

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING

Petitioner,  
v.

FGCC Case No.: 2025-009157

GERARD TAIT,

Respondent.

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FINAL ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on November 6, 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:

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.

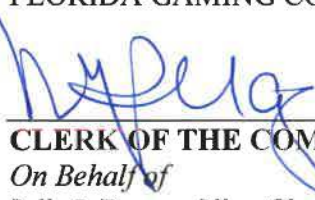
ORDERED and ADJUDGED:

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

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

**DONE AND ORDERED** this 12<sup>th</sup> 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

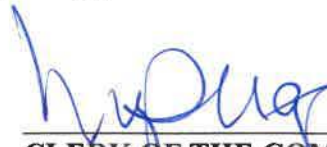
### NOTICE OF RIGHT TO APPEAL

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, Suite 250, 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 12<sup>th</sup> day of NOVEMBER, 2025, a true and correct copy of this Final Order has been sent via email to:

**Gerard Tait**  
Gptgpt456@yahoo.com

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

CC: Ebonie Lanier

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

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HEARING OFFICER'S RECOMMENDED ORDER

THIS MATTER came before Renee Harkins, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on October 8, 2025, 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 Gerard Tait, ("Respondent"), in FGCC Case Number 2025-009157 ("Administrative Complaint"). Respondent appeared *pro se*. The Commission was represented by Justin Hundersmarck, Senior Attorney, and the hearing was held telephonically.

PROCEDURAL HISTORY

1. On or about April 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, L.L.C., d/b/a The Big Easy Casino. 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 The Big Easy Casino.

2. On or about July 15, 2025, the Commission received an Amended Election of Rights form from Respondent requesting a telephonic hearing in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes.

3. An informal hearing was scheduled for October 8, 2025.

The October 8, 2025, Informal Hearing

4. At the informal hearing held on October 8, 2025, 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.

5. The investigative packet that was admitted into the record contained an Investigative Report detailing the activity that led to the permanent ejection and exclusion of Respondent from The Big Easy Casino.

6. The investigative report alleged that on May 4, 2024, at approximately 3:00 a.m., Respondent was asked to leave The Big Easy Casino Poker Room after exhibiting rude and disruptive behavior. He initially refused to leave, then, while the police were on their way, he left.

7. The investigative report alleged that on November 6, 2024, The Big Easy Casino Poker Room called the police to issue Respondent a trespass warning, as Respondent was alleged to have issued a verbal threat of violence toward other patrons. However, Respondent left before the police arrived.

8. The investigative report alleged that on February 10, 2025, Respondent was present at The Big Easy Casino. The security staff issued a verbal lifetime exclusion to the Respondent and called the police to issue a trespass warning. Again, the Respondent left the facility before the police arrived.

9. At the informal hearing, Respondent testified that he did not threaten anyone on November 6, 2024. The respondent stated that he was not charged with any crime related to the incident.

10. The Respondent testified that he had no issue with being excluded from The Big Easy Casino, and that he understood the facility has the right to exclude patrons. The respondent stated that excluding him from additional facilities would be too harsh a penalty.

11. Respondent testified that he is employed by the Seminole Tribe of Florida. He stated that he is a regular patron of several licensed facilities and that gambling is a pastime he enjoys with his family.

#### FINDINGS OF FACT

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

13. At all times material hereto, The Big Easy 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.

14. On or about February 10, 2025, the Respondent was a patron of and, after repeated attempts, was ejected and permanently excluded from The Big Easy Casino.

#### CONCLUSIONS OF LAW

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

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

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

18. 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.)

19. 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 gambling 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 supplied.)

20. Pursuant to the statutes, Respondent's ejection and exclusion from one facility is enough to trigger an exclusion of the person from all pari-mutuel facilities in the State of Florida.

21. Respondent is subject to permanent exclusion from all licensed pari-mutuel wagering facilities in the State of Florida based on Respondent's ejection and permanent exclusion from The Big Easy Casino on or about February 10, 2025.

22. Respondent's testimony neither mitigates that Respondent was ejected and excluded from The Big Easy Casino nor precludes the Commission from permanently excluding Respondent from all licensed pari-mutuel facilities in the State of Florida.

23. The Respondent denied making a verbal threat as alleged in the investigative report. However, the basis for further exclusion is predicated on the Respondent being ejected and excluded from a licensed parimutuel wagering facility, rather than on a specific threat of violence.

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

#### RECOMMENDED ORDER

Based upon the Findings of Fact and Conclusions of Law, it is hereby recommended that the Florida Gaming Control Commission issue an Order permanently excluding Respondent from all licensed pari-mutuel wagering facilities in the State of Florida.

This Hearing Officer's Recommended Order in FGCC Case Number 2025-009157 is submitted this 28th day of October 2025.

/s/ Renee Harkins

Renee Harkins, Hearing Officer  
Florida Gaming Control Commission

#### CERTIFICATE OF SERVICE

I hereby certify that this 28<sup>th</sup> of OCTOBER 2025, that a true copy of the foregoing

"Hearing Officer's Recommended Order" has been provided by email to:

**Justin Hundersmarck**  
Counsel for Petitioner  
Justin.Hundersmarck@flgaming.gov

**Gerard P. Tait**  
511 Ives Dairy Road, Apartment 101F  
Miami, Florida 33179  
Gptgpt456@yahoo.com



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