

1 BEFORE THE MISSOURI GAMING COMMISSION

2 STATE OF MISSOURI

3

4

5

6

7 Meeting

8 August 21, 2013

9 10:00 a.m.

10 Central Office
11 3417 Knipp Drive
12 Jefferson City, Missouri

12

13 (Meeting start time: 10:00 a.m.)

14

15

16

17

18

19

20

21

22

23

24

25

1		AGENDA	
2			page
3	I.	Call to Order	6:2
4	II.	Consideration of Minutes	
5		A. July 23, 2013	6:19
6		B. July 24, 2013	6:19
7	III.	Consideration of Hearing Officer Recommendations	
8		C. Diane Alsop	
		1. Resolution No. 13-075	7:24
9		D. Floyd Howard	
		1. Resolution No. 13-076	14:22
10		E. Theophila Smartt	
		1. Resolution No. 13-077	24:23
11		F. James Middlebrook	
		1. Resolution No. 13-078	29:14
12		G. Jason Davis	
		1. Resolution No. 13-079	31:7
13		H. Erick Schoenberg	
		1. Resolution No. 13-080	32:21
14		I. Christopher Lindsey	
		1. Resolution No. 13-081	34:10
15		J. Jasmin Zahirovic	
		1. Resolution No. 13-082	35:23
16		K. Stella Palladino	
		1. Resolution No. 13-083	37:23
17	IV.	Consideration of Disciplinary Actions	
18		L. Ameristar Casino Kansas City, Inc.	
		1. DC-13-44440:5	
19		M. IOC-Cape Girardeau, LLC	
		1. DC-13-44541:25	
20		N. Harrah's Maryland Heights, LLC	
		1. DC-13-44644:18	
21		O. Casino One Corporation	
		1. DC-13-44748:7	
22		P. Casino One Corporation	
		1. DC-13-44849:9	
23		Q. Casino One Corporation	
		1. DC-13-44950:20	
24		R. Bally Technologies, Inc.	
		1. DC-13-45052:2	
25			

1	AGENDA (CONT'D)		
2		page	
3			
4	V.	Consideration of Placement on	
5		Exclusion List	
6	S.	Paula A. Cathey	
	1.	Resolution No. 13-084	54:5
7	T.	Charles D. Koss	
	1.	Resolution No. 13-085	55:23
8	U.	Steven Min	
	1.	Resolution No. 13-086	57:12
9	V.	John A. Noon	
	1.	Resolution No. 13-087	59:22
10	VI.	Consideration of Licensure of Level I/ Key Applicants	
11	W.	Resolution No. 13-088	61:20
12	VII.	Consideration of Licensure	
13	X.	GLP Capital, L.P. GLP Capital Partners, LLC Gaming and Leisure Properties, Inc.	
14	1.	Presentation by Petitioner	64:24
15	2.	Resolution No. 13-089	76:9
16	VIII.	Consideration of Rules and Regulations	
17	Y.	Proposed Amendment	
	1.	11 CSR 45-5.237 - Shipping of Chips or Electronic Devices	80:16
18	Z.	1. 11 CSR 45-9.106 - Minimum Internal Control Standards - Chapter F81:21	
19	2.	11 CSR 45-9.110 - Minimum Internal Control Standards - Chapter J81:21	
20	3.	11 CSR 45-9.118- Minimum Internal Control Standards - Chapter R81:21	
21			
22	IX.	Consideration of Approval of Change in Control	
23	AA.	SPH Investment, LLC	
24	1.	Resolution No. 13-090	84:22
25	IV.	Consideration of Issuance of Temporary	

1 Supplier's License

2 BB. Paltronics, Inc.

3 1. Resolution No. 13-091 87:15

4

5 AGENDA (CONT'D)

6 page

7

8 XI. Motion for Closed Meeting under
9 Sections 313.847, Investigatory,
10 Proprietary and Application Records
and 610.021(1) Legal Actions,
and (14) Records Protected from
Disclosure by Law91:23

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 BEFORE THE MISSOURI GAMING COMMISSION
2 STATE OF MISSOURI

3

4

5

6

7

 Meeting
 August 21, 2013
 10:00 a.m.
 Central Office
 3417 Knipp Drive
 Jefferson City, Missouri

8

COMMISSIONERS PRESENT:

9

Dr. Barrett Hatches, Chairman

10

Suzanne Bocell Bradley

11

Darryl T. Jones

12

Diane C. Howard

13

14

15

16

17

18

19

REPORTED BY:

20

Patricia A. Stewart

21

RMR, RPR, CCR 401

22

3432 West Truman Boulevard, Suite 207

23

Jefferson City, Missouri 65109

24

573-636-7551

25

1 P R O C E E D I N G S

2 CHAIRMAN HATCHES: Good morning. We'll go
3 ahead and get started. I thank all of you for being
4 here. I'll remind you, if you would, please turn off
5 your cell phones.

6 Thank you for reminding me.

7 Call the meeting to order.

8 EXECUTIVE DIRECTOR STOTTLEMYRE:

9 Mr. Chairman, roll call.

10 MS. FRANKS: Commissioner Howard.

11 COMMISSIONER HOWARD: Present.

12 MS. FRANKS: Commissioner Jones.

13 COMMISSIONER JONES: Present.

14 MS. FRANKS: Commissioner Bradley.

15 COMMISSIONER BRADLEY: Present.

16 MS. FRANKS: Chairman Hatches.

17 CHAIRMAN HATCHES: Present.

18 Mr. Stottlemyre.

19 EXECUTIVE DIRECTOR STOTTLEMYRE: The first
20 item on the agenda would be the Consideration of Minutes
21 for July 23 and July 24 of 2013.

22 CHAIRMAN HATCHES: Chair would entertain a
23 motion.

24 COMMISSIONER BRADLEY: Motion to approve the
25 minutes of July 23rd, 2013 and July 24, 2013.

1 COMMISSIONER HOWARD: Second.

2 CHAIRMAN HATCHES: Moved and seconded.

3 Any discussion?

4 Angie, would you call the roll, please.

5 MS. FRANKS: Commissioner Howard.

6 COMMISSIONER HOWARD: Approve.

7 MS. FRANKS: Commissioner Jones.

8 COMMISSIONER JONES: Approve.

9 MS. FRANKS: Commissioner Bradley.

10 COMMISSIONER BRADLEY: Approve.

11 MS. FRANKS: Chairman Hatches.

12 CHAIRMAN HATCHES: Approve.

13 MS. FRANKS: By your vote you've adopted the
14 minutes of the July 23rd, 2013 meeting and July 24th,
15 2013 meeting.

16 EXECUTIVE DIRECTOR STOTTLEMYRE:

17 Mr. Chairman, the next item on the agenda is
18 Consideration of Hearing Officer Recommendations.

19 Mr. Chris Hinckley will present.

20 CHAIRMAN HATCHES: Thank you.

21 MR. HINCKLEY: Good morning, Mr. Chairman,
22 Commissioners.

23 CHAIRMAN/COMMISSIONERS: Good morning.

24 MR. HINCKLEY: I'm going to direct your
25 attention to Tab C and Commission Resolution 13-075

1 concerning Level II Licensee Diane Alsop, the revenue
2 audit manager at Ameristar Casino, and Disciplinary
3 Matter 12-398.

4 In Disciplinary Matter 12-398 we issued a
5 preliminary order for disciplinary action, where the
6 Commission alleged that Ms. Alsop in her capacity as a
7 revenue audit manager, through her actions or inactions,
8 had failed to reconcile the progressive slot machine
9 amounts and record these amounts on a weekly basis for
10 referral, if, in fact, the information was needed.

11 And on May 22nd of 2012 there was an incident
12 in which those progressive amounts were needed due to a
13 problem on the gaming floor, and it was discovered that
14 the revenue audit manager had not been taking those
15 weekly amounts. So the ability to reconcile those
16 progressive amounts was -- they were unable to do.

17 That was a violation of 11 CSR 45-5.200,
18 paragraph 2, and the Internal Controls chapter,
19 Section 13.1.

20 The licensee -- well, we recommended a five-
21 day suspension. The licensee appealed. We held a
22 hearing on March 14th of 2013. The Commission -- I
23 represented the Commission. The licensee appeared,
24 provided -- both sides provided evidence and testimony.

25 And reading from Mr. Stark's findings --

1 they're in the notebooks -- Mr. Stark found that after
2 the hearing, that the petitioner did not meet her burden
3 of proof by clear and convincing evidence and showing
4 that the facts as pled by the Commission should result
5 in the recommended discipline of a five-calendar-day
6 suspension.

7 With that the Commission would recommend that
8 you adopt this resolution.

9 CHAIRMAN HATCHES: Any questions from the
10 Commissioners?

11 COMMISSIONER JONES: Mr. Hinckley, a
12 question.

13 Now, this is a case where she did not -- I
14 guess the regs had changed and she for some reason
15 didn't get the notice or didn't look at it or something
16 to that nature. Correct?

17 MR. HINCKLEY: Correct. The regs had changed
18 in March of that same year, and up until that point I
19 think there was some practice of allowing the slot
20 department to just to provide her with the information
21 about the progressive amounts.

22 So when the Highway Patrol investigated -- or
23 actually it was a slot technician for the Commission
24 investigated the matter, he found that this had been
25 going on for a while. These -- the revenue auditor per

1 the reg was assigned to do this, to get these amounts,
2 was not doing it.

3 So this scenario popped up, which is the
4 one -- this reg is there to make sure that this scenario
5 pops up, which happens when you move machines or turn
6 them off, that you can go and get the amounts to reset
7 the progressives appropriately, and the amounts weren't
8 available.

9 CHAIRMAN HATCHES: Other questions?

10 EXECUTIVE DIRECTOR STOTTLEMYRE: We need to
11 see if she might be here.

12 CHAIRMAN HATCHES: Ms. Alsop.

13 MS. ALSOP: Yes.

14 CHAIRMAN HATCHES: Would you like to speak?

15 MS. ALSOP: Good morning.

16 CHAIRMAN/COMMISSIONERS: Good morning.

17 MS. ALSOP: I would like to say that I do
18 understand the seriousness of the violation. However,
19 in my statements that I've made throughout the hearing,
20 too, revenue audit solely relies on the slot department
21 to provide that information of games that are required
22 that meet the reg.

23 We're revenue auditors. We don't know
24 what -- when we walk up to a slot machine, I wouldn't
25 know that there was embedded software or what that reg

1 states, the regulation. So we rely solely on the slot
2 department to provide that to us, so we know -- we did
3 reconcile the weekly progressives. However, there was
4 that group that did change per the CSR in March.

5 So we wouldn't have known whether those games
6 were required to be reconciled or not unless the slot
7 department informed us of that.

8 I think it's excessive. We were performing
9 the reconciliation on the information that we were
10 provided. You know, I'd like to say I do understand --

11 CHAIRMAN HATCHES: Okay.

12 MS. ALSOP: -- it was a violation.

13 CHAIRMAN HATCHES: Any questions for
14 Ms. Alsop?

15 COMMISSIONER BRADLEY: Is that other
16 department required -- is the slot department required
17 to provide this information?

18 MS. ALSOP: It has not been in our internal
19 controls. It has been submitted for change, that they
20 would be the responsible persons to provide us with that
21 information, because that's what they do now. I mean,
22 we still solely, you know, rely on them to provide us
23 that information.

24 COMMISSIONER BRADLEY: Because they didn't
25 have that information either --

1 MS. ALSOP: Correct.

2 COMMISSIONER BRADLEY: -- from the transcript
3 I read.

4 MS. ALSOP: Correct.

5 COMMISSIONER BRADLEY: So that means your
6 company, in your business, they are now changing that so
7 the slot department will be required to have that
8 information?

9 MS. ALSOP: Yes, ma'am.

10 MR. HINCKLEY: It has to be consistent with
11 the regulation, so we'll see if that Minimum Internal
12 Control gets passed.

13 COMMISSIONER BRADLEY: Right. Is she also as
14 the revenue --

15 MS. ALSOP: Revenue audit manager.

16 COMMISSIONER BRADLEY: You understand now
17 that you're required to get this information?

18 MS. ALSOP: Oh, yes, ma'am, I understand. We
19 were performing the requirement. It was only on the
20 information that they had provided us.

21 Because otherwise I wouldn't know looking at
22 one slot machine to another which one would meet that
23 requirement, because I'm revenue audit. I'm not a slot
24 tech.

25 CHAIRMAN HATCHES: Any other questions from

1 the Commissioners?

2 COMMISSIONER BRADLEY: I just want to make
3 sure this kind of a problem -- that's why we changed
4 these rules, is that correct --

5 CHAIRMAN HATCHES: Uh-huh.

6 COMMISSIONER HOWARD: That's my
7 understanding.

8 COMMISSIONER BRADLEY: -- last March?

9 Whoever on our Commission can answer that.
10 Isn't that why we changed the CSR?

11 From the staff who can answer that?

12 CHAIRMAN HATCHES: Yes.

13 MS. KEMPKER: Leisha Kempker, Compliance
14 Audit Manager.

15 I believe the rules -- the CSR was changed
16 because we didn't realize that with the exceptions we
17 had in the CSR there could be communication problems.
18 We may not catch all of those in the reconciliation that
19 was required, so that then we took out the exception for
20 the certain machines so they would have to do those
21 reconciliations.

22 COMMISSIONER BRADLEY: So this kind of
23 situation that is pending before us doesn't occur; the
24 information will be there?

25 MS. KEMPKER: Right. It would have been

1 noticed during the reconciliation.

2 CHAIRMAN HATCHES: Other questions?

3 Chair would entertain a motion.

4 COMMISSIONER HOWARD: I move for approval of
5 Resolution No. 13-075.

6 COMMISSIONER BRADLEY: Second.

7 CHAIRMAN HATCHES: Moved and seconded.

8 Any further discussion?

9 Angie, would you call the roll, please.

10 MS. FRANKS: Commissioner Howard.

11 COMMISSIONER HOWARD: Approve.

12 MS. FRANKS: Commissioner Jones.

13 COMMISSIONER JONES: Approve.

14 MS. FRANKS: Commissioner Bradley.

15 COMMISSIONER BRADLEY: Approve.

16 MS. FRANKS: Chairman Hatches.

17 CHAIRMAN HATCHES: Approve.

18 MS. FRANKS: By your vote you've adopted

19 Resolution No. 13-075.

20 MS. ALSOP: Thank you for your consideration.

21 CHAIRMAN HATCHES: Thank you.

22 MR. HINCKLEY: I now direct your attention to
23 Tab Letter D, Resolution 13-076 regarding Level II
24 Licensee Floyd Howard, who is a slot supervisor at
25 River City Casino and concerns the underlying

1 Disciplinary Matter 12-401. In 12-401 the Commission
2 issued a preliminary order for disciplinary action, in
3 which the Commission alleged that Mr. Howard failed to
4 provide information to Commission agents that he was
5 asked to provide, specifically the name or documents
6 with the name of a person who was involved in a possible
7 theft of a ticket in/ticket out, or TITO ticket.

8 As a result of those facts, the Commission
9 recommended that Mr. Howard's license be revoked. The
10 licensee appealed. We held a hearing on March 14th of
11 2013. Mr. Howard appeared, the Commission as well, and
12 heard evidence and testimony.

13 And referring you to Mr. Stark's findings.
14 He went through -- from pages 4, 5 and on to page 6 he
15 went through the various aspects of the case to discuss
16 them. The most important being connected to the
17 allegations of the failure to produce the paperwork or
18 name, in which Mr. Stark found that the petitioner did
19 fail to produce the jackpot paid-out slip, jackpot
20 override ticket, daily hand pay log and the patron's
21 name, which was actually on the jackpot paid-out slip.

22 There was some issue later on about whether
23 or not he had access to them, but Mr. Stark did find
24 that the Commission had met its burden -- or sorry --
25 that the petitioner had not -- well, actually he found

1 that the petitioner did meet his burden of proof to show
2 he's suitable to maintain his Level II occupational
3 license but did not meet the burden to show that he
4 should not be punished or his license should not be
5 suspended, in that he did deny Mr. Stark's findings, the
6 Commission information about the existence of documents
7 and possibly the name of the individual involved in the
8 suspected TITO -- attempted TITO theft.

9 So, therefore, in his final order you'll see
10 that he did not affirm the Commission's recommended
11 punishment or revocation but instead suggested a
12 five-day period for -- a five-day suspension, and in his
13 recommended findings did support that suggested
14 punishment with a series of cases where they were
15 factually similar where the punishment was less.

16 CHAIRMAN HATCHES: Any questions from the
17 Commissioners?

18 COMMISSIONER JONES: Mr. Chairman, I was
19 really confused on this case, you know, and I need a
20 clear understanding of this.

21 So we're moving to suspend his license for
22 five days because he didn't have the paperwork, which I
23 didn't see that -- I saw the override that does not have
24 the patron -- or does not have Archer -- is that it --

25 MR. HINCKLEY: Correct.

1 COMMISSIONER JONES: -- does not have his
2 name on it, but I didn't see the paid-out ticket in the
3 documents.

4 So when asked, do you know which guy, his
5 response was no at the time because he did not --

6 MR. HINCKLEY: Correct.

7 COMMISSIONER JONES: -- he did not know his
8 name. Because as I read through this, he never
9 interfaced with Mr. Archer, not one time.

10 MR. HINCKLEY: He had a brief interaction
11 with him but it was brief. It was less than 15 seconds.

12 COMMISSIONER JONES: I thought he was on his
13 way to meet Archer but they --

14 MR. HINCKLEY: It was brief. He was taken
15 away -- he had -- but he wasn't interacting necessarily
16 with Mr. Archer. There was no substantial interaction.
17 He was there, and then the other slot supervisor,
18 Mr. Diekmann, quickly grabbed him because they were --
19 it was then that they discovered there was this issue of
20 a possible theft, and the guy sitting at the machine
21 might be a culprit.

22 But he was not there in any substantial
23 manner. In fact, in his testimony I think he may have
24 said that he was there for a moment but never had an
25 opportunity -- the bottom line there is he testified

1 to -- and I don't think there is any evidence to the
2 contrary -- that he never talked to him or got his name.
3 You know, that was not his purpose for being there.

4 COMMISSIONER JONES: Right.

5 So as I read this document, we're suspending
6 him for five days -- or recommended that we suspend his
7 license for five days because he said I don't know this
8 guy. I don't have the name.

9 But he couldn't produce the paperwork as
10 well, but he didn't have the paperwork, because I didn't
11 see -- if you look at any -- all of the evidence that is
12 in here, there is none. There's nothing with Archer's
13 name on it.

14 MR. HINCKLEY: That's correct. That paid-out
15 slip -- that paid-out slip, the one slip that has
16 Archer's name on it, was not in evidence.

17 CHAIRMAN HATCHES: No one could find it?

18 MR. HINCKLEY: I think that's correct.
19 That's what I recall.

20 COMMISSIONER JONES: So again explain to me
21 why -- I don't get it.

22 MR. HINCKLEY: Well, the case was -- you
23 know, as you read through the facts, it is somewhat
24 confusing. There's a lot kind of thrown in. That's why
25 it was basically whittled down to one charge, a failure

1 to cooperate over not providing this information.

2 And I think based on Mr. Stark's
3 recommendation that that, in fact, was the only thing
4 that was there. In fact, part of that, whether or not
5 he knew the name, was in question.

6 Certainly Mr. Howard testified that he did
7 not know the name.

8 COMMISSIONER HOWARD: I guess what --

9 MR. HINCKLEY: The documents -- I'm sorry.

10 COMMISSIONER HOWARD: I guess what's being
11 struggled with is what information he didn't provide.

12 MR. HINCKLEY: Well, the name, if he knew it,
13 or the name from the documents.

14 There was one document with the name on it,
15 and, yeah, that document didn't make it into evidence,
16 but surveillance video showed that the document, you
17 know, at some point -- I don't think a surprise -- the
18 document did exist at some point with Mr. Archer's name
19 on it.

20 And it's alleged that Mr. Archer -- or
21 Mr. Howard was in possession of that document for
22 whatever period.

23 And I think you'll see in Mr. Stark's
24 recommendation that that doesn't necessarily mean that
25 he looked at it and memorized it or remembered the name.

1 But what happened to that document I'm not
2 sure. It may be due to the fact that this whole
3 transaction involving Mr. Archer was voided because he
4 was trying to steal that money.

5 COMMISSIONER JONES: Right.

6 MR. HINCKLEY: So it might have been just
7 thrown away. I don't know.

8 We don't know the answer to that, because
9 Mr. Howard, the licensee, didn't know the answer to
10 that, didn't know where the document was.

11 And based upon this -- the incident -- or the
12 report it appears that the document wasn't available at
13 time the report was put together.

14 So if Mr. Howard can't get it and the
15 Commission couldn't get it at the time of putting the
16 report together, it was probably not available.

17 COMMISSIONER HOWARD: Well, I guess I'm
18 confused too, because the failure to provide documents I
19 thought was the failure to cooperate in providing any
20 documents with his name on it and that Mr. Howard didn't
21 have any documents with his name on it and so that's why
22 he didn't provide anything.

23 And wasn't it concluded that that was
24 accurate?

25 MR. HINCKLEY: Well, I don't know if it was

1 concluded that that was accurate. I think what was
2 concluded was that --

3 COMMISSIONER HOWARD: Well, the hearing --

4 MR. HINCKLEY: -- where the document was at
5 the time he was asked. I don't think it was ever
6 concluded as to whether or not it was already gone or if
7 he could have got it.

8 Because I think that there was some --

9 COMMISSIONER HOWARD: Well, the hearing
10 didn't demonstrate that he had in his possession any
11 documents with his name on it.

12 MR. HINCKLEY: That's correct.

13 COMMISSIONER HOWARD: So the failing to
14 provide documents would be what documents? The document
15 with his name on it, that there was never a conclusion
16 that he had any documents with his name on it?

17 MR. HINCKLEY: Yeah, that we're not capable
18 of -- we weren't capable of proving that.

19 COMMISSIONER HOWARD: I think that's the
20 leap, that he didn't cooperate in not providing a
21 document that there was never any evidence that he had.

22 COMMISSIONER JONES: Are we stretching it?

23 COMMISSIONER HOWARD: Well, that's what I'm
24 asking. I was looking for that as well.

25 COMMISSIONER BRADLEY: That's why we all read

1 the transcript so closely.

2 And also, to begin with, actually there had
3 been a recommendation to have the revocation. Is that
4 correct?

5 MR. HINCKLEY: Yes.

6 COMMISSIONER BRADLEY: So actually after the
7 evidence and everything was tried to come out, then this
8 recommendation is for the five-day suspension?

9 MR. HINCKLEY: Yes, that's correct. I think
10 based on what came out in the hearing was --

11 COMMISSIONER BRADLEY: Correct. Right. It
12 was changed, all of that, because after evidence is
13 heard and testimony was heard, and the recommendation
14 from the hearing officer was a five-day suspension.

15 MR. HINCKLEY: That's correct.

16 COMMISSIONER BRADLEY: Based on the fact that
17 Mr. Howard had said, I guess, just no, he didn't know
18 the name based on that.

19 MR. HINCKLEY: Yeah. I think that there is
20 no -- we weren't able to -- you know, I don't think that
21 there's anywhere in here that is alleged or we could
22 have determined that Mr. Howard knew the name.

23 COMMISSIONER BRADLEY: Right. That's what is
24 so confusing in all of this.

25 CHAIRMAN HATCHES: And then the list of

1 people in the cases that was provided. It's sort of
2 hard without knowing the details of those cases, in this
3 particular case, how far out of line -- given the
4 evidence that we have, how far out of line this is with
5 these other cases.

6 This revocation is in there but some of them,
7 for example, cite lines to the Commission, and in this
8 case I don't think it was proven that Mr. Howard was not
9 being honest. He just didn't have the document, didn't
10 have the guy's name, and the question was did he know
11 and he said no.

12 Other questions?

13 COMMISSIONER BRADLEY: I would be interested
14 in knowing, is Mr. Howard here?

15 CHAIRMAN HATCHES: Is Mr. Howard here?

16 MR. HINCKLEY: Mr. Howard did write in.

17 CHAIRMAN HATCHES: Yeah, we've got that.

18 MR. HINCKLEY: You have that?

19 CHAIRMAN HATCHES: Yes.

20 Other questions from the Commissioners?

21 Chair would entertain a motion.

22 This is when it's good to be Chairman.

23 COMMISSIONER HOWARD: I'll move that we
24 disapprove Resolution 13-076.

25 COMMISSIONER JONES: I second.

1 CHAIRMAN HATCHES: Moved and seconded.

2 Any further discussion?

3 Angie, would you call the roll, please.

4 MS. FRANKS: Commissioner Howard.

5 COMMISSIONER HOWARD: Approve.

6 MS. FRANKS: Commissioner Jones.

7 COMMISSIONER JONES: Approve.

8 MS. FRANKS: Commissioner Bradley.

9 COMMISSIONER BRADLEY: I approve to
10 disapprove.

11 CHAIRMAN HATCHES: I want to make sure we're
12 clear that we're disapproving. We're approving to
13 disapprove. Right?

14 Okay.

15 MS. FRANKS: Chairman Hatches.

16 CHAIRMAN HATCHES: I approve to disapprove.

17 MS. FRANKS: By your vote you've disapproved
18 Resolution No. 13-076.

19 CHAIRMAN HATCHES: We don't get many of those
20 so it's confusing. We don't have enough practice in
21 that.

22 Thank you, Chris. The next case.

23 MR. HINCKLEY: I want to direct your
24 attention to Tab E, Commission Resolution 13-077
25 regarding Licensee Theophila Smartt, table game

1 supervisor with Lumiere Place, and the underlying
2 disciplinary matter DC-12-449.

3 In DC-12-449, the preliminary order for
4 disciplinary action, alleged that Ms. Smartt in her
5 capacity had failed to ask for the identification of an
6 underage patron that was on the gaming floor and engaged
7 in gambling activities.

8 Ms. Smartt at some point even interacted with
9 the underage patron, and as a result, the Commission
10 recommends that she be suspended -- or her license be
11 suspended for two calendar days.

12 The licensee appealed, and we held a hearing
13 on May 1st, in which both sides attended and presented
14 evidence.

15 I refer you to Mr. Stark's findings, and that
16 he found that the petitioner did, in fact, have the
17 opportunity to observe the patron which was only
18 20 years old -- 20 years old and which she mistakenly
19 believed him to be older than that.

20 And due to the necessity of assuring that
21 persons 21 and over are on the gaming floor and no one
22 else, that she should have asked for the patron's
23 identification, and found that she had violated the
24 Commission regulations, and as affirmed, the Commission
25 recommended a two-day -- two-calendar-day suspension.

1 CHAIRMAN HATCHES: Any questions from the
2 Commissioners?

3 COMMISSIONER JONES: Now, in this case her
4 procedures are, I guess -- her policy is to card patrons
5 that look under 30?

6 MR. HINCKLEY: Yes, that's generally the
7 policy. I don't -- I mean -- yeah, it wouldn't surprise
8 me if that -- and I think she stated that at the
9 Commission --

10 COMMISSIONER JONES: Right. That's what I
11 read in there, you know, that that's the policy. If you
12 look under 30, then we'll ask you for an ID. She asked
13 the -- I guess the young lady that accompanied the
14 underage person for an ID but didn't ask him for his ID
15 because he -- in her mind I guess he looked 30 and over.

16 MR. HINCKLEY: Evidently.

17 COMMISSIONER JONES: Well, you know, I could
18 see -- I mean, I don't know. You know, I've seen some
19 teenagers or some young adults that really look old,
20 but, you know, you're kind of stretching a ten-year from
21 20 to 30. That's almost -- that's ten years. I mean,
22 he really had to look old.

23 And to ask for the young lady's ID and not
24 his, you know, I'm kind of having problems with that
25 one.

1 CHAIRMAN HATCHES: Just for the record, I
2 want to make sure about the age of 21 versus 30. Is it
3 correct that their responsibility is to card anyone who
4 does not look 30?

5 MR. HINCKLEY: No. That's not Commission
6 policy. That's a company --

7 COMMISSIONER JONES: Internal.

8 MR. HINCKLEY: -- policy. It's on the signs.
9 Be prepared if you're under 30 to be carded. And it's a
10 safe policy, you know, to put forth.

11 And, in fact, in this case, yeah, they did
12 card the woman who was with him -- with her -- or him.
13 And shortly after -- well, this person was caught
14 because he actually did try to return to the gaming
15 floor and was caught at the turnstiles.

16 CHAIRMAN HATCHES: Is Ms. Smartt here?

17 COMMISSIONER HOWARD: You know, of course,
18 it's difficult for us to tell from the photographs that
19 we see when we're not here but, you know, I'm on my soap
20 box a little. I think it's important.

21 This is an issue that the Commission has
22 dealt with frequently to -- there just is no -- I don't
23 know what the problem is to error on the side of being
24 cautious.

25 I think we've all, even gray-haired

1 individuals, had to show our IDs on various occasions,
2 and why it's an inconvenience for someone whose job as
3 security is to ask someone who maybe is 30 years old for
4 their identification, especially when they've been told
5 that there's a concern about someone who is underage on
6 the gaming floor.

7 So that's my soap box for this morning.

8 Well, I won't promise it's my only one.

9 COMMISSIONER JONES: I was going to make a
10 social comment. You know, if she looks under 20 and he
11 looks over 30, I'm just wondering if he's kind of like
12 robbing the cradle or something, I mean, but, you know,
13 things happen.

14 So that's why I had this problem with you
15 caught one person because she looks under 21 but you
16 didn't card another person, you know, a partner, because
17 he looks over 30.

18 COMMISSIONER HOWARD: Yeah, I'm looking at
19 his photo and he doesn't look over 30 to me.

20 COMMISSIONER JONES: Right.

21 CHAIRMAN HATCHES: Other questions?

22 Okay. Chair will entertain a motion.

23 COMMISSIONER JONES: Move for the acceptance
24 of Resolution No. 13-077.

25 COMMISSIONER BRADLEY: Second.

1 CHAIRMAN HATCHES: Moved and seconded.

2 Any further discussion?

3 Angie, would you call the roll, please.

4 MS. FRANKS: Commissioner Howard.

5 COMMISSIONER HOWARD: Approve.

6 MS. FRANKS: Commissioner Jones.

7 COMMISSIONER JONES: Approve.

8 MS. FRANKS: Commissioner Bradley.

9 COMMISSIONER BRADLEY: Approve.

10 MS. FRANKS: Chairman Hatches.

11 CHAIRMAN HATCHES: Approve.

12 MS. FRANKS: By your vote you've adopted
13 Resolution No. 13-077.

14 MR. HINCKLEY: I bring your attention to
15 Tab F and Commission Resolution 13-078, a matter
16 concerning James Middlebrook, a Level II licensee.

17 In this matter the Commission issued a
18 preliminary order for disciplinary action, in which it's
19 alleged that Mr. Middlebrook was basically stealing
20 checks through -- you know, maneuvering them around his
21 table, taking more than he was tipped and putting it
22 into his token box.

23 We had -- well, he appealed -- the
24 recommended disciplinary was revocation, and the
25 licensee appealed the Commission's recommended

1 punishment.

2 We held a hearing on March 14th -- I'm
3 sorry -- on May 1st of 2013. The licensee did not
4 appear.

5 Per the regs, regulations, that is an
6 admission of the facts that are alleged, and the hearing
7 officer's finding confirms the Commission's recommended
8 punishment that the licensee's license be revoked.

9 CHAIRMAN HATCHES: Any questions?

10 Chair would entertain a motion.

11 COMMISSIONER BRADLEY: Is he here?

12 CHAIRMAN HATCHES: I'm sorry.

13 Is Mr. Middlebrook here?

14 CHAIRMAN HATCHES: Okay. Chair would
15 entertain a motion.

16 COMMISSIONER BRADLEY: Motion to approve
17 Resolution No. 13-078.

18 COMMISSIONER JONES: Second.

19 CHAIRMAN HATCHES: Moved and seconded.

20 Any further discussion?

21 Angie, would you call the roll, please.

22 MS. FRANKS: Commissioner Howard.

23 COMMISSIONER HOWARD: Approve.

24 MS. FRANKS: Commissioner Jones.

25 COMMISSIONER JONES: Approve.

1 MS. FRANKS: Commissioner Bradley.

2 COMMISSIONER BRADLEY: Approve.

3 MS. FRANKS: Chairman Hatches.

4 CHAIRMAN HATCHES: Approve.

5 MS. FRANKS: By your vote you've adopted
6 Resolution No. 13-078.

7 MR. HINCKLEY: I now direct your attention to
8 Tab G, Commission Resolution 13-079 regarding Applicant
9 Jason Davis.

10 And the charging document in this matter is a
11 disposition of occupational gaming license application,
12 or a DOLA form, which was issued to the applicant,
13 Mr. Davis, on October 16th of 2012, recommending that
14 his license be denied due to the fact that he failed to
15 disclose two matters, a worthless check loss under \$500
16 in Kansas, an arrest, and an arrest for possession of a
17 controlled substance in South Padre Island, Texas.

18 The applicant appealed the Commission's
19 denial. We held a hearing on May 1st, 2013. The
20 applicant appeared, and affirmed Mr. Stark's findings,
21 found that the petitioner did not meet his burden of
22 proof that he's suitable to hold a Level II gaming
23 occupational license and affirmed the Commission's
24 decision to deny Mr. Davis's application.

25 CHAIRMAN HATCHES: Questions from the

1 Commissioners?

2 Chair would entertain a motion.

3 Sorry. Is Mr. Davis here?

4 Chair would entertain a motion.

5 COMMISSIONER HOWARD: I move for approval of
6 Resolution No. 13-079.

7 COMMISSIONER BRADLEY: Second.

8 CHAIRMAN HATCHES: Moved and seconded.

9 Any further discussion?

10 Angie, would you call the roll, please.

11 MS. FRANKS: Commissioner Howard.

12 COMMISSIONER HOWARD: Approve.

13 MS. FRANKS: Commissioner Jones.

14 COMMISSIONER JONES: Approve.

15 MS. FRANKS: Commissioner Bradley.

16 COMMISSIONER BRADLEY: Approve.

17 MS. FRANKS: Chairman Hatches.

18 CHAIRMAN HATCHES: Approve.

19 MS. FRANKS: By your vote you've adopted
20 Resolution No. 13-079.

21 MR. HINCKLEY: I direct your attention to
22 Tab H, Resolution 13-080 regarding Applicant Erick
23 Schoenberg.

24 The charging document in this matter, DOLA
25 form, disposition of occupational gaming license

1 application, which was issued to Schoenberg on
2 October 16th, 2012, informing him that his license
3 application was denied due to his failure to disclose
4 six felony arrests.

5 He appealed the Commission's denial. We held
6 a hearing on March 14 of 2013. Mr. Schoenberg appeared
7 and presented testimony. The Commission did as well.

8 And referring you to Mr. Stark's findings.
9 Mr. Stark found that the Commission -- that the
10 petitioner, the applicant, did not meet his burden of
11 proof to show that he's suitable to hold a Level II
12 occupational gaming license due to his failure to
13 provide the Commission the required information and
14 affirmed the Commission's recommended denial.

15 CHAIRMAN HATCHES: Any questions from the
16 Commissioners?

17 Is Mr. Schoenberg here?

18 Chair would then entertain a motion.

19 COMMISSIONER JONES: Move for the approval of
20 Resolution No. 13-080.

21 COMMISSIONER BRADLEY: Second.

22 CHAIRMAN HATCHES: Moved and seconded.

23 Any further discussion?

24 Angie, would you call the roll, please.

25 MS. FRANKS: Commissioner Howard.

1 COMMISSIONER HOWARD: Approve.

2 MS. FRANKS: Commissioner Jones.

3 COMMISSIONER JONES: Approve.

4 MS. FRANKS: Commissioner Bradley.

5 COMMISSIONER BRADLEY: Approve.

6 MS. FRANKS: Chairman Hatches.

7 CHAIRMAN HATCHES: Approve.

8 MS. FRANKS: By your vote you've adopted
9 Resolution No. 13-080.

10 MR. HINCKLEY: I direct your attention to
11 Tab I, Resolution No. 13-081 regarding Applicant
12 Christopher Lindsey.

13 In the charging document the disposition of
14 occupational gaming license application, or DOLA form,
15 which was issued to Mr. Lindsey on November 19th of 2012
16 and recommended that his license application be denied
17 due to his failure to disclose three felony and two
18 misdemeanor arrests in St. Louis City from 2011.

19 The applicant appealed the Commission's
20 decision. We held a hearing on May 1st of 2013, at
21 which he appeared.

22 Referring you to Mr. Stark's findings.
23 Mr. Stark found that the petitioner did not meet his
24 burden of proof to show that he's suitable to hold a
25 Level II occupational gaming license and affirmed the

1 Commission's recommended denial of Mr. Lindsey's gaming
2 license application.

3 CHAIRMAN HATCHES: Any questions from the
4 Commissioners?

5 Is Mr. Lindsey here?

6 Chair would then entertain a motion.

7 COMMISSIONER BRADLEY: Motion to approve
8 Resolution No. 13-081.

9 COMMISSIONER JONES: Second.

10 CHAIRMAN HATCHES: Moved and seconded.

11 Any further discussion?

12 Angie, would you call the roll, please.

13 MS. FRANKS: Commissioner Howard.

14 COMMISSIONER HOWARD: Approve.

15 MS. FRANKS: Commissioner Jones.

16 COMMISSIONER JONES: Approve.

17 MS. FRANKS: Commissioner Bradley.

18 COMMISSIONER BRADLEY: Approve.

19 MS. FRANKS: Chairman Hatches.

20 CHAIRMAN HATCHES: Approve.

21 MS. FRANKS: By your vote you've adopted
22 Resolution No. 13-081.

23 MR. HINCKLEY: I now direct your attention to
24 Tab J and Commission Resolution 13-082 regarding the
25 exclusion of Mr. Jasmin Zahirovic.

1 On January 30th of 2013 the Commission passed
2 Resolution 13-012, placing Mr. Zahirovic on the
3 Commission's exclusion list, and that was for his plea
4 of guilty to one count of a Class D misdemeanor,
5 trespass first degree, which he was sentenced for two
6 years of probation, for his knowingly placing nickels
7 into the quarter denomination electronic gaming device
8 at the President Casino in St. Louis in October of 2005.

9 And this crime involves gaming and an
10 activity violated -- his activity violated provisions of
11 our gaming statutes, specifically 13-- 313.830.

12 Mr. Zahirovic appealed the Commission's
13 decision to place him on the exclusion list and
14 requested the right to have a hearing to remove his name
15 from the hearing list.

16 We held a hearing on May 1st of 2013.
17 Mr. Zahirovic appeared. During the hearing
18 Mr. Zahirovic admitted to what was alleged in the crime
19 and actually indicated that he really never had any
20 intention to go back to the casinos.

21 Mr. Stark's order fulfilled his desire, found
22 that he did not provide evidence that constitutes
23 grounds to overcome the decision that the Commission
24 could place him on the exclusion list and basically
25 found that he didn't present enough to get him off

1 and affirmed the decision that Mr. Zahirovic remains on
2 the exclusion list.

3 CHAIRMAN HATCHES: Any questions from the
4 Commissioners?

5 Is Mr. Zahirovic here?

6 Then the Chair will entertain a motion.

7 COMMISSIONER HOWARD: I'll move for approval
8 of Resolution No. 13-082.

9 COMMISSIONER BRADLEY: Second.

10 CHAIRMAN HATCHES: Moved and seconded.

11 Any further discussion?

12 Angie, would you call the roll, please.

13 MS. FRANKS: Commissioner Howard.

14 COMMISSIONER HOWARD: Approve.

15 MS. FRANKS: Commissioner Jones.

16 COMMISSIONER JONES: Approve.

17 MS. FRANKS: Commissioner Bradley.

18 COMMISSIONER BRADLEY: Approve.

19 MS. FRANKS: Chairman Hatches.

20 CHAIRMAN HATCHES: Approve.

21 MS. FRANKS: By your vote you've adopted
22 Resolution No. 13-082.

23 MR. HINCKLEY: I now direct your attention to
24 Tab K, Commission Resolution 13-083 regarding Stella
25 Palladino.

1 Commissioners?

2 Is Ms. Palladino here?

3 Chair would entertain a motion.

4 COMMISSIONER JONES: Move for the approval of
5 Resolution No. 13-083.

6 COMMISSIONER HOWARD: Second.

7 CHAIRMAN HATCHES: Moved and seconded.

8 Any further discussion?

9 Angie, would you call the roll, please.

10 MS. FRANKS: Commissioner Howard.

11 COMMISSIONER HOWARD: Approve.

12 MS. FRANKS: Commissioner Jones.

13 COMMISSIONER JONES: Approve.

14 MS. FRANKS: Commissioner Bradley.

15 COMMISSIONER BRADLEY: Approve.

16 MS. FRANKS: Chairman Hatches.

17 CHAIRMAN HATCHES: Approve.

18 MS. FRANKS: By your vote you've adopted
19 Resolution No. 13-083.

20 MS. HINCKLEY: Thank you, Commissioners,
21 Chairman.

22 CHAIRMAN HATCHES: Thank you.

23 COMMISSIONER HOWARD: Thank you.

24 EXECUTIVE DIRECTOR STOTTLEMYRE:

25 Mr. Chairman, the next item on the agenda is

1 Consideration of Disciplinary Actions, and Mr. Ed
2 Grewach will present.

3 MR. GREWACH: Good morning.

4 CHAIRMAN/COMMISSIONERS: Good morning.

5 MR. GREWACH: The first item under Tab L is a
6 preliminary order of discipline directed to Ameristar
7 Kansas City. It was for failure to properly inspect
8 playing cards as required under our Regulation 5.184,
9 paragraph 7, and our Minimum Internal Controls.

10 Those rules require that the back of the
11 cards be inspected by a poker dealer and poker
12 supervisor for flaws or defects prior to them being put
13 into play.

14 On September 14th of 2012 two decks were put
15 into play with a manufacturer's defect. Surveillance
16 spotted that there was a nine of diamonds in each of
17 those two decks that had the defect, and when we looked
18 at surveillance at the two inspections, one of the
19 dealers did not inspect the back of the cards at all.
20 The other dealer performed the inspection but did it too
21 quickly to have spotted the defect.

22 We then went to the card storage room and
23 found eight other decks there that had been put in and
24 taken out of play that had the same defect on it and
25 which had not been detected prior to being put into

1 play, and the recommended fine is \$5,000.

2 CHAIRMAN HATCHES: Any questions from the
3 Commissioners?

4 Chair would entertain -- a recommendation?

5 EXECUTIVE DIRECTOR STOTTLEMYRE: Staff
6 recommends approval of DC-13-444.

7 CHAIRMAN HATCHES: Chair would entertain a
8 motion.

9 COMMISSIONER HOWARD: Move for approval of
10 DC-13-444.

11 COMMISSIONER BRADLEY: Second.

12 CHAIRMAN HATCHES: Moved and seconded.

13 Any further discussion?

14 Angie, would you call the roll, please.

15 MS. FRANKS: Commissioner Howard.

16 COMMISSIONER HOWARD: Approve.

17 MS. FRANKS: Commissioner Jones.

18 COMMISSIONER JONES: Approve.

19 MS. FRANKS: Commissioner Bradley.

20 COMMISSIONER BRADLEY: Approve.

21 MS. FRANKS: Chairman Hatches.

22 CHAIRMAN HATCHES: Approve.

23 MS. FRANKS: By your vote you've adopted

24 DC-13-444.

25 MR. GREWACH: Tab M is a preliminary order of

1 discipline directed to Isle of Capri-Cape Girardeau.

2 Their internal controls under Chapter N,
3 Section 4.08, set up procedures that need to be followed
4 for issuing a visitor and vendor badges. You'll see
5 those in the preliminary order more specifically set out
6 in paragraph 14.

7 Our agent went to inspect the security
8 dispatch office on November the 26th, 2012 and found
9 several deficiencies. He found that the security
10 officers were not consistently collecting
11 identifications when issuing these badges, that several
12 badges were missing and unaccounted for, that the daily
13 logs that were required to be kept were incomplete and
14 that the fact that the badges were missing had not been
15 reported to the MGC.

16 We talked to the security officer who said
17 that he didn't know of any written procedures for
18 issuing visitor vendor badges. We talked to the
19 security supervisor who was aware that there were
20 procedures but he was not completely familiar with those
21 and he was aware of missing badges but was unable to
22 locate that and also admitted not reporting the
23 situation to the Commission.

24 We talked to the chief of security who said
25 he was aware of the missing badges and also admitted not

1 reporting the fact they were missing. He indicated to
2 us that it would be impossible to recover the missing
3 badges on several occasions that we asked the chief of
4 security for a list of the missing badges and he was
5 unable to produce those.

6 As we do in our process, once the DRB had
7 recommended this discipline, we sent a letter to the
8 Isle of Capri-Cape Girardeau giving them 14 days to
9 respond.

10 They did in this case respond. Their
11 response was that they accept full responsibility for
12 the infraction, that they have put procedures in place
13 to help ensure that all logs are completed properly on a
14 shift-by-shift basis and that any discrepancies are
15 immediately investigated and resolved appropriately.

16 The preliminary order of discipline
17 recommends a \$10,000 fine.

18 CHAIRMAN HATCHES: Questions from the
19 Commissioners?

20 EXECUTIVE DIRECTOR STOTTLEMYRE:
21 Mr. Chairman, Staff recommends approval of DC-13-445.

22 CHAIRMAN HATCHES: Angie, please call the
23 roll.

24 COMMISSIONER BRADLEY: I have to make my
25 motion first.

1 Motion to approve DC-13-445.

2 COMMISSIONER JONES: Second.

3 CHAIRMAN HATCHES: Moved and seconded.

4 Any further discussion?

5 Now, Angie, since you're in a hurry, could
6 you call the roll, please.

7 MS. FRANKS: Commissioner Howard.

8 COMMISSIONER HOWARD: Approve.

9 MS. FRANKS: Commissioner Jones.

10 COMMISSIONER JONES: Approve.

11 MS. FRANKS: Commissioner Bradley.

12 COMMISSIONER BRADLEY: Approve.

13 MS. FRANKS: Chairman Hatches.

14 CHAIRMAN HATCHES: Approve.

15 MS. FRANKS: By your vote you've adopted
16 DC-13-445.

17 CHAIRMAN HATCHES: Sorry about that.

18 MR. GREWACH: Under Tab N we have a
19 preliminary order of discipline directed to Harrah's
20 Maryland Heights.

21 Minimum Internal Control, Chapter N,
22 Section 1.02, prohibits security officers from receiving
23 any types of tips or gifts or gratuities.

24 On September 29, 2012 a patron gave a
25 security officer tickets to a Rams game. The security

1 manager and six other employees knew about this event
2 but failed to promptly notify the Commission, and as a
3 matter of fact, the Commission was not notified until
4 October the 5th of 2012, and the recommended fine is
5 \$5,000.

6 CHAIRMAN HATCHES: Any questions from the
7 Commissioners?

8 COMMISSIONER JONES: And for the record, the
9 only, I guess, employees that are allowed gifts and
10 gratuities are dealers and table game folks, waiters,
11 waitresses, things of that nature?

12 MR. GREWACH: Those are correct. I can't
13 give you a comprehensive list, but definitely -- I guess
14 in this case security officers aren't on the list of
15 people who --

16 COMMISSIONER JONES: They are not on the
17 list?

18 MR. GREWACH: They are not on the list,
19 correct.

20 They are specifically excluded from receiving
21 those, but there are some professions, some Level II
22 occupations on the boats that are entitled to do those,
23 but I couldn't as I stand here give you that exhaustive
24 list.

25 COMMISSIONER HOWARD: And my recollection is

1 we're revisiting this matter. We've already dealt with
2 this matter in association with the security guard that
3 was involved. Isn't that correct?

4 MR. GREWACH: I don't recall that coming back
5 to the Commission in a hearing. It may have. If it
6 does, I don't recall it. But there was several
7 disciplines, of course, instituted toward all of the
8 individuals.

9 COMMISSIONER JONES: I don't remember it
10 coming before the Commission.

11 COMMISSIONER HOWARD: I thought we had this
12 and the Cape Girardeau one. I knew we had that.

13 MR. GREWACH: Yeah, the Cape Girardeau one
14 did because Mr. --

15 COMMISSIONER HOWARD: I thought we did this
16 one as well.

17 CHAIRMAN HATCHES: Mr. Reece, who was the
18 security -- chief of security, the final person we
19 talked to as I went through those facts in the
20 Cape Girardeau case was a Level I licensee. So his
21 discipline had to initiate with the Commission. So you
22 heard a preliminary order of discipline against
23 Mr. Reece for that same fact and then --

24 COMMISSIONER HOWARD: I could be mistaken but
25 I thought I had a memory of something dealing with this

1 as well and the investigation and who had cooperated and
2 not cooperated in the investigation. Maybe we have two
3 similar fact patterns.

4 MR. GREWACH: It could have been. I just
5 don't recall. Because all these Level IIs that got
6 disciplined for not reporting to various degrees, one of
7 them very well could have asked for a hearing and --

8 COMMISSIONER HOWARD: It had to do with who
9 reported and who didn't report and report timing.
10 That's why I said that.

11 CHAIRMAN HATCHES: Other questions?

12 EXECUTIVE DIRECTOR STOTTLEMYRE:

13 Mr. Chairman, Staff recommends approval of DC-13-446.

14 CHAIRMAN HATCHES: Chair would entertain a
15 motion.

16 COMMISSIONER BRADLEY: Motion to approve
17 DC-13-446.

18 COMMISSIONER JONES: Second.

19 CHAIRMAN HATCHES: Moved and seconded.

20 Any further discussion?

21 Angie, will you call the roll, please.

22 MS. FRANKS: Commissioner Howard.

23 COMMISSIONER HOWARD: Approve.

24 MS. FRANKS: Commissioner Jones.

25 COMMISSIONER JONES: Approve.

1 MS. FRANKS: Commissioner Bradley.

2 COMMISSIONER BRADLEY: Approve.

3 MS. FRANKS: Chairman Hatches.

4 CHAIRMAN HATCHES: Approve.

5 MS. FRANKS: By your vote you've adopted
6 DC-13-446.

7 MR. GREWACH: Tab O is a preliminary order of
8 discipline directed to Lumiere Place Casino.

9 On October 24, 2012 a slot lead put two
10 electronic gaming devices back into service with revoked
11 software and the recommended fine is \$5,000.

12 CHAIRMAN HATCHES: Any questions from the
13 Commissioners?

14 A recommendation?

15 EXECUTIVE DIRECTOR STOTTLEMYRE:

16 Mr. Chairman, Staff recommends approval of DC-13-447.

17 CHAIRMAN HATCHES: Chair would entertain a
18 motion.

19 COMMISSIONER JONES: Move for the acceptance
20 of DC-13-447.

21 COMMISSIONER HOWARD: Second.

22 CHAIRMAN HATCHES: Angie, would you call the
23 roll, please.

24 MS. FRANKS: Commissioner Howard.

25 COMMISSIONER HOWARD: Approve.

1 MS. FRANKS: Commissioner Jones.

2 COMMISSIONER JONES: Approve.

3 MS. FRANKS: Commissioner Bradley.

4 COMMISSIONER BRADLEY: Approve.

5 MS. FRANKS: Chairman Hatches.

6 CHAIRMAN HATCHES: Approve.

7 MS. FRANKS: By your vote you've adopted
8 DC-13-447.

9 MR. GREWACH: Under Tab P is a preliminary
10 order of discipline directed to Lumiere Place Casino.

11 The internal controls in Section J, 1.02,
12 require a manual count of patrons at the end of certain
13 gaming days, Monday being one of those days.

14 On Monday, October the 8th, 2012 a slot
15 supervisor failed to conduct this count of -- manual
16 count of patrons at the end of the gaming day, indicated
17 to us when we spoke to her that she was busy with an
18 owner's club player who had won multiple jackpots.

19 She further indicated that she had not been
20 told of the internal controls required manual count or
21 the importance of doing it, and the recommended fine is
22 \$2,500.

23 CHAIRMAN HATCHES: Questions from the
24 Commissioners?

25 A recommendation?

1 EXECUTIVE DIRECTOR STOTTLEMYRE:

2 Mr. Chairman, Staff recommends approval of DC-13-448.

3 CHAIRMAN HATCHES: Chair would entertain a
4 motion.

5 COMMISSIONER JONES: Move for the acceptance
6 of DC-13-448.

7 COMMISSIONER BRADLEY: Second.

8 CHAIRMAN HATCHES: Angie, would you call the
9 roll, please.

10 MS. FRANKS: Commissioner Howard.

11 COMMISSIONER HOWARD: Approve.

12 MS. FRANKS: Commissioner Jones.

13 COMMISSIONER JONES: Approve.

14 MS. FRANKS: Commissioner Bradley.

15 COMMISSIONER BRADLEY: Approve.

16 MS. FRANKS: Chairman Hatches.

17 CHAIRMAN HATCHES: Approve.

18 MS. FRANKS: By your vote you've adopted
19 DC-13-448.

20 MR. GREWACH: Under Tab Q is a preliminary
21 order of discipline directed to Lumiere.

22 Internal control E1.04 requires that bill
23 validator and belly glass doors be locked when not open
24 for an authorized purpose.

25 On October the 23rd, 2012 the property was

1 conducting a drop, a collection of the funds, and the
2 doors to one of the EGDs was not locked by a count team
3 member. The recommended fine is \$2,500.

4 CHAIRMAN HATCHES: Questions from the
5 Commissioners?

6 A recommendation.

7 EXECUTIVE DIRECTOR STOTTLEMYRE:

8 Mr. Chairman, Staff recommends approval of DC-13-449.

9 CHAIRMAN HATCHES: Chair would entertain a
10 motion.

11 COMMISSIONER BRADLEY: Motion to approve
12 DC-13-449.

13 COMMISSIONER JONES: Second.

14 CHAIRMAN HATCHES: Moved and seconded.

15 Any further discussion?

16 Angie, would you call the roll, please.

17 MS. FRANKS: Commissioner Howard.

18 COMMISSIONER HOWARD: Approve.

19 MS. FRANKS: Commissioner Jones.

20 COMMISSIONER JONES: Approve.

21 MS. FRANKS: Commissioner Bradley.

22 COMMISSIONER BRADLEY: Approve.

23 MS. FRANKS: Chairman Hatches.

24 CHAIRMAN HATCHES: Approve.

25 MS. FRANKS: By your vote you've adopted

1 DC-13-449.

2 MR. GREWACH: Tab R is a preliminary order of
3 discipline directed to Bally Technologies, Incorporated.

4 Bally is a supplier, and they had supplied
5 the management information system to the Mark Twain
6 Casino in La Grange.

7 One of the functions of that MIS system was
8 to change the time throughout the system to daylight
9 savings time. That change in daylight savings time
10 should have been and should have been scheduled to occur
11 on November the 4th, 2012. However, due to a
12 malfunction in the system it actually changed the time
13 on October 28th, 2012, and that change caused
14 transactions to reflect the incorrect time during
15 those -- during the time period between the time it
16 happened and the time it -- the problem was rectified.

17 Now, the background on this too, in case it
18 sounds familiar, this was a prior case last year. The
19 same thing had happened with the same system, and at
20 that point in time we had fined the casino \$5,000 for
21 that malfunction.

22 They had extensive discussions with Bally in
23 the meantime. Bally had assured them the problem had
24 been fixed and it was not, and so, therefore, we are
25 recommending a disciplinary order, a \$5,000 fine against

1 Bally.

2 CHAIRMAN HATCHES: Any questions from the
3 Commissioners?

4 A recommendation.

5 EXECUTIVE DIRECTOR STOTTLEMYRE:

6 Mr. Chairman, Staff recommends approval of DC-13-450.

7 CHAIRMAN HATCHES: Chair will entertain a
8 motion.

9 COMMISSIONER HOWARD: Move for approval of
10 DC-13-450.

11 COMMISSIONER BRADLEY: Second.

12 CHAIRMAN HATCHES: Moved and seconded.

13 Any further discussion?

14 Angie, would you call the roll, please.

15 MS. FRANKS: Commissioner Howard.

16 COMMISSIONER HOWARD: Approve.

17 MS. FRANKS: Commissioner Jones.

18 COMMISSIONER JONES: Approve.

19 MS. FRANKS: Commissioner Bradley.

20 COMMISSIONER BRADLEY: Approve.

21 MS. FRANKS: Chairman Hatches.

22 CHAIRMAN HATCHES: Approve.

23 MS. FRANKS: By your vote you've adopted
24 DC-13-450.

25 CHAIRMAN HATCHES: Thank you.

1 EXECUTIVE DIRECTOR STOTTLEMYRE:
2 Mr. Chairman, the next item on the agenda is
3 Consideration of Placement on the Exclusion List.

4 Mr. Grewach will present.

5 MR. GREWACH: Thank you.

6 Item S is a resolution to place Paula Cathey
7 on the exclusion list. Ms. Cathey worked for a private
8 employer and embezzled a sum in excess of \$500,000 from
9 her employer in North Kansas City, Missouri where she
10 worked as a controller.

11 She stated in connection with that criminal
12 case that she had used most of the money for gambling.
13 She pled guilty to 15 counts of bank fraud and received
14 41 months in prison.

15 We looked at her player tracking during the
16 time that this embezzlement was taking place and
17 coincidentally enough her total lifetime loss during
18 that time period was just a little bit over 500,000.

19 So her amount wagered was a little bit over
20 4 million, the amount paid back from the wager is about
21 3 1/2 million, so the loss during that time period was
22 right at \$500,000.

23 And having pled guilty to a felony does
24 qualify her for a placement on the exclusion list.

25 CHAIRMAN HATCHES: Any questions from the

1 Commissioners?

2 EXECUTIVE DIRECTOR STOTTLEMYRE:

3 Mr. Chairman, Staff recommends approval of Resolution
4 No. 13-084.

5 CHAIRMAN HATCHES: Chair would entertain a
6 motion.

7 COMMISSIONER HOWARD: Move for approval of
8 Resolution No. 13-084.

9 COMMISSIONER BRADLEY: Second.

10 CHAIRMAN HATCHES: Moved and seconded.

11 Any further discussion?

12 Angie, will you call the roll, please.

13 MS. FRANKS: Commissioner Howard.

14 COMMISSIONER HOWARD: Approve.

15 MS. FRANKS: Commissioner Jones.

16 COMMISSIONER JONES: Approve.

17 MS. FRANKS: Commissioner Bradley.

18 COMMISSIONER BRADLEY: Approve.

19 MS. FRANKS: Chairman Hatches.

20 CHAIRMAN HATCHES: Approve.

21 MS. FRANKS: By your vote you've adopted
22 Resolution No. 13-084.

23 MR. GREWACH: Tab T is a resolution to place
24 Charles Koss on the exclusion list.

25 In 1987 Mr. Koss began receiving Social

1 Security disability benefits. He was charged with
2 defrauding Social Security by failing to report income
3 after he was placed on the -- or after he started
4 receiving those benefits.

5 He was tried and convicted by the court on
6 February 25th, 2013 of five counts of defrauding the
7 government, three of which were felonies.

8 We looked at his player tracking information
9 during this time period and shows again a total amount
10 wagered of approximately \$450,000 and total losses
11 during that time period of around \$37,000.

12 So his conviction by the court of those
13 felonies does qualify Mr. Koss for the exclusion list.

14 CHAIRMAN HATCHES: Any questions from the
15 Commissioners?

16 EXECUTIVE DIRECTOR STOTTLEMYRE:
17 Mr. Chairman, Staff recommends approval of Resolution
18 No. 13-085.

19 CHAIRMAN HATCHES: Chair would entertain a
20 motion.

21 COMMISSIONER JONES: Move for the acceptance
22 of Resolution No. 13-085.

23 COMMISSIONER BRADFORD: Second.

24 CHAIRMAN HATCHES: Moved and seconded.

25 Any further discussion?

1 Angie, would you call the roll, please.

2 MS. FRANKS: Commissioner Howard.

3 COMMISSIONER HOWARD: Approve.

4 MS. FRANKS: Commissioner Jones.

5 COMMISSIONER JONES: Approve.

6 MS. FRANKS: Commissioner Bradley.

7 COMMISSIONER BRADLEY: Approve.

8 MS. FRANKS: Chairman Hatches.

9 CHAIRMAN HATCHES: Approve.

10 MS. FRANKS: By your vote you've adopted

11 Resolution No. 13-085.

12 MR. GREWACH: Tab U is a resolution to place

13 Steven Min on the exclusion list.

14 Mr. Min first came to our attention in

15 February of 2012 when he cashed a cashier's check for

16 \$50,000 at one of our casinos, also for exhibiting

17 erratic behavior.

18 We investigated and found that Mr. Min had

19 been placed on the Pennsylvania and New Jersey exclusion

20 lists. We then obtained the notice placed on the

21 website for the Pennsylvania exclusion list, which

22 stated that between 2009 and 2011 Min had been arrested

23 nine times in Pennsylvania related to incidents at

24 casinos, and the charges against Min included trespass,

25 impersonating a public service -- servant and

1 terroristic threats.

2 Further investigation found that one of those
3 convictions was involved with a transaction where
4 Mr. Min would place an advertisement for a massage
5 therapist, and he would represent at various times when
6 he advertised as either an employee of the Pennsylvania
7 Gaming Board or of the Sands Casino.

8 When people would respond to the ad, he would
9 tell them to come to his hotel room, at which point he
10 said he would conduct an interview and test their
11 skills, and that led to one of his charges there.

12 In New Jersey on their notice of exclusion
13 they indicate that Mr. Min had been arrested and
14 convicted 16 times between 1997 and 2010. Fifteen of
15 those arrests and convictions took place in Atlantic
16 City casinos.

17 Now, in addition to that he's been evicted by
18 Ameristar St. Charles as a property evict for exhibiting
19 erratic behavior and being verbally abusive to
20 employees.

21 By our rules his placement on the other
22 states' exclusion list gives us grounds to exclude him
23 here in our state.

24 CHAIRMAN HATCHES: Any questions from the
25 Commissioners?

1 EXECUTIVE DIRECTOR STOTTLEMYRE:

2 Mr. Chairman, Staff recommends approval of Resolution
3 No. 13-086.

4 CHAIRMAN HATCHES: Chair would entertain a
5 motion.

6 COMMISSIONER HOWARD: I'll move for approval
7 of Resolution No. 13-086.

8 COMMISSIONER BRADLEY: Second.

9 CHAIRMAN HATCHES: Moved and seconded.

10 Any further discussion?

11 Angie, would you call the roll, please.

12 MS. FRANKS: Commissioner Howard.

13 COMMISSIONER HOWARD: Approve.

14 MS. FRANKS: Commissioner Jones.

15 COMMISSIONER JONES: Approve.

16 MS. FRANKS: Commissioner Bradley.

17 COMMISSIONER BRADLEY: Approve.

18 MS. FRANKS: Chairman Hatches.

19 CHAIRMAN HATCHES: Approve.

20 MS. FRANKS: By your vote you've adopted
21 Resolution No. 13-086.

22 MR. GREWACH: Under Tab V is a resolution to
23 place John Noon on the exclusion list.

24 On May the 6th of 2013 Mr. Noon robbed the
25 Academy Bank inside the Wal-Mart store in St. Joseph,

1 Missouri. He committed that robbery at gunpoint. The
2 individuals at the scene identified Mr. Noon as the
3 person who robbed the bank.

4 He then went from the bank to the casino. He
5 was arrested in the casino 25 minutes after the robbery
6 occurred on the casino floor.

7 In checking his player tracking information,
8 we show that there is an amount in excess of \$100,000
9 that he had wagered recently at area casinos.

10 And because -- this is a case -- it hasn't
11 been completely adjudicated yet, but we felt there was
12 strong enough evidence given the fact that he went from
13 the robbery to the casino to justify placement, because
14 we do have a provision in the rule that any act that
15 adversely effects the public confidence and trust in
16 gaming does amount to grounds to place Mr. Noon on the
17 exclusion list.

18 CHAIRMAN HATCHES: Any questions?

19 EXECUTIVE DIRECTOR STOTTLEMYRE:

20 Mr. Chairman, Staff recommends approval of Resolution
21 No. 13-087.

22 CHAIRMAN HATCHES: Chair would entertain a
23 motion.

24 COMMISSIONER BRADLEY: Motion to approve
25 Resolution No. 13-087.

1 COMMISSIONER HOWARD: I'll second that.

2 CHAIRMAN HATCHES: Moved and seconded.

3 Any further discussion?

4 Angie, would you call the roll, please.

5 MS. FRANKS: Commissioner Howard.

6 COMMISSIONER HOWARD: Approve.

7 MS. FRANKS: Commissioner Jones.

8 COMMISSIONER JONES: Approve.

9 MS. FRANKS: Commissioner Bradley.

10 COMMISSIONER BRADLEY: Approve.

11 MS. FRANKS: Chairman Hatches.

12 CHAIRMAN HATCHES: Approve.

13 MS. FRANKS: By your vote you've adopted

14 Resolution No. 13-087.

15 EXECUTIVE DIRECTOR STOTTLEMYRE:

16 Mr. Chairman, the next item on the agenda is

17 Consideration of Licensure of Level I and Key

18 Applicants.

19 Lieutenant Rex Scism will present.

20 LIEUTENANT SCISM: Good morning,

21 Mr. Chairman, Commissioners.

22 CHAIRMAN/COMMISSIONERS: Good morning.

23 LIEUTENANT SCISM: Missouri State Highway

24 Patrol investigators, along with Gaming Commission

25 financial investigators, conducted comprehensive

1 background investigations on multiple key and Level I
2 applicants.

3 The investigations included, but were not
4 limited to, criminal, financial and general character
5 inquiries which were made in the jurisdictions where the
6 applicants lived, worked and frequented.

7 The following individuals are being presented
8 for your consideration this morning: Ana L. Galeski,
9 Testing Lab Engineering Manager, Gaming Laboratories
10 International, Las Vegas, Nevada; Mackenzie L. Haugh,
11 Director of Engineering, Gaming Laboratories
12 International, Golden, Colorado; Zachary W. Hollis,
13 Engineering Manager, Gaming Laboratories International,
14 Golden, Colorado; Faisal H. Khan, Technical Compliance
15 Manager, Gaming Laboratories International, Golden,
16 Colorado; Richard J. LaBrocca, Director of Engineering,
17 Lottery and Bingo, Gaming Laboratories International,
18 Lakewood, New Jersey; Patrick G. Moore, Director of
19 Technical Compliance, Gaming Laboratories International,
20 Lakewood, New Jersey; Robert R. Schrader, Director of
21 Field Operations, Gaming Laboratories International,
22 Lakewood, New Jersey; Darrell T. Rodriguez, Chief
23 Creative Officer for IGT, Reno, Nevada; Carissa A.
24 Martin, Slot Department Manager for Isle of Capri-
25 Cape Girardeau; Brandi C. Tucker, Financial Controller

1 for Isle of Capri-Cape Girardeau; and finally
2 Thomas A. Beauchamp, Vice-President and Chief
3 Information Officer, Penn National Gaming, Wyomissing,
4 Pennsylvania.

5 The results of the investigations were
6 provided to the Gaming Commission staff for their review
7 and you have all related summary reports before you.

8 CHAIRMAN HATCHES: Any questions?

9 Mr. Stottlemyre.

10 EXECUTIVE DIRECTOR STOTTLEMYRE: Staff
11 recommends approval of Resolution No. 13-088.

12 CHAIRMAN HATCHES: Chair would entertain a
13 motion.

14 COMMISSIONER JONES: Move for the approval of
15 Resolution No. 13-088.

16 COMMISSIONER HOWARD: I'll second that
17 motion.

18 CHAIRMAN HATCHES: Moved and seconded.

19 Any further discussion?

20 Angie, would you call the roll, please.

21 MS. FRANKS: Commissioner Howard.

22 COMMISSIONER HOWARD: Approve.

23 MS. FRANKS: Commissioner Jones.

24 COMMISSIONER JONES: Approve.

25 MS. FRANKS: Commissioner Bradley.

1 COMMISSIONER BRADLEY: Approve.

2 MS. FRANKS: Chairman Hatches.

3 CHAIRMAN HATCHES: Approve.

4 MS. FRANKS: By your vote you have adopted
5 Resolution No. 13-088.

6 EXECUTIVE DIRECTOR STOTTLEMYRE:

7 Mr. Chairman, I thought maybe we'd take a five,
8 ten-minute break. Angie has to make a phone call, so
9 they can get set up to make the presentation to be next
10 on the agenda.

11 Would that be all right?

12 CHAIRMAN HATCHES: It sounds fine to me.

13 We'll see you in five minutes.

14 (A RECESS WAS TAKEN.)

15 CHAIRMAN HATCHES: We're back on the record.

16 I again ask you to turn your phones off, those of you
17 who had to make phone calls during the break. I
18 appreciate it. Thank you.

19 EXECUTIVE DIRECTOR STOTTLEMYRE:

20 Mr. Chairman, we have a Consideration of Licensure. I
21 have Mr. Tim Wilmott here, the President and COO of Penn
22 National. He can introduce those that are with him and
23 make the presentation.

24 MR. WILMOTT: Good morning, Mr. Chairman,
25 Commissioners --

1 CHAIRMAN/COMMISSIONERS: Good morning.

2 MR. WILMOTT: -- Executive Director
3 Stottlemyre and Staff. Tim Wilmott, President and Chief
4 Operating Officer of Penn National.

5 Also with me today from my company is our
6 Chief Accounting Officer, Desiree Burke; a member of our
7 Compliance Committee and former Vice-President of
8 Corporate Compliance, Tom Auriemma; and our General
9 Manager from Argosy Riverside, John Chaszar; and our
10 General Manager of Hollywood in St. Louis, Tony
11 Carlucci.

12 Thank you for the time this morning. I'd
13 like to give you a brief overview of the transaction
14 we're proposing for your consideration, but first on
15 page 4 in the documents that we provided for you, just a
16 brief overview of Penn National.

17 The company was founded by the Carlino family
18 back in the '70s, starting out as a horse racing
19 business, went public about 20 years ago, got involved
20 in casino gaming about 15 years ago and now today is one
21 of the largest regional gaming operators here in
22 North America, with 21 casino properties, 7 racetracks
23 and 18 different commercial gaming jurisdictions.

24 And it goes without saying that our
25 operations here in the state of Missouri are very, very

1 important to us.

2 A brief overview on page 5 of Argosy
3 Riverside. Back in 2005 Penn National purchased Argosy
4 Gaming Company, and with that came Argosy Riverside,
5 which we've operated since the second half of 2005.

6 Just a bunch of statistics on page 5. But it
7 continues to be a very good performing property for us
8 and very important for us as a company as a whole.

9 Just last year, as you are well aware, we
10 purchased in November Harrah's Maryland Heights. We are
11 in the process right now of completing an over
12 \$60 million capital program, to convert all of the
13 systems.

14 We purchased a lot of new slot machines, but
15 the big effort right now is the rebranding of the
16 facility from a Harrah's to a Hollywood property.

17 We are about in the sixth or seventh inning
18 of that effort. Unfortunately we have four more painful
19 months to get finished. Hopefully there won't be
20 anymore tornados disrupting our operation, or bad
21 weather, but I have very good confidence that by the
22 second half of December we will be finished with this
23 project and we'll completely have re-themed the property
24 and really given it a fresh and improved look.

25 Now turning to the transaction itself. What

1 we're proposing is effectively to create a subsidiary
2 for Penn National which will transfer the real estate,
3 land and buildings, into a real estate investment trust,
4 REIT, and also refinance our existing debt that's on our
5 company into the two new companies.

6 The real estate will be held by a separate
7 publicly traded company called Gaming and Leisure
8 Properties, Inc., GLPI, which will be traded on NASDAQ,
9 and every shareholder of Penn National today will
10 receive one new share of this new company, GLPI, when
11 this spin does occur.

12 We're proposing to have Penn National become
13 the tenant and lease the land and buildings back in a
14 master lease agreement, which I will go over later in
15 the presentation, once GLPI elects REIT status.

16 GLPI will be a passive landlord. Penn will
17 remain the licensee here in Missouri of Riverside and
18 the Maryland Heights operations and will be responsible
19 for all of the compliance requirements here in the state
20 of Missouri.

21 We believe there is a rationale for this
22 to -- for this transaction, which I'll get to on the
23 next slide, but it certainly will bring a whole new set
24 of investors into the gaming environment as a REIT is
25 able to attract new forms of capital that aren't

1 currently interested in publicly traded gaming companies
2 today.

3 And following the REIT election, REITS don't
4 get taxed at the corporate income level like a C corp
5 does. They distribute their -- at least 90 percent of
6 their taxable income to their shareholders and the
7 shareholders are then taxed through this distribution as
8 ordinary income.

9 There are on page 8 four reasons for this
10 transaction. One, as I said previously, that we think
11 this will provide an opportunity with new sources of
12 capital to do this similar-type arrangement of a sale
13 lease by transaction to other gaming companies out here
14 that are looking to deleverage their balance sheet or
15 actually looking to monetize their land and buildings.

16 We also think GLPI with a lower cost of
17 capital will be able to attract outright sales of gaming
18 enterprises.

19 Short term, it's the intention of GLPI to
20 focus their interest in increasing their exposure with
21 other tenants in the gaming industry, but I think down
22 the road one of the opportunities will be diversify its
23 asset base outside of gaming and looking at other real
24 estate opportunities in a nongaming sector.

25 There is also the advantage that this

1 transaction affords us in certain states like Maryland,
2 where there is one -- there is a requirement that there
3 is one owner per casino. You can't have multiple
4 properties in that state.

5 In this transaction we're proposing to
6 transfer our Hollywood Perryville, Maryland property
7 over to GLPI, where they'll be the licensee, and it
8 gives Penn National the opportunity to pursue other
9 growth opportunities in the state of Maryland because
10 that removes the license restriction that we currently
11 are under.

12 And overall, with this preferred tax status,
13 we'll have a lower cost of capital with GLPI that
14 enhances shareholder value and enhances growth
15 opportunities.

16 And typically if you look at publicly traded
17 REITS, they trade at a much higher equity multiple than
18 a regional gaming publicly trading gaming company, and
19 hence, shareholder values create this transaction.

20 On page 9, the one thing I wanted to
21 reinforce is that everything from revenues, taxes,
22 employment, capital expenditures, compliance, property
23 management and focus here at Riverside and in
24 Maryland Heights stays the same. Again, we're just
25 moving the land and buildings over into this new company

1 but the operations remain unchanged.

2 A brief overview on page 11 of publicly
3 traded REITS.

4 Actually REITS have been in existence here in
5 the United States for over 50 years. They were recited
6 by Congress in 1960. As I said before, the difference
7 is that the earnings are distributed in the form of
8 dividends to shareholders. They're not taxed as
9 business income but they are taxed as ordinary income to
10 the shareholders.

11 And REITS were created back over 50 years ago
12 to give retail investors the opportunity to actually own
13 commercial real estate.

14 In the United States previously commercial
15 real estate was under the purview of institutional
16 investors and high net-worth individuals. This provided
17 the retail investor an instrument that allowed ownership
18 in this type of property.

19 Today on the New York Stock Exchange there is
20 over 150 publicly traded REITS that have a market cap in
21 excess of \$550 billion. And, in fact, 16 publicly trade
22 REITS are in the S&P 500 and represent almost half of
23 that market cap of \$270 billion, and just slightly under
24 a trillion dollars of commercial real estate assets here
25 in the United States are under the ownership of publicly

1 traded REITS today.

2 On page 13 is the structure that we're
3 proposing, where 17 of the properties, including Argosy
4 Casino Riverside and Hollywood Casino in St. Louis, are
5 properties that are owned by GLPI and leased to Penn and
6 under a Master Lease agreement, which I'll go through in
7 the next slide.

8 We are proposing in this transaction to move
9 two properties over to GLPI, where they will become the
10 operator and licensee, and we have to do this for IRS
11 reasons to define our business purpose. And the two
12 properties are the Baton Rouge, Louisiana property and
13 our Perryville, Maryland property.

14 Baton Rouge was selected because it had to be
15 a property that was within -- that had been owned by
16 National for longer than five years and also had to be a
17 property that could not -- did not operate a hotel,
18 because the IRS requirements for REITS is that they
19 cannot operate a hotel. That's how Baton Rouge qualified
20 for the movement over from Penn National to GLPI.

21 And Maryland was also moved over into what we
22 call a taxable REIT subsidiary. Because of the
23 ownership restrictions in the state of Maryland, it gave
24 Penn National the opportunity to pursue growth
25 opportunity in that state post spin.

1 All of the other properties that are under
2 joint venture arrangements or the racetracks will stay
3 with Penn National, and only these 17 properties are
4 included in this transaction to be governed by a Master
5 Lease agreement.

6 And the summary of those terms begin on
7 page 14. It is initially a 15-year lease, with four
8 5-year extensions, which could potentially be up to
9 35 years. Those extensions are at the discretion of
10 Penn National.

11 It is at triple net lease, which means that
12 the tenant, Penn National, is responsible for all
13 maintenance, capital, taxes, insurance and all of the
14 expenses of the operations.

15 No one individual property is responsible for
16 a lease payment. Everything is cross-collateralized or
17 guaranteed by the parent.

18 So if we have one jurisdiction doing better
19 and one jurisdiction not doing as well, it doesn't place
20 a burden on an individual property. It places a burden
21 on the parent to be responsible for the payment of this
22 lease.

23 Penn as the operator will maintain control
24 over all maintenance, capital and ownership of all FF&E,
25 including all of the gaming equipment.

1 The rent payment is fixed for a five-year
2 period based on a percentage of net revenues for all
3 properties. It will be around 4 percent of net revenues
4 is the way the calculation works.

5 Our two properties in Toledo and Columbus,
6 Ohio are a little bit different because the land in the
7 state of Ohio that we operate those two casinos on is
8 constitutionally entitled for gaming only.

9 So the value of that land is valued greater
10 than it is in the other properties. That's why we place
11 a different type of rent payment on that, to recognize
12 the value of that parcel of land -- or those two parcels
13 of land where we operate business, since it's
14 constitutionally entitled.

15 But everything else is based on a fixed rate
16 for five years. It gets readjusted every five years,
17 and there are 2 percent annual escalators attached to
18 those rent payments.

19 And as we've modeled this, we looked at very
20 carefully the rent coverage. When you look at Penn's
21 overall EBITDAR, it's slightly less than two times to
22 cover the payment of this rent, which we feel is very
23 comfortable and favorably comparable to other triple net
24 lease structures that we've modeled.

25 From a capital expenditure standpoint that is

1 our responsibility, Penn National, to continue to
2 provide maintenance capital to the operations. There is
3 a requirement that we provide a minimum of 1 percent of
4 net revenues to all of our businesses, but typically
5 we've provided anywhere historically between 2 1/2 and
6 3 percent of net revenues in the form of maintenance
7 capital back to our businesses, and I foresee that to
8 continue going forward.

9 As I said before, the lease is guaranteed by
10 Penn, the parent, for these 17 properties in total.

11 There is a lot more detail but that's just a
12 brief overview of the Master Lease agreement.

13 On page 16 we wanted to provide you a summary
14 of our leverage metrix to give you a comfort that post
15 this transaction, if approved, we believe our leverage
16 levels are still very, very reasonable.

17 When you look at the EBITDAR leverage, when
18 you include the rent, it's 5.7 times, which is below the
19 industry average. And if you look at our interest
20 coverage and look at that compared to our other
21 competitors in the gaming space, we'll still be greater
22 than five times interest coverage, still very
23 conservative relative to the rest of the players in this
24 space.

25 The way we're structuring this, Penn will

1 have approximately \$1.1 billion of debt post spin and
2 GLPI will have approximately \$2.4 billion post spin.

3 The last thing I wanted to touch in this
4 overview is just some of the social implications for
5 this transaction.

6 Our current Chairman and Chief Executive
7 Officer, Peter Carlino, will move over and become the
8 Chief Executive Officer of GLPI and the Chairman of
9 GLPI. I will move from President and Chief Operating
10 Officer to the Chief Executive Officer of Penn National,
11 and Peter Carlino will become a Nonexecutive Chairman of
12 Penn National.

13 We will have two overlapping board members
14 that serve both on the GLPI and Penn National Board,
15 Peter Carlino and also a gentleman by the name of David
16 Handler.

17 That is how we're proposing this transaction.
18 We're in the process of going through the various
19 jurisdictions.

20 If all gets approved, we are hopeful to try
21 to do this spin in the fourth quarter and have the GLPI
22 elect the REIT status in the early part of 2014.

23 So with that I don't have anymore formal
24 comments but will obviously entertain any questions
25 you-all may have.

1 CHAIRMAN HATCHES: Thank you.

2 Questions from the Commissioners?

3 Staff.

4 EXECUTIVE DIRECTOR STOTTLEMYRE: I have no
5 questions at this time.

6 MR. WILMOTT: Thank you very much.

7 EXECUTIVE DIRECTOR STOTTLEMYRE: We will have
8 a presentation now by Sergeant Gary Davidson.

9 SERGEANT DAVIDSON: Good morning,
10 Mr. Chairman and Commissioners.

11 CHAIRMAN/COMMISSIONERS: Good morning.

12 I'll be presenting regarding the
13 consideration for licensure of three separate key
14 business entities associated with this transaction.

15 And that would be Gaming and Leisure
16 Properties, Incorporated, which I'll refer to as GLP and
17 Mr. Wilmott referred to as GLPI; GLP Capital, LP, which
18 I'll refer to as GLP Capital; and GLP Capital Partners,
19 LLC, which I'll refer to as GLP Partners.

20 On November 15, 2012 Penn National Gaming,
21 Incorporated, hereinafter referred to as Penn, announced
22 their intention to pursue a plan to separate its real
23 property assets from its gaming operating assets into
24 two publicly traded companies.

25 These would companies would include the

1 operating company, Penn, and through a tax-free spinoff
2 of its real estate assets to holders of Penn Common
3 Stock, a newly formed publicly traded real estate
4 investment trust, or REIT, Gaming and Leisure or GLP.

5 Under this plan GLP would initially own
6 substantially all of Penn's real estate assets and
7 property assets and will lease back most of these assets
8 to Penn for use by its subsidiaries under a triple net
9 35-year Master Lease agreement to include extensions.

10 After the proposed separation Penn would
11 operate the leased gaming facilities and own and operate
12 other assets.

13 GLP submitted an original application to the
14 Missouri Gaming Commission for licensure as a key
15 business entity on March 20th, 2013.

16 GLP Capital and LP Partners submitted
17 original applications to the Commission for licensure as
18 key business entities on March 28, 2013. You will find
19 the resolution for the investigation under your
20 respective Tab X.

21 GLP, a newly formed corporation, was
22 incorporated in the state of Pennsylvania on
23 February 13, 2013 to hold real estate through one or
24 more wholly owned subsidiaries and lease such properties
25 to Penn.

1 GLP will be spun off from Penn and will take
2 title to numerous properties owned -- currently owned by
3 Penn.

4 GLP will also operate certain gaming
5 companies outside the state of Missouri. GLP has an
6 equity interest in two additional newly formed entities,
7 GLP partners, a Pennsylvania limited liability company,
8 and GLP Capital, a Pennsylvania limited partnership.

9 GLP Partners, a wholly owned subsidiary of
10 GLP, owns a 99 percent limited partnership interest in
11 GLP Capital. GLP directly holds a 1 percent general
12 partnership interest in GLP Capital and indirectly owns
13 a 99 percent partnership interest through GLP Partners.

14 Missouri State Highway Patrol background
15 investigators, working in conjunction with the Missouri
16 Gaming Commission's Chief Financial Analyst, conducted
17 an investigation into the suitability of GLP, GLP
18 Capital and GLP Partners to be key business entities.

19
20 The investigations included, but were not
21 limited to, criminal, financial and general character
22 inquiries of associated key personnel, as well as
23 contact with State and Federal agencies, which would
24 have regulatory authority over the associated entities.

25 There were no issues, concerns or negative

1 information discovered.

2 The findings of these investigations were
3 provided to the Gaming Commission staff for their review
4 and you possess a detailed summary report before you.
5 Investigators are available to entertain any questions
6 you might have at this time.

7 Thank you.

8 CHAIRMAN HATCHES: Thank you.

9 Any questions from the Commissioners?

10 EXECUTIVE DIRECTOR STOTTLEMYRE:

11 Mr. Chairman, first I'd like to compliment our staff,
12 the Highway Patrol officers that did the investigation
13 and the financial investigators. They did a lot of work
14 in a short period of time in able to get this to us in a
15 timely manner as they did, so I do want to compliment
16 them.

17 I would also like to recommend approval of
18 Resolution No. 13-089.

19 CHAIRMAN HATCHES: Chair will entertain a
20 motion.

21 COMMISSIONER JONES: Move for the approval of
22 Resolution No. 13-089.

23 COMMISSIONER BRADLEY: Second.

24 CHAIRMAN HATCHES: Moved and seconded.

25 Any further discussion?

1 Angie, will you call the roll, please.

2 MS. FRANKS: Commissioner Howard.

3 COMMISSIONER HOWARD: Approve.

4 MS. FRANKS: Commissioner Jones.

5 COMMISSIONER JONES: Approve.

6 MS. FRANKS: Commissioner Bradley.

7 COMMISSIONER BRADLEY: Approve.

8 MS. FRANKS: Chairman Hatches.

9 CHAIRMAN HATCHES: Approve.

10 MS. FRANKS: By your vote you've adopted

11 Resolution 13-089.

12 EXECUTIVE DIRECTOR STOTTLEMYRE:

13 Mr. Chairman, the next item on the agenda is

14 Consideration of Rules and Regulations.

15 Mr. Grewach will present.

16 MR. GREWACH: Thank you.

17 Under Tab Y we have a proposed amendment to
18 Section 5.237, and the proposed amendment requires both
19 notice and approval from the Gaming Commission prior to
20 shipping of any chips or electronic gaming devices.

21 CHAIRMAN HATCHES: That's it?

22 MR. GREWACH: That's it. That's the
23 Reader's Digest version. It was actually pretty short.

24 CHAIRMAN HATCHES: Any questions from the
25 Commissioners?

1 EXECUTIVE DIRECTOR STOTTLEMYRE: Staff
2 recommends approval of 11 CSR 45-5.237.

3 CHAIRMAN HATCHES: Chair would entertain a
4 motion.

5 COMMISSIONER BRADLEY: Motion to approve
6 proposed Amendment 11 CSR 45-5.237.

7 COMMISSIONER JONES: Second.

8 CHAIRMAN HATCHES: Moved and second.

9 Any further discussion?

10 Angie, would you call the roll, please.

11 MS. FRANKS: Commissioner Howard.

12 COMMISSIONER HOWARD: Approve.

13 MS. FRANKS: Commissioner Jones.

14 COMMISSIONER JONES: Approve.

15 MS. FRANKS: Commissioner Bradley.

16 COMMISSIONER BRADLEY: Approve.

17 MS. FRANKS: Chairman Hatches.

18 CHAIRMAN HATCHES: Approve.

19 MS. FRANKS: By your vote you've adopted
20 11 CSR 45-5.237.

21 MR. GREWACH: Under Tab Z we have three
22 separate final orders of rulemaking.

23 Under Z.1. we have a final order relating to
24 Chapter F, poker rooms. The prior rule prohibited the
25 use of any electronic device, such as an MP3 player,

1 from being used at a poker table. We received some
2 requests from the industry asking us to remove that
3 restriction in that it was something that they
4 represented other casinos in other jurisdictions
5 permitted and it was hampering the patron's enjoyment of
6 the poker games.

7 So we did publish that amendment, in effect
8 removing that restriction imposed by us would be to
9 leave it up to each particular casino to determine
10 whether or not they wanted electronic devices to be used
11 at their own poker table.

12 We had a public hearing on July the 10th,
13 2013. The only comment that we received was from Mike
14 Winter on behalf of the Missouri Gaming Association in
15 support of that proposed change.

16 Should I present all three of them before we
17 vote?

18 Under Z.2. is a change to Minimum Internal
19 Control Standards, Chapter J, which deals with
20 admissions. This was a revision and a rewrite of that
21 chapter.

22 Again, we had a public hearing on July
23 the 10th, 2013. We received a number of comments, some
24 of which caused us to respond by making changes to the
25 rule. Others we responded by not making changes, and

1 you'll see the reasons set forth in the Final Order for
2 those changes that were not made, as well as the changes
3 made and all of the comments that were given. And
4 again, those are all set forth in that order.

5 Under Z.3. is a Final Order of Rulemaking as
6 to Chapter R forms. And with any substantial revision
7 or rewrite, such as the one we did with Chapter J, there
8 are always corresponding forms in Chapter R that also
9 have to be changed, and those changes in R relate to
10 those.

11 And again, we received comments. And once
12 again you'll see from those comments which ones we
13 responded to by making changes, which ones we didn't and
14 our reasons for those decisions in there.

15 Again, a public hearing was held on July the
16 10th, and the comments are those set out in the Final
17 Order of Rulemaking.

18 CHAIRMAN HATCHES: Thank you.

19 Any questions from the Commissioners?

20 Mr. Stottlemire.

21 EXECUTIVE DIRECTOR STOTTLEMYRE:

22 Mr. Chairman, Staff recommends approval of
23 11 CSR 45-9.106 and 9.110 and 9.118.

24 CHAIRMAN HATCHES: Chair would entertain a
25 motion.

1 COMMISSIONER JONES: Move for the approval of
2 11 CSR 45-9.106, 110, 118.

3 COMMISSIONER BRADLEY: Second.

4 CHAIRMAN HATCHES: Moved and seconded.

5 Any further discussion?

6 Angie, will you call the roll.

7 MS. FRANKS: Commissioner Howard.

8 COMMISSIONER HOWARD: Approve.

9 MS. FRANKS: Commissioner Jones.

10 COMMISSIONER JONES: Approve.

11 MS. FRANKS: Commissioner Bradley.

12 COMMISSIONER BRADLEY: Approve.

13 MS. FRANKS: Chairman Hatches.

14 CHAIRMAN HATCHES: Approve.

15 MS. FRANKS: By your vote you've adopted the
16 Final Orders of Rulemaking, 11 CSR 45-9.106, 9.110 and
17 9.118.

18 EXECUTIVE DIRECTOR STOTTLEMYRE:

19 Mr. Chairman, the next item on the agenda is
20 Consideration of Approval of Change in Control, and
21 Mr. Grewach will present.

22 MR. GREWACH: Yes. The applicant here,
23 SPH Investment, is a shareholder of Affinity Gaming.
24 Affinity Gaming is the parent organization that owns the
25 Mark Twain Casino and the St. Jo Frontier Casino.

1 This may sound all familiar also because
2 there's a very similar petition for change of control
3 ruled on in a prior meeting by the Commission filed by
4 Z Capital. This was another major shareholder in the
5 company.

6 Our regulation in 10.040 requires a prior
7 approval by the Commission before any petition for a
8 change of control closing can take place, and it goes on
9 to define a change of control as any transaction in
10 which any entity or person acquires more than 25 percent
11 of the company.

12 Just as with Z Capital before, they had an
13 acquisition that was going to put them over that
14 25 percent threshold, came to you for a petition for
15 change of control.

16 Likewise now, this applicant, this
17 petitioner, has a transaction that if consummated would
18 give them an ownership percent of 25.053 percent, and,
19 therefore, it comes to you for approval of this change
20 of control.

21 You'll see in the last paragraph that they do
22 have a limitation, that if they acquire additional
23 shares that put them over a 40 percent threshold, they
24 have to come back to us and get approval prior to that.

25 That's the same provision that you saw

1 earlier in the Z Capital resolution for change of
2 control.

3 It arises out of information we have that
4 there could possibly be some loan covenants that could
5 be triggered or could create an event of default if any
6 one shareholder acquires 40 percent or more.

7 So our thinking behind that is that if they
8 do get a contract to go over 40 percent, they'd have to
9 come to us, satisfy us that that loan covenant was not
10 being breached or triggered by that acquisition before
11 we would approve that additional transaction.

12 CHAIRMAN HATCHES: Any questions from the
13 Commissioners?

14 Mr. Stottlemyre.

15 EXECUTIVE DIRECTOR STOTTLEMYRE: Chairman,
16 Staff recommends approval of Resolution No. 13-090.

17 CHAIRMAN HATCHES: Chair will entertain a
18 motion.

19 COMMISSIONER HOWARD: I move for approval of
20 Resolution No. 13-090.

21 COMMISSIONER BRADLEY: Second.

22 CHAIRMAN HATCHES: Moved and seconded.

23 Any further discussion?

24 Would you call the roll, please, Angie.

25 MS. FRANKS: Commissioner Howard.

1 COMMISSIONER HOWARD: Approve.

2 MS. FRANKS: Commissioner Jones.

3 COMMISSIONER JONES: Approve.

4 MS. FRANKS: Commissioner Bradley.

5 COMMISSIONER BRADLEY: Approve.

6 MS. FRANKS: Chairman Hatches.

7 CHAIRMAN HATCHES: Approve.

8 MS. FRANKS: By your vote you've adopted

9 Resolution No. 13-090.

10 EXECUTIVE DIRECTOR STOTTLEMYRE:

11 Mr. Chairman, the next item on the agenda is

12 Consideration of Issuance of Temporary Supplier's

13 License.

14 Mr. Grewach.

15 MR. GREWACH: Paltronics, Incorporated is a

16 supplier of software to Missouri casinos. You most

17 likely remember the renewal for their license was going

18 to come up in May of this year.

19 At the May meeting the staff at that point in

20 time still had some questions concerning the financial

21 circumstances around the company and weren't yet -- and

22 needed more information before they could make a

23 recommendation.

24 The Commission at that point in time

25 authorized a temporary license which was to expire as of

1 the date of this meeting.

2 In the interim Paltronics has supplied us
3 with a substantial amount of financial documents and
4 information for us to review.

5 As a staff, as we looked at that in
6 anticipation of this meeting, it was the unanimous
7 thought and opinion of the staff that we needed more
8 time to both review the information provided, to monitor
9 the company and to do some additional investigation of
10 some issues that we felt we needed to look into.

11 So, therefore, we have drafted this
12 resolution for your consideration, which would give
13 Paltronics another temporary license for one year, and
14 it would expire at the end of August 2014. The issue of
15 renewal of their license would not be ruled upon until
16 our regular August 2014 meeting.

17 The benefit of this resolution is it gives us
18 ample time to do our investigation to make a
19 recommendation. It gives Paltronics a chance to provide
20 us with additional financial information and documents
21 to support their case for renewal.

22 And in addition, as you'll see on Exhibit A,
23 it also gives us the ability to put certain conditions
24 on this temporary license on things we expect them to do
25 between now and the time of the decision on the renewal

1 at the August meeting.

2 And again, it's the consensus of the staff
3 that that's a realistic timeframe for us to complete all
4 that work and come back to you in August and make a
5 recommendation yes or no as to whether or not they
6 should be renewed for their full two-year supplier
7 license term.

8 CHAIRMAN HATCHES: Okay. Any questions from
9 the Commissioners?

10 COMMISSIONER HOWARD: It's hard to recall
11 things from -- as you know, we see a lot of information.

12 But there was some audited financial
13 statements, if my recollection is correct, that the
14 staff was waiting last time this came up. Is that --

15 MR. GREWACH: In lieu of --

16 COMMISSIONER HOWARD: In addition to some
17 other things --

18 MR. GREWACH: Correct. Correct.

19 COMMISSIONER HOWARD: -- audited financial
20 statements, and those have been received but not
21 reviewed?

22 MR. GREWACH: Not the audited ones. In lieu
23 of the audit for the last calendar year we did agree to
24 accept a financial review from a CPA firm of their
25 records from the prior calendar year.

1 You will see in the exhibit that we are going
2 to request an audited financial of this calendar year to
3 be received within 120 days of the -- of the end of that
4 calendar year, which I understand is their fiscal year.

5 COMMISSIONER HOWARD: I saw what was being
6 required, but I was trying -- I had recollection that
7 one of the shortfalls was some audited financial
8 statements that was missing in the past.

9 MR. GREWACH: Correct. We did not receive
10 those, but in lieu of those we did receive a financial
11 review, which we have looked at as far as its scope, but
12 it itself raised some issues that we wanted to look
13 further into before we'd be able to give the final
14 recommendation.

15 CHAIRMAN HATCHES: So this recommendation is
16 basically to give them a one-year license while you
17 continue to review their data at that time, and if
18 everything is satisfactory, then you'll give them a full
19 two years after that?

20 MR. GREWACH: Correct.

21 CHAIRMAN HATCHES: Any other questions?

22 Mr. Stottlemire.

23 EXECUTIVE DIRECTOR STOTTLEMYRE: Chairman,
24 Staff recommends approval of Resolution No. 13-091.

25 CHAIRMAN HATCHES: Chair would entertain a

1 motion.

2 COMMISSIONER BRADLEY: Motion to approve
3 Resolution No. 13-091.

4 COMMISSIONER JONES: Second.

5 CHAIRMAN HATCHES: Moved and seconded.

6 Any further discussion?

7 Angie, would you call the roll, please.

8 MS. FRANKS: Commissioner Howard.

9 COMMISSIONER HOWARD: Approve.

10 MS. FRANKS: Commissioner Jones.

11 COMMISSIONER JONES: Approve.

12 MS. FRANKS: Commissioner Bradley.

13 COMMISSIONER BRADLEY: Approve.

14 MS. FRANKS: Chairman Hatches.

15 CHAIRMAN HATCHES: Approve.

16 MS. FRANKS: By your vote you've adopted
17 Resolution No. 13-091.

18 EXECUTIVE DIRECTOR STOTTLEMYRE:

19 Mr. Chairman, if we can now have a motion to go into
20 closed.

21 CHAIRMAN HATCHES: Chair will entertain a
22 motion for closed.

23 COMMISSIONER BRADLEY: I'll make the motion
24 for us to go into a closed meeting under Revised
25 Statutes of Missouri, 313.847, for investigatory,

1 proprietary and application records, and pursuant to
2 Chapter 610.021, Subsection 1, legal actions, and
3 Subsection 14, records protected from disclosure by law.

4 COMMISSIONER HOWARD: I'll second that
5 motion.

6 CHAIRMAN HATCHES: Moved and seconded.
7 Angie, call the roll, please.

8 MS. FRANKS: Commissioner Howard.

9 COMMISSIONER HOWARD: Approve.

10 MS. FRANKS: Commissioner Jones.

11 COMMISSIONER JONES: Approve.

12 MS. FRANKS: Commissioner Bradley.

13 COMMISSIONER BRADLEY: Approve.

14 MS. FRANKS: Chairman Hatches.

15 CHAIRMAN HATCHES: Approve.

16 WHEREIN, the meeting concluded.

17

18

19

20

21

22

23

24

25

1 CERTIFICATE OF REPORTER

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

I, Patricia A. Stewart, RMR, RPR, CCR, a

Certified Court Reporter in the State of Missouri, do

hereby certify that the testimony that appears in the

foregoing transcript was taken by me to the best of my

ability and thereafter reduced to typewriting by me;

that I am neither counsel for, related to, nor employed

by any of the parties to the action in which this

hearing was taken, and further that I am not a relative

or employee of any attorney or counsel employed by the

parties thereto, nor financially or otherwise interested

in the outcome of the action.

Patricia A. Stewart

CCR No. 401

MISSOURI GAMING COMMISSION
Second Open Session Minutes
August 21, 2013

The Missouri Gaming Commission (the “Commission”) went back into open session at approximately 1:24 p.m. on August 21, 2013, at the Missouri Gaming Commission’s Jefferson City office.

Commissioner Howard moved to adjourn the open session meeting. Commissioner Jones seconded the motion. After a roll call vote was taken, Howard – yes, Jones – yes, Bradley – yes and Hatches – yes, the motion passed unanimously.

The open session ended at 1:25 p.m.