)(b), Florida Statutes, states, in pertinent part:

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.

36. Pursuant to Section 550.105(5)(b), Florida Statutes, Ms. Brown's felony convictions are not a bar to licensure and the Commission has the discretion to issue a license.

37. Section 550.105(5)(c), Florida Statutes, states, 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."

38. Chapter 561 Beverage Law Administration Section 565.15(1), Florida Statutes, states, in pertinent part "[l]icenses shall be issued only to persons of good moral character who are not less than 21 years of age."

39. The crimes Ms. Brown was convicted of are not related to pari-mutuel wagering and are not capital offenses and may be waived by the Commission.

40. There is competent substantial evidence to support the conclusions of law.

PROPOSED RECOMMENDED ORDER

WHEREFORE, based upon the Findings of Fact and Conclusions of Law, it is hereby requested that the Hearing Officer enter a Recommended Order APPROVING Ms. Brown's application for a Pari-Mutuel Wagering Professional Individual Occupational License.

This Proposed Recommended Order in FGCC Case Number 2022-027510 is submitted this 12th day of October 2022.

*/S/ William N. Spicola*  
William N. Spicola  
Florida Bar Number: 70732  
William@KomisarSpicola.com  
Post Office Box 664  
Tallahassee, FL 32302  
850-895-1056  
*Counsel for Petitioner*  
*Alisha M. Brown*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been provided to counsel of record and the informal hearing officer via email this 12th day of October 2022.

Respectfully submitted,

*/S/ William N. Spicola*  
William N. Spicola  
Florida Bar Number: 70732  
Komisar Spicola, PA  
Post Office Box 664  
Tallahassee, FL 32302  
William@KomisarSpicola.com  
850-895-1056  
*Counsel for Petitioner*  
*Alisha M. Brown*

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

ALISHA MICHELLE BROWN

Petitioner,

v.

FGCC Case No.: 2022-027510

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Respondent.

\_\_\_\_\_ /

RESPONDENT’S PROPOSED RECOMMENDED ORDER

THIS MATTER came before Elizabeth Stinson, designated Hearing Officer for the Florida Gaming Control Commission (“Commission”), on September 22, 2022, in Tallahassee, Florida, in accordance with the provisions of Sections 120.569 and 120.57(2), Florida Statutes, for consideration of Ms. Alisha Michelle Brown’s (“Petitioner”) petition for a hearing in response to the Commission’s Letter of License Denial filed in DBPR Case Number 2022-027510. The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared represented by William Spicola, Esq. and the hearing was held via GoToMeeting. Both sides were permitted to present witnesses, offer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about January 19, 2022, Petitioner submitted to the Commission a Pari-Mutuel Wagering Professional Individual Occupational License application.
2. On January 25, 2022, Petitioner submitted a request for waiver.

3. On or about June 29, 2022, the Commission filed a Letter of License Denial, seeking to deny Petitioner's license application based on her criminal record, which includes four felony convictions.

4. On or about July 25, 2022, Petitioner's attorney sent an email to the Commission requesting a hearing, not disputing any issues of material fact, and briefly explaining why she should be granted a license.

5. Prior to the hearing, the Commission received two letters of recommendation from Petitioner.

6. A hearing pursuant to Section 120.57(2), Florida Statutes, was held on September 22, 2022, during which the Commission presented the issues raised in the Letter of License Denial.

7. At the hearing, Petitioner presented two witnesses to testify to her character, Amy Griffith ("Ms. Griffith") and Renee Morse ("Ms. Morse").

8. Ms. Morse testified to her relationship with Petitioner stating that she has known Petitioner for over twenty five years.

9. Ms. Morse stated that was surprised to hear about the convictions because she does not believe those convictions reflect Petitioner's character.

10. Ms. Morse stated that Petitioner has helped her with many fundraising events, including the annual corn maze in Sumter County, Florida.

11. Ms. Morse also stated that Petitioner has come to her for advice and ideas regarding her business, the Hachetbury in Gainesville.

12. Lastly, Ms. Morse stated that she has always trusted Petitioner and believes her to be a trusted business woman.

13. Ms. Griffith testified that she has known Petitioner for six years and considers her a friend and prior work colleague.

14. Ms. Griffith explained that she has worked with Petitioner on many fundraisers in Sumter County including the “Junk in the Trunk Fundraiser.”

15. Ms. Griffith stated that she knows Petitioner to be very involved with the community.

16. Petitioner testified that she has a desire to get a license because her family owns shares in Oxford Downs and she would like to be involved with the facility.

17. Petitioner stated she is currently working to expand her family farm and continue her family business.

18. Petitioner further stated that she has a current 2COP License for her business, the Hatchebury, issued by the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco.

19. When asked what lead to the disqualifying offenses, she stated that she was around the wrong crowd of people and made poor choices.

20. Petitioner stated that she has not been convicted of any other drug related offenses since the 2010 disqualifying conviction nor has she used drugs since this incident.

21. Petitioner confirmed that she has completed her probation and completed a 10 week drug rehabilitation following the 2010 conviction.

22. The Hearing Officer granted the Commission’s motion to accept the findings of fact in the Letter of License Denial as the undisputed facts in the case and accepted the investigative report into the record.

### FINDINGS OF FACT

23. On October 12, 1998, Petitioner was convicted of Carrying a Concealed Firearm, a felony in Sumter County, Florida in Case No. 60-1997-CF-000069-CFAXFX

24. On October 12, 1998, Petitioner was convicted of Possession of a Controlled Substance, a felony in Sumter County, Florida in Case No. 60-1997-CF-000069-CFAXFX

25. On May 7, 1998, Petitioner was convicted of Possession of Methamphetamine, a felony in Lake County, Florida in Case No. 35-1998-CF-000383-AXXXXX

26. On September 7, 2010, Petitioner was convicted of Grand Theft Value Less than \$5000, a felony in Sumter County, Florida in Case No. 06-2010-CFR-000489-CFAXFX

### CONCLUSIONS OF LAW

27. The Hearing Officer has jurisdiction over this matter and the parties pursuant to Section 120.57(2), Florida Statutes.

28. The Commission has jurisdiction over this matter pursuant to Chapters 120 and 550, Florida Statutes.

29. Section 550.105(5)(b), Florida Statutes, states, in pertinent part:

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.

30. Pursuant to Section 550.105(5)(b), Florida Statutes, Petitioner's felony convictions are disqualifying offenses.

31. Section 550.105(5)(c), Florida Statutes, states, 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.”

32. There is competent substantial evidence to support the conclusions of law.

PROPOSED RECOMMENDED ORDER

WHEREFORE, based upon the Findings of Fact and Conclusions of Law, it is hereby requested that the Hearing Officer enter a Recommended Order DENYING Petitioner’s application for a Pari-Mutuel Wagering Professional Individual Occupational License.

This Proposed Recommended Order in FGCC Case Number 2022-027510 is submitted this 3rd 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



CERTIFICATE OF SERVICE

I hereby certify this 3rd day of October, 2022, that a true copy of the foregoing  
“Respondent’s Proposed Recommended Order” has been provided by mail to:

**Alisha Michelle Brown**  
**c/o William Spicola, Esq.**  
P.O. Box 664  
Tallahassee, Florida 32302





September 7, 2022

William N. Spicola  
PO Box 664  
Tallahassee, Florida 32302

RE: Alisha Michelle Brown v. FGCC  
Case No.: 2022-027510

Dear Mr. Spicola:

Enclosed please find a Notice of Hearing for the informal hearing that has been scheduled in the above-referenced case. **Your hearing is scheduled to be heard on Tuesday, September 27, 2022.** Please read the Notice of Hearing for more details about the date, time, location and instructions for the hearing. A copy of the Commission's case file has been mailed to your address of record. Please ensure that you have this case file available during the hearing, as you may need to refer to it throughout the hearing.

You may also provide written or oral evidence or have witnesses testify on your behalf. If you wish to provide any written evidence, please ensure it is provided to the Commission at least one week prior to the hearing date, so the Hearing Officer may have the opportunity to review it prior to the hearing. Please also provide the names and phone numbers of any witnesses you wish to speak on your behalf, if any.

**Please note:** We will be conducting the hearing telephonically; therefore, you will be contacted **between 10:00 AM and 12:00 PM (EST) at the following number: 850-328-4447.** If that number is incorrect, please contact me as soon as possible to notify me of the correct number at which to reach you. Failure to answer the telephone, promptly return a voicemail, or hold an open line will result in the hearing proceeding without you.

Below please find information about the informal hearing process:

1. The Informal Hearing is held on the date and time noted in the Notice of Hearing;
2. Approximately 14 to 21 days after the hearing, Proposed Recommended Orders, or recommendations for what the Hearing Officer's ruling should be, are sent to Hearing Officer;
3. Approximately 21 to 45 days after the Proposed Recommended Orders are submitted, the Hearing Officer will submit his or her recommended ruling to the Clerk of the Commission's office;
4. A Final Order will be issued within approximately 90 days after the date of the hearing. The Final Order is final agency action and will describe the resolution of your case.

Should you have any questions or need any assistance, please feel free to contact me via telephone or email at 850-717-1663 or [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov).

Sincerely,

/s/ Ebonie Lanier

Ebonie Lanier

Administrative Assistant III

Enclosures: Notice of Hearing and Case File

BROWN, ALISHA MICHELLE  
Case No. 2022-027510  
Informal Hearing Packet

**Documents Included in Case File**

- Exhibit 1 ..... Notice of Hearing
- Exhibit 2 ..... Election of Rights – Request for Informal Hearing
- Exhibit 3 ..... License Denial
- Exhibit 4 ..... Report of Investigation

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

ALISHA MICHELLE BROWN

Petitioner,

v.

FGCC Case No.: 2022-027510

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Respondent.

\_\_\_\_\_ /

NOTICE OF TELEPHONIC HEARING

TO: William N. Spicola  
PO Box 664  
Tallahassee, Florida 32303  
william@kimisarspicola.com

YOU ARE HEREBY NOTIFIED that the Commission's designated Hearing Officer will conduct a hearing in this matter, pursuant to Section 120.57(2), Florida Statutes. If you wish to present oral or written evidence, you must attend the hearing. The hearing is scheduled for **Tuesday, September 27, 2022, at 10:00 a.m. (Eastern Time). The Hearing Officer will call you at (850) 328-4447 sometime between 10:00 a.m. – 12:00 p.m. (EST).** Please be available to take the Hearing Officer's call. Failure to keep a telephone line open may result in the hearing proceeding without you.

Due to COVID-19, outside visitors are not currently permitted into the building. However, you may elect to attend the hearing by video conference via GoToMeeting. To attend by video conference, you must contact the Commission by email at Ebonie.Lanier@fgcc.fl.gov or telephone at (850) 717-1663, at least five (5) days prior to your hearing date to set up the video conference. If

you do not elect to attend by video conference, the hearing will automatically be held by telephone only.

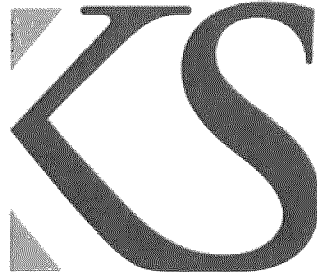
If you cannot attend the hearing and wish to request a continuance for good cause, you must notify the Commission by email at [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov) or telephone at (850) 717-1663 at least five (5) days prior to your hearing date. Continuance requests made within five (5) days of the hearing can only be granted for emergencies.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to: the above-named parties via email, on this 7th day of September, 2022.

By: /s/ Ebonie Lanier  
Ebonie N. Lanier  
Administrative Assistant III  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1663  
Facsimile: (850) 921-1311  
[Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Ebonie Lanier at (850) 717-1663. If you are hearing or speech impaired, please contact the agency by calling 1-800-955-8771.

RECEIVED  
2022 JUL 25 PM 12: 21  
FLORIDA GAMING  
CONTROL COMMISSION



## KOMISAR - SPICOLA

July 25, 2022

Attention: Director Joe Dillmore, Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission

Re: Request for informal hearing.

Client Name: Alisha Michelle Brown Case # 2022-027510

Director Dillmore:

My client Alisha Michelle Brown received notice via certified mail that you denied her application for a pari-mutual individual professional license. As the individual applicant Ms. Brown has a substantial interest in the Division of Pari-Mutuel Wagering approving her application for licensure. Ms. Brown does not deny the third-degree felony convictions listed in her denial letter (attached as Exhibit 1a and 1b). However, those convictions are not a legal bar to licensure.

Florida Statute 550.105 (5) (c) gives you, the division director, broad discretion to approve an application for licensure if the applicant establishes that she is of good moral character, that she has been rehabilitated, and that the crime she was convicted of is not related to pari-mutuel wagering and is not a capital offense. The supporting legal documentation provided to the division during the application process establishes that the offenses listed in the denial letter are not related to pari-mutuel wagering and are not capital offenses.

Included with this letter is a personal reference for Ms. Brown talking about her businesses and her work in the community (attached as Exhibit 2). This letter of recommendation shows the change that has occurred in Ms. Brown since 2010. Ms. Brown has restored herself and has demonstrated her good moral character. It should be noted that the items standing in the way of Ms. Browns licensure relate to substance abuse. Ms. Brown faced that challenge in her life head on, overcame her addiction, and she now has three successful small businesses.

Ms. Brown operates a family farm, a farmers' market and agritourism destination at the farm, and an axe throwing bar named the Hatchetbury. Ms. Brown is an alcoholic beverage license holder. While the standards for issuance of a beverage license and PMW license are not the same, both Florida Statute 561.15 (1) and Florida Statute 550.105 (5) require that licenses only issue to persons of good moral character. You should strongly consider decision of the Department of Business and Professional Regulation Division of Alcoholic Beverages and Tobacco to issue a license to Ms. Brown when you reexamine your decision after the conclusion of the informal

hearing. Ms. Brown requests an informal hearing on the denial of her license application and specifically requests that her application for a pari-mutual individual professional license be granted.

Sincerely,

/s/ William N. Spicola  
William N. Spicola  
Florida Bar Number: 70732  
Post Office Box 664  
Tallahassee, FL 32302  
850-328-4447  
*Counsel for Alisha M. Brown*



**July 15, 2022**

**Amy Griffith  
451 Arbella Loop  
The Villages, FL 32162**

**Ladies/Gentlemen,**

I am writing today because Alisha Brown asked me to provide a character reference on her behalf. I have known Alisha for about six years, after meeting her professionally when I was the Advertising Director at the Ocala Star Banner newspaper in Ocala, Florida and we partnered with one of Alisha's businesses on a joint marketing campaign. I have also known Alisha personally through several mutual friends and colleagues always observing her to be a trustworthy, committed and kind friend.

Every single interaction that I have had with Alisha has been positive. I know her to be honest, dependable, responsible, inquisitive and hard working. She is a faithful steward of the family-owned businesses and entities entrusted to her, often working 12–15-hour days to maintain and grow her family's legacy. All of this while building businesses of her own. Alisha is an inspiration to all who cross paths with her.

In short, Alisha is a person that can be counted on when called upon both professionally and personally. Her good judgement and mature outlook ensure a logical and practical approach to all of her endeavors.

Please reach out to me at the number below should you have any questions.

**Thank you,**

**Amy Griffith**

**Amy Griffith**  


**RECEIVED**  
**2022 JUL 25 PM 12:43**  
**FLORIDA GAMING  
CONTROL COMMISSION**

Division of Health Professions  
June 17, 2012

Re: **Denial**, Governor

Mr. Andre Michelle Brown  
1611 MacArthur 41st Street  
Orlando, Florida 32809

**Letter of License Denial**

Dear Mr. Brown,

The Letter of License Denial ("Denial") serves to inform you that your application for a Professional Nursing Professional Individual Occupational License and request for review is denied in accordance with the provisions of Chapter 199, Florida Statutes, and the rules promulgated thereunder. This Denial is based upon your following criminal dispositions:

1. 10/21/1998 - Carrying a Concealed Weapon (F-3) - Adjudicated Guilty - Sumner County, Florida (Case No. 60-1998-CF-00007-CFAXFA)
2. 10/12/1998 - Possession of a Controlled Substance - Amphetamine (F-3) - Adjudicated Guilty - Sumner County, Florida (Case No. 60-1997-CF-00009-CFAXFA)
3. 01/07/1998 - Possession of Methamphetamine (F-3) - Adjudicated Guilty - Lake County, Florida (Case No. 13-1998-CF-00047-AXXXX)
4. 09/07/2010 - Grand Theft Value Less than \$5000 (F-3) - Adjudication Withheld - Sumner County, Florida (Case No. 10-2010-CF-00049-CFAXFX)

These convictions are disqualifying offenses under Section 350.105(5), Florida Statutes. A permanent prohibition of your is considered a prerequisite for licensing under Section 350.109(5), Florida Statutes.

Your Request for Waiver has been denied based on your failure to meet the requirements of Section 350.109(5)(c), Florida Statutes.

You are advised you may not work in any location requiring licensure or be within a restricted area of a public mental facility without an appropriate valid occupational license.

Pursuant to Section 120.57, Florida Statutes, you may request a hearing to challenge the Division's decision within twenty-one (21) days of receipt of this Denial, as provided for in Rule 12F-101, Florida Administrative Code, and the attached Notice of Rights.

If you do not receive a mailing notice within 15 days of your receipt of this check, this check will become the Agency's Final Check. If you then receive a Final Check, you will have 30 days to file an appeal pursuant to Section 120.55, Florida Statute.

*[Signature]*  
Agency Clerk  
Department of Business and Professional Regulation

CERTIFICATE SERVICE

I hereby certify that 29 day of June, 2007, that a true copy of the foregoing has been furnished by U.S. mail to:

Aisha Michelle Brown  
2651 Southeast 81<sup>st</sup> Street  
Dania, Florida 33027

*[Signature]*  
AGENCY CLERK'S OFFICE  
Department of Business and Professional Regulation

Case No. 2007-00000000

|  |         |
|--|---------|
| RECEIVED   |         |
| OFFICIAL USE   |         |
| SEARCHED   | INDEXED |
| SERIALIZED   | FILED   |
| JUN 29 2007  |         |
| FBI - MIAMI  |         |
| Aisha Michelle Brown<br>2651 Southeast 81 <sup>st</sup> Street<br>Dania, Florida 33027 |         |

## Fleming, Donna

---

**From:** William Spicola <william@komisarspicola.com>  
**Sent:** Monday, July 25, 2022 1:14 PM  
**To:** Fleming, Donna  
**Subject:** Request for informal hearing  
**Attachments:** Exhibit1a.jpg; Exhibit1b.jpg; Exhibit 2.docx; 2022-027510 Alisha M. Brown Request for Informal Hearing.docx

**[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 Ms. Fleming,

Attached is Alisha Michelle Brown's request for informal hearing and the exhibits referenced in the request. Her file number is 2022-027510. Please let me know if you require any further information to perfect this request. I hope you have a great rest of your day.

Sincerely,  
William N. Spicola  
Florida Bar Number: 70732  
Komisar Spicola, PA  
Post Office Box 664  
Tallahassee, FL 32302  
William@KomisarSpicola.com  
850-328-4447

**Circle M, LLC  
1950 Laurel Manor Drive  
Suite 130  
The Villages, Florida 32162**

July 26, 2022

RE: Alisha Brown

To Whom This May Concern:

I have known Alisha for many years. We have worked on Community Projects that benefitted our Greater Sumter County Community. One of the most popular is "The Brown Farms Annual Halloween Corn Maze" held locally on their property!

I've had the pleasure of consulting with and giving advice to Alisha on her new and successful business, "The Hatchetbury", a recreation spot located in the heart of the busy college town of Gainesville, Florida.

I find Alisha to be very trustworthy, hard working and a trusted business woman with a great deal of forward thinking. I would consider her a valuable asset to any organization.

If I can be of further assistance, please contact me at 352-603-6110.

Sincerely,



Renee' B. Morse  
President

RECEIVED  
2022 AUG -2 AM 11:34  
FLORIDA GAMING  
CONTROL COMMISSION

## Fleming, Donna

---

**From:** William Spicola <william@komisarspicola.com>  
**Sent:** Tuesday, August 2, 2022 11:10 AM  
**To:** Fleming, Donna  
**Subject:** RE: Request for informal hearing  
**Attachments:** 2022-027510 Alisha M. Brown Ref letter.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.

Good morning Ms. Fleming,

I have attached another reference letter for my Client Ms. Alicia M. Brown. Her file number is 2022-027510. Please include this additional reference letter as an exhibit to my request for an informal hearing sent on July 25, 2022. Thank you and I hope you have a great rest of your day.

Sincerely,  
William N. Spicola  
Florida Bar Number: 70732  
Komisar Spicola, PA  
Post Office Box 664  
Tallahassee, FL 32302  
William@KomisarSpicola.com  
850-328-4447

**From:** William Spicola  
**Sent:** Monday, July 25, 2022 1:14 PM  
**To:** donna.fleming@myfloridalicense.com  
**Subject:** Request for informal hearing

Good afternoon Ms. Fleming,

Attached is Alisha Michelle Brown's request for informal hearing and the exhibits referenced in the request. Her file number is 2022-027510. Please let me know if you require any further information to perfect this request. I hope you have a great rest of your day.

Sincerely,  
William N. Spicola  
Florida Bar Number: 70732  
Komisar Spicola, PA  
Post Office Box 664  
Tallahassee, FL 32302  
William@KomisarSpicola.com  
850-328-4447

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

June 27, 2022

Ms. Alisha Michelle Brown  
2651 Southeast 41st Street  
Ocala, Florida 34480

Letter of License Denial

Dear Ms. Brown:

This Letter of License Denial (“Denial”) serves to inform you that your application for a Pari-Mutuel Wagering Professional Individual Occupational License and request for waiver is denied in accordance with the provisions of Chapter 550, Florida Statutes, and the rules promulgated thereto. This Denial is based upon your following criminal dispositions:

1. 10/12/1998 – Carrying a Concealed Firearm (F-3) – Adjudicated Guilty – Sumter County, Florida (Case No. 60-1997-CF-000069-CFAXFX)
2. 10/12/1998 – Possession of a Controlled Substance – Amphetamine (F-3) – Adjudicated Guilty – Sumter County, Florida (Case No. 60-1997-CF-000069-CFAXFX)
3. 05/07/1998 – Possession of Methamphetamine (F-3) – Adjudicated Guilty – Lake County, Florida (Case No. 35-1998-CF-000383-AXXXXX)
4. 09/07/2010 – Grand Theft Value Less than \$5000 (F-3) – Adjudication Withheld – Sumter County, Florida (Case No. 06-2010-CF-000489-CFAXFX)

These convictions are disqualifying offenses under Section 550.105(5), Florida Statutes. A withheld adjudication of guilt is considered a conviction for licensing under Section 550.105(5), Florida Statutes.

Your Request for Waiver has been denied based on your failure to meet the requirements of Section 550.105(5)(c), Florida Statutes.

You are advised you may not work in any position requiring licensure or be within a restricted area at a pari-mutuel facility without an appropriate valid occupational license.

Pursuant to Section 120.57, Florida Statutes, you may request a hearing to challenge the Division's decision within twenty-one (21) days of receipt of this Denial, as provided for in Rule 28-106, Florida Administrative Code, and the attached Notice of Rights.

If you do not request a hearing within twenty-one (21) days of your receipt of this Denial, this Denial will become the Agency's Final Order. If this Denial becomes a Final Order, you will have 30 days to file for an appeal pursuant to Section 120.68, Florida Statutes.

Sincerely,

Joe Dillmore, Director  
Division of Pari-Mutuel Wagering

Attachment: Notice of Rights

CERTIFICATE OF SERVICE

I hereby certify this 29 day of June, 2022, that a true copy of the foregoing has been furnished by U.S. mail to:

**Alisha Michelle Brown**  
2651 Southeast 41st Street  
Ocala, Florida 34480

**AGENCY CLERK'S OFFICE**  
Department of Business and Professional Regulation

Case No. 2022-027510

|  |  |                         |               |
|--|--|-------------------------|---------------|
| U.S. Postal Service™   |  | CERTIFIED MAIL™ RECEIPT |               |
| (Domestic Mail Only; No Insurance Coverage Provided)   |  |                         |               |
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| <b>OFFICIAL USE</b>  |  |                         |               |
| Postage  | \$                                     |                         | Postmark Here |
| Certified Fee  |  |                         |               |
| Return Receipt Fee (Endorsement Required)  |  | 2022-027510             |               |
| Restricted Delivery Fee (Endorsement Required)   |  |                         |               |
| Total Postage & Fees   |  | \$                      |               |
| Sen  | Alisha Michelle Brown                  |                         | 432           |
| Stre or F  | 2651 Southeast 41 <sup>st</sup> Street |                         |               |
| City   | Ocala, Florida 34480                   |                         |               |
| PS   |  |                         | Instructions  |

7006 2150 0005 6846 6493



## NOTICE OF RIGHTS

This is an action that may affect your substantial interests. Mediation of this administrative dispute is not available. However, pursuant to Sections 120.569 and 120.57, Florida Statutes, you may request a hearing on this matter, provided a written request is filed with the agency. The request must comply with the requirements of Rules 28-106.111, and 28-106.201 or 28-106.301, Florida Administrative Code. The written request must be received by the Division within 21 days of your receipt of this notice.

If the Division determines there are disputed issues of material fact, the case will be forwarded to the Division of Administrative Hearings for a formal hearing. If there are no disputed issues of material fact, the Division will schedule an informal hearing. You will be notified of the date, time and place of the hearing. In either case, you have the burden of establishing entitlement to the license.

In a formal hearing, you have the right to appear in person on your own behalf, to be represented by an attorney, to bring witnesses and present evidence, to cross-examine any witnesses produced against you by the State, and to have subpoenas issued on your behalf.

In an informal hearing, you have the right to appear in person on your own behalf, to be represented by an attorney, and to submit whatever information you desire to show entitlement to the license.

If a hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, is not requested within 21 days, the foregoing Letter of License Denial will become a Final Order. Any party adversely affected by this Final Order has the right to seek its judicial review under Section 120.68, Florida Statutes, by the filing of an original Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Agency Clerk, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202 (Email: [AGC.Filing@myfloridalicense.com](mailto:AGC.Filing@myfloridalicense.com)), and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Florida District Court of Appeal. The Notice of Appeal must be filed (received) in the Office of the Agency Clerk within thirty (30) days after the date this Order is filed with the Clerk.

In all the above proceedings, practice is governed by Chapter 120, Florida Statutes, and Rule 28-106, Florida Administrative Code.

|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| 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: **icampbell**

[VR Home](#) [Complaint Search](#) [Maintain Complaint](#)

|             |   |                        |               |                             |                  |
|-------------|---|------------------------|---------------|-----------------------------|------------------|
| Lic Type    | 1021 - Pari-Mutuel Wagering Individual Occupational | Status                 | 90 Closed     | Status Date                 | 06/20/2022       |
| Complaint # | 2022027510  | Case Type              | CMP Complaint | Disposition                 | Disposition Date |
| Docket#     | Re pondent  | BROWN, ALISHA MICHELLE | Re pon ible   | tmcdowell2 - MCDOWELL, TONY | Private Ca e     |

|           |            |             |             |
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| Complaint | Re pondent | Complainant | Addt'l Info |
|-----------|------------|-------------|-------------|

|                                    |  |                                     |                      |                                     |                     |
|------------------------------------|--|-------------------------------------|----------------------|-------------------------------------|---------------------|
| Source <b>LIC - Licensee</b>       | Security Level <b>1</b>  | <input type="checkbox"/>            | <b>Parties</b>       | <input checked="" type="checkbox"/> | <b>Activities</b>   |
| Form <b>WALK - Walk-in</b>         | Priority   | <input checked="" type="checkbox"/> | <b>Allegations</b>   | <input type="checkbox"/>            | <b>Discipline</b>   |
| Class'n <b>IIIB - Waivers</b>      | Complexity <b>R - Regular</b>  | <input type="checkbox"/>            | <b>Violations</b>    | <input type="checkbox"/>            | <b>Compliance</b>   |
| Security <b>STND - Standard</b>    | Incident <b>01/25/2022</b>   | <input type="checkbox"/>            | <b>Related</b>       | <input checked="" type="checkbox"/> | <b>Disposition</b>  |
| Region <b>NR - Northern Region</b> | Received <b>06/06/2022</b>   | <input type="checkbox"/>            | <b>Inspection</b>    |                                     |                     |
| Reference                          |  | <input type="checkbox"/>            | <b>Costs</b>         |                                     |                     |
| Entered <b>06/06/2022</b>          | Entered By <b>rmahalinga</b>   | <input type="checkbox"/>            | <b>Time Tracking</b> |                                     | <b>Auto Assign</b>  |
| Summary                            | <b>90-DAY DEADLINE: September 06, 2022 ----- / ----- .</b><br><b>06/08/2022 - Waiver Interview conducted ----- / ----- . 545-</b><br><b>South Marion Real Estate Holdings, LLC</b> | <input type="checkbox"/>            | <b>Attachments</b>   |                                     | <b>History</b>      |
| Updated <b>06/21/2022 09:30:54</b> | By <b>icampbell</b>  | <input type="checkbox"/>            | <b>Work Notes</b>    |                                     | <b>Print Report</b> |


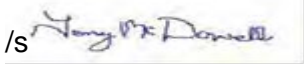


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Melanie S. Griffin, Secretary

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS  
 WAIVER INVESTIGATIVE REPORT

|  |                           |   |                                     |
|--|---------------------------|---|-------------------------------------|
| Office:<br><b>PMW</b>  | Region:<br><b>Central</b> | Date of Complaint:<br><b>June 6, 2022</b>   | Case Number:<br><b>2022 02 7510</b> |
| Respondent:<br><br><b>BROWN, ALISHA MICHELLE</b><br><b>2651 SE 41<sup>st</sup> ST</b><br><b>OCALA, FLORIDA 34480</b><br>  |                           | Complainant:<br><br><b>STATE OF FLORIDA,</b><br><b>DEPARTMENT OF BUSINESS AND</b><br><b>PROFESSIONAL REGULATION,</b><br><b>DIVISION OF PARI-MUTUEL WAGERING</b>                   |                                     |
| License # / Type:<br><b>11103682 / 1021</b>  |                           | Profession:<br><b>Shareholder</b>   | Report Date:<br><b>June 8, 2022</b> |
| Period of Investigation:<br><b>June 6, 2022 to June 8, 2022</b>  |                           | Type of Report:<br><b>Final</b>   |                                     |
| <p><b>Basis of Investigation:</b> This investigation is predicated upon receipt of Alisha Michelle <b>BROWN's</b> State of Florida Pari-Mutuel Wagering Occupational License Application dated January 19, 2022 and Waiver Request dated January 25, 2022.</p> <p>On January 19, 2022, Alisha Michelle <b>BROWN</b> applied for a PMW Professional Individual Occupational license (1021) at Oxford Downs Cardroom (South Marion Real Estate Holdings, LLC). On the application, <b>BROWN</b> 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>BROWN</b> indicated on the application "See Attached". However, nothing was attached at that time.</p> <p>On February 21, 2022, PMW Licensing sent <b>BROWN</b> a deficiency letter requesting that she list and provide court disposition paperwork for arrests in Lake, Marion and Sumter Counties, Florida. On May 25, 2022, the Division received a list of all <b>BROWN's</b> offenses.</p> |                           |   |                                     |
| Related Case: <b>2016 03 4704</b>  |                           |   |                                     |
| Investigations Specialist II / Date<br><br>/s/ <br>Tony McDowell / June 8, 2022   |                           | Approved by Investigator Supervisor / Date<br><br>/s/ <br>C. Derek Washington / June 15, 2022 |                                     |
| Chief of Investigations / Date<br><br><br><br>Steven E. Kogan / June 20, 2022   |                           |   |                                     |

CONTINUATION

**CRIMINAL HISTORY**

| Arrest 1                                    |  |  |        |             |                 |
|---|--|--|--------|-------------|-----------------|
| <b>Date of Arrest:</b><br>February 15, 1997 |  | <b>Arresting Agency:</b><br>Sumter County Sheriff's Office, FL |        |             |                 |
| OFFENSE                                     |  |  |        |             |                 |
|   |  | CLASSIFICATION   | PLEA   | DISPOSITION | CONVICTION DATE |
| 1   | Carrying a Concealed Firearm                     | Felony   | Guilty | Adj. Guilty | 10/21/1998      |
| 2   | Possession of Controlled Substance – Amphetamine | Felony   | Guilty | Adj. Guilty | 10/21/1998      |
| 3   |  |  |        |             |                 |
| 4   |  |  |        |             |                 |

| SENTENCE   |
|--|
| 2 Years' Probation and 384 Hours Community Service |

VOP on 4/10/2000. Sentenced to one-year and twenty-one days state prison and probation was revoked.

| Arrest 2                                    |                               |  |        |             |                 |
|---|-------------------------------|--|--------|-------------|-----------------|
| <b>Date of Arrest:</b><br>February 23, 1998 |                               | <b>Arresting Agency:</b><br>Fruitland Park Police Department, FL |        |             |                 |
| OFFENSE                                     |                               |  |        |             |                 |
|   |                               | CLASSIFICATION   | PLEA   | DISPOSITION | CONVICTION DATE |
| 1   | Possession of Methamphetamine | Felony   | Guilty | Adj. Guilty | 5/7/1998        |
| 2   |                               |  |        |             |                 |
| 3   |                               |  |        |             |                 |
| 4   |                               |  |        |             |                 |

| SENTENCE   |
|--|
| 3 Years' Probation with Special Conditions, 60 Days Lake County Jail, Credit for 60 Days |

**Additional Information:**

CONTINUATION

**CRIMINAL HISTORY**

| Arrest 3                                |   |  |      |               |                 |
|---|---|--|------|---------------|-----------------|
| <b>Date of Arrest:</b><br>June 23, 2010 |   | <b>Arresting Agency:</b><br>Sumter County Sheriff's Office, FL |      |               |                 |
| OFFENSE                                 |   |  |      |               |                 |
|   |   | CLASSIFICATION   | PLEA | DISPOSITION   | CONVICTION DATE |
| 1                                       | Grand Theft Value \$300 or more less than \$5,000 | Felony   | Nolo | Adj. Withheld | 9/7/2010        |
| 2                                       |   |  |      |               |                 |
| 3                                       |   |  |      |               |                 |
| 4                                       |   |  |      |               |                 |

| SENTENCE   |
|--|
| 3 Years' Probation, Fines and court costs totaling \$1168. |

| Arrest 4               |  |                          |      |             |                 |
|------------------------|--|--------------------------|------|-------------|-----------------|
| <b>Date of Arrest:</b> |  | <b>Arresting Agency:</b> |      |             |                 |
| 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: Cardroom Employee</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:<br>June 8, 2022 | Location of Interview:<br>Phone |            |           |
|                                    |                                 | <b>YES</b> | <b>NO</b> |
| Was the applicant cooperative?     |                                 | <b>X</b>   |           |
| Additional Comments:               |                                 |            |           |

**SUMMARY OF INTERVIEW:**

**During my interview, BROWN** explained that nothing has changed in her background since she last applied for a license in 2016 (See case #2016 03 4704). She further stated her family owns shares in Oxford Downs, which is why she applied for the license. According to **BROWN**, the only thing that has changed since 2016 that may pertain to her application is that her business, THE HATCHETBURY, LLC, was granted a beer and wine license from the State and it is currently active.

**BROWN further stated she believed that PMW already had the disposition paperwork from the last time she applied, which is why she did not provide them in her application.**

**CONCLUSION:**

A check of the Association of Racing Commissioners International (ARCI) database showed no rulings against **BROWN (Exhibit 4)**.

**BROWN** previously applied for a PMW license in 2016, her application was denied on October 19, 2016, because of the felony convictions listed and her failure to disclose all convictions on her initial application. **BROWN** requested an informal hearing, which was held on December 7, 2016. After the hearing, **BROWN** withdrew her application (**Exhibit 4**).

Case Status: Case forwarded to Director for review.

**CONTINUATION**

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- I. INVESTIGATIVE REPORT COVERSHEET .....
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**ROUTING SLIP**

**REQUEST FOR WAIVER**

RE: BROWN, ALISHA M. – 11103682  
(APPLICANT'S NAME – LICENSE #)

Case No: 2022 02 7510

**90-DAY DEADLINE**

**SEPTEMBER 6, 2022**  
(DATE)

**Investigations Section:**

Reviewed by Steve Kogan

SK June 20, 2022  
(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:**

|                       |                       |                      |
|-----------------------|-----------------------|----------------------|
|                       |                       |                      |
| Application Processor | Facility (d/b/a name) | Occupation/Job Title |

|                                    |                  |
|------------------------------------|------------------|
| Reviewed by <u>David Donaldson</u> |                  |
|                                    | (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 \_\_\_\_\_

**Office of Director:**

Reviewed by Director \_\_\_\_\_  
(Initial & Date)

Prepare Waiver \_\_\_\_\_  
Prepare Denial \_\_\_\_\_

Comments: \_\_\_\_\_

**Investigative Findings:**

February 15, 1997      Sumter County Sheriff's Office, FL – Carrying a Concealed Firearm and Possession of Controlled Substance / Amphetamine – Felonies – Pled Guilty and Convicted on October 12, 1998 – Sentenced to 3 year Probation – 384 hours of Community Service – VOP on April 10, 2000, Probation revoked and Sentenced to 1 year and 21 days Confinement.

lem

\* Please attach Routing Slip to front of case file

**ROUTING SLIP**  
**REQUEST FOR WAIVER**

**RE: BROWN, ALISHA M. – 11103682**  
**(APPLICANT'S NAME – LICENSE #)**

**Case No: 2022 02 7510**

**February 23, 1998**      **Fruitland Park Police Dept., FL – Possession of Methamphetamine – Felony – Pled Guilty and Convicted on May 7, 1998 – Sentenced to 3 year Probation.**

**June 23, 2010**      **Sumter County Sheriff's Office, FL – Grand Theft Value \$300 or more less than \$5000 – Felony – Pled Nolo and Sentenced to 3 year Probation with Adjudication Withheld on September 7, 2010.**

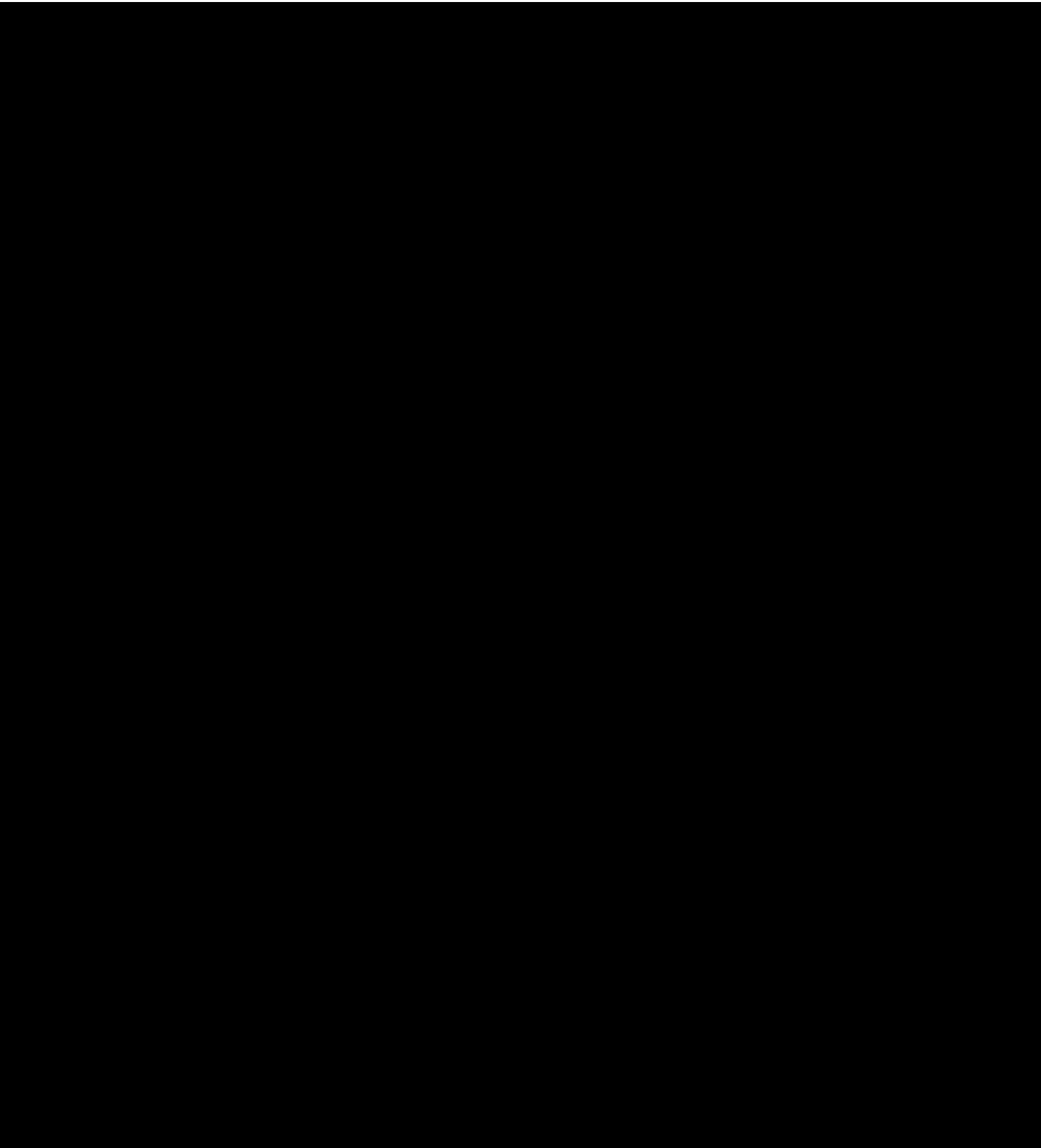
**Owner – Oxford Downs**

lem

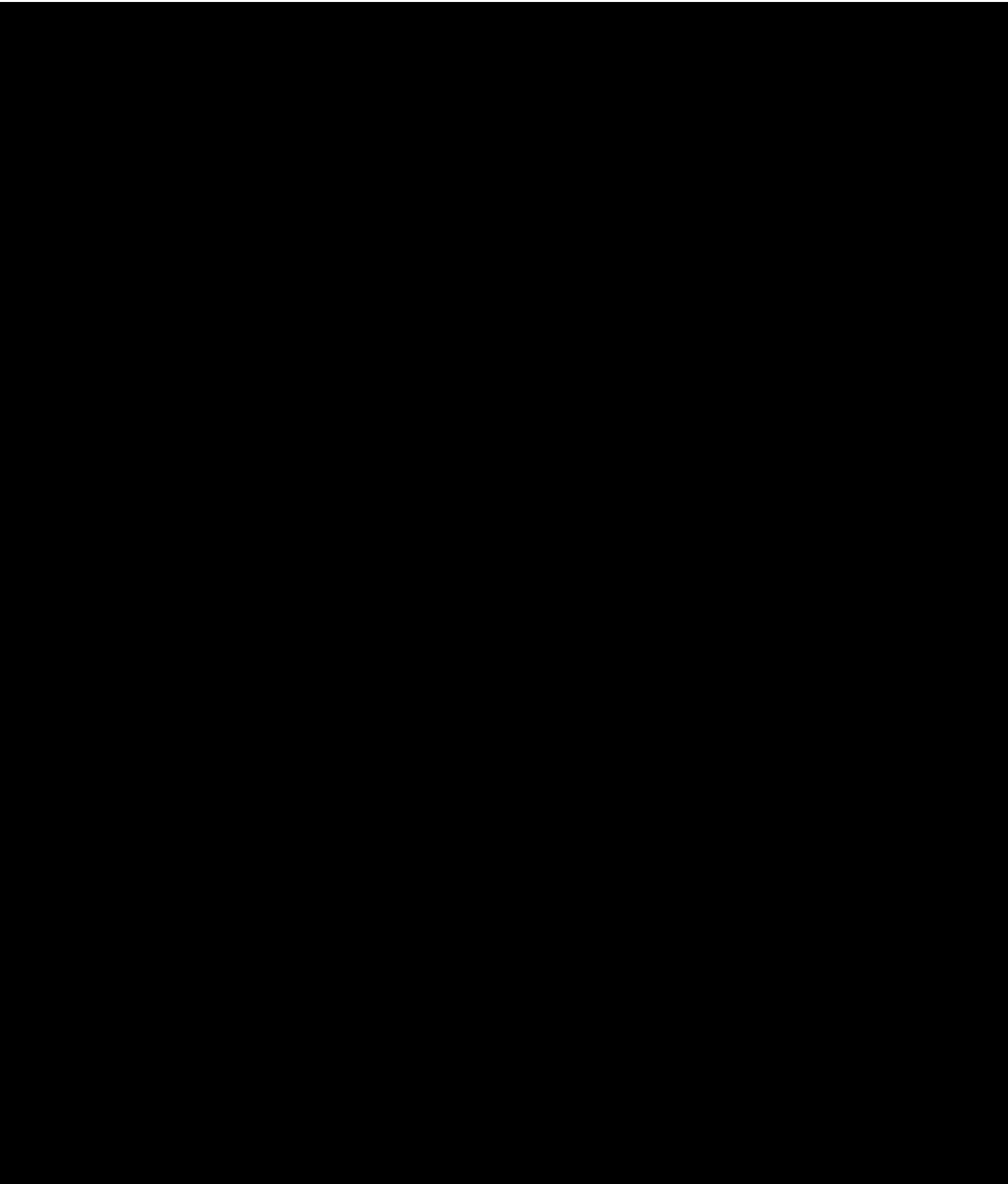
**\* Please attach Routing Slip to front of case file**

2 of 2

442



**EXHIBIT #1**  
**Page 1 of 4**



**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 |
|---------------------|--------|-------|---------|------------------------|----------|
| See Attached        |        |       |         |                        |          |
|                     |        |       |         |                        |          |
|                     |        |       |         |                        |          |

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:

See Attached.

**PLEASE READ AND SIGN BELOW**

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

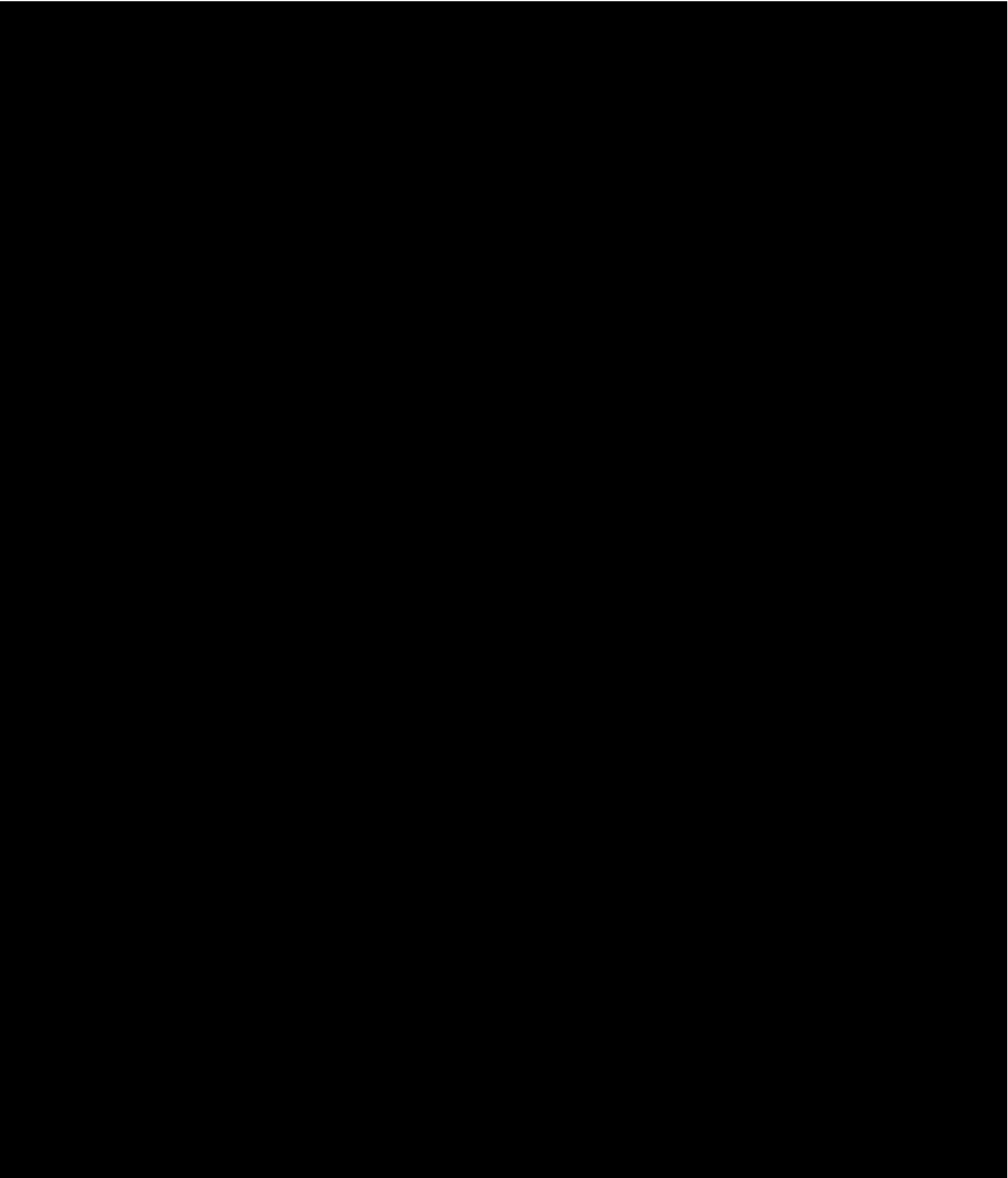
I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

Signature of Applicant \_\_\_\_\_ Date 1-19-22

**EXHIBIT #1**  
**Page 3 of 4**



**5/7/98 Disposition  
Lake County**

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**2022 MAY 25 AM 9:46**

**DIVISION OF  
PARI-MUTUEL WAGERRIG**













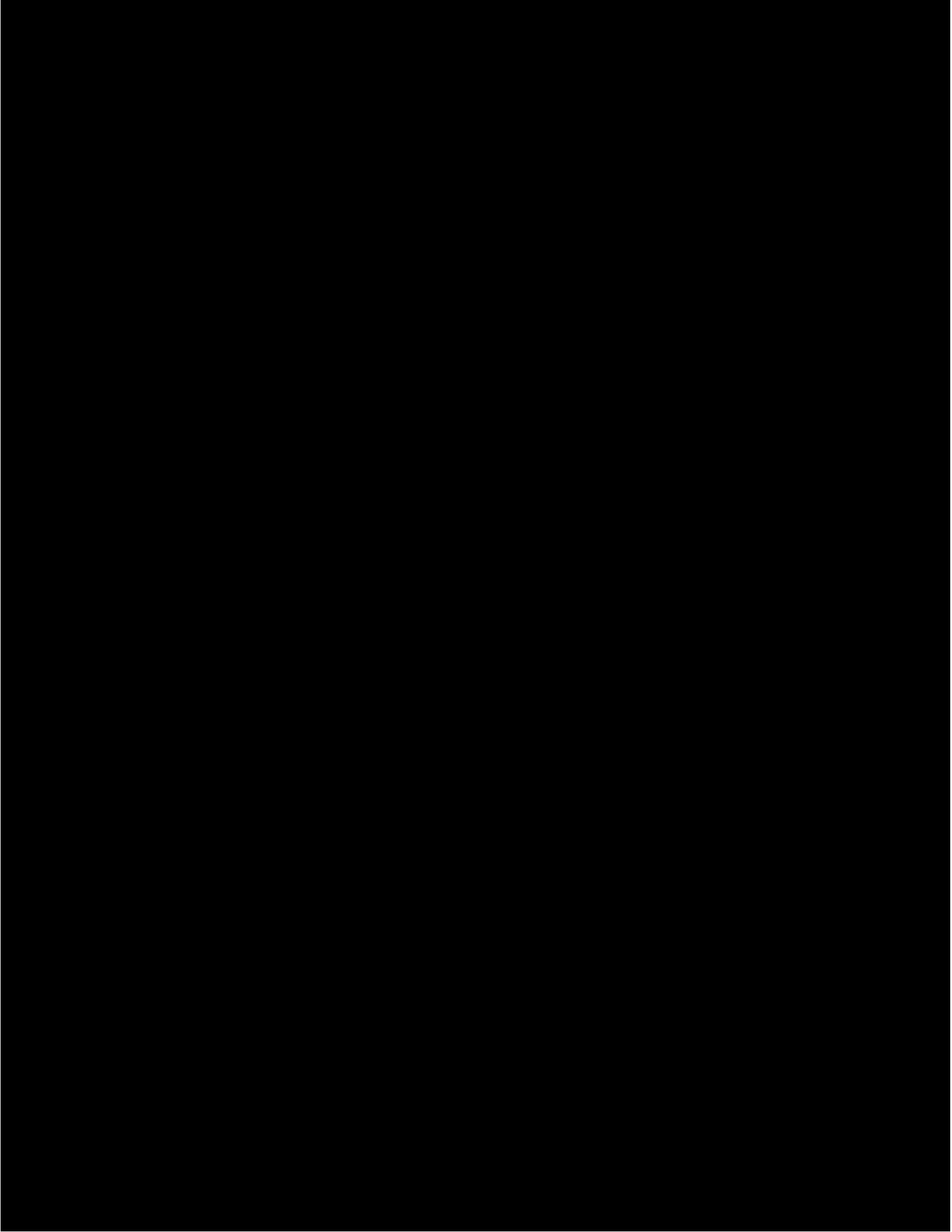




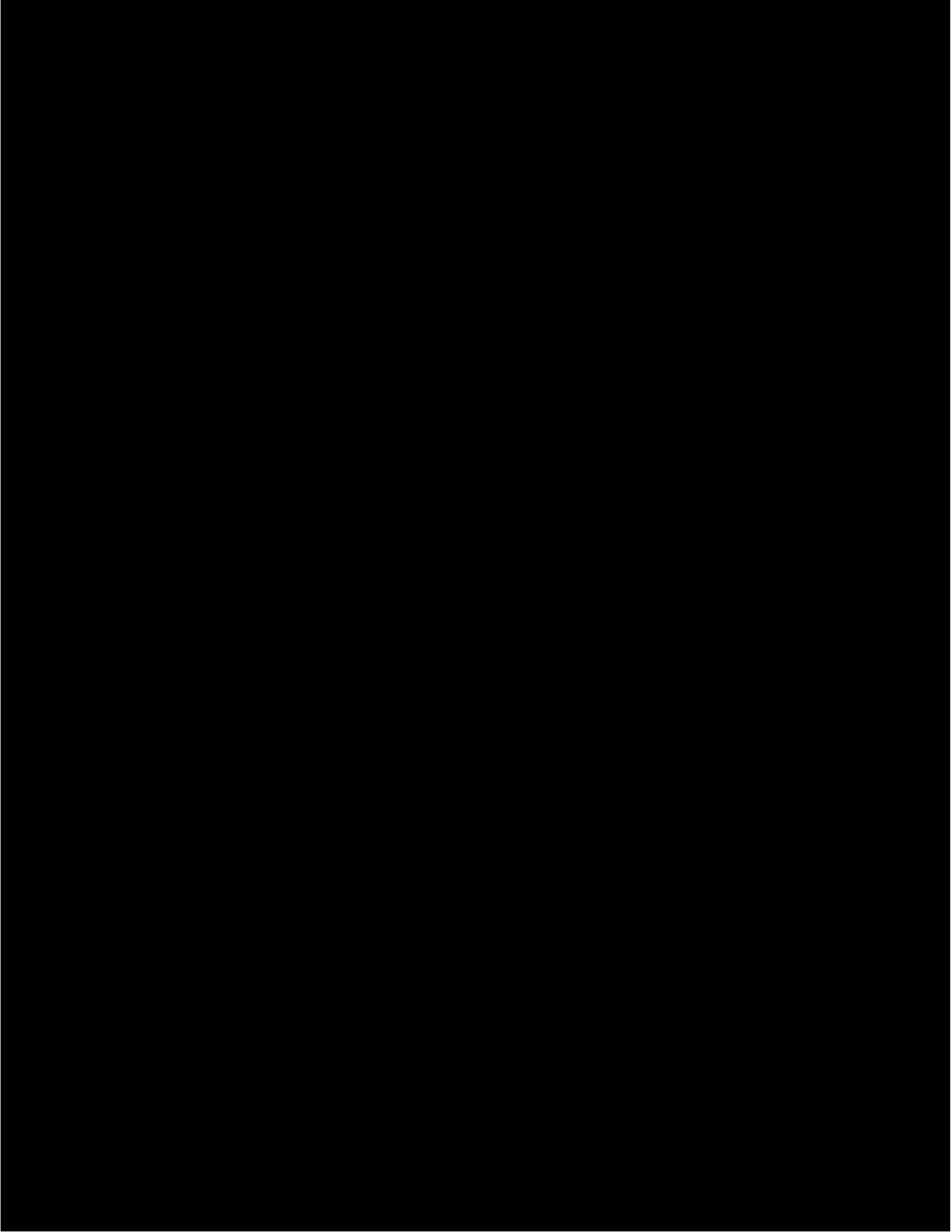








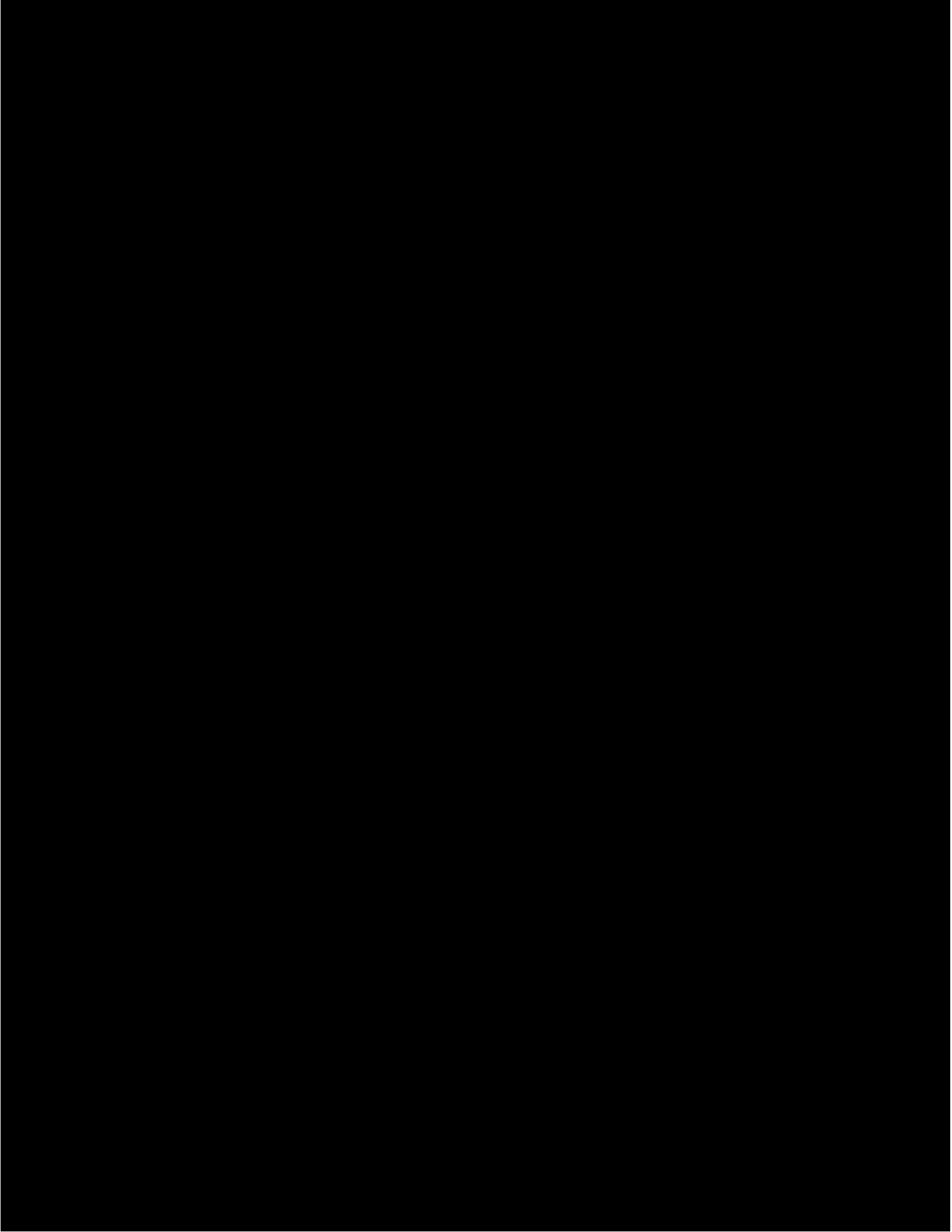


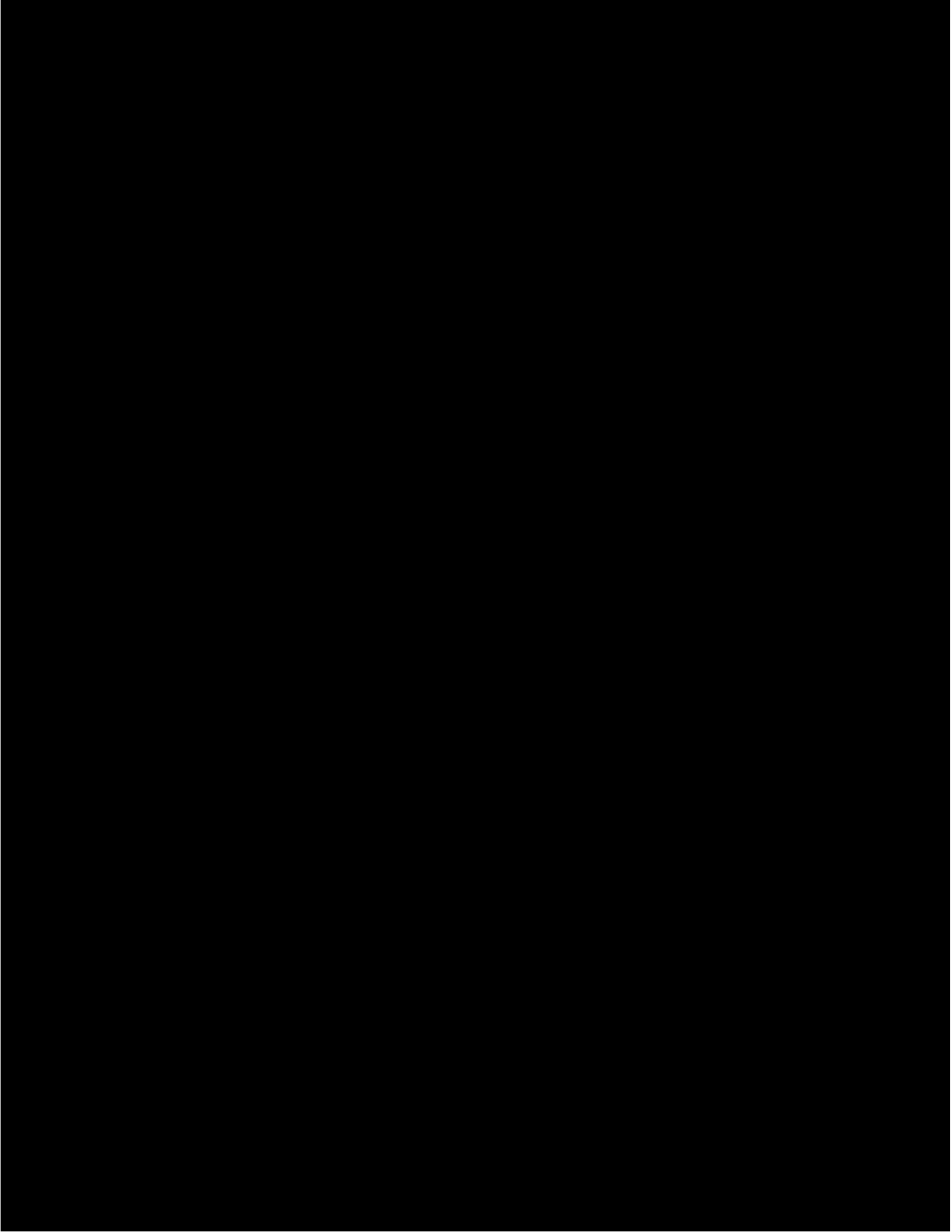






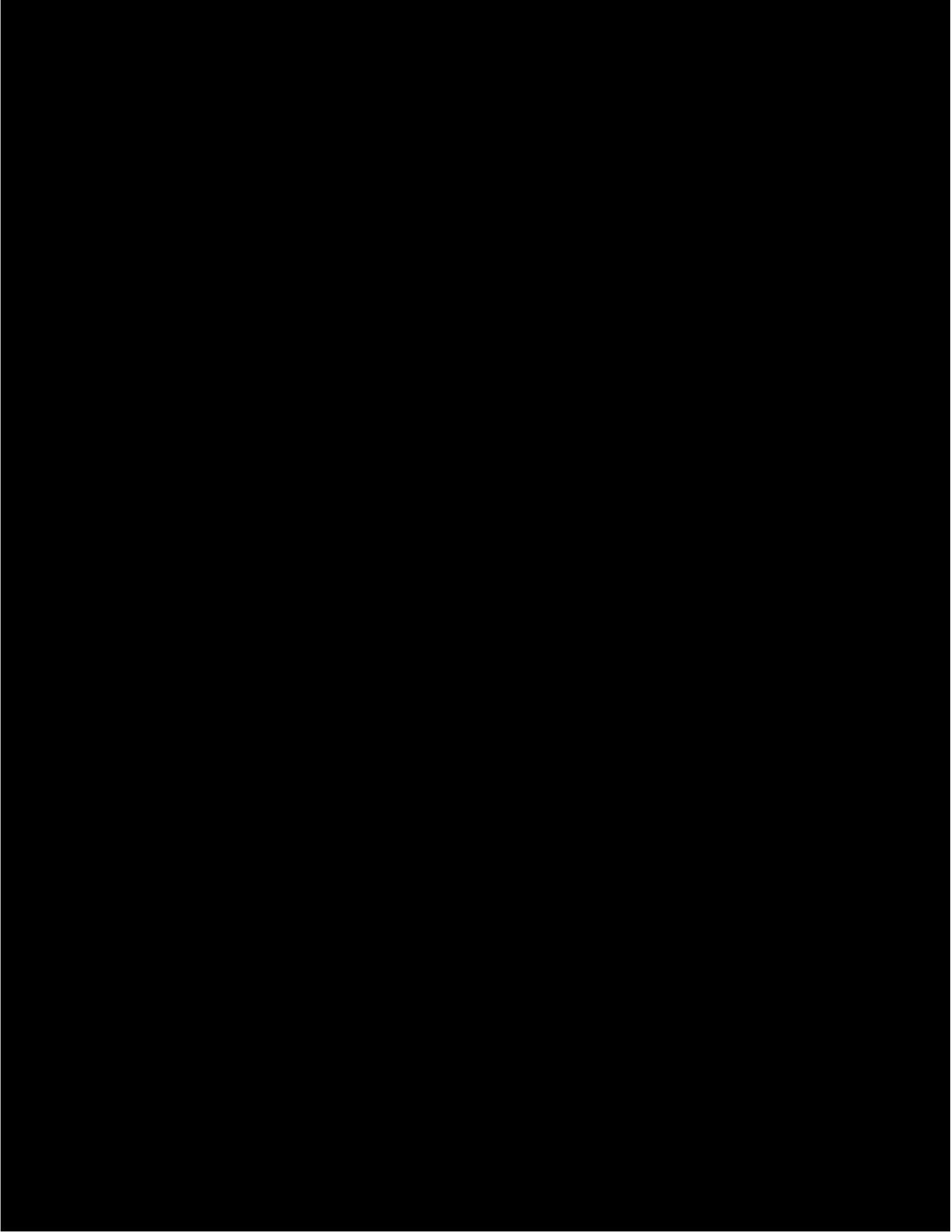
















# 10/26/98 Disposition

Sumter County

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**DIVISION OF  
PARI-MUTUEL WAGERING**











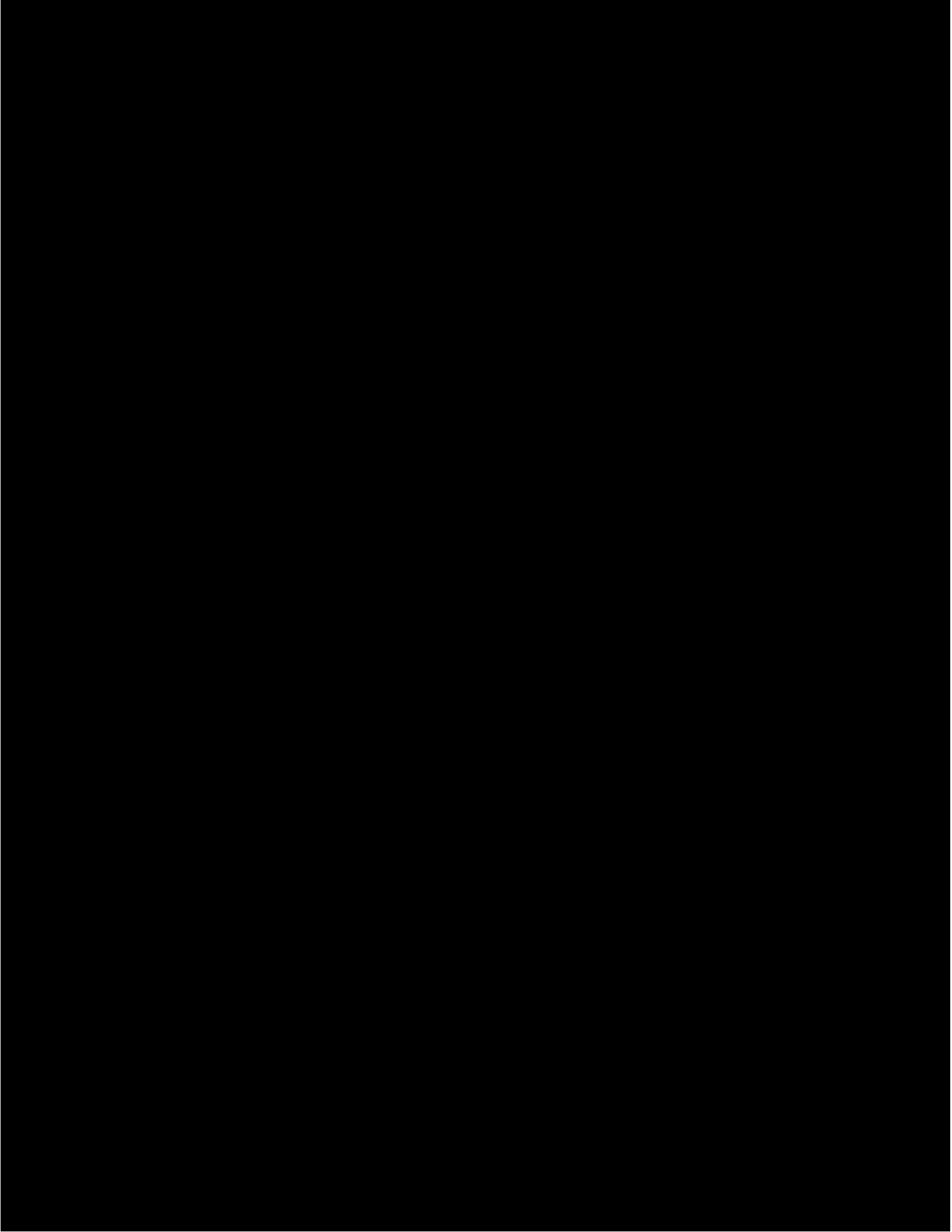




















**12/16/98 Disposition  
Lake County**

























5/25/2000  
Disposition  
Lake  
County

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2022 MAY 25 AM 9:47

DIVISION OF  
PARI-MUTUEL WAGERING





































5/25/2000 Disposition

Sumter County

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2002 MAY 25 AM 9:48

DIVISION OF  
PARI-MUTUEL WAGERING



























4/18/2008  
Marion Disposition

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2022 MAY 25 AM 9:48  
DIVISION OF  
PARI-MUTUEL WAGERING





Your payment has been successfully processed.  
Felony Receipt Number:8734604  
09/16/2013 12:13 PM

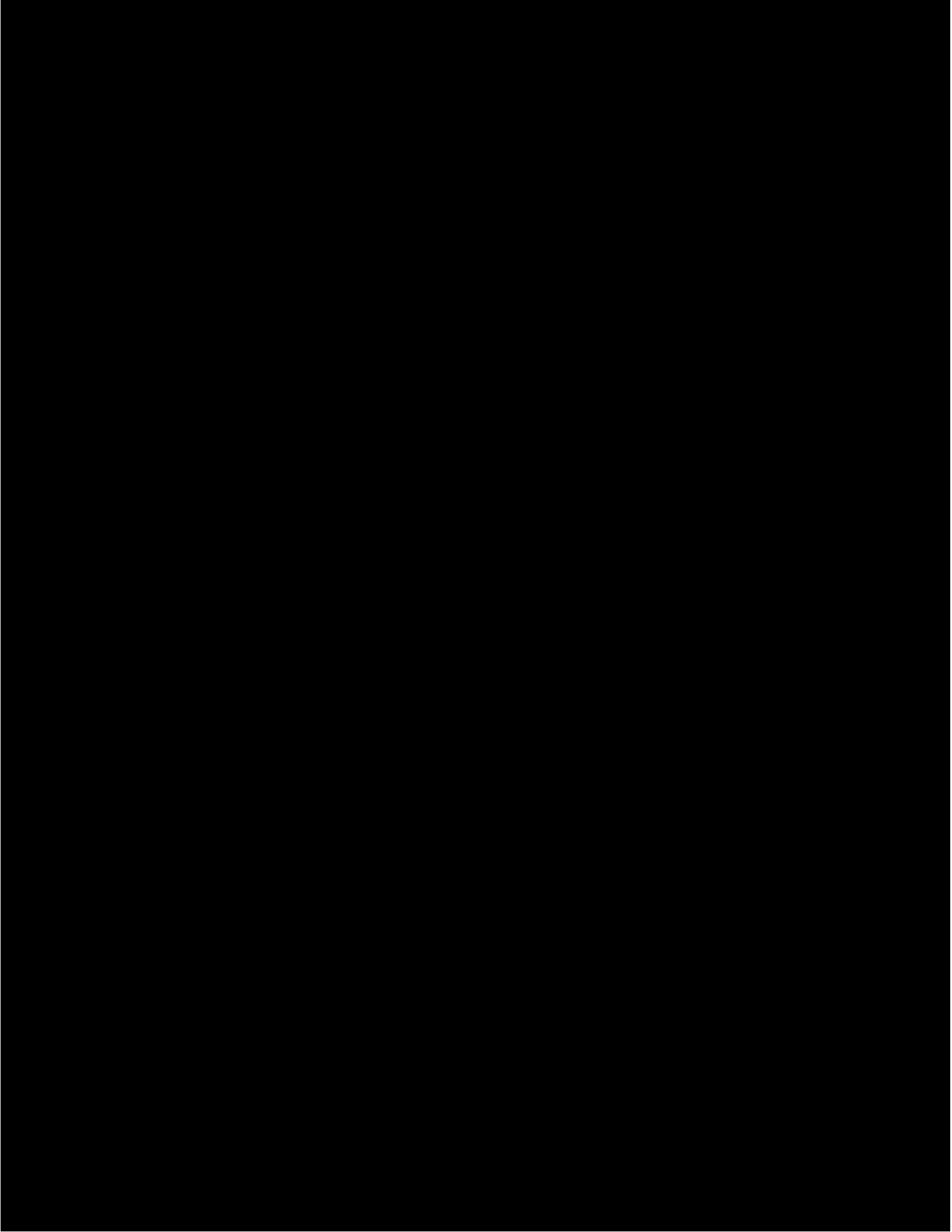
|  |
|--|
| <b>Case or Citation Number:</b> 08CT672 <i>alisha</i>          |
| <b>Defendant's Name If Different:</b> <del>MICHELE BROWN</del> |
| <b>Name On Card:</b> ALISHA BROWN                              |
| <b>Credit Card Number:</b> [REDACTED]                          |
| <b>Card Type:</b> VISA   |
| <b>Item Amount:</b> \$5.00                                     |
| <b>Service Fee:</b> \$0.18                                     |
| <b>Total Charge:</b> \$5.18                                    |

There is a non-refundable 3.5% fee per transaction to provide this service.

This service fee is charged by MyFloridaCounty.com.

Your Credit Card Statement will display the vendor name of MyFloridaCounty.com for billing details.

For Information on refunds or for general inquiries, please call customer support on (877) 326 8689.







4-22-16 VIOLATION OF RESTRICTED DRIVER LICENSE M-2 01/17/08

**CASE ACTIVITY**

**Presence**

The Defendant was present.

**Plea**

The Defendant pled Guilty to the charge as entered.

**Disposition**

The Defendant was adjudicated Guilty.

**FINES**

The Defendant is hereby ordered to pay the following amounts: \*(COP)

| Count                              | Amount   | Description        | Category  | Balance Due     | Due Date |
|------------------------------------|----------|--------------------|-----------|-----------------|----------|
| 4                                  | \$100.00 | FINE-MM            | Fine      | \$100.00        |          |
| 4                                  | \$5.00   | SURCHARGE 5%-MM    | Surcharge | \$5.00          |          |
| 4                                  | \$40.00  | FINE SURCHARGES-MM | Surcharge | \$40.00         |          |
| <b>Subtotal:</b>                   |          |                    |           | <b>\$145.00</b> |          |
| <b>Total for all counts above:</b> |          |                    |           | <b>\$145.00</b> |          |

**SENTENCE**

**Jail** (Items marked with \*(COS) are Conditions of Suspension)

You are ordered to serve 2 days in the Marion County Jail.  
Credit for 2 days time served.

**Probation** (Items marked with \*(COP) are Conditions of Probation)

The Court places you on supervised probation for a period of 6 months.  
Under the supervision of the Salvation Army Probation Department.  
Supervision may be transferred to Broward County \*(COP)  
Defendant not to possess or consume any illegal substances \*(COP)  
Complete all conditions within the first 5 months of probation. \*(COP)  
Defendant cannot possess or consume alcoholic beverages \*(COP)

**Self Improvement Programs**

Random Drug and Alcohol Screens at own expense \*(COP)

**Related Sentences**

Concurrent with Case Number 42-2008-CT-000672-AXXX-XX, count 1.

DONE AND ORDERED at Ocala, Marion County, Florida, this 18th day of April, 2008.

*Sarah Ritterhoff Williams*  
SARAH RITTERHOFF WILLIAMS, County Judge

I HEREBY ACKNOWLEDGE receipt of a copy of this form and understand that I must comply with all applicable conditions noted above.

Defendant's Signature

333 LAS OLAS WAY APT 809  
FT LAUDERDALE, FL 33301

Filed in open court on April 18, 2008.

*J. Smith*  
J. Smith, Deputy Clerk

Mailing Address

**9/17/2010 Disposition  
Sumter County**

**RECEIVED**

**2022 MAY 25 AM 9:48**

**DIVISION OF  
PARI-MUTUEL WAGERING**















































































Page 1 of 1. 0 total matches.

| Search Parameters        |           |            |             |                |         |            |      |       |
|--------------------------|-----------|------------|-------------|----------------|---------|------------|------|-------|
| Govt. Number: [REDACTED] |           |            |             |                |         |            |      |       |
| Date of Birth:           |           |            |             |                |         |            |      |       |
| First Name: Alisha       |           |            |             |                |         |            |      |       |
| Middle Name: Michelle    |           |            |             |                |         |            |      |       |
| Last Name: Brown         |           |            |             |                |         |            |      |       |
| Sex: F                   |           |            |             |                |         |            |      |       |
| Commission:              |           |            |             |                |         |            |      |       |
| License Type:            |           |            |             |                |         |            |      |       |
| Master ID                | Last Name | First Name | Middle Name | SSN/Federal ID | Rulings | Birth Date | City | State |

[Licensees](#) [Rulings](#) [Horse Tracking](#) [Bulletin Board](#) [Preferences](#) [Log Off](#)

EXHIBIT #4  
Page 1-10

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

February 21, 2022

Ms. Alisha Michelle Brown  
c/o William N. Spicola  
Post Office Box 664  
Tallahassee, Florida 32302

RE: Application No. 232816, Entity 11103682  
1021 - PMW Professional Individual Occupational

Dear Ms. Brown:

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 **and** provide court disposition records for the following charges:

- Sumter County, Florida Arrest(s) – 02/15/1997, 08/23/1997, 01/07/1998, 08/03/1998, 10/21/1998, 04/02/2000, 06/23/2010
- Lake County, Florida Arrest(s) – 02/23/1998
- Marion County, Florida Arrest(s) – 02/09/2008

Note: If you cannot obtain the requested court disposition records, please submit a certified statement from the Clerk of Court for the relevant jurisdiction stating the status of records or that the records are not available. All aliases must be listed, if applicable.

**To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.487.1395.**

**If you fail to provide the Division with a complete application including any necessary revisions for your application by 07/09/2022 your application shall lapse and no longer be processed by the Division. 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 Division Rule.**

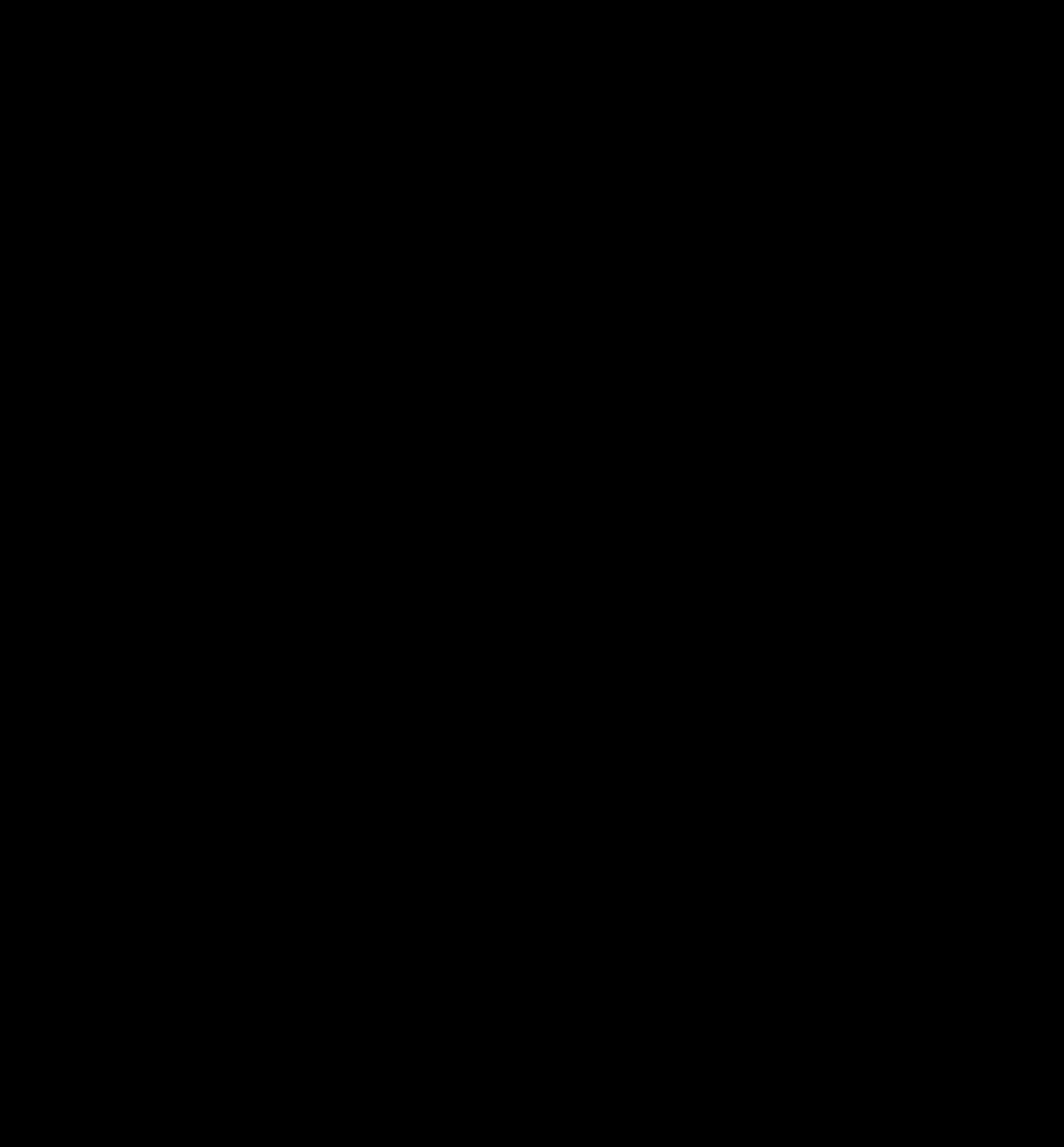
**Melanie S. Griffin**, Secretary

**Ron DeSantis**, Governor

Checks or money orders should be made payable to the Department of Business and Professional Regulation or DBPR. **Return the missing document and/or information to the address provided above, attention PMW Licensing Section.** If you have any questions please call 850.487.1395.

Thank you,

Jonathan Dye  
Operations Analyst II



**EXHIBIT #2**  
**Page 4-10**



## Background Information Additional Sheet

| Disposition<br>Date. | County | State | Offense                            | MM or Fel | Sentence                                    |
|----------------------|--------|-------|------------------------------------|-----------|---|
| 5/7/98 Lake          | FL     |       | Possession of Methamphetamine      | Felony    | AG 60 days jail 3YOP                        |
| 5/7/98 Lake          | FL     |       | Possession of Drug Paraphernalia   | MM        | AG 60 days jail 3YOP                        |
| 5/7/98 Lake          | FL     |       | Resisting or Obstruct W/O Violence | MM        | AG 60 days jail                             |
| 5/7/98 Lake          | FL     |       | Driving While License Suspended    | MM        | AG 60 days jail                             |
| 10/26/98 Sumpter     | FL     |       | Carrying Concealed Firearm         | Felony    | AG 2 YOP 384 hrs.<br>Com Serv               |
| 10/26/98 Sumpter     | FL     |       | Possession of Amphetamine          | Felony    | AG 2 YOP 384 hrs.<br>Com Serv               |
| 10/26/98 Sumpter     | FL     |       | Possession of Cannabis <20grams    | MM        | AG 1 YOP                                    |
| 12/16/98 Lake        | FL     |       | VOP Poss of Methamphetamine        | Felony    | AG CTS 3YOP                                 |
| 12/16/98 Lake        | FL     |       | VOP Poss of Drug Paraphernalia     | MM        | AG CTS 3YOP                                 |
| 5/25/2000 Lake       | FL     |       | VOP Poss of Methamphetamine        | Felony    | AG 11m 29days DOC                           |
| 5/25/2000 Lake       | FL     |       | VOP Poss of Drug Paraphernalia     | MM        | AG CTS                                      |
| 5/25/2000 Sumpter    | FL     |       | VOP Carrying Concealed Firearm     | Felony    | AG 11m 29days DOC                           |
| 5/25/2000 Sumpter    | FL     |       | VOP Possession of Amphetamine      | Felony    | AG 11m 29days DOC                           |
| 4/18/2008 Marion     | FL     |       | DUI                                | MM        | AG 1 YOP 50hr. Com<br>Serv. 2 days jail CTS |
| 9/17/2010 Sumpter    | FL     |       | Grand Theft                        | Felony    | AW 3 YOP Drug<br>Offender                   |
| 9/17/2010 Sumpter    | FL     |       | Resisting Officer w/o Violence     | MM        | AW CTS                                      |

AG = Adjudicated Guilty  
 AW = Adjudication Withheld  
 CTS = Credit Time Served  
 Com = Community  
 DOC = Department of Corrections  
 FEL = Felony  
 MM = Misdemeanor  
 Poss = Possession  
 Serv = Service  
 VOP = Violation of Probation  
 YOP = Years of Probation

RECEIVED  
 2022 MAY 25 AM 9:46  
 DIVISION OF  
 PAROLE AND PROBATION

EXHIBIT #4  
 Page 5 -10

|   |                              |
|---|------------------------------|
| <b>FILED</b>  |                              |
| Department of Business and Professional Regulation<br>Deputy Agency Clerk |                              |
| CLERK   | <b>Evette Lawson-Proctor</b> |
| Date  | <b>10/24/2016</b>            |
| File #  |                              |

**Ken Lawson, Secretary**

October 19, 2016

Alisha M. Brown  
5001 Southeast 11th Avenue  
Ocala, Florida 34480

Dear Ms. Brown:

This is to inform you that your application for a pari-mutuel wagering cardroom combination supervisor license and request for waiver is denied in accordance with the provisions of Chapter 550, Florida Statutes, and the rules promulgated thereto. This denial is based upon your:

1. Felony conviction for carrying a concealed firearm out of Sumter County, Florida on October 12, 1998;
2. Felony conviction for possession of a controlled substance- amphetamine out of Sumter County, Florida on October 12, 1998;
3. Felony conviction for possession of methamphetamine out of Lake County, Florida on May 7, 1998;
4. Felony conviction for grand theft out of Sumter County, Florida on September 7, 2010.

These convictions are disqualifying offenses under Section 550.105(5)(b), Florida Statutes. Additionally, you failed to disclose all of your convictions on your initial license application, which is an additional basis for license denial pursuant to Section 559.791, Florida Statutes. Pursuant to Section 120.57, Florida Statutes, you may request a formal or informal hearing to challenge the Division's decision, within twenty-one (21) days of receipt of this Denial, as provided for in Chapter 28-106, Florida Administrative Code. If you request a formal hearing, you must specify each material fact contained in this Denial which you dispute.

At a formal hearing you will be entitled to respond, present evidence and argument on all issues involved, conduct cross-examination and submit rebuttal evidence, file exceptions to any order or hearing officer's recommended order, and be represented by counsel. Failure to allege a material fact in your petition will result in that petition being construed as a request for an informal hearing.

At an informal hearing you will be entitled to present written or oral evidence in accordance with Section 120.57(2), Florida Statutes. You must realize, however, that the facts as alleged in this Denial will be deemed admitted.

You will be notified by the Department of Business and Professional Regulation of the time, date and place of said hearing, if requested.

If you do not request a hearing within twenty-one (21) days of your receipt of this Denial, this Denial will become the Agency's Final Order. If this Denial becomes a Final Order, you will have thirty (30) days to file for an appeal pursuant to Section 120.68, Florida Statutes.

**EXHIBIT #4**  
**Page 6-10**

Sincerely,

Anthony J. Glover  
Anthony J. Glover, Director  
Division of Pari-Mutuel Wagering

ENCLOSURES: (2) Election of Rights; Explanation of Rights

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing "Letter of License Denial" has been served upon Alisha M. Brown, 5001 Southeast 11th Avenue, Ocala, Florida 34480, by U.S. Certified Mail, this 24 day of October, 2016.

Brette L. Proctor  
Agency Clerk's Office  
Department of Business & Professional Regulation

Case No. 2016-034704

0299 0162 2000 0546 9000

|  |    |
|--|----|
| U.S. Postal Service™   |    |
| CERTIFIED MAIL™ RECEIPT  |    |
| (Domestic Mail Only; No Insurance Coverage Provided)   |    |
| For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a> |    |
| OFFICIAL USE   |    |
| Postage  | \$ |
| Certified Fee  |    |
| Return Receipt Fee<br>(Endorsement Required)   |    |
| Restricted Delivery Fee<br>(Endorsement Required)  |    |
| Total Postage & Fees   | \$ |

1st mail

Postmark Here

|                                    |                 |
|------------------------------------|-----------------|
| Sent To                            | Alisha M. Brown |
| Street, Apt. No.,<br>or PO Box No. |                 |
| City, State, ZIP+4                 | # 2016034704    |

PS Form 3800, August 2006 See Reverse for Instructions

EXHIBIT #4  
Page 7-10

**STATE OF FLORIDA**  
**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**  
**DIVISION OF PARI-MUTUEL WAGERING**

|   |                   |
|---|-------------------|
| <b>FILED</b>  |                   |
| Department of Business and Professional Regulation<br>Deputy Agency Clerk |                   |
| CLERK   | Brandon Nichols   |
| Date  | <b>12/19/2016</b> |
| File #  |                   |

In re: License Application

ALISHA M. BROWN,

Case No. 2016-034704

Applicant.

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**NOTICE OF WITHDRAWAL OF APPLICATION**

Alisha M. Brown (the “Applicant”), by and through her undersigned counsel, files this Notice of Withdrawal of Application. In support of the Notice, the Applicant states:

1. The Applicant submitted an application for a pari-mutuel wagering cardroom combination supervisor license and request for waiver with the Division of Pari-mutuel Wagering (the “Division”).

2. On October 19, 2016, the Division denied the Applicant’s application. As such, pursuant to section 120.57(2), Florida Statutes, and rule 28-106.201, Florida Administrative Code, the Applicant requested an informal hearing at the Division.

3. The Petitioner participated in an informal hearing regarding her application on December 7, 2016 in case no. 2016-034704.

4. On December 19, 2016, the Petitioner sent a letter to the Division which withdrew her application from consideration by the Division. A true and correct copy of this letter is attached hereto as “Exhibit A.”

5. As the Petitioner’s application is no longer with the Division or under consideration by the Division, case no. 2016-034704 regarding the Applicant’s application is hereby moot.

Respectfully submitted this 19th day of December, 2016.

/s/ Kala Shankle

John M. Lockwood, Esq.

Florida Bar No. 28056

Thomas J. Morton, Esq.

Florida Bar No. 13771

Kala Shankle, Esq.

Florida Bar No.112042

THE LOCKWOOD LAW FIRM

106 East College Avenue, Suite 810

Tallahassee, Florida 32301

Tel: 850.727.5009

Fax: 850.270.2610

john@lockwoodlawfirm.com

tj@lockwoodlawfirm.com

kala@lockwoodlawfirm.com

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of this Petition for Hearing was served on this 19th day of December 2016, by email to Paige Shoemaker, Hearing Office, (Paige.Shoemaker@myfloridalicense.com), and attorneys for the Division, Thomas Izzo (TJ.Izzo@myfloridalicense.com) and William D. Hall (william.hall@myfloridalicense.com).

/s/ Kala Shankle

Attorney

**EXHIBIT #4**  
**Page 9-10**

THE  
LOCKWOOD  
LAW FIRM

December 19, 2016

Thomas Izzo  
Division of Pari-Mutuel Wagering  
Department of Business and  
Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399

Dear Mr. Izzo:

This letter is in regards to Ms. Alisha M. Brown's application for a pari-mutuel wagering cardroom combination supervisor license and request for waiver which was filed with the Division of Pari-Mutuel Wagering (the "Division"), case no. 2016-034704. On behalf of Ms. Brown, the aforementioned application is hereby withdrawn from the Division's consideration.

Please contact me should you have any questions. Thank you.

Sincerely,

/s/ Kala Shankle  
Attorney

EXHIBIT #4  
Page 10-10

Exhibit A



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Brunel Borgella Case Number 2022-027613; Final Order  
Date: November 23, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to adopt the hearing officer's recommended order recommending permanent exclusion of Brunel Borgella ("Respondent") from all pari-mutuel and slot facilities in the state of Florida. On September 7, 2022, Respondent requested an informal hearing pursuant to section 120.57(2), Florida Statutes. A hearing was held on October 19, 2022. Following the hearing, the hearing officer recommended permanent exclusion from all pari-mutuel and slot machine facilities. 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 June 6, 2022, Respondent was a patron of Big Easy Casino.<sup>1</sup> Respondent was seen removing chips from a cardroom that he did not win. Respondent was permanently excluded from Big Easy Casino, Inc.<sup>2</sup>, on June 6, 2022.

Based on his exclusion from Big Easy Casino, the Division served Respondent with an administrative complaint seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. Respondent requested an informal hearing pursuant to 120.57(2), Florida Statutes, which was held on October 19, 2022. The hearing officer issued their recommended order on November 21, 2022 recommending permanent exclusion from all pari-mutuel facilities and all facilities of a slot machine licensee.

### *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

---

<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.



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. Therefore, the Florida Gaming Control Commission may enter a final order adopting the hearing officer’s recommended order and 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 adopting the hearing officer’s recommended order in case number 2022-027613.

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.: 2022-027613

BRUNEL BORGELLA,

Respondent.

\_\_\_\_\_ /

RECOMMENDED ORDER

THIS MATTER came before Elizabeth K. Stinson, designated Hearing Officer for the Florida Gaming Control Commission (“Commission”), on October 19, 2022, in Tallahassee, Florida, in accordance with the provisions of Sections 120.569 and 120.57(2), Florida Statutes, for consideration of the Commission’s Administrative Complaint filed against Brunel Borgella (“Respondent”), in FGCC Case Number 2022-027613 (“Administrative Complaint”). The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PROCEDURAL HISTORY

1. On August 26, 2022, the Commission filed an Administrative Complaint against Respondent alleging that on June 6, 2022, Respondent was permanently excluded from Big Easy Casino and that he is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida based on his permanent exclusion from Big Easy Casino.

2. On September 7, 2022, Respondent requested an informal hearing pursuant to Section 120.57(2), Florida Statutes.

3. At the informal hearing on October 19, 2022, the Commission presented the issues raised in its Administrative Complaint. The Hearing Officer granted the Commission's motion to accept the Findings of Fact in the Administrative Complaint as the undisputed facts in the case, and accepted the investigative report into the record.

4. During the informal hearing, Respondent testified on a variety of topics:
- a. Respondent explained the incident that led to his exclusion at Big Easy Casino.
  - b. Respondent stated that he was at a poker table with four other individuals.
  - c. Respondent stated that after a round, he believed that he was the winner, and this was confirmed by the dealer.
  - d. Respondent stated that he took his winnings and walked away from the poker table. Respondent stated that after he took his winnings, an unspecified amount of chips fell in his shoe.
  - e. Respondent stated that he used some of the chips to purchase food and/or beverages at Big Easy Casino.
  - f. Respondent stated that following the purchase, he was approached by management who stated that after review of the footage, it was discovered that he did not win the round.
  - g. Respondent stated that he returned the winnings and took \$100 of his own chips and/or money to cover the chips that were used to purchase food and/or beverages.

- h. Respondent stated that he was not involved in a theft because he was awarded the winnings and returned them when he had acknowledged that he was not the winner.

#### FINDINGS OF FACT

5. At all times pertinent to the allegations contained herein, Respondent was a patron at Big Easy Casino.

6. On or about June 6, 2022, Respondent was permanently excluded from Big Easy Casino.

#### CONCLUSIONS OF LAW

7. The undersigned Hearing Officer has jurisdiction over this matter and the parties pursuant to Section 120.57(2), Florida Statutes.

8. The Commission has jurisdiction over this matter pursuant to Chapters 120, 550, and 551, Florida Statutes.

9. At all times material, Big Easy Casino was a facility operated by a permit holder authorized to conduct pari-mutuel wagering, cardroom, and slot machine operations in the State of Florida.

10. 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 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).

11. 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).

12. Respondent is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensees in the State of Florida based on his permanent exclusion from Big Easy Casino on June 6, 2022. *See* § 550.0251(6), and § 551.112 Fla. Stat.

13. Respondent's testimony neither mitigates the fact that Respondent was permanently excluded from Big Easy Casino, nor precludes the Commission from excluding Respondent from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida. *See Id.*

14. There is competent substantial evidence to support the conclusions of law.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law, it is hereby RECOMMENDED that the Commission issue a Final Order permanently excluding Respondent from all pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida.

Respectfully submitted this 21st day of November 2022.

*s/Elizabeth K. Stinson*

---

Elizabeth K. Stinson, Hearing Officer  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202

CERTIFICATE OF SERVICE

I hereby certify this 21st day of November 2022, that a true copy of the foregoing has been provided by mail to:

**Bruenel Brogella**  
5008 Southwest 18th Street  
West Park, Florida 33023

  
\_\_\_\_\_  
Clerk of the Commission

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2022-027613

BRUNEL BORGELLA,

Respondent.

\_\_\_\_\_ /

PROPOSED RECOMMENDED ORDER

THIS MATTER came before Elizabeth Stinson, designated Hearing Officer for the Florida Gaming Control Commission (“Commission”), on October 19, 2022, in Tallahassee, Florida, in accordance with the provisions of Sections 120.569 and 120.57(2), Florida Statutes, for consideration of the Commission’s Administrative Complaint filed against Brunel Borgella (“Respondent”), in FGCC Case Number 2022-027613 (“Administrative Complaint”). The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, offer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On August 26, 2022, the Commission filed an Administrative Complaint against Respondent alleging that on June 6, 2022, Respondent was permanently excluded from Big Easy Casino and that he is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida.



2. On September 7, 2022, Respondent requested an informal hearing pursuant to Section 120.57(2), Florida Statutes.

3. At the informal hearing on October 19, 2022, the Division presented the issues raised in its Administrative Complaint. The Hearing Officer granted the Division's motion to accept the Findings of Fact in the Administrative Complaint as the undisputed facts in the case, and accepted the investigative report into the record.

4. At the hearing, Respondent explained the incident that led to his exclusion at Big Easy Casino.

5. Respondent stated that he was at a poker table with four other individuals.

6. Respondent stated that after a round, he believed that he was the winner and this was confirmed by the dealer.

7. Respondent stated that he took his winnings and walked away from the poker table.

8. Respondent stated that he used some of the chips to purchase food and/or beverages at Big Easy Casino.

9. Following the purchase, he was approached by management who stated that after review of the footage, it was discovered that he did not win the round.

10. Respondent stated that he returned the winnings and took \$100 of his own chips and/or money to cover the chips that were used to purchase food and/or beverages.

11. Respondent stated that he was not involved in a theft because he was awarded the winnings and returned them when he had knowledge that he was not the winner.

#### FINDINGS OF FACT

12. At all times pertinent to the allegations contained herein, Respondent was a patron at Big Easy Casino.

13. On or about June 6, 2022, Respondent was permanently excluded from Big Easy Casino.

#### CONCLUSIONS OF LAW

14. The Hearing Officer has jurisdiction over this matter and the parties pursuant to Section 120.57(2), Florida Statutes.

15. The Commission has jurisdiction over this matter pursuant to Chapters 120, 550, and 551, Florida Statutes.

16. At all times material, Big Easy Casino was a facility operated by a permit holder authorized to conduct pari-mutuel wagering, cardroom, and slot machine operations in the State of Florida.

17. 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).

18. 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 division 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 division. The division 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).

19. Respondent is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida based on his permanent exclusion from Big Easy Casino on June 6, 2022. *See* § 550.0251(6), and § 551.112 Fla. Stat.

20. Respondent's testimony neither mitigates the fact that Respondent was permanently excluded from Big Easy Casino, nor precludes the Commission from excluding Respondent from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida. *See Id.*

21. There is competent substantial evidence to support the conclusions of law.

PROPOSED RECOMMENDED ORDER

Based upon the Findings of Fact and Conclusions of Law, it is hereby requested that the Hearing Officer issue a Recommended Order permanently excluding Respondent from all pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida.

This Proposed Recommended Order in FGCC Case Number 2022-027613 is submitted this 21st 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

CERTIFICATE OF SERVICE

I hereby certify this 21st day of October, 2022, that a true copy of the foregoing “Petitioner’s Proposed Recommended Order” has been provided by mail to:

**Bruenel Brogella**  
5008 Southwest 18th Street  
West Park, Florida 33023



September 30, 2022

Brunel Borgella  
5008 Southwest 18<sup>th</sup> Street  
Hollywood, Florida 33023

RE: FGCC v. Brunel Borgella  
Case No.: 2022-027613

Dear Mr. Borgella:

Enclosed please find a Notice of Hearing for the informal hearing that has been scheduled in the above-referenced case. **Your hearing is scheduled to be heard on Wednesday, October 19, 2022.** Please read the Notice of Hearing for more details about the date, time, location and instructions for the hearing. A copy of the Commission's case file has been mailed to your address of record. Please ensure that you have this case file available during the hearing, as you may need to refer to it throughout the hearing.

You may also provide written or oral evidence or have witnesses testify on your behalf. If you wish to provide any written evidence, please ensure it is provided to the Commission at least one week prior to the hearing date, so the Hearing Officer may have the opportunity to review it prior to the hearing. Please also provide the names and phone numbers of any witnesses you wish to speak on your behalf, if any.

**Please note:** We will be conducting the hearing telephonically; therefore, you will be contacted **between 10:00 AM and 1:00 PM (EST) at the following number: 786-230-6685.** If that number is incorrect, please contact me as soon as possible to notify me of the correct number at which to reach you. Failure to answer the telephone, promptly return a voicemail, or hold an open line will result in the hearing proceeding without you.

Below please find information about the informal hearing process:

1. The Informal Hearing is held on the date and time noted in the Notice of Hearing;
2. Approximately 14 to 21 days after the hearing, Proposed Recommended Orders, or recommendations for what the Hearing Officer's ruling should be, are sent to Hearing Officer;
3. Approximately 21 to 45 days after the Proposed Recommended Orders are submitted, the Hearing Officer will submit his or her recommended ruling to the Clerk of the Commission's office;
4. A Final Order will be issued within approximately 90 days after the date of the hearing. The Final Order is final agency action and will describe the resolution of your case.

Should you have any questions or need any assistance, please feel free to contact me via telephone or email at 850-717-1663 or [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov).

Sincerely,

*/s/ Ebonie Lanier* \_\_\_\_\_

Ebonie Lanier  
Administrative Assistant III

Enclosures: Notice of Hearing and Case File

**Documents Included in Case File**

Exhibit 1 ..... Notice of Hearing  
Exhibit 2 ..... Election of Rights  
Exhibit 3 ..... Defective Election of Rights  
Exhibit 4 ..... Administrative Complaint  
Exhibit 5 ..... Report of Investigation

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.: 2022-027613

BRUNEL BORGELLA,

Respondent.

---

NOTICE OF TELEPHONIC HEARING

TO: Brunel Borgella  
5008 Southwest 18<sup>th</sup> Street  
Hollywood, Florida 33023  
Borgella620@hotmail.com

YOU ARE HEREBY NOTIFIED that the Commission's designated Hearing Officer will conduct a hearing in this matter, pursuant to Section 120.57(2), Florida Statutes. If you wish to present oral or written evidence, you must attend the hearing. The hearing is scheduled for **Wednesday, October 19, 2022, at 10:00 a.m. (Eastern Time). The Hearing Officer will call you at (786) 230-6685 sometime between 10:00 a.m. – 1:00 p.m. (EST).** Please be available to take the Hearing Officer's call. Failure to keep a telephone line open may result in the hearing proceeding without you.

You may elect to attend the hearing by video conference via GoToMeeting. To attend by video conference, you must contact the Commission by email at [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov) or telephone at (850) 717-1663, at least five (5) days prior to your hearing date to set up the video conference. If you do not elect to attend by video conference, the hearing will automatically be held by telephone only.

If you cannot attend the hearing and wish to request a continuance for good cause, you must notify the Commission by email at [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov) or telephone at (850) 717-1663 at least



five (5) days prior to your hearing date. Continuance requests made within five (5) days of the hearing can only be granted for emergencies.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to: the above-named parties via certified mail, on this 30th day of September, 2022.

By: /s/ *Ebonie Lanier*  
Ebonie N. Lanier  
Administrative Assistant III  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1663  
Facsimile: (850) 921-1311  
Ebonie.Lanier@fgcc.fl.gov

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Ebonie Lanier at (850) 717-1663. If you are hearing or speech impaired, please contact the agency by calling 1-800-955-8771.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

AMENDED ELECTION OF RIGHTS

FGCC v. BRUNEL BORGELLA

CASE NO.: 2022-027613

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option (1)  I do not dispute the allegations of material fact in the Administrative Complaint. I wish to submit oral and written evidence in mitigation at a hearing pursuant to Section 120.57(2), Florida Statutes ("informal hearing") and that this oral and written evidence be considered before any penalty and fines are imposed.

Option (2)  I do dispute the allegations of material fact in the Administrative Complaint. This is a petition for a hearing involving disputed material facts pursuant to Sections 120.569(2)(a) and 120.57(1), Florida Statutes, ("formal hearing") before an Administrative Law Judge of the Division of Administrative Hearings. I specifically dispute the following paragraphs in the Administrative Complaint (attach extra pages or write on the back if needed):

In addition to the above election for formal hearing, if you wish to enter into settlement negotiations, check the box below:

Section 120.569(2)(a), Florida Statutes, requires the Department to send this case to the Division of Administrative Hearings (DOAH) for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement in order to enter into settlement negotiations with the Department.

Option (3)  I do not dispute the allegations of material fact in the Administrative Complaint and waive my right to any form of hearing. I request that a Final Order imposing a penalty and fines be entered in this case. The Final Order will be placed on the next available Florida Gaming Control Commission Meeting. Respondent is not required to attend, but may check the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov) for the meeting materials, agenda, and contact information.

THIS IS A LEGALLY BINDING DOCUMENT. SEEK LEGAL ADVICE BEFORE SIGNING IF YOU DO NOT FULLY UNDERSTAND THE TERMS.

Brunel Borgella

PRINTED NAME

5008 SW 18 Street

Street Address

West park FL 33023

Zip

Telephone Number

Facsimile Number (if any)

E-mail

Brunel Borgella  
SIGNATURE

ATTORNEY OR QUALIFIED REPRESENTATIVE

Street Address (where service shall be made)

City

State

Zip

Telephone Number

Facsimile Number (if any)

E-mail

THE ELECTION OF RIGHTS FORM AND ANY ATTACHMENTS SHOULD BE RECEIVED BY THE COMMISSION WITHIN 21 DAYS AND SENT TO:

Office of the General Counsel  
Florida Gaming Control Commission  
2601 Blair Stone Road, Tallahassee, FL 32399-2202  
Attention: Ebonie N. Lanier, Administrative Assistant III  
Telephone: (850) 717-1663 Fax: (850) 921-1311

I'm not a theft or a cheater.  
because the pot was awarded to me  
as a Winner and I know I was a Winner.  
by next hand one player stated there  
was an error, at that times I was  
on the way to go home, and leave

go home, to me its was my last hand to  
leave, so while leaving someone say its a  
mistake they pay me already. While getting off  
the table the rock almost fall, some chips  
fall on the floor, and I trying to pick them  
up it was mine at that times, how can I  
still something that mine. after the floor  
came in. I was already take my chips. there  
was no chip on my shoes. after the floor  
ask me and tell me the pot missing \$100 because  
the pot was in my position while I get awarded  
by error. I give the \$100 dollars cash from  
my pocket because I did not have any chip on  
me. in order to get that finish. because I was  
on the hurry I must leave to pick up my keys.  
the lifetime exclusion is wrong and abused.  
I'm not a cheater or theft. check my record  
please. I requested please to be reinstated.  
this is the 1<sup>st</sup> time I have been on a situation  
like that. Signe ~~Phuoc~~ Bourzelle



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

September 12, 2022

Brunel Borgella  
5008 Southwest 18<sup>th</sup> Street  
Hollywood, Florida 33023

Case No.: **2022-027613**  
Subject: **SERVICE OF ADMINISTRATIVE COMPLAINT**

Dear Mr. Borgella:

You have requested an evidentiary hearing involving disputed issues of material fact before the Commission of Administrative Hearings, pursuant to Section 120.57(1), Florida Statutes (“formal hearing”).

The Commission carefully reviewed your petition for a formal evidentiary hearing to determine if it contains all the information required by Section 120.569(2)(c), Florida Statutes, and Rule 28-106.201, Florida Administrative Code. This is to inform you that the Commission has determined that your request for formal hearing does not identify a dispute of material fact. Therefore, your request does not comply with the requirements of the law.

In order to proceed with a formal hearing, you must submit an amended request for a formal hearing. *The response must specifically identify issues of material fact you dispute.* An amended request for formal must be **received** by the Commission at the address at the bottom of the form within twenty-one (21) days after the date you receive this letter.

If the **amended** request for formal hearing still does not dispute issues of material fact, you will be scheduled for a hearing not involving disputed issues of material fact (“informal hearing”) pursuant to Sections 120.569 and 120.57(2), Florida Statutes. Please contact me if you have any questions.

Sincerely,

/s/ Emily A. Alvarado

Emily A. Alvarado  
Deputy Chief Attorney  
850-717-1783

Enclosure: Statement written by Respondent on September 7, 2022, Amended Election of Rights Form

By: E. Lanier

SEP 07 2022

FGCC General Counsel

FGCC v. BRUNEL BORGELLA

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

ELECTION OF RIGHTS

CASE NO.: 2022-027613

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option (1)  I do not dispute the allegations of material fact in the Administrative Complaint. I wish to submit oral and written evidence in mitigation at a hearing pursuant to Section 120.57(2), Florida Statutes ("informal hearing") and that this oral and written evidence be considered before any penalty and fines are imposed.

Option (2)  I do dispute the allegations of material fact in the Administrative Complaint. This is a petition for a hearing involving disputed material facts pursuant to Sections 120.569(2)(a) and 120.57(1), Florida Statutes, ("formal hearing") before an Administrative Law Judge of the Division of Administrative Hearings. I specifically dispute the following paragraphs in the Administrative Complaint (attach extra pages or write on the back if needed):

I'm not a Theft, and I'm not a cheater, because the pot was awarded to me, and no one knows there is an error. I was on the way to leave and →

In addition to the above election for formal hearing, if you wish to enter into settlement negotiations, check the box below:

Section 120.569(2)(a), Florida Statutes, requires the Department to send this case to the Division of Administrative Hearings (DOAH) for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement in order to enter into settlement negotiations with the Department.

Option (3)  I do not dispute the allegations of material fact in the Administrative Complaint and waive my right to any form of hearing. I request that a Final Order imposing a penalty and fines be entered in this case.

THIS IS A LEGALLY BINDING DOCUMENT. SEEK LEGAL ADVICE BEFORE SIGNING IF YOU DO NOT FULLY UNDERSTAND THE TERMS.

Brunel Borgella  
PRINTED NAME

5008 SW 18 Street  
Street Address

West park FL 33023  
City State Zip

[Redacted]  
Telephone Number Facsimile Number (if any)

[Redacted]

Brunel Borgella  
E-mail SIGNATURE

\_\_\_\_\_  
ATTORNEY OR QUALIFIED REPRESENTATIVE

\_\_\_\_\_  
Street Address (where service shall be made)

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Telephone Number Facsimile Number (if any)

\_\_\_\_\_  
E-mail

THE ELECTION OF RIGHTS FORM AND ANY ATTACHMENTS SHOULD BE RECEIVED BY THE COMMISSION WITHIN 21 DAYS AND SENT TO:

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Florida Gaming Control Commission  
2601 Blair Stone Road, Tallahassee, FL 32399-2202  
**Attention: Ebonie N. Lanier, Administrative Assistant III**  
Telephone: (850) 717-1663 Fax: (850) 921-1311  
Email: Ebonie.Lanier@fgcc.fl.gov

See the back for rest of statements.

go home, to me it's was my last hand to  
leave, so while leaving someone say it's a  
mistake they pay me already. While getting off  
the table the rack almost fall, some chips  
fall on the floor, and I trying to pick them  
up it was mine at that times, how can I  
still something that mine. after the floor  
came in. I was already take my chips. there  
was no chip on my shoes. after the floor  
ask me and tell me the pot missing \$100 because  
the pot was in my position while I get rewarded  
by error. I give the ~~to~~ \$100 dollars cash from  
my pocket because I did not have any chip on  
me. in order to get that finish. because I was  
on the hurry I must leave to pick up my kids  
the lifetime exclusion is wrong and abused.  
I'm not a cheater or theft. check my record  
please. I requested please to be reinstated.  
this is the 1<sup>st</sup> time I have been on a situation  
like that. Signe ~~Shunel~~ Borgelle

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

AMENDED ELECTION OF RIGHTS

FGCC v. BRUNEL BORGELLA

CASE NO.: 2022-027613

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

**Option (1)**  I do not dispute the allegations of material fact in the Administrative Complaint. I wish to submit oral and written evidence in mitigation at a hearing pursuant to Section 120.57(2), Florida Statutes ("informal hearing") and that this oral and written evidence be considered before any penalty and fines are imposed.

**Option (2)**  I do dispute the allegations of material fact in the Administrative Complaint. This is a petition for a hearing involving disputed material facts pursuant to Sections 120.569(2)(a) and 120.57(1), Florida Statutes, ("formal hearing") before an Administrative Law Judge of the Division of Administrative Hearings. I specifically dispute the following paragraphs in the Administrative Complaint (attach extra pages or write on the back if needed):

---

In addition to the above election for formal hearing, if you wish to enter into settlement negotiations, check the box below:

Section 120.569(2)(a), Florida Statutes, requires the Department to send this case to the Division of Administrative Hearings (DOAH) for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement in order to enter into settlement negotiations with the Department.

**Option (3)**  I do not dispute the allegations of material fact in the Administrative Complaint and waive my right to any form of hearing. I request that a Final Order imposing a penalty and fines be entered in this case. The Final Order will be placed on the next available Florida Gaming Control Commission Meeting. Respondent is not required to attend, but may check the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov) for the meeting materials, agenda, and contact information.

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\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
ATTORNEY OR QUALIFIED REPRESENTATIVE

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address (where service shall be made)

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Telephone Number Facsimile Number (if any)

\_\_\_\_\_  
Telephone Number Facsimile Number (if any)

\_\_\_\_\_  
E-mail

\_\_\_\_\_  
E-mail

\_\_\_\_\_  
SIGNATURE

**THE ELECTION OF RIGHTS FORM AND ANY ATTACHMENTS SHOULD BE RECEIVED BY THE COMMISSION WITHIN 21 DAYS AND SENT TO:**

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Telephone: (850) 717-1663 Fax: (850) 921-1311  
Email: [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov)

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

**EXPLANATION OF THE ELECTION OF RIGHTS**

Please read the Administrative Complaint before choosing one of the three options. The Election of Rights is a **legally binding** document. Consult an attorney or call the Commission's attorney named in the cover letter if you do not understand your options.

You can only select **ONE** of the options numbered (1), (2) and (3) on the Election of Rights form. You must sign the form. The form must be **received** by the Commission at the address at the bottom of the form within 21 days after the date **you receive** the complaint.

The three options are:

1. Check option (1) if you **do not dispute** any material fact alleged in the Administrative Complaint. You will be given a hearing pursuant to Section 120.57(2), Florida Statutes ("informal hearing") and have the opportunity to present written and oral evidence in mitigation at the informal hearing.

2. Check option (2) if you **do dispute** any material fact alleged in the Administrative Complaint. This is considered a petition for an evidentiary administrative hearing ("formal hearing") pursuant to Sections 120.569(2)(a) and 120.57(1), Florida Statutes, and requires the Department to send this case to the Division of Administrative Hearings (DOAH) within 15 days of your completed petition requesting a formal hearing. This election is made by checking the box marked (2) on the Election of Rights. Pursuant to Rule 28-106.201, F.A.C., you must also state which material fact(s) alleged in the Administrative Complaint you dispute. Please use the space provided on form, and attach any additional pages or use the back of the form if needed.

**After** electing option (2) explained above and **regardless** of whether you dispute any material fact alleged in the Administrative Complaint, you may **also** request the opportunity to discuss settlement of the case pursuant to Section 120.57(4), Florida Statutes.

3. Check option (3) if you **do not dispute** any material fact and waive your right to any form of hearing. This means that the Department will recommend a penalty on the charges set forth in the Administrative Complaint without input from you.

If the Department does not **receive** your Election of Rights within **21** days after you **receive** the Administrative Complaint, this will be considered a waiver of your right to elect any form of hearing and a Final Order may be entered against you imposing a penalty and fines.

**YOU MUST LET THE COMMISSION KNOW IF YOUR MAILING ADDRESS CHANGES**

**THE ELECTION OF RIGHTS FORM AND ANY ATTACHMENTS SHOULD BE RECEIVED BY THE COMMISSION WITHIN 21 DAYS AND SENT TO:**

Office of the General Counsel  
Florida Gaming Control Commission  
2601 Blair Stone Road, Tallahassee, FL 32399-2202  
**Attention: Ebonie N. Lanier, Administrative Assistant III**  
Telephone: (850) 717-1663 Fax: (850) 921-1311  
Email: Ebonie.Lanier@fgcc.fl.gov



**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.: 2022-027613**

**BRUNEL BORGELLA,**

**Respondent.**

---

**ADMINISTRATIVE COMPLAINT**

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Brunel Borgella (“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 5008 Southwest 18th Street, Hollywood, Florida 33023.
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 May 31, 2022, Respondent was a patron of Big Easy Casino.
5. On or about June 6, 2022, Respondent was 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 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).

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 division 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 division. The division 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 her ejection from Big Easy Casino on or about June 6, 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 2022-027613 is signed this 24th day of August, 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.



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>90 Closed</b>                | Status Date  | <b>08/09/2022</b> |
| Complaint # | <b>2022027613</b>                   | Case Type   | <b>CMP - Complaint</b>          | Disposition  | Disposition Date  |
| Docket#     | Respondent <b>BORGELLA, BRUNEL</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"/> Parties                | <input checked="" type="checkbox"/> Activities  |
| Form      | <b>INTR - Internal</b>  | Priority       |                    |   |   |
| Class'n   | <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>05/31/2022</b>  | <input type="checkbox"/> Violations             | <input type="checkbox"/> Compliance             |
| Region    | <b>SR - Southern Region</b>   | Received       | <b>06/06/2022</b>  | <input type="checkbox"/> Related                | <input checked="" type="checkbox"/> Disposition |
| Reference | <b>61D-11.005(4)(a-c)</b>   |                |                    | <input type="checkbox"/> Inspection             |   |
| Entered   | <b>06/06/2022</b>   | Entered By     | <b>Imuniz</b>      | <input type="checkbox"/> Costs                  |   |
| Summary   | <p><b>144-831 Federal Highway Acquisition, LLC ----- / ----- . Prohibitions: On May 31, 2022 while playing poker at the Big Easy BORGELLA was temporarily awarded a pot in error. Because the cards had already been mucked, to resolve the situation the Surveillance Department was called to conduct a review. During the time the situation was under review, BORGELLA removed an undetermined amount of green \$25 chips from the pot placing them in his shoe. The theft was discovered during the surveillance review. When confronted BORGELLA "paid back" with a \$100 bill; while retaining an unknown amount of green chips in his shoe. A lifetime exclusion was conveyed to BORGELLA on June 6, 2022 by Big Easy Security.</b></p> |                |                    | <input type="checkbox"/> Time Tracking          | Auto Assign                                     |
|           |   |                |                    | <input type="checkbox"/> Attachments            | History   |
|           |   |                |                    | <input type="checkbox"/> Work Notes             | Print Report                                    |
| Updated   | <b>08/09/2022 13:51:40</b>  |                | By <b>Imuniz</b>   |   |   |

|    |        |      |    |        |      |
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| 64 | Change | Save | OK | Cancel | Back |
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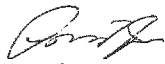

Get Adobe Reader.

Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**INVESTIGATIVE REPORT**

|   |                         |   |                                      |
|---|-------------------------|---|--------------------------------------|
| Office:<br><b>PMW</b>   | Region:<br><b>SOUTH</b> | Date of Complaint:<br><b>JUNE 06, 2022</b>  | Case Number:<br><b>2022 02 7613</b>  |
| Respondent:<br><b>BORGELLA, BRUNEL<br/>5008 SW 18<sup>TH</sup> STREET<br/>HOLLYWOOD, FLORIDA 33023</b>  |                         | Complainant:<br><b>DIVISION OF PARI-MUTUEL WAGERING<br/>OFFICE OF INVESTIGATIONS<br/>1400 WEST COMMERCIAL BOULEVARD, SUITE 165<br/>FORT LAUDERDALE, FLORIDA 33309</b> |                                      |
| License # and Type:<br><b>N/A</b>   |                         | Profession:<br><b>PATRON</b>  | Report Date:<br><b>July 27, 2022</b> |
| Period of Investigation:<br><b>May 31, 2022 to July 27, 2022</b>  |                         | Type of Report:<br><b>FINAL</b>   |                                      |
| <p><b>Alleged Violation: 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. &amp;</p> <p><b>F.S.S. 550.0251 (6) The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. –</b></p> <p>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 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> On May 31, 2022 while playing poker at the Big Easy <b>BORGELLA</b> was temporarily awarded a pot in error. Because the cards had already been mucked, to resolve the situation the Surveillance Department was called to conduct a review. During the time the situation was under review, <b>BORGELLA</b> removed an undetermined amount of green \$25 chips from the pot placing them in his shoe. The theft was discovered during the surveillance review. When confronted, <b>BORGELLA</b> "paid back" with a \$100 bill; while retaining an unknown amount of green chips in his shoe. A lifetime exclusion was conveyed to <b>BORGELLA</b> on June 6, 2022 by Big Easy Security.</p>   |                         |   |                                      |
| <b>Related Case:</b>  |                         |   |                                      |
| Investigator / Date<br><br>William Smith / July 27, 2022   |                         | Investigator Supervisor / Date<br><br>Bradford D. Jones / August 9, 2022          |                                      |
| Chief of Investigations / Date<br><br>Bradford D. Jones for<br>Steven E. Kogan / August 9, 2022  |                         |   |                                      |

## CONTINUATION

At issue in reference to this case the fact that **BORGELLA** was temporarily awarded the pot. This means that for a time, during the surveillance review he could be considered the “owner” of the chips. The **BIG EASY’S** position on this matter is that the universal rules of Poker and Table Games and require proper etiquette apply. As such, “...*no player may withdraw chips from the table, or return chips to the banker, until they leave the game.*”<sup>1</sup> Removal of one’s own chips during play is considered cheating. Therefore according to The Big Easy if **BORGELLA** was not involved in theft, at the very least he cheated. The Big Easy determined that a Lifetime Exclusion was appropriate in this case and **Mr. BORGELLA** was informed of his exclusion on June 6, 2022 (**EXHIBIT #3**).

This Investigator reviewed the Big Easy Surveillance Report related to the incident (**EXHIBIT #1**), discussed the action with Surveillance Operators and Big Easy Poker Management. I also conducted my conformational review of the video and found the facility interpretation of the event to be accurate (**EXHIBIT #2**).

**Conclusion:** As a result of his actions **BORGELLA** has been Lifetime Excluded from The Big Easy Casino. This investigation has determined **BOGELLA** violated 61D-11.005(4) by committing an act of theft or an act of cheating. Having been excluded by a gaming facility licensed by this Division, **BORGELLA** can be considered for statewide exclusion from all Florida Pari-Mutual facilities under **F.S.S. 550.0251(6)**.

**Status:** Closed by Investigations and forwarded to Legal for review.

---

<sup>1</sup> *Bicycle Playing Cards – How to Play Poker* <https://bicyclecards.com/how-to-play/basics-of-poker/#:~:text=In%20table%20stakes%2C%20no%20player,beginning%20of%20the%20next%20deal.>

**TABLE OF CONTENTS**

- I. INVESTIGATIVE REPORT COVERSHEET .....
- II. INVESTIGATIVE REPORT .....
- III. EXHIBITS
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  - 2. Thumb Drive.....1-2
  - 3. Lifetime Exclusion ordered E-Mail.....1-1



# Incident Report

---

Incident Number: INCD-2022-06-00045

Class/Category: 23. Trespass/

Occurred From Date/Time: 5/31/2022 13:19

Status: Open

**EXHIBIT #** 1  
**PAGE #** 1

Incident Number: INCD-2022-06-00045

Incident Category: 23. Trespass

Status: Open

## Incident Details

### Incident Details

Incident Number: INCD-2022-06-00045

#### Classification

Class: 23. Trespass

Reported Date/Time: 6/6/2022 13:10

Occurred From Date/Time: 5/31/2022 13:19

Occurred To Date/Time: 5/31/2022 13:49

Incident Duration: 0Hrs. 30Min.

#### Summary:

Guest issued lifetime ejection for taking chips from a pot.

#### Physical Location

Site: The Big Easy Casino

Building: Interior

Location: 1st Floor

Section: Poker Room

### Supplemental Details

Reported to Police: No

Reported to Division: No

Reported to Supervisor: No

Follow-up Required: No

## Incident Involvement Section

Linked Person

Total = 6

Owner Workgroup:  
Surveillance

Access Level:  
Level 4

Local Print Date/Time:  
6/13/2022 11:24

**EXHIBIT #** (Page 1 of 6)  
**PAGE #** 2

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Incident Number: INCD-2022-06-00045

Category: 03 - Trespass

Status: Open

### Investigation Details

Investigation Start Date:

Investigation Last Review Date:

Investigation Duration: 0

Investigation Closed Date:

Total Time Spent: 0 Hrs. 0 Min.

Investigation Initiated By Person:

Total Expenses:

Investigation Comments:

## Incident Controls

### Incident Controls

Org Rollup Name

Access Level: Level 4

Org Level 1:

Status: Open

Org Level 2:

Disposition:

Org Level 3:

Expiry Date:

Org Level 4:

Locked: No

Archive (record not visible): No

Record Owner: Kern, Nathan

### Incident Visibility

Owner Workgroup: Surveillance

Exceptions:

Workgroup Name

Record Rights

All Workgroups: Update



Incident Record Created By Nkern, 6/6/2022 17:49 GMT

Last Modified By gwilliams, 6/10/2022 20:35 GMT

Owner Workgroup:  
Surveillance

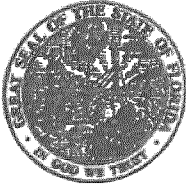
Access Level:  
Level 4

Local Print Date/Time:  
6/13/2022 11:24

**EXHIBIT # 1**  
**PAGE # 7**

Page 6 of 6

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**State of Florida  
Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
Investigations Section**

**PROPERTY RECEIPT**

Complaint # 2022027613 Date 6/13/22 Lab # \_\_\_\_\_

| Item No. | Quantity | Description              |
|----------|----------|--------------------------|
| 1        | 1        | Thumb Drive Brunel       |
|          |          | Burgella - Theft / Cheat |
|          |          |                          |
|          |          |                          |
|          |          |                          |
|          |          |                          |
|          |          |                          |
|          |          |                          |

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

Signature \_\_\_\_\_

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

*[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

EXHIBIT # 2  
PAGE # 1





## Surveillance Department Property/Chain of Custody Receipt

|   |   |  |
|---|---|--|
| <b>Incident Report # (if applicable)</b><br>INCD #2022-06-00054                                   | <b>Date/Time of occurrence</b><br>05/31/2022 @ 1324HRS  | <b>Type of Incident</b><br>Trespass  |
| <b>Surveillance Supervisor Name That Was On Duty:</b><br>Gavin Williams                           |   |  |
| <b>Item #</b>   | <b>Quantity</b>   | <b>Description</b>   |
| N/A   | 1   | <b>Borgella Brunel was awarded the pot wrongfully, and upon the floor collecting the chips for an investigation, he can be seen takes a few chips in his hand.</b> |
|   |   |  |
|   |   |  |
|   |   |  |
|   |   |  |
|   |   |  |
|   |   |  |
|   |   |  |
|   |   |  |
|   |   |  |
|   |   |  |
|   |   |  |
| <b>I hereby acknowledge that the above list represents all property taken from my possession.</b> | <b>I hereby acknowledge that the above list represents all property received by me in to the surveillance department.</b> |  |
| Supervisor Name <u>Gavin Williams</u>   | Supervisor Name _____   |  |
| Supervisor Signature  | Supervisor Signature _____  |  |

EXHIBIT # 2  
PAGE # 2

|                         |                            |   |
|-------------------------|----------------------------|---|
| <b>Received by:</b><br> | <b>Reason:</b><br>Evidence | <b>Date/Time Received:</b><br>6/13/22 11:30 |
|-------------------------|----------------------------|---|

William T Smith Investigator

**Tammy McArthur**

---

**From:** Jason Miller  
**Sent:** Tuesday, May 31, 2022 6:04 PM  
**To:** David Litvin; Tammy McArthur  
**Cc:** Jeff Labeach; Edward Toussaint; Leslie Mims; Maurice Brantley; Carlos Ulloa; Leotis Dorsett; Erick Rojas  
**Subject:** Lifetime Ejection Brunel Borgella

A lifetime exclusion is to be issued to Brunel Borgella # 233443 for stealing. On 5/31/22 Brunel was observed from surveillance putting chips into his shoe from a pot while involved in a hand on table #28.

If you have any questions please feel free to contact me.

Thanks,  
Jason

**EXHIBIT # 3**  
**PAGE # 1**

FAQ | Help | Sign Out

|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|

Complaint Search    Change Recording License Type    Delete Complaint    Mass Activity Update    Mass Discipline  
 Update    Mass Status Update    Public Case Info

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Imuniz

VR Home > Complaint Search > Maintain Complaint

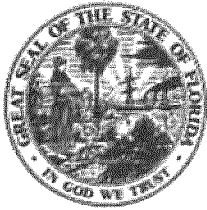
|             |                                     |             |                                |              |                   |
|-------------|-------------------------------------|-------------|--------------------------------|--------------|-------------------|
| Lic Type    | <b>1098 - Unlicensed Complaints</b> | Status      | <b>20 Under Investigation</b>  | Status Date  | <b>06/07/2022</b> |
| Complaint # | <b>2022027613</b>                   | Case Type   | <b>CMP - Complaint</b>         | Disposition  | Disposition Date  |
| Docket#     | Respondent <b>BORGELLA, BRUNEL</b>  | Responsible | <b>wsmith - SMITH, WILLIAM</b> | Private Case |                   |

|           |            |             |            |
|-----------|------------|-------------|------------|
| 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       |                    |   |   |  |
| Class'n   | <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>05/31/2022</b>  | <input type="checkbox"/> Violations             | <input type="checkbox"/> Compliance             |  |
| Region    | <b>SR - Southern Region</b>   | Received       | <b>06/06/2022</b>  | <input type="checkbox"/> Related                | <input checked="" type="checkbox"/> Disposition |  |
| Reference | <b>61D-11.005(4)(a-c)</b>   |                |                    | <input type="checkbox"/> Inspection             |   |  |
| Entered   | <b>06/06/2022</b>   | Entered By     | <b>Imuniz</b>      | <input type="checkbox"/> Costs                  |   |  |
| Summary   | <p><b>144-831 Federal Highway Acquisition, LLC ----- / ----- . Prohibitions: On May 31, 2022 while playing poker at the Big Easy BORGELLA was temporarily awarded a pot in error. Because the cards had already been mucked, to resolve the situation the Surveillance Department was called to conduct a review. During the time the situation was under review, BORGELLA removed an undetermined amount of green \$25 chips from the pot placing them in his shoe. The theft was discovered during the surveillance review. When confronted BORGELLA "paid back" with a \$100 bill; while retaining an unknown amount of green chips in his shoe. A lifetime exclusion was conveyed to BORGELLA on June 6, 2022 by Big Easy Security.</b></p> |                |                    |   | <input type="checkbox"/> Time Tracking          | <input type="button" value="Auto Assign"/> |
| Updated   | <b>06/06/2022 16:19:50</b>  | By             | <b>Imuniz</b>      | <input type="checkbox"/> Attachments            | <input type="button" value="History"/>          |  |
|           |   |                |                    | <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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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: MAY 31, 2022

PMW     Cardroom     Slot

Violation     Incident     Complaint

FACILITY NAME: 831 FEDERAL HIGHWAY ACQUISITION, LLC      LIC #: 144

**RESPONDENT**

**NAME:** BORGELLA, BRUNEL  
 Address: 5008 SW 18<sup>TH</sup> Street, Hollywood, FL 33023      Tel \_\_\_\_\_  
**LIC #:** N/A      **LIC TYPE:** 1098      **OCCUPATION:** Unknown

**COMPLAINANT**

**NAME:** \_\_\_\_\_      Tel #: \_\_\_\_\_  
 Address: \_\_\_\_\_  
**LIC #:** \_\_\_\_\_      **LIC TYPE:** \_\_\_\_\_      **OCCUPATION:** \_\_\_\_\_

**VIOLATION(S) / TITLE(S): SPECIFIC RULE: 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.  
 (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.

**DESCRIPTION:** On May 31, 2022 while playing poker at the Big Easy **BORGELLA** was temporarily awarded a pot in error. Because the cards had already been mucked, to resolve the situation the Surveillance Department was called to conduct a review. During the time the situation was under review, **BORGELLA** removed an undetermined amount of green \$25 chips from the pot placing them in his shoe. The theft was discovered during the surveillance review. When confronted **BORGELLA** "paid back" with a \$100 bill; while retaining an unknown amount of green chips in his shoe. A lifetime exclusion was conveyed to **BORGELLA** on June 6, 2022 by Big Easy Security.

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_  
 (Title of State Employee)

William Smith            06-06-22  
 \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_  
 (Print Name)      (Signature)      (Date)

**Muniz, Luz**

---

**From:** Jones, Bradford  
**Sent:** Monday, June 6, 2022 3:57 PM  
**To:** Muniz, Luz  
**Cc:** Kogan, Steven; Smith, William  
**Subject:** OPEN CASE REQUEST  
**Attachments:** OPEN CBORGELLA BRUNEL - THEFT BIG EASY.DOCX

Hi Luz,

This is approved. Please open a case and assign it to Bill Smith.

Thank you!



**Bradford D. Jones**  
Investigations Supervisor  
Florida Department of Business and Professional Regulation  
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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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Kelly Delaynes Jones v. FGCC; Case No. 2022-037934; License Denial  
Date: November 22, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to adopt the hearing officer's recommended order revoking Kelly Delaynes Jones's ("Respondent") Pari-Mutuel Wagering Professional Individual Occupational License. On July 13, 2022, Respondent was convicted of a felony offense. On August 24, 2022, the Division filed an Administrative Complaint seeking to revoke Respondent's License. On September 15, 2022, Respondent requested an informal hearing pursuant to section 120.57(2), Florida Statutes. A hearing was held on October 19, 2022. Following the hearing, the hearing officer recommended revoking Respondent's license. Therefore, the Florida Gaming Control Commission should adopt the hearing officer's recommended order and revoking Respondent's Pari-Mutuel Wagering Professional Individual.

### *Pertinent Facts*

On July 13, 2022, Respondent was convicted of Grand Theft, in Hernando County Florida. Respondent did not inform the Division of this felony offense within 48 hours. Based on this conviction, the Division served Respondent with an administrative complaint seeking revocation of her Pari-Mutuel Wagering Professional Individual Occupational License. Respondent requested an informal hearing.

At the informal hearing held on October 19, 2022, Applicant testified to the circumstances that led to this conviction. Following the hearing, the hearing officer issued a recommended order revoking Respondent's license.

### *Relevant Law*

Section 550.105(5)(b), Florida Statutes, provides, that the commission may suspend or revoke any occupational license if the applicant has been convicted of a felony offense.<sup>1</sup> Section 550.105(10)(d), Florida Statutes, provides that each licensee shall inform the Division, within 48 hours, “if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.” Accordingly, Respondent license can be revoked or suspended based on the felony offense and Respondent’s failure to inform the Division of this conviction within 48 hours.

Staff Recommendation: The Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission adopt the hearing officer’s recommended order in case number 2022-037934.

---

<sup>1</sup> Section 550.105(5)(d), Florida Statutes, provides the term “convicted” means “having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.”



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.: 2022-037934

KELLY DELAYNES JONES,

Respondent.

\_\_\_\_\_ /

RECOMMENDED ORDER

THIS MATTER came before Elizabeth K. Stinson, designated Hearing Officer for the Florida Gaming Control Commission (“Commission”), on October 19, 2022, in Tallahassee, Florida, in accordance with the provisions of Sections 120.569 and 120.57(2), Florida Statutes, for consideration of the Commission’s Administrative Complaint filed against Kelly Delaynes Jones (“Respondent”), in FGCC Case Number 2022-037934 (“Administrative Complaint”). The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, offer items into evidence, and otherwise fully participate in the hearing.

PROCEDURAL HISTORY

1. On August 24, 2022, the Commission filed a two-count Administrative Complaint against Respondent alleging that Respondent is subject to suspension or revocation of her Pari-Mutuel Wagering Professional Individual Occupational License based on her July 13, 2022 conviction and Respondent’s failure to inform the Commission within 48 hours of the conviction.

2. On September 15, 2022, Respondent requested an informal hearing pursuant to Section 120.57(2), Florida Statutes.

The October 19, 2022, Informal Hearing

3. At the informal hearing on October 19, 2022, the Commission presented the issues raised in its Administrative Complaint. The Hearing Officer granted the Commission's motion to accept the Findings of Fact in the Administrative Complaint as the undisputed facts in the case and accepted the investigative report into the record.

4. At the hearing, Respondent testified about a variety of topics:

- a. Respondent explained she was unaware that she needed to notify the Commission about the conviction within 48 hours.
- b. Respondent stated that she is attempting to overturn the conviction because she does not believe she was guilty.
- c. Respondent stated that she has missed her appeal date, but is working with her attorney to come to another solution.
- d. When asked if she entered a plea of guilty, she stated that she did but she wished that she did not.
- e. Respondent stated that she made this plea because of her head injury from a 2021 traumatic accident.
- f. When asked if she has violated her probation, she stated that at least twice there has been drugs found in her urine sample. Respondent believes these drugs were due to her medication.
- g. Other than the violations of probation, Respondent stated that she has had no other arrest or legal trouble since the conviction.

### FINDINGS OF FACT

5. At all times pertinent to the allegations contained herein, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, number 6150858-1021, issued by Petitioner.

6. On or about July 13, 2022, Respondent was convicted of Grand Theft, a felony, in the Circuit Court of the Fifth Judicial Circuit in and for Hernando County, Florida, in case number 21-1824CF.

7. Respondent did not notify the Commission of her conviction within 48 hours.

### CONCLUSIONS OF LAW

8. The Hearing Officer has jurisdiction over this matter and the parties pursuant to Section 120.57(2), Florida Statutes.

9. The Commission has jurisdiction over this matter pursuant to Chapters 120 and 550, Florida Statutes.

10. Pursuant to Section 550.105(10)(d), Florida Statutes, each licensee shall inform the Commission, within 48 hours, "if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication."

11. Pursuant to Section 550.105(5)(b), Florida Statutes:

The commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the commission governing the conduct of persons connected with racetracks and frontons. In addition, the commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license

revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

12. Section 550.105(5)(d), Florida Statutes, provides the term “convicted” means “having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.”

13. Pursuant to Section 550.105(5)(b), Florida Statutes, Petitioner’s felony conviction is grounds for the Commission to revoke her license.

14. Additionally, in violation of Section 550.105(10)(d), Petitioner did not inform the Commission within 48 hours of her felony conviction.

15. Therefore, Respondent is subject to revocation of her Pari-Mutuel Wagering Professional Individual Occupational License based on her conviction on July 13, 2022.

16. There is competent substantial evidence to support the conclusions of law.

#### RECOMMENDED ORDER

Based upon the Findings of Fact and Conclusions of Law, it is hereby recommended that the Florida Gaming Control Commission issue a Final Order REVOKING Respondent’s Pari-Mutuel Wagering Professional Individual Occupational License.

Respectfully submitted this 21<sup>st</sup> day of November 2022.

*s/Elizabeth K. Stinson*

---

Elizabeth K. Stinson, Hearing Officer  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202

CERTIFICATE OF SERVICE

I hereby certify this 21<sup>st</sup> day of November, 2022, that a true copy of the foregoing has been provided by mail to:

**Kelly Delaynes Jones**  
36649 Covington Road  
Dade City, Florida 33525



\_\_\_\_\_  
Clerk of the Commission

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2022-037934

KELLY DELAYNES JONES,

Respondent.

\_\_\_\_\_ /

PROPOSED RECOMMENDED ORDER

THIS MATTER came before Elizabeth Stinson, designated Hearing Officer for the Florida Gaming Control Commission (“Commission”), on October 19, 2022, in Tallahassee, Florida, in accordance with the provisions of Sections 120.569 and 120.57(2), Florida Statutes, for consideration of the Commission’s Administrative Complaint filed against Kelly Delaynes Jones (“Respondent”), in FGCC Case Number 2022-037934 (“Administrative Complaint”). The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, offer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On August 24, 2022, the Commission filed a two-count Administrative Complaint against Respondent alleging that Respondent is subject to suspension or revocation of her Pari-Mutuel Wagering Professional Individual Occupational License based on her July 13, 2022 conviction and Respondent’s failure to inform the Commission within 48 hours of the conviction.

2. On September 15, 2022, Respondent requested an informal hearing pursuant to Section 120.57(2), Florida Statutes.

3. At the informal hearing on October 19, 2022, the Division presented the issues raised in its Administrative Complaint. The Hearing Officer granted the Division's motion to accept the Findings of Fact in the Administrative Complaint as the undisputed facts in the case, and accepted the investigative report into the record.

4. At the hearing, Respondent explained she was unaware that she needed to notify the Commission about the conviction within 48 hours.

5. Respondent stated that since the conviction, she is attempting to overturn the conviction because she does not believe she was guilty.

6. Respondent stated that she has missed her appeal date, but is working with her attorney to come to another solution.

7. When asked if she entered a plea of guilty, she stated that she did but she wished that she did not.

8. Respondent stated that she made this plea because of her head injury from a 2021 traumatic accident.

9. When asked if she has violated her probation, she stated that at least twice there has been drugs found in her urine sample. Respondent believes these drugs were due to her medication.

10. Other than the violations of probation, Respondent stated that she has had no other arrest or legal trouble since the conviction.

#### FINDINGS OF FACT

11. At all times pertinent to the allegations contained herein, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, number 6150858-1021, issued by Petitioner.

12. On or about July 13, 2022, Respondent was convicted of Grand Theft, a felony, in the Circuit Court of the Fifth Judicial Circuit in and for Hernando County, Florida, in case number 21-1824CF.

#### CONCLUSIONS OF LAW

13. The Hearing Officer has jurisdiction over this matter and the parties pursuant to Section 120.57(2), Florida Statutes.

14. The Commission has jurisdiction over this matter pursuant to Chapters 120 and 550, Florida Statutes.

15. Pursuant to Section 550.105(5)(b), Florida Statutes:

The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the division governing the conduct of persons connected with racetracks and frontons. In addition, the division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

16. Section 550.105(5)(d), Florida Statutes, provides the term “convicted” means “having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.”

17. Section 550.105(10)(d), Florida Statutes, provides each licensee shall inform the Division, within 48 hours, “if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.”



18. Therefore, Respondent is subject to revocation of her Pari-Mutuel Wagering Professional Individual Occupational License based on her conviction on July 13, 2022.

19. There is competent substantial evidence to support the conclusions of law.

PROPOSED RECOMMENDED ORDER

Based upon the Findings of Fact and Conclusions of Law, it is hereby requested that the Hearing Officer issue a Recommended Order REVOKING Respondent's Pari-Mutuel Wagering Professional Individual Occupational License.

This Proposed Recommended Order in FGCC Case Number 2022-037934 is submitted this 24th 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

CERTIFICATE OF SERVICE

I hereby certify this 24th day of October, 2022, that a true copy of the foregoing “Petitioner’s Proposed Recommended Order” has been provided by mail to:

**Kelly Delaynes Jones**  
36649 Covington Road  
Dade City, Florida 33525



September 30, 2022

Kelly Delaynes Jones  
36649 Covington Road  
Dade City, Florida 33525

RE: FGCC v. Kelly Delaynes Jones  
Case No.: 2022-037934

Dear Mr. Jones:

Enclosed please find a Notice of Hearing for the informal hearing that has been scheduled in the above-referenced case. **Your hearing is scheduled to be heard on Wednesday, October 19, 2022.** Please read the Notice of Hearing for more details about the date, time, location and instructions for the hearing. A copy of the Commission's case file has been mailed to your address of record. Please ensure that you have this case file available during the hearing, as you may need to refer to it throughout the hearing.

You may also provide written or oral evidence or have witnesses testify on your behalf. If you wish to provide any written evidence, please ensure it is provided to the Commission at least one week prior to the hearing date, so the Hearing Officer may have the opportunity to review it prior to the hearing. Please also provide the names and phone numbers of any witnesses you wish to speak on your behalf, if any.

**Please note:** We will be conducting the hearing telephonically; therefore, you will be contacted **between 10:00 AM and 1:00 PM (EST) at the following number: 352-424-2685.** If that number is incorrect, please contact me as soon as possible to notify me of the correct number at which to reach you. Failure to answer the telephone, promptly return a voicemail, or hold an open line will result in the hearing proceeding without you.

Below please find information about the informal hearing process:

1. The Informal Hearing is held on the date and time noted in the Notice of Hearing;
2. Approximately 14 to 21 days after the hearing, Proposed Recommended Orders, or recommendations for what the Hearing Officer's ruling should be, are sent to Hearing Officer;
3. Approximately 21 to 45 days after the Proposed Recommended Orders are submitted, the Hearing Officer will submit his or her recommended ruling to the Clerk of the Commission's office;
4. A Final Order will be issued within approximately 90 days after the date of the hearing. The Final Order is final agency action and will describe the resolution of your case.

Should you have any questions or need any assistance, please feel free to contact me via telephone or email at 850-717-1663 or [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov).

Sincerely,

/s/ Ebonie Lanier

Ebonie Lanier  
Administrative Assistant III

Enclosures: Notice of Hearing and Case File

JONES, KELLY DELAYNES  
Case No. 2022-037934  
Informal Hearing Packet

**Documents Included in Case File**

- Exhibit 1 ..... Notice of Hearing
- Exhibit 2 ..... Election of Rights
- Exhibit 3 ..... Administrative Complaint
- Exhibit 4 ..... Report of Investigation

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.: 2022-037934

KELLY DELAYNES JONES,

Respondent.

---

NOTICE OF TELEPHONIC HEARING

TO: Kelly Delaynes  
Jones 36649 Covington Road  
Dade City, Florida 33525  
kellyjonesRS@gmail.com

YOU ARE HEREBY NOTIFIED that the Commission's designated Hearing Officer will conduct a hearing in this matter, pursuant to Section 120.57(2), Florida Statutes. If you wish to present oral or written evidence, you must attend the hearing. The hearing is scheduled for **Wednesday, October 19, 2022, at 10:00 a.m. (Eastern Time). The Hearing Officer will call you at (352) 424-2685 sometime between 10:00 a.m. – 1:00 p.m. (EST).** Please be available to take the Hearing Officer's call. Failure to keep a telephone line open may result in the hearing proceeding without you.

You may elect to attend the hearing by video conference via GoToMeeting. To attend by video conference, you must contact the Commission by email at Ebonie.Lanier@fgcc.fl.gov or telephone at (850) 717-1663, at least five (5) days prior to your hearing date to set up the video conference. If you do not elect to attend by video conference, the hearing will automatically be held by telephone only.

If you cannot attend the hearing and wish to request a continuance for good cause, you must notify the Commission by email at Ebonie.Lanier@fgcc.fl.gov or telephone at (850) 717-1663 at least

five (5) days prior to your hearing date. Continuance requests made within five (5) days of the hearing can only be granted for emergencies.

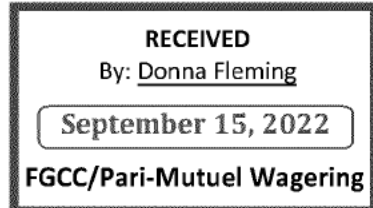
I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to: the above-named parties via certified mail, on this 30th day of September, 2022.

By: /s/ Ebonie Lanier  
Ebonie N. Lanier  
Administrative Assistant III  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1663  
Facsimile: (850) 921-1311  
Ebonie.Lanier@fgcc.fl.gov

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Ebonie Lanier at (850) 717-1663. If you are hearing or speech impaired, please contact the agency by calling 1-800-955-8771.



STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION



ELECTION OF RIGHTS

FGCC v. KELLY DELAYNES JONES

CASE NO.: 2022-037934

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option (1)  I do not dispute the allegations of material fact in the Administrative Complaint. I wish to submit oral and written evidence in mitigation at a hearing pursuant to Section 120.57(2), Florida Statutes ("informal hearing") and that this oral and written evidence be considered before any penalty and fines are imposed.

Option (2)  I do dispute the allegations of material fact in the Administrative Complaint. This is a petition for a hearing involving disputed material facts pursuant to Sections 120.569(2)(a) and 120.57(1), Florida Statutes, ("formal hearing") before an Administrative Law Judge of the Division of Administrative Hearings. I specifically dispute the following paragraphs in the Administrative Complaint (attach extra pages or write on the back if needed):

In addition to the above election for formal hearing, if you wish to enter into settlement negotiations, check the box below:

Section 120.569(2)(a), Florida Statutes, requires the Department to send this case to the Division of Administrative Hearings (DOAH) for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement in order to enter into settlement negotiations with the Department.

Option (3)  I do not dispute the allegations of material fact in the Administrative Complaint and waive my right to any form of hearing. I request that a Final Order imposing a penalty and fines be entered in this case. The Final Order will be placed on the next available Florida Gaming Control Commission Meeting. Respondent is not required to attend, but may check the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov) for the meeting materials, agenda, and contact information.

THIS IS A LEGALLY BINDING DOCUMENT. SEEK LEGAL ADVICE BEFORE SIGNING IF YOU DO NOT FULLY UNDERSTAND THE TERMS.

Kelly Delayne Jones  
PRINTED NAME

36649 Covington Road  
Street Address

Dade City, FL 33525  
City State Zip

[Redacted] Telephone Number  
[Redacted] Facsimile Number (if any)

E-mail

[Signature]  
SIGNATURE

John R. Council  
ATTORNEY OR QUALIFIED REPRESENTATIVE

10503 WALTERS Rd  
Street Address (where service shall be made)

Dade City FL  
City State Zip

352-567-5199 / 352-206-9011  
Telephone Number Facsimile Number (if any)

Council@NTWC.BIZ  
E-mail

[Signature]  
SIGNATURE

THE ELECTION OF RIGHTS FORM AND ANY ATTACHMENTS SHOULD BE RECEIVED BY THE COMMISSION WITHIN 21 DAYS AND SENT TO:

Office of the General Counsel  
Florida Gaming Control Commission  
2601 Blair Stone Road, Tallahassee, FL 32399-2202  
**Attention: Ebonie N. Lanier, Administrative Assistant III**  
Telephone: (850) 717-1663 Fax: (850) 921-1311  
Email: [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov)

**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.: 2022-037934

KELLY DELAYNES JONES,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Kelly Delaynes Jones (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to Chapter 550, Florida Statutes.
2. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, number 6150858-1021, issued by Petitioner.
3. On or about July 13, 2022, Respondent entered a plea of nolo contendere and was convicted of Grand Theft, a felony, in the Circuit Court of the Fifth Judicial Circuit in and for Hernando County, Florida, in case number 21-1824CF.

COUNT I

4. Petitioner realleges and adopts paragraphs numbered one through three as if set forth fully herein.
5. Pursuant to Section 550.105(5)(b), Florida Statutes:



The commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the commission governing the conduct of persons connected with racetracks and frontons. In addition, the commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

6. Section 550.105(5)(d), Florida Statutes, provides the term “convicted” means “having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.”

7. Based on the foregoing, Respondent is subject to suspension or revocation of her occupational license by entering a plea of nolo contendere and being convicted of Grand Theft, a felony, in Hernando County, Florida on July 13, 2022.

#### COUNT II

8. Petitioner realleges and adopts paragraphs numbered one through three as if set forth fully herein.

9. Respondent failed to notify Petitioner within 48 hours of her July 13, 2022 conviction for Grand Theft in Hernando County, Florida.

10. Pursuant to Section 550.105(10)(d), Florida Statutes, each licensee shall inform the Commission, within 48 hours, “if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.”

11. Based on the foregoing, Respondent violated Section 550.105(10)(d), Florida Statutes, by failing to inform the Division of her July 13, 2022 conviction for a disqualifying offense within 48 hours.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in Chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-037934 is signed this 22nd day of August, 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](#) | [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>08/18/2022</b>                     |
| Complaint # | <b>2022037934</b>  | Case Type  | <b>CMP Complaint</b>         | Disposition |                                       |
| Docket#     |  | Re pondent | <b>JONES, KELLY DELAYNES</b> | Re pon ible | <b>dwashingto - WASHINGTON, DEREK</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>CHIS - Criminal History</b>   | Complexity     | <b>R - Regular</b> | <input type="checkbox"/> Violations            | <input type="checkbox"/> Compliance             |
| Security  | <b>STND - Standard</b>   | Incident       | <b>07/13/2022</b>  | <input type="checkbox"/> Related               | <input checked="" type="checkbox"/> Disposition |
| Region    | <b>CR - Central Region</b>   | Received       | <b>08/04/2022</b>  | <input type="checkbox"/> Inspection            |   |
| Reference | <b>550.105.</b>  |                |                    | <input type="checkbox"/> Co t                  |   |
| Entered   | <b>08/05/2022</b>  | Entered By     | <b>icampbell</b>   | <input type="checkbox"/> Time Tracking         | <input type="button" value="Auto Assign"/>      |
| Summary   | <b>320 - Tampa Bay Downs, Inc. - Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines: Licensee Kelly Delaynes JONES, a Thoroughbred Owner at Tampa Bay Downs, and who holds a PMW Professional Individual Occupational License, (Lic# 6150858 / 1021), was convicted on July 13, 2022, of Felony Grand Theft. Upon her conviction, JONES failed to notify the Division of her conviction as required by Florida Statutes.</b> |                |                    | <input type="checkbox"/> Attachments           | <input type="button" value="History"/>          |
| Updated   | <b>08/19/2022 09:54:32</b>   | By             | <b>icampbell</b>   | <input type="checkbox"/> Work Notes            | <input type="button" value="Print Report"/>     |

|           |                                       |                                     |                                   |                                       |                                     |
|-----------|---------------------------------------|-------------------------------------|-----------------------------------|---------------------------------------|-------------------------------------|
| <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"/> |
|-----------|---------------------------------------|-------------------------------------|-----------------------------------|---------------------------------------|-------------------------------------|

[Get Adobe Reader.](#)

**ROUTING SLIP**

**CRIMINAL CONVICTION WHILE LICENSED**

RE: JONES, KELLY DELAYNES – 6150858  
(LICENSEE NAME – LICENSE #)

Case No: 2022 03 7934

Tampa Bay Downs  
Facility (d/b/a name)

Thoroughbred Owner  
Occupation/Job Title

Yes  No  
Notified by Licensee

**DATE OF CONVICTION:**

**JULY 13, 2022**  
(DATE)

Investigations Section:  
Reviewed by Steve Kogan



August 18, 2022  
(Initial & Date)

ARCI CHECKED

Yes \_\_\_\_\_  
No \_\_\_\_\_

The attached file has been reviewed for completeness and accuracy, and has been forwarded to the Licensing Section.

**Licensing Section:**

Reviewed/Forwarded to legal by David Donaldson \_\_\_\_\_  
(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 \_\_\_\_\_

Comments: \_\_\_\_\_

**Investigative Findings:**

November 28, 2021      Hernando County Sheriff's Office, FL. – Grand Theft - Felony - Pled Nolo Contendere – Adjudication Withheld on July 13, 2022 – Sentenced to 24 months' Probation, fined \$1056 and \$310 in restitution.

Thoroughbred Owner

\* Please attach Routing Slip to front of case file.

Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

|   |                           |  |  |
|---|---------------------------|--|--|
| Office:<br><b>PMW</b>   | Region:<br><b>Central</b> | Date of Complaint:<br><b>August 4, 2022</b>  | Case Number:<br><b>2022 03 7934</b>    |
| Respondent:<br><br><b>JONES, KELLY DELAYNES</b><br>36649 Covington Road<br>Dade City, Florida 33525<br><br>[REDACTED]   |                           | Complainant:<br><br><b>Division of Pari-Mutuel Wagering</b><br><b>Office of Investigations</b><br><b>1400 West Commercial Boulevard, Suite 165</b><br><b>Ft. Lauderdale, Florida 33309</b> |  |
| License # and Type:<br><b>6150858 - 1021</b>  |                           | Profession:<br><b>Thoroughbred Owner</b>   | Report Date:<br><b>August 18, 2022</b> |
| Period of Investigation:<br><b>August 4, 2022 – August 18, 2022</b>   |                           | Type of Report:<br><b>FINAL</b>  |  |
| <p>Alleged Violation: <b>550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines — (5)(b)</b> The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the division governing the conduct of persons connected with racetracks and frontons. In addition, the division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.</p> <p><b>(d)</b> For purposes of this subsection, the term “convicted” means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.</p> <p><b>(10) (d)</b> Under penalty of perjury, each person who is licensed or who is fingerprinted as required by this section must agree to inform the division within 48 hours if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.</p> |                           |  |  |
| Synopsis: Licensee Kelly Delaynes <b>JONES</b> , a Thoroughbred Owner at Tampa Bay Downs, and who holds a PMW Professional Individual Occupational License, (Lic# 6150858 / 1021), was convicted on July 13, 2022, of Felony Grand Theft. Upon her conviction, <b>JONES</b> failed to notify the Division of her conviction as required by Florida Statutes.  |                           |  |  |
| Related Case:   |                           |  |  |
| Investigator Supervisor / Date<br><br><i>C. Derek Washington</i><br>/s/ C. Derek Washington / August 18, 2022   |                           | Chief of Investigations / Date<br><br><i>Steven E. Kogan</i><br>/s/ Steven Kogan / August 18, 2022   |  |

## CONTINUATION

On November 28, 2021, the Division received an Applicant Hit notification from the Florida Department of Law Enforcement (FDLE). The report indicated that on November 28, 2021, **JONES** was arrested by the Hernando County Sheriff's Office and charged with Grand Theft (Felony).

On November 29, 2021, PMW Operations Review Specialist Cyntoria Harris placed an Enforcement Alert on **JONES's** PMW Professional Individual Occupational license regarding the above offense (**Exhibit #2**).

A check of the Florida Comprehensive Case Information System (CCIS) indicated that **JONES** pled nolo contendere to the charge of Felony Grand Theft. She was sentenced to 24 months probation with Adjudication Withheld on July 13, 2022. In addition, **JONES** was fined \$1056 and ordered to pay \$310 in restitution (**Exhibit #3**).

**JONES** currently licensed until June 30, 2023 (**Exhibit #4**).

**JONES** is in violation of Florida Statutes 550.105 (b) & (10)(d) for her felony conviction and for failing to notify the Division of her felony conviction.

Status: Investigations case closed and case forwarded to Legal for review.

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II. INVESTIGATIVE REPORT .....

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    3. Court Dispositions..... 1-14

    4. JONES'S PMW License Information..... 1-1



PMW Occupational License Applicant Hit Routing Slip

RE: JONES, KELLY DELAYNES LICENSE NO: 6150858  
 (LICENSEE NAME)

APPLICANT HIT RECEIVED: 11/28/2021  
 (DATE)

Cyntoria Harris 320 - Tampa Bay Downs. Owner/Trainer

Applicant Hit ORS Facility (d/b/a name) Occupation/Job Title

Pursuant to Section 550.105(5)(a) The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

| Licensing Section Review   |   |
|--|---|
| Did the applicant self-report this conviction?   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <b>Conviction</b>  |   |
| <input checked="" type="checkbox"/> Felony   |   |
| <input type="checkbox"/> Misdemeanor – Gambling Related/Bookmaking   |   |
| <input type="checkbox"/> Animal Cruelty  |   |
| Is the applicant currently under suspension, has unpaid fines, or has been refused a license by any racing jurisdiction? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Cardroom Licenses, Professions 1012, 1031 and 1032 (Fraud, Larceny, Theft, etc.)                |   |
| <input type="checkbox"/> Other:  |   |
| <b>Comments:</b>   |   |
| 11/28/2021- Hernando County, Florida (Case #: 272021CF001824CFAXMX)  |   |
| Charge 1- Grand Theft (F)- Adjudication Withheld   |   |
| <input checked="" type="checkbox"/> Referred to Investigations   | Initials: <u>CH</u> Date: <u>7/26/22</u>                            |

|                               |   |   |                     |
|-------------------------------|---|---|---------------------|
| License Administrator Review: | <input type="checkbox"/> No Referral Required | <input checked="" type="checkbox"/> Forward to Investigations | Initials: <u>CH</u> |
|-------------------------------|---|---|---------------------|

EXHIBIT #1  
 PAGE 1-3

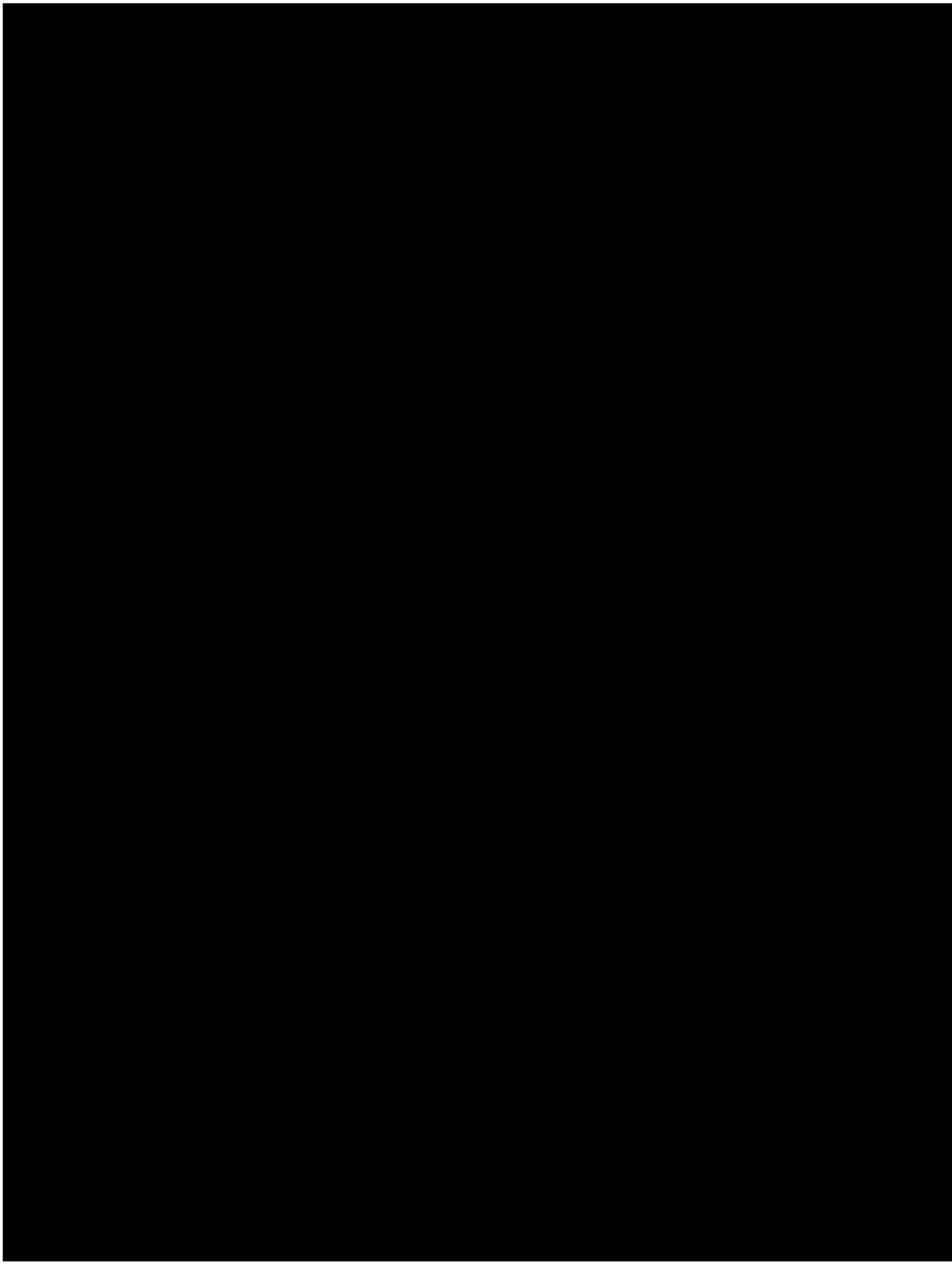




EXHIBIT #1  
PAGE 3-3

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651

|         |  |        |             |         |      |      |            |             |        |
|---------|--|--------|-------------|---------|------|------|------------|-------------|--------|
| VR Home |  | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report |
|---------|--|--------|-------------|---------|------|------|------------|-------------|--------|

License Search | Entity Search | Modify License Standing | Maintain License CE Control

Domain 10 **Pari-Mutuel Wagering**

Logged in as: **dwashingto**

VR Home Search > **Display Alerts**

|         |            |  |             |                   |
|---------|------------|--|-------------|-------------------|
| Fed Tax | Lic Type   | <b>1021 - PMW Professional Individual Occupational</b> | Expires On  | <b>06/30/2023</b> |
| File    | Name       | <b>JONES, KELLY DELAYNES</b>                           | Extended To |                   |
| License | Rank       | <b>PIND - Professional Individual Occupational</b>     | Renewed On  |                   |
| Entity  | Lic Status | <b>Current</b>   |             |                   |

| Descrip | Effective  | Notes                               | OK                                |
|---------|------------|-------------------------------------|-----------------------------------|
| Enforce | 11/29/2021 | <input checked="" type="checkbox"/> | <input type="button" value="OK"/> |

 Get Adobe Reader.

**EXHIBIT #2**  
**PAGE 1-2**

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: **dwashingto**

VR Home > License Search > Display Alerts > **Maintain License Modifiers - BASE\_CLONE**

Search Criteria | Results | Detail

Modifier Type **A - Alert**  
 Modifier **ENFO - Enforcemt Alert**  
 Effective **11/29/2021**  
 Expires -  
 Additional Info :  
 Prompt  
 Value **Applicant Hit**  
 Notes **Applicant must submit form DBPR PMW-3120 and provide court disposition records for the 11/28/2021 offense in Hernando County, Florida.**  
 Updated **11/29/2021 12:05:41**  
 By **charris**

Notes History  
 Change  
 Delete  
 Save  
 Cancel  
 < >

Add Back

Get Adobe Reader.



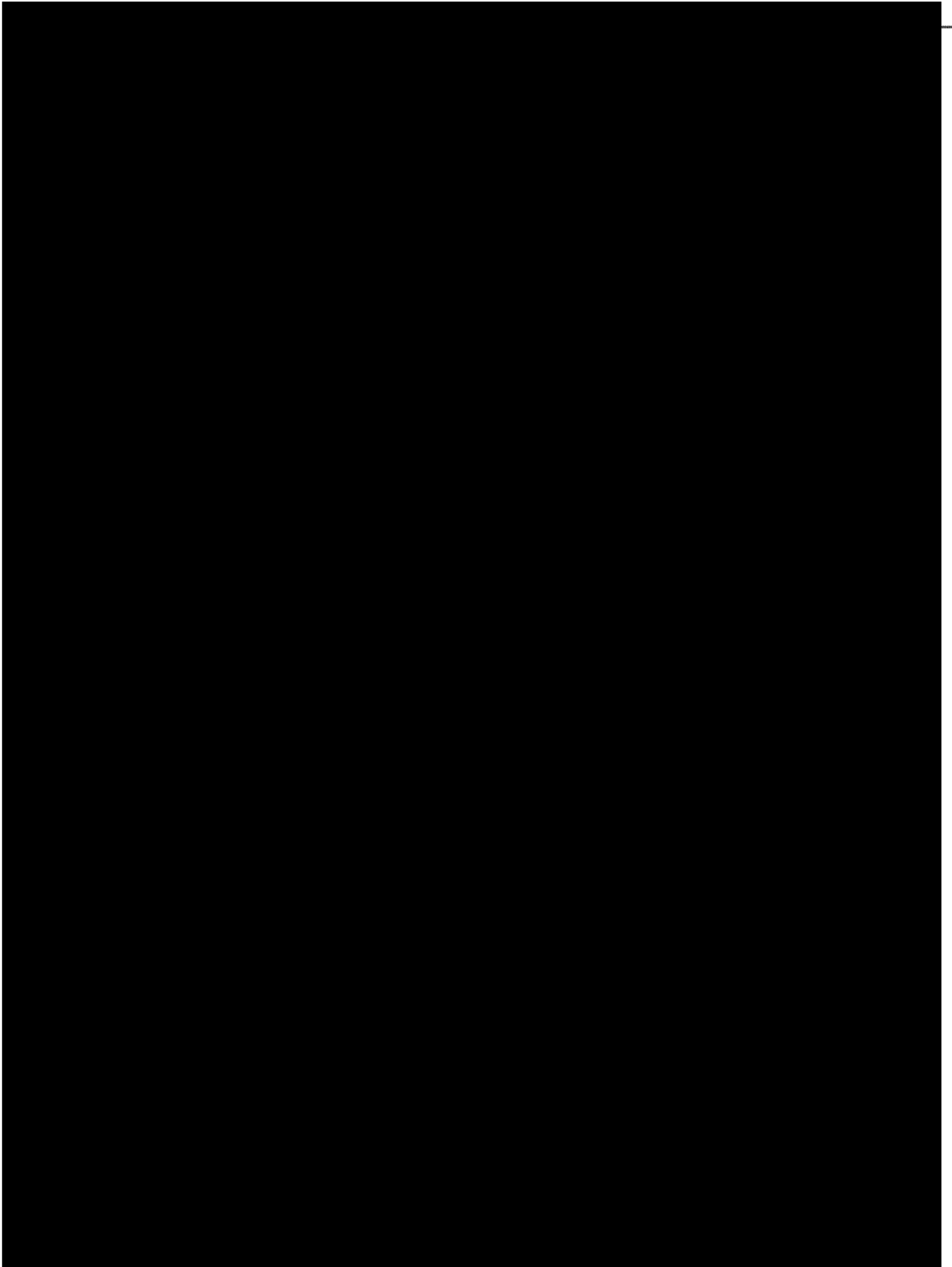














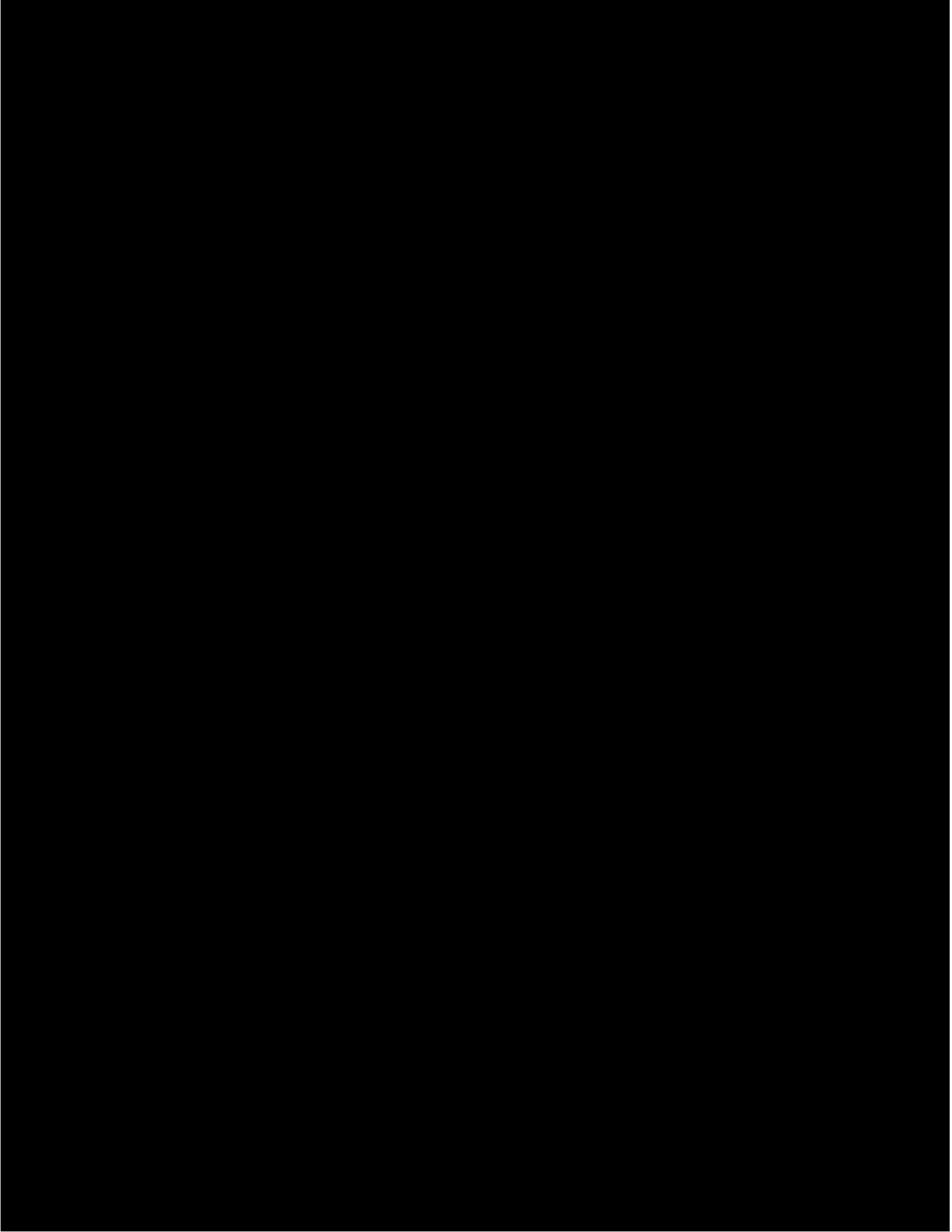


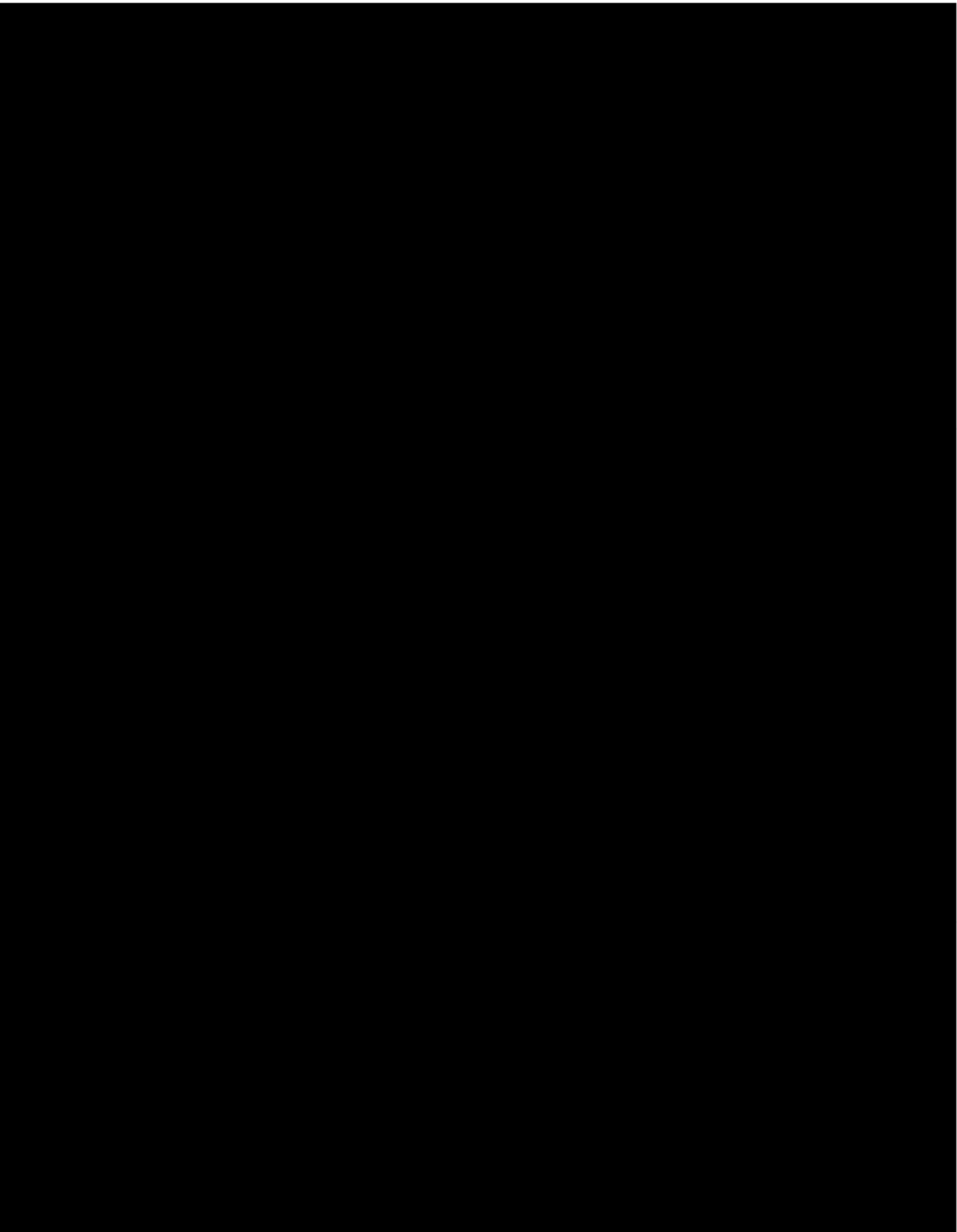


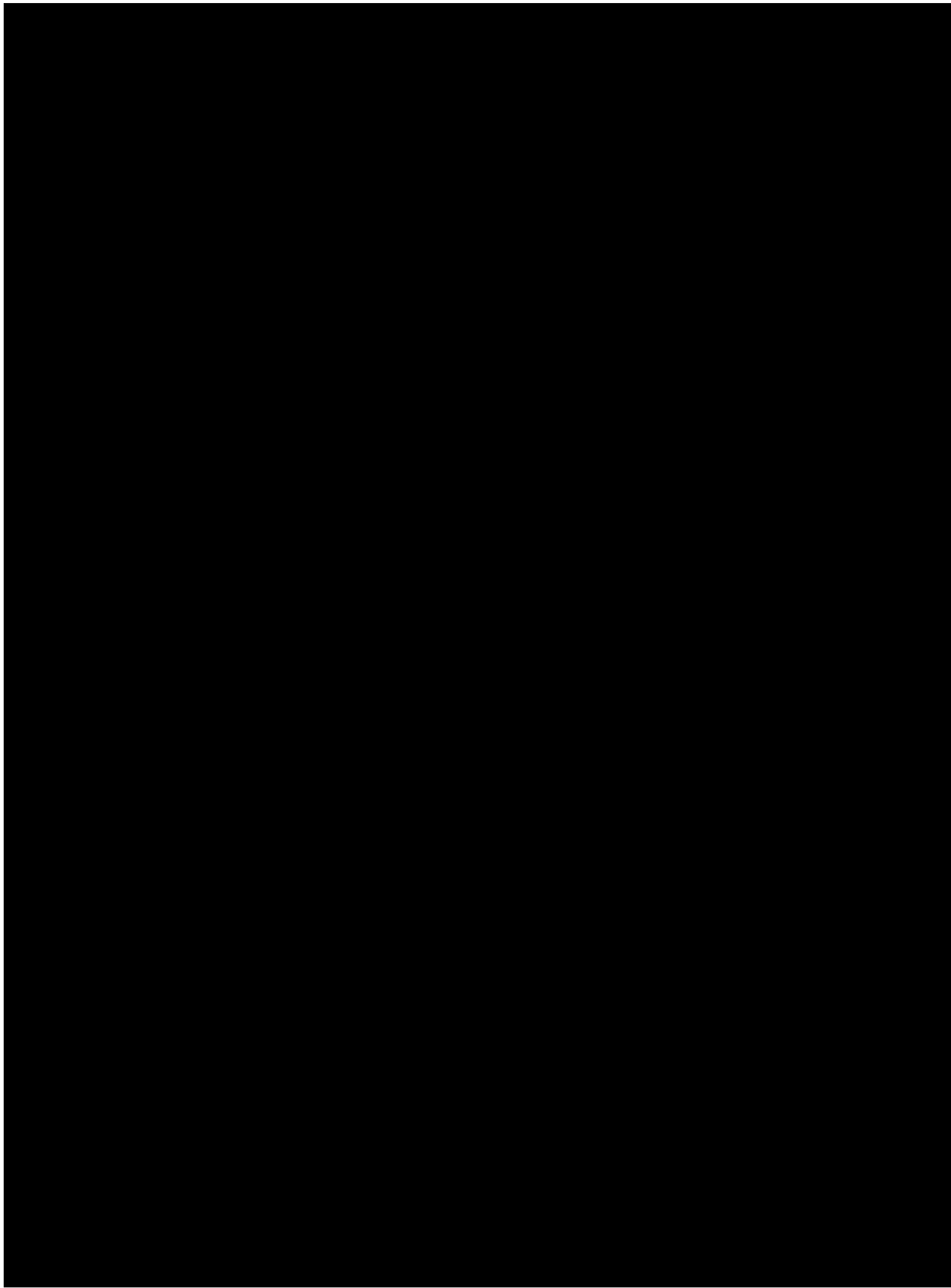












VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

License Search | Entity Search | Modify License Standing | Maintain License CE Control

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: icampbell

VR Home | Complaint Search | Maintain Complaint | License Home

**License**

Fed Tax # [REDACTED] Lic Type **1021 - PMW Professional Individual Occupational** Expire On **06/30/2023**

File # **40185** Name **JONES, KELLY DELAYNES** Extended To

License # **6150858** Rank **PIND - Professional Individual Occupational** Renewed On

Entity # **6150858** Lic Status **Current**

- Licensee
- History
- Notes
- Notes History
- Back

**Address**

Street # **36649** Street **COVINGTON RD.**

Line 2

Line 3

City **DADE CITY** State **FL** Zip **33525**

Routing

**Other**

1st License Date **01/05/2021** Rank Date **01/05/2021** Certificate #

Method **I-S-1024** Status Date **01/05/2021** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action   

**Modifiers**

| Type | Modifier                 | Effective Date | Additional Info |
|------|--------------------------|----------------|-----------------|
| A    | ENFO - Enforcement Alert | 11/29/2021     | Applicant Hit   |
| C    | ONTR - Owner/Trainer     | 12/19/2020     |                 |
| C    | TRNR - Trainer           | 04/01/2011     |                 |
| I    | TBRD - Thoroughbred      | 12/27/2005     |                 |
| L    | 320 - Tampa Bay Downs    | 12/19/2020     |                 |
| Y    | 3YR - 3 Year License     | 03/26/2003     |                 |

**Alt Key**

BEST LIC NBR **6150858**

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EXHIBIT #4

8.

# 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. Hunter Steven Jones Case Number 2022-020885; Default  
Final Order  
Date: November 23, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the revocation of Hunter Steven Jones's ("Respondent") Pari-Mutuel Wagering General Individual Occupational License based on his felony conviction. By failing to respond to the properly served administrative complaint, Respondent waived his right to request a hearing contesting the Division's decision. Therefore, the Florida Gaming Control Commission should enter a final order revoking Respondent's license.

### *Background*

On January 24, 2022, Respondent was convicted of the felony offense, Possession of Cocaine and Carrying a Concealed Weapon-Unlicensed Firearm, in Clay County, Florida. Respondent did not inform the Division of this felony offense within 48 hours.

Based on this conviction, the Division served Respondent with an administrative complaint seeking revocation of his Pari-Mutuel Wagering General Individual Occupational License via his probation officer. The election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days<sup>1</sup> to file a written response to the administrative complaint. The Respondent was served on August 4, 2022 which means the Respondent had until August 25, 2022 to respond. He has never responded.

### *Analysis*

Section 550.105(5)(b), Florida Statutes, provides, that the commission may suspend or revoke any occupational license if the applicant has been convicted of a felony

---

<sup>1</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.")

offense.<sup>2</sup> Section 550.105(10)(d), Florida Statutes, provides that each licensee shall inform the Division, within 48 hours, “if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.” Accordingly, Respondent license can be revoked or suspended based on the felony offense and Respondent’s failure to inform the Division of this conviction within 48 hours.

Because Respondent failed to file a timely response to the properly served administrative complaint, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order revoking Respondent’s General Individual Occupational License.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order revoking Hunter Steven Jones’s Pari-Mutuel Wagering General Individual Occupational License.

---

<sup>2</sup> Section 550.105(5)(d), Florida Statutes, provides the term “convicted” means “having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.”

|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| 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: **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>05/21/2022</b> |
| Complaint # | <b>2022020885</b>   | Case Type   | <b>CMP - Complaint</b>                | Disposition         | Disposition Date  |
| Docket#     | Respondent <b>JONES, HUNTER STEVEN</b>                    | Responsible | <b>dwashingto - WASHINGTON, DEREK</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       |                          |
| Classification | <b>CHIS Criminal History</b>  | Complexity     | <b>R Regular</b>         |
| Security       | <b>STND - Standard</b>  | Incident       | <b>01/24/2022</b>        |
| Region         | <b>CR Central Region</b>  | Received       | <b>04/28/2022</b>        |
| Reference      | <b>550.105</b>  |                | <input type="checkbox"/> |
| Entered        | <b>04/28/2022</b>   | Entered By     | <b>icampbell</b>         |
| Summary        | <b>148 - Orange Park Kennel Club, Inc.: Licensee Hunter Steven JONES, a lead-out working at Orange Park Kennel Club, and who holds a PMW General Individual Occupational License, (Lic# 12080079 / 1022), was convicted on January 24, 2022, of Felony Possession of Cocaine and Carrying a Concealed Weapon/Unlicensed Firearm JONES also failed to notify the Division of his conviction as required by Florida Statutes.</b> |                |                          |
| Updated        | <b>05/25/2022 12:22:11</b>  | By             | <b>icampbell</b>         |

**23**



Melanie S. Griffin, Secretary

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

|   |                            |   |                                     |
|---|----------------------------|---|-------------------------------------|
| Office:<br><b>PMW</b>   | Region:<br><b>Northern</b> | Date of Complaint:<br><b>April 28, 2022</b>   | Case Number:<br><b>2022 02 0885</b> |
| Respondent:<br><br><b>JONES, HUNTER STEVEN</b><br>5880 HWY 17 SOUTH<br>GREEN COVE SPRINGS, FL 32043   |                            | Complainant:<br><br><b>STATE OF FLORIDA,</b><br><b>DEPARTMENT OF BUSINESS AND</b><br><b>PROFESSIONAL REGULATION,</b><br><b>DIVISION OF PARI-MUTUEL WAGERING</b> |                                     |
| License # and Type:<br><b>12080079 / 1022</b>   |                            | Profession:<br><b>LEAD-OUT</b>  | Report Date:<br><b>May 18, 2022</b> |
| Period of Investigation:<br><b>April 28, 2022 – May 18, 2022</b>  |                            | Type of Report:<br><b>Final</b>   |                                     |
| <p>Alleged Violation: <b>550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines — (5)(b)</b> The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the division governing the conduct of persons connected with racetracks and frontons. In addition, the division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.</p> <p><b>(d)</b> For purposes of this subsection, the term “convicted” means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.</p> <p><b>(10) (d)</b> Under penalty of perjury, each person who is licensed or who is fingerprinted as required by this section must agree to inform the division within 48 hours if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.</p> |                            |   |                                     |
| <p>Synopsis: This investigation is predicated upon receipt of an applicant hit from the Florida Department of Law Enforcement for Hunter Steven <b>JONES (EXHIBIT #1)</b>.</p> <p>Licensee Hunter Steven <b>JONES</b>, a lead-out working at Orange Park Kennel Club, and who holds a PMW General Individual Occupational License, (Lic# 12080079 / 1022), was convicted on January 24, 2022, of Felony Possession of Cocaine and Carrying a Concealed Weapon/Unlicensed Firearm. <b>JONES</b> also failed to notify the Division of his conviction as required by Florida Statutes.</p>  |                            |   |                                     |
| Related Case:   |                            |   |                                     |
| Investigator Supervisor / Date<br><br><i>C. Derek Washington</i><br>/s/<br>C. Derek Washington / May 18, 2022   |                            | Chief of Investigations / Date<br><br><i>Steven E. Kogan</i><br>/s/<br>Steven E. Kogan / May 21, 2022   |                                     |

CONTINUATION

On December 22, 2021, the Division received an Applicant Hit notification from the Florida Department of Law Enforcement (FDLE). The report indicated that on December 22, 2021, Hunter Steven **JONES** was arrested by the Clay County Sheriff's Office and charged with Felony Possession of Cocaine and Carrying a Concealed Weapon/Unlicensed Firearm.

On December 28, 2021, PMW Operations Review Specialist Tanicha McDowell placed an Enforcement Alert on **JONES**' license regarding the above offenses (**Exhibit #2**).

A check of the Florida Comprehensive Case Information System (CCIS) indicated that **JONES** pled guilty to the charges of Felony Possession of Cocaine and Carrying a Concealed Weapon/Unlicensed Firearm. He was sentenced to 18 months' drug offender probation with adjudication withheld on January 24, 2022. (**Exhibit #3**).

**JONES** is currently licensed until June 30, 2022 (**Exhibit #4**).

**JONES** is in violation of Florida Statutes 550.105 (b) & (10)(d) for his felony convictions and for failing to notify the Division of his convictions.

Case Status: Investigations case closed and case forwarded to Legal for review.

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I. INVESTIGATIVE REPORT COVERSHEET .....

II. INVESTIGATIVE REPORT .....

III. EXHIBITS

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    2. Enforcement Alert..... 1-2

    3. Disposition .....1-14

    4. License Information ..... 1-1

**ROUTING SLIP**

**CRIMINAL CONVICTION WHILE LICENSED**

RE: JONES, HUNTER STEVEN – 12080079  
(LICENSEE NAME – LICENSE #)

Case No: 2022 02 0885

Orange Park Kennel Club  
Facility (d/b/a name)

Occupation/Job Title

Yes  No  
Notified by Licensee

**DATE OF CONVICTION:**

**JANUARY 24, 2022**  
(DATE)

**Investigations Section:**  
Reviewed by Steve Kogan

SK May 21, 2022\_\_\_\_\_

(Initial & Date)

ARCI CHECKED

Yes \_\_\_\_\_  
No \_\_\_\_\_

The attached file has been reviewed for completeness and accuracy, and has been forwarded to the Licensing Section.

**Licensing Section:**

Reviewed/Forwarded to legal by David Donaldson

\_\_\_\_\_  
(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 \_\_\_\_\_

Comments: \_\_\_\_\_

**Investigative Findings:**

December 22, 2021 Clay County Sheriff's Office, FL. – Possession of Cocaine and Carrying a Concealed Weapon/Unlicensed Firearm – Felonies - Pled Guilty and Adjudication Withheld on January 24, 2022 – Sentenced to 18 months Drug Offender Probation.

\* Please attach Routing Slip to front of case file.

**ROUTING SLIP**  
**CRIMINAL CONVICTION WHILE LICENSED**

**Lead-out**

**\* Please attach Routing Slip to front of case file.**

PMW Occupational License Applicant Hit Routing Slip

RE: Jones, Hunter Steven  
 (LICENSEE NAME)

LICENSE NO: 12080079

APPLICANT HIT RECEIVED: 12/22/2021  
 (DATE)

Tanicha McDowell  
 Applicant Hit ORS

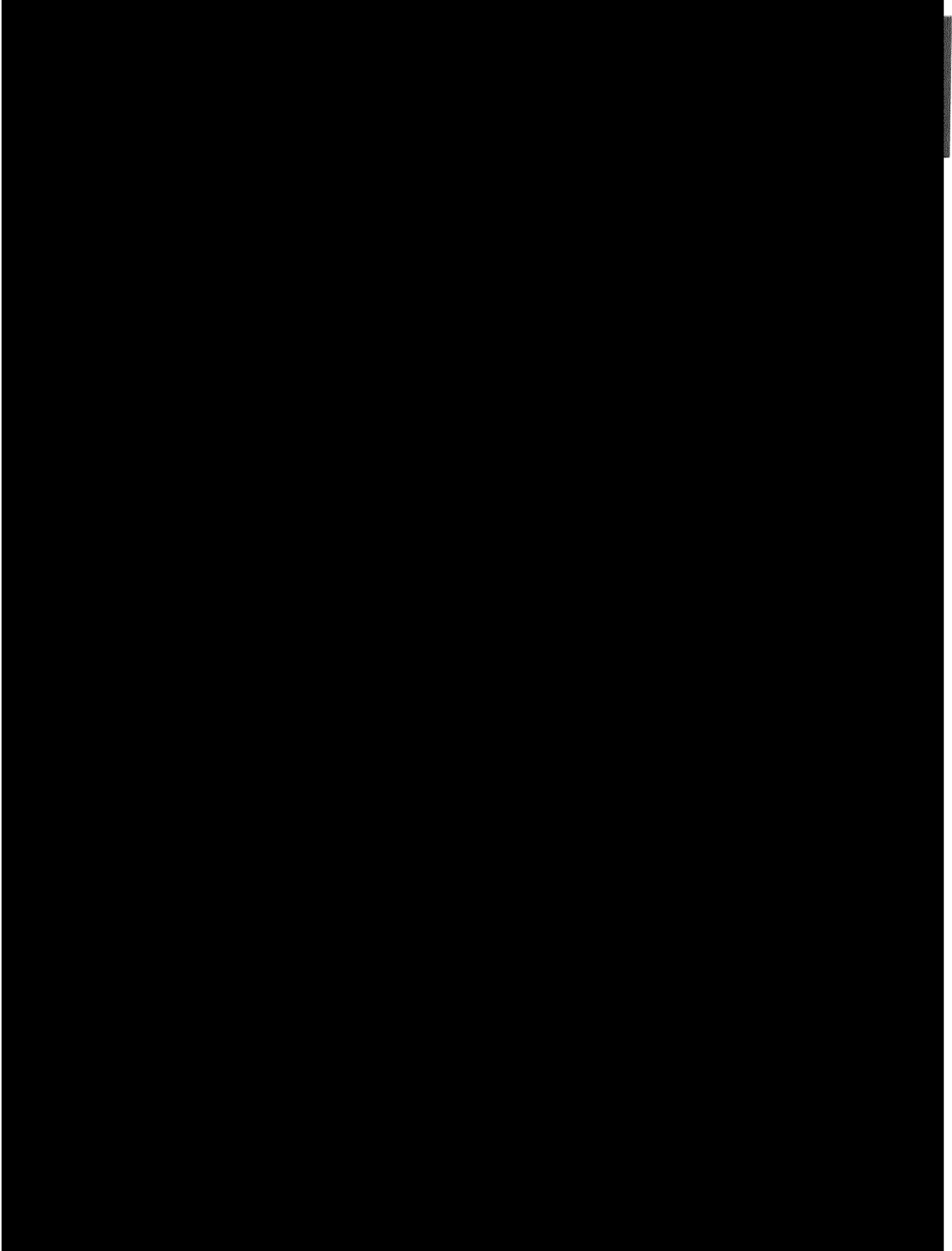
148 – Orange Park KC  
 Facility (d/b/a name)

Lead Out  
 Occupation/Job Title

Pursuant to Section 550.105(5)(a) The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

| Licensing Section Review  |   |
|---|---|
| Did the applicant self-report this conviction?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <b>Conviction</b>   |   |
| <input checked="" type="checkbox"/> Felony  |   |
| <input type="checkbox"/> Misdemeanor – Gambling Related/Bookmaking  |   |
| <input type="checkbox"/> Animal Cruelty   |   |
| Is the applicant currently under suspension, has unpaid fines, or has been refused a license by any racing jurisdiction?  | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Cardroom Licenses, Professions 1012, 1031 and 1032 (Fraud, Larceny, Theft, etc.)   |   |
| <input type="checkbox"/> Other:   |   |
| <b>Comments:</b>  |   |
| 1. <b>Clay County, Florida (Case #: 10-2021-CF-002130-CFAX-XX)</b><br>12/22/2021 – Possession of a Cocaine (F) – Adjudication Guilty<br>12/22/2021 – Carrying concealed Weapon/Unlicensed Firearm (F) – Adjudication Guilty |   |
| <input checked="" type="checkbox"/> Referred to Investigations  | Initials: <u>CD</u> Date: <u>4/18/2022</u>                          |

|                                      |   |   |                     |
|--------------------------------------|---|---|---------------------|
| <b>License Administrator Review:</b> | <input type="checkbox"/> No Referral Required | <input checked="" type="checkbox"/> Forward to Investigations | Initials: <u>CD</u> |
|--------------------------------------|---|---|---------------------|







|  |        |             |         |      |      |            |             |        |
|--|--------|-------------|---------|------|------|------------|-------------|--------|
|  | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report |
|--|--------|-------------|---------|------|------|------------|-------------|--------|

[Entity Search](#) | 
 [Modify License Standing](#) | 
 [Maintain License CE Control](#)

**Pari-Mutuel Wagering**

Logged in as: **dwashingto**

[Search > Display Alerts](#)

Lic Type **1022 - PMW General Individual Occupational** Expires On **06/30/2022**  
 Name **JONES, HUNTER STEVEN** Extended To  
 Rank **GIND - General Individual Occupational** Renewed On  
 Lic Status **Current**

| Effective  | Notes                               |
|------------|-------------------------------------|
| 12/28/2021 | <input checked="" type="checkbox"/> |

OK

Get Adobe Reader.

EXHIBIT #2  
PAGE 1-2

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: **icampbell**

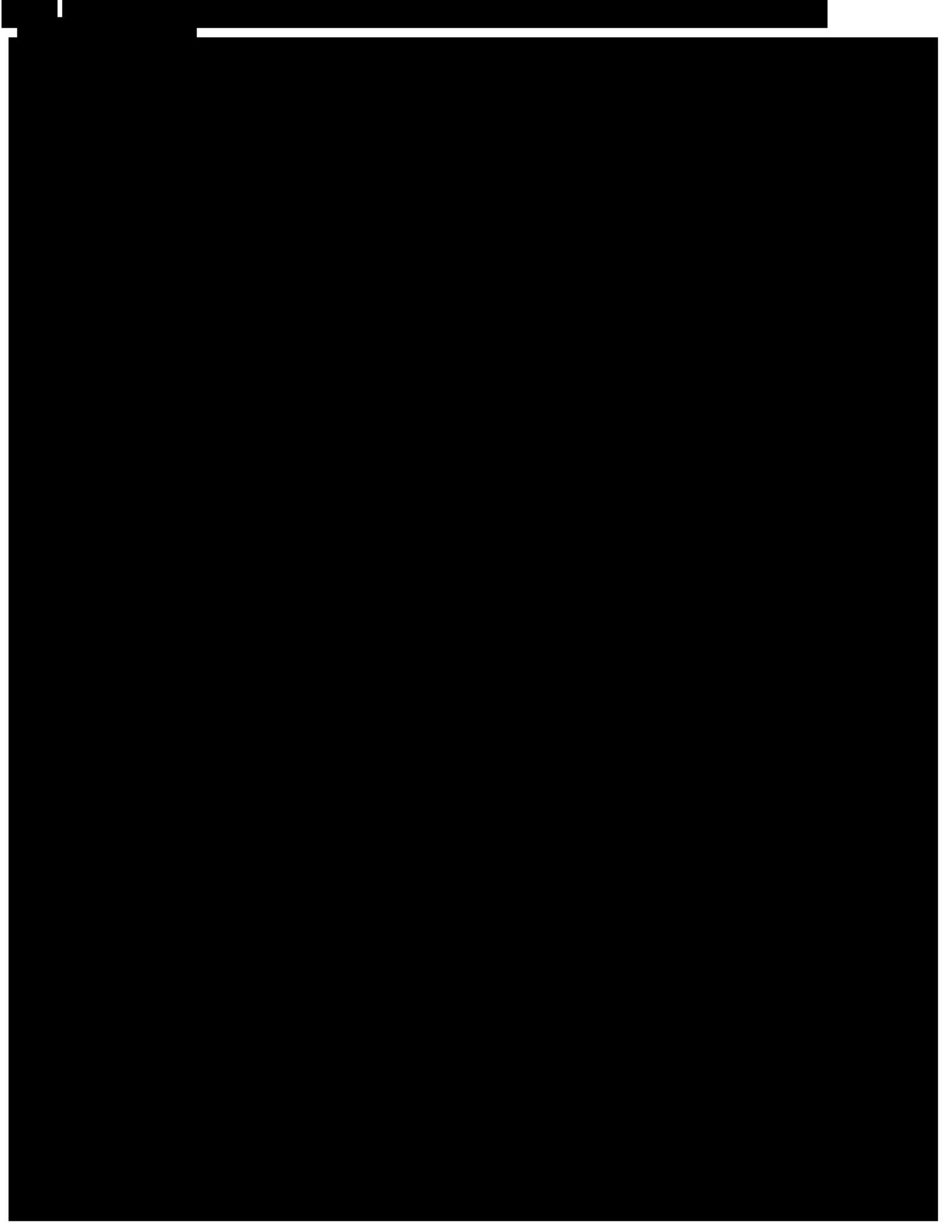
VR Home > Complaint Search > Maintain Complaint > Display Alerts > **Maintain License Modifiers - BASE\_CLONE**

Search Criteria | Results | Detail

Modifier Type **A - Alert**  
 Modifier **ENFO - Alert**  
 Effective **12/28/2021**  
 Expires -  
 Additional Info :  
 Prompt  
 Value **Applicant Hit**  
 Notes **Applicant must provide court disposition records for the 12/22/21 arrest in Clay County prior to licensure**  
 Updated **12/28/2021 11:24:46**  
 By **tmcdowell1**

 Get Adobe Reader.

**EXHIBIT #2**  
**PAGE 2-2**





Filing # 143144406 E-Filed 02/02/2022 01:04:14 PM

S.A. CASE NO.: 21CF066238AC

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT IN AND FOR CLAY COUNTY, FLORIDA

STATE OF FLORIDA

Spring Term, in the year two thousand twenty-one

vs.

CLERK NO.: 102021CF002130A

HUNTER STEVEN JONES

DIVISION: CRA

INFORMATION FOR:

- 1) POSSESSION OF COCAINE
- 2) UNLICENSED CARRYING A CONCEALED FIREARM

IN THE NAME OF AND BY AUTHORITY OF THE STATE OF FLORIDA, MELISSA W. NELSON, State Attorney for the Fourth Judicial Circuit of the State of Florida, in and for Clay County, charges that:

COUNT 1

HUNTER STEVEN JONES on December 22, 2021, in the County of Clay and the State of Florida, did unlawfully and knowingly be in actual or constructive possession of Cocaine, a controlled substance named or described in Section 893.03(2)(a)4, Florida Statutes, contrary to the provisions of Section 893.13(6)(a), Florida Statutes.

COUNT 2

HUNTER STEVEN JONES on December 22, 2021, in the County of Clay and the State of Florida, without being licensed under Section 790.06, did carry a concealed firearm on or about his person, contrary to the provisions of Section 790.01(2), Florida Statutes.

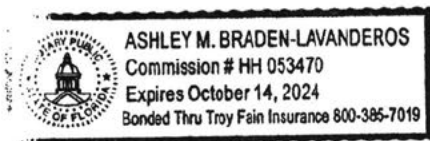
MELISSA W. NELSON, STATE ATTORNEY  
FOURTH JUDICIAL CIRCUIT

By: Ashley Young Terry  
Assistant State Attorney  
Fourth Judicial Circuit of Florida, in and for Clay County

STATE OF FLORIDA }  
COUNTY OF CLAY }

Personally appeared before me, Ashley Young Terry, Assistant State Attorney, for the Fourth Judicial Circuit of the State of Florida, in and for Clay County, who is personally known to me, and who being first duly sworn, says that the allegations as set forth in the foregoing information are based upon facts that have been sworn to as true, and which, if true, would constitute the offense therein charged, and that this prosecution is instituted in good faith, and hereby certifies that testimony under oath has been received from the material witness(es) for the offense.

Sworn to and subscribed before me this 2nd day of February, 2022.



By: Ashley M. Braden-Lavanderos

EXHIBIT #3  
PAGE 3-14

TARA S. GREEN, Clerk of the Circuit Court, Fourth Judicial Circuit of Florida, In and For Clay County, and Clerk of the County Court, In and For Clay County, Florida.

FILED THIS \_\_\_\_\_

BY DEPUTY CLERK: Stephanie White

Dkt 2021-163198  
Race White

AD [Redacted]  
Sex Male

Ext. E  
DOB [Redacted]  
Prior DNA Submission NO

MCL NO.(S): S893.13(6)(a), F3; S790.01(2), F3

STATE ATTORNEY'S OFFICE  
FOURTH JUDICIAL CIRCUIT OF FLORIDA

**CHARGING NOTICE**

|                         |                             |
|-------------------------|-----------------------------|
| TO: CIRCUIT COURT CLERK | DATE: February 2, 2022      |
|                         | DIVISION: CRA               |
| RE: STATE OF FLORIDA    | S.A. CASE NO.: 21CF066238AC |
| vs.                     | CLERK NO.: 102021CF002130A  |
| HUNTER STEVEN JONES     | ARREST NO.: 2021-163198     |
|                         | CCR NO.: 2021-0029976       |

**ORIGINAL CHARGE(S):**

- 1) 893130, POSSESSION OF CONTROLLED SUBSTANCE, S893.13(6)(a), F3
- 2) 79001D, UNLICENSED CARRYING A CONCEALED FIREARM, S790.01(2), F3

**FILED CHARGE(S):**

- 1) 89313A, POSSESSION OF COCAINE, S893.13(6)(a), F3
- 2) 79001D, UNLICENSED CARRYING A CONCEALED FIREARM, S790.01(2), F3

The State Attorney's Office, through the Assistant State Attorney listed below, is filing only the charges listed above. Any Original Charges that are not listed as Filed Charges have either been dropped or changed from the Arrest and Booking Report.

Ernie E. Dukes  
Assistant State Attorney

**Note:** This Notice relates to this arrest and booking only and in no way effects any other charges this defendant may have pending.

EXHIBIT #3  
PAGE 4-14

IN THE CIRCUIT COURT OF THE  
FOURTH JUDICIAL CIRCUIT,  
IN AND FOR CLAY COUNTY,  
FLORIDA

STATE OF FLORIDA

VS

CASE: 2021CF 2130  
DIVISION: CR-1A

Hunter Steven Jones  
DEFENDANT

**PLEA OF GUILTY AND NEGOTIATED SENTENCE**

I hereby enter my plea of guilty because I am guilty. Before entering such plea of guilty, I was advised of the nature of all the charges against me, the statutory offenses included within such charges, the range of maximum allowable punishments for each charge, all the possible defenses to each charge, and all circumstances in mitigation of such charges. I have been advised of all other facts essential to a full and complete understanding of all offenses with which I have been charged, and of all offenses to which I am entering this plea. I have been advised of all direct consequences of the sentence to be imposed.

**Specific Terms of Negotiated Sentence:**

My sentence has been negotiated in this case in that I will be:

- Adjudicated guilty
- Adjudication of guilt will be withheld

And I will be sentenced to: (please print)

18 months drug offender probation as to both charges  
Post of cocaine and carry concealed F.R.A.M., F.R.A.M. safety  
course Court costs imposed

The State and the Defendant stipulate and agree that the Defendant is entitled to 2 credit for time I have already served in this/these case(s) and I waive any other credit I may be entitled to. I agree that if the judge gives me credit for time served as stipulated, I waive/give up the right to complain or appeal concerning credit for time served.

I considered this negotiated sentence to be to my advantage, and I have freely and voluntarily entered my plea of guilty. I have not been offered any hope of reward, better treatment, or certain type of sentence as an inducement to enter this plea, other than the sentence set forth above. I have not been promised by anyone, including my attorney, that I would actually serve any less time than that set forth above, and I understand that any early release of any sort is not a part of this plea agreement and is entirely within discretion of governmental agencies of than this Court. I have not been threatened, coerced, or intimidated by any person, including my attorney, in any way in order to get me to enter this plea.

**Advice of Rights:**

I understand that by pleading guilty I give up the following constitutional rights: the right to trial by judge or jury (including, if I am charged with a capital offense, the right to a jury of twelve persons), the right to be represented by counsel at trial, the right to have counsel appointed to represent me if I cannot afford to retain counsel, the right to present witnesses in my own behalf and to compel the attendance of those witnesses, the right to confront the witnesses against me, the right to require to State to prove its case against me beyond a reasonable doubt and, for purposes of this plea hearing, my right against self-incrimination. I further understand that if I am not a citizen of the United States that this plea may subject me to deportation. I also understand that by entering this plea I give up the right to appeal all matters relating to the judgment, including the issue of guilt or innocence.

Consultation with Attorney:

I have had ample time to discuss this agreement with my attorney. My attorney and I have read this agreement regarding my guilty plea together in private, and my attorney has explained all portions of this agreement to my complete understanding and satisfaction. We have fully discussed all aspects of this case, including all possible defenses to all charges, including self-defense and any defense based upon any disability, disease, insanity, or intoxication. My attorney has given me the opportunity to ask questions and has answered all of my questions fully and completely. My attorney has taken all actions requested by me, or has explained to my satisfaction and agreement why such actions should not be taken, and I concur with my attorney's decisions in that regard. I am completely satisfied with the services rendered by my attorney on my behalf in this case.

Time for Consideration and Reflection:

I have had sufficient time to consider all charges against me, all possible defenses and circumstances in mitigation, the advice of my attorney, the constitutional rights forfeited by entering into this plea agreement, and the potential consequences that the entry of a plea of guilty may have upon me. I have been provided with the opportunity for additional time to consider and reflect upon these matters, and I specifically state that I do not require any additional time to do so. I wish to proceed with the entry of my guilty plea.

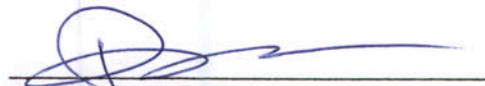
**JIMMY RYCE WARNING:** My lawyer has advised me that if I am now pleading to a "sexually violent offense" or if I have previously been convicted of a "sexually violent offense" as that term is defined in Section 394.912(9), Florida Statutes, my plea in this case could subject me to the provisions of the Jimmy Ryce Civil Commitment Act, Florida Statutes, Section 394.910, et seq., which allows the State to commit to a secure treatment facility, for an indefinite period of time, a person who has been convicted of a sex offense, and who is determined to be likely to commit a violent sexual offense in the future.

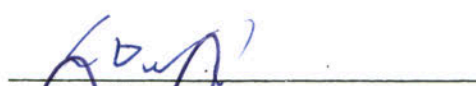
Acknowledged in Open Court:

In open Court I have under oath acknowledged to the Judge of this Court that:

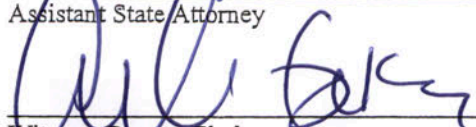
- A. I have read and understood this entire plea agreement, including the rights I am giving up by entering into it;
- B. I am not under the influence of any substance, drug, or condition (physical, mental, or emotional), which interferes with my appreciation of the entire plea agreement into which I am entering and all consequences thereof;
- C. I have not been deprived of, and am properly taking, any medication which is essential to my full, complete, and unimpaired understanding of the plea agreement and these proceedings;
- D. I have entered into and signed this plea of guilty and negotiated sentence freely and voluntarily;
- E. This plea of guilty and negotiated sentence form is true and correct in all respects; and
- F. This form represents the sole and complete agreement between the State and myself. No other agreements, representations, or promises have been made by myself, my attorney, the Court, or any representative of the State.

Both my attorney and I have signed this plea agreement in open Court at Green Cove Springs, Clay County, Florida, this 24 day of March 2022

  
\_\_\_\_\_  
Attorney for Defendant

  
\_\_\_\_\_  
Assistant State Attorney

Thamber Jones  
\_\_\_\_\_  
Defendant

  
\_\_\_\_\_  
Witness, Deputy Clerk

  
\_\_\_\_\_  
Circuit Judge

My signature as Judge of this Court is certification that I have discussed this plea agreement with Defendant and Defendant's attorney in open Court on this date and have asked Defendant questions, considered Defendant's responses, and observed Defendant's demeanor. I find that Defendant has the intelligence to comprehend these constitutional rights, the terms of this plea agreement, the contents of this written agreement, and these proceedings. I further find that Defendant has entered this plea freely and voluntarily and is not under the influence of any disability, substance, drug, or condition, which would interfere with Defendant's ability to understand and appreciate the terms of this plea agreement and its consequences.



IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT,  
IN AND FOR CLAY COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO.: 2021CF002130

vs.

DIVISION: A

HUNTER STEVEN JONES ,  
Defendant.

**JUDGMENT**

- Probation Violator/Revoked and Terminated  Retrial
- Community Control Violator/Revoked and Terminated  Resentence

The Defendant, HUNTER STEVEN JONES , being personally before this Court represented by DONALD B MAIRS , the attorney of record, and the state represented by ERNIE DUKES and having:

- been tried and found guilty by jury/by the 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     | COCAINE-POSSESS - POSSESS COCAINE              | 893.13(6)(a)              | F3              | 2021CF002130 | 1005031591  |
| 2     | CARRYING CONCEALED WEAPON - UNLICENSED FIREARM | 790.01(2)                 | F3              | 2021CF002130 | 1005031591  |

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 pursuant to section 943.325, Florida Statues, having been convicted of attempts or offenses relating to any other offense included in this Statute sentence you will have a DNA blood draw or Swab for DNA Database.

and good cause being shown; IT IS ORDERED THAT ADJUDICATION BE WITHHELD

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT,  
IN AND FOR CLAY COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO.: 2021CF002130

vs.

DIVISION: A

HUNTER STEVEN JONES ,  
Defendant.

Local Jurisdiction Identification Number:

**ORDER OF DRUG OFFENDER PROBATION**

This cause coming before the Court to be heard, and you, the defendant, being now present before the court, and you having

|                                     |                                      |                          |  |
|-------------------------------------|--------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | entered a plea of guilty to          | <input type="checkbox"/> | been found guilty by jury verdict of                             |
| <input type="checkbox"/>            | entered a plea of nolo contendere to | <input type="checkbox"/> | been found guilty by the court trying the case without a jury of |

| Count | Charge   |
|-------|--|
| 1     | COCAINE-POSSESS - POSSESS COCAINE              |
| 2     | CARRYING CONCEALED WEAPON - UNLICENSED FIREARM |

**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 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 18 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

Defendant: HUNTER STEVEN JONES

CASE NO.: 2021CF002130

- 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 2 days with credit for 2 days 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 \$40.00 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.

Defendant: HUNTER STEVEN JONES

CASE NO.: 2021CF002130

- (12) You will submit a DNA sample, as directed by your officer, for DAN 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 with 72 hours of your release from incarceration to the probation office Clay 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 1407 S. Orange Ave., Green Cove Springs, Florida 32043.

**SPECIAL CONDITIONS**

- 1. You must undergo a Drug and Alcohol evaluation and, if treatment is deemed necessary, you must successfully complete the treatment, and be responsible for the payment of any costs incurred while receiving said evaluation and treatment, unless waived by the court.  
Additional instructions ordered:
- 2. Counts 1 and 2 shall run concurrent with each other.
- 3. You will abstain entirely from the use of alcohol and/or illegal drugs, and you will not associate with anyone who is illegally using drugs or consuming alcohol.
- 4. You will submit to urinalysis testing a **monthly** basis to determine the presence of alcohol or illegal drugs. You will be required to pay for the tests unless exempt by the court.
- 5. You shall enroll and successfully complete a firearm safety course as directed by the Probation Officer.

**AND, IF PLACED ON DRUG OFFENDER PROBATION, YOU WILL COMPLY WITH THE FOLLOWING CONDITION OF SUPERVISION IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:**

- (15) You will participate in a specialized drug treatment program, either as an in-patient or out patient, as recommended by the treatment provider. You will attend all counseling sessions, submit to random urinalysis and, if an in-patient, you will comply with all operating rules, regulations and procedures of the treatment facility. You will pay for all costs associated with treatment and testing unless otherwise directed.  
Additional instructions ordered:
- (16) You will remain at your residence between p.m. and a.m. due to a curfew imposed, unless otherwise directed by the court.

EXHIBIT #3  
PAGE 10-14

Defendant: HUNTER STEVEN JONES

CASE NO.: 2021CF002130

[ ](17) You will successfully complete a Post-adjudicatory treatment-based drug court program, as provided in s. 397.334(3), F.S.

**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)(a)1.a.(I), 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

Defendant: HUNTER STEVEN JONES

CASE NO.: 2021CF002130

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: \$618.00.**

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.

**DONE AND ORDERED**, on 24th day of January 2022.

**NUNC PRO TUNC**



STEVEN B. WHITTINGTON , Circuit Judge

I acknowledge receipt of a 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

EXHIBIT #3  
PAGE 12-14



(<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"


- Offender Search** (<http://www.dc.state.fl.us/OffenderSearch/InmateInfoMenu.aspx>)    **Visit an Inmate** (<http://www.dc.state.fl.us/ci/visit.html>)
- Correctional Institutions** (<http://www.dc.state.fl.us/ci/index.html>)    **Probation Services** (<http://www.dc.state.fl.us/cc/index.html>)
- FDC Jobs** (<http://www.fdocjobs.com>)    **Newsroom** (<http://www.dc.state.fl.us/comm/index.html>)
- Statistics** (<http://www.dc.state.fl.us/pub/index.html>)

## Corrections Offender Network

### Supervised Population Information Detail

(This information was current as of 4/17/2022)



|   |  |
|---|--|
| <b>DC Number:</b>   | I21431   |
| <b>Name:</b>  | JONES, HUNTER STEVEN   |
| <b>Race:</b>  | WHITE  |
| <b>Sex:</b>   | MALE   |
| <b>Birth Date:</b>  | [REDACTED]   |
|   | [REDACTED]   |
|   | [REDACTED]   |
|   | <a href="http://prod.wpws001.fdc.myflorida.com/c">JACKSONVILLE</a> ( <a href="http://prod.wpws001.fdc.myflorida.com/c">http://prod.wpws001.fdc.myflorida.com/c</a> ) |
| <b>Current Status:</b>  | <u>ACTIVE</u>  |
| <b>Supervision Type:</b>  | DRUG OFFENDER PROBATIC   |
| <b>Scheduled Termination Date:</b>  | 08/23/2023   |
|    |  |
| <a href="https://www.vinelink.com/vinelink/servlet/SubjectSearch?siteID=10000&amp;agency=900&amp;offenderID=I21431">https://www.vinelink.com/vinelink/servlet/SubjectSearch?siteID=10000&amp;agency=900&amp;offenderID=I21431</a> |  |

### Current Verified PERMANENT Address:

5880 HWY 17 SOUTH  
GREEN COVE SP, FL 32043

### Aliases:

HUNTER STEVEN JONES

Note: The offense descriptions are truncated and do not necessarily reflect the crime for which the offender is on supervision. Please refer to the court documents or the Florida Statutes for further information or definition.

### Current Community Supervision History:

| Offense Date | Offense                    | Sentence Date | County | Case No. | Community Supervision Length |
|--------------|----------------------------|---------------|--------|----------|------------------------------|
| 12/22/2021   | COCAINE - POSSESSION       | 02/24/2022    | CLAY   | 2102130  | 1Y 6M oD                     |
| 12/22/2021   | CARRYING CONCEALED FIREARM | 02/24/2022    | CLAY   | 2102130  | 1Y 6M oD                     |

[First](#)
[Previous](#)
[Next](#)
[Last](#)
[Return to List](#)

[New Search](#)

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, scheduled termination date, or other information regarding an offender.

This database contains public record information on felony offenders sentenced to the Department of Corrections. This information includes offenders sentenced or released to state supervision or offenders received for supervision from another state as the result of an Interstate Compact transfer. Information contained herein includes current supervision 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 Probation and Parole Field Services, at **JACKSONVILLE Circuit Office** (<http://prod.fdc-wpws001.fdc.myflorida.com/cc/04.html>). This information is made available to the public and law enforcement in the interest of public safety.

**Search Criteria:** (/OffenderSearch/search.aspx?TypeSearch=AO) Last Name: jones First Name: hunter Search Aliases: YES Offense Category: Supervision Type: ALL Supervision Status: ALL County of Supervision: ALL Current Location: ALL

**Current Status Definitions:** **Active** - offender is being actively supervised by the probation officer in the community. **Active Suspense** - offender is temporarily unavailable for direct supervision during the supervision term, due to being in custody in jail or another facility, but is still being monitored by a probation officer for release, arrest, etc. **Absconder** - offender absconds from supervision (his/her whereabouts are unknown and the offender is not available for supervision) and warrant is issued for violation.

[Return to Corrections Offender Information Network \(../OffenderSearch/InmateInfoMenu.aspx\)](#)

### About Us

<http://www.dc.state.fl.us/about.html>

*As Florida's largest state agency, and the third largest prison system in the country, FDC employs 24,000 members, incarcerates approximately 80,000 inmates and supervises nearly 146,000 offenders in the community.*

### Quick Links

- [Contact an Inmate](#) (<http://www.dc.state.fl.us/ci/ContactInmate.html>)
- [Public Records](#) (<http://www.dc.state.fl.us/comm/PRR.html>)
- [Volunteer](#) (<http://www.dc.state.fl.us/volunteer/index.html>)
- [File a Complaint](#) (<http://www.dc.state.fl.us/apps/IGcomplaint.html>)
- [Organization](#) (<http://www.dc.state.fl.us/org/orgchart.html>)
- [Regulatory Plan](#) (<http://www.dc.state.fl.us/pub/regulatory/2018.pdf>)
- [Victim Services](#) (<http://www.dc.state.fl.us/vict/index.html>)
- [Inmate and Offender Programming](#) (<http://www.dc.state.fl.us/development/index.html>)
- [Corrections Foundation](#) (<https://www.correctionsfoundation.org/>)
- [Parole Information](#) (<https://www.fcor.state.fl.us/index.shtml>)
- [Inspector General](#) (<http://www.dc.state.fl.us/ig/index.html>)
- [Prison Rape Elimination Act](#) (<http://www.dc.state.fl.us/PREA/index.html>)

### Contact Us

<http://www.dc.state.fl.us/org>

501 South Calhoun Street  
Tallahassee, FL 32399-2500  
Main: (850) 488-5021  
Phone Directory (<http://www.dc.state.fl.us/org/contact.html>)  
Citizen Services (<http://www.dc.state.fl.us/citizen/index.html>)

EXHIBIT #3  
PAGE 14-14



|   |        |             |         |      |      |            |             |        |
|---|--------|-------------|---------|------|------|------------|-------------|--------|
| x | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report |
|---|--------|-------------|---------|------|------|------------|-------------|--------|

Entity Search | Modify License Standing | Maintain License CE Control

**f Pari-Mutuel Wagering**

Logged in as: **icampbell**

Search > Maintain Complaint > **License Home**

Lic Type **1022 - PMW General Individual Occupational** Expires On **06/30/2022**  
 Name **JONES, HUNTER STEVEN** Extended To  
 Rank **GIND - General Individual Occupational** Renewed On  
 Lic Status **Current**

- Licensee
- History
- Notes
- Notes History
- Back

Street **HWY 17 SOUTH**

**DVE** State **FL**

Zip **32043**

Routing

**Other**

1st License Date **06/18/2019** Rank Date  
 Method **I-S-1024** Status Date Certificate #  
 Fee Exempt **No** Birth Date Certificate Date  
 Renewal Sent

**Select**

Action

**Modifiers**

| Type | Modifier                            | Effective  | Additional Info |
|------|-------------------------------------|------------|-----------------|
| A    | ENFO - Enforcement Alert            | 1 /2021    | Applicant Hit   |
| C    | LDOT - Lead Out                     | 06/06/2019 |                 |
| I    | GHND - Greyhound                    | 06/06/2019 |                 |
| L    | 148 - Orange Park Kennel Club, Inc. | 06/06/2019 |                 |
| Y    | 3YR - 3 Year License                |            |                 |

**Alt Keys**

BEST LIC NBR **12080079**

Get Adobe Reader.

**EXHIBIT #4**

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

DEPARTMENT OF BUSINESS  
AND PROFESSIONAL REGULATION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

DBPR Case No.: 2022-020885

HUNTER STEVEN JONES,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Hunter Steven Jones (“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 General Individual Occupational License, number 12080079-1022, issued by Petitioner.
3. On or about January 24, 2022, Respondent entered a plea of guilty and was convicted of Possession of Cocaine and Carrying a Concealed Weapon-Unlicensed Firearm, felonies, in the Circuit Court of the Fourth Judicial Circuit in and for Clay County, Florida, in case number 2021-CF-002130.

## COUNT I

4. Petitioner realleges and adopts paragraphs numbered one through three as if set forth fully herein.

5. Pursuant to Section 550.105(5)(b), Florida Statutes:

The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the division governing the conduct of persons connected with racetracks and frontons. In addition, the division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

6. Section 550.105(5)(d), Florida Statutes, provides the term “convicted” means “having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.”

7. Based on the foregoing, Respondent violated Section 550.105(5)(b), Florida Statutes, by entering a plea of guilty and being convicted of Possession of Cocaine and Carrying a Concealed Weapon-Unlicensed Firearm, felonies, in Clay County, Florida on January 24, 2022.

## COUNT II

8. Petitioner realleges and adopts paragraphs numbered one through three as if set forth fully herein.

9. Respondent failed to notify Petitioner within 48 hours of his January 24, 2022 conviction for Possession of Cocaine and Carrying a Concealed Weapon-Unlicensed Firearm in Clay County, Florida.

10. Pursuant to Section 550.105(10)(d), Florida Statutes, each licensee shall inform the Division, within 48 hours, “if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.”

11. Based on the foregoing, Respondent violated Section 550.105(10)(d), Florida Statutes, by failing to inform the Division of his January 24, 2022 conviction for two disqualifying offenses within 48 hours.

WHEREFORE, Petitioner respectfully requests the Division Director enter an Order imposing against Respondent one or more of the penalties specified in Chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for DBPR Case Number 2022-020885 is signed this 17th day of June, 2022.

*/s/ Emily A. Alvarado*

Emily A. Alvarado  
Deputy Chief Attorney  
FBN: 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.

## Lanier-FGCC, Ebonie

---

**From:** Lanier-FGCC, Ebonie  
**Sent:** Thursday, August 4, 2022 4:26 PM  
**To:** Washington, Derek  
**Subject:** RE: Ref: Jones, Hunter Stevens

Good Afternoon Mr. Washington,

Thanks for helping us with service, it is much appreciated. 😊

Best Regards,

*Ebonie Lanier*

---

**From:** Washington, Derek  
**Sent:** Thursday, August 4, 2022 3:21 PM  
**To:** Lanier-FGCC, Ebonie  
**Subject:** FW: Ref: Jones, Hunter Stevens

FYI



**FLORIDA**  
GAMING CONTROL  
COMMISSION

**C. Derek Washington**

**Investigations Supervisor**

Florida Gaming Control Commission

Division of Pari-Mutuel Wagering

Office of Investigations

407.650.4053 Office 407.481.5651 FAX 407.340.5665 Cell

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---

**From:** Washington, Derek  
**Sent:** Thursday, August 04, 2022 12:09 PM  
**To:** Alvarado, Emily  
**Cc:** Kogan, Steven  
**Subject:** FW: Ref: Jones, Hunter Stevens

Hello Emily,

In regards to Mr. Jones' AC, I sent a copy of his AC to Jones' probation officer (Michael Eberly (904)622-9718) to give to Jones. Mr. Eberly did provide Jones with the AC this morning when he reported to the probation office. See comment below.

Thanks



**FLORIDA**  
GAMING CONTROL  
COMMISSION

**C. Derek Washington**

**Investigations Supervisor**

Florida Gaming Control Commission

Division of Pari-Mutuel Wagering

Office of Investigations

407.650.4053 Office 407.481.5651 FAX 407.340.5665 Cell

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---

**From:** Eberly, Michael [<mailto:Michael.Eberly@fdc.myflorida.com>]  
**Sent:** Thursday, August 04, 2022 10:51 AM  
**To:** Washington, Derek  
**Subject:** RE: Ref: Jones, Hunter Stevens

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Good morning,

I provided the offender with a copy of the paperwork you scanned to me the other day. He reported to my office this morning.

M. Eberly

---

**From:** Washington, Derek <[Derek.Washington@fgcc.fl.gov](mailto:Derek.Washington@fgcc.fl.gov)>  
**Sent:** Tuesday, August 2, 2022 11:16 AM  
**To:** Eberly, Michael <[Michael.Eberly@fdc.myflorida.com](mailto:Michael.Eberly@fdc.myflorida.com)>  
**Subject:** Ref: Jones, Hunter Stevens

Hello Mr. Eberly,

Per our conversation, I have some paperwork from the Florida Gaming Control Commission for Hunter S. Jones relating to his Gaming License. I have attached a copy of the paperwork and request your assistance getting to Mr. Jones. Also, if you can send confirmation that Mr. Jones did receive the paperwork, it would be greatly appreciated.

Thanks,



**FLORIDA**  
GAMING CONTROL  
COMMISSION

**C. Derek Washington**

**Investigations Supervisor**

Florida Gaming Control Commission

Division of Pari-Mutuel Wagering

Office of Investigations

407.650.4053 Office 407.481.5651 FAX 407.340.5665 Cell

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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. Ricardo Rodriguez Luque Case Number 2022-024921;  
Default Final Order  
Date: November 23, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Ricardo Rodriguez Luque (“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 December 26, 2021, Respondent was a patron of Casino Miami, LLC.<sup>1</sup> Respondent was seen via surveillance footage assisting other patrons to manipulate a slot machine in order to gain winnings. Respondent was permanently excluded from Casino Miami, LLC<sup>2</sup>, on December 27, 2021.

Based on his exclusion from Casino Miami, LLC, the Division served Respondent with an administrative complaint 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 October 14, 2022 which means the Respondent had until November 4, 2022 to respond. He has never responded.

---

<sup>1</sup> Casino Miami, LLC is operated by a pari-mutuel wagering permit holder that also possesses a slot machine and cardroom license.

<sup>2</sup> Pari-mutuel permit holders 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.” Casino Miami, LLC 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 properly served administrative complaint seeking to exclude him from all pari-mutuel and slot machine facilities in this state, 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 Ricardo Rodriguez Luque from all pari-mutuel and slot machine facilities in this state.

|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| 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>09/26/2022</b>              |
| Complaint # | <b>2022024921</b>                   | Case Type  | <b>CMP - Complaint</b>          | Disposition |                                |
| Docket#     |                                     | Respondent | <b>RODRIGUEZ LUQUE, RICARDO</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>           | <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>12/26/2021</b>  | <input type="checkbox"/>            | Violations    | <input type="checkbox"/>            | Compliance   |
| Region    | <b>SR - Southern Region</b>   | Received       | <b>05/20/2022</b>  | <input checked="" type="checkbox"/> | Related       | <input checked="" type="checkbox"/> | Disposition  |
| Reference | <b>550.0251(6) &amp; 551.109(3)</b>   |                |                    | <input type="checkbox"/>            | Inspection    |                                     |              |
| Entered   | <b>05/20/2022</b>   | Entered By     | <b>Imuniz</b>      | <input type="checkbox"/>            | Costs         |                                     |              |
| 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 26, 2021, while visiting Casino Miami, Ricardo Rodriguez Luque played at the Roulette Wheel Slot Machine located in Section FL-07. While playing he was observed by surveillance lifting the console cover of the machine, causing a blue screen/tilt and stopping all play. Immediately after the blue screen was caused, Rodriguez Luque used a reset key and restored the machine to playing status. This was done to prevent him from losing any monies that he had been betting. Rodriguez Luque dropped the reset key on the floor when approached by security and Miami Police and kicked it away from him, where it was picked up by an unidentified female that was one of several individuals that were with Rodriguez Luque. Rodriguez Luque was permanently excluded by the facility.</b></p> |                |                    | <input type="checkbox"/>            | Time Tracking |                                     | Auto Assign  |
|           |   |                |                    | <input type="checkbox"/>            | Attachments   |                                     | History      |
|           |   |                |                    | <input type="checkbox"/>            | Work Notes    |                                     | Print Report |
| Updated   | <b>09/26/2022 13:03:16</b>  |                | By                 | <b>Imuniz</b>                       |               |                                     |              |

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Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**INVESTIGATIVE REPORT**

|  |                              |   |                                     |
|--|------------------------------|---|-------------------------------------|
| Office:<br><b>PMW</b>  | Region:<br><b>SOUTHERN</b>   | Date of Complaint:<br><b>May 20, 2022</b>   | Case Number:<br><b>2022 02 4921</b> |
| Respondent:<br><b>RODRIGUEZ LUQUE, RICARDO</b><br>1934 NW 1 <sup>ST</sup> TERR.<br>MIAMI, FL. 33125  |                              | Complainant:<br><b>DIVISION OF PARI-MUTUEL WAGERING</b><br><b>OFFICE OF INVESTIGATIONS</b><br>1400 WEST COMMERCIAL BLVD STE. 165<br>FT. LAUDERDALE, FL. 33309 |                                     |
| License # and Type:<br><b>N/A - 1098</b>   | Profession:<br><b>Patron</b> | Report Date:<br><b>August 26, 2022</b>  |                                     |
| Period of Investigation:<br><b>May 20, 2022 through August 26, 2022</b>  |                              | Type of Report:<br><b>Final</b>   |                                     |
| <p><b>Alleged Violation: 550.0251 - Powers and duties of the Florida Gaming Control Commission.</b><br/> <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.<br/> <b>F.S.S. 551.109 Prohibited Acts; Penalties –</b><br/> <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 26, 2021, Ricardo <b>RODRIGUEZ LUQUE</b> visited Casino Miami (CM) and was observed by surveillance manipulating the Roulette Wheel Slot Machine located in Section FL-07 by lifting the console cover and causing a blue screen/tilt message stating “call attendant” to appear, stopping all play and bets. Immediately after the blue screen was caused, <b>RODRIGUEZ LUQUE</b> used a reset key to reset the machine. This was done to prevent him from losing any monies that he had wagered. When approached by CM Security <b>RODRIGUEZ LUQUE</b> dropped the key on the floor and stepped on it in an attempt to hide it. When Miami Police arrived, <b>RODRIGUEZ LUQUE</b> kicked the key away from himself, and it was picked up by an unidentified female that was one of several individuals that were with <b>RODRIGUEZ LUQUE</b>. <b>RODRIGUEZ LUQUE</b> was permanently excluded by the facility.</p>   |                              |   |                                     |
| Related Case: 2022 02 4925   |                              |   |                                     |
| Investigator / Date<br><br>Raul Suau / August 26, 2022  |                              | Investigator Supervisor / Date<br><br>Julio Minaya / September 19, 2022   |                                     |
| Chief of Investigations / Date<br><br>Bradford D. Jones for<br>Steven E. Kogan / September 26, 2022   |                              |   |                                     |

## CONTINUATION

On January 1, 2022, I received an updated Trespass list from Casino Miami Director of Security Eugene Tellez for the month of December, 2021. A review of the list, revealed two new entries involving individuals who had manipulated the facility's Roulette Wheel Slot Machines. The individuals were identified as Enrique Gamez Hernandez and Ricardo **RODRIGUEZ LUQUE**. Both were permanently excluded from the facility on December 26, 2021. (**Exhibit #1, Page #2**)

On January 6, 2022, I e-mailed Casino Miami Vice President of Human Resources and State Compliance Beatriz Perez, and requested a copy of Security Report CMJ-000002170. A review of this report detailed an incident involving patron Ricardo **RODRIGUEZ LUQUE** who was accompanied by Enrique Gamez Hernandez. Both were observed by surveillance personnel on December 26, 2021, manipulating the Roulette Wheel Slot Machine game located in section FL-07 (**Exhibit #2 & 3**).

I also requested and received from Surveillance Supervisor Adrian Gordon a copy of Surveillance Report CMJ-000010121, as well as a copy of video footage of the incident. The video footage was vouchered under related PMW Case# 2022-02-4925 (**Exhibit #5**).

A review of video footage and a review of Surveillance Report CMJ-000010121 by this investigator confirmed that the following suspects were identified by CM Security and Surveillance Department as participating in the manipulating of the Roulette Wheel Slot Machine game on December 26, 2021<sup>1</sup>:

Suspect #1 – Enrique Gamez Hernandez

Suspect #2 – Ricardo Rodriguez aka Ricardo **RODRIGUEZ LUQUE**

Suspect #5 – Unidentified female wearing black & white flower shirt with black pants

Video footage showed that on December 26, 2021, at approximately 10:47 P.M., Gamez Hernandez entered Casino Miami and proceeded to the Roulette Wheel Slot Machines in section FL-07<sup>2</sup> where he met Ricardo **RODRIGUEZ LUQUE**. Once there, Gamez Hernandez began to play the machine and was captured at 10:59 P.M., manipulating the machine by lifting the console cover. However, the slot machine did not go into a blue screen/tilt, which would have caused the machine to stop all play and bets from occurring. By doing this, Gamez Hernandez attempted to prevent any loss of monies that he had wagered. Nevertheless, **RODRIGUEZ LUQUE** was captured on video footage using a reset key to reset the slot machine<sup>3</sup>. Because **GAMEZ HERNANDEZ** was unsuccessful in causing a blue screen to appear, Rodriguez Luque took control of the same slot machine (FL-07) and between 10:47 P.M., and 10:59 P.M., was observed playing and lifting the console cover causing a blue screen/tilt and a message of "call attendant" to appear. Immediately, as the blue screen appeared Rodriguez Luque was observed resetting the slot machine using a reset key. This would have prevented the player from losing any monies that had been wagered (**Exhibits # 4 & 6**).

---

<sup>1</sup> Descriptions of accompanying individuals who did not overtly participate excluded.

<sup>2</sup> Slot Machine Bank FL is an open circle that has eight (8) individual slot machines labeled FL-01 through FL-08. This same Slot Bank has a monitor located in the open section that divides Slot Machine Bank FL from Slot Machine Bank FM which also has eight individual slot machines (Exhibit # 6).

<sup>3</sup> Multiple styles of these keys are available for purchase on the internet (Exhibit #7).

## CONTINUATION

At 11:01 P.M., Gamez Hernandez and **RODRIGUEZ LUQUE** were stopped by CM Security Supervisor Dontrell Allen. Security Supervisor Allen called for assistance and can be observed on video waiting for an off-duty Miami Police officer working the facility security detail to arrive.

While being detained, **RODRIGUEZ LUQUE** was captured on surveillance video surreptitiously dropping the slot reset key on the floor. Afterwards he can be seen stepping on the key to conceal it and prior to being escorted to the Security Office, he can be seen kicking the key backwards away from himself. The key was subsequently picked up by a white female identified as suspect #5 in Surveillance Report CMJ-000010121. Per Surveillance Report CMJ000010121, suspect #5 was seen in the company of Lazaro Pablo Hernandez who was investigated under PMW case 2022-02-4908; that investigation involved a similar scheme (**Exhibit #4, Pages 11- 15**).

At 11:08 P.M., CM Security and the Miami Police Officer escort Gamez Hernandez and **RODRIGUEZ LUQUE** to the Security Office. Once there both men were permanently excluded from the facility and escorted outside by Miami Police without further incident (**Exhibit #4**).

**Conclusion:** By his actions **RODRIGUEZ LUQUE** has violated F.S.S. 551.109(3) in that he participated in a scheme designed to win or attempt to win, for himself money or property or a combination thereof and reduce or attempt to reduce losing wagers he had made in connection with slot machine gaming.

**Status:** Case closed by Investigations and forwarded to Legal for review.

CONTINUATION

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**From:** [Gene Tellez](#)  
**To:** [Daniella Sandoval](#); [Security Department](#); [Slot Attendants Supervisors](#); [Neal Elliott](#); [Steven Rinaldi](#); [Romy Hogue](#); [Rene Guim](#); [lee.jesilow@williamhill.us](mailto:lee.jesilow@williamhill.us); [salford@williamhill.us](mailto:salford@williamhill.us); [tbarlow@williamhill.us](mailto:tbarlow@williamhill.us); [Suau, Raul](#)  
**Cc:** [Beatriz Perez](#); [Daniel Licciardi](#)  
**Subject:** Updated Self- Exclusion and Trespass listings for December 2021  
**Date:** Saturday, January 1, 2022 1:55:18 PM  
**Attachments:** [Copy of Casino Miami Self Exclusion List 1-1-2022-2021.xlsx](#)  
[Copy of Casino Miami Trespass List 12-18- 2021 Updated by Gene \(5\).xlsx](#)

---

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Good afternoon everyone and Happy New Year, attached is the updated December 2021, Self and Trespass exclusion listings.\ for Casino Miami.

## 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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| Last Name | First Name | Middle Name | Sex  | Race / Ethnicity | Description                                | DOB | Address         | City  | State | Excluded Date | Excluded Until | Report Number | Report Type        | Notes  |
|-----------|------------|-------------|------|------------------|--|-----|-----------------|-------|-------|---------------|----------------|---------------|--------------------|--|
| Rodriguez | Ricardo    | Lique       | Male | Hispanic         | 145 LBS., 5' 10", Brown Eyes., Black Hair. |     | 1934 NW 1 Terr. | Miami | FL    | 12/27/2021    | Permanent      | CMJ000002170  | Trespass Permanent | Mr. Rodriguez , is part of a group that espicalized in Manipulating Electronic Roulette Machine to effect the pay off. |

**From:** [Suau, Raul](#)  
**To:** [Beatriz Perez](#)  
**Subject:** information  
**Date:** Thursday, January 6, 2022 8:22:00 AM  
**Attachments:** [image001.png](#)

---

Good morning,  
Please provide a copy of security reports CMJ000002170 and CMJ000002172

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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EXHIBIT # 2  
PAGE # 1







































































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Domain **10 - Division of Pari-Mutuel Wagering**

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|             |  |             |                               |             |                     |
|-------------|--|-------------|-------------------------------|-------------|---------------------|
| Lic Type    | <b>1098 - Unlicensed Complaints</b>        | Status      | <b>20 Under Investigation</b> | Status Date | <b>05/20/2022</b>   |
| Complaint # | <b>2022024921</b>                          | Case Type   | <b>CMP - Complaint</b>        | Disposition | Disposition Date    |
| Docket#     | Respondent <b>RODRIGUEZ LUQUE, RICARDO</b> | Responsible | <b>rsuau - SUAUAU, RAUL</b>   |             | <b>Private Case</b> |

|                           |                            |                             |                             |
|---------------------------|----------------------------|-----------------------------|-----------------------------|
| <a href="#">Complaint</a> | <a href="#">Respondent</a> | <a href="#">Complainant</a> | <a href="#">Addt'l Info</a> |
|---------------------------|----------------------------|-----------------------------|-----------------------------|

|           |   |                |                    |                                     |                               |                                     |                              |
|-----------|---|----------------|--------------------|-------------------------------------|-------------------------------|-------------------------------------|------------------------------|
| 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>OTHR - Other</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>12/26/2021</b>  | <input type="checkbox"/>            | <a href="#">Violations</a>    | <input type="checkbox"/>            | <a href="#">Compliance</a>   |
| Region    | <b>SR - Southern Region</b>   | Received       | <b>05/20/2022</b>  | <input checked="" type="checkbox"/> | <a href="#">Related</a>       | <input checked="" type="checkbox"/> | <a href="#">Disposition</a>  |
| Reference | <b>550.0251(6) &amp; 551.109(3)</b>   |                |                    | <input type="checkbox"/>            | <a href="#">Inspection</a>    |                                     |                              |
| Entered   | <b>05/20/2022</b>   | Entered By     | <b>Imuniz</b>      | <input type="checkbox"/>            | <a href="#">Costs</a>         |                                     |                              |
| 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 26, 2021, while visiting Casino Miami, Ricardo Rodriguez Luque played at the Roulette Wheel Slot Machine located in Section FL-07. While playing he was observed by surveillance lifting the console cover of the machine, causing a blue screen/tilt and stopping all play. Immediately after the blue screen was caused, Rodriguez Luque used a reset key and restored the machine to playing status. This was done to prevent him from losing any monies that he had been betting. Rodriguez Luque dropped the reset key on the floor when approached by security and Miami Police and kicked it away from him, where it was picked up by an unidentified female that was one of several individuals that were with Rodriguez Luque. Rodriguez Luque was permanently excluded by the facility.</b></p> |                |                    | <input type="checkbox"/>            | <a href="#">Time Tracking</a> | <input type="checkbox"/>            | <a href="#">Auto Assign</a>  |
| Updated   | <b>05/20/2022 15:37:31</b>  | By             | <b>Imuniz</b>      | <input type="checkbox"/>            | <a href="#">Attachments</a>   | <input type="checkbox"/>            | <a href="#">History</a>      |
|           |   |                |                    | <input type="checkbox"/>            | <a href="#">Work Notes</a>    | <input type="checkbox"/>            | <a href="#">Print Report</a> |

|                        |                      |                    |                        |                      |
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| <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  
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

PMW     Cardroom     Slot

Violation     Incident     Complaint

**FACILITY NAME:** CASINO MIAMI, LLC

**LIC #:** 273

**RESPONDENT**

|   |                |                    |
|---|----------------|--------------------|
| NAME: Ricardo Rodriguez Luque               |                |                    |
| Address: 1934 NW 1ST Terr., Miami, FL 33125 |                | Tel #:             |
| LIC #: N/A                                  | LIC TYPE: 1098 | OCCUPATION: Patron |

**COMPLAINANT**

|              |               |                 |
|--------------|---------------|-----------------|
| NAME: N/A    |               | Tel #:          |
| Address: N/A |               |                 |
| LIC #: N/A   | LIC TYPE: N/A | OCCUPATION: 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 26, 2021, while visiting Casino Miami, Ricardo Rodriguez Luque played at the Roulette Wheel Slot Machine located in Section FL-07. While playing he was observed by surveillance lifting the console cover of the machine, causing a blue screen/tilt and stopping all play. Immediately after the blue screen was caused, Rodriguez Luque used a reset key and restored the machine to playing status. This was done to prevent him from losing any monies that he had been betting. Rodriguez Luque dropped the reset key on the floor when approached by security and Miami Police and kicked it away from him, where it was picked up by an unidentified female that was one of several individuals that were with Rodriguez Luque. Rodriguez Luque was permanently excluded by the facility.

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_  
(Title of State Employee)

Raul Suau  
(Print Name)

*Raul Suau*  
(Signature)

May 20, 2022  
(Date)

## Muniz, Luz

---

**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*

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.: 2022-024921

RICARDO RODRIGUEZ LUQUE,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Ricardo Rodriguez Luque (“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 1934 Northwest 1st Terrace Miami, Florida 33125.
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 26, 2021, Respondent was a patron of Casino Miami, LLC.
5. On or about December 27, 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 27, 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 2022-024921 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 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](#) | [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>09/26/2022</b>              |
| Complaint # | <b>2022024921</b>                   | Case Type  | <b>CMP - Complaint</b>          | Disposition |                                |
| Docket#     |                                     | Respondent | <b>RODRIGUEZ LUQUE, RICARDO</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>           | <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>12/26/2021</b>  | <input type="checkbox"/>            | Violations    | <input type="checkbox"/>            | Compliance   |
| Region    | <b>SR - Southern Region</b>   | Received       | <b>05/20/2022</b>  | <input checked="" type="checkbox"/> | Related       | <input checked="" type="checkbox"/> | Disposition  |
| Reference | <b>550.0251(6) &amp; 551.109(3)</b>   |                |                    | <input type="checkbox"/>            | Inspection    |                                     |              |
| Entered   | <b>05/20/2022</b>   | Entered By     | <b>Imuniz</b>      | <input type="checkbox"/>            | Costs         |                                     |              |
| 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 26, 2021, while visiting Casino Miami, Ricardo Rodriguez Luque played at the Roulette Wheel Slot Machine located in Section FL-07. While playing he was observed by surveillance lifting the console cover of the machine, causing a blue screen/tilt and stopping all play. Immediately after the blue screen was caused, Rodriguez Luque used a reset key and restored the machine to playing status. This was done to prevent him from losing any monies that he had been betting. Rodriguez Luque dropped the reset key on the floor when approached by security and Miami Police and kicked it away from him, where it was picked up by an unidentified female that was one of several individuals that were with Rodriguez Luque. Rodriguez Luque was permanently excluded by the facility.</b></p> |                |                    | <input type="checkbox"/>            | Time Tracking |                                     | Auto Assign  |
|           |   |                |                    | <input type="checkbox"/>            | Attachments   |                                     | History      |
|           |   |                |                    | <input type="checkbox"/>            | Work Notes    |                                     | Print Report |
| Updated   | <b>09/26/2022 13:03:16</b>  |                | By                 | <b>Imuniz</b>                       |               |                                     |              |

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| 129 | <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:<br><b>PMW</b>  | Region:<br><b>SOUTHERN</b>   | Date of Complaint:<br><b>May 20, 2022</b>   | Case Number:<br><b>2022 02 4921</b> |
| Respondent:<br><b>RODRIGUEZ LUQUE, RICARDO</b><br>1934 NW 1 <sup>ST</sup> TERR.<br>MIAMI, FL. 33125  |                              | Complainant:<br><b>DIVISION OF PARI-MUTUEL WAGERING</b><br><b>OFFICE OF INVESTIGATIONS</b><br>1400 WEST COMMERCIAL BLVD STE. 165<br>FT. LAUDERDALE, FL. 33309 |                                     |
| License # and Type:<br><b>N/A - 1098</b>   | Profession:<br><b>Patron</b> | Report Date:<br><b>August 26, 2022</b>  |                                     |
| Period of Investigation:<br><b>May 20, 2022 through August 26, 2022</b>  |                              | Type of Report:<br><b>Final</b>   |                                     |
| <p><b>Alleged Violation: 550.0251 - Powers and duties of the Florida Gaming Control Commission.</b><br/> <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.<br/> <b>F.S.S. 551.109 Prohibited Acts; Penalties –</b><br/> <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 26, 2021, Ricardo <b>RODRIGUEZ LUQUE</b> visited Casino Miami (CM) and was observed by surveillance manipulating the Roulette Wheel Slot Machine located in Section FL-07 by lifting the console cover and causing a blue screen/tilt message stating “call attendant” to appear, stopping all play and bets. Immediately after the blue screen was caused, <b>RODRIGUEZ LUQUE</b> used a reset key to reset the machine. This was done to prevent him from losing any monies that he had wagered. When approached by CM Security <b>RODRIGUEZ LUQUE</b> dropped the key on the floor and stepped on it in an attempt to hide it. When Miami Police arrived, <b>RODRIGUEZ LUQUE</b> kicked the key away from himself, and it was picked up by an unidentified female that was one of several individuals that were with <b>RODRIGUEZ LUQUE</b>. <b>RODRIGUEZ LUQUE</b> was permanently excluded by the facility.</p>   |                              |   |                                     |
| Related Case: 2022 02 4925   |                              |   |                                     |
| Investigator / Date<br><br>Raul Suau / August 26, 2022  |                              | Investigator Supervisor / Date<br><br>Julio Minaya / September 19, 2022   |                                     |
| Chief of Investigations / Date<br><br>Bradford D. Jones for<br>Steven E. Kogan / September 26, 2022   |                              |   |                                     |

## CONTINUATION

On January 1, 2022, I received an updated Trespass list from Casino Miami Director of Security Eugene Tellez for the month of December, 2021. A review of the list, revealed two new entries involving individuals who had manipulated the facility's Roulette Wheel Slot Machines. The individuals were identified as Enrique Gamez Hernandez and Ricardo **RODRIGUEZ LUQUE**. Both were permanently excluded from the facility on December 26, 2021. (**Exhibit #1, Page #2**)

On January 6, 2022, I e-mailed Casino Miami Vice President of Human Resources and State Compliance Beatriz Perez, and requested a copy of Security Report CMJ-000002170. A review of this report detailed an incident involving patron Ricardo **RODRIGUEZ LUQUE** who was accompanied by Enrique Gamez Hernandez. Both were observed by surveillance personnel on December 26, 2021, manipulating the Roulette Wheel Slot Machine game located in section FL-07 (**Exhibit #2 & 3**).

I also requested and received from Surveillance Supervisor Adrian Gordon a copy of Surveillance Report CMJ-000010121, as well as a copy of video footage of the incident. The video footage was vouchered under related PMW Case# 2022-02-4925 (**Exhibit #5**).

A review of video footage and a review of Surveillance Report CMJ-000010121 by this investigator confirmed that the following suspects were identified by CM Security and Surveillance Department as participating in the manipulating of the Roulette Wheel Slot Machine game on December 26, 2021<sup>1</sup>:

Suspect #1 – Enrique Gamez Hernandez

Suspect #2 – Ricardo Rodriguez aka Ricardo **RODRIGUEZ LUQUE**

Suspect #5 – Unidentified female wearing black & white flower shirt with black pants

Video footage showed that on December 26, 2021, at approximately 10:47 P.M., Gamez Hernandez entered Casino Miami and proceeded to the Roulette Wheel Slot Machines in section FL-07<sup>2</sup> where he met Ricardo **RODRIGUEZ LUQUE**. Once there, Gamez Hernandez began to play the machine and was captured at 10:59 P.M., manipulating the machine by lifting the console cover. However, the slot machine did not go into a blue screen/tilt, which would have caused the machine to stop all play and bets from occurring. By doing this, Gamez Hernandez attempted to prevent any loss of monies that he had wagered. Nevertheless, **RODRIGUEZ LUQUE** was captured on video footage using a reset key to reset the slot machine<sup>3</sup>. Because **GAMEZ HERNANDEZ** was unsuccessful in causing a blue screen to appear, Rodriguez Luque took control of the same slot machine (FL-07) and between 10:47 P.M., and 10:59 P.M., was observed playing and lifting the console cover causing a blue screen/tilt and a message of "call attendant" to appear. Immediately, as the blue screen appeared Rodriguez Luque was observed resetting the slot machine using a reset key. This would have prevented the player from losing any monies that had been wagered (**Exhibits # 4 & 6**).

---

<sup>1</sup> Descriptions of accompanying individuals who did not overtly participate excluded.

<sup>2</sup> Slot Machine Bank FL is an open circle that has eight (8) individual slot machines labeled FL-01 through FL-08. This same Slot Bank has a monitor located in the open section that divides Slot Machine Bank FL from Slot Machine Bank FM which also has eight individual slot machines (Exhibit # 6).

<sup>3</sup> Multiple styles of these keys are available for purchase on the internet (Exhibit #7).

## CONTINUATION

At 11:01 P.M., Gamez Hernandez and **RODRIGUEZ LUQUE** were stopped by CM Security Supervisor Dontrell Allen. Security Supervisor Allen called for assistance and can be observed on video waiting for an off-duty Miami Police officer working the facility security detail to arrive.

While being detained, **RODRIGUEZ LUQUE** was captured on surveillance video surreptitiously dropping the slot reset key on the floor. Afterwards he can be seen stepping on the key to conceal it and prior to being escorted to the Security Office, he can be seen kicking the key backwards away from himself. The key was subsequently picked up by a white female identified as suspect #5 in Surveillance Report CMJ-000010121. Per Surveillance Report CMJ000010121, suspect #5 was seen in the company of Lazaro Pablo Hernandez who was investigated under PMW case 2022-02-4908; that investigation involved a similar scheme (**Exhibit #4, Pages 11- 15**).

At 11:08 P.M., CM Security and the Miami Police Officer escort Gamez Hernandez and **RODRIGUEZ LUQUE** to the Security Office. Once there both men were permanently excluded from the facility and escorted outside by Miami Police without further incident (**Exhibit #4**).

**Conclusion:** By his actions **RODRIGUEZ LUQUE** has violated F.S.S. 551.109(3) in that he participated in a scheme designed to win or attempt to win, for himself money or property or a combination thereof and reduce or attempt to reduce losing wagers he had made in connection with slot machine gaming.

**Status:** Case closed by Investigations and forwarded to Legal for review.

CONTINUATION

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**From:** [Gene Tellez](#)  
**To:** [Daniella Sandoval](#); [Security Department](#); [Slot Attendants Supervisors](#); [Neal Elliott](#); [Steven Rinaldi](#); [Romy Hogue](#); [Rene Guim](#); [lee.jesilow@williamhill.us](mailto:lee.jesilow@williamhill.us); [salford@williamhill.us](mailto:salford@williamhill.us); [tbarlow@williamhill.us](mailto:tbarlow@williamhill.us); [Suau, Raul](#)  
**Cc:** [Beatriz Perez](#); [Daniel Licciardi](#)  
**Subject:** Updated Self- Exclusion and Trespass listings for December 2021  
**Date:** Saturday, January 1, 2022 1:55:18 PM  
**Attachments:** [Copy of Casino Miami Self Exclusion List 1-1-2022-2021.xlsx](#)  
[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.

Good afternoon everyone and Happy New Year, attached is the updated December 2021, Self and Trespass exclusion listings.\ for Casino Miami.

## 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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| Last Name        | First Name | Middle Name | Sex  | Race / Ethnicity | Description                                | DOB        | Address         | City  | State | Excluded Date | Excluded Until | Report Number | Report Type        | Notes  |
|------------------|------------|-------------|------|------------------|--|------------|-----------------|-------|-------|---------------|----------------|---------------|--------------------|--|
| [REDACTED]       |            |             |      |                  |  |            |                 |       |       |               |                |               |                    |  |
| *<br>November 21 |            |             |      |                  |  |            |                 |       |       |               |                |               |                    |  |
| [REDACTED]       |            |             |      |                  |  |            |                 |       |       |               |                |               |                    |  |
| *<br>DECEMBER 21 |            |             |      |                  |  |            |                 |       |       |               |                |               |                    |  |
| [REDACTED]       |            |             |      |                  |  |            |                 |       |       |               |                |               |                    |  |
| Rodriguez        | Ricardo    | Lique       | Male | Hispanic         | 145 LBS., 5' 10", Brown Eyes., Black Hair. | [REDACTED] | 1934 NW 1 Terr. | Miami | FL    | 12/27/2021    | Permanent      | CMJ000002170  | Trespass Permanent | Mr. Rodriguez , is part of a group that espicalized in Manipulating Electronic Roulette Machine to effect the pay off. |



**From:** [Suau, Raul](#)  
**To:** [Beatriz Perez](#)  
**Subject:** information  
**Date:** Thursday, January 6, 2022 8:22:00 AM  
**Attachments:** [image001.png](#)

---

Good morning,  
Please provide a copy of security reports CMJ000002170 and CMJ000002172

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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EXHIBIT # 2  
PAGE # 1







































































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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> |
|-------------------------|-----------------------|------------------------|-----------------------------|-------------------------|----------------------|----------------------|----------------------------|-----------------------------|------------------------|

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 [Mass Discipline](#)

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>05/20/2022</b>   |
| Complaint # | <b>2022024921</b>                          | Case Type   | <b>CMP - Complaint</b>        | Disposition | Disposition Date    |
| Docket#     | Respondent <b>RODRIGUEZ LUQUE, RICARDO</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="#">Addtl Info</a> |
|---------------------------|----------------------------|-----------------------------|----------------------------|

|           |   |                |                    |                                     |                               |                                     |                              |
|-----------|---|----------------|--------------------|-------------------------------------|-------------------------------|-------------------------------------|------------------------------|
| 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>OTHR - Other</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>12/26/2021</b>  | <input type="checkbox"/>            | <a href="#">Violations</a>    | <input type="checkbox"/>            | <a href="#">Compliance</a>   |
| Region    | <b>SR - Southern Region</b>   | Received       | <b>05/20/2022</b>  | <input checked="" type="checkbox"/> | <a href="#">Related</a>       | <input checked="" type="checkbox"/> | <a href="#">Disposition</a>  |
| Reference | <b>550.0251(6) &amp; 551.109(3)</b>   |                |                    | <input type="checkbox"/>            | <a href="#">Inspection</a>    |                                     |                              |
| Entered   | <b>05/20/2022</b>   | Entered By     | <b>Imuniz</b>      | <input type="checkbox"/>            | <a href="#">Costs</a>         |                                     |                              |
| 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 26, 2021, while visiting Casino Miami, Ricardo Rodriguez Luque played at the Roulette Wheel Slot Machine located in Section FL-07. While playing he was observed by surveillance lifting the console cover of the machine, causing a blue screen/tilt and stopping all play. Immediately after the blue screen was caused, Rodriguez Luque used a reset key and restored the machine to playing status. This was done to prevent him from losing any monies that he had been betting. Rodriguez Luque dropped the reset key on the floor when approached by security and Miami Police and kicked it away from him, where it was picked up by an unidentified female that was one of several individuals that were with Rodriguez Luque. Rodriguez Luque was permanently excluded by the facility.</b></p> |                |                    | <input type="checkbox"/>            | <a href="#">Time Tracking</a> | <input type="checkbox"/>            | <a href="#">Auto Assign</a>  |
| Updated   | <b>05/20/2022 15:37:31</b>  | By             | <b>Imuniz</b>      | <input type="checkbox"/>            | <a href="#">Attachments</a>   | <input type="checkbox"/>            | <a href="#">History</a>      |
|           |   |                |                    | <input type="checkbox"/>            | <a href="#">Work Notes</a>    | <input type="checkbox"/>            | <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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## Muniz, Luz

---

**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*

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 Adult Signature Restricted Delivery \$ \_\_\_\_\_

10-3-22

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Here

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\$ \_\_\_\_\_  
Total Postage  
\$ \_\_\_\_\_

Sent To  
Street and Apt  
City, State, Zip

**Ricardo Rodriguez Luque**  
1934 Northwest 1st Terrace  
Miami, Florida 33125  
AC - 2022024921 - PMW

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Tracking Number:

## 70202450000050963278

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### Latest Update

Your item was delivered to an individual at the address at 12:58 pm on October 14, 2022 in MIAMI, FL 33125.

Feedback

### Delivered

**Delivered, Left with Individual**

MIAMI, FL 33125

October 14, 2022, 12:58 pm

[See All Tracking History](#)

---

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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. Erwin Oscar Oliva Case Number 2022-034261; Default  
Final Order  
Date: November 23, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Erwin Oscar Oliva (“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 June 24, 2022, Respondent was a patron of Magic City Casino.<sup>1</sup> Respondent was seen fighting with another patron in the cardroom. Respondent was permanently excluded from Magic City Casino<sup>2</sup>, on June 24, 2022.

Based on his exclusion from Magic City Casino, the Division served Respondent with an administrative complaint 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 October 12, 2022 which means the Respondent had until November 2, 2022 to respond. 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> 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.” 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 properly served administrative complaint seeking to exclude him from all pari-mutuel and slot machine facilities in this state, 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 Erwin Oscar Oliva from all pari-mutuel and slot machine facilities in this state.

|   |   |   |                                  |                         |                                      |                      |                                 |                             |                        |
|---|---|---|----------------------------------|-------------------------|--------------------------------------|----------------------|---------------------------------|-----------------------------|------------------------|
| <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>07/25/2022</b>   |
| Complaint # | <b>2022034261</b>                   | Case Type                 | <b>CMP - Complaint</b> | Disposition                    | Disposition Date    |
| Docket#     | Respondent                          | <b>OLIVA, ERWIN OSCAR</b> | Responsible            | <b>tsmith2 - SMITH, TYRELL</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>IV-B - Patron Complaints</b> | Complexity     | <b>R - Regular</b> | <input type="checkbox"/>            | <b>Violations</b>    | <input type="checkbox"/>            | <b>Compliance</b>   |
| Security  | <b>STND - Standard</b>          | Incident       | <b>06/24/2022</b>  | <input type="checkbox"/>            | <b>Related</b>       | <input checked="" type="checkbox"/> | <b>Disposition</b>  |
| Region    | <b>SR - Southern Region</b>     | Received       | <b>07/15/2022</b>  | <input type="checkbox"/>            | <b>Inspection</b>    |                                     |                     |
| Reference | <b>550.0251</b>                 | Entered By     | <b>icampbell</b>   | <input type="checkbox"/>            | <b>Costs</b>         |                                     | <b>Auto Assign</b>  |
| Entered   | <b>07/15/2022</b>               |                |                    | <input type="checkbox"/>            | <b>Time Tracking</b> |                                     | <b>History</b>      |
|           |                                 |                |                    | <input type="checkbox"/>            | <b>Attachments</b>   |                                     | <b>Print Report</b> |
|           |                                 |                |                    | <input type="checkbox"/>            | <b>Work Notes</b>    |                                     |                     |

Summary **155 - West Flagler Associates, Ltd - The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation: On June 12, 2022, while conducting a routine review of cardroom exclusions received on July 1, 2022, via email from Magic City Casino Internal Auditor Yadelin Crespo, this Investigator found an incident in which a Patron was permanently excluded from the facility on June 24, 2022. Further investigation revealed that the Patron Erwin Oscar Oliva was permanently excluded from the facility due to his disorderly conduct inside the cardroom. Poker Director Iliana Zamora who was inside the cardroom at the time of the incident notified Security and Police to remove Oliva from the cardroom based on his conduct. Upon Security and Police arrival, Oliva was escorted from the cardroom and to the security office, where he was advised by the Security Team Leader that he was being permanently excluded from the facility. He was given the Trespass Warning Form in which he signed and acknowledged. Oliva was then escorted out of the facility by Police and Security and left the without further incident. This Investigator obtained a copy of the Incident and Exclusion report from the Magic City Director of Safety and Compliance Julie Noonan and a copy**

of the video footage from Surveillance Manager  
Tamara Knowles.

Updated 07/25/2022 14:32:38

By Immuniz

10


Change

Save

OK

Cancel

Back

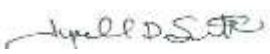
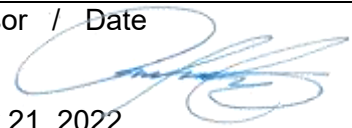
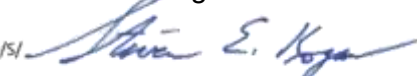
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

|   |                            |  |                                     |
|---|----------------------------|--|-------------------------------------|
| Office:<br><b>PMW</b>   | Region:<br><b>SOUTHERN</b> | Date of Complaint:<br><b>July 15, 2022</b>   | Case Number:<br><b>2022 03 4261</b> |
| Respondent:<br><b>OLIVA, ERWIN OSCAR<br/>11247 SW 236<sup>TH</sup> LANE<br/>HOMESTEAD, FLORIDA 33032</b>  |                            | Complainant:<br><b>DIVISION OF PARI-MUTUEL WAGERING<br/>OFFICE OF INVESTIGATIONS<br/>1400 W. COMMERCIAL BLVD. SUITE 165<br/>FT. LAUDERDALE, FLORIDA 33309<br/>(954) 202-3900</b> |                                     |
| License # and Type:<br>N/A / 1098   |                            | Profession:<br>Patron  | Report Date:<br>July 19, 2022       |
| Period of Investigation:<br>July 15, 2022 through July 19, 2022   |                            | Type of Report:<br><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>—The division 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 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>Synopsis:</b> On July 12, 2022, while conducting a review of Magic City Casino's exclusion list which was received on July 1, 2022, via e-mail from Magic City Casino Internal Auditor Yadelin Crespo, this Investigator found an incident that occurred on June 24, 2022, in which a Patron by the name of Erwin Oscar <b>OLIVA</b> was permanently excluded from the facility for fighting. <b>(Exhibit # 3)</b></p> <p>Poker Director Iliana Zamora who was inside the cardroom at the time of the incident notified Security and Police to remove <b>OLIVA</b> from the cardroom. <b>(Exhibit # 2)</b></p> <p>Once Security and Police arrived, <b>OLIVA</b> was escorted from the cardroom and to the security office, where he was advised by Security that he was being permanently excluded from the facility. <b>OLIVA</b> was given a Trespass Warning Form which he acknowledged and signed. He was then escorted out of the facility by Security and Police and allowed to leave without further incident. <b>(Exhibit # 2)</b></p> <p>This Investigator also obtained a copy of the Incident and Exclusion report from the Magic City Director of Safety and Compliance Julie Noonan and a copy of the video footage from Surveillance Manager Tamara Knowles. <b>(Exhibit # 4)</b></p>  |                            |  |                                     |
| <b>Related Case(s):</b>   |                            |  |                                     |
| Investigator / Date: July 19, 2022<br>  |                            | Investigator Supervisor / Date<br>  |                                     |
| Tyrell D. Smith /<br>Chief of Investigations / Date   |                            | Julio Minaya / July 21, 2022   |                                     |
| <br>Steven E. Kogan / July 25, 2022   |                            |  |                                     |

## CONTINUATION

According to Magic City Incident Report IN20220002977, on June 24, 2022, at approximately 9:17 P.M., Poker Director Ileana Zamora notified Security of a fight between two (2) males inside the cardroom. Security and Police responded to the cardroom and made contact with **OLIVA** who was the aggressor. The other patron involved in the incident who was not identified, voluntarily left the cardroom to avoid further confrontation with **OLIVA**. Security Team Leader Julio Sanchez and Miami Police Officers arrived inside the cardroom and escorted **OLIVA** to the Poker cage to cash out his remaining chips. Afterwards, he was escorted to the security office and advised that he was being permanently excluded from the facility because of his actions. He was issued a Trespass Warning form which he acknowledged and signed. **OLIVA** was then escorted out of the facility by Sanchez and Miami Police and allowed to leave without further incident. **(Exhibit #2)**

A review of video footage shows **OLIVA** sitting at table #10, seat #5. He is observed speaking to an unidentified male patron who was standing at the table gathering his belongings. After gathering his belongings the unidentified patron walks from the table and towards the brush. At the same time **OLIVA** stands up and walks towards the patron. As **OLIVA** approaches the patron, he pushes him; the patron ignores **OLIVA** and continues to walk towards the Poker cage. **OLIVA** then exits the cardroom and walks into the lobby area where he remains for a few seconds before returning to the cardroom. Once in the cardroom, **OLIVA** walks to the Poker cage where the unidentified patron was waiting to be cashed out and appears to say something to him. It was at this moment that Poker Director Ileana Zamora intervened and **OLIVA** walked away and returned to table #10.

**OLIVA** then sat down at table #10 and continued to play poker until he was approached by Security and Police and escorted out of the cardroom. He was allowed to cash out his remaining chips and was subsequently escorted to the security office where he was given a Trespass Warning and was permanently excluded from the facility. He was escorted out of the facility without further incident. **(Exhibit #2, Page # 8)**

Case closed by Investigations and forwarded to Legal for further review and possible statewide exclusion from all Pari-Mutuel Facilities.

CONTINUATION

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    4. Property Receipt for Flash Drive..... 1-1



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: June 24, 2022

|   |  |                               |                                    |  |                                    |
|---|--|-------------------------------|------------------------------------|--|------------------------------------|
| <input checked="" type="checkbox"/> PMW | <input checked="" type="checkbox"/> Cardroom | <input type="checkbox"/> Slot | <input type="checkbox"/> Violation | <input checked="" type="checkbox"/> Incident | <input type="checkbox"/> Complaint |
|---|--|-------------------------------|------------------------------------|--|------------------------------------|

FACILITY NAME: West Flagler Associates LTD (Magic City Casino) LIC #: 155

**RESPONDENT**

|   |                       |                           |
|---|-----------------------|---------------------------|
| NAME: <u>Erwin Oscar Oliva</u>  |                       |                           |
| Address: <u>11247 SW 236<sup>th</sup> Lane Homestead, Florida 33032</u> |                       | Tel: _____                |
| LIC #: <u>N/A</u>   | LIC TYPE: <u>1098</u> | OCCUPATION: <u>Patron</u> |

**COMPLAINANT**

|   |                       |                                  |
|---|-----------------------|----------------------------------|
| NAME: <u>West Flagler Associates LTD (Magic City Casino)</u>    |                       | Tel #: _____                     |
| Address: <u>450 NW 37<sup>th</sup> Ave Miami, Florida 33126</u> |                       |                                  |
| LIC #: <u>155</u>   | LIC TYPE: <u>1002</u> | OCCUPATION: <u>Permit Holder</u> |

**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.**—The division shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:

(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The division may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permit holder to exclude absolutely a patron in this state.

**DESCRIPTION:** On June 12, 2022, while conducting a routine review of cardroom exclusions received on July 1, 2022, via email from Magic City Casino Internal Auditor Yadelin Crespo, this Investigator found an incident in which a Patron was permanently excluded from the facility on June 24, 2022.

Further investigation revealed that the Patron Erwin Oscar Oliva was permanently excluded from the facility due to his disorderly conduct inside the cardroom.

Poker Director Iliana Zamora who was inside the cardroom at the time of the incident notified Security and Police to remove Oliva from the cardroom based on his conduct.

Upon Security and Police arrival, Oliva was escorted from the cardroom and to the security office, where he was advised by the Security Team Leader that he was being permanently excluded from the facility. He was given the Trespass Warning Form in which he signed and acknowledged. Oliva was then escorted out of the facility by Police and Security and left the without further incident.

This Investigator obtained a copy of the Incident and Exclusion report from the Magic City Director of Safety and Compliance Julie Noonan and a copy of the video footage from Surveillance Manager Tamara Knowles.

**CASE DETAILS FILED BY:**

Chief Inspector  Judge/Steward  Investigator  Other: \_\_\_\_\_  
 (Title of State Employee)

Tyrell D. Smith *Tyrell D. Smith* July 14, 2022  
 (Print Name) (Signature) (Date)

FGCC-PMW (Effective 7/22)

**EXHIBIT # - |**  
**PAGE # - |**

**Smith, Tyrell**

---

**From:** Campbell, Ian  
**Sent:** Friday, July 15, 2022 12:23 PM  
**To:** Smith, Tyrell  
**Cc:** Minaya, Julio; Futrell, Michelle; Muniz, Luz  
**Subject:** 2022 03 4261 - Oliva, Erwin Oscar - CARD

Hello Tyrell,

The case in subject has been opened and assigned to you.

Thank you,



**FLORIDA**  
GAMING CONTROL  
COMMISSION

**Ian J. Campbell**  
**Operations Analyst II**  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Investigations  
(954)202-6776 Office (954)202-3930 Fax

The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. LARGER VIEW

EXHIBIT # -1  
PAGE # -2



# Incident File Full Report



iTrak Incident Reporting and Risk Management System Version  
2020.1.0.05202

Incident Number: IN20220002977  
Date/Time Occurred: 6/25/2022 12:48:15 AM  
Day of Week: Saturday  
Created by: jsanchez

Printed By: igarcia

Printed On: 7/12/2022 at 11:28:15 AM

EXHIBIT # -2  
PAGE # -1













TRESPASS WARNING

NAME / LAST NAME: Brown Oscar Oliva

DRIVER LICENSE # [REDACTED] D.O.B. [REDACTED]

ADDRESS: 11247 SW 236th CITY: Princeton ST: FL ZIP: 33032

RACE: Hispanic SEX: M HEIGHT: 5'8 WEIGHT: 200 HAIR: Black EYES: Brown

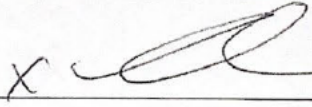
REASON FOR TRESPASSING: Fight

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 6/24/22 at 9:38PM 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: X 

CASE #: N/A ARRESTED:  YES  NO

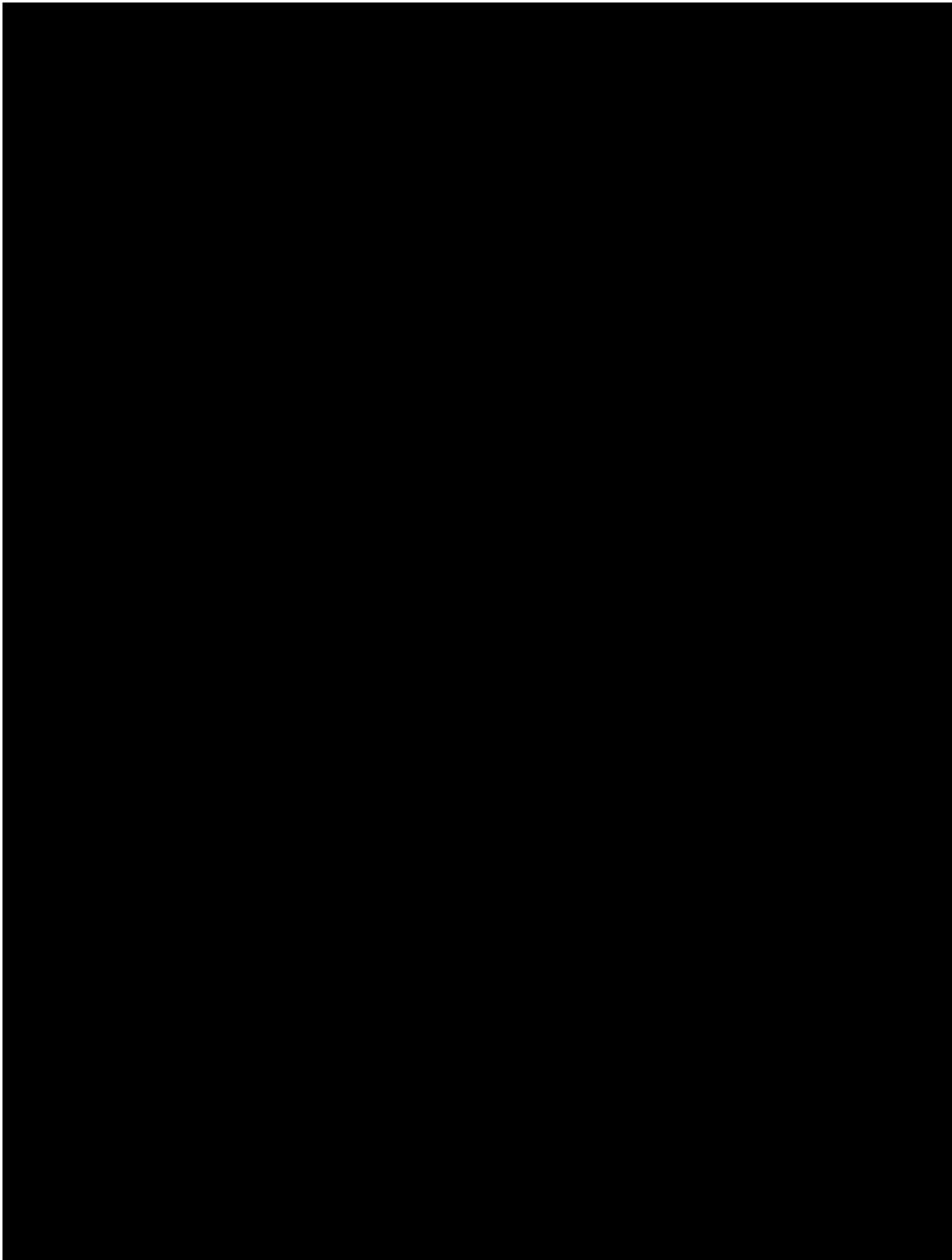
SECURITY AGENT: [Signature] # 4019 DATE: 6/24/22

POLICE OFFICER / WITNESS: [Signature]

- Warned by MPD referenced trespass after warning
- Subject refused to sign this trespass warning

EXHIBIT # -2  
PAGE # -8





**Smith, Tyrell**

---

**From:** Yadelin Crespo <ycrespo@magiccitycasino.com>  
**Sent:** Friday, July 1, 2022 1:50 PM  
**To:** Suau, Raul; Smith, Tyrell; Minaya, Julio  
**Cc:** Victor Suarez; Julie Noonan; Ileana Zamora  
**Subject:** MCC Weekly Exclusions 06/30/22  
**Attachments:** MCC Weekly Exclusions 2022-06-30.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 this past week.

\*State Exclusions last updated 6/16/22 – MCC Master Exclusion List up to date

Work from Home Mondays and Tuesdays  
**Yadelin Crespo | Internal Auditor**  
Magic City Casino + Bonita Springs Poker Room  
ycrespo@magiccitycasino.com | 305.631.4536  
magiccitycasino.com | bonitapoker.com

| Date       | Last Name  | First Name  | DOB        | Gender     |
|------------|------------|-------------|------------|------------|
| 6/25/2022  | Oliva      | Erwin Oscar | [REDACTED] | Male       |
| [REDACTED] | [REDACTED] | [REDACTED]  | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED]  | [REDACTED] | [REDACTED] |
| [REDACTED] | [REDACTED] | [REDACTED]  | [REDACTED] | [REDACTED] |

EXHIBIT #-3  
PAGE #-2

| Driver's License | Location           | Sublocation        |
|------------------|--------------------|--------------------|
| [REDACTED]       | Poker Room         | Table 10           |
| [REDACTED]       | Section 2          | 2/4/2005           |
| [REDACTED]       | Security Vestibule |                    |
| [REDACTED]       | Casino Floor       |                    |
| [REDACTED]       | 1/3/2001           | Security Vestibule |

EXHIBIT # -3  
PAGE # -3

| Race       | Address           | City      | State |
|------------|-------------------|-----------|-------|
| Hispanic   | 11247 SW 236th LN | Princeton | FL    |
| [REDACTED] |                   |           |       |

EXHIBIT # -3  
PAGE # -9

| Zip        | Height | Weight | Hair Color | Eye Color | Build  | Length    |
|------------|--------|--------|------------|-----------|--------|-----------|
| 33032      | 5'8    | 201    | Black      | Brown     | Normal | Permanent |
| [REDACTED] |        |        |            |           |        |           |
| [REDACTED] |        |        |            |           |        |           |
| [REDACTED] |        |        |            |           |        |           |
| [REDACTED] |        |        |            |           |        |           |

EXHIBIT # 3  
PAGE # 5

| Incident Type | Report#       | Photo Taken | Arrested |
|---------------|---------------|-------------|----------|
| Fight         | IN20220002977 | Y           | N        |
|               |               |             |          |
|               |               |             |          |
|               |               |             |          |
|               |               |             |          |

EXHIBIT # -3  
PAGE # -4



**State of Florida  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Investigations**

**PROPERTY RECEIPT**

Complaint # 2022-03-4261 Date 9/14/2022 Lab # \_\_\_\_\_

| Item No.         | Quantity | Description   |
|------------------|----------|---|
| 1                | 1        | USB CONTAINING VIDEO FOOTAGE OF INCIDENT.<br>FIGHT PATRON Excluded: EDWIN OSCAR OLIVERA |
| <i>LAST ITEM</i> |          |   |
|                  |          |   |
|                  |          |   |
|                  |          |   |
|                  |          |   |
|                  |          |   |
|                  |          |   |

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 # -11**



|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| 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: icampbell

[VR Home](#) | 
 [Complaint Search](#) | 
 [Maintain Complaint](#)

|             |                              |                    |           |                        |                         |             |                  |  |
|-------------|------------------------------|--------------------|-----------|------------------------|-------------------------|-------------|------------------|--|
| Lic Type    | 1098 - Unlicensed Complaints |                    | Status    | 20 Under Investigation |                         | Status Date | 07/15/2022       |  |
| Complaint # | 2022034261                   |                    | Case Type | CMP Complaint          |                         | Disposition | Disposition Date |  |
| Docket#     | Re pondent                   | OLIVA, ERWIN OSCAR |           | 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"/> | Parties     | <input checked="" type="checkbox"/> | Activities  |
| Form      | INTR - Internal   | Priority       |             | <input type="checkbox"/> | Allegations | <input type="checkbox"/>            | Discipline  |
| Class'n   | IV-B - Patron Complaints  | Complexity     | R - Regular | <input type="checkbox"/> | Violations  | <input type="checkbox"/>            | Compliance  |
| Security  | STND - Standard   | Incident       | 06/24/2022  | <input type="checkbox"/> | Related     | <input checked="" type="checkbox"/> | Disposition |
| Region    | SR - Southern Region  | Received       | 07/15/2022  | <input type="checkbox"/> | Inspection  | <input type="checkbox"/>            | Costs       |
| Reference | 550.0251  |                | Entered     | 07/15/2022               | Entered By  | icampbell                           |             |
| Summary   | <p>155 - West Flagler Associates, Ltd - The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation: On June 12, 2022, while conducting a routine review of cardroom exclusions received on July 1, 2022, via email from Magic City Casino Internal Auditor Yadelin Crespo, this Investigator found an incident in which a Patron was permanently excluded from the facility on June 24, 2022. Further investigation revealed that the Patron Erwin Oscar Oliva was permanently excluded from the facility due to his disorderly conduct inside the cardroom. Poker Director Iliana Zamora who was inside the cardroom at the time of the incident notified Security and Police to remove Oliva from the cardroom based on his conduct. Upon Security and Police arrival, Oliva was escorted from the cardroom and to the security office, where he was advised by the Security Team Leader that he was being permanently excluded from the facility. He was given the Trespass Warning Form in which he signed and acknowledged. Oliva was then escorted out of the facility by Police and Security and left the without further incident. This Investigator obtained a copy of the Incident and Exclusion report from the Magic City Director of Safety and Compliance Julie Noonan and a copy of the video footage from Surveillance Manager Tamara Knowles.</p> |                |             |                          |             |                                     |             |
| Updated   | 07/15/2022 11:40:57   |                | By          | icampbell                |             |                                     |             |

|                                       |                                     |                                   |                                       |                                     |
|---------------------------------------|-------------------------------------|-----------------------------------|---------------------------------------|-------------------------------------|
| <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:** June 24, 2022

|   |  |                               |                                    |  |                                    |
|---|--|-------------------------------|------------------------------------|--|------------------------------------|
| <input checked="" type="checkbox"/> PMW | <input checked="" type="checkbox"/> Cardroom | <input type="checkbox"/> Slot | <input type="checkbox"/> Violation | <input checked="" type="checkbox"/> Incident | <input type="checkbox"/> Complaint |
|---|--|-------------------------------|------------------------------------|--|------------------------------------|

**FACILITY NAME:** West Flagler Associates LTD (Magic City Casino) **LIC #:** 155

**RESPONDENT**

|   |                       |                           |
|---|-----------------------|---------------------------|
| <b>NAME:</b> Erwin Oscar Oliva                                    |                       |                           |
| Address: 11247 SW 236 <sup>th</sup> Lane Homestead, Florida 33032 |                       | Tel                       |
| <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) |                       | Tel #:                           |
| Address: 450 NW 37 <sup>th</sup> Ave Miami, Florida 33126    |                       |                                  |
| <b>LIC #:</b> 155  | <b>LIC TYPE:</b> 1002 | <b>OCCUPATION:</b> Permit Holder |

**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.**—The division shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:

(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The division may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permit holder to exclude absolutely a patron in this state.

**DESCRIPTION:** On June 12, 2022, while conducting a routine review of cardroom exclusions received on July 1, 2022, via email from Magic City Casino Internal Auditor Yadelin Crespo, this Investigator found an incident in which a Patron was permanently excluded from the facility on June 24, 2022.

Further investigation revealed that the Patron Erwin Oscar Oliva was permanently excluded from the facility due to his disorderly conduct inside the cardroom.

Poker Director Iliana Zamora who was inside the cardroom at the time of the incident notified Security and Police to remove Oliva from the cardroom based on his conduct.

Upon Security and Police arrival, Oliva was escorted from the cardroom and to the security office, where he was advised by the Security Team Leader that he was being permanently excluded from the facility. He was given the Trespass Warning Form in which he signed and acknowledged. Oliva was then escorted out of the facility by Police and Security and left the without further incident.

This Investigator obtained a copy of the Incident and Exclusion report from the Magic City Director of Safety and Compliance Julie Noonan and a copy of the video footage from Surveillance Manager Tamara Knowles.

**CASE DETAILS FILED BY:**

Chief Inspector    Judge/Steward    Investigator    Other: \_\_\_\_\_  
(Title of State Employee)

|  |                 |                                |
|--|-----------------|--------------------------------|
| <u>Tyrell D. Smith</u><br>(Print Name) | <br>(Signature) | <u>July 14, 2022</u><br>(Date) |
|--|-----------------|--------------------------------|

## Campbell, Ian

---

**From:** Minaya, Julio  
**Sent:** Friday, July 15, 2022 10:41 AM  
**To:** Campbell, Ian  
**Cc:** Smith, Tyrell; Kogan, Steven  
**Subject:** OCR  
**Attachments:** OCR CASINO MIAMI (SURVEILLANCE LOST ) 7-14-2022.docx; OCR MAGIC CITY CASINO (EXCLUDED PATRON ) 6-24-2022.docx

Ian,

Please open and assign to Tyrell.

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

**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.: 2022-034261**

**ERWIN OSCAR OLIVA,**

**Respondent.**

\_\_\_\_\_ /

**ADMINISTRATIVE COMPLAINT**

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Erwin Oscar Oliva (“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 11247 Southwest 236th Lane Homestead, Florida 33032.
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 June 24, 2022, Respondent was a patron of Magic City Casino.
5. On or about June 24, 2022, Respondent was ejected and permanently excluded from Magic City Casino.
6. 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).

7. 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 division 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 division. The division 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).

8. 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 June 24, 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 2022-034261 is signed this 26th 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.

| 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 card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>  | <p>A. Signature</p> <p>X </p> <p style="text-align: right;"><input type="checkbox"/> Agent<br/><input type="checkbox"/> Addressee</p>  |
| <p>1. Article Addressed to:</p> <p style="text-align: center;"><b>Erwin Oscar Oliva</b><br/>11247 SW 236<sup>th</sup> Lane<br/>Homestead, FL 33032<br/>AC - 2022034261 - PMW</p>  <p style="text-align: center;">9590 9402 6208 0220 7390 49</p> | <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p style="text-align: center;">BO <span style="float: right;">10-12-21</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br/>If YES, enter delivery address below. <input type="checkbox"/> No</p> <p style="text-align: center; font-weight: bold; font-size: small;">RECEIVED<br/>OCT 20 AM 9:54<br/>FLORIDA GAMING<br/>CONTROL COMMISSION</p>  |
| <p>2. Article Number (Transfer from service label)</p> <p style="font-size: large; font-weight: bold;">7020 2450 0000 5096 3964</p>   | <p>3. 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"/> Insured Mail Restricted Delivery (over \$500)</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 checked="" type="checkbox"/> Signature Confirmation™</li> <li><input type="checkbox"/> Signature Confirmation Restricted Delivery</li> </ul> |

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt



U.S. Postal Service™  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

7020 2450 0000 5096 3964

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

10-5-22

Postmark  
Here

Postage

\$

Total

\$

Sent

Street

City, State

Zip

**Erwin Oscar Oliva**

11247 SW 236<sup>th</sup> Lane

Homestead, FL 33032

AC - 2022034261 - PMW

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Tracking Number:

**70202450000050963964**

[Copy](#)

[Add to Informed Delivery](#)

(<https://informedelivery.usps.com/>)

[Remove X](#)

Feedback

## Latest Update

Your item was delivered to an individual at the address at 5:47 pm on October 12, 2022 in HOMESTEAD, FL 33032.

### Delivered

**Delivered, Left with Individual**

HOMESTEAD, FL 33032

October 12, 2022, 5:47 pm

[See All Tracking History](#)

---

**Text & Email Updates**



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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. Joe Siliato Case Number 2022-041767; Default Final Order  
Date: November 23, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the suspension of Joe Siliato (“Respondent”) Pari-Mutuel Wagering Professional Individual Occupational License. By failing to respond to the properly served administrative complaint, 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 August 4, 2022, a default final judgment of \$5,520.13 was entered against Respondent for unpaid financial obligations regarding veterinary services performed 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 COCE22037959. These unpaid financial obligations related to racing conducted at a pari-mutuel facility in the state of Florida.

The Division served Respondent with an administrative complaint 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 election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days<sup>1</sup> to file a written response to the administrative complaint. The Respondent was served on October 11, 2022 which means the Respondent had until November 1, 2022 to respond. He has never responded.

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<sup>1</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*

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 Seventh 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 properly served administrative complaint, he waived his right to request a hearing.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order suspending Joe Siliato’s Pari-Mutuel Wagering Professional Individual Occupational License until the Commission receives confirmation that payment has been satisfied.

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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 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>1021 - Pari-Mutuel Wagering Individual Occupational</b> | Status     | <b>90 Closed</b>       | Status Date | <b>08/29/2022</b>              |
| Complaint # | <b>2022041767</b>  | Case Type  | <b>CMP - Complaint</b> | Disposition | Disposition Date               |
| Docket#     |  | Respondent | <b>SILIATO, JOE</b>    | Responsible | <b>jminaya - MINAYA, JULIO</b> |
|             |  |            |                        |             | <b>Private Case</b>            |

| Complaint | Respondent  | Complainant    | Add'l Info         |
|-----------|---|----------------|--------------------|
| Source    | <b>CNSM - Consumer</b>  | Security Level | <b>1</b>           |
| Form      | <b>PCOM - PMW Complaint</b>   | Priority       |                    |
| Class'n   | <b>IV-A - Financial Responsibility</b>  | Complexity     | <b>R - Regular</b> |
| Security  | <b>STND - Standard</b>  | Incident       | <b>08/04/2022</b>  |
| Region    | <b>SR - Southern Region</b>   | Received       | <b>08/26/2022</b>  |
| Reference | <b>550.105(7)</b>   |                |                    |
| Entered   | <b>08/26/2022</b>   | Entered By     | <b>Imuniz</b>      |
| Summary   | <p><b>321-Gulfstream Park Racing Assoc., Inc. ----- / --- ----- . Financial Responsibility: On August 25, 2022, a copy of a Default and Final Judgment by Default, Case #COCE-22-037959 was received via e-mail from Attorney Mark Gunderson. Per said Judgment filed on August 4, 2022, in the County Court For the 17th Judicial Circuit in and For Broward County, FL, in Division 49, Teigland, Franklin, Brokken, DVMS, Inc., shall recover from Joe Siliato the sum of \$4,309.28 in principal, filling fees of \$320.85, process sever fees of \$90.00 and attorney fees in the amount of \$800.00, making a total of \$5,520.13, which shall bear interest at the rate of 4.25% per year.</b></p> |                |                    |
| Updated   | <b>08/29/2022 11:53:00</b>  | By             | <b>Imuniz</b>      |

Parties
  Activities

Allegations
  Discipline

Violations
  Compliance

Related
  Disposition

Inspection
  Costs

Time Tracking

Attachments

Work Notes

|          |                                       |                                     |                                   |                                       |                                     |
|----------|---------------------------------------|-------------------------------------|-----------------------------------|---------------------------------------|-------------------------------------|
| <b>3</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"/> |
|----------|---------------------------------------|-------------------------------------|-----------------------------------|---------------------------------------|-------------------------------------|

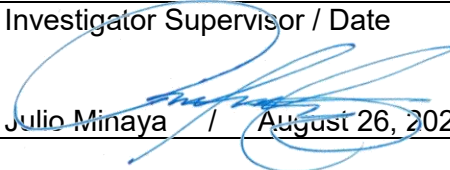
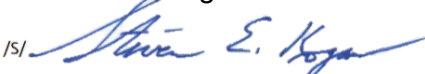
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**INVESTIGATIVE REPORT**

|   |                            |   |  |
|---|----------------------------|---|--|
| Office:<br><b>PMW</b>   | Region:<br><b>SOUTHERN</b> | Date of Complaint:<br><b>August 26, 2022</b>  | Case Number:<br><b>2022 04 1767</b>    |
| Respondent:<br><br><b>SILIATO, JOE<br/>193 BEACHFRONT APT A<br/>MANASQUAN, NJ 08736</b>   |                            | Complainant:<br><br><b>DIVISION OF PARI-MUTUEL WAGERING<br/>OFFICE OF INVESTIGATION<br/>1400 W. COMMERCIAL BLVD., SUITE 165<br/>FT. LAUDERDALE, FL 33309<br/>(954) 202-3900</b> |  |
| License # and Type:<br><b>12641691 - 1021</b>   |                            | Profession:<br><b>Individual Animal Owner /<br/>Trainer</b>   | Report Date:<br><b>August 26, 2022</b> |
| Period of Investigation:<br><b>August 26, 2022 through August 26, 2022</b>  |                            | Type of Report:<br><b>Final</b>   |  |
| Alleged Violation: <b>F.S.S. 550.105 Financial Responsibility</b><br><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 August 25, 2022, a copy of a Default and Final Judgment by Default against Joe <b>SILIATO</b> , in favor of Teigland, Franklin & Brokken, DVM's, PA, Case No. COCE-22-037959, Division 49, In the County Court of the 17 <sup>th</sup> Judicial Circuit In and For Broward County, FL, ordered on August 4, 2022, was received via e-mail from Attorney Mark Gunderson.<br><br>Per said judgment, Teigland, Franklin & Brokken, DVM's, PA, shall recover from Joe <b>SILIATO</b> the sum of \$4,309.28 in principal, filing fees of \$320.85, process server fees of \$90.00 and attorney fees in the amount of \$800.00, making a total of \$5,520.13 which shall bear interest at the rate of 4.25% per year. <b>(Exhibit # 1)</b> |                            |   |  |
| Related Case:   |                            |   |  |
| Investigator / Date<br><br>/  |                            | Investigator Supervisor / Date<br><br><br>Julio Minaya / August 26, 2022                    |  |
| Chief of Investigations / Date<br><br><br>/s/ Steven E. Kogan / August 29, 2022  |                            |   |  |

## CONTINUATION

A check of DBPR Versa records reflect that Joe **SILIATO** obtained a 3 year Florida PMW Occupational license as a Thoroughbred Owner/Trainer on May 26, 2021. This license expires on June 30, 2023. A copy of his licensing information is attached as **EXHIBIT # 2**.

In the letter from Gunderson dated August 25, 2022, he states that the amount of \$5,520.13 is for veterinary services provided by his client at a Florida Pari-Mutuel facility where **SILIATO** 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 August 26, 2022, an Enforcement Alert was placed on **SILIATO'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**.

**Status:** **SILIATO** 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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    3. Original Court Complaint & Invoices..... 1-10

    4. License Action ALERT..... 1-2

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 – JOE SILIATO**

August 25, 2022

Via Certified Mail – 7022 0410 0002 0271 5720 &  
Via email - [Donna.Fleming@myfloridalicense.com](mailto:Donna.Fleming@myfloridalicense.com)

Via email - [Julio.Minaya@myfloridalicense.com](mailto:Julio.Minaya@myfloridalicense.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  
1400 West Commercial Boulevard, Suite 165  
Fort Lauderdale, FL 33065

Re: Teigland, Franklin & Brokken, DVMs Inc. v. Joe Siliato  
17<sup>th</sup> Judicial Circuit - State of Florida – COCE 22037959 Division 49 - \$5,520.13

Gentlemen:

On August 4, 2022, my client, Teigland, Franklin & Brokken, DVMs Inc. obtained judgment<sup>1</sup> against Joe Siliato, a licensee, concerning veterinary services which my client provided at a Florida pari-mutuel facility where Mr. Siliato stabled his horses. Since obtaining that judgment, Mr. Siliato has failed to satisfy his obligation.

**Florida statutes states: “the division [pari-mutuel wagering] may deny, revoke, or suspend any occupational license if the applicant therefor or holder thereof accumulates unpaid obligations or defaults in obligations...if such unpaid obligations...directly relate to the sport of ... racing being conducted at a pari-mutuel facility within this state.” 550.105(7) Fla. Stat.**

Mr. Siliato holds a Pari-Mutuel Wagering Individual Occupational license issued by the State of Florida, as does my client. Mr. Siliato has accumulated unpaid obligations and has defaulted on an obligation that directly related to the sport of racing conducted at a pari-mutuel facility.

Accordingly, my client requests that Mr. Siliato’s occupational/horse racing license be suspended or revoked, in accordance with the procedures found at Fla. Admin. Code R. 61D-3.001, which 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

Joe Siliato, 193 Beachfront #1A, Mansquan, NJ 08736

---

<sup>1</sup> Judgment attached.

IN THE COUNTY COURT OF THE 17TH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO. COCE22037959 DIVISION: 49 JUDGE: Di Pietro, Nina W. (49)

**Teigland Franklin and Brokken DVMS Inc**

Plaintiff(s) / Petitioner(s)

v.

**Joe Siliato**

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, JOE SILIATO is in default for failing to attend the pre-trial hearing set by this Court for August 2, 2022. Plaintiff, TEIGLAND. FRANKLIN & BROKKEN. D.V.M.'S. Inc., 12277 SW 55<sup>th</sup> Street #909, Ft. Lauderdale, FL 33330, shall recover from defendant, JOE SILIATO, 193 Beachfront, #1A, Manasquan, NJ 08736, the sum of \$4,309.28 in principal, filing fees of \$320.85, process server fees of \$90.00 and attorney fees in the amount of \$800.00, **making a total of \$5,520.13**, 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 Small Claims Rules Form 7.343 (Fact Information Sheet) and return it to the plaintiff's attorney within 45 days from the date of this final judgment, unless the final judgment is satisfied or a motion for new trial or notice of appeal is filed. **The 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.

Plaintiff's counsel shall serve a copy of this judgment on Defendant at the address shown above.

**DONE AND ORDERED** in Chambers at Broward County, Florida on 4th day of August, 2022.

~~COCE22037959 08-04-2022 11:30 AM~~

COCE22037959 08-04-2022 11:30 AM  
Hon. Nina W. Di Pietro  
**COUNTY JUDGE**  
Electronically Signed by Nina W. Di Pietro

**Copies Furnished To:**

Joe Siliato , Address : 193 Beachfront #1A, Manasquan, NJ 08736  
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                              |       |                        |                        |        |
| [REDACTED]                                       |       | Alternate Phone Number |                        |        |

| SUBJECT OF COMPLAINT                                  |       |            |                        |        |
|---|-------|------------|------------------------|--------|
| Last Name   | First | Middle     | Title                  | Suffix |
| JOE SILIATO   |       |            |                        |        |
| License Number (if known)                             |       |            |                        |        |
| 12641691  |       |            |                        |        |
| Company/Occupation                                    |       |            |                        |        |
| HORSE OWNER   |       |            |                        |        |
| MAILING ADDRESS                                       |       |            |                        |        |
| Street Address or P.O. Box                            |       |            |                        |        |
| 193 BEACHFRONT APT A                                  |       |            |                        |        |
| City  |       | State      | Zip Code (+4 optional) |        |
| MANASQUAN   |       | NJ         | 08736                  |        |
| County (if Florida address)                           |       | Country    |                        |        |
|   |       |            |                        |        |
| CONTACT INFORMATION                                   |       |            |                        |        |
| Primary Phone Number                                  |       | [REDACTED] |                        |        |
| [REDACTED]  |       | [REDACTED] |                        |        |
| 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 |
| NONE  |       |                        |                        |        |
| 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 |
| TRISH SHELTON - MGR OF COLLECTIONS - TEIGLAND, FRANKLIN, BROKKEN, DVMS, PA |       |                        |                        |        |
| ADDRESS  |       |                        |                        |        |
| Street Address or P.O. Box   |       |                        |                        |        |
| 12277 SW 55 TH STREET  |       |                        |                        |        |
| City   |       | State                  | Zip Code (+4 optional) |        |
| FORT LAUDERDALE  |       | FL                     | 33330                  |        |
| County (if Florida address)  |       | Country                |                        |        |
| BROWARD  |       |                        |                        |        |
| CONTACT INFORMATION  |       |                        |                        |        |
| [REDACTED]   |       | Alternate Phone Number |                        |        |

| WITNESS (IF APPLICABLE)     |       |                        |                        |        |
|-----------------------------|-------|------------------------|------------------------|--------|
| Last Name                   | First | Middle                 | Title                  | Suffix |
|                             |       |                        |                        |        |
| ADDRESS                     |       |                        |                        |        |
| Street Address or P.O. Box  |       |                        |                        |        |
|                             |       |                        |                        |        |
| City                        |       | State                  | Zip Code (+4 optional) |        |
|                             |       |                        |                        |        |
| County (if Florida address) |       | Country                |                        |        |
|                             |       |                        |                        |        |
| CONTACT INFORMATION         |       |                        |                        |        |
| Primary Phone Number        |       | Alternate Phone Number |                        |        |

I affirm that I have provided the above information completely and truthfully to the best of my knowledge.

Complainant Sign Here: BY: /S/ MARK GUNDERSON, ESQ. Date: 08/25/2022

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 # **70206** Name **SILIATO, JOE** Extended To  
 License # **12641691** Rank **PIND - Professional Individual Occupational** Renewed On  
 Entity # **12641691** Lic Status **Current**

- Licensee
- History
- Notes
- Notes History
- Back

**Address**

Street # **193** Street **BEACHFRONT APT A**  
 Line 2  
 Line 3  
 City **MANASQUAN** State **NJ** Zip **08736**  
 Routing

**Other**

1st License Date **05/26/2021** Rank Date **05/26/2021** Certificate #  
 Method **I-S-1022** Status Date **05/26/2021** Certificate Date  
 Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action   

**Modifiers**

| Type | Modifier                       | Effective Date | Additional Info |
|------|--------------------------------|----------------|-----------------|
| C    | IOWN - Individual Animal Owner | 12/27/2020     |                 |
| I    | TBRD - Thoroughbred            | 12/27/2020     |                 |
| L    | 321 - Gulfstream Park          | 12/27/2020     |                 |
| Y    | 3YR - 3 Year License           | 05/26/2021     |                 |

**Alt Keys**

BEST LIC NBR **12641691**

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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           | <b>1021 - PMW Professional Individual Occupational</b> |                 | Entity #                 | <b>12641691</b>                                    |
| Fed Tax #          | [REDACTED]   | Fed Tax Type    | <b>SSN #</b>             | Name <b>SILIATO, JOE</b>                           |
| <b>H</b> Last Name | <b>SILIATO</b>   | First           | <b>JOE</b>               | Middle   |
| Title              |  | Suffix          |                          | Qualifier  |
| Gender             | <b>M</b>   | Race            |                          |  |
| Driver License #   |  | Birth Date      | [REDACTED]               |  |
| Mailing Address    | <input checked="" type="checkbox"/>                    | Private Address | <input type="checkbox"/> | Preferred Name <input checked="" type="checkbox"/> |
| Street #           | <b>193</b>   | Street          | <b>BEACHFRONT APT A</b>  |  |
| Line 2             |  |                 |                          |  |
| Line 3             |  |                 |                          |  |
| City               | <b>MANASQUAN</b>                                       | County          | <b>Out of State</b>      |  |
| Zip                | <b>08736</b>   | State           | <b>New Jersey</b>        | Country <b>United States</b>                       |
| Routing            |  |                 |                          |  |
| Phone #            | [REDACTED]   | Ext             |                          | E-Mail [REDACTED]                                  |
| Insp Region        |  |                 |                          | Receive Email <input type="checkbox"/>             |
| Updated            | <b>05/26/2021 10:41:07</b>                             | By              | <b>tmcdowell1</b>        |  |

- 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

TEIGLAND, FRANKLIN & BROKKEN,  
D.V.M.'S, INC.

Plaintiff,

vs

SMALL CLAIMS DIVISION

JOE SILIATO,  
Defendant.

**COMPLAINT**

Plaintiff, TEIGLAND, FRANKLIN & BROKKEN, D.V.M.'S, INC. ("Plaintiff"), sues defendant, JOE SILIATO, ("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 \$8,000.00 or less 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 Defendants' substantial and not isolated activity within this state. §48.193 Fla. Stat.
6. Service is alternatively made (if applicable) via substituted service on the Secretary for the State of Florida in accordance with §48.161 Fla. Stat. or §48.181 Fla. Stat. in that Defendant(s) were residents of this state and subsequently became nonresident(s) of this state or have concealed there whereabouts.
7. Defendant owe Plaintiff **\$4,309.28** that is due with interest since May 31, 2022, based on an agreement for goods and services that were sold and delivered at an agreed upon price, **directly related to horse racing being conducted at a pari-mutuel facility**. See Exhibit A.
8. Plaintiff is entitled to prevailing party attorney fees pursuant to agreement between the parties.

WHEREFORE, Plaintiff demands judgment for damages, attorney fees and costs against Defendant.

MARK GUNDERSON, P.L.  
Attorney for Plaintiff  
2510 SW 18 Street  
Fort Lauderdale Florida 33312  
(954) 288-1001; (954) 791-6154 Fax  
mgunderson@mindspring.com  
/s/ Mark Gunderson FBN: 0842141

EXHIBIT #3  
PAGE # 1  
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# Statement



Teigland, Franklin & Brokken, DVMs, Inc.  
 PO BOX 267160  
 Weston, Florida, 33326-7160

Tel: (954) 680-5886  
 Fax: (954) 680-5976  
 Office@tfbequine.com

Joe Siliato  
 193 Beachfront Apt 1A  
 Manasquan, NJ 08736-3331

Date: May-31-22  
 Client #: 266445  
 Page: 1

Trainer: SACCO, GREG

\$ \_\_\_\_\_  
 AMOUNT REMITTED

| Date   | Description                             | Quantity | Dr. | State | Sub-Total     | Charge      |
|--|---|----------|-----|-------|---------------|-------------|
| <b>Balance Forward</b>                                   |   |          |     |       |               | <b>0.00</b> |
| <i>*** PAYMENTS AND ADJUSTMENTS TO YOUR ACCOUNT ****</i> |   |          |     |       |               |             |
| 1/31/21  | Interest                                |          |     |       |               | 1.27        |
| 2/28/21  | Interest                                |          |     |       |               | 1.27        |
| 3/31/21  | Interest                                |          |     |       |               | 4.23        |
| 6/30/21  | Interest                                |          |     |       |               | 15.51       |
| 7/31/21  | Interest                                |          |     |       |               | 15.84       |
| 8/31/21  | Interest                                |          |     |       |               | 15.90       |
| 9/30/21  | Interest                                |          |     |       |               | 15.96       |
| 10/31/21   | Interest                                |          |     |       |               | 16.03       |
| 11/30/21   | Interest                                |          |     |       |               | 16.09       |
| 12/31/21   | Interest                                |          |     |       |               | 16.15       |
| 2/28/22  | Interest                                |          |     |       |               | 16.22       |
| 3/31/22  | Interest                                |          |     |       |               | 16.28       |
| 4/30/22  | Interest                                |          |     |       |               | 16.76       |
| 5/31/22  | Interest                                |          |     |       |               | 17.10       |
| <b>AMANDA'S ANTIK '19 100.00%</b>                        |   |          |     |       |               |             |
| 1/3/22   | Coggins                                 | 1        | 01  | NY    |               | 61.00       |
| 1/20/22  | Tranquillize - Dormosedan               | 1        | 01  | NY    |               | 41.00       |
| 3/6/22   | Tranquillize - Dormosedan               | 1        | 01  | NY    |               | 41.00       |
| 3/11/22  | Banamine (Flunixin Meglumine) Injection | 1        | 01  | NY    |               | 29.00       |
| <b>AMANDA'S ANTIK '19 Sub-Total</b>                      |   |          |     |       | <b>172.00</b> |             |
| <b>FAST LANI 50.00%</b>                                  |   |          |     |       |               |             |
| 11/1/20  | Video-Endoscopy Exam                    | 1        | 38  | NY    |               | 37.50       |

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## Statement



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Date: May-31-22  
Client #: 266445  
Page: 2

Trainer: SACCO, GREG

\$

AMOUNT REMITTED

| Date     | Description                                       | Quantity | Dr. | State | Sub-Total | Charge |
|----------|---|----------|-----|-------|-----------|--------|
| 11/7/20  | Adequan I.M. - 500 Mg.                            | 1        | 38  | NY    |           | 39.00  |
| 11/8/20  | CVI Exam & Health Certificate-Single Horse        | 1        | 38  | NY    |           | 5.00   |
| 11/11/20 | Zimecterin Gold                                   | 1        | 38  | NY    |           | 15.00  |
| 11/12/20 | Adequan I.M. - 500 Mg.                            | 1        | 38  | NY    |           | 39.00  |
| 11/17/20 | Video-Endoscopy Exam                              | 1        | 38  | NY    |           | 37.50  |
| 11/18/20 | Tranquilize - Dormosedan                          | 1        | 01  | NY    |           | 19.50  |
| 11/19/20 | Phenylbutazone Injection                          | 1        | 38  | NY    |           | 7.50   |
| 11/19/20 | Adequan I.M. - 500 Mg.                            | 1        | 38  | NY    |           | 39.00  |
| 11/20/20 | CVI Exam & Health Certificate-Single Horse        | 1        | 38  | NY    |           | 5.00   |
| 11/20/20 | Vitamin C   | 1        | 38  | NY    |           | 17.50  |
| 11/20/20 | Estrone Sulfate Injection                         | 1        | 38  | NY    |           | 17.50  |
| 11/26/20 | Adequan I.M. - 500 Mg.                            | 1        | 01  | NY    |           | 39.00  |
| 12/7/20  | Tranquilize - Acepromazine                        | 1        | 17  | FL    |           | 14.50  |
| 12/8/20  | Tranquilize - Acepromazine                        | 1        | 17  | FL    |           | 14.50  |
| 12/9/20  | Tranquilize - Acepromazine                        | 1        | 17  | FL    |           | 14.50  |
| 12/10/20 | Adequan I.M. - 500 Mg.                            | 1        | 17  | FL    |           | 39.00  |
| 12/17/20 | Adequan I.M. - 500 Mg.                            | 1        | 05  | FL    |           | 39.00  |
| 12/17/20 | Tranquilize - Dormosedan & Butorphanol            | 1        | 05  | FL    |           | 22.50  |
| 12/18/20 | Video-Endoscopy Exam                              | 1        | 05  | FL    |           | 37.50  |
| 12/20/20 | Adequan I.M. - 500 Mg.                            | 1        | 17  | FL    |           | 39.00  |
| 12/20/20 | Tranquilize - Acepromazine/Butorphanol/Dormosedan | 1        | 17  | FL    |           | 22.50  |
| 12/20/20 | Inject Hock Joints                                | 2        | 17  | FL    |           | 180.00 |
|          | Left, Right                                       |          |     |       |           |        |
|          | Inject Hyalovet                                   |          | 17  | FL    |           |        |
| 12/20/20 | Inject Stifle Joint                               | 2        | 17  | FL    |           | 185.00 |
|          | Left, Right                                       |          |     |       |           |        |
|          | Inject Hyvisc                                     |          | 17  | FL    |           |        |
| 12/22/20 | ECP   | 1        | 17  | FL    |           | 17.50  |

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EXHIBIT # 3  
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# Statement



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Date: May-31-22  
 Client #: 266445  
 Page: 3

Trainer: SACCO, GREG

\$ \_\_\_\_\_  
 AMOUNT REMITTED

| Date                       | Description                             | Quantity | Dr. | State | Sub-Total       | Charge |
|----------------------------|---|----------|-----|-------|-----------------|--------|
| 12/24/20                   | Adequan I.M. - 500 Mg.                  | 1        | 10  | FL    |                 | 39.00  |
| 12/24/20                   | Acepromazine Suspension 100 ml          | 0.2      | 39  | FL    |                 | 11.60  |
| 12/27/20                   | Video-Endoscopy Exam                    | 1        | 34  | FL    |                 | 37.50  |
| 12/27/20                   | Phenylbutazone Injection                | 1        | 34  | FL    |                 | 7.50   |
| 12/29/20                   | ECP                                     | 1        | 17  | FL    |                 | 17.50  |
| <b>FAST LANI Sub-Total</b> |   |          |     |       | <b>1,056.60</b> |        |
| <b>MURRICANE 50.00%</b>    |   |          |     |       |                 |        |
| 2/4/21                     | Adequan I.M. - 500 Mg.                  | 1        | 17  | FL    |                 | 39.00  |
| 2/11/21                    | Adequan I.M. - 500 Mg.                  | 1        | 17  | FL    |                 | 39.00  |
| 2/23/21                    | Video-Endoscopy Exam                    | 1        | 17  | FL    |                 | 37.50  |
| 2/25/21                    | Adequan I.M. - 500 Mg.                  | 1        | 17  | FL    |                 | 39.00  |
| 3/3/21                     | Adequan I.M. - 500 Mg.                  | 1        | 39  | FL    |                 | 39.00  |
| 3/11/21                    | Adequan I.M. - 500 Mg.                  | 1        | 17  | FL    |                 | 39.00  |
| 3/14/21                    | DR/CR Xray Fetlock - LH                 | 1        | 39  | FL    |                 | 40.00  |
| 3/14/21                    | DR/CR Xray Shin - LH                    | 1        | 39  | FL    |                 | 40.00  |
| 3/14/21                    | Digital Image Archive/Storage           | 1        | 39  | FL    |                 | 5.25   |
| 3/15/21                    | Phenylbutazone Injection                | 1        | 39  | FL    |                 | 7.50   |
| 3/15/21                    | Banamine (Flunixin Meglumine) Injection | 1        | 39  | FL    |                 | 14.00  |
| 3/18/21                    | Adequan I.M. - 500 Mg.                  | 1        | 17  | FL    |                 | 39.00  |
| 3/24/21                    | Adequan I.M. - 500 Mg.                  | 1        | 17  | FL    |                 | 39.00  |
| <b>MURRICANE Sub-Total</b> |   |          |     |       | <b>417.25</b>   |        |
| <b>OCEANS MAP 25.00%</b>   |   |          |     |       |                 |        |
| 2/2/21                     | ECP                                     | 1        | 17  | FL    |                 | 9.19   |
| 2/2/21                     | Ketoprofen                              | 1        | 17  | FL    |                 | 10.00  |
| 2/3/21                     | Phenylbutazone Injection                | 1        | 17  | FL    |                 | 3.75   |

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**EXHIBIT #3**  
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## Statement



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Date: May-31-22  
Client #: 266445  
Page: 4

Trainer: SACCO, GREG

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AMOUNT REMITTED

| Date    | Description                                       | Quantity | Dr. | State | Sub-Total | Charge |
|---------|---|----------|-----|-------|-----------|--------|
| 2/3/21  | Vitamins-Multiple                                 | 1        | 17  | FL    |           | 10.00  |
| 2/3/21  | Eqstim  | 1        | 17  | FL    |           | 12.63  |
| 2/4/21  | Video-Endoscopy Exam                              | 1        | 03  | FL    |           | 18.75  |
| 2/4/21  | Phenylbutazone Injection                          | 1        | 03  | FL    |           | 3.75   |
| 2/4/21  | Adequan I.M. - 500 Mg.                            | 1        | 17  | FL    |           | 19.50  |
| 2/10/21 | Inject Hock Joints                                | 2        | 17  | FL    |           | 94.50  |
|         | <i>Left, Right</i>                                |          |     |       |           |        |
|         | <i>Inject Hyalovet</i>                            |          | 17  | FL    |           |        |
| 2/10/21 | Tranquilize - Acepromazine/Butorphanol/Dormosedan | 1        | 17  | FL    |           | 11.81  |
| 2/10/21 | Phenylbutazone Injection                          | 1        | 17  | FL    |           | 3.75   |
| 2/11/21 | ECP   | 1        | 17  | FL    |           | 9.19   |
| 2/11/21 | Adequan I.M. - 500 Mg.                            | 1        | 17  | FL    |           | 19.50  |
| 2/16/21 | ECP   | 1        | 39  | FL    |           | 9.19   |
| 2/18/21 | Banamine (Flunixin Meglumine) Injection           | 1        | 17  | FL    |           | 7.00   |
| 2/18/21 | Lasix/Salix - AM                                  | 1        | 17  | FL    |           | 6.25   |
| 2/23/21 | ECP   | 1        | 17  | FL    |           | 9.19   |
| 2/24/21 | Video-Endoscopy Exam                              | 1        | 17  | FL    |           | 18.75  |
| 2/25/21 | Adequan I.M. - 500 Mg.                            | 1        | 17  | FL    |           | 19.50  |
| 3/2/21  | ECP   | 1        | 39  | FL    |           | 9.19   |
| 3/2/21  | DR/CR Xray Shins - BF                             | 1        | 39  | FL    |           | 20.00  |
| 3/2/21  | Digital Image Archive/Storage                     | 1        | 39  | FL    |           | 2.63   |
| 3/3/21  | Adequan I.M. - 500 Mg.                            | 1        | 39  | FL    |           | 19.50  |
| 3/4/21  | Oxytetracycline                                   | 1        | 17  | FL    |           | 10.00  |
| 3/5/21  | Lasix/Salix - AM                                  | 1        | 05  | FL    |           | 6.25   |
| 3/5/21  | Banamine (Flunixin Meglumine) Injection           | 1        | 05  | FL    |           | 7.00   |
| 3/9/21  | Ketoprofen  | 1        | 17  | FL    |           | 10.00  |
| 3/10/21 | Phenylbutazone Injection                          | 1        | 17  | FL    |           | 3.75   |

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EXHIBIT #3  
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# Statement



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Date: May-31-22  
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 Page: 5

Trainer: SACCO, GREG

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 AMOUNT REMITTED

| Date    | Description                             | Quantity | Dr. | State | Sub-Total | Charge |
|---------|---|----------|-----|-------|-----------|--------|
| 3/11/21 | Video-Endoscopy Exam                    | 1        | 15  | FL    |           | 18.75  |
| 3/11/21 | Phenylbutazone Injection                | 1        | 15  | FL    |           | 3.75   |
| 3/11/21 | Adequan I.M. - 500 Mg.                  | 1        | 17  | FL    |           | 19.50  |
| 3/13/21 | Sterno-Thyroid Myotomy                  | 1        | 05  | FL    |           | 175.00 |
| 3/13/21 | Diazepam                                | 1        | 05  | FL    |           | 6.25   |
| 3/13/21 | Ketamine w/Xylazine                     | 1        | 05  | FL    |           | 12.50  |
| 3/13/21 | Tetanus Toxoid Vaccination              | 1        | 39  | FL    |           | 6.56   |
| 3/13/21 | Oxytetracycline & Bute                  | 1        | 39  | FL    |           | 13.13  |
| 3/14/21 | Oxytetracycline & Bute                  | 1        | 10  | FL    |           | 13.13  |
| 3/15/21 | Oxytetracycline & Bute                  | 1        | 39  | FL    |           | 13.13  |
| 3/17/21 | ECP                                     | 1        | 17  | FL    |           | 9.19   |
| 3/18/21 | Adequan I.M. - 500 Mg.                  | 1        | 17  | FL    |           | 19.50  |
| 3/20/21 | Zimecterin Gold                         | 1        | 17  | FL    |           | 7.88   |
| 3/23/21 | ECP                                     | 1        | 17  | FL    |           | 9.19   |
| 3/24/21 | Adequan I.M. - 500 Mg.                  | 1        | 17  | FL    |           | 19.50  |
| 3/29/21 | ECP                                     | 1        | 02  | FL    |           | 9.19   |
| 3/30/21 | Video-Endoscopy Exam                    | 1        | 17  | FL    |           | 18.75  |
| 3/30/21 | Banamine (Flunixin Meglumine) Injection | 1        | 17  | FL    |           | 7.00   |
| 3/30/21 | Lasix/Salix - AM                        | 1        | 17  | FL    |           | 6.25   |
| 4/1/21  | Adequan I.M. - 500 Mg.                  | 1        | 17  | FL    |           | 19.50  |
| 4/8/21  | Adequan I.M. - 500 Mg.                  | 1        | 17  | FL    |           | 19.50  |
| 4/9/21  | Lasix/Salix - AM                        | 1        | 17  | FL    |           | 6.25   |
| 4/9/21  | Banamine (Flunixin Meglumine) Injection | 1        | 17  | FL    |           | 7.00   |
| 4/9/21  | Video-Endoscopy Exam                    | 1        | 17  | FL    |           | 18.75  |
| 4/13/21 | ECP                                     | 1        | 39  | FL    |           | 9.19   |
| 4/15/21 | Adequan I.M. - 500 Mg.                  | 1        | 05  | FL    |           | 19.50  |
| 4/15/21 | ECP                                     | 1        | 05  | FL    |           | 9.19   |

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Page: 6

Trainer: SACCO, GREG

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AMOUNT REMITTED

| Date    | Description   | Quantity | Dr. | State | Sub-Total       | Charge |
|---------|---|----------|-----|-------|-----------------|--------|
| 4/15/21 | Ketoprofen  | 1        | 05  | FL    |                 | 10.00  |
| 4/16/21 | Phenylbutazone Injection                                    | 1        | 05  | FL    |                 | 3.75   |
| 4/17/21 | Video-Endoscopy Exam  | 1        | 35  | FL    |                 | 18.75  |
| 4/17/21 | Phenylbutazone Injection                                    | 1        | 35  | FL    |                 | 3.75   |
| 4/18/21 | Ophthalmic Exam   | 1        | 17  | FL    |                 | 13.13  |
| 4/18/21 | Banamine (Flunixin Meglumine) Injection                     | 1        | 17  | FL    |                 | 7.00   |
| 4/18/21 | Banamine Paste  | 1        | 17  | FL    |                 | 13.13  |
| 4/18/21 | Triple Antibiotic Eye Ointment                              | 1        | 17  | FL    |                 | 9.19   |
| 4/20/21 | ECP   | 1        | 39  | FL    |                 | 9.19   |
| 4/22/21 | Adequan I.M. - 500 Mg.                                      | 1        | 17  | FL    |                 | 19.50  |
| 4/27/21 | Phenylbutazone Injectable 100ml Vial                        | 1        | 17  | FL    |                 | 9.19   |
| 4/29/21 | Adequan I.M. - 500 Mg.                                      | 1        | 17  | FL    |                 | 19.50  |
| 5/3/21  | HealthyHorse Plus Extreme w/Electrolytes Paste-60cc syringe | 0.6      | 10  | FL    |                 | 7.43   |
| 5/4/21  | Lasix/Salix - AM  | 1        | 17  | FL    |                 | 6.25   |
| 5/4/21  | Banamine (Flunixin Meglumine) Injection                     | 1        | 17  | FL    |                 | 7.00   |
| 5/5/21  | Adequan I.M. - 500 Mg.                                      | 1        | 17  | FL    |                 | 19.50  |
| 5/5/21  | ECP   | 1        | 17  | FL    |                 | 9.19   |
| 5/5/21  | CVI Exam & Health Certificate-Multiple Horses (per horse)   | 1        | 17  | FL    |                 | 1.31   |
| 5/5/21  | EPM Drench via Stomach Tube                                 | 1        | 17  | FL    |                 | 24.94  |
| 5/5/21  | Acepromazine Suspension 100 ml                              | 0.12     | 17  | FL    |                 | 3.66   |
| 5/5/21  | HealthyHorse Plus Extreme w/Electrolytes Paste-60cc syringe | 0.2      | 10  | FL    |                 | 2.48   |
|         | <b>OCEANS MAP Sub-Total</b>                                 |          |     |       | <b>1,099.32</b> |        |
|         | <b>POWERFUL ALLY 100.00%</b>                                |          |     |       |                 |        |
| 1/24/21 | Video-Endoscopy Exam  | 1        | 34  | FL    |                 | 75.00  |
| 1/24/21 | Phenylbutazone Injection                                    | 1        | 34  | FL    |                 | 15.00  |

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EXHIBIT #3  
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Page: 7

Trainer: SACCO, GREG

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AMOUNT REMITTED

| Date    | Description                       | Quantity | Dr. | State | Sub-Total | Charge |
|---------|-----------------------------------|----------|-----|-------|-----------|--------|
| 1/25/21 | Oxytetracycline                   | 1        | 17  | FL    |           | 40.00  |
| 1/25/21 | Zimecterin Gold                   | 1        | 17  | FL    |           | 31.50  |
| 1/26/21 | ECP                               | 1        | 17  | FL    |           | 36.75  |
| 1/27/21 | Oxytetracycline                   | 1        | 17  | FL    |           | 40.00  |
| 1/28/21 | Oxytetracycline                   | 1        | 17  | FL    |           | 40.00  |
| 1/29/21 | Oxytetracycline                   | 1        | 10  | FL    |           | 40.00  |
| 2/2/21  | ECP                               | 1        | 17  | FL    |           | 36.75  |
| 2/11/21 | ECP                               | 1        | 17  | FL    |           | 36.75  |
| 2/12/21 | Phenylbutazone Injection          | 1        | 17  | FL    |           | 15.00  |
| 2/12/21 | Vitamins-Multiple                 | 1        | 17  | FL    |           | 40.00  |
| 2/13/21 | Video-Endoscopy Exam              | 1        | 35  | FL    |           | 75.00  |
| 2/13/21 | Phenylbutazone Injection          | 1        | 35  | FL    |           | 15.00  |
| 2/14/21 | Equisul-SDT - 560ml               | 0.5      | 17  | FL    |           | 63.00  |
| 2/16/21 | ECP                               | 1        | 39  | FL    |           | 36.75  |
| 2/23/21 | ECP                               | 1        | 17  | FL    |           | 36.75  |
| 2/24/21 | Video-Endoscopy Exam              | 1        | 17  | FL    |           | 75.00  |
| 2/24/21 | Phenylbutazone Apple Paste - 20gm | 1        | 17  | FL    |           | 42.00  |
| 3/2/21  | ECP                               | 1        | 39  | FL    |           | 36.75  |
| 3/4/21  | Ketoprofen                        | 1        | 17  | FL    |           | 40.00  |
| 3/4/21  | Vitamin C                         | 1        | 17  | FL    |           | 36.75  |
| 3/4/21  | Acetylcysteine Injection          | 1        | 17  | FL    |           | 33.75  |
| 3/4/21  | Video-Endoscopy Exam              | 1        | 17  | FL    |           | 75.00  |
| 3/5/21  | Phenylbutazone Injection          | 1        | 05  | FL    |           | 15.00  |
| 3/5/21  | Vitamins-Multiple                 | 1        | 05  | FL    |           | 40.00  |
| 3/5/21  | Acetylcysteine Injection          | 1        | 05  | FL    |           | 33.75  |
| 3/6/21  | Video-Endoscopy Exam              | 1        | 35  | FL    |           | 75.00  |
| 3/6/21  | Phenylbutazone Injection          | 1        | 35  | FL    |           | 15.00  |

ALL TREATMENTS HAVE BEEN APPROVED BY YOUR TRAINER. TOTAL AMOUNT IS DUE UPON RECEIPT OF STATEMENT.

We accept MASTERCARD, VISA, DISCOVER and AMERICAN EXPRESS.

Click here to make a secure payment at [www.tfbequine.com](http://www.tfbequine.com) select resources for the payment tab.

*Thank You*

Amount past due 60 days or more will bear interest at the maximum rate allowable by law. In the event we are required to take action to collect the amount owed to us, you will be responsible for a \$100.00 administration fee plus all attorney fees and costs regardless of whether a lawsuit is filed.

EXHIBIT #3  
PAGE #8



Teigland, Franklin & Brokken, DVMs, Inc.  
 PO BOX 267160  
 Weston, Florida, 33326-7160

Tel: (954) 680-5886  
 Fax: (954) 680-5976  
 Office@tfbequine.com

# Exhibit A 8/8 Statement

Joe Siliato  
 193 Beachfront Apt 1A  
 Manasquan, NJ 08736-3331

Date: May-31-22  
 Client #: 266445  
 Page: 8

Trainer: SACCO, GREG

\$ \_\_\_\_\_  
 AMOUNT REMITTED

| Date    | Description                      | Quantity | Dr. | State | Sub-Total       | Charge |
|---------|----------------------------------|----------|-----|-------|-----------------|--------|
| 3/9/21  | Baytril (Enrofloxacin) Injection | 1        | 17  | FL    |                 | 50.50  |
| 3/10/21 | Baytril (Enrofloxacin) Injection | 1        | 17  | FL    |                 | 50.50  |
| 3/11/21 | Baytril (Enrofloxacin) Injection | 1        | 17  | FL    |                 | 50.50  |
| 3/17/21 | ECP                              | 1        | 17  | FL    |                 | 36.75  |
|         | <b>POWERFUL ALLY Sub-Total</b>   |          |     |       | <b>1,379.50</b> |        |

| Over 90 Days | Over 60 Days | Over 30 Days | Current | Total Amount |
|--------------|--------------|--------------|---------|--------------|
| 4,189.14     | 86.28        | 16.76        | 17.10   |              |

PLEASE PAY THIS AMOUNT >>>>>>>> 4,309.28  
 Client #:266445

ALL TREATMENTS HAVE BEEN APPROVED BY YOUR TRAINER. TOTAL AMOUNT IS DUE UPON RECEIPT OF STATEMENT.  
 We accept MASTERCARD, VISA, DISCOVER and AMERICAN EXPRESS.

Click here to make a secure payment at [www.tfbequine.com](http://www.tfbequine.com) select resources for the payment tab.

*Thank You*

Amount past due 60 days or more will bear interest at the maximum rate allowable by law. In the event we are required to take action to collect the amount owed to us, you will be responsible for a \$100.00 administration fee plus all attorney fees and costs regardless of whether a lawsuit is filed.

**EXHIBIT # 3**  
**PAGE # 858**

**RETURN OF SERVICE**

**State of Florida**

**County of Broward**

**17th Judicial Circuit Court**

Case Number: COCE-22-037959 Court Date: 8/2/2022 9:15 am

Plaintiff:  
**TEIGLAND, FRANKLIN & BROKKEN, DVM'S INC.**

vs.

Defendant:  
**JOE SILIATO**

For:  
MARK GUNDERSON  
MARK GUNDERSON PL  
2510 SW 18TH STREET  
FT. LAUDERDALE, FL 33312

Received by Coast to Coast Process Service, Inc. on the 27th day of June, 2022 at 4:10 pm to be served on **JOE SILIATO, 193 BEACHFRONT, APT 1A, MANASQUAN, NJ 08736**

I, DAVID GAMBLE, do hereby affirm that on the **28th day of July, 2022 at 7:08 pm, I:**

**INDIVIDUALLY/PERSONALLY** served by delivering a true copy of the **SUMMONS/NOTICE TO APPEAR FOR PRETRIAL CONFERENCE** with the date and hour of service endorsed thereon by me, to: **JOE SILIATO** at the address of: **193 BEACHFRONT, APT 1A, MANASQUAN, NJ 08736**, and informed said person of the contents therein, in compliance with state statutes.

**Description** of Person Served: Age: 40+, Sex: M, Race/Skin Color: CAUCASIAN, Height: 6'0", Weight: 230, Hair: BROWN, Glasses: N

I certify that I am over the age of 18, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was served. Under the penalty of perjury, I declare I have read the foregoing documents and the facts stated in it are true to the best of my knowledge.

*David Gamble*

---

**DAVID GAMBLE**  
Process Server

**Coast to Coast Process Service, Inc.**  
**4302 HOLLYWOOD BLVD., #293**  
**HOLLYWOOD, FL 33021**  
**(786) 715-9299**

Our Job Serial Number: CTZ-2022001815

Julie I. Brown, Secretary

Ron DeSantis, Governor

**DIVISION OF PARI-MUTUEL WAGERING  
LICENSE ACTION REQUEST FORM**

To: Licensing Administrator

From: Investigator Minaya

Date: August 26, 2022

|                                     |   |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | PLEASE <b>ADD ALERT</b> : Contact Investigations Prior to Licensing |
| <input type="checkbox"/>            | PLEASE <b>REMOVE</b> ALERT FROM LICENSE RECORD                      |

License number and type: 12641691 - 1021

Last Name: SILIATO

First Name: JOE

DOB: [REDACTED]

SS#: [REDACTED]

Reason for Addition/Removal of Alert: **DO NOT LICENSE!** Unsatisfied Final Judgment pending against Joe **SILIATO**, in favor of Teigland, Franklin & Brokken, DVM's, PA, Case # COCE-22-037959, Division 49, in the Circuit Court of the 17<sup>th</sup> Judicial Court in Broward County, Florida, in the amount of \$5,520.13. plus 4.25% interest per year.

Responsible Party: Inv. Sup Minaya

Case Number: 2022 04 1767

Approved by: \_\_\_\_\_ Date \_\_\_\_\_

Added/Removed by:  \_\_\_\_\_ Date 08/26/2022

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 **08/26/2022**  
Expires -

Additional Info :  
Prompt  
Value

Notes **DO NOT LICENSE! Unsatisfied Final Judgment pending against Joe SILIATO, in favor of Teigland, Franklin & Brokken, DVM's, PA, Case # COCE-22-037959, Division 49, in the Circuit Court of the 17th Judicial Court in Broward County, Florida, in the amount of \$5,520.13. plus 4.25% interest per year.**

Updated **08/26/2022 14:46:38**  
By **jminaya**

Notes History  
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Save  
Cancel  
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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 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>1021 - Pari-Mutuel Wagering Individual Occupational</b> | Status     | <b>20 Under Investigation</b> | Status Date | <b>08/26/2022</b>              |
| Complaint # | <b>2022041767</b>  | Case Type  | <b>CMP - Complaint</b>        | Disposition | Disposition Date               |
| Docket#     |  | Respondent | <b>SILIATO, JOE</b>           | Responsible | <b>jminaya - MINAYA, JULIO</b> |
|             |  |            |                               |             | <b>Private Case</b>            |

| Complaint | Respondent  | Complainant    | Add'l Info         |
|-----------|---|----------------|--------------------|
| Source    | <b>CNSM - Consumer</b>  | Security Level | <b>1</b>           |
| Form      | <b>PCOM - PMW Complaint</b>   | Priority       |                    |
| Class'n   | <b>IV-A - Financial Responsibility</b>  | Complexity     | <b>R - Regular</b> |
| Security  | <b>STND - Standard</b>  | Incident       | <b>08/04/2022</b>  |
| Region    | <b>SR - Southern Region</b>   | Received       | <b>08/26/2022</b>  |
| Reference | <b>550.105(7)</b>   |                |                    |
| Entered   | <b>08/26/2022</b>   | Entered By     | <b>Imuniz</b>      |
| Summary   | <p><b>321-Gulfstream Park Racing Assoc., Inc. ----- / --- ----- . Financial Responsibility: On August 25, 2022, a copy of a Default and Final Judgment by Default, Case #COCE-22-037959 was received via e-mail from Attorney Mark Gunderson. Per said Judgment filed on August 4, 2022, in the County Court For the 17th Judicial Circuit in and For Broward County, FL, in Division 49, Teigland, Franklin, Brokken, DVMS, Inc., shall recover from Joe Siliato the sum of \$4,309.28 in principal, filling fees of \$320.85, process sever fees of \$90.00 and attorney fees in the amount of \$800.00, making a total of \$5,520.13, which shall bear interest at the rate of 4.25% per year.</b></p> |                |                    |
| Updated   | <b>08/26/2022 14:28:23</b>  | By             | <b>Imuniz</b>      |

Parties
  Activities

Allegations
  Discipline

Violations
  Compliance

Related
  Disposition

Inspection
  Costs

Time Tracking

Attachments

Work Notes

|                                       |                                     |                                   |                                       |                                     |
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| <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 4, 2022

PMW     Cardroom     Slot

Violation     Incident     Complaint

**FACILITY NAME:** GULFSTREAM PARK RACING, ASSOC., INC.    **LIC #:** 321

**RESPONDENT**

|   |                       |  |
|---|-----------------------|--|
| <b>NAME:</b> Joe Siliato                            |                       |  |
| Address: 193 Beachfront, Apt A, Manasquan, NJ 08736 |                       | ██████████   |
| <b>LIC #:</b> 12641691                              | <b>LIC TYPE:</b> 1021 | <b>OCCUPATION:</b> Individual Animal Owner / Trainer |

**COMPLAINANT**

|  |                  |                    |
|--|------------------|--------------------|
| <b>NAME:</b> Teigland, Franklin, Brokken, DVMS, Inc.                     |                  | <b>Tel #:</b>      |
| Address: 12277 SW 55 <sup>TH</sup> Street, Ft. Lauderdale, Florida 33330 |                  |                    |
| <b>LIC #:</b>  | <b>LIC TYPE:</b> | <b>OCCUPATION:</b> |

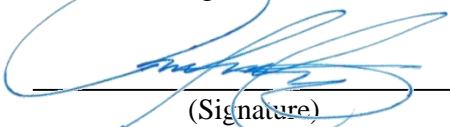
**VIOLATION(S) / TITLE(S): F.S.S. 550.105 Financial Responsibility**

(7) "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."

**DESCRIPTION:** On August 25, 2022, a copy of a Default and Final Judgment by Default, Case #COCE-22-037959 was received via e-mail from Attorney Mark Gunderson. Per said Judgment filed on August 4, 2022, in the County Court For the 17<sup>th</sup> Judicial Circuit in and For Broward County, FL, in Division 49, Teigland, Franklin, Brokken, DVMS, Inc., shall recover from Joe Siliato the sum of \$4,309.28 in principal, filing fees of \$320.85, process sever fees of \$90.00 and attorney fees in the amount of \$800.00, making a total of \$5,520.13, which shall bear interest at the rate of 4.25% per year.

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_  
(Title of State Employee)

Julio Minaya      
(Print Name)    (Signature)

08/26/2022  
(Date)

## Muniz, Luz

---

**From:** Minaya, Julio  
**Sent:** Friday, August 26, 2022 1:02 PM  
**To:** Muniz, Luz  
**Subject:** OCR  
**Attachments:** OPEN CASE REQUEST - SILIATO, Joe - Finiancial.docx

Luz

Please open and assign to me.

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





|                         |                       |                        |                             |                         |                      |                      |                            |                             |                        |
|-------------------------|-----------------------|------------------------|-----------------------------|-------------------------|----------------------|----------------------|----------------------------|-----------------------------|------------------------|
| <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> |
|-------------------------|-----------------------|------------------------|-----------------------------|-------------------------|----------------------|----------------------|----------------------------|-----------------------------|------------------------|

[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><br>Fed Tax # <span style="background-color: black; color: black;">██████████</span> Lic Type <b>1021 - PMW Professional Individual Occupational</b> Expires On <b>06/30/2023</b><br>File # <b>70206</b> Name <b>SILIATO, JOE</b> Extended To<br>License # <b>12641691</b> Rank <b>PIND - Professional Individual Occupational</b> Renewed On<br>Entity # <b>12641691</b> Lic Status <b>Current</b>   |                                | <input type="checkbox"/> <a href="#">Licensee</a><br><input type="checkbox"/> <a href="#">History</a><br><input type="checkbox"/> <a href="#">Notes</a><br><input type="checkbox"/> <a href="#">Notes History</a><br><input type="checkbox"/> <a href="#">Back</a> |                 |                |                 |   |                                |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |  |
|---|--------------------------------|--|-----------------|----------------|-----------------|---|--------------------------------|------------|--|---|---------------------|------------|--|---|-----------------------|------------|--|---|----------------------|------------|--|--|
| <b>Address</b><br>Street # <b>193</b> Street <b>BEACHFRONT APT A</b><br>Line 2<br>Line 3<br>City <b>MANASQUAN</b> State <b>NJ</b> Zip <b>08736</b><br>Routing   |                                |  |                 |                |                 |   |                                |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |  |
| <b>Other</b><br>1st License Date <b>05/26/2021</b> Rank Date <b>05/26/2021</b> Certificate #<br>Method <b>I-S-1022</b> Status Date <b>05/26/2021</b> Certificate Date<br>Fee Exempt <b>No</b> Birth Date <span style="background-color: black; color: black;">██████████</span> Renewal Sent  |                                |  |                 |                |                 |   |                                |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |  |
| <b>Select</b><br>Action <input type="text"/>    |                                |  |                 |                |                 |   |                                |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |  |
| <b>Modifiers</b><br><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>12/27/2020</td> <td></td> </tr> <tr> <td>I</td> <td>TBRD - Thoroughbred</td> <td>12/27/2020</td> <td></td> </tr> <tr> <td>L</td> <td>321 - Gulfstream Park</td> <td>12/27/2020</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>05/26/2021</td> <td></td> </tr> </tbody> </table> |                                | Type   | Modifier        | Effective Date | Additional Info | C | IOWN - Individual Animal Owner | 12/27/2020 |  | I | TBRD - Thoroughbred | 12/27/2020 |  | L | 321 - Gulfstream Park | 12/27/2020 |  | Y | 3YR - 3 Year License | 05/26/2021 |  |  |
| Type  | Modifier                       | Effective Date   | Additional Info |                |                 |   |                                |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |  |
| C   | IOWN - Individual Animal Owner | 12/27/2020   |                 |                |                 |   |                                |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |  |
| I   | TBRD - Thoroughbred            | 12/27/2020   |                 |                |                 |   |                                |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |  |
| L   | 321 - Gulfstream Park          | 12/27/2020   |                 |                |                 |   |                                |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |  |
| Y   | 3YR - 3 Year License           | 05/26/2021   |                 |                |                 |   |                                |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |  |
| <b>Alt Keys</b><br>BEST LIC NBR <b>12641691</b>   |                                |  |                 |                |                 |   |                                |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |  |

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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.: 2022-041767

JOE SILIATO,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Joe Siliato (“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, 12641691-1021, issued by Petitioner.

3. On or about August 4, 2022, a default final judgment of \$5,520.13 was entered against Respondent for unpaid financial obligations regarding veterinary services in the County Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, in case number COCE22037959.

4. These unpaid financial obligations relate to racing conducted at a pari-mutuel facility in the State of Florida.

5. Pursuant to Section 550.105(7), Florida Statutes:

The 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.

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 2022-041767 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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Extra Services & Fees (check box, add fee as appropriate)

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- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

10-5-22

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\$ \_\_\_\_\_

Total Post \$ \_\_\_\_\_

\$ \_\_\_\_\_

Sent To

Street and

City, State

**Joe Siliato**  
193 Beachfront, Apt. A  
Manasquan, New Jersey 08736  
AC - 2022041767 - PMW

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7020 2450 0000 5096 3940

Tracking Number:

## 70202450000050963940

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### Latest Update

Your item was delivered to an individual at the address at 1:00 pm on October 11, 2022 in MANASQUAN, NJ 08736.

### Delivered

**Delivered, Left with Individual**

MANASQUAN, NJ 08736

October 11, 2022, 1:00 pm

[See All Tracking History](#)

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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. Renaldo Mario Richards Case Number 2022-046353;  
Default Final Order  
Date: November 23, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel seeks a \$500 fine and 15 day suspension to Renaldo Mario Richards (“Respondent”) violation of section 550.2415(1)(a), Florida Statutes, and rule 61D-6.008(2)(e), 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 minimum of a \$500 fine and 15 day suspension under the Guidelines. By failing to respond to the properly served administrative complaint, Respondent waived his right to request a hearing contesting the Division’s decision. Therefore, the Florida Gaming Control Commission should enter a final order issuing a \$500 fine and 15 day suspension.

### *Background*

Respondent was the trainer of record for the racing horse Wora, which was owned by Paula S. Capestro. On September 4, 2022, Wora finished 1st place in the 8th race of the performances held by Gulfstream Park Racing Association. A blood sample was take from Wora 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 clenbuterol<sup>1</sup> in the blood. Clenbuterol was detected at a blood concentration of 10pg/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

---

<sup>1</sup> Clenbuterol is a Class 3 drug. See Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc.



system. This is Respondent's first violation of section 550.2415(1)(a), Florida Statutes.

Rule 61D-6.008(2)(e), Florida Administrative Code, provides that it is a violation if clenbuterol exists at a serum concentration at the lowest level of detection.

The penalty for this violation is a minimum of a \$500 fine and 15 day suspension under the Guidelines. The presence of aggravating factors could be used to impose a maximum fine of \$1000 and a maximum suspension of 60 days.

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 October 8, 2022, which means the Respondent had until October 29, 2022 to respond. A split sample was requested on October 16, but an election of rights or response to the Administrative Complaint was never received.

### *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> Absent aggravating circumstances, it is advised that a \$500 fine and a 15 day suspension be issued when clenbuterol is detected at the lowest level of detection in serum. Because Respondent has no prior discipline in the last 365 days and Wora's blood sample from September 4, 2022 contained clenbuterol, he is subject to a \$500 fine and a 15 day suspension.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order issuing a 15 day suspension and a \$500 fine.

---

<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.



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

September 20, 2022

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL  
32399-1037

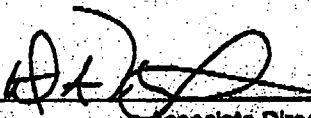
RE: Report of Positive Result

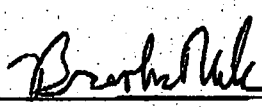
Sample 312822 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

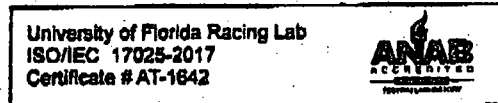
**Clenbuterol found in serum**  
Clenbuterol (a bronchodilator and Class 3 drug) - the concentration of Clenbuterol is 10 pg/mL.

|                        |                    |                   |                   |
|------------------------|--------------------|-------------------|-------------------|
| <u>E001673-FHB</u>     | <u>Horse Serum</u> | <u>6.5 g</u>      | <u>INTACT</u>     |
| Laboratory Number      | Specimen           | Final Weight      | Seal              |
| <u>Gulfstream Park</u> |                    | <u>09/04/2022</u> | <u>09/08/2022</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 09/29/2022, or upon commencement of administrative action, whichever occurs first.

  
Dirk A Hunt Associate Director

  
Brooks Nelson Chemist III



312822

DATE 09/04/2022

TRACK

321

RACE

8

FINISH

1

NAME OF ANIMAL

WORA

NOMBRE DEL ANIMAL

COLOR

DKB/BN

SEX

G

AGE

4

ID NUMBER

981020023663716

MICROCHIP

TATTOO

FREEZE-BRAND

BLOOD

WILLIAM M WATSON JR DVM Wm

SAMPLED BY

URINE

JUAN FOYO JF

SAMPLED BY

TRAINER

RENALDO RICHARDS

ENTRENADOR / ENTRENADORA

WITNESS

PEDRO ALANCON

SIGNATURE

FIRMA DE TESTIGO

WITNESS

6724904 P Pedrolancon

LICENSE #

NÚMERO DE LICENCIA

RL-252-02

JC



DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

[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: **Istallings**

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>09/22/2022</b>               |
| Complaint # | <b>2022046353</b>  | Case Type  | <b>CMP - Complaint</b>         | Disposition |                                 |
| Docket#     |  | Respondent | <b>RICHARDS, RENALDO MARIO</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>           |
| Form      | <b>FAX - Fax</b>   | Priority       | <b>1</b>           |
| Class'n   | <b>III - Class III Drug Positive</b>   | Complexity     | <b>R - Regular</b> |
| Security  | <b>STND - Standard</b>   | Incident       | <b>09/04/2022</b>  |
| Region    | <b>SR - Southern Region</b>  | Received       | <b>09/20/2022</b>  |
| Reference | <b>312822</b>  |                |                    |
| Entered   | <b>09/22/2022</b>  | Entered By     | <b>Istallings</b>  |
| Summary   | <b>Gulfstream Park Horse WORA Drug Clenbuterol Sample # 312822 Lab # E001673-FHB</b> |                |                    |
| Updated   | <b>09/22/2022 14:18:13</b>   | By             | <b>Istallings</b>  |

Parties  
 Allegations  
 Violations  
 Related  
 Inspection  
 Costs  
 Time Tracking  
 Attachments  
 Work Notes

Activities  
 Discipline  
 Compliance  
 Disposition  
 Auto Assign  
 History  
 Print Report

|  |  |  |

Get Adobe Reader.

|                         |                       |                        |                             |                         |                      |                      |                            |                             |                        |
|-------------------------|-----------------------|------------------------|-----------------------------|-------------------------|----------------------|----------------------|----------------------------|-----------------------------|------------------------|
| <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> |
|-------------------------|-----------------------|------------------------|-----------------------------|-------------------------|----------------------|----------------------|----------------------------|-----------------------------|------------------------|

[License Search](#)   
 [Entity Search](#)   
 [Modify License Standing](#)   
 [Maintain License CE Control](#)

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **lstallings**

[VR Home](#) > [License Search](#) > [License Home](#)

**License**

Fed Tax # [REDACTED] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2025**

File # **55517** Name **RICHARDS, RENALDO MARIO** Extended To

License # **8857030** Rank **PIND - Professional Individual Occupational** Renewed On

Entity # **8857030** Lic Status **Current**

|                               |
|-------------------------------|
| <a href="#">Licensee</a>      |
| <a href="#">History</a>       |
| <a href="#">Notes</a>         |
| <a href="#">Notes History</a> |
| <a href="#">Back</a>          |

**Address**

Street # **843** Street **GARNET CIRCLE**

Line 2

Line 3

City **WESTON** State **FL** Zip **33326**

Routing

**Other**

1st License Date **07/13/2022** Rank Date **07/13/2022** Certificate #

Method **I-S-1024** Status Date **07/13/2022** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action

**Modifiers**

| Type | Modifier                       | Effective Date | Additional Info |
|------|--------------------------------|----------------|-----------------|
| C    | IOWN - Individual Animal Owner | 04/29/2020     |                 |
| C    | ONTR - Owner/Trainer           | 06/30/2022     |                 |
| C    | TRNR - Trainer                 | 09/29/2011     |                 |
| I    | TBRD - Thoroughbred            | 01/26/2011     |                 |
| L    | 321 - Gulfstream Park          | 07/01/2021     |                 |
| Y    | 3YR - 3 Year License           | 06/30/2012     |                 |

**Alt Keys**

BEST LIC NBR **8857030**

Get Adobe Reader.

RACE 8 CONTINUED

4 Yellow

3-1 Owner: Stars Racing LLC (Keithson Chin-Sang) (1-0-0-0) 0.00%
Silks: Red, Yellow Stars and Sleeves, Red Cap
Trainer: Michael S. Morrison (17-0-0-1) 0.00%

Big Daddy Dave (L)

Romero Ramsey Maragh 123

Table with columns for race date, time, distance, and horse details for Big Daddy Dave and other horses in the race.

Table with columns for race date, time, distance, and horse details for other horses in the race.

Workouts: 25 Aug 22 GP 4F ft: 51.70b 18/13

Owner: 4RH Racing Stable, LLC (Barry Rosa) (8-1-0-0) 11.11%
Silks: Royal Blue, Royal Blue '4R', and Pink 'H' on White Ball, Yellow Diamond Stripe on Sleeves, Royal Blue Cap

Officer Country (L)

Edgar Perez 121

Table with columns for race date, time, distance, and horse details for Officer Country and other horses in the race.

Table with columns for race date, time, distance, and horse details for other horses in the race.

Workouts: 20 Aug 22 GP 2F ft: 36.52b 7/11

Owner: Paula S. Capestro (13-2-1-2) 15.38%
Silks: Red, White Sash, Black Bars on White Sleeves, Red Cap
Trainer: Ronaldo Richards (22-3-2-5) 13.64%

Wora (L)

Miguel A. Vasquez 123

Table with columns for race date, time, distance, and horse details for Wora and other horses in the race.

Table with columns for race date, time, distance, and horse details for other horses in the race.

Workouts: 25 Aug 22 GP 4F ft: 48.74b 2/13

RACE 8 CONTINUED ON NEXT PAGE

**RACE 8 CONTINUED**

**7**

**4-1** Owner: Ernesto Ochoa (17-2-2-3) 11.76%  
 Silks: Royal Blue, Black Hoops, Black Bars on Sleeves, Royal Blue and Black Cap  
 Trainer: Owner (28-3-3-5) 10.71%

82.52 2022: 9 1 2 2 \$51,570 Yurf:  
 2021: 11 1 0 3 \$27,170 Symt  
 Life: 33 4 5 9 \$134,230 Off T  
 GP 31 3 4 9 \$118,630 Distat  
 Cours

**Sonny Leon**  
 (105-12-12-12) 11.43%

Orange

**Handsome Prince (L)**

**121**

Dk B/ Br.g.5 Handsome Mike - Princess Blagi by Quaker Ridge - Bred by Just For Fun Stable, Inc. (Apr 19, 2017) in FL

|              |    |   |    |        |        |         |    |                  |    |    |    |      |      |     |     |            |     |     |       |                                       |
|--------------|----|---|----|--------|--------|---------|----|------------------|----|----|----|------|------|-----|-----|------------|-----|-----|-------|---------------------------------------|
| 06Aug22 6 GP | ft | ♠ | 5f | :22:49 | :45:34 | :57:51  | 3f | SOC 16000 - N    | 88 | 7  | 2  | 42   | 32½  | 32  | 21½ | Morelos JE | 122 | bl. | 2:50  | High Press 1½ Handsome Prince         |
| 30Jul22 9 GP | ft | ♠ | 5f | :21:71 | :44:88 | :56:97  | 3f | Acc 20000mw1/x   | 73 | 1  | 5  | 64½  | 64½  | 66  | 57½ | Morelos JE | 122 | bl. | 13.80 | Unsociable 1½ Big Daddy Dave          |
| 08Jul22 5 GP | ft | ♠ | 5f | :22:12 | :45:23 | :57:40  | 3f | Str 16000cnd     | 83 | 8  | 1  | 42½  | 32   | 3nt | 31½ | Morelos JE | 124 | bl. | 3.80  | Quite Ready 1 High Press 1½ Handst    |
| 10Jun22 3 GP | ft | ♠ | 5x | :23:01 | :45:71 | 1:03:01 | 3f | Str 16000cnd     | 88 | 5  | 3  | 52½  | 41½  | 41½ | 31½ | Morelos JE | 126 | bl. | 3.30  | Navigator 1½ Or-1 Finesse Girl 1½ Hnd |
| 17Apr22 9 GP | ft | ♠ | 5x | :22:56 | :46:24 | 1:05:05 | 3f | Alw 43000mw1/x   | 92 | 6  | 2  | 43½  | 31½  | 11  | 11  | Morelos JE | 124 | bl. | 9.30  | Handsome Prince 1 Finesse Girl 1½ Gr  |
| 02Apr22 2 GP | fm | ♠ | 5f | :21:52 | :44:52 | :56:48  | 4f | Acc 20000mw1/x-N | 82 | 1  | 11 | 105½ | 105½ | 62½ | 51½ | Morelos JE | 120 | bl. | 51.90 | Ghostlines Grainger County 1½ He      |
| 09Mar22 1 GP | ft | ♠ | 7f | :22:47 | :45:50 | 1:23:22 | 4f | Acc 12500mw1/x-N | 80 | 10 | 4  | 104  | 73½  | 62½ | 55½ | Royes L    | 120 | bl. | 27.60 | You're Killin' Me 1½ Tiger 1½ Twice   |
| 06Feb22 10GP | ft | ♠ | 6f | :21:88 | :44:03 | 1:10:41 | 4f | Acc 12500mw1/x-N | 82 | 3  | 7  | 65   | 74½  | 43½ | 54½ | Royes L    | 120 | bl. | 15.40 | Miss 1½ Picking Up Pennies 1½ Twice   |
| 08Jan22 9 GP | ft | ♠ | 6f | :22:29 | :45:47 | 1:10:16 | 4f | Acc 12500mw1/x-N | 91 | 2  | 6  | 31   | 31½  | 3½  | 2nt | Royes L    | 120 | bl. | 61.80 | Thinkaboutit Handsome Prince          |
| 04Dec21 5 GP | ft | ♠ | 6f | :22:09 | :45:17 | 1:10:52 | 3f | CCEXpress - 75k  | 83 | 3  | 5  | 43½  | 44   | 43½ | 65½ | Alvarado J | 120 | bl. | 16.50 | Face of Victory 1½ Kalud Ae           |

L - Lasix; ♠ - First Time Lasix; Ⓢ - Off Lasix; ♠ - Florida Bred

08/04/2022 Race 8  
 Printed on 8/2/2022 at 05:49 PM

8



STARTER OPTIONAL CLAIMING \$20,000

Purse \$31,000. (Includes \$5,000 from FTHA-FOA) For Three Year Olds and Upward Which Have Started For A Claiming Price Of \$20,000 Or Less Which Have Never Won A Race Other Than Maiden, Claiming, State Bred Allowance or Claiming Price \$20,000 for Three Year Olds; Three Year Old Lbs; Older, 123 Lbs Non-winners Of A Race Since June 4 Allowed 2 Lbs. Claiming Price \$20,000 (Races Where Entered For \$16,000 Or Less Considered In Allowances). Five And One Half Furlongs (Tapeta)

Track Record: Reconfigure(10), 120 lbs; 1:02.79 (1-21-22)

Table for Famous Gent (L) 121. Includes owner Daniel Pita, trainer Leonel Reyes, and race results from 06Aug22 to 03Mar22. Horse is Red.

Table for Pharoah Cat (L) 121. Includes owner Eva Oldenbroek, trainer James M. Gulick, and race results from 31Jul22 to 08Aug21. Horse is White.

Table for Toretto (L) 121. Includes owner Yanez Stable LLC, trainer Wilfred Vasquez, and race results from 30Jul22 to 24Jun20. Horse is Blue.



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.: 2022-046353

RENALDO MARIO RICHARDS,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Renaldo Mario Richards (“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, 8857030-1021, issued by Petitioner.
3. At all times material hereto, Respondent was the trainer of record for the racing horse “Wora,” with microchip number 981020023663716.
4. At all times material hereto, “Wora” was owned by Paula S. Capestro, who holds a Pari-Mutuel Wagering Professional Individual Occupational License, 1396878-1021, issued by Petitioner.
5. On September 4, 2022, “Wora” participated in the 8th race of the performances held by Gulfstream Park Racing Association, Inc. (“Gulfstream Park”).

6. On September 4, 2022, “Wora” finished in 1st place in the 8th 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 September 4, 2022, blood sample number 312822 was collected from “Wora.”

9. Blood sample number 312822 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 312822 and found that it contained **clenbuterol**.

11. In blood sample number 312822, **clenbuterol** was detected at a serum concentration of 10 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)(e), Florida Administrative Code, it is a violation of Section 550.2415, Florida Statutes, if **clenbuterol** exists at a serum concentration at the lowest level of detection.

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)(e), Florida Administrative Code, by racing "Wora" with an impermissible concentration of a permitted substance in its body on September 4, 2022.

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 2022-046353 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 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

09-20-22 09:21PM University of Florida

352

# 2 / 2



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

September 20, 2022

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2501 Blair Stone Road  
Tallahassee, FL  
32399-1037

RE: Report of Positive Result

Sample 312822 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

**Clenbuterol found in serum**  
Clenbuterol (a bronchodilator and Class 3 drug) - the concentration of Clenbuterol is 10 pg/mL.

|                        |                    |                   |                   |
|------------------------|--------------------|-------------------|-------------------|
| <u>E001673-FHB</u>     | <u>Horse Serum</u> | <u>6.5 g</u>      | <u>INTACT</u>     |
| Laboratory Number      | Specimen           | Final Weight      | Seal              |
| <u>Gulfstream Park</u> |                    | <u>09/04/2022</u> | <u>09/08/2022</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 09/29/2022, or upon commencement of administrative action, whichever occurs first.

Dirk A Hunt

Associate Director

Brooks Nelson

Chemist III

23-16

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

312822 DATE 09/04/2022

TRACK 321

RACE 8 FINISH 1

NAME OF ANIMAL WORA  
NOMBRE DEL ANIMAL

COLOR DK B/W SEX G AGE 4

ID NUMBER 981020023668716

MICROCHIP  TATTOO  FREEZE-BRAND

BLOOD William M Watson JTM Wm  
SAMPLED BY

URINE Juan Foyo UA  
SAMPLED BY

TRAINER RENALDO RICHARDS  
ENTRENADOR / ENTRENADORA

WITNESS PEDRO ALARCON  
SIGNATURE FIRMA DE TESTIGO

WITNESS 6724904 P Pedralarcon  
LICENSE # NÚMERO DE LICENCIA

JC RL-252-02

COLLEGE STATION LABORATORY



POSITIVE LETTER

November 2, 2022

Dirk Hunt  
Associate Director  
University of Florida  
Racing Laboratory  
P.O. Box 100275  
Gainesville, FL 32610-0275  
352-392-2238

RE: No. 312822

Received: October 25, 2022  
Laboratory No.: C222980632  
Sample No.: 312822

INVESTIGATION: Clenbuterol in serum.

The serum sample submitted was received in good condition with security seals intact. Testing began on October 28, 2022.

The sample was subjected to qualitative instrumental analysis for the presence of Clenbuterol utilizing liquid chromatography – tandem mass spectrometry (LC-MS/MS). Clenbuterol was detected in the sample by LC-MS/MS. No further testing has been assigned.

The remainder of the sample will be stored frozen and disposed of after 1 year. Records associated with this case will be disposed of after 2 years.

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Paige Roig".

Paige Roig  
Laboratory Supervisor  
Analytical Chemistry  
TVMDL

*TR*

---

|                          |                         |                |   |
|--------------------------|-------------------------|----------------|---|
| <b>Testing Lab:</b>      | TVMDL - College Station | <b>Client:</b> | University of Florida Racing Laboratory |
| <b>Case Coordinator:</b> | Travis Mays, MS, PhD    |                | P.O. Box 100275, Dirk Hunt              |
| <b>Date Received:</b>    | 10/25/2022              |                | Gainesville, FL 32610                   |
| <b>Report Date:</b>      | 11/02/2022              |                |   |

## FINAL REPORT

**Medical History:** Medical history on file.  
**Animal ID:** 312822 Domestic Horse :: NFS  
**Specimen:** Serum **Collection Date:**

### RACING/LIVESTOCK SHOWS

**Test:** Split Sample Confirmation - Qualitative (LC/MS)

---

|               |             |
|---------------|-------------|
| <b>Result</b> | Positive    |
| <b>Drug</b>   | Clenbuterol |

#### Section Comments

Please see the attached positive letter.

**Authorized by:** Travis Mays, MS, PhD  
Analytical Chemistry Section Head

**Notice:** *This report, including all attachments, is for the sole use of the intended recipient(s) and contains confidential information. Results apply to specimens as received. Any unauthorized review, use, disclosure, alteration, or distribution of this report, in part or its entirety, must be approved by TVMDL.*



DBPR PMW-3290 Notification to Stewards/Judges of Split Sample Request



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
[myfloridalicense.com](http://myfloridalicense.com)

RECEIVED  
OCT 16 2022

SPLIT SAMPLE ANALYSIS REQUEST

BY: *[Signature]*

Name of Racing Animal: WORA

Track Name: Gulfstream Park

Race Date: 09/04/2022 Race # 8th Performance: Matinee  Evening

Name of Independent Laboratory: Texas A&M Veterinary Medical Diagnostics Laboratory

Amount of Sample Independent Lab Requires for Split Analysis: 2 CC

Renaldo Richards *R. Richards* 8857030 - 1021  
Name of Trainer or Owner Requesting Split Sample (please print) License #

*[Signature]* 10/14/22  
Signature of Owner or Owner Requesting Split Sample Date

\*\*\*\*\*

Division Use Only

Kevin Scheen - State Steward 10/14/2022  
Name of Steward/Judge Receiving Request Date

Case # 2022046353 Sample # 312822

7020 2450 0000 5096 3247

|  |   |
|--|---|
| <b>U.S. Postal Service™</b><br><b>CERTIFIED MAIL® RECEIPT</b><br><i>Domestic Mail Only</i>       |   |
| For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®. |   |
| <b>OFFICIAL USE</b>  |   |
| Certified Mail Fee<br>\$ _____   | <p style="font-size: 2em;">9-30-22</p> Postmark<br>Here |
| Extra Services & Fees (check box, add fee as appropriate)  |   |
| <input type="checkbox"/> Return Receipt (hardcopy) \$ _____                                      |   |
| <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 \$ _____                            |   |
| Postage<br>\$ _____  |   |
| <b>Total Postage</b> \$ _____  |   |
| Sent To _____  | <b>Renaldo Mario Richards</b>                           |
| Street and Apt. _____  | 843 Garnet Circle                                       |
| City, State, ZIP _____   | Weston, Florida 33326<br>AC - 2022046353 - PMW          |
| PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions                       |   |

Tracking Number:

## 70202450000050963247

Remove X

[Copy](#)   [Add to Informed Delivery](#)  
(<https://informedelivery.usps.com/>)

### Latest Update

Your item was delivered to an individual at the address at 1:54 pm on October 8, 2022 in FORT LAUDERDALE, FL 33326.

### Delivered

**Delivered, Left with Individual**

FORT LAUDERDALE, FL 33326

October 8, 2022, 1:54 pm

[See All Tracking History](#)

Feedback

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**Text & Email Updates** 

---

**USPS Tracking Plus<sup>®</sup>** 

---

**Product Information** 

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Feedback



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Donald F. Hunt, Case Number 2022-049258; Default Final Order  
Date: November 23, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel seeks the issuance of a written warning to Donald F. Hunt (“Respondent”) violation of section 550.2415(1)(a), Florida Statutes, and rule 61D-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. By failing to respond to the properly served administrative complaint, Respondent waived his right to request a hearing contesting the Division’s decision. 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 J’s Star Jet, which was owned by Janis Kay Maitlen. On September 17, 2022, J’s Star Jet finished 1st place in the 1st race of the performances held by Gulfstream Park Racing Association. A urine sample was take from J’s Star Jet 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 9.28 +/- 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

---

<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.

system. This is Respondent's first violation of section 550.2415(1)(a), Florida Statutes in the last 365 days.

Rule 61D-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 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 October 17, 2022, which means the Respondent had until November 7, 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 J's Star Jet urine sample from September 17, 2022 contained omeprazole sulfide over the urine concentration established in rule 61D-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.



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

October 12, 2022

Mr. Joe Dillmore, Director  
 Florida Gaming Control Commission  
 2601 Blair Stone Road  
 Tallahassee, FL  
 32399-1037

RE: Report of Positive Result

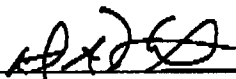
Sample 312899 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

**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 9.28 +/- 0.09 ng/mL.

|                        |                    |                   |                   |
|------------------------|--------------------|-------------------|-------------------|
| <u>E001873-FHU</u>     | <u>Horse Urine</u> | <u>72.4 g</u>     | <u>INTACT</u>     |
| Laboratory Number      | Specimen           | Final Weight      | Seal              |
| <u>Gulfstream Park</u> |                    | <u>09/17/2022</u> | <u>09/20/2022</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 10/21/2022, or upon commencement of administrative action, whichever occurs first.

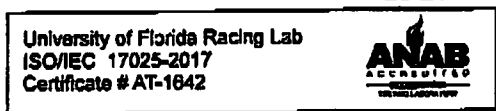
  
 Dirk A Hunt Associate Director

  
 Moriah Murrin Chemist III

RL 115

Page 1 of 1

23-21







DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

312899 DATE 9-17-22

TRACK 321

RACE 1 FINISH 1

NAME OF ANIMAL J's stor Jet  
NOMBRE DEL ANIMAL

COLOR B SEX F AGE 3

ID NUMBER 981020033137224

MICROCHIP  TATTOO  FREEZE-BRAND

BLOOD William M-Watson III DVM  
SAMPLED BY

URINE Eloria Perpetuo M.D.  
SAMPLED BY

TRAINER Donald F. Hunt  
ENTRENADOR / ENTRENADORA

WITNESS SIGNATURE Domiciano ABUSTIN  
FIRMA DE TESTIGO

WITNESS LICENSE # 1658031  
NÚMERO DE LICENCIA

RL-252-02  
HP

FAQ | Help | Sign Out

|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|

|                         |                               |                  |                      |                 |
|-------------------------|-------------------------------|------------------|----------------------|-----------------|
| Complaint Search Update | Change Recording License Type | 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  | 10/12/2022       |
| Complaint # | 2022049258  | Case Type   | CMP - Complaint          | Disposition  | Disposition Date |
| Docket#     | Respondent HUNT, DONALD F                           | 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       |             | <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       | 09/17/2022  | <input type="checkbox"/> Related                | <input checked="" type="checkbox"/> Disposition |
| Region    | SR - Southern Region   | Received       | 10/12/2022  | <input type="checkbox"/> Inspection             |   |
| Reference | 312899   |                |             | <input type="checkbox"/> Costs                  |   |
| Entered   | 10/12/2022   | Entered By     | gricks      | <input type="checkbox"/> Time Tracking          | Auto Assign                                     |
| Summary   | 321 - Gulfstream Park Racing Association, Horse J'S STAR JET , Drug Omprazole sulfide, Sample #312899, Lab#E001873-FHU |                |             | <input type="checkbox"/> Attachments            | History   |
| Updated   | 10/12/2022 15:29:55  | By             | gricks      | <input type="checkbox"/> Work Notes             | Print Report                                    |

|        |      |    |        |      |
|--------|------|----|--------|------|
| Change | Save | OK | Cancel | Back |
|--------|------|----|--------|------|

Get Adobe Reader.

|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| 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: gricks

VR Home > License Search > License Home

**License**

Fed Tax # [REDACTED] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2025**

File # **4812** Name **HUNT, DONALD F** Extended To

License # **303777** Rank **PIND - Professional Individual Occupational** Renewed On **06/10/2019**

Entity # **303777** Lic Status **Current**

- 
- 
- 
- 
- 

**Address**

Street # **21651 Street NE 30TH ST**

Line 2

Line 3

City **WILLISTON** State **FL** Zip **32696**

Routing

**Other**

1st License Date **07/13/2022** Rank Date **07/13/2022** Certificate #

Method **I-S-1024** Status Date **07/13/2022** Certificate Date **10/04/1999**

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action

**Modifiers**

| Type | Modifier                | Effective Date | Additional Info |
|------|-------------------------|----------------|-----------------|
| C    | AGNT - Authorized Agent |                |                 |
| C    | ONTR - Owner/Trainer    | 07/01/2022     |                 |
| C    | TRNR - Trainer          | 12/11/2019     |                 |
| I    | TBRD - Thoroughbred     |                |                 |
| L    | 320 - Tampa Bay Downs   | 07/01/2022     |                 |
| Y    | 3YR - 3 Year License    |                |                 |

**Alt Keys**

BEST LIC NBR PIN303777

|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| 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: gricks

VR Home > License Search > License Home

**License**

Fed Tax # [REDACTED] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2025**

File # **28235** Name **MAITLEN, JANIS KAY** Extended To

License # **1474992** Rank **PIND - Professional Individual Occupational** Renewed On **05/13/2022**

Entity # **1474992** Lic Status **Current**

- 
- 
- 
- 
- 

**Address**

Street # **10160 Street NW 8TH LANE**

Line 2

Line 3

City **OCALA** State **FL** Zip **34482**

Routing

**Other**

1st License Date **12/12/2019** Rank Date **05/13/2022** Certificate #

Method **I-S-1024** Status Date **12/12/2019** Certificate Date **03/15/2000**

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action

**Modifiers**

| Type | Modifier                       | Effective Date | Additional Info |
|------|--------------------------------|----------------|-----------------|
| C    | IOWN - Individual Animal Owner | 11/27/2019     |                 |
| C    | TRNR - Trainer                 |                |                 |
| I    | TBRD - Thoroughbred            |                |                 |
| L    | 320 - Tampa Bay Downs          | 12/29/2013     |                 |
| Y    | 3YR - 3 Year License           | 01/24/2004     |                 |

**Alt Keys**

BEST LIC NBR PIN1474992

RACE 1 CONTINUED

5 30-1

Owner: Ana M. Periche (7-0-0-0) 0.00%
Silks: Red, Black Horse Emblem, Black Diagonal Quarters, Black Band on Sleeves, Red Cap
Trainer: Mauricio E. Fuentes! 35-3-5-4) 8.57%

33.38 2022: 11 0 0 0 \$2,840 Turf: 2 0 0 0 \$460
2021: 5 0 0 0 \$1,000 Synthetic: 7 0 0 0 \$1,310
Life: 16 0 0 0 \$3,840 Off Track: 1 0 0 0 \$950
GP 16 0 0 0 \$3,840 Distance: 1 0 0 0 \$180
Course: 1 0 0 0 \$180

Green The Cuban Missile (L)

Table with columns for race date, time, distance, and performance details for The Cuban Missile.

120 Jairo H. Hernandez

Table with columns for race date, time, distance, and performance details for Jairo H. Hernandez.

04, 2019) in KY OBSOPN21 \$9,000

Table with columns for race date, time, distance, and performance details for various horses.

6 5-2

Owner: Jay Mosley, Julian Serna III and Christopher Seale (4-0-2-2) 0.00%
Silks: Royal Blue, Silver and Pink Horseshoe Emblem, Blue and Pink Blocked Sleeves, Royal Blue Cap
Trainer: Christopher Seale (11-1-3-3) 9.09%

68.88 2022: 8 0 3 2 \$17,310 Turf: 6 0 1 1 \$7,280
2021: 1 0 0 0 \$840 Synthetic: 3 0 2 1 \$10,860
Life: 9 0 3 2 \$18,150 Off Track: 1 0 0 0 \$170
GP 5 0 2 2 \$13,580 Distance: 4 0 1 1 \$6,330
Course: 0 0 0 0 \$0

Black Hurry Up Dear (L)

Table with columns for race date, time, distance, and performance details for Hurry Up Dear.

124 Sonny Leon

Table with columns for race date, time, distance, and performance details for Sonny Leon.

(145-19-14-16) 13.10%

Table with columns for race date, time, distance, and performance details for various horses.

7 6-1

Owner: Just for Fun Stable Inc. (Ruben Sierra) (10-0-1-1) 0.00%
Silks: Blue, Green Star, Green Band on Sleeves, Blue Cap
Trainer: Antonio Cioffi (31-2-2-3) 6.45%

48.9 2022: 4 0 1 0 \$4,650 Turf: 0 0 0 0 \$0
2021: 1 0 0 0 \$210 Synthetic: 4 0 1 0 \$4,690
Life: 5 0 1 0 \$4,860 Off Track: 0 0 0 0 \$0
GP 5 0 1 0 \$4,860 Distance: 0 0 0 0 \$0
Course: 0 0 0 0 \$0

Orange Interesting Gem (L)

Table with columns for race date, time, distance, and performance details for Interesting Gem.

120 Wilfred Vasquez

Table with columns for race date, time, distance, and performance details for Wilfred Vasquez.

(75-4-7-10) 5.33%

Table with columns for race date, time, distance, and performance details for various horses.

8 20-1

Owner: Janis K. Maitten (0-0-0-0) 0.00%
Silks: Teal, Orange 'J' and Sleeves, Teal Cap
Trainer: Donald F. Hunt (3-0-0-0) 0.00%

35 2022: 3 0 0 0 \$820 Turf: 1 0 0 0 \$500
2021: 0 0 0 0 \$0 Synthetic: 0 0 0 0 \$0
Life: 3 0 0 0 \$820 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

Pink J's Star Jet (L)

Table with columns for race date, time, distance, and performance details for J's Star Jet.

120 Heriberto Figueroa

Table with columns for race date, time, distance, and performance details for Heriberto Figueroa.

(68-4-4-4) 5.88%

Table with columns for race date, time, distance, and performance details for various horses.

9 30-1

Owner: Peter J. Mirabelli (10-1-2-0) 10.00%
Silks: Red, White Sash, Red Bars on Green Sleeves, White Cap
Trainer: Tamara L. Levy (43-5-4-6) 11.63%

34 2022: 4 0 0 0 \$850 Turf: 0 0 0 0 \$0
2021: 0 0 0 0 \$0 Synthetic: 2 0 0 0 \$420
Life: 4 0 0 0 \$850 Off Track: 1 0 0 0 \$260
GP 4 0 0 0 \$850 Distance: 0 0 0 0 \$0
Course: 0 0 0 0 \$0

Turquoise Her Greatness (L)

Table with columns for race date, time, distance, and performance details for Her Greatness.

120 David Boraco

Table with columns for race date, time, distance, and performance details for David Boraco.

(75-6-7-8) 8.00%

Table with columns for race date, time, distance, and performance details for various horses.

10 20-1

Owner: LA Racing 83 LLC (1-0-0-0) 0.00%
Silks: Royal Blue and Black Horizontal Halves, White Lightning Bolt on Yellow Circled Sun, Royal Blue Cap
Trainer: Laura Cazares (52-5-7-11) 9.62%

34 2022: 1 0 0 0 \$170 Turf: 0 0 0 0 \$0
2021: 0 0 0 0 \$0 Synthetic: 1 0 0 0 \$170
Life: 1 0 0 0 \$170 Off Track: 0 0 0 0 \$0
GP 1 0 0 0 \$170 Distance: 0 0 0 0 \$0
Course: 0 0 0 0 \$0

Purple Lord Joan (L)

Table with columns for race date, time, distance, and performance details for Lord Joan.

120 Iserio Villalobos

Table with columns for race date, time, distance, and performance details for Iserio Villalobos.

(20-2-3-1) 10.00%

Table with columns for race date, time, distance, and performance details for various horses.

14Aug22 10GP ft 5f :22.97 :46.61 :59.67 31 Mcl 12500 34 3 8 8 11 8 10 8 11 Gonzalez, J.F. 119 L 19.10 Ride On Beauty! Rh of Blessing! Artificial Intell! hesitated, ducked in st 8
Workouts: 3 Sep 22 Pm 4f ft :49.35bg 40/71 26 Aug 22 Pm 4f ft :48.50bg 5/20 31 Jul 22 Pm 3f ft :37.10b 9/17 21 Jul 22 Pm 4f ft :49.95bg 7/10

RACE 1 CONTINUED ON NEXT PAGE

1



MAIDEN CLAIMING \$12,500

Purse \$19,000. (Includes \$2,000 from FTHA-FOA) For Maidens, Fillies And Mares Three Years Old and Upward. Three Year Olds, 120 Lbs; Older, 124 Lbs  
Claiming Price \$12,500. One Mile And One Sixteenth (Tapeta)

Track Record: Kobla Mas(4), 120 lbs; 1:41.76 (1-14-22)

Table with columns: Program #, Odds, Owner, Silks, Trainer, Speed, Weight, Jockey, Class, Race results (2022, 2021, Life, GP), Turf, Synthetic, Off Track, Distance, Course, and various race notes.

Table for race 2, featuring horse 'Stellarator (L)' with owner J. David Braddy and Anna Varsi, and jockey Edgar Perez.

Table for race 3, featuring horse 'Stare If You Must (L)' with owner Dale B. Wessels and jockey Marcos Meneses.

Table for race 4, featuring horse 'Bella Miura (L)' with owner Omakase Racing Stable, LLC and jockey Jose Morelos.

Table for race 5, featuring horse 'Stellarator (L)' with owner J. David Braddy and Anna Varsi, and jockey Edgar Perez.

09/17/2022 Race 1 Printed on 9/15/2022 at 11:42:07 AM

RACE 1 CONTINUED ON NEXT PAGE

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.

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.: 2022-049258

DONALD F. HUNT,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Donald F. Hunt (“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, 303777-1021, issued by Petitioner.
3. At all times material hereto, Respondent was the trainer of record for the racing horse “J’s Star Jet,” with microchip number 981020033137224.
4. At all times material hereto, “J’s Star Jet” was owned by Janis Kay Maitlen, who holds a Pari-Mutuel Wagering Professional Individual Occupational License, 1474992-1021, issued by Petitioner.
5. On September 17, 2022, “J’s Star Jet” participated in the 1st race of the performances held by Gulfstream Park Racing Association, Inc. (“Gulfstream Park”).

6. On September 17, 2022, “J’s Star Jet” finished in 1st 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 September 17, 2022, urine sample number 312899 was collected from “J’s Star Jet.”

9. Urine sample number 312899 was processed and forwarded to the University of Florida Racing Laboratory (“UF Lab”), for analysis.

10. The UF Lab tested urine sample number 312899 and found that it contained **omeprazole sulfide (a metabolite of omeprazole)**.

11. In urine sample number 312899, **omeprazole sulfide** was detected at a urinary concentration of 9.28 +/- 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 "J's Star Jet" with an impermissible concentration of a permitted substance in its body on September 17, 2022.

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 2022-049258 is signed this 14th 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.

### 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

10-12-22;09:30AM;University of Florida

;352

# 2/ 2



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

October 12, 2022

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL  
32399-1037

RE: Report of Positive Result



Sample 312699 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 9.28 +/- 0.09 ng/mL.

|                        |                    |                   |                   |
|------------------------|--------------------|-------------------|-------------------|
| <u>E001873-FHU</u>     | <u>Horse Urine</u> | <u>72.4 g</u>     | <u>INTACT</u>     |
| Laboratory Number      | Specimen           | Final Weight      | Seal              |
| <u>Gulfstream Park</u> |                    | <u>09/17/2022</u> | <u>09/20/2022</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 10/21/2022, or upon commencement of administrative action, whichever occurs first.

   
Dirk A Hunt Associate Director Moriah Murrin Chemist III

RL 115

Page 1 of 1

23-21

University of Florida Racing Lab  
ISO/IEC 17025-2017  
Certificate # AT-1642



The Foundation for The Gator Nation  
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DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

312899      DATE 9-17-22  
TRACK 321  
RACE 1      FINISH 1  
NAME OF ANIMAL J's stor Tet  
NOMBRE DEL ANIMAL  
COLOR B      SEX F      AGE 3  
ID NUMBER 981020033137224  
 MICROCHIP     TATTOO     FREEZE-BRAND  
BLOOD William M. Watson III DVM  
SAMPLED BY  
URINE Eloria Perpetuo  
SAMPLED BY  
TRAINER Donald F. Hunt  
ENTRENADOR / ENTRENADORA  
WITNESS DOMINGO AGUSTIN  
SIGNATURE      FIRMA DE TESTIGO  
WITNESS 1658031  
LICENSE #      NÚMERO DE LICENCIA

RL-252-02

HP

7020 2450 0000 5096 2974

|  |                              |
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| PS Form 3800, April 2015 PSN 7530-02-000-8047 See Reverse for Instructions                                 |                              |

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Feedback

### Latest Update

Your item was delivered to an individual at the address at 2:41 pm on October 17, 2022 in WILLISTON, FL 32696.

### Delivered

**Delivered, Left with Individual**

WILLISTON, FL 32696

October 17, 2022, 2:41 pm

[See All Tracking History](#)

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9.

# Consent Orders

## 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, Case No. 2022-033589; Consent Order  
Date: November 21, 2022

---

### *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. 2022-033589. Pursuant to the terms of the proposed order, Respondent would pay an administrative fine of \$500 for violating section 849.086(6)(c), Florida Statutes.

### *Background*

On or about July 12, 2022, Respondent allowed a massage therapist to work on the cardroom floor without a current Pari-Mutuel Wagering Occupational license. Respondent has one prior violation of this rules, which an administrative fine of \$500 was issued.<sup>1</sup>

The Division served Respondent with an administrative complaint and included a proposed settlement and consent order seeking a \$500 administrative fine. Respondent has agreed to the terms of the settlement and consent order and has already mailed in a cashier’s check. This case was presented before the Commission at the October 6, 2022 meeting.

---

<sup>1</sup> In the prior case, Respondent allowed a cashier to work for 5 months without a valid license. In this case, the employee’s license expired 7 days prior.



## *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>

Section 849.086(6)(c), Florida Statutes, provides, “[n]o licensed cardroom operator may employ or allow to work in a cardroom any person unless such person holds a valid occupational license.”

Because Respondent allowed a massage therapist to work on the cardroom floor without a current Pari-Mutuel Wagering Occupational license, it is subject to an administrative fine not to exceed \$1000.00.

Staff Recommendation: The Florida Gaming Control Commission should enter a Final Order adopting and incorporating the proposed settlement and consent order in Case No. 2022-033589.

---

<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.

7020 2450 0000 5094 3041

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8-8-22

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City, State, ZIP+4 \_\_\_\_\_

**Tampa Bay Downs, Inc.**  
 P.O. Box 2007,  
 Oldsmar, Florida 34677  
 AC - 2022033589 - PMW

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.: 2022-033589

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 Pari-Mutuel Wagering and Cardroom permit and license, number 320-1002, issued by Petitioner.

3. On or about July 12, 2022, Respondent allowed a massage therapist to work on the cardroom floor without a current Pari-Mutuel Wagering license.

4. Section 849.086(6)(c), Florida Statutes, states “[n]o licensed cardroom operator may employ or allow to work in a cardroom any person unless such person holds a valid occupational license.”

5. Based on the foregoing, Respondent violated Section 849.086(6)(c), Florida Statutes, by allowing a massage therapist to work on the cardroom floor without a current Pari-Mutuel Wagering license

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 2022-033589 is signed this 2nd day of August, 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.

|   |   |   |                                  |                                      |                                 |                      |                            |                             |                        |
|---|---|---|----------------------------------|--------------------------------------|---------------------------------|----------------------|----------------------------|-----------------------------|------------------------|
| <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 Recording Mass Status Update</a> | <a href="#">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>90 Closed</b>             | Status Date                    | <b>08/02/2022</b>   |
| Complaint # | <b>2022033589</b>              | Case Type   | <b>CMP - Complaint</b>       | Disposition                    | Disposition Date    |
| Docket#     | Respondent                     | Responsible | <b>TAMPA BAY DOWNS, INC.</b> | <b>rsamson - SAMSON, RANDA</b> | <b>Private Case</b> |

|                           |                            |                             |                            |
|---------------------------|----------------------------|-----------------------------|----------------------------|
| <a href="#">Complaint</a> | <a href="#">Respondent</a> | <a href="#">Complainant</a> | <a href="#">Addtl Info</a> |
|---------------------------|----------------------------|-----------------------------|----------------------------|

|           |   |                |                    |                                     |                               |                                     |                              |
|-----------|---|----------------|--------------------|-------------------------------------|-------------------------------|-------------------------------------|------------------------------|
| 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>07/05/2022</b>  | <input type="checkbox"/>            | <a href="#">Related</a>       | <input checked="" type="checkbox"/> | <a href="#">Disposition</a>  |
| Region    | <b>CR - Central Region</b>  | Received       | <b>07/12/2022</b>  | <input type="checkbox"/>            | <a href="#">Inspection</a>    |                                     |                              |
| Reference | <b>FS 849.086</b>   | Entered        | <b>07/12/2022</b>  | <input type="checkbox"/>            | <a href="#">Costs</a>         |                                     |                              |
| Entered   | <b>07/12/2022</b>   | Entered By     | <b>icampbell</b>   | <input type="checkbox"/>            | <a href="#">Time Tracking</a> | <input type="checkbox"/>            | <a href="#">Auto Assign</a>  |
| Summary   | <b>320 - Tampa Bay Downs, Inc. - Cardrooms Authorized: On July 12, 2022, during a routine bi-weekly cardroom inspection at Tampa Bay Downs, it was discovered that ROSEANNA HAILEY POLSON (PMW LIC#10760362) (EXP 6/30/2021), a licensed massage therapist was allowed to work on the cardroom floor without a current valid PMW license.</b> |                |                    | <input type="checkbox"/>            | <a href="#">Attachments</a>   | <input type="checkbox"/>            | <a href="#">History</a>      |
| Updated   | <b>08/02/2022 11:02:14</b>  | By             | <b>Imuniz</b>      | <input type="checkbox"/>            | <a href="#">Work Notes</a>    | <input type="checkbox"/>            | <a href="#">Print Report</a> |

|           |                        |                      |                    |                        |                      |
|-----------|------------------------|----------------------|--------------------|------------------------|----------------------|
| <b>21</b> | <a href="#">Change</a> | <a href="#">Save</a> | <a href="#">OK</a> | <a href="#">Cancel</a> | <a href="#">Back</a> |
|-----------|------------------------|----------------------|--------------------|------------------------|----------------------|


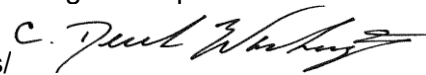
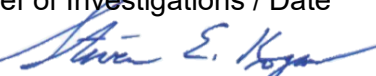
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**INVESTIGATIVE REPORT**

|  |                                     |   |                                     |
|--|-------------------------------------|---|-------------------------------------|
| Office:<br><b>PMW</b>  | Region:<br><b>CENTRAL</b>           | Date of Complaint:<br><b>JULY 12, 2022</b>  | Case Number:<br><b>2022 03 3589</b> |
| Respondent:<br><br><b>TAMPA BAY DOWNS, INC.</b><br><b>P.O. Box 2007,</b><br><b>OLDSMAR, FL 34677</b><br><br>■■■■■■■■■■ ■■■■■■■■■■  |                                     | Complainant:<br><br><b>DIVISION OF PARI-MUTUEL WAGERING</b><br><b>OFFICE OF INVESTIGATIONS</b><br><b>1400 W. COMMERCIAL BLVD. SUITE 165</b><br><b>FT. LAUDERDALE, FLORIDA 33309</b><br><b>TEL. - 954-202-3900</b> |                                     |
| License # and Type:<br><b>320 / 1002</b>   | Profession:<br><b>PERMIT HOLDER</b> | Report Date:<br><b>JULY 20, 2022</b>  |                                     |
| Period of Investigation:<br><b>JULY 12, 2022 – JULY 20, 2022</b>   |                                     | Type of Report:<br><b>FINAL</b>   |                                     |
| <p><b>Alleged Violation: FS 849.086 Cardrooms authorized.</b><br/> <b>(6) BUSINESS AND EMPLOYEE OCCUPATIONAL LICENSE REQUIRED; APPLICATION; FEES.</b><br/> <b>(c)</b> No licensed cardroom operator may employ or allow to work in a cardroom any person unless such person holds a valid occupational license. No licensed cardroom operator may contract, or otherwise do business with, a business required to hold a valid cardroom business occupational license, unless the business holds such a valid license.</p> <p><b>F.A.C. 61D-2.005 Violations:</b> “No person shall conspire with, solicit, aid, abet, counsel, hire, procure any person or persons, to engage in a violation of Chapter 550, Florida Statutes, or rules promulgated thereunder, nor shall he commit any such act on his own.</p> |                                     |   |                                     |
| <p>Synopsis: On July 12, 2022, during a routine bi-weekly cardroom inspection at Tampa Bay Downs, it was discovered that ROSEANNA HAILEY POLSON (PMW LIC#10760362) (EXP 6/30/2021), a licensed massage therapist was allowed to work on the cardroom floor without a current valid PMW license.</p>  |                                     |   |                                     |
| <p>Related Case:<br/>Case # 2022 00 0253</p>   |                                     |   |                                     |
| Investigator / Date<br><br>/s/ <br>Randa Samson / July 20, 2022   |                                     | Investigator Supervisor / Date<br><br>/s/ <br>C. Derek Washington / July 27, 2022   |                                     |
| <p>Chief of Investigations / Date<br/><br/>/s/ <br/>Steven Kogan / August 2, 2022</p>   |                                     |   |                                     |

## CONTINUATION

On July 12, 2022, at approximately 11:57 AM, I conducted a routine bi-weekly cardroom inspection at **TAMPA BAY DOWNS**. During my inspection, while in the security office, I observed an expired license belonging to **ROSEANNA HAILEY POLSON (PMW LIC#10760362)**, a massage therapist, on the counter with a note of termination due to drunk and disorderly conduct. **(EXHIBIT #1)**. I asked Poker Room Manager **ROBERT J. DELLACAMERA (PMW LIC# 7852105)** when the last day **POLSON** worked, and **DELLACAMERA** replied last Thursday (July 7, 2022). Upon checking **POLSON's** license in the Versa Regulation database, I discovered that her PMW license had expired on 6/30/2021.

I then informed the Poker Room Manager **ROBERT J. DELLACAMERA (PMW LIC# 7852105)** of the violation. **DELLACAMERA** stated he didn't realize he was responsible for confirming if the massage therapist had a valid gaming license.

Evidence of **POLSON'S** hours worked from July 1, 2022, thru July 7, 2022, while unlicensed was obtained via email from **LINDSEY IWANOFF-GOMOLAK (PMW LIC#8193084)**, Owner of Amenity Pro, LLC **(EXHIBIT #3 & #4)**.

**IWANOFF-GOMOLAK** stated in her email that **POLSON** worked two shifts, one on July 5th from 3:00 PM to 11:00 PM and the second on July 7th from 7:14 PM to 11:00 PM, in the cardroom at **TAMPA BAY DOWNS**. She further stated that this is an estimate because the manager did not document the exact time **POLSON** ended her shift. **(EXHIBIT #3 & #4)**

On July 19, 2022, I spoke with **IWANOFF-GOMOLAK** via cell phone. **IWANOFF-GOMOLAK** stated that **POLSON** was a 1099 Independent Contractor, who does not clock in and out but has been working for Amenity Pro, LLC., on and off for five years. **(EXHIBIT #4)**

Upon further review of the Versa Regulation Enforcement database, it indicates that **POLSON** is still not currently licensed, and **TAMPA BAY DOWNS** has one prior violation for this specific regulation (Refer to Case # 2022 00 0253). **(EXHIBIT #5)**

**TAMPA BAY DOWNS** violated the above-cited Statute and Rule by allowing a massage therapist to work in the cardroom without a valid PMW License.

Status: Investigation case closed, and the case referred to Legal for review.



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|         |       |        |             |         |      |      |            |             |        |
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Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **icampbell**

VR Home > Complaint Search > Maintain Complaint > **License Home**

| <b>License</b><br>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><br>File # <b>40</b> Name <b>TAMPA BAY DOWNS, INC.</b> Extended To<br>License # <b>320</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On<br>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><br>Street # Street <b>POST OFFICE BOX 2007</b><br>Line 2<br>Line 3<br>City <b>OLDSMAR</b> State <b>FL</b> Zip <b>34677</b><br>Routing  |                       |                |  |          |                |                 |               |                       |            |  |
| <b>Other</b><br>1st License Date <b>03/23/2022</b> Rank Date <b>03/23/2022</b> Certificate #<br>Method <b>I-S-1020</b> Status Date <b>07/14/2008</b> Certificate Date<br>Fee Exempt <b>No</b> Birth Date Renewal Sent   |                       |                |  |          |                |                 |               |                       |            |  |
| <b>Select</b><br>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><br>BEST LIC NBR <b>320</b>  |                       |                |  |          |                |                 |               |                       |            |  |

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**EXHIBIT #1**  
**PAGE 1/1**

|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|

License Search    Entity Search    **Modify License Standing**    Maintain License CE Control

Domain **100 - Division of Pari-Mutuel Wagering**

Logged in as: **jquatato**

VR Home > License Search > **License Home**

| <b>License</b><br>Fed Tax # [REDACTED] Lic Type <b>1012 - Cardroom Employee Occupational</b> Expires On <b>06/30/2021</b><br>File # <b>8711</b> Name <b>POLSON, HAILEY ROSEANNA</b> Extended To<br>License # <b>10760362</b> Rank <b>CEMP - Cardroom Employee Occupational</b> Renewed On<br>Entity # <b>10760362</b> Lic Status <b>Lic Expired</b>  |                       |                  | Licensee<br>History<br>Notes<br>Notes History<br>Back |            |                  |                   |   |                     |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |
|--|-----------------------|------------------|---|------------|------------------|-------------------|---|---------------------|------------|--|---|---------------------|------------|--|---|-----------------------|------------|--|---|----------------------|------------|--|
| <b>Address</b><br>Street # <b>13518</b> Street <b>CAPITOL DRIVE</b><br>Line 2<br>Line 3<br>City <b>TAMPA</b> State <b>FL</b> Zip <b>33613</b><br>Routing   |                       |                  |   |            |                  |                   |   |                     |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |
| <b>Other</b><br>1st License Date <b>07/17/2018</b> Rank Date <b>07/17/2018</b> Certificate #<br>Method <b>I-S-1024</b> Status Date <b>07/01/2022</b> Certificate Date<br>Fee Exempt <b>No</b> Birth Date [REDACTED] Renewal Sent   |                       |                  |   |            |                  |                   |   |                     |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |
| <b>Select</b><br>Action <input type="text"/>   |                       |                  |   |            |                  |                   |   |                     |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |
| <b>Modifiers</b><br><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>HOST - Host/Hostess</td> <td>07/17/2018</td> <td></td> </tr> <tr> <td>I</td> <td>TBRD - Thoroughbred</td> <td>06/15/2018</td> <td></td> </tr> <tr> <td>L</td> <td>320 - Tampa Bay Downs</td> <td>05/06/2015</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>05/06/2015</td> <td></td> </tr> </tbody> </table> |                       |                  | Type ↕  | Modifier ↕ | Effective Date ↕ | Additional Info ↕ | C | HOST - Host/Hostess | 07/17/2018 |  | I | TBRD - Thoroughbred | 06/15/2018 |  | L | 320 - Tampa Bay Downs | 05/06/2015 |  | Y | 3YR - 3 Year License | 05/06/2015 |  |
| Type ↕   | Modifier ↕            | Effective Date ↕ | Additional Info ↕                                     |            |                  |                   |   |                     |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |
| C  | HOST - Host/Hostess   | 07/17/2018       |   |            |                  |                   |   |                     |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |
| I  | TBRD - Thoroughbred   | 06/15/2018       |   |            |                  |                   |   |                     |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |
| L  | 320 - Tampa Bay Downs | 05/06/2015       |   |            |                  |                   |   |                     |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |
| Y  | 3YR - 3 Year License  | 05/06/2015       |   |            |                  |                   |   |                     |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |
| <b>Alt Keys</b><br>BEST LIC NBR <b>10760362</b>  |                       |                  |   |            |                  |                   |   |                     |            |  |   |                     |            |  |   |                       |            |  |   |                      |            |  |

EXHIBIT #2  
PAGE 1/1

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## Samson, Randa

---

**From:** Lindsey Iwanoff <Lindsey@amenitypro.com>  
**Sent:** Tuesday, July 12, 2022 1:24 PM  
**To:** Samson, Randa  
**Cc:** Jennifer Lutsi; Morgan Moore  
**Subject:** DBPR License Update

**[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.**

Randa,

Below I have listed the requested information that I spoke with Vinny about from the Tamp Bay Downs room. Hailey worked 2 days listed below. Trish has a current DBPR.

Hailey Polson- Is no longer with us.

July 5th

3p-11p This is estimated as the manger that signs them out did not put a clear time when she left.

July 7th

7:14p-11 This is estimated as the manger that signs them out did not put a time when she left.

Trish (Patricia) Elian has an updated DBPR (Pictured below)

EXHIBIT #3  
PAGE 1/2



Thank you and please let me know if there is anything I can do now or in the future.

Lindsey Iwanoff  
Amenity Pro  
Owner  
727-224-9378  
[Lindsey@amenitypro.com](mailto:Lindsey@amenitypro.com)

This e-mail may contain trade secrets or privileged, undisclosed, or otherwise confidential information. If you have received this e-mail in error, you are hereby notified that any review, copying, or distribution of it is strictly prohibited. Please inform us immediately and destroy the original transmittal. Thank you for your cooperation.

**Samson, Randa**

---

**From:** Lindsey iwanoff <lindsey@amenitypro.com>  
**Sent:** Monday, July 18, 2022 7:30 PM  
**To:** Samson, Randa  
**Subject:** Re: DBPR License Update

**[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.**

Randa,

Hailey is a 1099 Independent Contractor so she does not clock in and clock out on a card stamp. The two days she worked is estimated from when she gets there and when she leaves. I can call you tomorrow to discuss further to help in any way I can.

July 5th

3p-11p This is estimated as the manger that signs them out did not put a clear time when she left.

July 7th

7:14p-11 This is estimated as the manger that signs them out did not put a time when she left.

EXHIBIT #4  
PAGE 1/3

Thank you,

Lindsey Iwanoff  
727-224-9378

On Jul 18, 2022, at 2:10 PM, Samson, Randa <[Randa.Samson@fgcc.fl.gov](mailto:Randa.Samson@fgcc.fl.gov)> wrote:

Good afternoon, How many hours has Hailey Polson worked since 7/1/2021? Her license expired in 6/30/2021. I need her total hours she worked unlicensed, Thank You,

*Randa M. Samson*



The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. [LARGER VIEW](#)

---

**From:** Lindsey Iwanoff [<mailto:Lindsey@amenitypro.com>]  
**Sent:** Tuesday, July 12, 2022 1:24 PM  
**To:** Samson, Randa  
**Cc:** Jennifer Lutsi; Morgan Moore  
**Subject:** DBPR License Update

**[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.**

Randa,

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Trish (Patricia) Elian has an updated DBPR (Pictured below)

EXHIBIT #4  
PAGE 2/3



Thank you and please let me know if there is anything I can do now or in the future.

Lindsey Iwanoff  
Amenity Pro  
Owner  
727-224-9378  
[Lindsey@amenitypro.com](mailto:Lindsey@amenitypro.com)

This e-mail may contain trade secrets or privileged, undisclosed, or otherwise confidential information. If you have received this e-mail in error, you are hereby notified that any review, copying, or distribution of it is strictly prohibited. Please inform us immediately and destroy the original transmittal. Thank you for your cooperation.



|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| 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: **icampbell**

[VR Home](#) > [Complaint Search](#) > **Maintain Complaint**

|   |   |  |
|---|---|--|
| Lic Type <b>1002 - Cardroom License</b> | Status <b>20 Under Investigation</b>    | Status Date <b>07/12/2022</b>              |
| Complaint # <b>2022033589</b>           | Case Type <b>CMP - Complaint</b>        | Disposition                                |
| 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"/> 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>07/05/2022</b>    | <input type="checkbox"/> Related                | <input checked="" type="checkbox"/> Disposition |
| Region <b>CR - Central Region</b>  | Received <b>07/12/2022</b>    | <input type="checkbox"/> Inspection             |   |
| Reference <b>FS 849.086</b>  |                               | <input type="checkbox"/> Costs                  |   |
| Entered <b>07/12/2022</b>  | Entered By <b>icampbell</b>   | <input type="checkbox"/> Time Tracking          | <input type="button" value="Auto Assign"/>      |
| Summary<br><b>320 - Tampa Bay Downs, Inc. - Cardrooms Authorized: On July 12, 2022, during a routine bi-weekly cardroom inspection at Tampa Bay Downs, it was discovered that ROSEANNA HAILEY POLSON (PMW LIC#10760362) (EXP 6/30/2021), a licensed massage therapist was allowed to work on the cardroom floor without a current valid PMW license.</b> |                               | <input type="checkbox"/> Attachments            | <input type="button" value="History"/>          |
|  |                               | <input type="checkbox"/> Work Notes             | <input type="button" value="Print Report"/>     |
| Updated <b>07/12/2022 15:12:00</b>   | By <b>icampbell</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:** July 5 & 7, 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 |
|---|-----------------------------------|------------------------------------|

**FACILITY NAME:** TAMPA BAY DOWNS **LIC #:** 320

**RESPONDENT**

|   |                       |                                  |
|---|-----------------------|----------------------------------|
| <b>NAME:</b> Tampa Bay Downs              |                       |                                  |
| Address: P.O. Box 2007 Oldsmar, FL. 34677 |                       | Tel (813)222-8935                |
| <b>LIC #:</b> 320                         | <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): FS 849.086 Cardrooms authorized.**

**(6) BUSINESS AND EMPLOYEE OCCUPATIONAL LICENSE REQUIRED; APPLICATION; FEES.**

(c) No licensed cardroom operator may employ or allow to work in a cardroom any person unless such person holds a valid occupational license. No licensed cardroom operator may contract, or otherwise do business with, a business required to hold a valid cardroom business occupational license, unless the business holds such a valid license.


**F.A.C. 61D-2.005 Violations:** "No person shall conspire with, solicit, aid, abet, counsel, hire, procure any person or persons, to engage in a violation of Chapter 550, Florida Statutes, or rules promulgated thereunder, nor shall he commit any such act on his own.

**DESCRIPTION:** On July 12, 2022, during a routine bi-weekly cardroom inspection at Tampa Bay Downs, it was discovered that ROSEANNA HAILEY POLSON (PMW LIC#10760362) (EXP 6/30/2021), a licensed massage therapist was allowed to work on the cardroom floor without a current valid PMW license.

**CASE DETAILS FILED BY:**

Chief Inspector    Judge/Steward    Investigator    Other: \_\_\_\_\_  
(Title of State Employee)

Randa Samson  
(Print Name)

  
(Signature)

July 12, 2022  
(Date)

## Campbell, Ian

---

**From:** Washington, Derek  
**Sent:** Tuesday, July 12, 2022 2:30 PM  
**To:** Campbell, Ian  
**Cc:** Muniz, Luz  
**Subject:** OCR TAMPA BAY DOWNS 7.12.2022  
**Attachments:** OCR TAMPA BAY DOWNS 7.12.2022.docx

Hello Ian,  
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 |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|

[License Search](#) | 
 [Entity Search](#) | 
 [Modify License Standing](#) | 
 [Maintain License CE Control](#)

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **icampbell**

VR Home > Complaint Search > Maintain Complaint > **License Home**

| <b>License</b><br>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><br>File # <b>40</b> Name <b>TAMPA BAY DOWNS, INC.</b> Extended To<br>License # <b>320</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On<br>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><br>Street # Street <b>POST OFFICE BOX 2007</b><br>Line 2<br>Line 3<br>City <b>OLDSMAR</b> State <b>FL</b> Zip <b>34677</b><br>Routing  |                       |                |  |          |                |                 |               |                       |            |  |
| <b>Other</b><br>1st License Date <b>03/23/2022</b> Rank Date <b>03/23/2022</b> Certificate #<br>Method <b>I-S-1020</b> Status Date <b>07/14/2008</b> Certificate Date<br>Fee Exempt <b>No</b> Birth Date Renewal Sent   |                       |                |  |          |                |                 |               |                       |            |  |
| <b>Select</b><br>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><br>BEST LIC NBR <b>320</b>  |                       |                |  |          |                |                 |               |                       |            |  |

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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.: 2022-033589

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 Pari-Mutuel Wagering and 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 2022-033589, alleging that on July 12, 2022, Respondent was in violation of Section 849.086(6)(c), Florida Statutes, by allowing a massage therapist to work on the cardroom floor without a current Pari-Mutuel Wagering license.

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 2022-033589 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. 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 11 day of August, 2022.

[Signature]  
TAMPA BAY DOWNS, INC., Respondent

Signed on behalf of Tampa Bay Downs, Inc. by:

Gregory Gelyon  
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 11 day of August, 2022, by GREGORY GELYON, who is personally known to me or who produced the following as identification: -

Linda Notarangelo  
Notary Public

My commission expires



APPROVED this 21 day of September, 2022.



---

**EMILY ALVARADO**  
**DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission

CERTIFICATE OF SERVICE

I hereby certify this \_\_\_\_ day of \_\_\_\_\_, 2022, that a true copy of the foregoing has been furnished by U.S. mail to:

**Tampa Bay Downs, Inc.**  
P.O. Box 2007,  
Oldsmar, Florida 34677

---

**AGENCY CLERK'S OFFICE**  
Florida Gaming Control Commission

CC: Ebonie Lanier

**FILED**

**Florida Gaming Control Commission  
Office of the Agency Clerk**

**Clerk Donna Fleming**

**Date 8/4/2022**

**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.: 2022-033589**

**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 Pari-Mutuel Wagering and Cardroom permit and license, number 320-1002, issued by Petitioner.
3. On or about July 12, 2022, Respondent allowed a massage therapist to work on the cardroom floor without a current Pari-Mutuel Wagering license.
4. Section 849.086(6)(c), Florida Statutes, states “[n]o licensed cardroom operator may employ or allow to work in a cardroom any person unless such person holds a valid occupational license.”

5. Based on the foregoing, Respondent violated Section 849.086(6)(c), Florida Statutes, by allowing a massage therapist to work on the cardroom floor without a current Pari-Mutuel Wagering license

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 2022-033589 is signed this 2nd day of August, 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.

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.: 2022-033589

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 2022-033589, alleging that on July 12, 2022, Respondent was in violation of Section 849.086(6)(c), Florida Statutes, by allowing a massage therapist to work on the cardroom floor without a current Pari-Mutuel Wagering license.

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 **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 2022-033589 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, 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 8 day of November, 2022.

[Signature]  
TAMPA BAY DOWNS, INC. Respondent

Signed on behalf of Tampa Bay Downs, Inc. by:

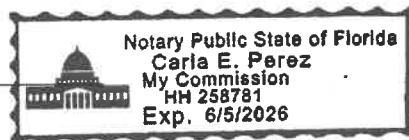
Gregory Gelyon  
Printed Name

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 8 day of November, 2022, by Gregory Gelyon, who is personally known to me or who produced the following as identification: \_\_\_\_\_

Carla E. Perez  
Notary Public



My commission expires: 6/5/2026

APPROVED this 21 day of November, 2022.

*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.: 2022-033589**

**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 Pari-Mutuel Wagering and Cardroom permit and license, number 320-1002, issued by Petitioner.
3. On or about July 12, 2022, Respondent allowed a massage therapist to work on the cardroom floor without a current Pari-Mutuel Wagering license.
4. Section 849.086(6)(c), Florida Statutes, states “[n]o licensed cardroom operator may employ or allow to work in a cardroom any person unless such person holds a valid occupational license.”

5. Based on the foregoing, Respondent violated Section 849.086(6)(c), Florida Statutes, by allowing a massage therapist to work on the cardroom floor without a current Pari-Mutuel Wagering license

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 2022-033589 is signed this 2nd day of August, 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.





## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. TBD Entertainment, LLC Case Number 2022-035114;  
Consent Order  
Date: November 24, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by TBD Entertainment, LLC (“Respondent”) to resolve Case No. 2022-035114 Pursuant to the terms of the proposed order, Respondent would be issued a written warning for violating rule 61D-11.016(6), Florida Administrative Code.

### *Background*

On or about July 20, 2022, it was discovered that Respondent had fifteen cardroom tables in operation. Upon review of Respondent’s cardroom operating license for the 2022-2023 fiscal year, Respondent was authorized to operate fourteen cardroom tables. Respondent has no prior violations of rule 61D-11.016(6), Florida Administrative Code.

The Division presented this issue at the November 3, 2022, Commission meeting and it was agreed that settlement negotiations would continue with Respondent’s counsel.

### *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> Mitigation may be taken into consideration when imposing an administrative fine. Respondent has amended their number of operating cardroom since this violation.

---

<sup>1</sup> § 849.086(14)(c), Fla. Stat.

Rule 61D-11.004(8)(a), Florida Administrative Code, provides that “[a]t no time may a cardroom contain more tables than that for which the cardroom operator has been licensed.”

Because Respondent had fifteen cardroom tables in operation, 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 2022-035114.

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.: 2022-035114

TBD ENTERTAINMENT, LLC,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against TBD Entertainment, 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 Pari-Mutuel Wagering and Cardroom permit and license, number 140-1002, issued by Petitioner.
3. On or about July 20, 2022, it was discovered that Respondent had fifteen cardroom tables in operation.
4. Upon review of Respondent’s cardroom operating license for the 2022-2023 fiscal year, Respondent was authorized to operate fourteen cardroom tables.
5. Rule 61D-11.016(6), Florida Administrative Code, provides that “[a]t no time may a cardroom contain more tables than that for which the cardroom operator has been licensed.”

6. Based on the foregoing, Respondent violated Rule 61D-11.016(6), Florida Administrative Code, by operating more cardroom tables than Respondent had been licensed to operate.

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 2022-035114 is signed this 17th day of August, 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

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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**

Logged in as: **icampbell**

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|             |                                |                               |                        |                                |                     |
|-------------|--------------------------------|-------------------------------|------------------------|--------------------------------|---------------------|
| Lic Type    | <b>1002 - Cardroom License</b> | Status                        | <b>90 Closed</b>       | Status Date                    | <b>08/11/2022</b>   |
| Complaint # | <b>2022035114</b>              | Case Type                     | <b>CMP - Complaint</b> | Disposition                    |                     |
| Docket#     | Respondent                     | <b>TBD ENTERTAINMENT, LLC</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"/> 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       |                    | <input type="checkbox"/> Related                | <input checked="" type="checkbox"/> Disposition |
| Region    | <b>CR - Central Region</b>   | Received       | <b>07/20/2021</b>  | <input type="checkbox"/> Inspection             |   |
| Reference | <b>61D-11.007(2-3) / 61D-11.016(6)</b>   |                |                    | <input type="checkbox"/> Costs                  |   |
| Entered   | <b>07/20/2022</b>  | Entered By     | <b>Imuniz</b>      | <input type="checkbox"/> Time Tracking          | <input type="button" value="Auto Assign"/>      |
| Summary   | <p><b>140-TBD Entertainment, LLC ----- / ----- . Cardroom Operator License &amp; Card and Domino Tables: On July 20, 2022 during a scheduled floor plan inspection it was discovered that Tampa Greyhound Track had fifteen (15) tables on their cardroom floor and floor plan which were in operation. However they were only licensed to have fourteen (14) tables in operation.</b></p> |                |                    | <input type="checkbox"/> Attachments            | <input type="button" value="History"/>          |
| Updated   | <b>08/12/2022 08:53:41</b>   | By             | <b>icampbell</b>   | <input type="checkbox"/> Work Notes             | <input type="button" value="Print Report"/>     |

|    |                                       |                                     |                                   |                                       |                                     |
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| 22 | <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:<br><b>PMW</b>   | Region:<br><b>CENTRAL</b> | Date of Complaint:<br><b>JULY 20, 2022</b>  | Case Number:<br><b>2022 03 5114</b>   |
| Respondent:<br><br><b>TBD ENTERTAINMENT, LLC.<br/>P.O. BOX 8096<br/>TAMPA, FL. 33674-8096<br/><br/>TEL# [REDACTED]</b>  |                           | Complainant:<br><br><b>DIVISION OF PARI-MUTUEL WAGERING<br/>OFFICE OF INVESTIGATIONS<br/>1400 W. COMMERCIAL BLVD. SUITE 165<br/>FT. LAUDERDALE, FLORIDA 33309</b> |                                       |
| License # and Type:<br><b>140 / 1002</b>  |                           | Profession:<br><b>PERMIT HOLDER</b>   | Report Date:<br><b>AUGUST 5, 2022</b> |
| Period of Investigation:<br><b>JULY 20, 2022 – AUGUST 5, 2022</b>   |                           | Type of Report:<br><b>FINAL</b>   |                                       |
| <p><b>Alleged Violation:</b></p> <p><b>61D-11.007 Cardroom Operator License.</b><br/>(3) No license application, amendment to an application, or amendment to request additional cardroom tables shall be effective until the division has received payment of cardroom table fees, inspected and approved the surveillance requirements for compliance with Rule 61D-11.025, F.A.C., and the division has issued a license or amended license to operate a cardroom.</p> <p><b>61D-11.016 Card and Domino Tables:</b><br/>(6) At no time may a cardroom contain more tables than that for which the cardroom operator has been licensed.</p> |                           |   |                                       |
| <p><b>Synopsis:</b> On July 20, 2022, during a scheduled floor plan inspection at <b>TAMPA GREYHOUND TRACK</b>, I discovered that the facility had fifteen (15) tables in operation. A check of their Cardroom License for the 22/23 fiscal year showed Tampa Greyhound Track licensed to operate fourteen (14) tables.</p>   |                           |   |                                       |
| <p><b>Related Case(s):</b></p>  |                           |   |                                       |
| Investigator / Date<br><br><i>Randa Samson</i><br>/s/ Randa Samson / AUGUST 5, 2022   |                           | Investigator Supervisor / Date<br><br><i>C. Derek Washington</i><br>/s/ C. Derek Washington / August 9, 2022  |                                       |
| Chief of Investigations / Date<br><br><i>Steven E. Kogan</i><br>Steven E. Kogan / August 11, 2022   |                           |   |                                       |

## CONTINUATION

On July 20, 2022, during a scheduled floor plan inspection at Tampa Greyhound Track, I discovered that the facility had fifteen (15) tables in operation. A check of their Cardroom License for the 22/23 fiscal year showed Tampa Greyhound Track licensed to operate fourteen (14) tables. **(EXHIBIT #2)**

The violation was brought to Poker Room Manager Jacob Darrell **MAST** (PMW LIC #7050031). **MAST** stated it was an honest mistake, and he thought when he amended his 21/22 license, which included 15 tables, that all the tables would roll over into the 22/23 license.

On July 5, 2022, the Division received the amended application, and payment for three additional tables was received on July 20, 2022. **(EXHIBIT #3)**

On July 27, 2022, **TAMPA GREYHOUND TRACK's** cardroom license was amended, allowing the facility to operate 17 tables. **(EXHIBIT #3)**

**TBD ENTERTAINMENT, LLC. (TAMPA GREYHOUND TRACK)** is in violation of F.A.C. Rule 61D-11.007 (3) and 61D-11.016 (6) because they contain more tables than that for which the cardroom operator had been licensed.

A review of the Versa Regulation Enforcement database showed no previous violations against **TBD ENTERTAINMENT, LLC. (TAMPA GREYHOUND TRACK)** for these specific F.A.C. Rule 61D-11.007 (3) and 61D-11.016 (6).

**Case Status:** Investigation case closed and case referred to Legal for review



CONTINUATION

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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="#">License Search</a> |                       | <a href="#">Entity Search</a> |                             | <a href="#">Modify License Standing</a> |                      | <a href="#">Maintain License CE Control</a> |                            |                             |                        |

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **Imuniz**

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| <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>27</b> Name <b>TBD ENTERTAINMENT, LLC</b> Extended To</p> <p>License # <b>140</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On</p> <p>Entity # <b>140</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 # Street <b>P O BOX 8096</b></p> <p>Line 2</p> <p>Line 3</p> <p>City <b>TAMPA</b> State <b>FL</b> Zip <b>33674-8096</b></p> <p>Routing</p>  |                                    |   |                 |          |                |                 |   |                                    |            |  |
| <p><b>Other</b></p> <p>1st License Date <b>03/15/2022</b> Rank Date <b>07/15/2022</b> Certificate #</p> <p>Method <b>I-S-1020</b> Status Date <b>06/24/2002</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>140 - Associated Outdoor Clubs Inc</td> <td>04/09/2004</td> <td></td> </tr> </tbody> </table>   |                                    |   | Type            | Modifier | Effective Date | Additional Info | L | 140 - Associated Outdoor Clubs Inc | 04/09/2004 |  |
| Type  | Modifier                           | Effective Date  | Additional Info |          |                |                 |   |                                    |            |  |
| L   | 140 - Associated Outdoor Clubs Inc | 04/09/2004  |                 |          |                |                 |   |                                    |            |  |
| <p><b>Alt Keys</b></p> <p>BEST LIC NBR <b>CLI140</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

License Number: CR140  
Permit Type: GHND  
Permit County: Hillsborough

## LICENSE TO OPERATE A CARDROOM

For:

**TBD Entertainment, LLC**

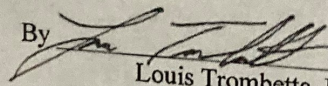
D/B/A TGT Poker & Racebook and/or Lucky's Card Room

Licensed to Operate, At the Pari-Mutuel Facility, Located At:

755 East Waters Avenue  
Tampa, FL 33604  
Hillsborough County

Valid From: July 1, 2022  
Expires On: June 30, 2023  
Licensed to Operate: 14 Tables

Issued and dated, this 15 day of March, 2022.

By   
Louis Trombetta, Director  
Division of Pari-Mutuel Wagering



*This license is issued in accordance with the Florida Pari-Mutuel Wagering Act, Section 849.086, Fla. Stat., and the rules promulgated thereunder. This license is to be operated at the location of a pari-mutuel permit and is subject to any and all laws of the State of Florida.*

EXHIBIT #2  
PHOTO 1/1

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

License Number: CR140  
Permit Type: GHND  
Permit County: Hillsborough  
Amendment: #3

# LICENSE TO OPERATE A CARDROOM

EXHIBIT #3  
PAGE 1/17

For:


**TBD Entertainment, LLC**  
D/B/A TGT Poker & Racebook and/or Lucky's Card Room

Licensed to Operate, At the Pari-Mutuel Facility, Located At:

755 East Waters Avenue  
Tampa, FL 33604  
Hillsborough County

Valid From: July 1, 2022  
Expires On: June 30, 2023  
Licensed to Operate: 17 Tables

Issued and dated, this 27th day of July, 2022.

By   
Louis Trombetta, Executive Director  
Florida Gaming Control Commission



*This license is issued in accordance with the Florida Pari-Mutuel Wagering Act, Section 849.086, Fla. Stat., and the rules promulgated thereunder. This license is to be operated at the location of a pari-mutuel permit and is subject to any and all laws of the State of Florida.*

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

IN RE: TBD ENTERTAINMENT, LLC  
AMENDED APPLICATION FOR A  
CARDROOM LICENSE

FGCC CASE No. 2022-035298

**FINAL ORDER APPROVING AMENDMENT TO CARDROOM LICENSE**

Pursuant to the provisions of section 849.086, Florida Statutes, and the rules promulgated thereunder, the Florida Gaming Control Commission ("Commission"), is responsible for the investigation and prior approval of applications and amendments to applications for cardrooms; and

TBD Entertainment, LLC d/b/a TGT Poker & Racebook and/or Lucky's Card Room ("TBD") possesses a greyhound permit. TBD has been issued two licenses for the 2022-2023 Fiscal Year: 1) a pari-mutuel operating license; and 2) a cardroom license. TBD is currently licensed to operate 14 card tables and is requesting to amend its license to add 3 more to its cardroom. TBD has paid the \$3,000 license fee associated with the additional tables.

The Commission has received and reviewed the pertinent records and supporting documentation concerning TBD's amended application for a cardroom license and after proper consideration thereof,

**NOW, THEREFORE**, be it known that:

Pursuant to the requirements of section 849.086, Florida Statutes, the Commission hereby approves this amendment to TBD Entertainment, LLC's cardroom license.

It is so ordered.

MACIVER, Chair, YAWORSKI, Vice-Chair, and BROWN, DRAGO, and D'AQUILA, Commissioners, concur.

I HEREBY CERTIFY that this document was filed and a copy served on each party on July, 27th, 2022.



AGENCY CLERK'S OFFICE  
Florida Gaming Control Commission

**EXHIBIT #3**  
**PAGE 2/17**



**State of Florida**  
**Department of Business and Professional Regulation**  
**Chronology Report**

**EXHIBIT #3**  
**PAGE 3/17**

**Case #:** 2022035298      **Incident date:** 07/05/2022      **Status:** 10 - Initial Review

**Lic Type:** 1002      **Disposition:**

**Case Type:** Complaint

**Responsible:** ljelks - JELKS, LA'KESHA

**Complainant:** TBD ENTERTAINMENT, LLC  
P O BOX 8096, TAMPA, FL 33674-8096

**Respondent:** FGCC, PARI-MUTUEL WAGERING  
2601 BLAIR STONE ROAD, TALLAHASSEE, FL 32399

**Summary:** PERMITHOLDER: TBD Entertainment, LLC (#140)      FISCAL YEAR: 2022/2023

DATE RECEIVED: July 5, 2022  
DATE PROCESSED: July 14, 2022  
REVIEWER'S NAME: La'Kesha Jelks  
CHANGE REQUESTED: Adding three (3) tables for a total of seventeen (17).

| Chronology: | Effective Date | Type | Lic Type | Code   | Description     | Responsible Party | Respondent |
|-------------|----------------|------|----------|--------|-----------------|-------------------|------------|
|             | 07/21/2022     | R    |          | ljelks | JELKS, LA'KESHA | jpouncey          |            |
|             | 07/21/2022     | S    | 1002     | 10     | Initial Review  | jpouncey          |            |

State of Florida  
Department of Business and Professional Regulation  
Chronology Report

EXHIBIT #3  
PAGE 4/17

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Re: Operator's Request to add Card Tables  
Date: July 20, 2022

---

### Executive Summary

A cardroom operator is seeking permission to add additional card tables to its poker room. The Commission should approve this request.

### Background

TBD Entertainment, LLC d/b/a TGT Poker & Racebook and/or Lucky's Card Room ("TBD") possesses a greyhound permit. TBD has been issued two licenses for the 2022-2023 Fiscal Year: 1) a pari-mutuel operating license; and 2) a cardroom license.<sup>1</sup> TBD is currently licensed to operate 14 card tables and is requesting permission to add 3 more to its cardroom. TBD has paid the \$3,000 license fee associated with the additional tables.<sup>2</sup>

### Analysis

Aside from the \$1,000-per-card-table license fee, there is no other applicable restriction<sup>3</sup> to the number of card tables that TBD can add to its cardroom. Since TBD has paid the additional \$3,000 license fee, TBD should be authorized to add additional card tables to its cardroom.

Recommendation: The Florida Gaming Control Commission should approve TBD Entertainment, LLC d/b/a TGT Poker & Racebook and/or Lucky's Card Room's request to add additional card tables to its cardroom.

**EXHIBIT #3**  
**PAGE 5/17**

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<sup>1</sup> See generally § 849.086, Fla. Stat.

<sup>2</sup> The annual cardroom license fee costs \$1,000 for each table in the cardroom. § 849.086(5)(e), Fla. Stat.

<sup>3</sup> There is no indication that TBD is seeking to change the number of card tables for the play of poker games in a designated player method. See §§ 849.086(7)(h)2. & 4., Fla. Stat. (restricting the number of tables for the play of poker games in a designated player manner).



## PERMITHOLDER LICENSE CHANGE REQUEST CHECKLIST

PERMITHOLDER: TBD Entertainment, LLC (#140)      FISCAL YEAR: 2022/2023

DATE RECEIVED: July 5, 2022

DATE PROCESSED: July 14, 2022

REVIEWER'S NAME: La'Kesha Jelks

CHANGE REQUESTED: Adding three (3) tables for a total of seventeen (17).

| Requirement                              | Met? Y/N | Deficiency Sent | Resolved  |
|--|----------|-----------------|-----------|
| Original application form DBPR PMW 3160. | Y        |                 |           |
| Payment for additional tables            | Y        | 7/15/2022       | 7/20/2022 |
| Floor Plan                               | Y        | 7/15/2022       | 7/15/2022 |

| CONTACT FROM OTHER FACILITIES<br>WITHIN FIFTY (50) MILES: | CONTACTED? |     |      | OBJECTED? |     |      |
|---|------------|-----|------|-----------|-----|------|
|   | NO         | YES | DATE | NO        | YES | DATE |
| NONE  |            |     |      |           |     |      |
|   |            |     |      |           |     |      |
|   |            |     |      |           |     |      |
|   |            |     |      |           |     |      |
|   |            |     |      |           |     |      |
|   |            |     |      |           |     |      |
|   |            |     |      |           |     |      |

**PMW / CARDROOM LICENSE FORWARDED TO THE FOLLOWING FOR FINAL REVIEW:**

|                      |                                     |          |                     |                      |
|----------------------|-------------------------------------|----------|---------------------|----------------------|
| REVENUE SECTION      | <input type="checkbox"/>            | REVIEWED | INITIALS: _____     | DATE: _____          |
| PERMIT ADMIN         | <input checked="" type="checkbox"/> | REVIEWED | INITIALS: <u>JP</u> | DATE: <u>7-20-22</u> |
| OPERATIONS REVIEW SP | <input type="checkbox"/>            | REVIEWED | INITIALS: _____     | DATE: _____          |

**DISTRIBUTION OF PMW AND CARDROOM (If applicable) LICENSE(S):**

**PARI-MUTUEL LICENSE**

|                            |                          |
|----------------------------|--------------------------|
| General Manager (Original) | Office of Investigations |
| Office of Auditing         | Office of Revenue &      |
| Licensing Administrator    | Financial Analysis       |
| (with all paperwork)       | Chief Inspector          |
| Regional Manager           | U of FL Laboratory       |
| Director's MRS             | Florida Greyhound        |
|                            | Association (Greyhound   |
|                            | Tracks Only)             |

**CARDROOM LICENSE**

|                            |                          |
|----------------------------|--------------------------|
| General Manager (Original) | Office of Investigations |
| Office of Auditing         | Office of Revenue &      |
| Licensing Administrator    | Financial Analysis       |
| (with all paperwork)       | Regional Manager         |
| Chief Inspector            | Director's MRS           |

**EXHIBIT #3  
PAGE 6/17**

## Jelks, La'Kesha

---

**From:** Jelks, La'Kesha  
**Sent:** Friday, July 15, 2022 11:33 AM  
**To:** 'poker@luckyscards.com'  
**Subject:** RE: TGT poker

**Categories:** Amendment

Greetings,

Just checking in to see if you have submitted the tables fees and updated floor plan. If you would like to be on the agenda for the July 27<sup>th</sup> meeting, I will need the fee no later than July 20<sup>th</sup>.

Once the Committee approves the request and I have the floor plan, Randa can come out to complete the inspection.

Let me know what decide.

Best,

*La'Kesha Jelks*



La'Kesha Jelks  
Operations Review Specialist  
Florida Gaming Control Commission  
Pari-Mutuel Wagering  
Phone: (850) 717-1095

The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. [LARGER VIEW](#)

**From:** Pouncey, Jamie  
**Sent:** Tuesday, July 5, 2022 8:53 AM  
**To:** Jelks, La'Kesha  
**Subject:** FW: TGT poker

**Jamie Pouncey**  
**850.717.1073**  
Florida Gaming Control Commission  
Important: Confidentiality & Public Records Statement

**From:** [poker@luckyscards.com](mailto:poker@luckyscards.com) [<mailto:poker@luckyscards.com>]  
**Sent:** Monday, July 4, 2022 12:52 PM  
**To:** Pouncey, Jamie  
**Subject:** FW: TGT poker

**EXHIBIT #3**  
**PAGE 7/17**

[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.

**From:** [poker@luckyscards.com](mailto:poker@luckyscards.com) <[poker@luckyscards.com](mailto:poker@luckyscards.com)>  
**Sent:** Monday, July 04, 2022 12:49 PM  
**To:** 'Jelks, La'Kesha' <[La'Kesha.Jelks@myfloridalicense.com](mailto:La'Kesha.Jelks@myfloridalicense.com)>  
**Subject:** TGT poker

Im looking to add an additional table. I will be submitting floorplan and payment soon. Thanks  
Jacob Mast

**EXHIBIT #3**  
**PAGE 8/17**

DBPR PMW-3160 – Permitholder Application for Annual License to Operate a Cardroom



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

[www.myfloridalicense.com](http://www.myfloridalicense.com)

**INSTRUCTIONS**

This form is to be submitted in conjunction with Form DBPR PMW-3220. Form DBPR PMW-3220 must be submitted with all pertinent cardroom operation information.

**ORGANIZATION INFORMATION**

Federal Employer ID Number: [REDACTED]

Permitholder's Legal Name: **TBD Entertainment LLC**

Doing Business As (D/B/A) Name: **TGT Poker & Racebook**

**MAILING ADDRESS**

Street Address or P.O. Box: **PO BOX 2007**

City: **Oldsmar** State: **FL** Zip Code (+4 optional): **34677**

County (if Florida address): **Hillsborough** Country: **USA**

**CONTACT INFORMATION**

Contact Name: **Greg Gelyon**

Primary Phone Number: [REDACTED] Primary E-Mail Address: [REDACTED]

**PHYSICAL ADDRESS**

Street Address: **755 E Waters Ave**

City: **Tampa** State: **FL** Zip Code (+4 optional): **33604**

County: **Hillsborough**

**ADDITIONAL CONTACT INFORMATION (OPTIONAL)**

Alternate Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_


Alternate E-Mail Address: \_\_\_\_\_

**EXHIBIT #3**  
**PAGE 9/17**

| CARDROOM INFORMATION  |  |
|---|--|
| Physical Location of Cardroom:  | 2nd Floor Clubhouse  |
|   |  |
| What is the maximum number of card tables you intend to operate during the license period?                                  | 17   |
| A check or money order made payable to DBPR for the table fees (\$1,000 per table) must be submitted with this application. |  |
| Name of cardroom manager or cardroom management company:  | Jacob Mast   |
| Cardroom manager or cardroom management company license number:   | 7050031  |
| Type of participation fee charged to players:   | Rake - Ante <input type="checkbox"/> Seat Charge <input type="checkbox"/> Both <input checked="" type="checkbox"/> |

Additional documentation requirements:

- 1) Attach a list of card games to be offered to your patrons.
- 2) As specified in s. 849.086(9), Florida Statutes, provide evidence that there is in force a surety bond in the amount of \$50,000, payable to the state, or evidence that the pari-mutuel bond has been expanded to include cardroom operations.
- 3) Attach Form DBPR PMW-3220, List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom, with whom you intend to do business.
- 4) Attach a copy of your internal controls.
- 5) If this is your initial cardroom operator license application, attach proof that the county commission in the county where you desire to conduct cardroom gaming has voted to approve such activity within the county.

| ATTEST STATEMENT   |  |
|--|--|
| I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. |  |
| Signature of Applicant or Applicant's Representative   |  |
| Date   | 7-17-22  |

**EXHIBIT #3**  
**PAGE 10/17**

**TBD Entertainment, LLC Verification  
Form 3160**

| License                  |   |                              |
|--------------------------|---|------------------------------|
| Fed Tax # [REDACTED]     | Lic Type <b>1012 - Cardroom Employee Occupational</b> | Expires On <b>06/30/2023</b> |
| File # <b>1863</b>       | Name <b>MAST, JACOB DARRELL</b>                       | Extended To                  |
| License # <b>7050031</b> | Rank <b>CEMP - Cardroom Employee Occupational</b>     | Renewed On <b>06/17/2020</b> |
| Entity # <b>7050031</b>  | Lic Status <b>Current</b>                             |                              |

| Address                   |                                |                  |
|---------------------------|--------------------------------|------------------|
| Street # <b>23907</b>     | Street <b>SAN GIOVANNI DR.</b> |                  |
| Line 2                    |                                |                  |
| Line 3                    |                                |                  |
| City <b>LAND O' LAKES</b> | State <b>FL</b>                | Zip <b>34639</b> |
|                           | Routing                        |                  |

**EXHIBIT #3  
PAGE 11/17**

Enter # 02004107

Receipt # 020011553

SUNTRUST BANK  
ACH RT 061000104  
63-215/631

TBD ENTERTAINMENT, LLC  
P.O. BOX 8096  
TAMPA, FL 33674

14472

CHECK DATE  
07/15/2022

CHECK NUMBER  
14472

EXHIBIT #3  
PAGE 12/17

Sum of Three Thousand and 00/100 Dollars

PAY THIS AMOUNT  
\$3,000.00

DBPR  
PAY 2601 N Blair Stone Road  
TO THE Tallahassee, FL 32399  
ORDER  
OF

*Pete N. B. [Signature]* MP

| Vendor Company Name |            | Vendor Number    | Vendor Phone # | Check Date | Check No.    |                |
|---------------------|------------|------------------|----------------|------------|--------------|----------------|
| DBPR                |            | 405              |                | 07/15/2022 | 14472        |                |
| Invoice Number      | Inv. Date  | Reference        | Invoice Amount | Total Paid | Discount/Adj | Payment Amount |
| 221207TABLES        | 07/12/2022 | Table Fees-Poker | 3,000.00       | 3,000.00   | 0.00         | 3,000.00       |
| <b>TOTAL</b>        |            |                  | 3,000.00       | 3,000.00   | 0.00         | 3,000.00       |

Application Home | Change Application

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: ljelks

VR Home > Application Search > Transaction Check List > Transaction Header

EXHIBIT #3  
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|                      |  |  |                                |
|----------------------|--|--|--------------------------------|
| Fed Tax # [REDACTED] | Name <b>TBD ENTERTAINMENT, LLC</b>     | Lic Type <b>1002 - Cardroom License</b>        | Trans Class <b>I - Initial</b> |
| File # <b>27</b>     | Rank <b>Cardroom Operating License</b> | App # <b>2161</b>                              | Sec Class <b>S - Standard</b>  |
| License # <b>140</b> | Lic Status <b>Current</b>              | Status <b>Open</b>                             |                                |
| Entity # <b>140</b>  | Expires On <b>06/30/2023</b>           | Trans Code <b>1030 - Add Table to Cardroom</b> |                                |

| <p>App Date: 07/20/2022<br/>mm/dd/yyyy</p> <p>Normal Expiration Date: 07/21/2023</p> <p>Override Expiration Date: mm/dd/yyyy</p> <p>Application Disposition: [ ]</p> <p>1st Reminder</p> <p>2nd Reminder</p> <table border="0"> <tr><td>Total Fee \$</td><td>3,000.00</td></tr> <tr><td>Paid \$</td><td>3,000.00</td></tr> <tr><td>Released \$</td><td>3,000.00</td></tr> <tr><td>Due \$</td><td>0.00</td></tr> </table> <p>Notes</p> <p>Set License Expiry</p> | Total Fee \$ | 3,000.00        | Paid \$ | 3,000.00 | Released \$ | 3,000.00 | Due \$ | 0.00 | <p><b>Application For</b></p> <p>Rank <b>Cardroom Operating License</b></p> <p>Lic Status</p> <p><b>Modifiers</b></p> <p>Type [ ] Code [v] Additional Info [ ] Add</p> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Additional Info</th> <th>Actions</th> </tr> </thead> <tbody> <tr> <td colspan="4">No items found.</td> </tr> </tbody> </table> | Type | Modifier | Additional Info | Actions | No items found. |  |  |  | <p>Dpsit History</p> <p>History</p> <p>Deficiencies</p> <p>Regenerate</p> <p>Notes</p> <p>Notes History</p> <p>Cancel</p> <p>OK</p> |
|---|--------------|-----------------|---------|----------|-------------|----------|--------|------|---|------|----------|-----------------|---------|-----------------|--|--|--|---|
| Total Fee \$  | 3,000.00     |                 |         |          |             |          |        |      |   |      |          |                 |         |                 |  |  |  |   |
| Paid \$   | 3,000.00     |                 |         |          |             |          |        |      |   |      |          |                 |         |                 |  |  |  |   |
| Released \$   | 3,000.00     |                 |         |          |             |          |        |      |   |      |          |                 |         |                 |  |  |  |   |
| Due \$  | 0.00         |                 |         |          |             |          |        |      |   |      |          |                 |         |                 |  |  |  |   |
| Type  | Modifier     | Additional Info | Actions |          |             |          |        |      |   |      |          |                 |         |                 |  |  |  |   |
| No items found.   |              |                 |         |          |             |          |        |      |   |      |          |                 |         |                 |  |  |  |   |

Checklist | Release | Transfer | Approve | Exit

Get Adobe Reader.



State of Florida  
Department of Business and Professional Regulation  
Cash Listing Report

Client: 100 - Division of Pari-Mutuel Wagering  
Batch #: 22001467  
# Receipt: 1

Total \$ Entered: \$ 3,000.00  
Receipts Entered: 1

Origin: TLH Centra  
Deposit #: 920006  
Total: \$ 3,000.00

Fiscal Year: 2022  
Deposit Date: 2022-07-20  
Status: Deposited

| Receipt #     | DLN | Received    | Disp | Pmt | Note | Unassigned  | Prof | Remitted By / Beneficiary | File # | License # | Assigned |
|---------------|-----|-------------|------|-----|------|-------------|------|---------------------------|--------|-----------|----------|
| 220011553     |     | \$ 3,000.00 | DEP  | CHK |      | \$ 3,000.00 |      |                           |        |           |          |
| <b>Total:</b> |     |             |      |     |      |             | 1002 | TBD ENTERTAINMENT, LLC    | 27     | 140       | \$ 0.00  |
|               |     |             |      |     |      | \$ 3,000.00 |      |                           |        |           | \$ 0.00  |

DEPO TICKET  
SUPERIOR  
(800) 990-6466

Wells Fargo Bank, N.A.

WELLS FARGO

DATE 7/20/22

| CURRENCY                               | DOLLARS | CENTS |
|--|---------|-------|
| COIN                                   |         |       |
| LIST EACH CHECK                        |         |       |
| 1 14170                                | 3000    | 00    |
| 2                                      |         |       |
| 3                                      |         |       |
| 4                                      |         |       |
| 5                                      |         |       |
| 6                                      |         |       |
| 7                                      |         |       |
| 8                                      |         |       |
| 9                                      |         |       |
| 10                                     |         |       |
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| 12                                     |         |       |
| 13                                     |         |       |
| 14                                     |         |       |
| 15                                     |         |       |
| 16                                     |         |       |
| 17                                     |         |       |
| 18                                     |         |       |
| 19                                     |         |       |
| TOTAL FROM OTHER SIDE OR ATTACHED LIST |         |       |

No 006

TOTAL ITEMS 1

PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED.

PLEASE ENTER TOTAL 3000 00

TOTAL DEPOSIT

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL.

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE OR ANY APPLICABLE COLLECTION AGREEMENT.

STATE OF FLORIDA DEPARTMENT OF  
FINANCIAL SERVICES  
FGCC PARI-MUTUEL WAGERING TRUST FUND #4150920

\$

3000.00

EXHIBIT #3  
PAGE 14/17

## Jelks, La'Kesha

---

**From:** poker@luckyscards.com  
**Sent:** Friday, July 15, 2022 1:20 PM  
**To:** Jelks, La'Kesha  
**Subject:** FW: TBD Entertainment - PMW3160 Application TGT

**[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.**

Yes it was added in March 22. Our job is to increase revenue for the state through additional tables and rake. When we send amendment to 15 tables this should be going forward that we are continuing to operate 15 tables unless we send an amendment after that to reduce to 14 tables. Unfortunately paperwork is required way in advance and we added the table after the renewal was due. This in no way should keep us from operating the amount of tables that our last application is for.

**From:** [poker@luckyscards.com](mailto:poker@luckyscards.com) <[poker@luckyscards.com](mailto:poker@luckyscards.com)>  
**Sent:** Friday, July 15, 2022 1:05 PM  
**To:** 'Jelks, La'Kesha' <[La'Kesha.Jelks@fgcc.fl.gov](mailto:La'Kesha.Jelks@fgcc.fl.gov)>  
**Subject:** RE: TBD Entertainment - PMW3160 Application TGT

Yes correct we added it for March 21 and going forward

**From:** Jelks, La'Kesha <[La'Kesha.Jelks@fgcc.fl.gov](mailto:La'Kesha.Jelks@fgcc.fl.gov)>  
**Sent:** Friday, July 15, 2022 1:04 PM  
**To:** [jdmast@tgtpoker.com](mailto:jdmast@tgtpoker.com); [poker@luckyscards.com](mailto:poker@luckyscards.com)  
**Cc:** [jamie.pouncey@fgcc.fl.gov](mailto:jamie.pouncey@fgcc.fl.gov)  
**Subject:** FW: TBD Entertainment - PMW3160 Application TGT

Hey Jacob,

I found my email asking you to specify which fiscal year you'd like the table to be added; your response is below.

**From:** Jelks, La'Kesha  
**Sent:** Monday, February 28, 2022 4:08 PM  
**To:** JD Mast  
**Subject:** RE: TBD Entertainment - PMW3160 Application TGT

OK. I'll give it to the Director.

**From:** JD Mast [<mailto:JDMast@tgtpoker.com>]  
**Sent:** Monday, February 28, 2022 4:06 PM

**EXHIBIT #3**  
**PAGE 15/17**

**To:** Jelks, La'Kesha  
**Subject:** Re: TBD Entertainment - PMW3160 Application TGT

**[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.**

21/22

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**From:** Jelks, La'Kesha <La'Kesha.Jelks@myfloridalicense.com>  
**Sent:** Monday, February 28, 2022 3:52 PM  
**To:** JD Mast <JDMast@tgtpoker.com>  
**Subject:** RE: TBD Entertainment - PMW3160 Application TGT

Greetings,

Before I process this request, is it for the 21/22 (June 30<sup>th</sup>) fiscal year or the 22/23 fiscal year (July 1, 2022 – June 30, 2023)?

Best,

*La'Kesha Jelks*



La'Kesha Jelks  
Cardroom Coordinator  
Operations Review Specialist  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road Tallahassee, FL 32399-1035  
Phone: (850) 717-1095 Fax: (850) 488-0550

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---

**From:** JD Mast [mailto:JDMast@tgtpoker.com]  
**Sent:** Wednesday, February 23, 2022 1:10 PM  
**To:** Jelks, La'Kesha  
**Subject:** Fw: TBD Entertainment - PMW3160 Application TGT

**EXHIBIT #3**  
**PAGE 16/17**

**[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.**

Application for adding an additional table. Check for \$1,000 was mailed out today. I will be sending new floor plan for approval in the next few days. Can you please confirm when check is received

Thanks  
Jacob Mast

---

**From:** Bekki Furlong <bfurlong@tbdgllc.com>  
**Sent:** Wednesday, February 23, 2022 11:27 AM  
**To:** JD Mast <JDMast@tgtpoker.com>  
**Subject:** TBD Entertainment - PMW3160 Application

JD-Here is the scanned PMW3160 Application...

*Rebekah J. Furlong*  
**TBD Entertainment, LLC. Dba TGT Poker & Racebook**  
**Human Resources/Accounts Payable**  
**Monday – Friday 9:30am-4:00pm**  
**755 E. Waters Avenue**  
**Tampa, FL 33604**  
**PH: 813-932-4313 X 4**  
**Fax: 813-932-5048**  
**Monday – Friday 9:30am-4:00pm**

*With enough coffee anything is possible...*

**EXHIBIT #3**  
**PAGE 17/17**

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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 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>1002 - Cardroom License</b> | Status                        | <b>20 Under Investigation</b> | Status Date                    | <b>07/20/2022</b>   |
| Complaint # | <b>2022035114</b>              | Case Type                     | <b>CMP - Complaint</b>        | Disposition                    | Disposition Date    |
| Docket#     | Respondent                     | <b>TBD ENTERTAINMENT, LLC</b> | Responsible                   | <b>rsamson - SAMSON, RANDA</b> | <b>Private Case</b> |

|                           |                            |                             |                            |
|---------------------------|----------------------------|-----------------------------|----------------------------|
| <a href="#">Complaint</a> | <a href="#">Respondent</a> | <a href="#">Complainant</a> | <a href="#">Addtl 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       |                    | <input type="checkbox"/>            | <a href="#">Related</a>       | <input checked="" type="checkbox"/> | <a href="#">Disposition</a> |
| Region    | <b>CR - Central Region</b>  | Received       | <b>07/20/2021</b>  | <input type="checkbox"/>            | <a href="#">Inspection</a>    |                                     |                             |
| Reference | <b>61D-11.007(2-3) / 61D-11.016(6)</b>  |                |                    | <input type="checkbox"/>            | <a href="#">Costs</a>         |                                     |                             |
| Entered   | <b>07/20/2022</b>   | Entered By     | <b>Imuniz</b>      | <input type="checkbox"/>            | <a href="#">Time Tracking</a> | <a href="#">Auto Assign</a>         |                             |
| Summary   | <b>140-TBD Entertainment, LLC ----- / ----- . Cardroom Operator License &amp; Card and Domino Tables: On July 20, 2022 during a scheduled floor plan inspection it was discovered that Tampa Greyhound Track had fifteen (15) tables on their cardroom floor and floor plan which were in operation. However they were only licensed to have fourteen (14) tables in operation.</b> |                |                    | <input type="checkbox"/>            | <a href="#">Attachments</a>   | <a href="#">History</a>             |                             |
| Updated   | <b>07/20/2022 16:11:55</b>  | By             | <b>Imuniz</b>      | <input type="checkbox"/>            | <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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**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:** JULY 1-20, 2022

PMW     Cardroom     Slot

Violation     Incident     Complaint

**FACILITY NAME:** TBD Entertainment, LLC      **LIC #:** 140

**RESPONDENT**

|   |                       |                                  |
|---|-----------------------|----------------------------------|
| <b>NAME:</b> TBD Entertainment, LLC               |                       |                                  |
| <b>Address:</b> 755 E Waters Ave, Tampa, FL 33604 |                       | <b>Tel:</b> (813) 932-4313       |
| <b>LIC #:</b> 140                                 | <b>LIC TYPE:</b> 1002 | <b>OCCUPATION:</b> Permit Holder |

**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-11.007 Cardroom Operator License.**

(2) An applicant for an annual cardroom license shall complete Form DBPR PMW-3160, Permit holder Application for Annual License to Operate a Cardroom, effective 7-21-14, incorporated herein by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-04395>, which can be obtained at [www.myfloridalicense.com/dbpr/pmw](http://www.myfloridalicense.com/dbpr/pmw), or by contacting the Division of Pari-Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, and submit a fee of \$1,000.00 for each table to be operated during the license period. For cardroom facilities at which more than one pari-mutuel permit is operated during a year, table fees for the facility may be paid by one or all of the permit holders. License fees are non-refundable. For the initial cardroom license application, in addition to the application and fees submitted, the applicant shall submit its written internal controls, required by Rule 61D-11.019, F.A.C., for approval by the division, and proof of authorization by a local government pursuant to Section 849.086(16), F.S.

(3) No license application, amendment to an application, or amendment to request additional cardroom tables shall be effective until the division has received payment of cardroom table fees, inspected and approved the surveillance requirements for compliance with Rule 61D-11.025, F.A.C., and the division has issued a license or amended license to operate a cardroom.

**61D-11.016 Card and Domino Tables:**

(6) At no time may a cardroom contain more tables than that for which the cardroom operator has been licensed.

**DESCRIPTION:** On July 20, 2022 during a scheduled floor plan inspection it was discovered that Tampa Greyhound Track had fifteen (15) tables on their cardroom floor and floor plan which were in operation. However they were only licensed to have fourteen (14) tables in operation.

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_  
(Title of State Employee)

Randa Samson  
(Print Name)

(Signature)

July 20, 2022  
(Date)

## Muniz, Luz

---

**From:** Washington, Derek  
**Sent:** Wednesday, July 20, 2022 1:31 PM  
**To:** Muniz, Luz  
**Cc:** Samson, Randa  
**Subject:** OCR TBD ENTERTAINMENT 7.20.2022  
**Attachments:** OCR TBD ENTERTAINMENT 7.20.2022.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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Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **Imuniz**

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| <p><b>License</b></p> <p>Fed Tax # <span style="background-color: black; color: black;">██████████</span> Lic Type <b>1002 - Cardroom License</b> Expires On <b>06/30/2023</b></p> <p>File # <b>27</b> Name <b>TBD ENTERTAINMENT, LLC</b> Extended To</p> <p>License # <b>140</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On</p> <p>Entity # <b>140</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 # Street <b>P O BOX 8096</b></p> <p>Line 2</p> <p>Line 3</p> <p>City <b>TAMPA</b> State <b>FL</b> Zip <b>33674-8096</b></p> <p>Routing</p>  |                                    |   |                 |                |                 |   |                                    |            |  |
| <p><b>Other</b></p> <p>1st License Date <b>03/15/2022</b> Rank Date <b>07/15/2022</b> Certificate #</p> <p>Method <b>I-S-1020</b> Status Date <b>06/24/2002</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>140 - Associated Outdoor Clubs Inc</td> <td>04/09/2004</td> <td></td> </tr> </tbody> </table>   |                                    | Type  | Modifier        | Effective Date | Additional Info | L | 140 - Associated Outdoor Clubs Inc | 04/09/2004 |  |
| Type  | Modifier                           | Effective Date  | Additional Info |                |                 |   |                                    |            |  |
| L   | 140 - Associated Outdoor Clubs Inc | 04/09/2004  |                 |                |                 |   |                                    |            |  |
| <p><b>Alt Keys</b></p> <p>BEST LIC NBR <b>CLI140</b></p>  |                                    |   |                 |                |                 |   |                                    |            |  |

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| Certified Mail Fee<br>\$ _____   | 8-23-22<br>Postmark<br>Here                   |
| Extra Services & Fees <i>(check box, add fee as appropriate)</i>                                 |   |
| <input type="checkbox"/> Return Receipt (hardcopy) \$ _____                                      |   |
| <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 \$ _____                            |   |
| Postage<br>\$ _____  |   |
| <b>Total Postage a</b><br>\$ _____   |   |
| <i>Sent To</i> _____   | TBD Entertainment, LLC                        |
| <i>Street and Apt.</i> _____   | P.O. Box 8096                                 |
| <i>City, State, ZIP</i> _____  | Tampa, Florida 33674<br>AC - 2022035114 - PMW |
| PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions                       |   |

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TAMPA, FL 33604

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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.: 2022-035114

TBD ENTERTAINMENT, LLC,

Respondent.

---

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and TBD Entertainment, 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 held a Cardroom permit and license, number 140-1002, 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 2022-035114, alleging that on July 20, 2022, it was discovered that Respondent was in violation of Rule 61D-11.016(6), Florida Administrative Code, by operating more cardroom tables than Respondent had been licensed to operate.

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. **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 Chapters 550, 849, or 551, Florida Statutes may result in fines and/or suspension of Respondent's License.

11. Respondent execute and mail this Consent Order to: Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.

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, TBD ENTERTAINMENT, LLC, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 8 day of November, 2022.

[Signature]  
TBD ENTERTAINMENT, LLC, Respondent

Signed on behalf of TBD Entertainment, LLC by:

Gregory Gelyan  
Printed Name

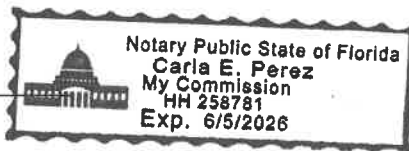
VP FINANCE  
Title

STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 8 day of November, 2022, by Gregory Gelyan, who is personally known to me or who produced the following as identification: \_\_\_\_\_

Carla E. Perez  
Notary Public



My commission expires: 6/5/2026

APPROVED this 14 day of November, 2022.

*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.: 2022-035114**

**TBD ENTERTAINMENT, LLC,**

**Respondent.**

---

**ADMINISTRATIVE COMPLAINT**

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against TBD Entertainment, 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 Pari-Mutuel Wagering and Cardroom permit and license, number 140-1002, issued by Petitioner.
3. On or about July 20, 2022, it was discovered that Respondent had fifteen cardroom tables in operation.
4. Upon review of Respondent’s cardroom operating license for the 2022-2023 fiscal year, Respondent was authorized to operate fourteen cardroom tables.
5. Rule 61D-11.016(6), Florida Administrative Code, provides that “[a]t no time may a cardroom contain more tables than that for which the cardroom operator has been licensed.”

6. Based on the foregoing, Respondent violated Rule 61D-11.016(6), Florida Administrative Code, by operating more cardroom tables than Respondent had been licensed to operate.

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 2022-035114 is signed this 17th day of August, 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](mailto:Emily.Alvarado@fgcc.fl.gov)  
Secondary: [Ebonie.Lanier@fgcc.fl.gov](mailto: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.



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. TBD Entertainment, LLC Case Number 2022-043911;  
Consent Order  
Date: November 24, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by TBD Entertainment, LLC (“Respondent”) to resolve Case No. 2022-043911. Pursuant to the terms of the proposed order, Respondent would be issued a \$250 administrative fine for violating rule 61D-11.014(4)(b)1, Florida Administrative Code.

### *Background*

On or about September 7, 2022, it was discovered that Respondent failed to remove the entire deck of cards when a damaged card was discovered. Respondent has one prior violation of rule 61D-11. 11.014(4)(b)1, Florida Administrative Code.<sup>1</sup>

### *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>2</sup>

Rule 61D-11.014(4)(b)1, Florida Administrative Code, provides that “[a]ny deck of cards in which it is determined damaged cards exist shall be withdrawn from play immediately upon identification of the damage as follows: [t]he entire deck of cards containing the damaged card or cards shall be removed from play before card play may resume at the card table and the damaged card or cards shall be placed in a sealed envelope or evidence bag”

---

<sup>1</sup> The prior violation was in DBPR case number 2020-047166, which was a four count complaint with a total fine value of \$500. One count was a violation of rule 61D-11.014(1)(b)1, F.A.C. with a fine valued at \$125.

<sup>2</sup> § 849.086(14)(c), Fla. Stat.

Because Respondent failed to remove the entire deck of cards when a damaged card was discovered, 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 2022-043911.

|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
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|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|

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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>10/07/2022</b> |  |
| Complaint # <b>2022043911</b>           | Case Type <b>CMP - Complaint</b>         | Disposition                                 |              | Disposition Date              |  |
| Docket#                                 | Respondent <b>TBD ENTERTAINMENT, LLC</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"/>            | Parties       | <input checked="" type="checkbox"/>         | Activities  |
| 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>09/07/2022</b>    | <input type="checkbox"/>            | Related       | <input checked="" type="checkbox"/>         | Disposition |
| Region <b>CR - Central Region</b>  | Received <b>09/08/2022</b>    | <input type="checkbox"/>            | Inspection    |   |             |
| Reference <b>61D-11.014(4)(b)(1)</b>   |                               | <input type="checkbox"/>            | Costs         |   |             |
| Entered <b>09/09/2022</b>  | Entered By <b>Imuniz</b>      | <input type="checkbox"/>            | Time Tracking | <input type="button" value="Auto Assign"/>  |             |
| Summary<br><b>140-TBD Entertainment, LLC ----- / ----- . Cards: On September 8, 2022, during a routine bi-weekly cardroom inspection at Tampa Greyhound Track, it was discovered while reviewing recorded surveillance video that damaged card procedures were not being followed according to regulation.</b> |                               | <input type="checkbox"/>            | Attachments   | <input type="button" value="History"/>      |             |
|  |                               | <input type="checkbox"/>            | Work Notes    | <input type="button" value="Print Report"/> |             |
| Updated <b>10/07/2022 13:11:19</b>   | By <b>Imuniz</b>              |                                     |               |   |             |

|           |                                       |                                     |                                   |                                       |                                     |
|-----------|---------------------------------------|-------------------------------------|-----------------------------------|---------------------------------------|-------------------------------------|
| <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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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

|  |                           |   |  |
|--|---------------------------|---|--|
| Office:<br><b>PMW</b>  | Region:<br><b>CENTRAL</b> | Date of Complaint:<br><b>SEPTEMBER 9, 2022</b>  | Case Number:<br><b>2022 04 3911</b>      |
| Respondent:<br><br><b>TBD ENTERTAINMENT, LLC.<br/>P.O. BOX 8096<br/>TAMPA, FLORIDA 33674-8096<br/><br/>TEL# (813)932-4313</b>  |                           | Complainant:<br><br><b>DIVISION OF PARI-MUTUEL WAGERING<br/>OFFICE OF INVESTIGATIONS<br/>1400 W. COMMERCIAL BLVD. SUITE 165<br/>FT. LAUDERDALE, FLORIDA 33309</b> |  |
| License # and Type:<br><b>140 / 1002</b>   |                           | Profession:<br><b>PERMIT HOLDER</b>   | Report Date:<br><b>SEPTEMBER 9, 2022</b> |
| Period of Investigation:<br><b>SEPTEMBER 8, 2022 – SEPTEMBER 9, 2022</b>   |                           | Type of Report:<br><b>FINAL</b>   |  |
| <p><b>Alleged Violation: 61D-11.014 Cards (4)(b)</b> (b) Any deck of cards in which it is determined damaged cards exist shall be withdrawn from play immediately upon identification of the damage as follows:</p> <p>1. The entire deck of cards containing the damaged card or cards shall be removed from play before card play may resume at the card table and the damaged card or cards shall be placed in a sealed envelope or evidence bag.</p> |                           |   |  |
| <p><b>Synopsis:</b> On September 8, 2022, during a routine bi-weekly cardroom inspection at <b>TAMPA GREYHOUND TRACK (TGT)</b>, I found <b>TGT</b> to be in violation of the above-cited Rule for failing to follow damaged card procedures as required.</p>   |                           |   |  |
| <b>Related Case(s): 2020 04 7166</b>   |                           |   |  |
| Investigator / Date<br><br><i>/s/ Randa Samson</i><br>Randa Samson / September 9, 2022   |                           | Investigator Supervisor / Date<br><br><i>/s/ C. Derek Washington</i><br>C. Derek Washington / September 28, 2022  |  |
| Chief of Investigations / Date<br><br><i>/s/ Bradford D. Jones</i><br>Bradford D. Jones for<br>Steven E. Kogan / October 7, 2022   |                           |   |  |



## CONTINUATION

On September 8, 2022, I conducted a routine bi-weekly cardroom inspection at **TAMPA GREYHOUND TRACK (TGT)**. While reviewing a recorded surveillance video dated September 7, 2022, I observed Cardroom dealer Christopher Henry Henson (**PMW LIC # 8183521 – Exp. – June 30, 2024**), assigned to table #6. At approximately 10:02 PM, Henson found a damaged card and gave it to his Supervisor, Sean Edmund Steller (**PMW Lic# 8732593 – Exp. June 30, 2024**) to be replaced. Steller removed the one damage card and returned with one replacement card, however the entire deck was not removed as required by Florida Rule (**EXHIBITS #2 & #3**).

Upon my inspection, I spoke to Poker Room Supervisor Matthew Alan Dillahunty (**PMW LIC # 1619254 – Exp. June 30, 2024**) and informed him of the violation. Dillahunty stated he would advise Poker Room Manager, Jacob Darrell Mast (**PMW LIC.# 7050031 – Exp. June 30, 2023**).

A review of the Versa Regulation Enforcement database showed one prior violation of the same rule (Case # 2020 04 7166). As per a Consent Order filed in connection with the case, a \$500.00 fine was issued.

**Case Status:** Investigations case closed, and case referred to Legal for review.

CONTINUATION

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III. EXHIBITS

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    2. Property Receipt.....1-1

    3. Photo of damaged card envelope.....1-1

    4. 2020 04 7166 Prior Violation ROI.....1-3



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|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| 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 > Complaint Search > Maintain Complaint > **License Home**

| <b>License</b><br>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><br>File # <b>27</b> Name <b>TBD ENTERTAINMENT, LLC</b> Extended To<br>License # <b>140</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On<br>Entity # <b>140</b> Lic Status <b>Current</b> |                                    |                | <input type="checkbox"/> Licensee<br><input type="checkbox"/> History<br><input type="checkbox"/> Notes<br><input type="checkbox"/> Notes History<br><input type="checkbox"/> Back |          |                |                 |   |                                    |            |  |
|--|------------------------------------|----------------|--|----------|----------------|-----------------|---|------------------------------------|------------|--|
| <b>Address</b><br>Street # Street <b>P O BOX 8096</b><br>Line 2<br>Line 3<br>City <b>TAMPA</b> State <b>FL</b> Zip <b>33674-8096</b><br>Routing  |                                    |                |  |          |                |                 |   |                                    |            |  |
| <b>Other</b><br>1st License Date <b>03/15/2022</b> Rank Date <b>07/20/2022</b> Certificate #<br>Method <b>I-S-1020</b> Status Date <b>06/24/2002</b> Certificate Date<br>Fee Exempt <b>No</b> Birth Date Renewal Sent  |                                    |                |  |          |                |                 |   |                                    |            |  |
| <b>Select</b><br>▼<br>Action <input checked="" type="checkbox"/>  <br><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>140 - Associated Outdoor Clubs Inc</td> <td>04/09/2004</td> <td></td> </tr> </tbody> </table>   |                                    |                | Type   | Modifier | Effective Date | Additional Info | L | 140 - Associated Outdoor Clubs Inc | 04/09/2004 |  |
| Type   | Modifier                           | Effective Date | Additional Info  |          |                |                 |   |                                    |            |  |
| L  | 140 - Associated Outdoor Clubs Inc | 04/09/2004     |  |          |                |                 |   |                                    |            |  |
| <b>Alt Keys</b><br>BEST LIC NBR <b>CLI140</b>  |                                    |                |  |          |                |                 |   |                                    |            |  |

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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 04 3911 Date 9/8/22 Lab # \_\_\_\_\_

| Item No. | Quantity | Description                   |
|----------|----------|-------------------------------|
|          | 1        | 1 open 16 GB thumbdrive       |
|          |          | Damaged Card Violation        |
|          |          | @ TBD Entertainment, LLC #140 |
|          |          |                               |
|          |          |                               |
|          |          |                               |
|          |          |                               |
|          |          |                               |

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.

*Randa Susan*  
 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

# DAMAGED CARDS

DATE: 9-7-22

TIME: 10:02p

TABLE: 6

MNGR: [Signature]

EXHIBIT #3  
PHOTO 1/1

Halsey Beshears, Secretary

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

|   |                           |   |  |
|---|---------------------------|---|--|
| Office:<br><b>PMW</b>   | Region:<br><b>CENTRAL</b> | Date of Complaint:<br><b>September 30, 2020</b>   | Case Number:<br><b>2020 04 7166</b>    |
| Respondent:<br><br><b>TBDG ACQUISITION, LLC,<br/>(Tampa Greyhound Track)<br/>755 E WATERS AVE<br/>TAMPA, FL 33604<br/><br/>TEL# (813) 932-4313</b>  |                           | Complainant:<br><br><b>STATE OF FLORIDA,<br/>DEPARTMENT OF BUSINESS AND<br/>PROFESSIONAL REGULATION,<br/>DIVISION OF PARI-MUTUEL WAGERING</b> |  |
| License # and Type:<br><b>140/1002</b>  |                           | Profession:<br><b>PERMIT HOLDER</b>   | Report Date:<br><b>OCTOBER 7, 2020</b> |
| Period of Investigation:<br><b>SEPTEMBER 17, 2020 thru OCTOBER 7, 2020</b>  |                           | Type of Report:<br><b>FINAL</b>   |  |
| <p>Alleged Violation: <b>61D-11.014 Cards. (b)</b> Any deck of cards in which it is determined damaged cards exist shall be withdrawn from play immediately upon identification of the damage as follows: <b>1.</b> The entire deck of cards containing the damaged card or cards shall be removed from play before card play may resume at the card table and the damaged card or cards shall be placed in a sealed envelope or evidence bag, <b>2.</b> The sealed envelope or evidence bag shall be marked with the table number, the date, and time the deck was withdrawn from play.</p> <p><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>Section VI, Jackpot Controls (Page 15): (A) Procedures for jackpot Rake-off:</b></p> <p>4. The dealer pulls the jackpot rake-off from the pot, when applicable, at the completion of the first eligible betting round to a designated area.</p> <p>5. The jackpot rake-off is then <u>immediately</u> dropped into the jackpot slot frame.</p> |                           |   |  |
| Synopsis: On September 17, 2020, during a routine facility visit at <b>Tampa Greyhound Track</b> , it was discovered while reviewing recorded surveillance video that damaged card procedures were not being followed according to regulation, and that jackpot rake-off's were not being dropped per Internal controls.  |                           |   |  |
| Related Case:   |                           |   |  |
| Investigator / Date<br><br><i>Randa Samson</i><br>Randa Samson / October 7, 2020  |                           | Investigator Supervisor / Date<br><br><i>C. Derek Washington</i><br>/s/ C. Derek Washington / November 24, 2020                               |  |
| Chief of Investigations / Date<br><br>Steven E. Kogan / November 24, 2020   |                           | <i>Steven E. Kogan</i>  |  |

## CONTINUATION

## Investigative Activity:

On September 17, 2020, I conducted a routine facility visit at **TAMPA GREYHOUND TRACK**. During my visit, I reviewed random recorded surveillance video of different dates, and I discovered several cardroom violations. Surveillance video dated September 10, 2020, I observed cardroom employees not following damage card procedures. Cardroom dealer **JENNIFER GONZALES (PMW# 7772417)**, assigned to table #11 at approximately 7:40 PM, discovered a damaged card and handed it to her supervisor **JOSE RODRIQUEZ (PMW LIC # 8227339)** to be replaced. However, they did not remove the entire deck as required by rule **(EXHIBIT #1)**.

Recorded video evidence was obtained from **TBDG ACQUISITION, LLC (EXHIBIT #1)**

In a review of the surveillance video dated September 11, 2020, a damaged card was removed from table #4 at approximately 10:04 AM, and the wrong date was recorded on the damaged card envelope. The envelope was dated September 12, 2020 **(EXHIBIT # 2)**.

In addition, a review of recorded surveillance video dated September 9 and September 14, 2020, I observed dealers not dropping the jackpot rack according to the facility's Internal Controls, specifically the dealers were not dropping the jackpot rack immediately after it was placed in the designated area. The Internal Controls states, "The dealer pulls the jackpot rake-off from the pot, when applicable, at the completion of the first eligible betting round to a designated area. The jackpot rake-off is then immediately dropped into the jackpot slot frame."

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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- [Delete Complaint](#)
- [Mass Activity Update](#)
- [Mass Discipline Update](#)

Domain **10 - Division of Pari-Mutuel Wagering**

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|   |  |  |                               |
|---|--|--|-------------------------------|
| Lic Type <b>1002 - Cardroom License</b> |  | Status <b>20 Under Investigation</b>       | Status Date <b>09/09/2022</b> |
| Complaint # <b>2022043911</b>           | Case Type <b>CMP - Complaint</b>         | Disposition                                | Disposition Date              |
| Docket#                                 | Respondent <b>TBD ENTERTAINMENT, LLC</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"/> Parties                | <input checked="" type="checkbox"/> Activities  |
| 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>09/07/2022</b>    | <input type="checkbox"/> Related                | <input checked="" type="checkbox"/> Disposition |
| Region <b>CR - Central Region</b>  | Received <b>09/08/2022</b>    | <input type="checkbox"/> Inspection             |   |
| Reference <b>61D-11.014(4)(b)(1)</b>   |                               | <input type="checkbox"/> Costs                  |   |
| Entered <b>09/09/2022</b>  | Entered By <b>Imuniz</b>      | <input type="checkbox"/> Time Tracking          | <input type="button" value="Auto Assign"/>      |
| Summary<br><b>140-TBD Entertainment, LLC ----- / ----- . Cards: On September 8, 2022, during a routine bi-weekly cardroom inspection at Tampa Greyhound Track, it was discovered while reviewing recorded surveillance video that damaged card procedures were not being followed according to regulation.</b> |                               | <input type="checkbox"/> Attachments            | <input type="button" value="History"/>          |
|  |                               | <input type="checkbox"/> Work Notes             | <input type="button" value="Print Report"/>     |
| Updated <b>09/09/2022 11:45:33</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: 9/7/2022

PMW     Cardroom     Slot

Violation     Incident     Complaint

FACILITY NAME: TBD ENTERTAINMENT, LLC    LIC #: 140

**RESPONDENT**

|   |                       |                                  |
|---|-----------------------|----------------------------------|
| NAME: <b>TBD Entertainment, LLC</b>               |                       |                                  |
| Address: <b>755 E Waters Ave, Tampa, FL 33604</b> |                       | Tel: <b>(813) 932-4313</b>       |
| LIC #: <b>140</b>                                 | LIC TYPE: <b>1002</b> | OCCUPATION: <b>Permit Holder</b> |

**COMPLAINANT**

|          |           |             |
|----------|-----------|-------------|
| NAME:    |           | Tel #:      |
| Address: |           |             |
| LIC #:   | LIC TYPE: | OCCUPATION: |

**VIOLATION(S) / TITLE(S): 61D-11.014 Cards**

(4) Each dealer assigned to a card table shall inspect each deck of playing cards intended for use at that table. The assigned dealer must ensure that cards are not taped, cut, shaved, marked, defaced, bent, crimped, or deformed in any fashion that may permit covert identification of the card by players.

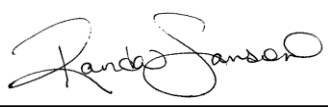
(b) Any deck of cards in which it is determined damaged cards exist shall be withdrawn from play immediately upon identification of the damage as follows:

1. The entire deck of cards containing the damaged card or cards shall be removed from play before card play may resume at the card table and the damaged card or cards shall be placed in a sealed envelope or evidence bag.

**DESCRIPTION:** On September 8, 2022, during a routine bi-weekly cardroom inspection at **Tampa Greyhound Track**, it was discovered while reviewing recorded surveillance video that damaged card procedures were not being followed according to regulation.

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_  
 (Title of State Employee)

Randa Samson        9/8/2022  
 (Print Name)    (Signature)    (Date)

## Muniz, Luz

---

**From:** Washington, Derek  
**Sent:** Thursday, September 8, 2022 1:17 PM  
**To:** Muniz, Luz  
**Cc:** Samson, Randa  
**Subject:** OCR TBD ENTERTAINMENT 9 8 2022  
**Attachments:** OCR TBD ENTERTAINMENT 9 8 2022.docx

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**

VR Home > Complaint Search > Maintain Complaint > **License Home**

| <b>License</b><br>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><br>File # <b>27</b> Name <b>TBD ENTERTAINMENT, LLC</b> Extended To<br>License # <b>140</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On<br>Entity # <b>140</b> Lic Status <b>Current</b> |                                    |                | <input type="checkbox"/> Licensee<br><input type="checkbox"/> History<br><input type="checkbox"/> Notes<br><input type="checkbox"/> Notes History<br><input type="checkbox"/> Back |          |                |                 |   |                                    |            |  |
|--|------------------------------------|----------------|--|----------|----------------|-----------------|---|------------------------------------|------------|--|
| <b>Address</b><br>Street # Street <b>P O BOX 8096</b><br>Line 2<br>Line 3<br>City <b>TAMPA</b> State <b>FL</b> Zip <b>33674-8096</b><br>Routing  |                                    |                |  |          |                |                 |   |                                    |            |  |
| <b>Other</b><br>1st License Date <b>03/15/2022</b> Rank Date <b>07/20/2022</b> Certificate #<br>Method <b>I-S-1020</b> Status Date <b>06/24/2002</b> Certificate Date<br>Fee Exempt <b>No</b> Birth Date Renewal Sent  |                                    |                |  |          |                |                 |   |                                    |            |  |
| <b>Select</b><br>▼<br>Action <input checked="" type="checkbox"/>  <br><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>140 - Associated Outdoor Clubs Inc</td> <td>04/09/2004</td> <td></td> </tr> </tbody> </table>   |                                    |                | Type   | Modifier | Effective Date | Additional Info | L | 140 - Associated Outdoor Clubs Inc | 04/09/2004 |  |
| Type   | Modifier                           | Effective Date | Additional Info  |          |                |                 |   |                                    |            |  |
| L  | 140 - Associated Outdoor Clubs Inc | 04/09/2004     |  |          |                |                 |   |                                    |            |  |
| <b>Alt Keys</b><br>BEST LIC NBR <b>CLI140</b>  |                                    |                |  |          |                |                 |   |                                    |            |  |

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STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

ELECTION OF RIGHTS

FGCC v. TBD ENTERTAINMENT, LLC

CASE NO.: 2022-043911

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

**Option (1)**  I do not dispute the allegations of material fact in the Administrative Complaint. I wish to submit oral and written evidence in mitigation at a hearing pursuant to Section 120.57(2), Florida Statutes (“informal hearing”) and that this oral and written evidence be considered before any penalty and fines are imposed.

**Option (2)**  I do dispute the allegations of material fact in the Administrative Complaint. This is a petition for a hearing involving disputed material facts pursuant to Sections 120.569(2)(a) and 120.57(1), Florida Statutes, (“formal hearing”) before an Administrative Law Judge of the Division of Administrative Hearings. I specifically dispute the following paragraphs in the Administrative Complaint (attach extra pages or write on the back if needed):

\_\_\_\_\_  
\_\_\_\_\_

In addition to the above election for formal hearing, if you wish to enter into settlement negotiations, check the box below:

Section 120.569(2)(a), Florida Statutes, requires the Department to send this case to the Division of Administrative Hearings (DOAH) for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement in order to enter into settlement negotiations with the Department.

**Option (3)**  I do not dispute the allegations of material fact in the Administrative Complaint and waive my right to any form of hearing. I request that a Final Order imposing a penalty and fines be entered in this case. The Final Order will be placed on the next available Florida Gaming Control Commission Meeting. Respondent is not required to attend, but may check the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov) for the meeting materials, agenda, and contact information.

THIS IS A LEGALLY BINDING DOCUMENT. SEEK LEGAL ADVICE BEFORE SIGNING IF YOU DO NOT FULLY UNDERSTAND THE TERMS.

Jacob Mast  
PRINTED NAME

755 E Nakers Ave  
Street Address

Temp FL 33604  
City State Zip

Telephone Number Facsimile Number (if any)

E-mail

SIGNATURE

ATTORNEY OR QUALIFIED REPRESENTATIVE

Street Address (where service shall be made)

City State Zip

Telephone Number Facsimile Number (if any)

E-mail

THE ELECTION OF RIGHTS FORM AND ANY ATTACHMENTS SHOULD BE RECEIVED BY THE COMMISSION WITHIN 21 DAYS AND SENT TO:

Office of the General Counsel  
Florida Gaming Control Commission  
2601 Blair Stone Road, Tallahassee, FL 32399-2202  
**Attention: Ebonie N. Lanier, Administrative Assistant III**  
Telephone: (850) 717-1663 Fax: (850) 921-1311  
Email: [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov)

RECEIVED  
2022 NOV 15 AM 10:04  
FLORIDA GAMING CONTROL COMMISSION  
1013

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

**EXPLANATION OF THE ELECTION OF RIGHTS**

Please read the Administrative Complaint before choosing one of the three options. The Election of Rights is a **legally binding** document. Consult an attorney or call the Commission's attorney named in the cover letter if you do not understand your options.

You can only select **ONE** of the options numbered (1), (2) and (3) on the Election of Rights form. You must sign the form. The form must be **received** by the Commission at the address at the bottom of the form within 21 days after the date you receive the complaint.

The three options are:

1. Check option (1) if you **do not dispute** any material fact alleged in the Administrative Complaint. You will be given a hearing pursuant to Section 120.57(2), Florida Statutes ("informal hearing") and have the opportunity to present written and oral evidence in mitigation at the informal hearing.

2. Check option (2) if you **do dispute** any material fact alleged in the Administrative Complaint. This is considered a petition for an evidentiary administrative hearing ("formal hearing") pursuant to Sections 120.569(2)(a) and 120.57(1), Florida Statutes, and requires the Department to send this case to the Division of Administrative Hearings (DOAH) within 15 days of your completed petition requesting a formal hearing. This election is made by checking the box marked (2) on the Election of Rights. Pursuant to Rule 28-106.201, F.A.C., you must also state which material fact(s) alleged in the Administrative Complaint you dispute. Please use the space provided on form, and attach any additional pages or use the back of the form if needed.

**After** electing option (2) explained above and **regardless** of whether you dispute any material fact alleged in the Administrative Complaint, you may **also** request the opportunity to discuss settlement of the case pursuant to Section 120.57(4), Florida Statutes.

3. Check option (3) if you **do not dispute** any material fact and waive your right to any form of hearing. This means that the Department will recommend a penalty on the charges set forth in the Administrative Complaint without input from you.

If the Department does not **receive** your Election of Rights within **21** days after you **receive** the Administrative Complaint, this will be considered a waiver of your right to elect any form of hearing and a Final Order may be entered against you imposing a penalty and fines.

**YOU MUST LET THE COMMISSION KNOW IF YOUR MAILING ADDRESS CHANGES**

**THE ELECTION OF RIGHTS FORM AND ANY ATTACHMENTS SHOULD BE RECEIVED BY THE COMMISSION WITHIN 21 DAYS AND SENT TO:**

Office of the General Counsel  
Florida Gaming Control Commission  
2601 Blair Stone Road, Tallahassee, FL 32399-2202  
**Attention: Ebonie N. Lanier, Administrative Assistant III**  
Telephone: (850) 717-1663 Fax: (850) 921-1311  
Email: Ebonie.Lanier@fgcc.fl.gov

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.: 2022-043911

TBD ENTERTAINMENT, LLC,

Respondent.

\_\_\_\_\_ /

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and TBD Entertainment, 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 Pari-Mutuel Wagering and Cardroom permit and license, number 140-1002, 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 2022-043911, alleging that on September 7, 2022, Respondent was in violation of Rule 61D-11.014(4)(b)1, Florida Administrative Code, by failing to remove the entire deck of cards from play after discovering a damaged card.

3. Aggravation: This Consent Order was entered into in consideration of Respondent’s disciplinary history, which includes one prior violation of Rule 61D-11.014(4)(b)1, Florida Administrative Code, in Case Number 2020-047166.

## STIPULATION

WHEREAS the Division and Respondent (“Parties”), desire to resolve this matter, the following terms are stipulated:

4. The Division has jurisdiction over this matter and the Parties.
5. The Division is authorized by Section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
6. 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.
7. 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.
8. The Parties acknowledge and agree to waive any further administrative and judicial review.
9. 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.
10. 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.



11. **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.

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 2022-043911 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, TBD ENTERTAINMENT, LLC, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 7<sup>th</sup> day of November, 2022.

  
TBD ENTERTAINMENT, LLC, Respondent

Signed on behalf of TBD Entertainment, LLC by:

Jacob Mast  
Printed Name

Director of Poker  
Title

STATE OF FLORIDA

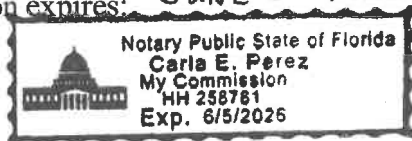
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 7<sup>th</sup> day of NOVEMBER, 2022, by JACOB MAST, who is personally known to me or who produced the following as identification: \_\_\_\_\_

Carla E. Perez  
Notary Public

My commission expires: JUNE 5<sup>th</sup> 2026

2022-043911



5

APPROVED this 15 day of November, 2022.

*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.: 2022-043911

TBD ENTERTAINMENT, LLC,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against TBD Entertainment, 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 Pari-Mutuel Wagering and Cardroom permit and license, number 140-1002, issued by Petitioner.
3. On or about September 7, 2022, Respondent failed to remove the entire deck of cards when a damaged card was discovered.
4. Rule 61D-11.014(4)(b)1, Florida Administrative Code, provides “[t]he entire deck of cards containing the damaged card or cards shall be removed from play before card play may resume at the card table and the damaged card or cards shall be placed in a sealed envelope or evidence bag.”

5. Based on the foregoing, Respondent violated Rule 61D-11.014(4)(b)1, Florida Administrative Code, by failing to remove the entire deck of cards from play after discovering a damaged card.

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 2022-043911 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

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.

7020 2450 0000 5096 4022

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| Certified Mail Fee   | \$ |
| Extra Services & Fees (check box, add fee as appropriate)    |    |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ |
| <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 | \$ |

10-26-22

Postmark  
Here

Postage

\$

**Total Postage and Fees**

\$

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Street and Apt. No. \_\_\_\_\_

City, State, ZIP+4 \_\_\_\_\_

**TBD Entertainment, LLC**  
P.O. Box 8096  
Tampa, Florida 33674  
AC - 2022043911 - PMW



Tracking Number:

Remove X

## 70202450000050964022

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Add to Informed Delivery

(<https://informedelivery.usps.com/>)

### Latest Update

Your item was picked up at the post office at 1:31 pm on November 3, 2022 in TAMPA, FL 33604.

### Delivered

**Delivered, Individual Picked Up at Post Office**

TAMPA, FL 33604

November 3, 2022, 1:31 pm

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Feedback

Text & Email Updates



USPS Tracking Plus<sup>®</sup>



Product Information



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Track Another Package

Enter tracking or barcode numbers

## Need More Help?

Contact USPS Tracking support for further assistance.

[FAQs](#)

Feedback



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Peter Walder Case No. 2022-046363; Consent Order  
Date: November 24, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Peter Walder (“Respondent”) to resolve Case No. 2022-046363. 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 61D-6.008(2)(s), Florida Administrative Code.

### *Background*

Respondent was the trainer of record for the racing horse Queen Cupid, which was owned by John Richard Perkins. On September 2, 2022, Queen Cupid finished 1st place in the 2nd race of the performances held by Gulfstream Park Racing Association. A urine sample was taken from Queen Cupid 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 urine concentration of 3.31 +/- 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 been determined to have a prohibited substance present in its system.

Rule 61D-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”).

---

<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.

*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 61D-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. 2022-046363.



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

September 21, 2022

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL  
32399-1037

RE: Report of Positive Result

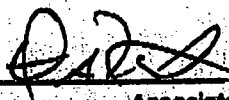
Sample 312768 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

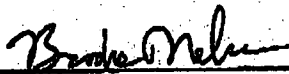
**Omeprazole sulfide found in urine**

Omeprazole sulfide is a metabolite of Omeprazole (a gastric acid secretory depressant and Class 5 drug) - the concentration of Omeprazole sulfide is 3.31 +/- 0.09 ng/mL.

|                        |                    |                   |                   |
|------------------------|--------------------|-------------------|-------------------|
| <u>E001584-FHU</u>     | <u>Horse Urine</u> | <u>67.7 g</u>     | <u>INTACT</u>     |
| Laboratory Number      | Specimen           | Final Weight      | Seal              |
| <u>Gulfstream Park</u> |                    | <u>09/02/2022</u> | <u>09/08/2022</u> |
| Collected From         |                    | Date Collected    | Date Received     |

Pursuant to Chapter 650.2416 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 09/30/2022, or upon commencement of administrative action, whichever occurs first.

  
Dirk A Hunt Associate Director

  
Brooks Nelson Chemist III

University of Florida Racing Lab  
ISO/IEC 17025-2017  
Certificate # AT-1642

23-17



312768

DATE 9-2-22

TRACK 321

RACE 2 FINISH 1

NAME OF ANIMAL Queen Cupid

NOMBRE DEL ANIMAL

COLOR gr/ro SEX F AGE 3

ID NUMBER 981020031337570

MICROCHIP  TATTOO  FREEZE-BRAND

BLOOD William M. Watson III DVM

SAMPLED BY

URINE Juan Foyo VF

SAMPLED BY

TRAINER Peter R. Walder

ENTRENADOR / ENTRENADORA

WITNESS Flores Manuel Flores

SIGNATURE FIRMA DE TESTIGO

WITNESS 7868028

LICENSE # NÚMERO DE LICENCIA

60

RI-252-02

Department of Business & Professional Regulation



DOCUMENTATION REQUIRED FOR ALL DAMAGED OR VOIDED FORMS SECURE STORAGE REQUIRED - ISSUE / USE SEQUENTIALLY

|                         |                       |                        |                             |                         |                      |                      |                            |                             |                        |
|-------------------------|-----------------------|------------------------|-----------------------------|-------------------------|----------------------|----------------------|----------------------------|-----------------------------|------------------------|
| <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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 [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: **Istallings**

[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>09/22/2022</b>               |
| Complaint # | <b>2022046363</b>  | Case Type  | <b>CMP - Complaint</b>   | Disposition |                                 |
| Docket#     |  | Respondent | <b>WALDER, PETER R</b>   | Responsible | <b>elanier - LANIER, EBONIE</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>LAB - UF Laboratory</b>  | Security Level | <b>1</b>           | <input type="checkbox"/>            | <a href="#">Parties</a>       | <input type="checkbox"/>            | <a href="#">Activities</a>   |
| Form      | <b>FAX - Fax</b>  | Priority       | <b>1</b>           | <input checked="" type="checkbox"/> | <a href="#">Allegations</a>   | <input type="checkbox"/>            | <a href="#">Discipline</a>   |
| Class'n   | <b>V-X - Class V Drug Positive</b>  | Complexity     | <b>R - Regular</b> | <input checked="" type="checkbox"/> | <a href="#">Violations</a>    | <input type="checkbox"/>            | <a href="#">Compliance</a>   |
| Security  | <b>STND - Standard</b>  | Incident       | <b>09/02/2022</b>  | <input type="checkbox"/>            | <a href="#">Related</a>       | <input checked="" type="checkbox"/> | <a href="#">Disposition</a>  |
| Region    | <b>SR - Southern Region</b>   | Received       | <b>09/21/2022</b>  | <input type="checkbox"/>            | <a href="#">Inspection</a>    |                                     |                              |
| Reference | <b>312768</b>   |                |                    | <input type="checkbox"/>            | <a href="#">Costs</a>         |                                     |                              |
| Entered   | <b>09/22/2022</b>   | Entered By     | <b>Istallings</b>  | <input type="checkbox"/>            | <a href="#">Time Tracking</a> | <input type="checkbox"/>            | <a href="#">Auto Assign</a>  |
| Summary   | <b>321 Gulfstream Park Horse QUEEN CUPID Drug Omepraole Sulfide Sample # 312768 Lab # E001584-FHU</b> |                |                    | <input type="checkbox"/>            | <a href="#">Attachments</a>   | <input type="checkbox"/>            | <a href="#">History</a>      |
| Updated   | <b>09/22/2022 14:36:41</b>  | By             | <b>Istallings</b>  | <input type="checkbox"/>            | <a href="#">Work Notes</a>    | <input type="checkbox"/>            | <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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|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| 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: **lstallings**

VR Home > License Search > License Home

**License**

Fed Tax # XXXXXXXXXX Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2023**

File # **15447** Name **WALDER, PETER R** Extended To

License # **1062492** Rank **PIND - Professional Individual Occupational** Renewed On

Entity # **1062492** Lic Status **Current**

- [Licensee](#)
- [History](#)
- [Notes](#)
- [Notes History](#)
- [Back](#)

**Address**

Street # **19601** Street **E COUNTRY CLUB DR #505**

Line 2

Line 3

City **AVENTURA** State **FL** Zip **33180**

Routing

**Other**

1st License Date **07/14/2020** Rank Date **07/14/2020** Certificate #

Method **I-S-1024** Status Date **07/14/2020** Certificate Date **02/18/2001**

Fee Exempt **No** Birth Date XXXXXXXXXX Renewal Sent

**Select**

Action

**Modifiers**

| Type | Modifier                       | Effective Date | Additional Info |
|------|--------------------------------|----------------|-----------------|
| C    | IOWN - Individual Animal Owner | 07/02/2020     |                 |
| C    | ONTR - Owner/Trainer           | 01/15/2021     |                 |
| C    | TRNR - Trainer                 |                |                 |
| I    | TBRD - Thoroughbred            |                |                 |
| L    | 320 - Tampa Bay Downs          | 01/15/2021     |                 |
| Y    | 3YR - 3 Year License           |                |                 |

**Alt Keys**

BEST LIC NBR **PIN1062492**

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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.: 2022-046363

v.

PETER R. WALDER,

Respondent.

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), Peter R. Walder (“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, 1062492 -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 2022-046363, alleging that Respondent was in violation of Section 550.2415, Florida Statutes, and Rule 61D-6.008(2)(s), Florida Administrative Code, by racing “Queen Cupid” with an impermissible amount of **omeprazole sulfide (a metabolite of omeprazole)** in its body during the performances held at Gulfstream Park Racing Association, Inc. (“Gulfstream Park”) on September 2, 2022.

3. On September 2, 2022, Queen Cupid participated in the 2nd race of the performances held at Gulfstream Park. Queen Cupid finished in 1st in the 2nd race of the performances held at Gulfstream Park.

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 execute and mail this Consent Order to: **Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.**

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, **PETER R. WALDER**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 16<sup>th</sup> day of OCTOBER, 2022.

*Peter R. Walder*  
**PETER R. WALDER**  
Respondent

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 16<sup>th</sup> day of OCTOBER, 2022, by **PETER R. WALDER**, who is personally known to me or who produced the following as identification:

Personally known

*Jayne B. Wright*  
Notary Public



My commission expires:  
07/05/2023



APPROVED this 7 day of November, 2022.

*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.: 2022-046363

PETER R. WALDER,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Peter R. Walder (“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, 1062492-1021, issued by Petitioner.
3. At all times material hereto, Respondent was the trainer of record for the racing horse “Queen Cupid,” with microchip number 981020031337570.
4. At all times material hereto, “Queen Cupid” was owned by John Richard Perkins, who holds a Pari-Mutuel Wagering Professional Individual Occupational License, number 791462-1021, issued by Petitioner.
5. On September 2, 2022, “Queen Cupid” participated in the 2nd race of the performances held by Gulfstream Park Racing Association, Inc. (“Gulfstream Park”).

6. On September 2, 2022, “Queen Cupid” finished in 1st place in the 2nd 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 September 2, 2022, urine sample number 312768 was collected from “Queen Cupid.”

9. Urine sample number 312768 was processed and forwarded to the University of Florida Racing Laboratory (“UF Lab”), for analysis.

10. The UF Lab tested urine sample number 312768 and found that it contained **omeprazole sulfide (a metabolite of omeprazole)**.

11. In urine sample number 312768, **omeprazole sulfide** was detected at a urinary concentration of 3.31 +/- 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 "Queen Cupid" with an impermissible concentration of a permitted substance in its body on September 2, 2022.

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 2022-046363 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 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

09-21-22; 11:37AM; University of Florida

352

# 2 / 2



College of Medicine  
Department of Pathology, Immunology and Laboratory Medicine  
Racing Laboratory

PO Box 100275  
Gainesville, FL 32610-0275  
352-392-2298  
352-846-1052 Fax

September 21, 2022

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2801 Blair Stone Road  
Tallahassee, FL  
32399-1037

RE: Report of Positive Result

Sample 312758 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 3.31 +/- 0.09 ng/mL.

|                        |                    |                   |                   |
|------------------------|--------------------|-------------------|-------------------|
| <u>E001584-FHU</u>     | <u>Horse Urine</u> | <u>87.7 g</u>     | <u>INTACT</u>     |
| Laboratory Number      | Specimen           | Final Weight      | Seal              |
| <u>Gulfstream Park</u> |                    | <u>09/02/2022</u> | <u>09/08/2022</u> |
| Collected From         |                    | Date Collected    | Date Received     |

Pursuant to Chapter 650.2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 09/30/2022, or upon commencement of administrative action, whichever occurs first.

Dirk A Hunt

Associate Director

Brooks Nelson

Chemist III

23-17

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

312768      DATE 9-2-22  
 TRACK 321  
 RACE 2      FINISH 1  
 NAME OF ANIMAL Queen Cupid  
NOMBRE DEL ANIMAL  
 COLOR gr/ro      SEX F      AGE 3  
 ID NUMBER 981020031337570  
 MICROCHIP     TATTOO     FREEZE-BRAND  
 BLOOD William M. Watson III      *WMD*  
SAMPLED BY  
 URINE Juan Foyo      *V.F.*  
SAMPLED BY  
 TRAINER Peter R. Walder  
ENTRENADOR / ENTRENADORA  
*Manuel*  
 WITNESS Flores M. M. Flores  
FIRMA DE TESTIGO  
 WITNESS 7868028  
 LICENSE #      NÚMERO DE LICENCIA

60      RL-252-02

10.

# License Denials



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Marc Taupier, Chief Attorney  
Re: Yohanni Mariana Vasquez Feliz; Case No. 2022-045263 – License Denial  
Date: November 21, 2022

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Yohanni Mariana Vasquez Feliz's ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on September 13, 2022. Upon review of the application, it appears Applicant has had a gaming license revoked by another jurisdiction for a gaming-related offense. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On September 13, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant held a video lottery license with the Maryland Lottery and Gaming Control Commission. On or about April 28, 2022, Applicant's video lottery license was revoked by the Maryland Lottery and Gaming Control Commission.

### *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 had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense.”

Staff Recommendation: Because the Applicant had her video lottery license revoked by the Maryland Lottery and Gaming Control Commission on April 28, 2022, 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.

Licensing Administrator Review – Slot Machine Occupational License

RE: Vasquez Feliz, Yohanni Mariana  
 (APPLICANT'S NAME– LICENSE #)

Case No: 2022-045263

|                                |                   |
|--------------------------------|-------------------|
| INITIAL APPLICATION RECEIVED:  | <u>9/13/2022</u>  |
| COMPLETE APPLICATION RECEIVED: | <u>9/13/2022</u>  |
| <b>90-DAY DEADLINE:</b>        | <b>12/12/2022</b> |

Cindy Ritter  
 Application Processor

Dania Ent Center LLC, #274  
 Facility (d/b/a name)

Cocktail Server/1055  
 Occupation/Job Title/Lic Type

Pursuant to Section 551.107(6)(c) Conviction is defined as being found guilty, with or without adjudication of guilt, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere. Any misdemeanor conviction to include fraud and theft which are defined for purposes of slot machine gaming licensure as involving dishonesty, misrepresentation, deceit, and lack of truthful conduct in transaction with another.

**Licensing Section Review**

Did the application accurately reflect the Criminal History Record?  Yes  No

**Conviction**

- Felony :
- 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 |
|-------------|----------|--------|-------|-------------|
|             |          |        |       |             |

**Disposition Unknown**

- Felony Arrest(s) :
- Misdemeanor Arrest – Gambling Related/Bookmaking
- Two or more misdemeanor arrests/counts that involve theft, fraud, or burglary

Comments:

**Enforcement/Jurisdiction Offenses**

- Currently under Suspension, Declared Ineligible, Revoked, Denied, Ejected, Unpaid Fine, in this or any other state gaming commission, governmental department, agency, or other authority exercising regulatory jurisdiction over the gaming of another state or jurisdiction.

Comments: Applicant's license revoked by Maryland Lottery and Gaming.

**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 [Signature] 9/20/22

Comments: Maryland Lottery & Gaming Lic Revoked Dec 2021



**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)<br>- End Date (Month/ Year) | Title/Position Held &<br>Supervisor Name | Reason for Leaving |
|--------------------|--|--|--|--------------------|
| MGM National hotel | 101 MGM National ave ,Oxon Hill Md 20745 | 06/2020 - 08/2021                                    | COCKTAIL SERVER                          | Move to Florida    |
|                    |  |  |  |                    |
|                    |  |  |  |                    |
|                    |  |  |  |                    |

**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)<br>Where Licensed | Date of<br>Expiration | Is this license currently suspended or<br>subject to fines or other discipline? Explain why. |
|---|-----------------------|--|
| Maryland                                      | n/a                   | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No                       |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><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:

**BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes    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?  
 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 section provided below.  
 No

| Date of Disposition | County | State | Offense | Misdemeanor or Felony? | Sentence |
|---------------------|--------|-------|---------|------------------------|----------|
|                     |        |       |         |                        |          |
|                     |        |       |         |                        |          |
|                     |        |       |         |                        |          |
|                     |        |       |         |                        |          |

Yes    Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?  
 No

Yes    Do you currently own or have a financial interest in a Florida licensed slot machine facility or in any business owned by a Florida licensed slot machine facility?  
 No

**ADDITIONAL INFORMATION**

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**Ritter, Cynthia**

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**From:** James Rosso -MLGCA- <james.rosso1@maryland.gov>  
**Sent:** Tuesday, September 20, 2022 12:03 PM  
**To:** Ritter, Cynthia  
**Subject:** Non-Gaming Revocation  
**Attachments:** 1 - Florida Request.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.**

Good Afternoon Cindy,

As discussed in our conversation this morning, I have attached the final decision letter sent to Yohanni Vasquez Feliz from the Maryland Lottery and Gaming Control Commission. This letter serves as final notice of her Non-Gaming License revocation.

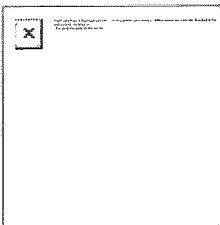
You have also requested for copies of investigative reports pertaining to this case which we are unable to provide per regulation. In the event that you wish to review these reports, you may make arrangements to review them in our Baltimore office. I would be able to assist you with this.

If I can be of further assistance, please feel free to contact me at (410) 230-2604.

Sincerely,

James Rosso

--



**James Rosso**  
Licensing Specialist  
Regulatory Licensing and Background Investigations Division  
Maryland Lottery and Gaming  
1800 Washington Blvd., Suite 330  
Baltimore, MD 21230  
[james.rosso1@maryland.gov](mailto:james.rosso1@maryland.gov)  
(410) 230-2604

RECEIVED  
2022 SEP 20 PM 12:39  
FLORIDA GAMING  
CONTROL COMMISSION

*Maryland Lottery and Gaming contributed \$1.511 billion to the State of Maryland in FY2022. Please play responsibly.*

Click [here](#) to complete a two-question customer experience survey.



# Maryland Lottery and Gaming Control Commission

Larry Hogan, Governor

Montgomery Park Business Center  
1800 Washington Blvd., Suite 330  
Baltimore, Maryland 21230



Tel: 410-230-8800  
TTY users call Maryland Relay  
www.mdlottery.com

April 28, 2022

Yohanni Mariana Vasquez Feliz  
900 Ave Ave W. Apt. #805  
Miami Beach, Florida 33139

Mr. Vasquez Feliz:

On December 2, 2021, the Director of Casino Licensing and Background Investigations of the Maryland Lottery and Gaming Control Agency (Agency) notified you via registered and certified mail, that the Director of the Agency intended to recommend to the Maryland Lottery and Gaming Control Commission (Commission) that your video lottery employee license be revoked.

By the same December 2, 2021 letter, you were advised of your right to request a hearing on the recommendation to revoke your video lottery employee license in writing as directed and specified in the letter. You were further advised that if you failed to request a hearing timely, the Commission may consider this a default under Code of Maryland Regulations 36.01.02.06 and act in your absence without further notice to you.

On April 28, 2022, the Commission accepted and adopted as final the recommended revocation of your video lottery employee license for the reasons stated in the December 2, 2021, letter.

A party aggrieved by this final administrative action of the Commission may file a petition for judicial review with the circuit court for the county where any party resides or has a principal place of business within thirty days of the date of this decision. State Government § 10-222, Ann. Code of Md.; Maryland Rules 7-201 – 7-211.

Sincerely,

E. Randolph Marriner, Chair

cc: Yohanni Mariana Vasquez Feliz  
250 American Way Apt. #102  
Oxon Hill, Maryland 20745

RECEIVED  
2022 SEP 20 PM 12:39  
FLORIDA GAMING  
CONTROL COMMISSION

E. Randolph Marriner, Chair

F. Vernon Boozer, George L. Doetsch, Jr., Michelle R. Fager, Harold E. Hodges, James J. Stakem, Jerry E. Williams



## Ritter, Cynthia

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**From:** james.rosso1@maryland.gov on behalf of License Verifications  
<license.verification@maryland.gov>  
**Sent:** Friday, September 16, 2022 11:32 AM  
**To:** Ritter, Cynthia  
**Subject:** Re: License Verification Request  
**Attachments:** Vasquez Feliz Request.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.**

Good Morning Cynthia,

Please see the attached completed License Verification form as requested.

James Rosso  
(410) 230-2604

On Fri, Sep 16, 2022 at 10:10 AM Ritter, Cynthia <[Cynthia.Ritter@fgcc.fl.gov](mailto:Cynthia.Ritter@fgcc.fl.gov)> wrote:

Hello,

Attached is a request for license verification and a signed release form. Please email your response to [Cynthia.Ritter@fgcc.fl.gov](mailto:Cynthia.Ritter@fgcc.fl.gov).

Thank you for your assistance.

Sincerely,

*to the State of Maryland in FY2022. Please play responsibly.*

[Click here to complete a two-question customer experience survey.](#)

## Ritter, Cynthia

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**From:** Ritter, Cynthia  
**Sent:** Friday, September 16, 2022 10:10 AM  
**To:** 'License.Verification@maryland.gov'  
**Subject:** License Verification Request  
**Attachments:** Vasquez Feliz Request.pdf; SKM\_368e22091610510.pdf

Hello,

Attached is a request for license verification and a signed release form. Please email your response to [Cynthia.Ritter@fgcc.fl.gov](mailto:Cynthia.Ritter@fgcc.fl.gov).

Thank you for your assistance.

Sincerely,



**Cindy Ritter**  
**Operations Analyst II**  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Operations  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1037  
850.488.3211 Office 850.410.5350 FAX

The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. [LARGER VIEW](#)







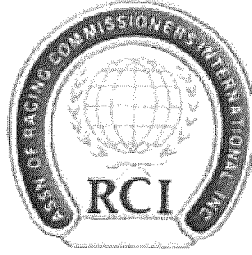












Page 1 of 1. 0 total matches.

|                          |
|--------------------------|
| Search Parameters        |
| Govt. Number:            |
| Date of Birth:           |
| First Name: Yohanni      |
| Middle Name:             |
| Last Name: Vasquez Feliz |
| Sex:                     |
| Commission:              |
| License Type:            |

| Master ID | Last Name | First Name | Middle Name | SSN/Federal ID | Rulings | Birth Date | City | State |
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|




**Voucher**

Date 09/13/2022

No. 2232

Yohanni Mariana Vasquez Feliz Amount \$ 100.00

|             |   |                                 |        |
|-------------|---|---------------------------------|--------|
| Description | F&B   |                                 |        |
| Charged to  | General Employee  |                                 |        |
|             | Professional Employee   | Slot Machine/Cardroom/PMW Combo | 3 year |
| Received by |   |                                 |        |
| Approved by |  |                                 |        |

















Page 1 of 1. 0 total matches.

|                          |
|--------------------------|
| Search Parameters        |
| Govt. Number:            |
| Date of Birth:           |
| First Name: Yohanni      |
| Middle Name:             |
| Last Name: Vasquez Feliz |
| Sex:                     |
| Commission:              |
| License Type:            |

| Master ID | Last Name | First Name | Middle Name | SSN/Federal ID | Rulings | Birth Date | City | State |
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|

## Ritter, Cynthia

---

**From:** Ritter, Cynthia  
**Sent:** Friday, September 16, 2022 10:10 AM  
**To:** 'License.Verification@maryland.gov'  
**Subject:** License Verification Request  
**Attachments:** Vasquez Feliz Request.pdf; SKM\_368e22091610510.pdf

Hello,

Attached is a request for license verification and a signed release form. Please email your response to [Cynthia.Ritter@fgcc.fl.gov](mailto:Cynthia.Ritter@fgcc.fl.gov).

Thank you for your assistance.

Sincerely,



**Cindy Ritter**  
**Operations Analyst II**  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Operations  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1037  
850.488.3211 Office 850.410.5350 FAX

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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](#)







**Ritter, Cynthia**

---

**From:** james.rosso1@maryland.gov on behalf of License Verifications  
<license.verification@maryland.gov>  
**Sent:** Friday, September 16, 2022 11:32 AM  
**To:** Ritter, Cynthia  
**Subject:** Re: License Verification Request  
**Attachments:** Vasquez Feliz Request.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.**

Good Morning Cynthia,

Please see the attached completed License Verification form as requested.

James Rosso  
(410) 230-2604

On Fri, Sep 16, 2022 at 10:10 AM Ritter, Cynthia <[Cynthia.Ritter@fgcc.fl.gov](mailto:Cynthia.Ritter@fgcc.fl.gov)> wrote:

Hello,

Attached is a request for license verification and a signed release form. Please email your response to [Cynthia.Ritter@fgcc.fl.gov](mailto:Cynthia.Ritter@fgcc.fl.gov).

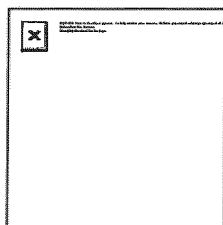
Thank you for your assistance.

Sincerely,



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**License Verification Section**  
**Regulatory Licensing and Background Investigations Division**  
Maryland Lottery and Gaming  
1800 Washington Blvd., Suite 330  
Baltimore, MD 21230  
[license.verification@maryland.gov](mailto:license.verification@maryland.gov)

[mdgaming.com](http://mdgaming.com) | [Facebook](#) | [Twitter](#)

*to the State of Maryland in FY2022. Please play responsibly.*

[Click here to complete a two-question customer experience survey.](#)



**Ritter, Cynthia**

---

**From:** James Rosso -MLGCA- <james.rosso1@maryland.gov>  
**Sent:** Tuesday, September 20, 2022 12:03 PM  
**To:** Ritter, Cynthia  
**Subject:** Non-Gaming Revocation  
**Attachments:** 1 - Florida Request.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.**

Good Afternoon Cindy,

As discussed in our conversation this morning, I have attached the final decision letter sent to Yohanni Vasquez Feliz from the Maryland Lottery and Gaming Control Commission. This letter serves as final notice of her Non-Gaming License revocation.

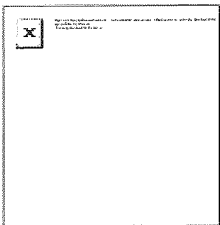
You have also requested for copies of investigative reports pertaining to this case which we are unable to provide per regulation. In the event that you wish to review these reports, you may make arrangements to review them in our Baltimore office. I would be able to assist you with this.

If I can be of further assistance, please feel free to contact me at (410) 230-2604.

Sincerely,

James Rosso

--



**James Rosso**  
Licensing Specialist  
Regulatory Licensing and Background Investigations Division  
Maryland Lottery and Gaming  
1800 Washington Blvd., Suite 330  
Baltimore, MD 21230  
[james.rosso1@maryland.gov](mailto:james.rosso1@maryland.gov)  
(410) 230-2604

RECEIVED  
2022 SEP 20 PM 12:39  
FLORIDA GAMING  
CONTROL COMMISSION

*Maryland Lottery and Gaming contributed \$1.511 billion to the State of Maryland in FY2022. Please play responsibly.*

Click [here](#) to complete a two-question customer experience survey.

# Maryland Lottery and Gaming Control Commission

Larry Hogan, Governor

Montgomery Park Business Center  
1800 Washington Blvd., Suite 330  
Baltimore, Maryland 21230



Tel: 410-230-8800  
TTY users call Maryland Relay  
www.mdlottery.com

April 28, 2022

Yohanni Mariana Vasquez Feliz  
900 Ave Ave W. Apt. #805  
Miami Beach, Florida 33139

Mr. Vasquez Feliz:

On December 2, 2021, the Director of Casino Licensing and Background Investigations of the Maryland Lottery and Gaming Control Agency (Agency) notified you via registered and certified mail, that the Director of the Agency intended to recommend to the Maryland Lottery and Gaming Control Commission (Commission) that your video lottery employee license be revoked.

By the same December 2, 2021 letter, you were advised of your right to request a hearing on the recommendation to revoke your video lottery employee license in writing as directed and specified in the letter. You were further advised that if you failed to request a hearing timely, the Commission may consider this a default under Code of Maryland Regulations 36.01.02.06 and act in your absence without further notice to you.

On April 28, 2022, the Commission accepted and adopted as final the recommended revocation of your video lottery employee license for the reasons stated in the December 2, 2021, letter.

A party aggrieved by this final administrative action of the Commission may file a petition for judicial review with the circuit court for the county where any party resides or has a principal place of business within thirty days of the date of this decision. State Government § 10-222, Ann. Code of Md.; Maryland Rules 7-201 – 7-211.

Sincerely,

E. Randolph Marriner, Chair

cc: Yohanni Mariana Vasquez Feliz  
250 American Way Apt. #102  
Oxon Hill, Maryland 20745

RECEIVED  
2022 SEP 20 PM 12:39  
FLORIDA GAMING  
CONTROL COMMISSION

E. Randolph Marriner, Chair

F. Vernon Boozer, George L. Doetsch, Jr., Michelle R. Fager, Harold E. Hodges, James J. Stakem, Jerry E. Williams





## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Marc Taupier, Chief Attorney  
Re: Walisha Janceess Wadley; Case No. 2022-046547  
Date: November 29, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Walisha Janceess Wadley'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 September 22, 2022, and applied for a waiver of her misdemeanor conviction. Applicant failed to attend the waiver interview. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On September 22, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant was convicted of a misdemeanor crime involving larceny in the state of Florida. Specifically, Applicant was convicted of Petit Theft in 2006.

Applicant applied for a waiver of the misdemeanor conviction and a waiver interview was scheduled. Applicant failed to attend the waiver interview with the Division after several attempts were made. It should be noted that the phone number was disconnected at the time of the scheduled interview. A report was drafted which was submitted to the Executive Director of the Florida Gaming Control Commission for consideration. On November 21, 2022, the Director of the Division of Pari-Mutuel Wagering, on behalf of the Executive Director for the Florida Gaming Control Commission, declined to waive the misdemeanor 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 61D-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 61D-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.



State of Florida  
Department of Business and Professional Regulation  
Chronology Report

Case #: 2022046547 Incident date: 09/16/2022 Status: 106 - Sent to Directors office

Lic Type: 1055 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: WADLEY, WALISHA JANCESS  
2330 NW 171 TERRACE, MIAMI GARDENS, FL 33056

Summary: 11/02/2022 - Applicant Failed to complete the Waiver Process ----- / ----- , 90-DAY DEADLINE:  
December 22, 2022

| Chronology: | Effective Date | Type | Lic Type | Code | Description              | Responsible Party | Respondent                    |
|-------------|----------------|------|----------|------|--------------------------|-------------------|-------------------------------|
|             | 09/23/2022     | A    | 79       | 425  | Letter                   | rsuau             | WADLEY,<br>WALISHA<br>JANCESS |
|             | 09/23/2022     | A    | 10       | 15   | Assigned to Investigator |                   | WADLEY,<br>WALISHA<br>JANCESS |
|             | 09/23/2022     | A    | 79       | 440  | Incoming Correspondence  | icampbell         | WADLEY,<br>WALISHA<br>JANCESS |
|             | 09/23/2022     | A    | 79       | 435  | Telephone                | rsuau             | WADLEY,<br>WALISHA<br>JANCESS |



**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>             |
|--------------------|-----------------------|-------------|-----------------|-------------|-----------------------------|--------------------------|-------------------------------|
|                    | 09/23/2022            | A           | 79              | 40          | Further Review Performed    | rsuau                    | WADLEY,<br>WALISHA<br>JANCESS |
|                    | 11/02/2022            | A           | 79              | 70          | Sent to Director for Review | ddonaldson               | WADLEY,<br>WALISHA<br>JANCESS |
|                    | 10/31/2022            | R           |                 | jminaya     | MINAYA, JULIO               | rsuau                    |                               |
|                    | 11/03/2022            | R           |                 | ltrombeta   | TROMBETTA, LOUIS            | ddonaldson               |                               |
|                    | 09/23/2022            | R           |                 | rsuau       | SUAU, RAUL                  | icampbell                |                               |
|                    | 11/02/2022            | R           |                 | ddonaldson  | DONALDSON, DAVID            | lmuniz                   |                               |
|                    | 11/03/2022            | S           | 1055            | 106         | Sent to Directors office    | ddonaldson               |                               |
|                    | 11/02/2022            | S           | 1055            | 104         | Sent to Licensing Section   | lmuniz                   |                               |
|                    | 11/02/2022            | S           | 1055            | 90          | Closed                      | lmuniz                   |                               |
|                    | 10/31/2022            | S           | 1055            | 165         | Supervisor Review           | rsuau                    |                               |
|                    | 09/23/2022            | S           | 1055            | 20          | Under Investigation         | icampbell                |                               |
|                    | 09/23/2022            | S           | 1055            | 10          | Initial Review              | icampbell                |                               |

| <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>1055 - Slot Machine/Cardroom/Pari-Mutuel Individual Combination</b> | Status      | <b>104 Sent to Licensing Section</b> | Status Date         | <b>11/02/2022</b> |
| Complaint # | <b>2022046547</b>  | Case Type   | <b>CMP - Complaint</b>               | Disposition         | Disposition Date  |
| Docket#     | Respondent <b>WADLEY, WALISHA JANCESS</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>09/16/2022</b>  | <input checked="" type="checkbox"/> | <a href="#">Related</a>       | <input checked="" type="checkbox"/> | <a href="#">Disposition</a>  |
| Region    | <b>SR - Southern Region</b>  | Received       | <b>09/23/2022</b>  | <input type="checkbox"/>            | <a href="#">Inspection</a>    |                                     |                              |
| Reference |  |                |                    | <input type="checkbox"/>            | <a href="#">Costs</a>         |                                     |                              |
| Entered   | <b>09/23/2022</b>  | Entered By     | <b>icampbell</b>   | <input type="checkbox"/>            | <a href="#">Time Tracking</a> |                                     | <a href="#">Auto Assign</a>  |
| Summary   | <b>11/02/2022 - Applicant Failed to complete the Waiver Process - ----- / ----- . 90-DAY DEADLINE: December 22, 2022</b> |                |                    | <input type="checkbox"/>            | <a href="#">Attachments</a>   |                                     | <a href="#">History</a>      |
| Updated   | <b>11/02/2022 14:21:56</b>   | By             | <b>Imuniz</b>      | <input type="checkbox"/>            | <a href="#">Work Notes</a>    |                                     | <a href="#">Print Report</a> |

[Change](#) | 
 [Save](#) | 
 [OK](#) | 
 [Cancel](#) | 
 [Back](#)

Get Adobe Reader.







Subject : (RESUB) Results of check for WADLEY, WALISHA JANCESS (70CF290000000104)

=====  
This record may only be used for the purpose requested as defined by the Code  
of Federal Regulations and/or Florida Statute.  
=====

End of record  
=====

-END-

\*\*\*\* National/FBI Criminal History Record Response Listed Below \*\*\*\*

There Was NO National/FBI Criminal History Record Identified.

EXHIBIT # 3  
PAGE # 3

Page 3 of 3

1098

# ROUTING SLIP REQUEST FOR WAIVER

RE: WADLEY, WALISHA JANCESS – 12112198  
(APPLICANT'S NAME – LICENSE #)

Case No: 2022 04 6547

Poker Cage Cashier  
Occupation Code and Job Title

Casino Miami LLC  
Facility (d/b/a name)

**90-DAY RESPONSE DEADLINE: DECEMBER 21, 2022**  
(DATE)

Investigations Section: Reviewed by Steve Kogan [Signature] November 2, 2022  
(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: David Donaldson 11/08/2022 [Signature]  
(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: [Signature]  
(Initial & Date)

Prepare Waiver or  Prepare File for Commission Review

Comments: \_\_\_\_\_

Investigative Findings:

## FAILED TO COMPLETE THE WAIVER PROCESS

October 23, 2006 Sunrise Police Department – Theft to Deprive – Misdemeanor – Pled Nolo Contendere – Adjudication Withheld on November 7, 2006 – Court fine \$349.79.

### PRIOR LICENSE ACTIONS

October 11, 2019 Letter of denial was issued by Florida PMW for failing to correct deficiencies on her request for Waiver application regarding PMW Case # 2019 05 1605.

Cage Cashier



\*Please attach Routing Slip to front of case file



Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**  
**WAIVER INVESTIGATIVE REPORT**

|  |                            |  |   |
|--|----------------------------|--|---|
| Office:<br><b>PMW</b>  | Region:<br><b>Southern</b> | Date of Complaint:<br><b>September 23, 2022</b>  | Case Number:<br><b>2022 04 6547</b>     |
| Respondent:<br><br><b>WADLEY, WALISHA JANCESS</b><br><b>2330 NW 171 TERR.</b><br><b>MIAMI GARDENS, FL 33056</b><br>[REDACTED]  |                            | Complainant:<br><br><b>DIVISION OF PARI-MUTUEL WAGERING</b><br><b>OFFICE OF INVESTIGATIONS</b><br><b>1400 West Commercial Boulevard, Suite 165</b><br><b>Ft. Lauderdale, Florida 33309</b> |   |
| License # / Type:<br><b>12112198 - 1055</b>  |                            | Profession:<br><b>Cage Cashier</b>   | Report Date:<br><b>November 7, 2022</b> |
| Period of Investigation:<br><b>From September 23, 2022 through November 7, 2022</b>  |                            | Type of Report:<br><b>Supplemental</b>   |   |
| <p><b>Basis of Investigation:</b> This investigation is predicated upon receipt of Walisha JanceSS <b>WADLEY's</b> application for a State of Florida PMW Individual Occupational License dated September 15, 2022, and her Waiver Request form dated September 16, 2022. <b>(Exhibit #1)</b></p> <p>On September 15, 2022, <b>WADLEY</b> submitted a PMW Occupational License application to be licensed as a Cage Cashier at Casino Miami LLC. On her original 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?"</p> <p><b>WADLEY</b> disclosed on her original application the following three arrests; 09/19/2006 Misdemeanor Theft charge, from Broward County, 06/08/2010 Misdemeanor, Driving While License Suspended charge from Miami-Dade County, and a 12/26/2013 Misdemeanor, Driving While License Suspended charge also from Miami-Dade County. <b>(Exhibit #1)</b></p> |                            |  |   |
| Related Case:  |                            |  |   |
| Investigations Specialist II / Date<br><br><br><b>Raul Suau / November 7, 2022</b>  |                            | Approved by Investigator Supervisor / Date<br><br><br><b>Julio Minaya / November 7, 2022</b>          |   |
| Chief of Investigations / Date<br><br><b>Steven E. Kogan /</b>   |                            |  |   |

CONTINUATION

**CRIMINAL HISTORY**

| Arrest 1                             |                |   |               |                 |  |
|--------------------------------------|----------------|---|---------------|-----------------|--|
| <b>Date of Arrest:</b><br>10/23/2006 |                | <b>Arresting Agency:</b><br>Sunrise Police Department, Broward County Florida |               |                 |  |
| OFFENSE                              |                |   |               |                 |  |
| CHARGES                              | CLASSIFICATION | PLEA  | DISPOSITION   | CONVICTION DATE |  |
| 1   Theft to Deprive                 | Misdemeanor    | Nolo Contendere   | Adj. Withheld | 11/07/2006      |  |
| 2                                    |                |   |               |                 |  |
| 3                                    |                |   |               |                 |  |
| 4                                    |                |   |               |                 |  |

| SENTENCE                     |
|------------------------------|
| Court fine imposed \$349.79. |

**Additional Information:** According to the Broward County Clerk of Courts the above court fine has not been paid and is still pending. Unpaid balance sent to collection agency. **(Exhibit #2, Page #1 thru 4)** No further information was available for this arrest.

| Arrest 2               |                |                          |             |                 |  |
|------------------------|----------------|--------------------------|-------------|-----------------|--|
| <b>Date of Arrest:</b> |                | <b>Arresting Agency:</b> |             |                 |  |
| OFFENSE                |                |                          |             |                 |  |
| CHARGES                | CLASSIFICATION | PLEA                     | DISPOSITION | CONVICTION DATE |  |
| 1                      |                |                          |             |                 |  |
| 2                      |                |                          |             |                 |  |
| 3                      |                |                          |             |                 |  |
| 4                      |                |                          |             |                 |  |

| SENTENCE |
|----------|
|          |

**Additional Information:**

CONTINUATION

| Arrest 3               |                          |      |             |                 |
|------------------------|--------------------------|------|-------------|-----------------|
| <b>Date of Arrest:</b> | <b>Arresting Agency:</b> |      |             |                 |
| OFFENSE                |                          |      |             |                 |
| CHARGES                | CLASSIFICATION           | PLEA | DISPOSITION | CONVICTION DATE |
| 1                      |                          |      |             |                 |
| 2                      |                          |      |             |                 |
| 3                      |                          |      |             |                 |
| 4                      |                          |      |             |                 |

| SENTENCE |
|----------|
|          |

|                                |
|--------------------------------|
| <b>Additional Information:</b> |
|--------------------------------|

| Arrest 4               |                          |      |             |                 |
|------------------------|--------------------------|------|-------------|-----------------|
| <b>Date of Arrest:</b> | <b>Arresting Agency:</b> |      |             |                 |
| OFFENSE                |                          |      |             |                 |
| CHARGES                | CLASSIFICATION           | PLEA | DISPOSITION | CONVICTION DATE |
| 1                      |                          |      |             |                 |
| 2                      |                          |      |             |                 |
| 3                      |                          |      |             |                 |
| 4                      |                          |      |             |                 |

| SENTENCE |
|----------|
|          |

|                                |
|--------------------------------|
| <b>Additional Information:</b> |
|--------------------------------|

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: Temporary 1056 Slots, Cardroom Combo License</b>   |                  |            |                         |           |
| Date Licensed:   | Expiration Date: | License #: | Agency or Jurisdiction: |           |
| 07/11/2019   | 08/10/2019       | 12112198   | Florida PMW             |           |
|  |                  |            | <b>YES</b>              | <b>NO</b> |
| Has License ever been suspended or revoked?  |                  |            |                         | X         |
| Was any derogatory information received?   |                  |            | X                       |           |
| Additional Comments: Applicant disclosed three arrests on her 09/15/2022 license application.<br><b>(Exhibit #1, Page 4)</b> |                  |            |                         |           |

|   |                  |            |                         |           |
|---|------------------|------------|-------------------------|-----------|
| <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? |                               |            | X         |
| Date of Interview:<br>N/A         | Location of Interview:<br>N/A |            |           |
|                                   |                               | <b>YES</b> | <b>NO</b> |
| Was the applicant cooperative?    |                               |            |           |
| Additional Comments: N/A          |                               |            |           |

**SUMMARY OF INTERVIEW:**

Waiver interview was scheduled for October 5, 2022, at 2:00 P.M. However, when **WADLEY** was called her phone continued to ring with no response until it disconnected on its own. This Investigator was unable to leave a voice message. Additional calls were placed to **WADLEY's** phone and results were negative.



## CONTINUATION

**CONCLUSION:**

A check of the Association of Racing Commissioners International (ARCI) database showed no rulings against **WADLEY**. (Exhibit #4, Page 1)

On October 5, 2022, a certified letter was sent via the United States Postal Service to **WADLEY** instructing her to contact this Investigator. (Exhibit #4, Pages 3, 4, 5)

A review of the Miami-Dade County Clerk of Courts Traffic Online System revealed that **WADLEY** has a total of \$523.10 in unpaid traffic fines. (Exhibit #2, Pages 16 & 17)

**WADLEY's** FDLE Criminal History Report discloses a September 20, 2014 arrest for Driving While License Suspended With Knowledge. This arrest is related to a March 10, 2014 Misdemeanor Traffic arrest for the same charge, in which **WADLEY** failed to appear to a scheduled court date on August 28, 2014. A bench warrant was then issued which resulted in her arrest and her pleading guilty to a Misdemeanor on September 21, 2014. Court fine was \$607.00 of which \$230.10 is still pending. Note; that this amount is included in the above paragraph of unpaid traffic fines in the Miami-Dade County Clerk of Courts Traffic Online System. (Exhibit #2, Pages 8 thru 15 & Exhibit #3)

A review of the Broward County Clerk of Courts Traffic Online Data Website revealed that **WADLEY** has no unpaid traffic fines pending. (Exhibit #2, Pages 5, 6, 7)

Although **WADLEY** documented on her original license application that she had been arrested on December 26, 2013, a search for this arrest in Miami Dade and Broward County Clerk of Courts were met with negative results. (Exhibit #2)

A check of OnBase revealed that on July 11, 2019, **WADLEY** applied for and received a thirty-day temporary PMW license to be employed as a Barista at the Big Easy Casino. On July 26, 2019, a deficiency letter was sent to **WADLEY** regarding **PMW Case #2019 05 1605** requiring corrections to her application. Because **WADLEY** failed to respond to the deficiency letter in a timely manner, on October 11, 2019, a letter of denial was issued by Louis Trombetta, Director of the Division of Pari-Mutual Wagering. (Exhibit #4, Pages 6 thru 13)

As of October 31, 2022, the office of Investigations has not received proof from the US Postal Service that **WADLEY** has accepted receipt of the certified letter.

Case closed by Investigation and forwarded to Licensing.

On November 7, 2022, Investigations received from the US Postal Service the certified letter that was mailed to **WADLEY** as being unclaimed. (Exhibit # 5)

**CONTINUATION**

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STATE OF FLORIDA

DIVISION OF PARI-MUTUEL WAGERING  
North Broward Regional Service Center  
1400 W Commercial Blvd Suite 165  
Fort Lauderdale FL 33309

MIAMI FL 330

16 OCT 2022 pt. 1



quadrant  
NEXT CLASS MWL  
\$007.82  
UNIVERSITY OF FLORIDA  
643302146

Ms. Walisha Janceess Wadley  
2330 NW 171<sup>st</sup> Terr.  
Miami Garder

t-ll  
(0 \217:2

|                               |    |    |   |            |
|-------------------------------|----|----|---|------------|
| DATE                          | NO | IS | 1 | 0011,04,12 |
| RETURN TO SENDER              |    |    |   |            |
| UNCL. AT WED                  |    |    |   |            |
| NAS. TO DRW AT-0              |    |    |   |            |
| 33300 378-40 *12038 C46S7-34- |    |    |   |            |
| 11'9> 1 30                    |    |    |   |            |

EXHIBIT # 5  
PAGE # 1

Complete items 1, 2, and 3. ALSO complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse.

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:

Ms. Walisra Janceess Wadley  
 2330 NW 171st Terr.  
 Miami Gardens, FL 33056

2022 04 6547 - Inv. Raul Suau

2. Article Number

(Transfer from service label)

7012 1640 0000 5974 2572

PS Form 3811, February 2004

Domestic Return Receipt

102565-02-M-1540

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

X

Agent

Addressee

C. Date of Delivery

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

3. Service Type

Registered Mail

Mail

Insured Mail

Return Receipt for Merchandise

C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

EXHIBIT # 5  
PAGE # 2

111

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 Info</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</a> |                            |                             |                        |  |

Domain: 10 - Division of Pari-Mutuel Wagering Logged in as: gricks

VR Home > Complaint Search > Maintain Complaint > Maintain Complaint Activities

|             |   |                               |                              |             |                  |
|-------------|---|-------------------------------|------------------------------|-------------|------------------|
| Lic Type    | 1055 - Slot Machine/Cardroom/Parl-Mutuel Individual Combination | Status                        | 106 Sent to Directors office | Status Date | 11/03/2022       |
| Complaint # | 2022046547  | Case Type                     | CMP - Complaint              | Disposition | Disposition Date |
| Docket#     | Respondent  | Responsible                   | Private Case                 |             |                  |
|             | WADLEY, WALISHA JANCESS   | ltrombetta - TROMBETTA, LOUIS |                              |             |                  |

| Activity | Description                 | Start      | Respondent              | Follow Up  | Close      | Updated             | Detail | Change | Delete |
|----------|-----------------------------|------------|-------------------------|------------|------------|---------------------|--------|--------|--------|
| 15       | Assigned to Investigator    | 09/23/2022 | WADLEY, WALISHA JANCESS |            |            | 09/23/2022 14:44:04 |        |        |        |
| 425      | Letter                      | 09/23/2022 | WADLEY, WALISHA JANCESS | 10/05/2022 |            | 10/10/2022 09:20:07 |        |        |        |
| 435      | Telephone                   | 09/23/2022 | WADLEY, WALISHA JANCESS | 10/03/2022 |            | 10/05/2022 14:16:53 |        |        |        |
| 435      | Telephone                   | 09/23/2022 | WADLEY, WALISHA JANCESS | 10/05/2022 |            | 10/05/2022 14:19:03 |        |        |        |
| 440      | Incoming Correspondence     | 09/23/2022 | WADLEY, WALISHA JANCESS |            | 11/02/2022 | 11/02/2022 14:18:33 |        |        |        |
| 40       | Further Review Performed    | 09/23/2022 | WADLEY, WALISHA JANCESS | 09/26/2022 |            | 10/05/2022 14:14:04 |        |        |        |
| 70       | Sent to Director for Review | 11/02/2022 | WADLEY, WALISHA JANCESS |            |            | 11/02/2022 14:21:41 |        |        |        |

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|                         |                           |   |                  |                      |                 |      |            |             |        |
|-------------------------|---------------------------|---|------------------|----------------------|-----------------|------|------------|-------------|--------|
| VR Home                 | Inbox                     | Entity                                  | Application      | License              | Cash            | Exam | Inspection | Enforcement | Report |
| Complaint Search Update | Change Mass Status Update | Recording 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 > Maintain Complaint Activities

|             |  |             |                                      |              |                   |
|-------------|--|-------------|--------------------------------------|--------------|-------------------|
| Lic Type    | <b>1055 - Slot Machine/Cardroom/Pari-Mutuel Individual Combination</b> | Status      | <b>106 Sent to Directors office</b>  | Status Date  | <b>11/03/2022</b> |
| Complaint # | <b>2022046547</b>  | Case Type   | <b>CMP - Complaint</b>               | Disposition  | Disposition Date  |
| Docket#     | Respondent <b>WADLEY, WALISHA JANCESS</b>                              | Responsible | <b>Itrombetta - TROMBETTA, LOUIS</b> | Private Case |                   |

List    Detail

|                 |  |                 |                                |                                   |  |
|-----------------|--|-----------------|--------------------------------|-----------------------------------|--|
| Activity        | <b>435 - Telephone</b>   | Security Level  | <b>1</b>                       |                                   |  |
| Start Activity  | <b>09/23/2022</b>  | Respondent      | <b>WADLEY, WALISHA JANCESS</b> |                                   |  |
| Follow Up Date  | <b>10/03/2022</b>  | <b>10 days</b>  | Follow Up Group                | <b>I - Investigator/Inspector</b> |  |
| Close Date      | -  | <b>47 days</b>  | Follow Up By Individual        | <b>rsuau - SUAU, RAUL</b>         |  |
| Activity Notes  | <p><b>called applicant scheduled waiver interview. Informed by applicant her position was no longer available and she was no longer employed. asked applicant if she wanted to proceed with waiver interview. she responded yes. scheduled interview for October 5, 2022 at 2:00 PM.</b></p> |                 |                                |                                   |  |
| Activity Result |  |                 |                                |                                   |  |
| Updated         | <b>10/05/2022 14:16:53</b>   | By <b>rsuau</b> |                                |                                   |  |

|                    |
|--------------------|
| Add                |
| Change             |
| Delete             |
| Clone              |
| Notes History      |
| Rslt Notes History |
| Back               |

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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: gricks

VR Home > Complaint Search > Maintain Complaint > Maintain Complaint Activities

|             |   |                         |                              |                               |                  |
|-------------|---|-------------------------|------------------------------|-------------------------------|------------------|
| Lic Type    | 1055 - Slot Machine/Cardroom/Pari-Mutuel Individual Combination | Status                  | 106 Sent to Directors office | Status Date                   | 11/03/2022       |
| Complaint # | 2022046547  | Case Type               | CMP - Complaint              | Disposition                   | Disposition Date |
| Docket#     | Respondent  | WADLEY, WALISHA JANCESS | Responsible                  | Itrombetta - TROMBETTA, LOUIS | Private Case     |

List Detail

|                 |   |                |  |
|-----------------|---|----------------|--|
| Activity        | 435 - Telephone   | Security Level | 1  |
| Start Activity  | 09/23/2022  | Respondent     | WADLEY, WALISHA JANCESS                    |
| Follow Up Date  | 10/05/2022  | 12 days        | Follow Up Group I - Investigator/Inspector |
| Close Date      | -   | 47 days        | Follow Up By Individual rsuau - SUAU, RAUL |
| Activity Notes  | called applicant to conduct telephonic waiver interview numerous times. no response. not able to leave message. phone disconnected. |                |  |
| Activity Result |   |                |  |
| Updated         | 10/05/2022 14:19:03   | By             | rsuau                                      |

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STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
www.myfloridalicense.com

TO: Walisha Janceess Wadley [Redacted] 12/12/98  
Full Legal Name of Applicant Date of Birth Individual/Org. Number

If you are a new applicant to Florida and have been convicted of any felony, regardless of whether adjudication was withheld, or if you are renewing your pari-mutuel occupational license in Florida and have been convicted of any of the crimes listed below, you must first request and receive a waiver from the Division Director in order to receive a Florida Pari-Mutuel Wagering Occupational License or Cardroom License. Please check the appropriate box(es) below that best describes your situation:

For Pari-Mutuel and Cardroom Applicants:

A conviction in this state, in any other state, or under the laws of the United States of a capital felony, a felony or an offense in any other state which would be a felony under the laws of Florida involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character. A felony or misdemeanor in this state, in any other state, or under the laws of the United States, if such felony or misdemeanor is related to gambling or bookmaking, as contemplated in Section 849.25, Florida Statutes, or involves cruelty to animals.

Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, 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.

Wal W  
Signature of Applicant

9-16-22  
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.



SEP 15 2022  
RECEIVED

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<br>[REDACTED]   | Birth Date (MM/DD/YYYY)<br>[REDACTED] | Gender<br><input type="checkbox"/> Male <input checked="" type="checkbox"/> Female  |                       |
| Last Name<br><i>Wadley</i>   | First<br><i>Natasha</i>               | Middle<br><i>JaNeess</i>  | 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):<br><input checked="" type="checkbox"/> Black or African American <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Native American or Alaskan Native<br><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<br>If no, provide the name of the country of which you are a citizen: _____   |                                       |   |                       |
| Current Mailing Address<br><i>2330 NW 171 Terr</i>   |                                       | Email Address (optional)  |                       |
| City<br><i>Miami Gardens</i>   | State<br><i>FL</i>                    | Zip Code (+4 optional)<br><i>33056</i>  | Country<br><i>USA</i> |
| Primary Phone Number<br>[REDACTED]   |                                       | Secondary/Cell Phone Number (optional)  |                       |
| Current Street Address<br><i>2330 NW 171 Terr</i>  |                                       |   |                       |
| City<br><i>Miami G</i>   | State<br><i>FL</i>                    | Zip Code (+4 optional)<br><i>33056</i>  | Country<br><i>USA</i> |
| Type of Slot Machine Occupational License applying for:<br><input type="checkbox"/> General Individual <input type="checkbox"/> Professional Individual<br><input checked="" type="checkbox"/> Slot Machine/Cardroom/PMW Combination   |                                       | Is this your first time applying for a racing/gaming license in Florida?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                       |
| Job title(s): <i>Cage Cashier</i>  |                                       | Facility where employed and/or doing business:<br><i>Casino Miami LLC</i>   |                       |
| *Applicants for a Combo license should disclose all job titles   |                                       | Employer name:<br><i>Casino Miami LLC</i>   |                       |

FOR DIVISION USE ONLY

License Code 1055    License # 12112198    File # 10755    App # 38634  
 Association Code 273    Date Received 09/15/22    Entered By JR    License Year 22-25  
 License Fee \$100.00    FP Date 09/15/22    FP Fee \$13.25    Total Fee \$113.25

Waiver Requested (Combo Only)

ARCI

Enforcement

EXHIBIT # 1  
PAGE # 2  
1113

**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)<br>- End Date (Month/ Year) | Title/Position Held &<br>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)<br>Where Licensed | Date of<br>Expiration | Is this license currently suspended or<br>subject to fines or other discipline? Explain why. |
|---|-----------------------|--|
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><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:

\_\_\_\_\_

\_\_\_\_\_



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.

WALISHA JANECS WADLEY

Print Legal Name (First Middle Last)

[REDACTED]  
Birth Date (MM/DD/YYYY)

[REDACTED]  
Social Security Number

Casino Miami LLC  
Name of Employer

Wadley  
Signature of Applicant

9-15-22  
Date

EXHIBIT # 1  
PAGE # 5

1116





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: **icampbell**

VR Home > License Search > **License Home**

| <p><b>License</b></p> <p>Fed Tax # [REDACTED] Lic Type <b>1056 - Slot Combo General</b> Expires On <b>08/10/2019</b></p> <p>File # <b>6327</b> Name <b>Wadley, Walisha Janness</b> Extended To</p> <p>License # <b>12112198</b> Rank <b>SCCL - Slots-Cardroom Combo License</b> Renewed On</p> <p>Entity # <b>12112198</b> Lic Status <b>Denied</b></p>  |                                | <p>Licensee</p> <p>History</p> <p><input type="checkbox"/> Notes</p> <p>Notes History</p> <p>Back</p> |                 |                |                 |   |                     |            |  |   |                                |            |  |   |                  |            |  |   |                               |            |  |   |                      |            |  |  |
|--|--------------------------------|---|-----------------|----------------|-----------------|---|---------------------|------------|--|---|--------------------------------|------------|--|---|------------------|------------|--|---|-------------------------------|------------|--|---|----------------------|------------|--|--|
| <p><b>Address</b></p> <p>Street # <b>2330</b> Street <b>NW 171 TERRACE</b></p> <p>Line 2</p> <p>Line 3</p> <p>City <b>MIAMI GARDENS</b> State <b>FL</b> Zip <b>33056</b></p> <p>Routing</p>  |                                |   |                 |                |                 |   |                     |            |  |   |                                |            |  |   |                  |            |  |   |                               |            |  |   |                      |            |  |  |
| <p><b>Other</b></p> <p>1st License Date <b>07/11/2019</b> Rank Date <b>07/11/2019</b> Certificate #</p> <p>Method <b>I-S-1017</b> Status Date <b>10/11/2019</b> Certificate Date</p> <p>Fee Exempt <b>No</b> Birth Date [REDACTED] Renewal Sent</p>  |                                |   |                 |                |                 |   |                     |            |  |   |                                |            |  |   |                  |            |  |   |                               |            |  |   |                      |            |  |  |
| <p><b>Select</b></p> <p>Action <input type="text"/>  </p>  |                                |   |                 |                |                 |   |                     |            |  |   |                                |            |  |   |                  |            |  |   |                               |            |  |   |                      |            |  |  |
| <p><b>Modifiers</b></p> <p> </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>FSEM - Food Svc Emp</td> <td>07/11/2019</td> <td></td> </tr> <tr> <td>F</td> <td>LIVE - Live Scan Fee Exemption</td> <td>07/11/2019</td> <td></td> </tr> <tr> <td>I</td> <td>GHND - Greyhound</td> <td>07/11/2019</td> <td></td> </tr> <tr> <td>L</td> <td>144 - Federal HWY Acquisition</td> <td>07/11/2019</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>07/11/2019</td> <td></td> </tr> </tbody> </table> |                                | Type  | Modifier        | Effective Date | Additional Info | C | FSEM - Food Svc Emp | 07/11/2019 |  | F | LIVE - Live Scan Fee Exemption | 07/11/2019 |  | I | GHND - Greyhound | 07/11/2019 |  | L | 144 - Federal HWY Acquisition | 07/11/2019 |  | Y | 3YR - 3 Year License | 07/11/2019 |  |  |
| Type   | Modifier                       | Effective Date  | Additional Info |                |                 |   |                     |            |  |   |                                |            |  |   |                  |            |  |   |                               |            |  |   |                      |            |  |  |
| C  | FSEM - Food Svc Emp            | 07/11/2019  |                 |                |                 |   |                     |            |  |   |                                |            |  |   |                  |            |  |   |                               |            |  |   |                      |            |  |  |
| F  | LIVE - Live Scan Fee Exemption | 07/11/2019  |                 |                |                 |   |                     |            |  |   |                                |            |  |   |                  |            |  |   |                               |            |  |   |                      |            |  |  |
| I  | GHND - Greyhound               | 07/11/2019  |                 |                |                 |   |                     |            |  |   |                                |            |  |   |                  |            |  |   |                               |            |  |   |                      |            |  |  |
| L  | 144 - Federal HWY Acquisition  | 07/11/2019  |                 |                |                 |   |                     |            |  |   |                                |            |  |   |                  |            |  |   |                               |            |  |   |                      |            |  |  |
| Y  | 3YR - 3 Year License           | 07/11/2019  |                 |                |                 |   |                     |            |  |   |                                |            |  |   |                  |            |  |   |                               |            |  |   |                      |            |  |  |

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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: ddonaldson

VR Home > Complaint Search > Maintain Complaint > License Home

| <b>License</b><br>Fed Tax # [REDACTED] Lic Type <b>1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo</b> Expires On<br>File # <b>10755</b> Name <b>Wadley, Walisha Janceess</b> Extended To<br>License # Rank Renewed On<br>Entity # <b>12112198</b> Lic Status <b>App in Process</b> |          |                | <input type="checkbox"/> Licensee<br><input type="checkbox"/> History<br><input type="checkbox"/> Notes<br><input type="checkbox"/> Notes History<br><input type="checkbox"/> Back                                     |          |                |                 |                 |  |  |  |  |
|--|----------|----------------|--|----------|----------------|-----------------|-----------------|--|--|--|--|
| <b>Address</b><br>Street # <b>2330</b> Street <b>NW 171 TERRACE</b><br>Line 2<br>Line 3<br>City <b>MIAMI GARDENS</b> State <b>FL</b> Zip <b>33056</b><br>Routing   |          |                | *Previously licensed -10/23/2019<br>1056 Denied-pending supporting documentation.<br>-No temp issued.<br><br>*No ARCI findings.<br><br>*CCIS findings.<br><br>*Previous enforcement case 2019051605-App not completed. |          |                |                 |                 |  |  |  |  |
| <b>Other</b><br>1st License Date Rank Date Certificate #<br>Method - - Status Date Certificate Date<br>Fee Exempt <b>No</b> Birth Date [REDACTED] Renewal Sent   |          |                |  |          |                |                 |                 |  |  |  |  |
| <b>Select</b><br>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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Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering

Licensing Administrator Review – Slot Machine Occupational License

RE: WADLEY, WALISHA JANCESS, 12112198 Case No: 2022046547  
(APPLICANT'S NAME– LICENSE #)

|                                |                   |
|--------------------------------|-------------------|
| INITIAL APPLICATION RECEIVED:  | 9/15/2022         |
| COMPLETE APPLICATION RECEIVED: | 9/22/2022         |
| <b>90-DAY DEADLINE:</b>        | <b>12/21/2022</b> |

Cindy Ritter Casino Miami, #273 Cage Cashier/1055  
Application Processor Facility (d/b/a name) Occupation/Job Title/Lic Type

Pursuant to Section 551.107(6)(c) Conviction is defined as being found guilty, with or without adjudication of guilt, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere. Any misdemeanor conviction to include fraud and theft which are defined for purposes of slot machine gaming licensure as involving dishonesty, misrepresentation, deceit, and lack of truthful conduct in transaction with another.

| Licensing Section Review  |                         |  |              |                    |
|---|-------------------------|--|--------------|--------------------|
| Did the application accurately reflect the Criminal History Record? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No   |                         |  |              |                    |
| <b>Conviction</b>   |                         |  |              |                    |
| <input type="checkbox"/> Felony :   |                         |  |              |                    |
| <input type="checkbox"/> Misdemeanor – Gambling Related/Bookmaking  |                         |  |              |                    |
| <input type="checkbox"/> Two or more misdemeanor convictions that involve theft, fraud, or burglary   |                         |  |              |                    |
| <input type="checkbox"/> Forgery, Larceny, Theft, Extortion, Conspiracy to Defraud (Slot Combo Professions Only)  |                         |  |              |                    |
| <b>Comments:</b>  |                         |  |              |                    |
| <b>Arrest Date</b>  | <b>Location</b>         | <b>Charge</b>                                      | <b>Level</b> | <b>Disposition</b> |
| 9/19/2006   | Broward County, Florida | Theft/To Deprive<br>Case #<br>062006MM002798A88830 | M            | Adjudication W/H   |
| <b>Disposition Unknown</b>  |                         |  |              |                    |
| <input type="checkbox"/> Felony Arrest(s) :   |                         |  |              |                    |
| <input type="checkbox"/> Misdemeanor Arrest – Gambling Related/Bookmaking   |                         |  |              |                    |
| <input type="checkbox"/> Two or more misdemeanor arrests/counts that involve theft, fraud, or burglary  |                         |  |              |                    |
| <b>Comments:</b>  |                         |  |              |                    |
| <b>Enforcement/Jurisdiction Offenses</b>  |                         |  |              |                    |
| <input type="checkbox"/> Currently under Suspension, Declared Ineligible, Revoked, Denied, Ejected, Unpaid Fine, in this or any other state gaming commission, governmental department, agency, or other authority exercising regulatory jurisdiction over the gaming of another state or jurisdiction. |                         |  |              |                    |
| <b>Comments:</b>  |                         |  |              |                    |
| <b>Related Licenses</b>   |                         |  |              |                    |
| <b>Check VR License Relations to Determine if Applicant is Related to a Business</b>  |                         |  |              |                    |
| Is the individual applicant related to a business? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> 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>Comments:</b>  |                         |  |              |                    |
| <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: <u>WJ</u> <u>9/23/22</u>   |                         |  |              |                    |
| <b>Comments:</b> See next page  |                         |  |              |                    |

**Additional Comment:** The basis for forwarding this applicant to Investigations for a waiver review was based on the following citations.

**1055 – Slot Machine/Cardroom/Pari-Mutuel Wagering Individual Occupation Combination License**

**61D-14.005(1)(c)** states in part: Applicants seeking a combination occupational license shall be subject to the eligibility and licensure requirements stated in Chapters 61D-5, 61D-11, 61D-14, F.A.C., and Chapters 550 and 551 and Section 849.086, F.S.

**849.086(6)(g)** states in part: The division 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.

**61D-5.006(1)** states in part: Failure to participate in a waiver interview or to disclose any pertinent information regarding criminal convictions, or discipline by any racing jurisdiction shall result in a denial of the request for waiver.





Page 1 of 1. 0 total matches.

|                          |
|--------------------------|
| <b>Search Parameters</b> |
| Govt. Number: [REDACTED] |
| Date of Birth:           |
| First Name:              |
| Middle Name:             |
| Last Name: Wadley        |
| Sex:                     |
| Commission:              |
| License Type:            |

| Master ID | Last Name | First Name | Middle Name | SSN/Federal ID | Rulings | Birth Date | City | State |
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|

# COMPREHENSIVE CASE INFORMATION SYSTEM



POWERED BY  
CIVITEK

David.Donaldson@ccis

| UCN   | FILE DATE                                       | COUNTY  | CASE TYPE                            | STATUS                      |
|---|---|---|--------------------------------------|-----------------------------|
| 062022TR020748A88820<br>[22-020748-T20A]                | 05/10/2022                                      | BROWARD   | Traffic Infractions                  | Disposed                    |
| <b>Charge Seq#</b>                                      | <b>Statute</b>                                  | <b>Statute Text</b>                                     | <b>Date</b>                          | <b>Phase</b>                |
| 1   | 316.187   | Unlawful Speed (Requires Speeds)-Driver                 | 07/20/2022                           | Court Adjudicated Guilty    |
| <b>Name</b>   | <b>Type</b>                                     | <b>Name</b>   | <b>Type</b>                          |                             |
| CLERK, DEPUTY<br>CLERK, DEPUTY<br>STATE OF FLORIDA      | JUDGE<br>JUDGE AT DISPOSITION<br>STATE ATTORNEY | CARTER, SHAWN DRA ID#CS01143<br>WADLEY, WALISHA JANCESS | LAW ENFORCE WITNESS<br>DEFENDANT     |                             |
| 132021TR000AFIDMEE00<br>[AFIDMEE]                       | 11/29/2021                                      | MIAMI-DADE  | CIVIL INFRACTION                     | TO BE PAID                  |
| <b>Charge Seq#</b>                                      | <b>Statute</b>                                  | <b>Statute Text</b>                                     | <b>Date</b>                          | <b>Phase</b>                |
| 1   | 316.075(1)(C)1                                  | STEADY RED LIGHT,VEH/FAI/STOP-CNTY                      | 11/12/2021                           | Charged                     |
| <b>Name</b>   | <b>Type</b>                                     | <b>Name</b>   | <b>Type</b>                          |                             |
| A-HEARING-OFFICER,<br>LIGHT, RED                        | JUDGE<br>POLICE OFFICER                         | WADLEY, WALISHA JANCESS                                 | DEFENDANT                            |                             |
| 132020TR000ADWTPAE00<br>[ADWTPAE]                       | 10/27/2020                                      | MIAMI-DADE  | CIVIL INFRACTION                     | RESET FOR COURT             |
| <b>Charge Seq#</b>                                      | <b>Statute</b>                                  | <b>Statute Text</b>                                     | <b>Date</b>                          | <b>Phase</b>                |
| 1   | 316.075(1)(C)1                                  | STEADY RED LIGHT,VEH/FAI/STOP-CNTY                      | 10/01/2020                           | Charged                     |
| <b>Name</b>   | <b>Type</b>                                     | <b>Name</b>   | <b>Type</b>                          |                             |
| A-HEARING-OFFICER,<br>LIGHT, RED                        | JUDGE<br>POLICE OFFICER                         | WADLEY, WALISHA JANCESS                                 | DEFENDANT                            |                             |
| 132017TR000A84PFME00<br>[A84PFME]                       | 04/25/2017                                      | MIAMI-DADE  | CIVIL INFRACTION                     | CLOSED                      |
| <b>Charge Seq#</b>                                      | <b>Statute</b>                                  | <b>Statute Text</b>                                     | <b>Date</b>                          | <b>Phase</b>                |
| 1   | 316.075(1)(C)1                                  | STEADY RED LIGHT,VEH/FAI/STOP-CNTY                      | 04/24/2017                           | Charged                     |
| <b>Name</b>   | <b>Type</b>                                     | <b>Name</b>   | <b>Type</b>                          |                             |
| DRIVE LEGAL ADMINISTRATOR,<br>LIGHT, RED                | JUDGE<br>POLICE OFFICER                         | WADLEY, WALISHA JANCESS                                 | DEFENDANT                            |                             |
| 132016TR000A61GDIE00<br>[A61GDIE MST# A61GDIE]          | 05/09/2016                                      | MIAMI-DADE  | INFRACTION                           | CLOSED                      |
| <b>Charge Seq#</b>                                      | <b>Statute</b>                                  | <b>Statute Text</b>                                     | <b>Date</b>                          | <b>Phase</b>                |
| 1   | 316.075(1)(C)1                                  | STEADY RED LIGHT,VEH/FAI/STOP-CNTY                      | 05/05/2016                           | Charged                     |
| <b>Name</b>   | <b>Type</b>                                     | <b>Name</b>   | <b>Type</b>                          |                             |
| HAGUE, ANDREW STUART<br>LIGHT, RED                      | JUDGE<br>POLICE OFFICER                         | WADLEY, WALISHA JANCESS                                 | DEFENDANT                            |                             |
| 132016TR000A4ODNSE00<br>[A4ODNSE MST# A4ODNSE]          | 01/07/2016                                      | MIAMI-DADE  | INFRACTION                           | CLOSED                      |
| <b>Charge Seq#</b>                                      | <b>Statute</b>                                  | <b>Statute Text</b>                                     | <b>Date</b>                          | <b>Phase</b>                |
| 1   | 316.075(1)(C)1                                  | STEADY RED LIGHT,VEH/FAI/STOP-CNTY                      | 01/07/2016                           | Charged                     |
| <b>Name</b>   | <b>Type</b>                                     | <b>Name</b>   | <b>Type</b>                          |                             |
| A-HEARING-OFFICER,<br>WADLEY, WALISHA JANCESS           | JUDGE<br>DEFENDANT                              | HIDNERT, SCOTT J<br>LIGHT, RED                          | DEFENDANT ATTORNEY<br>POLICE OFFICER |                             |
| 132015TR000A3L5KLE00<br>[A3L5KLE MST# A3L5KLE]          | 12/18/2015                                      | MIAMI-DADE  | INFRACTION                           | TO BE RESET COURT           |
| <b>Charge Seq#</b>                                      | <b>Statute</b>                                  | <b>Statute Text</b>                                     | <b>Date</b>                          | <b>Phase</b>                |
| 1   | 316.075(1)(C)1                                  | STEADY RED LIGHT,VEH/FAI/STOP-CNTY                      | 01/27/2016                           |                             |
| <b>Name</b>   | <b>Type</b>                                     | <b>Name</b>   | <b>Type</b>                          |                             |
| A-HEARING-OFFICER,<br>HIDNERT, SCOTT J                  | JUDGE<br>DEFENDANT ATTORNEY                     | LIGHT, RED<br>WADLEY, WALISHA JANCESS                   | POLICE OFFICER<br>DEFENDANT          |                             |
| 062015TR065447A88840<br>[15-065447-T40A]                | 11/18/2015                                      | BROWARD   | Traffic Infractions                  | Disposed                    |
| <b>Charge Seq#</b>                                      | <b>Statute</b>                                  | <b>Statute Text</b>                                     | <b>Date</b>                          | <b>Phase</b>                |
| 1   | 316.305(3)(A)                                   | Texting While Driving                                   | 03/07/2016                           | Court Dismissed             |
| 2   | 322.34(1)                                       | License Suspended W/O Knowledge                         | 03/07/2016                           | Court Adjudication Withheld |
| 3   | 316.162(1)                                      | Careless Driving  | 03/07/2016                           | Court Adjudication Withheld |
| <b>Name</b>   | <b>Type</b>                                     | <b>Name</b>   | <b>Type</b>                          |                             |
| OFFICER, HEARING<br>TILLES, ELLEN S<br>STATE OF FLORIDA | JUDGE<br>JUDGE AT DISPOSITION<br>PLAINTIFF      | WADLEY, WALISHA JANCESS<br>HIDNERT, SCOTT JEFFREY       | DEFENDANT<br>ATTORNEY                |                             |
| 132015TR000A4OCYOE00<br>[A4OCYOE MST# A4OCYOE]          | 08/31/2015                                      | MIAMI-DADE  | INFRACTION                           | CLOSED                      |
| <b>Charge Seq#</b>                                      | <b>Statute</b>                                  | <b>Statute Text</b>                                     | <b>Date</b>                          | <b>Phase</b>                |
| 1   | 316.075(1)(C)1                                  | STEADY RED LIGHT,VEH/FAI/STOP-CNTY                      | 10/09/2015                           |                             |
| <b>Name</b>   | <b>Type</b>                                     | <b>Name</b>   | <b>Type</b>                          |                             |
| A-HEARING-OFFICER,<br>LIGHT, RED                        | JUDGE<br>POLICE OFFICER                         | HIDNERT, SCOTT J<br>WADLEY, WALISHA JANCESS             | DEFENDANT ATTORNEY<br>DEFENDANT      |                             |
| 132015TR000A4OCUYE00<br>[A4OCUYE]                       | 08/28/2015                                      | MIAMI-DADE  | CIVIL INFRACTION                     | CLOSED                      |
| <b>Charge Seq#</b>                                      | <b>Statute</b>                                  | <b>Statute Text</b>                                     | <b>Date</b>                          | <b>Phase</b>                |
| 1   | 316.075(1)(C)1                                  | STEADY RED LIGHT,VEH/FAI/STOP-CNTY                      | 10/07/2015                           |                             |
| <b>Name</b>   | <b>Type</b>                                     | <b>Name</b>   | <b>Type</b>                          |                             |
| A-HEARING-OFFICER,<br>LIGHT, RED                        | JUDGE<br>POLICE OFFICER                         | HIDNERT, SCOTT J<br>WADLEY, WALISHA JANCESS             | DEFENDANT ATTORNEY<br>DEFENDANT      |                             |
| 132015TR000A4OCQZE00<br>[A4OCQZE]                       | 08/26/2015                                      | MIAMI-DADE  | CIVIL INFRACTION                     | CLOSED                      |

| UCN   | FILE DATE  | COUNTY   | CASE TYPE                            | STATUS        |
|---|--|--|--------------------------------------|---------------|
| 132015TR000A48TP4E00<br>[A48TP4E]                                 | 07/27/2015                                       | MIAMI-DADE   | CIVIL INFRACTION                     | CLOSED        |
| Charge Seq# 1   | Statute 316.075(1)(C)1                           | Statute Text STEADY RED LIGHT,VEH/FAI/STOP-CNTY        | Date 08/26/2015                      | Phase Charged |
| Name DRIVE LEGAL ADMINISTRATOR,<br>LIGHT, RED                     | Type JUDGE<br>POLICE OFFICER                     | Name HIDNERT, SCOTT J<br>WADLEY, WALISHA JANCESS       | Type DEFENDANT ATTORNEY<br>DEFENDANT |               |
| 132015TR000A1ZZVKE00<br>[A1ZZVKE]                                 | 07/06/2015                                       | MIAMI-DADE   | CIVIL INFRACTION                     | CLOSED        |
| Charge Seq# 1   | Statute 316.075(1)(C)1                           | Statute Text STEADY RED LIGHT,VEH/FAI/STOP-CNTY        | Date 07/27/2015                      | Phase Charged |
| Name A-HEARING-OFFICER,<br>CAMERA, RED LIGHT                      | Type JUDGE<br>POLICE OFFICER                     | Name HIDNERT, SCOTT J<br>WADLEY, WALISHA JANCESS       | Type DEFENDANT ATTORNEY<br>DEFENDANT |               |
| 132015TR000A1ZZJWE00<br>[A1ZZJWE]                                 | 06/09/2015                                       | MIAMI-DADE   | CIVIL INFRACTION                     | CLOSED        |
| Charge Seq# 1   | Statute 316.075(1)(C)1                           | Statute Text STEADY RED LIGHT,VEH/FAI/STOP-CNTY        | Date 07/06/2015                      | Phase Charged |
| Name DRIVE LEGAL ADMINISTRATOR,<br>LIGHT, RED                     | Type JUDGE<br>POLICE OFFICER                     | Name HIDNERT, SCOTT J<br>WADLEY, WALISHA JANCESS       | Type DEFENDANT ATTORNEY<br>DEFENDANT |               |
| 132015TR000A12ZJWE00<br>[A12ZJWE]                                 | 06/09/2015                                       | MIAMI-DADE   | CIVIL INFRACTION                     | CLOSED        |
| Charge Seq# 1   | Statute 316.075(1)(C)1                           | Statute Text STEADY RED LIGHT,VEH/FAI/STOP-CNTY        | Date 06/08/2015                      | Phase Charged |
| Name A-HEARING-OFFICER,<br>LIGHT, RED                             | Type JUDGE<br>POLICE OFFICER                     | Name HIDNERT, SCOTT J<br>WADLEY, WALISHA JANCESS       | Type DEFENDANT ATTORNEY<br>DEFENDANT |               |
| 132015TR000A32S2SE00<br>[A32S2SE]                                 | 06/09/2015                                       | MIAMI-DADE   | CIVIL INFRACTION                     | CLOSED        |
| Charge Seq# 1   | Statute 322.34(1)                                | Statute Text DWLS UNKNOWNLY                            | Date 06/03/2015                      | Phase Charged |
| Name DRIVE LEGAL ADMINISTRATOR,<br>SIMON, LOWRIE C                | Type JUDGE<br>POLICE OFFICER                     | Name HIDNERT, SCOTT J<br>WADLEY, WALISHA JANCESS       | Type DEFENDANT ATTORNEY<br>DEFENDANT |               |
| 132015TR000A2W33FE00<br>[A2W33FE]                                 | 04/02/2015                                       | MIAMI-DADE   | CIVIL INFRACTION                     | CLOSED        |
| Charge Seq# 1   | Statute 316.189(1)                               | Statute Text SPEEDING MUNICIPAL ROAD                   | Date 03/10/2015                      | Phase Charged |
| Name DRIVE LEGAL ADMINISTRATOR,<br>MONCADA, ALEXANDER             | Type JUDGE<br>POLICE OFFICER                     | Name HIDNERT, SCOTT J<br>WADLEY, WALISHA JANCESS       | Type DEFENDANT ATTORNEY<br>DEFENDANT |               |
| 132015TR000A2W33GE00<br>[A2W33GE MST# A2W33FE]                    | 04/02/2015                                       | MIAMI-DADE   | INFRACTION COMPANION                 | CLOSED        |
| Charge Seq# 1   | Statute 316.646(1)                               | Statute Text PROOF OF INSURANCE REQUIRED               | Date 03/10/2015                      | Phase Charged |
| Name A-HEARING-OFFICER,<br>MONCADA, ALEXANDER                     | Type JUDGE<br>POLICE OFFICER                     | Name WADLEY, WALISHA JANCESS                           | Type DEFENDANT                       |               |
| 132015DR000581A00104<br>[2015-000581-FC-04]                       | 01/09/2015                                       | MIAMI-DADE   | Domestic Violence W/children         | Closed        |
| Name SENIOR JUDGE<br>CANNAVA, DONALD JAMES JR.<br>WADLEY, WALISHA | Type JUDGE<br>JUDGE AT DISPOSITION<br>PETITIONER | Name HOLMES, JAMES<br>HOLMES, JAN'YLA<br>HOLMES, JAMAR | Type DEFENDANT<br>CHILD<br>CHILD     |               |
| 132014TR000A011EKP00<br>[A011EKP MST# A011EKP]                    | 10/09/2014                                       | MIAMI-DADE   | INFRACTION                           | CLOSED        |
| Charge Seq# 1   | Statute 316.183(4)(E)                            | Statute Text UNLAWFUL SPEED                            | Date 11/11/2014                      | Phase         |
| Name A-HEARING-OFFICER,<br>HIDNERT, SCOTT J                       | Type JUDGE<br>DEFENDANT ATTORNEY                 | Name WHORLEY, SHENA<br>WADLEY, WALISHA JANCESS         | Type POLICE OFFICER<br>DEFENDANT     |               |
| 132014TR000A1G9UQE00<br>[A1G9UQE MST# A1G9URE]                    | 08/27/2014                                       | MIAMI-DADE   | INFRACTION COMPANION                 | CLOSED        |
| Charge Seq# 1   | Statute 316.2953                                 | Statute Text SIDE WINDOWS-RESTRICTION ON SUNSCRN       | Date 07/09/2014                      | Phase Charged |
| Name CAPOTE-ERBEN, BETTY<br>ALEDDA, JONATHON                      | Type JUDGE<br>POLICE OFFICER                     | Name WADLEY, WALISHA JANCESS                           | Type DEFENDANT                       |               |
| 132014CT000A1G9URE00<br>[A1G9URE MST# A1G9URE]                    | 08/27/2014                                       | MIAMI-DADE   | CRIMINAL                             | CLOSED        |
| Charge Seq# 1   | Statute 322.34(2)                                | Statute Text DWLS "KNOWING OF VIOLATION"               | Date 07/08/2014                      | Phase Charged |
| Name CAPOTE-ERBEN, BETTY<br>ALEDDA, JONATHON                      | Type JUDGE<br>POLICE OFFICER                     | Name WADLEY, WALISHA JANCESS                           | Type DEFENDANT                       |               |
| 132014TR000A1G9UQE00<br>[A1G9UQE MST# A1G9URE]                    | 08/27/2014                                       | MIAMI-DADE   | INFRACTION COMPANION                 | CLOSED        |

| UCN  | FILE DATE              | COUNTY   | Case TYPE               | STATUS           |
|--|------------------------|--|-------------------------|------------------|
| Charge Seq# 1                                  | Statute 316.646(1)     | Statute Text PROOF OF INSURANCE REQUIRED       | Date 07/08/2014         | Phase Charged    |
| Name CAPOTE-ERBEN, BETTY                       | Type JUDGE             | Name WADLEY, WALISHA JANCESS                   | Type DEFENDANT          |                  |
| Name ALEDDA, JONATHON                          | Type POLICE OFFICER    |  |                         |                  |
| 132014TR000A1G9UNE00<br>[A1G9UNE MST# A1G9UNE] | 08/27/2014             | MIAMI-DADE                                     | INFRACTION COMPANION    | CLOSED           |
| Charge Seq# 1                                  | Statute 320.07(3)(B)   | Statute Text REGIST EXPIRED MORE THAN 6 MONTHS | Date 07/08/2014         | Phase Charged    |
| Name CAPOTE-ERBEN, BETTY                       | Type JUDGE             | Name WADLEY, WALISHA JANCESS                   | Type DEFENDANT          |                  |
| Name ALEDDA, JONATHON                          | Type POLICE OFFICER    |  |                         |                  |
| 132014TR000A1G9UPE00<br>[A1G9UPE MST# A1G9UPE] | 08/27/2014             | MIAMI-DADE                                     | INFRACTION COMPANION    | CLOSED           |
| Charge Seq# 1                                  | Statute 320.0605       | Statute Text NO REGISTRATION CERTIFICATE       | Date 07/08/2014         | Phase Charged    |
| Name CAPOTE-ERBEN, BETTY                       | Type JUDGE             | Name WADLEY, WALISHA JANCESS                   | Type DEFENDANT          |                  |
| Name ALEDDA, JONATHON                          | Type POLICE OFFICER    |  |                         |                  |
| 132014TR000A11HCOP00<br>[A11HCOP MST# A11HCOP] | 06/17/2014             | MIAMI-DADE                                     | INFRACTION COMPANION    | CLOSED           |
| Charge Seq# 1                                  | Statute 320.07(3)(B)   | Statute Text REGIST EXPIRED MORE THAN 6 MONTHS | Date 06/10/2014         | Phase Charged    |
| Name CAPOTE-ERBEN, BETTY                       | Type JUDGE             | Name WADLEY, WALISHA JANCESS                   | Type DEFENDANT          |                  |
| Name JACKSON, ORLARRY S                        | Type POLICE OFFICER    |  |                         |                  |
| 132014CT000A11HCPP00<br>[A11HCPP MST# A11HCPP] | 06/17/2014             | MIAMI-DADE                                     | CRIMINAL                | CLOSED           |
| Charge Seq# 1                                  | Statute 322.34(2)      | Statute Text DWLS "KNOWING OF VIOLATION"       | Date 08/10/2014         | Phase Charged    |
| Name CAPOTE-ERBEN, BETTY                       | Type JUDGE             | Name WADLEY, WALISHA JANCESS                   | Type DEFENDANT          |                  |
| Name JACKSON, ORLARRY S                        | Type POLICE OFFICER    |  |                         |                  |
| 132014TR000A0YBV4E00<br>[A0YBV4E MST# A0YBV3E] | 04/04/2014             | MIAMI-DADE                                     | INFRACTION COMPANION    | CLOSED           |
| Charge Seq# 1                                  | Statute 316.613(1)(A)  | Statute Text VIO CHILD RESTRAINT REQUIREMENT   | Date 03/10/2014         | Phase Charged    |
| Name MILLER, DAVID CRAIG                       | Type JUDGE             | Name WADLEY, WALISHA JANCESS                   | Type DEFENDANT          |                  |
| Name VITALE, ANTHONY                           | Type POLICE OFFICER    |  |                         |                  |
| 132014CT000A0YBV3E00<br>[A0YBV3E]              | 04/04/2014             | MIAMI-DADE                                     | CRIMINAL TRAFFIC        | D6 TO TALLAHASSE |
| Charge Seq# 1                                  | Statute 322.34(2)      | Statute Text DWLS "KNOWING OF VIOLATION"       | Date 05/31/2022         | Phase            |
| Name DRIVE LEGAL ADMINISTRATOR,                | Type JUDGE             | Name WADLEY, WALISHA JANCESS                   | Type DEFENDANT          |                  |
| Name VITALE, ANTHONY                           | Type POLICE OFFICER    |  |                         |                  |
| 132014TR000A0YBV2E00<br>[A0YBV2E MST# A0YBV3E] | 04/04/2014             | MIAMI-DADE                                     | INFRACTION COMPANION    | CLOSED           |
| Charge Seq# 1                                  | Statute 320.07(3)(A)   | Statute Text REGIST EXPIRED LESS THAN 6 MONTHS | Date 03/10/2014         | Phase Charged    |
| Name MILLER, DAVID CRAIG                       | Type JUDGE             | Name WADLEY, WALISHA JANCESS                   | Type DEFENDANT          |                  |
| Name VITALE, ANTHONY                           | Type POLICE OFFICER    |  |                         |                  |
| 132014TR0001079LCL00<br>[1079LCL MST# 1079LCL] | 02/10/2014             | MIAMI-DADE                                     | INFRACTION              | CLOSED           |
| Charge Seq# 1                                  | Statute 316.075(1)(C)1 | Statute Text STEADY RED LIGHT,VEH/FA/STOP-CNTY | Date 02/10/2014         | Phase Charged    |
| Name A-HEARING-OFFICER,                        | Type JUDGE             | Name HIDNERT, SCOTT J                          | Type DEFENDANT ATTORNEY |                  |
| Name LIGHT, RED                                | Type POLICE OFFICER    | Name WADLEY, WALISHA JANCESS                   | Type DEFENDANT          |                  |
| 132013TR0009839LCK00<br>[9839LCK MST# 9839LCK] | 10/31/2013             | MIAMI-DADE                                     | INFRACTION              | CLOSED           |
| Charge Seq# 1                                  | Statute 318.075(1)(C)1 | Statute Text STEADY RED LIGHT,VEH/FA/STOP-CNTY | Date 10/31/2013         | Phase Charged    |
| Name A-HEARING-OFFICER,                        | Type JUDGE             | Name HIDNERT, SCOTT J                          | Type DEFENDANT ATTORNEY |                  |
| Name LIGHT, RED                                | Type POLICE OFFICER    | Name WADLEY, WALISHA JANCESS                   | Type DEFENDANT          |                  |
| 132013CT0006899WNG00<br>[6899WNG MST# 6899WNG] | 10/08/2013             | MIAMI-DADE                                     | CRIMINAL                | CLOSED           |
| Charge Seq# 1                                  | Statute 322.34(2)      | Statute Text DWLS "KNOWING OF VIOLATION"       | Date 09/25/2013         | Phase Charged    |
| Name CAPOTE-ERBEN, BETTY                       | Type JUDGE             | Name WADLEY, WALISHA JANCESS                   | Type DEFENDANT          |                  |
| Name COBB, DAVID O                             | Type POLICE OFFICER    |  |                         |                  |
| 132013TR0006895WNG00<br>[6895WNG MST# 6895WNG] | 10/08/2013             | MIAMI-DADE                                     | INFRACTION COMPANION    | CLOSED           |

| UCN   | FILE DATE  | COUNTY     | Case TYPE            | STATUS   |
|---|--|------------|----------------------|----------|
| Charge Seq# 1<br>Statute 316.123(2)(A)<br>Statute Text RAN STOP SIGN<br>Date 09/25/2013<br>Phase Charged                  |  |            |                      |          |
| Name Type<br>CAPOTE-ERBEN, BETTY JUDGE<br>COBB, DAVID O POLICE OFFICER  | Name Type<br>WADLEY, WALISHA JANCESS<br>DEFENDANT  |            |                      |          |
| 132013TR0006898WNG00<br>[6898WNG MST# 6898WNG]  | 10/08/2013   | MIAMI-DADE | INFRACTION COMPANION | CLOSED   |
| Charge Seq# 1<br>Statute 322.15(1)<br>Statute Text DRIVER LICENSE<br>Date 09/25/2013<br>Phase Charged                     |  |            |                      |          |
| Name Type<br>CAPOTE-ERBEN, BETTY JUDGE<br>COBB, DAVID O POLICE OFFICER  | Name Type<br>WADLEY, WALISHA JANCESS<br>DEFENDANT  |            |                      |          |
| 132013TR0006896WNG00<br>[6896WNG MST# 6896WNG]  | 10/08/2013   | MIAMI-DADE | INFRACTION COMPANION | CLOSED   |
| Charge Seq# 1<br>Statute 320.0605<br>Statute Text NO REGISTRATION CERTIFICATE<br>Date 09/25/2013<br>Phase Charged         |  |            |                      |          |
| Name Type<br>CAPOTE-ERBEN, BETTY JUDGE<br>COBB, DAVID O POLICE OFFICER  | Name Type<br>WADLEY, WALISHA JANCESS<br>DEFENDANT  |            |                      |          |
| 132013TR0006897WNG00<br>[6897WNG MST# 6897WNG]  | 10/08/2013   | MIAMI-DADE | INFRACTION COMPANION | CLOSED   |
| Charge Seq# 1<br>Statute 316.648(1)<br>Statute Text PROOF OF INSURANCE REQUIRED<br>Date 09/25/2013<br>Phase Charged       |  |            |                      |          |
| Name Type<br>CAPOTE-ERBEN, BETTY JUDGE<br>COBB, DAVID O POLICE OFFICER  | Name Type<br>WADLEY, WALISHA JANCESS<br>DEFENDANT  |            |                      |          |
| 062013TR002068A88810<br>[13-002068-T110A]   | 01/14/2013   | BROWARD    | Traffic Infractions  | Disposed |
| Charge Seq# 1<br>Statute 316.074(1)<br>Statute Text Fail To Obey Traffic Sign<br>Date 10/28/2014<br>Phase Court Dismissed |  |            |                      |          |
| Name Type<br>OFFICER, HEARING JUDGE<br>UNKNOWN JUDGE AT DISPOSITION<br>STATE OF FLORIDA PLAINTIFF                         | Name Type<br>AKERS, DAVID ID#WM00102 LAW ENFORCE WITNESS<br>WADLEY, WALISHA JANCESS DEFENDANT<br>HIDNERT, SCOTT JEFFREY ATTORNEY |            |                      |          |
| 062012TR171727A88830<br>[12-171727-T130A]   | 12/20/2012   | BROWARD    | Traffic Infractions  | Disposed |
| Charge Seq# 1<br>Statute 316.0895(1)<br>Statute Text Following Too Closely<br>Date 09/22/2014<br>Phase Court Dismissed    |  |            |                      |          |
| Charge Seq# 2<br>Statute 316.0895(1)<br>Statute Text Following Too Closely<br>Date 09/22/2014<br>Phase Court Dismissed    |  |            |                      |          |
| Name Type<br>OFFICER, HEARING JUDGE<br>ROWLEY, CHARLES S JR. JUDGE AT DISPOSITION<br>STATE OF FLORIDA PLAINTIFF           | Name Type<br>WADLEY, WALISHA JANCESS DEFENDANT<br>HIDNERT, SCOTT JEFFREY ATTORNEY  |            |                      |          |
| 132012TR0000560YVB00<br>[0560YVB MST# 0560YVB]  | 12/17/2012   | MIAMI-DADE | INFRACTION           | CLOSED   |
| Charge Seq# 1<br>Statute 316.100(1)<br>Statute Text FAILURE TO PAY REQUIRED TOLL<br>Date 11/06/2012<br>Phase Charged      |  |            |                      |          |
| Name Type<br>A-HEARING-OFFICER, JUDGE<br>HIDNERT, SCOTT J DEFENDANT ATTORNEY  | Name Type<br>OFFICER, MDX TOLL ENFORCE POLICE OFFICER<br>WADLEY, WALISHA JANCESS DEFENDANT                                       |            |                      |          |
| 132010CT0000957FSI00<br>[0957FSI MST# 0957FSI]  | 06/17/2010   | MIAMI-DADE | CRIMINAL             | CLOSED   |
| Charge Seq# 1<br>Statute 322.34(2)<br>Statute Text DWLS "KNOWING OF VIOLATION"<br>Date 05/24/2010<br>Phase Charged        |  |            |                      |          |
| Name Type<br>KRIEGER-MARTIN, LUISE JUDGE<br>ALVARADO, TEDDY L POLICE OFFICER  | Name Type<br>MASSI, LEONARD J POLICE OFFICER<br>WADLEY, WALISHA JANCESS DEFENDANT  |            |                      |          |
| 132010CT0001601GIJ00<br>[1601GIJ MST# 1601GIJ]  | 06/09/2010   | MIAMI-DADE | CRIMINAL             | CLOSED   |
| Charge Seq# 1<br>Statute 322.34(2)<br>Statute Text DWLS "KNOWING OF VIOLATION"<br>Date 05/17/2010<br>Phase Charged        |  |            |                      |          |
| Name Type<br>SCHWARTZ, SHELDON R. JUDGE<br>JACKSON, WANDA K POLICE OFFICER  | Name Type<br>WADLEY, WALISHA JANCESS DEFENDANT   |            |                      |          |
| 132010CT0006916GIH00<br>[6916GIH MST# 6916GIH]  | 06/09/2010   | MIAMI-DADE | CRIMINAL             | CLOSED   |
| Charge Seq# 1<br>Statute 322.34(2)<br>Statute Text DWLS "KNOWING OF VIOLATION"<br>Date 04/27/2010<br>Phase Charged        |  |            |                      |          |
| Name Type<br>SCHWARTZ, SHELDON R. JUDGE<br>FERNANDEZ, RAUL POLICE OFFICER   | Name Type<br>WADLEY, WALISHA JANCESS DEFENDANT   |            |                      |          |
| 132009CT0007391SMV00<br>[7391SMV MST# 7391SMV]  | 11/18/2009   | MIAMI-DADE | CRIMINAL             | CLOSED   |
| Charge Seq# 1<br>Statute 322.34(2)(A)<br>Statute Text DWLS "KNOWING OF VIOLATION"<br>Date 10/31/2009<br>Phase Charged     |  |            |                      |          |
| Name Type<br>FERNANDEZ, JOSE LUIS JUDGE<br>BOYKINS, EUGENE POLICE OFFICER   | Name Type<br>WADLEY, WALISHA JANCESS DEFENDANT   |            |                      |          |
| 132009TR0004371FOA00<br>[4371FOA MST# 4371FOA]  | 09/28/2009   | MIAMI-DADE | INFRACTION           | CLOSED   |

| UCN  | FILE DATE                 | COUNTY                                     | CASE TYPE               | STATUS                            |
|--|---------------------------|--|-------------------------|-----------------------------------|
| Charge Seq# 1                                  | Statute 322.34(1)         | Statute Text DWLS UNKNOWINGLY              | Date 09/12/2009         | Phase Charged                     |
| Name A-HEARING-OFFICER, GARCIA, JORGE          | Type JUDGE                | Name HIDNERT, SCOTT J                      | Type DEFENDANT ATTORNEY | DEFENDANT                         |
| Name POLICE OFFICER                            | Type                      | Name WADLEY, WALISHA JANCESS               | Type                    | DEFENDANT                         |
| 132009TR0004370FQA00<br>[4370FQA MST# 4371FGA] | 09/28/2009                | MIAMI-DADE                                 | INFRACTION COMPANION    | CLOSED                            |
| Charge Seq# 1                                  | Statute 316.610           | Statute Text OP VEH UNSAFE CONDITION       | Date 09/12/2009         | Phase Charged                     |
| Name A-HEARING-OFFICER, GARCIA, JORGE          | Type JUDGE                | Name WADLEY, WALISHA JANCESS               | Type DEFENDANT          |                                   |
| Name POLICE OFFICER                            | Type                      | Name                                       | Type                    |                                   |
| 132009TR0008212FOF00<br>[8212FOF MST# 6212FOF] | 04/23/2009                | MIAMI-DADE                                 | INFRACTION              | CLOSED                            |
| Charge Seq# 1                                  | Statute 316.0765          | Statute Text VIOL LANE CONTROL SIGNALS     | Date 04/20/2009         | Phase Charged                     |
| Name A-HEARING-OFFICER, HIDNERT, SCOTT J       | Type JUDGE                | Name JAMES, LUWANI                         | Type POLICE OFFICER     |                                   |
| Name DEFENDANT ATTORNEY                        | Type                      | Name WADLEY, WALISHA JANCESS               | Type DEFENDANT          |                                   |
| 132008CT0004623FZG00<br>[4623FZG MST# 4623FZG] | 04/28/2008                | MIAMI-DADE                                 | CRIMINAL                | CLOSED                            |
| Charge Seq# 1                                  | Statute 322.03(1)         | Statute Text NO DRIVER LICENSE             | Date 04/26/2008         | Phase Charged                     |
| Name SLOM, SAMUEL JOSEPH                       | Type JUDGE                | Name KILLEN, ROBERT J                      | Type POLICE OFFICER     |                                   |
| Name HENRY, LOUISE VILETA                      | Type WITNESS              | Name WADLEY, WALISHA JANCESS               | Type DEFENDANT          |                                   |
| Name COUCH, LATASHA                            | Type WITNESS              | Name                                       | Type                    |                                   |
| 132008TR0004625FZG00<br>[4625FZG MST# 4623FZG] | 04/28/2008                | MIAMI-DADE                                 | INFRACTION COMPANION    | CLOSED                            |
| Charge Seq# 1                                  | Statute 316.089           | Statute Text IMPROPER LANE USAGE           | Date 04/26/2008         | Phase Charged                     |
| Name SLOM, SAMUEL JOSEPH                       | Type JUDGE                | Name WADLEY, WALISHA JANCESS               | Type DEFENDANT          |                                   |
| Name KILLEN, ROBERT J                          | Type POLICE OFFICER       | Name                                       | Type                    |                                   |
| 062008CT026879A88840<br>[08-026879-TC40A]      | 03/29/2008                | BROWARD                                    | Traffic Criminal        | Disposed                          |
| Charge Seq# 1                                  | Statute 322.15(1)         | Statute Text License Not Carried Exhibited | Date 07/10/2008         | Phase Court:Adjudication Withheld |
| Name UNKNOWN                                   | Type JUDGE                | Name STATE OF FLORIDA                      | Type PLAINTIFF          |                                   |
| Name BELLER, ERIC MARC                         | Type JUDGE AT DISPOSITION | Name WADLEY, WALISHA JANCESS               | Type DEFENDANT          |                                   |
| 062006MM002798A88830<br>[06-002798-4MM30A]     | 10/23/2006                | BROWARD                                    | Misdemeanor             | Disposed                          |
| Charge Seq# 1                                  | Statute 812.014(1)(a)     | Statute Text Theft/To Deprive              | Date 11/07/2006         | Phase Court:Adjudication Withheld |
| Name FELD, ELLEN WA                            | Type JUDGE                | Name State of Florida                      | Type STATE ATTORNEY     |                                   |
| Name SHUTTER, STEVEN GARY                      | Type JUDGE AT DISPOSITION | Name WADLEY, WALISHA J                     | Type DEFENDANT          |                                   |

DD 11/03/2022

1126

# COMPREHENSIVE CASE INFORMATION SYSTEM

Brenda D. Forman, Clerk of the Circuit and County Court  
BROWARD COUNTY



david.donaldson@fgcc

Expand All

| Case Number                               | Filed Date | Disposition Date | County  | Case Type   | Status   | Contested |
|---|------------|------------------|---------|-------------|----------|-----------|
| 062006MM002798A88830<br>[06-002798-MM30A] | 10/23/2006 | 11/07/2006       | BROWARD | Misdemeanor | Disposed | No        |

| Charge Seq #           | Description           | Date       | Phase                       | Trial                            |
|------------------------|-----------------------|------------|-----------------------------|----------------------------------|
| 1                      | Theft/To Deprive      | 11/07/2006 | Court/Adjudication Withheld | No Trial                         |
| Date                   |                       | Action     |                             | Statute / Text                   |
| Offense: 09/19/2006    | Trial: No Trial       |            |                             |                                  |
| Prosecutor: 10/23/2006 | Filed                 |            |                             | §12.014(1)(a) / Theft/To Deprive |
| Court: 11/07/2006      | Adjudication Withheld |            |                             | §12.014(1)(e) / Theft/To Deprive |

| Party Name           | Party Type           | Attorney | Bar ID |
|----------------------|----------------------|----------|--------|
| FELD, ELLEN WA       | JUDGE                |          |        |
| SHUTTER, STEVEN GARY | JUDGE AT DISPOSITION |          |        |
| State of Florida     | STATE ATTORNEY       |          |        |
| WADLEY, WALISHA J    | DEFENDANT            |          |        |

**Dockets**

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| Image | Doc # | Action Date | Description                                 | Pages |
|-------|-------|-------------|---|-------|
|       | 8     | 10/11/2021  | Sent To Law Firm For Collections Linebarger |       |
|       | 7     | 10/05/2021  | Collection Agency/Waive Fee                 |       |
|       | 6     | 03/01/2015  | Sent To Law Firm For Collections Linebarger |       |
|       | 5     | 03/01/2015  | CTS_Current Due Count(s):< 001 >            |       |
|       | 4     | 10/30/2011  | Sent To Law Firm For Collections            |       |
|       | 3     | 09/20/2011  | Court Defer/60 Days Past Due \$263.00       |       |
|       | 2     | 08/21/2011  | Court Defer/30 Days Past Due \$283.00       |       |
|       | 1     | 07/22/2011  | D6/ Fin DEDATE= Count(s):< 001 >            |       |

**Judge Assignment History**

**Court Events**

**Sentences**

**Financial Summary**

| Financial Summary |                 |                      |                       |
|-------------------|-----------------|----------------------|-----------------------|
| Assessment        | Total: \$349.79 | Paid to Date: \$0.00 | Balance Due: \$349.79 |
| Restitution       | Total: \$0.00   | Paid to Date: \$0.00 | Balance Due: \$0.00   |

| Financial Details |                |                         |                 |                          |                   |
|-------------------|----------------|-------------------------|-----------------|--------------------------|-------------------|
| Count             | Assessment Due | Assessment Paid to Date | Restitution Due | Restitution Paid to Date | Last Payment Date |
| 1                 | \$349.79       | \$0.00                  | \$0.00          | \$0.00                   |                   |

This information reflects the financial obligations shown on the Florida Comprehensive Case Information System (CCIS) for THIS CASE ONLY. For the current balances of your financial obligations, you should contact the Clerk of the Court in the county where the financial obligation was imposed. Nothing in CCIS alters any financial obligation imposed by a court.

**Reopen History**



# BRENDA D. FORMAN CLERK OF THE COURTS

browardclerk.org ■ BROWARD COUNTY, FLORIDA



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## Case Detail - Public

Print

### State of Florida Vs. Wadley, Walisha J

**Broward County Case Number:** 06002798MM30A  
**State Reporting Number:** 062006MM002798A88830  
**Court Type:** Traffic and Misdemeanor  
**Case Type:** Misdemeanor  
**Filing Date:** 10/23/2006  
**Case Status:** Disposed  
**Court Location:** West Courthouse  
**Judge ID / Name:** WA Feld, Ellen  
**Magistrate Id / Name:** N/A  
**BCCN:** N/A

### - Party(ies)

Total: 2

| Party Type | Party Name   | Address                             | Attorneys / Address<br>★ Denotes Lead Attorney |
|------------|--|-------------------------------------|--|
| Defendant  | <b>Wadley, Walisha J</b>   | 10450 SW 17 Ct<br>Miramar, FL 33025 |  |
|            | <b>Gender:</b> Female<br><b>Race:</b> Black<br><b>Height:</b> 5'5"<br><b>DOB:</b> <span style="background-color: black; color: black;">XXXXXXXXXX</span> |                                     |  |
| State      | <b>State of Florida</b>  |                                     |  |

### - Charge(s)

Total: 1



| Offense Date | Charge | Degree | Detail   |
|--------------|--------|--------|--|
| 09/19/2006   | 1      | (M1)   | <b>Theft/To Deprive</b><br>Date Filed: 09/19/2006<br>Current Statute: (M1)812.014(1)(a)<br>Filing Type: SAO Information- Not In Custody<br>Filing Agency: Sunrise PD<br>Original Statute: (M1)812.014(1)(a)-Theft/To Deprive |

|  |                 |
|--|-----------------|
| <b>- Warrant(s)</b>                                      | <b>Total: 0</b> |
| There is no Warrant information available for this case. |                 |

|   |                 |
|---|-----------------|
| <b>- Bond(s)</b>                                      | <b>Total: 0</b> |
| There is no Bond information available for this case. |                 |

|   |                 |
|---|-----------------|
| <b>- Arrest(s)</b>                                      | <b>Total: 0</b> |
| There is no Arrest information available for this case. |                 |

| <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>09/19/2006</td> <td>1</td> <td> <b>Plea(s)</b><br/>           11/07/2006 <b>Plea</b><br/>           Arraignment / Nolo Contendere<br/><br/> <b>Disposition(s)</b><br/>           11/07/2006 <b>Disposition</b><br/>           Adjudication Withheld<br/><br/> <b>Sentence(s)</b><br/>           11/07/2006 <b>Sentence</b> (Judicial Officer(s): Shutter, Steven G)<br/>           Comment (Docketrac Sentence Record Note: \$75 Credit Blood Donation )         </td> </tr> </tbody> </table> | Offense Date    | Charge   | Disposition(s) | 09/19/2006 | 1 | <b>Plea(s)</b><br>11/07/2006 <b>Plea</b><br>Arraignment / Nolo Contendere<br><br><b>Disposition(s)</b><br>11/07/2006 <b>Disposition</b><br>Adjudication Withheld<br><br><b>Sentence(s)</b><br>11/07/2006 <b>Sentence</b> (Judicial Officer(s): Shutter, Steven G)<br>Comment (Docketrac Sentence Record Note: \$75 Credit Blood Donation ) |  |
| Offense Date   | Charge          | Disposition(s)   |                |            |   |  |  |
| 09/19/2006   | 1               | <b>Plea(s)</b><br>11/07/2006 <b>Plea</b><br>Arraignment / Nolo Contendere<br><br><b>Disposition(s)</b><br>11/07/2006 <b>Disposition</b><br>Adjudication Withheld<br><br><b>Sentence(s)</b><br>11/07/2006 <b>Sentence</b> (Judicial Officer(s): Shutter, Steven G)<br>Comment (Docketrac Sentence Record Note: \$75 Credit Blood Donation ) |                |            |   |  |  |

| <b>- Collection(s)</b>   | <b>Total: 1</b> |                 |                      |                      |                   |                    |                    |                     |                     |                     |                     |  |  |  |  |  |  |  |  |  |  |  |  |
|--|-----------------|-----------------|----------------------|----------------------|-------------------|--------------------|--------------------|---------------------|---------------------|---------------------|---------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| <table border="1"> <thead> <tr> <th>Collection Date</th> <th>Charge</th> <th>Citation Number</th> <th>Total Imposed Amount</th> <th>Total Amount Due</th> <th>Total Amount Paid</th> <th>Current Amount Due</th> <th>Last Payment Date</th> <th>Last Payment Amount</th> <th>Next Payment Date</th> <th>Next Payment Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> | 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 |  |  |  |  |  |  |  |  |  |  |  |  |
| 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 |                     |  |  |  |  |  |  |  |  |  |  |  |  |
|  |                 |                 |                      |                      |                   |                    |                    |                     |                     |                     |                     |  |  |  |  |  |  |  |  |  |  |  |  |

| 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 |
|-----------------|--------|-----------------|----------------------|------------------|-------------------|--------------------|-------------------|---------------------|-------------------|---------------------|
| 10/11/2021      | 1      |                 | \$263.00             | \$349.79         | \$0.00            | \$349.79           | -                 | \$0.00              | 07/22/2011        | \$349.79            |

**- Event(s) & Document(s)** Total: 7

| Date       | Description                             | Additional Text              | View | Pages |
|------------|---|------------------------------|------|-------|
| 10/11/2021 | <b>Sent To Law Firm For Collections</b> | Linebarger                   |      |       |
| 10/05/2021 | <b>Collection Agency/Waive Fee</b>      |                              |      |       |
| 03/01/2015 | <b>Sent To Law Firm For Collections</b> | Linebarger                   |      |       |
| 10/30/2011 | <b>Sent To Law Firm For Collections</b> |                              |      |       |
| 09/20/2011 | <b>Court Defer/60 Days Past Due</b>     | \$263.00<br>Amount: \$263.00 |      |       |
| 08/21/2011 | <b>Court Defer/30 Days Past Due</b>     | \$263.00                     |      |       |
| 07/22/2011 | <b>D6/ Fin</b>                          | DEDATE= Count(s);< 001 >     |      |       |

**- Hearing(s)** Total: 1

| Date       | Description        | Additional Text   |
|------------|--------------------|---|
| 11/07/2006 | <b>Arraignment</b> | Hearing Time: 9:00 AM<br>Judicial Officer(s):null<br>Location: null<br><i>Div:WA Judge:WA Room:0240</i> |

**- Related Case(s)** Total: 0

There is no related case information available for this case.

Brenda D. Forman

Clerk of Court

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Phone: (954) 831-6565

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*DD* 11/03/2022

1131



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## Case Detail - Public

Print

### State of Florida Vs. Wadley, Walisha J

**Broward County Case Number:** 06002798MM30A  
**State Reporting Number:** 062006MM002798A88830  
**Court Type:** Traffic and Misdemeanor  
**Case Type:** Misdemeanor  
**Filing Date:** 10/23/2006  
**Case Status:** Disposed  
**Court Location:** West Courthouse  
**Judge ID / Name:** WA Feld, Ellen`  
**Magistrate Id / Name:** N/A  
**BCCN:** N/A

#### - Party(ies)

Total: 2

| Party Type | Party Name   | Address                             | Attorneys / Address<br>Denotes Lead Attorney |
|------------|--|-------------------------------------|--|
| Defendant  | <b>Wadley, Walisha J</b><br><br>Gender: Female<br>Race: Black<br>Height: 5'5"<br>DOB: <span style="background-color: black; color: black;">[REDACTED]</span> | 10450 SW 17 Ct<br>Miramar, FL 33025 |  |
| State      | State of Florida   |                                     |  |

#### - Charge(s)

EXHIBIT # 2 Total: 1  
PAGE # 1

| Offense Date | Charge | Degree | Detail   |
|--------------|--------|--------|--|
| 09/19/2006   | 1      | (M1)   | <b>Theft/To Deprive</b><br>Date Filed: 09/19/2006<br>Current Statute: (M1)812.014(1)(a)<br>Filing Type: SAO Information- Not In Custody<br>Filing Agency: Sunrise PD<br>Original Statute: (M1)812.014(1)(a)-Theft/To Deprive |

**- 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: 0

There is no Arrest information available for this case.

**- Disposition(s)** Total: 1

| Offense Date | Charge | Disposition(s)  |
|--------------|--------|---|
| 09/19/2006   | 1      | <b>Plea(s)</b><br>11/07/2006 Plea<br>Arraignment / Nolo Contendere<br><br><b>Disposition(s)</b><br>11/07/2006 Disposition<br>Adjudication Withheld<br><br><b>Sentence(s)</b><br>11/07/2006 Sentence (Judicial Officer(s): Shutter, Steven G)<br>Comment (Docketrac Sentence Record Note: \$75 Credit Blood Donation ) |

**- Collection(s)** Total: 1

**EXHIBIT # 2**  
**PAGE # 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 |
|-----------------|--------|-----------------|----------------------|------------------|-------------------|--------------------|-------------------|---------------------|-------------------|---------------------|
|                 |        |                 |                      |                  |                   |                    |                   |                     |                   |                     |

| 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 |
|-----------------|--------|-----------------|----------------------|------------------|-------------------|--------------------|-------------------|---------------------|-------------------|---------------------|
| 10/11/2021      | 1      |                 | \$263.00             | \$349.79         | \$0.00            | \$349.79           | -                 | \$0.00              | 07/22/2011        | \$349.79            |

- Event(s) & Document(s)

Total: 7

| Date       | Description                      | Additional Text              | View | Pages |
|------------|----------------------------------|------------------------------|------|-------|
| 10/11/2021 | Sent To Law Firm For Collections | Linebarger                   |      |       |
| 10/05/2021 | Collection Agency/Waive Fee      |                              |      |       |
| 03/01/2015 | Sent To Law Firm For Collections | Linebarger                   |      |       |
| 10/30/2011 | Sent To Law Firm For Collections |                              |      |       |
| 09/20/2011 | Court Defer/60 Days Past Due     | \$263.00<br>Amount: \$263.00 |      |       |
| 08/21/2011 | Court Defer/30 Days Past Due     | \$263.00                     |      |       |
| 07/22/2011 | D6/ Fin                          | DEDATE= Count(s):< 001 >     |      |       |

- Hearing(s)

Total: 1

| Date       | Description | Additional Text  |
|------------|-------------|--|
| 11/07/2006 | Arrestment  | Hearing Time: 9:00 AM<br>Judicial Officer(s):null<br>Location: null<br><br>Div:WA Judge:WA Room:0240 |

- Related Case(s)

Total: 0

There is no related case information available for this case.

Brenda D. Forman

Clerk of Court

EXHIBIT # 2  
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Broward County  
17th Judicial Circuit

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**EXHIBIT # 2**  
**PAGE # 4**



**BRENDA D. FORMAN**  
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Filter these Results:

Select Search Filter

Search Text:

Search Text

Filter

Reset

| Case Number  | Case Style  | Case Type                                    | Filing Date | Case Status      | Access Level |
|--|---|--|-------------|------------------|--------------|
| COCE07021180<br>(/Web2/CaseSearch?caseid=MTc2NTI5N1bPpdIN2My4%3d...) | Fairfield Pembroke Village LI<br>Plaintiff vs. Kendrella Seymour, et al Defendant | * Removal of Tenant + -<br>Removal of Tenant | 12-27-2007  | Reopened -<br>CV | ANONYMO...   |
| 06002798MM30A<br>(/Web2/CaseSearch?caseid=MzgxNDM2hhWk9bwd9M4%3d...) | State of Florida Vs. Wadley,<br>Walisha J   | Misdemeanor                                  | 10-23-2006  | sed              | ANONYMO...   |
| 08026879TC40A<br>(/Web2/CaseSearch?caseid=NDAwODk0e3wiv9ETRW4%3d...) | State of Florida Vs. Wadley,<br>Walisha Jancess                                   | Traffic Criminal                             | 03-29-2008  | Disposed         | ANONYMO...   |

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PAGE # 5



|  |   |                     |            |          |            |
|--|---|---------------------|------------|----------|------------|
| 12171727T130A<br>(/Web2/CaseSearch?caseid=NjQxNDY2M1HGfJtrzhiY%3d&c<br>) | State of Florida Vs Wadley, Walisha Jancess | Traffic Infractions | 12-20-2012 | Disposed | ANONYMO... |
| 13002068T110A<br>(/Web2/CaseSearch?caseid=NjQ0Mzl3O0I47TEOP5Xw%3d<br>)   | State of Florida Vs Wadley, Walisha Jancess | Traffic Infractions | 01-14-2013 | Disposed | ANONYMO... |
| 15065447T140A<br>(/Web2/CaseSearch?caseid=ODMzMDQ5%2f%2bB2cMNBS<br>)     | State of Florida Vs Wadley, Walisha Jancess | Traffic Infractions | 11-18-2015 | Disposed | ANONYMO... |
| 22020748T120A<br>(/Web2/CaseSearch?caseid=MTE1OTA4ES3IEMxp4ow%3d<br>)    | State of Florida Vs Wadley, Walisha Jancess | Traffic Infractions | 05-10-2022 | Disposed | ANONYMO... |

1 - 7 of 7 items

## Brenda D. Forman

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Broward County  
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PAGE # 7



|                     |                        |         |   |
|---------------------|------------------------|---------|---|
| D6WARN NOTICE       | 05/31/2022<br>21:14:21 | TRFB506 | FAIL REASON: FAILED TO PAY F FAIL DATE: 05/31/2022<br>RECEIPT NO.<br>COMPLIANCE: N  |
| AD HOC              | 05/31/2022<br>8:02:30  | TRFB525 | DEFENDANT FAILED PAYMENT PLAN<br>CASE WILL GO DLQ   |
| <b>PENALTY PAID</b> | 04/11/2022<br>21:11:49 | TRFB701 | <b>COLLECTION DATE: 04/11/2022 PAYMENT AMT: \$25.00</b><br>RECEIPT #: 2000319<br>RUNG AS: COMPLIANCE/CRT                              |
| <b>PENALTY PAID</b> | 02/18/2022<br>9:19:26  | TRFI701 | <b>COLLECTION DATE: 02/18/2022 PAYMENT AMT: \$25.00</b><br>RECEIPT #: 2000758<br>RUNG AS: COMPLIANCE/CRT                              |
| <b>PENALTY PAID</b> | 01/23/2022<br>14:18:23 | TRFI701 | <b>COLLECTION DATE: 01/23/2022 PAYMENT AMT: \$25.00</b><br>RECEIPT #: 2000626<br>RUNG AS: COMPLIANCE/CRT                              |
| <b>PENALTY PAID</b> | 12/27/2021<br>13:42:19 | TRFI701 | <b>COLLECTION DATE: 12/27/2021 PAYMENT AMT: \$25.00</b><br>RECEIPT #: 2002110<br>RUNG AS: COMPLIANCE/CRT                              |
| <b>PENALTY PAID</b> | 11/18/2021<br>13:18:13 | TRFI701 | <b>COLLECTION DATE: 11/18/2021 PAYMENT AMT: \$25.00</b><br>RECEIPT #: 2320032<br>RUNG AS: COMPLIANCE/CRT                              |
| <b>PENALTY PAID</b> | 10/15/2021<br>12:18:23 | TRFI701 | <b>COLLECTION DATE: 10/15/2021 PAYMENT AMT: \$25.00</b><br>RECEIPT #: 2001356<br>RUNG AS: COMPLIANCE/CRT                              |
| <b>PENALTY PAID</b> | 09/15/2021<br>13:21:53 | TRFI701 | <b>COLLECTION DATE: 09/15/2021 PAYMENT AMT: \$25.00</b><br>RECEIPT #: 2230019<br>RUNG AS: COMPLIANCE/CRT                              |
| AD HOC              | 08/13/2021<br>13:03:21 | ILIVEGA | CASE SCHEDULED FOR PAYMENT PLAN 1.  |
| UPDATE DELQ ST      | 08/13/2021<br>13:02:30 | ILIVEGA | REASON: CLEAR D6N: / 0/ CASE ACT: TO BE PAID<br>FAIL REASON/DATE: 10/19/2020 PREV: 10/20/2017<br>D6/BW ST: **** PREV: ****            |
| <b>PENALTY PAID</b> | 08/13/2021<br>13:01:28 | TRFI701 | <b>COLLECTION DATE: 08/13/2021 PAYMENT AMT: \$25.00</b><br>RECEIPT #: 2230033<br>RUNG AS: COMPLIANCE/CRT                              |
| DRIV LIC SUSP       | 08/02/2021<br>21:14:18 | TRFB514 | LICENSE SUSPENSION DATE: 08/02/2021<br>LICENSE D6 PRINT DATE: 07/02/2021<br>FAIL TO COMPLY DATE: 10/19/2020<br>FAIL TO COMPLY CODE: 0 |
| D6WARN NOTICE       | 07/02/2021<br>21:13:06 | TRFB506 | FAIL REASON: FAILED TO PAY F FAIL DATE: 10/19/2020<br>RECEIPT NO.<br>COMPLIANCE: N  |
| AD HOC              | 10/19/2020<br>8:05:21  | TRFB525 | DEFENDANT FAILED PAYMENT PLAN<br>CASE WILL GO DLQ   |
| <b>PENALTY PAID</b> | 07/15/2020<br>11:28:46 | TRFI701 | <b>COLLECTION DATE: 07/15/2020 PAYMENT AMT: \$26.00</b><br>RECEIPT #: 2000736<br>RUNG AS: COMPLIANCE/CRT                              |
| <b>PENALTY PAID</b> | 03/04/2020<br>15:25:59 | TRFI701 | <b>COLLECTION DATE: 03/04/2020 PAYMENT AMT: \$25.00</b><br>RECEIPT #: 2430051<br>RUNG AS: COMPLIANCE/CRT                              |
| AD HOC              | 02/04/2020<br>15:55:13 | APRADO  | CASE SCHEDULED FOR PAYMENT PLAN 2.  |
| <b>PENALTY PAID</b> | 02/04/2020<br>15:52:50 | TRFI701 | <b>COLLECTION DATE: 02/04/2020 PAYMENT AMT: \$126.00</b><br>RECEIPT #: 3030017<br>RUNG AS: COMPLIANCE/CRT                             |

|                |                        |         |  |
|----------------|------------------------|---------|--|
| SPR RCI        | 02/04/2020<br>15:48:32 | APRADO  | HEARING: 02/04/2020 TIME: 8:00 TYPE: ADD ON DIV: CENTE<br>LOC: JUSTICE BUILDING JUDGE: DRIVE LEGAL ADMINISTRATOR<br>DEFN ATTY: *, * RCI SOURCE: * C *<br>CASE ACTION: TO BE PAID BW AMT: PLEA<br>NEXT HRG TYPE: REPORT CODE :<br>SPECIAL SET:<br>DISP: CONT: SENTENCE:<br>JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY:<br>PEN ASSD: W/S/CONV :<br>JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION:<br>MOTION/DISP: 0 * * 0 * * 0 * *<br>REHAB/DUE DATE/RESET: 72 04/06/2020 N<br>MESSAGE: DRL-ACT:<br>TIME: INTLCK:                               |
| UPD DLQ ST/SPR | 02/04/2020<br>15:48:26 | APRADO  | REASON: CLEAR D6N: / 0/ CASE ACT: TO BE PAID<br>FAIL REASON/DATE: 10/20/2017 PREV: 04/18/2016<br>D6/BW ST: * * * * * PREV: * * * * *   |
| COLL AGENCY    | 01/06/2020<br>21:39:31 | TRFB966 | INFORMATION FORWARDED TO COLLECTION AGENCY<br>ACTION: DELETE REASON CODE: DATE:<br>AGENCY: P - PENN CREDIT CORPORATION   |
| SPR RCI        | 01/06/2020<br>13:52:44 | AARONP  | HEARING: 01/06/2020 TIME: 8:00 TYPE: ADD ON DIV: CENTE<br>LOC: JUSTICE BUILDING JUDGE: DRIVE LEGAL ADMINISTRATOR<br>DEFN ATTY: *, * RCI SOURCE: * C *<br>CASE ACTION: D6/DP BW AMT: PLEA<br>NEXT HRG TYPE: REPORT CODE :<br>SPECIAL SET:<br>DISP: CONT: SENTENCE:<br>JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY:<br>PEN ASSD: W/S/CONV :<br>JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION:<br>MOTION/DISP: 0 * * 0 * * 0 * *<br>REHAB/DUE DATE/RESET: 72 04/06/2020 N<br>MESSAGE: DRL-ACT:<br>TIME: INTLCK:                                    |
| COLL AGENCY    | 01/06/2020<br>13:42:40 | AARONP  | DELETE REQUEST FORWARDED TO<br>ACTION: DELETE REASON CODE: 01 DATE:<br>AGENCY: P - PENN CREDIT CORPORATION   |
| COLL AGENCY    | 01/18/2018<br>22:11:19 | TRFB966 | INFORMATION FORWARDED TO COLLECTION AGENCY<br>ACTION: ADD DATE:<br>AGENCY: P - PENN CREDIT CORPORATION   |
| DRIV LIC SUSP  | 11/30/2017<br>21:35:39 | TRFB514 | LICENSE SUSPENSION DATE: 11/30/2017<br>LICENSE D6 PRINT DATE: 10/30/2017<br>FAIL TO COMPLY DATE: 10/20/2017<br>FAIL TO COMPLY CODE: 0  |
| D6WARN NOTICE  | 10/30/2017<br>21:35:13 | TRFB502 | FAIL REASON: FAILED TO PAY F FAIL DATE: 10/20/2017<br>RECEIPT NO.<br>COMPLIANCE: N   |
| RET COURT      | 10/24/2016<br>15:15:51 | TRCT1   | HEARING: 10/21/2016 TIME: 8:30 TYPE: ADD ON DIV: CENTE<br>LOC: JUSTICE BUILDING JUDGE: HAGUE<br>DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C *<br>CASE ACTION: TO BE PAID BW AMT: PLEA<br>NEXT HRG TYPE: REPORT CODE :<br>SPECIAL SET:<br>DISP: CONT: SENTENCE:<br>JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY:10/20/2017<br>PEN ASSD: \$504.00 W/S/CONV :<br>JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION:<br>MOTION/DISP: 0 * * 0 * * 0 * *<br>REHAB/DUE DATE/RESET:<br>MESSAGE: RCI DONE TO ENTER COSD DRL-ACT:<br>TIME: INTLCK: |

|                |                        |         |   |
|----------------|------------------------|---------|---|
| SPR RCI        | 10/21/2016<br>11:31:02 | CT07    | HEARING: 10/21/2016 TIME: 8:30 TYPE: REPORT DIV: CENTE<br>LOC: JUSTICE BUILDING JUDGE: HAGUE<br>DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C *<br>CASE ACTION: TO BE PAID BW AMT: PLEA<br>NEXT HRG TYPE: REPORT CODE :<br>SPECIAL SET:<br>DISP: CONT: SENTENCE:<br>JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY:10/20/2017<br>PEN ASSD: \$554.00 W/S/CONV :<br>JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION:<br>MOTION/DISP: 0 * * 0 * * 0 * *<br>REHAB/DUE DATE/RESET:<br>MESSAGE: DRL-ACT:<br>TIME: INTLCK:         |
| COLL AGENCY    | 09/10/2016<br>1:28:45  | TRFB966 | INFORMATION FORWARDED TO COLLECTION AGENCY<br>ACTION: DELETE REASON CODE: DATE:<br>AGENCY: P - PENN CREDIT CORPORATION  |
| SET FOR COURT  | 09/09/2016<br>12:40:57 | HODSONG | HEARING DATE: 10/21/2016 TIME: 8:30 TYPE: REPORT<br>LOC: JUSTICE BUILDING FLR: 6 RM: 8<br>JUDGE: HAGUE, A ATTORNEY: PUBLIC DEFENDER APPOINTMENT, A<br>MOTIONS: N DISCOVERY: Y DIVISION: CENTE REPORT CODE: 35   |
| RET COURT      | 09/09/2016<br>12:04:31 | HODSONG | HEARING: 09/08/2016 TIME: 8:00 TYPE: ADD ON DIV: CENTE<br>LOC: JUSTICE BUILDING JUDGE: CLERK OF COURTS<br>DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C *<br>CASE ACTION: CONT SET REPORT BW AMT: PLEA<br>NEXT HRG TYPE:REPORT REPORT CODE :<br>SPECIAL SET:<br>DISP: CONT: COURT SENTENCE:<br>JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY:<br>PEN ASSD: W/S/CONV :<br>JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION:<br>MOTION/DISP: 0 * * 0 * * 0 * *<br>REHAB/DUE DATE/RESET:<br>MESSAGE: DRL-ACT:<br>TIME: INTLCK: |
| UPDATE DELQ ST | 09/09/2016<br>10:24:35 | TR3     | REASON: CLEAR D6N: / 0/ CASE ACT: TO BE PAID<br>FAIL REASON/DATE: 04/18/2016 PREV: 03/23/2015<br>D6/BW ST: * * * * * PREV: * * * * *<br>DL REINSTATEMENT EVENT 10/21/16 PER JUDGES AUTHORIZATION  |
| COLL AGENCY    | 09/09/2016<br>10:00:59 | TR3     | DELETE REQUEST FORWARDED TO<br>ACTION: DELETE REASON CODE: 01 DATE:<br>AGENCY: P - PENN CREDIT CORPORATION  |
| COLL AGENCY    | 07/19/2016<br>1:52:06  | TRFB966 | INFORMATION FORWARDED TO COLLECTION AGENCY<br>ACTION: ADD DATE:<br>AGENCY: P - PENN CREDIT CORPORATION  |
| DRIV LIC SUSP  | 06/01/2016<br>:47:20   | TRFB514 | LICENSE SUSPENSION DATE: 06/01/2016<br>LICENSE D6 PRINT DATE: 04/27/2016<br>FAIL TO COMPLY DATE: 04/18/2016<br>FAIL TO COMPLY CODE: 0   |
| D6WARN NOTICE  | 04/27/2016<br>:45:01   | TRFB502 | FAIL REASON: FAILED TO PAY F FAIL DATE: 04/18/2016<br>RECEIPT NO.<br>COMPLIANCE: N  |
| SPR RCI        | 03/18/2016<br>15:35:01 | FAREEDA | HEARING: 03/18/2016 TIME:11:00 TYPE: REPORT DIV: CENTE<br>LOC: JUSTICE BUILDING JUDGE: NEWMAN<br>DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C *<br>CASE ACTION: TO BE PAID BW AMT: PLEA<br>NEXT HRG TYPE: REPORT CODE :<br>SPECIAL SET:<br>DISP: CONT: SENTENCE:<br>JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY:<br>PEN ASSD: W/S/CONV :<br>JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION:<br>MOTION/DISP: 0 * * 0 * * 0 * *<br>REHAB/DUE DATE/RESET:<br>MESSAGE: DRL-ACT:<br>TIME: INTLCK:                           |

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|------------------------|------------------------|---------|---|
| SET FOR COURT          | 03/01/2016<br>14:16:45 | HODSONG | HEARING DATE: 03/18/2016 TIME: 11:00 TYPE: REPORT<br>LOC: JUSTICE BUILDING FLR: 6 RM: 6<br>JUDGE: NEWMAN, E ATTORNEY: PUBLIC DEFENDER APPOINTMENT, A<br>MOTIONS: N DISCOVERY: Y DIVISION: CENTE REPORT CODE: 35   |
| RET COURT              | 03/01/2016<br>11:40:17 | PMARIE  | HEARING: 03/01/2016 TIME: 9:00 TYPE: ADD ON DIV: CENTE<br>LOC: JUSTICE BUILDING JUDGE: CLERK OF COURTS<br>DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C *<br>CASE ACTION: CONT SET REPORT BW AMT: PLEA<br>NEXT HRG TYPE:REPORT REPORT CODE :RE: STATUS<br>SPECIAL SET:<br>DISP: CONT: COURT SENTENCE:<br>JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY:<br>PEN ASSD: W/S/CONV :<br>JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION:<br>MOTION/DISP: 0 * * 0 * * 0 * *<br>REHAB/DUE DATE/RESET:<br>MESSAGE: DRL-ACT:<br>TIME: INTLCK: |
| COLL AGENCY            | 03/01/2016<br>2:35:30  | TRFB966 | INFORMATION FORWARDED TO COLLECTION AGENCY<br>ACTION: DELETE REASON CODE: DATE:<br>AGENCY: P - PENN CREDIT CORPORATION  |
| UPDATE DELQ ST         | 02/29/2016<br>12:57:59 | TR3     | REASON: CLEAR D6N: / 0/ CASE ACT: TO BE PAID<br>FAIL REASON/DATE: 03/23/2015 PREV: 08/28/2014<br>D6/BW ST: * * * * * PREV: * * * * *<br>DL REINSTATEMENT EVENT 3/18/16 PER JUDGES AUTHORIZATION   |
| COLL AGENCY            | 02/29/2016<br>12:16:39 | TR3     | DELETE REQUEST FORWARDED TO<br>ACTION: DELETE REASON CODE: 01 DATE:<br>AGENCY: P - PENN CREDIT CORPORATION  |
| COLL AGENCY            | 06/23/2015<br>1:28:55  | TRFB966 | INFORMATION FORWARDED TO COLLECTION AGENCY<br>ACTION: ADD DATE:<br>AGENCY: P - PENN CREDIT CORPORATION  |
| DRIV LIC SUSP          | 05/02/2015<br>:16:34   | TRFB514 | LICENSE SUSPENSION DATE: 05/02/2015<br>LICENSE D6 PRINT DATE: 03/31/2015<br>FAIL TO COMPLY DATE: 03/23/2015<br>FAIL TO COMPLY CODE: 0   |
| LATE FEE ASSD          | 03/31/2015<br>4:05:40  | TRFB534 | FAIL REASON: FAILED TO PAY F FAIL DATE: 03/23/2015<br>LATE FEE ASSESSED: \$21.00<br>CASE TYPE: CRIMINAL   |
| D6WARN NOTICE          | 03/31/2015<br>2:38:38  | TRFB502 | FAIL REASON: FAILED TO PAY F FAIL DATE: 03/23/2015<br>RECEIPT NO.<br>COMPLIANCE: N  |
| COMMUNICATION RECEIVED | 12/08/2014<br>15:04:21 | JUAN2   | COMMUNICATION RECEIVED: 12/08/2014 METHOD: PHONE MSG TYPE: 3<br>MESSAGE CODE: S020 ; VERIFIED FINE AMOUNT BY PHONE  |
| BOND ADD-RELK          | 09/23/2014<br>: 8:50   | SMF13   | RELEASE ADD (RELK):RELEASE: CREDIT FOR TIME SERVED<br>RELEASE DATE:09/21/2014   |
| POSITIVE ID            | 09/23/2014<br>: 8:44   | TRFB565 | CJS TRANS: PIEA PID ENTRY<br>JAIL NO: 140048664 NEWIDSER: 2926594 OLDIDSER: 2920758<br>BOOKING DATE: 09/20/2014 TIME: 16:04 TYPE: TRAFFIC<br>SOCIAL SEC:  |
| JAIL BOOKING           | 09/23/2014<br>: 8:35   | TRFB565 | CJS TRANS: BKEB BOOKING CHARGE ENTRY<br>JAIL NO: 140048664 POLICE ID: PD140920344630 IDS #: 2926594<br>BOOKING DATE: 09/20/2014 TIME:16:04 TYPE: TRAFFIC<br>SOCIAL SEC:   |
| CHG NON-KEY            | 09/23/2014<br>: 3:35   | TRFB285 | FIELD NAME: BLIND FILING<br>OLD DATA: NDJCA CENTE   |

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|----------------|------------------------|---------|--|
| RET COURT      | 09/21/2014<br>13:07:53 | ARLENEL | HEARING: 09/21/2014 TIME: 9:00 TYPE: JAIL ARRAIGNME DIV: NDJCA<br>LOC: JUSTICE BUILDING JUDGE: MILLER<br>DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C *<br>CASE ACTION: TO BE PAID BW AMT: PLEA GUILTY<br>NEXT HRG TYPE: REPORT CODE :<br>SPECIAL SET:<br>DISP: GUILTY CONT: SENTENCE: CREDIT TIME SE<br>JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: S251 REHAB OPTN: STAY:03/23/2015<br>PEN ASSD: \$483.00 W/S/CONV :<br>JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION:<br>MOTION/DISP: 0 * * 0 * * 0 * *<br>REHAB/DUE DATE/RESET:<br>MESSAGE: DRL-ACT:<br>TIME: INTLCK: |
| BW CANCEL      | 09/20/2014<br>16:04:14 | JG3720  | CANCEL DATE: 09/20/2014 CANCEL REASON: ** 00 **<br>NEW CASE ACTION: CONT SET REPORT<br>* *<br>BW CANCEL VIA CJS (BATCH) PROCESS  |
| POSITIVE ID    | 08/29/2014<br>23:56:17 | TRFB565 | CJS TRANS: B666 ** B666 **<br>JAIL NO: NEWIDSER: 2920758 OLDIDSER: 0000000<br>BOOKING DATE: / / TIME: : TYPE: ** **<br>SOCIAL SEC:   |
| LATE FEE ASSD  | 08/29/2014<br>2:02:22  | TRFB534 | FAIL REASON: FAILED TO APPEA FAIL DATE: 08/28/2014<br>LATE FEE ASSESSED: \$25.00<br>CASE TYPE: CRIMINAL  |
| BW/D6 NOTICE   | 08/29/2014<br>:48:15   | TRFB508 | FAIL REASON: FAILED TO APPEA FAIL DATE: 08/28/2014<br>BENCH WARRANT BOND AMOUNT: \$5,000.00  |
| D6WARN NOTICE  | 08/29/2014<br>:48:15   | TRFB508 | FAIL REASON: FAILED TO APPEA FAIL DATE: 08/28/2014<br>RECEIPT NO.<br>COMPLIANCE: N   |
| SPR RCI        | 08/28/2014<br>14:10:27 | LMULLIN | HEARING: 08/28/2014 TIME: 9:30 TYPE: TRIAL DIV: NDJCA<br>LOC: NO DADE JUSTICE CENT JUDGE: CAPOTE-ERBEN<br>DEFN ATTY: *, * * RCI SOURCE: * C *<br>CASE ACTION: BW/IW DELINQUEN BW AMT: \$5,000.00 PLEA<br>NEXT HRG TYPE:TRIAL REPORT CODE :<br>SPECIAL SET:<br>DISP: CONT: SENTENCE:<br>JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY:<br>PEN ASSD: W/S/CONV :<br>JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION:<br>MOTION/DISP: 0 * * 0 * * 0 * *<br>REHAB/DUE DATE/RESET:<br>MESSAGE: DRL-ACT:<br>TIME: INTLCK:  |
| MOTIONS/SPIRIT | 07/18/2014<br>15:13:54 | GP2     | ORIG CD/ID: D 0 DISP: * 00 *<br>RECEIVED: 07/08/2014 REQUESTED: IN PERSON<br>HRG...DATE: / / TIME: : LOC: 0 JUDGE:<br>MT FOR CONTINUANCE ONLINE  |
| SET FOR COURT  | 07/17/2014<br>14:39:55 | HODSONG | HEARING DATE: 08/28/2014 TIME: 9:31 TYPE: TRIAL<br>LOC: NO DADE JUSTICE CENT FLR: 2 RM: 1<br>JUDGE: CAPOTE-ERBEN, B ATTORNEY: *, *<br>MOTIONS: N DISCOVERY: Y DIVISION: NDJCA REPORT CODE:   |
| SPR RCI        | 07/17/2014<br>14:08:08 | LMULLIN | HEARING: 07/17/2014 TIME: 9:30 TYPE: TRIAL DIV: NDJCA<br>LOC: NO DADE JUSTICE CENT JUDGE: CAPOTE-ERBEN<br>DEFN ATTY: *, * * RCI SOURCE: * C *<br>CASE ACTION: CONT SET TRIAL BW AMT: PLEA<br>NEXT HRG TYPE:TRIAL REPORT CODE :<br>SPECIAL SET: DATE 08/28/2014<br>DISP: CONT: SENTENCE:<br>JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY:<br>PEN ASSD: W/S/CONV :<br>JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION:<br>MOTION/DISP: 0 * * 0 * * 0 * *<br>REHAB/DUE DATE/RESET:<br>MESSAGE: DRL-ACT:<br>TIME: INTLCK:  |



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|----------------|------------------------|---------|--|
| MOTIONS/SPIRIT | 07/09/2014<br>12:41:45 | GP2     | FOR CONTINUANCE ORIG CD/ID: D 0 DISP: * 00 *<br>RECEIVED: 07/08/2014 REQUESTED: IN PERSON<br>HRG...DATE: / / TIME: : LOC: 0 JUDGE:<br>ONLINE   |
| SET FOR COURT  | 05/07/2014<br>7:25:21  | HODSONG | HEARING DATE: 07/17/2014 TIME: 9:31 TYPE: TRIAL<br>LOC: NO DADE JUSTICE CENT FLR: 2 RM: 1<br>JUDGE: CAPOTE-ERBEN, B ATTORNEY: *, *<br>MOTIONS: N DISCOVERY: Y DIVISION: NDJCA REPORT CODE:   |
| SPR RCI        | 05/06/2014<br>15:37:04 | LMULLIN | HEARING: 05/06/2014 TIME:10:00 TYPE: ARRAIGNMENT DIV: NDJCA<br>LOC: NO DADE JUSTICE CENT JUDGE: CAPOTE-ERBEN<br>DEFN ATTY: *, * RCI SOURCE: * C *<br>CASE ACTION: CONT SET TRIAL BW AMT: PLEA NOT GUILTY<br>NEXT HRG TYPE:TRIAL REPORT CODE :<br>SPECIAL SET: DATE 07/17/2014<br>DISP: CONT: DEFENSE SENTENCE:<br>JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY:<br>PEN ASSD: W/S/CONV :<br>JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION:<br>MOTION/DISP: 0 * * 0 * * 0 * *<br>REHAB/DUE DATE/RESET:<br>MESSAGE: DRL-ACT:<br>TIME: INTLCK: |
| SET FOR COURT  | 04/21/2014<br>23:54:17 | EXPERT  | HEARING DATE: 05/06/2014 TIME: 10:00 TYPE: ARRAIGNMENT<br>LOC: NO DADE JUSTICE CENT FLR: 2 RM: 1<br>JUDGE: CAPOTE-ERBEN, B ATTORNEY: *, *<br>MOTIONS: N DISCOVERY: Y DIVISION: NDJCA REPORT CODE: 000  |
| ORIG ENTRY     | 04/07/2014<br>10:22:06 | GLORIM  | DIV: NDJCA VIOL: 322342 OFFICER: 427   |

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EXHIBIT # 2  
PAGE # 14

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# MIAMI-DADE COUNTY CLERK OF THE COURTS

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#### Search Criteria

**Criteria Entered:** Defendant Name - WALISHA WADLEY; DOB - 10/23/1987; Gender - F

**Please click on the Citation # to view the case summary and/or to pay any outstanding amount due.**

*NOTE: Amount due information is current as of midnight last night.*

#### Search Results

Total Citations: 40

| Defendant Name         | DOB  | Case Type  | Citation #              | Case Action     | Violation                     | Issue Date | State #              | Balance  |
|------------------------|------|------------|-------------------------|-----------------|-------------------------------|------------|----------------------|----------|
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">AFIDMEE</a> | RESET FOR COURT | 3160751C1M - FAI/TO STOP LITE | 11/12/2021 | 132021TR000AFIDMEE00 | \$293.00 |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">ADWTPAE</a> | CLOSED          | 3160751C1M - FAI/TO STOP LITE | 10/01/2020 | 132020TR000ADWTPAE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">A84PFME</a> | CLOSED          | 3160751C1M - FAI/TO STOP LITE | 04/24/2017 | 132017TR000A84PFME00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">A61GDIE</a> | CLOSED          | 3160751C1M - FAI/TO STOP LITE | 05/05/2016 | 132016TR000A61GDIE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">A4ODNSE</a> | CLOSED          | 3160751C1M - FAI/TO STOP LITE | 01/07/2016 | 132016TR000A4ODNSE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">A3L5KLE</a> | CLOSED          | 3160751C1M - FAI/TO STOP LITE | 12/17/2015 | 132015TR000A3L5KLE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">A4OCY0E</a> | CLOSED          | 3160751C1M - FAI/TO STOP LITE | 08/31/2015 | 132015TR000A4OCY0E00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">A4OCUYE</a> | CLOSED          | 3160751C1M - FAI/TO STOP LITE | 08/28/2015 | 132015TR000A4OCUYE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">A4OCQZE</a> | CLOSED          | 3160751C1M - FAI/TO STOP LITE | 08/26/2015 | 132015TR000A4OCQZE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">A48TP4E</a> | CLOSED          | 3160751C1M - FAI/TO STOP LITE | 07/27/2015 | 132015TR000A48TP4E00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">A1ZZVKE</a> | CLOSED          | 3160751C1M - FAI/TO STOP LITE | 07/06/2015 | 132015TR000A1ZZVKE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">A1ZZJWE</a> | CLOSED          | 3160751C1M - FAI/TO STOP LITE | 06/08/2015 | 132015TR000A1ZZJWE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">A32S7SE</a> | CLOSED          | 322341 - DWLS UNKNOWINGLY     | 06/03/2015 | 132015TR000A32S7SE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">A2W33GE</a> | CLOSED          | 3166461 - NO PROOF OF INS     | 03/10/2015 | 132015TR000A2W33GE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <a href="#">A2W33FE</a> | CLOSED          | 3161891 - SPDING MUN RD       | 03/10/2015 | 132015TR000A2W33FE00 | \$0.00   |

|                        |      |            |                |                  |                               |            |                      |          |
|------------------------|------|------------|----------------|------------------|-------------------------------|------------|----------------------|----------|
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>A01EKP</u>  | CLOSED           | 3161834E - UNLAWFUL SPEED     | 10/03/2014 | 132014TR000A01EKP00  | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>A1G9UQE</u> | CLOSED           | 3166461 - NO PROOF OF INS     | 07/08/2014 | 132014TR000A1G9UQE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>A1G9UPE</u> | CLOSED           | 3200605 - NO REG CERT         | 07/08/2014 | 132014TR000A1G9UPE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>A1G9UOE</u> | CLOSED           | 3162953 - WINDOW SUNSCREEN    | 07/08/2014 | 132014TR000A1G9UOE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>A1G9UNE</u> | CLOSED           | 320073B - REG EX MOR/6MOS     | 07/08/2014 | 132014TR000A1G9UNE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Criminal   | <u>A1G9URE</u> | CLOSED           | 322342 - DWLS KNOWINGLY       | 07/08/2014 | 132014TR000A1G9URE00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>A11HCOP</u> | CLOSED           | 320073B - REG EX MOR/6MOS     | 06/10/2014 | 132014TR000A11HCOP00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Criminal   | <u>A11HCPP</u> | CLOSED           | 322342 - DWLS KNOWINGLY       | 06/10/2014 | 132014TR000A11HCPP00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>A0YBV4E</u> | CLOSED           | 3166131A - CHIL RESTRNT REQ   | 03/10/2014 | 132014TR000A0YBV4E00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>A0YBV2E</u> | CLOSED           | 320073A - REG EXP/LESS/6MO    | 03/10/2014 | 132014TR000A0YBV2E00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Criminal   | <u>A0YBV3E</u> | D6 TO TALLAHASSE | 322342 - DWLS KNOWINGLY       | 03/10/2014 | 132014TR000A0YBV3E00 | \$230.10 |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>1079LCL</u> | CLOSED           | 3160751C1M - FAI/TO STOP LITE | 02/10/2014 | 132014TR0001079LCL00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>9839LCK</u> | CLOSED           | 3160751C1M - FAI/TO STOP LITE | 10/31/2013 | 132013TR0009839LCK00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>6898WNG</u> | CLOSED           | 322151 - DL NOT CARR/EXH      | 09/25/2013 | 132013TR0006898WNG00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>6897WNG</u> | CLOSED           | 3166461 - NO PROOF OF INS     | 09/25/2013 | 132013TR0006897WNG00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>6896WNG</u> | CLOSED           | 3200605 - NO REG CERT         | 09/25/2013 | 132013TR0006896WNG00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>6895WNG</u> | CLOSED           | 3161232A - FTYROW-STOP SIGN   | 09/25/2013 | 132013TR0006895WNG00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Criminal   | <u>6899WNG</u> | CLOSED           | 322342 - DWLS KNOWINGLY       | 09/25/2013 | 132013TR0006899WNG00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>0560YVB</u> | CLOSED           | 31610011 - FAIL TO PAY TOLL   | 11/06/2012 | 132012TR0000560YVB00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Criminal   | <u>0957FSI</u> | CLOSED           | 322342 - DWLS KNOWINGLY       | 05/24/2010 | 132010TR0000957FSI00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Criminal   | <u>1601GII</u> | CLOSED           | 322342 - DWLS KNOWINGLY       | 05/17/2010 | 132010TR0001601GII00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Criminal   | <u>6916GIH</u> | CLOSED           | 322342 - DWLS KNOWINGLY       | 04/27/2010 | 132010TR0006916GIH00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Criminal   | <u>7391SMV</u> | CLOSED           | 322342A - DWLS KNOWING 1ST    | 10/31/2009 | 132009TR0007391SMV00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Infraction | <u>4625FZG</u> | CLOSED           | 316089 - IMP LANE USAGE       | 04/26/2008 | 132008TR0004625FZG00 | \$0.00   |
| WALISHA JANCESS WADLEY | 1987 | Criminal   | <u>4623FZG</u> | CLOSED           | 322031 - NO DR LICENSE        | 04/26/2008 | 132008TR0004623FZG00 | \$0.00   |

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Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering

Licensing Administrator Review – Slot Machine Occupational License

RE: WADLEY, WALISHA JANCESS, 12112198 Case No: N/A  
(APPLICANT'S NAME– LICENSE #)

|                                |                   |
|--------------------------------|-------------------|
| INITIAL APPLICATION RECEIVED:  | 9/15/2022         |
| COMPLETE APPLICATION RECEIVED: | 9/22/2022         |
| <b>90-DAY DEADLINE:</b>        | <b>12/21/2022</b> |

Cindy Ritter Casino Miami, #273 Cage Cashier/1055  
Application Processor Facility (d/b/a name) Occupation/Job Title/Lic Type

Pursuant to Section 551.107(6)(c) Conviction is defined as being found guilty, with or without adjudication of guilt, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere. Any misdemeanor conviction to include fraud and theft which are defined for purposes of slot machine gaming licensure as involving dishonesty, misrepresentation, deceit, and lack of truthful conduct in transaction with another.

**Licensing Section Review**

Did the application accurately reflect the Criminal History Record?  Yes  No  
**Conviction**

- Felony :
- 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      |
|-------------|-------------------------|--|-------|------------------|
| 9/19/2006   | Broward County, Florida | Theft/To Deprive<br>Case #<br>062006MM002798A88830 | M     | Adjudication W/H |

**Disposition Unknown**

- Felony Arrest(s) :
- Misdemeanor Arrest – Gambling Related/Bookmaking
- Two or more misdemeanor arrests/counts that involve theft, fraud, or burglary

**Comments:**

**Enforcement/Jurisdiction Offenses**

- Currently under Suspension, Declared Ineligible, Revoked, Denied, Ejected, Unpaid Fine, in this or any other state gaming commission, governmental department, agency, or other authority exercising regulatory jurisdiction over the gaming of another state or jurisdiction.

**Comments:**

**Related Licenses**

**Check VR License Relations to Determine if Applicant is Related to a Business**

Is the individual applicant related to a business? Yes  No  If yes, complete sections below.  
Business License Number: \_\_\_\_\_ Business Name: \_\_\_\_\_  
Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes  No   
Date Deficiency Letter Issued: \_\_\_\_\_ Initials: \_\_\_\_\_

**Comments:**

**Licensing Administrator Review**

**Disposition Confirmation**

Disqualifying Convictions/Arrests Confirmed? Yes  No   Approval  
Forward to  Investigations  Legal  Director Initials: [Signature] 9/23/22

**Comments:**

Licenser



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: Wadley        |
| Sex:                     |
| Commission:              |
| License Type:            |

| Master ID | Last Name | First Name | Middle Name | SSN/Federal ID | Rulings | Birth Date | City | State |
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|

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EXHIBIT # 4  
PAGE # 1

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**FLORIDA**  
GAMING CONTROL  
COMMISSION

Division of Pari-Mutuel Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Phone: 954.202.3900 • Fax: 954.202.3930

**Louis Trombetta**, Executive Director

**Ron DeSantis**, Governor

October 5, 2022

Ms. Walisha Janceess Wadley  
2330 NW 171<sup>st</sup> Terr.  
Miami Gardens, FL 33056

Re: Case # 2022 04 6547  
Waiver Request

Dear Ms. Wadley:

Regarding your Pari-Mutuel Wagering Individual Occupational License Application and Request for Waiver, please contact Investigator **Raul Suau** at 954-202-6787 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 conducted.

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 in the state of Florida or 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,

Bradford D. Jones for  
Steven E. Kogan  
Chief of Investigations

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Raul Swan

Send to  
Ms. Wadley, Walisha Jancee  
Street, Apt. No.  
or P.O. Box No. 2330 NW 171st Terr.  
City, State, ZIP+4  
Miami Gardens FL 33056

PS Form 3800, August 2016

See Reverse for Instructions



STATE OF FLORIDA

DIVISION OF PARI-MUTUEL WAGERING  
North Broward Regional Service Center  
1400 W Commercial Blvd Suite 165  
Fort Lauderdale FL 33308



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Ms. Walisha Janceess Wadley  
2330 NW 171<sup>st</sup> Terr.  
Miami Gardens, FL 33056

2752 4265 0000 0497 2707



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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

Instructions: Please review this application thoroughly and complete every section that pertains to you. All applicable questions must be answered in full. Place any additional information on a separate sheet of paper and attach to this form, referencing the question being answered. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only." All new applicants to Florida must attach an applicant fingerprint card from the Division of Pari-Mutuel Wagering. Licenses expire June 30th of each year. Fees must be paid by check or money order only and should be made payable to DBPR.

TO BE COMPLETED BY ALL APPLICANTS

**Social Security Number:** [REDACTED] **Birth Date (MM/DD/YYYY):** [REDACTED] **Gender:** Male  Female

**Last Name:** WADLEY **First:** WALISHA **Middle:** JANESS **Title:** **Suffix:**

Have you used, been known as, or called by another name (example -- maiden name, pseudonym, nickname) or alias than the name used on the application?  Yes  No

If yes, list the name or names used: \_\_\_\_\_

**Race/Ethnicity (check only one):**  
 Black or African American  Asian or Pacific Islander  Native American or Alaskan Native  
 White or Caucasian  Hispanic/Latino  Other

Are you a United States citizen? Yes  No   
 If no, provide the name of the country of which you are a citizen: \_\_\_\_\_

**Current Street Address:**  
 2330 NW 171 Terr

**City:** MIAMI GARDENS **State:** FL **Zip Code (+4 optional):** 33056 **Country:** USA

**Home Telephone Number:** [REDACTED] **Cellular Telephone Number:** N/A

**Current Mailing Address:**  
 2330 NW 171 Terr

**City:** MIAMI GARDENS **State:** FL **Zip Code (+4 optional):** 33056 **Country:** USA

**Type of Occupational Slot Machine License applying for:**  
 General Individual  Professional Individual  Business Employee\*  
 Slots Combo General  Slots Combo Professional

**Number of Years:**  1-year License  3-year License

\* Business employee occupational licenses are for employees of a Business Entity that provides goods or services to a slot machine facility.

**Facility where employed and/or doing business:**  
 THE BIG EASY CASINO

**Have you ever held a Florida pari-mutuel license?** Yes  No

**Job title(s)\*:** BARISTA **Employer name:** THE BIG EASY CASINO

\*Applicants for Slot Combo licenses should disclose all job titles

TO BE COMPLETED BY SLOTS/CARDROOM/PARI-MUTUEL COMBO APPLICANTS ONLY

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 under the laws of the United States?

**FOR DIVISION USE ONLY**  
 License Code 1056 License # 12112190 File # 0327 App # 2379 License Year 19/22  
 Association Code 144 Date Received 7/11/19 Entered By S. Howard  
 License Fee \$100.00 FP Date 7/11/19 FP Fee  Total Fee \$100.00

ARCI checked

**TO BE COMPLETED BY ALL APPLICANTS**

Marital status:  Single  Married  
 If married, provide name of spouse: \_\_\_\_\_

**NAMES OF RELATIVES 21 OR OLDER LIVING WITH YOU**  
 (including children, siblings, grandchildren, and parents):

| Name | Relationship | Date of Birth | Gender | Race |
|------|--------------|---------------|--------|------|
| N/A  |              |               |        |      |
|      |              |               |        |      |
|      |              |               |        |      |

**EMPLOYMENT HISTORY**

List below all gaming-related employment history in the past ten years:

| Name of Employer | Address | Dates            |                | Title/Position Held | Supervisor Name | Reason for Leaving: |
|------------------|---------|------------------|----------------|---------------------|-----------------|---------------------|
|                  |         | From:<br>(mo/yr) | To:<br>(mo/yr) |                     |                 |                     |
| N/A              |         |                  |                |                     |                 |                     |
|                  |         |                  |                |                     |                 |                     |
|                  |         |                  |                |                     |                 |                     |
|                  |         |                  |                |                     |                 |                     |
|                  |         |                  |                |                     |                 |                     |

**PREVIOUS LICENSING HISTORY**

- Yes  No  Have you ever been licensed in any other racing or gaming jurisdiction? If yes, please complete the section below.
- Yes  No  Has your pari-mutuel or gaming license ever been suspended, revoked, or denied in this or any other state or country? If yes, give details in the section provided below.
- Yes  No  Is there any reason that the State of Florida or another state or country will not issue you a pari-mutuel or gaming occupational license? If yes, give details in the section provided below.

| State(s) or Jurisdiction(s) where licensed: | Is the license current? Y/N | Is the license in good standing? Y/N | Date of expiration: |
|---|-----------------------------|--------------------------------------|---------------------|
|   |                             |                                      |                     |
|   |                             |                                      |                     |

**BACKGROUND INFORMATION**

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 listed must be submitted with this application and list the details in the section provided below.

| Date Convicted | County | State | Offense | Sentence |
|----------------|--------|-------|---------|----------|
|                |        |       |         |          |
|                |        |       |         |          |

**TO BE COMPLETED BY BUSINESS EMPLOYEE APPLICANTS ONLY**

Describe any affiliation you may have with a Business Entity Occupational Licensee (i.e., a slot machine management company; slot machine manufacturer or distributor; a business that sells slot machine related products, services, or goods to a slot machine licensee) or companies controlling the Business Entity Occupational Licensee, and the position you occupy with, or your interest in, said entity:

Yes

No

Do you currently work for a Slot Machine Vendor or Distributor as described in Section 551.107(2)(a), Florida Statutes? If yes, what is your affiliation with the Slot Machine Vendor or Distributor?

Provide your complete education and training experience in management or gaming below (attach additional sheets if necessary):

**TO BE COMPLETED IF APPLICANT IS A DISABLED WARTIME VETERAN**

Yes

No

Are you an honorably discharged, disabled U.S. Military wartime veteran pursuant to Sections 205.171 & 1.01(14), Florida Statutes, or the un-remarried spouse of a deceased honorably discharged, disabled wartime veteran under this definition? If yes, contact a Division Official.

**ALL APPLICANTS 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.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as if made under oath. To the best of my knowledge, all information contained on this application is true and correct. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida, pursuant to Section 551.107, Florida Statutes.

Wal Wool

Signature of Applicant

July 11, 19

Date

Halsey Beshears, Secretary

Ron DeSantis, Governor

July 26, 2019

Ms. Walisha Janceess Wadley  
2330 Northwest 171 Terrace  
Miami Gardens, Florida 33056

RE: Application No. 23841, Entity 12112198  
1056 - Slot Combo General

Dear Ms. Wadley:

Your application for an occupational license with the Division of Pari-Mutuel Wagering 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 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:**

- Miami Dade County, Florida Arrest- 9/20/2014
- Broward County, Florida Arrest – 09/19/2006

**You must provide the court disposition records for the following charges:**

- Miami Dade County, Florida Arrest- 9/20/2014

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.

- DBPR PMW 3180 – Request for Waiver (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 850.487.1395.**



**Halsey Beshears, Secretary**

**Ron DeSantis, Governor**

**If your revised application is not received by the Division within 45 days from the date of this letter, your application may be denied for failure to complete the application process. Please note that your Temporary License will expire on: 08/10/2019.**

Checks or money orders should be made payable to the Department of Business and Professional Regulation or DBPR. Return the missing document and/or information to the address provided above, attention PMW Licensing Section. If you have any questions please call 850.487.1395.

Thank you,

Kristin Lewis  
Operations Analyst II

Halsey Beshears, Secretary

Ron DeSantis, Governor

October 11, 2019

Ms. Walisha Janceess Wadley  
2330 Northwest 171 Terrace  
Miami Gardens, Florida 33056

RE: Case No. 2019-051605

Dear Ms. Wadley:

This correspondence (hereinafter "Denial Letter") is to inform you that your application for an individual occupational license is denied. This Denial Letter is based upon your failure to timely correct errors and/or omissions, or to provide supplemental information as requested by the Division of Pari-Mutuel Wagering (the "Division") related to your licensure application under Section 120.60, Section 550.105, Section 551.107, and Section 849.086, Florida Statutes and the rules promulgated thereunder.

Enclosed is a copy of the Division's notice of items ("Deficiency Letter") that you failed to submit in support of the denied application. Please be advised that you may not engage or participate in any activity at any Florida pari-mutuel facility which requires an individual to hold a valid occupational license to perform such activity.

Please note that this Denial Letter does not prohibit you from submitting a new application for an individual occupational license. If you choose to submit a new application, you will be required to submit all fees and costs associated with that application. All applications for an individual occupational license must be complete and accurate, and must include all of the missing information that formed the basis for this Denial Letter.

If you have any questions or concerns with regard to this matter, please do not hesitate to contact our Customer Contact Center at (850) 487-1395.

Sincerely,



Louis Trombetta, Director  
Division of Pari-Mutuel Wagering

Enclosures: Deficiency Letter  
Notice of Rights

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY on this 22 day of October, 2019, a true and correct copy of the foregoing "Denial Letter" has been furnished via U.S. Mail to:

Ms. Walisha Janceess Wadley  
2330 Northwest 171 Terrace  
Miami Gardens, Florida 33056



**AGENCY CLERK'S OFFICE**  
Department of Business & Professional Regulation

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: icampbell

VR Home > License Search > License Home

**License**

Fed Tax # [REDACTED] Lic Type **1056 - Slot Combo General** Expires On **08/10/2019**  
 File # **6327** Name **Wadley, Walisha Janceess** Extended To  
 License # **12112198** Rank **SCCL - Slots-Cardroom Combo License** Renewed On  
 Entity # **12112198** Lic Status **Denied**

- [Licensee](#)
- [History](#)
- [Notes](#)
- [Notes History](#)
- [Back](#)

**Address**

Street # **2330** Street **NW 171 TERRACE**  
 Line 2  
 Line 3  
 City **MIAMI GARDENS** State **FL** Zip **33056**  
 Routing

**Other**

1st License Date **07/11/2019** Rank Date **07/11/2019** Certificate #  
 Method **I-S-1017** Status Date **10/11/2019** Certificate Date  
 Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action   

**Modifiers**

| Type | Modifier                       | Effective Date | Additional Info |
|------|--------------------------------|----------------|-----------------|
| C    | FSEM - Food Svc Emp            | 07/11/2019     |                 |
| F    | LIVE - Live Scan Fee Exemption | 07/11/2019     |                 |
| I    | GHND - Greyhound               | 07/11/2019     |                 |
| L    | 144 - Federal HWY Acquisition  | 07/11/2019     |                 |
| Y    | 3YR - 3 Year License           | 07/11/2019     |                 |

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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Marc Taupier, Chief Attorney  
Re: Adrian Lamar Kenon, Jr.; Case No. 2022-048911 – License Denial  
Date: November 21, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Adrian Lamar Kenon, Jr.'s ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on October 6, 2022. Upon review of the application, it appears Applicant has been convicted of a felony crime. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On October 6, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant was convicted of a felony crime in the state of Florida. Specifically, the Applicant was convicted of Possession of Cocaine in 2009.

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 any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling,

importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense.”

Section 849.086(6)(f), Florida Statutes, provides that the “provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses.”

Section 849.086(6)(g), Florida Statutes, provides that:

“[t]he commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.”

Section 550.105(5)(d), Florida Statutes, provides that:

“. . . the term “convicted” means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere. However, the term “conviction” shall not be applied to a crime committed prior to the effective date of this subsection in a manner that would invalidate any occupational license issued prior to the effective date of this subsection or subsequent renewal for any person holding such a license.”

Staff Recommendation: Because the Applicant's disqualifying criminal conviction cannot be waived, the Florida Gaming Control Commission may deny or declare Applicant ineligible for any license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|

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 [Delete Complaint](#)   
 [Mass Activity Update](#)   
 [Mass Discipline Update](#)  
[Mass Status Update](#)   
 [Public Case Info](#)

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **critter**

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>10/11/2022</b> |
| Complaint # | <b>2022048911</b>  | Case Type                     | <b>CMP - Complaint</b> | Disposition                          | Disposition Date    |                   |
| Docket#     | Respondent   | <b>KENON, ADRIAN LAMAR JR</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>           | <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>10/06/2022</b>  | <a href="#">Related</a>       | <a href="#">Disposition</a>  |                         |
| Region    | <b>NR - Northern Region</b>   | Received       | <b>10/11/2022</b>  | <a href="#">Inspection</a>    |                              |                         |
| Reference |   |                |                    | <a href="#">Costs</a>         |                              |                         |
| Entered   | <b>10/11/2022</b>   | Entered By     | <b>critter</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. (Dania Entertainment Center LLC/274)</b> |                |                    |                               | <a href="#">Attachments</a>  | <a href="#">History</a> |
| Updated   | <b>10/11/2022 12:27:20</b>  | By             | <b>critter</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> |
|------------------------|----------------------|--------------------|------------------------|----------------------|

Get Adobe Reader.



Licensing Administrator Review – Slot Machine Occupational License

RE: Kenon, Adrian Lamar Jr.

Case No: 2022-048911

(APPLICANT'S NAME- LICENSE #)

|                                |                        |
|--------------------------------|------------------------|
| INITIAL APPLICATION RECEIVED:  | <u>10/6/2022</u>       |
| COMPLETE APPLICATION RECEIVED: | <u>10/6/2022</u>       |
| <b>90-DAY DEADLINE:</b>        | <b><u>1/4/2023</u></b> |

Cindy Ritter  
 Application Processor

Dania Entertainment/#274  
 Facility (d/b/a name)

Food & Bev. Cashier/1055  
 Occupation/Job Title/Lic Type

Pursuant to Section 551.107(6)(c) Conviction is defined as being found guilty, with or without adjudication of guilt, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere. Any misdemeanor conviction to include fraud and theft which are defined for purposes of slot machine gaming licensure as involving dishonesty, misrepresentation, deceit, and lack of truthful conduct in transaction with another.

**Licensing Section Review**

Did the application accurately reflect the Criminal History Record?  Yes  No  
**Conviction**

- Felony : 1  
 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   |
|-------------|-------------------------|---|-------|---|
| 6/11/2009   | Broward County, Florida | Possession of Cocaine<br>Case #2009CF010943A88810 | F-3rd | Adjudication W/H;<br>12 months prob.<br>Probation revoked |
|             |                         |   |       |   |
|             |                         |   |       |   |

**Disposition Unknown**

- Felony Arrest(s) : 3  
 Misdemeanor Arrest – Gambling Related/Bookmaking  
 Two or more misdemeanor arrests/counts that involve theft, fraud, or burglary

Comments:

| Arrest Date | Location                | Charge   | Level | Disposition                     |
|-------------|-------------------------|--|-------|---------------------------------|
| 6/04/2010   | Broward County, Florida | Violation of Probation<br>Case #2009CF010943A88810 | F     | Unknown                         |
| 03/31/2011  | Broward County, Florida | Violation of Probation<br>Case #2009CF010943A88810 | F     | Unknown                         |
| 05/19/2011  | Broward County, Florida | Violation of Probation<br>Case #2009CF010943A88810 | F     | Probation revoked<br>06/06/2011 |

**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 <input type="checkbox"/> No <input type="checkbox"/> |                |
| Date Deficiency Letter Issued:   | Initials:      |
| <b>Comments:</b>   |                |

| Licensing Administrator Review  |   |
|---|---|
| Disposition Confirmation  |   |
| Disqualifying Convictions/Arrests Confirmed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>                                    | <input type="checkbox"/> <b>Approval</b>  |
| Forward to <input type="checkbox"/> <b>Investigations</b> <input checked="" type="checkbox"/> <b>Legal</b> <input type="checkbox"/> <b>Director</b> | Initials:  |
| <b>Comments:</b>  |   |



**EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  No Have you previously worked for a gaming-related employer?  
If yes, you must list below all gaming-related employment history in the past ten years.

| Name of Employer | Address | Start Date (Month/ Year)<br>- End Date (Month/ Year) | Title/Position Held &<br>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)<br>Where Licensed | Date of<br>Expiration | Is this license currently suspended or<br>subject to fines or other discipline? Explain why. |
|---|-----------------------|--|
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><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:

























## State of Florida Vs. Kenon, Adrian


**Broward County Case Number:** 09010943CF10A  
**State Reporting Number:** 062009CF010943A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 06/12/2009  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Lynch - FA, Michael  
**Magistrate Id / Name:** N/A  
**BCCN:** 0757513


### - Party(ies)

Total: 4

Party Type

Party Name

 Address

 Attorneys / Address

★ Denotes Lead Attorney





| Offense Date | Charge | Degree | Detail   |
|--------------|--------|--------|--|
| 06/11/2009   | 1      | (F3)   | <b>Possession of Cocaine</b><br>Date Filed: 06/11/2009<br>Current Statute: (F3)893.03(2)(a)4<br>Filing Type: SAO Information<br>Filing Agency: Broward Sheriff Office/Dania<br>Original Statute: (F3)893.03(2)(a)4-Possession of Cocaine                               |
| 06/11/2009   | 2      | (M1)   | <b>Possess Cannabis/20 Grams Or Less</b><br>Date Filed: 06/11/2009<br>Current Statute: (M1)893.13(6)(B)<br>Filing Type: SAO Information<br>Filing Agency: Broward Sheriff Office/Dania<br>Original Statute: (M1)893.13(6)(B)-Possess Cannabis/20 Grams Or Less         |
| 06/11/2009   | 3      | (M1)   | <b>Resist/Obstruct W/O Violence</b><br>Date Filed: 06/11/2009<br>Current Statute: (M1)843.02<br>Filing Type: SAO Information<br>Filing Agency: Broward Sheriff Office/Dania<br>Original Statute: (M1)843.02-Resist/Obstruct W/O Violence                               |
| 06/11/2009   | 4      | (M1)   | <b>Trespass/Property/Other Structure</b><br>Date Filed: 06/11/2009<br>Current Statute: (M1)810.091<br>Filing Type: SAO Information- Change of Charge<br>Filing Agency: Broward Sheriff Office/Dania<br>Original Statute: (M1)810.091-Trespass/Property/Other Structure |

+ Warrant(s)

Total: 4

+ Bond(s)

Total: 1

+ Arrest(s)

Total: 13

- Disposition(s)

Total: 4

| Offense Date | Charge | Disposition(s) |
|--------------|--------|----------------|
|              |        |                |

| Offense Date | Charge | Disposition(s)  |
|--------------|--------|---|
| * 06/11/2009 | 1      | <p><b>Plea(s)</b><br/> <b>04/12/2010 Amended Plea</b> (Reason: Change of Plea,) Change of Plea-Nolo Contendere<br/> <b>09/21/2009 Plea</b><br/> <i>Arraignment Not Guilty-Jury</i></p> <p><b>Disposition(s)</b><br/> <b>06/06/2011 Amended Disposition</b> (Reason: Probation Revoked,) Adjudicated<br/> <b>04/12/2010 Disposition</b><br/> <i>Adjudication Withheld</i></p> <p><b>Sentence(s)</b><br/> <b>06/06/2011 Amended Sentence</b> (Judicial Officer(s): Porter, Lisa)<br/> Comment (Total Amount Imposed \$697.00 )<br/> Provisions: Provisions ( Alcohol Anon Meeting, Narcotc ANON Meeting, Original Terms/Conds, Probation Reinstated, Probation Revoked) Comment(Waive DOC surcharge)<br/> State Probation ( 6 Month(s), Start Date: 04/05/2011, End Date: 06/06/2011, Comment: 060611 probation revoked )<br/> Confinement (Effective 06/06/2011, Min. Not Applicable, Max. 30 Day(s), Broward County Jail, Credit Time Served: 21 Day(s), Comment: pay balance )</p> <p><b>04/05/2011 Amended Resentencing</b> (Judicial Officer(s): Towbin-Singer, Michele)<br/> Comment (Total Amount Imposed \$697.00 )<br/> Provisions: Provisions ( Alcohol Anon Meeting, Narcotc ANON Meeting, Original Terms/Conds, Probation Reinstated) Comment(Waive DOC surcharge)<br/> State Probation ( 6 Month(s), Start Date: 04/05/2011, End Date: 10/05/2011 )</p> <p><b>04/12/2010 Amended Resentencing</b> (Judicial Officer(s): Towbin-Singer, Michele)<br/> Comment (Total Amount Imposed \$547.00 )<br/> State Probation ( 0 Year(s) 6 Month(s) 0 Day(s), Start Date: 04/12/2010, End Date: 10/12/2010, Comment: 040511 probation reinstated and extended 6 months from today )<br/> Provisions: Provisions ( Drug Offender Probation, Probation Modified, Probation Reinstated)</p> <p><b>04/12/2010 Sentence</b> (Judicial Officer(s): Porth - FR, Ari Abraham)<br/> Comment (Docketrac Sentence Record Note: 062910-Reinst &amp; Ext 6mos From Orig Date )<br/> Comment (Total Amount Imposed \$547.00 )<br/> Charge Reopen Status (06/29/2010, Closed, 1 )<br/> State Probation ( 0 Year(s) 12 Month(s) 0 Day(s), Start Date: 04/12/2010, End Date: 04/12/2011 )</p> |

| Offense Date | Charge | Disposition(s)   |
|--------------|--------|--|
| 06/11/2009   | 2      | <p><b>Plea(s)</b><br/> <b>04/12/2010 Amended Plea</b> (Reason: Change of Plea,) Change of Plea-Nolo Contendere<br/> <b>09/21/2009 Plea</b><br/> <i>Arraignment Not Guilty-Jury</i></p> <p><b>Disposition(s)</b><br/> <b>04/12/2010 Disposition</b><br/> Adjudication Withheld</p> <p><b>Sentence(s)</b><br/> <b>04/12/2010 Amended Resentencing</b> (Judicial Officer(s): Towbin-Singer, Michele)<br/> Comment (Total Amount Imposed \$178.00 )<br/> State Probation ( 0 Year(s) 6 Month(s) 0 Day(s), Start Date: 04/12/2010, End Date: 04/05/2011, Comment: 040511 probation terminated )<br/> Sentence Status (Concurrent, Case#: 09-010943-CF10A, Counts: 001-001, Comment: Def#:09010943CF10A Count:001)<br/> Provisions: Provisions ( Drug Offender Probation, Probation Modified, Probation Reinstated)</p> <p><b>04/12/2010 Sentence</b> (Judicial Officer(s): Porth - FR, Ari Abraham)<br/> Comment (Docketrac Sentence Record Note: 062910-Reins &amp; Ext 6 Mos From Orig Date )<br/> Comment (Total Amount Imposed \$178.00 )<br/> State Probation ( 0 Year(s) 12 Month(s) 0 Day(s), Start Date: 04/12/2010, End Date: 04/12/2011 )<br/> Sentence Status (Concurrent, Case#: 09-010943-CF10A, Counts: 001-001, Comment: Def#:09010943CF10A Count:001)</p> |
| 06/11/2009   | 3      | <p><b>Plea(s)</b><br/> <b>11/02/2009 Amended Plea</b> (Reason: Change of Plea,) Change of Plea-Nolo Contendere<br/> <b>09/21/2009 Plea</b><br/> <i>Arraignment Not Guilty-Jury</i></p> <p><b>Disposition(s)</b><br/> <b>11/02/2009 Disposition</b><br/> Adjudication Withheld</p> <p><b>Sentence(s)</b><br/> <b>11/02/2009 Sentence</b> (Judicial Officer(s): Porth - FR, Ari Abraham)<br/> Comment (Total Amount Imposed \$273.00 )</p>   |

Offense

Date Charge Disposition(s)

06/11/2009 4 **Plea(s)**  
**11/02/2009 Amended Plea** (Reason: Change of Plea,)  
Change of Plea-Nolo Contendere  
**09/21/2009 Plea**  
*Arraignment Not Guilty-Jury*

**Disposition(s)**  
**11/02/2009 Disposition**  
Adjudication Withheld

**Sentence(s)**  
**11/02/2009 Sentence** (Judicial Officer(s): Porth - FR, Ari Abraham)  
Comment (Total Amount Imposed \$223.00 )

+ Collection(s)

Total: 4

+ Event(s) & Document(s)

Total: 70

+ Hearing(s)

Total: 16

+ Related Case(s)

Total: 0

FARI

I 82409/0800/ARRGN/072909/F

1 OF 2

CIRCUIT COURT DISPOSITION ORDER IN AND FOR BROWARD COUNTY, FLORIDA

Case Number 09010943CF10A Arrest Number DN09000647 BCCN # 0757513

State of Florida VS KENAN, ADRIAN AKA

Judge WILLIAM W HAURY JR Cash bond / Return to depositor / Surety bond / IC

Cash bond number(s)

Charges 001 POSSESSION OF COCAINE

002 POSS CANNABIS/20 GRAMS OR LESS

003 RESIST/OBSTRUCT/W/O VIOL

004 TRESP/PROP/OTH STRUCT

Transfer to Div FA

( ) REMANDED ( ) REMAIN IC ( ) UNTIL PICKED UP BY BED AVAILABLE AT OR

( ) Arraignment (x) Change of Plea ( ) Guilty (x) No Contest ( ) PSI/PDR ( ) Sentencing / Re-Sentencing
( ) Trial by Jury ( ) Trial by Court ( ) First VOP/VOCC ( ) Final VOP/VOCC ( ) Admits Allegations
( ) Convicted by Jury/Court ( ) Acquitted by Jury/Court ( ) Dismissed ( ) Speedy
( ) Discharged ( ) Nolle Prosequi ( ) Found Incompetent/Committed to Child/Family Services
( ) Adj. Guilty (x) Adj. Withheld ( ) Adj. Delinquent
( ) Committed to DJJ/Level ( ) Sentence Withheld ( ) Previous Sentence Vacated
( ) PSI Ordered
Adj. and Sentence deferred to

Type of probation / Community Control:
( ) Youthful Offender ( ) Drug Offender ( ) Sexual Offender ( ) Habitual Offender ( ) Mental Health ( ) County
PROBATION/COMM. CONTROL: ( ) Revoked ( ) Reinstated ( ) Modified ( ) Terminated
Extended ( ) All previous special conditions apply
WARRANT: ( ) Dismissed ( ) Withdrawn ( ) Served in open court

SENTENCE: (PROBATION / COMM. CONTROL)
COUNT(S): 1+2
( ) Years (x) Months ( ) Days (x) Probation ( ) Community Control ( ) Followed by
( ) Years ( ) Months ( ) Days ( ) Probation ( ) Community Control
(x) each count concurrent/consecutive ( ) Concurrent ( ) Consecutive to case number
COUNT(S):
( ) Years ( ) Months ( ) Days ( ) Probation ( ) Community Control ( ) Followed by
( ) Years ( ) Months ( ) Days ( ) Probation ( ) Community Control
( ) each count concurrent/consecutive ( ) Concurrent ( ) Consecutive to case number

SENTENCE: (INCARCERATION)
COUNT(S): ( ) One year plus one day ( ) Years ( ) Months ( ) Days
( ) BCJ ( ) FSP, w/credit for days T/S
( ) Followed by ( ) Years ( ) Months ( ) Days ( ) Probation ( ) Community Control
( ) Each count concurrent/consecutive ( ) Concurrent/consecutive ( ) To case number
( ) Any other sentence ( ) Work release ( ) Prison sentence suspended
COUNT(S): ( ) One year plus one day ( ) Years ( ) Months ( ) Days
( ) BCJ ( ) FSP, w/credit for days T/S
( ) Followed by ( ) Years ( ) Months ( ) Days ( ) Probation ( ) Community Control
( ) Each count concurrent/consecutive ( ) Concurrent/consecutive ( ) To case number
( ) Any other sentence ( ) Work release (x) Prison sentence suspended

JUDGE DEPUTY CLERK DATE

FILE COPY-WHITE DEFENDANT'S COPY-GREEN SHERIFF'S COPY-YELLOW PROBATION'S COPY-PINK DEFENSE ATTORNEY'S COPY-GOLD

FARI.

State of Florida VS KENAN ALAN

Case Number 09010943CF10A

2 of 3

**SPECIAL CONDITIONS OF PRISON SENTENCE:**

- Habitual Violent Offender mandatory minimum \_\_\_\_\_ years Ct(s) \_\_\_\_\_
- Violent Career Criminal mandatory minimum \_\_\_\_\_ years Ct(s) \_\_\_\_\_
- Prison Release Reoffender mandatory minimum \_\_\_\_\_ years Ct(s) \_\_\_\_\_
- Firearm mandatory minimum \_\_\_\_\_ years Ct(s) \_\_\_\_\_
- Other mandatory minimum \_\_\_\_\_
- Habitual Offender Ct(s) \_\_\_\_\_  Youthful Offender  Sexual Predator/Offender  Boot Camp
- Drug Treatment  Tier \_\_\_\_\_ Program
- To be given credit for all time previously served in prison, to be calculated by Department of Corrections

**SPECIAL CONDITIONS OF PROBATION:**

- \_\_\_\_\_ days BCJ w/credit for \_\_\_\_\_ days T/S  work release  Boot Camp
- ATTAC  Work release after successful completion of ATTAC  Electronic Monitor  Drug Treatment
- BSO/SAP  Upon successful completion of drug program jail sentence shall be terminated

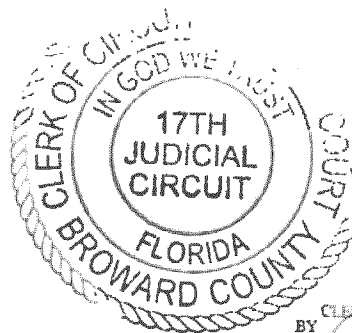
- \_\_\_\_\_ hours of Community Service
- \$ \_\_\_\_\_ COS waived/ imposed
- Anger Management Program
- BARC  followed by \_\_\_\_\_
- Blood draw per F.S. 943.325 - 2 samples for conviction of sexual assaults; lewd or indecent acts; homicides (782.04) aggravated battery; home invasion robbery or carjacking
- Curfew \_\_\_\_\_
- Drug / Alcohol evaluation and treatment recommended
- Forfeit weapon / firearm
- F.A.C.T.
- House of Hope
- IRT  followed by \_\_\_\_\_
- May transfer probation to \_\_\_\_\_
- May travel \_\_\_\_\_ for work purposes
- No contact with minor children without adult supervision
- No contact directly or indirectly with victim(s) or victim's family or others listed
- No driving without valid driver's license
- No drugs or alcohol
- Enter and successfully complete \_\_\_\_\_
- Drug Court Monitoring/Hearing set \_\_\_\_\_
- Other \_\_\_\_\_
- Obtain GED or High School diploma
- Peg Program
- Psychological/Psychiatric evaluation and treatment necessary
- Random drug/alcohol testing
- Random urinalysis/waive cost
- Recommend 2-year Driver's License Suspension
- Restitution ordered \$ \_\_\_\_\_ amount reserved
- Restitution converted to a civil lien
- Spectrum
- Substance abuse evaluation
- Turning Point Bridge Program/Aftercare
- Work Permit
- Make donation of \$ \_\_\_\_\_ to \_\_\_\_\_

- \$225 Trust Fund
- \$50 VC
- \$5 Assessment each count
- \$50 SNI count(s) \_\_\_\_\_
- \$50 PD application fee waived / imposed  \$ \_\_\_\_\_
- \$ \_\_\_\_\_ fine plus \$ \_\_\_\_\_ surcharge count(s) \_\_\_\_\_
- \$ \_\_\_\_\_ Court Costs count(s) \_\_\_\_\_
- Pay balance of previously imposed costs  Waive all court costs
- Balance of court costs and fees converted to a civil lien  \$100 Cost of Prosecution
- PD fee converted to a civil lien
- Other \_\_\_\_\_
- \$100 OTF count(s) \_\_\_\_\_
- \$20 ESTF count(s) \_\_\_\_\_
- \$2 P.C. each count
- \$65 AC each count
- \$10 Article V Assessment
- \$201 DVC count(s) \_\_\_\_\_
- \$151 RCP count(s) \_\_\_\_\_
- \$101 CAM count(s) \_\_\_\_\_
- \$20 SNI count(s) \_\_\_\_\_
- \$15 CFF count(s) \_\_\_\_\_
- PD fee
- Extradition costs

JUDGE [Signature]

DEPUTY CLERK [Signature]

DATE 4/15/11



BROWARD COUNTY, FLORIDA  
I certify this document to be a true  
and correct copy of the original.  
WITNESS MY HAND AND SEAL.

SEP 27 2022

BY BRENDA D. FORMAN  
CLERK OF COUNTY & CIRCUIT COURT D.C.

*Liz Batz* 1192



CIRCUIT COURT DISPOSITION ORDER IN AND FOR BROWARD COUNTY, FLORIDA

Case Number 09-109430 FIOA Arrest Number DNO9-647 BCCN # 07-57513

State of Florida VS Adrian Kenan AKA

Judge William W. Haury, Jr. Cash bond / Return to depositor / Surety bond / IC

Cash bond number(s)

Charges 3) Resist/Obstruct w/o Viol
4) Trespass/Prop/oth Structure

CFN # 108976805
OR BK 46668 Pages 1288 - 1790
RECORDED 11/16/09 11:25:10
BROWARD COUNTY COMMISSIONER
DEPUTY CLERK 2090
#2-3 Pages

( ) REMANDED ( ) REMAIN IC ( ) UNTIL PICKED UP BY BED AVAILABLE AT OR

( ) Arraignment (X) Change of Plea ( ) Guilty (X) No Contest ( ) PSI/PDR ( ) Sentencing / Re-Sentencing
( ) Trial by Jury ( ) Trial by Court ( ) First VOP/VOCC ( ) Final VOP/VOCC ( ) Admits Allegations
( ) Convicted by Jury/Court ( ) Acquitted by Jury/Court ( ) Dismissed ( ) Speedy
( ) Discharged ( ) Nolle Prosequi ( ) Found Incompetent/Committed to Child/Family Services
( ) Adj. Guilty (X) Adj. Withheld 3-24 ( ) Adj. Delinquent
( ) Committed to DJJ/Level (X) Sentence Withheld 3-24 ( ) Previous Sentence Vacated
( ) PSI Ordered
Adj. and Sentence deferred to

Type of probation / Community Control:
( ) Youthful Offender ( ) Drug Offender ( ) Sexual Offender ( ) Habitual Offender ( ) Mental Health ( ) County
PROBATION/COMM. CONTROL: ( ) Revoked ( ) Reinstated ( ) Modified ( ) Terminated
Extended ( ) All previous special conditions apply
WARRANT: ( ) Dismissed ( ) Withdrawn ( ) Served in open court

SENTENCE: (PROBATION / COMM. CONTROL)
COUNT(S):
( ) Years ( ) Months ( ) Days ( ) Probation ( ) Community Control ( ) Followed by
( ) Years ( ) Months ( ) Days ( ) Probation ( ) Community Control
( ) each count concurrent/consecutive ( ) Concurrent ( ) Consecutive to case number
COUNT(S):
( ) Years ( ) Months ( ) Days ( ) Probation ( ) Community Control ( ) Followed by
( ) Years ( ) Months ( ) Days ( ) Probation ( ) Community Control
( ) each count concurrent/consecutive ( ) Concurrent ( ) Consecutive to case number

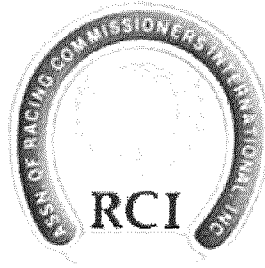
SENTENCE: (INCARCERATION)
COUNT(S):
( ) One year plus one day ( ) Years ( ) Months ( ) Days
( ) BCJ ( ) FSP, w/credit for days T/S
( ) Followed by ( ) Years ( ) Months ( ) Days ( ) Probation ( ) Community Control
( ) Each count concurrent/consecutive ( ) Concurrent/consecutive ( ) To case number
( ) Any other sentence ( ) Work release ( ) Prison sentence suspended
COUNT(S):
( ) One year plus one day ( ) Years ( ) Months ( ) Days
( ) BCJ ( ) FSP, w/credit for days T/S
( ) Followed by ( ) Years ( ) Months ( ) Days ( ) Probation ( ) Community Control
( ) Each count concurrent/consecutive ( ) Concurrent/consecutive ( ) To case number
( ) Any other sentence ( ) Work release ( ) Prison sentence suspended

JUDGE William W. Haury, Jr. DEPUTY CLERK DATE 11/2/09









Page 1 of 1. 0 total matches.

|                    |
|--------------------|
| Search Parameters  |
| Govt. Number:      |
| Date of Birth:     |
| First Name: Adrian |
| Middle Name:       |
| Last Name: Kenon   |
| Sex:               |
| Commission:        |
| License Type:      |

| Master ID | Last Name | First Name | Middle Name | SSN/Federal ID | Rulings | Birth Date | City | State |
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|









## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Marc Taupier, Chief Attorney  
Re: Romy Joseph; Case No. 2022-051304 – License Denial  
Date: November 18, 2022

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Romy Joseph's ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on September 27, 2022. Upon review of the application, it appears Applicant has been convicted of several felony crimes. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On September 27, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant was convicted of several felony crimes in the state of Florida. Specifically, the Applicant was convicted of the following:

- Possession of Cocaine with Intent to Deliver/Sell within 1000 feet of a School in 2022<sup>1</sup>;
- Possession of Cannabis with Intent in 2019;
- Controlled Substance Sale in lieu thereof in 2019.

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 was sentenced on October 19, 2022, to 364 days in the Miami-Dade County Jail followed by 4 years of probation.

*Relevant Law*

Section 551.107(6)(a), Florida Statutes, provides in pertinent part that:

“. . .the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense.”

Section 849.086(6)(f), Florida Statutes, provides that the “provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses.”

Section 849.086(6)(g), Florida Statutes, provides that:

“[t]he commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.”

Section 550.105(5)(d), Florida Statutes, provides that:

“. . . the term “convicted” means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere. However, the term “conviction” shall not be applied to a crime committed prior to the effective date of this subsection in a manner that would invalidate any

occupational license issued prior to the effective date of this subsection or subsequent renewal for any person holding such a license.”

Staff Recommendation: Because the Applicant's disqualifying criminal convictions cannot be waived, the Florida Gaming Control Commission may deny or declare Applicant ineligible for any license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

Licensing Administrator Review – Slot Machine Occupational License

RE: JOSEPH, ROMY - 13350370

Case No: 2022-051304

(APPLICANT'S NAME- LICENSE #)

|                                |                         |
|--------------------------------|-------------------------|
| INITIAL APPLICATION RECEIVED:  | <u>9/27/2022</u>        |
| COMPLETE APPLICATION RECEIVED: | <u>10/24/2022</u>       |
| <b>90-DAY DEADLINE:</b>        | <b><u>1/22/2023</u></b> |

Cindy Ritter  
Application Processor

Gulfstream Park, #321  
Facility (d/b/a name)

Security Officer/1055  
Occupation/Job Title/Lic Type

Pursuant to Section 551.107(6)(c) Conviction is defined as being found guilty, with or without adjudication of guilt, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere. Any misdemeanor conviction to include fraud and theft which are defined for purposes of slot machine gaming licensure as involving dishonesty, misrepresentation, deceit, and lack of truthful conduct in transaction with another.

**Licensing Section Review**

Did the application accurately reflect the Criminal History Record?  Yes  No

**Conviction**

- Felony : 3 cts  
 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                                    |
|-------------|----------------------------|---|--------|--|
| 10/19/2017  | Miami-Dade County, Florida | Cannabis Sell Man Deliver Possess w/intent; Controlled Substance/Sale of Subs in Lieu Thereof, Case #132017CF0202690001XX | F<br>F | Adj w/h; prob sp cond<br>Adj w/h; prob sp cond |
| 01/31/2020  | Miami-Dade County, Florida | Cocaine Sell Del Posn w intent 1000 ft of school, Case #132020CF0019380001XX  | F      | Guilty   |

**Disposition Unknown**

- Felony Arrest(s) :  
 Misdemeanor Arrest – Gambling Related/Bookmaking  
 Two or more misdemeanor arrests/counts that involve theft, fraud, or burglary

**Comments:**

**Enforcement/Jurisdiction Offenses**

- Currently under Suspension, Declared Ineligible, Revoked, Denied, Ejected, Unpaid Fine, in this or any other state gaming commission, governmental department, agency, or other authority exercising regulatory jurisdiction over the gaming of another state or jurisdiction.

**Comments:**

**Related Licenses**

**Check VR License Relations to Determine if Applicant is Related to a Business**

Is the individual applicant related to a business? Yes  No  If yes, complete sections below.

Business License Number: \_\_\_\_\_ Business Name: \_\_\_\_\_

Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes  No

Date Deficiency Letter Issued: \_\_\_\_\_ Initials: \_\_\_\_\_

**Comments:**

**Licensing Administrator Review**

**Disposition Confirmation**

Disqualifying Convictions/Arrests Confirmed? Yes  No   Approval  
 Forward to  Investigations  Legal  Director Initials:           

**Comments:**

FAQ | Help | Sign Out

|         |       |        |             |         |      |      |            |             |        |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|
| VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report |
|---------|-------|--------|-------------|---------|------|------|------------|-------------|--------|

[Complaint Search Update](#)  
 [Change Recording License Type](#)  
 [Delete Complaint](#)  
 [Mass Activity Update](#)  
 [Mass Discipline](#)  
 [Mass Status Update](#)  
 [Public Case Info](#)

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: critter

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>10/25/2022</b>   |
| Complaint # | <b>2022051304</b>  | Case Type   | <b>CMP - Complaint</b>               | Disposition | Disposition Date    |
| Docket#     | Respondent <b>JOSEPH, ROMY</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="checkbox"/> Parties                | <input checked="" type="checkbox"/> Activities  |
| Form      | <b>INTR - Internal</b>  | Priority       |                    | <input checked="" type="checkbox"/> Allegations | Discipline                                      |
| Class'n   | <b>CHIS - Criminal History</b>  | Complexity     | <b>R - Regular</b> | <input type="checkbox"/> Violations             | <input type="checkbox"/> Compliance             |
| Security  | <b>STND - Standard</b>  | Incident       | <b>09/27/2022</b>  | Related   | <input checked="" type="checkbox"/> Disposition |
| Region    | <b>NR - Northern Region</b>   | Received       | <b>10/25/2022</b>  | <input type="checkbox"/> Inspection             |   |
| Reference |   |                |                    | <input type="checkbox"/> Costs                  |   |
| Entered   | <b>10/25/2022</b>   | Entered By     | <b>critter</b>     | Time Tracking                                   | Auto Assign                                     |
| Summary   | <b>Application and rap sheet reviewed. Applicant's criminal history resulted in felony convictions. (321/Gulfstream Park)</b> |                |                    | Attachments                                     | History   |
| Updated   | <b>10/25/2022 09:28:45</b>  | By             | <b>critter</b>     | <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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OCCUPATIONAL LICENSES FEE VOUCHER

5582

Date 9/22/22

Applicant Name: Joseph Romy  
(Please print)

Position/Title: Security officer  
(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, GULFSTREAM PARK agrees to remit to the Division:

\$50 (1-year license)

\$ 100.00 (Other)

Minella Jean d'Ar  
Human Resources Authorized Signature

For Accounting use only.

Original - Division    Yellow - Submit for Payment    Pink - Accounting    Gold - HR Personnel File    GULFSTREAM PARK



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
[www.myfloridalicense.com](http://www.myfloridalicense.com)

SEP 27 2022

APPLICATION CHECKLIST – IMPORTANT – Submit all items on the checklist below to ensure faster processing.

TUN 70697000002028

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.

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





































































































Page 1 of 1. 0 total matches.

|                   |
|-------------------|
| Search Parameters |
| Govt. Number:     |
| Date of Birth:    |
| First Name: Romy  |
| 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 |
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Marc Taupier, Chief Attorney  
Re: Kallen Edward Flanders; Case No. 2022-054557– License Denial  
Date: November 18, 2022

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Kallen Edward Flanders’ (“Applicant”) application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on November 14, 2022. Upon review of the application, it appears Applicant has been convicted of a felony crime and a misdemeanor crime involving larceny. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

### *Pertinent Facts*

On November 14, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant was convicted of a felony crime and a misdemeanor crime involving larceny in the state of Florida. Specifically, the Applicant was convicted of the following:

- Cash Deposit with Intent to Defraud in 2004;
- Petit Theft in 2004.

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 any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense.”

Section 849.086(6)(f), Florida Statutes, provides that the “provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses.”

Section 849.086(6)(g), Florida Statutes, provides that:

“[t]he commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.”

Section 550.105(5)(d), Florida Statutes, provides that:

“. . . the term “convicted” means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere. However, the term “conviction” shall not be applied to a crime committed prior to the effective date of this subsection in a manner that would invalidate any occupational license issued prior to the effective date of this subsection or subsequent renewal for any person holding such a license.”

Staff Recommendation: Because the Applicant's disqualifying criminal conviction cannot be waived, the Florida Gaming Control Commission may deny or declare Applicant ineligible for any license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

Department of Business and Professional Regulation  
 Division of Pari-Mutuel Wagering

Licensing Administrator Review – SLOT Occupational License

RE: **FLANDERS, KALLEN EDWARD –  
 13389591**

Case No: **2022054557**

(APPLICANT'S NAME– LICENSE #)

|                                |                  |
|--------------------------------|------------------|
| INITIAL APPLICATION RECEIVED:  | 11/2/2022        |
| COMPLETE APPLICATION RECEIVED: | 11/14/2022       |
| <b>90-DAY DEADLINE:</b>        | <b>2/12/2023</b> |

**Randall Kitchens**

**144 – Big Easy**

**1055 – Security**

**Application Processor**

**Facility (d/b/a name)**

**Occupation/Job Title**

Pursuant to Section 550.105(5)(a): The division may deny a license of any person who has been refused a license by any other state racing commission or racing authority, under suspension or has unpaid fines in another jurisdiction. The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

**Licensing Administrator Review**

**Conviction**

Did the application accurately reflect the Criminal History Record?  Yes  No

Felony : 1 Count(s)

Misdemeanor – Industry Related/Gambling Related/Bookmaking

Animal Cruelty

Forgery, Larceny Extortion, Conspiracy to Defraud (Cardroom Professions Only)

**Comments:**

| Arrest Date | Location           | Charge  | Level | Disposition  |
|-------------|--------------------|---|-------|--------------|
| 11/05/2004  | Broward County, Fl | Cash Deposit W/intent to Defraud<br>04017194CF10A | F3    | Guilty       |
| 11/05/2004  | Broward County, Fl | Petit Theft 2 <sup>nd</sup> Degree                | M2    | 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: 

11/15/22

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>11/15/2022</b> |
| Complaint # | <b>2022054557</b>  | Case Type   | <b>CMP - Complaint</b>               | Disposition         | Disposition Date  |
| Docket#     | Respondent <b>FLANDERS, KALLEN EDWARD</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>           | <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>11/02/2022</b>  | <a href="#">Related</a>       | <a href="#">Disposition</a>  |
| Region    | <b>SR - Southern Region</b>   | Received       | <b>11/15/2022</b>  | <a href="#">Inspection</a>    |                              |
| Reference |   |                |                    | <a href="#">Costs</a>         |                              |
| Entered   | <b>11/15/2022</b>   | Entered By     | <b>rkitchens</b>   | <a href="#">Time Tracking</a> | <a href="#">Auto Assign</a>  |
| Summary   | <b>Application and rap sheet reviewed. Applicant's criminal history resulted in felony conviction(s) or an industry related offense. Facility - 144 - Big Easy.</b> |                |                    | <a href="#">Attachments</a>   | <a href="#">History</a>      |
| Updated   | <b>11/15/2022 11:30:48</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> |
|------------------------|----------------------|--------------------|------------------------|----------------------|

Get Adobe Reader.



**EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

- Yes  
 No

Have you previously worked for a gaming-related employer?  
 If yes, you must list below all gaming-related employment history in the past ten years.

| Name of Employer | Address | Start Date (Month/ Year)<br>- End Date (Month/ Year) | Title/Position Held &<br>Supervisor Name | Reason for Leaving |
|------------------|---------|--|--|--------------------|
| No               |         |  |  |                    |
| No               |         |  |  |                    |
| No               |         |  |  |                    |
| No               |         |  |  |                    |
| No               |         |  |  |                    |
| No               |         |  |  |                    |

**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)<br>Where Licensed | Date of<br>Expiration | Is this license currently suspended or<br>subject to fines or other discipline? Explain why. |
|---|-----------------------|--|
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><input type="checkbox"/> No                                  |
|   |                       | <input type="checkbox"/> Yes<br><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 |
|---------------------|--------|-------|---------|------------------------|----------|
|                     |        |       |         |                        |          |
|                     |        |       |         |                        |          |
|                     |        |       |         |                        |          |
|                     |        |       |         |                        |          |
|                     |        |       |         |                        |          |
|                     |        |       |         |                        |          |

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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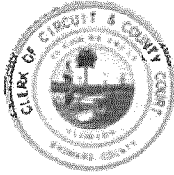












**BRENDA D. FORMAN**  
**CLERK OF THE COURTS**

browardclerk.org ■ BROWARD COUNTY, FLORIDA



Menu

**Is your court hearing being held via Zoom? Learn more about Remote Court Hearings by Zoom. (/GeneralInformation/Miscellaneous#RemoteHearingsbyZoom)**

**Case Detail - Public**

Print

**State of Florida Vs. Flanders, Kallen Edward**

**Broward County Case Number:** 04017194CF10A  
**State Reporting Number:** 062004CF017194A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 10/22/2004  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Kollra - FF, Ernest A  
**Magistrate Id / Name:** N/A  
**BCCN:** 0658810

**- Party(ies)** Total: 5

| Party Type          | Party Name             | Address | Attorneys / Address<br>★ Denotes Lead Attorney |
|---------------------|------------------------|---------|--|
| Cash Bond Depositor | <b>Huggins, Lester</b> |         |  |



| Issue Date | Charge (s) | Detail  | Status   |
|------------|------------|---|--|
| 08/04/2005 | 1          | <b>Warrant#</b><br><b>04017194CF10A050804WVOP050804N</b><br><b>(InActive)</b><br>Type: Warrant - Violation Of Probation<br>Bond Type: No Bond Hold<br>Date Served: 08/10/2005<br>Hold Without Bail Bond: Yes                | 08/10/2005 Warrant Served<br>08/04/2005 Active<br><br>(Comment: SIGNED 080405<br>WALK-THRU **) |
| 10/15/2004 | 1, 2       | <b>Warrant#</b><br><b>04017194CF10A041015CNIC041022</b><br><b>(InActive)</b><br>Type: Capias - Not In Custody<br>Bond Amount: \$1025.00<br>Bond Type: Set By Judge<br>Date Served: 11/05/2004<br>Hold Without Bail Bond: No | 11/05/2004 Capias Served<br>10/15/2004 Active<br><br>(Comment: NIC **)                         |

**- Bond(s)** Total: 2

| Posted Date | Charge (s) | Detail   | Status                                     |
|-------------|------------|--|--|
| 11/06/2004  | 1          | <b>Bond# 013211</b><br><b>(InActive)</b><br>Bond Type: Surety Bond<br>Bond Company: Mary & Jimmy's<br>Insurance Company: Continental Heritage<br>Insurance Company<br>Bond Amount: \$1000.00<br>Surety Comment: InsCo: LNIC-LEXINGTON<br>NATIONAL INS CO | 11/06/2004 POSTED<br>11/30/2004 DISCHARGED |
| 11/06/2004  | 2          | <b>Bond# 2316335</b><br><b>(Active)</b><br>Bond Type: Cash Bond<br>Bond Amount: \$25.00  | 11/06/2004 POSTED                          |

**- Arrest(s)** Total: 3

| Arrest Date | Charge | Arrest Number | Detail  |
|-------------|--------|---------------|---|
| 08/10/2005  | 1      | BS05010344    | <b>Rearrest</b><br>Offense: Cash/deposit Item W/i/defraud<br>Degree: (F3)<br>Bond Amount: \$<br>Statute: 832.05(3)<br>OBTS Number: 0608058661<br>Rearrest Reason: 5012 Warrant Violation of Probation |

| Arrest Date | Charge | Arrest Number | Detail  |
|-------------|--------|---------------|---|
| 11/05/2004  | 1      | PP04001855    | <b>Arrest</b><br>Name At Arrest: Flanders, Kallen Edward<br>Offense: Cash/deposit Item W/i/defraud<br>Degree: (F3)<br>Bond Amount: \$1025.00<br>Bond Type: Surety Bond<br>Statute: 832.05(3)<br>OBTS Number: 0610020583 |
| 11/05/2004  | 2      | PP04001855    | <b>Arrest</b><br>Name At Arrest: Flanders, Kallen Edward<br>Offense: Petit Theft<br>Degree: (M2)<br>Bond Amount: \$1025.00<br>Bond Type: Surety Bond<br>Statute: 812.014(3)(a)<br>OBTS Number: 0610020583               |

| - Disposition(s) |        |   | Total: 2 |
|------------------|--------|---|----------|
| Offense Date     | Charge | Disposition(s)  |          |
| 01/07/2004       | 1      | <b>Plea(s)</b><br>11/30/2004 Plea<br>Arraignment / Nolo Contendere<br><br><b>Disposition(s)</b><br>08/17/2005 Amended Disposition (Reason: Change of Plea, Adjudicated)<br>11/30/2004 Disposition Adjudicated<br><br><b>Sentence(s)</b><br>08/17/2005 Amended Resentencing (Judicial Officer(s): Kaplan, Stanton S)<br>Comment (Docketrac Sentence Record Note: Pay Balance )<br>Comment (Total Amount Imposed \$385.00 )<br>Confinement (Effective 08/17/2005 at 12:00 AM, Min. Not Applicable, Max. 0 Year (s) 0 Month(s) 120 Day(s), Broward County Jail, Credit Time Served: 0 Year(s) 0 Month(s) 16 Day(s), Serve Consecutive Days: )<br>Provisions: Provisions ( Probation Revoked) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)<br><br>11/30/2004 Sentence (Judicial Officer(s): Kaplan, Stanton S)<br>Comment (Docketrac Sentence Record Note: Cos-\$15 )<br>Comment (Total Amount Imposed \$385.00 )<br>Charge Reopen Status (08/17/2005, Closed, 1 )<br>State Probation ( 0 Year(s) 18 Month(s) 0 Day(s), Start Date: 11/30/2004, End Date: 08/17/2005 )<br>Restitution (\$205.00, Due: 12/31/9999 )<br>Provisions: Provisions ( Reduce Cost of Supervision) Special Provisions(Defendant Sentenced Under Sentencing Guidelines) |          |

| Offense Date | Charge | Disposition(s)  |
|--------------|--------|---|
| 01/07/2004   | 2      | <p><b>Plea(s)</b><br/> <b>11/30/2004 Plea</b><br/>                     Arraignment / Nolo Contendere</p> <p><b>Disposition(s)</b><br/> <b>11/30/2004 Disposition</b><br/>                     Adjudication Withheld</p> <p><b>Sentence(s)</b><br/> <b>11/30/2004 Sentence</b> (Judicial Officer(s): Kaplan, Stanton S)<br/>                     Comment (Total Amount Imposed \$50.00 )<br/>                     State Probation ( 0 Year(s) 6 Month(s) 0 Day(s), Start Date: 11/30/2004, End Date: 05/30/2005 )<br/>                     Sentence Status (Concurrent, Case#: 04-017194-CF10A, Counts: 001-001,<br/>                     Comment: Deff#:04017194CF10A Count:001)<br/>                     Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p> |

**- 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 | Ne: Pa: Am |
|-----------------|--------|-----------------|----------------------|------------------|-------------------|--------------------|-------------------|---------------------|-------------------|------------|
| 04/28/2015      | 1      |                 | \$385.00             | \$390.00         | \$390.00          | \$0.00             | 04/28/2015        | \$381.44            | -                 | \$0.       |
| 04/28/2015      | 2      |                 | \$50.00              | \$55.00          | \$55.00           | \$0.00             | 04/28/2015        | \$55.00             | -                 | \$0.       |

**- Event(s) & Document(s) Total: 18**

| Date       | Description   | Additional Text                    | View | Pages |
|------------|---|------------------------------------|------|-------|
| 06/16/2012 | <b>Sent To Law Firm For Collections</b>               |                                    |      |       |
| 05/16/2012 | <b>Felony Letter - 30 Days Past Due</b>               | \$426.44                           |      |       |
| 08/17/2005 | <b>File Def Affidavit Indigency/Declared Indigent</b> |                                    |      |       |
| 08/17/2005 | <b>Hrg Held / First-Final Violation Of Probation</b>  | F / Cr M Russell / Admits / Revoke |      |       |
| 08/17/2005 | <b>File And Record Judgment</b>                       | Or Bk 40334 Pages 409-410          |      |       |
| 08/17/2005 | <b>File Sentencing Guidelines</b>                     |                                    |      |       |

| Date       | Description   | Additional Text                          | View | Pages |
|------------|---|--|------|-------|
| 08/04/2005 | <b>File Affidavit And Warrant Violation Of Probation</b>      | Signed 080405(walk-Thru)warrant Not Recd |      |       |
| 11/30/2004 | <b>Broward County Supervision</b>                             | Count(s):< 001 ><br>Amount: \$50.00      |      |       |
| 11/30/2004 | <b>Arraignment Held</b>                                       | Ct Rept-M Russell (f)                    |      |       |
| 11/30/2004 | <b>Defendant Allowed 15 Days to File Motions</b>              |  |      |       |
| 11/30/2004 | <b>File Def Affidavit Indigency/Declared Indigent</b>         |  |      |       |
| 11/30/2004 | <b>File Order Declaring Indigent &amp; Appointing Counsel</b> |  |      |       |
| 11/30/2004 | <b>File Order Of Probation</b>                                |  |      |       |
| 11/30/2004 | <b>File Restitution Order</b>                                 |  |      |       |
| 11/30/2004 | <b>File Sentencing Guidelines</b>                             |  |      |       |
| 11/15/2004 | <b>Court Date Notice</b>                                      | Def, Depositor, Sao                      |      |       |
| 11/05/2004 | <b>Capias Served</b>  | Count(s):< 001 002 >                     |      |       |
| 10/15/2004 | <b>File State Not In Custody - Information</b>                | Count(s):< 001 002 >                     |      |       |

- 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**

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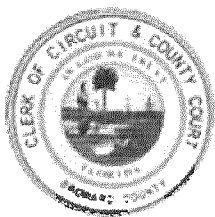
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## Case Detail - Public

Print

### State of Florida Vs. Flanders, Kallen Edward

**Broward County Case Number:** 07010556CF10A  
**State Reporting Number:** 062007CF010556A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 06/09/2007  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Judge, Unassigned  
**Magistrate Id / Name:** N/A  
**BCCN:** 0658810

#### - Party(ies)

Total: 2

Party  
Type

Party Name

Address

Attorneys / Address  
 Denotes Lead Attorney





**There is no Bond information available for this case.**

**- Arrest(s)**

**Total: 1**

| Arrest Date | Charge | Arrest Number | Detail  |
|-------------|--------|---------------|---|
| 06/08/2007  | 1      | PP07001349    | <b>Arrest</b><br>Name At Arrest: Flanders, Kallen Edward<br>Offense: Poss/pur/sell/del/man/cannabis<br>Degree: (F3)<br>Bond Amount: \$1000.00<br>Bond Type: Not Applicable<br>Statute: 893.03(1)C7<br>OBTS Number: 0612026404 |

**- Disposition(s)**

**Total: 1**

| Offense Date | Charge | Disposition(s)   |
|--------------|--------|--|
| 06/08/2007   | 1      | <b>Disposition(s)</b><br><b>07/10/2007 Disposition</b><br>No Information/Transfer to Misdemeanor |

**- Event(s) & Document(s)**

**Total: 4**

| Date       | Description  | Additional Text                                 | View | Pages |
|------------|--|---|------|-------|
| 07/11/2007 | <b>Related Case</b>  | Related Case:<br>07015219MM10A ,<br>Reason: SI, |      |       |
| 07/10/2007 | <b>Docketrac Defendant Record Note Field</b>                       | NOIF/071007/ORIG<br>DIV FG                      |      |       |
| 06/09/2007 | <b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b> | Ptr Ror   |      |       |

| Date       | Description  | Additional Text | View | Pages |
|------------|--|-----------------|------|-------|
| 06/09/2007 | <b>File Order And Recommendation Pre-Trial Release</b> | Signed 060907   |      |       |

**- Hearing(s)** **Total: 0**

**There is no Disposition information available for this case.**

**- Related Case(s)** **Total: 1**

| Related Case Number | Case Type     | Additional Text |
|---------------------|---------------|-----------------|
| 07015219MM10A       | Same Incident |                 |

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| - Charge(s)                |        |        |  | Total: 2 |
|----------------------------|--------|--------|--|----------|
| Offense Date               | Charge | Degree | Detail   |          |
| 06/08/2007                 | 1      | (M1)   | <b>Possess Cannabis/20 Grams Or Less</b><br>Date Filed: 06/08/2007<br>Current Statute: (M1)893.13(6)(B)<br>Filing Type: SAO Information- Change of Charge<br>Filing Agency: State Attorney<br>Original Statute: (M1)893.13(6)(B)-Possess Cannabis/20 Grams Or Less |          |
| 06/08/2007                 | 2      | (0)    | <b>Litter Pub Hghwy/Mot Veh</b><br>Date Filed: 06/08/2007<br>Current Statute: (0)403.413(4)(A)<br>Filing Agency: State Attorney<br>Original Statute: (0)403.413(4)(A)-Litter Pub Hghwy/Mot Veh<br>Citation Number: 2997FBS   |          |
| <b>Vehicle Information</b> |        |        |  |          |

| - Warrant(s) |           |  |  | Total: 1 |
|--------------|-----------|--|--|----------|
| Issue Date   | Charge(s) | Detail   | Status   |          |
| 07/25/2007   | 1         | <b>Warrant#</b><br><b>07015219MM10A070725CAP070727</b><br><b>(InActive)</b><br>Type: Capias<br>Bond Amount: \$2500.00<br>Bond Type: Set By Judge<br>Hold Without Bail Bond: No | 08/17/2007 Capias Withdrawn<br><br>(Comment: SIGNED 081607 PER J/LAZARUS **) |          |
|              |           |  | 07/25/2007 Active  |          |
|              |           |  | (Comment: NO SHOW ARRAIGNMENT **)  |          |

Total: 0

**- Bond(s)**

There is no Bond information available for this case.

| - Arrest(s) |        |               |        | Total: 1 |
|-------------|--------|---------------|--------|----------|
| Arrest Date | Charge | Arrest Number | Detail |          |
|             |        |               |        |          |

| Arrest Date | Charge | Arrest Number | Detail  |
|-------------|--------|---------------|---|
| 06/08/2007  | 1      | PP07001349    | <b>Arrest</b><br>Name At Arrest: Flanders, Kallen Edward<br>Offense: Sell/Pur/Mfr/Del Cntrl Substan<br>Degree: (F3)<br>Bond Amount: \$<br>Statute: 893.13(1)A2<br>OBTS Number: 0612026404 |

| - Disposition(s) |        |  | Total: 2 |
|------------------|--------|--|----------|
| Offense Date     | Charge | Disposition(s)   |          |
| 06/08/2007       | 1      | <b>Plea(s)</b><br>10/25/2007 <b>Plea</b><br>Arraignment / Nolo Contendere<br><br><b>Disposition(s)</b><br>10/25/2007 <b>Disposition</b><br>Adjudication Withheld<br><br><b>Sentence(s)</b><br>10/25/2007 <b>Sentence</b> (Judicial Officer(s): Pollack, Gisele)    |          |
| 06/08/2007       | 2      | <b>Plea(s)</b><br>10/25/2007 <b>Plea</b><br>Arraignment / Nolo Contendere<br><br><b>Disposition(s)</b><br>10/25/2007 <b>Disposition</b><br>Adjudication Withheld<br><br><b>Sentence(s)</b><br>10/25/2007 <b>Sentence Withheld</b> (Judicial Officer(s): No, Judge) |          |

| - 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 | N<br>F<br>A |
| 05/25/2018      | 1      |                 | \$228.00             | \$317.60         | \$317.60          | \$0.00             | 05/25/2018        | \$317.60            |                   | \$          |
| 05/25/2018      | 2      | 002997FBS       | \$0.00               | \$17.55          | \$17.55           | \$0.00             | 05/25/2018        | \$17.55             |                   | \$          |
| 05/25/2018      | 0      |                 | \$0.00               | \$28.00          | \$28.00           | \$0.00             | 05/25/2018        | \$28.00             |                   | \$          |

| - Event(s) & Document(s) |   |  |      | Total: 24 |
|--------------------------|---|--|------|-----------|
| Date                     | Description                                     | Additional Text  | View | Pages     |
| 05/25/2018               | <b>Deft Paid Late Fees</b>                      | Count(s):< 000 >   |      |           |
| 05/25/2018               | <b>Financial Obligation Withdrawn</b>           | Count(s):< 001 >   |      |           |
| 05/25/2018               | <b>D6 Withdrawn</b>                             | Count(s):< 002 >   |      |           |
| 02/28/2015               | <b>Sent To Law Firm For Collections</b>         | Linebarger   |      |           |
| 09/16/2012               | <b>Sent To Law Firm For Collections</b>         |  |      |           |
| 08/15/2012               | <b>Court Defer/60 Days Past Due</b>             | \$269.00   |      |           |
| 07/16/2012               | <b>Court Defer/30 Days Past Due</b>             | \$269.00   |      |           |
| 06/16/2012               | <b>D6 Order Fail To Pay</b>                     |  |      |           |
| 06/16/2012               | <b>D6/ Fin</b>                                  |  |      |           |
| 05/17/2012               | <b>File Letter To Deft//Balance Due On Case</b> | Balance due \$246.00   |      |           |
| 10/25/2007               | <b>Arraignment Held</b>                         | Crs  |      |           |
| 10/25/2007               | <b>File Acknowledgement -Waiver Of Rights</b>   |  |      |           |
| 10/25/2007               | <b>File Plea Agreement</b>                      |  |      |           |
| 09/06/2007               | <b>Arraignment Not Held</b>                     | Crs  |      |           |
| 09/06/2007               | <b>File Order Transferring Case</b>             | To Misdemeanor Drug Court  |      |           |
| 08/17/2007               | <b>Capias Withdrawn</b>                         | Count(s):< 001 >   |      |           |
| 08/17/2007               | <b>Defendant Request Form Returned</b>          | Signed 081607 Per J/lazarus*granted*rc/ reset  |      |           |
| 08/17/2007               | <b>D6 Withdrawn</b>                             | Count(s):< 002 > SIGNED 081607 PER J/LAZARUS   |      |           |
| 07/31/2007               | <b>Notes</b>                                    | Rec Deft Req Form Count (s):< 001 002 >  |      |           |
| 07/25/2007               | <b>Order</b>                                    | Per J/lazarus / It Is Hereby Ordered That Pre-Trial Release Is Revoked / Capias Issued By Judge Laza us / Filed In Opn Court |      |           |
| 07/25/2007               | <b>D6 Arraignment</b>                           | DEDATE= Count (s):< 002 >  |      |           |
| 07/25/2007               | <b>Capias Issued</b>                            | Count(s):< 001 >   |      |           |



| Date       | Description                              | Additional Text                               | View | Pages |
|------------|--|---|------|-------|
| 07/11/2007 | <b>Docketrac Count Record Note Field</b> | Count(s):<[002]> WAIVE COURT COSTS            |      |       |
| 07/11/2007 | <b>Related Case</b>                      | Related Case:<br>07010556CF10A<br>Reason: SI, |      |       |

**- Hearing(s) Total: 1**

| Date       | Description        | Additional Text   |
|------------|--------------------|---|
| 07/25/2007 | <b>Arraignment</b> | Hearing Time: 1:00 PM<br>Judicial Officer(s):null<br>Location: null<br><i>Div:MS Judge:MS Room:0465</i> |

**- Related Case(s) Total: 1**

| Related Case Number | Case Type     | Additional Text |
|---------------------|---------------|-----------------|
| 07010556CF10A       | Same Incident |                 |

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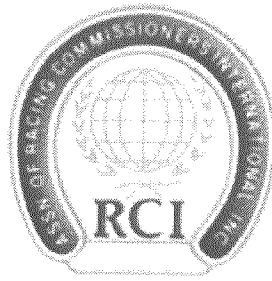












Page 1 of 1. 0 total matches.

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| Middle Name:             |
| Last Name: Flanders      |
| Sex:                     |
| Commission:              |
| License Type:            |

| Master ID | Last Name | First Name | Middle Name | SSN/Federal ID | Rulings | Birth Date | City | State |
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|
|-----------|-----------|------------|-------------|----------------|---------|------------|------|-------|

















11.

Option 3  
Final Orders

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Tai Van Ly Case Number 2022-037245; Final Order  
Date: November 25, 2022

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Tai Van Ly (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. Respondent was properly served with an Administrative Complaint and an Election of Rights form. Respondent submitted an executed Election of Rights form indicating that they do not dispute the allegations of material fact in the Administrative Complaint and waive their right to any form of hearing. Respondent requests that a final order be entered imposing a penalty in this case. 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 July 18, 2022, Respondent was a patron of PPI, Inc.<sup>1</sup> Respondent was seen via surveillance footage capping his bet. Capping, a form of cheating, means adding money to a winning bet after the outcome is known. Respondent was ejected and permanently excluded from PPI, Inc.<sup>2</sup> on July 22, 2022.

Based on his ejection and exclusion from PPI, Inc., the Division served Respondent with an administrative complaint seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. Respondent received the complaint alongside an Election of Rights form, which he executed and sent back to the Division on October 31, 2022. Respondent did not dispute the allegations contained within the administrative complaint, waived his right to any form of hearing, and requested that the Commission enter a final order imposing a penalty and fine.

### *Analysis*

---

<sup>1</sup> PPI, Inc. 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.

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 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.” Likewise, section 551.112, Florida Statutes, provides, in relevant part “[t]he division 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.” Miami Casino, LLC 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. 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 Tai Van Ly from all pari-mutuel and slot machine facilities in this state.

[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>1098 - Unlicensed Complaints</b> | Status      | <b>90 Closed</b>                | Status Date         | <b>08/10/2022</b> |
| Complaint # | <b>2022037245</b>                   | Case Type   | <b>CMP - Complaint</b>          | Disposition         | Disposition Date  |
| Docket#     | Respondent <b>LY, TAI VAN</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>           |
| 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>07/18/2021</b>  |
| Region    | <b>SR - Southern Region</b>   | Received       | <b>08/02/2022</b>  |
| Reference | <b>61D-11.005(4) &amp; 550.0251</b>   |                |                    |
| Entered   | <b>08/02/2022</b>   | Entered By     | <b>Imuniz</b>      |
| Summary   | <p><b>430-PPI, Inc. ----- / ----- . Prohibitions &amp; The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation: On July 18, 2022 TAI VAN LY was observed capping a wager (a form of cheating) while playing THREE (3) CARD POKER at the Pompano Park card room resulting in an act of deceit upon the Designated Player. TAI VAN LY was subsequently permanently excluded from POMPANO PARK</b></p> |                |                    |
| Updated   | <b>08/10/2022 13:46:16</b>  | By             | <b>Imuniz</b>      |

Parties
  Activities

Allegations
  Discipline

Violations
  Compliance

Related
  Disposition

Inspection

Costs

Time Tracking

Attachments

Work Notes




|          |                                       |                                     |                                   |                                       |                                     |
|----------|---------------------------------------|-------------------------------------|-----------------------------------|---------------------------------------|-------------------------------------|
| <b>8</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:<br><b>PMW</b>  | Region:<br><b>SOUTH</b>       | Date of Complaint:<br><b>AUGUST 2, 2022</b>   | Case Number:<br><b>2022 03 7245</b> |
| Respondent:<br><br><b>LY, TAI VAN<br/>8063 BUTTONWOOD CIRCLE<br/>TAMARAC, FLORIDA 33321</b>  |                               | Complainant:<br><br><b>DIVISION OF PARI-MUTUEL WAGERING<br/>OFFICE OF INVESTIGATIONS<br/>1400 WEST COMMERCIAL BOULEVARD, SUITE 165<br/>FORT LAUDERDALE, FLORIDA 33309</b> |                                     |
| License # and Type:<br><b>UNLICENSED PATRON - 1098</b>   | Profession:<br><b>UNKNOWN</b> | Report Date:<br><b>AUGUST 2, 2022</b>   |                                     |
| Period of Investigation:<br><b>JULY 20, 2022 – AUGUST 02, 2022</b>   |                               | Type of Report:<br><b>FINAL</b>   |                                     |
| <p><b>Alleged Violation: 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) The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. –</b></p> <p>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 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> On July 18, 2022 <b>TAI VAN LY</b> was observed Capping a wager (a form of cheating) while playing ULTIMATE HOLD'EM POKER at the Pompano Park card room resulting in an act of deceit upon the Designated Player. <b>TAI VAN LY</b> was subsequently permanently excluded from Pompano Park (PPI).</p>   |                               |   |                                     |
| <b>Related Case:</b>   |                               |   |                                     |
| Investigator / Date<br><br><br>William Smith / August 2, 2022   |                               | Investigator Supervisor / Date<br><br><br>Bradford D. Jones / August 10, 2022         |                                     |
| Chief of Investigations / Date<br><br><br>Bradford D. Jones for<br>Steven E. Kogan / August 10, 2022   |                               |   |                                     |

On July 18, 2022 **TAI VAN LY** was observed Capping a wager (a form of cheating) while playing Ultimate Hold'em Poker<sup>1</sup> at the Pompano Park card room resulting in an act of deceit upon the Designated Player. **TAI VAN LY** was subsequently permanently excluded from Pompano Park (**EXHIBIT #1**).

Upon review of the Surveillance video, this Investigator confirmed the accuracy of the PPI Security and Surveillance reports which noted the activity. During play **LY** looks at his two hole cards and apparently notes that he has a combination that qualifies for payout as an "Ultimate Pairs Bonus" Wager. Knowing that he has a win, he tosses a one hundred dollar bill to the Dealer to change into chips. This creates a distraction, as the Dealer directs attention away from the players while making change. As the Dealer is cutting out \$100 in chips, **LY** adds chips to his Ultimate Bonus Wager thus producing an even larger payout. In cheating semantics he "capped" his bet (**EXHIBIT #2**).

According to PPI Poker Director Vinny Gatto, **LY** had previously been observed "capping" on other occasions and had been given a verbal warning. **LY's** action resulted in the issuance of a lifetime exclusion from the PPI property on July 22, 2022 (**EXHIBIT #3**).

**Conclusion:** Given the nature of his actions and ensuing lifetime exclusion from a licensed Florida pari-mutuel facility, **LY** 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> *Ultimate Hold'em Layout (EXHIBIT #4).*

**TABLE OF CONTENTS**

I. INVESTIGATIVE REPORT COVERSHEET .....  
II. INVESTIGATIVE REPORT .....  
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    2. DVD.....1-1  
    3. Exclusion.....1-1  
    4. Layout.....1-1





**Isle Casino - Pompano**  
**Guest - Cheating**  
**Surveillance Incident: po-SUR-33055**

**Incident Subject**

**SSN:**

**IsleOne:**

**Last Name:** LY  
**First Name:** Tai Van  
**Middle Name:**  
**Suffix:**

**Occupation Information**

**Occupation:**

**Contact Information**

**Mailing Address:**

**Phone Number:**

**Physical Information**

**Gender:** Male  
**Height:**  
**Hair color:**  
**Complexion:**  
**Mustache:** Unknown  
**Beard:** Unknown  
**Birthdate:** [REDACTED]  
**Description:**  
**Identifying Features:**

**Race:**  
**Weight:**  
**Hair length:**  
**Goatee:** Unknown  
**Clean Shaven:** Unknown  
**Approx Age:** [REDACTED]

**EXHIBIT # 1**  
**PAGE # 2**













**State of Florida  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Investigations**

**PROPERTY RECEIPT**

Complaint # 2022037245 Date 08-02-22 Lab # \_\_\_\_\_

| Item No. | Quantity | Description                          |
|----------|----------|--------------------------------------|
| 1        | 1        | DVD Ty Van Ly<br>Capper Pompano Park |
|          |          |                                      |
|          |          |                                      |
|          |          |                                      |
|          |          |                                      |
|          |          |                                      |
|          |          |                                      |
|          |          |                                      |

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





**Trips**

**ULTIMATE PAIRS BONUS**

**Ante = Blind**

**Play**

**TRIPS**

|                      |   |
|----------------------|---|
| Trips .....          | 5 |
| Straight .....       | 4 |
| Flush .....          | 3 |
| Full House .....     | 3 |
| Quads .....          | 3 |
| Straight Flush ..... | 4 |
| Royal Flush .....    | 5 |

**BLIND**

|                      |   |
|----------------------|---|
| Straight .....       | 5 |
| Flush .....          | 4 |
| Full House .....     | 3 |
| Quads .....          | 3 |
| Straight Flush ..... | 4 |
| Royal Flush .....    | 5 |

**ULTIMATE PAIRS**

|                       |   |
|-----------------------|---|
| Pair of Aces .....    | 5 |
| AK suited .....       | 4 |
| AQ or AJ suited ..... | 3 |
| AK unsuited .....     | 3 |
| KK, QQ, JJ .....      | 3 |
| AQ, AJ unsuited ..... | 3 |
| Pair 2's - 10's ..... | 3 |

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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 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>08/02/2022</b>              |
| Complaint # | <b>2022037245</b>                   | Case Type  | <b>CMP - Complaint</b>        | Disposition | Disposition Date               |
| Docket#     |                                     | Respondent | <b>LY, TAI VAN</b>            | Responsible | <b>wsmith - SMITH, WILLIAM</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>07/18/2021</b>  |
| Region    | <b>SR - Southern Region</b>   | Received       | <b>08/02/2022</b>  |
| Reference | <b>61D-11.005(4) &amp; 550.0251</b>   |                |                    |
| Entered   | <b>08/02/2022</b>   | Entered By     | <b>Imuniz</b>      |
| Summary   | <p><b>430-PPI, Inc. ----- / ----- . Prohibitions &amp; The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation: On July 18, 2022 TAI VAN LY was observed capping a wager (a form of cheating) while playing THREE (3) CARD POKER at the Pompano Park card room resulting in an act of deceit upon the Designated Player. TAI VAN LY was subsequently permanently excluded from POMPANO PARK</b></p> |                |                    |
| Updated   | <b>08/02/2022 10:30:19</b>  | By             | <b>Imuniz</b>      |

|                                     |               |                                     |              |
|-------------------------------------|---------------|-------------------------------------|--------------|
| <input type="checkbox"/>            | Parties       | <input 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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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: July 18, 2021

PMW     Cardroom     Slot

Violation     Incident     Complaint

FACILITY NAME: PPL INC.    LIC #: 430

**RESPONDENT**

|                     |                |              |
|---------------------|----------------|--------------|
| NAME: Tai Van Ly    |                |              |
| Address: [REDACTED] |                | Tel: Unknown |
| LIC #:              | LIC TYPE: 1098 | OCCUPATION:  |

**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) The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. –**

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 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 July 18, 2022 **TAI VAN LY** was observed capping a wager (a form of cheating) while playing **THREE (3) CARD POKER** at the Pompano Park card room resulting in an act of deceit upon the Designated Player. **TAI VAN LY** was subsequently permanently excluded from **POMPANO PARK**

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_  
 (Title of State Employee)

WILLAIAM SMITH        07-22-22  
 (Print Name)    (Signature)    (Date)

## Muniz, Luz

---

**From:** Jones, Bradford  
**Sent:** Monday, August 1, 2022 11:59 AM  
**To:** Muniz, Luz  
**Cc:** Campbell, Ian; Smith, William; Kogan, Steven  
**Subject:** OPEN CASE REQUEST  
**Attachments:** FGCC OCR TAI LY CAPPER.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Again Luz,

This is approved. Please open a case and assign to Bill Smith.

Thanks Again.



**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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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.: 2022-037245

TAI VAN LY,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Ty Van Ly (“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 8063 Buttonwood Circle Tamarac, Florida 33321.

3. At all times material hereto, PPI, Inc. was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.

4. On or about July 18, 2022, Respondent was a patron of PPI, Inc. and was ejected from the property.

5. On or about July 22, 2022, Respondent was permanently excluded from PPI, Inc..

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 PPI, Inc. on or about July 22, 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 2022-037245 is signed this 25th day of August 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](mailto:Emily.Alvarado@fgcc.fl.gov)  
Secondary: [Ebonie.Lanier@fgcc.fl.gov](mailto: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.





FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline  
Update | Mass Status Update | Public Case Info

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Immuniz

VR Home > Complaint Search > Maintain Complaint

|             |                                     |             |                                 |              |                   |
|-------------|-------------------------------------|-------------|---------------------------------|--------------|-------------------|
| Lic Type    | <b>1098 - Unlicensed Complaints</b> | Status      | <b>90 Closed</b>                | Status Date  | <b>08/10/2022</b> |
| Complaint # | <b>2022037245</b>                   | Case Type   | <b>CMP - Complaint</b>          | Disposition  | Disposition Date  |
| Docket#     | Respondent <b>LY, TAI VAN</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"/> 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>07/18/2021</b>  | <input type="checkbox"/> Related                | <input checked="" type="checkbox"/> Disposition |
| Region    | <b>SR - Southern Region</b>  | Received       | <b>08/02/2022</b>  | <input type="checkbox"/> Inspection             |   |
| Reference | <b>61D-11.005(4) &amp; 550.0251</b>  |                |                    | <input type="checkbox"/> Costs                  |   |
| Entered   | <b>08/02/2022</b>  | Entered By     | <b>Imuniz</b>      | <input type="checkbox"/> Time Tracking          | <input type="checkbox"/> Auto Assign            |
| Summary   | <b>430-PPI, Inc. ----- / ----- . Prohibitions &amp; The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation: On July 18, 2022 TAI VAN LY was observed capping a wager (a form of cheating) while playing THREE (3) CARD POKER at the Pompano Park card room resulting in an act of deceit upon the Designated Player. TAI VAN LY was subsequently permanently excluded from POMPANO PARK</b> |                |                    | <input type="checkbox"/> Attachments            | <input type="checkbox"/> History                |
| Updated   | <b>08/10/2022 13:46:16</b>   | By             | <b>Imuniz</b>      | <input type="checkbox"/> Work Notes             | <input type="checkbox"/> Print Report           |

8 | Change | Save | OK | Cancel | Back

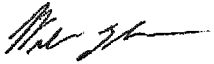

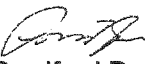
Get Adobe Reader.

Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**INVESTIGATIVE REPORT**

|  |                         |   |                                       |
|--|-------------------------|---|---------------------------------------|
| Office:<br><b>PMW</b>  | Region:<br><b>SOUTH</b> | Date of Complaint:<br><b>AUGUST 2, 2022</b>   | Case Number:<br><b>2022 03 7245</b>   |
| Respondent:<br><br><b>LY, TAI VAN<br/>8063 BUTTONWOOD CIRCLE<br/>TAMARAC, FLORIDA 33321</b>  |                         | Complainant:<br><br><b>DIVISION OF PARI-MUTUEL WAGERING<br/>OFFICE OF INVESTIGATIONS<br/>1400 WEST COMMERCIAL BOULEVARD, SUITE 165<br/>FORT LAUDERDALE, FLORIDA 33309</b> |                                       |
| License # and Type:<br><b>UNLICENSED PATRON - 1098</b>   |                         | Profession:<br><b>UNKNOWN</b>   | Report Date:<br><b>AUGUST 2, 2022</b> |
| Period of Investigation:<br><b>JULY 20, 2022 – AUGUST 02, 2022</b>   |                         | Type of Report:<br><b>FINAL</b>   |                                       |
| <p><b>Alleged Violation: 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) The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. –</b></p> <p>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 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> On July 18, 2022 <b>TAI VAN LY</b> was observed Capping a wager (a form of cheating) while playing <b>ULTIMATE HOLD'EM POKER</b> at the Pompano Park card room resulting in an act of deceit upon the Designated Player. <b>TAI VAN LY</b> was subsequently permanently excluded from Pompano Park (PPI).</p>  |                         |   |                                       |
| <b>Related Case:</b>   |                         |   |                                       |
| Investigator / Date<br><br><br>William Smith / August 2, 2022   |                         | Investigator Supervisor / Date<br><br><br>Bradford D. Jones / August 10, 2022         |                                       |
| Chief of Investigations / Date<br><br><br>Bradford D. Jones for<br>Steven E. Kogan / August 10, 2022  |                         |   |                                       |

## CONTINUATION

On July 18, 2022 TAI VAN LY was observed Capping a wager (a form of cheating) while playing Ultimate Hold'em Poker<sup>1</sup> at the Pompano Park card room resulting in an act of deceit upon the Designated Player. TAI VAN LY was subsequently permanently excluded from Pompano Park (EXHIBIT #1).

Upon review of the Surveillance video, this Investigator confirmed the accuracy of the PPI Security and Surveillance reports which noted the activity. During play LY looks at his two hole cards and apparently notes that he has a combination that qualifies for payout as an "Ultimate Pairs Bonus" Wager. Knowing that he has a win, he tosses a one hundred dollar bill to the Dealer to change into chips. This creates a distraction, as the Dealer directs attention away from the players while making change. As the Dealer is cutting out \$100 in chips, LY adds chips to his Ultimate Bonus Wager thus producing an even larger payout. In cheating semantics he "capped" his bet (EXHIBIT #2).

According to PPI Poker Director Vinny Gatto, LY had previously been observed "capping" on other occasions and had been given a verbal warning. LY's action resulted in the issuance of a lifetime exclusion from the PPI property on July 22, 2022 (EXHIBIT #3).

**Conclusion:** Given the nature of his actions and ensuing lifetime exclusion from a licensed Florida pari-mutuel facility, LY 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> Ultimate Hold'em Layout (EXHIBIT #4).

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET .....  
II. INVESTIGATIVE REPORT .....  
III. EXHIBITS  
    1. Surveillance & Security Incident Report .....1-7  
    2. DVD.....1-1  
    3. Exclusion.....1-1  
    4. Layout.....1-1



**Isle Casino - Pompano  
Guest - Cheating  
Surveillance Incident: po-SUR-33055**

**Incident Subject**

**SSN:**

**IsleOne:**

**Last Name:** LY  
**First Name:** Tai Van  
**Middle Name:**  
**Suffix:**

**Occupation Information**

**Occupation:**

**Contact Information**

**Mailing Address:**

**Phone Number:**

**Physical Information**

**Gender:** Male  
**Height:**  
**Hair color:**  
**Complexion:**  
**Mustache:** Unknown  
**Beard:** Unknown  
**Birthdate:** [REDACTED]  
**Description:**  
**Identifying Features:**

**Race:**  
**Weight:**  
**Hair length:**  
**Goatee:** Unknown  
**Clean Shaven:** Unknown  
**Approx Age:** [REDACTED]

**EXHIBIT # 1**  
**PAGE # 2**











**Isle Casino - Pompano**  
**Guest Incident Report**  
**Security Incident: po-SEC-28914**

**Entered by:** Juan Colchado  
**Entered on:** Jul 22, 2022 12:23

On Monday, July 18, 2022 at 2210 hours, Dante Rouze (T/M#123690) notified Security Dispatch about a guest issue at the Three Card Poker Table #103 Seat #1. Senior Security Officer II Dorreme responded. Surveillance was notified for coverage.

Upon arrival, Dorreme met with Rouze who stated that the guest at Table #103, Seat #1 was observed capping his bet. Dorreme then met with a guest identified as Tai Van Ly (male; [REDACTED]). Dorreme advised Ly on the capping bet policy. Dorreme also advised Ly that he has to leave property for 24 hour due to him capping his bet at the table. Ly apologized, gathered all of his chips and walked over to the Main Cage to cash out. Dorreme escorted Ly out the North Entrance where he exited property via Gate# 2, at 2225 hours.

Surveillance coverage shows at 2155 hours, Ly was observed capping his bet at the table.

For the purpose of this report, all times are approximate.

**Entered by:** Tracy Dorreme  
**Entered on:** Jul 18, 2022 22:48

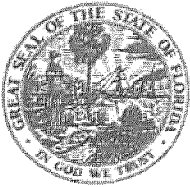
---

Reporting Officer:  
Tracy Dorreme (Gaming ID: 8308190)

---

Supervisor:  
Juan Colchado (Gaming ID: 8326273)

**EXHIBIT # 1**  
**PAGE # 7**



**State of Florida  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Investigations**

**PROPERTY RECEIPT**

Complaint # 2022037245 Date 08-02-22 Lab # \_\_\_\_\_

| Item No. | Quantity | Description                          |
|----------|----------|--------------------------------------|
| 1        | 1        | DVD Ty Van Ly<br>Capper Pompano Park |
|          |          |                                      |
|          |          |                                      |
|          |          |                                      |
|          |          |                                      |
|          |          |                                      |
|          |          |                                      |
|          |          |                                      |

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 in **2**  
PAGE # **1**



POMPANO PARK

**NOTICE OF EXCLUSION**

To: Tai Van Ly Date of Birth: [REDACTED]

SSN: [REDACTED] DL#: [REDACTED] DL State: [REDACTED] DL expire: [REDACTED]

Height: [REDACTED] Weight: [REDACTED] Race: [REDACTED]

Hair Color: [REDACTED] Eye Color: [REDACTED] Gender: Male

You have been excluded for a specific period of time per the Management of the Isle Casino Racing Pompano Park.  
On this 22nd day of July, 2022, you are hereby ordered to leave the property of Isle Casino Racing Pompano Park. You are further advised that you are not to enter or remain at any time on property. Prior written consent must be obtained from the General Manager in order to be allowed back onto the property.

Your removal and denial of access complies with state applicable laws and is not founded on race, creed, color or national origin.

You are further advised that if in the future you knowingly enter or remain in or upon the grounds or facilities of Isle Casino Racing Pompano Park, you will be considered a trespasser and may be subject to arrest.

Reason for Exclusion: Capping bets

Address: 8063 Buttonwood CIR Incident Report Number: PO-SEC-28914  
Tamarac, FL 33321 Fan Club Number: 17300128567

Length of Exclusion:  
30 Days      90 Days      1 Year      3 Years      Permanent  
Other: [REDACTED]

Acknowledged by: \_\_\_\_\_

Issued by: [Signature] (Customer Signature)

Witness: \_\_\_\_\_

EX # 3  
PAGE # 1

**Trips**

**ULTIMATE PAIRS BONUS**

**Ante = Blind**

**Play**

**TRIPS**

|                |         |
|----------------|---------|
| Trips          | ..... 5 |
| Straight       | ..... 4 |
| Flush          | ..... 3 |
| Full House     | ..... 2 |
| Quads          | ..... 1 |
| Straight Flush | ..... 4 |
| Royal Flush    | ..... 5 |

**BLIND**

|                |         |
|----------------|---------|
| Straight       | ..... 4 |
| Flush          | ..... 3 |
| Full House     | ..... 2 |
| Quads          | ..... 1 |
| Straight Flush | ..... 4 |
| Royal Flush    | ..... 5 |

**ULTIMATE PAIRS**

|                 |          |
|-----------------|----------|
| Pair of Aces    | ..... 10 |
| AK suited       | ..... 9  |
| AQ or AJ suited | ..... 8  |
| AK unsuited     | ..... 7  |
| KK, QQ, JJ      | ..... 6  |
| AQ, AJ unsuited | ..... 5  |
| Pair 2's - 10's | ..... 4  |

FAQ | Help | Sign Out

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

Complaint Search | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline  
Update | Mass Status Update | Public Case Info

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Immuniz

VR Home > Complaint Search > **Maintain Complaint**

|             |                                     |            |                               |             |                                |
|-------------|-------------------------------------|------------|-------------------------------|-------------|--------------------------------|
| Lic Type    | <b>1098 - Unlicensed Complaints</b> | Status     | <b>20 Under Investigation</b> | Status Date | <b>08/02/2022</b>              |
| Complaint # | <b>2022037245</b>                   | Case Type  | <b>CMP - Complaint</b>        | Disposition | Disposition Date               |
| Docket#     |                                     | Respondent | <b>LY, TAI VAN</b>            | Responsible | <b>wsmith - SMITH, WILLIAM</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 type="checkbox"/>            | Activities   |
| Form      | <b>INTR - Internal</b>   | Priority       |                    | <input type="checkbox"/>            |               | <input type="checkbox"/>            |              |
| Class'n   | <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>07/18/2021</b>  | <input type="checkbox"/>            | Violations    | <input type="checkbox"/>            | Compliance   |
| Region    | <b>SR - Southern Region</b>  | Received       | <b>08/02/2022</b>  | <input type="checkbox"/>            | Related       | <input checked="" type="checkbox"/> | Disposition  |
| Reference | <b>61D-11.005(4) &amp; 550.0251</b>  |                |                    | <input type="checkbox"/>            | Inspection    |                                     |              |
| Entered   | <b>08/02/2022</b>  | Entered By     | <b>Imuniz</b>      | <input type="checkbox"/>            | Costs         |                                     |              |
| Summary   | <b>430-PPI, Inc. ----- / ----- . Prohibitions &amp; The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation: On July 18, 2022 TAI VAN LY was observed capping a wager (a form of cheating) while playing THREE (3) CARD POKER at the Pompano Park card room resulting in an act of deceit upon the Designated Player. TAI VAN LY was subsequently permanently excluded from POMPANO PARK</b> |                |                    | <input type="checkbox"/>            | Time Tracking | <input type="checkbox"/>            | Auto Assign  |
|           |  |                |                    | <input type="checkbox"/>            | Attachments   | <input type="checkbox"/>            | History      |
| Updated   | <b>08/02/2022 10:30:19</b>   | By             | <b>Imuniz</b>      | <input type="checkbox"/>            | Work Notes    | <input type="checkbox"/>            | Print Report |

Change | Save | OK | Cancel | 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: July 18, 2021

PMW     Cardroom     Slot

Violation     Incident     Complaint

FACILITY NAME: PPL INC.    LIC #: 430

**RESPONDENT**

NAME: Tai Van Ly  
 Address: [REDACTED]    Tel: Unknown  
 LIC #:    LIC TYPE: 1098    OCCUPATION:

**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) The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. –**

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 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 July 18, 2022 TAI VAN LY was observed capping a wager (a form of cheating) while playing THREE (3) CARD POKER at the Pompano Park card room resulting in an act of deceit upon the Designated Player. TAI VAN LY was subsequently permanently excluded from POMPANO PARK

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_  
 (Title of State Employee)

WILLIAM SMITH    [Signature]    07-22-22  
 (Print Name)    (Signature)    (Date)



## Muniz, Luz

---

**From:** Jones, Bradford  
**Sent:** Monday, August 1, 2022 11:59 AM  
**To:** Muniz, Luz  
**Cc:** Campbell, Ian; Smith, William; Kogan, Steven  
**Subject:** OPEN CASE REQUEST  
**Attachments:** FGCC OCR TAI LY CAPPER.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Again Luz,

This is approved. Please open a case and assign to Bill Smith.

Thanks Again.



**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

The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. LARGER VIEW<<http://www.myfloridalicense.com/dbpr/pmw/documents/LinkDocuments/Confidential-PR-Statement.htm>>

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

AMENDED ELECTION OF RIGHTS

FGCC v. TAI VAN LY

CASE NO.: 2022-037245

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option (1)  I do not dispute the allegations of material fact in the Administrative Complaint. I wish to submit oral and written evidence in mitigation at a hearing pursuant to Section 120.57(2), Florida Statutes ("informal hearing") and that this oral and written evidence be considered before any penalty and fines are imposed.

Option (2)  I do dispute the allegations of material fact in the Administrative Complaint. This is a petition for a hearing involving disputed material facts pursuant to Sections 120.569(2)(a) and 120.57(1), Florida Statutes, ("formal hearing") before an Administrative Law Judge of the Division of Administrative Hearings. I specifically dispute the following paragraphs in the Administrative Complaint (attach extra pages or write on the back if needed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In addition to the above election for formal hearing, if you wish to enter into settlement negotiations, check the box below:

Section 120.569(2)(a), Florida Statutes, requires the Department to send this case to the Division of Administrative Hearings (DOAH) for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement in order to enter into settlement negotiations with the Department.

Option (3)  I do not dispute the allegations of material fact in the Administrative Complaint and waive my right to any form of hearing. I request that a Final Order imposing a penalty and fines be entered in this case.

THIS IS A LEGALLY BINDING DOCUMENT. SEEK LEGAL ADVICE BEFORE SIGNING IF YOU DO NOT FULLY UNDERSTAND THE TERMS.

TAI VAN LY  
PRINTED NAME

\_\_\_\_\_  
ATTORNEY OR QUALIFIED REPRESENTATIVE

8063 Buttonwood Circle  
Street Address

\_\_\_\_\_  
Street Address (where service shall be made)

Tamara FL 33321  
City State Zip

\_\_\_\_\_  
City State Zip

[REDACTED]  
Telephone Number Facsimile Number (if any)

\_\_\_\_\_  
Telephone Number Facsimile Number (if any)

\_\_\_\_\_  
E-mail

\_\_\_\_\_  
E-mail

Taily  
SIGNATURE

**THE ELECTION OF RIGHTS FORM AND ANY ATTACHMENTS SHOULD BE RECEIVED BY THE COMMISSION WITHIN 21 DAYS AND SENT TO:**

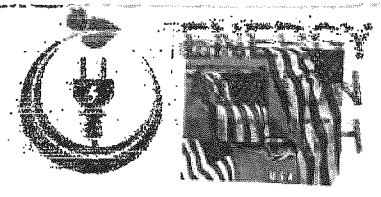
Office of the General Counsel  
Florida Gaming Control Commission  
2601 Blair Stone Road, Tallahassee, FL 32399-2202  
**Attention: Ebonie N. Lanier, Administrative Assistant III**  
Telephone: (850) 717-1663 Fax: (850) 921-1311  
Email: Ebonie.Lanier@fgcc.fl.gov

RECEIVED  
2022 OCT 31 AM 10:14  
FLORIDA GAMING  
CONTROL COMMISSION

Tai Van Ly  
8063 Buttnwood Cir  
Tamarac, FL 33321

MIAMI FL 330

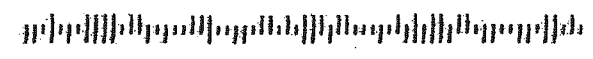
27 OCT 2022 PM 5 L



RECEIVED  
2022 OCT 31 AM 10:14  
FLORIDA GAMING  
CONTROL COMMISSION

Office of the General Counsel  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL 32399-2202

32399-220259

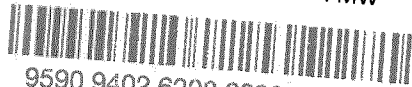


**SENDER: COMPLETE THIS SECTION**

- 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:

**Tai Van Ly**  
8063 Buttonwood Circle  
Tamarac, FL 33321  
AC - 2022037245 - PMW



9590 9402 6208 0220 7390 01

2. Article Number (Transfer from service label)

7020 2450 0000 5096 3926

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- 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

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- 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

RECEIVED  
JUL 18 AM 10:03  
FLORIDA GAMING  
ONLINE COMMISSION

Domestic Return Receipt

7020 2450 0000 5096 4008

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

|  |    |
|--|----|
| Certified Mail Fee   | \$ |
| Extra Services & Fees (check box, add fee as appropriate)    |    |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ |
| <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 | \$ |
| Postage  | \$ |
| <b>Total Postage</b>   | \$ |

10-19-22

Postmark  
Here

\$

Sent To \_\_\_\_\_

Street and Apt. \_\_\_\_\_

City, State, ZIP \_\_\_\_\_

**Tai Van Ly**  
**8063 Buttonwood Circle**  
**Tamarac, Florida 33321**  
Def. EOR - 2022037245 - PMW