

FILED	
FLORIDA GAMING CONTROL COMMISSION	
Date:	<u>7/08/2026</u>
File Number:	<u>2026-00122</u>
BY: MELBA L. APELLANIZ	
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.: 2025-033551

PAVLO KAPYNOS,

Respondent.

_____ /

FINAL ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on July 1, 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:

FINDINGS OF FACT

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

CONCLUSIONS OF LAW

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

ORDERED and ADJUDGED:

1. The Hearing Officer's Recommended Order is adopted in full.
2. Respondent is hereby **PERMANENTLY EXCLUDED** from all licensed pari-mutuel wagering and slot machine facilities in the state of Florida.

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

DONE AND ORDERED this 8th day of July, 2026.

FLORIDA GAMING CONTROL COMMISSION



CLERK OF THE COMMISSION

On Behalf of

Julie I. Brown, Chair

Tina Repp, Vice Chair

John D'Aquila, Commissioner

William Spicola, Commissioner

Peter Cuderman, Commissioner

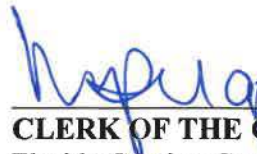
NOTICE OF RIGHT TO APPEAL

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, Suite 250, 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 8th day of July, 2026, a true and correct copy of this Final Order has been sent via email to:

Pavlo Kapynos
c/o Mikhael Keifitz
info@meklegal.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.: 2025-033551

PAVLO KAPYNOS,

Respondent.

_____ /

HEARING OFFICER'S RECOMMENDED ORDER

THIS MATTER came before Shireen Anbardan, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on May 19, 2026, 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 Pavlo Kapynos ("Respondent"), in FGCC Case Number 2025-033551 ("Administrative Complaint"). Justin Hundersmarck, Senior Attorney, represented the Commission, and Respondent was represented by attorney Mikhael E. Keifitz. Dmytro Abramov appeared as a witness for Respondent. The hearing was held via video conference. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about August 29, 2025, the Commission filed an Administrative Complaint against Respondent, alleging that Respondent was a patron of and was ejected and excluded from 831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino ("Big Easy"). The Administrative Complaint sought to exclude Respondent from all licensed pari-mutuel wagering

facilities and any facility of a slot machine licensee in the State of Florida due to Respondent's ejection and exclusion from Big Easy.

2. On or about September 26, 2025, the Respondent requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

3. An informal hearing was scheduled for May 19, 2026.

4. Prior to the hearing, Respondent submitted what appeared to be a Florida Department of Law Enforcement report showing no criminal history, an Experian credit report, and a personal statement. In the personal statement, Respondent accepted responsibility for the events leading to his exclusion from Big Easy. The personal statement explains that statewide exclusion will deprive not only him, but his family, of patronizing licensed pari-mutuel wagering facilities.

THE MAY 19, 2026, INFORMAL HEARING

5. At the informal hearing held pursuant to section 120.57(2), Florida Statutes, on May 19, 2026, 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 admitted the investigative packet into the record.

6. The investigative packet contained an Investigative Report detailing the activity that led to the permanent ejection and exclusion of the Respondent from Big Easy.

7. The investigative report alleged that on or about April 11, 2025, Respondent engaged in an argument with another patron, threw poker chips at a poker dealer, and threw a drink at a poker manager. Respondent was subsequently ejected from Big Easy.

8. The investigative report further alleged that on or about April 17, 2025, Respondent returned to Big Easy and was issued a verbal lifetime ban. Additionally, the investigative report alleges that, according to Big Easy security, Respondent has a history of disruptive behavior in the cardroom.

9. Respondent testified that he understands that the behavior that led to the exclusion was inappropriate and accepts responsibility.

10. Respondent referred to his lack of a criminal history and stated that this type of behavior would never happen again. Respondent explained that he believes a lifetime ban from all pari-mutuel facilities is too harsh a punishment for a one-time incident.

11. Respondent further testified that he is a casual poker player, and the purpose for most of his visits to pari-mutuel facilities is for dining and entertainment.

12. The witness for Respondent testified that he was not there for the events that led to Respondent's exclusion but knows Respondent to behave normally and as a gentleman when they visit pari-mutuel facilities together.

FINDINGS OF FACT

13. Petitioner is the state agency charged with regulating pari-mutuel wagering, cardroom, and slot machine operations pursuant to chapters 550, 551, and 849, Florida Statutes.

14. At all times material hereto, Big Easy was a facility operated by a permitholder authorized by the Commission to conduct pari-mutuel wagering, cardroom, and slot machine operations in the State of Florida.

15. On or about April 11, 2025, the Respondent was a patron of and was ejected from Big Easy.

16. On or about April 17, 2025, Respondent was a patron of and was ejected from Big Easy. At that time, Respondent was verbally issued a lifetime ban from Big Easy.

CONCLUSIONS OF LAW

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

18. The Commission has jurisdiction over this matter pursuant to chapters 120, 550, 551, and 849, Florida Statutes.

19. At all times material hereto, Big Easy was a facility operated by a permitholder authorized by the Commission to conduct pari-mutuel wagering, cardroom, and slot machine operations in the State of Florida.

20. Section 550.0215(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 added).

21. 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 added).

22. Pursuant to the statutes, Respondent's exclusion from one facility is sufficient to trigger his exclusion from all pari-mutuel wagering and slot machine facilities in the State of Florida.

23. Respondent is subject to permanent exclusion from all licensed pari-mutuel wagering and slot machine facilities in the State of Florida based on Respondent's ejection and permanent exclusion from Big Easy on or about April 17, 2025.

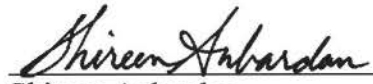
24. Respondent's testimony neither mitigates that Respondent was ejected and excluded from Big Easy, nor precludes the Commission from permanently excluding him from all licensed pari-mutuel wagering and slot machine facilities in the State of Florida.

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

RECOMMENDED ORDER

WHEREFORE, based on the Findings of Fact and Conclusions of Law, it is hereby recommended that the Florida Gaming Control Commission enter a Final Order permanently excluding Respondent from all licensed pari-mutuel wagering and slot machine facilities in the State of Florida.

This Recommended Order in FGCC Case Number 2025-033551 is submitted on this 23rd day of June 2026.


Shireen Anbardan
Hearing Officer
Florida Gaming Control Commission

CERTIFICATE OF SERVICE

I hereby certify this 23rd day of June 2026, that a true copy of the foregoing

“Hearing Officer’s Recommended Order” has been provided by email to:

Mikhael E. Keifitz

3363 NE 163rd Street, Suite 708

North Miami Beach, FL 33160

info@meklegal.com

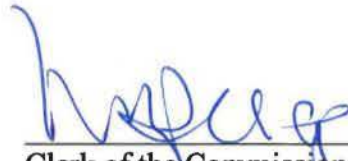
Counsel for Respondent

Justin Hundersmarck

Senior Attorney

Justin.Hundersmarck@flgaming.gov

Counsel for Petitioner



Clerk of the Commission
FLORIDA GAMING CONTROL COMMISSION