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BEFORE THE MISSOURI GAMING COMMISSION
3417 KNIPP DRIVE
JEFFERSON CITY, MISSOURI 65109

TRANSCRIPT OF HEARING

December 6, 2023

9:30 A.M.

JAN ZIMMERMAN, Commission Chairman
DAVID W. HANE, Commissioner
PAT CONWAY, Commissioner
KEVIN SPAULDING, Commissioner
PEGGY D. RICHARDSON, Executive Director

P R O C E E D I N G S

1
2 CHAIRMAN ZIMMERMAN: Good morning, and welcome,
3 everyone, to the December 6 meeting of the Missouri Gaming
4 Commission. If you'll indulge me for just a moment this
5 morning, I'm reminded that I tend to only recognize fallen
6 First Responders on the west side of the state since that's
7 where I'm from. With that said, I'd like to begin this
8 morning by having just a moment of silence for Correctional
9 Officer Kelly Rolando who was killed just before our last
10 meeting in October in a vehicle crash on the 54 bypass in
11 Mexico, Missouri.

12 [MOMENT OF SILENCE OBSERVED]

13 CHAIRMAN ZIMMERMAN: Thank you all.

14 I'll call the December 6, 2023, Missouri Gaming
15 Commission meeting to order. Angie, would you please call the
16 roll?

17 MS. FRANKS: Chairman Zimmerman?

18 CHAIRMAN ZIMMERMAN: Present.

19 MS. FRANKS: Commissioner Conway?

20 COMMISSIONER CONWAY: Present.

21 MS. FRANKS: Commissioner Hane?

22 COMMISSIONER HANE: Present.

23 MS. FRANKS: Commissioner Spaulding?

24 COMMISSIONER SPAULDING: Present.

25 CHAIRMAN ZIMMERMAN: we have a quorum, so let's get

1 started.

2 The first item of business is Team Member Recognition.
3 Director Richardson, I understand you'll be taking care of
4 that today.

5 JUDGE RICHARDSON: I will. Thank you. Maybe I better
6 go over here.

7 Chairman, Members of the Commission, in fiscal year
8 2023, the State initiated a Professional Development Program.
9 This seven million dollar program is designed to reward and
10 recognize state team members for the outstanding work that
11 they do and further invest in their professional development.
12 Many of the awards are used for training, both online and in
13 person, for conferences, for classes, and study materials.

14 Each certificate that I am handing out today reads as
15 follows: "Congratulations on being selected as a recipient of
16 the State of Missouri's Professional and Leadership
17 Development Award. We recognize your hard work as vital to
18 our success, and we wish to reward you with an investment in
19 your professional development, and we look forward to
20 witnessing your further growth and accomplishments."

21 The following MGC team members were chosen for this
22 award. And as I call your name, if you would come forward,
23 please.

24 John Merrigan. Kylee Wieberg. Kelly Florea. Kelly
25 Allen. Cody Hanavan. Anna Hooper. Dawn Leehy. Candy Liley.

1 Jennifer Bruns, who is in Germany and not here. Carolyn
2 Bruns. Ann Voss.

3 If you guys would all just line up here in front.

4 Seth Brown. Michelle Biederman. Jason Eddy. Heather
5 Richenberger. Brandy Klouzek. Nik Deshpande. Isaac Shee.
6 Joey Wyss. And Jenifer Block.

7 I'm going to give them time to take a picture here.
8 Just like high school, get up on the back row.

9 We congratulate each and every one of you. We thank
10 you for the work that you do. In addition to your
11 certificate, I have a Challenge Coin that I'm going to give to
12 each and every one of you, and I want to challenge you to
13 continue your professional development, the work that you do.
14 And again, thank you for all that you do.

15 [ROUND OF APPLAUSE]

16 CHAIRMAN ZIMMERMAN: Those of you in the back probably
17 couldn't hear the Director telling them that they couldn't use
18 those coins at a casino.

19 The next item is the Adoption of the Agenda. I move
20 that we adopt today's agenda. Is there a second?

21 COMMISSIONER CONWAY: Second.

22 CHAIRMAN ZIMMERMAN: Any discussion? Angie, will you
23 call the roll?

24 MS. FRANKS: Chairman Zimmerman?

25 CHAIRMAN ZIMMERMAN: Approved.

1 MS. FRANKS: Commissioner Conway?
2 COMMISSIONER CONWAY: Approved.
3 MS. FRANKS: Commissioner Hane?
4 COMMISSIONER HANE: Approved.
5 MS. FRANKS: Commissioner Spaulding?
6 COMMISSIONER SPAULDING: Approved.
7 MS. FRANKS: By your vote, you've adopted the agenda.
8 CHAIRMAN ZIMMERMAN: The next item of business is
9 Consideration of the Minutes from the October 24 and 25, 2023,
10 meetings. I move the minutes of the October 24 and 25
11 meetings be approved. Is there a second?
12 COMMISSIONER HANE: Second.
13 CHAIRMAN ZIMMERMAN: Any discussion? Seeing none,
14 Angie, would you call the roll?
15 MS. FRANKS: Chairman Zimmerman?
16 CHAIRMAN ZIMMERMAN: Approved.
17 MS. FRANKS: Commissioner Conway?
18 COMMISSIONER CONWAY: Approved.
19 MS. FRANKS: Commissioner Hane?
20 COMMISSIONER HANE: Approved.
21 MS. FRANKS: Commissioner Spaulding?
22 COMMISSIONER SPAULDING: Approved.
23 MS. FRANKS: By your vote, you've adopted the
24 October 24 and October 25 minutes.
25 CHAIRMAN ZIMMERMAN: Next we have consideration of

1 Resolution 23-075, Licensure of Level I Key Applicants.
2 Sergeant John Masters will be making that presentation.
3 Sergeant, you have the floor.

4 SERGEANT MASTERS: Good morning, Chairman Zimmerman and
5 Commissioners. Missouri State Highway Patrol Investigators
6 and MGC Financial Analysts conducted comprehensive background
7 investigations on Key and Level I applicants. The
8 investigations included, but were not limited to, civil,
9 criminal, financial, and general character inquiries which
10 were made in the jurisdictions where the applicants lived,
11 worked, and frequented.

12 The following applicants are being presented for your
13 consideration.

14 James Matthew Bulen, IT Manager, IOC-Boonville, Inc.
15 Dean Bruce Lane Junior, Director of Slot Operations,
16 Horseshoe St. Louis.

17 Investigative findings were provided to MGC Staff for
18 their review and are available to answer any questions you
19 might have. Thank you.

20 CHAIRMAN ZIMMERMAN: Are there any questions for
21 Sergeant Masters?

22 COMMISSIONER HANE: I'm not sure whether this is for
23 Sergeant Masters or for the Judge, but I understand that Dean
24 Lane was issued a temporary license on 12-12 of '22 and it
25 doesn't expire until 12-31 of '24. So we're looking at him

1 for another Level I license; correct? I was trying to figure
2 out why we're doing it basically a year ahead of his
3 expiration.

4 JUDGE RICHARDSON: Because when we issue them a
5 temporary license, it's temporary until such time as the
6 investigations can be complete at which time we bring it
7 before you at that point in time, not at the expiration of a
8 temporary license. So we issued them the temporary so that
9 they can act and do their duties, but then we try to complete
10 that investigation as expeditiously as possible and bring that
11 before the Commission.

12 COMMISSIONER HANE: Okay. So if we authorize the
13 license today, then it will be good until '25; right? Two
14 years?

15 JUDGE RICHARDSON: It will always go back to the date
16 of the issuance of his temporary license. The reason for that
17 is once we issue them a temporary license, they basically can
18 do all of the acts and duties of the position for which they
19 are applying, so it will always be the date that any license
20 was issued, whether that was the initial -- or I'm sorry, the
21 temporary, or if there was no temporary, then it would be the
22 initial license.

23 COMMISSIONER HANE: Okay. So we're doing this in
24 the -- if we approve this, then his license will still expire
25 next year?

1 JUDGE RICHARDSON: Yes.

2 COMMISSIONER HANE: So then we'll be doing it again
3 next year on relicensure.

4 JUDGE RICHARDSON: Yes. Then thereafter, every two
5 years.

6 COMMISSIONER HANE: Thank you. So good job.

7 SERGEANT MASTERS: Thank you.

8 CHAIRMAN ZIMMERMAN: Sergeant Masters, I do have a
9 question for you. I noticed in your investigation there was
10 some issues that came up with Mr. Bulen in your investigation,
11 some things that maybe weren't originally revealed. Just a
12 quick question about does he have a valid driver's license at
13 this time?

14 SERGEANT MASTERS: I'll refer that to Sergeant
15 McTheeney. He's the one that investigated that case.

16 SERGEANT MCTHEENEY: Sergeant Jason McTheeney, Missouri
17 State Highway Patrol. As far as a valid license today, I have
18 not ran him to know if he is valid today.

19 CHAIRMAN ZIMMERMAN: well, I knew that there were a
20 couple of things that came up during the investigation that
21 had impacted that so --

22 SERGEANT MCTHEENEY: Correct.

23 CHAIRMAN ZIMMERMAN: -- so I wondered if he ever got a
24 driver's license.

25 SERGEANT MCTHEENEY: Not recently.

1 CHAIRMAN ZIMMERMAN: Okay, thank you. Any other
2 questions for Sergeant Masters? Seeing none, thank you,
3 Sergeant Masters.

4 I move to approve Resolution 23-075. Is there a
5 second?

6 COMMISSIONER SPAULDING: Second.

7 CHAIRMAN ZIMMERMAN: Any further discussion? Seeing
8 none, Angie, would you call the roll?

9 MS. FRANKS: Chairman Zimmerman?

10 CHAIRMAN ZIMMERMAN: Approved.

11 MS. FRANKS: Commissioner Conway?

12 COMMISSIONER CONWAY: Approved.

13 MS. FRANKS: Commissioner Hane?

14 COMMISSIONER HANE: Approved.

15 MS. FRANKS: Commissioner Spaulding?

16 COMMISSIONER SPAULDING: Approved.

17 MS. FRANKS: By your vote, you've adopted Resolution
18 Number 23-075.

19 CHAIRMAN ZIMMERMAN: Next we have Consideration of
20 Resolution 23-076, Relicensure of Key Persons. Corporal Don
21 Doza will make the presentation.

22 CORPORAL DOZA: Good morning, Ms. Chairman and
23 Commissioners. Missouri State Highway Patrol Investigators
24 conducted background investigation updates on Key Person
25 License renewals. The investigations included an application

1 review as well as civil, criminal, and general character
2 inquiries made in the jurisdictions where the applicants
3 currently reside.

4 The following renewals are being presented for your
5 consideration.

6 John Francis Acres, CEO, Acres Manufacturing Company.

7 Renato Ascoli, Director/President, International Game
8 Technology, Incorporated.

9 Martina Elisabeth Flitsch, Vice Chairwoman of the
10 Supervisory Board, Novomatic AG.

11 Johann Friedrich Graf, Owner, Novomatic AG.

12 Robert Josef Hofians, Member of the Supervisory Board,
13 Novomatic AG.

14 Elizabeth Ida Holland, Director, VICI Properties,
15 Incorporated.

16 Michael John Jerlecki, Vice President/General Manager,
17 PENN Entertainment, Incorporated.

18 Geoffrey Perona Judge, Director, Everi Holdings,
19 Incorporated.

20 David Andrew Kieske, Chief Financial Officer, VICI
21 Properties, Incorporated.

22 David Joseph Lucchese, Executive VP, Sales and
23 Marketing, Everi Payments, Incorporated.

24 Bernd Anton Oswald, Chairman of the Supervisory Board,
25 Novomatic AG.

1 Ryszard Stanislaw Presch, Member of the Executive
2 Board, Novomatic AG.

3 Michael David Rumbolz, Executive Chairman of the Board
4 of Directors and Director, Everi Holdings, Incorporated.

5 Virginia Eileen Shanks, Independent Director, Light &
6 wonder, Incorporated.

7 Birgit Hermine Wimmer, Non-Executive Board Member, Novo
8 Swiss AG.

9 There are no pending requests for these investigations.
10 Investigative findings were provided to the Missouri Gaming
11 Commission Staff for their review, and I would be glad to
12 answer any questions you might have. Thank you.

13 CHAIRMAN ZIMMERMAN: Any questions for Corporal Doza?
14 Seems like you always get stuck with the longest of names.

15 CORPORAL DOZA: Sometimes.

16 CHAIRMAN ZIMMERMAN: Seeing none, thank you, Corporal
17 Doza.

18 I move to adopt Resolution Number 23-076. Is there a
19 second?

20 COMMISSIONER CONWAY: Second.

21 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
22 would you call the roll?

23 MS. FRANKS: Chairman Zimmerman?

24 CHAIRMAN ZIMMERMAN: Approved.

25 MS. FRANKS: Commissioner Conway?

1 COMMISSIONER CONWAY: Approved.

2 MS. FRANKS: Commissioner Hane?

3 COMMISSIONER HANE: Approved.

4 MS. FRANKS: Commissioner Spaulding?

5 COMMISSIONER SPAULDING: Approved.

6 MS. FRANKS: By your vote, you've adopted Resolution
7 Number 23-076.

8 CHAIRMAN ZIMMERMAN: Our next item of business is the
9 Consideration of Resolution 23-077, Relicensure of Key
10 Business Entities. Sergeant Jason McTheeney will make the
11 presentation this morning.

12 SERGEANT MCTHEENEY: Good morning, Chairman Zimmerman
13 and Commissioners.

14 GLI Capital Group Incorporated is licensed by the
15 Missouri Gaming Commission as a key business entity associated
16 with supplier licensee, Gaming Laboratories International,
17 LLC. GLI Capital Group submitted an application to the
18 Missouri Gaming Commission for renewal of its key business
19 entity license, which is scheduled to expire on December 31,
20 2023.

21 Missouri State Highway Patrol Investigators and
22 Missouri Gaming Commission Financial Analysts conducted
23 relicensing investigation which consisted of a review of the
24 company's litigation, business credit profile, and a financial
25 analysis.

1 The findings of this investigation were provided to the
2 Missouri Gaming Commission Staff, and I'd be glad to answer
3 any questions you might have. Thank you.

4 CHAIRMAN ZIMMERMAN: Sergeant McTheeney, I do have a
5 question. And this is probably just lack of understanding on
6 my part, but the statement that GLI does not conduct business
7 in the State of Missouri so therefore there's no tax due, GLI
8 is the parent company of Gaming Laboratories International,
9 which is a licensed supplier in Missouri, so is GLI
10 responsible for the tax burden even though it's wholly owned
11 by GLI Capital? There's just a lot of -- being the parent
12 company and not being responsible for the taxes, I just wanted
13 to understand that better.

14 SERGEANT MCTHEENEY: So I'd have to refer you to the
15 financial investigator on this case, Patrick O'Dell.

16 CHAIRMAN ZIMMERMAN: Thank you.

17 MR. O'DELL: Pat O'Dell, Financial Analyst. Your
18 question has to do with tax liability; right?

19 CHAIRMAN ZIMMERMAN: Right.

20 MR. O'DELL: Okay, I'm trying to find my graph here.
21 Yes, the parent company, GLI Capital Group, is consolidated
22 with all its subsidiaries and all the income and losses are
23 flowed up to the parent company which then files the taxes,
24 all the other companies are disregarded entities.

25 CHAIRMAN ZIMMERMAN: So then the parent company is

1 responsible for --

2 MR. O'DELL: That is correct.

3 CHAIRMAN ZIMMERMAN: -- the payment of taxes?

4 MR. O'DELL: Yes, uh-huh.

5 CHAIRMAN ZIMMERMAN: Okay, just making sure that
6 they're paying their taxes in Missouri.

7 MR. O'DELL: Yes.

8 CHAIRMAN ZIMMERMAN: Thank you.

9 MR. O'DELL: You're welcome.

10 SERGEANT MCTHEENEY: Chairman, the actual supplier
11 company I believe comes up in 2024, and that's where the tax
12 clearance for Missouri will be.

13 CHAIRMAN ZIMMERMAN: Thank you. That clarifies it for
14 me, and I sort of had the same question on the next one, but I
15 won't ask it again. Thank you. Any other questions? Okay,
16 thank you, Sergeant McTheeney.

17 Seeing none, Angie, would you call the roll? I'm
18 sorry, I move to approve Resolution 23-077. Is there a
19 second?

20 COMMISSIONER HANE: Second.

21 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
22 would you call the roll?

23 MS. FRANKS: Chairman Zimmerman?

24 CHAIRMAN ZIMMERMAN: Approved.

25 MS. FRANKS: Commissioner Conway?

1 COMMISSIONER CONWAY: Approved.

2 MS. FRANKS: Commissioner Hane?

3 COMMISSIONER HANE: Approved.

4 MS. FRANKS: Commissioner Spaulding?

5 COMMISSIONER SPAULDING: Approved.

6 MS. FRANKS: By your vote, you've adopted Resolution
7 Number 23-077.

8 CHAIRMAN ZIMMERMAN: Our next item of business is
9 Consideration of Resolution 23-078, Relicensure of Key
10 Business Entities. Sergeant Sammy Seaton will be making the
11 presentation.

12 MR. SEATON: Chairman Zimmerman and Commissioners, good
13 morning.

14 Missouri State Highway Patrol investigators and
15 Missouri Gaming Commission Financial Analysts conducted
16 suitability investigations on three inter-related companies
17 which have applied for relicensure as supplier key business
18 entities related to MGC licensed supplier company, Ainsworth
19 Game Technology, Incorporated.

20 These investigations included, but were not limited to,
21 financial reviews, a review of corporate ownership structures,
22 disciplinary actions and litigation, business credit profiles,
23 and a review of the key Persons associated with the companies.

24 The results of these investigations were provided to
25 the MGC Staff for their review, and the investigating officers

1 are present to answer any questions you might have.

2 The following supplier key business entity applicants
3 are being presented for your consideration.

4 Novo Swiss AG of Zurich, Switzerland.

5 Novo Invest GmbH and Novomatic AG, both of
6 Gumpoldskirchen, Austria.

7 CHAIRMAN ZIMMERMAN: That's easy for you to say. I do
8 have a question. As I mentioned, I won't ask the same
9 question that I had with GLI about the parent company, but I
10 also had a question; is the reason that Patrick Graf is not
11 required to obtain licensure in Missouri is because his
12 interest in Novo is less than 5 percent?

13 MR. SEATON: As well as his position is not a
14 customarily licensable position at this time.

15 CHAIRMAN ZIMMERMAN: Okay, thank you. Thank you so
16 much. Are there any other questions for Sergeant Seaton?

17 COMMISSIONER HANE: I thought we asked for an
18 application from the son, Thomas. He's a 10 percent interest
19 holder.

20 MR. SEATON: Chairman, that's correct, and you're
21 referring to Thomas Graf, he's the elder son, and my
22 understanding is he has --

23 CHAIRMAN ZIMMERMAN: I asked about Patrick Graf.

24 MR. SEATON: Patrick is the younger.

25 COMMISSIONER HANE: I'm sorry. Yeah, I'm talking about

1 Thomas, I'm sorry.

2 MR. SEATON: Okay. Mr. Thomas Graf has submitted a
3 license. I believe it was received by the MGC a week or two
4 ago. He's a previous MGC license holder as well.

5 COMMISSIONER HANE: Right. Okay. So we'll be seeing
6 him come up?

7 MR. SEATON: Shortly.

8 COMMISSIONER HANE: Shortly, okay. Thank you.

9 CHAIRMAN ZIMMERMAN: Any other questions for Sergeant
10 Seaton? Seeing none, thank you, Sergeant.

11 I move to approve Resolution 23-078. Is there a
12 second?

13 COMMISSIONER SPAULDING: Second.

14 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
15 would you call the roll?

16 MS. FRANKS: Chairman Zimmerman?

17 CHAIRMAN ZIMMERMAN: Approved.

18 MS. FRANKS: Commissioner Conway?

19 COMMISSIONER CONWAY: Approved.

20 MS. FRANKS: Commissioner Hane?

21 COMMISSIONER HANE: Approved.

22 MS. FRANKS: Commissioner Spaulding?

23 COMMISSIONER SPAULDING: Approved.

24 MS. FRANKS: By your vote, you've adopted Resolution
25 Number 23-078.

1 CHAIRMAN ZIMMERMAN: Our next item of business today is
2 Consideration of Relicensure of Certain Suppliers and Key
3 Business Entities, which constitute four resolutions all
4 related to Everi Payments, Inc. and Everi Games, Inc.
5 Sergeant Brian Holcomb will be making the presentation, and
6 I'll let you decide whether you want to do it all at once or
7 you want to break up.

8 SERGEANT HOLCOMB: Well, I prepared it all at once, so
9 we'll go with that.

10 CHAIRMAN ZIMMERMAN: Okay.

11 SERGEANT HOLCOMB: Thank you, Chairman, and good
12 morning, Commissioners.

13 The Missouri Gaming Commission received renewal
14 applications from Everi Holdings, Inc., Everi Games Holding,
15 Inc., Everi Payments, Inc. and Everi Games, Inc. on August 23,
16 2023. The supplier license for Everi Payments and the key
17 business entity license for Everi Holdings are scheduled to
18 expire on December 31, 2023.

19 The supplier license for Everi Games and the key
20 business entity license for Everi Games Holding were set to
21 expire on April 30, 2024, but the company's licenses were
22 aligned this month to renew together in the future.

23 Missouri State Highway Patrol Investigators and
24 Missouri Gaming Commission Financial Analysts conducted
25 relicensing investigations consisting of a financial review,

1 feedback from Missouri casinos, jurisdictional inquiries, and
2 a review of disciplinary actions, litigations, and the key
3 persons associated with each company.

4 Investigative findings were provided to the Missouri
5 Gaming Commission staff. I'd be glad to answer any questions
6 you might have.

7 CHAIRMAN ZIMMERMAN: Any questions for Sergeant
8 Holcomb? Seeing none, I move to approve Resolution 23-079 for
9 Everi Payments for renewal of their supplier's license. Is
10 there a second?

11 COMMISSIONER CONWAY: Second.

12 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
13 would you call the roll?

14 MS. FRANKS: Chairman Zimmerman?

15 CHAIRMAN ZIMMERMAN: Approved.

16 MS. FRANKS: Commissioner Conway?

17 COMMISSIONER CONWAY: Approved.

18 MS. FRANKS: Commissioner Hane?

19 COMMISSIONER HANE: Approved.

20 MS. FRANKS: Commissioner Spaulding?

21 COMMISSIONER SPAULDING: Approved.

22 MS. FRANKS: By your vote, you've adopted Resolution
23 Number 23-079.

24 CHAIRMAN ZIMMERMAN: Next I move to approve Resolution
25 23-080, Renewal of the Key Business Entity License. Is there

1 a second?

2 COMMISSIONER HANE: Second.

3 CHAIRMAN ZIMMERMAN: Is there any further discussion?

4 Angie, would you call the roll?

5 MS. FRANKS: Chairman Zimmerman?

6 CHAIRMAN ZIMMERMAN: Approved.

7 MS. FRANKS: Commissioner Conway?

8 COMMISSIONER CONWAY: Approved.

9 MS. FRANKS: Commissioner Hane?

10 COMMISSIONER HANE: Approved.

11 MS. FRANKS: Commissioner Spaulding?

12 COMMISSIONER SPAULDING: Approved.

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

14 Number 23-080.

15 CHAIRMAN ZIMMERMAN: Next, I move to approve Resolution

16 23-081 for Everi Games, Inc. for renewal of their supplier's

17 license. Is there a second?

18 COMMISSIONER HANE: Second.

19 CHAIRMAN ZIMMERMAN: Any discussion? Angie, would you

20 call the roll?

21 MS. FRANKS: Chairman Zimmerman?

22 CHAIRMAN ZIMMERMAN: Approved.

23 MS. FRANKS: Commissioner Conway?

24 COMMISSIONER CONWAY: Approved.

25 MS. FRANKS: Commissioner Hane?

1 COMMISSIONER HANE: Approved.

2 MS. FRANKS: Commissioner Spaulding?

3 COMMISSIONER SPAULDING: Approved.

4 MS. FRANKS: By your vote, you've adopted Resolution
5 Number 23-081.

6 CHAIRMAN ZIMMERMAN: And last, I move to approve
7 Resolution 23-082, Renewal of the Key Business Entity License.
8 Is there a second?

9 COMMISSIONER CONWAY: Second.

10 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
11 would you call the roll?

12 MS. FRANKS: Chairman Zimmerman?

13 CHAIRMAN ZIMMERMAN: Approved.

14 MS. FRANKS: Commissioner Conway?

15 COMMISSIONER CONWAY: Approved.

16 MS. FRANKS: Commissioner Hane?

17 COMMISSIONER HANE: Approved.

18 MS. FRANKS: Commissioner Spaulding?

19 COMMISSIONER SPAULDING: Approved.

20 MS. FRANKS: By your vote, you've adopted Resolution
21 Number 23-082.

22 CHAIRMAN ZIMMERMAN: Thank you, Sergeant. The next
23 item on today's agenda is Consideration of waiver of Licensure
24 for two separate institutional investors, Allan Gray Australia
25 and AWM Investment Company. Kylee wieberg will make the

1 presentation.

2 MS. WIEBERG: Good morning, Chairman and Commissioners.
3 My name is Kylee Wieberg, and I'm the Financial Investigations
4 Manager with the Missouri Gaming Commission. Under Tab I, we
5 have request for waiver of institutional investor for up to 20
6 percent ownership from Allan Gray Australia Party Limited.
7 Allan Gray is an Australian-based investment company who
8 primarily invests in stocks listed on the Australian Stock
9 Exchange.

10 Allan Gray is a private asset manager who is ultimately
11 owned by the Allan and Gill Gray Foundation. Allan Gray has
12 approximately 10.2 billion assets under management. Allan
13 Gray currently holds 7.1 percent of Ainsworth Game Technology.

14 I'd be happy to answer any questions you may have.

15 CHAIRMAN ZIMMERMAN: Ms. Wieberg, I know that we've
16 discussed this in past presentations about the waivers of
17 institutional investors. Do you know their original
18 percentage when they were granted the waiver back in 2001? or
19 in 2021, I'm sorry.

20 MS. WIEBERG: I do. They originally were granted a
21 waiver for 7.63 percent in 2021.

22 CHAIRMAN ZIMMERMAN: Thank you.

23 MS. WIEBERG: Uh-huh.

24 CHAIRMAN ZIMMERMAN: Are there any other questions for
25 Ms. wieberg? Seeing none, thank you. I move to approve

1 Resolution 23-083 for Allan Gray. Is there a second?

2 COMMISSIONER HANE: Second.

3 CHAIRMAN ZIMMERMAN: Any further discussion? Seeing
4 none, Angie, would you call the roll?

5 MS. FRANKS: Chairman Zimmerman?

6 CHAIRMAN ZIMMERMAN: Approved.

7 MS. FRANKS: Commissioner Conway?

8 COMMISSIONER CONWAY: Approved.

9 MS. FRANKS: Commissioner Hane?

10 COMMISSIONER HANE: Approved.

11 MS. FRANKS: Commissioner Spaulding?

12 COMMISSIONER SPAULDING: Approved.

13 MS. FRANKS: By your vote, you've adopted Resolution
14 Number 23-083.

15 CHAIRMAN ZIMMERMAN: Ms. Wieberg, your report on AWN?

16 MS. WIEBERG: Yes. Under Tab J, we have request for
17 waiver for institutional investor for up to 20 percent for AWM
18 Investment Company, Inc. AWM is registered as an investment
19 advisor with the SEC. AWM is a private company owned by three
20 individuals.

21 AWM is a hedge fund for eight clients with
22 discretionary assets under management of approximately 843
23 million. AWM currently holds 5.42 percent of Century Casinos,
24 Inc.

25 I'd be happy to answer any questions you may have.

1 CHAIRMAN ZIMMERMAN: I do have a question. In the
2 resolution, the second paragraph of the resolution, it states
3 that AWM has stated that it may acquire interest in Century
4 Casinos, but obviously they already own a percentage. Am I
5 just not reading that correctly, that they may have an
6 interest; or is there interest in increasing that percentage,
7 I guess, is maybe the way that the resolution was worded.

8 MS. WIEBERG: I can't speak on the resolution, I may
9 refer that to legal; but as it states, they do currently hold
10 an interest in Century Casinos at the 5.42 percent and can go
11 up to 20 percent.

12 CHAIRMAN ZIMMERMAN: And they've owned that percentage
13 since the waiver was originally issued in 2021 as well?

14 MS. WIEBERG: They previously held it for 5.01 percent
15 in 2021.

16 CHAIRMAN ZIMMERMAN: All right, thank you. Are there
17 any other questions for Ms. Wieberg? Seeing none, I move to
18 approve Resolution 23-084 for AWM Investment Company. Is
19 there a second?

20 COMMISSIONER CONWAY: Second.

21 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
22 would you call the roll?

23 MS. FRANKS: Chairman Zimmerman?

24 CHAIRMAN ZIMMERMAN: Approved.

25 MS. FRANKS: Commissioner Conway?

1 COMMISSIONER CONWAY: Approved.

2 MS. FRANKS: Commissioner Hane?

3 COMMISSIONER HANE: Approved.

4 MS. FRANKS: Commissioner Spaulding?

5 COMMISSIONER SPAULDING: Approved.

6 MS. FRANKS: By your vote, you've adopted Resolution
7 Number 23-084.

8 CHAIRMAN ZIMMERMAN: The next item on today's agenda is
9 Consideration of a Request from Bonnie Sue Lawson for Removal
10 from the Involuntary Exclusion List. General Counsel Heather
11 Richenberger will make the presentation.

12 MS. RICHENBERGER: Good morning, Chairman,
13 Commissioners. Today I'm presenting for your consideration
14 the request of Bonnie Sue Lawson to be removed from the
15 Missouri Gaming Commission's Involuntary Exclusion List. The
16 Commission placed Ms. Lawson on the Involuntary Exclusion List
17 on December 2, 2009. She was placed on the Exclusion List
18 following her 2008 plea of guilty to one felony count of theft
19 of government funds in the United States District Court for
20 the western District of Missouri.

21 Ms. Lawson had embezzled approximately \$118,000 from
22 Buchanan County while she was employed as the public
23 administrator for the county. Ms. Lawson admitted that she
24 had used some of the funds she embezzled for gambling.

25 This is Ms. Lawson's second request to be removed from

1 the Exclusion List, with her first request denied by the
2 Commission in January of 2021 with the Commission noting
3 Ms. Lawson still had approximately \$30,000 in restitution
4 owing to Buchanan County.

5 Ms. Lawson's current request was submitted via letter
6 to the Missouri Gaming Commission on August 16 of 2023.
7 Ms. Lawson's request asks the Commission to consider the fact
8 that it's been 14 years since she was originally placed on the
9 Exclusion List, and since that time she has satisfied all
10 court requirements related to her case that resulted in her
11 exclusion.

12 Lawson has served a 37-month federal prison sentence
13 for her embezzlement and has also completed a three-year term
14 of federal supervised release. As of November 22 of 2021, she
15 has now paid in full her court-ordered restitution in the
16 amount of \$119,063.18.

17 Ms. Lawson has indicated she's requesting removal from
18 the Exclusion List so she can patronize her local casino and
19 socialize with friends.

20 Missouri Gaming Commission staff did recommend to
21 Ms. Lawson that she appear today before the Commission.
22 Ms. Lawson has indicated she was unable to travel, citing that
23 she lives in St. Joseph, Missouri, is 83 years old and has a
24 multitude of health conditions which make traveling the
25 distance to Jefferson City difficult. Accordingly, Ms. Lawson

1 is not here today.

2 To the extent I'm able, I am happy to answer any
3 factual questions the Commission might have on this matter.

4 CHAIRMAN ZIMMERMAN: Are there any questions for
5 Ms. Richenberger?

6 COMMISSIONER CONWAY: Thank you for your investigation
7 into this incident. All the conditions of her probation and
8 parole that were established by the Court, have all of those
9 issues been sufficiently satisfied?

10 MS. RICHENBERGER: That is the understanding of the
11 Missouri Gaming Commission, and we did make contact with the
12 US Attorney's Office in the Western District of Missouri who
13 did confirm that the restitution had been paid in full.
14 There's also a Satisfaction of Judgment that has been filed in
15 that criminal case.

16 COMMISSIONER CONWAY: Since I'm so personally involved
17 in this issue, I just wanted to make it clear that it's always
18 been my understanding that when a person serves their
19 probation and patrol, that their individual rights are
20 returned to them. I would state in the State of Missouri,
21 once she had satisfied that, she was eligible to register to
22 vote, she's also able to vote in the jurisdiction and has been
23 given her rights under those conditions.

24 Personally, I would like to say that this is one issue
25 where compulsive gambling is a responsibility of the MGC to

1 offer services and some of the funds that we retrieve from the
2 casino industry to assist those who have determined that they
3 have issues with gaming.

4 Needless to say, that she no longer has access to any
5 state or federal monies that she was eligible to oversee in
6 her position as the public administrator, having those two
7 conditions and the fact that she has sufficiently served her
8 term in the federal institution and also she has completed all
9 of her issues with her parole and probation with the western
10 District Court, I think at this time I personally am going to
11 vote in favor of this resolution, so if the Chair would allow
12 or make the resolution, I would be happy to second it.

13 CHAIRMAN ZIMMERMAN: Thank you, Commissioner Conway.
14 Any other questions or comments? Thank you. I move to
15 approve Resolution 23-085 for removal from the Involuntary
16 Exclusion List for Bonnie Sue Lawson. Is there a second?

17 COMMISSIONER CONWAY: Second.

18 CHAIRMAN ZIMMERMAN: Any further discussion? Seeing
19 none, Angie, would you call the roll?

20 MS. FRANKS: Chairman Zimmerman?

21 CHAIRMAN ZIMMERMAN: Approved.

22 MS. FRANKS: Commissioner Conway?

23 COMMISSIONER CONWAY: Approved.

24 MS. FRANKS: Commissioner Hane?

25 COMMISSIONER HANE: Merry Christmas. Approved.

1 MS. FRANKS: Commissioner Spaulding?

2 COMMISSIONER SPAULDING: Approved.

3 MS. FRANKS: By your vote, you've adopted Resolution
4 Number 23-085.

5 CHAIRMAN ZIMMERMAN: Thank you, Ms. Richenberger.

6 The next item on today's agenda is Approval of
7 Resolution 23-086, Final Orders of Rulemaking, 11 CSR 45-5,
8 five rules contained in Exhibit A. Melissa Stephens will be
9 making that presentation this morning.

10 Ms. STEPHENS: Thank you. Good morning, Chairman
11 Zimmerman, Commissioners.

12 Under Tab L, we have a group of five Final Orders of
13 Rulemaking for amendments that were identified during the
14 Gaming Commission's recent periodic review of the rules
15 contained in 11 CSR 45. These amendments address various
16 cleanup items, including the ongoing updates to class
17 designations to identify the licensee intended to be
18 referenced in the rule, updates to terminology for consistency
19 with the statutes as well as throughout 11 CSR 45,
20 typographical corrections for consistency with other
21 regulations, and the removal of duplicative and outdated
22 elements.

23 In addition, these amendments also include revisions
24 that have been requested by staff and industry, generally to
25 clarify the regulations. All of the Final Orders of

1 Rulemaking for your consideration are found in 11 CSR 45-5.
2 The subsections for the record are as follows: .030, .100,
3 .140, .150, and .235.

4 These amendments were proposed at the August 30, 2023,
5 Commission meeting, and you approved moving forward with the
6 proposed rule amendments. The public comment period ended on
7 November 1, 2023, and the public hearing was held November 2,
8 2023. No public comments or testimony were received.

9 On November 22, 2023, we received approval from the
10 Governor's office to proceed with these Final Orders. Pending
11 your approval, these amendments would become effective on
12 March 30 of 2024.

13 CHAIRMAN ZIMMERMAN: Any questions for Ms. Stephens?
14 Do you frequently -- do you ever get comments, anybody come
15 forward?

16 MS. STEPHENS: We have a very detailed process that we
17 do in drafting the rules, and we try to address the industry
18 comments before we ever bring them to you the first time. So
19 it is our goal to not have those comments come up, but we have
20 on occasion.

21 CHAIRMAN ZIMMERMAN: Well, you do a great job. Thank
22 you, Ms. Stephens.

23 MS. STEPHENS: Thank you.

24 CHAIRMAN ZIMMERMAN: Any other comments or questions?
25 Thank you. I move to approve Resolution 23-086. Is there a

1 second?

2 COMMISSIONER HANE: Second.

3 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
4 would you call the roll?

5 MS. FRANKS: Chairman Zimmerman?

6 CHAIRMAN ZIMMERMAN: Approved.

7 MS. FRANKS: Commissioner Conway?

8 COMMISSIONER CONWAY: Approved.

9 MS. FRANKS: Commissioner Hane?

10 COMMISSIONER HANE: Approved.

11 MS. FRANKS: Commissioner Spaulding?

12 COMMISSIONER SPAULDING: Approved.

13 MS. FRANKS: By your vote, you've adopted Resolution
14 Number 23-086.

15 CHAIRMAN ZIMMERMAN: The next item on today's agenda is
16 Consideration of Ratification of Extension of Licensure for
17 Renato Ascoli. Judge Richardson will make the presentation.

18 JUDGE RICHARDSON: Thank you. Chairman, Commissioners,
19 under Tab M is a request for Ratification of Extension of
20 Licensure for Renato Ascoli. Mr. Ascoli's renewal was
21 originally on our agenda for the October meeting. The
22 background investigation had been complete, and there were no
23 issues.

24 Prior to that meeting, MGC was advised that Mr. Ascoli
25 was no longer on the board, so we pulled his renewal. Come to

1 find out, while Mr. Ascoli is no longer on the Board of IGT
2 Global Solutions, he is still on the Board of International
3 Game Technology, Incorporated, one of our licensees.

4 Staff requested and Chairman Zimmerman approved
5 extension of Mr. Ascoli's license on November 9, 2023.
6 Mr. Ascoli was on your agenda today under Tab D for renewal of
7 his Key Person license, and that license was renewed. Staff
8 requests that the Commission ratify the action taken by the
9 Chairman to extend Mr. Ascoli's license so that he could be
10 presented on your agenda today.

11 CHAIRMAN ZIMMERMAN: Thank you. Any questions for
12 Director Richardson? Seeing none, I move to approve
13 Resolution 23-087, Consideration of Ratification of Extension
14 of Licensure for Renato Ascoli. Is there a second?

15 COMMISSIONER HANE: Second.

16 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
17 would you call the roll?

18 MS. FRANKS: Chairman Zimmerman?

19 CHAIRMAN ZIMMERMAN: Approved.

20 MS. FRANKS: Commissioner Conway?

21 COMMISSIONER CONWAY: Approved.

22 MS. FRANKS: Commissioner Hane?

23 COMMISSIONER HANE: Approved.

24 MS. FRANKS: Commissioner Spaulding?

25 COMMISSIONER SPAULDING: Approved.

1 MS. FRANKS: By your vote, you've adopted Resolution
2 Number 23-087.

3 CHAIRMAN ZIMMERMAN: The next item on today's agenda is
4 Resolution 23-001-B, Consideration of Licensure of Certain
5 Bingo Manufacturer. Sergeant Brian Holcomb will make the
6 presentation this morning.

7 SERGEANT HOLCOMB: Thank you, Chairman. The Missouri
8 Gaming Commission received an initial bingo license
9 application from Everi Games, Inc. on October 10, 2023.
10 Missouri Highway Patrol Investigators and Missouri Gaming
11 Commission Financial Analysts conducted a licensing
12 investigation which consisted of a financial review,
13 jurisdictional inquiries, and a review of the disciplinary
14 actions, litigations, and key persons associated with the
15 company.

16 Investigative findings were provided to the Missouri
17 Gaming Commission Staff, and I'd be glad to answer any
18 questions you might have.

19 CHAIRMAN ZIMMERMAN: Any questions for Sergeant
20 Holcomb? Thank you.

21 I move to approve Resolution 23-001-B for Consideration
22 of Licensure of Certain Bingo Manufacturer. Is there a
23 second?

24 COMMISSIONER SPAULDING: Second.

25 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,

1 would you call the roll?

2 MS. FRANKS: Chairman Zimmerman?

3 CHAIRMAN ZIMMERMAN: Approved.

4 MS. FRANKS: Commissioner Conway?

5 COMMISSIONER CONWAY: Approved.

6 MS. FRANKS: Commissioner Hane?

7 COMMISSIONER HANE: Approved.

8 MS. FRANKS: Commissioner Spaulding?

9 COMMISSIONER SPAULDING: Approved.

10 MS. FRANKS: By your vote, you've adopted Resolution
11 Number 23-001-B.

12 CHAIRMAN ZIMMERMAN: The next item on today's agenda is
13 Resolution 23-002-B, Consideration of Licensure of Certain
14 Bingo Manufacturers. Corporal Don Doza, although we'll vote
15 separately on these, you can present both items at the same
16 time if it makes it easier for you.

17 CORPORAL DOZA: Chairman and Commissioners, today I'm
18 presenting several companies for relicensure as a supplier or
19 manufacturer of bingo products in the State of Missouri.
20 Pursuant to Chapter 313.057 of the Missouri Revised Statutes,
21 all bingo supplier and manufacturer licenses expire on
22 December 31 of each year, regardless of the date of issuance.

23 The relicensure investigation of both manufacturer and
24 supplier includes, but is not limited to, a review of federal
25 and state tax checks, open source checks, civil litigation

1 checks, as well as various criminal checks on each company's
2 key persons.

3 The following three companies have applied for
4 relicensure of their manufacturer license. They include Arrow
5 International, Incorporated, Pollard Games, Incorporated, and
6 Everi Games, Incorporated.

7 The following company has applied for relicensure of
8 its supplier license: All American Bingo, LLC.

9 If approved today, these companies would receive their
10 respective licenses for January 1, 2024 through December 31,
11 '24. Thank you.

12 CHAIRMAN ZIMMERMAN: Any questions for the corporal?
13 Thank you.

14 I move to approve Resolution 23-002-B for Consideration
15 of Licensure of Certain Bingo Manufacturers. Is there a
16 second?

17 COMMISSIONER CONWAY: Second.

18 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
19 would you call the roll?

20 MS. FRANKS: Chairman Zimmerman?

21 CHAIRMAN ZIMMERMAN: Approved.

22 MS. FRANKS: Commissioner Conway?

23 COMMISSIONER CONWAY: Approved.

24 MS. FRANKS: Commissioner Hane?

25 COMMISSIONER HANE: Approved.

1 MS. FRANKS: Commissioner Spaulding?

2 COMMISSIONER SPAULDING: Approved.

3 MS. FRANKS: By your vote, you've adopted Resolution
4 Number 23-002-B.

5 CHAIRMAN ZIMMERMAN: The last item on today's agenda is
6 Resolution 23-003-B, Consideration of Licensure of Certain
7 Bingo Suppliers, which we've just heard that presentation. I
8 move to approve Resolution 23-003-B for Consideration of
9 Licensure of Certain Bingo Manufacturers. Is there a second?

10 COMMISSIONER HANE: Second.

11 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
12 would you call the roll?

13 JUDGE RICHARDSON: Chairman, just a correction for the
14 record, 23-003-B, I believe you mentioned manufacturers again,
15 and it's bingo suppliers.

16 CHAIRMAN ZIMMERMAN: Yes, suppliers. Thank you. Is
17 there a second?

18 COMMISSIONER HANE: Second.

19 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
20 would you call the roll?

21 MS. FRANKS: Chairman Zimmerman?

22 CHAIRMAN ZIMMERMAN: Approved.

23 MS. FRANKS: Commissioner Conway?

24 COMMISSIONER CONWAY: Approved.

25 MS. FRANKS: Commissioner Hane?

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COMMISSIONER HANE: Approved.

MS. FRANKS: Commissioner Spaulding?

COMMISSIONER SPAULDING: Approved.

MS. FRANKS: By your vote, you've adopted Resolution Number 23-003-B.

CHAIRMAN ZIMMERMAN: Okay, that takes care of our entire agenda today in record time, I think. The Missouri Gaming Commission will now take a recess for the purpose of celebrating our 30th Anniversary with all of you. We will reconvene the regular meeting at 12 noon. We are now in recess.

[THAT CONCLUDES THE RECORD]

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REPORTER'S CERTIFICATE

I, Susanne E. Moon, Registered Professional Reporter, Certified Real-time Reporter, and Certified Court Reporter, certify that on December 6, 2023, I was present and reported the proceedings held before the Missouri Gaming Commission, and I further certify that the foregoing 37 pages contain a true and accurate transcription of the proceedings.

Susanne Moon
Susanne E. Moon, RPR, CRR, CCR #473

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MISSOURI GAMING COMMISSION

Open Session following Recess

December 6, 2023 at 11:57 a.m.

Chairman Zimmerman moved for Closed Meeting under Sections 313.847, RSMo., Investigatory, Proprietary and Applications Records and 610.021(1), RSMo., Legal Actions and Matters Subject to Attorney Client Privilege and Legal Work Product, (3) & (13) Personnel, (12) Contracts and (14) Records Protected from Disclosure by Law. Commissioner Hane seconded the motion, and after a roll call vote, Zimmerman – yes, Conway – yes, Hane – yes, and Spaulding – yes, the motion passed unanimously.

Open session ended at 11:58 a.m.

MISSOURI GAMING COMMISSION
Second Open Session Minutes
December 6, 2023

The Missouri Gaming Commission (the “Commission”) went into the second open session at approximately 1:12 p.m. on December 6, 2023, at the Missouri Gaming Commission, 3417 Knipp Drive, Jefferson City, Missouri.

Chairman Zimmerman moved to adjourn the second open session. Commissioner Hane seconded the motion, and after a roll call vote was taken, Zimmerman – yes, Conway – yes, Hane – yes and Spaulding – yes, the motion passed unanimously.

The meeting ended at 1:13 p.m.