

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.: 2025-054002

GABRIEL RICARDO ANDREU,

Respondent.

_____ /

FINAL ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on May 7, 2026, for final agency action pursuant to sections 120.569 and 120.57(2), Florida Statutes. After a complete review of the records 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 October 30, 2025. A copy of the administrative complaint and an explanation of rights (collectively referred to as the Administrative Complaint) is attached hereto as Exhibit "1" and incorporated by reference.
2. The Administrative Complaint was served on Respondent via certified mail on November 6, 2025.
3. On April 29, 2026, Respondent requested a final order be entered in this case. Copies of the emails showing Respondent's request that a final order be entered, are attached as Exhibit "2" and incorporated by reference.
4. Having considered the Administrative Complaint and Respondent's waiver of his right to request a hearing, and being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED:

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

6. Respondent is **PERMANENTLY EXCLUDED** from all pari-mutuel facilities and all facilities of slot machine licensees in the state of Florida.

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

DONE AND ORDERED this 16th day of JUNE, 2026.



FLORIDA GAMING CONTROL COMMISSION

On Behalf of

Julie I. Brown, Chair

Tina Repp, Vice Chair

John D'Aquila, Commissioner

William Spicola, Commissioner

Peter Cuderman, 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), 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 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 16th day of JUNE, 2026, a true and correct copy of this Final Order has been sent via email to:

Gabriel Ricardo Andreu
c/o Jonathan Zachem
Jon@zachemlaw.com



CLERK OF THE COMMISSION
Florida Gaming Control Commission

CC: Ebonie Lanier

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

EXHIBIT

1

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

Petitioner,

v.

FGCC Case No.: 2025-054002

GABRIEL RICARDO ANDREU,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Gabriel Ricardo Andreu (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel, slot machine, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent’s address was reported as 25 Deer Run, Miami Springs, Florida 33166.
3. At all times material hereto, Gretna Racing, LLC d/b/a/ Magic City Casino (“Magic City Casino”) was a facility operated by a permitholder authorized by the Commission to conduct pari-mutuel wagering, cardroom operations, and slot operations in the state of Florida.
4. On or about June 27, 2025, Respondent was a patron of Magic City Casino.
5. On or about June 28, 2025, Respondent was ejected from Magic City Casino.
6. On or about June 28, 2025, Respondent was excluded from Magic City Casino, effective until June 28, 2028.

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.

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.

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 exclusion from Magic City Casino on or about June 28, 2025.

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, in accordance with sections 550.0251(6)

and 551.112, 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 2025-054002 is signed on the 24th day of October 2025.

/s/ Justin Hundersmarck

Justin Hundersmarck
Senior Attorney
Florida Bar Number: 1039038
Florida Gaming Control Commission
Office of the General Counsel
Division of Pari-Mutuel Wagering
4070 Esplanade Way, Suite 250
Tallahassee, Florida 32399-2202
Phone: (850) 794-8063
Fax: +1 850-536-8712
Primary: Justin.Hundersmarck@flgaming.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.

Ebonie Lanier

From: Ebonie Lanier
Sent: Wednesday, April 29, 2026 2:01 PM
To: Jon Zachem; Emily Alvarado
Cc: Marc Taupier; Justin Hundersmarck
Subject: RE: FW: FGCC - Notice of hearing - Case No. 2025054342

EXHIBIT

2

Good Afternoon Mr. Zachem,

This message is to confirm that the Hearing Office is in receipt of your email and your request.

Thanks,
- Ebonie Lanier

From: Jon Zachem <jon@zachelaw.com>
Sent: Wednesday, April 29, 2026 1:48 PM
To: Emily Alvarado <Emily.Alvarado@flgaming.gov>
Cc: Marc Taupier <Marc.Taupier@flgaming.gov>; Ebonie Lanier <Ebonie.Lanier@flgaming.gov>; Justin Hundersmarck <Justin.Hundersmarck@flgaming.gov>
Subject: Re: FW: FGCC - Notice of hearing - Case No. 2025054342

Mr. Taupier,

It has come to my attention that the FGCC requires some form of notice to an informal hearing officer that there is a change in the election of rights by a Respondent when the authority has not left the FGCC. I was previously unaware of this fact. Therefore, my clients for case numbers 2025-054342 and 2025-054002 have withdrawn their election of an informal hearing. I communicated this to opposing counsel and she expressed no objection to removing the cases from the hearing officer and setting them for the next available board meeting. Please confirm receipt. Thank you.

Jonathan Zachem, Managing Shareholder
Zachem Law, P.A.
Office (850) 633-2224
Cell (727) 418-4566



On Wed, Apr 15, 2026 at 3:53 PM Jon Zachem <jon@zachelaw.com> wrote:

Good afternoon. I was in the process of doing so. Thank you again Ms. Alvarado. Do you need more than this email provides? I can draft something more official if you wish.