

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

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	7/17/2015
File #	2015-06026

**DEPARTMENT OF BUSINESS &  
PROFESSIONAL REGULATION, DIVISION  
OF PARI-MUTUEL WAGERING,**

Petitioner,

**CASE NO. 2014-023059**

v.

**LAURIE G. OSORIO,**

Respondent,  

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**FINAL ORDER**

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, hereby enters this Final Order for the above styled matter. On June 23, 2015, J. Yvette Pressley, Hearing Officer for the Division, issued the Recommended Order in this matter. That Recommended Order is attached to the Final Order and incorporated herein by reference.

**FINDINGS OF FACT**

The Findings of Fact contained in the Recommended Order are hereby adopted as the Findings of Fact of the Division.

**CONCLUSIONS OF LAW**

The Conclusions of Law contained in the Recommended Order are hereby adopted as the Conclusions of Law of the Division.

**ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law adopted from the Recommended Order of the Division's Informal Hearing, it is hereby ORDERED that:

1. The Division permanently exclude Respondent from all licensed pari-mutuel facilities in the State of Florida.
2. The Final Order shall become effective on the date of filing with the Agency Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 10<sup>th</sup> day of July, 2015, in Tallahassee, Florida.

  
\_\_\_\_\_  
**JONATHAN R. ZACHEM, DIRECTOR**  
Division of Pari-Mutuel Wagering  
Department of Business & Professional Regulation  
1940 North Monroe Street  
Tallahassee, Florida 32399-1035  
(850) 488-9130

**NOTICE OF RIGHT TO APPEAL**

Any party to this proceeding 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, 1940 North Monroe Street, Tallahassee, Florida 32399-2202 (email: [ogcagencyclerk@myfloridalicense.com](mailto:ogcagencyclerk@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.

**CERTIFICATE OF SERVICE**

I hereby certify this 17<sup>th</sup> day of July, 2015, that a true copy of the foregoing "Final Order" has been provided by U.S. Certified Mail to:

**LAURIE G. OSORIO**  
7150 Scott Street  
Hollywood, FL 33024

*Brandon M. Nichols*  
for: **AGENCY CLERK**  
Department of Business & Professional Regulation

cc:  
Keneidra Williams, AIII OGC  
Gauge Campbell, AII OGC/PMW  
Marisa G. Button, Assistant General Counsel

4521 2862 2397 2000 05ET 4007

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<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	<b>Evette Lawson-Proctor</b>
Date	<b>6/23/2015</b>
File #	

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

**DEPARTMENT OF BUSINESS &  
PROFESSIONAL REGULATION, DIVISION  
OF PARI-MUTUEL WAGERING,**

Petitioner,

**DBPR CASE NO. 2014-023059**

v.

**LAURIE G. OSORIO,**

Respondent.

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**HEARING OFFICER'S RECOMMENDED ORDER**

THIS MATTER came before J. Yvette Pressley, designated Hearing Officer for the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering on June 3, 2015, in Tallahassee, Florida, in accordance with the provisions of Section 120.57(2), Florida Statutes, for consideration of the administrative complaint issued against Laurie G. Osorio (Respondent) in DBPR Case No. 2014-023059. The Division of Pari-Mutuel Wagering (Petitioner) was represented by Marisa G. Button, Assistant General Counsel. Respondent appeared pro se by telephone.

**PRELIMINARY STATEMENT**

1. On November 6, 2014, Division of Pari-Mutuel Wagering issued an Administrative Complaint against Respondent. Therein, the Petitioner sought an order permanently excluding Respondent from all Pari-Mutuel facilities in the State of Florida pursuant to Section 550.0251(6), Florida Statutes, due to Respondent's permanent exclusion from Calder Race

Course (Calder) related to her theft of approximately \$50,000 on May 10, 2014, while she was employed as a mutuels supervisor at Calder.

2. On March 3, 2015, Respondent executed her Election of Rights before a notary public, along with a letter indicating she disputed the material facts alleged in the Administrative Complaint. Respondent did not set forth any specific disputed facts in the Election of Rights Form and Respondent did not dispute that she was permanently excluded from Calder. Respondent's Election of Rights submission indicated that she did not agree with the Petitioner's request for relief that she be excluded from all Florida Pari-Mutuel Facilities. The Election of Rights form indicated that Respondent's physical address is 7150 Scott Street, Hollywood, FL 33024.

3. Due to the lack of material facts in dispute with regard to the alleged violation, the Petitioner denied Respondent's request for a formal hearing and granted Respondent an informal hearing pursuant to Section 120.57(2), Florida Statutes.

4. At the informal hearing on June 3, 2015, the Petitioner presented the issues raised in its November 6, 2014, Administrative Complaint, and cited Respondent's Election of Rights signed March 3, 2015.

5. Respondent testified at the informal hearing that while she committed the offense at issue at Calder, she believed that a permanent exclusion from all pari-mutuel facilities would be unwarranted. Respondent testified that she has sought out participation in Gamblers Anonymous after the May 10, 2014, incident at Calder, and has been attending meetings for approximately a year and a half. She testified that she previously served as co-chairperson of her chapter of Gamblers Anonymous and was recently elected chairperson of the organization. Respondent testified that she was subsequently arrested for grand theft, organized fraud and theft of trade secrets related to the May 10, 2014, offense at Calder, but that the fraud and theft of trade

secrets charges were dropped and she received adjudication withheld disposition for the grand theft offense. Respondent also testified that she is paying restitution related to her grand theft adjudication and is currently employed by a company working in moving sales. Respondent testified that she has no intention of ever gambling again, but would like to stay off the statewide pari-mutuel exclusion list in order to pick-up and drop off her husband from work at another Florida Pari-mutuel facility.

### **FINDINGS OF FACT**

6. At all times relevant hereto, Respondent was licensed by the Division of Pari-Mutuel Wagering, license number GIND 95438-1022.

7. On May 10, 2014, Respondent misappropriated fifty thousand one hundred forty nine dollars and forty-one cents (\$50,149.41) during her shift as a mutuels supervisor at Calder.

8. As a result, Calder terminated Respondent's employment and permanently excluded Respondent from the Calder property on May 15, 2014.

9. Respondent remains on Calder Race Course's lifetime exclusionary list.

### **CONCLUSIONS OF LAW**

10. The Division has jurisdiction over this matter pursuant to Chapters 120 and 550, Florida Statutes.

11. Section 550.0251(6), Florida Statutes states in relevant part:

[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...

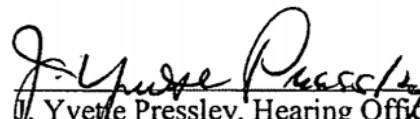
12. Being escorted from a facility and placed on its lifetime exclusionary list is an ejection within the meaning of Sections 550.0251(6), Florida Statutes.

13. Because Respondent was terminated and placed on Calder's exclusionary list on May 15, 2015, Petitioner may exclude Respondent from any and all pari-mutuel facilities in the state of Florida.

**RECOMMENDATION**

Based upon the foregoing Findings of Fact and Conclusions of Law, it is RECOMMENDED that the Department of Business and Professional Regulation, enter a Final Order that: permanently excluding Respondent from all licensed pari-mutuel facilities in this state.

Respectfully submitted this 23<sup>rd</sup> day of June, 2015.

  
\_\_\_\_\_  
J. Yvette Pressley, Hearing Officer  
Office of the General Counsel  
Department of Business and  
Professional Regulation  
Northwood Center  
1940 N. Monroe Street  
Tallahassee, FL 32399-2201

**CERTIFICATE OF SERVICE**

I hereby certify this 23 day of June, 2015, that a true copy of the foregoing has been provided by Certified U.S. Mail to:

**LAURIE G. OSORIO**  
7150 Scott Street  
Hollywood, FL 33024

  
\_\_\_\_\_  
AGENCY CLERK'S OFFICE

Cc:

J. Yvette Pressley, Deputy General Counsel  
Marisa G. Button, Assistant General Counsel

**NOTICE OF RIGHT TO SUBMIT EXCEPTIONS**

**All parties have the right to submit written exceptions within 15 days from the date of this Recommended Order. Any exceptions to the Recommended Order should be filed with the Department.**



<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Evette Lawson-Proctor
Date	11/6/2014
File #	

**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.**

**Case No. 2014023059**

**LAURIE G. OSORIO,**

**Respondent.**

---

**ADMINISTRATIVE COMPLAINT**

Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (Petitioner), files this Administrative Complaint against Laurie G. Osorio (Respondent), and alleges as follows:

1. The 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 general occupational license, number 95438-1022, issued by the Petitioner.
3. At all times material hereto, Respondent was employed as a mutuels supervisor at Calder Race Course.
4. On or about May 11, 2014, Respondent advised the supervisor at Calder Race Course that Respondent's cash drawer from her previous shift would be fifty thousand dollars (\$50,000.00) short and that she had a serious gambling problem.

5. Calder Race Course management confirmed that Respondent's cash drawer from her May 10, 2014, shift was fifty thousand one hundred forty nine dollars and forty-one cents (\$50,149.41) short.

6. As a result, on May 15, 2014, Calder Race Course terminated Respondent's employment and permanently excluded Respondent from the Calder Race Course property.

7. On July 10, 2014, Respondent was arrested by the Miami Gardens Police Department and charged with felony grand theft, organized fraud and trade secrets/theft/embezzlement related to the above referenced theft at Calder Race Course.

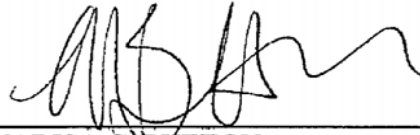
8. Section 550.0251(6), Florida Statutes, states in pertinent part:

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.

9. Based upon Respondent's permanent exclusion from Calder Race Course, the division may exclude Respondent from any and all pari-mutuel facilities in the state of Florida.

**WHEREFORE**, Petitioner respectfully requests that the Division enter an Order excluding Respondent from any and all pari-mutuel facilities in this state, as specified in Section 550.0251(6), Florida Statutes.

Signed this 5<sup>th</sup> day of November, 2014.



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**MARISA G. BUTTON**

Florida Bar No. 0102263  
Assistant General Counsel  
Division of Pari-Mutuel Wagering  
Department of Business & Professional Regulation  
Northwood Center  
1940 North Monroe Street, Suite 40  
Tallahassee, Florida 32399-2202  
(850) 717-1197  
Marisa.Button@myfloridalicense.com



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**JASON MAINE**

Florida Bar No. 91833  
Deputy Chief Attorney  
Division of Pari-Mutuel Wagering  
Department of Business & Professional Regulation  
Northwood Center  
1940 North Monroe Street, Suite 40  
Tallahassee, Florida 32399-2202  
(850) 488-0062 Telephone  
Jason.Maine@myfloridalicense.com

**NOTICE OF RIGHTS**

Please be advised that within twenty-one (21) days of your receipt of this administrative complaint you have the right to request an administrative hearing. Any such hearing would be conducted in accordance with the provisions of Sections 120.569 and 120.57, Florida Statutes, and you would have the right to be represented by counsel or other qualified representative, to call and examine witnesses, and to have subpoenas issued on your behalf. However, if you do not file (i.e., we do not receive) your request for hearing within the twenty-one (21) days, you will have waived your right to a hearing.

Please also be advised that mediation is not available in this matter.