

**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.: 2019-018208

MILENYS ROMERO DOMINGUEZ,

Respondent.

_____ /

STIPULATION AND CONSENT ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Division”), and Milenys Romero Dominguez (“Respondent”) hereby stipulate and agree to the following terms and issuance of this Stipulation and Consent Order.

1. At all times material hereto, Respondent held a Pari-Mutuel Wagering Slot Machine Combo General Individual License, number 11437822-1056, issued by the Division.
2. This Stipulation and Consent Order is entered in resolution of the above styled DBPR Case.
3. On October 30, 2019, the Division filed an Administrative Complaint in this matter, alleging that Respondent violated Rule 61D-14.090, *Florida Administrative Code* and chapter 551.109, Florida Statutes, by manipulating the outcome of promotional drawings conducted by Fronton Holdings, LLC (“Casino Miami”) by manually selecting specific individuals to win the drawings.
4. Respondent has been permanently excluded from Casino Miami.

5. 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...”

6. Section 550.0251(6), Florida Statutes, similarly provides in relevant 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...”

STIPULATION

WHEREAS the Division and Respondent (“Parties”), desire to resolve this matter, the following terms are stipulated:

7. 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.

8. The Division has jurisdiction over this matter and the Parties.

9. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

10. Each Party has entered into the terms of this Stipulation and Consent Order voluntarily. Respondent is aware she is entitled to the advice of counsel. Respondent has either sought the advice of counsel or, by execution of this Stipulation and 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 Stipulation and Consent Order without the advice of counsel.

11. This Stipulation and Consent Order is enforceable under section 120.69, Florida Statutes and chapter 550, Florida Statutes, as final agency action.

12. Each Party shall bear its own costs and legal fees related to this matter, and no financial claim shall be made against the Division in this action.

13. The Parties acknowledge and agree that this Stipulation and Consent Order and contained stipulation constitute the Final Order of the Division respecting the matters set forth above and that further administrative and judicial review is hereby waived by both Parties.

14. By execution of this Stipulation and Consent Order, Respondent neither admits nor denies responsibility for the actions herein addressed, as detailed in the Administrative Complaint.

15. Respondent agrees to and hereby does voluntarily relinquish her Pari-Mutuel Wagering Slot Machine Combo General Individual License, number 11437822-1056, to avoid further administrative action in this matter, and further agrees that immediately upon relinquishing her license, if she has not already done so, she will cease any and all activity for which a Pari-Mutuel Wagering Slot Machine Combo General Individual License is required.

16. Further, Respondent agrees, pursuant to sections 551.112 and 550.0251(6), Florida Statutes, to a permanent exclusion from all slot machine and pari-mutuel facilities, which are licensed by the State of Florida.

17. Respondent must mail this Consent Order and the relinquished license to **Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Patricia Broadway.**

18. The Division's adoption of the Stipulation and Consent Order constitutes acknowledgement of the voluntary relinquishment of Respondent's Pari-Mutuel Wagering Slot Machine Combo General Individual License and the acceptance of this relinquishment in lieu of seeking the imposition of penalties in the above-captioned case. The Division agrees that upon

the adoption of this Stipulation and Consent Order, the above-captioned case will be closed or otherwise dismissed without prejudice. Furthermore, Respondent agrees to never apply for licensure by the Division of Pari-Mutuel Wagering again, and that she will no longer be eligible for any licenses issued by the Division of Pari-Mutuel Wagering.

19. It is expressly understood that this Stipulation is subject to the approval of the Director of the Division of Pari-Mutuel Wagering (“Director”). In this regard, the Stipulation shall have no force and effect unless this Stipulation and Consent Order, incorporating the terms of this Stipulation, is signed by both parties. Should this Stipulation and Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

20. Upon the Division’s adoption of this Stipulation and Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Stipulation and Consent Order and the matters addressed hereby. Upon the Division’s adoption of this Stipulation and Consent Order, Respondent waives the right to seek any attorney’s fees or costs from the Department in connection with this proceeding.

21. This Stipulation and Consent Order is executed by both Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Director to review and examine all materials concerning Respondent prior to or in conjunction with consideration of the Situation. Should this Stipulation not be accepted by the Direction, it is agreed that presentation to and consideration of this Stipulation and Consent Order and other documents and matters by the Director shall not unfairly or illegally prejudice the Director from further participation, consideration, or resolution of these proceedings.

22. This Stipulation and Consent Order may be signed in counterparts, and copies shall be treated as original.

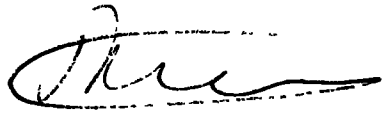
23. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Stipulation and Consent Order after it is signed.

Respondent, MILENYS ROMERO DOMINGUEZ , hereby agrees and consents to the terms and conditions of this Stipulation and Consent Order in DBPR Case Number 2019-018208 this 16 day of June, 2020.

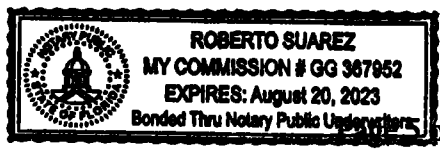
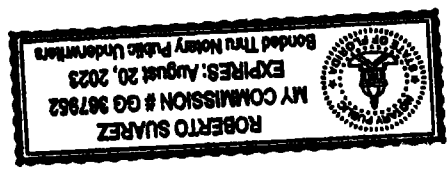

MILENYS ROMERO DOMINGUEZ
Respondent

STATE OF Miami Dade
COUNTY OF MIAMI DADE


The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 16 day of June, 2020, by Milenys Romero Dominguez, who is personally known to me or who produced the following as identification: Driver's License


Notary Public

My commission expires:



This Stipulation and Consent Order in DBPR Case Number 2019-018208 is APPROVED for legal sufficiency this 23rd day of June, 2020.



MEGAN S. SILVER, CHIEF ATTORNEY
Division of Pari-Mutuel Wagering
Department of Business and Professional Regulation

ORDER

IT IS HEREBY ORDERED THAT:

The foregoing Stipulation and Consent Order shall constitute the agreed resolution of this matter and the Final Order of the Division in DBPR Case Number 2019-018208, once it is filed with the Agency Clerk.

DONE AND ORDERED this 24 day of June, 2020, 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 this 26th day of June, 2020, that a true copy of the foregoing has been furnished by U.S. mail to:

MILENYS ROMERO DOMINGUEZ
c/o Morris Legal, LLC
2800 Biscayne Boulevard, Suite 530
Miami, Florida 33137

Brandon M. Nichols

AGENCY CLERK'S OFFICE
Department of Business and Professional Regulation



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND
PROFESSIONAL REGULATION

LIC NO 11437822 07/31/2017

SLOT COMBO GENERAL (1056)
ROMERO DOMINGUEZ, MILENY

IS LICENSED UNDER THE PROVISIONS OF CH 551 F S
EXPIRATION DATE **JUNE 30, 2020**

FILED	
Department of Business and Professional Regulation	
Deputy Agency Clerk	
CLERK	Evette Lawson-Proctor
Date	10/30/2019
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,

DBPR Case No.: 2019-018208

v.

MILENYS ROMERO DOMINGUEZ,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Milenys Romero Dominguez ("Respondent") and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Pari-Mutuel Wagering Slot Machine Combo General Individual License, number 11437822-1056, issued by Petitioner.
3. At all times material hereto, Fronton Holdings, LLC ("Casino Miami") was a facility operated by a permit holder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about December 12, 2018 and December 19, 2018, Respondent fraudulently manipulated the outcome of promotional drawings conducted by Casino Miami by manually selecting German Pavoni Sierra, Freddy Valentin Morales, and Edmundo Pena to win a

total of four drawings. Casino Miami awarded a prize of free play worth \$100.00 to the winner of each drawing.

5. Rule 61D-14.090, *Florida Administrative Code*, provides “[n]o person shall conspire with, solicit, aid, abet, counsel, hire, or procure any other person or persons to engage in a violation of Chapter 551, F.S., or Chapter 61D-14, F.A.C., nor shall he or she commit any such act on his or her own.”

6. Section 551.109(3), Florida Statutes, imposes criminal liability on an individual for fraudulently winning or attempting to win, for themselves or another, money or property, providing:

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, punishable as provided in s. 775.082, s. 775.083, or s. 775.084

(Emphasis supplied).

7. Section 551.109(5), Florida Statutes, imposes criminal liability on an individual for theft of property belonging to a licensed facility, providing:

Theft of any slot machine proceeds or of property belonging to the slot machine operator or licensed facility by an employee of the operator or facility or by an employee of a person, firm, or entity that has contracted to provide services to the operator or facility constitutes a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

8. Section 550 0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in 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).

9. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the 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.

(Emphasis supplied).

10. Section 551.103(4)(b)(2), Florida Statutes, provides that the division may “[d]eny, revoke, suspend, or place conditions on the license of a person who violates any provision of this chapter or rule adopted pursuant thereto.”

COUNT I

11. Petitioner realleges and incorporates the allegations contained within paragraphs one through six and eight through ten as though fully set forth herein.

12. Based on the foregoing, Respondent violated Rule 61D-14.090, *Florida Administrative Code*, by conspiring with, soliciting, aiding, abetting, counseling, hiring, or procuring German Pavoni Sierra to engage in a violation of section 551.109(3), Florida Statutes,

or by committing such an act on her own, at Casino Miami on or about December 12, 2018 and is subject to permanent exclusion from all licensed pari-mutuel wagering facilities and all licensed slot machine facilities in the State of Florida under sections 550.0251(6) and 551.112, Florida Statutes

13. Further, under section 551.103(4)(b)(2), Florida Statutes (2019), due to Respondent's violation of Rule 61D-14.090, *Florida Administrative Code*, Respondent is subject to the revocation of the Pari-Mutuel Wagering Slot Machine Combo General Individual License held by Respondent.

COUNT II

14. Petitioner realleges and incorporates the allegations contained within paragraphs one through five and seven through ten as though fully set forth herein.

15. Based on the foregoing, by manually selecting German Pavoni Sierra to win a promotional drawing, Respondent violated Rule 61D-14.090, *Florida Administrative Code*, by committing a theft of property belonging to a licensed facility, by an employee of the facility, in violation of section 551.109(5), Florida Statutes, at Casino Miami on or about December 12, 2018, and is subject to permanent exclusion from all licensed pari-mutuel wagering facilities and all licensed slot machine facilities in the State of Florida under sections 550.0251(6) and 551.112, Florida Statutes.

16. Further, under section 551.103(4)(b)(2), Florida Statutes, due to Respondent's violation of Rule 61D-14.090, *Florida Administrative Code*, Respondent is subject to the revocation of the Pari-Mutuel Wagering Slot Machine Combo General Individual License held by Respondent.

COUNT III

17. Petitioner realleges and incorporates the allegations contained within paragraphs one through six and eight through ten as though fully set forth herein

18. Based on the foregoing, Respondent violated Rule 61D-14.090, *Florida Administrative Code*, by conspiring with, soliciting, aiding, abetting, counseling, hiring, or procuring German Pavoni Sierra to engage in a violation of section 551.109(3), Florida Statutes, or by committing such an act on her own, at Casino Miami on or about December 19, 2018 and is subject to permanent exclusion from all licensed pari-mutuel wagering facilities and all licensed slot machine facilities in the State of Florida under sections 550.0251(6) and 551.112, Florida Statutes.

19. Further, under section 551.103(4)(b)(2), Florida Statutes (2019), due to Respondent's violation of Rule 61D-14.090, *Florida Administrative Code*, Respondent is subject to the revocation of the Pari-Mutuel Wagering Slot Machine Combo General Individual License held by Respondent.

COUNT IV

20. Petitioner realleges and incorporates the allegations contained within paragraphs one through five and seven through ten as though fully set forth herein.

21. Based on the foregoing, by manually selecting German Pavoni Sierra to win a promotional drawing, Respondent violated Rule 61D-14.090, *Florida Administrative Code*, by committing a theft of property belonging to a licensed facility, by an employee of the facility, in violation of section 551.109(5), Florida Statutes, at Casino Miami on or about December 19, 2018, and is subject to permanent exclusion from all licensed pari-mutuel wagering facilities and

all licensed slot machine facilities in the State of Florida under sections 550.0251(6) and 551.112, Florida Statutes.

22. Further, under section 551 103(4)(b)(2), *Florida Statutes*, due to Respondent's violation of Rule 61D-14.090, *Florida Administrative Code*, Respondent is subject to the revocation of the Pari-Mutuel Wagering Slot Machine Combo General Individual License held by Respondent.

COUNT V

23. Petitioner realleges and incorporates the allegations contained within paragraphs one through six and eight through ten as though fully set forth herein.

24. Based on the foregoing, Respondent violated Rule 61D-14.090, *Florida Administrative Code*, by conspiring with, soliciting, aiding, abetting, counseling, hiring, or procuring Edmundo Pena to engage in a violation of section 551.109(3), Florida Statutes, or by committing such an act on her own, at Casino Miami on or about December 19, 2018 and is subject to permanent exclusion from all licensed pari-mutuel wagering facilities and all licensed slot machine facilities in the State of Florida under sections 550.0251(6) and 551.112, Florida Statutes.

25. Further, under section 551.103(4)(b)(2), Florida Statutes (2019), due to Respondent's violation of Rule 61D-14.090, *Florida Administrative Code*, Respondent is subject to the revocation of the Pari-Mutuel Wagering Slot Machine Combo General Individual License held by Respondent.

COUNT VI

26. Petitioner realleges and incorporates the allegations contained within paragraphs one through five and seven through ten as though fully set forth herein.

27. Based on the foregoing, by manually selecting Edmundo Pena to win a promotional drawing, Respondent violated Rule 61D-14.090, *Florida Administrative Code*, by committing a theft of property belonging to a licensed facility, by an employee of the facility, in violation of section 551.109(5), Florida Statutes, at Casino Miami on or about December 19, 2018, and is subject to permanent exclusion from all licensed pari-mutuel wagering facilities and all licensed slot machine facilities in the State of Florida under sections 550.0251(6) and 551.112, Florida Statutes.

28. Further, under section 551.103(4)(b)(2), Florida Statutes, due to Respondent's violation of Rule 61D-14.090, *Florida Administrative Code*, Respondent is subject to the revocation of the Pari-Mutuel Wagering Slot Machine Combo General Individual License held by Respondent.

COUNT VII

29. Petitioner realleges and incorporates the allegations contained within paragraphs one through six and eight through ten as though fully set forth herein.

30. Based on the foregoing, Respondent violated Rule 61D-14.090, *Florida Administrative Code*, by conspiring with, soliciting, aiding, abetting, counseling, hiring, or procuring Freddy Valentin Morales to engage in a violation of section 551.109(3), Florida Statutes, or by committing such an act on her own, at Casino Miami on or about December 19, 2018 and is subject to permanent exclusion from all licensed pari-mutuel wagering facilities and all licensed slot machine facilities in the State of Florida under sections 550.0251(6) and 551.112, Florida Statutes.

31. Further, under section 551.103(4)(b)(2), Florida Statutes (2019), due to Respondent's violation of Rule 61D-14.090, *Florida Administrative Code*, Respondent is subject

to the revocation of the Pari-Mutuel Wagering Slot Machine Combo General Individual License held by Respondent.

COUNT VIII

32. Petitioner realleges and incorporates the allegations contained within paragraphs one through five and seven through ten as though fully set forth herein.

33. Based on the foregoing, by manually selecting Freddy Valentin Morales to win a promotional drawing, Respondent violated Rule 61D-14.090, *Florida Administrative Code*, by committing a theft of property belonging to a licensed facility, by an employee of the facility, in violation of section 551.109(5), Florida Statutes, at Casino Miami on or about December 19, 2018, and is subject to permanent exclusion from all licensed pari-mutuel wagering facilities and all licensed slot machine facilities in the State of Florida under sections 550.0251(6) and 551.112, Florida Statutes.

34. Further, under section 551.103(4)(b)(2), Florida Statutes, due to Respondent's violation of Rule 61D-14.090, *Florida Administrative Code*, Respondent is subject to the revocation of the Pari-Mutuel Wagering Slot Machine Combo General Individual License held by Respondent.

WHEREFORE, Petitioner respectfully requests the Division Director enter an Order permanently excluding Respondent from any and all pari-mutuel facilities in the State of Florida, along with any other remedy provided by chapter 551 Florida Statutes, and/or the rules promulgated thereunder.

[Signatures appear on following page]

This Administrative Complaint for DBPR Case Number 2019-018208 is signed this 29th day of October, 2019.

/s/ Darrell Garvey
DARRELL GARVEY
Assistant General Counsel
Florida Bar No. 1018554
Darrell.Garvey@MyFloridaLicense.com

/s/ James A. Lewis
JAMES A. LEWIS
Deputy Chief Attorney
Florida Bar No. 1002349
James.Lewis@MyFloridaLicense.com

Office of the General Counsel
Division of Pari-Mutuel Wagering
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399-1035
Telephone: (850) 717-1585
Facsimile: (850) 921-1311

NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, *Florida Administrative Code*. Pursuant to Rule 28-106.111, *Florida Administrative Code*, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.