

# Maryland Lottery and Gaming Control Agency

Larry Hogan, Governor • Gordon Medenica, Director



Montgomery Park Business Center  
1800 Washington Blvd., Suite 330  
Baltimore, Maryland 21230

Tel: 410-230-8800  
TTY users call Maryland Relay  
www.mdlottery.com

TO: Maryland Lottery and Gaming Control Commission  
Gordon Medenica, Director

FROM: John J. Mooney

DIVISION: Assistant Director for Enforcement

DATE: June 18, 2015

SUBJECT: Enforcement report for the June Commission Meeting

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## **Commission Action Item**

Proposed Merger Agreement between Lakes Entertainment, Inc. and Sartini Gaming, Inc. (Golden Gaming).

See attached Executive Summary. If you would like to read the entire investigation, please contact Phil Metz at 410-230-8943 or [Philip.metz@maryland.gov](mailto:Philip.metz@maryland.gov) and he will get you a copy of the investigation. Phil Metz will be presenting the merger this month as I will be on vacation.

Staff recommends approval

## **Licensing Division**

- Monthly statistics have been updated and included in your packet.
- There are fourteen (14) denials/revocations this month; they are on the Consent Agenda.
- Interviews were conducted for two vacant Lead positions. Two investigators were selected for the openings.

## **Casino Compliance Division**

- Monthly statistics have been updated and included in your packet.
- There is one vacancy at the Casino at Ocean Downs and one vacancy at Hollywood Casino. The positions have been advertised by Human Resources and interviews have been conducted for Ocean Downs.

## **Security / Investigations Division**

- One vacancy due to a resignation.

## **Major Incidents at the Casinos**

- Nothing to report

## **Commission Consent Agenda Item**

### **1. Gaming License Application Denials/Revocations**

**There are fourteen (14) gaming license applications being recommended for denial/revocation based on the applicant's criminal history or failure to cooperate with, or provide requested information to, a background investigator.**

#### **Commission Action:**

**It is requested that the Commission adopt as final the recommendation of the Director, or the Director's designee, for denial/revocation of the specified gaming license applications for the respective applicant's failure to establish his/her qualifications by clear and convincing evidence.**

**Please see the description below, along with the attached spreadsheet.**

### **Gaming License Denials/Revocations**

Commissioners:

The attached spreadsheet contains names of fourteen (14) gaming license applicants for whom Staff has recommended denial/revocation of their applications for gaming license for failure to prove by clear and convincing evidence that they meet the statutory requirements for licensure. *See* State Gov't, Section 9-1A-14 (below). The license applications were recommended for denial/revocation after Licensing Division Staff conducted an investigation, and the investigation results were reviewed by a three-member review panel comprised of Gina Smith, Robert Howells and James Butler. The panel also recommended denial/revocation of these applicants' license applications, and the Director or his designee concurred.

COMAR sets forth the applicant's rights if his/her gaming license application is recommended for denial/revocation. An applicant has a right to timely request a reconsideration meeting, and, if he or she is dissatisfied with the recommendation

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following the reconsideration meeting, the applicant may timely request a full hearing before the Commission. If the applicant fails to exercise these rights, the Commission may adopt as final the Director's recommendation to deny the license. Only the Commission, not Staff, is authorized to deny/revoke a gaming license, which is why these recommended denials/revocations are being presented to the Commission.

All of the applicants identified on the attached spreadsheet were mailed notification of the recommended denial/revocation, and of their right to timely request a reconsideration meeting with the Director of the Director's designee. The majority of the recommended denials/revocations are applicants who did not exercise that right. A smaller group of the recommended denials/revocations are applicants who received a reconsideration meeting and were notified of their right to timely request a full hearing before the Commission, but did not exercise that right.

Staff is requesting that the Commission adopt as final the Director's recommendation to deny/revoke the gaming license applications of the fourteen (14) applicants identified on the attached spreadsheet.

Located on the Agency's Shared Drive under Commission files (June) there are PDF files for your review. The PDF files contain documentation for each of the recommended denials, including: notice of recommended denial (which includes the basis for the recommendation and notice of right to request reconsideration meeting); documentation that Staff mailed the required notices; and relevant documents from the background investigation conducted by Staff that supports the recommended denial/revocation of the applicant's license application.