

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.:2025-047035

MICHAEL SPOSATO,

Respondent.

_____ /

FINAL ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on November 7, 2025, 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 August 19, 2025, alleging that Respondent is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the state of Florida pursuant to sections 550.0251(6) and 551.112, Florida Statutes and subject to revocation of his slot machine/cardroom/pari-mutuel combination occupational license pursuant to rule 75-11.005(4), Florida Administrative Code. A copy of the Administrative Complaint is attached hereto as Exhibit "1" and incorporated by reference.

2. On or about September 30, 2025, Respondent returned the Election of Rights form and selected "Option 2" which states that Respondent does dispute the allegations of material fact in the Administrative Complaint and requests a formal administrative hearing pursuant to section 120.57(1), Florida Statutes. A copy of the Election of Rights is attached hereto as Exhibit "2" and incorporated by reference.

3. On September 30, 2025, the Clerk of the Commission issued an Order of Dismissal with Prejudice and gave Respondent 15 days from the date of the Order of Dismissal to cure the defect. A copy of the Order of Dismissal is attached hereto as Exhibit "3" and incorporated by reference.

4. Respondent failed to respond within 15 days from the date of the Order of Dismissal.

5. Section 120.569, Florida Statutes, requires the Commission to dismiss the request for formal hearing if the request does not meeting the requirements of Rule 28-106.2015, Fla. Admin. Code.

Having considered the Administrative Complaint and Respondent's failure to respond to the Order of Dismissal without Prejudice to properly request a hearing, and being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED:

1. Respondent's request for a hearing is **DISMISSED** with prejudice.
2. The allegations of fact and the conclusions of law in the Administrative Complaint are adopted in their entirety herein.
3. Respondent slot machine/cardroom/pari-mutuel combination occupational license, number 13599290, is hereby **REVOKED**.
4. Respondent is hereby **PERMANENTLY EXCLUDED** from all pari-mutuel facilities and all facilities of a slot machine licensee within the state of Florida.

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

DONE AND ORDERED this 12th day of NOVEMBER, 2025.

FLORIDA GAMING CONTROL COMMISSION



CLERK OF THE COMMISSION

On Behalf of

Julie I. Brown, Vice-Chair

Charles Drago, Commissioner

John D'Aquila, Commissioner

Tina Repp, Commissioner

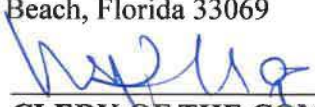
NOTICE OF RIGHT TO APPEAL

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), 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 12th day of NOVEMBER, 2025, a true and correct copy of this Final Order has been sent via USPS mail to:

Michael Sposato
534 Misty Oaks Drive
Pompano Beach, Florida 33069



CLERK OF THE COMMISSION
Florida Gaming Control Commission

CC: Ebonie Lanier

EXHIBIT

1

FILED	
FLORIDA GAMING CONTROL COMMISSION	
Date:	<u>8/19/2025</u>
File Number:	_____
BY: MELBA L. APELLANIZ	
CLERK OF THE COMMISSION	

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

FLORIDA GAMING CONTROL COMMISSION,
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FGCC Case No.: 2025-047035

MICHAEL SPOSATO,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Michael Sposato ("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 Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License, number 13599290, issued pursuant to section 551.107(2)(b), Florida Statutes.
3. At all times material hereto, PPI, Inc., d/b/a Harrah's Pompano Beach was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, cardroom operations, and slot machine operations in the state of Florida.
4. From about June 6, 2025, to June 13, 2025, Respondent worked as a Dealer at Harrah's Pompano Beach.

5. From about June 6, 2025, to June 12, 2025, Respondent was observed by Harrah's Pompano Beach surveillance stealing \$900 in chips while working at a poker table.

6. On or about June 13, 2025, Respondent was observed by Harrah's Pompano Beach surveillance stealing two \$100 black chips while working at a poker table.

7. On or about June 13, 2025, Respondent was ejected and permanently excluded from Harrah's Pompano Beach.

8. On or about June 13, 2025, Respondent's employment with Harrah's Pompano Beach was terminated.

COUNT I

9. Petitioner realleges and adopts paragraphs numbered one through eight as if set forth fully herein.

10. Rule 75-11.005(4), Florida Administrative Code, states:

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.

11. Pursuant to section 849.086(14)(a), Florida Statutes, "[t]he commission may deny a license or the renewal thereof, or may suspend or revoke any license, when the applicant has: (a) violated or failed to comply with the provisions of this section or any rules adopted pursuant thereto."

12. Based on the foregoing, Respondent violated rule 75-11.005, Florida Administrative Code, by engaging in an act that would constitute fraud or deceit upon the cardroom operator and is therefore subject to suspension or revocation of his occupational license.

COUNT II

13. Petitioner realleges and adopts paragraphs numbered one through eight as if set forth fully herein.

14. 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 added).

15. 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).

16. 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 based on his ejection from Harrah's Pompano Beach on June 13, 2025, pursuant to sections 550.0251(6) and 551.112, Florida Statutes.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order revoking Respondent's Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License, number 1599290, and 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 2025-047035 is signed this 19th day of August, 2025.

/s/ Joseph Call

Joseph Call
Senior Attorney
FBN: 1044034
Florida Gaming Control Commission
Office of the General Counsel
Division of Pari-Mutuel Wagering
4070 Esplanade Way, Suite 250
Tallahassee, Florida 32399-2202
Telephone: 850-794-8122
Facsimile: +1 (850) 536-8712
Primary: Joseph.Call@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.



STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

EXHIBIT

2

FGCC v. SPOSATO, MICHAEL

CASE NO.: 2025-047035

ELECTION OF RIGHTS

Please read the Administrative Complaint before choosing one of the three options. The Election of Rights is a **legally binding** document. Consult an attorney if you do not understand your options.

You can only select **ONE** of the options numbered one (1), two (2), and three (3) on the Election of Rights form. You must sign the form.

A completed Election of Rights **must be returned to the Clerk of the Commission within 21 days, by 5:00 p.m., Eastern Time, of the day you receive the attached Administrative Complaint.**

If your Election of Rights form or request for hearing is not filed with the Clerk of the Commission within 21 days of the day you received the Administrative Complaint, you will have waived your right to contest the proposed agency action and a Final Order will be issued imposing the proposed agency action set forth in the Administrative Complaint.

Please use this form unless you, your attorney, or your representative prefer to reply according to chapter 120, Florida Statutes, and chapter 28.106 of the Florida Administrative Code.

Please return your Election of Rights form to this address:

Florida Gaming Control Commission
Attention: Clerk of the Commission
4070 Esplanade Way, Suite 250, Tallahassee, FL 32399
Telephone: (850) 794-8067 Fax: (850) 536-8712
Email: clerk@flgaming.gov

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option One (1) ☐ **I do not dispute the allegations** of material fact in the Administrative Complaint and wish to be heard at an informal proceeding pursuant to section 120.57(2), Florida Statutes, where I may submit testimony and written evidence to the Commission to show that the proposed agency action is too severe or that the sanction should be reduced.

Option Two (2) ☐ **I do dispute the allegations** of material fact in the Administrative Complaint and I request a formal hearing pursuant to Section 120.57(1) before an Administrative Law Judge of the Division of Administrative Hearings ("DOAH"). **I specifically dispute the following facts in the Administrative Complaint** (attach extra pages or write on the back if needed):

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

In addition to the above election for formal hearing, check the box below if you wish to enter into settlement negotiations and waive the 15-day requirement for this matter to be referred to DOAH:

☒ Section 120.569(2)(a), Florida Statutes, requires the Commission to send this case to DOAH for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement.

Option Three (3) ☐ I do not dispute the allegations of material fact in the Administrative Complaint and waive my right to object and to have a hearing. I understand that by giving up the right to object and have a hearing, a Final Order will be issued that adopts the allegations of fact and conclusions of law alleged in the Administrative Complaint and imposes the Commission action set forth in the Administrative Complaint.

THIS IS A LEGALLY BINDING DOCUMENT. SEEK LEGAL ADVICE BEFORE SIGNING IF YOU DO NOT FULLY UNDERSTAND THE TERMS.

Michael Sposato

PRINTED NAME

ATTORNEY OR QUALIFIED REPRESENTATIVE

534 Misty Oaks Dr

Street Address

Street Address (where service shall be made)

Pompano Beach FL
33069

City State Zip

City State Zip

(716) 640 3164

Telephone Number Facsimile Number (if any)
Number (if any)

Telephone Number Facsimile

Mike Built this House

E-mail @Live.com

E-mail

MS
SIGNATURE

YOU MUST LET THE COMMISSION KNOW IF YOUR E-MAIL OR MAILING ADDRESS CHANGES

EXHIBIT

3

FILED

FLORIDA GAMING CONTROL COMMISSION

Date: **9/30/2025**

File Number: _____

**BY: MELBA L. APELLANIZ
CLERK OF THE COMMISSION**

**STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION**

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

Petitioner,

v.

FGCC Case No.: 2025-047035

MICHAEL SPOSATO,

Respondent.

**ORDER OF DISMISSAL WITHOUT PREJUDICE FOR LEGAL INSUFFICIENCY
PURSUANT TO SECTION 120.569(2)(c), FLORIDA STATUTES, TO ALLOW FOR
AMENDMENT AND RESUBMISSION OF PETITION**

BY THIS ORDER, the Clerk of the Commission advises MICHAEL SPOSATO ("Respondent") that Respondent's request for an administrative hearing is defective, that the defective request for an administrative hearing is dismissed without prejudice, and that Respondent may cure the defect by filing a corrected or amended request for an administrative hearing **within 15 days** of the date on which this Order is signed.

Respondent's request for an administrative hearing is defective for the following reason:

1. _____ The request for an administrative hearing was untimely filed.

Please note: If this item is checked, Respondent's request for an administrative hearing was not filed within the time period required by Rule 28-106.111(2) of the Florida Administrative Code.

A person seeking a hearing on an agency decision, such as an administrative complaint, shall file a petition for an administrative hearing with the agency within 21 days of receipt of written notice of the agency decision. Fla. Admin. Code R. 28-106.111(2). The Commission is required by law to dismiss a request for an administrative hearing if it is not timely filed. § 120.569(2)(c), Florida Statutes.

Respondent received the administrative complaint issued in the above-styled case on _____. The Commission received Respondent's request for an administrative hearing on _____, which is more than 21 days from the date of receipt of the administrative complaint.

If Respondent does not respond to this Order **within 15 days** of the date this Order is signed showing that the request for administrative hearing was timely filed or that equitable tolling applies to the untimely filing of a petition, this matter will be presented at a duly noticed Commission meeting for the issuance of a Final Order consistent with the administrative complaint.

2. X The request for an administrative hearing is legally insufficient.

Please note: If this item is checked, Respondent's request for an administrative hearing does not include those items required by Rule 28-106.2015 of the Florida Administrative Code, attached hereto as Exhibit A. The Commission is required by law to dismiss a request for an administrative hearing that is not in substantial compliance with the requirements of Rule 28-106.2015 of the Florida Administrative Code. § 120.569(2)(c), Florida Statutes.

If Respondent's request for an administrative hearing was timely received by the Commission, Respondent may amend the request for an administrative hearing to include the information required by Rule 28-106.2015 of the Florida Administrative Code. If Respondent does not respond to this Order **within 15 days** of the date this Order was signed, correcting the defective request for an administrative hearing, this matter will be presented at a duly noticed Commission meeting for the issuance of a Final Order consistent with the administrative complaint.

Dated this 30th day of September , 2025.

/s/ Melba Apellaniz
MELBA APELLANIZ
CLERK OF THE COMMISSION

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of September, 2025,
a true and correct copy of the foregoing document has been sent via certified mail to:

MICHAEL SPOSATO
534 Misty Oaks Drive
Pompano Beach, Florida 33069
mikebuiltthishouse@live.com

/s/ Melba Apellaniz
CLERK OF THE COMMISSION
Florida Gaming Control Commission

CC: Ebonie Lanier

7006 2150 0005 6846 8503

U.S. Postal Service ^(US)	
CERTIFIED MAILTM RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$ <u>9/30/25</u>
Certified Fee	
Return (Endorsements)	
Restricted I (Endorsements)	
Total Post	
Michael Sposato 534 Misty Oaks Drive Pompano Beach, FL 33069 Order-2025047035 -PMW	
Sent To	
Street, Apt. No., or PO Box No.	
City, State, ZIP+4	
PS Form 3800, August 2006	
See Reverse for Instructions	

APPENDIX A

28-106.2015 Agency Enforcement and Disciplinary Actions.

(1) Prior to entry of a final order to suspend, revoke, or withdraw a license, to impose administrative fines, or to take other enforcement or disciplinary action against a licensee or person or entity subject to the agency's jurisdiction, the agency shall serve upon the licensee an administrative complaint. For purposes of this rule, an agency pleading or communication that seeks to exercise an agency's enforcement authority and to take any kind of disciplinary action against a licensee or other person shall be deemed an administrative complaint.

(2) An agency issuing an administrative complaint shall be the petitioner, and the licensee against whom the agency seeks to take disciplinary action shall be the respondent.

(3) The agency's administrative complaint shall be considered the petition, and service of the administrative complaint on the respondent shall be deemed the initiation of proceedings.

(4) The agency's administrative complaint shall contain:

(a) The name of the agency, the respondent or respondents against whom disciplinary action is sought and a file number.

(b) The statutory section(s), rule(s) of the Florida Administrative Code, or the agency order alleged to have been violated.

(c) The facts or conduct relied on to establish the violation.

(d) A statement that the respondent has the right to request a hearing to be conducted in accordance with Sections 120.569 and 120.57, F.S., and to be represented by counsel or other qualified representative.

(5) Requests for hearing filed by the respondent in accordance with this rule shall include:

(a) The name, address, any e-mail address, telephone number, and facsimile number, if any, of the respondent, if the respondent is not represented by an attorney or qualified representative.

(b) The name, address, e-mail address, telephone number, and facsimile number of the attorney or qualified representative of the respondent, if any, upon whom service of pleadings and other papers shall be made.

(c) A statement requesting an administrative hearing identifying those material facts that are in dispute. If there are none, the petition must so indicate.

(d) A statement of when the respondent received notice of the administrative complaint.

(e) A statement including the file number to the administrative complaint.

Rulemaking Authority 14.202, 120.54(5) FS. Law Implemented 120.54(5) FS. History—New 1-15-07, Amended 2-5-13.

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

FGCC v. MICHAEL SPOSATO

CASE NO.: 2025-047035

AMENDED ELECTION OF RIGHTS

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Please use this form unless you, your attorney, or your representative prefer to reply according to chapter 120, Florida Statutes, and chapter 28.106 of the Florida Administrative Code.

Please return your Election of Rights form to this address:

Florida Gaming Control Commission
Attention: Clerk of the Commission
4070 Esplanade Way, Suite 250, Tallahassee, FL 32399
Telephone: (850) 794-8067 Fax: (850) 536-8709
Email: clerk@flgaming.gov

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option One (1) ☐ **I do not dispute the allegations** of material fact in the Administrative Complaint and wish to be heard at an informal proceeding pursuant to section 120.57(2), Florida Statutes, where I may submit testimony and written evidence to the Commission to show that the proposed agency action is too severe or that the sanction should be reduced.

Option Two (2) ☐ **I do dispute the allegations** of material fact in the Administrative Complaint and I request a formal hearing pursuant to Section 120.57(1) before an Administrative Law Judge of the Division of Administrative Hearings ("DOAH"). **I specifically dispute the following facts in the Administrative Complaint** (attach extra pages or write on the back if needed):

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FLORIDA GAMING CONTROL COMMISSION

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PRINTED NAME

ATTORNEY OR QUALIFIED REPRESENTATIVE

Street Address

Street Address (where service shall be made)

City State Zip

City State Zip

Telephone Number Facsimile Number (if any)
Number (if any)

Telephone Number Facsimile

E-mail

E-mail

SIGNATURE

YOU MUST LET THE COMMISSION KNOW IF YOUR E-MAIL OR MAILING ADDRESS CHANGES



STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

FGCC v. SPOSATO, MICHAEL

CASE NO.: 2025-047035

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Michael Sposato
PRINTED NAME

534 Misty Oaks Dr
Street Address

Pompano Beach FL
City State Zip

(716) 640 3164
Telephone Number Facsimile Number (if any)
Number (if any)

Mike Built this House

MS
E-mail @Live.com

MS
SIGNATURE

ATTORNEY OR QUALIFIED REPRESENTATIVE

Street Address (where service shall be made)

City State Zip

Telephone Number Facsimile

E-mail

YOU MUST LET THE COMMISSION KNOW IF YOUR E-MAIL OR MAILING ADDRESS CHANGES