

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

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

Petitioner,

v.

FGCC Case No.: 2023-055750

FRANK C. HURLBERT,

Respondent.

\_\_\_\_\_ /

**FINAL ORDER**

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on March 6, 2024, for final agency action pursuant to sections 120.569 and 120.57(2), Florida Statutes. After a complete review of the record in this matter, the Commission makes the following findings of fact and conclusions of law:

1. An Administrative Complaint was filed in this case on December 18, 2023, alleging that (i) Respondent is subject to exclusion from all licensed pari-mutuel facilities in the state of Florida pursuant to section 550.0251(6), and (ii) Respondent is subject to the suspension or revocation of his occupational license, pursuant to section 849.086(14)(a), Florida Statutes. A copy of the Administrative Complaint is attached hereto, marked as Exhibit A, and incorporated herein.

2. Respondent was served with the Administrative Complaint, Election of Rights form, an explanation of rights and cover letter via Certified Mail on December 26, 2023. Proof of service is attached hereto, marked as Exhibit B, and incorporated herein.

3. The Election of Rights form, explanation of rights, and cover letter notified Respondent that a written response to the Administrative Complaint, including the right to request

a hearing, was due within 21 days of actual service of the Administrative Complaint. *See* § 120.569(1), Fla. Stat., and Fla. Admin. Code. R. 28-106.111.

4. Petitioner notified Respondent that the failure to file a timely response to the Administrative Complaint would be deemed a waiver of the right to a hearing.

5. Respondent failed to file a timely response to the Administrative Complaint, and has not submitted any evidence or made any allegations that would support the application of the doctrine of equitable tolling.

Having considered the Administrative Complaint, the service of the Administrative Complaint with Election of Rights form, explanation of rights, and cover letter on Respondent along with Respondent's failure to respond, and being otherwise fully advised in the premises, it is hereby

**ORDERED and ADJUDGED:**

1. The allegations of fact and the conclusions of law in the Administrative Complaint are adopted in their entirety herein.

2. Respondent is hereby **PERMANENTLY EXCLUDED** from all pari-mutuel facilities within the state of Florida.

3. Respondent's Cardroom Employee Occupational License, number 8268733, is hereby **REVOKED**.

*This Final Order shall take effect upon being filed with the Clerk of the Commission.*

**DONE AND ORDERED** this 4<sup>th</sup> day of April, 2024.

FLORIDA GAMING CONTROL COMMISSION



**CLERK OF THE COMMISSION**

*On Behalf of*

Julie Brown, Vice-Chair

John D' Aquila, Commissioner

Charles Drago, Commissioner

Tina Repp, Commissioner

### 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 Clerk of the Commission, 4070 Esplanade Way, Tallahassee, Florida 32399 (Email: [clerk@flgaming.gov](mailto:clerk@flgaming.gov)), 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) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the Clerk of the Commission.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4<sup>th</sup> day of April, 2024, a true and correct copy of this Final Order has been sent via U.S. Mail to:

**Frank C. Hurlbert**  
452 Southwest Curry Street  
Port St. Lucie, Florida 34983



---

**CLERK OF THE COMMISSION**  
Florida Gaming Control Commission

CC: Ebonie Lanier

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

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

Petitioner,

v.

FGCC Case No.: 2023-055750

FRANK C. HURLBERT,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

1. The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Frank C. Hurlbert (“Respondent”), and alleges:

2. 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.

3. At all times material hereto, Respondent held a Cardroom Employee Occupational License, number 8268733, issued pursuant to section 849.086(6), Florida Statutes.

4. At all times material hereto, Melbourne Greyhound Park, LLC was a facility operated by a permit holder authorized to conduct pari-mutuel wagering and cardroom operations in the state of Florida pursuant to chapters 550 and 849, Florida Statutes.

5. Respondent was employed as a poker dealer at Melbourne Greyhound Park, LLC.

6. On or about September 22, 2023, Respondent was observed via surveillance footage stealing chips from the players during live poker games.



7. On September 29, 2023, Respondent was terminated from his employment as a poker dealer at Melbourne Greyhound Park, LLC.

#### COUNT I

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

9. Rule 75-11.005(4), Florida Administrative Code, provides, in pertinent part, that “[n]o person shall, either directly or indirectly (a) [e]mploy or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.”

10. Section 849.086(14)(a), Florida Statutes, provides that:

The commission may deny a license or the renewal thereof, or may suspend or revoke any license, when the applicant has: violated or failed to comply with the provisions of this section or any rules adopted pursuant thereto; knowingly caused, aided, abetted, or conspired with another to cause any person to violate this section or any rules adopted pursuant thereto; or obtained a license or permit by fraud, misrepresentation, or concealment; or if the holder of such license or permit is no longer eligible under this section.

11. Based on the foregoing, Respondent violated rule 75-11.005(4), Florida Administrative Code, by employing a device, scheme, or artifice to defraud the participants of games and is therefore subject to suspension or revocation of her occupational license.

#### COUNT II

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

13. 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).

14. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities in the state of Florida based on his termination for theft from Melbourne Greyhound Park, LLC on September 29, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order revoking or suspending Respondent's Occupational License and excluding Respondent from all licensed pari-mutuel wagering facilities in the state of Florida, along with any other remedy provided by chapters 550 and 849 Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-055750 is signed this 12th day of December 2023.

*/s/Emily A. Alvarado*

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
4070 Esplanade Way, Suite 250  
Tallahassee, Florida 32399-2202  
Telephone: (850) 794-8066  
Facsimile: (850) 536-8709  
Primary: Emily.Alvarado@flagaming.gov  
Secondary: Ebonie.Lanier@flgaming.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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<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 License Type</a>	<a href="#">Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>				

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: cstubbs1

[VR Home](#) > [Complaint Search](#) > [Maintain Complaint](#)

Lic Type	<b>1012 - Cardroom Employee Occupational</b>	Status	<b>90 Closed</b>	Status Date	<b>12/05/2023</b>
Complaint #	<b>2023055750</b>	Case Type	<b>CMP - Complaint</b>	Disposition	
Disposition Date					
Docket#	Respondent	<b>HURLBERT, FRANK C</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>OTHR - Other</b>	Complexity	<b>R - Regular</b>
Security	<b>STND - Standard</b>	Incident	<b>09/29/2023</b>
Region	<b>SR - Southern Region</b>	Received	<b>10/03/2023</b>
Reference	<b>550.0251(6); 61D-11.005(4) (a)</b>		
Entered	<b>10/04/2023</b>	Entered By	<b>cstubbs1</b>
Summary	<p><b>176 - Melbourne Greyhound Park LLC : Powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation - On Thursday September 28, 2023, I received a phone call from Poker Room Director Jeff Marr asking for advice on how to proceed with the firing of Dealer Frank Hurlbert for stealing. Frank Hurlbert was formally fired on September 29, 2023, for stealing from patrons and the facility.</b></p>		
Updated	<b>12/06/2023 14:58:40</b>	By	<b>cstubbs1</b>

Parties

Activities

Allegations

Discipline

Violations

Compliance

Related

Disposition

Inspection

Costs

Time Tracking

Attachments

Work Notes

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>October 4, 2023</b>	Case Number: <b>2023 05 5750</b>
Respondent:  <b>HULBERT, FRANK C. 452 SW CURRY STREET PORT SAINT LUCIE, FLORIDA 34983 CELL PHONE (772) 361-4231</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: 8268733 - 1012	Profession: Poker Dealer	Report Date: October 17, 2023	
Period of Investigation: October 4, 2023, through October 17, 2023		Type of Report: <b>FINAL</b>	
<p><b>Alleged Violation: 550.0251:</b> The powers and duties of the Florida Gaming Commission. – The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:</p> <p><b>(6)</b> In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission.</p> <p><b>75-11.005 Prohibitions: (4)</b> No person shall, either directly or indirectly:</p> <p><b>(a)</b> Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.</p> <p><b>(b)</b> Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator.</p> <p><b>(c)</b> Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.</p>			
<p><b>Synopsis:</b> On Thursday September 28, 2023, I received a phone call from Melbourne Greyhound Park LLC., Club 52 Poker room Poker Director Jeff Marr, asking for guidance on how to proceed with the firing of Poker Dealer Frank <b>HURLBERT</b> for stealing. I informed Marr, that I could not advise him on how to handle an employee issue and that he needed to use his best judgment. I did, however, inform him that if he decided to terminate the employee, I would need documentation related to the incident for my report. Eventually, Frank <b>HURLBERT</b> was formally fired on September 29, 2023, for taking chips from the pot and rake then placing the chips into his tip box during several games.</p>			
Related Case:			
Investigator / Date   Andre' Tribble / October 17, 2023		Investigator Supervisor / Date   Julio Minaya / October 25, 2023	
Chief of Investigations / Date   Bradford D. Jones / December 5, 2023			

## CONTINUATION

On September 28, 2023, I received a phone call from Melbourne Greyhound Park LLC (MGP), Club 52 Poker Room Director, Jeffrey Marr (License #8220517, - Expires 06-30-2024). Marr wanted advice on how to proceed with a Poker Dealer whom he discovered stealing chips from the pot to his well (tip box) on several occasions. Marr identified the Dealer as Frank HURLBERT (Lic. # 8268733 – Exp. June 30, 2024) Marr stated he discovered the thefts by observing surveillance video coverage while conducting dealer evaluations. On September 29, 2023, Marr terminated **HURLBERT'S** employment and provided related information to this Investigator (**Exhibit #3**).

On October 4, 2023, I responded to Melbourne Greyhound Park LLC (Club 52). I met with Director Jeffrey Marr to retrieve a USB flash drive containing the surveillance video footage, and all pertinent documentation of this incident. Marr stated on the evening of September 22, 2023, at approximately 8:00 P.M., Frank **HURLBERT** who was the Dealer at table #9, was observed taking \$5.00 dollars in chips out of the pot and inserting them into his well. Marr further stated that from that time until 8:25 P.M., he observed **HULBERT** on video surveillance footage doing the same thing on 10 different occasions. In addition, during that same time frame **HULBERT** was observed taking \$4.00 dollars out of the rake and placing it into his well along with a \$1.00 dollar tip he received from a customer. Marr also stated that when the next dealer came to table #9 at 8:25 P.M., to relieve **HURLBERT**, **HURLBERT** was known to have \$1,000.00 dollars in green chips in his well. When returning his well to the cage after dealing, it was discovered that \$50.00 dollars in green chips were missing, and at the same time, **HURLBERT** was observed placing the chips into his tip box.

Marr added that there were other times and dates **HURLBERT** has been observed taking \$5.00 dollar chips out of the pot and placing the chips into his well. **HURLBERT** had a system for knowing how much money in chips he was placing into his well by putting clear spacers/lammers in a different spot in his well to count with. All of this can be seen on the video footage that has been provided (**Exhibit #7**).

Independent video review by this Investigator corroborated what was documented<sup>1</sup>. The following was noted:

Table #9 camera

20:00:55- \$10.00 dollars from pot to well.  
20:01:30- \$5.00 dollars from pot to well.  
20:03:29- \$5.00 dollars from pot to well.  
20:05:43- \$5.00 dollars from pot to well.  
20:06:54- \$5.00 dollars from pot to well.  
20:08:24- \$5.00 dollars from pot to well.  
20:11:22- \$5.00 dollars from pot to well.  
20:14:37- \$5.00 dollars from pot to well.  
20:18:47- \$5.00 dollars from pot to well.  
20:19:01- \$4.00 dollars from house rake and \$1.00 dollar tip from player.  
20:24:50- left table with \$1,000.00 dollars in green still in well.

Cage camera - 20:31:30- returned well to cage with \$950.00 dollars in green in the well and observed putting chips in tip box.

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<sup>1</sup> Video review conducted at the Melbourne facility.

**CONTINUATION**

Marr went on to say that that on September 29, 2023, he called **HURLBERT** in for an Employee Counseling, at which time **HURLBERT** refused to answer any questions related to the September 22, 2023, theft. **HURLBERT** was immediately terminated. Marr then called the Melbourne Police Department, 650 N. Apollo Blvd. Melbourne, Florida 32935 (321) 608-6731 to initiate a report and investigation into the theft. Officer Rymer badge [REDACTED] responded and provided the Marr with report #MP23-66879 (**Exhibits 4 & 5**).

The USB flash drive containing the surveillance video was mailed to the PMW Office of Investigations located at 1400 West Commercial Blvd., Suite 165, Ft. Lauderdale, FL. 33309 also known as the North Broward Regional Service Center as evidence and placed into the property evidence room. A property receipt was completed (**Exhibit #7**).

**Conclusion:** Through his actions, **HURLBERT** a licensed Poker Dealer, has been terminated from the Melbourne Greyhound Park LLC, a licensed Pari-Mutuel Wagering facility in Melbourne, Florida for theft. A police report has been initiated by the management of MGP (Club 52). The report and evidence substantiate consideration for a revocation of **HURLBERT'S** cardroom license.

**Status:** Case closed by Investigations and forwarded to Legal for review and appropriate action.

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

**OPEN CASE REQUEST**

(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

**INCIDENT DATE:** September 29, 2023

PMW     Cardroom X     Slot

Violation     Incident     Complaint

**FACILITY NAME:** Melbourne Greyhound Park LLC      **LIC #:** 176

**RESPONDENT**

<b>NAME:</b> Frank Hurlbert		
Address: 452 SW CURRY ST PORT ST LUCIE, FLORIDA 34983		Tel #: [REDACTED]
<b>LIC #:</b> 8268733	<b>LIC TYPE:</b> CEMP	<b>OCCUPATION:</b> Dealer

**COMPLAINANT**

<b>NAME:</b> Jeff Marr		Tel #: [REDACTED]
Address: [REDACTED]		
<b>LIC #:</b> 176	<b>LIC TYPE:</b> 1000	<b>OCCUPATION:</b> Cardroom Director (Club 52)

**VIOLATION(S) / TITLE(S):** 550.0251(6): The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. 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.

**61D-11.005(4) (a) (b) (c):** 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.

**DESCRIPTION:** On Thursday September 28, 2023, I received a phone call from Poker Room Director Jeff Marr asking for advice on how to proceed with the firing of Dealer Frank Hurlbert for stealing. Frank Hurlbert was formally fired on September 29, 2023, for stealing from patrons and the facility.

**CASE DETAILS FILED BY:** Andre' Tribble

Chief Inspector     Judge/Steward     Investigator     Other:    Investigations Specialist II  
Title of State Employee)

Andre' Tribble

10/03/2023

## **Cheryl Stubbs**

---

**From:** Bradford Jones  
**Sent:** Tuesday, October 3, 2023 12:35 PM  
**To:** Cheryl Stubbs; Ian Campbell  
**Cc:** Julio Minaya; Tyrell Smith; Andre Tribble  
**Subject:** FW: Please Open Case -Hurlbert, Frank (Melbourne Greyhound Park LLC- Club 52)  
**Attachments:** OPEN CASE REQUEST FORM - Hurlbert 10-03-2023.docx

Hello Cheryl,

This is approved. Please open a case and assign it to Andre Tribble.

Thank you.



**Bradford D. Jones**  
**Chief of Investigations**  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering

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

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**From:** Andre Tribble <Andre.Tribble@flgaming.gov>  
**Sent:** Tuesday, October 3, 2023 11:53 AM  
**To:** Tyrell Smith <Tyrell.Smith@flgaming.gov>  
**Cc:** Julio Minaya <Julio.Minaya@flgaming.gov>; Bradford Jones <Bradford.Jones@flgaming.gov>  
**Subject:** Please Open Case -Hurlbert, Frank (Melbourne Greyhound Park LLC- Club 52)

FYR



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VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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License Search    Entity Search    Modify License Standing    Maintain License CE Control

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: atribbie

VR Home > License Search > License Home

<b>License</b> Fed Tax # [REDACTED] Lic Type <b>1012 - Cardroom Employee Occupational</b> Expires On <b>06/30/2024</b> File # <b>4481</b> Name <b>HURLBERT, FRANK C</b> Extended To License # <b>8268733</b> Rank <b>CEMP - Cardroom Employee Occupational</b> Renewed On <b>06/17/2021</b> Entity # <b>8268733</b> Lic Status <b>Current</b>		<input type="button" value="Licensee"/> <input type="button" value="History"/> <input type="button" value="Notes"/> <input type="button" value="Notes History"/> <input type="button" value="Back"/>																			
<b>Address</b> Street # <b>452</b> Street <b>SW CURRY ST</b> Line 2 Line 3 City <b>PORT ST LUCIE</b> State <b>FL</b> Zip <b>34983</b> Routing																					
<b>Other</b> 1st License Date <b>06/30/2018</b> Rank Date <b>06/17/2021</b> Certificate # Method <b>I-S-1024</b> Status Date <b>06/30/2018</b> Certificate Date Fee Exempt <b>No</b> Birth Date [REDACTED] Renewal Sent																					
<b>Select</b> Action																					
<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>C</td> <td>DEAL - Dealer</td> <td>06/26/2009</td> <td></td> </tr> <tr> <td>I</td> <td>JLAI - Jai-Alai</td> <td>04/15/2008</td> <td></td> </tr> <tr> <td>L</td> <td>176 - Melbourne Gryhn</td> <td>08/22/2018</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>07/12/2012</td> <td></td> </tr> </tbody> </table>		Type	Modifier	Effective Date	Additional Info	C	DEAL - Dealer	06/26/2009		I	JLAI - Jai-Alai	04/15/2008		L	176 - Melbourne Gryhn	08/22/2018		Y	3YR - 3 Year License	07/12/2012	
Type	Modifier	Effective Date	Additional Info																		
C	DEAL - Dealer	06/26/2009																			
I	JLAI - Jai-Alai	04/15/2008																			
L	176 - Melbourne Gryhn	08/22/2018																			
Y	3YR - 3 Year License	07/12/2012																			
<b>Alt Keys</b> BEST LIC NBR <b>8268733</b>																					

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EXHIBIT # 2  
PAGE #

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License Search    Entity Search    Modify License Standing    Maintain License CE Control

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: atribute

VR Home > License Search > License Home > Basic Entity Data

Basic Entity Data	List of Addresses	List of Names
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Lic Type **1012 - Cardroom Employee Occupational**    Entity # **8268733**  
 Fed Tax # [REDACTED] Fed Tax Type **SSN #**    Name **HURLBERT, FRANK C**

<input checked="" type="checkbox"/> Last Name <b>HURLBERT</b>	First <b>FRANK</b>	Middle <b>C</b>	<input type="button" value="Notes"/>
Title	Suffix	Qualifier	<input type="button" value="Notes History"/>
Gender <b>M</b>	Race <b>2 - White</b>		<input type="button" value="Fix"/>
Driver License #	Birth Date [REDACTED]		<input type="button" value="Change"/>
Mailing Address <input checked="" type="checkbox"/>	Private Address	Preferred Name <input checked="" type="checkbox"/>	<input type="button" value="Save"/>
Street # <b>452</b>	Street <b>SW CURRY ST</b>		<input type="button" value="OK"/>
Line 2			<input type="button" value="Cancel"/>
Line 3			<input type="button" value="Back"/>
City <b>PORT ST LUCIE</b>	County <b>St. Lucie</b>		
Zip <b>34983</b>	State <b>Florida</b>	Country <b>United States</b>	
Routing			
Phone # [REDACTED]	Ext	E-Mail [REDACTED]	
Insp Region		Receive Email	
Updated <b>06/21/2021 14:45:32</b>	By <b>tncdowell1</b>		

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EXHIBIT # 2  
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VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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License Search    Entity Search    Modify License Standing    Maintain License CE Control

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: atribute

VR Home > License Search > License Home > Basic Entity Data

Basic Entity Data	List of Addresses	List of Names
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Lic Type	<b>1012 - Cardroom Employee Occupational</b>	Entity #	<b>8220517</b>
Fed Tax #	[REDACTED]	Fed Tax Type	<b>SSN #</b>
Name	<b>MARR, JEFFREY C</b>		

Last Name	<b>MARR</b>	First	<b>JEFFREY</b>	Middle	<b>C</b>	<input type="button" value="Notes"/> <input type="button" value="Notes History"/> <input type="button" value="Fix"/> <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"/>
Title		Suffix		Qualifier		
Gender	<b>M</b>	Race	<b>2 - White</b>			
Driver License #		Birth Date	[REDACTED]			
Mailing Address	Private Address	Preferred Name <input checked="" type="checkbox"/>				
[REDACTED]						
Line 2						
Line 3						
City	[REDACTED]	County	[REDACTED]			
Zip	[REDACTED]	State	<b>Florida</b>	Country	<b>United States</b>	
Routing						
Phone #	[REDACTED]	Ext	E-Mail	[REDACTED]		
Insp Region					Receive Email	
Updated	<b>05/10/2021 11:10:01</b>	By	<b>webuser</b>			

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PAGE # 1

FAQ | Help | Sign Out

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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License Search    Entity Search    Modify License Standing    Maintain License CE Control

Domain 10 - Division of Pari-Mutuel Wagering

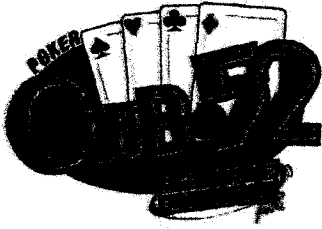
Logged in as: atribble

VR Home > License Search > License Home

<b>License</b> Fed Tax # [REDACTED] Lic Type <b>1012 - Cardroom Employee Occupational</b> Expires On <b>06/30/2024</b> File # <b>4194</b> Name <b>MARR, JEFFREY C</b> Extended To License # <b>8220517</b> Rank <b>CEMP - Cardroom Employee Occupational</b> Renewed On <b>05/14/2021</b> Entity # <b>8220517</b> Lic Status <b>Current</b>		<input type="button" value="Licensee"/> <input type="button" value="History"/> <input checked="" type="button" value="Notes"/> <input type="button" value="Notes History"/> <input type="button" value="Back"/>																			
<b>Address</b> Street # [REDACTED] Street [REDACTED] Line 2 Line 3 City [REDACTED] State [REDACTED] Zip [REDACTED] Routing																					
<b>Other</b> 1st License Date <b>08/13/2018</b> Rank Date <b>05/14/2021</b> Certificate # Method <b>I-S-1024</b> Status Date <b>08/13/2018</b> Certificate Date Fee Exempt <b>No</b> Birth Date [REDACTED] Renewal Sent																					
<b>Select</b> Action [REDACTED]																					
<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type ↕</th> <th>Modifier ↕</th> <th>Effective Date ↕</th> <th>Additional Info ↕</th> </tr> </thead> <tbody> <tr> <td>C</td> <td>CMAN - Cardroom Manager</td> <td>05/30/2018</td> <td></td> </tr> <tr> <td>I</td> <td>GHND - Greyhound</td> <td>02/06/2008</td> <td></td> </tr> <tr> <td>L</td> <td>176 - Melbourne Gryhn</td> <td>05/30/2018</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>06/12/2012</td> <td></td> </tr> </tbody> </table>		Type ↕	Modifier ↕	Effective Date ↕	Additional Info ↕	C	CMAN - Cardroom Manager	05/30/2018		I	GHND - Greyhound	02/06/2008		L	176 - Melbourne Gryhn	05/30/2018		Y	3YR - 3 Year License	06/12/2012	
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<b>Alt Keys</b> BEST LIC NBR <b>8220517</b>																					

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**EXHIBIT # 3**  
**PAGE # 2**



# Melbourne Greyhound Park LLC

1100 North Wickham Road Melbourne FL 32935

Phone: 321-259-9800 Fax: 321-259-3437 www.MGPark.com

## EMPLOYEE COUNSELING REPORT

Employee Name: Frank Hurlbert

Department: Cardroom

Date of Counseling: 9/29/23

Describe reason for counseling (be specific as to rule violation, objective facts, any prior warnings and dates):

Stealing from pot and rake and adding to toke box. See attached.

Recommendations for correction of violation, standards expected and follow-up meeting date:

Termination

Disciplinary action to be taken:

Verbal Counseling  Written Warning  Final Warning

Suspension from \_\_\_\_\_ through \_\_\_\_\_ Termination Effective 9/29/23

Consequence should further violation occur:

Employee Statement:

Employee Signature

Date

9/29/23

Department Supervisor

Date

HR

Date

EXHIBIT #  
PAGE #

Melbourne Greyhound Park LLC

Change Request Form

Name FRAK HURBERT

Address \_\_\_\_\_

Phone # \_\_\_\_\_

Email \_\_\_\_\_

SS# \_\_\_\_\_

DEPT G2

Job Title DEALER

New Hire  Rehire  Transfer

Termination  
Pay-Rate \_\_\_\_\_

Status Change to: \_\_\_\_\_

Effective Date: 9-29-23

Emergency Contact: \_\_\_\_\_

Phone# \_\_\_\_\_

Relationship: \_\_\_\_\_

Termination Voluntary \_\_\_\_\_ (Circle One) Involuntary (Attach Warnings, if available)

Job abandonment \_\_\_\_\_ Unsatisfactory work performance \_\_\_\_\_

Accepted another job \_\_\_\_\_ Attendance/Tardiness \_\_\_\_\_

Relocated \_\_\_\_\_ Violation of company policy \_\_\_\_\_

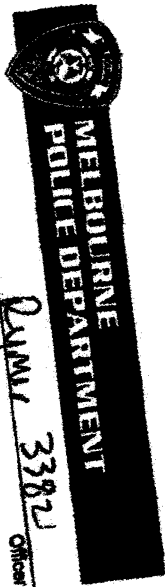
Attending school \_\_\_\_\_ Lack of Work \_\_\_\_\_

Other (explain below) \_\_\_\_\_ Other (explain below) \_\_\_\_\_

Last Date Worked 9-23-23 Date of Termination 9-29-23 Eligible for Rehire? Yes  No

Explanation of Termination THEFT FROM PLAYERS + COMPANY

Manager Signature [Signature] Date 9-29-23

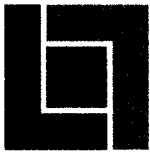


850 N. Apollo Blvd.  
Melbourne, FL 32935  
321-608-MPD1 (6731)  
TIPS Line: 321-608-TIPS (8477)  
[www.melbournepolice.org](http://www.melbournepolice.org)

Case# NR13-06839  
Officer Payne 3382



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PAGE # 1



# LOCKWOOD LAW FIRM

October 2, 2023

Elizabeth Stinson  
Chief Attorney  
Florida Gaming Control Commission  
4070 Esplanade Way, Suite 250  
Tallahassee, Florida 32399

*Via email – Elizabeth.Stinson@flgaming.gov*

**Re: Complaint against Frank C. Hurlbert**

Dear Ms. Stinson:

This correspondence is provided on behalf of Melbourne Greyhound Park, LLC (“Melbourne”) for the purpose of submitting a complaint against Frank C. Hurlbert, the holder of cardroom employee occupational license number 8268733.

Mr. Hurlbert was hired as a dealer at Melbourne’s cardroom on August 13, 2018. After reviewing security camera footage from September 22, 2023, it became apparent that Mr. Hurlbert was stealing chips from pot and the rake. Upon discovering this information, Melbourne notified the Melbourne Police Department, which has opened an investigation. Mr. Hurlbert was terminated by Melbourne on September 29, 2023.

Melbourne is requesting that the Commission promptly initiate an investigation into Mr. Hurlbert’s illegal actions at Melbourne and seek the revocation of his occupational license. To this end, please find attached the following evidence:

1. Melbourne’s employee termination records
2. Melbourne’s investigation report
3. Melbourne Police Department contact information and case number

We also have video footage of the theft which we can share with you. It would be greatly appreciated if you would contact me at 850-727-5009 to discuss the case and your preference for receiving the video footage. Thank you for your time and I look forward to discussing this matter with you soon.

Sincerely,

T.J. Morton







**Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Investigations**

**PROPERTY RECEIPT**

Complaint # 2023 05 5750      Date October 17, 2023,      Lab # \_\_\_\_\_

Item No.	Quantity	Description
1	1	USB containing surveillance footage of theft on September 22, 2023, from Melbourne Greyhound Park LLC (Club 52)

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

*Andre L. L...* 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: \_\_\_\_\_  
 Received by: \_\_\_\_\_  
 Received by: \_\_\_\_\_

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

Copies for: File, Transmittal, Laboratory, Property Receipt

**EXHIBIT #** *7*  
**PAGE #**

Tracking Number:

[Remove X](#)

## 9414711899562670899528

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

### Latest Update

Your item was delivered to an individual at the address at 11:45 am on December 26, 2023 in PORT SAINT LUCIE, FL 34983.

Get More Out of USPS Tracking:

[USPS Tracking Plus<sup>®</sup>](#)

### Delivered

**Delivered, Left with Individual**

PORT SAINT LUCIE, FL 34983  
December 26, 2023, 11:45 am

[See All Tracking History](#)

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

[Text & Email Updates](#)





[USPS Tracking Plus<sup>®</sup>](#)



Feedback

[Track Another Package](#)



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Ensure items 1, 2, and 3 are completed.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature: <input type="checkbox"/> Addressee or <input type="checkbox"/> Agent</p> <p><b>X</b> <i>M. Hurlbert</i></p> <p>B. Received By: (Printed Name)      C. Date of Delivery</p> <p>Mark Hurlbert      12/26/83</p>
<p>1. Article Addressed to:</p> <p>AC - 2023055750 - PMW          Frank C. Hurlbert          452 Sw Curry St          Port St Lucie FL 34983-1901</p>  <p>9490 9118 9956 2670 8995 08</p>	<p>Is delivery address different from item 1? <input type="checkbox"/> Yes          if YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p style="text-align: center;">RECEIVED          2024 JAN 10 PM 12:00          JRUDA          COMM. DIVISION</p>
<p>2. Article Number (Transfer from service label)</p> <p>9414 7118 9956 2670 8995 28</p>	
<p>PS Form 3811 Facsimile, July 2015 (SDC 3930)</p>	<p>Domestic Return Receipt</p>